Millcreek
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Millcreek Planning Commission

Public Meeting Agenda

Wednesday, June 21, 2017 5:00 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 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

30385 – (Continued from 04/19 and 05/17/2017) - A Public Hearing will be held to consider new draft changes to the Commercial Zones "C-1, C-2, C-3" zones within Millcreek. No zoning boundaries will be changed. The C-1, C-2, and C-3 zones are being updated and revised to reflect State Law and past issues. The proposed changes can be reviewed on the City's web site under "Pending Zoning Amendment Proposals": https://millcreekut.org/planningzoning/pending-zoning-amendment-proposals. **Planner:** John Janson

30385 - Recommendation to city council as respects underlying structure for the commercial zones ordinance rewrite.

30460 - A Public Hearing will be held to modify the Conditional Use Chapter, 19.84 within Millcreek. A series of updates and modifications are proposed to the Conditional Use chapter in response to changes in State Law which requires the addition of standards for the imposition of conditions on development applications. The draft ordinance can be reviewed on the City's website under https://millcreekut.org/planningzoning/pending-zoning-amendment-proposals. **Planner:** John Janson

30459 - A Public Hearing will be held to modify and eventually eliminate the M-1 and M-2 zoning districts, Chapters, 19.66 and 19.68, within Millcreek. The purpose of the hearing is to consider proposed Manufacturing zoning modifications to the M-1, and M-2 zoning ordinances for consolidation into one single light manufacturing zone. A new light Manufacturing Zone would replace the current M-1 and M-2 zones. No changes to zoning district boundaries are proposed. The draft ordinance can be reviewed on the City's website under https://millcreekut.org/planningzoning/pending-zoning-amendment-proposals. **Planner:** John Janson

30429 – Heather Newport, on behalf of the KETM Trust – Requesting a rezone of .63 acres from C-1 (Community Commercial) zone to the C-2 (Neighborhood Commercial) zone. **Location:** 2827 South 2300 East. **Community Council:** Canyon Rim. **Planner:** Todd A. Draper, AICP

29889 – Kyle Jardine is requesting approval to modify the conditions of approval for a proposed 55 Unit Group Dwelling on 1.74 acres. **Location:** 3098 South Highland Drive. **Zone:** C-3. **Community Council**: Millcreek. **Planner:** Jeff Miller

30411 – Mr. Ron Newton, on behalf of Ms. Li Liu, is requesting conditional use approval to allow massage therapy on site. **Parcel Area:** ≈.76 Acre**. Location:** 3211 South Highland Drive. **Zone:** C-2. **Community Council**: Canyon Rim. **Planner:** Tom C. Zumbado.

30382 – Mr. Robert Doren is requesting conditional use approval to allow massage therapy on site. **Parcel Area:** ≈.43 Acre. **Location:** 1231 East 3300 South, Unit B. **Zone:** C-3. **Community Council**: Millcreek. **Planner:** Tom C. Zumbado.

BUSINESS MEETING

1) Approval of Minutes from the May 17, 2017 meetings.
2) Approval of Minutes from the June 9, 2017 manufacturing and commercial zone rewrite work session.
3) Ordinance Issues from today's meeting
4) Other Business Items (as needed)

ADJOURN

3932 S. 500 E.
Millcreek, UT 84107
801-214-2700
millcreek.utah.gov

File # 30385

Zoning Ordinance Summary and Recommendation

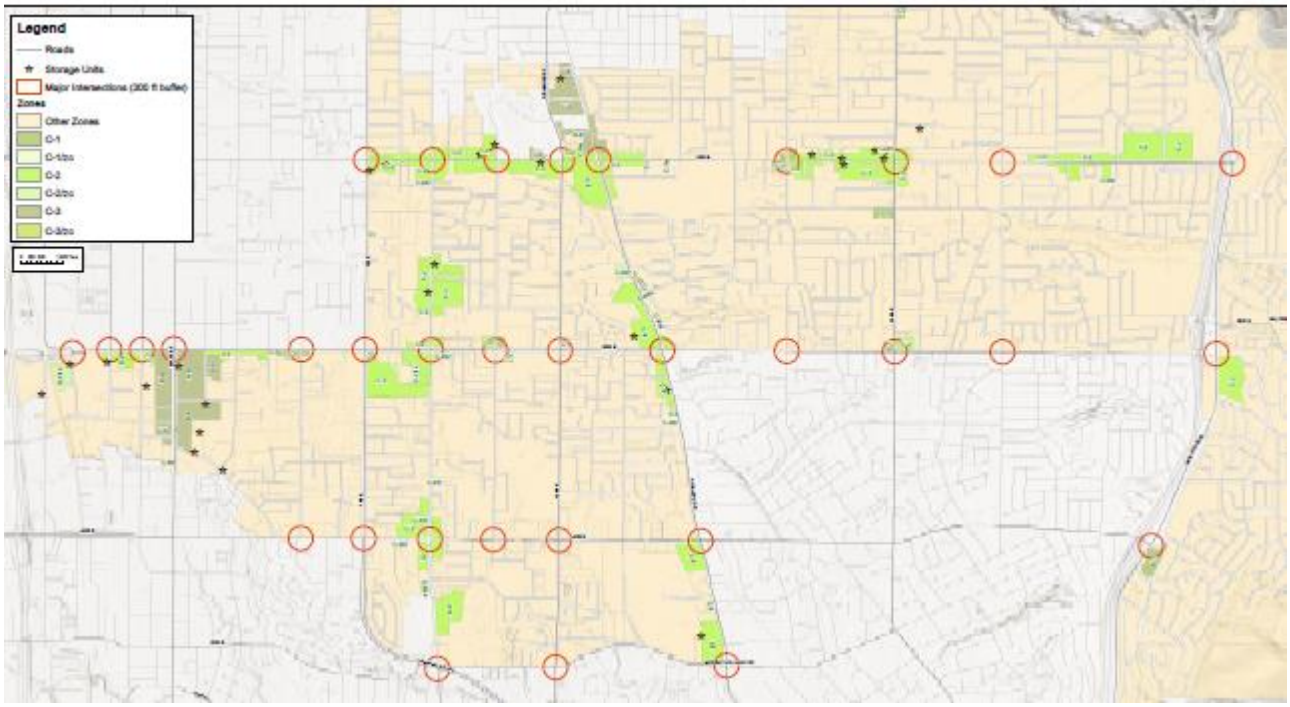
Public Body: Millcreek Planning Commission
Meeting Date: June 21, 2017
Parcel ID: Commercial zones in Millcreek
Current Zone: C-1, C-2, C-3 Proposed Zone: updates and modifications
Property Address: Commercial areas
Request: Recommendation to the City Council for updates and modifications to the C-1, C-2, C-3 zones
Community Council: All included in review
Planner: John Janson
Planning Commission Recommendation:
Community Council Recommendation: No specific comments submitted, some concerns raised
Planning Staff Recommendation: Recommend Approval to the City Council
Applicant Name: Millcreek (the City)

AMENDMENT DESCRIPTION

A series of updates and modifications are proposed to the Commercial zones. As part of several updates being accomplished by the City, the Commercial zones are suggested for considerable changes in terms of format and content to address issues that have gone unresolved over the past 5 to ten years.

SITE & VICINITY DESCRIPTION

Since some of the draft ordinance suggestions include creating buffer areas that preclude certain uses, the following map is provided for that purpose:



ZONE CONSIDERATIONS

Major issues addressed include:

- Distinction between the zones - over the years it has become less clear when/where each zone is appropriate. This draft attempts to create clear distinctions via the purpose and the uses allowed in each zone.
- Residential uses - are they appropriate in a commercial zone? This draft suggests "not" unless the project is a mixed-use development and includes language to assure commercial uses are located along the street.
- Pawn shops – not in a C-1 zone and new requirements for where they can locate (away from prominent corners). 1320' separation requirements and moved away from prominent intersections.
- Check cashing – not in a C-1 zone new requirements for where they can locate. 1320' separation requirements.
- Massage and Reiki – not in a C-1 zone and new requirements for where they can locate (away from prominent corners). 1320' separation requirements and moved away from prominent intersections.
- Smoke shops and tattoo businesses – not in a C-1 zone and new requirements for where they can locate (away from prominent corners). 1320' separation requirements and moved away from prominent intersections.
- Car lots are suggested as only appropriate in the C-3 zone
- Self-Storage - new requirements for where they can locate. 1320' separation requirements, moved away from prominent intersections, prevented from further expansion along 33rd South, and east of 2300 East.

- Light manufacturing and warehousing – recent changes suggest these uses only be allowed in the manufacturing zone.
- Height - lowers the standard height to 4 stories from 6 or 7, plus transitions. Restricts such height modifications to the Meadowbrook area and Highland/13th East area.
- Categories of uses – are used instead of the endless lists of individual uses.
- Prohibited uses - are needed due to the more general categories of uses.
- Design standards - to improve the site planning and building appearance.
- Development agreements - as new C zones are proposed, a development agreement is required to assure the City that what is promised in the rezone process, actually is built.

GENERAL PLAN CONSIDERATIONS

No specific guidance is given in the General Plan but the "Best Practices" lists suggest improvements to commercial areas.

COMMUNITY COUNCIL and PUBLIC INPUT

- Mail outs were sent to approximately 900 property owners and the draft was posted on the City Website
- Phone calls – most owners were just trying to understand what we are engaged in, or trying to find the new draft. Some are concerned about the height reduction, and others thought we were trying to change zoning district boundaries. Many feel the land uses called out are ones that should be addressed. We have had about 20 calls so far.
- Open House on March 29th – we had a fairly steady flow of property owners but not a large turnout. Most attendees were again trying to understand our intent. Most just want to understand what is going on, many were unsure about their current zoning, some people just came to discuss other non-C zone issues, and one person was concerned about a junk yard business that occupies a building they own. Their zoning actually is in the M zone. So far we are not allowing junk yards in the C zones.
- Recent community council interaction suggested addressing massage and Reiki, when they are the principal use.

All of the Community Councils have reviewed the draft. Conversations focused on the Self-Storage facilities and the issue of residential use in commercial zones.

PLANNING COMMISSION RESPONSE

A work session was held on April 4th. A hearing was held on April 19th and another work session on April 26th. Additional discussions emerged as part of discussing the M zones on

June 9th. Since many concerns were raised alternate language for the draft is proposed as attached.

PLANNING STAFF ANALYSIS

The following represents an analysis and response derived from the Planning Commission workshops, concerning the alternate draft:

1. Planning Commission comment - Agree that mixed residential is okay but not stand alone residential. *Alternate draft – only allows mixed use residential*
2. Planning Commission comment - Draft needs to reference standards for the commercial component of a mixed use residential development, including parking standards for commercial or office use. *Alternate draft – references to the other existing chapters are included.*
3. Planning Commission comment - Need a definition of "mixed use", if it is not already provided. *See Definitions chapter additions.*
4. Planning Commission comment – suggest being more restrictive in order to avoid bad unintended consequence. *Alternate draft – is quite restrictive compared to current ordinances in terms of height and use. Height language for flexibility has been modified.*
5. Planning Commission comment - agree that maximum height should be "flexible", but no specific recommendations as to how to provide flexibility and the standards needed. *Alternate draft – see new language which includes two suggested locations.*
6. Planning Commission comment - no flexibility on height should be granted for C-1. *Alternate draft – creates that distinction*.
7. Planning Commission comment - Should car lots be allowed in the C-2? *Alternate draft – only allows them in the C-3 zones and must have a 20,000 square lot with an office.*
8. Planning Commission comment – consider greater separation distance for check cashing and self-storage businesses. *Alternate draft – removes the potential for new storage businesses on prominent intersections, creates a separation of 1320' radii between similar businesses, and suggests eastern areas of the City be eliminated also. A map has been provided showing these provisions.*
9. Planning Commission comment – massage and tattoo. *Treated similarly to storage businesses*
10. Planning Commission comment - need to define what constitutes an "arterial" road. *Alternate draft – defines these by listing the actual intersections.*
11. Planning Commission comment - Truck rental in conjunction with a self-storage business unacceptable? Alternate draft – *prohibits the truck rental in C-1 and C-2*
12. Planning Commission comment - a lot size minimum for certain uses? *Alternate draft suggests a half acre for new or used car lots.*
13. Planning Commission comment - Gun range not allowed in C zones. *Alternate draft – addresses this modification.*

14. Planning Commission comment – residential density. *Limitations are not needed due to the height and mixed use limitations. Alternate draft does not include density limitations nor stand alone residential development.*

PLANNING STAFF RECOMMENDATION

Planning staff recommends approval to the City Council of the C-1, C-2, C-3 zone draft and replacement of the current C zones with the new draft when it is approved, incorporating the alternate changes proposed in red:

Attachments: Alternate draft

CHAPTER 19.32 COMMERCIAL ZONES

19.32.010 Purpose statements
19.32.020 Permitted and conditional uses
19.32.021 Prohibited uses, limitations
19.32.022 Accessory uses
19.32.030 Bulk and yard regulations
19.32.040 Special regulations for commercial zones
19.32.050 General standards of applicability

19.32.010 Purpose statements

A. Purpose of C-1 Commercial Zone.
The purpose of the C-1 Commercial Zone is to provide areas for lower intensity neighborhood commercial development that accommodates the everyday needs of nearby residents. Such zones do not usually generate traffic from regional markets.

B. Purpose of C-2 Commercial Zone.
The purpose of the C-2 Commercial Zone is to provide areas for larger-scale community commercial development. Such zones cater to regional markets and generate traffic from a much larger regional area.

C. Purpose of C-3 Commercial Zone.
The purpose of the C-3 Commercial Zone is to provide areas for other commercial uses with the potential for greater impacts, ~~warehousing and wholesale business~~ and to act as a transition to other zoning districts such as manufacturing or areas with major traffic congestion such as State Street.

19.32.020 Permitted and conditional uses

A. Due to the greater potential for detrimental effects, permitted uses in the C-1, C-2 and C-3 zones over one acre in size shall follow the conditional use procedure in Chapter 19.84.

B. Table 19.32-1: Commercial Zoning Districts Permitted and Conditional Uses lists permitted and conditional uses for the commercial zoning districts.
"P" indicates that a use is permitted within that zoning district.
"C" indicates that a use is a conditional use in that zoning district and a conditional use permit shall be obtained as required in chapter 19.84.

No letter (i.e., a blank space), or the absence of the use from the table, indicates that use is not a permitted use nor a conditional use within that zoning district, subject to additional restrictions and limitations found in 19.32.021 PROHIBITED USES, LIMITATIONS.

TABLE 19.32-1

USES	C-1	C-2	C-3	SPECIFIC USE STANDARDS
Indoor or outdoor archery range		C	C	
Multi-family and PUDs deleted				
Residential facility for the elderly or persons with a disability, assisted care facility, nursing facility	P	P	P	
Hotel, Motel, Bed & Breakfast	C	C	C	No Hotel or Motels in the C-1 zone
Public, quasi-public use, and Civic uses	P	P	P	Not including private schools
Transit Station		P	P	
Hospital and all other medical, dental facilities		P	P	
School, public, charter, private	P	P	P	
Neighborhood Retail	P	P	P	No commercial building over 20,000 square feet is allowed in the C-1 zone. In addition, no business in the C-1 zone shall occupy a space greater than 5000 square feet.
General Retail and Entertainment		C	C	See table 19.32-2 for additional limitations
Light manufacturing/warehousing deleted				
Retail Food Trucks, Farmers Market including vegetable stands	C	C	C	As an accessory use on private property and not within a front or side yard setback. On-street locations

USES	C-1	C-2	C-3	SPECIFIC USE STANDARDS
				may be allowed on a non-UDOT street in a C-2 and C-3 zone.
Drive up uses with outside order windows or structures, such as restaurants, banks, etc.		C	C	No order window or structure is allowed within 150' of a residential use. Speakers to be oriented away from adjacent uses.
Neighborhood Service	P	P	P	
General Service	P	P	P	
Vehicle Service and repair		C	P	
Office	P	P	P	
Mixed Use (commercial, or office and/or residential use within the same building or located adjacent within a unified site plan)		C	C	A minimum of 25% of the total square footage of the entire project shall be dedicated to commercial and/or office use. ***(alternate - Commercial uses are required for at least 50% of the ground floor facing a public street. This commercial space shall have a minimum depth of 30'.)*** 24 hour on-site management required for projects with 50 or more residential units.
Commercial parking lot and/or garage		C	C	Parking garages shall include non-residential uses for at

USES	C-1	C-2	C-3	SPECIFIC USE STANDARDS
				least 75% of the ground floor facing a public street.
Fireworks		C	C	Temporary stands to be located on private property and subject to the Uniform Fire Code
~~Vertical indoor temperature controlled storage (mixed use)~~ Self-Storage facilities of all types		C	C	See additional limitations in Table 19.32-2

19.32.021 Prohibited uses, limitations – notwithstanding the permitted and conditional uses in TABLE 19.32-1 and other ordinances found in this Title, the following specific prohibitions and/or limitations apply:

Table 19.32-2

USES	SPECIFIC USE LIMITATIONS
Detention facility/jail as a principal use	Not allowed
Indoor and/or outdoor gun ranges	Not allowed
Outside storage within view of the street or in any front or side yard facing a street. ~~Such storage requires a minimum 6' opaque fence.~~	Storage that is not considered "display". Includes storage containers. Such storage requires a minimum 6' opaque fence.
Displays over five feet in horizontal distance from the main building.	Not allowed
Massage or Reiki as the principal service (Deleted – see below).	Not allowed in the C-1 zone.
Equipment, car or truck rental	Not allowed in the C-1 zone
Commercial wireless communication facilities	Only stealth type towers and accessory structures are allowed in the C zones
Outdoor kennel	Not allowed in a C-1 zone or within 150' of a residential use

USES	SPECIFIC USE LIMITATIONS
Sexually oriented businesses	~~Not allowed~~ Subject to Chapter 19.91. 11 and not allowed in the C zones
Pawnshop, tattoo, retail tobacco and/or smoke shops and related products, massage or Reiki as the principal use, and associated services*	Not allowed in a C-1 zone or within 300' of an arterial/major intersection in the C-2, C-3 zones. and not within 2640' of an established substantially similar business.
Retail tobacco deleted and added to above	~~Not allowed in a C-1 zone~~
~~New or used, sale or lease~~ Sale of lease of new or used ~~of~~ vehicles of all types, moving trucks, watercraft, mobile homes, travel trailers, campers, motorcycles and other recreational vehicles	Not allowed in C-1, C-2 zones. 20,000 square foot minimum lot size including an on-site office is required.
Secondhand stores including general merchandise, precious metal dealer/processor and/or precious gem dealer, military surplus	~~Not allowed in a C-1 zone~~ Limited to a maximum of 2500 square feet in a C-1 zone and 10,000 square feet in a C-2 or C-3 zone
Self-storage facility of all types, including mini-storage units, neighborhood storage and temperature controlled storage facilities*	Not allowed in a C-1 zone and not within 300' of an arterial intersection in C-2, C-3 zones or within 1,320' of an established substantially similar business, no additional facilities allowed on 3300 South, *and no additional facilities allowed east of 2300 East on 4500 South and 3900 South (not clear yet)*
Tattoo establishment deleted and added above	~~Not allowed in a C-1 zone~~
Taxicab and/or Limousine business	Not allowed in a C-1 zone
Tavern, as defined by State Code	Not allowed in a C-1 zone
Sororities and fraternities	Not allowed
Manufactured Home park or manufactured home subdivision	Not allowed
Short term ("payday", "car" title, check cashing and similar) loan service*	Not allowed in the C-1 zone and not within 300' of an arterial intersection

USES	SPECIFIC USE LIMITATIONS
	or within 2640' of an established substantially similar. See Chapter 5.13.030 Business Licensing for additional restrictions.
Flea markets, swap meets	Not allowed in the C-1 zone
Outdoor commercial recreation, outdoor commercial amusement, or outdoor commercial entertainment	Not allowed in the C-1, C-2 zones and not allowed within 150' of a residential use or zone
Recreational vehicle campgrounds	Not allowed in the C-1, C-2 zones
Impound, Vehicle Recycling, and/or junk yards	Not allowed in the C zones

* Arterial intersections are defined as those major intersections where Murray-Holladay Rd., 4500 S, 3900 S, and 3300 S intersect with 300 W, West Temple, Main Street, State Street, 500 East, 700 East, 900 East, 1100 East, 1300 East, Highland Drive, 2000 East, 2300 East, 2700 East, and Wasatch Boulevard. Distance is measured as a radius from the applicant's nearest property line to the arterial intersection ROW line and/or to the property line of the nearest substantially similar business. Any overlap of the radius onto the applicant's property excludes the entire property.

19.32.022 Accessory uses

Accessory uses and structures shall be subordinate/incidental to the main use and structure. Other than food trucks such uses shall not be allowed in the front or side yards facing a street.

19.32.030 Bulk and yard regulations

Table 19.32-3: Commercial Zones: Bulk and Yard Regulations establishes bulk and yard regulations for the commercial zoning districts.

Table 19.32-3

BULK & YARD REGULATIONS				
MINIMUM LOT AREA	None required	None Required # 1	None Required #1	
MINIMUM LOT WIDTH	None Required	None Required #2	None Required #2	
MAXIMUM BUILDING HEIGHT	30 Feet	40* Feet	40* Feet	
MAXIMUM LOT COVERAGE	80 Percent	80 Percent	80 Percent	
MINIMUM BUILDING HEIGHT	1 story	1 story	1 story	

YARD REQUIREMENTS	C-1	C-2	C-3	
MINIMUM FRONT YARD	20 Feet	~~Residential Uses~~ Mixed Use: 25 Feet, See Footnote 3 Other Uses; 20 Feet	~~Residential Uses~~ Mixed Use : 25 Feet, See Footnote 3 Other Uses; 20 feet	
MINIMUM REAR YARD	If located adjacent to residential zoning, 25 feet, otherwise none required	~~Residential use~~ Mixed use: 25' If located adjacent to residential zoning, 25 feet, otherwise none required	~~Residential use~~ Mixed Use:25' If located adjacent to residential zoning, 25 feet, otherwise none required	
MINIMUM INTERIOR SIDE YARD	If located adjacent to residential zoning, 10 feet, otherwise none required	If located adjacent to residential zoning, 10 feet, otherwise none required	If located adjacent to residential zoning, 10 feet, otherwise none required	
MINIMUM CORNER SIDE YARD	20 Feet	20 Feet	20 Feet	
ACCESSORY STRUCTURES: REAR AND INTERIOR SIDE YARD	1 Foot	1 Foot	1 Foot	
ACCESSORY STRUCTURES: REAR AND INTERIOR SIDE YARD WHEN ABUTTING RESIDENTIAL USE	10 Feet	10 Feet	10 Feet	
Densities deleted				

* Greater height may be granted up to a maximum of 75 feet by the Planning Commission through an evaluation of terrain differences, views, and the heights of buildings that are immediately adjacent to the proposed building in comparison to the proposed building. Higher building requests shall only be considered if they are mixed use or exclusively office uses, exceed the building design standards of this ordinance, include a 10' usable setback between the second and third floors, provide an additional 10' front yard setback as a public space adjacent to the ROW, and not exceed the lot coverage requirement. Based on the above evidence provided by the applicant, the Planning Commission will determine if the

proposed height is acceptable and that such height will not create reasonably anticipated detrimental effects on adjacent properties. This flexibility is only allowed in the Meadowbrook area including State Street, and the Highland Drive and 13th East areas along 3300 S and within a 500' radius of those intersections.

TABLE 19.32-3: NOTES:

1. For mixed use buildings containing residential dwellings, no minimum lot area is required.
2. For mixed use buildings containing residential dwellings, no minimum lot width is required.
3. Where fifty percent or more of the lot frontage is developed, the front yard shall not be less than the average of the existing buildings, but in no case less than fifteen feet.
4. For buildings adjacent to residential uses, the side and rear yards abutting single family residential uses shall be increased by one foot for every two feet that the structure exceeds 30 feet in height.
5. For "automobile service station" uses, gasoline pumps shall be set back not less than twenty-four feet from any street property line, and not less than thirty feet from any residential zone boundary line. If the pump island is set at an angle on the property, it shall be so located that automobiles stopped for service will not extend over the property line. In addition, canopies constructed to provide a weather shield over gasoline pump islands shall be set back not less than 4' feet from any required setback.
6. Notwithstanding contrary definitions found in Title 19 Zoning, building height is measured from the natural grade to the highest point of the roof.

19.32.040 Special regulations for commercial zones

A. General Conditions in the C-1 Zone. Stores, shops or businesses in C-1 zones shall be retail or neighborhood service establishments only, and shall be permitted only under all of the following conditions:
   1. Business shall be conducted wholly within an enclosed building, except for the parking and servicing of automobiles, and service to people in automobiles, except that any type of restaurant may have outdoor dining but no outdoor music or concerts, including any recorded, live, amplified or acoustic music.
   2. All products, whether primary or incidental, shall be sold at retail on the premises.
   3. All uses shall be free from objectionable and unreasonable odor, dust, smoke, noise, vibration, or similar problems

B. Business Uses and Conditions in the C-2 and C-3 Zone. Uses in the C-2 and C-3 zones shall be permitted only under all of the following conditions:
   1. All manufacturing/assembly shall be done wholly within completely enclosed buildings.
   2. All uses shall be free from objectionable and unreasonable odor, dust, smoke, noise, vibration, or similar problems.

C. Design Standards for C-1, C-2, C-3 zones
   1. Entrances to the first floor of commercial and mixed use buildings shall front on the street. Windows shall make up at least 50% of first floor street-facing facades. Top floors shall have architectural differentiation from the other floors in the building.

   2. No more than one row of parking is allowed between the building(s) and the street within 300' of any major intersection. No parking is allowed between the street and the building in any town center area.

3. Corner lots are deemed to have two front yards.

4. The front yard setback is the build-to-line within 300' of any arterial/major intersection (see 19.32.021 Prohibited uses, limitations for definition). At least 50 percent of the front elevation of the building(s) must be built within 10 feet of the build-to-line or as approved by the Planning Commission. A build-to-line is defined as the line at which construction of a building façade is to occur on a lot, running parallel to the front property line, and ensuring a uniform (or more or less even) building façade line on the street.

5. Landscaping along the street shall comply with this chapter and chapter 19.77.

6. Signage for commercial or office uses is defined in Chapter 19.82.

7. Garbage and Recycling**.** The development shall be designed to accommodate and efficiently manage the collection, storage, and removal of garbage in harmony with the neighborhood so as to minimize detrimental effects of the collection, storage, and removal on any residence within the development or abutting neighborhoods. If dumpster enclosures are provided for the development, no refuse dumpster or dumpster enclosure structure shall be located closer than 10 feet to any perimeter property line. Enclosure structures must have a minimum of four sides that reflect or emulate the materials, design, and quality of the overall development. All developments shall provide recycling services.

8. Parking (Chapter 19.80) for Multi-family uses may be reduced based on a traffic study by a qualified transportation engineer**.**

9. Building Materials. Exterior materials of a durable or resilient nature such as brick, stone, stucco, prefinished panel, composite materials, or other materials of similar quality, hardiness, and low maintenance characteristics shall be used. No single material is allowed to exceed 50 percent on street-facing facades. Windows are not allowed to be less than 50% of the gross street-facing façade square footage. Other materials may be considered for soffits, or as an accent or architectural feature. Twenty-five year guarantee, architectural shingles and/or other longer lasting roof materials are required.

10. Landscaping on Public Right-of-Way**.** Where a development is adjacent to a public right-of-way, a permanent open space shall be required along any front, side, or rear yard adjacent to said right-of-way. This area shall be kept free of buildings and structures (except fences, as per chapter 19.77.050, and approved by the Planning Commission), and permanently maintained with street trees and other landscaping, screened or protected by natural features, as per chapter 19.77. If such areas are

the result of double frontage lot designs with inadequate access to the street, such areas shall be landscaped as per chapter 19.77 with a minimum of a five foot landscaped area next to the public ROW. Fences shall not be located within this five foot landscaped area. Aesthetic entrance features are encouraged. Additional landscape treatments or buffers may also be required with width and landscaping specifications as per chapter 19.77. Double frontage lots with parking lots adjacent to the street may substitute a screen wall a minimum of 3' in height for this fencing requirement.

11. Perimeter Fencing**.** Fencing is required for non-residential uses located adjacent to residential uses. Acceptable fencing materials include architecturally designed brick, stone, or block, or pre-cast concrete. Fencing with materials using composite products, wrought iron, wood, or vinyl may be allowed with a minimum two foot wide, six foot tall brick or stone pillars spaced every ten feet on center. Unless otherwise allowed by the Planning Commission, exterior fencing along a public right of way shall be limited to brick, stone, or block, or pre-cast concrete and be setback a minimum of 5 feet from the property line to allow for a landscaping buffer designed in accordance with chapter 19.77 to soften long expanses of walls. Interior fencing shall comply with section 19.78.030(11) (f).

12. Interior Street Lights**.** Street and pedestrian lighting for streets on the interior of the development is required. All lighting fixtures shall be directed downward with mechanisms to prevent dark sky illumination. The applicant shall submit a plan which indicates the type and location of lights in relation to the development and designed for pedestrian safety. Minimum Average Foot-Candles for interior streets shall be shall be 0.3 and the fixture height shall not exceed 25 feet. No on-site light poles may be located closer than 10 feet from the public right of way.

13. Access between uses**.** Vehicular and pedestrian access between uses that does not force vehicles out to the adjacent street is required.

14. Maximum heights may be exceeded with Planning Commission approval for the Meadowbrook Small Area Plan area, and future town centers. All locations requesting greater height are subject to a height compatibility evaluation that includes site line perspectives with adjacent properties and may require transitions to assure greater integration within the neighborhood.

19.32.050 General standards of applicability

A. The use and development of property within the Commercial ~~and MD~~ Zones are also subject to other applicable chapters in the zoning ordinance, such as, the Parking Chapter, 19.80, Water Efficient Landscaping, 19.77, Signs, 19.82, etc.

B. Standards in other chapters may apply. In the event there is language elsewhere in Chapter 19 that conflicts with language in this chapter, the more restrictive standard prevails.

C. In any rezoning process, a development agreement shall be required at the sole discretion of the City. “Development Agreement" means an agreement negotiated and entered into by the City with a property owner and/or developer, pursuant to a proposed development within the City. The Agreement must (1) specify and describe the proposed development through text, site plans and elevations (2) detail the amenities and other benefits being provided to the City and its residents (3) utilize a development agreement form approved by the City.

The Development Agreement shall run with the land and be binding on all successors and assigns of the property owner or developer; however, each Development Agreement shall include a clause that allows the City to re-zone the property and withdraw from the Development Agreement if the Development Agreement is not recorded within two (2) years of execution of the Agreement.

Draft – Recommendation to City Council as respects underlying ordinance philosophy, June 2017

The planning commission has been asked to provide a recommendation to the city council as respects the underlying ordinance draft philosophy that it feels is most appropriate for the City. The two options are:

1) Have broad categories of uses, where a use is acceptable within the stated categories unless specifically prohibited or limited in some manner.

2) Specifically "state", "list" or "schedule" acceptable uses in the ordinance. If a proposed used is not specifically stated or scheduled in the ordinance, it is prohibited.

The current commercial zones rewrite draft uses the first philosophy, combined with certain specifically stated uses (in order to deal with uses that are not specifically "commercial" in nature, but are compatible with a commercial area such as civic and public uses, or, by law, cannot be excluded, such as schools), along with prohibitions or limitations for certain type of uses that fall within the stated broad categories, such as payday lenders, smoke shops, pawn shops, sexual oriented businesses, etc, that the city wants to restrict or prohibit for a number of reasons. If a use falls outside of a stated broad category, it is not allowed. An example of a use that would be prohibited in the commercial zones is manufacturing – since "manufacturing" does not fall within any of the stated categories, it is not allowed.

The principal advantage of "scheduling" or "stating" uses is that it is less likely that an unanticipated, undesirable use will become established, as it was not listed in the ordinance and is consequently prohibited. The broad category approach might possibly result in an undesirable use becoming established as its nature of operation falls within a broad category with no limitations imposed.

The consensus of the planning commission is that the broad category approach is more appropriate for the following reasons:

1. It is perceived to be more development-friendly and better protect private property rights, as the broad category approach makes its more likely that a proposed use will be acceptable, simply due to it not being prohibited or limited, without requiring the lengthy process of amending a specific (scheduled) use ordinance in order to allow it.

2. Managing the risk of a potential use that the city finds unacceptable in most cases can be accomplished through the diligence of planning staff, planning commission, city council and residents in anticipating new trends and new uses and then proactively amending the ordinance in a manner that prohibits or restricts those uses the city is likely to find unacceptable from a community perspective.

3. There has been much thought and editing of the current commercial zones rewrite draft. All known unacceptable uses or uses the city may want to limit in some manner have been dealt with in the draft ordinance, either by prohibiting them, limiting them to one or more of the commercial zones or by placing certain geographical limitations or limiting the hours of operation.

4. The trend in municipal planning and zoning is to move away from scheduled (listed) use zoning to broad category zoning, which in turn is more in line with the philosophy of developing places-based and form-based codes for those areas the city might want to designate as potential town centers.

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File # 30460

Zoning Ordinance Summary and Recommendation

Public Body: Millcreek Planning Commission
Meeting Date: June 21, 2017
Parcel ID: NA
Current Zone: NA Proposed Zone: NA
updates and modifications
Property Address: NA
Request: Recommendation to the City Council for updates and modifications to the Conditional Use chapter, 19.84
Community Council: All included in review
Planner: John Janson
Planning Commission Recommendation:
Community Council Recommendation: No specific comments submitted
Planning Staff Recommendation: Recommend Approval to the Planning Commission
Applicant Name: Millcreek (the City)

AMENDMENT DESCRIPTION

A series of updates and modifications are proposed to the Conditional Use chapter in response to changes in State Law. As part of several updates being accomplished by the City, this chapter is suggested for changes to cover the potential topics and concerns that might arise in the review of a conditional use. Changes in State Law about 12 years ago require communities to anticipate the potential detrimental effects of a conditional use and apply standards found in the community's ordinances as conditions that could be imposed to mitigate those impacts. Conditions applied to a conditional use can only come from standards in the ordinances.

SITE & VICINITY DESCRIPTION

Conditional uses are found in most of Millcreek's zoning ordinances. The listed conditional uses are not suggested for any changes as part of this update, therefore there are no mapping issues.

ZONE CONSIDERATIONS

Major issues addressed include:

- Additional subjects/topics with implied standards that provide a basis for conditions that might be imposed on a particular conditional use. Additional standards will be part of each new zone revision as the complete package of ordinance updates progresses.
- A more refined ability to require complete applications prior to processing. Complete applications are development applications that meet Millcreek's ordinance standards. Incomplete applications will not be processed, until they are complete.
- Conditional use revocation language, as part of a series of tools to enforce the zoning ordinance (found in other sections of the ordinances), is included.

GENERAL PLAN CONSIDERATIONS

No specific guidance is given in the General Plan.

COMMUNITY COUNCIL and PUBLIC INPUT

All of the Community Councils have reviewed the draft. Conversations focused on the lack of discretion that has been established in State Law for administrative decisions. Decisions are now limited by what standards are provided in your ordinances.

PLANNING COMMISSION RESPONSE

A work session was held on April 26th, that focused on how State Law has changed and the list of "detrimental effects".

PLANNING STAFF ANALYSIS

Back in 2005, the State Law changed (10-9a-507) as it relates to Conditional Uses. The changes have been pretty well publicized, especially the language that follows, "**SHALL be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects".** This significant change resulted in what is becoming common knowledge now, that only in very extreme circumstances, could you deny a conditional use.

The past way of thinking, that maybe you can allow certain uses that really don't "fit" in the zone but might fit if you add enough conditions, is really not the right, State Law mandated, way to manage your zoning districts. The uses within a district ought to comply with the intent of the zone and your General Plan. There ought not to be uses that are contrary to the zone intent – the uses should be "compatible" with each other, already.

"Compatibility" is not word that you will find in the State Law. As a matter of fact, you will find the word "standards" in all three paragraphs of State Law. Essentially, the imposition of conditions has to be associated with written standards. This makes conditional uses a lot like permitted uses but they can have a different set of standards. "Discretion" is a word associated with "Legislative" acts, not "Administrative" decisions. Conditional uses are administrative by nature, since they already have laws/ordinances that govern them.

.
There are several approaches to accomplish this. This approach is to simply add standards to our conditional use chapter. Our intent with this draft is to meet the State Law by adding standards. These are not exact, technical standards, but more topical to assure that we have a reference for the kinds of conditions we might want to impose. Plus, as we update our ordinances, more standards will be provided in each chapter.

PLANNING STAFF RECOMMENDATION

Planning staff recommends that the Planning Commission recommend approval of the draft Conditional Use chapter, 19.84, to the City Council.

Attachments: Conditional Use chapter draft:

Chapter 19.84 - CONDITIONAL USES

19.84.010 - Purpose.

The purpose of this chapter is to provide for a reasonable application, review, and approval process for land uses that are specified as "conditional," such that proposed new land uses meet City ordinances, Federal and State Law, and are properly integrated into the community through the imposition of conditions, based on standards, intended to mitigate the reasonably anticipated detrimental effects of a particular conditional use. Conditional uses shall be approved on a case-by-case basis provided the applicant adequately demonstrates that the reasonably anticipated detrimental effects of the proposed use can be mitigated through the imposition of reasonable conditions, based on standards in the City ordinances.

19.84.020 - Conditional use permit required

A conditional use permit shall be required for all uses listed as conditional uses in the zoning district regulations where the use is located or elsewhere in this title.

19.84.030 - Application requirements—Fee.

Only when the following elements are satisfied is a conditional use application deemed complete:

A. An application for a conditional use permit shall be made by the property owner or certified agent thereof in writing upon the form(s) designated by the director or director's designee.

B. Accompanying Documents. Each application shall include: to-scale site plans, architectural elevations, landscape plans, sign plans, and engineering specifications, unless waived by the director or director's designee. Such plans may be conceptual but shall provide reasonable accuracy and specifications to allow for full understanding, pending the technical review and finalization subsequent to Planning Commission approval.

C. Fee. The initial application fee for any conditional use permit, as provided for in Section 3.52.040 of this code, shall be paid. The payment of a partial application fee,

or the submittal of plans for a pre-submittal review, does not constitute a complete application.

D. Complete Applications. Only applications deemed complete by the City staff will be processed. Complete applications include appropriate application forms and signatures as required in A above, the required associated drawings, as required in B above, and such drawings shall meet City standards unless a waiver is being sought as part of the application.

19.84.040 - Application review.

A. The director or the director's designee shall administer an application review procedure in which the proposed use and the proposed site development plan are evaluated for compliance with all applicable ordinances and codes and for reasonably anticipated detrimental effects.

B. The application review procedure shall contain the following components:

1. Referral of the application to all affected entities;
2. A review of the proposed site plan, and associated documents for compliance with applicable sections of the zoning ordinance;
3. A review of the proposed use and site plan to ascertain potential reasonably anticipated detrimental effects and whether conditions based on standards can be imposed to mitigate those effects.

C. The application review procedure may include the following:

1. Referral of the application to governmental or regulating entities for recommendations;
2. A pre-application meeting, in which preliminary site plans are reviewed and discussed prior to finished plans being submitted for review;
3. An on-site review of the proposal by the director, director's designee or staff;
4. A requirement that the applicant submit impact studies or other technical studies regarding grading, drainage, traffic, geologic hazards, noise, and environmental contamination.

D. The director, director's designee or staff shall present a review, summary, and recommendation to the Planning Commission after having provided the applicant with a copy as required by State law. The recommendation shall remain part of the public record.

19.84.050 - Approval/denial authority.

The Planning Commission has the authority to approve or approve with conditions, based on standards, all conditional use applications. Denial of an application shall only be considered if there are no conditions that can be imposed to mitigate the reasonably anticipated detrimental effects of the use. All conditional uses are presumed to be compatible in the zone and compatible with the intent of the General Plan.

A. Planning Commission Approval.

1. The Planning Commission shall review and approve with conditions, continue, or deny, if no reasonable mitigation can be determined, each application during a public meeting.
2. The Planning Commission's decision shall be based on information presented through the public meeting process, including: the materials submitted by the

applicant, information provided by reviewing agencies, the recommendation of the director or director's designee, and input from community councils, interested parties and affected entities.

3. The director or director's designee shall issue a final approval letter, subsequent to Planning Commission approval, detailing the conditions imposed and standards of the ordinances as applied to the conditional use.
4. If the applicant fails to meet all conditions of approval within twelve months of the Planning Commission's decision, the application is deemed denied. Up to a twelve-month extension may be granted upon the payment of an additional filing fee equal to the original filing fee.
5. A Planning Commission decision shall be made on a complete conditional use application within a reasonable time frame, not to exceed ninety days, beginning on the date the complete conditional use application is first reviewed by the Planning Commission. The Planning Commission is authorized to review and take action on an application as outlined in Section 19.84.040 after having notified the applicant of the meeting date.
6. Failure by the applicant to provide information that has been requested by the Planning Commission, the director or director's designee to resolve conflicts with the standards in Section 19.84.060 may result in an application being considered incomplete or denied.

B. Decision. Each conditional use application shall be:

1. Approved if the proposed use, including the manner and design in which a property is proposed for development, complies with the standards for approval outlined in Section 19.84.060; or
2. Approved with conditions if the anticipated detrimental effects of the use, including the manner and design in which the property is proposed for development, can be mitigated with the imposition of reasonable conditions to bring about compliance with the standards outlined in Section 19.84.060; or
3. Denied if the anticipated detrimental effects of the proposed use cannot be mitigated with the imposition of reasonable conditions of approval to bring about compliance with the standards outlined in Section 19.84.060.

19.84.060 - Standards for approval.

All Conditional Use Permits run with the land and may require the applicant to record documents to that effect. The Planning Commission and staff, in their review capacity, may impose site plan modifications and conditions to mitigate the reasonably anticipated detrimental effects of a conditional use. All conditional uses shall meet the following standards:

a. The proposed conditional use shall comply with City ordinances, Federal, State Law, as applicable to the use and to the site where the conditional use will be located, and;
b. Mitigation is required of reasonably anticipated detrimental effects arising from the conditional use, including:
    1. Detrimental effects of decreased street service levels and/or traffic patterns including the need for street modifications such as dedicated turn lanes, traffic control devices, safety, street widening, curb, gutter and sidewalks, location of ingress/egress, lot surfacing and design of off-street parking and circulation, loading

docks, as well as compliance with off-street parking standards, including other reasonable mitigation as determined by a qualified traffic engineer.

2. Detrimental effects on the adequacy of utility systems, service delivery, and capacities, including the need for such items as relocating, upgrading, providing additional capacity, or preserving existing systems, including other reasonable mitigation as determined by the City's engineering staff, contracted engineers, and utility service providers.
3. Detrimental effects on connectivity and safety for pedestrians and bicyclists.
4. Detrimental effects by the use due to its nature, including noise that exceeds sound levels normally found in residential areas, odors beyond what is normally considered acceptable, within a neighborhood including such effects as environmental impacts, dust, fumes, smoke, odor, noise, vibrations; chemicals, toxins, pathogens, gases, heat, light, electromagnetic disturbances, and radiation. Detrimental effects by the use may include hours of operation and the potential to create an attractive nuisance.
5. Detrimental effects that increase the risk of contamination of or damage to adjacent properties and injury or sickness to people arising from, but not limited to, waste disposal, fire safety, geologic hazards, soil or slope conditions, liquifaction potential, site grading/topography, storm drainage/flood control, high ground water, environmental health hazards, or wetlands, as determined by City Engineer, City geologist and other qualified specialists.
6. Detrimental effects of modifications to or installation of signs and exterior lighting that conflict with neighborhood compatibility.
7. Detrimental effects arising from incompatible designs in terms of use, scale, intensity, height, mass, setbacks, character, construction, solar access, landscaping, fencing, screening, and architectural design and exterior detailing/finishes and colors within the neighborhood in which the conditional use will be located.
8. Detrimental effects on the tax base and property values.
9. Detrimental effects on the current level of economy in governmental expenditures.
10. Detrimental effects on emergency fire service and emergency vehicle access.
11. Detrimental effects on usable/functional/accessible open space.
12. Inadequate maintenance of the property and structures in perpetuity including performance measures, compliance reviews, and monitoring.
13. Detrimental effects on appearance from graffiti. Applicants shall apply an anti-graffiti material or coating, approved by the City, to building, fence, and other surfaces from ground level to a height of nine feet. The Planning Commission may approve dense planting or appropriate design measures in place of anti-graffiti materials. This requirement may be imposed retroactively where graffiti issues are present.

19.84.070 - Appeals.

Any adversely affected person shall have the right to appeal to the land use hearing officer any decision rendered by the Planning Commission, the director or director's designee by filing in writing, stating the reasons for the appeal with the land use hearing officer, within ten days

following the date upon which the decision is made, pursuant to Chapter 19.92. Appeals to the land use hearing officer shall comply with the following procedures:

A. Upon scheduling a hearing date, the land use hearing officer shall notify the Planning Commission coordinator at least two weeks prior to the hearing to allow preparation of the record.

B. The Planning Commission coordinator shall prepare a copy of the record of the proceedings and decision being appealed for presentation to the land use hearing officer.

C. The hearing officer shall review the record, and may not accept or consider any evidence outside the record unless the evidence was offered to and was excluded by the Planning Commission, the director or director's designee and the hearing officer determines that it was improperly excluded.

D. The land use hearing officer shall review the Planning Commission's or the development services division's actions to determine whether the decision was arbitrary, capricious, or illegal.

E. The filing of an appeal does not automatically stay the decision; however, the land use hearing officer has the authority to stay the decision while the appeal is pending.

~~F~~. After review of the record and written and oral argument on both sides, the hearing officer may affirm, reverse, alter, or remand to the Planning Commission, the director or director's designee for further review and consideration the action taken by the Planning Commission, the director or director's designee.

19.84.080 - Preliminary and final approval of conditional use applications.

A. Unless otherwise designated, a Planning Commission decision approving a conditional use application shall be a preliminary approval of the application.

B. Except as specified in subsection C of this section, the planning and development services director is authorized to grant final approval of conditional use applications after all of the conditions and requirements of the preliminary approval which are necessary for the final approval have been met. Final approval of a conditional use application shall be in the form of a letter to the applicant which, together with the approved site plan if required, shall constitute the conditional use permit.

C. The Planning Commission may require as a condition of preliminary approval that a conditional use application be brought before the Planning Commission for consideration of final approval.

19.84.090 - Revocation of conditional use permits.

A conditional use permit may be revoked by the Planning Commission upon a finding of failure to comply with the terms and conditions of the original permit or for any violation of this title occurring on the site for which the permit was approved. Prior to taking action concerning revocation of a conditional use permit, a hearing shall be held by the Planning Commission. Notice of the hearing and the grounds for consideration of revocation shall be mailed to the permittee at least ten days prior to the hearing.

19.84.100 - Hearing officer.

The Planning Commission may appoint, with the concurrence of the Mayor, a hearing officer or officers to make recommendations to the Planning Commission as to whether cause exists for the Planning Commission to consider revoking any conditional use permit. Prior to

making any recommendation to the Planning Commission, an evidentiary hearing shall be conducted by the hearing officer to determine whether the permittee has failed to comply with the terms and conditions of the original permit or has otherwise violated any provision of the zoning ordinance occurring on the site for which the permit was approved. The hearing officer shall notify the Planning Commission if any violations have been corrected by the permittee prior to the issuance of the hearing officer's recommendations.

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File # 30459

Zoning Ordinance Summary and Recommendation

Public Body: Millcreek Planning Commission **Meeting Date: June 21, 2017**
Parcel ID: Manufacturing zones in Millcreek **Current Zone: M-1, M-2** **Proposed Zone: M Zone**
Property Address: Manufacturing areas along State St. and to the west
Request: Recommendation to the City Council for updates and modifications to the M-1, and M-2, to create a new M zone for light manufacturing, change the Zoning map designations, and repeal the existing M-1 and M-2 zones
Community Council: All included in review
Planner: John Janson
Planning Commission Recommendation:
Community Council Recommendation: No specific recommendation submitted
Planning Staff Recommendation: Recommend Approval to the City Council
Applicant Name: Millcreek (the City)

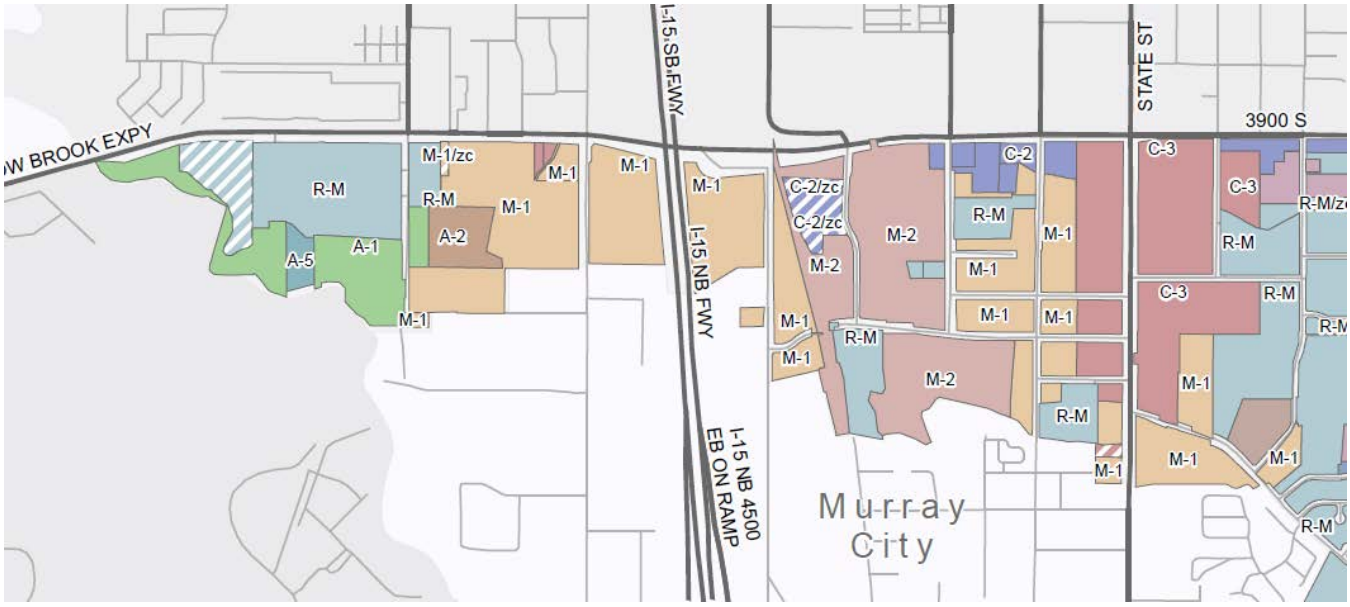
AMENDMENT DESCRIPTION

A series of updates and modifications are proposed to the Manufacturing zones that will result in the creation of one new "Light Manufacturing" zone. As part of several updates being accomplished by the City, the Manufacturing zones are suggested for considerable changes in terms of format and content to address issues that have gone unresolved over the past 5 to ten years. Heavy manufacturing uses are not recommended for continuation in Millcreek.

In a sense, this is a consolidation, upgrade, and rezoning proposal since the existing zones would be replaced with the new M zone which is different from the existing M-1 and M-2. In addition, the existing M-1 and M-2 zoning districts would be deleted from the zoning ordinance and map.

SITE & VICINITY DESCRIPTION

The following map displays the Manufacturing zones in Millcreek. Essentially, they include a small area near Big Cottonwood Creek and east of State Street, and the areas to the west of State street to the western City border along the Jordan River. In addition, there is one small, 1.25 acre parcel just north of the Brickyard condominiums, that is zoned M-1.



ZONE CONSIDERATIONS

Major issues addressed include:

- The redundancy of uses in the two zones
- The lack of a clear distinction between the two zones that allows heavy manufacturing in both zones
- The question of whether heavy manufacturing uses belong in Millcreek and the use conflicts they cause
- Consolidation of the M-1 and M-2 into an "M" zone
- The new zone relies on a definition of light manufacturing, and warehousing
- The new zone allows light manufacturing and warehousing as a permitted use
- The new zone relies on referring to the C-3 zone
- The new zone includes some design standards
- Suggests that no new M zones be created and that the existing M-1 and M-2 be "repealed and replaced"
- Non-conforming uses, if changed, must change to a conforming use

GENERAL PLAN CONSIDERATIONS

No specific guidance is given in the General Plan, but for the Meadowbrook area there is a Small Area Plan that suggests a transition to transit oriented development based on the two adjacent stations. Heavy manufacturing uses are a conflict with the adjacent residential uses in the area.

COMMUNITY COUNCIL and PUBLIC INPUT

- Mail outs were sent to approximately 170 property owners and the draft was posted on the City Website
- Phone calls – we had about 6 - most owners were just trying to understand what we are engaged in, or trying to find the new draft on the website
- Open House on June 8th, was attended by about 14 people, some were multiple owners of the same parcel. The Brickyard parcel owners were there. Again, most were simply trying to understand the proposal. Complaints were received about existing difficult uses such as the junk and impound lots, and some trespassing occurring, possibly related to new housing in the area.
- In addition there was some discussion of businesses that have no use permit nor a business license – these are currently illegal businesses and would remain illegal in the new M zone. No illegal business can obtain a non-conforming status.
- Non-conforming use philosophy, which is quite strict in the draft, as described in 19.66.050, was questioned. A potential buyer of one of the concrete plants wanted to understand what happens, if that use is discontinued. Current draft language would require a new use that conforms to the ordinance. The existing non-conforming use chapter of the ordinances allows a stepping down of uses, and not immediate compliance by the first change of use. Here is the relevant Non-Conforming Use chapter language:

  19.88.090 - Change of use. A. A nonconforming use may be changed to any use allowed in the most restrictive zone where such nonconforming use is allowed, provided the planning commission finds that such use would not be more intensive than the most recent existing legal nonconforming use. B. Structures shall not be enlarged, removed, reconstructed or otherwise changed except for interior remodeling and exterior restoration or renewal that will make the appearance of the structure more nearly conform to the character of the area in which it is located. C. The existing lot or parcel shall not be enlarged upon or modified except to create landscaping, fencing, curb, gutter and sidewalk, road widening or minimum off-street parking that will provide a safer and more compatible facility. D. Any change of a nonconforming use to another nonconforming use shall be a conditional use and subject to provisions of Chapters 19.78 and 19.84, except that the proposed nonconforming use need not conform to the general plan. E. The planning commission may approve a change of use pursuant to this title even though the nonconforming use may have been abandoned.

- The Brickyard parcel majority owners wish the M-1 zone to continue. They have had an occasional wood chip business there, a portrait studio (no use issue there) and a rental. The rental and the wood chip business would be contrary to the proposed zone. They may have a right to continue those uses (if appropriate use permits have been obtained) but I saw no evidence of such uses in my visit to the site. The house is boarded up. The access is poor. Even though this remnant parcel from a Manufacturing area that was

located around the Brickyard, has this M-1 zoning, in the long run, this is a parcel that the City may want to change the zoning on. It is surrounded by residential use.

All of the Community Councils have reviewed the draft. Their input included suggestions to:

- Add halfway house to the M zones – they need to be somewhere (not included in the draft)
- Discuss massage uses in the C zones
- The broad category and definition of light manufacturing seems to work as opposed to a long list.

PLANNING COMMISSION RESPONSE

A work session was held on June 9th. The public hearing is June 21st.

A discussion of allowing larger parking lots in front of buildings, if the landscaping along the adjacent road is widened occurred. The current draft has a limit of one row of parking within 300' of prominent intersections. The draft is intended to promote a more urban appearance near the prominent intersections.

PLANNING STAFF ANALYSIS

The alternate draft language in red, includes the suggested changes to the publicly posted draft.

PLANNING STAFF RECOMMENDATION

Planning staff recommends approval using the alternate draft language (red), using the three following motions:

1. Recommend approval of the new M zone draft to the City Council, with the alternate changes as proposed and the following additional suggestions (if any):

2. Recommend to the City Council to change the Zoning Map for the zones designated M-1, and M-2, to the new M zone.

3. Recommend to the City Council that they repeal the M-1 and M-2 zones.

Attachments:

CHAPTER 19.66 LIGHT MANUFACTURING ZONE "M"

19.66.010 PURPOSE, DEFINITIONS, APPLICATIONS ~~STATEMENTS~~

19.66.020 PERMITTED AND CONDITIONAL USES
19.66.030 PROHIBITED USES, LIMITATIONS
19.66.031 ACCESSORY USES
19.66.040 BULK AND YARD REGULATIONS
19.66.050 SPECIAL REGULATIONS FOR THE LIGHT MANUFACTURING ZONE
19.66.060 GENERAL STANDARDS OF APPLICABILITY

19.66.010 Purpose, Definitions, Applications ~~Statements~~

A. Purpose of M, Light Manufacturing Zone
The purpose of the Light Manufacturing Zone is to provide areas for light manufacturing ~~industrial~~, warehousing, and commercial uses in an aesthetically attractive setting.
B. Definitions. Light manufacturing ~~is defined as~~: Manufacturing ~~and warehousing~~ conducted within an enclosed building predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, research, testing and packaging of such products, and incidental storage, sales and distribution of such products, which does not produce noise, odors, vibration, hazardous waste materials, or particulates that will cause detrimental effects to neighboring properties, ~~subject to 19.66.040~~.

Warehousing: the storage of raw, in-process and finished materials within an enclosed structure or building, which does produce noise, odors, vibrations, hazardous waste materials or particulates that will cause detrimental effects to neighboring properties.

~~B~~C. Applications for rezoning
It is the intent of Millcreek City to restrict existing and future manufacturing uses to the geographic boundaries of the manufacturing zones existing at the time of adoption of this ordinance.

19.66.020 Permitted and Conditional Uses

A. Due to the greater potential for detrimental effects, permitted uses in the Manufacturing Zone located on sites exceeding one acre in size shall follow the conditional use procedure in Chapter 19.84
B. Table 19.66-1: Manufacturing Zoning District–Permitted and Conditional Uses
“P” indicates that a use is permitted within that zoning district.
“C” indicates that a use is a conditional use within that zoning district and a conditional use permit shall be obtained as required in chapter 19.84.
No letter (i.e., a blank space), or the absence of a use from the table, indicates that use is not a permitted use nor a conditional use within the zoning district. Uses may be subject to additional restrictions and limitations found in 19.88.030 Prohibited Uses, Limitations.

Table 19.66-1

USES	M	SPECIFIC USE STANDARDS
Light manufacturing	P	
Warehousing	P	

Commercial		Allowed uses: those permitted and conditional uses in the C-3 Zone as per CHAPTER 19.32 COMMERCIAL ZONES
Any development that shares a common boundary with a residential use and/or zone.	C	Transitions are required as per Table 19.66-3
~~Any permitted or conditional use allowed in a C-2 or C-3 zone~~	~~P or C~~	~~Subject to all pertinent limitations, standards and/or conditions in the Commercial Zone Chapter 19.32~~
Outdoor Storage as an accessory to a principle use	P	See section 19.66.050 A (4)
State Store or Package Agency	P	
Recreational vehicle campgrounds	C	
Sexually Oriented Business	C	Subject to Chapter 19.91
Truck Transfer Company	C	Temporary outside storage of trucks and trailers allowed to exceed the 25% standard
Vehicle repair & auto body shops	P	See outdoor storage restrictions
Accessory uses and buildings customarily incidental to conditional and permitted uses	P	
Caretaker's residence	P	Only as a secondary use to a principle use

19.66.030 Prohibited Uses, Limitations – notwithstanding the permitted and conditional uses in TABLE 19.66-1 and other ordinances found in this Title, the following specific prohibitions and/or limitations apply:

Table 19.66-2

USES	SPECIFIC USE LIMITATIONS
Detention facility/jail as a principal use	Not allowed
C-3, Commercial uses	Subject to all pertinent prohibitions, limitations, standards and/or conditions in the in the C-3 zone, Chapter 19.32 and specifically the prohibitions and limitations of table 19.32-2
~~All permitted and conditional uses allowed in the C-2 and C-3 zones, except mixed use~~	~~All limitations and use restrictions found in Chapter 19.32, Table 19.32-2 that apply to uses in the C-2 and C-3 zones.~~ ~~Mixed use is not allowed.~~
Displays over five feet in horizontal distance from the main building.	Not allowed

19.66.031 Accessory Uses

Accessory uses and structures shall be subordinate to the main use and structure.

19.66.040 Bulk and Yard Regulations

Table 19.66-2: Manufacturing Zone: establishes bulk and yard regulations for the manufacturing zoning district.

Table 19.66-3

BULK REGULATIONS	M
MINIMUM LOT AREA	20,000 square feet
MINIMUM LOT WIDTH	100’
MAXIMUM BUILDING HEIGHT	40 feet
MAXIMUM LOT COVERAGE	80 Percent
MINIMUM BUILDING HEIGHT	1 story
MINIMUM FRONT YARD	20 feet
MINIMUM REAR AND/OR SIDE YARD	If located adjacent to residential

BULK REGULATIONS	M
	zoning, 25 feet, otherwise 10' required
MINIMUM INTERIOR SIDE YARD	10 feet
MINIMUM CORNER SIDE YARD	20 Feet
ACCESSORY STRUCTURES: REAR AND INTERIOR SIDE YARD	2 Foot
ACCESSORY STRUCTURES: REAR AND INTERIOR SIDE YARD WHEN ABUTTING RESIDENTIAL USE	10 Feet
PARKING LOT LIGHTING	Not located within 25' of any public street, down lighting only and subject to all other City lighting standards
SIGNS	Limited to low profile and signs on the building Subject to the standards in 19.82 SIGNS

1. For buildings adjacent to residential uses, the side and rear yards abutting residential uses shall be increased by one foot for every two feet that the structure exceeds twenty-five feet in height.
2. For "automobile service station" uses, gasoline pumps shall be set back not less than twenty-four feet from any street property line, and not less than thirty feet from any residential zone boundary line. If the pump island is set at an angle on the property, it shall be so located that automobiles stopped for service will not extend over the property line. In addition, canopies constructed to provide a weather shield over gasoline pump islands shall not encroach on the front or side yard setback and not be located less than ten feet from any residential zone boundary.
3. Notwithstanding contrary definitions found in Title 19 Zoning, building height is measured from the natural grade to the highest point of the roof.

19.66.050 Special Regulations for the Manufacturing Zone

A. General Conditions in the M Zone

All uses in the M zone shall be permitted only under all of the following conditions:

1. Business operations shall be conducted wholly within an enclosed building, except for the parking and servicing of automobiles, and service to people in automobiles, and except that any type of restaurant may have outdoor dining.
2. All uses shall be free from unsafe, unhealthy, objectionable and unreasonable waste, odor, dust, smoke, other emissions, noise, vibration, or similar problems, nor be in violation of any federal, state or local law.
3. All assembly, manufacturing, testing, cleaning, testing and associated services or processes shall be done wholly within completely enclosed buildings.
4. Outside storage of product, materials, or equipment is allowed in the rear or side yard and may cover up to 50% of the lot, subject to a solid barrier perimeter fence of 6' to 8', depending and relating to the height of the products, materials, or equipment stored outside. The maximum height of outside product, materials, or equipment shall not exceed 12 feet and any items exceeding 8' shall not be stored within 20' of the fence. The surface area of the outside storage area shall be paved with cement or asphalt hard surface paving or a contained durable permeable surfacing such as, gravel.
5. Roof mounted mechanical equipment and vents, including swamp coolers shall be screened entirely from view from adjacent public rights-of-way and properties.

B. Design Standards for all uses in the M zone

1. Entrances to the first floor of manufacturing and commercial buildings shall front on the street. Windows shall make up at least 40% of first floor street-facing facades. Top floors shall have architectural differentiation from the other floors in the building.
2. No more than one row of parking is allowed between the building(s) and the street within 300' of any major intersection (defined in the Commercial Zone Chapter 19.32). Each distance is measured as a radius from the applicant's nearest property line to the intersection ROW line. Any overlap of the radius onto the applicant's property excludes the entire property.
3. Corner lots are deemed to have two front yards, but only one front yard is required to have a public entrance.
4. Landscaping along any public street shall comply with this chapter and Chapter 19.77.
5. Garbage and Recycling**.** The development shall be designed to accommodate and efficiently manage the collection, storage, and removal of garbage to minimize the detrimental effects of the collection, storage, and removal such as noise and odor. Dumpster enclosures are required. No refuse dumpster or dumpster enclosure structure shall be located closer than 20 feet to any perimeter property line. Enclosure structures must have a minimum of three sides that reflect or emulate the materials, design, and quality of the overall development. All developments shall provide recycling services.
6. Building Materials. Exterior materials of a durable or resilient nature such as brick, stone, stucco, prefinished panel, composite materials, painted block, or other materials of similar quality, hardiness, and low maintenance characteristics shall be used. No single material is allowed to exceed 50 percent on street-facing facades. Other materials may be considered for soffits, or as an accent or architectural feature. Twenty-five year guarantee, architectural shingles and/or other longer lasting roof materials are required.
7. Building relief. All buildings shall include façade differentiation through the use of varied materials and relief every 100 feet or less.

8. Landscaping on Public Right-of-Way**.** Where a development is adjacent to a public right-of-way, a permanent landscaped open space shall be required along any front, side, or rear yard adjacent to said right-of-way. This area shall be kept free of buildings and structures (except fences, as per chapter 19.77.050, and approved by the Planning Commission), and permanently maintained with street trees and other landscaping, screened or protected by natural features, as per chapter 19.77. If such areas are the result of double frontage lot designs with inadequate access to the street, such areas shall be landscaped as per chapter 19.77 with a minimum of a five-foot landscaped area next to the public ROW. Fences shall not be located within this five foot landscaped area. Aesthetic entrance features are encouraged. Additional landscape treatments or buffers may also be required with width and landscaping specifications as per chapter 19.77.

9. Perimeter Fencing**.** Fencing is required adjacent to residential uses and to screen outside storage. Acceptable fencing materials include architecturally designed brick, stone, or block, or pre-cast concrete. Fencing with materials using composite products, wrought iron, wood, or vinyl may be allowed with a minimum two foot wide, six to eight foot tall brick or stone pillars spaced every ten feet on center. Unless otherwise allowed by the Planning Commission or staff, exterior fencing along a public right of way shall be limited to brick, stone, or block, or pre-cast concrete and be setback a minimum of 5 feet from the property line to allow for a landscaping buffer designed in accordance with chapter 19.77 to soften long expanses of walls. Interior fencing shall comply with section 19.78.030(11) (f).

10. Interior Street Lights**.** Street and pedestrian lighting for streets on the interior of the development is required. All lighting fixtures shall be directed downward with mechanisms to prevent dark sky illumination. The applicant shall submit a plan which indicates the type and location of lights in relation to the development and designed for pedestrian safety. Minimum Average Foot-Candles for interior streets shall be shall be 0.3 and the fixture height shall not exceed 25 feet.

11. Access between commercial uses**.** Vehicular and pedestrian access between uses that does not force vehicles out to the adjacent street is required.

12. Development sharing a common boundary with existing or proposed residential uses shall maintain a minimum 20-foot landscaped setback from such residential areas for all structures and storage areas. Such setback areas shall contain a minimum six-foot high masonry wall located on the property line, and one five-foot high coniferous tree per 300 square feet as a minimum standard.

13. Development sharing a common boundary with existing or proposed residential uses:

a. The required minimum six-foot high concrete or masonry wall shall be constructed concurrently with the foundation of the proposed building.
b. No proposed manufacturing use shall be constructed which will allow a direct view into the rear yard of a residential use.
c. Loading docks shall be located a minimum of 100 feet from an existing or proposed residential use. Such loading docks shall incorporate screening whether in the form of landscaping or wing walls.

14. Curb cuts shall not be located closer than 50 feet to any corner. Loading docks shall not be visible from the adjacent street.

15. Curb cuts shall not be located closer than 20 feet to a side or rear lot line, and the distance between separate curb cuts serving adjacent land uses shall not be less than 40 feet, unless one or more of the following circumstances apply:
    a. A common curb cut serves adjacent land uses;
    b. Curb cuts cannot meet separation standards due to narrow lot frontage;
    c. Curb cuts cannot meet separation standards due to location of existing cuts on adjacent lots; or
    d. A professional traffic engineer, after preparing a traffic study, recommends that curb cuts be located closer to interior lot lines in order to maintain a safe distance from street intersections.
16. In order to meet the purposes of this chapter the Planning Commission or staff shall consider the following prior to approval of any plan:
    a. Lots may be accumulated to provide the minimum lot area. Individual lots with an area smaller than the minimum lot area are not suitable for a manufacturing development.
    b. The development shall provide appropriate buffering to adjacent properties and uses.
    c. Safe access shall be provided within the site and to public streets.
    d. Uses adjacent to defined creeks shall include a usable open space buffer area next to that creek.
17. In the event standards in this chapter conflict with other standards found elsewhere in Chapter 19, the more restrictive standards apply.

19.66.050 Non-Conforming Use of Structures and Land

Notwithstanding Chapter 19.88, NONCONFORMING USES AND NON-COMPLYING STRUCTURES, the following standards apply to all non-conforming uses and non-conforming structures within the M Zone:

1. No nonconforming use shall be expanded or increased. No nonconforming structure shall be expanded or increased unless the expansion brings the structure into compliance with the building standards of the M zone.

2. A nonconforming use shall not be changed to a different use unless the proposed new use is a conforming use.

3. Exterior façade changes to nonconforming structures shall only be allowed if they help to bring the structure into compliance, or at least partial compliance, with the architectural standards of this Chapter.

4. All uses that become non-conforming as of the adoption date of this ordinance (insert date), are legal non-conforming uses.

19.66.060 General Standards of Applicability

The use and development of property within the Manufacturing Zone is also subject to other applicable chapters in the zoning ordinance.

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Millcreek, UT 84107
801-214-2700
millcreek.utah.gov

File # 30429

Rezone Summary and Recommendation

Public Body: Millcreek Planning Commission
Meeting Date: June 21, 2017
Parcel ID: 16-27-202-002
Current Zone: C-1 **Proposed Zone: C-2**
Property Address: 2827 South 2300 East
Request: Rezone

Community Council: Canyon Rim
Planner: Todd A. Draper, AICP
Planning Commission Recommendation: Not yet received
Community Council Recommendation: Approval
Planning Staff Recommendation: Approval
Applicant Name: Heather Newport

PROJECT DESCRIPTION

The applicant is requesting a rezone of .63 acres from the C-1 (Community Commercial) zone to the C-2 (Neighborhood Commercial) zone. The stated purpose for this request is to allow the existing business to expand operations to include Dog Training as a use.

SITE & VICINITY DESCRIPTION (see attached map)

The property is located on the North end of 2300 East near the roundabout and entry to the I-80 freeway. The property is part of a small pocket of commercial businesses, surrounded by Single-Family and Two-Family residential zoning.

ZONE CONSIDERATIONS

Requirement	Existing Zone C-1	Proposed Zone C-2
Height	35 feet	75 feet
Front Yard Setback	20 feet	20 feet; 25 feet for residential
Side Yard Setback	None; 10 feet adjacent to residential zone boundary	None; 10 feet adjacent to residential zone boundary; 8 feet and 10 feet for residential
Rear Yard Setback	None; 10 feet adjacent to residential zone boundary	None; 10 feet adjacent to residential zone boundary; 30 feet for residential uses
Lot Width	None	None; 50 feet for residential uses
Lot Area	None	None; 5,000 square feet for residential uses
Parking	Varies; based on use see 19.80	Varies; based on use see 19.80

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

GENERAL PLAN CONSIDERATIONS

The Millcreek Township General plan map indicates that this property is located on a corridor with adaptable and flexible changes in zoning anticipated. Over time these areas are expected to adapt to changing market conditions and new approaches to land use and transportation planning. Focusing growth in centers along corridors can create walkable neighborhood or town centers, thereby also reducing traffic demand along the corridor itself.

Corridors - The Corridors Best Practice supports some increased residential density along corridors. This is where opportunities for improved transit, buffering, and in-fill development are anticipated to occur. Developments that follow the Standards and Best Practices within the General Plan will likely result in more efficient and sustainable development and improved economic growth and sustainability of a community.

Goal 4: Activity Centers

Objective 4.2: Consider a mixed-use pattern of development for major centers, arterials and nodal points to create density and critical population mass to support diverse activities.

Objective 4.3: Develop neighborhood level retail, commercial activity and professional services for quick and easy access by residents.

ISSUES OF CONCERN/PROPOSED MITIGATION

Staff did not identify specific issues that would be of concern. The increase in allowable height from 35 feet to 75 feet could be a concern by some, but staff believes that the likelihood that this would occur is minimal given other site constraints such as overall property size, available parking, and access. Even if the building were eventually

replaced with one taller than 35 feet, the proximity of the property to the corridor and entry into Millcreek City itself would justify the increase.

At the Community Council meeting, questions were identified regarding the changes that are being made to the Commercial zones and what impact that might have on the zone change. As these proposed changes are still in the development and review process, and have not been completely shared with review staff, it is difficult to answer this question. There will likely be some impact or shift in the character of the C-2 zone itself, the degree of which is not completely known at this time. Regardless, staff has noted that whatever the shift or change, it would also apply to the existing neighboring commercial businesses adjacent to this one.

NEIGHBORHOOD RESPONSE

No formal neighborhood response has been received.

COMMUNITY COUNCIL RESPONSE

At the Canyon Rim Community Council, a recommendation was made that the Millcreek Planning Commission forward a recommendation to approve the rezone. An official response has not been received by staff. Concerns at the meeting focused on the differences between the two zones and questions as to why dog training couldn't just be allowed as accessory to the dog recreation. Staff explained that the current approved use is dog grooming, and that the dog recreation is accessory to that. Dog training is a specifically listed use in the C-2 zone and therefore is not permitted elsewhere. Discussion also centered around the possibility of using zoning conditions to eliminate uses that were not appropriate for the neighborhood.

REVIEWING AGENCIES RESPONSE

AGENCY: Long Range Planning DATE: 6/5/2017
RECOMMENDATION: Approval – The property is located on a corridor. The General Plan Map calls for adaptable flexible changes. This proposed change would be consistent with that designation. The immediately adjacent businesses are currently zoned C-2.

PLANNING STAFF ANALYSIS

19.90.010 - Amendment procedure.
The council may amend the number, shape, boundaries or area of any zone or any regulation within any zone. Any such amendment shall not be made or become effective unless the same shall have been proposed by or be first submitted for the recommendation of the relevant planning commission.

19.90.020 - Hearing—Notice.
Before finally adopting any such amendment, the council shall consider the application during a public meeting which has been properly noticed in compliance with the provisions of Title 52, Chapter 4, of the Open and Public Meetings Act.

19.90.030 - Determination of council.
The City council, after review of the recommendation of the planning commission, may approve, deny, alter or remand for further review and consideration any application for zone change referred to the council by the planning commission.

Planning staff has reviewed the request and believes that it would be in the interest of the community to approve of the rezone. The property itself directly abuts a high intensity commercial zoned area and single family residential area with similarly smaller lots, some of which to not conform to the current minimum standards of the underlying zone. Allowing for a more intense residential zone could have the effect of creating a buffer between the more intense commercial uses and the single-family dwellings to the East.

19.90.060 - Conditions to zoning map amendment.

A. In order to provide more specific land use designations and land development suitability; to insure that proposed development is compatible with surrounding neighborhoods; and to provide notice to property owners of limitations and requirements for development of property, conditions may be attached to any zoning map amendment which limit or restrict the following:
    1. Uses;
    2. Dwelling unit density;
    3. Building square footage;
    4. Height of structures.

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

C. In the event any zoning condition is declared invalid by a court of competent jurisdiction, then the entire zoning map amendment shall be void. Any deletion in or change to zoning condition shall be considered an amendment to the zoning ordinance and shall be subject to the requirements of this chapter.

Staff has reviewed the request in consideration of the General Plan and the neighborhood characteristics and believes that this change in zoning is appropriate. Where the Planning Commission or City Council finds that specific uses that are permitted in the zone are not acceptable, staff notes that the use of Zoning Conditions to limit or restrict uses would be appropriate. Given the size of the site it is anticipated that some of the allowed uses in the C-2 zone that require larger sites would not be feasible.

PLANNING STAFF RECOMMENDATION

Planning Staff recommends that the Millcreek Planning Commission make a recommendation to the Millcreek City Council that application #30429 requesting a rezone from the C-1 zone to the C-2 zone be approved.

SALT LAKE COUNTY
PLANNING & DEVELOPMENT 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

Zone Map Amendment (Re-Zone) Supplemental Form

File # 30429

WHAT IS YOUR REQUEST?

Current Zone: C-1

Requested Zone: C-2

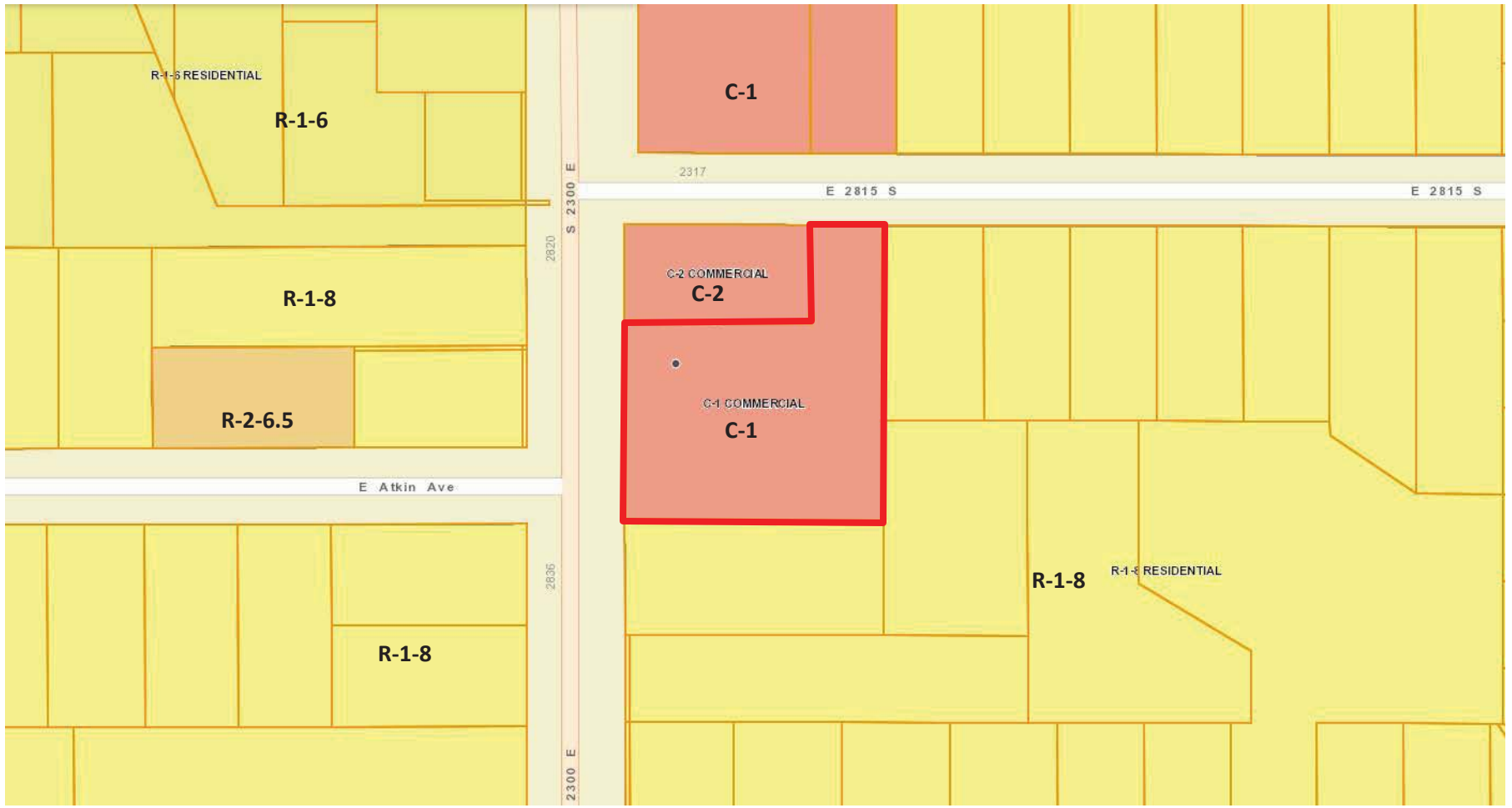
Reason for the Request:
allow for dog training

Does this rezoning request comply with the Community General Plan?

☑ Yes This property is located in the Canyon Rim Community and is designated on the Land Use Plan as commercial, (residential, office, commercial, etc.)

☐ No Please explain; you may wish to meet with a planner to discuss other available options.

File #30429
Zoning Map



File #30429
Aerial Map

801-467-6069
SWIMATBARLEYS.COM

STAY • SWIM • PLAY
Barley's
CANINE RECREATION CENTER
801-467-6069
WWW.SWIMATBARLEYS.COM

3932 S. 500 E.
Millcreek, UT 84107
801-214-2700
millcreek.utah.gov

File # 29889

Conditional Use Summary and Recommendation

Public Body: Millcreek Planning Commission
Parcel ID: 16-28-313-023
Property Address: 3098 South Highland Drive
Request: Change of Conditions of Approval

Meeting Date: June 21, 2017
Current Zone: C-3 (Commercial)

Community Council: Millcreek
Planner: Jeff Miller
Community Council Recommendation: Approval
Planning Staff Recommendation: Approval with Conditions
Applicant Name: Kyle Jardine

PROJECT DESCRIPTION

Kyle Jardine is requesting a change in the conditions of approval for a previously approved 55 Unit Group Dwelling on 1.74 acres. The Group Dwelling received approval from the Millcreek Township Planning Commission on December 21, 2016.

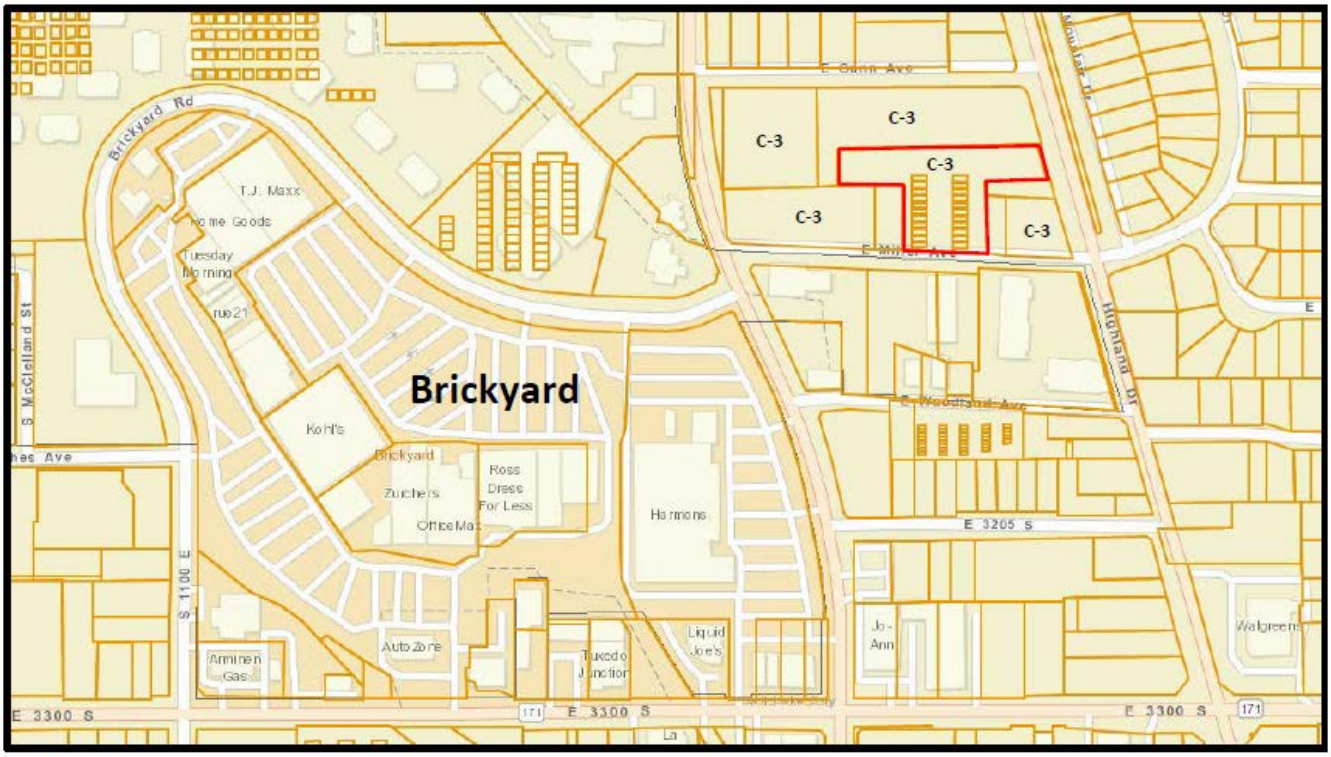
The original proposal from the applicant to Planning Staff included some additional property to the north of the subject property, which would have been included in the development plans for a proposed mixed-use development. The property owner of this property chose not to be part of the development application. A discrepancy occurred in parking stall counts that were not fully updated when the property to the north was removed from the development plans. As a result, inaccurate parking stall counts were presented to the Planning Commission on December 21, 2016.

When the discrepancy was discovered, the applicant presented an updated Site Plan and Shared Parking Analysis to Planning Staff in an attempt to increase the parking stall counts and meet the parking needs of the previously approved development. The applicant is requesting approval of a modified Site Plan, Shared Parking Analysis, and Open Space.

SITE & VICINITY DESCRIPTION (see attached map)

The subject property is surrounded on all sides by parcels in the C-3 (Commercial) zone. The site is located immediately south of Adib's Rug Gallery (formally known as the Villa Theatre), and fronts Highland Drive and Miller Avenue. Big O Tires is located immediately southeast on the corner of Highland Drive and Miller Avenue. The Glaus French Bakery is located immediately north of Big O Tires on Highland Drive. A single-family home is located on the parcel immediately to the west along Miller Avenue, in the C-3 (commercial) zone. Immediately west of the single-family home is a small commercial/retail property. The Brickyard area of Salt Lake City is located southwest from the subject property. The property is also located relatively close to the Sugar House area

of Salt Lake City, which is located further north along Highland Drive. The subject property is close to various transit stops, and is not located immediately adjacent to any single-family neighborhoods. The general area surrounding the property contains a mixture of office, commercial and high density residential.



LAND USE CONSIDERATIONS

Requirement	Standard	Proposed Changes	Compliance Verified
Shared Parking	13,994 Square Feet of Office Space requires 56 Stalls (Zoning Administrator approved a reduction of 1,406 Square Feet in Office Space Square Footage, due to a Mechanical Area for existing Cell Towers on the roof. There is no parking stall requirement for Mechanical Areas). 55 Dwelling Units requires 110 stalls 166 Stalls Required, plus additional Guest Parking for Dwelling Units as determined by the Planning Commission.	See the attached Shared Parking Analysis presented to the Planning Commission on December 21,2016 and the new Shared Parking Analysis with the Proposed Changes.	Can Comply, with Planning Commission approval of Shared Parking Analysis
Open Space	When heard by the Planning Commission in December,	32% Open Space,	Yes

	the Development Standards recommended 50% Open Space, with a 2% reduction for each additional amenity beyond what is required (The Planning Commission could approve further reductions in Open Space beyond 42% when this item was heard by the Millcreek Township Planning Commission on December 21, 2016.	With at least 10-14 amenities proposed.	
Recreational Amenities Required (per Recreational Facilities Open Space Standards policy) and proposed Recreational Amenities.	Based on the bedroom count of 72 bedrooms, a 1,200-square foot playground, and 1 additional amenity is recommended by the Development Standards.	The applicant is proposing over 6,000 Square Feet of amenities within the building. Most of the amenities will be located in the basement. The applicant has proposed the following amenities: Fitness Center, Game Room, Theater Room, Bicycle Storage area, Tenant Storage areas, BBQ area, Fire Pit, Water Feature, Dog Park, Lounge, and additional Lounge/Lobby areas on each floor. Additional amenities under consideration are: interior sauna/hot tub area, and a Library with Reading Lounge.	Yes, with planning commission approval to not provide the 1,200 square foot playground, and approval of additionally proposed and potential amenities.

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

GENERAL PLAN CONSIDERATIONS

The subject property is located in an area of "Moderate Change" according to the Millcreek Township General Plan. Moderate changes in land uses will occur in this area, and may represent reasonable changes to the typical land uses for the area/corridor. Changes may occur in clusters, while the land uses of the overall area/corridor will remain largely consistent. Growth in these areas will begin to trend upward, allowing for a transition to more intensive land uses.

The Millcreek General Plan states the following, ***"The majority of new residential construction in Millcreek Township has been multi-family. It is assumed that… the area will continue to grow, and as it does, underutilized and neglected parcels are likely to be redeveloped as higher-density residential."***

The Plan also states, ***"As Millcreek… continues to evolve, implementation of new ideas and the need for revitalization must not be overlooked. Consequently, future land use decisions should maximize development opportunities and allow for suitable adaptive reuse projects appropriate for higher traffic volume roadways."***

The Brickyard Commercial Area is listed as a Project area in the General Plan. The project identifies the Brickyard Commercial Area and mentions that ***"new investments have been made in the area. Brickyard will likely continue to remain a community activity center for many years. There are however, many underutilized and underperforming properties within the Brickyard area."***

The Project area recommends that ***"(Millcreek)… should undertake a planning effort to explore the opportunities and challenges associated with redevelopment and revitalization of the Brickyard area. The County should coordinate with Salt Lake City to ensure that development across political boundaries is compatible and complementary."***

The redevelopment and revitalization of the subject property meets numerous goals of the Millcreek General Plan for the subject area, which include suitable adaptive reuse projects (adaptive reuse of the existing office building), could encourage future redevelopment of the Brickyard Commercial Area, and is compatible and complementary with existing development in Salt Lake City and the surrounding area.

The Brickyard area of Salt Lake City was originally part of Millcreek, but was annexed by Salt Lake City. The redevelopment of the subject property could encourage additional underutilized and underperforming properties within Millcreek Township in the area to be redeveloped and revitalized.

ISSUES OF CONCERN/PROPOSED MITIGATION

Planning Staff has not identified any issues of concern with the proposed changes from the applicant.

NEIGHBORHOOD RESPONSE

Planning Staff has not received any comments from the surrounding neighborhood regarding the proposed changes to the conditions of approval. Any comments that are received will be presented to the Planning Commission on June 21, 2017.

COMMUNITY COUNCIL RESPONSE

The requested change in the conditions of approval were presented to the Millcreek Community Council on Tuesday, June 6, 2017. They made a recommendation of approval to the Millcreek Planning Commission for the proposed changes. They appreciated that the applicant had reduced the size of the new residential building near Miller Avenue.

PLANNING STAFF ANALYSIS

Staff has fully reviewed the proposed changes to the Site Plan, Shared Parking Analysis, and Open Space and has found that the proposed changes are cohesive with existing developments in the surrounding area. The subject property is located in an area of Millcreek that would be appropriate for the proposed reduction in Open Space.

With the proposed changes, the new residential building near Miller Avenue has been reduced in size, in order to accommodate a new parking lot to the east. All previously approved recreational amenities will be retained on the modified Site Plan. The new Site Plan does provide greater separation for the new residential building from the adjoining parcel to the east. The applicant has informed Planning Staff that they are not opposed to

providing additional bicycle parking stalls beyond the previously approved 10 stalls located inside the main residential building.

The applicant has provided an updated Shared Parking Analysis. Based on the required percentages of parking required for each use (office and residential), the subject property will have varying amounts of remaining parking available for guest parking throughout the day. There are minimal changes to the amount of available guest parking between the previous Shared Parking Analysis and the updated Shared Parking Analysis.

Planning Staff would support an approval from the Millcreek Township Planning Commission for the proposed changes in the conditions of approval. All other approved conditions of approval will remain in effect (1. The Planning Commission approves the density of 32 Units Per Acre (55 Units total) for the subject property. 4. The Planning Commission approves the proposed and potential recreational amenities).

PLANNING STAFF RECOMMENDATION

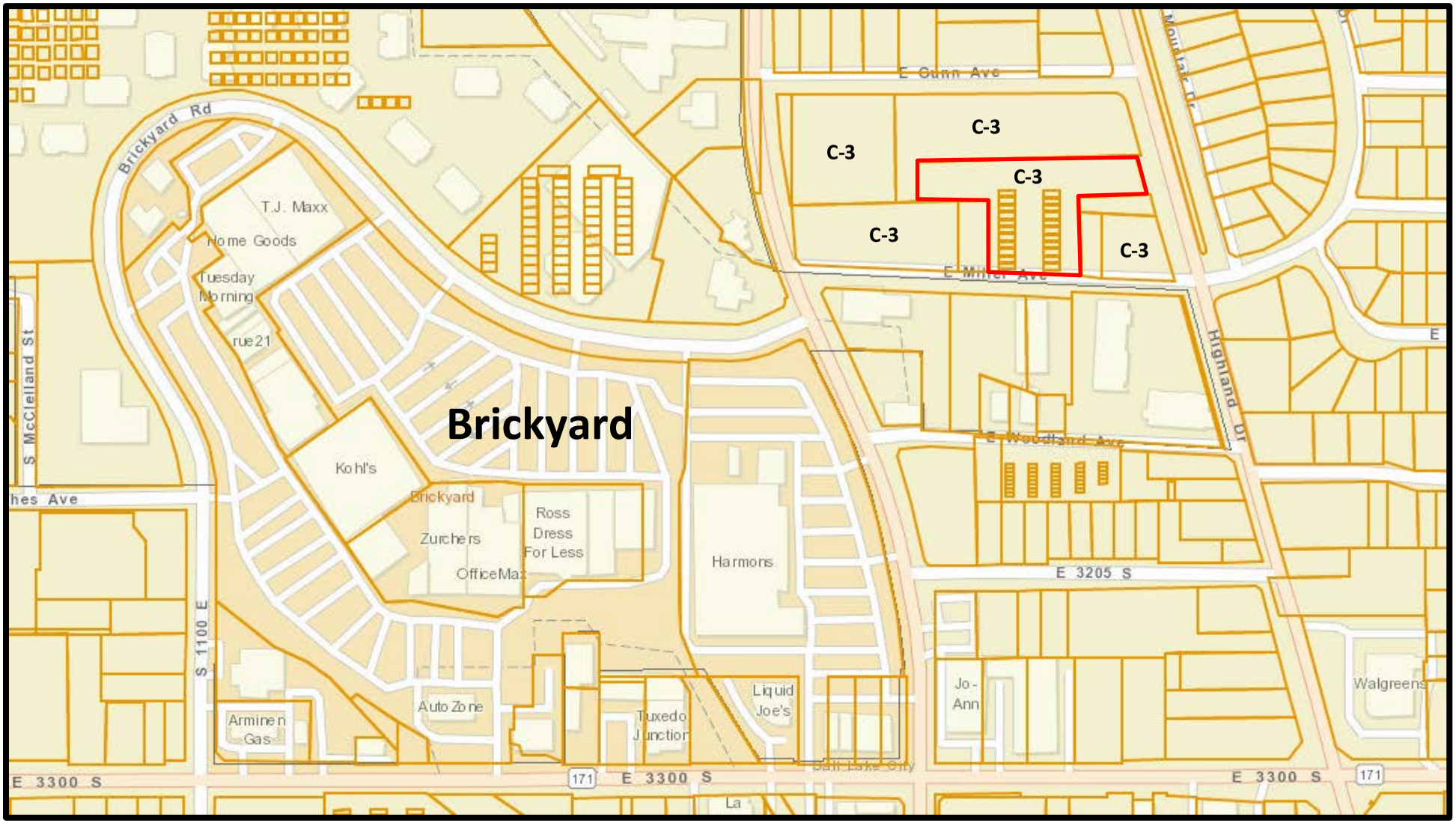
Planning Staff has reviewed this request for compliance with the Millcreek General Plan, standards set forth in the Millcreek Zoning Ordinance (Title 19), and for compatibility with existing neighboring land uses and zones. Staff recommends that the requested changes in the conditions of approval be approved by the Millcreek Planning Commission, subject to the following specific allowances and conditions:

1. The Planning Commission approves the Shared Parking Analysis, with 121 Parking Stalls shared between the proposed Dwelling Units and Professional Offices.
2. The Planning Commission accepts the proposed Open Space at 32%.

PLEASE REFERENCE THE STAFF REPORT FROM DECEMBER 21, 2016 BELOW

File #29889: Conditional Use for Proposed 55 Unit Group Dwelling

3098 South Highland Drive (Parcel ID: 16-28-313-023)



File #29889: Conditional Use for Proposed 55 Unit Group Dwelling

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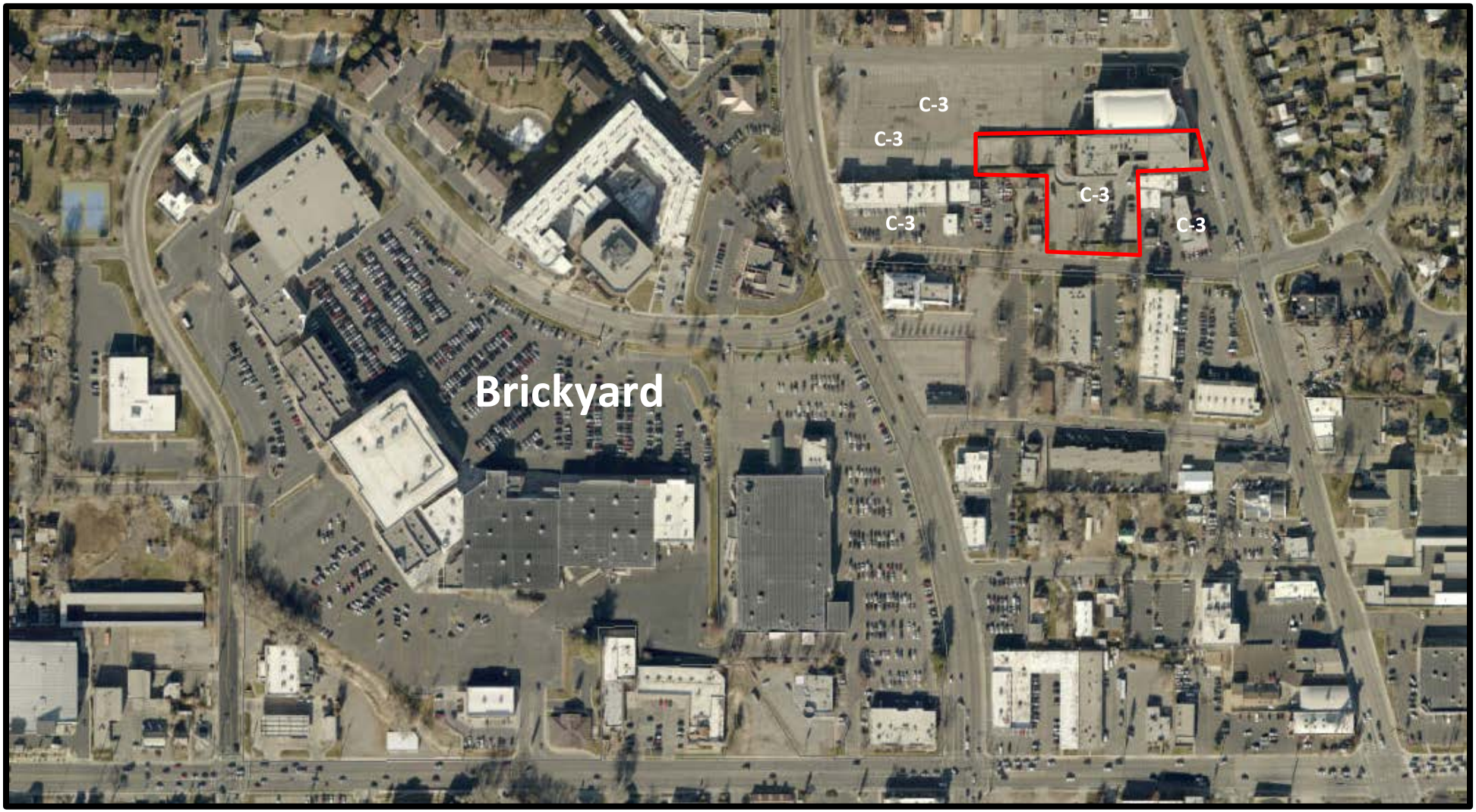


File #29889: Conditional Use for Proposed 55 Unit Group Dwelling

3098 South Highland Drive (Parcel ID: 16-28-313-023)

New Shared Parking Analysis (June 21, 2017)

PEG 3098 S Highland Drive
5/25/2017

Apartment Units

	2 Bed +	2 Bed	1 Bed	Studio	
Level 1		x	x	x	
Level 2		x	x	x	
Level 3		x	x	x	
Level 4		x	x	x	
Level 5		x	x	x	
Combined Total:		**0**	**0**	**0**	**55**

PARKING

	SF/units	**Required**		
3098 Commercial	13,994	**56**	(minus electrical rooms)	
Apartments	55	**110**		
Guest Stalls		**55**		
TOTAL:		**166**	USES:	w/o W
			Total Retail	0
			Total Office	56
			Total Restaurant	0
			Total Apartments	110
Location	**Stalls**		Total Entertainment	0
Surface Parking	39			**166**
Existing Parking Structure	82			
	121			

		Weekdays			**Weekends**	
SHARED PARKING	12am-7am	7am-6pm	6pm-12am	12am-7am	7am-6pm	6pm-12am
Office/Industrial	5%	100%	5%	0%	5%	0%
Retail	5%	100%	80%	5%	100%	60%
Restaurant	50%	70%	100%	70%	50%	100%
Residential	100%	50%	80%	100%	75%	75%
Theater/Entertainment	5%	20%	100%	5%	50%	100%

		Weekdays			**Weekends**	
SHARED PARKING w/o W	12am-7am	7am-6pm	6pm-12am	12am-7am	7am-6pm	6pm-12am
Office/Industrial	3	56	3	0	3	0
Retail	0	0	0	0	0	0
Restaurant	0	0	0	0	0	0
Residential	110	55	88	110	83	83
Theater/Entertainment	0	0	0	0	0	0
TOTALS	**113**	**111**	**91**	**110**	**85**	**83**
	-8	**-10**	**-30**	**-11**	**-36**	**-39** Available Guest Stalls

SHARED PARKING ANALYSIS PRESENTED PRIOR TO PLANNING COMMISION MEETING

PEG 3098 S Highland Drive
11/29/2016

Apartment Units

	2 Bed +	2 Bed	1 Bed	Studio	
Level 1		x	x	x	
Level 2		x	x	x	
Level 3		x	x	x	
Level 4		x	x	x	
Level 5		x	x	x	
Combined Total:		**0**	**0**	**0**	**55**

PARKING

	SF/units	**Required**
3098 Commercial	15,400	**62**
Apartments Senior	55	**110**
Guest Stalls		**55**
TOTAL:		**172**

USES:	w/o W
Total Retail	0
Total Office	62
Total Restaurant	0
Total Apartments	110
Total Entertainment	0
	172

Location	**Stalls**	
Surface Parking	48	(Error - should have been 24)
Existing Parking Structure	78	
	126	

		Weekdays			**Weekends**	
SHARED PARKING	12am-7am	7am-6pm	6pm-12am	12am-7am	7am-6pm	6pm-12am
Office/Industrial	5%	100%	5%	0%	5%	0%
Retail	5%	100%	80%	5%	100%	60%
Restaurant	50%	70%	100%	70%	50%	100%
Residential	100%	50%	80%	100%	75%	75%
Theater/Entertainment	5%	20%	100%	5%	50%	100%

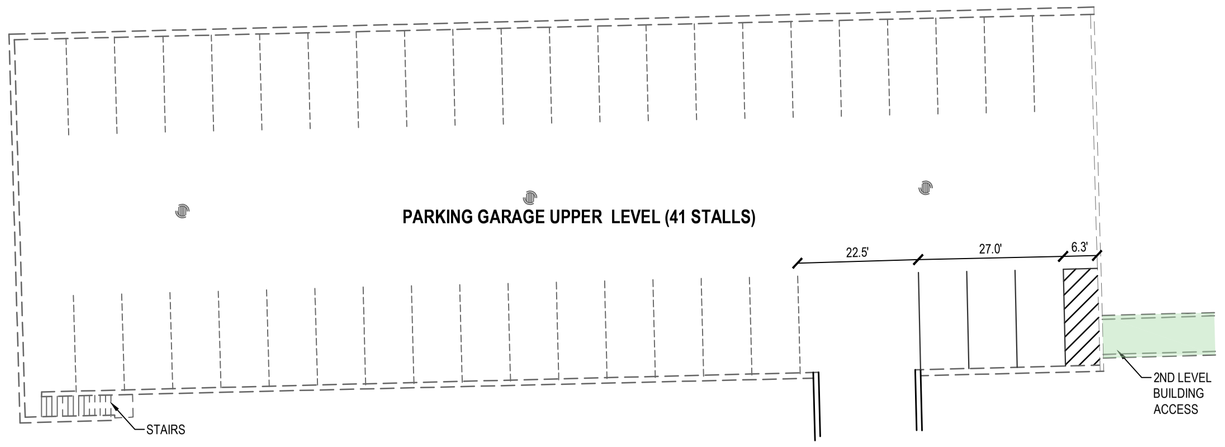
		Weekdays			**Weekends**	
SHARED PARKING w/o W	12am-7am	7am-6pm	6pm-12am	12am-7am	7am-6pm	6pm-12am
Office/Industrial	3	62	3	0	3	0
Retail	0	0	0	0	0	0
Restaurant	0	0	0	0	0	0
Residential	110	55	88	110	83	83
Theater/Entertainment	0	0	0	0	0	0
TOTALS	**113**	**117**	**91**	**110**	**86**	**83**
	-13	**-9**	**-35**	**-16**	**-40**	**-44** Available Guest Parking

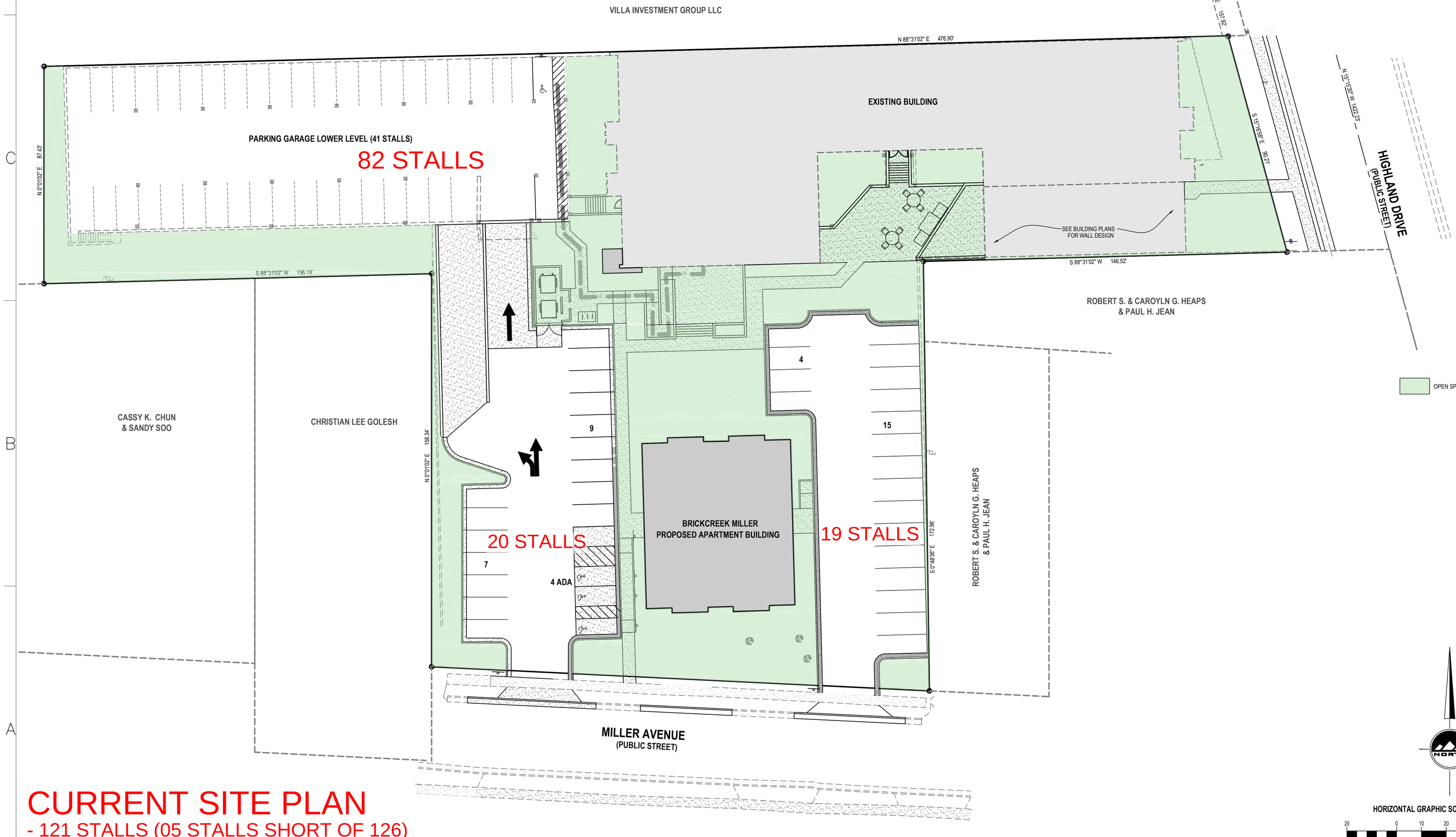
PARKING DATA TABLE	
STANDARD STALLS	116
HANDICAP-ACCESSIBLE STALLS	5
TOTAL STALLS	121

SITE SUMMARY TABLE		
DESCRIPTION	AREA (SF)	PERCENTAGE
PAVEMENT	30,890	41%
ROOF	21,000	27%
OPEN SPACE	23,876	32%
TOTAL SITE	75,766 1.74 ACRES	100%

GENERAL NOTES

1. ALL WORK TO COMPLY WITH SALT LAKE COUNTY STANDARDS AND SPECIFICATIONS.
2. ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
3. SEE LANDSCAPE/ARCHITECTURAL PLANS FOR CONCRETE MATERIAL, COLOR, FINISH, AND SCORE PATTERNS THROUGHOUT SITE.
4. ALL PAVEMENT MARKINGS SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. (MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES).
5. ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SOD, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
6. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR ASPHALT.
7. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.
8. ALL ROAD CUTS IN MILLER AVENUE SHALL BE RESTORED TO SALT LAKE COUNTY STANDARDS. SEE DETAIL 130/C-700.
9. FOOTING EXCAVATIONS SHALL BE INSPECTED AND APPROVED IN WRITING BY A QUALIFIED GEOTECHNICAL ENGINEER PRIOR TO PLACEMENT OF CONCRETE FORMS & REBAR, WHERE APPLICABLE





CURRENT SITE PLAN

- 121 STALLS (05 STALLS SHORT OF 126)
- 32% OPEN SPACE (7.78% SHORT OF 39.78%)

HORIZONTAL GRAPHIC SCALE

20 0 10 20 40

(IN FEET)
HORZ: 1 inch = 20 ft.

ALL IDEAS, DESIGNS, ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY AND THE PROPERTY OF AJC ARCHITECTS PC AND WERE CREATED, EVOLVED, AND DEVELOPED FOR USE ON AND IN CONNECTION WITH THE SPECIFIED PROJECT. NONE OF THE IDEAS, DESIGNS, ARRANGEMENTS OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM, OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT WRITTEN CONSENT OF AJC ARCHITECTS PC. WRITTEN DIMENSIONS ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER SCALE DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE MUST BE NOTIFIED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS. WARNING: REPRODUCTION HEREOF IS A CRIMINAL OFFENSE UNDER 18 U.S.C. SEC. 506. UNAUTHORIZED DISCLOSURE MAY CONSTITUTE TRADE SECRET MISAPPROPRIATION IN VIOLATION OF UC 24-2-31-1 ET. SEQ. AND OTHER LAWS.

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Project Number

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CHRISTOPHER MICHAEL MCFARLANE
05/10/17
STATE OF UTAH

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THE STANDARD IN ENGINEERING
SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT 84070
Phone: 801.255.0529
WWW.ENSIGNENG.COM

PROJECT DESCRIPTION

BRICKCREEK APARTMENTS

3098 S
HIGHLAND DRIVE
SALT LAKE CITY, UT

SHEET NAME:
SITE PLAN

REVISIONS

MARK	DATE	DESCRIPTION

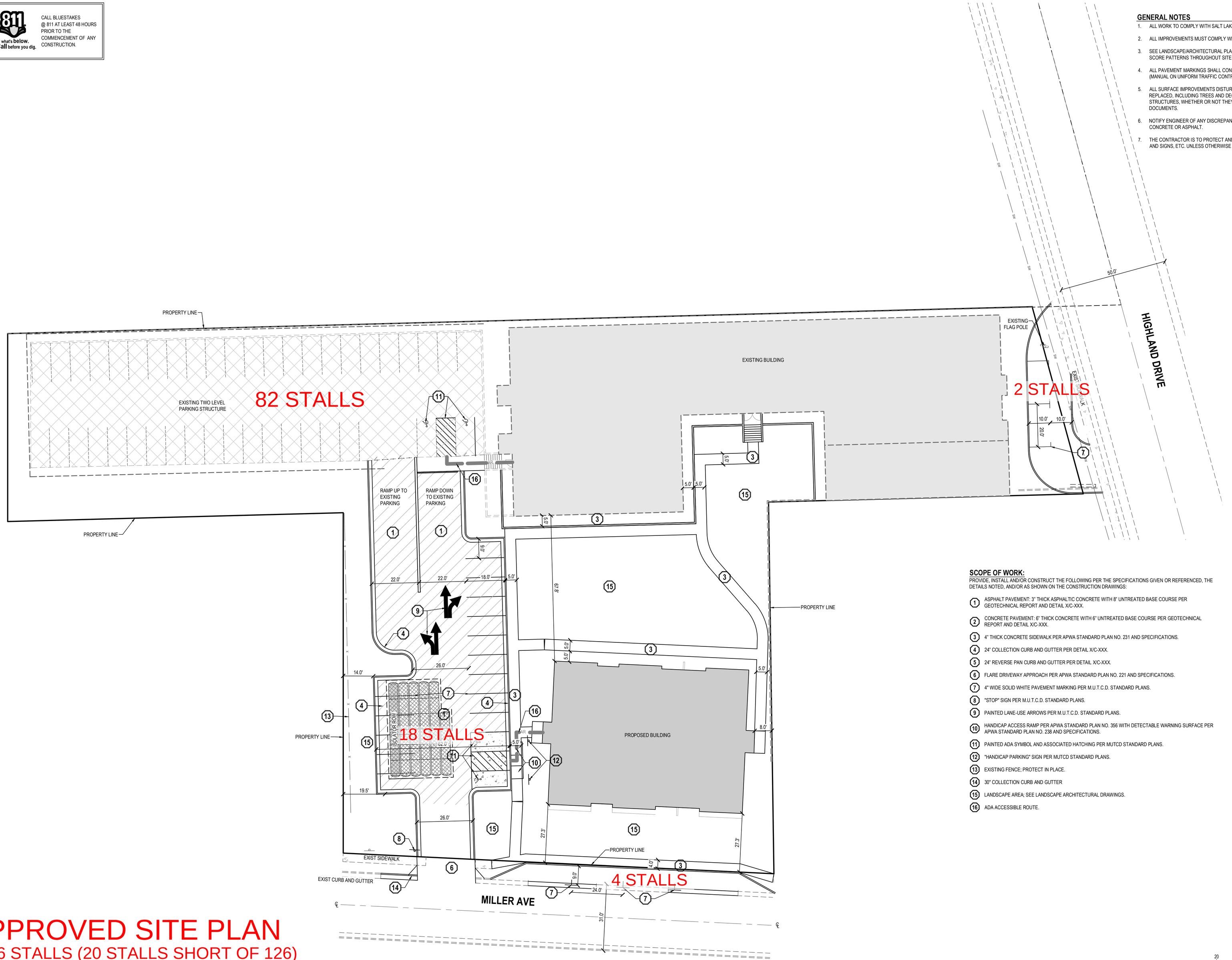
ISSUE DATA

ISSUE DATE: 05/12/2017
ISSUE TYPE:
DRAWN BY: M. BUDGE
CHECKED BY: C. MCFARLANE

SHEET NUMBER:
C-200

811 Know what's below. Call before you dig.

CALL BLUESTAKES @ 811 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.



GENERAL NOTES

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7. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.

SCOPE OF WORK:

PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:

1. ASPHALT PAVEMENT: 3" THICK ASPHALTIC CONCRETE WITH 8" UNTREATED BASE COURSE PER GEOTECHNICAL REPORT AND DETAIL X/C-XXX.
2. CONCRETE PAVEMENT: 6" THICK CONCRETE WITH 6" UNTREATED BASE COURSE PER GEOTECHNICAL REPORT AND DETAIL X/C-XXX.
3. 4" THICK CONCRETE SIDEWALK PER APWA STANDARD PLAN NO. 231 AND SPECIFICATIONS.
4. 24" COLLECTION CURB AND GUTTER PER DETAIL X/C-XXX.
5. 24" REVERSE PAN CURB AND GUTTER PER DETAIL X/C-XXX.
6. FLARE DRIVEWAY APPROACH PER APWA STANDARD PLAN NO. 221 AND SPECIFICATIONS.
7. 4" WIDE SOLID WHITE PAVEMENT MARKING PER M.U.T.C.D. STANDARD PLANS.
8. "STOP" SIGN PER M.U.T.C.D. STANDARD PLANS.
9. PAINTED LANE-USE ARROWS PER M.U.T.C.D. STANDARD PLANS.
10. HANDICAP ACCESS RAMP PER APWA STANDARD PLAN NO. 356 WITH DETECTABLE WARNING SURFACE PER APWA STANDARD PLAN NO. 238 AND SPECIFICATIONS.
11. PAINTED ADA SYMBOL AND ASSOCIATED HATCHING PER MUTCD STANDARD PLANS.
12. "HANDICAP PARKING" SIGN PER MUTCD STANDARD PLANS.
13. EXISTING FENCE; PROTECT IN PLACE.
14. 30" COLLECTION CURB AND GUTTER
15. LANDSCAPE AREA; SEE LANDSCAPE ARCHITECTURAL DRAWINGS.
16. ADA ACCESSIBLE ROUTE.

APPROVED SITE PLAN

- 106 STALLS (20 STALLS SHORT OF 126)
- 39.79% OPEN SPACE

HORIZONTAL GRAPHIC SCALE

20 0 10 20 40

(IN FEET)
HORZ: 1 inch = 20 ft.

ENSIGN
THE STANDARD IN ENGINEERING

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FOR:
PEG DEVELOPMENT
160 N UNIVERSITY AVE, STE 200
PROVO, UT 84601
CONTACT:
KYLE JARDINE
PHONE: 801-655-1998

BRICKCREEK APARTMENTS

3098 S HIGHLAND DRIVE
SALT LAKE CITY, UTAH 84106

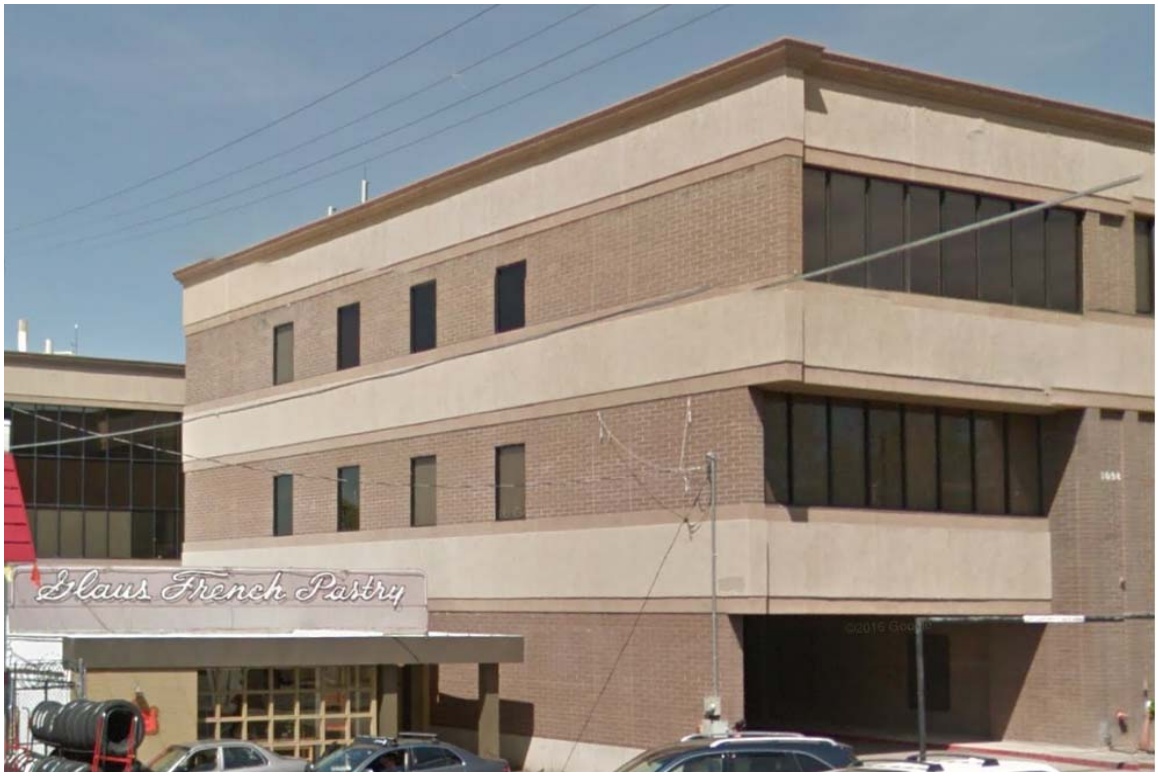
REVIEW SUBMITTAL

NO.	DATE	REVISION	BY
1		FOR REVIEW	
2			
3			
4			
5			
6			
7			
8			

SITE PLAN

PROJECT NUMBER 7162	PRINT DATE 12/6/16
DRAWN BY C HAMER	CHECKED BY
PROJECT MANAGER C MCFARLANE	

C-200


Glaus French Pastry

Please reference the Staff Report from December 21,2016 below

SALT LAKE COUNTY
TOWNSHIPS

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 # 29889

Conditional Use Summary and Recommendation

Public Body: Millcreek Township Planning Commission **Meeting Date: December 14, 2016**
Parcel ID: 16-28-313-023 **Current Zone: C-3 (Commercial)**
Property Address: 3098 South Highland Drive
Request: 55 Unit Group Dwelling

Community Council: Millcreek **Township: Millcreek**
Planner: Jeff Miller
Community Council Recommendation: Approval
Planning Staff Recommendation: Approval with conditions
Applicant Name: Kyle Jardine

PROJECT DESCRIPTION

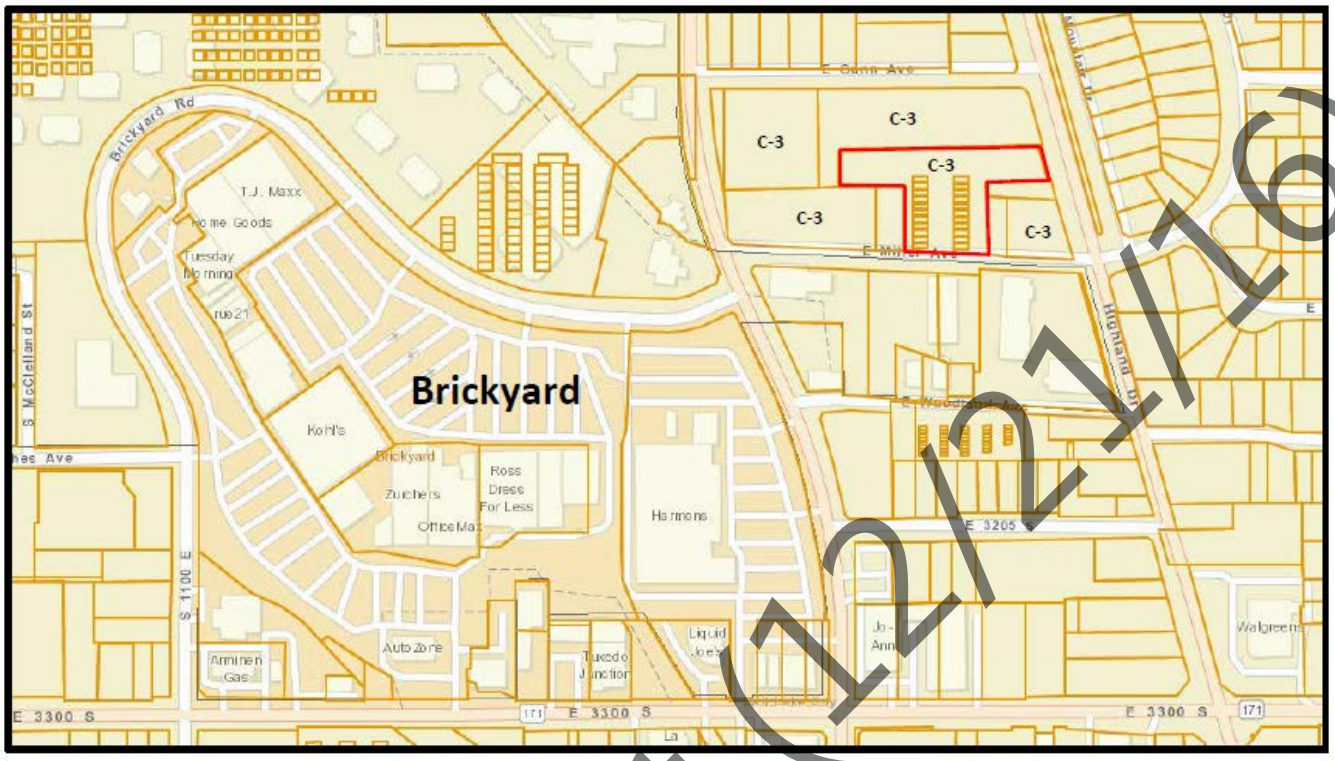
Kyle Jardine is requesting conditional use approval for a proposed 55 Unit Group Dwelling on 1.74 acres. The project site currently consists of an existing 4 story professional office building (3 stories above ground, 1 story below ground), two parking structures, a parking lot, and minimal landscaping.

The applicant is proposing an adaptive reuse of the existing professional office building. The first floor (below ground) will have various amenities for tenants. A leasing office and tenant lounge will be located on the second floor (ground level). The second and third floors will contain 33 of the proposed dwelling units. The fourth floor will remain as suites for professional offices. The existing parking structure located immediately south of the office building will be demolished. In its place, the applicant is proposing a separate dwelling structure, which will contain 22 of the proposed dwelling units. A landscaped plaza will be located between the retrofitted office building and the proposed dwelling structure.

SITE & VICINITY DESCRIPTION (see attached map)

The subject property is surrounded on all sides by parcels in the C-3 (Commercial) zone. The site is located immediately south of Adib's Rug Gallery (formally known as the Villa Theatre), and fronts Highland Drive and Miller Avenue. Big O Tires is located immediately southeast on the corner of Highland Drive and Miller Avenue. The Glaus French Bakery is located immediately north of Big O Tires on Highland Drive. A single-family home is located on the parcel immediately to the west along Miller Avenue, in the C-3 (commercial) zone. Immediately west of the single-family home is a small commercial/retail property. The Brickyard area of Salt Lake City is located southwest from the subject property. The property is also located relatively close to the Sugar House area of Salt Lake City, which is located further north along Highland Drive. The subject property is close to various transit stops, and is not located immediately adjacent to any single-family neighborhoods. The general area surrounding the property contains a mixture of office, commercial and high density residential.

Staff Report (12/21/16)



LAND USE CONSIDERATIONS

Requirement	Standard	Proposed	Compliance Verified
Height	No more than six stories, or 75 Feet in height.	Less than 75 Feet	Yes
Front Yard Setback	Group Dwellings: 25 Feet	Existing Building: Less than 25 Feet, Proposed Group Dwelling: More than 25 Feet	Yes, Existing building was built as office space, and does not require a front yard setback. Proposed Group Dwelling complies.
Side Yard Setback	Group Dwellings: 8 feet, no less than 18 feet combined	Existing building: None on South Side, 3.5 Feet on North Side. Proposed Group Dwelling: 8 Feet on East Side, Approximately 93 Feet for West Side.	Yes, Existing building was built as office space, and does not require a side yard setback. Proposed Group Dwelling complies.
Rear Yard Setback	Group Dwellings: 30 Feet	Existing Building: more than 30 Feet Proposed Group Dwelling: More than 30 Feet	Yes
Lot Width	Group Dwellings: 55 Feet at a distance 25 Feet from the front lot line.	Existing Building: More than 55 Feet in width, less than 25 Feet from the front line. **Continued on next page**	Yes

Staff Report (12/21/16)

		Proposed Group Dwelling: More than 55 Feet in width, more than 25 Feet from the front lot line	
Shared Parking	15,400 Square Feet of Office Space requires 62 Stalls. 55 Dwelling Units requires 110 stalls 172 Stalls Required, plus additional Guest Parking for Dwelling Units as determined by the Planning Commission.	See Shared Parking Analysis	Can Comply, with Planning Commission approval of Shared Parking Analysis
Bike Parking	5% of Provided Parking Stalls	10 Bicycle Parking Stalls are required. A Bicycle Storage area will be provided inside.	Yes
Lot Coverage	No building or group of buildings shall cover more than sixty percent of the lot.	30.39% of lot is covered by buildings.	Yes
Density	Where supported by the community general plan, and found by the planning commission to be compatible with land uses in the vicinity, multi-family residential development which incorporates innovations of design, amenities and features, may be approved by the planning commission for higher densities…but shall in in no case be higher than 32.0 units per acre.	32 units per acre (55 dwelling units). The subject property is compatible with neighboring land uses in the vicinity, and incorporates numerous amenities, as well as includes an adaptive reuse of an existing building, which could be interpreted as being an innovation of design.	Yes, if approved by planning commission.
Open Space	Development Standards recommends 50% Open Space, with a 2% reduction for each additional amenity beyond what is required.	39.78% Open Space, With at least 10-14 amenities proposed.	Yes
Recreational Amenities Required (per Recreational Facilities Open Space Standards policy) and proposed Recreational Amenities.	Based on the bedroom count of 72 bedrooms, a 1,200-square foot playground, and 1 additional amenity is recommended by the Development Standards.	The applicant is proposing over 6,000 Square Feet of amenities within the building. Most of the amenities will be located in the basement. The applicant has proposed the following amenities: Fitness Center, Game Room, Theater Room, Bicycle Storage area, Tenant Storage areas, BBQ area, **continued next page**…	Yes, with planning commission approval to not provide the 1,200 square foot playground, and approval of additionally proposed and potential amenities.

Staff Report (12/21/16)

		Fire Pit, Water Feature, Dog Park, Lounge, and additional Lounge/Lobby areas on each floor. Additional amenities under consideration are: interior sauna/hot tub area, and a Library with Reading Lounge.	**See Previous Page**

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

GENERAL PLAN CONSIDERATIONS

The subject property is located in an area of "Moderate Change" according to the Millcreek Township General Plan. Moderate changes in land uses will occur in this area, and may represent reasonable changes to the typical land uses for the area/corridor. Changes may occur in clusters, while the land uses of the overall area/corridor will remain largely consistent. Growth in these areas will begin to trend upward, allowing for a transition to more intensive land uses.

The Millcreek Township General Plan states the following, ***"The majority of new residential construction in Millcreek Township has been multi-family. It is assumed that… the area will continue to grow, and as it does, underutilized and neglected parcels are likely to be redeveloped as higher-density residential."***

The Plan also states, ***"As Millcreek Township continues to evolve, implementation of new ideas and the need for revitalization must not be overlooked. Consequently, future land use decisions should maximize development opportunities and allow for suitable adaptive reuse projects appropriate for higher traffic volume roadways."***

The Brickyard Commercial Area is listed as a Project area in the Millcreek Township General Plan. The project identifies the Brickyard Commercial Area and mentions that ***"new investments have been made in the area. Brickyard will likely continue to remain a community activity center for many years. There are however, many underutilized and underperforming properties within the Brickyard area."***

The Project area recommends that ***"Salt Lake County should undertake a planning effort to explore the opportunities and challenges associated with redevelopment and revitalization of the Brickyard area. The County should coordinate with Salt Lake City to ensure that development across political boundaries is compatible and complementary."***

The redevelopment and revitalization of the subject property meets numerous goals of the Millcreek Township General Plan for the subject area, which include suitable adaptive reuse projects (adaptive reuse of the existing office building), could encourage future redevelopment of the Brickyard Commercial Area, and is compatible and complementary with existing development in Salt Lake City and the surrounding area.

The Brickyard area of Salt Lake City was originally part of Millcreek Township, but was annexed by Salt Lake City. The redevelopment of the subject property could encourage additional underutilized and underperforming properties within Millcreek Township in the area to be redeveloped and revitalized.

Staff Report (12/21/16)

ISSUES OF CONCERN/PROPOSED MITIGATION

Planning Staff has not identified any issues of concerns with the proposal from the applicant.

NEIGHBORHOOD RESPONSE

Planning Staff received a phone call from a surrounding neighbor regarding this application. They wanted to know what the applicant was intending to do at this location. They expressed some concern about increasing the number of rentals that are located within the area, and were concerned that this property could fall into disrepair if the units were not rented. Planning Staff informed the neighbor that the applicant has successfully developed a rental property (Wilmington Flats) over in Sugar House, which is located relatively close to this location. A couple of other neighbors have wanted to know if the rental units will be subsidized or market rate. The rental units proposed by the applicant will be rented at market rate.

COMMUNITY COUNCIL RESPONSE

This item was presented to the Millcreek Community Council on Tuesday, December 6, 2016. The Community Council felt that the requested density (32 Units Per Acre) for this specific location was appropriate, due to the close proximity to transit options, the amenities provided, the location of the subject property (not near any single-family residential neighborhoods), etc. They recommended approval of this application to the Millcreek Township Planning Commission.

REVIEWING AGENCIES RESPONSE

AGENCY: County Geology DATE: 11/17/2016
RECOMMENDATION: Conceptual Approval – Technical Review Required – 1. For the new construction and in accordance with IBC 1803.5.11, please provide a geotechnical report. 2. Footing excavations shall be inspected and approved in writing by a qualified Geotechnical Engineer prior to placement of concrete forms and rebar, where applicable.

AGENCY: County Grading DATE: 11/21/2016
RECOMMENDATION: Conceptual Approval – Technical Review Required – 1. Need to submit a copy of the Geotechnical engineering report for review and comment. 2. The planned storm water chamber system and orifice plate will require the development and recording of a storm water maintenance agreement and management plan on the property prior to final approval. 3. At the time of the permit a SWPPP and NOI will be required to be submitted and reviewed for the project. 4. At the time of the permit footing excavations shall be inspected and approved in writing by a qualified Geotechnical engineer prior to concrete placement.

AGENCY: County Hydrology DATE: 11/17/2016
RECOMMENDATION: Conceptual Approval – Technical Review Required – 1. County Records indicate that the existing Storm Drain line in Miller Avenue is a 36-inch pipe. Verify that the pipe is not a 12" pipe and update the plans if necessary. Items Required for Approval at Technical Review: 1. Provide details of how 100-year storm will be directed safely away from adjoining properties. 2. How is storm water quality being addressed before storm water enters the underground detention system? 3. Provide details of the proposed underground detention system. This system will need to be registered with the Utah Department of Water Quality. 4. Where and how will water from the existing parking structure be routed to the proposed system? 5. Provide details of the proposed inlet boxes conforming to Salt Lake County standards. All General Notes must reference that items are to be built

Staff Report (12/21/16)

per Salt Lake County standards unless no standard is available then they are to be designed to APWA standards. Cover on all pipes is to be per Salt Lake County standards not manufacturer recommendations. 6. Final Grading and Drainage Plan is required to be stamped and signed by a Utah Professional Engineer (Section 17.20.150.A). 7. Salt Lake County suggests using Low Impact Development BMPs to manage storm water. 8. GIS requirements due as part of record drawings. 9. An impact fee of $8,438/acre of property will be required and storm drain components will be bonded for at final approval. 10. All road cuts in Miller Avenue must be restored to Salt Lake County Standards. Show details conforming to Salt Lake County standards. 11. Provide Engineer's estimate of storm drain improvements for bond estimate after plans are finalized (Section 17.20.150.A).

AGENCY: County Health Department DATE: 11/18/2016
RECOMMENDATION: Water and Sewer Availability Letters required by the department.

AGENCY: County Planning DATE: 12/01/2016
RECOMMENDATION: No zoning related issues.

AGENCY: County Traffic DATE: 11/09/2016
RECOMMENDATION: Conceptual Approval – Technical Review Required – Revisions Required: 1. Parking cannot be configured to allow backing onto Highland Drive. The 3 guest parking stalls on the east side must be eliminated. 2. Full plans for the parking garage must be provided. Show how garage will be modified to accommodate new ramps. Include parking stall count for all parking areas. Additional Requirements: 1. Curb, gutter, and sidewalk on Highland Drive is in poor condition and must be replaced with new.

AGENCY: County Surveyor DATE: 11/14/2016
RECOMMENDATION: Conceptual Approval – Technical Review Required

AGENCY: Unified Fire Authority DATE: 11/17/2016
RECOMMENDATION: Conceptual Approval – Technical Review Required – 1. Fire Department Access is required. 2. Fire Flow Letter Required. 3. Fire Sprinklers Required. 4. Standpipes will be required. 5. Post Indicator Valve with Tamper May Be Required.

AGENCY: County Building DATE: 11/15/2016
RECOMMENDATION: Conceptual Approval – Technical Review Required – Building Review For The Site Plan Only. Revisions/clarifications needed: 1. Clarify the ADA parking stalls on the lower level of the parking structure. 2. The accessible route for the existing building appears to be using stairs. Please clarify/justify.

As an FYI, the conversion of the office building to a residential occupancy requires the building to meet current code requirements for the new occupancy. Compliance to these requirements will be reviewed under the building permit process.

Separate building permits are required for: 1. The construction of the new building. 2. The remodeling and change of occupancy of the existing office building to an apartment building. 3. The installation of the hot tub. 4. The installation of the pergola (if larger than 120 square feet). 5. Any fences over 7' in height. 6. Any other separate structures or systems regulated by the building codes.

A change of occupancy for the existing building requires the building to meet current code requirements for the new occupancy as applicable per the IEBC and IBC requirements. At time of building permit application, please provide dimensioned plans, drawn to scale that show how the existing building complies with current code requirements for the new occupancy and/or shows what modifications are going to be made to the building so that it will comply with the code requirements for the new occupancy including but not limited to exiting, accessibility, life safety requirements, etc.

Staff Report (12/21/16)

AGENCY: County Operations DATE: 11/23/2016
RECOMMENDATION: Conceptual Approval – Technical Review Required

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

PLANNING STAFF ANALYSIS

The location of the subject property is an appropriate location within Millcreek Township for the proposed higher density of 32 Units Per Acre. The property is surrounded by similar uses (Commercial, Professional Offices, Higher Density Housing, etc.) in the C3 (Commercial) zone, is located near transit options, and is not surrounded by any single-family neighborhood.

19.64.040 – Conditional Uses - *Multiple Dwelling; Group Dwelling is listed as a Conditional Use in the C-3 (Commercial) zone.*

19.80.080 – Shared Parking – *When different land uses occupy the same or adjacent lot(s) in the C-3 zone, the total number of off-street parking spaces required for each use may be combined and shared upon approval. Conditional use applications which require planning commission approval, and for which shared parking is being proposed as part of the application, must have planning commission approval for the shared parking.*

The applicant has provided the attached Shared Parking Analysis. Based on the required percentages of parking required for each use (office and residential), the subject property will have varying amounts of remaining parking available for guest parking throughout the day. Planning Staff would support an approval from the Millcreek Township Planning Commission for the Shared Parking Analysis.

PLANNING STAFF RECOMMENDATION

Planning Staff has reviewed this request for compliance with the Millcreek Township General Plan, standards set forth in the Salt Lake County Zoning Ordinance (Title 19), and for compatibility with existing neighboring land uses and zones. Staff recommends that the requested 55 Unit Group Dwelling be approved by the Millcreek Township Planning Commission, subject to the following specific allowances and conditions:

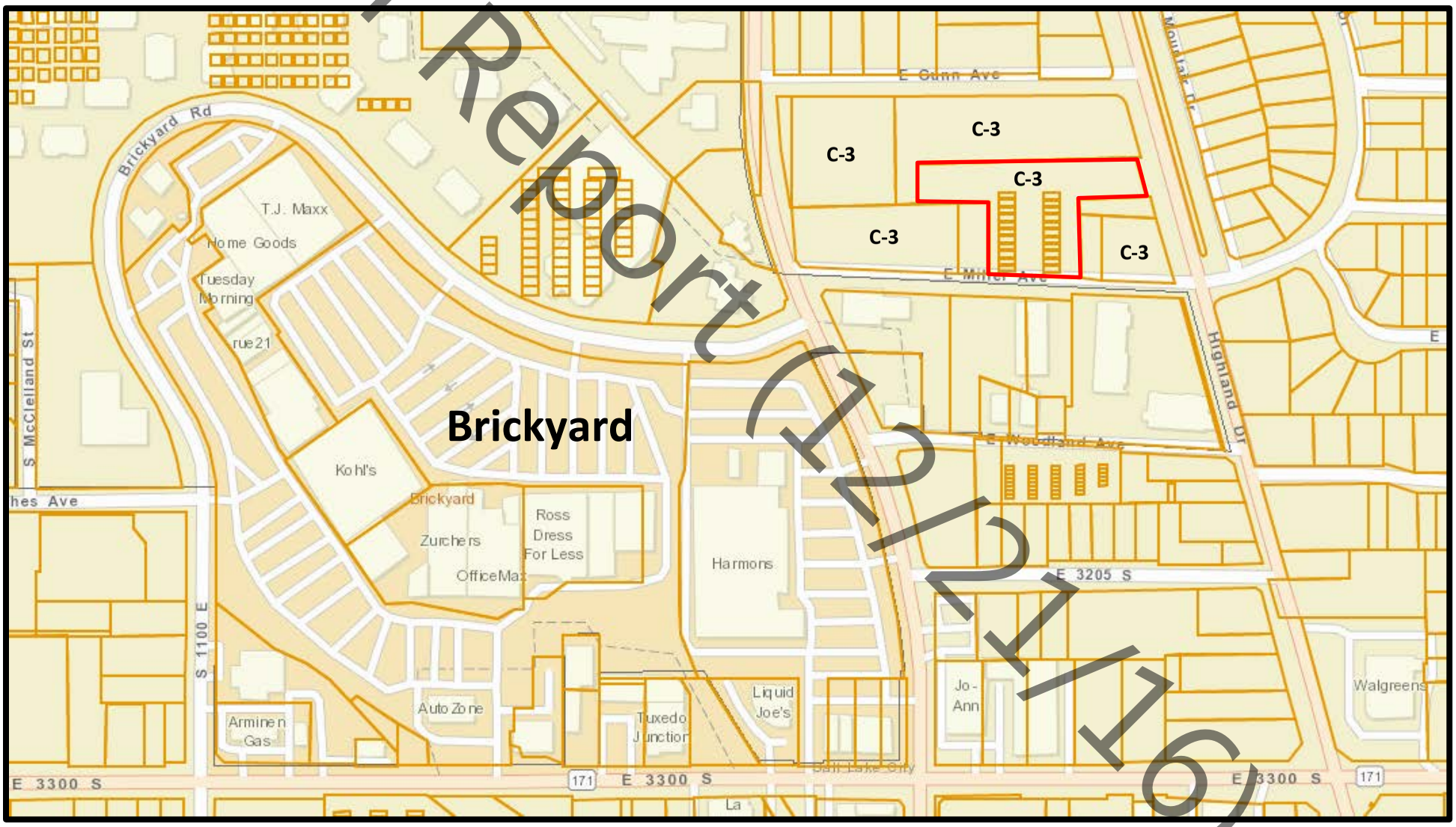
1. The Planning Commission approves the density of 32 Units Per Acre (55 Units total) for the subject property.
2. The Planning Commission approves the Shared Parking Analysis, with 126 Parking Stalls shared between the proposed Dwelling Units and Professional Offices.
3. The Planning Commission accepts the proposed Open Space at 39.78%.
4. The Planning Commission approved the proposed and potential recreational amenities.

Staff Report (12/21/16)

File #29889: Conditional Use for Proposed 55 Unit Group Dwelling

3098 South Highland Drive (Parcel ID: 16-28-313-023)

Staff Report (12/21/19)



File #29889: Conditional Use for Proposed 55 Unit Group Dwelling

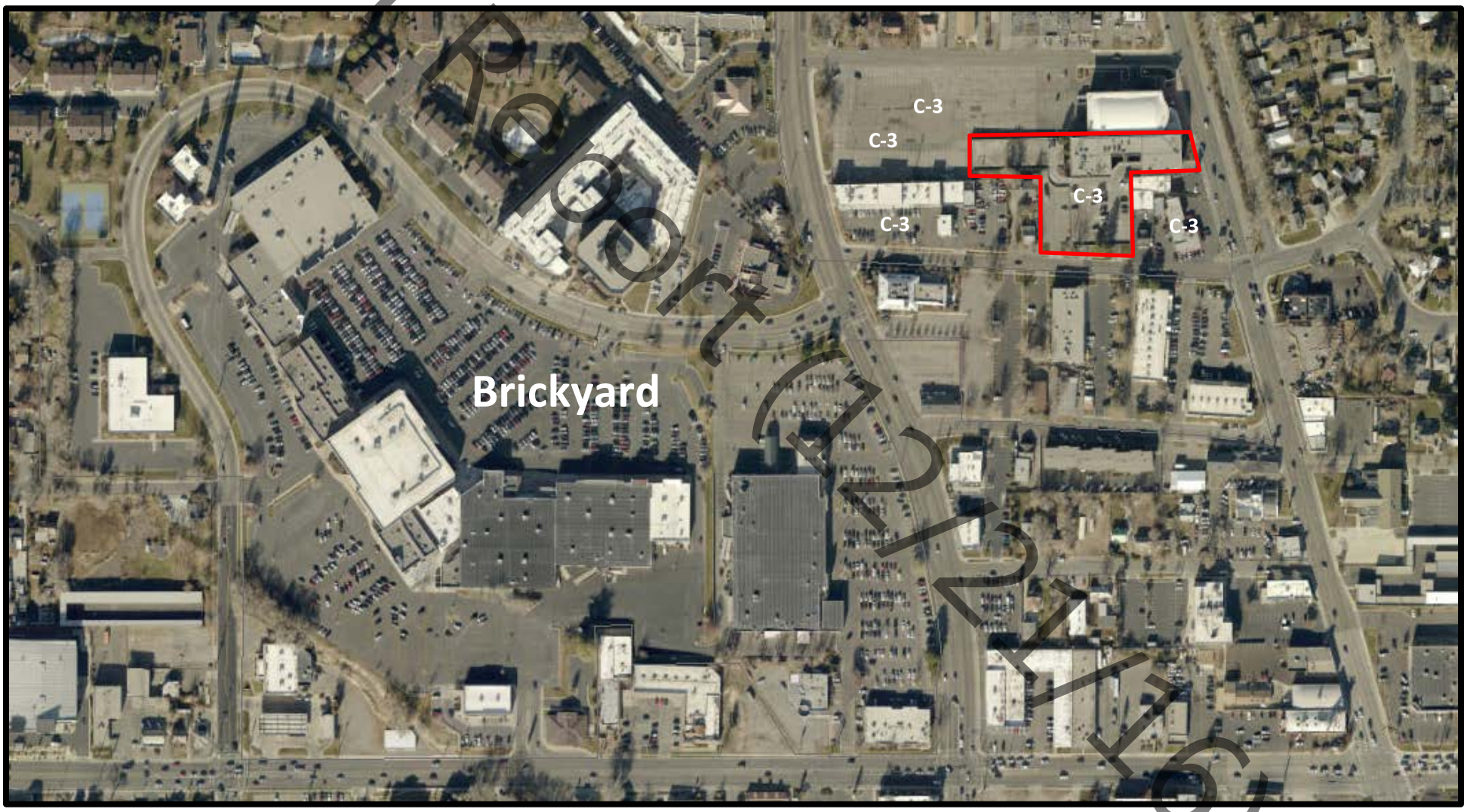
3098 South Highland Drive (Parcel ID: 16-28-313-023)

Staff Report (Draft)

File #29889: Conditional Use for Proposed 55 Unit Group Dwelling

3098 South Highland Drive (Parcel ID: 16-28-313-023)

Staff Report (Public Hearing)



SHARED PARKING ANAYLSIS

PARKING REQUIRED

	SF/units	**Required**
3098 Commercial	15,400	**62**
Apartments Senior	55	**110**
Guest Stalls		**TBD**
TOTAL:		**172**

Location	**Stalls**
Surface Parking	48
Existing Parking Structure	78
	126

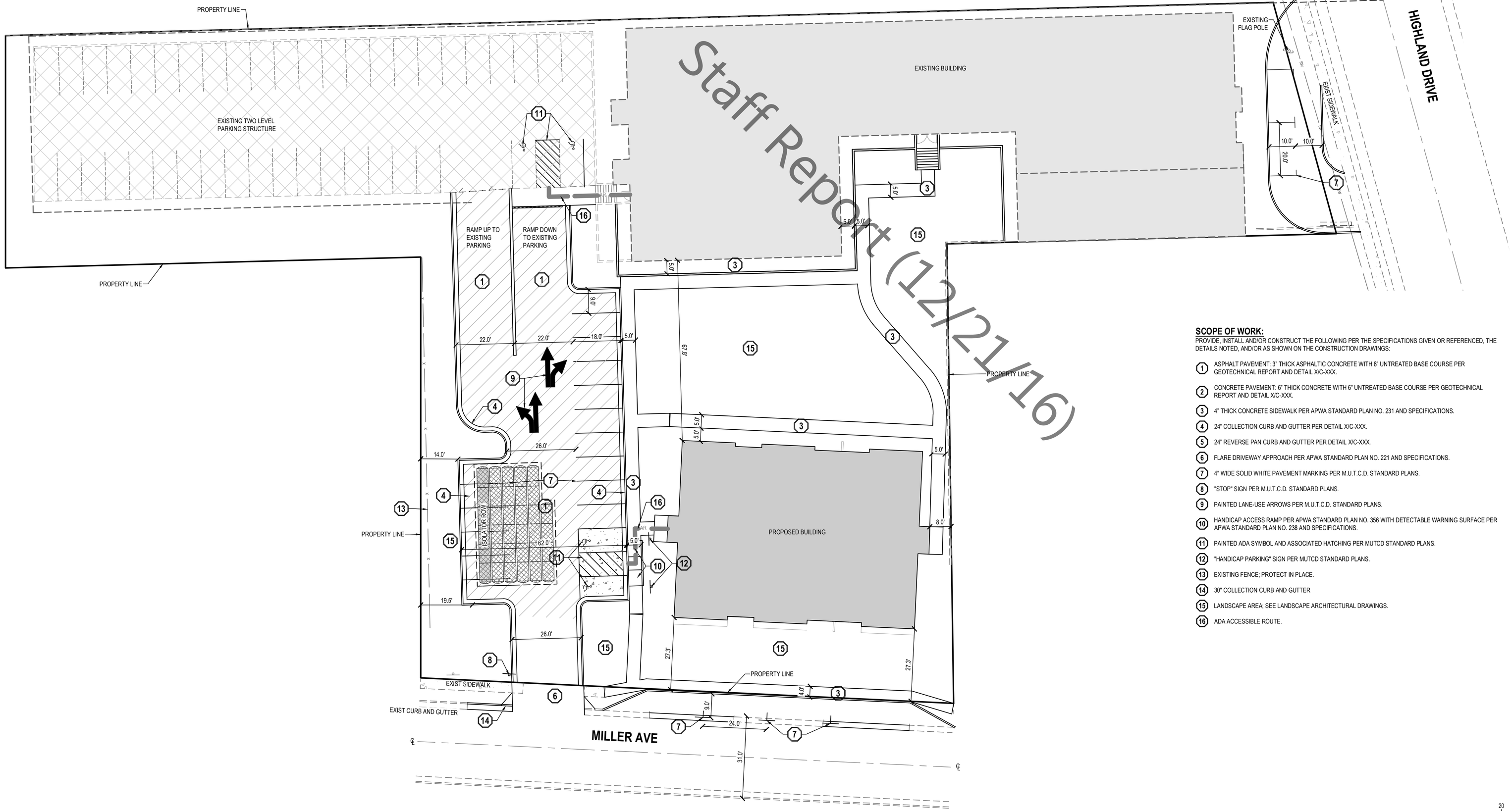
	Weekdays			**Weekends**		
SHARED PARKING	12am-7am	7am-6pm	6pm-12am	12am-7am	7am-6pm	6pm-12am
Office/Industrial	5%	100%	5%	0%	5%	0%
Retail	5%	100%	80%	5%	100%	60%
Restaurant	50%	70%	100%	70%	50%	100%
Residential	100%	50%	80%	100%	75%	75%
Theater/Entertainment	5%	20%	100%	5%	50%	100%

	Weekdays			**Weekends**		
SHARED PARKING w/o W	12am-7am	7am-6pm	6pm-12am	12am-7am	7am-6pm	6pm-12am
Office/Industrial	3	62	3	0	3	0
Retail	0	0	0	0	0	0
Restaurant	0	0	0	0	0	0
Residential	110	55	88	110	83	83
Theater/Entertainment	0	0	0	0	0	0
TOTALS	**113**	**117**	**91**	**110**	**86**	**83**
	-13	**-9**	-35	-16	-40	-43

Staff Report (12/21/16)

CALL BLUESTAKES
@ 811 AT LEAST 48 HOURS
PRIOR TO THE
COMMENCEMENT OF ANY
CONSTRUCTION.

Know what's below. Call before you dig.



Staff Report (12/21/16)

GENERAL NOTES

1. ALL WORK TO COMPLY WITH SALT LAKE COUNTY STANDARDS AND SPECIFICATIONS.
2. ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
3. SEE LANDSCAPE/ARCHITECTURAL PLANS FOR CONCRETE MATERIAL, COLOR, FINISH, AND SCORE PATTERNS THROUGHOUT SITE.
4. ALL PAVEMENT MARKINGS SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. (MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES).
5. ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SOD, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
6. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR ASPHALT.
7. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.

SCOPE OF WORK:

PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:

1. ASPHALT PAVEMENT: 3" THICK ASPHALTIC CONCRETE WITH 8" UNTREATED BASE COURSE PER GEOTECHNICAL REPORT AND DETAIL X/C-XXX.
2. CONCRETE PAVEMENT: 6" THICK CONCRETE WITH 6" UNTREATED BASE COURSE PER GEOTECHNICAL REPORT AND DETAIL X/C-XXX.
3. 4" THICK CONCRETE SIDEWALK PER APWA STANDARD PLAN NO. 231 AND SPECIFICATIONS.
4. 24" COLLECTION CURB AND GUTTER PER DETAIL X/C-XXX.
5. 24" REVERSE PAN CURB AND GUTTER PER DETAIL X/C-XXX.
6. FLARE DRIVEWAY APPROACH PER APWA STANDARD PLAN NO. 221 AND SPECIFICATIONS.
7. 4" WIDE SOLID WHITE PAVEMENT MARKING PER M.U.T.C.D. STANDARD PLANS.
8. "STOP" SIGN PER M.U.T.C.D. STANDARD PLANS.
9. PAINTED LANE-USE ARROWS PER M.U.T.C.D. STANDARD PLANS.
10. HANDICAP ACCESS RAMP PER APWA STANDARD PLAN NO. 356 WITH DETECTABLE WARNING SURFACE PER APWA STANDARD PLAN NO. 238 AND SPECIFICATIONS.
11. PAINTED ADA SYMBOL AND ASSOCIATED HATCHING PER MUTCD STANDARD PLANS.
12. "HANDICAP PARKING" SIGN PER MUTCD STANDARD PLANS.
13. EXISTING FENCE; PROTECT IN PLACE.
14. 30" COLLECTION CURB AND GUTTER
15. LANDSCAPE AREA; SEE LANDSCAPE ARCHITECTURAL DRAWINGS.
16. ADA ACCESSIBLE ROUTE.

NORTH

HORIZONTAL GRAPHIC SCALE

20 0 10 20 40

(IN FEET)
HORZ: 1 inch = 20 ft.

ENSIGN
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FOR:
PEG DEVELOPMENT
160 N UNIVERSITY AVE, STE 200
PROVO, UT 84601

CONTACT:
KYLE JARDINE
PHONE: 801-655-1998

BRICKCREEK APARTMENTS

3098 S HIGHLAND DRIVE
SALT LAKE CITY, UTAH 84106

REVIEW SUBMITTAL

NO.	DATE	REVISION	BY
1		FOR REVIEW	
2			
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SITE PLAN

PROJECT NUMBER 7162
PRINT DATE 12/6/16
DRAWN BY C HAMER
CHECKED BY
PROJECT MANAGER C MCFARLANE

C-200

Preliminary
Concept Plan
Scale: 1/16"=1'-0"

BRICKCREEK

3098 HIGHLAND DRIVE, SALT LAKE CITY

Community Landscape Services
Danny Knighton
Landscape Designer
October 28, 2016

CALL BLUESTAKES @ 811 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

Know what's below. Call before you dig.

SCOPE OF WORK:

PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:

1. ADA CONCRETE PARKING SLAB CANNOT EXCEED 2: IN ANY DIRECTION.
2. ORIFICE PLATE INSTALLED ON SOUTH SIDE OF STORM DRAIN BOX.
3. 6" TRENCH DRAIN
4. DAYLIGHT TO EXISTING GROUND WITH MAXIMUM 3:1 SLOPE.
5. SEE MECHANICAL PLANS FOR CONTINUATION.

GENERAL NOTES

1. ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
2. ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
3. ALL WORK SHALL COMPLY WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER POSSIBLY INCLUDING, BUT NOT LIMITED TO, REMOVAL OF UNCONSOLIDATED FILL, ORGANICS, AND DEBRIS, PLACEMENT OF SUBSURFACE DRAIN LINES AND GEOTEXTILE, AND OVEREXCAVATION OF UNSUITABLE BEARING MATERIALS AND PLACEMENT OF ACCEPTABLE FILL MATERIAL.
4. THE CONTRACTOR SHALL BECOME FAMILIAR WITH THE EXISTING SOIL CONDITIONS.
5. ELEVATIONS HAVE BEEN TRUNCATED FOR CLARITY. 21.72 REPRESENTS AN ELEVATION OF 4421.72 ON THESE PLANS.
6. LANDSCAPED AREAS RE: UIRE SUBGRADE TO BE MAINTAINED AT A SPECIFIC ELEVATION BELOW FINISHED GRADE AND RE: UIRE SUBGRADE TO BE PROPERLY PREPARED AND SCARIFIED. SEE LANDSCAPE PLANS FOR ADDITIONAL INFORMATION.
7. SLOPE ALL LANDSCAPED AREAS AWAY FROM BUILDING FOUNDATIONS TOWARD CURB AND GUTTER OR STORM DRAIN INLETS.
8. EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.
9. ALL STORM DRAIN INFRASTRUCTURE TO BE INSTALLED PER SALT LAKE COUNTY OR APWA STANDARD PLANS AND SPECIFICATIONS.
10. ENSURE MINIMUM COVER OVER ALL STORM DRAIN PIPES PER MANUFACTURER'S RECOMMENDATIONS. NOTIFY ENGINEER IF MINIMUM COVER CANNOT BE ATTAINED.
11. ALL FACILITIES WITH DOWNSPOUTS/ROOF DRAINS SHALL BE CONNECTED TO THE STORM DRAIN SYSTEM. SEE MECHANICAL/PLUMBING PLANS FOR DOWNSPOUT/ROOF DRAIN LOCATIONS AND SIZES. ALL ROOF DRAINS TO HAVE MINIMUM 1: SLOPE.
12. THE CONTRACTOR SHALL ADJUST TO GRADE ALL EXISTING UTILITIES AS NEEDED PER LOCAL GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
13. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE, ASPHALT, OR STORM DRAIN STRUCTURES OR PIPES.
14. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.
15. CATCH BASINS PER SALT LAKE COUNTY STORM DRAIN STANDARDS OR APWA STANDARD PLAN 315 AND SPECIFICATIONS.
16. COMBINATION INLET/CLEANOUT BOXES PER SALT LAKE COUNTY STORM DRAIN STANDARDS OR APWA STANDARD PLAN 316 AND SPECIFICATIONS.
17. CLEANOUT BOX PER SALT LAKE COUNTY STORM DRAIN STANDARDS OR APWA STANDARD PLAN 331 AND SPECIFICATIONS.
18. PIPES SHALL BE RCP-CLIII STORM DRAIN LINE OR APPROVED E: UAL. INSTALLATION SHALL BE PER SALT LAKE COUNTY STORM DRAIN STANDARDS AND APWA STANDARDS AND SPECIFICATIONS.

Staff Report (12/21/16)

PROPERTY LINE
EXISTING TWO LEVEL PARKING STRUCTURE
EXISTING BUILDING MAIN FF=4408.00
PROPOSED BUILDING FF=4415.50
HIGHLAND DRIVE
EAST SIDEWALK
RAMP UP TO EXISTING PARKING
RAMP DOWN TO EXISTING PARKING
INSTALL SDCB #112 TOG=4412.53 FL(OUT-S)=4408.49
INSTALL 12"X12" YD #108 TOG=4408.00 FL(OUT-S)=4406.91
INSTALL 6" SDR-35 PVC-SD 24.75 L.F. @ 0.50% SLOPE
INSTALL 12"X12" YD #107 TOG=4412.25 FL(OUT-SW)=4406.79 FL(IN-N)=4406.79
INSTALL 12"X12" YD #105 TOG=4413.90 FL(IN-E)=4406.23 FL(OUT-S)=4406.23
INSTALL 6" SDR-35 PVC-SD 41.50 L.F. @ 0.50% SLOPE
INSTALL 6" SDR-35 PVC-SD 45.39 L.F. @ 0.50% SLOPE
INSTALL 6" SDR-35 PVC-SD 34.71 L.F. @ 15.00% SLOPE
INSTALL 12"X12" YD #106 TOG=4413.75 FL(IN-NE)=4406.46 FL(OUT-W)=4406.46 FL(IN-S)=4406.46
INSTALL 12" CLASS III RCP-SD 142.54 L.F. @ 2.00% SLOPE
INSTALL 6" SDR-35 PVC-SD 34.73 L.F. @ 2.00% SLOPE
INSTALL 12"X12" YD #111 TOG=4414.75 FL(OUT-E)=4410.63
INSTALL 12"X12" YD #104 TOG=4414.82 FL(IN-N)=4406.02 FL(OUT-S)=4406.02
INSTALL 12"X12" YD #109 TOG=4414.76 FL(IN-E)=4409.94 FL(OUT-N)=4409.94 FL(IN-W)=4409.94
INSTALL 12"X12" YD #110 TOG=4414.75 FL(OUT-W)=4410.58
INSTALL 6" SDR-35 PVC-SD 31.95 L.F. @ 2.00% SLOPE
INSTALL 6" SDR-35 PVC-SD 35.37 L.F. @ 0.50% SLOPE
UNDERGROUND DETENTION SYSTEM (34) SC-740 STORMTECH CHAMBERS STORAGE RE: UIRED = 2,216 CF PROVIDED VOLUME = 2,500 CF TOP OF CHAMBERS = 4408.16 BOTTOM OF CHAMBERS = 4405.66 BOTTOM OF GRAVEL = 4405.16
INSTALL 12" CLASS III RCP-SD 33.03 L.F. @ 0.25% SLOPE
INSTALL 12"X12" YD #103 TOG=4415.11 FL(IN-N)=4405.80 FL(OUT-W)=4405.80
INSTALL 8" SDR-35 PVC-SD 32.54 L.F. @ 0.50% SLOPE
INSTALL SD COMBO #101 TOG=4413.62 FL(IN-E)=4405.56 FL(OUT-S)=4405.66
INSTALL ORIFICE PLATE WITH 2.9" DIAMETER HOLE RELEASE RATE = 0.2 CFS/AC
INSTALL SDCO #102 TOG=4414.51 FL(IN-E)=4405.64 FL(OUT-W)=4405.64 FL(IN-N)=4405.64
INSTALL 12" CLASS III RCP-SD 65.74 L.F. @ 0.50% SLOPE
Q_{10} = 0.35 CFS
INSTALL SD COMBO #100 TOG=4412.94 FL(IN-N)=4405.29
EXIST 12" CP-SD 491.53 L.F. @ 2.69% SLOPE
MILLER AVE
EXIST 12" CP-SD 254.75 L.F. @ 1.00% SLOPE
EXIST COMBO BOX #299 TOG=4417.00 FL(IN-E)=4409.17 FL(OUT-W)=4409.17

ENSIGN engineering × planning × surveying

Project :	Brickcreek Apartments	Project No. :	7162
By :	D. Cowley	Checked By :	C. McFarlane
Date :	27-Oct-2016	Sheet :	1 of 1

DRAINAGE CALCULATION

Area Calculations			Area Runoff Coefficients	
Hardscaped Area (Ap):	1.13	acres	Cp :	0.85
LANDSCAPE AREA (Al):	0.61	acres	Cl :	0.15
TOTAL AREA (A):	1.74	acres	WEIGHTED C:	0.61

Runoff Calculations

Allowable Runoff: 0.2 cfs/ac
Total Allowable Runoff: 0.348 cfs

Time (min)	CA (Acres)	Intensity (in/hr)	Time (sec)	Cumulative Runoff (ft³)	Allowed Runoff (ft³)	Storage (ft³)
15	1.05	2.06	900	1,951	313	1,638
30	1.05	1.50	1,800	2,842	626	2,216
60	1.05	0.92	3,600	3,467	1,252	2,215
360	1.05	0.25	21,600	5,608	7,513	-1,906
720	1.05	0.15	43,200	6,896	15,027	-8,131
1440	1.05	0.09	86,400	8,412	30,053	-21,642

NOTE: 10 Year Storm

STORAGE REQUIRED: 2,216
STORAGE PROVIDED:

Outlet Control

Q through orifice: 0.348 cfs

Gate Parameters		Gate Size		Pipe Parameters	
C =	0.6	Area (in²) =	6.58 = Q/(C(2gh)^0.5)	TYPE OF PIPE:	Concrete
g (ft/s²) =	32.2	Diameter (in) =	2.9	ROUGHNESS (n) =	0.013
HWM =	4,408.2			PIPE DIA. (d) =	12
FL @ Gate =	4,405.7			%SLOPE (s) =	0.50%
h (ft) =	2.5			Q allow =	2.53
				Unity Check of Q (cfs)	ok

PROVIDE:

12" Dia. Concrete Pipe With: 2.9" Diameter Orifice in Metal Headgate

(Orifice coefficient is taken from: McCuen, Richard / Hydrologic Design Methods /co 1998 p.424)

HORIZONTAL GRAPHIC SCALE

20 0 10 20 40

(IN FEET)
HORZ: 1 inch = 20 ft.

ENSIGN
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CONTACT:
KYLE JARDINE
PHONE: 801-655-1998

BRICKCREEK APARTMENTS

3098 S HIGHLAND DRIVE
SALT LAKE CITY, UTAH 84106

REGISTERED PROFESSIONAL ENGINEER 163419-2202 C. MCFARLANE 10-27-16 STATE OF UTAH

REVIEW SUBMITTAL

NO.	DATE	REVISION	BY
1		FOR REVIEW	
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8			

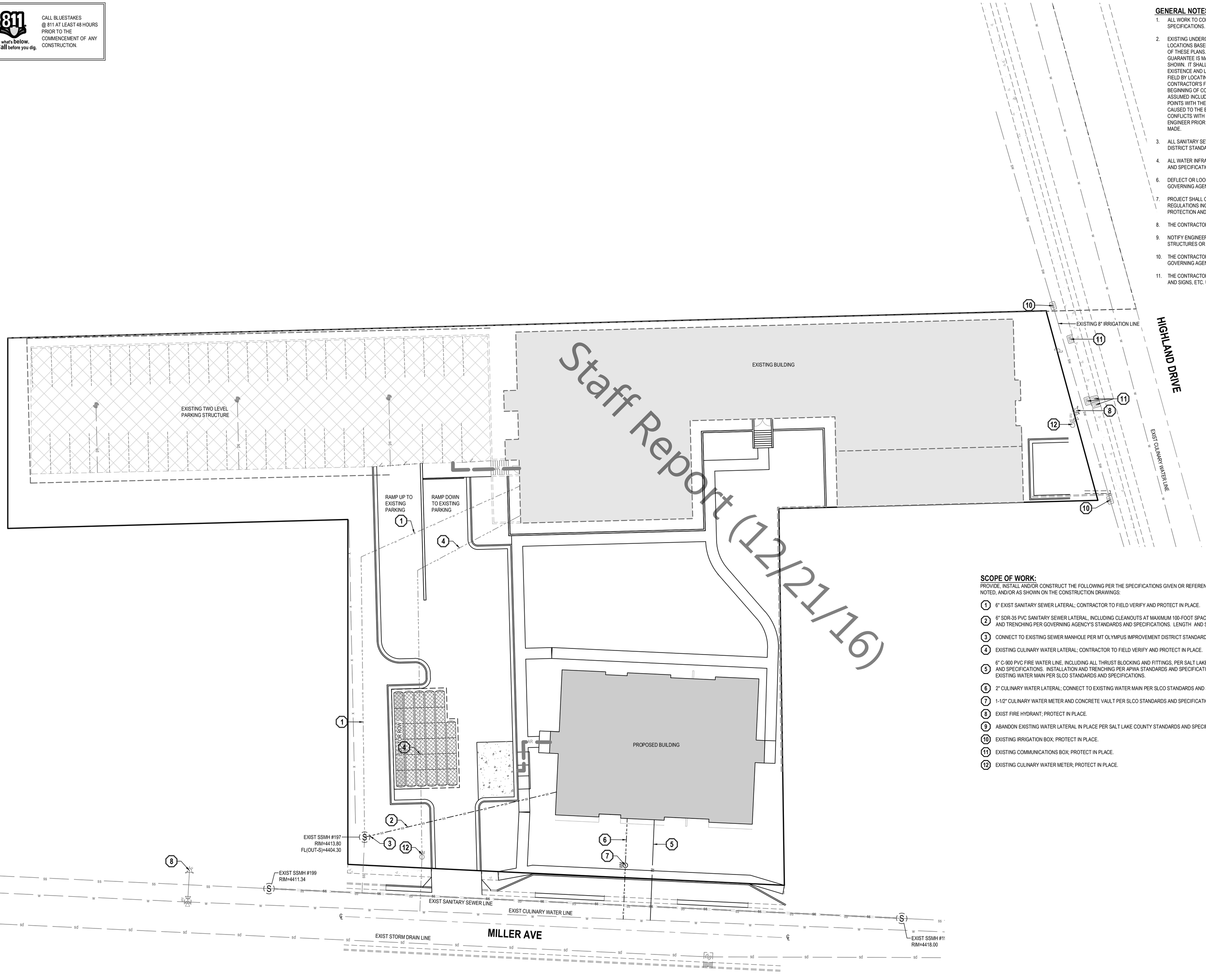
GRADING AND DRAINAGE PLAN

PROJECT NUMBER 7162
PRINT DATE 10/27/16
DRAWN BY C HAMER
CHECKED BY
PROJECT MANAGER C MCFARLANE

C-300

811 Know what's below. Call before you dig.

CALL BLUESTAKES @ 811 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.



GENERAL NOTES

1. ALL WORK TO COMPLY WITH MT OLYMPUS IMPROVEMENT DISTRICT STANDARDS AND SPECIFICATIONS.
2. EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.
3. ALL SANITARY SEWER INFRASTRUCTURE TO BE INSTALLED PER MT OLYMPUS IMPROVEMENT DISTRICT STANDARD PLANS AND SPECIFICATIONS.
4. ALL WATER INFRASTRUCTURE TO BE INSTALLED PER SALT LAKE COUNTY STANDARD PLANS AND SPECIFICATIONS.
6. DEFLECT OR LOOP ALL WATERLINES TO AVOID CONFLICTS WITH OTHER UTILITIES PER GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
7. PROJECT SHALL COMPLY WITH ALL UTAH DIVISION OF DRINKING WATER RULES AND REGULATIONS INCLUDING, BUT NOT LIMITED TO, THOSE PERTAINING TO BACKFLOW PROTECTION AND CROSS CONNECTION PREVENTION.
8. THE CONTRACTOR IS TO COORDINATE ALL UTILITIES WITH MECHANICAL/PLUMBING PLANS.
9. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING UTILITY STRUCTURES OR PIPES.
10. THE CONTRACTOR SHALL ADJUST TO GRADE ALL EXISTING UTILITIES AS NEEDED PER LOCAL GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
11. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.

SCOPE OF WORK:

PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:

1. 6" EXIST SANITARY SEWER LATERAL; CONTRACTOR TO FIELD VERIFY AND PROTECT IN PLACE.
2. 6" SDR-35 PVC SANITARY SEWER LATERAL, INCLUDING CLEANOUTS AT MAXIMUM 100-FOOT SPACING. INSTALLATIO AND TRENCHING PER GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS. LENGTH AND SLOPE PER PLAN.
3. CONNECT TO EXISTING SEWER MANHOLE PER MT OLYMPUS IMPROVEMENT DISTRICT STANDARDS AND SPECIFICA
4. EXISTING CULINARY WATER LATERAL; CONTRACTOR TO FIELD VERIFY AND PROTECT IN PLACE.
5. 6" C-900 PVC FIRE WATER LINE, INCLUDING ALL THRUST BLOCKING AND FITTINGS, PER SALT LAKE COUNTY STAND AND SPECIFICATIONS. INSTALLATION AND TRENCHING PER APWA STANDARDS AND SPECIFICATIONS. CONNECT T EXISTING WATER MAIN PER SLCO STANDARDS AND SPECIFICATIONS.
6. 2" CULINARY WATER LATERAL; CONNECT TO EXISTING WATER MAIN PER SLCO STANDARDS AND SPECIFICATIONS.
7. 1-1/2" CULINARY WATER METER AND CONCRETE VAULT PER SLCO STANDARDS AND SPECIFICATIONS.
8. EXIST FIRE HYDRANT; PROTECT IN PLACE.
9. ABANDON EXISTING WATER LATERAL IN PLACE PER SALT LAKE COUNTY STANDARDS AND SPECIFICATIONS.
10. EXISTING IRRIGATION BOX; PROTECT IN PLACE.
11. EXISTING COMMUNICATIONS BOX; PROTECT IN PLACE.
12. EXISTING CULINARY WATER METER; PROTECT IN PLACE.

NORTH

HORIZONTAL GRAPHIC SCALE

20 0 10 20 40

(IN FEET)
HORZ: 1 inch = 20 ft.

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PHONE: 801-655-1998

BRICKCREEK APARTMENTS

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SALT LAKE CITY, UTAH 84106

REGISTERED PROFESSIONAL ENGINEER 163419-2202 CHRISTOPHER MCFARLANE 10·27·16 STATE OF UTAH

REVIEW SUBMITTAL

NO.	DATE	REVISION	BY
1		FOR REVIEW	
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UTILITY PLAN

PROJECT NUMBER 7162	PRINT DATE 10/27/16
DRAWN BY C HAMER	CHECKED BY
PROJECT MANAGER C MCFARLANE	

C-400

ALL IDEAS, DESIGNS, ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY AND THE PROPERTY OF AJC ARCHITECTS PC AND WERE CREATED, EVOLVED, AND DEVELOPED FOR USE ON AND IN CONNECTION WITH THE SPECIFIED PROJECT. NONE OF THE IDEAS, DESIGNS, ARRANGEMENTS OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM, OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT WRITTEN CONSENT OF AJC ARCHITECTS PC. WRITTEN DIMENSIONS ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER SCALE DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE MUST BE INFORMED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS. WARNING: REPRODUCTION HEREOF BY ANY METHOD, ELECTRONIC OR OTHERWISE, UNDER 19 U.S.C. SEC. 506. UNAUTHORIZED DISCLOSURE MAY CONSTITUTE TRADE SECRET MISAPPROPRIATION IN VIOLATION OF 17 C.F.R. § 240.10B-5 AND OTHER LAWS.

10/28/2016 11:31:25 AM C:\Users\tsmith\Documents\1628 PEG BrickCreed CENTRAL v16_tsmithQZXMN.rvt

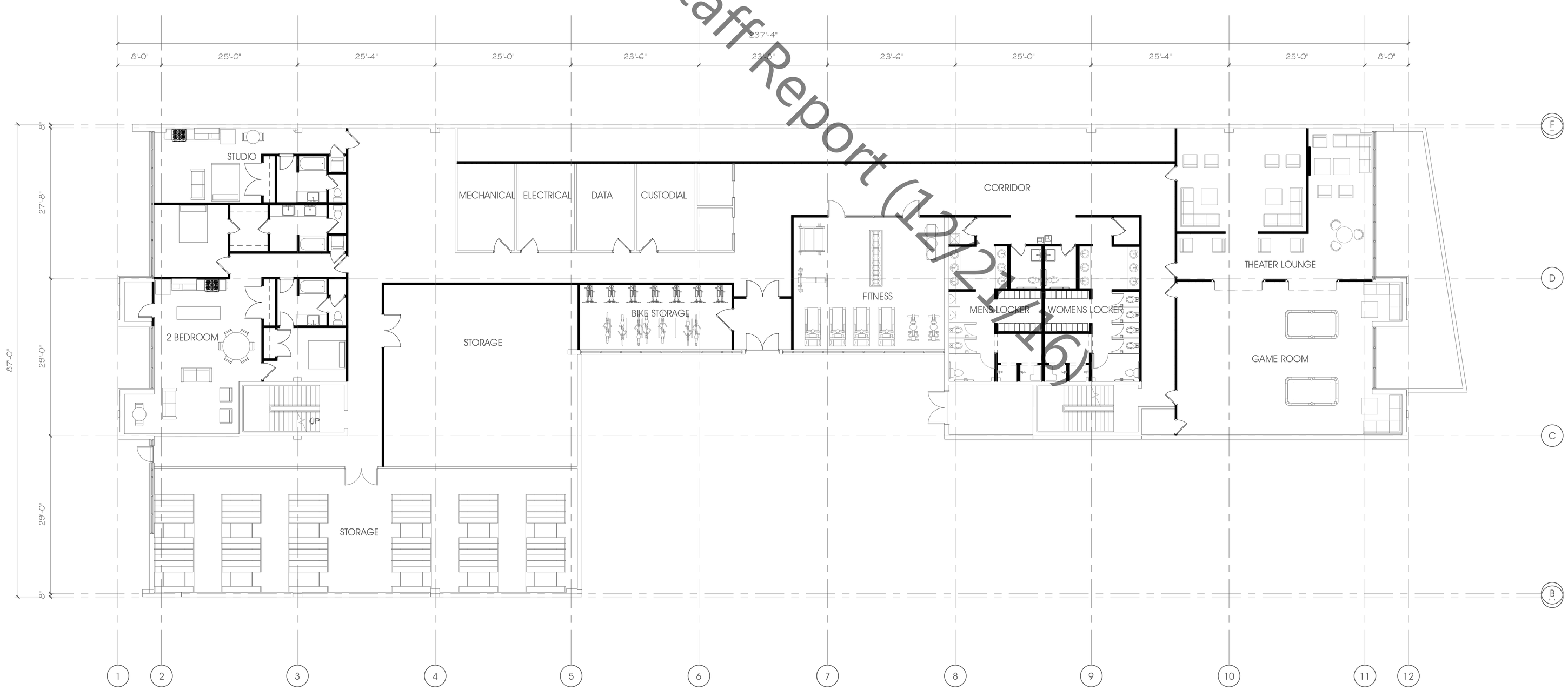
17 13 9 5 1

KEYED NOTES:

GENERAL NOTES AND LEGEND:

- SEE SHEET AE001 FOR GENERAL NOTES.
- SEE TITLE SHEET FOR DRAWING INDEX.
- DO NOT SCALE DRAWINGS.
- CONTRACTOR / SUBCONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE BEGINNING WORK, AND SHALL REPORT TO THE ARCHITECT ANY ERRORS, INCONSISTENCIES OR OMISSIONS BEFORE BEGINNING WORK. SEE GENERAL NOTES AND SPECIFICATIONS.

Staff Report (12-21-16)



1 LEVEL 01 A FLOOR PLAN
3/32" = 1'-0"

20 16 12 8 4

ARCHITECT 1628
ajc architects
703 east 1700 south
salt lake city, utah 84105
ph: 801.466.8818
fx: 801.466.4411
www.ajcarchitects.com

NOT FOR CONSTRUCTION

CONSULTANT

OWNER INFORMATION

PROJECT DESCRIPTION

BRICKCREEK APARTMENTS

3098 S HIGHLAND DRIVE
SALT LAKE CITY, UTAH 84106

AHJ STAMP

SHEET NAME:
LEVEL 01 A FLOOR PLAN

REVISIONS

MARK	DATE	DESCRIPTION

ISSUE DATA

ISSUE DATE:	2016
ISSUE TYPE:	PLANNING
DRAWN BY:	AJC
CHECKED BY:	AJC
CLIENT PROJECT#:	

SHEET NUMBER:

AE101A

ALL IDEAS, DESIGNS, ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY AND THE PROPERTY OF AJC ARCHITECTS PC AND WERE CREATED, EVOLVED, AND DEVELOPED FOR USE ON AND IN CONNECTION WITH THE SPECIFIED PROJECT. NONE OF THE IDEAS, DESIGNS, ARRANGEMENTS OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM, OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT WRITTEN CONSENT OF AJC ARCHITECTS PC. WRITTEN DIMENSIONS ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER SCALE DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THE ARCHITECT MUST BE INFORMED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS. WARNING: REPRODUCTION HEREOF IS A VIOLATION OF 17 U.S.C. SEC. 506. UNAUTHORIZED DISCLOSURE MAY CONSTITUTE TRADE SECRET MISAPPROPRIATION IN VIOLATION OF 17 C.F.R. 240.10B-5 AND OTHER LAWS.

10/28/2016 11:31:30 AM C:\Users\tsmith\Documents\1628 PEG BrickCreed CENTRAL v16_tsmithQZXMN.rvt

KEYED NOTES:

GENERAL NOTES AND LEGEND:

- SEE SHEET AE001 FOR GENERAL NOTES.
- SEE TITLE SHEET FOR DRAWING INDEX.
- DO NOT SCALE DRAWINGS.
- CONTRACTOR / SUBCONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE BEGINNING WORK, AND SHALL REPORT TO THE ARCHITECT ANY ERRORS, INCONSISTENCIES OR OMISSIONS BEFORE BEGINNING WORK. SEE GENERAL NOTES AND SPECIFICATIONS.

16 LEVEL 02 A FLOOR PLAN
3/32" = 1'-0"

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CONSULTANT

OWNER INFORMATION

PROJECT DESCRIPTION

BRICKCREEK APARTMENTS

3098 S HIGHLAND DRIVE
SALT LAKE CITY, UTAH 84106

AHJ STAMP

SHEET NAME:
LEVEL 02 A FLOOR PLAN

REVISIONS

MARK	DATE	DESCRIPTION

ISSUE DATA

ISSUE DATE:	2016
ISSUE TYPE:	PLANNING
DRAWN BY:	AJC
CHECKED BY:	AJC
CLIENT PROJECT#:	

SHEET NUMBER:

AE102A

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10/28/2016 11:31:36 AM C:\Users\tsmith\Documents\1628 PEG BrickCreed CENTRAL v16_tsmithQZXMN.rvt

KEYED NOTES:

GENERAL NOTES AND LEGEND:

- SEE SHEET AE001 FOR GENERAL NOTES.
- SEE TITLE SHEET FOR DRAWING INDEX.
- DO NOT SCALE DRAWINGS.
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Staff Report (12/7/16)

1 LEVEL 03 A FLOOR PLAN
3/32" = 1'-0"

ARCHITECT 1628

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CONSULTANT

OWNER INFORMATION

PROJECT DESCRIPTION

BRICKCREEK APARTMENTS

3098 S HIGHLAND DRIVE
SALT LAKE CITY, UTAH 84106

AHJ STAMP

SHEET NAME:
LEVEL 03 A FLOOR PLAN

REVISIONS

MARK	DATE	DESCRIPTION

ISSUE DATA

ISSUE DATE:	2016
ISSUE TYPE:	PLANNING
DRAWN BY:	AJC
CHECKED BY:	AJC
CLIENT PROJECT#:	

SHEET NUMBER:

AE103A

ALL IDEAS, DESIGNS, ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY AND THE PROPERTY OF AJC ARCHITECTS PC AND WERE CREATED, EVOLVED, AND DEVELOPED FOR USE ON AND IN CONNECTION WITH THE SPECIFIED PROJECT. NONE OF THE IDEAS, DESIGNS, ARRANGEMENTS OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM, OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT WRITTEN CONSENT OF AJC ARCHITECTS PC. WRITTEN DIMENSIONS ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER SCALE DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THE ARCHITECT MUST BE NOTIFIED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS. WARNING: REPRODUCTION HEREOF BY ANY MEANS, OFFLINE UNDER 17 U.S.C. SEC. 506. UNAUTHORIZED DISCLOSURE MAY CONSTITUTE THEFT, SECURITY MISAPPROPRIATION IN VIOLATION OF 17 C.F.R. 240.10B-5 AND OTHER LAWS.

10/28/2016 11:31:42 AM C:\Users\tsmith\Documents\1628 PEG BrickCreed CENTRAL v16_tsmithQZXMN.rvt

KEYED NOTES:

GENERAL NOTES AND LEGEND:

- SEE SHEET AE001 FOR GENERAL NOTES.
- SEE TITLE SHEET FOR DRAWING INDEX.
- DO NOT SCALE DRAWINGS.
- CONTRACTOR / SUBCONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE BEGINNING WORK, AND SHALL REPORT TO THE ARCHITECT ANY ERRORS, INCONSISTENCIES OR OMISSIONS BEFORE BEGINNING WORK. SEE GENERAL NOTES AND SPECIFICATIONS.

Staff Report (12/21/16)

1 LEVEL 04 A FLOOR PLAN
3/32" = 1'-0"

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CONSULTANT

OWNER INFORMATION

PROJECT DESCRIPTION

BRICKCREEK APARTMENTS

3098 S HIGHLAND DRIVE
SALT LAKE CITY, UTAH 84106

AHJ STAMP

SHEET NAME:
LEVEL 04 A FLOOR PLAN

REVISIONS

MARK	DATE	DESCRIPTION

ISSUE DATA

ISSUE DATE:	2016
ISSUE TYPE:	PLANNING
DRAWN BY:	AJC
CHECKED BY:	AJC
CLIENT PROJECT#:	

SHEET NUMBER:

AE104A

ALL IDEAS, DESIGNS, ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY AND THE PROPERTY OF AJC ARCHITECTS PC AND WERE CREATED, EVOLVED, AND DEVELOPED FOR USE ON AND IN CONNECTION WITH THE SPECIFIED PROJECT. NONE OF THE IDEAS, DESIGNS, ARRANGEMENTS OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM, OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT WRITTEN CONSENT OF AJC ARCHITECTS PC. WRITTEN DIMENSIONS ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER SCALED DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THE ARCHITECT MUST BE NOTIFIED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS. WARNING: REPRODUCTION HEREOF IS A COPYRIGHT INFRINGEMENT, COPYRIGHT UNDER 17 U.S.C. SEC. 506. UNAUTHORIZED DISCLOSURE MAY CONSTITUTE TRADE SECRET MISAPPROPRIATION IN VIOLATION OF 18 U.S.C. SEC. 1832 AND OTHER LAWS.

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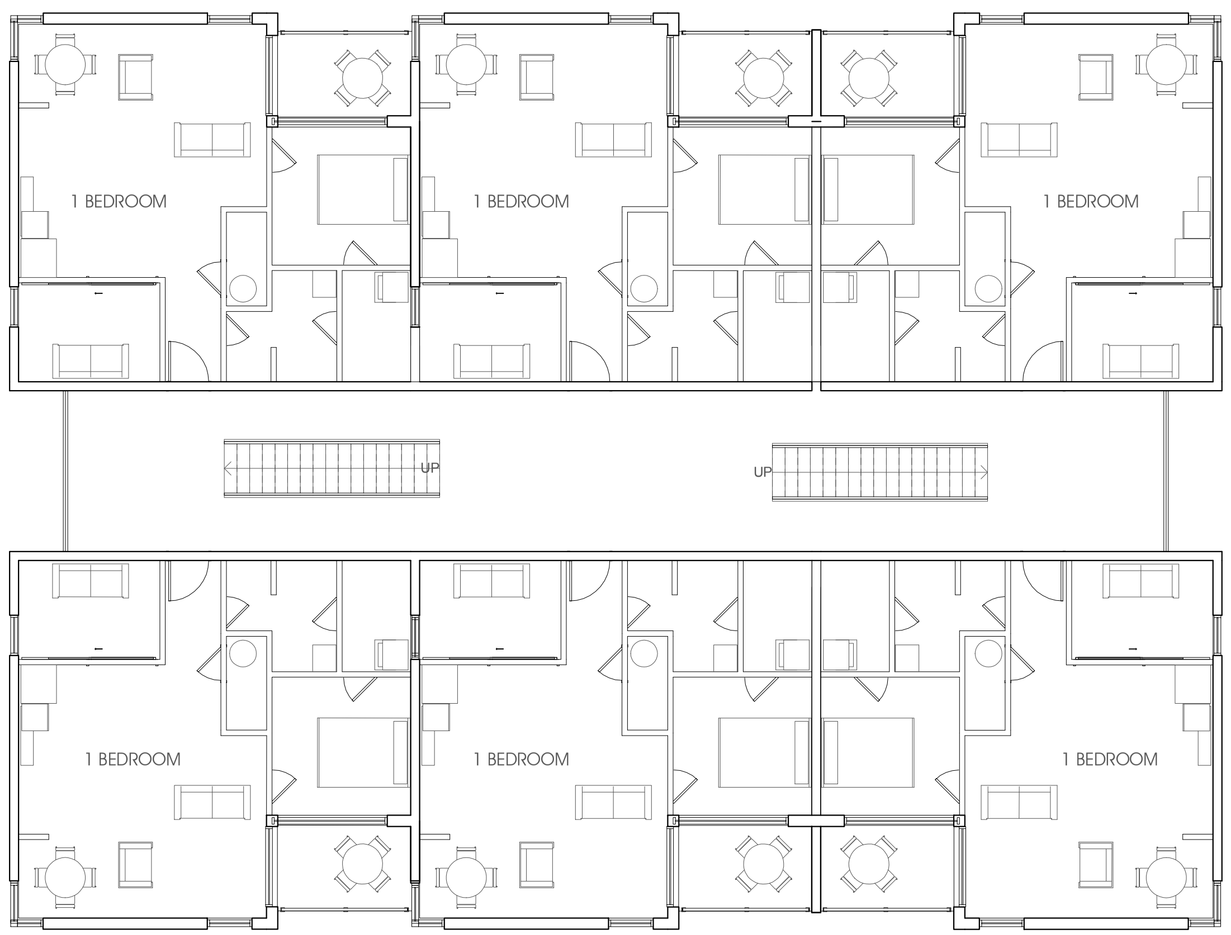
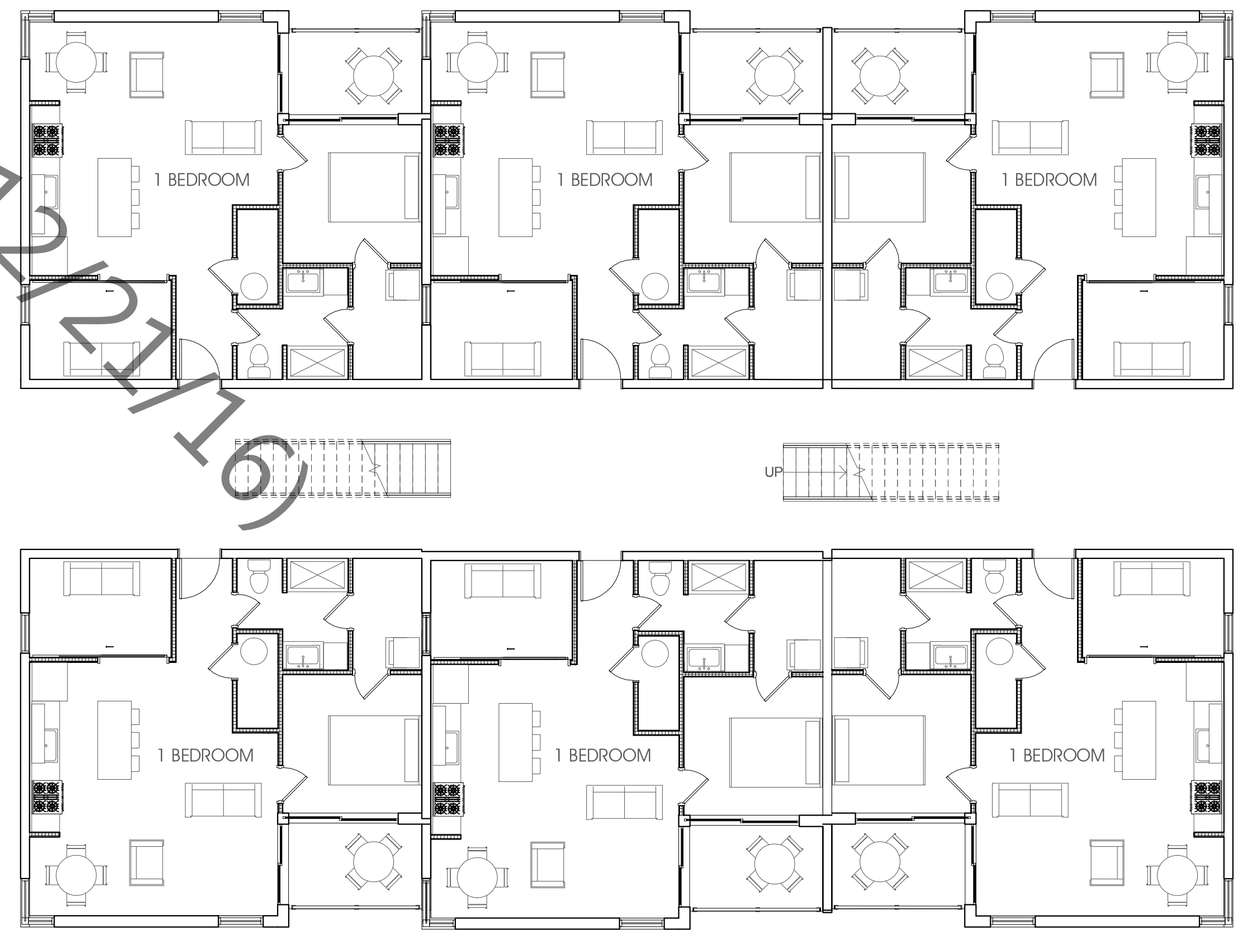
Staff Report (12/21/16)



2 LEVEL 02 B FLOOR PLAN
1/8" = 1'-0"



1 LEVEL 01 B FLOOR PLAN
1/8" = 1'-0"

KEYED NOTES:

GENERAL NOTES AND LEGEND:

- SEE SHEET AE001 FOR GENERAL NOTES.
- SEE TITLE SHEET FOR DRAWING INDEX.
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fx: 801.466.4411
www.ajcarchitects.com

NOT FOR CONSTRUCTION

CONSULTANT

OWNER INFORMATION

PROJECT DESCRIPTION

BRICKCREEK APARTMENTS

3098 S HIGHLAND DRIVE
SALT LAKE CITY, UTAH 84106

AHJ STAMP

SHEET NAME:
LEVEL 01 + 02 B FLOOR PLAN

REVISIONS

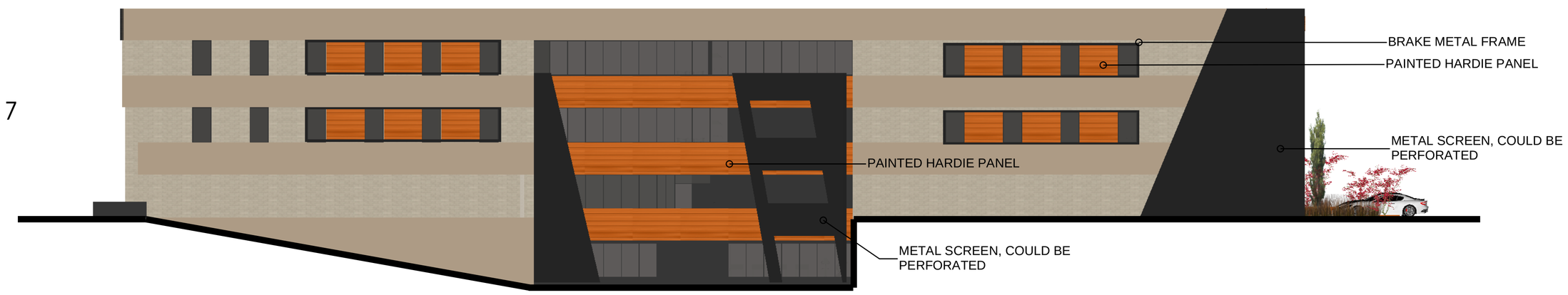
MARK	DATE	DESCRIPTION

ISSUE DATA

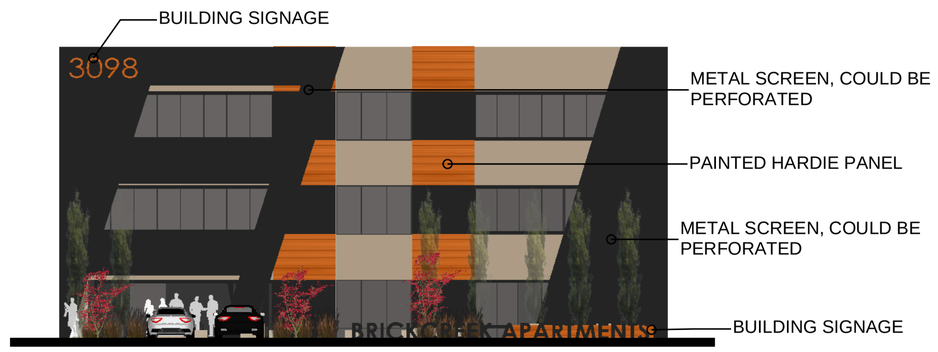
ISSUE DATE:	2016
ISSUE TYPE:	PLANNING
DRAWN BY:	AJC
CHECKED BY:	AJC
CLIENT PROJECT#:	

SHEET NUMBER:

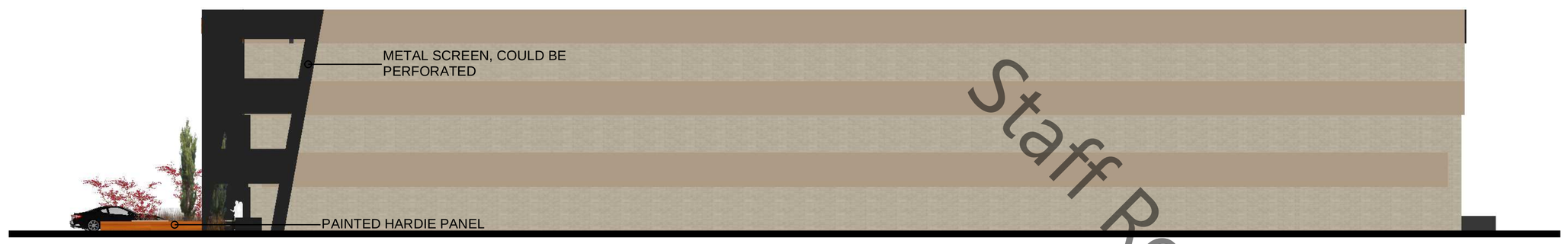
AE105B



SIDE ELEVATION
SCALE: 1/16" = 1'-0"

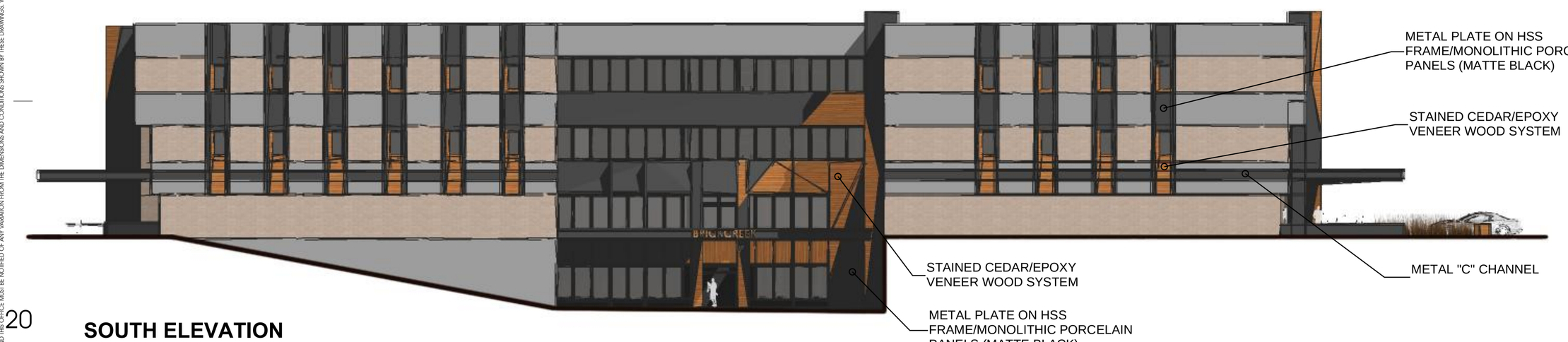


FRONT ELEVATION
SCALE: 1/16" = 1'-0"

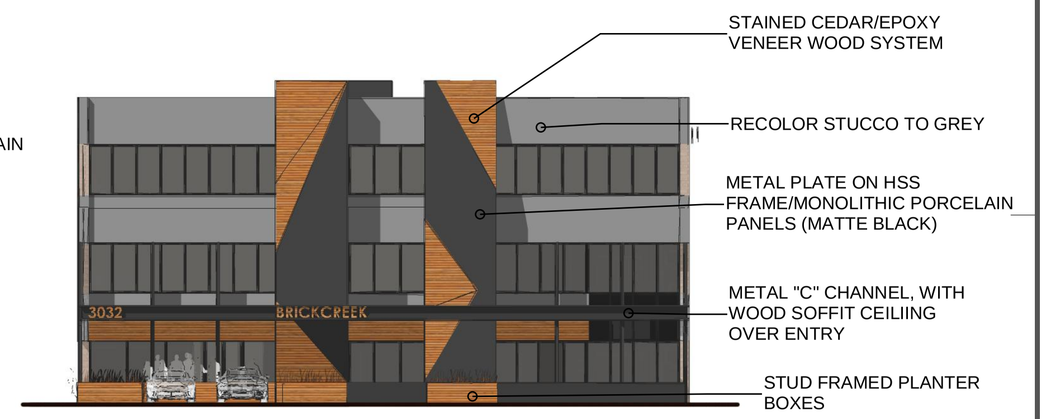


SIDE ELEVATION
SCALE: 1/16" = 1'-0"

Staff Report (12/21/16)



SOUTH ELEVATION
SCALE: 1/16" = 1'-0"



EAST ELEVATION
SCALE: 1/16" = 1'-0"

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salt lake city, utah 84105
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www.ajcarchitects.com

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CONSULTANT

OWNER INFORMATION

PROJECT DESCRIPTION
BRICKCREEK APARTMENTS

3098 S HIGHLAND DRIVE
SALT LAKE CITY, UTAH 84106

AHJ STAMP

SHEET NAME:
EXTERIOR ELEVATIONS OPTION A

REVISIONS

MARK	DATE	DESCRIPTION

ISSUE DATA

ISSUE DATE:	10/11/12
ISSUE TYPE:	PLANNING
DRAWN BY:	Author
CHECKED BY:	Checker
CLIENT PROJECT#:	

SHEET NUMBER:
AE203

11/28/2016 7:35:03 AM 1662 PEG BrickCreek CENTRAL v16_detached.rvt

KEYED NOTES:

1 METAL SCREEN SYSTEM, MORIN PANELS OR SIMILAR
2 EXISTING BRICK, CLEANED AND REPAIRED.
3 EXISTING WINDOW SYSTEM, REPAIRED / REPAINTED
4 EXISTING BUT NEWLY EXPOSED CMU, CLEANED AND REPAIRED.

GENERAL NOTES AND LEGEND:

- SEE SHEET AE001 FOR GENERAL NOTES.
- SEE TITLE SHEET FOR DRAWING INDEX.
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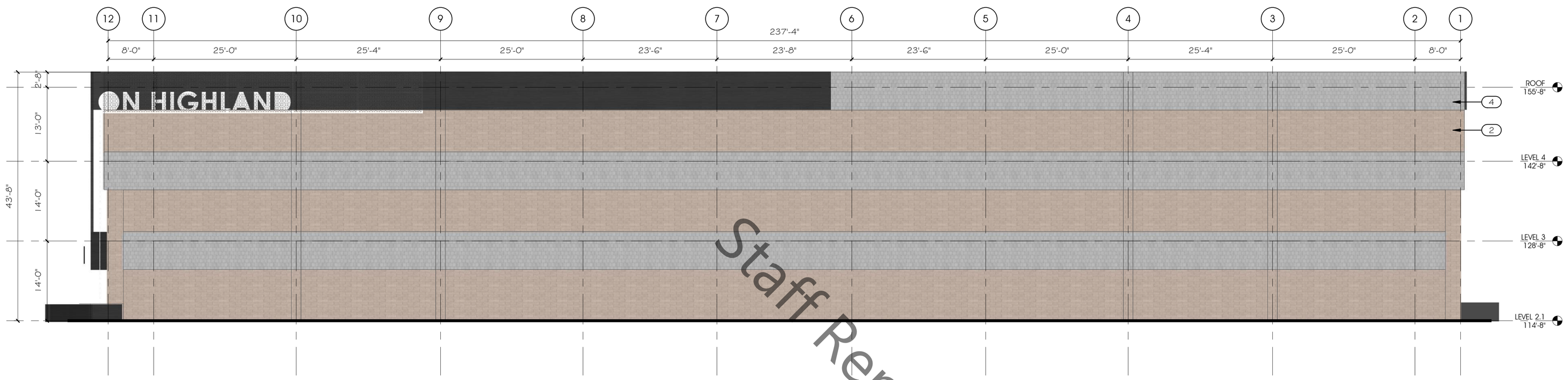
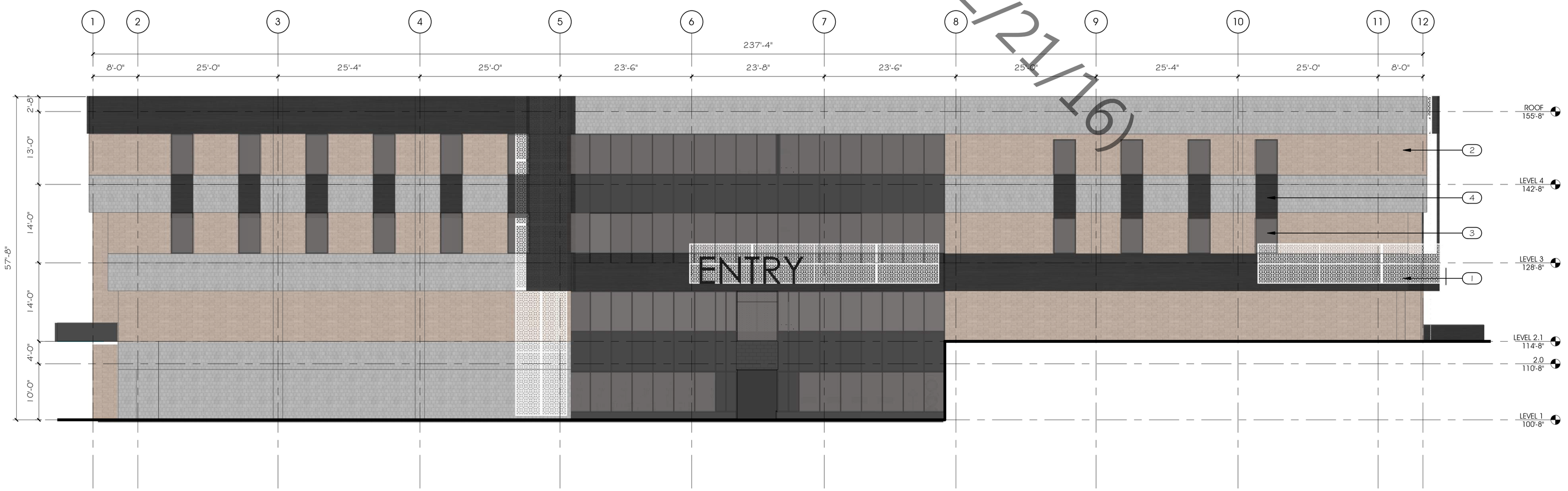


19 ELEVATION - NORTH BLDG A
3/32" = 1'-0"



20 ELEVATION - SOUTH BLDG A
3/32" = 1'-0"

Staff Report (12/21/16)

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CONSULTANT

OWNER INFORMATION

PROJECT DESCRIPTION

BRICKCREEK APARTMENTS

3098 S HIGHLAND DRIVE
SALT LAKE CITY, UTAH 84106

AHJ STAMP

SHEET NAME:
EXTERIOR ELEVATIONS BUILDING A

REVISIONS

MARK	DATE	DESCRIPTION

ISSUE DATA

ISSUE DATE: 2016
ISSUE TYPE: PLANNING
DRAWN BY: AJC
CHECKED BY: AJC
CLIENT PROJECT#:

SHEET NUMBER:

AE201

10/27/2016 10:37:25 PM C:\Users\tsmith\Documents\1628 PEG BrickCreed CENTRAL v16_tsmithQZXMN.rvt

KEYED NOTES:

1 WINDOW SYSTEM TO MATCH EXISTING FINISHES
2 EXISTING WINDOW SYSTEM, REPAIRED / REPAINTED
3 METAL SCREEN SYSTEM, MORIN PANELS OR SIMILAR
4 BUILDING SIGNAGE
5 EXISTING BUT NEWLY EXPOSED CMU, CLEANED AND REPAIRED.
6 EXISTING BRICK, CLEANED AND REPAIRED.
7 PERFORATED METAL SCREEN WHERE OCCURS
8 HONED CONCRETE MASONRY UNITS
9 EXTERIOR GRADE STUCCO WITH INTEGRAL REVEALS

GENERAL NOTES AND LEGEND:

- SEE SHEET AE001 FOR GENERAL NOTES.
- SEE TITLE SHEET FOR DRAWING INDEX.
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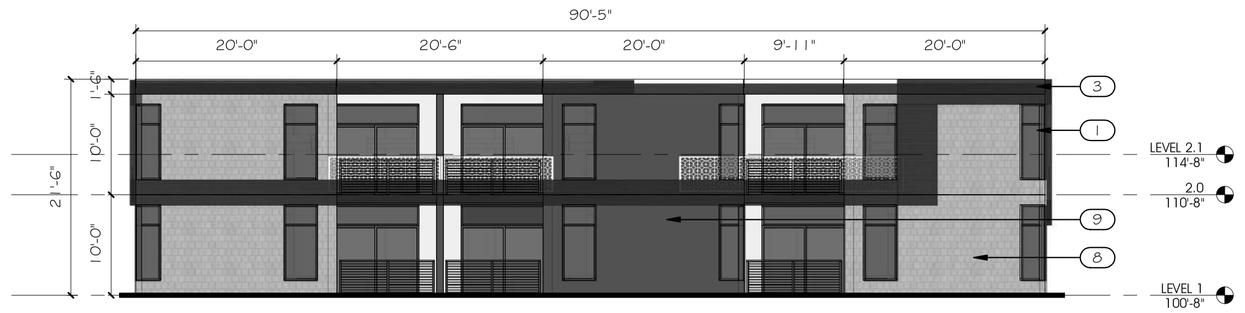
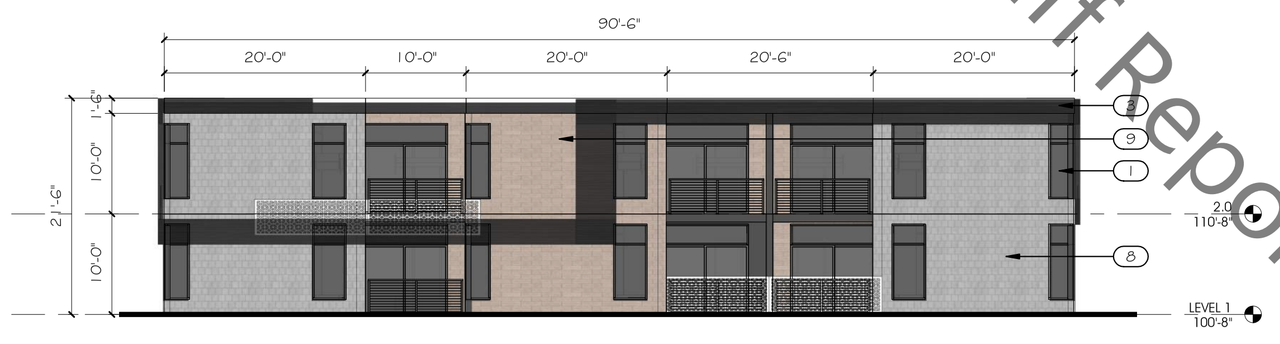
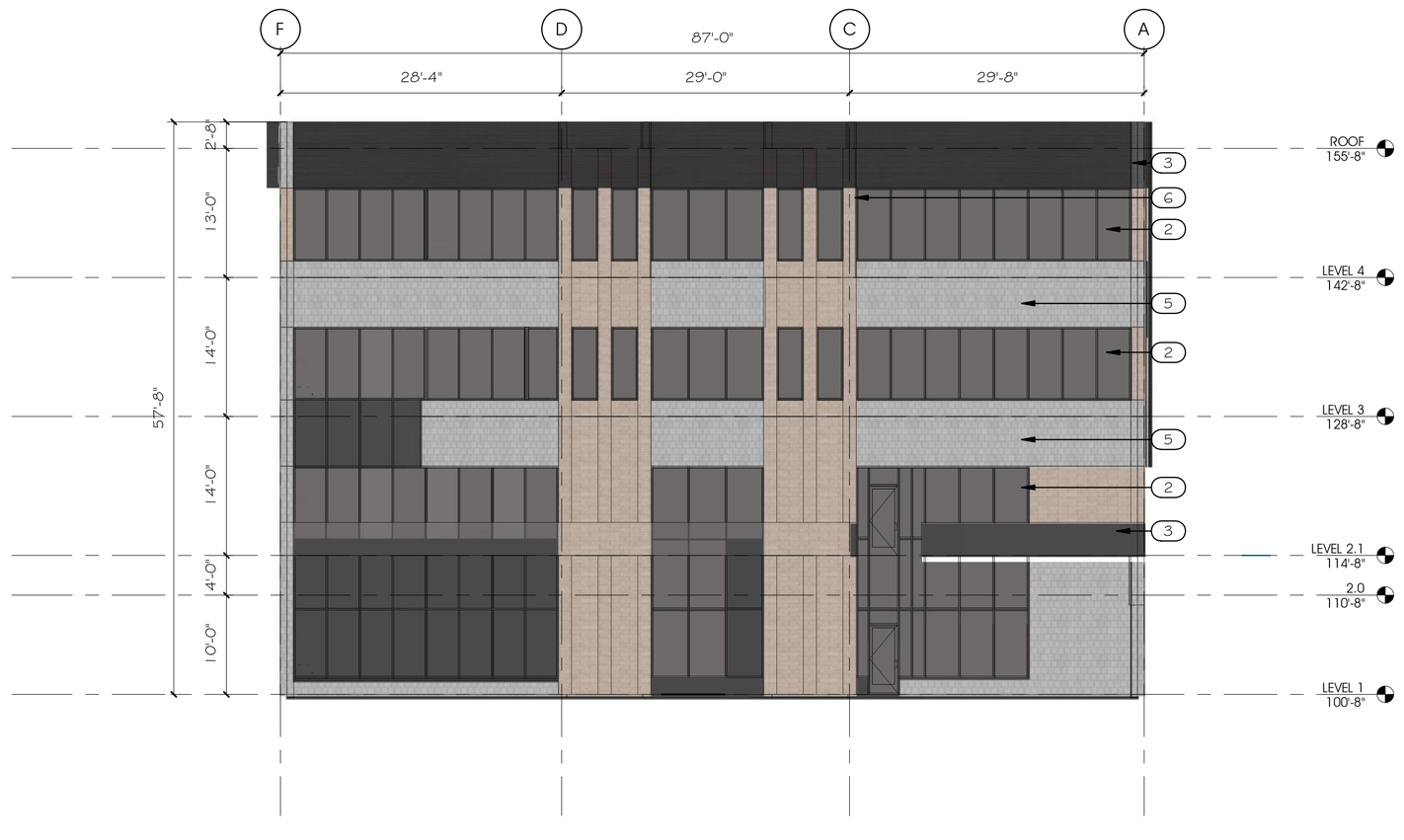


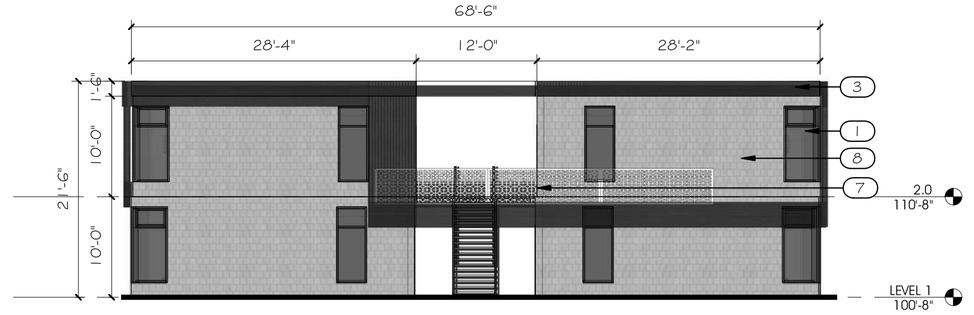
17 ELEVATION - SOUTH BLDG B
3/32" = 1'-0"



18 ELEVATION - NORTH BLDG B
3/32" = 1'-0"



20 ELEVATION - WEST BLDG A
3/32" = 1'-0"



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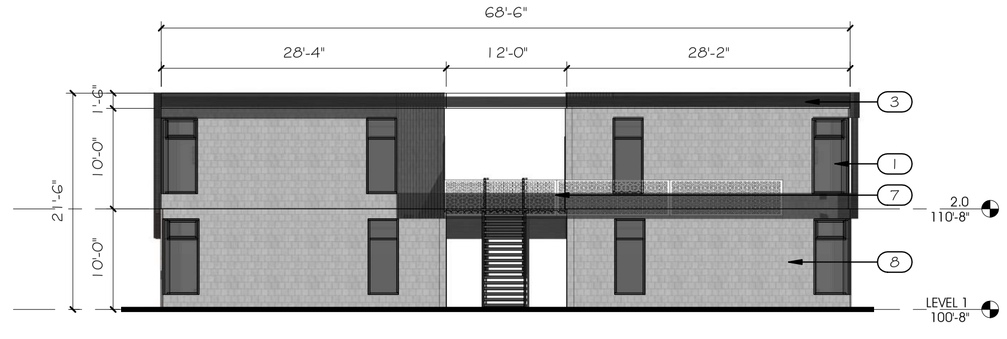
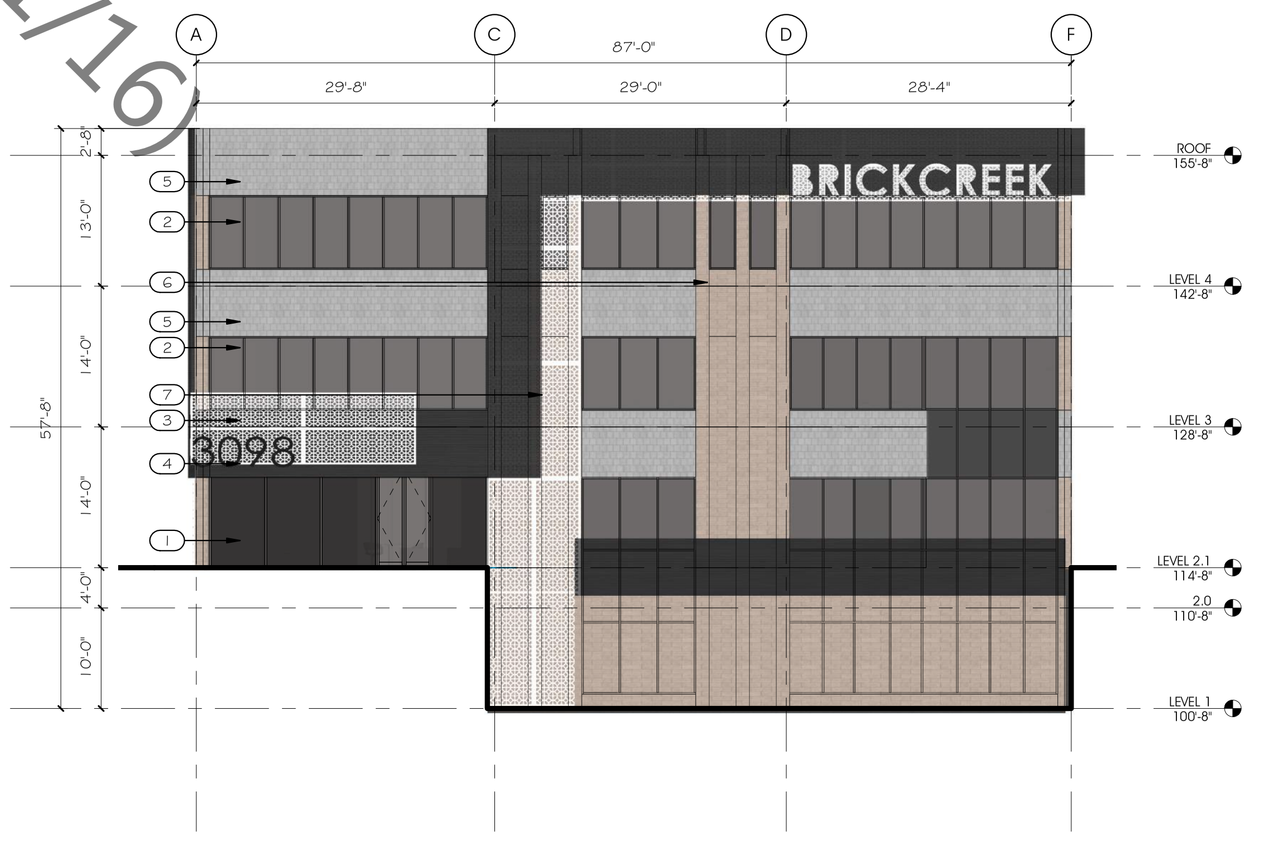
3/32" = 1'-0"



6 ELEVATION - EAST BLDG B
3/32" = 1'-0"



8 ELEVATION - EAST BLDG A
3/32" = 1'-0"

Staff Report (12/21/16)

10/27/2016 10:37:29 PM C:\Users\tsmith\Documents\1628 PEG BrickCreed CENTRAL v16_tsmithSZXWN.rvt

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www.ajcarchitects.com

NOT FOR CONSTRUCTION

CONSULTANT

OWNER INFORMATION

PROJECT DESCRIPTION

BRICKCREEK APARTMENTS

3098 S HIGHLAND DRIVE
SALT LAKE CITY, UTAH 84106

AHJ STAMP

SHEET NAME:
EXTERIOR ELEVATIONS BUILDING A

REVISIONS

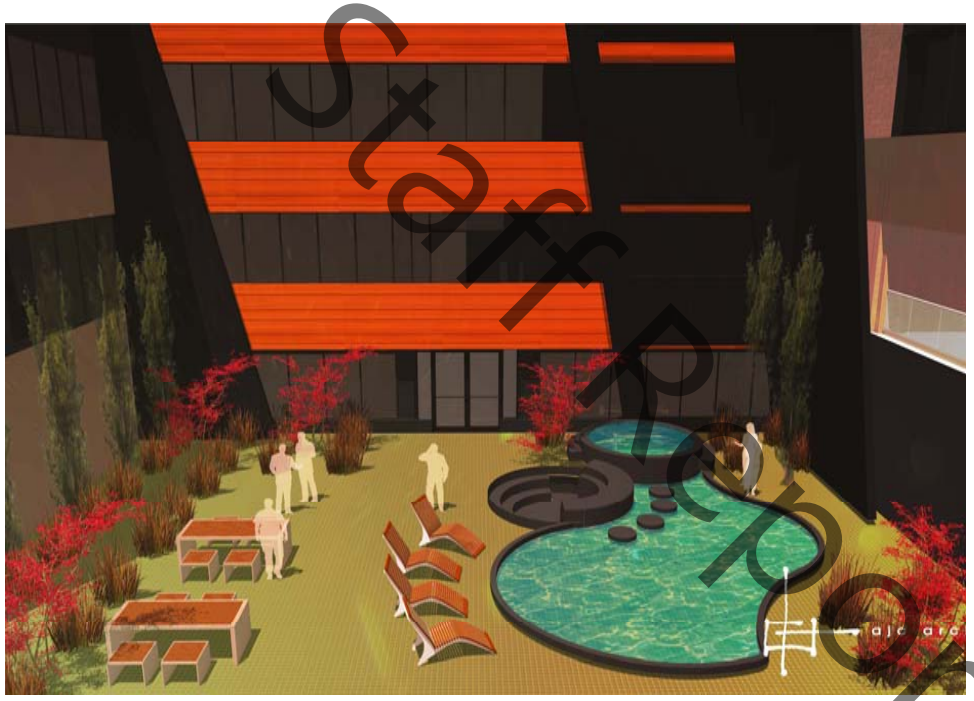
MARK	DATE	DESCRIPTION

ISSUE DATA

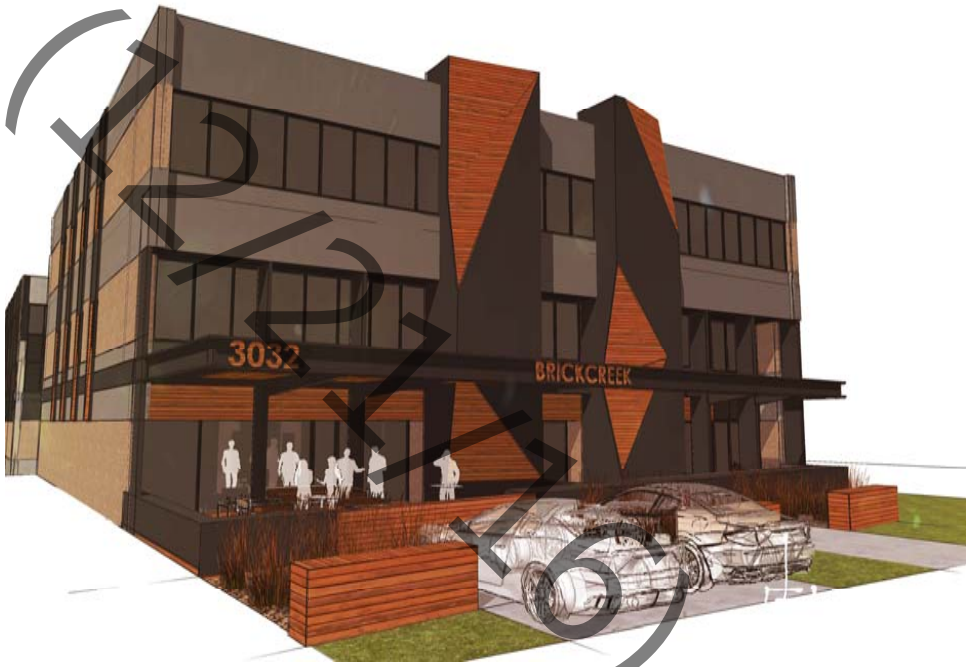
ISSUE DATE:	2016
ISSUE TYPE:	PLANNING
DRAWN BY:	AJC
CHECKED BY:	AJC
CLIENT PROJECT#:	

SHEET NUMBER:
AE202

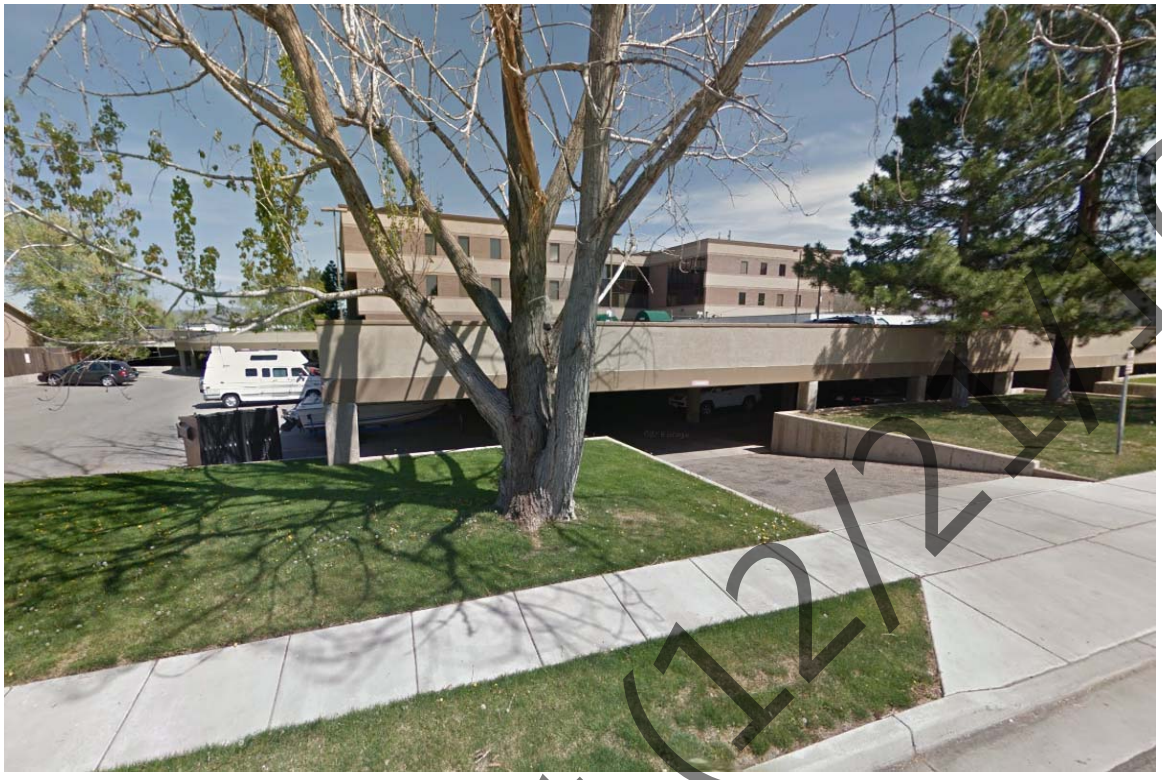
Staff Report (21 of 29)



Staff Report (EXHIBIT)



Staff Report (12/21/16)



Staff Report (12/21/16)

Staff Report (12/21/16)

Staff Report (12/21/16)

3932 S. 500 E.
Millcreek, UT 84107
801-214-2700
millcreek.utah.gov

File # 30411

Conditional Use Summary and Recommendation

Public Body: Millcreek Planning Commission
Parcel ID: 1628309003
Property Address: 3211 S. Highland Drive
Request: Conditional Use

Meeting Date: June 21, 2017
Current Zone: C-3

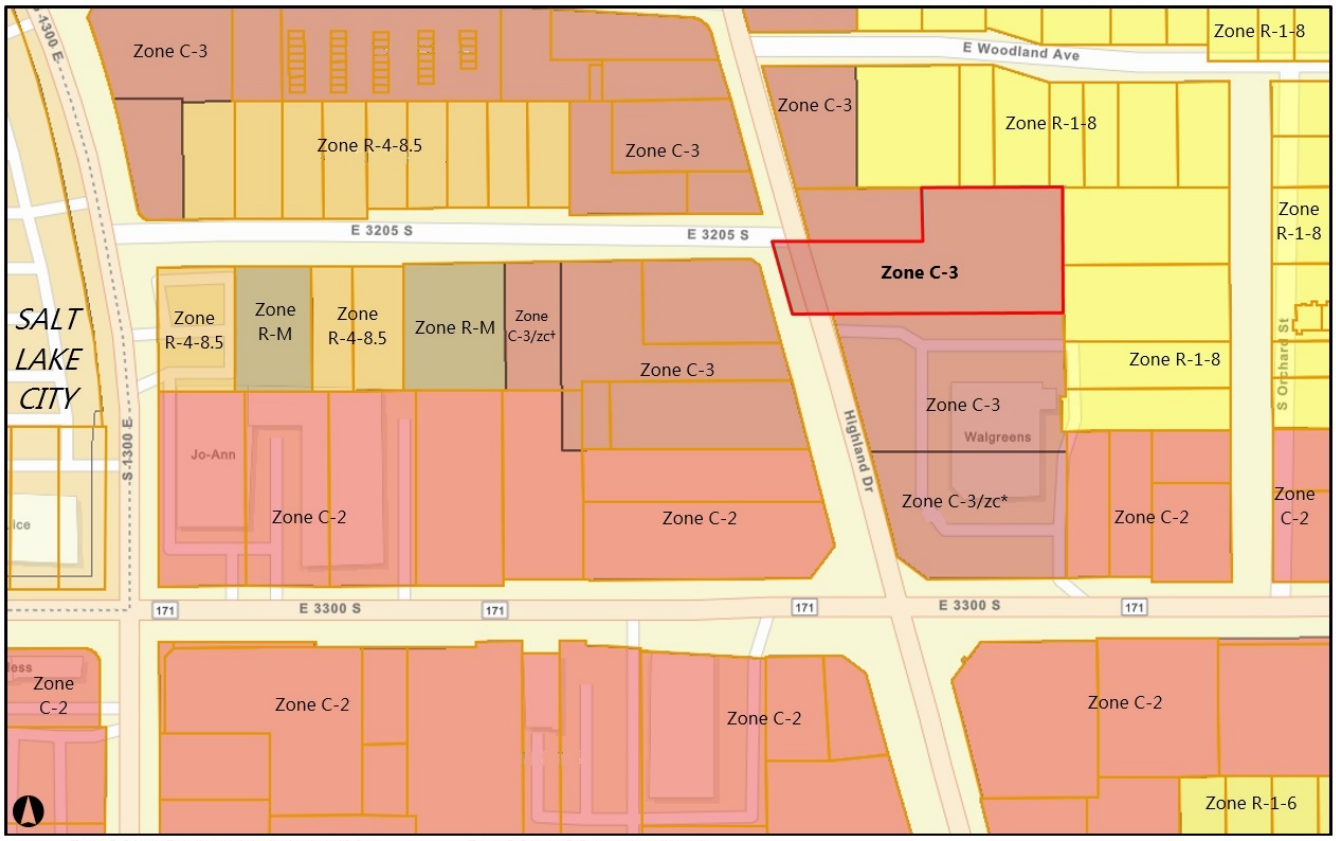
Community Council: Canyon Rim
Planner: Tom C. Zumbado
Community Council Recommendation: Approval
Planning Staff Recommendation: Approval
Applicant Name: Ron Newton & Li Liu

PROJECT DESCRIPTION

Mr. Ron Newton, on behalf of Ms. Li Liu, is requesting conditional use approval to allow massage therapy on site.

SITE & VICINITY DESCRIPTION (see attached map)

The property for File #30411 is located at the intersection of Highland Drive and 3205 South. It is located in a large section of C-3 zoning along Highland drive. Immediately to the east is an area of R-1-8 zoning and westbound, along 3205 East, are alternating parcels of R-M and R-4-8.5. Two nearby parcels have specific zoning conditions. One limits building height to 42 feet (3205 South) and the other includes C-2 permitted & conditional uses in the parcel. (3300 South)



Zone C-3/zc† : Building height limited to 42 feet. Zone C-3/zc* : C-2 uses also allowed.

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 Millcreek City.

LAND USE CONSIDERATIONS

Requirement	Standard	Proposed	Compliance Verified
Parking	6	7	Yes

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

NEIGHBORHOOD RESPONSE

As of June 14 2017, there has been no neighborhood response to File #30382.

COMMUNITY COUNCIL RESPONSE

At their regularly scheduled meeting on June 7 2017, the Canyon Rim Community Council unanimously voted to recommend approval of File #30411.

PLANNING STAFF ANALYSIS

19.64.040 - Conditional Uses

Conditional uses in the C-3 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-3 Zone.

19.64.050 - Businesses and uses—Conditions

The uses specified above in this chapter and the C-3 zone shall be permitted only under the following conditions:

A. All uses shall be conducted wholly within an enclosed building.

B. 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 Sun Spa facility.

19.80.040 – Off Street Parking—Number of Spaces Required

A. Except where variations and exceptions are allowed under Sections 19.80.070 through 19.80.100 of this chapter, a number of parking spaces equal to the sum of the required number of parking spaces for all uses on a property, including multiple uses within the same building, shall be provided. Except in cases where a site-specific traffic study demonstrates a need for additional parking, no parking area for more than twenty stalls shall exceed the number of stalls required below unless the additional parking is installed as "provisional parking" under Section 19.80.110 of this chapter. The number of off-street parking spaces required shall be as follows:

22. Retail stores, shops, etc., except as provided in this subsection, one space for each two hundred fifty square feet of gross floor area;

Suite Dimensions: 38.6 x 38.6 ≈ 1490 sqft.
1490 ÷ 250 = 5.96
Parking Spaces Required: 6 (rounded up)
Total Number of Available Parking: 7 spaces
Staff verifies that File #30411 meets off street parking requirements per Millcreek city ordinance.

19.84.060 – Conditional Use Standards of Approval

Prior to approval, all conditional uses and accompanying site development plans must be found to conform to the following standards:

- *A. The proposed site development plan shall comply with all applicable provisions of the zoning ordinance, including parking, building setbacks, and building height.*
- *B. The proposed use and site development plan shall comply with all other applicable laws and ordinances.*
- *C. The proposed use and site development plan shall not present a serious traffic hazard due to poor site design or to anticipated traffic increases on the nearby road system which exceed the amounts called for under the county transportation master plan.*
- *D. The proposed use and site development plan shall not pose a serious threat to the safety of persons who will work on, reside on, or visit the property nor pose a serious threat to the safety of residents or properties in the vicinity by failure to adequately address the following issues: fire safety, geologic*

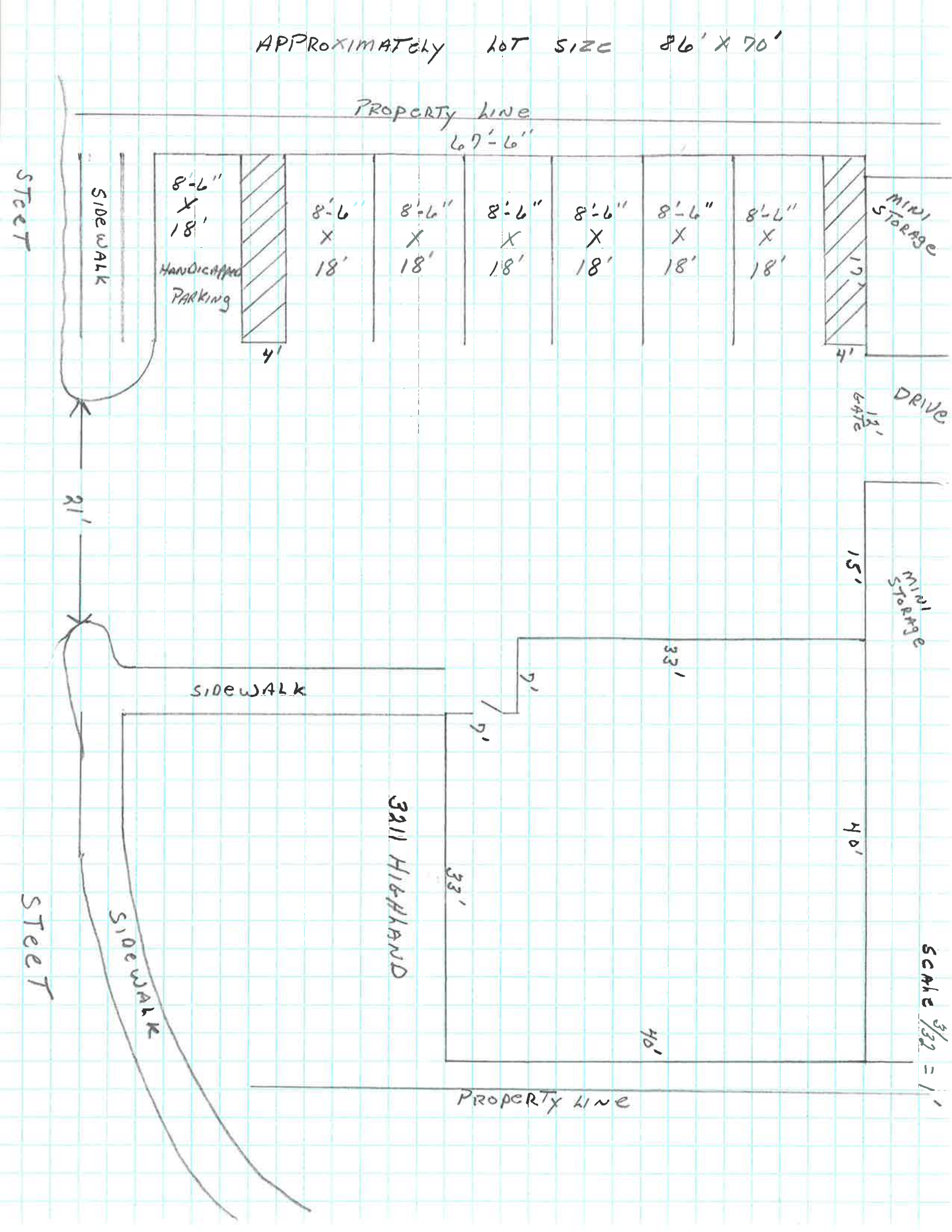
hazards, soil or slope conditions, liquefaction potential, site grading/topography, storm drainage/flood control, high ground water, environmental health hazards, or wetlands.

E. *The proposed use and site development plan shall not adversely impact properties in the vicinity of the site through lack of compatibility with nearby buildings in terms of size, scale, height, or noncompliance with community general plan standards.*

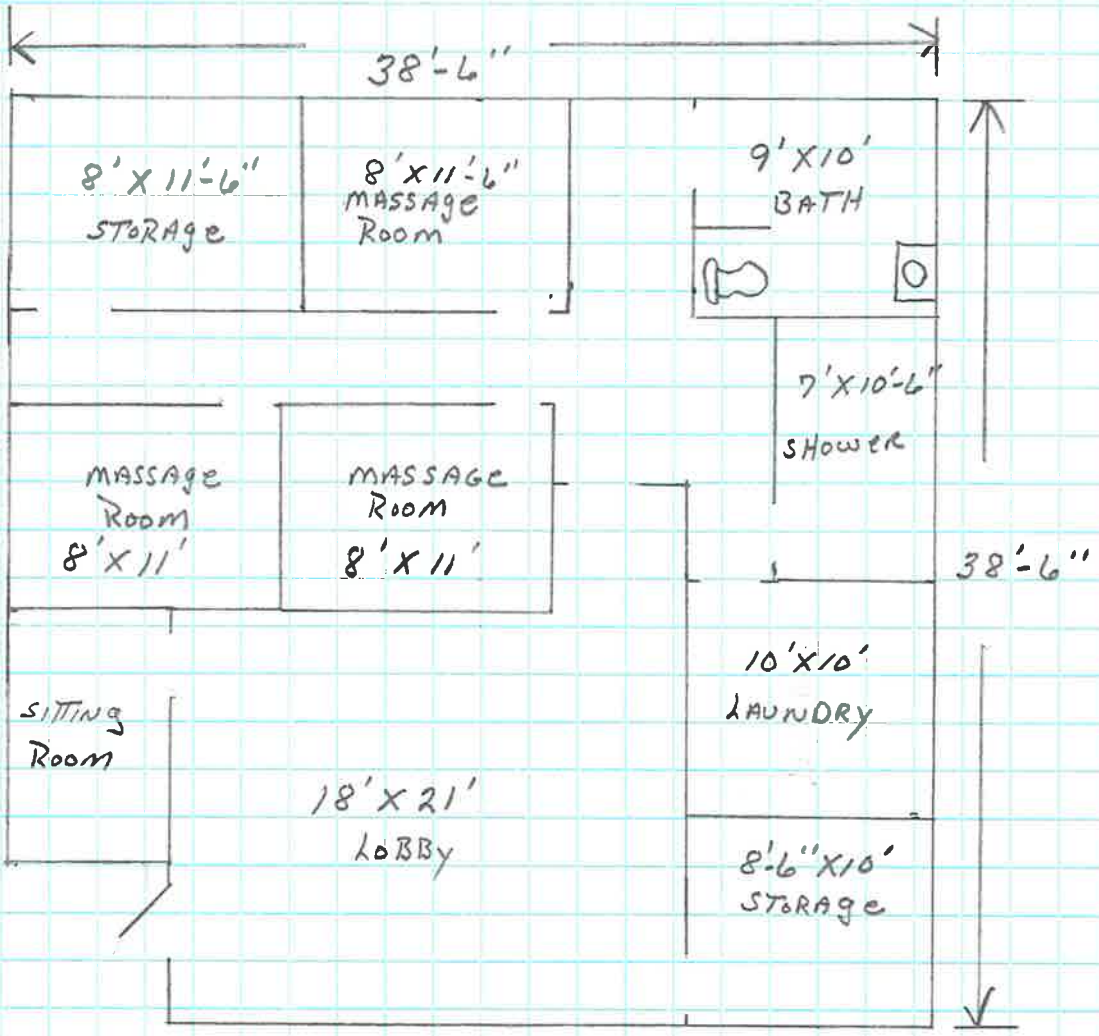
Staff believes that File #30411 meets all standards of approval for conditional uses in Millcreek.

PLANNING STAFF RECOMMENDATION

After reviewing pertinent Millcreek city ordinances, Staff recommends approval of File #30411.


APPROXIMATELY LOT SIZE 86' X 70'
PROPERTY LINE
67'-6"
STEET
SIDEWALK
8'-6" X 18'
HANDICAPPED PARKING
8'-6" X 18'
8'-6" X 18'
8'-6" X 18'
8'-6" X 18'
8'-6" X 18'
8'-6" X 18'
4'
4'
MINI STORAGE
17'
DRIVE
12' GATE
21'
15'
MINI STORAGE
33'
SIDEWALK
7'
7'
3211 HIGHLAND
40'
33'
40'
STEET
SIDEWALK
PROPERTY LINE
SCALE 3/32 = 1'

Scale 1/8" = 1'



FLOOR PLAN
3211 HIGHLAND

File #30411: Storefront Image

3211 Highland Drive, Millcreek UT

ACTIVE LICENSE

Li Liu

EFFECTIVE 08/17/2016 EXPIRATION 05/31/2019

9863287-4701 Massage Therapist

Li Liu

SIGNATURE OF HOLDER

IMPORTANT LICENSURE REMINDERS:

- Your license is valid until the expiration date listed on this form. Approximately 60 days prior to this expiration you will receive a renewal notice in the mail.
- Please note the address listed below. This is your public address of record for the division, and all future correspondence from the division will be mailed to this address. If you move, it is your responsibility to notify us directly of the change. Maintaining your current address with us is the easiest way to ensure continuous licensure.

LI LIU
5528 GRANTHAM LN APT 102
WEST VALLEY CITY UT 84120

Please visit our web site at www.dopl.utah.gov should you have any questions in the future.

STATE OF UTAH
DEPARTMENT OF COMMERCE
DIVISION OF OCCUPATIONAL & PROFESSIONAL LICENSING

ACTIVE LICENSE

EFFECTIVE DATE: 08/17/2016

EXPIRATION DATE: 05/31/2019

ISSUED TO: Li Liu

THE GREAT SEAL OF THE STATE OF UTAH
INDUSTRY
1847
1896

REFERENCE NUMBER(S), CLASSIFICATION(S) & DETAIL(S)

9863287-4701 Massage Therapist

Li Liu

SIGNATURE OF HOLDER

Form #1

State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of Public Safety

KEITH D. SQUIRES
Commissioner

Receipt No: 2017057457

Criminal History Report

This is an official Utah Criminal History Report for the following person:

Name: **LI LIU** Date of Birth: **08/12/1965**

Other Names Used:

No other names exist.

Other Dates of Birth Used:

No other birth dates exist.

NO CRIMINAL RECORD FOUND

This report reflects the criminal history as of: **04/19/2017**

The Bureau of Criminal Identification did not find a match for this individual in the Utah Criminal History database.

The database was searched by name only. If there had been a record it would have been verified by fingerprint comparison.

This is a report of search results from the Utah Criminal History file only. It does not preclude the existence of juvenile arrests, arrests in other states, or arrests not reported to the Bureau of Criminal Identification.

This report is not valid without the official seal of the State of Utah embossed in the box to the right.

I hereby certify that the information contained in this document is true and correct.

Signature of B.C.I. official

3888 West 5400 South, Salt Lake City, UT 84129 • Telephone (801) 965-4445 • Fax (801) 965-4749 • www.publicsafety.utah.gov

B14EZ0050

AC# 6610547

STATE OF FLORIDA
DEPARTMENT OF HEALTH
DIVISION OF MEDICAL QUALITY ASSURANCE

DATE	LICENSE NO.	CONTROL NO.
05/27/2015	MA 65343	258976

The **MASSAGE THERAPIST** named below has met all requirements of the laws and rules of the state of Florida.

Expiration Date: **AUGUST 31, 2017**

LI LIU
ATTN: LI LIU
1045 N JOHN YOUNG PRKWY
KISSIMMEE, FL 34741

Rick Scott
GOVERNOR

John H. Armstrong, MD, FACS
STATE SURGEON GENERAL

DISPLAY IF REQUIRED BY LAW

STATE OF FLORIDA
DEPARTMENT OF HEALTH
DIVISION OF MEDICAL QUALITY ASSURANCE
AC# 6610547

DATE	LICENSE NO.	CONTROL NO.
05/27/2015	MA 65343	258976

The **MASSAGE THERAPIST** named below has met all requirements of the laws and rules of the state of Florida.
Expiration Date: **AUGUST 31, 2017**

LI LIU

LICENSEE SIGNATURE

CALIFORNIA
MASSAGE THERAPY
COUNCIL

One Capitol Mall, Suite 800 | Sacramento, CA 95814
tel 916.669.5336 fax 916.669.5337
www.camtc.org

May 8, 2017

Li Liu
175 North Harold St Apt 337
Salt Lake City, UT 84116

Dear Li Liu:

Below you will find your official ID card that identifies you as a CAMTC Certificate holder. Please keep this with you any time you are at work. If you move to another city or your card is lost/stolen or if your name changes, you will need to pay $15 to replace the ID card. (You may also order a replacement certificate for an additional fee of $15.) Replacement ID and/or certificate may be ordered and paid for at: http://www.camtc.org/FormDownload.aspx. Please note: if you are requesting a replacement card/certificate because of a new name, you will need to send copies of the legal documentation (i.e. marriage license or divorce decree) to CAMTC in addition to completing the order form and paying online. You must send this material to the address listed at the top of this letter.

Thank you for choosing statewide certification. We look forward to assisting you with any future needs.

Sincerely,

Ahmos Netanel
CEO

3932 S. 500 E.
Millcreek, UT 84107
801-214-2700
millcreek.utah.gov

File # 30382

Conditional Use Summary and Recommendation

Public Body: Millcreek Planning Commission
Parcel ID: 1629427021
Property Address: 1231 East 3300 South, Unit B
Request: Conditional Use

Meeting Date: June 21, 2017
Current Zone: C-3

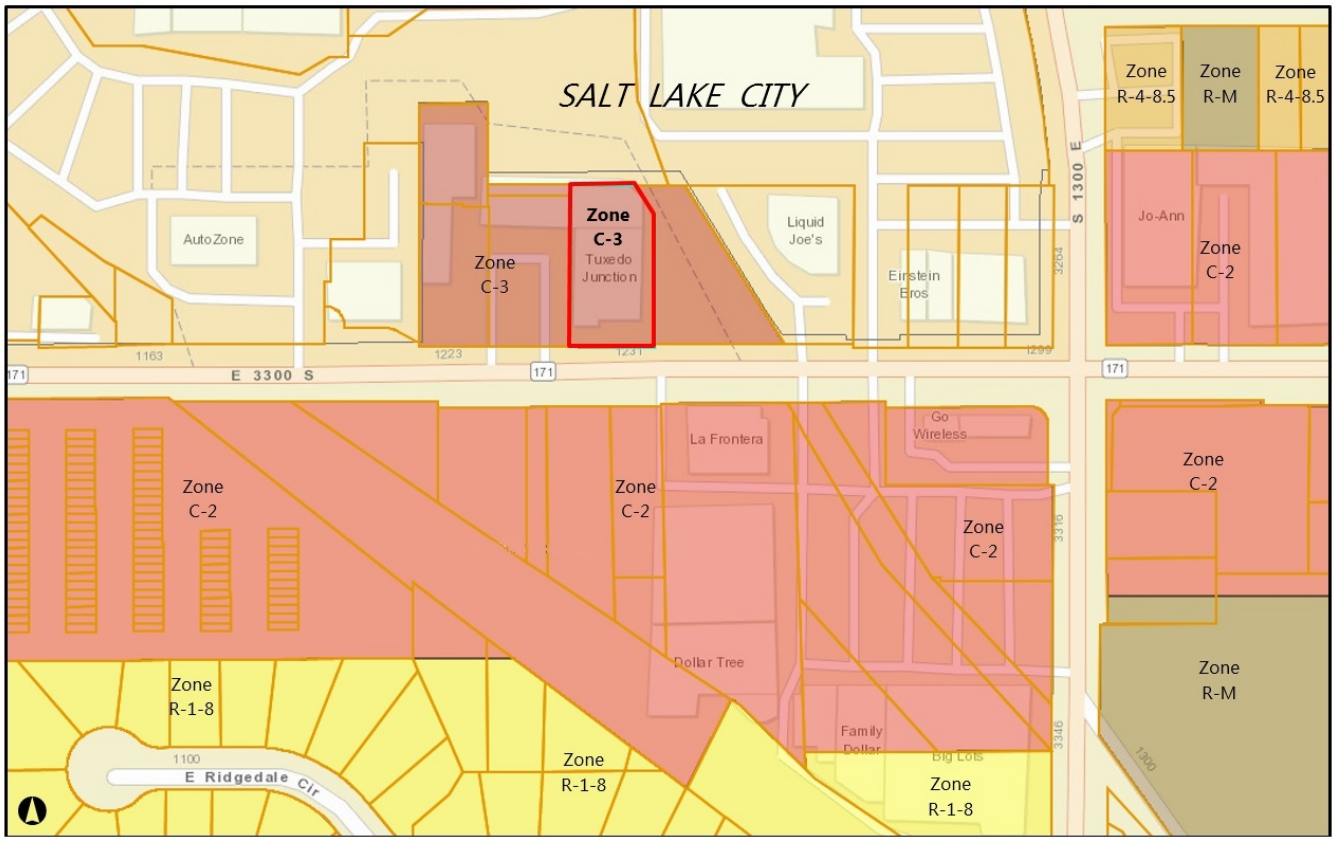
Community Council: Millcreek
Planner: Tom C. Zumbado
Community Council Recommendation: Approval
Planning Staff Recommendation: Approval
Applicant Name: Robert Doren

PROJECT DESCRIPTION

Mr. Robert Doren is requesting conditional use approval to allow massage therapy on site.

SITE & VICINITY DESCRIPTION (see attached map)

The subject property for File #30382 is located in Unit B of the Tuxedo Junction strip mall in between the Brickyard Animal Hospital (west) and Liquid Joe's night club. The large commercial area immediately to the north, east and west is the Brickyard, belonging to Salt Lake City. The Tuxedo Junction strip mall is located in a C-3 zone and is part of a larger swath of C-2 zoning along 3300 South. Not including the areas that are part of Salt Lake City, the commercial zoning along 3300 South is ringed with a variety of residential zoning. (R-1-8, R-M & 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 Millcreek City.

LAND USE CONSIDERATIONS

Requirement	Standard	Proposed	Compliance Verified
Parking	4	41 Shared	Yes

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

NEIGHBORHOOD RESPONSE

As of June 14 2017, there has been no neighborhood response to File #30382.

COMMUNITY COUNCIL RESPONSE

At their regularly scheduled meeting on June 6 2017, the Millcreek Community Council unanimously voted to recommend approval of File #30382 with the added condition that the massage therapist keeps store hours in line with similar businesses in the area.

PLANNING STAFF ANALYSIS

19.64.040 - Conditional Uses

Conditional uses in the C-3 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-3 Zone.

19.64.050 - Businesses and uses—Conditions

The uses specified above in this chapter and the C-3 zone shall be permitted only under the following conditions:

A. All uses shall be conducted wholly within an enclosed building.

B. 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 Sun Spa facility.

19.80.040 – Off Street Parking—Number of Spaces Required

A. Except where variations and exceptions are allowed under Sections 19.80.070 through 19.80.100 of this chapter, a number of parking spaces equal to the sum of the required number of parking spaces for all uses on a property, including multiple uses within the same building, shall be provided. Except in cases where a site-specific traffic study demonstrates a need for additional parking, no parking area for more than twenty stalls shall exceed the number of stalls required below unless the additional parking is installed as "provisional parking" under Section 19.80.110 of this chapter. The number of off-street parking spaces required shall be as follows:

22. Retail stores, shops, etc., except as provided in this subsection, one space for each two hundred fifty square feet of gross floor area;

Suite Dimensions: 20.7 x 44.4 ≈920 sqft.
920 ÷ 250 = 3.68
Parking Spaces Required: 4 (rounded up)
Total Number of Parking in Tuxedo Junction area: 41 shared spaces
Staff verifies that File #30382 meets off street parking requirements per Millcreek city ordinance.

19.84.060 – Conditional Use Standards of Approval

Prior to approval, all conditional uses and accompanying site development plans must be found to conform to the following standards:

- *A. The proposed site development plan shall comply with all applicable provisions of the zoning ordinance, including parking, building setbacks, and building height.*
- *B. The proposed use and site development plan shall comply with all other applicable laws and ordinances.*
- *C. The proposed use and site development plan shall not present a serious traffic hazard due to poor site design or to anticipated traffic increases on the nearby road system which exceed the amounts called for under the county transportation master plan.*
- *D. The proposed use and site development plan shall not pose a serious threat to the safety of persons who will work on, reside on, or visit the property nor pose a serious threat to the safety of residents or*

properties in the vicinity by failure to adequately address the following issues: fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/topography, storm drainage/flood control, high ground water, environmental health hazards, or wetlands.

E. *The proposed use and site development plan shall not adversely impact properties in the vicinity of the site through lack of compatibility with nearby buildings in terms of size, scale, height, or noncompliance with community general plan standards.*

Staff believes that File #30382 meets all standards of approval for conditional uses in Millcreek.

PLANNING STAFF RECOMMENDATION

After reviewing pertinent Millcreek city ordinances, Staff recommends approval of File #30382.

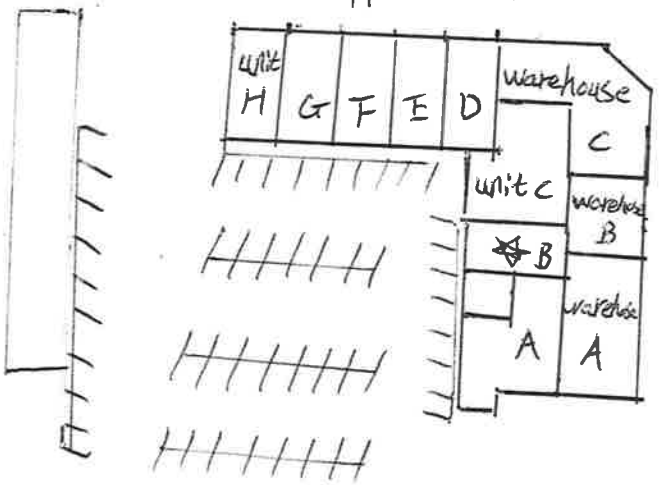
Brickyard Plaza Shopping Center
54'
27'
27'
21'
Epic Fitness
MA-PA urban beauty
Ut. Bedding
30'
Tuxedo
24
B
9 Parking
8 Parking
16 Parking
8 Parking
60' Empty
8'
Brickyard Kennel
N
© 2015 Google

Harmons

N

Exhibit A-plaza at 33rd unit
schematic (not to scale)

Ma & paws Bakery inc
Lease applies to spaces denoted with a star shape,
as shown here ★



Tuxedo Junction

Brickyard
Animal Hospital

S 1300 E

Liquid Joe's

Jamba Juice

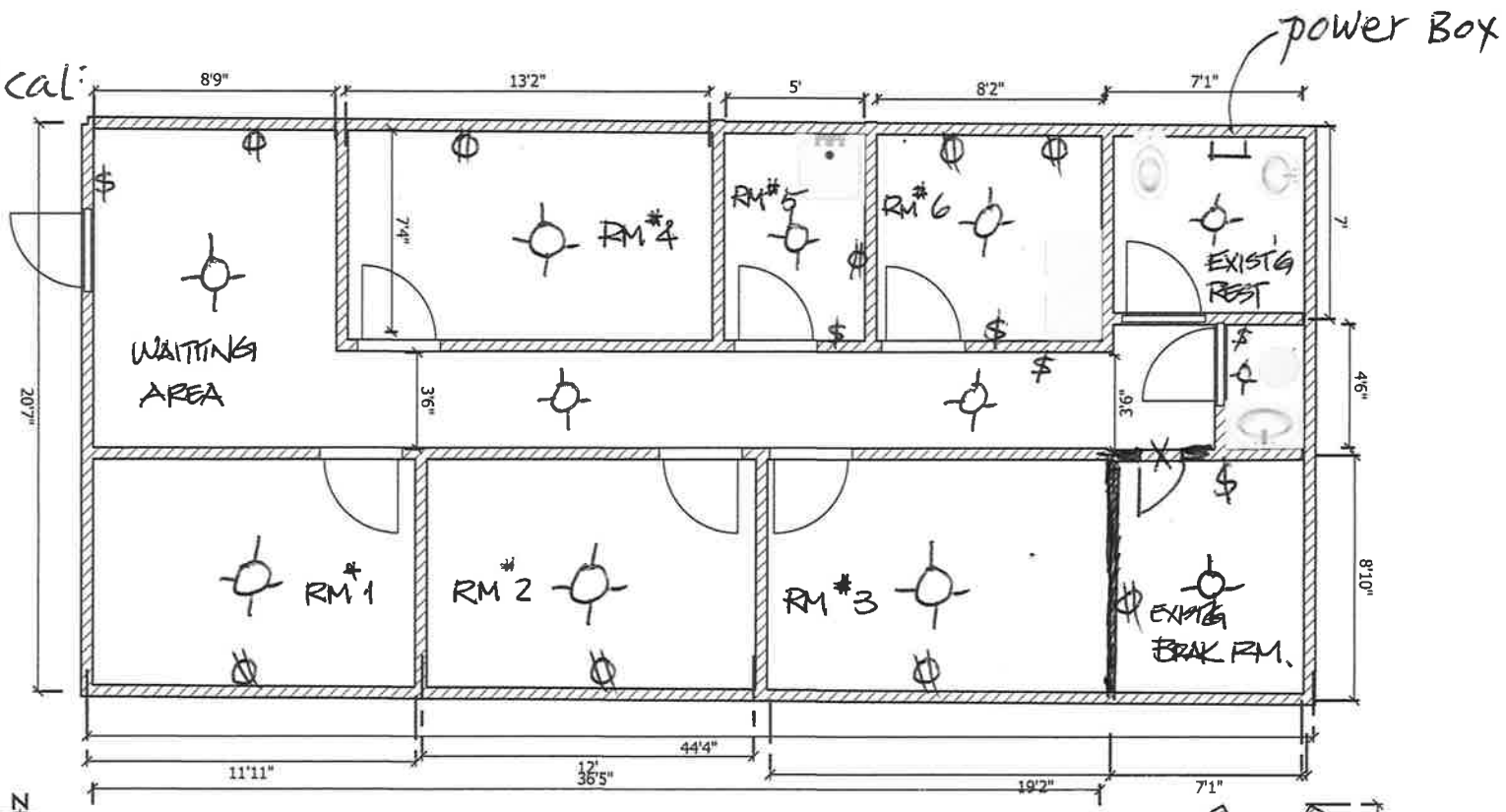
E 3300 S

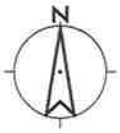
Voilinato's /
Sport Bar /
Coffee shop

Drawing Notes

Existting Electrical:

- Light
- outLets
- $ switching





1231 E 3300 S salt lake city UT 84109

note

1.alll door are 3ft

2.all dry wall ~~1/8~~ inch

3.~~use 2x4 wood framing~~ MTL STUDS

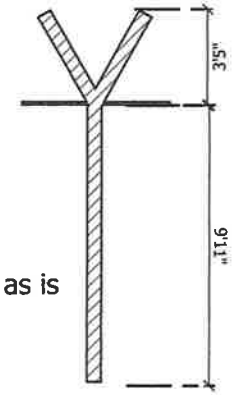
4 Exiting grip ceilling with out chang

5 plumbing to remain as is

6 Electrical to remain as is

7 HVAC to remain as is

8 Exiting lighting and switching to remain as is



walls

File #30382: Storefront Image

1231 East 3300 South, Unit B, Millcreek UT

STATE OF UTAH
DEPARTMENT OF COMMERCE

ACTIVE LICENSE

Cuihua Yang

EFFECTIVE 08/26/2016

EXPIRATION 05/31/2019

REFERENCE NUMBER(S), CLASSIFICATION(S) & DETAIL(S)

9442883-4701 Massage Therapist

SIGNATURE OF HOLDER

IMPORTANT LICENSURE REMINDERS:

- Your license is valid until the expiration date listed on this form. Approximately 60 days prior to this expiration you will receive a renewal notice in the mail.
- Please note the address listed below. This is your public address of record for the division, and all future correspondence from the division will be mailed to this address. If you move, it is your responsibility to notify us directly of the change. Maintaining your current address with us is the easiest way to ensure continuous licensure.

CUIHUA YANG
3451 E MAGIC HILLS CIR
COTTONWOOD HEIGHTS UT 84121

Please visit our web site at www.dopl.utah.gov should you have any questions in the future.

STATE OF UTAH
DEPARTMENT OF COMMERCE

DIVISION OF OCCUPATIONAL & PROFESSIONAL LICENSING

ACTIVE LICENSE

EFFECTIVE DATE: 08/26/2016

EXPIRATION DATE: 05/31/2019

ISSUED TO: Cuihua Yang

THE GREAT SEAL OF THE STATE OF UTAH 1896

REFERENCE NUMBER(S), CLASSIFICATION(S) & DETAIL(S)

442883-4701 Massage Therapist

SIGNATURE OF HOLDER

Utah Department of Commerce
Division of Corporations & Commercial Code
160 East 300 South, 2nd Floor, PO Box 146705
Salt Lake City, UT 84114-6705
Service Center: (801) 530-4849
Toll Free: (877) 526-3994 Utah Residents
Fax: (801) 530-6438
Web Site: http://www.commerce.utah.gov

05/08/2017
10231034-016005082017-449277

CERTIFICATE OF EXISTENCE

Registration Number:	10231034-0160
Business Name:	SUN-SAP LLC
Registered Date:	January 18, 2017
Entity Type:	LLC - Domestic
Current Status:	Good Standing

The Division of Corporations and Commercial Code of the State of Utah, custodian of the records of business registrations, certifies that the business entity on this certificate is authorized to transact business and was duly registered under the laws of the State of Utah. The Division also certifies that this entity has paid all fees and penalties owed to this state; its most recent annual report has been filed by the Division (unless Delinquent); and, that Articles of Dissolution have not been filed.

Kathy Berg
Director
Division of Corporations and Commercial Code

This form cannot be hand written.

Date: 05/08/2017
Receipt Number: 6874401
Amount Paid: $27.00

State of Utah
Department of Commerce
Division of Corporations & Commercial Code
Articles/Statement of Correction

RECEIVED
MAY 0 8 2017
Utah Div. of Corp. & Comm. Code

MP

The Articles/Statement of Correction shall include:

Entity Number: 10231034-0160

Entity Name: sun-sap LLC

The corrected filing **will need to** be attached to this document unless this form adequately defines correction along with the **non-refundable processing fee of $12.00 (no fee if used to rescind a LLC dissolution);**

(1) Any domestic or foreign entity may correct a document filed with the division if the document:
(a) contains an incorrect statement; or
(b) was defectively executed, attested, sealed, verified, or acknowledged.

(2) A document is corrected by delivering to the division for filing Articles/Statement of Correction that:
(a) Name the document to be corrected, including its filing date;

filed certificate of organization 01/18/2017

(b) Specify what is incorrect and why it is incorrect;

I am correcting the spelling of the entity sun-sap LLC. I mistakenly put a dash(-) between the two words and spelled spa wrong

(c) Type the correct statement;

SunSpa LLC

(3) The Articles/Statement of Correction may be executed by any person who executed the document that is corrected.

Robert W Dean
Signature

05/08/2017
Date

(4) Articles/Statements of Correction have the same effective date as the effective date of the document they correct except as to persons relying on the uncorrected document and adversely affected by the correction. As to those persons, Articles/Statements of Correction are effective when filed.

Under GRAMA {63-2-201}, all registration information maintained by the Division is classified as public record. For confidentiality purposes, the business entity physical address may be provided rather than the residential or private address of any individual affiliated with the entity.

MAY 8 '17 AM 11:22

05/16

State of Utah
Department of Commerce
Division of Corporations & Commercial Code
Limited Liability Company Registration Information Change Form

This form may not be handwritten.

MP Date: 05/08/2017
Receipt Number: 6874401
Amount Paid: $27.00

RECEIVED
MAY 08 2017
Utah Div. of Corp. & Comm. Code

Non-Refundable Processing Fee: $15.00

Entity File Number: 10231034-0160

Entity Name: SunSpa LLC

For each Yes button that you mark the question will appear below for you to fill out.

1). Do you want to Change the Business Purpose? ○ Yes ◉ No

2). Do you want to Change the Registered Agent or the Address of the Registered Agent? ○ Yes ◉ No

3). Do you want to Change the Principal Address of the Business Entity? ◉ Yes ○ No

3). If Yes, what is the new Principal Address? Street Address Required. PO Box can be listed after Street Address

Address: 1231 East unit B 3300 South Millcreek, Utah 84107

4). Do you want to Add individuals to the Business Entity? ○ Yes ◉ No

5). Do you want to Remove individuals from the Business Entity? ○ Yes ◉ No

6). Do you want to Change the Address of the Business Entity's Principal(s)? ○ Yes ◉ No

Optional Inclusion of Ownership Information: This information is not required.

Is this a female owned business? ○ Yes ○ No

Is this a minority owned business? ○ Yes ○ No If yes, please specify: Select/Type the race of the owner here

Under GRAMA {63-2-201}, all registration information maintained by the Division is classified as public record. For confidentiality purposes, you may use the business entity physical address rather than the residential or private address of any individual affiliated with the entity.

Under penalties of perjury and as an authorized authority, I declare that this statement of change(s), has been examined by me and is, to the best of my knowledge and belief, true, correct and complete.

Name/Title: Robert W. Doren Signature: Robert W Doren Date: 05/08/2017

Mailing/Faxing Information: www.corporations.utah.gov/contactus.html Division's Website: www.corporations.utah.gov

01/17

MAY 8 '17 AM 11:23

Millcreek
3932 South 500 East
Millcreek, UT 84107
Phone: 385-468-6700
www.millcreek.utah.gov
For information regarding Agendas, please visit: www.pwpds.slco.org

MEETING MINUTE SUMMARY

MILLCREEK PLANNING COMMISSION MANUFACTURING ZONE & COMMMERCIAL ZONE DRAFT PHILOSOPHY WORK SESSION MEETING

Friday, June 9, 2017 8:00 am

Approximate meeting length: 2 hours 15 min.
Number of public in attendance: 0
Summary Prepared by: Tom Stephens
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	Work Session	Absent
Tom Stephens (Chair)	x	
Fred Healey (Vice Chair)	x	
Shawn LaMar		x
David Carlson	x	
Scott Claerhout		x
Mark Mumford	x	
Heather Wilson	x	
Dave Allen		x
Russ Booth	x	

Planning Staff & Attorney	Work Session	Absent
John Brems	x	
John Janson	x	
Spencer Hymas		x

Discussion began at approximately 8 a.m.

Commercial Zone Draft Philosophy Discussion

Though posted second on the agenda, the participants at this meeting gave their permission to discuss this agenda item first.

The current commercial zones draft rewrite document to date has been based on the philosophy of having broad categories of uses, where a use is acceptable within the stated categories unless specifically prohibited or limited in some manner. The traditional zoning ordinance structure specifically "states", "lists" or "schedules" acceptable uses in the ordinance. If a proposed used is not specifically stated or scheduled in the ordinance, it is prohibited.

The planning commission has been asked to provide a recommendation to the city council as to the underlying ordinance structure it recommends. Participants at this work session discussed the two methodologies and their advantages and disadvantages. The consensus was that the "broad category" structure is appropriate and that a recommendation to the city council will be finalized at its June 21, 2017 public meeting. Tom Stephens stated that he will work up a draft recommendation for the planning commission's review and any edits at this June 21 meeting. The discussion at this work session on the perceived advantages of the "broad category" methodology and disadvantages – it is more "development-friendly" and more respectful of private property rights. Under the "listed" or "scheduled" use methodology, an unlisted use will result in an automatic declination. Upon declination, if the

city wants to grant approval, the ordinance will need to be amended, which is a time consuming and uncertain process. Participants generally agreed that an unintended, unacceptable use might result from using the broad categories methodology, but the diligence and anticipation of future uses can, in most cases, be dealt with by a competent planning staff, planning commission and city council. Also, the trend in professional planning and zoning is to move away from scheduling / listing uses and move toward broad categories and form-based zoning.

Light Manufacturing Zone Draft

John Janson provided an introduction as respects the reasons for updating the M-1 and M-2 ordinance language. The reasons are multifaceted.

The Meadowbrook Small Area Plan envisions light manufacturing as being an integral part of the Meadowbrook area, as it can be made compatible with transit-oriented residential and commercial development.

The draft ordinance, with the exception of prohibiting heavy industry and certain blight-related uses, will be broader than the current M-1 and M-2 zone ordinances, as the new ordinance will allow for a wide range of commercial and light manufacturing uses, including "mixed use". The current M-1 and M-2 ordinance language is very dated, much of it, or all of it, likely having not been updated for 40, 50, 60 years.

The consensus of the participants at this meeting is to prohibit heavy manufacturing from this area, as is now allowed under the current M-2 ordinance language, as the Meadowbrook area is currently trending toward high density transit-oriented residential, with heavy manufacturing being fundamentally incompatible due to the environmental impacts arising from such use – noise, light, traffic, emissions, pollutants, etc. and the displacement of commercial uses that will otherwise provide supportive services to residents. It is the goal of the Meadowbrook Small Area Plan to transition the Meadowbrook area to a broad array of uses – light manufacturing, warehousing, high density residential, offices, commercial, etc. In the absence of substantially updating the current manufacturing ordinances, this goal is not possible.

Substituting the light manufacturing draft language for the current M-1 and M-2 ordinance language is in fact a re-zone of the properties currently in the M-1 and M-2 zones, as the M-1 and M-2 designations will cease as one unified light manufacturing zone ordinance will govern.

The current light manufacturing zone ordinance draft will prohibit future auto recycling, junkyards, used car sales, along with certain other uses. These businesses will become legal non-conforming uses.

The draft ordinance requires the manufacturing process be conducted indoors, without the release of light, noise and emissions pollution.

The consensus of those commissioners present at this meeting is that stand-alone warehousing is acceptable in the Meadowbrook area, without any size limitation, as the development trends will cause property values to rise to the extent that it will not be economically feasible for large warehouse operations to be sited at Meadowbrook.

The consensus of those commissioners present at this meeting is that the draft legally non-conforming use language is appropriate, which is more restrictive than the currently adopted language, which will make it not possible to convert an existing non-conforming use to another non-conforming use, not allow an expansion of the non-conforming use in the absence of bringing the structures into compliance with the building standards.

Mixed use discussion – since "mixed use" will be allowed in the light manufacturing zone, a discussion took place as to how much commercial space will be required and where it needs to be situated. The consensus was that the commercial use must be located at the front of the buildings faced the street. The minimum required commercial square footage was discussed, but not decided upon.

Self-storage businesses – a discussion was held as respects whether or not the allowable locations for this use will be subject to the same requirements found in the draft commercial zones ordinance draft. It was generally agreed that the same location restrictions will apply.

John Janson that he will edit the current light manufacturing draft ordinance, based upon the discussion and agreements reached at this work session and that this updated draft will be posted on the state's open meetings website and will be included in the meeting packet for the planning commissioners and public for discussion and motion at the June 21 public meeting.

Adjourned at approximately 10:15 AM.

DRAFT