



**STAFF REPORT**

Executive Summary									
<b>Hearing Body:</b>	Millcreek Township Planning Commission								
<b>Meeting Date and Time:</b>	Wed. January 13, 2013	04:00 PM	<b>File No:</b>	2	8	0	3	8	
<b>Applicant Name:</b>	Nathan Anderson	<b>Request:</b>	Conditional Use						
<b>Description:</b>	24 unit apartment building								
<b>Location:</b>	1431 E. 3900 S.								
<b>Zone:</b>	R-M Residential Multi-Family	<b>Any Zoning Conditions?</b>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>					
<b>Planning Commission Rec:</b>	Continued from December 012, 2013								
<b>Community Council Rec:</b>	Approval with Conditions								
<b>Staff Recommendation:</b>	Approval with Conditions								
<b>Planner:</b>	Spencer G. Sanders								

**1.0 BACKGROUND**

**1.1 Summary**

**Previous Commission Action**

This application was original heard on December 12, 2013. After holding a public hearing, receiving comment from the applicant, the staff and the public, the Commission Continued this application to the January 16, 2013 meeting. The commission asked the applicant to try and address issues that were raised in the hearing pertaining to setback, building height, and other concerns raised. Specifically that applicant was directed to meet with the neighbors to go over the issues and see if the applicant could address their concerns with revisions to the plans. They also asked him to look at reorienting the proposed building to see if it could be moved farther away from the residences to the north.

**Citizens Meeting January 4, 2013**

Due to the holiday season, the applicant was not able to organize a meeting with the residents until Friday, January 4, 2013. At that meeting the applicant presented two conceptual plans to the citizens. The first, was essentially the applicant's original proposal for a 24-unit, 4-story, apartment building. The second was a proposal for 14, 3-story, town-home-style rental units in two buildings. After significant discussion between the residents, planning staff, the community council representatives present, and the applicant, the residents were left alone in the meeting room to discuss what they wanted to do. The citizens discussed essentially three choices: support the original proposal; support the new proposal; or not support either proposal. After their private deliberations they invited the staff, the community council members and the applicant back into the meeting room and informed us that they unanimously supported the second option for the 14, 3 story, town-home-style units project. This support was given event though they were aware the proposal was deficient in open space as required by the County Recreational Facilities and Open Space Standards and the buildings were actually closer to the residents than the original proposal.

### **Millcreek Community Council Meeting January 8, 2013**

The Millcreek Community Council Chair, Diane Angus who was at the Citizens Meeting on the 4th, asked the applicant at that meeting to bring the project back to the Community Council for further review, which he did. The following Tuesday, January 8th, the applicant met with the Millcreek Community Council and after hearing from the applicant, the staff, and a representative of the residents, the Community Council voted unanimously to support the new proposal for the 14 units.

### **Revised Proposal/Unable to Review**

After the above meetings, the applicant and his consultants worked diligently to try and put together revised plans in a form that would be acceptable to the Commission for review. However, staff did not receive the plans until Friday, January 11th, in the afternoon. This unfortunately is insufficient time for staff to review the plans to provide a detailed analysis for the Commission and make appropriate recommendations.

### **Brief Summary of the Revised Proposal as Staff Understand Its**

Staff has attached the renderings and the latest plans. The digital version of the plans were received by e-mail on Sunday, January 13th. Staff did not have sufficient time to review the revised plans, but have included them here for the Planning Commission's review.

The following is a brief summary of Staff's understanding of the new proposal and some of the preliminary issues of note that the Commission should be aware of. This is based on staff's knowledge without reviewing the plans, there may be additional issues that arise after a complete review.

- 1) The proposal is now for 14, 3-story, town-home-style rental units in two buildings, with a single common driveway. The density of the project dropped by approximately 46%. While the units are town-home-style, they are still proposed to be rentals. The applicant has verbally indicated that they may even be rent-to-own. This is a result of the current economic situation.
- 2) Each unit is proposed to have 3 bedrooms, a two car garage and a front private courtyard patio.
- 3) There are a minimum of 7 open guest parking spaces provided in addition to the 2-car private garages, meeting the standard parking requirements.
- 4) In order to lower the buildings and create town-home units, the buildings and parking cover more of the site than the previous proposal. Currently proposed is approximately 20-28% open space. The Recreational Facilities and Open Space Standards require a minimum of 50%. The standards allow a reduction of 2% for each Recreational Facility provided over the standard requirement. However, a reduction down to 42% is the minimum the standard would allow. It is important to note that the Recreational Facilities and Open Space Standards are a policy document, not an ordinance that has been in affect for more than 10 years. As a policy document adopted by the Planning Commission, it can be modified by the Planning Commission as part of the Conditional Use Permit approval.
- 5) While specific amenities may be outlined in the plans submitted Friday, January 11th, staff has not has an opportunity to review the plans.

### **Possible Planning Commission Action**

Depending on the desire of the Commission after this is reviewed at the meeting on January 16th, the Commission may choose to do one one of a number of options, which may include one of the following:

- 1) Grant preliminary approval of the proposal (basically approval of the use, density, etc.); give direction on any specific issues the Commission would like addressed; and have the final plans brought back for final approval before issuance;

- 2) Almost the same option as 1, but not have the final plans come back. Have the finalized by staff through the Technical Review Process.
- 2) Continue the decision on the application for another month to give the staff and the applicant opportunity to review the proposal more thoroughly before the Commission takes action; or
- 3) Deny the application. (Staff does not recommend this option.)

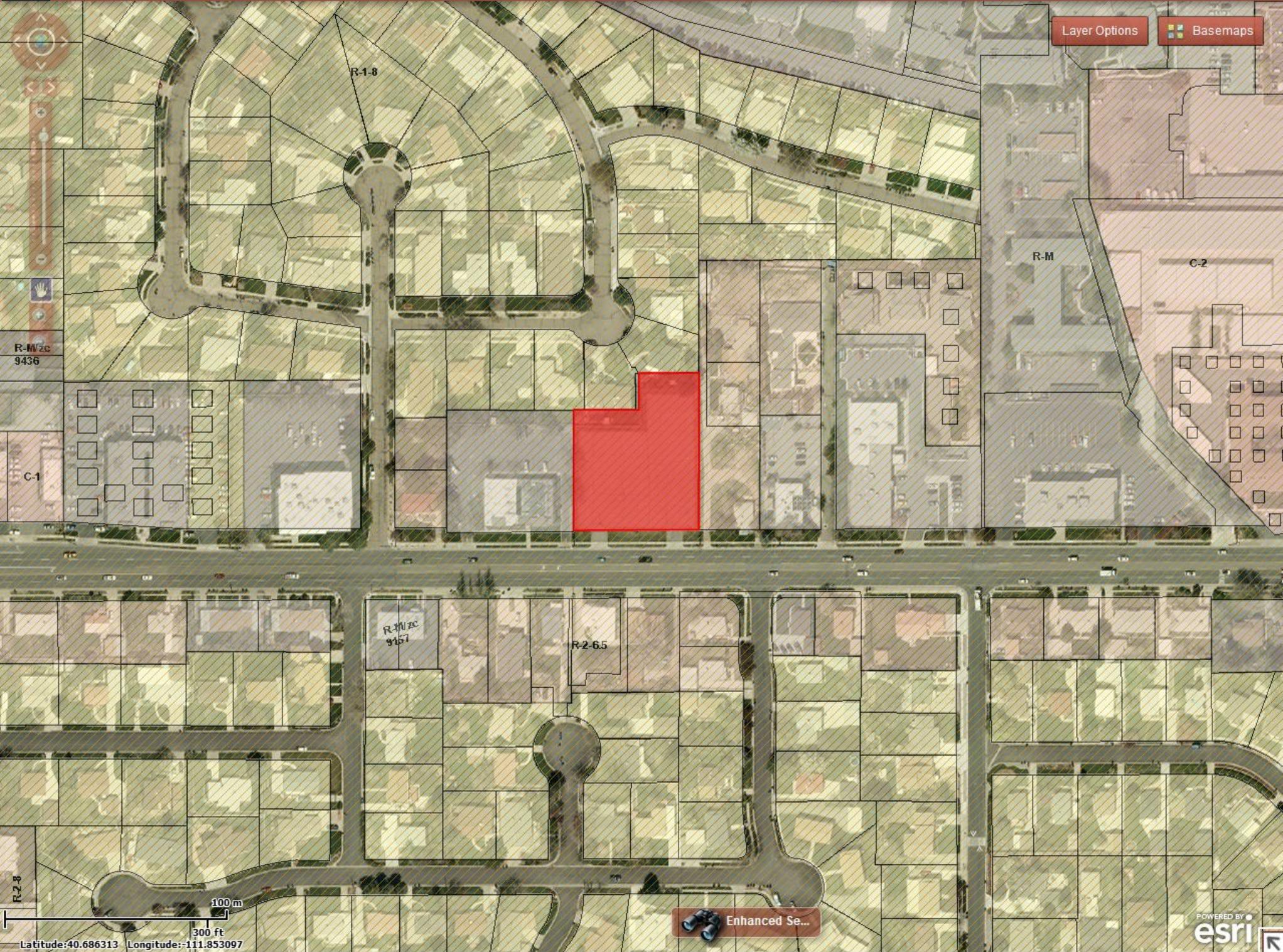
**Staff Preliminary Recommendations**

While staff has not had an opportunity to review the revised plans, the current proposal is certainly more palatable to the residents to the north of the property. Staff can work with the applicant to make sure the plans meet all requirements and can do that either through a continuance or a preliminary approval with the final plans coming back for final approval by the Commission. The applicant has indicated he needs a the commission to make a definitive decisions on the 16th. The applicant's option on the subject property will expire before the next Commission Meeting in February.

Nevertheless, preliminarily Staff recommends the following:

- 1) Prior to deciding on what decision to make, that the Commission take public comment from anyone present at the meeting.
- 2) If the Commission is inclined to grant preliminary approval of the project that they do so with the conditions that the applicant complete the Technical Review with staff and comply with all applicable requirements and regulations that result from that process.





Layer Options

Basemaps

R-M2C  
9436

C-1

R-1-8

R-M

C-2

R-M2C  
9457

R-2-65

R-2-8

100m

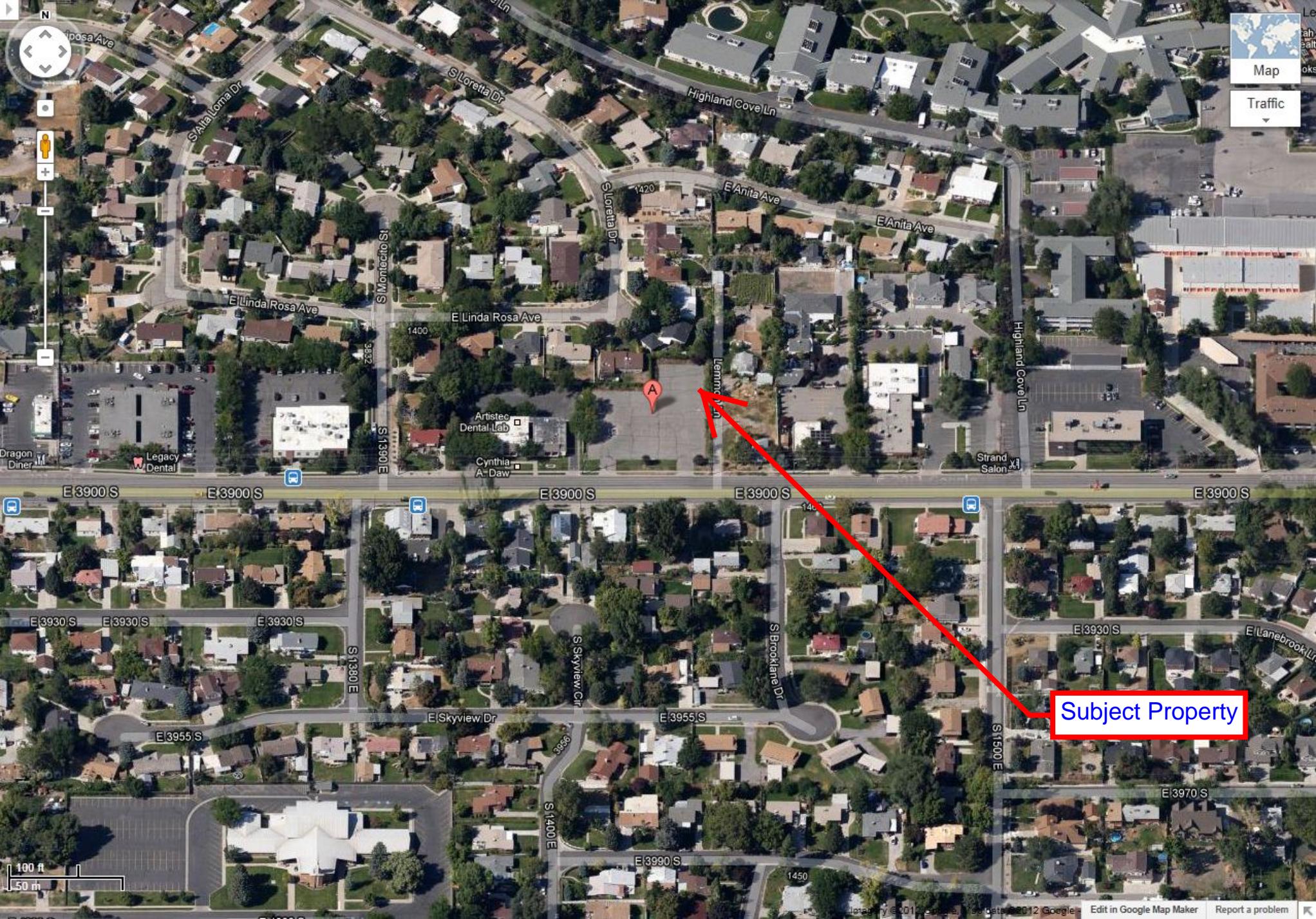
300ft

Latitude: 40.686313 Longitude: -111.853097

Enhanced See...



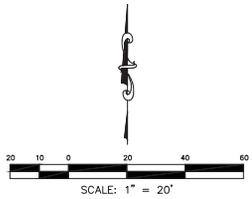
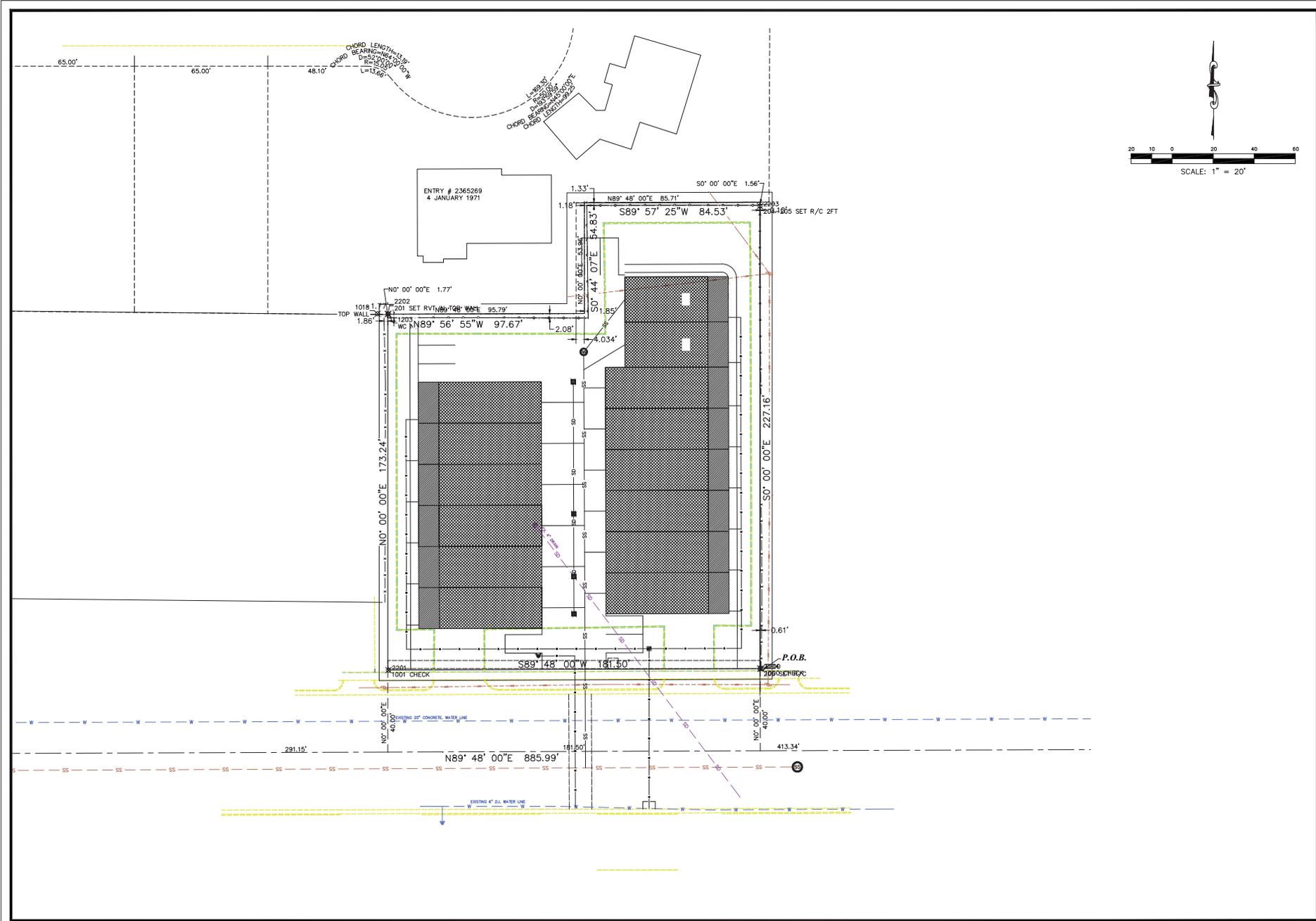




Map  
Traffic

Subject Property

100 ft  
50 m



**H A**  
**HILL & ARGYLE, Inc.**  
 Engineering and Surveying  
 181 West 200 West, Suite 100, Northfield, Utah 84201  
 (801) 298-2236, Fax: (801) 298-3883

SITE PLAN  
**MILCREEK TOWNHOMES**  
 FOR: NATHAN ANDERSON  
 1431 EAST 3900 SOUTH  
 LOCATED IN THE SW 1/4 OF SECTION 33, T.1S., R.1E., S. L. B. & M.  
 SALT LAKE CITY, SALT LAKE COUNTY, UTAH

DATE	1/7/13
BY	SS
DATE	1/7/13
BY	SS
DATE	
BY	
SHEET C-4	
SITE PLAN	
DRAWING NAME	
MAIN JAN 10 2013	
PROJECT NO.	
12-290	



807-580-0181

RPA  
RUSSELL PLATT ARCHITECTURE  
4141 HIGHLAND DRIVE SUITE 111  
HOLLADAY, UTAH 84117

3900 SOUTH TOWN HOMES

DATE: 1-9-13

NO.	DATE	REVISIONS

SHEET TITLE  
ELEVATIONS

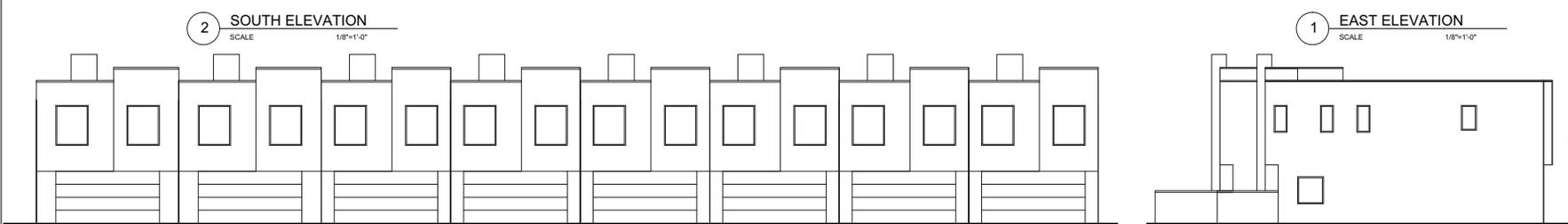
SHEET NUMBER

A-2



2 SOUTH ELEVATION  
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1 EAST ELEVATION  
SCALE 1/8"=1'-0"



4 WEST ELEVATION  
SCALE 1/8"=1'-0"

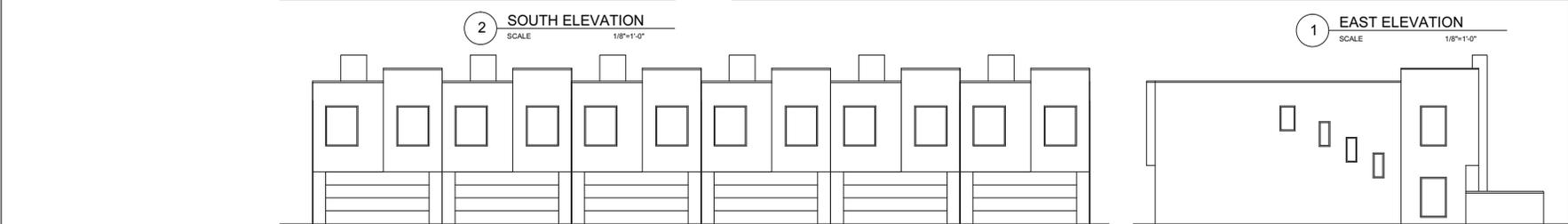
3 NORTH ELEVATION  
SCALE 1/8"=1'-0"

EAST UNITS



2 SOUTH ELEVATION  
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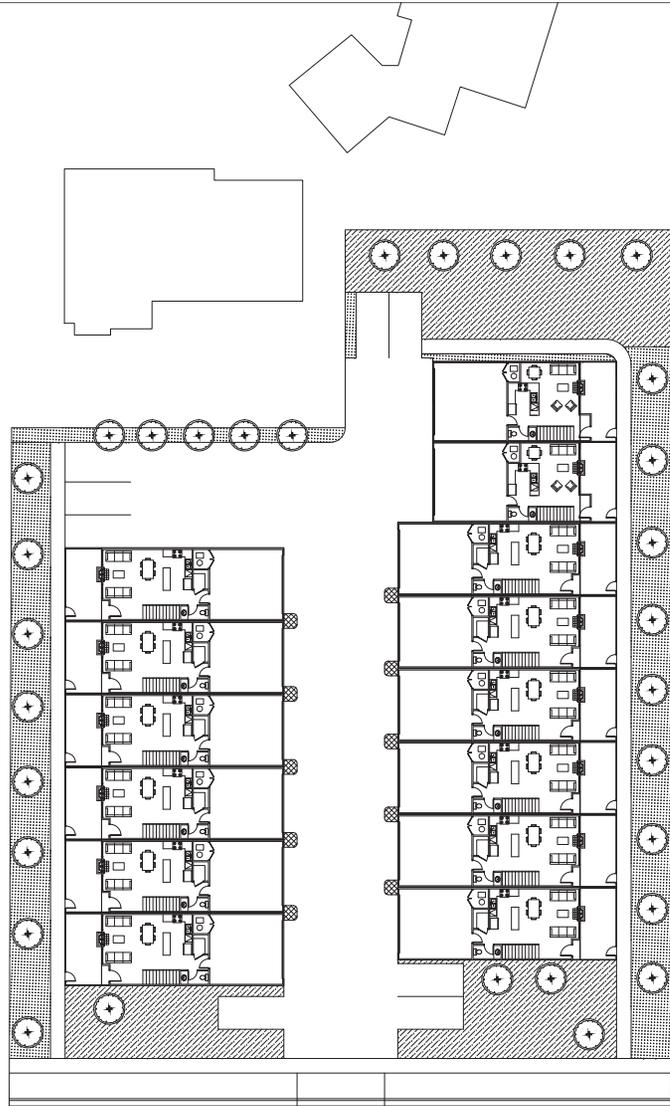
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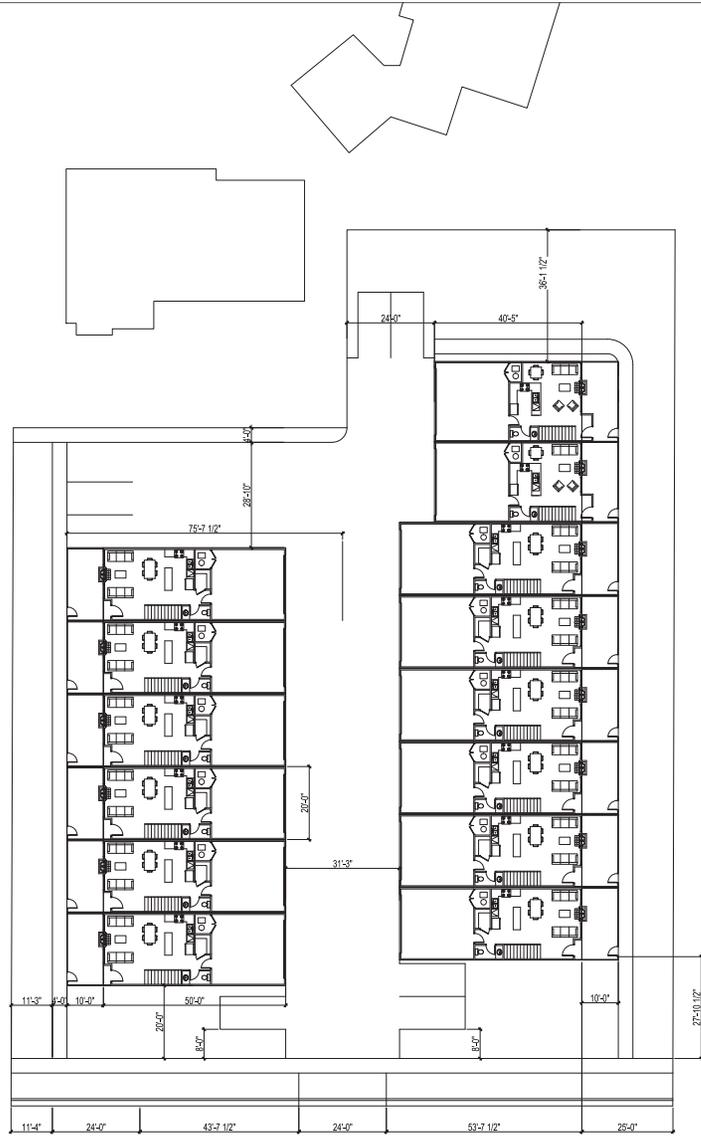
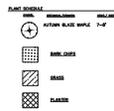
4 WEST ELEVATION  
SCALE 1/8"=1'-0"

3 NORTH ELEVATION  
SCALE 1/8"=1'-0"

WEST UNITS



3900 SOUTH



3900 SOUTH



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 HOLLADAY, UTAH 84117

807-580-0181

**3900 SOUTH TOWN HOMES**

DATE: 1-9-13

REVISIONS:

NO.	DATE	REVISIONS

SHEET TITLE  
 SECTION  
 ELEVATIONS

SHEET NUMBER

**AS-1**



**RPA**  
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**3900 SOUTH TOWN HOMES**

DATE: 1-9-13

REVISIONS:

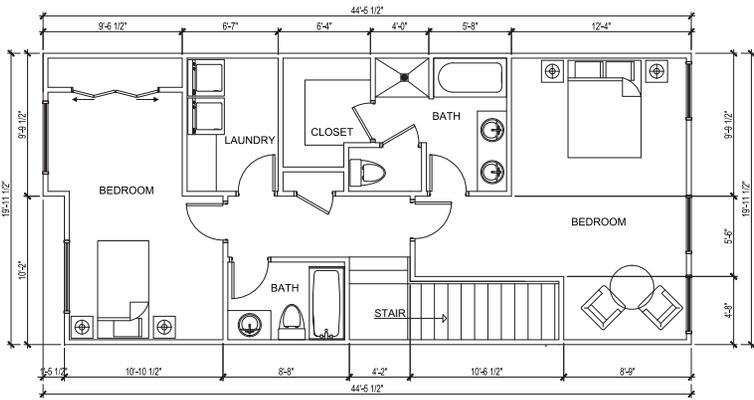
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SHEET TITLE

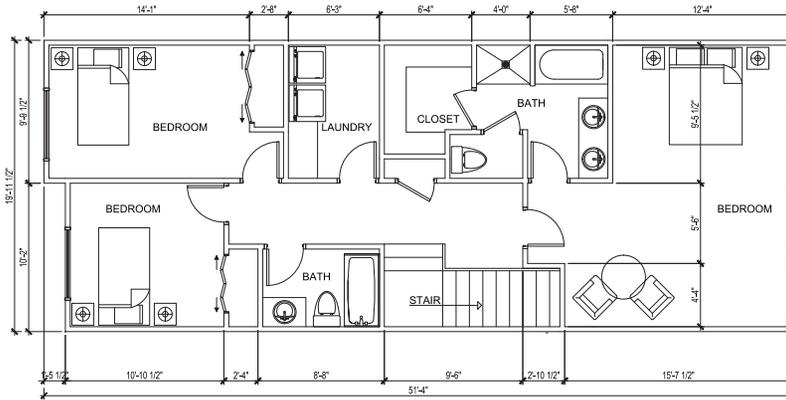
FLOOR PLANS

SHEET NUMBER

**A-1**



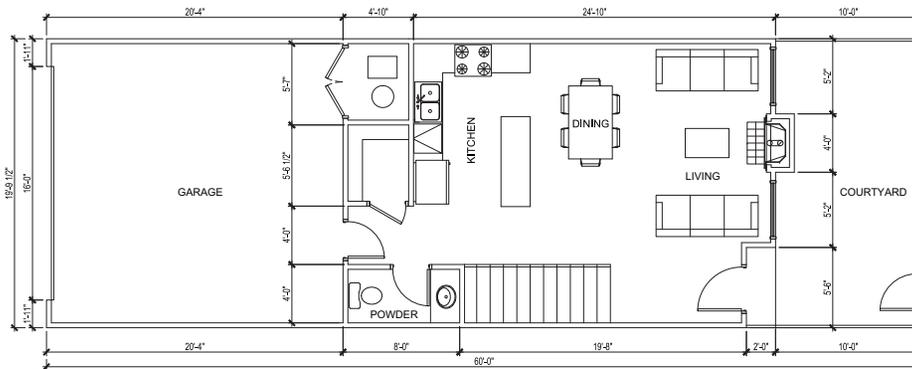
○ **UPPER FLOOR 2 BEDROOM**  
 SCALE 1/4"=1'-0"



○ **UPPER FLOOR 3 BEDROOM**  
 SCALE 1/4"=1'-0"



○ **MAIN FLOOR 2 BEDROOM**  
 SCALE 1/4"=1'-0"



○ **MAIN FLOOR 3 BEDROOM**  
 SCALE 1/4"=1'-0"