MILLCREEK COMMUNITY DEVELOPMENT
3330 SOUTH 1300 EAST
MILLCREEK, UTAH 84106

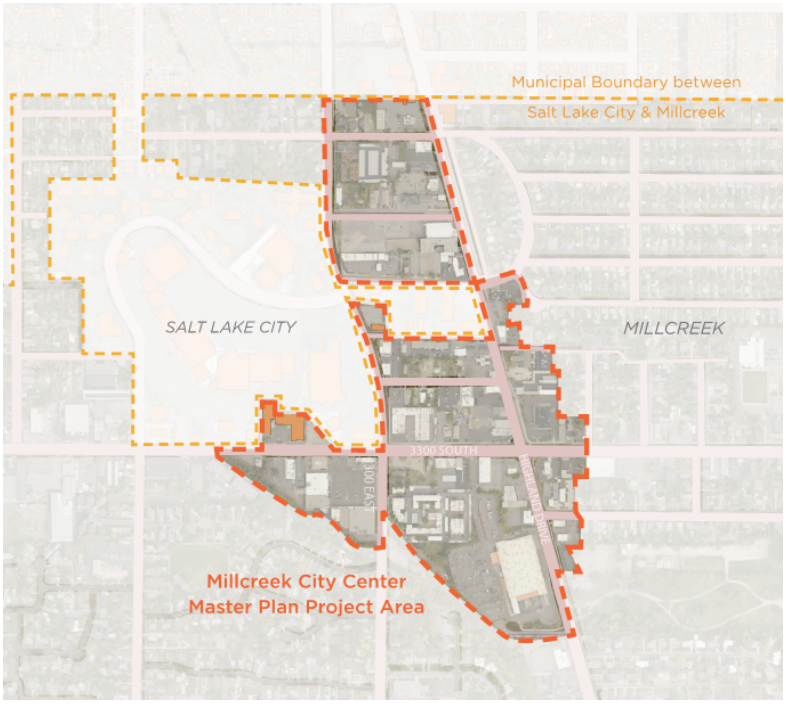
MEMORANDUM

To: **Community Councils**
From: **Francis Xavier Lilly, AICP, Director**
Date: **27 August 2019**

Re: ZT-19-003 – Amendment to the Town Center Overlay Zone

Summary

Attached is a proposed amendment to the Town Center Overlay Zone, which would replace the current zone with an entirely new zoning ordinance that enacts design and streetscape standards for all new building in the City Center, which is indicated in the figure below.



The proposed zone amendment is intended to fulfill the goals of the City Center Master Plan. As a reminder, below are elements and considerations for the City Center Master Plan:

Elements of the City Center Master Plan

The City Center Master Plan is best understood as the implementation of a series of visions and goals, which are discussed below:

A Walkable Urban Space that is Iconic

The City Center envisions much of the new development to built around a new, large open space to be constructed along an existing fault line. This open space will provide internal circulation for pedestrians and vehicles, and hundreds of stalls of on-street parking. The open space – a long, narrow linear urban park, is unlike anything attempted in Utah. In addition to the park, the plan envisions breaking up the existing large blocks with pedestrian paths or shared laneways where vehicle traffic is designed to move slowly.

Walkability also requires appropriate connections: The City Center plan envisions pedestrian activated stop lights on at least two locations crossing 1300 East and Highland Drive, and a street and sidewalk standard that requires streetlights and a 10 foot sidewalk on all updated streets.

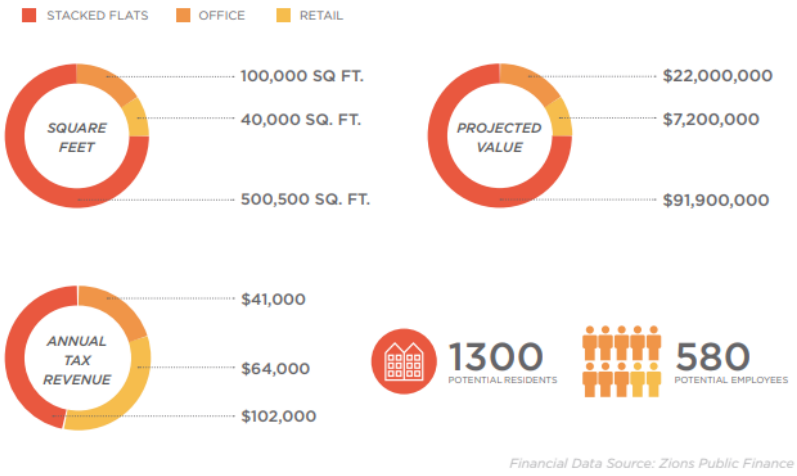
An Amenity and Gathering Place for the Whole City

The plan envisions as its principal amenity the creation of the linear park. Not only does it improve access to the site, but it will become a front yard and a celebration place for the entire community. The plan also envisions the use of existing parking lots and other areas to utilize as temporary event space. The plan emphasizes arts and culture, and encourages the city to consider opportunities for street fairs, outdoor markets, and food trucks.

An Engine of Employment, Population and Tax Base to Help Keep Taxes Low for Millcreek

One of the goals of the City Center Master Plan is to update historic zoning regulations to support and require additional mixed use space in the City Center. Adding population to the area will support additional retail and restaurant opportunities, which the community indicated it desires. But it is essential to avoid the creation of a high-density residential village. To that end, the City Center Master Plan recommends adoption of a form-based code that requires retail and other commercial uses for the full length of each building along the planned open space and along all major thoroughfares. The assumptions guiding the development of the Master Plan are as follows:

Figure 2: Market Assumptions



The planned improvements will add significant additional property values, which will be used to fund public improvements, and will result an additional annual tax revenues to the City of just over $200,000. While a majority of

the square footage of the new development will be allocated for residential uses, just over half of the projected revenue will be from commercial uses – which is why the plan recommends a mixed use requirement for residential buildings in most areas of the City Center.

Design Should Support Transportation Alternatives - Parking

The City Center Master Plan includes street sections for all roads in the City Center. As redevelopment occurs on these roads, developers will be required to develop in accordance with adopted street standards. In addition, the Plan recommends that Highland Drive between Elgin Avenue and 3300 South be converted into a three-lane section, allowing for one lane in each direction and a combination of landscaped medians and left turn refuges. This section will allow for bike lanes and on-street parking on the west side of Highland Drive. In addition, the plan is recommending pedestrian infrastructure to encourage greater pedestrian access into and within the site.

Staff is recommending parking ratios on page 18 of the proposed zone text that are appropriate for a mixed use, walkable city center. Higher parking ratios would result in a more suburban pattern of development, and would not allow for the development of elements that the community desires in a city center. In order to support a lower parking ratio, staff recognizes the need for time limited on-street parking and the provision of shared public parking facilities, and intends to pursue these strategies as redevelopment occurs.

Respect Surrounding Existing Residential Neighborhoods

The City Center Plan does not incorporate any existing single-family neighborhoods. Moreover, the Master Plan recommends adoption of an ordinance that establishes height limits for areas that are adjacent to or immediately across the street from existing single-family neighborhoods. The height limits modify existing height limits and are in keeping with long-standing policy on building heights in the area. The City Center Overlay Zone proposes the greatest heights – up to 75 feet, in the area between Highland Drive and 1300 East, and at the 1300 East 3300 South intersection. Heights are gradually increased west of Highland Drive. In areas immediately surrounding existing single-family residential neighborhoods, heights are limited to three stories or less.

Guiding Principles from the Master Plan

The Master Plan adopts four guiding principles to guide future ordinance development, municipal investments, public-private partnerships, and land use decisions:

1. The City Center Should Emphasize Walkability, and Minimize Internal Traffic and Parking Demand.

2. The City Center should include Municipal Property owned by the City and designated for public use.

3. The design of Millcreek's City Center should represent the city in ways that are distinctive from other cities and unique to Millcreek.

4. The City Center should emphasize culture, art, ideas, and interaction between citizens.

All of the elements that the plan recommends are intended to fulfill these principles. Of particular concern to the City is the creation of a place that is distinctive from either Sugar House or Holladay, which are two successful

regional precedents for mixed use development. This City Center proposal offers something that builds on the successes of other centers, including:

1. An integrated street grid with pedestrian connections throughout the City Center.

2. Redevelopment that is built around a major open space.

3. A balance of residential and commercial uses that will support activity in the City Center for at least 18 hours a day and 250 days a year.

4. Intuitive placement of on-street parking.

5. Preservation of historic signage and iconic buildings, including the Villa Theatre, Tres Hombres Restaurant, and the iconic midcentury commercial buildings on Highland Drive.

A summary of the zone requirements can be found on the following pages. In addition, the proposed ordinance can be found by clicking on the following link:

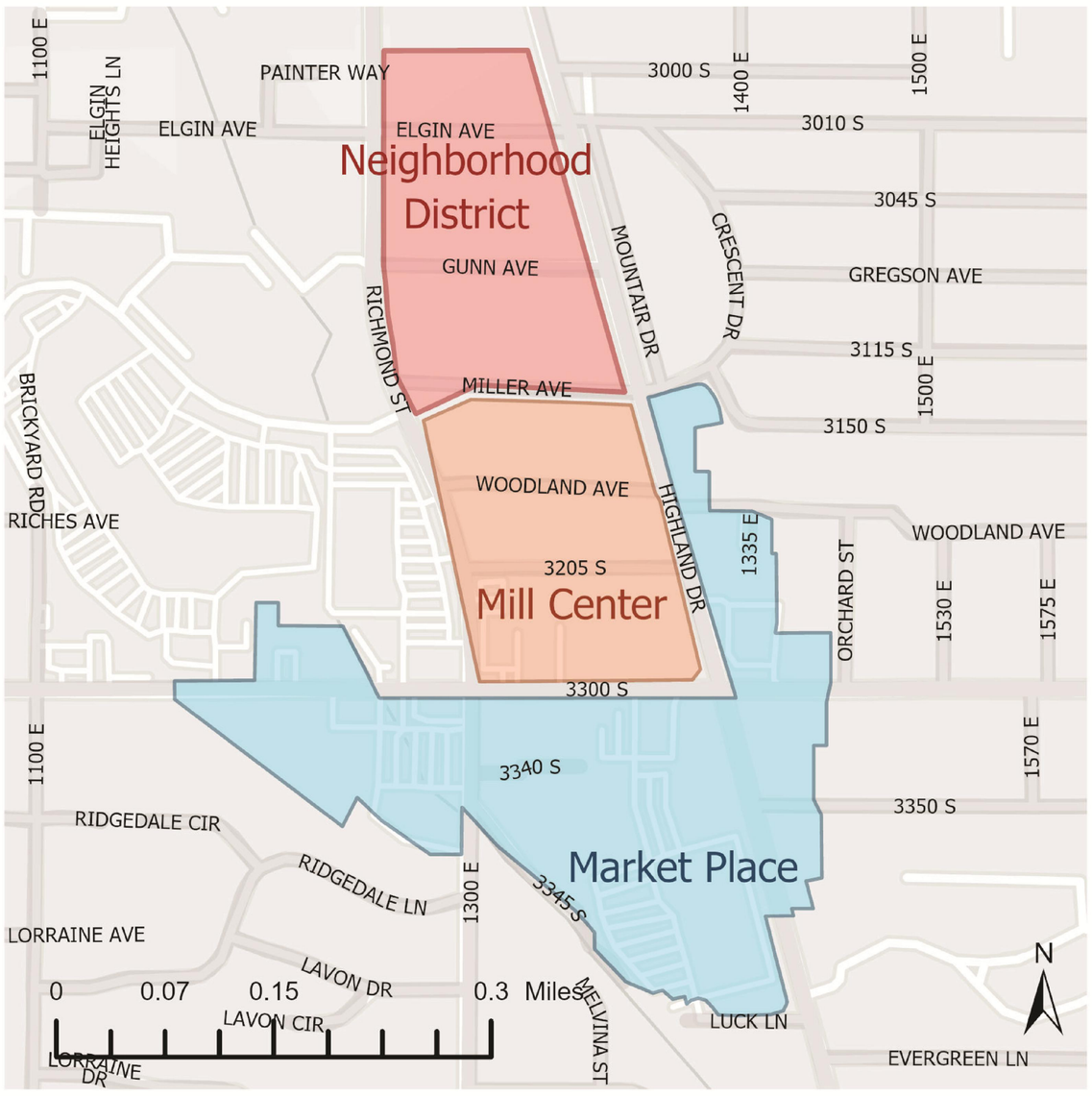
https://millcreek.us/DocumentCenter/View/1032/CCOZ-Community-Council-Review-Draft

Request

Staff is requesting a FAVORABLE recommendation to the City Council for the adoption of the City Center Overlay Zone.

The Planning Commission will be discussing this matter on 18 September 2019. We request your recommendation in advance of that meeting.

Uses in the City Center



General Categories of Use by Sub-District

Neighborhood District - Multi-family*, mixed use*, neighborhood retail and neighborhood services, office uses(2500 square feet or less), commercial indoor recreation, temporary/seasonal/mobile food businesses

Mill Center – mixed use including residential on upper floors*, office, retail, service uses, entertainment, civic uses, commercial indoor recreation/entertainment uses, temporary/seasonal/mobile food businesses

Market Place – retail commercial use, office, mixed use, commercial indoor recreation, temporary/seasonal/mobile food businesses

* All mixed use and multi-family projects must get a conditional use permit.

Prohibited Uses and Use Limitations

Automobile Service Station, car wash and detailing businesses	Not allowed
Equipment, Car or Truck Rental or storage	Not allowed
Non-Stealth Telecommunications Facilities.	Not allowed. Stealth telecommunication facilities are only allowed on rooftops.
Sexually oriented businesses	Not allowed subject to MKC 19.91.11
Pawnshop, smoke shops and related products, military surplus, and retail tobacco as the principal use	Not allowed
Residential Uses are permitted by sub-district and within the building types specified in section 19.73.050 (14)	Shall include mixed uses on corners in the Neighborhood subdistrict, and 100% residential buildings are not allowed in the Mill Center and Market Place districts
Rooftop Gardens	Not allowed within 50 feet of a R-1 or R-2 zone boundary in the Neighborhood or Market Place sub-districts.
Secondhand stores including general merchandise, precious metal dealer/processor and/or precious gem dealer.	Limited to a maximum of 2,500 square feet
Commercial indoor and outdoor self-storage facilities of all types as a principal use, including mini-storage units, neighborhood storage, indoor and temperature controlled storage facilities.	Not allowed. Self storage, for residents of the building, as part of and internal to a multi-family or mixed use development is allowed, if located on an upper floor.
Short term ("payday", "car" title, check cashing and similar) loan services	Not allowed
Drive-Through Uses as an Accessory Use	Not allowed for restaurant or food or beverage services uses in the Neighborhood district None are allowed to front on the Mill Park Street, for all other districts drive-through uses shall conform to the requirements of Section 19.62.050 and other applicable requirements of this Title.
Tattoo Businesses	Not allowed
Indoor and outdoor gun ranges, both for profit and non-profit	Not allowed
Manufacturing as a principal use	Not allowed, excepting the manufacture of beer and spirits
Freestanding fireworks seasonal sales	Not allowed
Sale or lease of new or used vehicles of all types, watercraft, mobile homes, travel trailers, campers, motorcycles and other recreational vehicles, including licensed and non-licensed mobile construction equipment and other non-licensed mobile commercial equipment.	Not allowed

Building Types

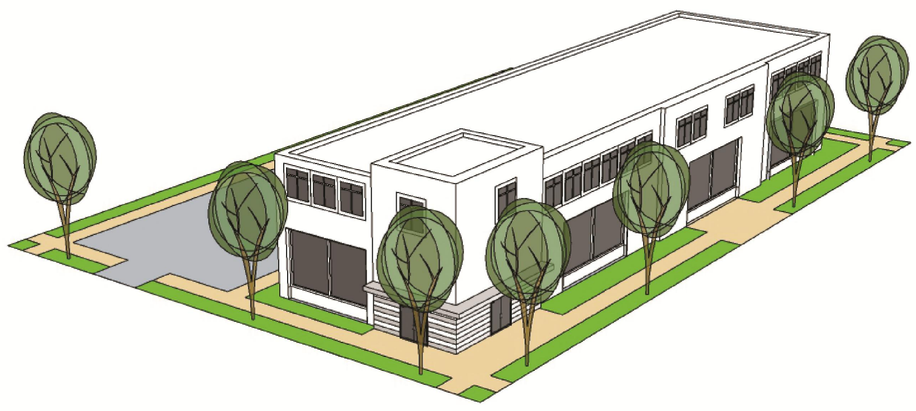
A. Mixed Use



Intended for a mix of primarily residential with commercial/office or commercial and office uses located on the first floor at or near the front build-to-line with parking to the rear, underground, or podium type. No podium parking is allowed fronting on Mill Park Street. This building type may support office, retail, hotel/hospitality or residential uses mixed either vertically or horizontally. For residential units, provide outdoor balconies or patios for 100% of the residential units at a minimum of 6’ deep and 60 square feet each. Provide indoor bike storage or bike lockers.

Requirements	
Front Build-to Zone	0’-10’
Minimum Side Yard Setback	10’ between buildings
Minimum Rear Yard Setback	10’
Minimum Height	See Map 2
Maximum Height	See Map 2
Principal Entrance Location	Front or corner side of facade
Vehicular Access	From alley or rear of building
Minimum Transparency	50% on ground floor
Ground Story Uses	Office, retail, craftsman industrial or residential (50% must be non-residential use). Any mixed use building that fronts on Mill Park Street shall have 100% non-residential uses on the first floor facing that street.
Depth of first floor non-residential uses	30’ minimum depth
Upper Story Uses	Any permitted use or conditional use
Where allowed	Corners in the Neighborhood Sub-District, the Mill Center, and the Market Place
Storefront Width	Not to exceed 30 feet

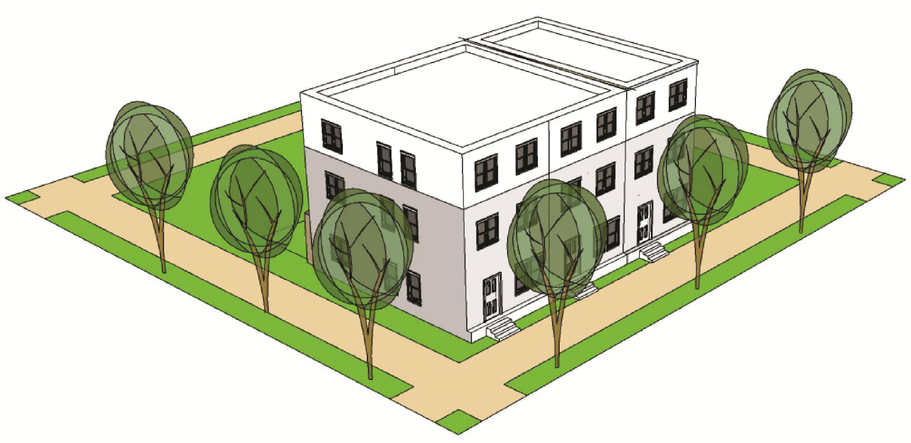
B. Officer/Commercial/Civic Mixed Use



Minimum 2-story building that mixes uses with the primary use of office, retail, civic or commercial use.

Requirements	
Front Build-to Zone	0’-15’
Minimum Side Yard Setback	10’ between buildings
Minimum Rear Yard Setback	10’
Minimum Height	See Map 2
Maximum Height	See Map 2
Principal Entrance Location	Front or corner side of facade
Vehicular Access	From alley or rear or within the building
Minimum Transparency	50% on ground floor
Ground Story Uses	Office, Retail, Civic, or Commercial
Depth of first floor uses	30’ minimum depth
Upper Story Uses	May vary
Where allowed	Mill Center, Market Place

C. Multi-Family



Generally characterized by a multistory building that contains residential uses internal to the structure with parking to the rear, in a structure or podium style below the building. Provide outdoor balconies or patios for 75% of the units at a minimum of 6’ deep and 60 square feet each. Provide indoor bike storage or bike lockers.

Requirements	
Front Build-to Zone	0’-15’
Minimum Side Yard Setback	0’ per unit, 10’ between buildings
Minimum Rear Yard Setback	5’
Minimum Height	See Map 2
Maximum Height	See Map 2
Principal Entrance Location	Front or corner side of facade
Vehicular Access	From alley or rear of building
Minimum Transparency	40% for ground floor and 15% for other floors
Ground Story Uses	For buildings located on corners; office, residential or live/work units, retail, personal services, or residential (50% of the street facing front facades must be non-residential use)
Upper Story Uses	Residential or parking only
Where allowed	Neighborhood Sub-District

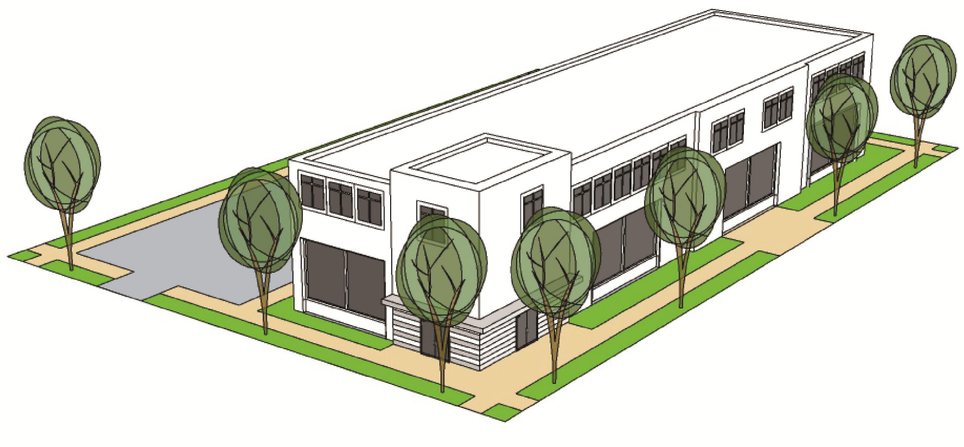
D. Townhome

Requirements	
Front Build-to Zone	0’-15’
Minimum Side Yard Setback	0’ per unit, 10’ between buildings
Minimum Rear Yard Setback	5’
Minimum Height	2 stories
Maximum Height	3 stories
Principal Entrance Location	Front or corner side of facade
Vehicular Access	From alley or rear of building
Minimum Transparency	15%
Ground Story Uses	Residential or live/work units
Upper Story Uses	Residential only
Where allowed	Neighborhood Sub-District



Typically comprised of horizontally attached multi-story units in a rowhouse configuration. This building type can include live/work units. Parking and private garages shall be to the rear of the building allowing the primary façade to front a public street or public greenspace. Provide outdoor balconies or patios for 100% of the units at a minimum of 6’ deep and 60 square feet each.

E. Adaptive Reuse

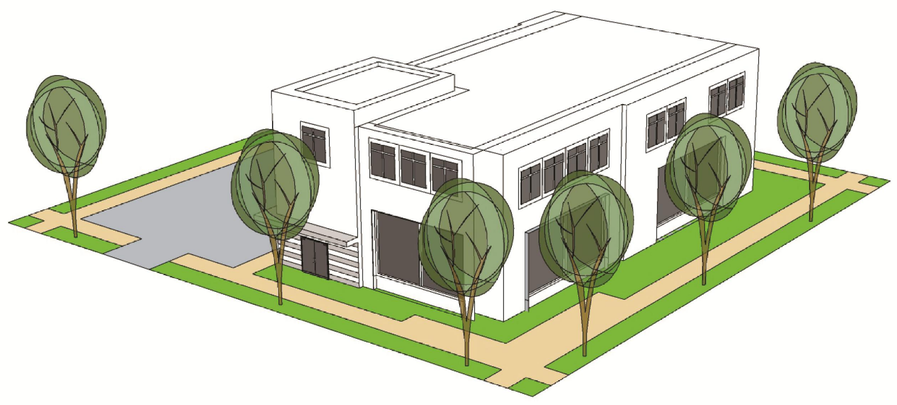


There are several existing buildings within the CCOZ that could be reworked into a new use. Any buildings proposed for adaptive reuse must meet this chapter’s minimum height requirements. The following general requirements are required:

- If the character of the existing building is deemed historic or historically significant due to its age or displays a unique architectural style or unique features, as determined by the Zoning Administrator, then reconstruction should attempt to retain as much of that character as possible.
- Windows shall address the street frontage and encompass at least 50% of the first story building facades if structurally feasible.
- Parking shall be located (or relocated) to the rear of the building.

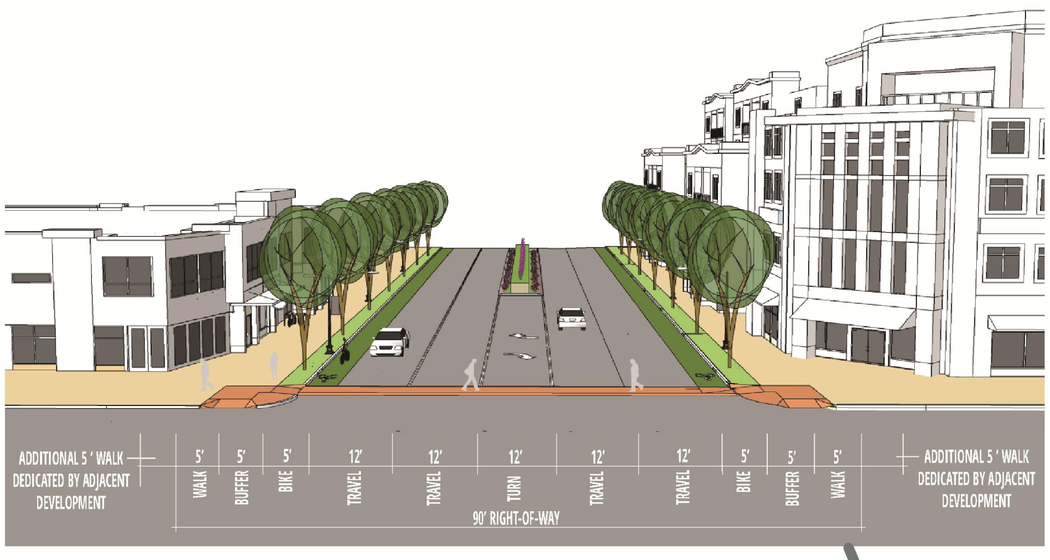
Requirements	
Front Build-to Zone	0’-15’
Minimum Side Yard Setback	10’ between buildings
Minimum Rear Yard Setback	10’
Minimum Height	See Map 2
Maximum Height	See Map 2
Principal Entrance Location	Front or corner side of facade
Vehicular Access	From alley or rear of building
Minimum Transparency	50% on ground floor
Ground Story Uses	Commercial
Upper Story Uses	Commercial
Where allowed	Mill Center, Market Place,

F. Commercial Single Purpose



Buildings with the primary use being commercial use.

Street Cross Sections

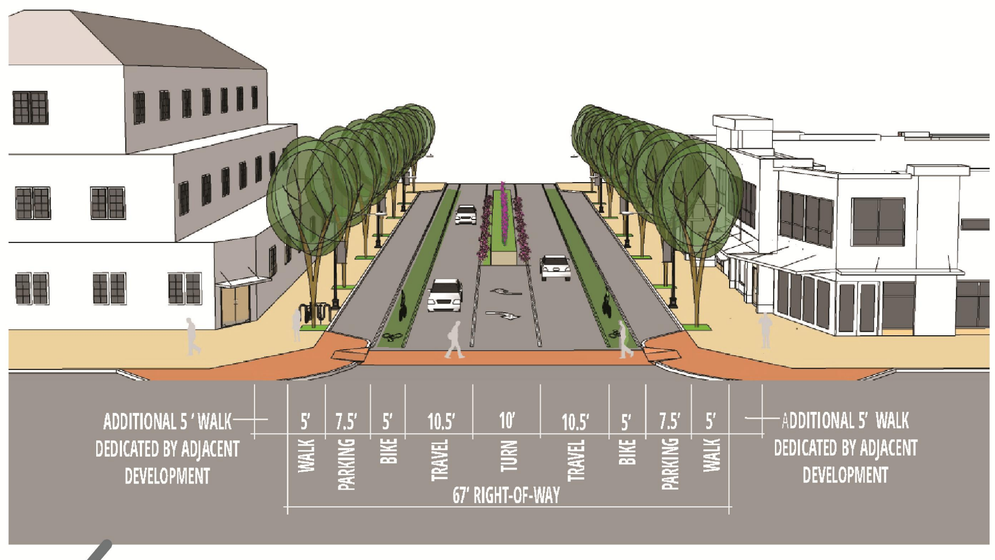


B. Richmond Boulevard

A minimum of two lanes in each direction with a median turning lane, punctuated with landscaped medians in areas not needing left turns, these streets are envisioned as grand boulevards.

A. Highland Drive Boulevard

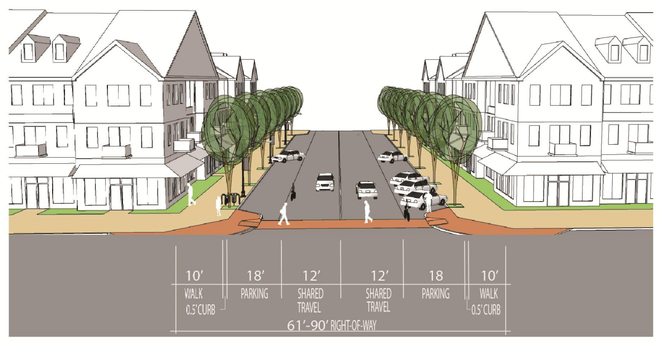
Highland Drive serves as the primary eastern collector through the district. This street section is characterized by narrow travel lanes, dedicated bike lanes, on-street parking (where feasible), generous sidewalks, and curb bulb outs at intersections for traffic calming. The intent is to slow traffic through the district, accommodate all modes of travel and focus on pedestrian connectivity. Exact dimensions will need to be coordinated with Public Works.





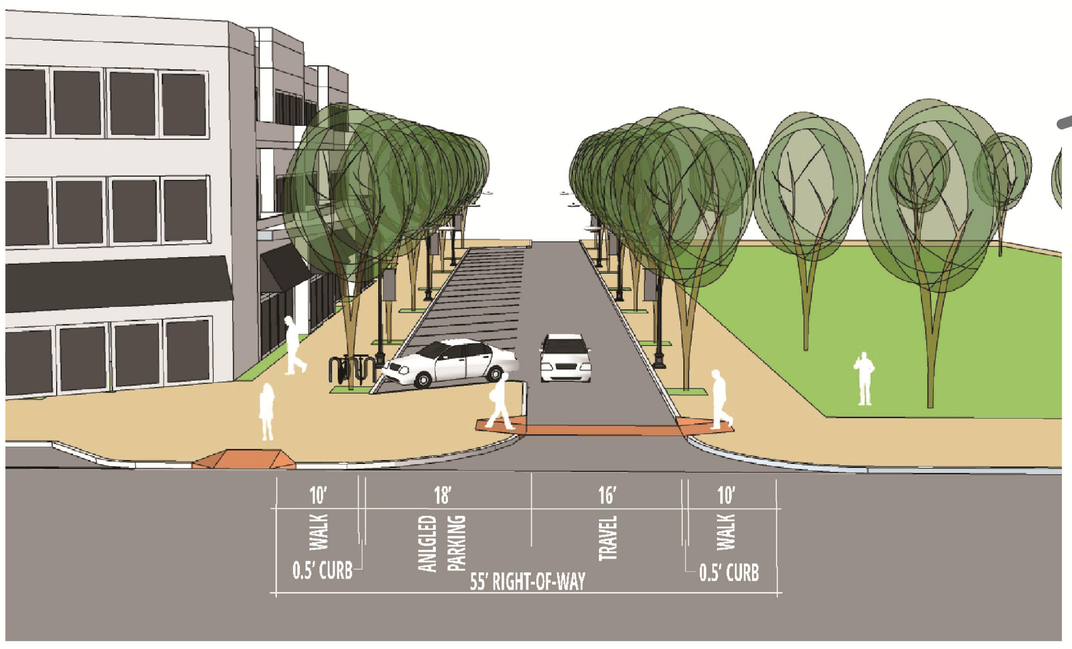
D. Neighborhood Streets

Connecting neighborhood streets include all of the streets that run east and west between Highland and Richmond Street/1300 East through the District. These streets are characterized by narrower right-of-way widths with similar goals of accommodating all modes of local traffic.



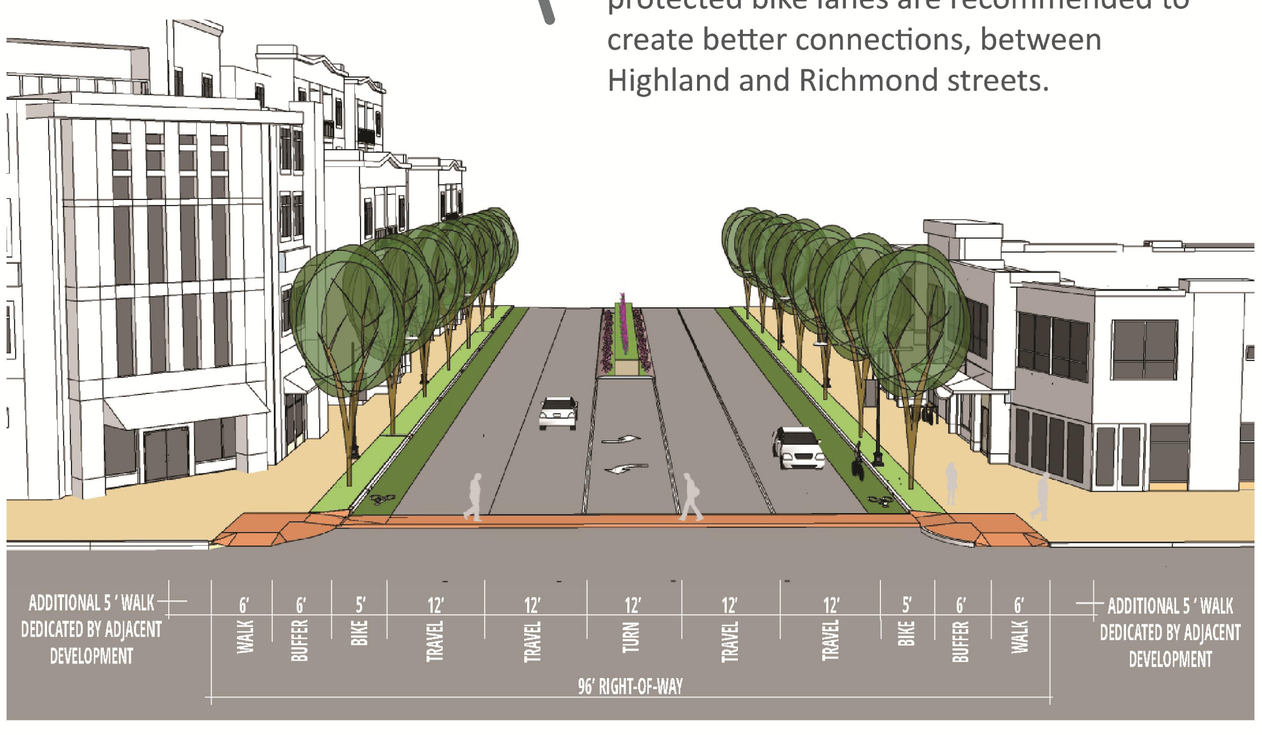
E. One Way Mill Park Street

A looped one-way street with parallel parking on one side, intended for the area surrounding Mill Park and creates access to businesses and other uses that will line the street.



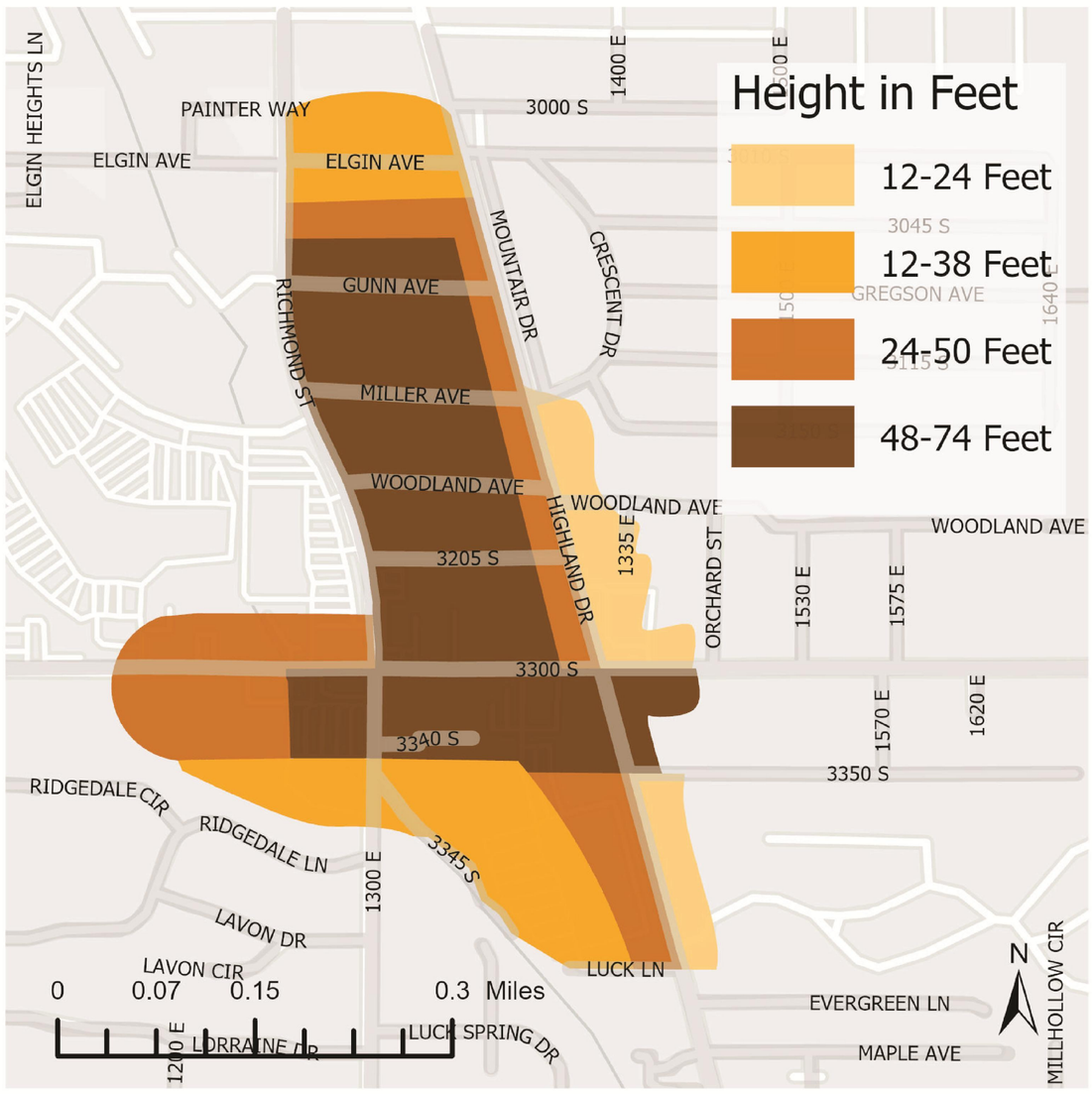
C. 33rd South Boulevard

This street is controlled by UDOT but plays an important role in the recognition of the City Center and the flow of major volumes of traffic in an east/west direction. To facilitate mobilty with the City Center area, protected bike lanes are recommended to create better connections, between Highland and Richmond streets.



Millcreek City Center Overlay Zone

Heights and Stepbacks



Height Requirements		Minimum	Maximum
East of Highland Drive, north of 33rd	Tan area	12’	26’
North end of the Neighborhood District and south end of the Market Place	Yellow area	12’	38’
Various areas along Richmond, Highland near 33rd, and along 33rd	Yellow Brown area	24’	50’
Areas along Mill Park and 33rd	Dark Brown areas	48’	74’

BULK AND YARD REGULATIONS	
Minimum Building Height	Minimum building heights are described in Map 2 above
Maximum Building Height	Varies by subdistrict – see section 14 (e) and Note 2, and Map 2 above
Height exceptions	Roof structures for the housing of elevators, stairways, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, shade structures, towers where required by the ordinance, flagpoles, chimneys, wireless or television masts, theater lofts, may be erected above the height limits prescribed in this chapter, but no space above the height limit shall be allowed for the purpose of providing additional habitable floor space.
Height Transitions	Height transitions are required for buildings within 100 feet of an R-1 or R-2 zone. See Note 1 and 2.
Maximum Lot Coverage	80 percent
Minimum Lot Coverage	50 percent
Maximum Front Yard	10 feet, subject to the build-to-line (see Note 3) standards established in Section 19.73.050 (8) and (14).
Off-Street Parking	Not allowed between front plane of the building and the curb on the street it fronts.
Residential Density	No maximum density is established.

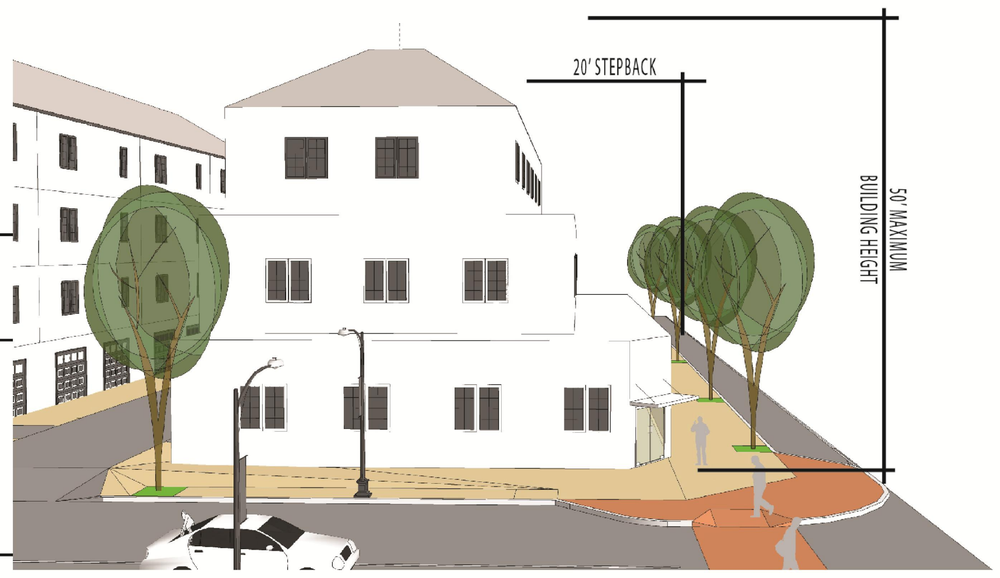


TABLE 19.73-2: NOTES

1. For any development in CCOZ that is directly abutting an R-1 or R-2 zone with a residential use, the maximum height for structures within 100 feet of the residential use shall not exceed 30 feet, as measured from the ROW abutting the residential use. If the residential use abuts the CCOZ at a property line, the setback is measured from that property line.
2. For any development on properties fronting on the Mill Park Street, 33rd, Richmond or with frontage on Highland Drive, a twenty-foot stepback of the building façade is required between the first and third story and upper stories. As an option, this stepback may be segmented, such as, a ten foot initial stepback between the first and second floors and then an additional ten foot stepback between the second and third floors (See Above.

Design Standards

Entrances and Windows

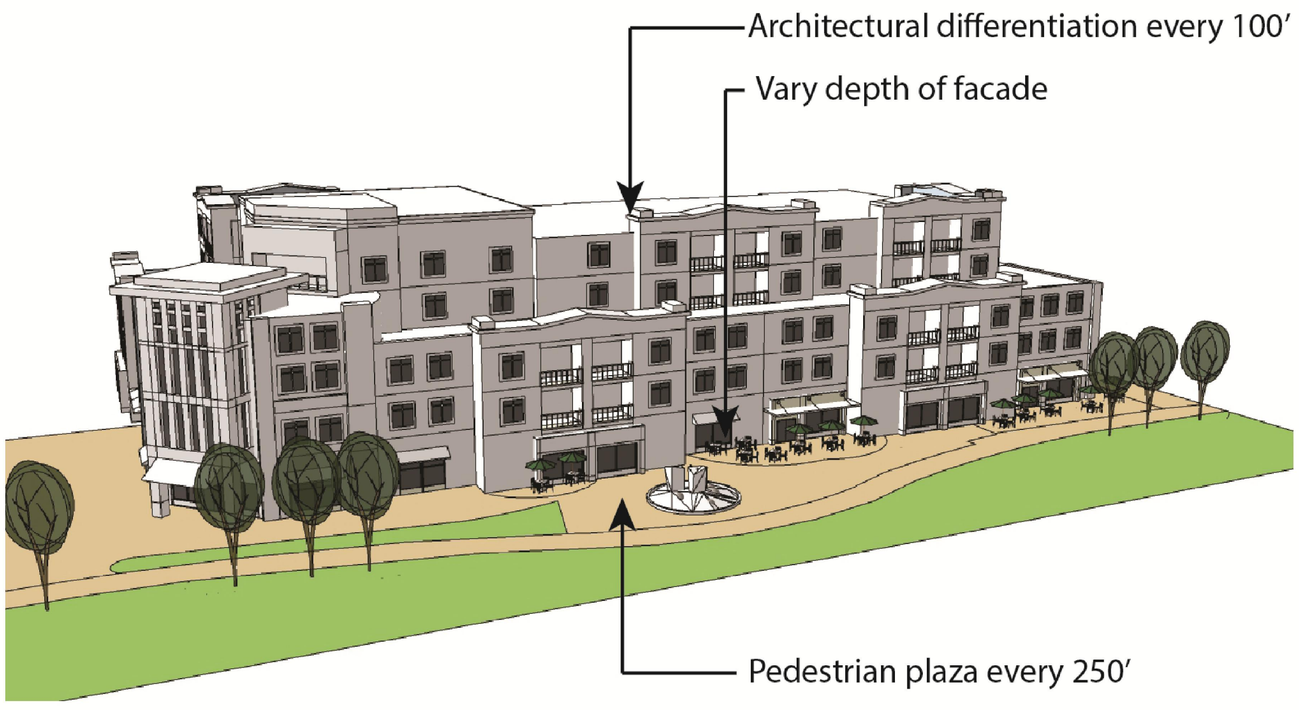
Entrances to the first floor of buildings shall front on the public street. On double or triple frontage lots, entrances are required where the greatest amount of pedestrian traffic is anticipated. Windows shall constitute at least 50% of first floor street-facing facades. Windows shall be at least 50 percent transparent. Interior lighting is required. Street facing windows that are not on the same façade as the main building entrance, may cover the first floor windows with nonadvertising window films using a mountain, mill, orchard or mountain related sports theme. Living screens may replace up to 50% of the window requirement for the lowest anticipated pedestrian traffic frontage. Mirrored windows are not allowed. Awnings or arcades are required for any buildings facing Mill Park Street.

Building Materials

Exterior materials of a durable or resilient nature such as brick, stone, composite materials, or other materials of similar quality, hardiness, and low maintenance characteristics are required. New development in the CCOZ, shall incorporate common, locally found materials such as granite, stone, sandstone, and brick as part of the first floor of each building for at least 25% of the first floor, excluding the windows. For the Mill Center sub-district this requirement increases to a minimum of 50% for the first floor excluding the windows. No single material is allowed to exceed 50% of the street-facing facades. Other materials may be considered for soffits, or as accent or unique architectural features. Twenty-five year guarantee, architectural shingles are required for pitched roofs and other longer lasting roof materials for flat roofs are required.

Building Length and Facades

No new building elevation along a public right-of-way may exceed 100 feet in length without variations in the depth of the façade. As a minimum, provide pedestrian plazas every 250 feet of building length to break up long building façades along public rights-of-way. Top floors shall have architectural differentiation from the other floors in the building and rooflines shall vary every 100’, as a minimum. For first floor commercial uses, the appearance of small shops/storefronts with variation in the first floor façade every 30’ is required. All buildings fronting on Mill Park Street shall include a permanent or retractable fabric awning, extending a minimum of 6’ from the storefront/façade to provide shade and refuge from rain, especially during the June, July, August and September months. Such awnings shall be provided in colors that reflect colors incorporated as part of the exterior of the building or the green or blue found in Millcreek’s logo.



Building Massing and Façade Articulation

All buildings shall be designed to have at least three of the following:

A. Visual breaks along the street-facing façade such as horizontal articulation in the plane of the façade by at least 2 feet.

B. Change in height of the facade by at least 10 feet for every 100 feet of façade length.

C. Changes in materials, color, texture or pattern for greater than 50% of the building facade.

D. Indentations/recesses at least 10’ in depth along the street facing facades at 100’ intervals.

E. Usable terraces (a larger balcony intended as a private resident leisure space) at least 10’ in depth along the street facing facades.

F. Covered walkways on south or west facing facades on street other than Mill Park Street.

G. Columns or pilasters with a minimum 4-inch horizontal depth from the plane of the façade and spaced at a minimum interval of 50 feet.

Design Standards

Solar Rooftops, HVACs, and Charging Stations

Rooftops may be used as garden type open space but shall incorporate solar panels for power generation. If a rooftop garden is not proposed, 50% of the entire rooftop space shall be covered with solar panels. All Heating, Ventilating, and Air Conditioning equipment (HVAC) shall be recessed by at least 10' from the exterior edge of the building. Such equipment shall be enclosed such that it is not readily recognizable as HVAC equipment. For multi-family buildings, one charging station is required for every 10 units. For mixed use, office, and commercial buildings, two charging stations per floor are required. Charging stations may be located in interior parking garages.

Rooftop Cell Service Towers and Overhead Utility Lines

All existing overhead lines shall be located underground as part of any new development in the CCOZ. No new development shall exhibit any above ground utility or communication lines. Rooftop telecommunication equipment is only allowed as a "stealth" installation. Such facilities shall appear to be an integrated part of the building.

Street Lighting

All street lights located on 33rd South, Richmond, and Highland Drive, shall incorporate (insert type) luminaire atop a 14' pole. The light shall be low intensity, shielded from uses on adjoining lots, and directed away from abutting properties, yet lighting the street and adjacent walkway. All lighting shall incorporate full cut-off fixtures to minimize light pollution and be dark sky compliant.
All lighting on Neighborhood streets and Mill Park Street shall utilize the street light shown.
All lighting on Laneways and Woonerfs shall use downward directed sconce styles for wall lighting and lit bollards along the street.



Access Between Uses

Vehicular and pedestrian access is required between uses that does not force vehicles out to the adjacent streets.

Signs

Signs are limited to low profile monument signs, wall signs, projecting signs with a minimum of 8 feet clearance above the ground, and temporary A-frame signs. Size, location, and number limitations are defined in MKC 19.82.

Rooftop Patios and Gardens

Shall include a minimum of 25% of the entire rooftop space covered with trees to provide shade. This 25% is defined using the canopy of the tree at maturity. Seating, tables, outdoor gas bar-b-ques, solar cells (see #23), and shade structures are required. Grow boxes are encouraged. Private roof top park space is encouraged to take advantage of the mountain and valley views.