



STAFF REPORT

Executive Summary									
Hearing Body:	Millcreek Township Planning Commission								
Meeting Date and Time:	Wednesday, July 10, 2013	04:00 PM	File No:	2	8	3	7	2	
Applicant Name:	Dimitrios Tsagaris	Request:	Conditional Use						
Description:	A 37-unit Apartment Development, consisting of two 5-story buildings								
Location:	3658-3668 South 900 East								
Zone:	C-2 Community Commercial	Any Zoning Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>					
Community Council Rec:	Not yet received								
Staff Recommendation:	Approval with Conditions								
Planner:	Spencer G. Sanders								

1.0 BACKGROUND

1.1 Summary

1.1.1 Proposal

The applicant is requesting Conditional Use approval of 37-unit, 5-story, apartment development. The proposed development consists of two buildings, 6 recreational facilities and 81 surface parking spaces. Thirty-five of the proposed parking spaces, located in the center of the parking lot, are covered under pitched roof carports.

The proposed recreational facilities include: a 1,000 square-foot playground; a 1,000 square-foot picnic area; a 1000 square-foot walking trail; a 1,600 square-foot sports court; a 1,285 square-foot club house/common room; and a 1,285 square-foot workout room. The proposal includes approximately 24, 443 square feet (approximately 37.5%) of open space/landscaped area. The proposed buildings have a stepped parapet around the top and result in height ranging from 53 to 57 feet; an average of 55 feet, from finished grade. The project property is 65,158 square feet or 1.49 acres, resulting in 24.8 dwelling units per gross acre density. The project is proposed to be accessed by two, gated entrances off of 900 East.

1.1.2 Requested Modifications from the Planning Commission

The proposal does include the Planning Commission consider modifications to the open space standards under the County's Recreational Facilities and Open Space Standards policy. The policy would require the project to have 50% open space, with a reduction of 2%, down to a minimum 42% open space, for each Recreational Facility over the minimum required. Based on the projects 74 bedrooms, a minimum of two facilities are required. The applicant's proposed 6 facilities, 4 more than the minimum, would result in an allowed 8% reduction down to 42% under the standards. As noted above, the project has a total of 37.5% open space.

As part of the proposal, the Commission will have to determine if the applicant's proposed parking plan for 81 spaces, is sufficient for the development. Ordinance requires 2 spaces per unit with guest parking to be established on a case by case basis based on what the commission feels is needed. The proposed 81 spaces provides 2 spaces per unit with 7 guest spaces. 35 of the total spaces are covered carports.

1.2 Hearing Body Action

This application is on the Commission's agenda for action.

1.3 Neighborhood Response

As of this writing staff has not received any correspondence from the surrounding residences or business owners. Staff did speak with the business owner to the south of the project while out visiting the site. The business owner indicated that while the proposed building were tall that since they were located on the north side of his property they should not impact his greenhouse/plant business.

1.4 Community Council Response

July 2, 2013 - Staff attended the Millcreek Community Council meeting where the subject proposal was discussed. There were no residents or property owners from the surrounding neighborhood present at the meeting even though a notice for the Planning Commission's July 10th meeting had been mailed out June 27th, several days prior to the Community Council's meeting. The notice includes information about the Community Council's meeting date, time, location and contact information. It also indicates that this application has been forward to the Community Council for their consideration.

After hearing from the applicant and staff regarding the proposal, the Commission voted to approve a motion that recommended to the Planning Commission that they consider the positive aspects of the proposal and take into consideration the potential impacts of the proposals height on the surrounding area. The Commission expressed positive comments regarding the project's overall design and well thought plan, but many of the commissioners felt that the buildings' height was out of character with the area. The indicated that, while buildings were compliant with the C-2 zone's maximum building height regulations, the buildings would be significantly taller than the surrounding development. They did acknowledge that the applicant had made efforts to address the impact of the height of the buildings with architectural materials and design and by orienting the buildings layout perpendicular to 900 East, reducing the visual impact on the street.

2.0 ANALYSIS

2.1 Applicable Ordinances

Section 19.84.060 of the Conditional Use Chapter of the Zoning Ordinance establishes five standards to be used in evaluating Conditional Use applications. The Planning Commission must find that all five of these standards have been met before granting approval of an application. Based on the foregoing analysis, Staff suggests the following:

Criteria Met		Conditional Use Criteria and Evaluation
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Standard `A': <i>The proposed site development plan shall comply with all applicable provisions of the Zoning Ordinance, such as parking, building setbacks, building height, etc.</i>
		With recommendations of staff, the proposed project will comply with all applicable zoning ordinances by completion of the Technical Review with staff.

YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `B`:</u> <i>The proposed use and site development plan shall comply with all other applicable laws and ordinances.</i>
		With staff recommendations the project will comply with all other applicable regulations by the time the project completes Technical Review with the staff.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `C`:</u> <i>The proposed use and site development plan shall not present a 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.</i>
		The County's transportation engineer has indicated that 900 East can accept the anticipated traffic from the proposed development. The project's gated entrances should be able to comply with applicable traffic safety standards for setback, staking and other requirements.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `D`:</u> <i>The proposed use and site development plan shall not pose a threat to the safety of persons who will work on, reside on, or visit the property nor pose a 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.</i>
		The project complies with these requirements or will do so upon completion of the Technical Review process with staff, or a final approval will not be issued.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `E`:</u> <i>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.</i>
		It is staff's opinion that the proposed development will have minimal impact on the surrounding community even though the proposed buildings will be the tallest structures in the immediate vicinity. The residential uses are set back from this property a considerable distance, and the adjacent commercial developments to the south and across the street will not be physically impacted. The development of this property would help to improve the currently unkempt property with a quality development that will be maintained over time. and it will provide another housing option for citizens of Millcreek Township consistent with the guidelines of the General Plan. Further, the applicant's use of architectural materials and design, and considered placement of the buildings on the property perpendicular to 900 East and further away from adjacent lower apartments to the north also help to reduce potential visual impact. The landscape plan can also be enhanced around the building with larger tree species and increased quantity to ultimately soften the buildings visual size. The underlying zoning allows buildings taller than these proposed structures. In addition the proposed buildings meet or exceed setback requirements.

2.2 Zoning Requirements

2.2.1 Zoning Analysis Table - Attached

In the attached table, the provisions of the zoning ordinance and applicable Development Standard policies for recreational facilities, Open Space and Multi-family development are identified and compared with the applicant's proposal. There are several items identified as "Does not Comply".

Setbacks - Correct During Technical Review

Most of these items have to do with setbacks which, can be remedied during Technical Review without significant modifications to overall proposal. There appears be enough room on the site to achieve the requirements. Staff is recommending that these setback issues be addressed during Technical Review.

Items Needing PC Approval

There are two items in the table and noted previously in the Summary Section of this report that have to do with Policy Document requirements that can be modified by the Commission, or ordinances that give the Commission flexibility in deciding the final requirements. These provisions have to do with Open Space (policy) and Guest Parking (ordinance). A brief description for these items are as follows.

Open Space

The Recreational Facilities and Open Space Standards for Multi-family and PUD Developments, indicate that all developments subject to the policy standards shall provide a minimum of 50% open space. It further indicates that the 50% can be reduced by 2% for each Recreational Facility provided over the minimum number required. The maximum reduction allowed for facilities is 4 facilities equating to 8%. The applicant has provided 6 facilities, 2 required and 4 in exchange for open space reduction. However, the actual open space provided after building and parking requirements are eliminated is 37.51 percent. 4.49% short of the minimum 42% indicated by the standard. Since this standard is a policy and not an ordinance, the Commission can modify this requirement if they deem it appropriate. Staff is supportive of the reduction. 2 of the 6 facilities are being located inside one of the buildings and all facilities meet or exceed the minimum size requirements. The quantity and quality of the facilities warrant the 4.49% (2,926 square foot) reduction in overall open space. Further the proposed open space can be more intensely landscaped, making the outdoor facilities even more functional and useful for the residents of the project.

Guest Parking

Parking for Multi-family developments is 2 spaces per unit, plus a number of guest spaces deemed necessary to meet the needs of the project by the Planning Commission. The only guide that has been provided is another 15+ year old policy document that specifies if all required parking spaces (the 2 spaces per unit) are covered and for private use, then 1/2 space per unit must be provided for guest parking. The applicant has proposed 81 spaces, 35 of which are enclosed in covered carports. Based on the number of units proposed, this would require 74 parking spaces at 2 spaces per unit. This leaves 7 parking spaces on-site that are over the 2 per unit requirement. 43% of the parking spaces are covered, meaning that 57% or 43 spaces are open parking spaces.

The 37 units are all 2 bedroom 2 bath units, which could result in many of the units having more than one car associated with them. However, it is unlikely that all of the units will have more than one car which means there should be sufficient parking on the site for guests with the unused spaces per unit and the 7 additional spaces provided. It may be appropriate for the applicant to clarify for the Commission how parking will be assigned within the development. Staff would suggest that while the carports could be assigned to specific units, the rest of the project not have assigned parking and that the number of cars associated with each unit be established with each lease. The total number of cars within the development be tracked so that the need for parking will not exceed what is provided.

2.2.2 Other Issues

Landscaping

The applicant's preliminary landscape plans will need to be updated to final plans. Confirmation of all requirements will occur during Technical Review. Staff is recommending that the landscaping along the

front of the project be increased and that the trees used inside the development, particularly near the building or between the building and the street and the building and the adjacent residents to the west or south, but large species to help soften the appearance of the buildings over time.

Lighting

The applicant will need to provide a lighting plan for the project that provides adequate light for resident safety at night, but that will comply with County lighting requirements and development standards. This will include identifying final locations of all exterior lighting, their designs, heights, fixture types etc. to make sure that lighting will not be an issue for adjacent residents and for traffic along 3900 South. This can be finalized during the Technical Review process and will require a full lighting plan with photometric analysis, cut sheets and other pertinent information to confirm compliance.

2.3 Other Agency Recommendations or Requirements

2.3.1 Building

1. Building Permits Required for each building separately and all other items such as signage, etc.
2. All Parcels to be consolidated prior to building permit process/
3. Buildings will need to comply with all applicable building and fire code requirements, including percentage of units to be ADA accessible;

2.3.2 Grading

Technical review required. The following information to be submitted for review and approval during the Technical Review with staff:

1. Geotechnical Engineering report prepared by a qualified Geotechnical Engineer
2. Site grading and drainage plans prepared by a qualified civil engineer
3. Storm water pollution prevention plan (SWPPP)
4. State of Utah General Construction permit (UTR 300000)(At permitting)
5. Pending Design a Maintenance agreement (at permitting)

2.3.3 Hydrology

Site plan approved. Applicant will need to submit a Detailed Grading and Drainage Plan in accordance with County Hydrology requirements for Technical Review.

2.3.4 Geology

Subject property is located in Moderate Liquefaction Area. A Geotechnical Report with soils and liquefaction analysis will be required to be submitted for review and approval during Technical Review. Buildings will have to be built in accordance with Geotechnical Engineer's recommendations.

A Natural Hazards Disclosure Statement indicating a Geotechnical Report has been done and is on file with Salt Lake County needs to be acquired from the Geologist, filled out and recorded against the property after the report has been completed and accepted by the County, during the Technical Review with staff.

2.3.5 Transportation Engineer

Technical Review is required. Site Plan is approved subject to the following requirements being addressed during Technical Review:

1. Roadway dedication for a 40-foot half-width on 900 East is required. All roadway improvements must be installed at 40-foot alignment. Because of existing conditions, moving the power pole will not be

required. Hazard marking for power pole must be provided.

2. Gates must be set back a minimum of 20' from the back of new sidewalk. Gate controls must be accessible to driver of guest vehicle without crossing into oncoming parking lot traffic. One way entrance at north driveway will allow guest intercom or control box on driver side without installation of an island.

3. Provide plan and profile drawings for roadway improvements.

2.3.6 Public Improvements Review

Site Plan is approved, the following requirements will need to be addressed during Technical Review with staff:

1. All off-site improvements will be required to be bonded for.

2. If any dedication is required along 900 E e-mail the description for the dedication to djeffreys@slco.org for further processing of appropriate documents.

3. Require engineering drawings signed by a licensed engineer for improvements so that an appropriate bond can be put together.

4. After Hydrology, Traffic and Grading have given approval, 4 copies of final civil engineering drawings for all improvements that is signed by a licensed engineer will be required

5. Lot consolidation required

FYI

1. Lot consolidation is completed. Recorded under Book 10148 pages 5431-5439

2. Dedication Completed 10152 pages 2551-2552

2.3.7 Salt Lake County Unified Fire Authority

Technical Review required. All plans to comply with UFA Requirements during Technical Review Process. Access, gates and circulations will need confirmation. Applicant has met with fire and current plans are still in review but should be in compliance with emergency access requirements. Fire Department Lock box will be required on the gates.

2.3.8 Salt Lake Valley Health and Water & Sewer Providers

Water and sewer availability letters have been provided to the Salt Lake Valley Health Department. Applicant will need to comply with water and sewer providers' requirements during the construction process.

3.0 STAFF RECOMMENDATION

3.1 Staff recommends APPROVAL of the proposed Conditional Use with the following conditions:

- 1) The Planning Commission approved the open space plans as proposed and outlined in this report with final technical review to be completed with staff regarding final details.
- 2) The applicant approve the proposed parking plan as outlined in this report with 81 total parking spaces, 35 spaces in covered parking as shown and the applicant provide an proposal for tracking and managing parking on-site to avoid non-authorized parking or to many cars per unit.
- 3)The applicant complete technical review with staff complying with all of the issued noted in this report and any other requirements deemed necessary by staff or outside agencies to ensure compliance with all applicable regulations.

- 4) The applicant increase the quantity of trees and shrubs along the front landscaping and landscaping with adjacent residential properties, including using larger species of trees to help reduce the visual impact of the project over time.
- 5) The buildings retain their current orientation as proposed to reduce the mass of the buildings along 900 East.

3.2 Reasons for Recommendation

- 1) The proposal with recommended conditions from staff will comply with all applicable zoning regulations
- 2) The proposal with recommended conditions from staff will comply with the Conditional Use Criteria.
- 3) The proposal is consistent with the purposes of the Millcreek Township General Plan regarding housing, by providing an alternative housing development that provides for residents and citizens at different life stages.

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ZONING ANALYSIS TABLE

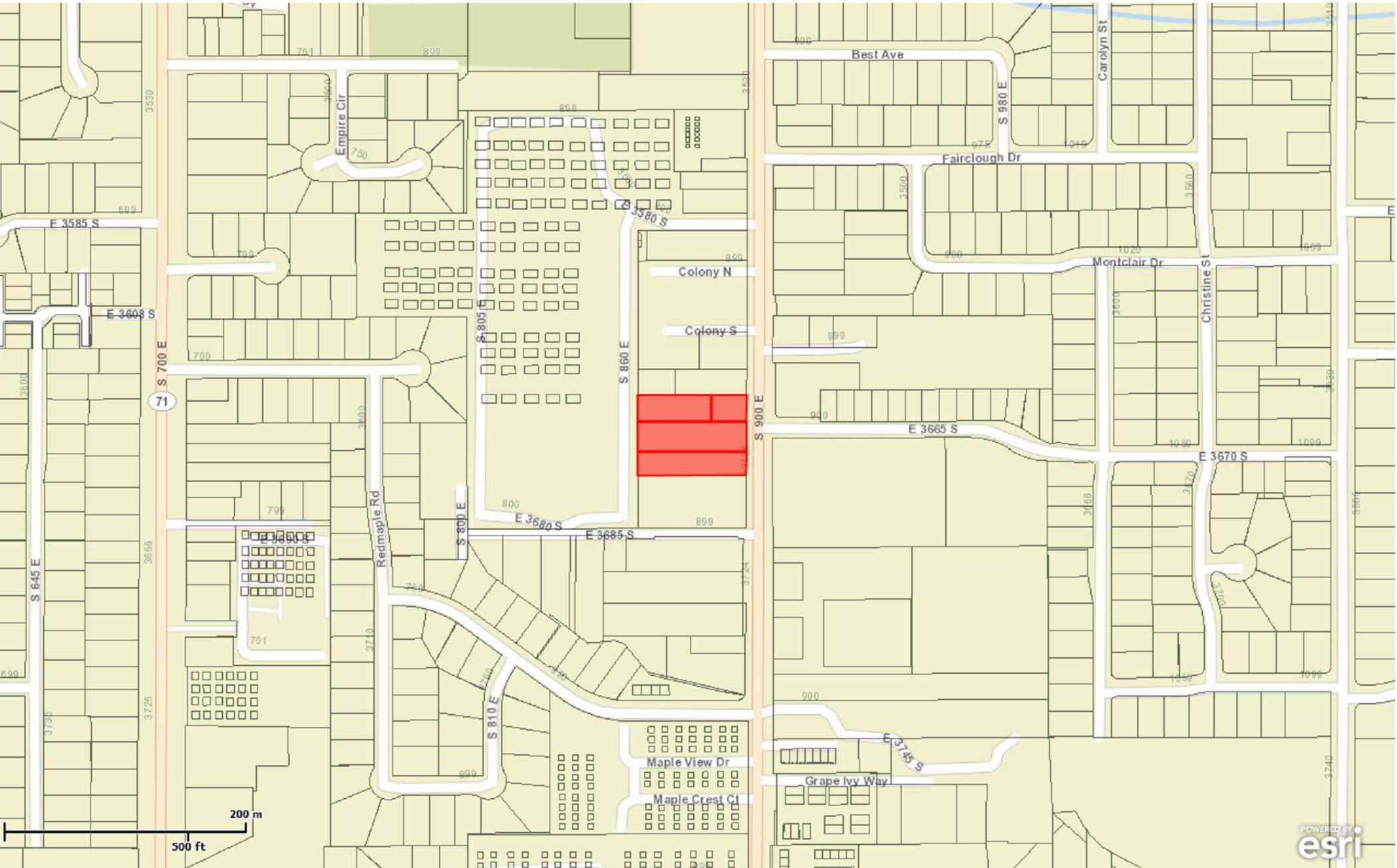
	Required/Standard	Proposed	Status (Complies or Doesn't Comply)
Density	25 Dwelling Units/Acre	24.8 Dwelling Units/Acre	Complies
Number of Units	37 on 1.49 acres	37 units	Complies
Number of Bedrooms	N/A	74 bedrooms All apartments or 2 bedroom units	N/A
Lot Area	34,250 sq. ft. min. (0.78 acres) 5,000 sq. ft. structure 1 3,3000 sq. ft. structure 2 26,250 sq. ft. ((37 units - 2) x 750 per unit)	65, 158 sq. ft. (1.49 acres)	Complies
Maximum Building Height (Per RCOZ)	6 stories/75 feet	5 stories/mixed parapet 53-57 feet, 55 feet average	Complies (However, see South Side Setback)
BUILDING SETBACKS			
Front (East)	25 feet	18 feet	<u>Doesn't Comply</u> Due to Dedication Room to Move front building back
Side (North)	19 feet = 8' + 11' [(8' Base + (57'-35')/2'=11')] 8 feet/Total 18 feet Buildings over 35 feet require 1-foot additional setback for each 2 feet over 35 feet	137 feet	Complies
Side (South)		12 feet	<u>Doesn't Comply</u> Needs 7 more feet Can move building, and/or reduce building height
Rear (West)	30 feet	30 feet	Complies
Between Structures	16 feet based on Development Standards	48 feet	Complies
LANDSCAPE SETBACKS			
Front (East) to Building	20-25 feet Base 20 feet w/Landscape Enhancement under 19.77	18 feet	<u>Doesn't Comply</u> Due to Dedication Room to Move Building Back
Front (East) to Parking	25 feet Base 15 to 8 feet w/Landscape Enhancement under 19.77	24 feet	<u>Doesn't Comply</u> Needs 1 more foot or meet 19.77 enhanced landscape requirements for less than 25 feet
Side (North)	5 feet	4.5 feet	<u>Doesn't Comply</u> Will need to increase 6 inches

ZONING ANALYSIS TABLE

	Required/Standard	Proposed	Status (Complies or Doesn't Comply)
Side (South)	19 feet Needs to meet ultimate minimum building side setback	12 feet	<u>Doesn't Comply</u> Meet ultimate setback or apply for PUD Approval
Rear (West)	30 feet	30 feet	Complies
OPEN SPACE AND RECREATIONAL FACILITY STANDARDS (Policy)			
Recreational Facilities			
Quantity	2 Facilities Minimum (based on 74 bedrooms)	6 Facilities 2 Required 4 for OS Reduction	Complies
1	Playground 1,000 sq. ft.	Playground 1,000 sq. ft.	Complies
2	Picnic Area 1,000 sq. ft.	Picnic Area 1,000 sq. ft.	Complies
3	Walking Trail 1,000 sq. ft.	Walking Trail 1,000 sq. ft.	Complies
4	Sports Court 1,600 sq. ft.	Sports Court 1,600 sq. ft.	Complies
5	Community Center 1,200 sq. ft.	Club House/Common Room 1,285 sq. ft.	Complies
6	Community Center 1,200 sq. ft.	Workout Room 1285 sq. ft.	Complies
Open Space			
Percent of Site	42% of Site 50%-8% (4 facilities x 2%)	37.51% Site	<u>Doesn't Comply</u> Needs 4.49% or PC Approval
Square Feet/Acres	27,365 sq. ft. / 0.63 acres	24,443 sq. ft./37.51%	<u>Doesn't Comply</u> Needs 2,926 sq. ft. or PC Approval
Recreational Facility Reductions	8% (or 4 facilities) Max. 8%=50% base-42% min. 4 Facilities=2% per Facility provided over Minimum.	8% Reduction Credit or 4 facilities over 2 required	Complies Maximum Total Proposed. Total Actual Open Space is Less than 42% Needs PC Approval
PARKING			
Total	74+Guest per PC Approval	81 Spaces Total FYI - 35 of 81 in Carports	<u>Guest Parking to be Approved by PC</u>
Minimum Per Unit	2 spaces per unit (2 spaces x 37 units) 74 spaces	2 spaces per unit (2 spaces x 37 units) 74 spaces	Complies
Minimum Guest	Guest Parking approved by PC FYI – Dev. Standards for MF&PUDs requires ½ space per unit, if all required parking is in a carport or garage)	7 Guest Parking	<u>Guest Parking to be Approved by PC</u>

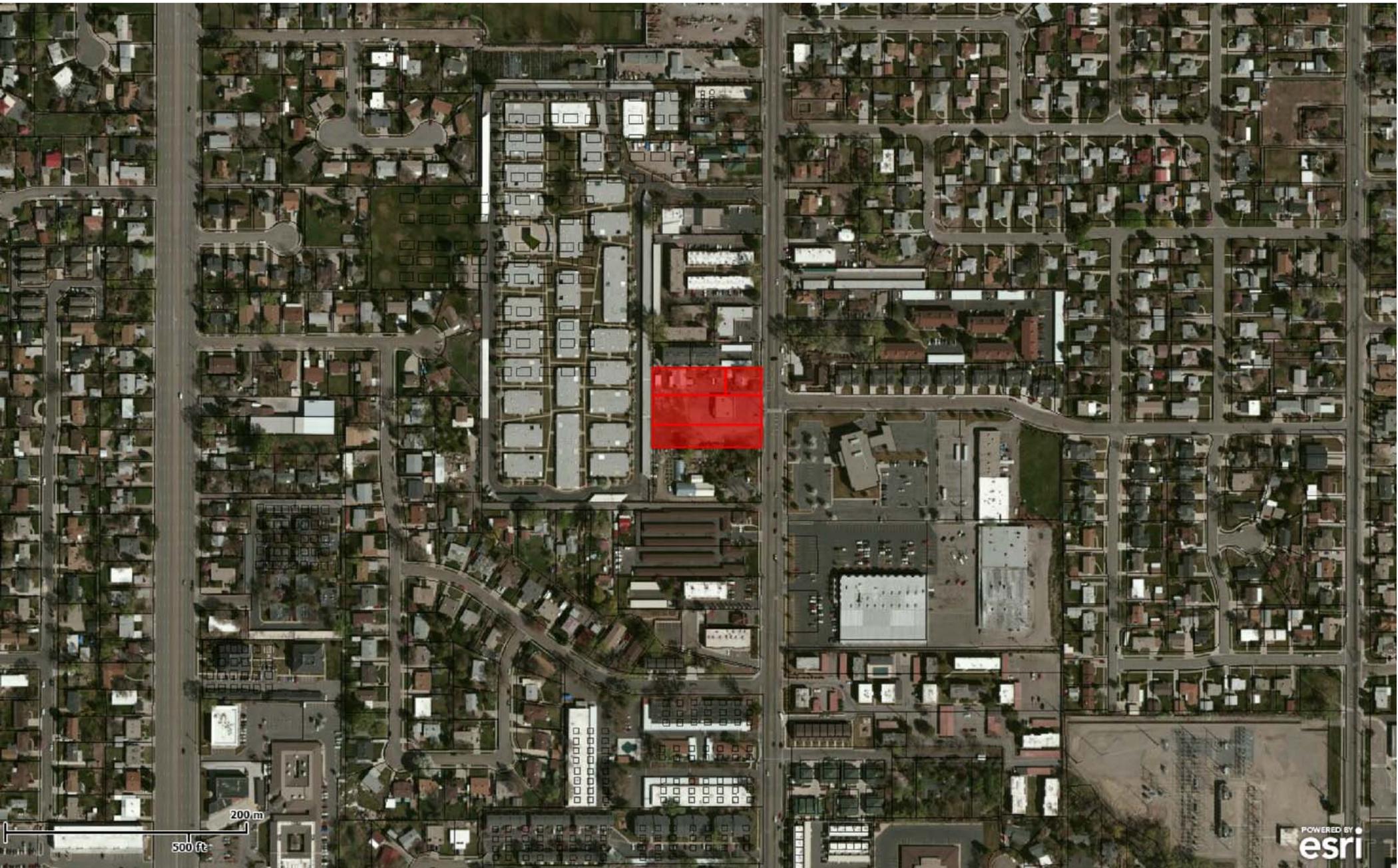
28372 Conditional Use/Site Plan - Zoning Map

Apartments 36+ Units - Tsagaris



28372 Conditional Use/Site Plan -Aerial

Apartments 36+ Units - Tsagaris



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28372 Conditional Use/Site Plan -Aerial

Apartments 36+ Units - Tsagaris

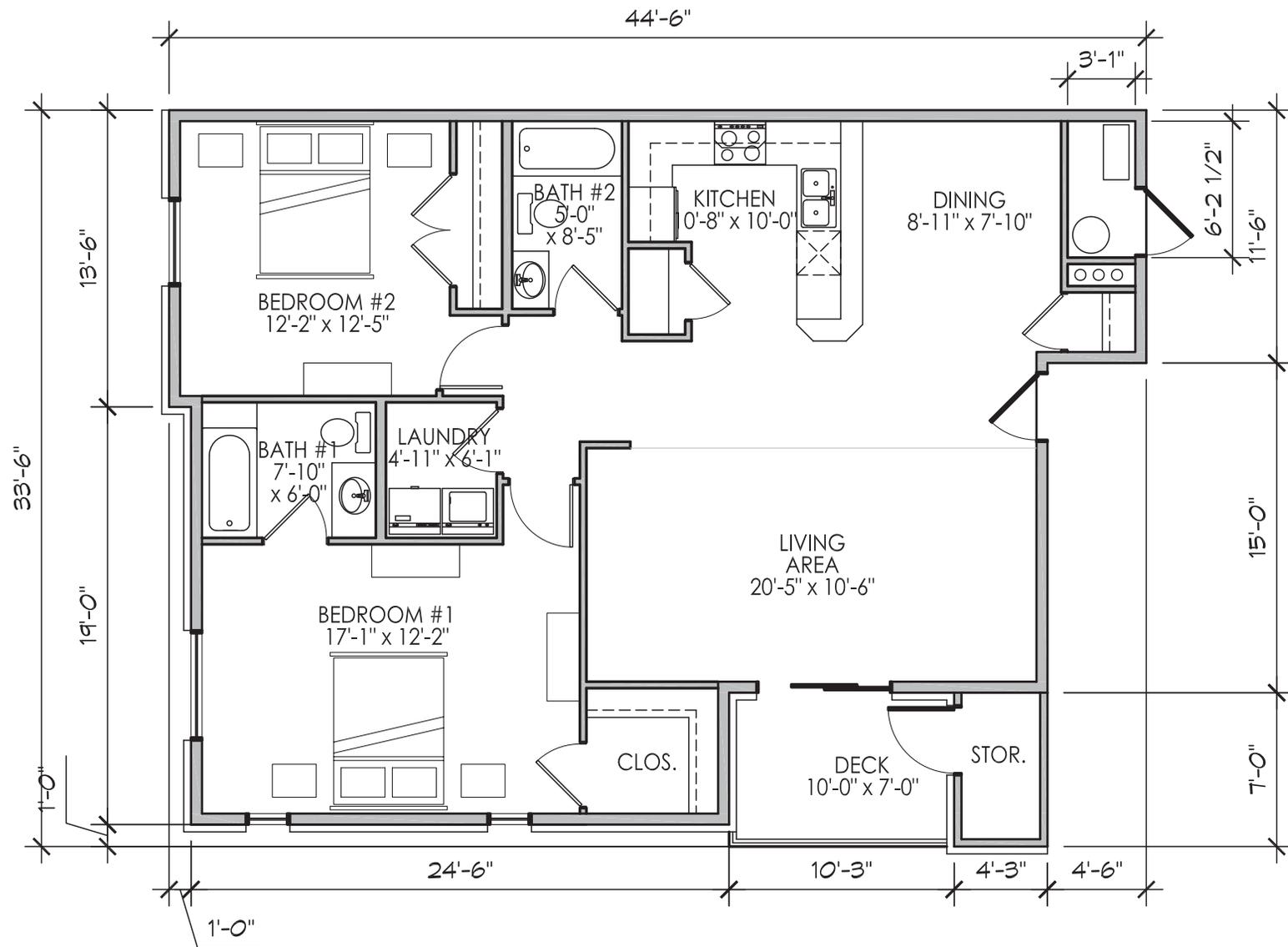


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A ARCHITECTURAL SITE PLAN
 SCALE: 1" = 20'-0"





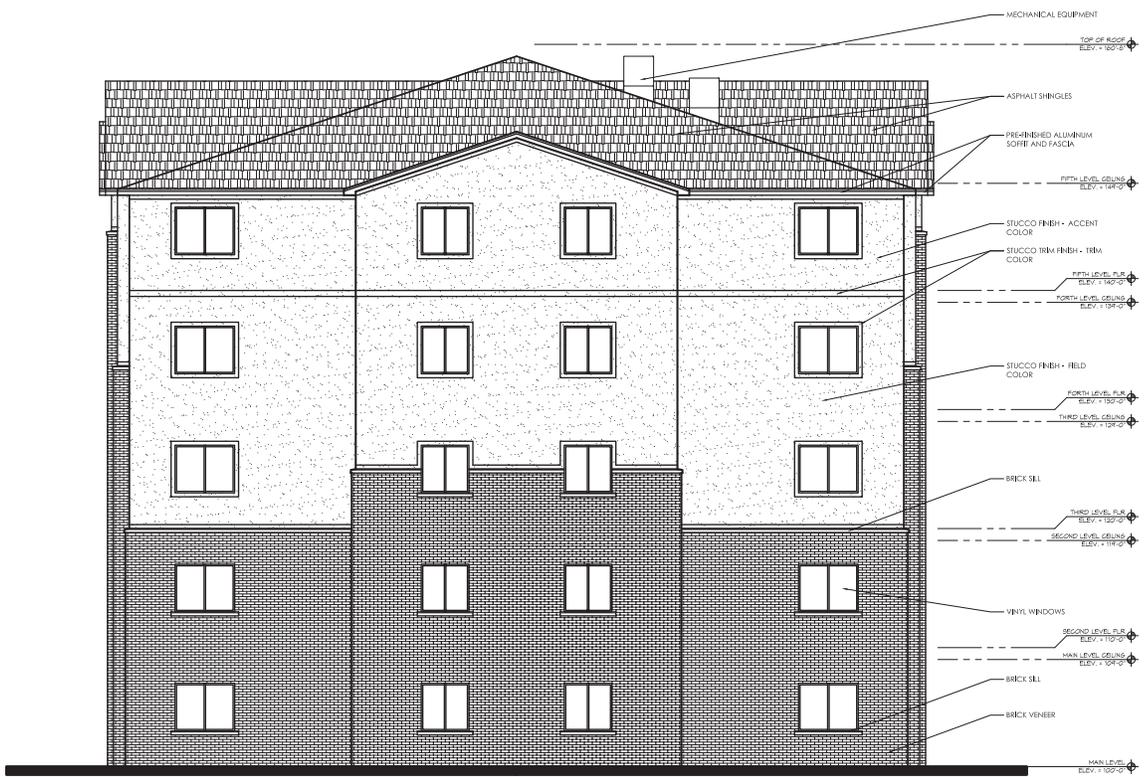
A ENLARGED UNIT FLOOR PLAN

SCALE: 1/4" = 1'-0"

1,282 S.F.



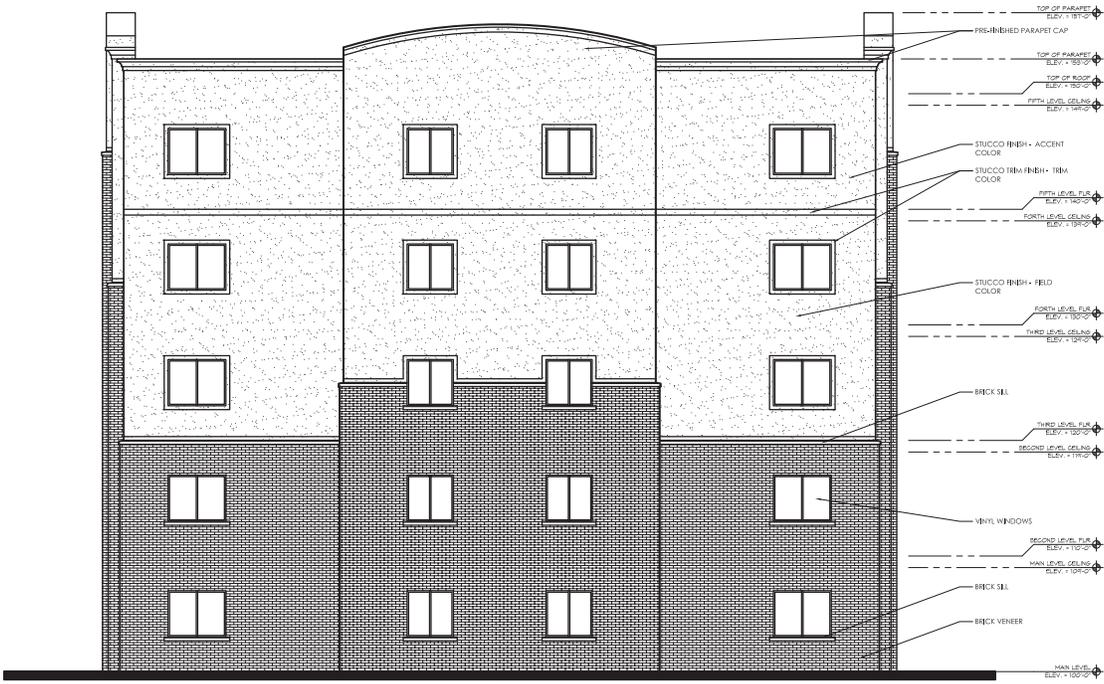
A FRONT ELEVATION
SCALE: 1/8" = 1'-0"



B RIGHT SIDE ELEVATION
SCALE: 1/8" = 1'-0"



A FRONT ELEVATION
SCALE: 1/8" = 1'-0"

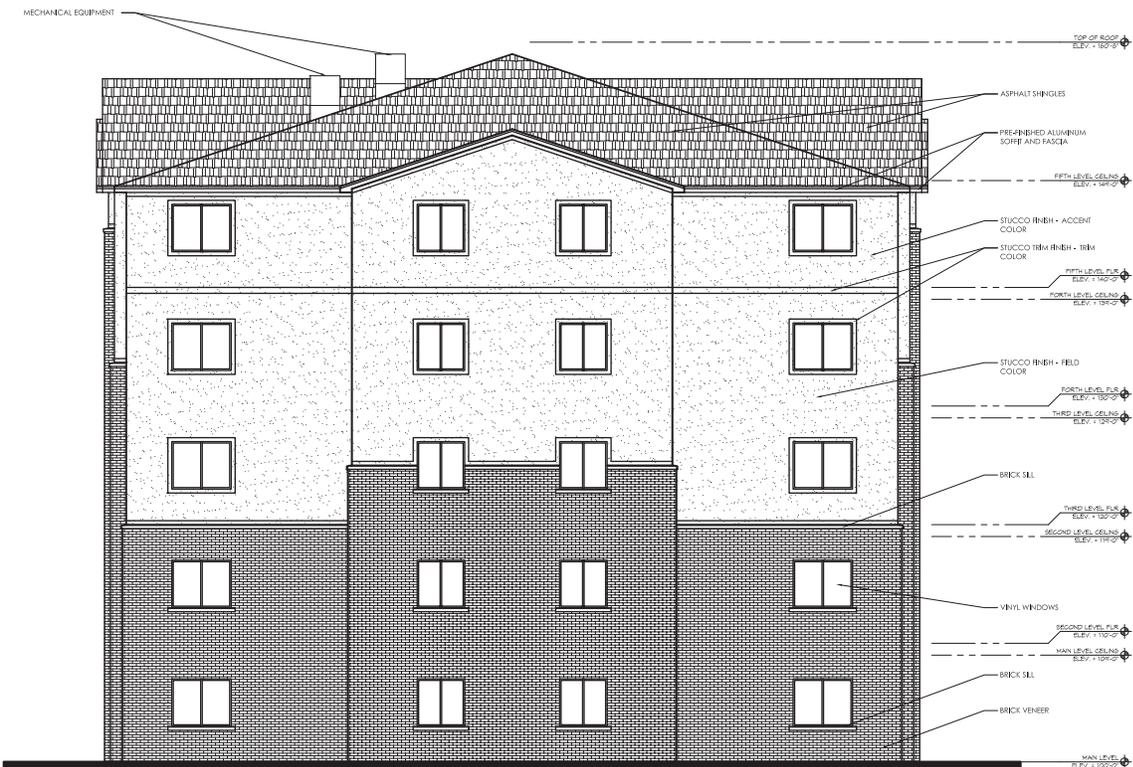


B RIGHT SIDE ELEVATION
SCALE: 1/8" = 1'-0"



A REAR ELEVATION

SCALE: 1/8" = 1'-0"



B LEFT SIDE ELEVATION

SCALE: 1/8" = 1'-0"



A REAR ELEVATION
SCALE: 1/8" = 1'-0"



B LEFT SIDE ELEVATION
SCALE: 1/8" = 1'-0"

MULTI-FAMILY HOUSING

3664 South 900 East - Salt Lake City, UT 84106



Southwest Elevation

MULTI-FAMILY HOUSING

3664 South 900 East - Salt Lake City, UT 84106



Northwest Elevation

MULTI-FAMILY HOUSING

3664 South 900 East - Salt Lake City, UT 84106



Southeast Elevation

MULTI-FAMILY HOUSING

3664 South 900 East - Salt Lake City, UT 84106



Northeast Elevation



MULTI-FAMILY HOUSING

3664 South 900 East
Salt Lake City, UT 84106



MULTI-FAMILY HOUSING

3664 South 900 East
Salt Lake City, UT 84106

TRAIL PATH
WALK PATHWAY













