



## Millcreek Township Planning Commission

### Public Meeting Agenda

**August 14, 2013 4:00 P.M.**

**THE MEETING WILL BE HELD AT SALT LAKE COUNTY GOVERNMENT CENTER  
2001 SOUTH STATE STREET, NORTH BUILDING, MAIN FLOOR, COUNCIL CHAMBERS,  
ROOM N1100**

**ANY QUESTIONS, CALL (385) 468-6700**

*REASONABLE ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES WILL BE PROVIDED UPON REQUEST. FOR ASSISTANCE, PLEASE CALL 468-2120 OR 468-2351: TDD 468-3600.*

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

### PUBLIC HEARINGS

#### Subdivisions

**28519** Brent Goodrich is seeking approval of a preliminary plat for the proposed "Buddy Subdivision" located at 2393 E Neffs Lane. The subdivision is on a 0.50 acre site and contains 2 lots proposed for single family dwellings. **Zone:** R-1-8 (Residential, Single Family, 8,000 square feet minimum lot size). **Community Council:** East Millcreek  
**Planner:** Spencer Hymas

*The Business Meeting will begin immediately following the Public Hearings.*

### BUSINESS MEETING

#### Business Items

- 1) Adoption of minutes from the April 10, 2013; May 15, 2013; June 12, 2013; and July 10, 2013 meetings.
- 2) Attached copy of the Draft Bicycle Best Practice to be discussed at the September 11, 2013 Planning Commission Meeting.

#### Work Session

- 3) **Curb, Gutter, and Sidewalk Project** – Potential General Plan & Ordinance Amendments – An approximate 15 minute presentation and discussion regarding the draft public outreach presentation/survey – **Planners:** Spencer G. Sanders
- 4) **Other Business Items (as needed)**

### ADJOURN

## **Rules of Conduct for the Planning Commission Meeting**

- First: Applications will be introduced by a Staff Member.
- Second: The applicant will be allowed up to 15 minutes to make their presentation.
- Third: The Community Council representative can present their comments.
- Fourth: Persons in favor of, or not opposed to, the application will be invited to speak.
- Fifth: Persons opposed to the application will be invited to speak.
- Sixth: The applicant will be allowed 5 minutes to provide concluding statements.

- Speakers will be called to the podium by the Chairman.
- Because the meeting minutes are recorded it is important for each speaker to state their name and address prior to making any comments.
- All comments should be directed to the Planning Commissioners, not to the Staff or to members of the audience.
- For items where there are several people wishing to speak, the Chairman may impose a time limit, usually 2 minutes per person, or 5 minutes for a group spokesperson.
- After the hearing is closed, the discussion will be limited to the Planning Commission and the Staff.



**STAFF REPORT**

Executive Summary									
<b>Hearing Body:</b>	Millcreek Township Planning Commission								
<b>Meeting Date and Time:</b>	Wednesday, August 14, 2013	04:30 PM	<b>File No:</b>	2	8	5	1	9	
<b>Applicant Name:</b>	Brent Goodrich	<b>Request:</b>	Subdivision						
<b>Description:</b>	2 Lot Subdivision								
<b>Location:</b>	2393 E Neffs Lane								
<b>Zone:</b>	R-1-8 Residential Single-Family	<b>Any Zoning Conditions?</b>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>					
<b>Staff Recommendation:</b>	Approval with Conditions								
<b>Planner:</b>	Spencer Hymas								

**1.0 BACKGROUND**

**1.1 Summary**

Brent Goodrich is seeking approval of a preliminary plat for the proposed "Buddy Subdivision" located at 2393 E Neffs Lane. The subdivision is on a 0.50 acre site and contains 2 lots proposed for single family dwellings. The property is zoned R-1-8.

**1.2 Neighborhood Response**

No neighborhood response has been received at the time of this report.

**2.0 ANALYSIS**

**2.1 Applicable Ordinances**

R-1-8 Zone

Required Proposed

*Lot Area*

Required - 8,000 sq. ft.

Proposed - 10,000+ sq. ft.

*Lot Width*

Required - 65 ft. at 25-foot setback

Proposed - 69 feet at 25-foot setback

*Setbacks*

Front

Required - 25 feet

Proposed - 30 feet

Side (based on RCOZ Option A requirements)

Required - 8 min. RCOZ ordinance applies.

Proposed - 9 & 8 feet (17 Total)

Rear

Proposed - 15 feet w/Garage 30 feet w/o

Required - 15 feet w/Garage 30 feet w/o

## **Parking**

The County's parking ordinance requires that 2 parking spaces be provided for each dwelling unit. The applicant will need to provide a plans showing where the required two parking spaces will be provided.

## **2.2 Subdivision Requirements**

### **Preliminary and Final Plat**

The project will need to satisfy the technical requirements of the Preliminary Plat Process before a Final Preliminary Plat can be issued. At this time, there do not appear to be any major issues raised by the other reviewers and outside agencies that would significantly affect the layout of the proposed subdivision. There is an issues pertaining to side yard setback under the Flag Lot Policy. Please refer to the Flag Lot Policy section below.

## **2.3 Other Agency Recommendations or Requirements**

### **Building**

1. Proposed property line crosses through the existing detached garage. Will need to either remove the garage under a demolition permit or construct a 1 hour fire wall through the building at the new property line. Either option requires a building permit.
2. Proposed property line runs closer than 5' to the existing home. Will need to create 1 hour fire rating at those building elements that are closer than 5'. This will need to be done under the building permit process.

### **Grading**

3. No sufficient grading issues are anticipated to subdivide the lots.
4. At the time of the Building permit applications a site grading and Drainage plan shall be submitted for review and comment on each lot.

### **Traffic**

5. Flared drive approach (SLCO std plan 125) required (rather than open drive approach shown on plan).

### **Hydrology**

6. Irrigation on site must be piped or fenced
7. Site plan approved tech req.
8. Basin #050 Evergreen \$4,307 per acre

TECHNICAL PLANS ARE REQUIRED.

### **Planning**

9. The setback information needs to be more clear and show RCOZ requirements. The rear yard setback should say, "30 feet or 15 feet if house has attached garage." Please have this reflected in the setbacks shown on the plans as well.

## **2.4 Other Issues**

Existing Home - The existing home & structures will need to be removed prior to the Final Plat recording. The applicant will need to provide proof that the home has been removed under demolition permit before the Final Plat can be recorded.

Bonding - Bonding for any required public improvements will need to be posted prior to Final Plat recording.

Easements:

Existing Easements will need to be identified, if any and their disposition indicated on the plat. e.g.

relocation, abandoned or remain.

New Easements may be required by the utility companies as part of their review of the plat. These will need to be identified on the Preliminary and Final Plats.

All Easements will be worked out by the applicant with the Utility Companies. A signed paper version of the Final Plat will be obtained from the utility companies, indicating their approval of the plat, prior to County Planning and Development services Final Plat approval.

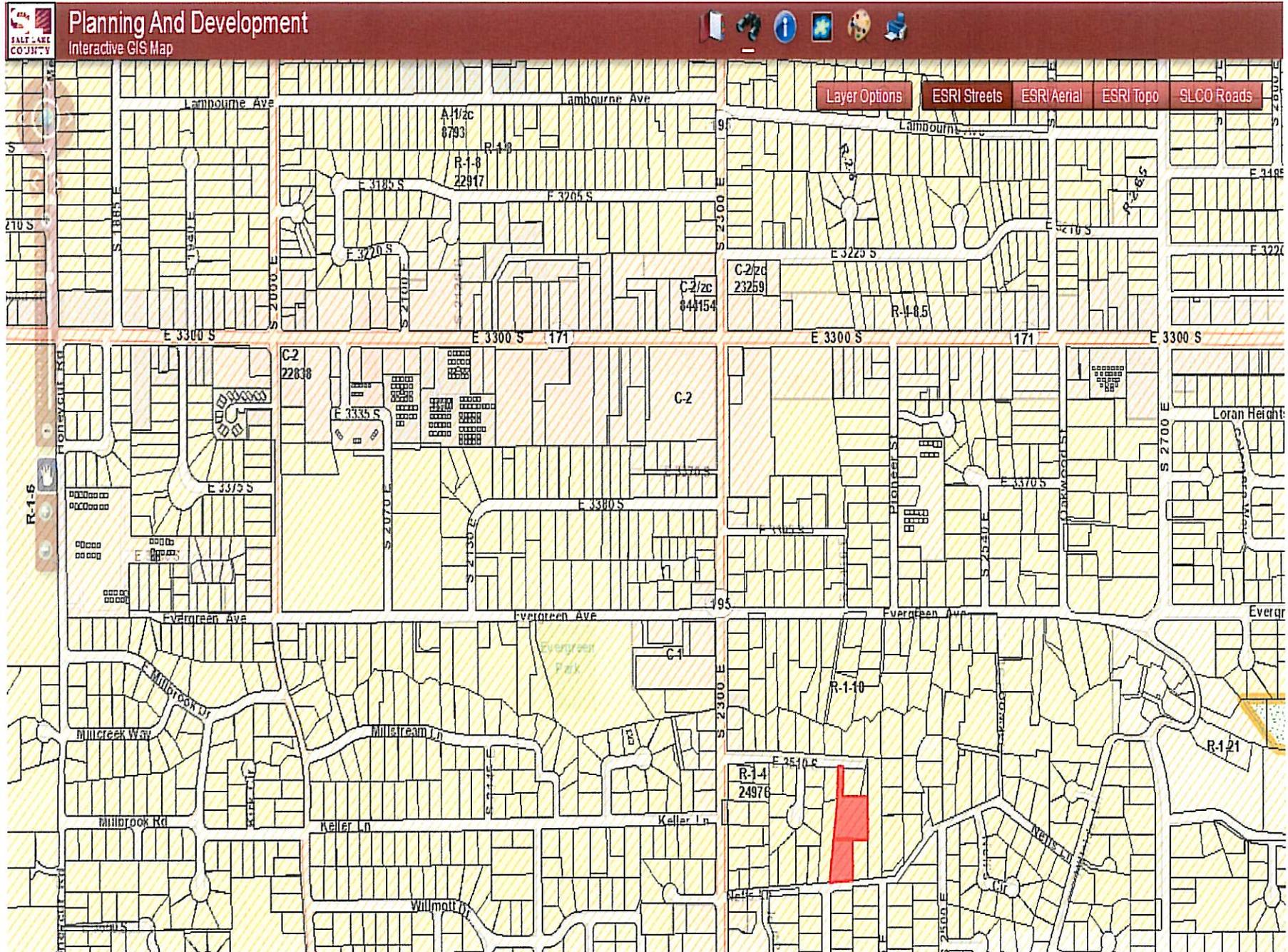
### **3.0 STAFF RECOMMENDATION**

#### **3.1 Staff recommends APPROVAL of the proposed Subdivision with the following conditions:**

- 1 ) The applicant shall complete preliminary and final plat with staff.
- 2 )The existing home and any existing accessory structures shall be removed from the site prior to Final Plat recording.

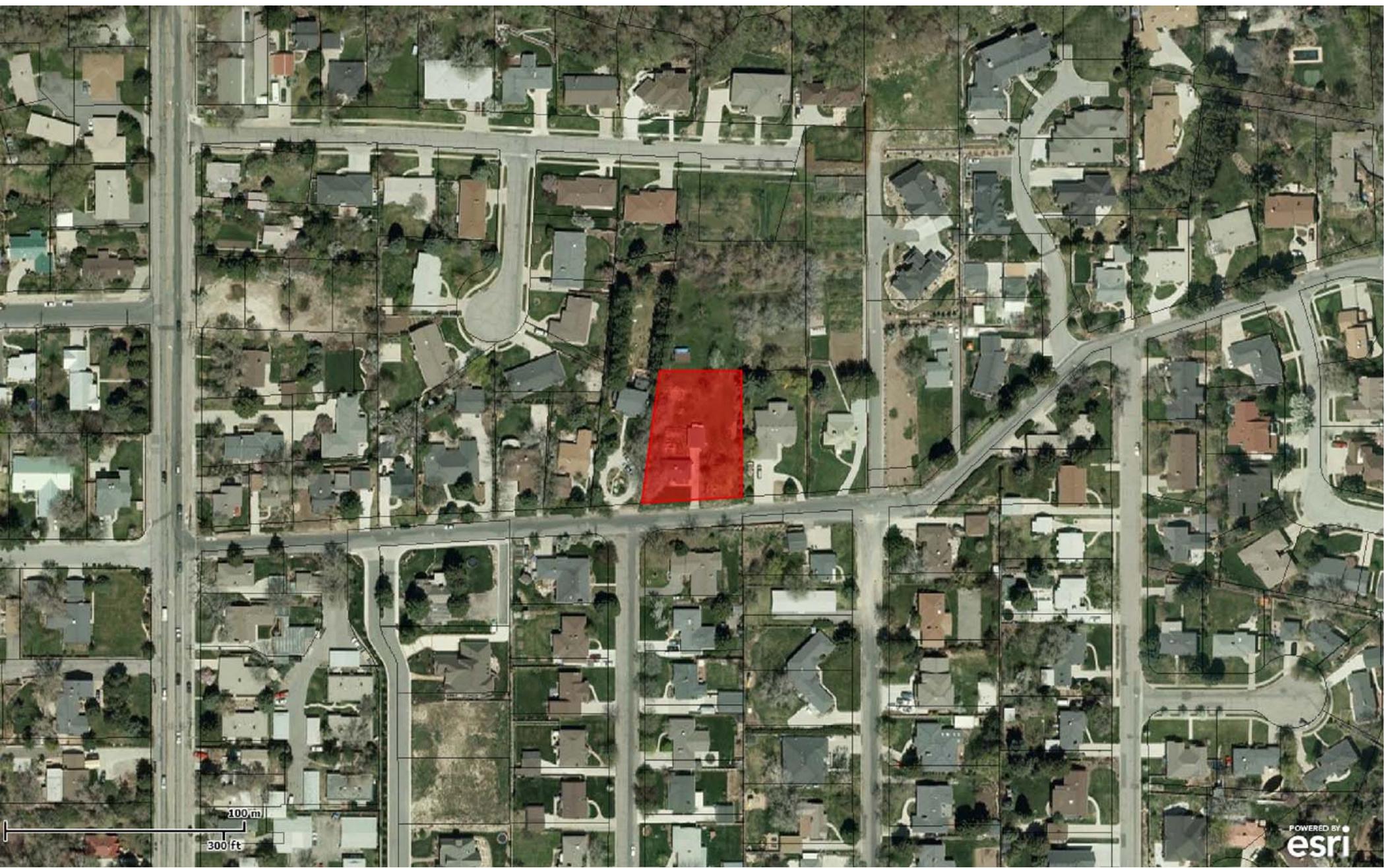
#### **3.2 Reasons for Recommendation**

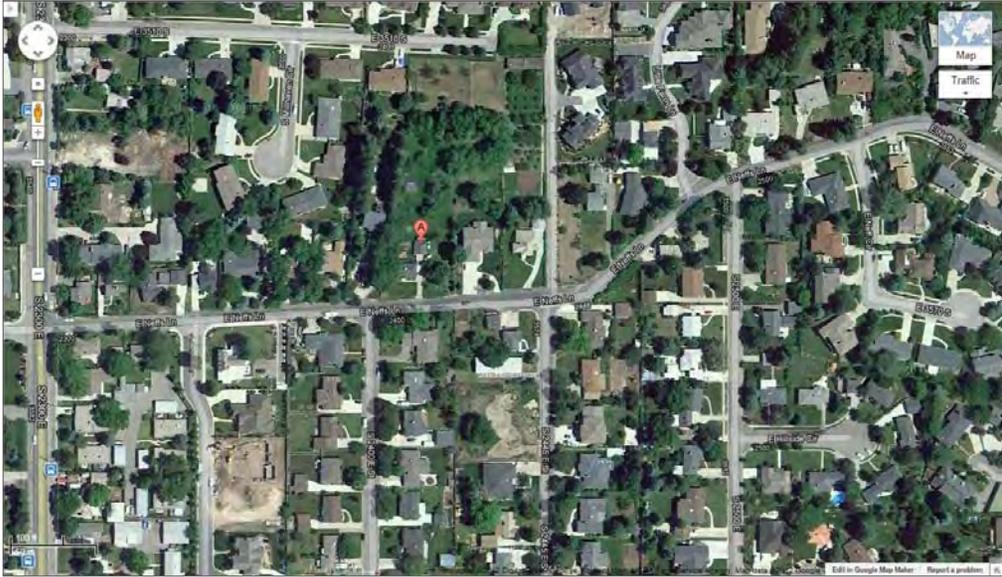
- 1 ) The project will comply with subdivision and zoning requirements once all applicable ordinances and agency recommendations have been adhered to.



# 27902 Rezone R-1-10 to R-1-8 Aerial

2392 E Neff's Ln. - Goodrich



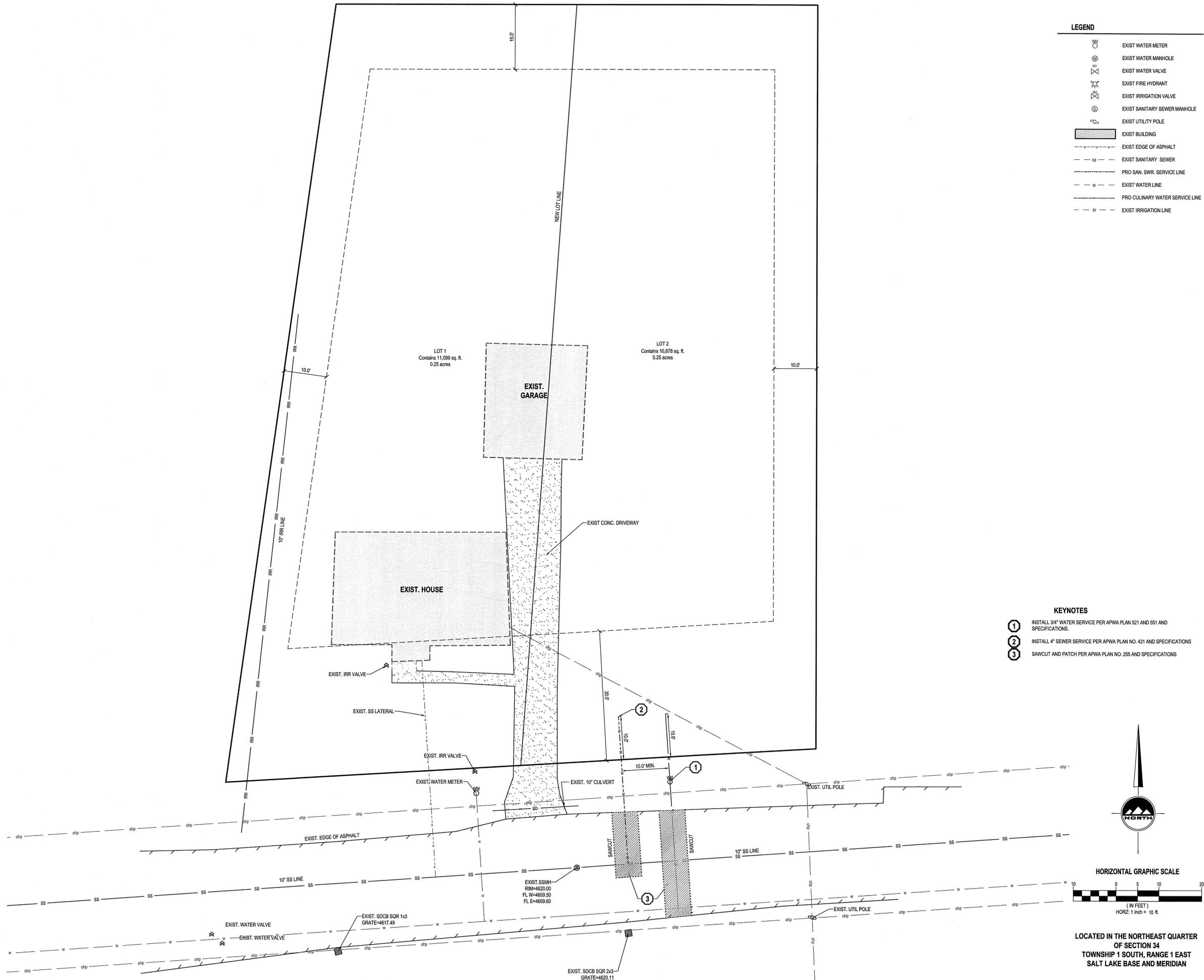








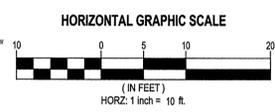
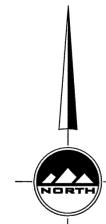
**BENCHMARK**  
 CENTER SECTION 34,  
 TOWNSHIP 1 SOUTH, RANGE 1 EAST  
 SALT LAKE BASE & MERIDIAN  
 SALT LAKE COUNTY, UTAH  
 ELEVATION = 4595.42'



**LEGEND**

	EXIST WATER METER
	EXIST WATER MANHOLE
	EXIST WATER VALVE
	EXIST FIRE HYDRANT
	EXIST IRRIGATION VALVE
	EXIST SANITARY SEWER MANHOLE
	EXIST UTILITY POLE
	EXIST BUILDING
	EXIST EDGE OF ASPHALT
	EXIST SANITARY SEWER
	PRO SAN. SWR. SERVICE LINE
	EXIST WATER LINE
	PRO CULINARY WATER SERVICE LINE
	EXIST IRRIGATION LINE

- KEYNOTES**
- 1 INSTALL 3/4" WATER SERVICE PER APWA PLAN 521 AND 551 AND SPECIFICATIONS.
  - 2 INSTALL 4" SEWER SERVICE PER APWA PLAN NO. 431 AND SPECIFICATIONS
  - 3 SAWCUT AND PATCH PER APWA PLAN NO. 255 AND SPECIFICATIONS



LOCATED IN THE NORTHEAST QUARTER  
 OF SECTION 34  
 TOWNSHIP 1 SOUTH, RANGE 1 EAST  
 SALT LAKE BASE AND MERIDIAN



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FOR:  
 BRENT GOODRICH  
 2327 EAST NEFFS LANE  
 SALT LAKE CITY, UT 84109

CONTACT:  
 BRENT GOODRICH  
 PHONE: 801-949-3773  
 FAX:

**BUDDY SUBDIVISION PHASE 1 AMENDED**

**2327 EAST NEFFS LANE  
 SALT LAKE CITY, UTAH**



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

**UTILITY PLAN**

PROJECT NUMBER: 5567  
 PRINT DATE: 1/22/13  
 DRAWN BY: R. Ford  
 CHECKED BY: J. Ford  
 PROJECT MANAGER: P. Harris

**C-1.0**



**MEETING MINUTE SUMMARY**  
**MILLCREEK TOWNSHIP PLANNING COMMISSION MEETING**  
 Salt Lake County Government Center, N1100

Wednesday, April 10, 2013 4:00 p.m.

**Approximate meeting length:** 2 hours 40 minutes

**Number of public in attendance:** 15

**Summary Prepared by:** Jocelyn Walsh-Magoni

**Meeting Conducted by:** Commissioner John Janson (Chair)

**ATTENDANCE**

**Commissioners and Staff:**

Commissioner Name	Present		Absent
	Public	Business	
John Janson – Chair	x	x	
Leslie Van Frank	x	x	
Garrett Catten	x	x	
Leslie Riddle - Vice Chair			x
Tom Stephens			x
Geralyn Parker-Perkins			x
Cole Shutjer (Alternate)	x	x	
Brandon Pace (Alternate)			x

Planning Staff:	Public Hearing	Business Meeting	Additional Attendees	Public Hearing	Business Meeting
Spencer Sanders	x	x	Chris Preston (DA)	x	x
Jocelyn Walsh-Magoni	x	x			
Max Johnson	x	x			

**PUBLIC MEETING**

**Began at 4:05 p.m.**

**Zone Changes**

**27973** – Larry and Tara Lemmon are requesting approval of a Zone Change from the R-2-6.5 zone (Residential Two-Family, 6,500 sq. ft. min. lot size) to the RM zone (Residential Multi-Family and Office). This request is being made in order for the applicant to develop the property as a multi-family project. **Location:** 1451 E. 3900 S. & 3873 S. Lemmon Ln. (1445 E.) **Community Council:** Millcreek **Planner:** Spencer G. Sanders

**Presentation by:** Spencer Sanders. A conceptual plan was presented, but has not been approved in accordance with regulations; it is meant as a visual of what could potentially be developed. **Recommendations:** See Staff Report

*There was a discussion between planning staff and the commission clarifying some questions about the site plan.*

**Speaker # 1:** Applicant

**Name:** Tara Lemmon

**Address:** 1451 E 3400 S

**Comments:** She would like to improve the area; the rear home is condemned and the front home is currently for sale but is in bad condition. She will proceed with developing the property as multifamily if they do not get a buyer for the front home.

*There were no representatives from the Millcreek Community Council present. Per Spencer Sanders who was present at the Community Council's last meeting, the council voted in favor of the application.*

**Speaker # 2:** Citizen

**Name:** Neil Lemmon

**Address:** 3857 S Lemmon Lane

**Comments:** Against the rezoning because he is concerned with how the property will be developed and whether it will be a large structure. His family has lived adjacent to the applicant's property since the 1940's, and he prefers to keep the property in the family or see it developed as a single family home.

**Speaker # 3:** Citizen

**Name:** Vicki Rowland

**Address:** 6232 Longview Dr., Murray

**Comments:** She had a question about exactly what the rezoning would include. She requested to see how the property is divided and what land is owned by the applicant.

**Speaker # 4:** Citizen

**Name:** Richard Zakotnic

**Address:** 3809 Loretta Drive, Salt Lake City

**Comments:** He is opposed to the request. His property line abuts the applicant's property. He believes there may be issues with additional people exiting the property if it is developed as multi-family or business.

**Speaker # 5:** Applicant

**Name:** Tara Lemmon

**Address:** 1451 E 3400 S

**Comments:** Her desire was to keep the property in the Lemmon family and she has tried to sell it to family members, to no avail. She has two mortgages on the property and would like to move forward with development. She would like to get the property rezoned so it can be marketed appropriately.

**PUBLIC PORTION OF APPLICATION CLOSED**

*There was a discussion between planning staff and the commission.*

**Motion:** To recommend approval to County Council that they approve the RM zone on the majority of the lot and consider whether they can separate the "stem" part of the parcel from the zoning. If not, approval is recommended for the entire parcel.

**Motion by:** Commissioner Van Frank

**2<sup>nd</sup> by:** Commissioner Schutjer

**Vote:** Unanimous (of commissioners present)

**28328** – Colin Strasser is requesting approval of a Zone Change from the R-1-8 Zone (Residential Single-Family 8,000 sq. ft. min. lot size) to the R-1-6 zone (Residential Single-Family 6,000 sq. ft. min. lot size). This request is being made in order for the applicant to develop a 4 lot subdivision on a private lane. **Location:** 3176 S. 2300 E. **Community Council:** Canyon Rim-**Planner:** Spencer G. Sanders.

**Presentation by:** Spencer Sanders. **Recommendations:** See Staff Report

*There was a discussion between planning staff and the commission*

### **PUBLIC PORTION OF APPLICATION OPENED**

**Speaker # 1:** Applicant

**Name:** Colin Strasser

**Address:** 1458 E Laird Ave., Salt Lake City

**Comments:** He provided a PowerPoint presentation for the commission. The houses will not be larger than approximately 3000 square feet, not mansions.

*There were no representatives from the Millcreek Community Council present. Per Spencer Sanders, they recommend approval. However, if the neighbors want to meet with the Community Council to discuss it further, they should have that opportunity.*

**Speaker # 2:** Citizen

**Name:** Michael Heath

**Address:** 3174 S 2300 E

**Comments:** Lives next door to the property in question and is in favor of the application. He likes the fact that the homes the applicant plans to build will not be mansions, but rather, smaller single-family homes that fit into the community.

**Speaker # 3:** Citizen

**Name:** Michelle Healy

**Address:** 2238 E 3205 S

**Comments:** She is in favor of the application and prefers that the home size stays compatible with the other homes in the community. She wants to ensure that the proposed irrigation line in the middle of the property be properly maintained.

*There was a discussion between planning staff and the commission*

### **PUBLIC PORTION OF APPLICATION CLOSED**

**Motion:** To recommend approval of application # 28328 to the County Council with the conditions listed in the Staff Report.

**Motion by:** Commissioner Schutjer

**2<sup>nd</sup> by:** Commissioner Van Frank

**Vote:** Unanimous in favor (of commissioners present)

**28338** – Jason & Rachel Witzel are requesting approval of a Zone Change from the R-1-6 zone (Residential Single-family, 6,000 sq. ft. min. lot size) to the R-4-8.5 zone (Residential Four-family, 8,500 sq. ft. min. lot size). This request is being made in order for the applicant to add an additional basement apartment to an existing duplex. **Location:** 729 E. 2910 S. **Community Council:** Millcreek **Planner:** Spencer G. Sanders

**Presentation by:** Spencer Sanders **Recommendations:** See Staff Report

*There was a brief discussion between staff and the commission.*

### **PUBLIC PORTION OF APPLICATION OPENED**

*There were no representatives from the Millcreek Community Council present. Per Spencer Sanders, they unanimously recommend approval.*

**Speaker # 1:** Applicant

**Name:** Rachel Witzel

**Address:** 729 E 2910 S

**Issue:** She bought the property in 2011 as a foreclosure and has renovated it inside and out, and beautified the landscaping. She feels the proposed apartment will be a low-impact change. Her family lives in the adjoining home.

*No additional members of the public were present.*

### **PUBLIC PORTION OF APPLICATION CLOSED**

*There was a discussion between the commissioners and planning staff.*

**Motion:** To continue application #28338 until the next planning commission meeting.

**Motion by:** Commissioner Schutjer

**2<sup>nd</sup> by:** Commissioner Catten

**Vote:** Unanimous in favor (of commissioners present)

### **PUBLIC MEETING CLOSED**

### **BUSINESS MEETING – 6:30 pm**

There was a discussion between the commissioners and planning staff with regard to the Bylaw updates.

#### **Previous Meeting Minutes Review and Approval**

1) February 13, 2013

Approval of the February meeting Minutes will be continued until the May meeting because Commissioner Van Frank was not present at the February meeting.

#### **Business Items**

- 2) Current Commission Members – Appointment Status
- 3) Letter to Mayor, Council & Township Executive – Requesting County consider Sign Ordinance Evaluation and Update.

#### **Work Session - Continued until the next meeting**

- 4) Curb, Gutter, and Sidewalk Project – Potential General Plan & Ordinance Amendments – Discussion Pertaining to Public Involvement Process – **Planners:** Spencer G. Sanders
  - a) Presentation/Survey Final Draft
  - b) Public Input Opportunities
  - c) Public Review Draft Schedule

### **MEETING ADJOURNED - 6:40 p.m.**



**MEETING MINUTE SUMMARY**  
**MILLCREEK TOWNSHIP PLANNING COMMISSION MEETING**  
 Salt Lake County Government Center, N1100

Wednesday, May 15, 2013 4:00 p.m.

**Approximate meeting length:** 2 hours 40 minutes  
**Number of public in attendance:** 15  
**Summary Prepared by:** Jocelyn Walsh-Magoni  
**Meeting Conducted by:** Commissioner Leslie Riddle (Vice-Chair)

**\*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 and Staff:**

Commissioners	Public Mtg	Business Mtg	Absent	Planning Staff / DA	Public Mtg	Business Mtg
John Janson – Chair			x	Spencer Sanders	x	x
Leslie Van Frank			x	Jocelyn Walsh-Magoni	x	x
Garrett Catten	x	x		Jim Nakamura	x	
Leslie Riddle - Vice Chair	x	x		Max Johnson		x
Tom Stephens	x	x		Chris Preston (DA)	x	x
Geralyn Parker-Perkins	x	x				
Cole Shutjer (Alternate)			x			
Brandon Pace (Alternate)			x			

**PUBLIC MEETING**

**Began at 4:05 p.m.**

**Zone Changes**

**28338** *This item is continued from the April 10<sup>th</sup> Meeting.* Jason & Rachel Witzel are requesting approval of a Zone Change from the R-1-6 zone (Residential Single-family, 6,000 square feet minimum lot size) to the R-4-8.5 zone (Residential Four-family, 8,500 square feet minimum lot size). This request is being made in order for the applicant to add an additional basement apartment to an existing duplex. **Location:** 729 East 2910 South. **Community Council:** Millcreek **Planner:** Spencer G. Sanders

**Presentation by:** Spencer Sanders **Recommendations:** Approval- See Staff Report

There was a discussion between planning staff and the commission clarifying some questions about the site plan.

**PUBLIC PORTION OF APPLICATION OPENED**

**Speaker # 1:** Applicant

**Name:** Jason Witzel

**Address:** 729 E...

**Comments:** The home is located in a secluded area and he does not feel it would have much of an impact. **The additional income that a rental unit would provide would help the family**

**Speaker # 2:** Citizen

**Name:** Kevin Barlow

**Address:** 2875 S 700 E

**Comments:** In favor, it fits in with the general feel of the neighborhood. He doesn't feel the rental unit would detract from the neighborhood.

**Speaker # 3:** Citizen  
**Name:** Nick Edwards  
**Address:** 2895 S 700 E

**Comments:** In favor, doesn't feel it would be a problem to have additional people living in the home and there is adequate parking.

*There were no representatives from the Millcreek Community Council present. Per Spencer Sanders who was present at the Community Council's last meeting, the council voted in favor of the application.*

#### **PUBLIC PORTION OF APPLICATION CLOSED**

**Motion:** To recommend approval of application # 28338 to the County Council, subject to the recommendation that the following conditional uses are prohibited: Boarding house; Short term rental; Bed and breakfast inn; and Bed and breakfast homestay.

**Motion by:** Commissioner Stephens

**2<sup>nd</sup> by:** Commissioner Catten

**Vote:** Unanimous (of commissioners present)

#### **Conditional Uses**

**28327** Robert C. Miller is requesting Conditional Use approval for a concrete recycling operation, including the use of a rock crusher, in an M-2 zone. This request was originally approved in 1998 for 5 years as an interim use, and was later renewed (in 2003) for another 5 years. The applicant is now asking for approval to continue operation. **Location:** 4186 South Main Street. **Zone:** M-2. **Community Council:** Millcreek. **Planner:** Curtis Woodward

**Recommendations:** See Staff Report

*Per Spencer Sanders, the applicant is requesting a continuance until next month to allow their legal counsel more time to review the case; the commission agreed to continue the item.*

#### **PUBLIC PORTION OF APPLICATION OPENED**

**Speaker # 1:** Attorney for Applicant

**Name:** Robert Paulson

**Address:**

**Comments:** Applicant is requesting additional time so Mr. Paulson can review the file.

#### **PUBLIC PORTION OF APPLICATION CLOSED**

**Motion:** To continue application #28327 until the June 12, 2013 meeting.

**Motion by:** Commissioner Stephens

**2<sup>nd</sup> by:** Commissioner Perkins

**Vote:** Unanimous (of commissioners present)

**28344** Jennifer Pulley is requesting a Conditional Use approval for a Home Daycare/preschool with 7-12 children. **Location:** 3626 South 2445 East. **Zone:** R-1-10 (Single-Family Residential, 10,000 square feet minimum lot size). **Community Council:** East Millcreek. **Planner:** Jim Nakamura

**Presentation by:** Jim Nakamura **Recommendations:** See Staff Report

#### **PUBLIC PORTION OF APPLICATION OPENED**

**Speaker # 1:** Applicant

**Name:** Jennifer Pulley

**Address:** 3626 South 2445 East

**Comments:** Applicant wants to have a preschool that will be open during morning/mid-afternoon hours. She has remodeled her home to accommodate the business on the upper level. There will be a pickup/drop-off system and either she or her assistant will be available during pickup and drop-off times to move the children in and out as soon as possible.

*There were no representatives from the Millcreek Community Council present. Per Jim Nakamura who was present at the Community Council's last meeting, the council voted in favor of the application.*

### **PUBLIC PORTION OF APPLICATION CLOSED**

**Motion:** To approve application #28344.

**Motion by:** Commissioner Catten

**2<sup>nd</sup> by:** Commissioner Perkins

**Vote:** Unanimous (of commissioners present)

**28351** Adam Maher is requesting Conditional Use and Preliminary Plat approval for *Millcreek 9*, a 24-unit condominium development. **Location:** 3207, 3211 & 3225 South 900 East and 3212 South 945 East. **Zone:** R-M. **Community Council:** Millcreek. **Planner:** Spencer G. Sanders

**Presentation by:** Spencer Sanders. **Recommendations:** No recommendation is being made at this time. Exact details on all of the amenities have not been received. There are also questions about proposed landscaping.

### **PUBLIC PORTION OF APPLICATION OPENED**

**Speaker # 1:** Applicant

**Name:** Adam Maher

**Address:** 3273 E Renado Drive

**Comments:** The applicant has visited properties throughout the country that also utilize shipping containers and his property will have a number of unique architectural elements.

The commissioners would like to see examples of other completed communities that have used shipping containers. They feel it is not appropriate to make a decision without a staff report, and would prefer e to have additional commissioners present prior to deciding. However, they allowed the applicant to proceed with his presentation so they could obtain as much information as possible. There were questions about fencing materials and landscaping plans.

**Speaker # 2:** Citizen

**Name:** Mitch Moorley

**Address:** 3208 S 945 E, SLC

**Comments:** He has a neighboring property to the proposed development. He has concerns with the location of his meter, and where the proposed bocci court will be. He also has concerns about some existing trees on a lot with an existing home that he thought was going to be taken down as part of the proposed project. He would like to have removed so they do not cause further damage to his property.

**Speaker # 3:** Citizen

**Name:** John Ames

**Address:** 932 E Millcreek Way

**Comments:** He is in favor of the project and feels that it fits in well with the community.

**Speaker # 4:** Citizen

**Name:** Jim Cozmus

**Address:** Not provided

**Comments:** Owns coffee shop next door to the proposed property. He is in favor with the property as it would potentially attract young professionals. He also feels the project is environmentally friendly.

**Speaker # 5:** Millcreek Community Council representative

**Name:** Sylvia Navejar

**Address:** 1026 Hillview Dr.

**Comments:** The council is in full support of the project. However, there were no residents at their meeting so they would like to take the public's views into consideration.

**Speaker # 6:** Applicant

**Name:** Adam Maher

**Address:** 3273 E Renado Drive

**Comments:** Mr. Maher very briefly responded to some of the comments made by other speakers.

### **PUBLIC PORTION OF APPLICATION CLOSED**

**Motion:** That the application be continued to the June 12, 2013 meeting

**Motion by:** Commissioner Stephens

**2<sup>nd</sup> by:** Commissioner Catten

**Vote:** Unanimous (of commissioners present)

### **Subdivision**

**28357** Ty Vranes is requesting Preliminary Plat approval for The Bungalows on 1100 East, a three-lot subdivision.

**Location:** 3589 & 3605 South 1100 East. **Zone:** R-1-8 **Community Council:** Not Subject to Community Council Review. **Planner:** Spencer G. Sanders

**Presentation by:** Spencer Sanders **Recommendations:** Preliminary Approval - See Staff Report

### **PUBLIC PORTION OF APPLICATION OPENED**

**Speaker # 1:** Applicant

**Name:** Ty Vranes

**Address:** 13708 Buckeye View Way

**Comments:** There will be three lots within the current zoning. There are two existing homes within the site now that would be demolished.

### **PUBLIC PORTION OF APPLICATION CLOSED**

**Motion:** **28357 approve the preliminary plat as recommended by staff.**

**Motion by:** Commissioner Stephens

**2<sup>nd</sup> by:** Commissioner Perkins

**Vote:** Unanimous (of commissioners present)

### **PUD Subdivision - \*\*\*Please note that the following item 28368 has been Postponed\*\*\***

At the request of the applicant, the Millcreek Township Planning Commission's consideration of application **28368** has been postponed from this meeting to **June 12, 2012, at 4:00 pm.**

**28368** Steve Davies is requesting Conditional Use and Preliminary Plat approval for Creekside at Honeycutt PUD, an 8-lot, single-family PUD Subdivision. **Location:** 3548 South Honeycutt Road (1850-1860 East). **Zone:** R-1-10. **Community Council:** East Mill Creek. **Planner:** Spencer G. Sanders

**Motion:** To continue application # 28357 to the June 12, 2013 meeting.

**Motion by:** Commissioner Catten

**2<sup>nd</sup> by:** Commissioner Stephens

**Vote:** Unanimous (of commissioners present)

## **PUBLIC MEETING CLOSED**

### **BUSINESS MEETING –5:50 p.m.**

#### **Previous Meeting Minutes Review and Approval**

1) February 13, 2013

**Motion:** To approve the February 13, 2013 Minutes as presented.

**Motion by:** Commissioner Stephens

**2<sup>nd</sup> by:** Commissioner Perkins

**Vote:** Unanimous (of commissioners present)

2) April 10, 2013

**Motion:** To continue a decision until the next meeting.

**Motion by:** Commissioner Stephens

**2<sup>nd</sup> by:** Commissioner Catten

**Vote:** Unanimous (of commissioners present)

#### **Other Business Items**

3) **Curb, Gutter, and Sidewalk Project** – Potential General Plan & Ordinance Amendments

An approximate 15 minute discussion amongst the Planning Commission Members and Staff pertaining to the Commission's vision for final outcomes, products, and/or results of the project. – **Planners:** Spencer G. Sanders.

Planning staff is seeking insight as to what the commissioners would like to see as the end product; what do they envision with regard to curb, gutter and sidewalk throughout the community? Planning staff is considering whether it is necessary to hire an outside consultant to continue the project so it stays on track. Staff is putting together an Open House presentation to provide to the public and there will be survey questions so staff can get a sense of what the public wants. The Mayor's office is working on an active transportation fund and their focus is on improving active transportation (bicyclers, walkers, etc.). Staff is also focusing on how to deal with the issue of acquiring right-of-way and the improvements, differently from what they do now on a case-by-case basis for individual homes. That format is not working well because some homes complete curb, gutter, and sidewalk, while it could be years until neighboring homes do. Staff wants to know how they should ensure where and when the community would get curb, gutter, and sidewalk in the areas they want to see it.

Commissioner Riddle mentioned possibly surveying the public at community events and not just at Open Houses. There is also the option of surveying with online resources. The commission discussed current issues in the community with regard to some citizens wanting sidewalks and others who do not. There needs to be a way to find out how to proceed with the fractured thinking that exists in this regard. The commissioners would like to have a consultant move forward on this project and provided some thoughts as to what they would like the consultant to consider.

### **MEETING ADJOURNED - 6:40 p.m.**



**MEETING MINUTE SUMMARY**  
**MILLCREEK TOWNSHIP PLANNING COMMISSION MEETING**  
 Salt Lake County Government Center, N1100

Wednesday, June 12, 2013 4:00 p.m.

**Approximate meeting length:** 5 hours  
**Number of public in attendance:** 50  
**Summary Prepared by:** Jocelyn Walsh-Magoni  
**Meeting Conducted by:** Commissioner

**\*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 and Staff:**

Commissioners	Public Mtg	Business Mtg	Absent	Planning Staff / DA	Public Mtg	Business Mtg
John Janson – Chair	x	x		Spencer Sanders	x	x
Leslie Van Frank	x	x		Jocelyn Walsh-Magoni	x	x
Garrett Catten			x	Wendy Gurr	x	x
Leslie Riddle - Vice Chair	x	x		Max Johnson	x	x
Tom Stephens	x	x		Chris Preston (DA)	x	x
Geralyn Parker-Perkins	x	x				
Cole Shutjer (Alternate)			x			
Brandon Pace (Alternate)			x			
NEW COMMISSIONER Ann Ober	x					

**PUBLIC MEETING**

**Began at 4:10 p.m.**

**Conditional Uses**

**28327 Continued from May 12, 2013.** Robert C. Miller is requesting Conditional Use approval for a concrete recycling operation, including the use of a rock crusher, in an M-2 zone. This request was originally approved in 1998 for 5 years as an interim use, and was later renewed (in 2003) for another 5 years. The applicant is now asking for approval to continue operation. **Location:** 4186 South Main Street. **Zone:** M-2. **Community Council:** Millcreek. **Planner:** Curtis Woodward

**The applicant has withdrawn their request so the item was not heard.**

**28351 Continued from May 12, 2013.** Adam Maher is requesting Conditional Use and Preliminary Plat approval for *Millcreek 9*, a 24-unit PUD condominium development. **Location:** 3207, 3211 & 3225 South 900 East and 3212 South 945 East. **Zone:** R-M. **Community Council:** Millcreek. **Planner:** Spencer G. Sanders

**Presentation by:** Spencer Sanders **Recommendation:** Approval - see Staff Report

*Spencer clarified some questions from the commissioners with regard to building height, landscaping, building code requirements, setback requirements, and the exterior look of the containers.*

## PUBLIC PORTION OF APPLICATION OPENED

**Speaker # 1:** Applicant

**Name:** Adam Maher

**Address:** 3273 E Bernada Dr.

**Comments:** He has worked with staff to increase the open space percentage as requested by the commission. The open space does include the rooftop gardens. The gardens would most likely be limited to the tenants, but it may be difficult to regulate that. He is not aware of any other similar projects that have received approval in Utah.

*There were no representatives from the Millcreek Community Council present. Per Spencer Sanders who was present at the Community Council's last meeting, the council had not received any concerns since their last meeting.*

**Speaker # 2:** Member of the East Millcreek Community Council

**Name:** Blake Keithly

**Address:** 3682 S 2975 E., East Millcreek

**Comments:** He has seen similar properties overseas and believes the containers offer affordable housing and that they are very sturdy.

There was a discussion between the commissioners and planning staff.

## PUBLIC PORTION OF APPLICATION CLOSED

**Motion:** To approve application #28351 with the following conditions, with respect to those listed in the Staff Report:

**Condition #1:** adopt as written.

**Condition #2:** the landscape setbacks adjacent to the Eastern building shall be increased on the North side to 10 feet, and an increase of 5 feet on the South side.

**Condition #3:** adopt as written.

**Condition #4:** the applicant shall provide a phasing plan to the planning commission for approval.

**Condition #5:** the setback of the East building from the North property line shall be increased by 5 feet.

**Condition #6:** the windows on the West side of the building on 900 E shall be a minimum of 50% windows.

**Condition #7:** the containers shall be refurbished so there are no dents or rust present upon completion.

**Motion by:** Commissioner Van Frank

**2<sup>nd</sup> by:** Commissioner Stephens

**Vote:** Unanimous (of commissioners present)

**28465** Breck Fullmer is requesting Conditional Use and Site Plan approval for a Gymnastics Studio.

**Location:** 1462, 1464, 1470 & 1522 East 3300 South. **Zone:** C-2 **Community Council:** East Mill Creek. **Planner:** Spencer G. Sanders

**Presentation by:** Spencer Sanders **Recommendation:** Approval - see Staff Report

## PUBLIC PORTION OF APPLICATION OPENED

**Speaker # 1:** Applicant

**Name:** Breck Fullmer

**Address:** 1855 E 3060 S

**Comments:** He would be more than doubling his parking and he planned to keep the "alley way" open for people to walk through since the neighboring residents had requested that. He feels there is ample parking that customers would be able to drop off.

**Speaker # 2:** Representative from East Millcreek Community Council

**Name:** LeeAnn Hanson

**Address:** 3507 Kirk Cir., Salt Lake City

**Comments:** The council is in favor of the application.

## PUBLIC PORTION OF APPLICATION CLOSED

**Motion:** Approve application #28465 with the recommendations listed in the staff report, with the condition that the planning commission notes for the record that the landscaped area shown on the plans, that is south of the southernmost parking spaces isn't required for the development and may be sold or transferred to an adjacent property owner.

**Motion by:** Commissioner Van Frank

**2<sup>nd</sup> by:** Commissioner Perkins

**Vote:** Unanimous (of commissioners present)

### PUD Subdivision

**28038** Nathan Anderson is requesting Preliminary Plat approval for Millcreek Townhomes PUD, a 14-Lot PUD Townhome Subdivision. The project received Conditional Use approval from the Planning Commission in February 2013, but the Preliminary Plat was not part of that original approval. **Location:** 1431 East 3900 South **Zone:** R-M. **Community Council:** Millcreek. **Planner:** Spencer G. Sanders

*Per Spencer Sanders, the applicant has requested a continuance as he is currently out of town.*

**Motion:** to continue application #28038 until the July 10, 2013 meeting.

**Motion by:** Commissioner Riddle

**2<sup>nd</sup> by:** Commissioner Stephens

**Vote:** Unanimous in favor (of commissioners present)

## PUBLIC PORTION OF APPLICATION CLOSED

**28368** Steve Davies is requesting Conditional Use and Preliminary Plat approval for Creekside at Honeycutt PUD, an 8-lot, single-family PUD Subdivision. **Location:** 3548 South Honeycutt Road (1850-1860 East). **Zone:** R-1-10. **Community Council:** East Mill Creek. **Planner:** Spencer G. Sanders

**Presentation by:** Spencer Sanders **Recommendation:** See Staff Report

Staff is recommending a continuance of the application. The applicant has a revised plan for seven units instead of eight.

## PUBLIC PORTION OF APPLICATION OPENED

**Speaker # 1:** Applicant

**Name:** Steve Davies

**Address:** 1920 S 180 W, Orem, UT

**Comments:** He provided a revised plan (hard copy) to the commission. He discussed the traffic impact report noting the decline in estimated traffic going down to seven units. Width between homes has been increased, and the four parking stalls will still be maintained. He plans to have no interference in the creek. Fencing will be six foot, see-through, with brick columns across Honeycutt. He is working with the other neighboring properties for acceptable fencing.

**Speaker # 2:** Benchmark Engineering

**Name:** Dale Bennett

**Address:** 9130 S State Street, Sandy, UT

**Comments:** Storm water will run down the gutter on the North side to be collected at an inlet box, where it will be treated and discharged into the creek.

**Speaker #3:** Home Builder

**Name:** Ed Axley

**Address:** 1947 S 50 W, Orem, UT

**Comments:** They would like to create a rolling curb system and paver systems from the road into the garage units. The center of the roads will be the only area with asphalt. Trash will be picked up from individual units, not via a dumpster on site.

**Speaker #4:** Representative from the East Millcreek Community Council

**Name:** LeeAnn Hanson

**Address:** 3507 Kirk Cir., Salt Lake City

**Comments:** They are unsure how to review an updated site plan with an opportunity for public comment. She feels the community council should have the opportunity to discuss the revised plan (from eight homes to seven) before the commission makes a decision.

**Speaker # 5:** Member of the East Millcreek Community Council

**Name:** Blake Keithly

**Address:** 3682 S 2175 E., East Millcreek

**Comments:** He discussed the vote that the council made at their last meeting. He stated that Ms. Hanson's comments were mainly personal opinion and not the views of the council. The development does meet density requirements so it should be considered a non-issue. He would like to see the application approved.

**Speaker #6:** Citizen

**Name:** Mike Dabble

**Address:** 3380 S 2130 E

**Comments:** He lives in the neighborhood and has considered purchasing one of the units within the proposed development. He feels he represents the community well.

**Speaker #7:** Citizen

**Name:** Homer Warner

**Address:** 1804 Millbrook Road

**Comments:** He lives on the adjacent property. He met with the developers and is pleased with what they have agreed to change. He is waiting on the details to solidify what was discussed.

**Speaker #8:** Citizen

**Name:** Karen Hevalingo

**Address:** 1809 E Millbrook Road

**Comments:** Lives near the Warner's (previous speaker). While she and her neighbors have met with the developers, she does not feel that all issues have been addressed, such as the impact on the creek. She recommends continuance.

**Speaker #9:** Citizen

**Name:** Chris Gamvroulas

**Address:** not given

**Comments:** He is neither for nor against the application. He met with the developers, builders and owners during a break from the commission meeting and they are willing to make compromises.

**Speaker #10:** Citizen

**Name:** Nick Mingo

**Address:** PO Box 522056

**Comments:** He reiterated recommendation for continuance. He would like to see an exception change to the flood plain.

**Speaker #11:** Citizen

**Name:** Richard Mingo

**Address:** 1809 E Millbrook Road

**Comments:** He is not satisfied. He has submitted written comments. He is not sure how the ¼ acre size lots are determined.

**Speaker #12:** Citizen

**Name:** Leslie Crandle

**Address:** 1844 Honeybrick Place

**Comments:** Lives to the South of the proposed development. She believes the home size is too large for the proposed lots. She feels the potential increase in traffic would be too high. Concerned about setback reports and how they can be addressed.

**Speaker #13:** Citizen

**Name:** Jeff Quinn

**Address:** 1839 Honeybrick Place

**Comments:** His property directly abuts the proposed property and he feels the PUD will increase the look of the neighborhood.

**Speaker #14:** Citizen

**Name:** Warren Nelson

**Address:** 1801 Countryside Drive

**Comments:** He lives near the proposed property and has lived there for 55 years. He feels that seven or eight homes is too many and is not in keeping with the look of the area and would be out of character. He feels strongly that four homes would fit better.

**Speaker #16:** Applicants

**Name:** Steve Davies & Dale Bennett

**Address:** 1920 S 180 W, Orem, UT and 9130 S State Street, Sandy, UT respectively

**Comments:** They stand behind their product and feel it would be beneficial to the community.

#### **PUBLIC PORTION OF APPLICATION CLOSED**

**Motion: To continue application #28368 until the July 10, 2013 meeting**

**Motion by:** Commissioner Stephens

**2<sup>nd</sup> by:** Commissioner Riddle

**Vote:** 4 for, 1 nay (Van Frank)

**28468** Greg Larsen is requesting Conditional Use and Preliminary Plat approval for Millcreek Gardens PUD, a 32-lot PUD Subdivision for 16 two-family dwellings. **Location:** 4310, 4320 & 4324 South 500 East & 430 East Doreen Street. **Zone:** R-2-10. **Community Council:** Millcreek. **Planner:** Spencer G. Sanders.

**Presentation by:** Spencer Sanders **Recommendation:** Approval - see Staff Report

Per Spencer Sanders, who was present at the Millcreek Community Council meeting, the council recommends approval.

#### **PUBLIC PORTION OF APPLICATION OPENED**

**Speaker # 1:** Applicant

**Name:** Greg Larsen

**Address:** 1042 Fort Union Blvd, #226

**Comments:** He discussed some of the recommendations provided in the staff report. Applicant is working with adjacent property owner over the fence line.

**Speaker # 2:** Citizen

**Name:** Russell Johnson

**Address:** 4342 S 500 E

**Comments:** His property is adjoining the last unit on 500 E. He is concerned about property being rental units and would like a brick wall separating properties.

**Speaker # 3:** Citizen

**Name:** Joe Flack

**Address:** 447 Bridlewood Drive

**Comments:** He has lived in his home for over 40 years. He is concerned with privacy in his backyard because he currently has a lot of trees in his yard and is concerned about the existing trees on the property.

**Speaker # 4:** Citizen

**Name:** Trish Frost

**Address:** 4316 S 420 E

**Comments:** She is neither for nor against the proposal. She is concerned about graffiti and the loss of sunlight into her property.

### **PUBLIC PORTION OF APPLICATION CLOSED**

**Motion:** Approve application #28468 subject to conditions 1-6 in the Staff Report.

**Motion by:** Commissioner Stephens

**2<sup>nd</sup> by:** Commissioner Riddle

**Vote:** Unanimous (of commissioners present)

### **BUSINESS MEETING**

*The Business Meeting will begin immediately following the Public Hearings.*

### **Previous Meeting Minutes Review and Approval**

- 1) Approval of the April 10, 2013 and May 15, 2013 Minutes were continued until the next meeting.

**ADJOURN 9:00 p.m.**



**MEETING MINUTE SUMMARY**  
**MILLCREEK TOWNSHIP PLANNING COMMISSION MEETING**  
 Salt Lake County Government Center, N1100

Wednesday, July 10, 2013 4:00 p.m.

**Approximate meeting length:** 5 hours  
**Number of public in attendance:** 30  
**Summary Prepared by:** Wendy Gurr  
**Meeting Conducted by:** Commissioner Janson

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

**ATTENDANCE**

**Commissioners and Staff:**

Commissioners	Public Mtg	Business Mtg	Absent	Planning Staff / DA	Public Mtg	Business Mtg
John Janson – Chair	x			Spencer Sanders	x	
Leslie Van Frank	x			Wendy Gurr	x	
Garrett Catten	x			Max Johnson	x	
Leslie Riddle - Vice Chair	x			Chris Preston (DA)	x	
Tom Stephens	x			Lyle Gibson	x	
Geralyn Parker-Perkins			x			
Cole Shutjer (Alternate)			x			
Brandon Pace (Alternate)	x					
Ann Ober	x					

**OTHER BUSINESS ITEMS**

**Began at – 4:05 p.m.**

**Motion:** To move application # 28532 in the second position.  
**Motion by:** Commissioner Van Frank  
**2<sup>nd</sup> by:** Commissioner Riddle  
**Vote:** Unanimous in favor (of commissioners present)

**PUBLIC HEARINGS**

**Exceptions** (From standards for: roadway & public improvements; & ditch piping or fencing)

**28565** Cash Delahunty is requesting approval of an Exception from Curb, Gutter, and Sidewalk requirements. This request is associated with Board of Adjustment application 28343, requesting approval to relocate/reconstruct an existing non-conforming single-family residence. **Location:** 3153 South Imperial Street (1700 East). **Zone:** R-1-8 (Residential, Single-family, 8,000 square feet minim lot size). **Community Council:** Not Subject to Community Council Review. **Planner:** Lyle Gibson.

**Presentation by:** Lyle Gibson **Recommendation:** Approval - see Staff Report

*There was a discussion amongst the Commissioners regarding a delayed agreement. Jenna Carver advised they are looking at doing other streets and have not asked for contributions.*

### **PUBLIC PORTION OF MEETING OPENED**

**Speaker # 1:** Applicant Cash Delahunty's grandson (Contractor)

**Name:** Matt Delahunty

**Address:** Not provided

**Comments:** Building is the same, the issue was waterflow, no further discussion.

### **PUBLIC PORTION OF MEETING CLOSED**

**Motion:** To approve application # 28565 with the exception of a modification of a delayed agreement. Application must be completed by applicant or delayed agreement within 5 years from now.

**Motion by:** Commissioner Ober

**2<sup>nd</sup> by:** Commissioner Janson

**Vote:** Unanimous in favor (of commissioners present)

**28532** Jason and Rachel Witzel are requesting approval of a Conditional Use to convert an existing Two-family dwelling into a three-family dwelling. The applicants are proposing to add a third unit in the basement of the existing building. **Location:** 729 East 2910 South. **Zone:** Existing – R-1-6; Proposed R-4-8.5. **Community Council:** Millcreek. **Planner:** Spencer G. Sanders.

**Presentation by:** Spencer G. Sanders **Recommendation:** Approval with Conditions - see Staff Report

### **PUBLIC PORTION OF MEETING OPENED**

**Speaker # 1:** Applicant

**Name:** Jason Witzel

**Address:** 729 East 2910 South

**Comments:** Agrees with Spencer's Staff Report. Nothing further to discuss.

**Speaker # 2:** Citizen

**Name:** Cheryl Shurtleff

**Address:** 726 East 2910 South

**Comments:** Had a question regarding the impact on Single Family Dwelling values, was referred to the community council.

*There were not any representatives from the Millcreek Community Council present. Per Spencer Sanders who was present at the Community Council's last meeting, asked for approval and they recommend zone change, but no motion was made.*

### **PUBLIC PORTION OF MEETING CLOSED**

**Motion:** To approve application # 28532 subject to County Council Zone Change.

**Motion by:** Commissioner Stephens

**2<sup>nd</sup> by:** Commissioner Riddle

**Vote:** Unanimous in favor (of commissioners present)

**28038** Nathan Anderson is requesting Preliminary Plat approval for Millcreek Townhomes PUD, a 14-Lot PUD Townhome Subdivision. The project received Conditional Use approval from the Planning Commission in February 2013, but the Preliminary Plat was not part of that original

approval. **Location:** 1431 East 3900 South **Zone:** R-M (Multi-family and Office). **Community Council:** Millcreek. **Planner:** Spencer G. Sanders

**Presentation by:** Spencer G. Sanders **Recommendation:** Approval with Conditions - see Staff Report

*Commissioners question common area changes. Spencer Sanders made the point Recreation amenities should be in common area.*

### **PUBLIC PORTION OF MEETING OPENED**

**Speaker # 1:** Applicant

**Name:** Nathan Anderson

**Address:** 4915 S Waimea way

**Comments:** Insurance Company requests that the HOA maintain the sidewalks. Trees will break up the courtyard. Corrections have been made regarding the neighbor's concerns. Reduced homes to 2 stories, will be sold and owner occupied and will not be used as rental units. Applicant has met with neighbors to accommodate their requests.

*Spencer Sanders made the comment the Community Council is satisfied and will not make another motion.*

### **PUBLIC PORTION OF MEETING CLOSED**

**Motion:** To approve application # 28038 with respect to conditions 1, 2, and 3 as listed in the Staff Report.

**Motion by:** Commissioner Ober

**2<sup>nd</sup> by:** Commissioner Van Frank

**Vote:** Unanimous in favor (of commissioners present)

**28547** Rick Plewe and Steve Davies are requesting approval of an Exception from Roadway Standard 14.12.120.C.1, which requires, "whenever possible," local streets be offset by a minimum of 150 Feet. This request is associated with Conditional Use application 28368 Creekside at Honeycut, 7-lot Single-family PUD. **Location:** 3548 South Honeycut Road. **Zone:** R-1-10, Residential, Single-family, 10,000 square foot minimum lot size. **Community Council:** East Mill Creek. **Planner:** Spencer G. Sanders.

**Presentation by:** Spencer G. Sanders **Recommendation:** Approval - see Staff Report

*Jenna Carver provided a copy of the traffic study completed by Falcon. The development will not impact the traffic. She recommends denial. The street is on the safe sidewalk list and plan to install sidewalk within the next year.*

### **PUBLIC PORTION OF MEETING OPENED**

**Speaker # 1:** Applicant

**Name:** Steve Davies

**Address:** 1909 W State Road

**Comments:** Property has mature trees and they want to maintain the older trees and will maintain 90 percent of the trees. Does not want the road by the creek just to have a minimum of 150 feet, this will impact topographically. Central roadway has enhanced the project. A traffic study has been completed with minimal impact from traffic.

*Spencer Sanders shared the Community Council letter and they have not changed their recommendation from month prior.*

**Speaker # 2:** Counsel for Trustees of fee owners

**Name:** Stephen Swindle

**Address:** 1721 Countryside Drive, SLC

**Comments:** Would recommend exception to be considered and supported. Asks to leave roadway where it is, this would make for a better PUD. Relocating does not make any sense.

**Speaker # 3:** East Millcreek Community Council-Speaking as a private citizen

**Name:** Blake Keithley

**Address:** 3682 S 2175 E

**Comments:** Would like exception to be considered and finds it would reduce the impact to the creek.

**Speaker # 4:** Attorney – Mr. and Mrs. Craig Poulton (neighbor)

**Name:** Bruce Baird

**Address:** 2150 S 1300 E #500

**Comments:** Opposed to the special exception. Claims the trees are junk trees and states it is entirely possible to keep the roadway. Clients are opposed and will go to appeal and will litigate. Suggests postponing the decision and would like his own traffic engineers to review the traffic report from Falcon and complete his own traffic study. He is requesting a continuance.

**Speaker # 5:** Citizen-Trustee of Estate

**Name:** Sharon Quinn

**Address:** 1839 Honeybrook Place

**Comments:** Picked the builder due to the quality of homes and PUD. Neighbors work as a group and are good at working with each other. She has been impressed with the builders and the communication with the neighbors.

**Speaker # 6:** Citizen

**Name:** Craig Poulton

**Address:** 1819 N Woodside Drive

**Comments:** Met with the Quinn's and Rick Plewe to discuss possibilities. He has tried to address issues, and no one is mitigating anything. He feels he is being treated unfairly by the builders and the neighbors. Upset about the discussions he has had with Rick Plewe. Advised the trees on south property line are relatively small, shrubby looking, and he volunteered to remove them.

**Speaker # 7:** Citizen – representing Richard and Karen Mingo

**Name:** Nick Mingo

**Address:** PO Box 522056

**Comments:** Driveway exists for the ideal location of the road. Builders want to move it North and will need to remove 4 trees. Karen Mingo travels on the road and is interested in seeing the driveway stay as a safety aspect. Mrs. Mingo lives on Millbrook about 300 feet away.

**Speaker # 8:** Applicant

**Name:** Rick Plewe

**Address:** 2045 E Wilmington Ave

**Comments:** Traffic studies conducted and a referral to a friend with UDOT, they have all concluded there will not be an impact to the traffic flow. He received a proposal previously from Craig Poulton wanting a retaining 20 foot wall. They are unwilling to remove the trees.

**Speaker # 9:** Applicant

**Name:** Steve Davies

**Address:** 1909 W State Road

**Comments:** It would be an esthetic decision and there is no reason not to move the roadway.

*Commissioner Janson asked Chris Preston (DA) if he needed time to study. He understands the exception and is comfortable with the language in the ordinance. Commissioner Van Frank thinks the builders need to find other circumstances pertaining to losing the trees. Commissioner Pace has more concern to the drop off to the river and the offset of 150 foot minimum. Commissioner Riddle made an observation that it meets the esthetics exception requirements. Commissioner Stephens asked about the distance between Millcreek Way and Millbrook Road and questioned whether it satisfied the 150 foot offset.*

**PUBLIC PORTION OF MEETING CLOSED**

**Motion:** Recommendation to the County Mayor's office to approve application # 28547.

**Motion by:** Commissioner Stephens

**2<sup>nd</sup> by:** Commissioner Riddle

**Vote:** 4 for the motion, 3 against the motion (Ober, Van Frank and Janson)

**PUD Subdivision**

**28368** Rick Plewe and Steve Davies are requesting Conditional Use and Preliminary Plat approval for Creekside at Honeycut PUD, a 7-lot (formerly 8-lot), single-family PUD Subdivision. **Location:** 3548 South Honeycut Road (1850-1860 East). **Zone:** R-1-10 (Residential, Single-family, 10,000 square feet minim lot size). **Community Council:** East Mill Creek. **Planner:** Spencer G. Sanders

**Presentation by:** Spencer G. Sanders **Recommendation:** Approval with Conditions - see Staff Report

*There was discussion between Commissioners and Staff.*

**PUBLIC PORTION OF MEETING OPENED**

**Speaker # 1:** Applicants

**Name:** Steve Davies and Rick Plewe

**Address:** 1909 W State Rd

**Comments:** County has plans to put sidewalks or they would put the sidewalks in. They withdraw the sidewalk request and will give money to the county. Style is Country/French. Read a statement from neighbors Clark and Christine Ivory, regarding the compromises made by the builders, they no longer dispute the PUD. Vegetation would be natural and pristine to Millcreek, with trails and creek reclamation.

*Commissioner Van Frank has concern of the public area. She is asking them to push it back more than 30 feet and requesting measurements are made from the actual ground that the house is built on. There was discussion between the Commissioners and Staff.*

**Speaker # 2:** General Counsel for Bonneville and KSL – speaking as a private citizen

**Name:** Mike Gavel

**Address:** 3380 S 2130 E

**Comments:** Has interest in purchasing a lot and is in favor of this project. Since the reconfiguration, he has even more of an interest. He is acquainted with Craig Poulton and the Quinn's and hopes to be their neighbors. He loves the nature of the project.

**Speaker # 3:** East Millcreek Community Council-Speaking as a private citizen

**Name:** Blake Keithley

**Address:** 3682 S 2175 E

**Comments:** Cannot confirm if this is going to be underdeveloped. States the applicant has bent over backwards to accommodate all of the neighbors. He fully supports the staff report. Recommendation is mitigated.

**Speaker # 4:** Counsel for Trustees of fee owners

**Name:** Stephen Swindle

**Address:** 1721 Countryside Drive, SLC

**Comments:** He has worked with the developers and met with the neighbors. He is impressed with the accommodations. Hopes the project is approved.

**Speaker # 5:** Attorney – Mr. and Mrs. Craig Poulton (neighbor)

**Name:** Bruce Baird

**Address:** 2150 S 1300 E #500

**Comments:** Concerned that once the development is approved, there is no limit to who will live in the homes or how they will be designed. Recommends continuance and require details of the matters in 2.2.4 are presented. Reason they are asking for setbacks is to build homes but, recognize the reason they are asking for setbacks.

**Speaker # 6:** Citizen

**Name:** Craig Poulton

**Address:** 1819 N Woodside Dr

**Comments:** Requests retaining wall of average height of 3 feet. Have no issues with property being developed. All of the negative impact is on their home. Not interested in balcony or windows overlooking their backyard.

**Speaker # 7:** Applicant

**Name:** Steve Davies

**Address:** 1909 W State Road

**Comments:** Addressed the height issue and confirmed the structures will not be higher than 30 feet. Addressed negative impact on the Poulson's and would not have any more impact as an R-1-10.

**Speaker # 8:** Applicant

**Name:** Rick Plewe

**Address:** 2045 E Wilmington Ave

**Comments:** Will be developing properties, not flipping. Trees are 50 feet high, residents will not see into backyards. He stressed he is diligent in working with effected neighbors.

*Commissioners discussed concerns of the height of the homes and short setbacks. In conclusion, applicant should reconfigure the lots and increase the setbacks.*

**PUBLIC PORTION OF MEETING CLOSED**

**Motion:** To grant preliminary approval of application # 28368, subject to conditions 1-11 listed in the Staff Report; and adding another condition as follows:

*12) Prior to Final Conditional Use and Preliminary Plat approval the applicant shall submit for review and approval by the Planning Commission at a public meeting, the following:*

- a) A copy of the CC&R's for the project so the Commission can verify that the CC&R's reflect the proposed typical architectural theme and indicate how the theme will be achieved with the applicant's proposed custom home program (the Commission, staff or the County is not verifying whether or not the proposed covenants meet legal standards); and*
- b) All items noted in 2.2.4 of the staff report, "...detailed open space improvements; playground improvements; sight lighting; fencing and typical landscape plan for the lots; a detailed landscape plan for the common areas; and an updated tree preservation plan."*

**Motion by:** Commissioner Riddle

**2<sup>nd</sup> by:** Commissioner Stephens

**Vote:** 4 for in favor, 2 against (Van Frank and Janson) the motion

### **Conditional Uses**

**28372** Dimitrios Tsagaris is requesting approval of a Conditional Use Permit for an Apartment Development. The proposal is for 37 apartments located in two buildings; each five stories (approximately 57 feet) high. **Location:** 3658 – 3668 South 900 East. **Zone:** C-2 (Commercial and Multi-family). **Community Council:** Millcreek. – **Planner:** Spencer G. Sanders.

**Presentation by:** Spencer G. Sanders **Recommendation:** Approval with Conditions - see Staff Report

### **PUBLIC PORTION OF MEETING OPENED**

**Speaker # 1:** Applicant

**Name:** Dimitrios Tsagaris

**Address:** 3815 S 2900 E

**Comments:** Has lived in the Millcreek area for 35 years. Feels the community needs this for the senior citizens and families. Financially the only thing profitable would be for the buildings to each be 5 stories, nothing less.

*There was a discussion between the Commissioners with regards to concerns of the buildings height.*

### **PUBLIC PORTION OF MEETING CLOSED**

**Motion:** To approve application #28372 with respect to the conditions listed in the Staff Report, including exceptions for parking requirements and open space.

**Motion by:** Commissioner Van Frank

**2<sup>nd</sup> by:** Commissioner Pace

**Vote:** 6 for, 1 nay (Stephens)

### **BUSINESS MEETING**

*The Business Meeting will begin immediately following the Public Hearings.*

**Introduction** – New Boards and Commissions Coordinator, Wendy Gurr

- a. Brandon Pace (Alternate) announced this would be his last Planning Commission meeting.

**Previous Meeting Minutes Review and Approval**

- 1) Approval of the April 10, 2013, May 15, 2013 and June 12, 2013 Minutes were continued until the next meeting.

**Work Session - Continued until the next meeting.**

- 2) **Curb, Gutter, and Sidewalk Project** – Potential General Plan & Ordinance Amendments – An approximate 15 minute presentation and discussion regarding the draft public outreach presentation/survey – **Planners:** Spencer G. Sanders

**Other Business Items (as needed)**

**ADJOURN – 9:15 p.m.**

DRAFT