

File # CU-21-016

The Applicant is seeking a conditional use permit to construct a two-story 9-plex residential condominium structure, within the RM Zone, located at 4820 South 1300 East.

The proposal includes podium parking on majority of the main level and consists of 2 one-bedroom units and 7 two-bedroom units. The Applicant has indicated his intentions to further subdivide the building into individual condominiums which will be require a PUD application, requiring the Planning Commission's review and approval at a future date.

19.84.050 Approval/Denial Authority

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

1. Planning Commission Approval
    1. The Planning Commission shall review and approve with conditions, continue, or deny, if no reasonable mitigation can be determined, each application during a public meeting.
    2. The Planning Commission's decision shall be based on information presented through the public meeting process, including: the materials submitted by the applicant, information provided by reviewing agencies, the recommendation of the director or director's designee, and input from community councils, interested parties and affected entities.
    3. The director or director's designee shall issue a final approval letter, subsequent to Planning Commission approval, detailing the conditions imposed and standards of the ordinances as applied to the conditional use.
    4. If the applicant fails to meet all conditions of approval within twelve months of the Planning Commission's decision, the application is deemed denied. Up to a twelve-month extension may be granted upon the payment of an additional filing fee equal to the original filing fee.
    5. A Planning Commission decision shall be made on a complete conditional use application within a reasonable time frame, not to exceed ninety days, beginning on the date the complete conditional use application is first reviewed by the Planning Commission. The Planning Commission is authorized to review and take action on an application as outlined in MKZ 19.84.040 after having notified the applicant of the meeting date.
    6. Failure by the applicant to provide information that has been requested by the Planning Commission, the director or director's designee to resolve conflicts with the standards in MKZ 19.84.060 may result in an application being considered incomplete or denied.

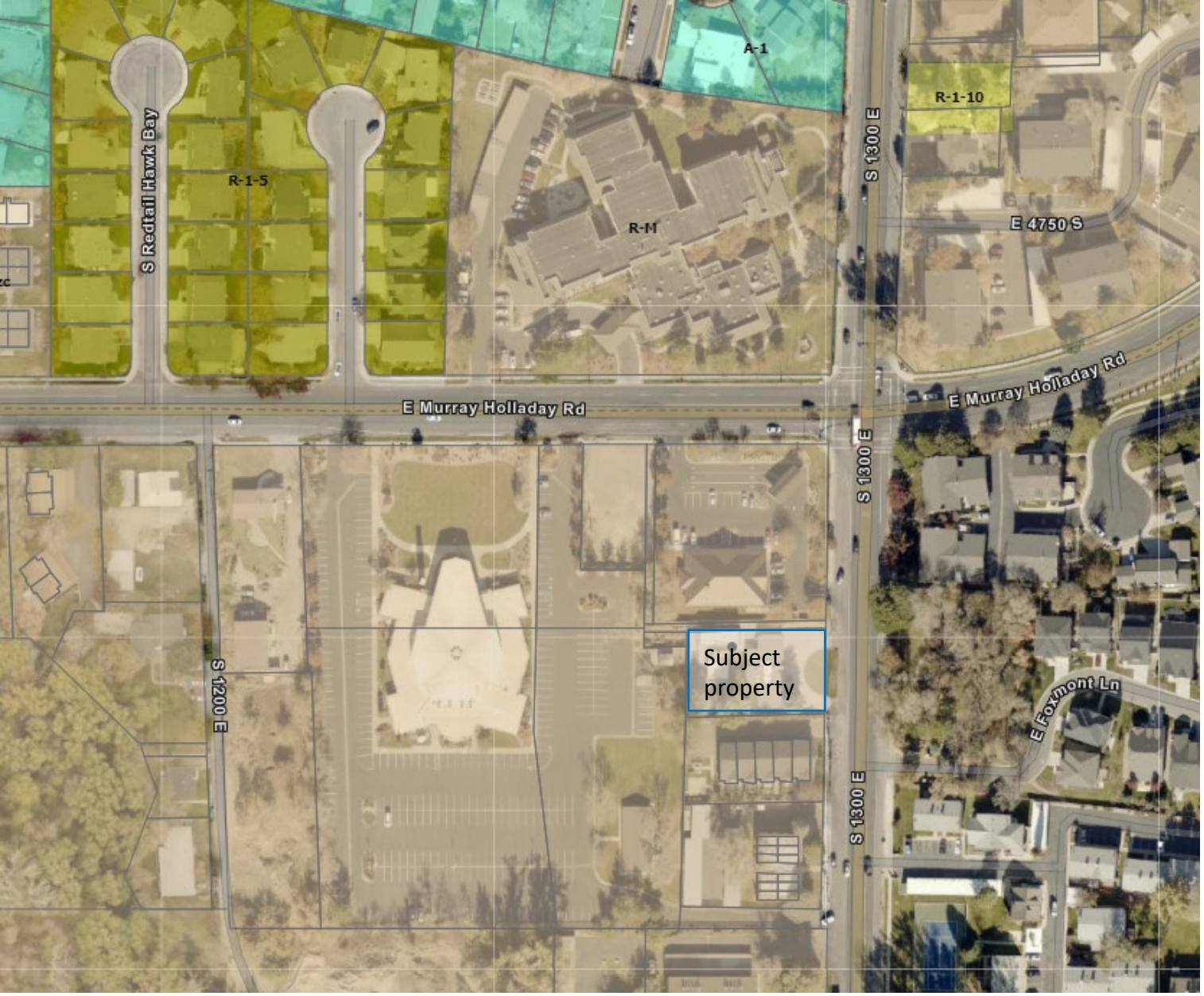


Figure 1 Zoning Map

SITE VICINITY AND DESCRIPTION

The property is located in the RM Zone and is surrounded by the RM (Multifamily), R-1 (Single Family), and A-1 (Agricultural) Zones. The property is accessed from 1300 East, which is a minor arterial street, (see the Transportation Plan (page 9) for more information regarding Roadway Classifications). The property is .35 acres in size and contains a single-family home that was built in the 1950's and has been zoned RM since the 1990's. Public improvements along 1300 East such as, curb, gutter, and sidewalk will be required for the proposed project. A traffic study was conducted for the proposed project, which, showed low levels of service and low impact on 1300 East. There are no irrigation canals in this area. The height of the proposed 9-plex will be 30 feet which is permitted in the RM code. All the parking will be located within the podium parking portion of the structure.



STREET VIEW

Facing 1300 east

PROJECT INFORMATION SUMMARY TABLE

TABULATION	
Unit Type	
1 Bed 1 Bath Ground Floor	2
2 Bed 2 Bath 1st floor	7
Total	**9**
Unit Size	
1 Bed 1 Bath Ground Floor (Unit 8)	514
1 Bed 1 Bath Ground Floor (Unit 9)	486
2 Bed 2 Bath 1st floor (Units 1&5)	1,047
2 Bed 2 Bath 1st floor (Unit 3)	1,045
2 Bed 2 Bath 1st floor (Units 2,6&7)	1,084
2 Bed 2 Bath 1st floor (Unit 1)	1,246
RM Zone Delivery	
Building Height (Feet)	30
Number of Stories	2
Driveway Width (Feet)	24
Driveway Length (Feet)	NA
Side Yard Setback	10
Front Setback	25
Rear Setback	20
Parking Space provided (Podium)	20
Lot Width (Feet)	107.92
Building Size	8,631
Building Footprint	8,631
Parking Footprint	7,068
Open Space	8,555
Bedroom Count	16
Five or More Attached Dwellings	2,000
Rough Density Cap-Five or More Attached Dwellings	**9.33**
Unit/Acre	21.78
Maximum Building Height (feet)	30
Minimum Building Height (feet)	1 Story
Minimum Side Yard Setback- Five or More Attached Dwellings	11.3
Front Setback	25
Rear Setback	20
Parking Requirements	
Required Residential Parking Stalls/1Bed	1.5
Required Residential Parking Stalls/2Bed	2
Required Guest Parking Stalls/Unit	0.33
Required Parking Spaces	**20**
Improvements Area	697
Landscaping Area	8,778
Total Area	18,655
Lot Coverage	50.00%
Open Space	50.00%

Access. The project will be accessed from 1300 E, the project has podium parking.

Building Design. Building consists of a mix of stucco, siding, and brick.

Height: The height of the proposed 9-plex will be 30 feet as permitted in the RM zoning code. The height shall not be greater than 30 feet and the building is 2 stories tall. The height will be measured from original ground surface.

Minimum Setbacks per the RM Zone are as follows:

Front 25 Feet
Back 10 Feet
Side 20 Feet

PROJECT INFORMATION SUMMARY TABLE CONT.

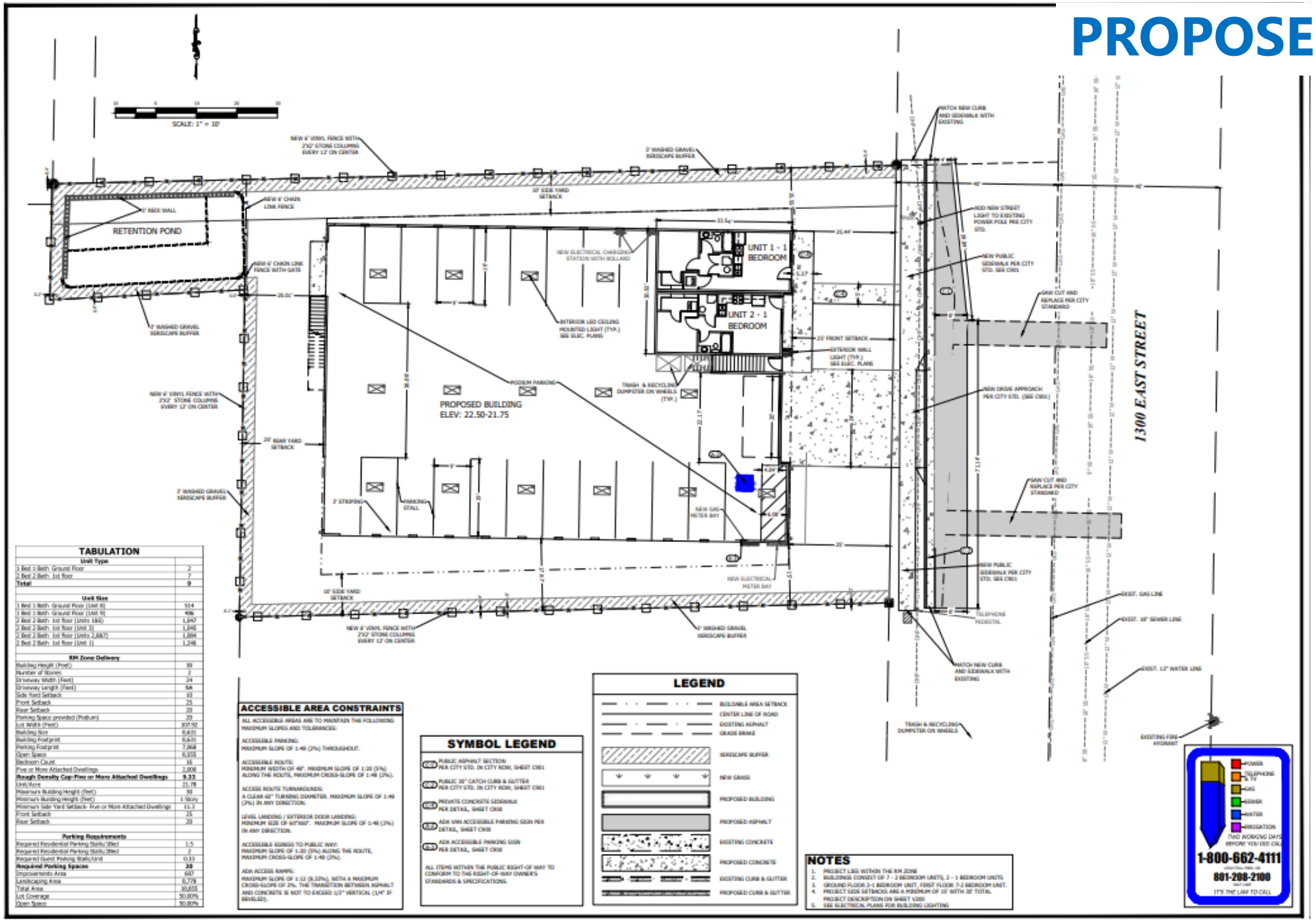
Parking. There will be 3 parking stalls for the 1-bedroom units and 14 parking stalls for the 2-bedroom units as required in code. There will be 3 guest parking spaces provided. There will be one ADA parking stall on the property. There will be 20 spaces of parking total.

# Bedrooms	Parking required	Stalls Provided
1 bedroom (2)	1.5 spaces required	3
2 bedroom (7)	2 spaces required	14
Guest Parking	.33 (bedroom) .33 x 9	3

Multiple Family Units, Multiple Family Dwelling, Dwelling Group, Apartment House:	.75 space per unit
Studio Units One Bedroom Units	1.5 spaces per unit
Two Bedroom Units Three Bedroom Units	2 spaces per unit
Four Bedroom Units	2.5 spaces per unit
Guest/visitor parking	3 spaces per unit
	.33 spaces per unit

Figure 5.19.80 PARKING REQUIREMENTS

PROPOSED SITE PLAN



TABULATION

Unit Type	
1 Bed 1 Bath Ground Floor	2
2 Bed 2 Bath 1st floor	7
Total	**9**
Unit Size	
1 Bed 1 Bath Ground Floor (Unit 8)	514
1 Bed 1 Bath Ground Floor (Unit 9)	486
2 Bed 2 Bath 1st floor (Units 1&6)	1,047
2 Bed 2 Bath 1st floor (Unit 3)	1,045
2 Bed 2 Bath 1st floor (Units 2,4&7)	1,004
2 Bed 2 Bath 1st floor (Unit 1)	1,248
RM Zone Delivery	
Building Height (Feet)	30
Number of Stories	2
Driveway Width (Feet)	24
Driveway Length (Feet)	58
Side Yard Setback	10
Front Setback	25
Rear Setback	20
Parking Space provided (Podium)	20
Lot Width (Feet)	107.92
Building Size	8,610
Building Footprint	8,610
Parking Footprint	7,068
Open Space	6,555
Bedroom Count	16
Five or More Attached Dwellings	2,008
Rough Density Cap- Five or More Attached Dwellings	**9.33**
Unit/Acre	21.78
Maximum Building Height (Feet)	30
Minimum Building Height (Feet)	1.5Story
Minimum Side Yard Setback- Five or More Attached Dwellings	11.3
Front Setback	25
Rear Setback	20
Parking Requirements	
Required Residential Parking Stalls/1Bed	1.5
Required Residential Parking Stalls/2Bed	2
Required Guest Parking Stalls/Unit	0.33
Required Parking Spaces	**28**
Improvements Area	697
Landscaping Area	6,778
Total Area	10,655
Lot Coverage	50.00%
Open Space	50.00%

ACCESSIBLE AREA CONSTRAINTS

ALL ACCESSIBLE AREAS ARE TO MAINTAIN THE FOLLOWING MAXIMUM SLOPES AND TOLERANCES:

ACCESSIBLE PARKING:
MAXIMUM SLOPE OF 1:48 (2%) THROUGHOUT.

ACCESSIBLE ROUTE:
MINIMUM WIDTH OF 48". MAXIMUM SLOPE OF 1:20 (5%) ALONG THE ROUTE, MAXIMUM CROSS-SLOPE OF 1:48 (2%).

ACCESS ROUTE TURNAROUNDS:
A CLEAR 60" TURNING DIAMETER. MAXIMUM SLOPE OF 1:48 (2%) IN ANY DIRECTION.

LEVEL LANDING / EXTERIOR DOOR LANDING:
MINIMUM SIZE OF 60"X60". MAXIMUM SLOPE OF 1:48 (2%) IN ANY DIRECTION.

ACCESSIBLE EGRESS TO PUBLIC WAY:
MAXIMUM SLOPE OF 1:20 (5%) ALONG THE ROUTE, MAXIMUM CROSS-SLOPE OF 1:48 (2%).

ADA ACCESS RAMPS:
MAXIMUM SLOPE OF 1:12 (8.33%), WITH A MAXIMUM CROSS-SLOPE OF 2%. THE TRANSITION BETWEEN ASPHALT AND CONCRETE IS NOT TO EXCEED 1/2" VERTICAL (1/4" IF BEVELED).

SYMBOL LEGEND

- PUBLIC ASPHALT SECTION PER CITY STD. IN CITY ROW, SHEET C901
- PUBLIC 30" CATCH CURB & GUTTER PER CITY STD. IN CITY ROW, SHEET C901
- PRIVATE CONCRETE SIDEWALK PER DETAIL, SHEET C900
- ADA VAN ACCESSIBLE PARKING SIGN PER DETAIL, SHEET C900
- ADA ACCESSIBLE PARKING SIGN PER DETAIL, SHEET C900

ALL ITEMS WITHIN THE PUBLIC RIGHT-OF-WAY TO CONFORM TO THE RIGHT-OF-WAY OWNER'S STANDARDS & SPECIFICATIONS.

LEGEND

- BUILDABLE AREA SETBACK
- CENTER LINE OF ROAD
- EXISTING ASPHALT
- GRADE BREAK
- XERISCAPE BUFFER
- NEW GRASS
- PROPOSED BUILDING
- PROPOSED ASPHALT
- EXISTING CONCRETE
- PROPOSED CONCRETE
- EXISTING CURB & GUTTER
- PROPOSED CURB & GUTTER

NOTES

1. PROJECT LIES WITHIN THE RM ZONE
2. BUILDINGS CONSIST OF 7 - 2 BEDROOM UNITS, 2 - 1 BEDROOM UNITS
3. GROUND FLOOR 2-1 BEDROOM UNIT, FIRST FLOOR 7-2 BEDROOM UNIT.
4. PROJECT SIDE SETBACKS ARE A MINIMUM OF 15' WITH 30' TOTAL
5. PROJECT DESCRIPTION ON SHEET V200
6. SEE ELECTRICAL PLANS FOR BUILDING LIGHTING

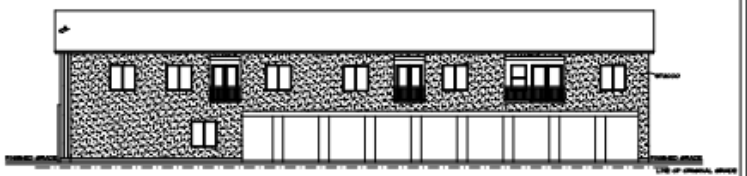
POWER
TELEPHONE & TV
GAS
SEWER
WATER
IRRIGATION
TWO WORKING DAYS BEFORE YOU DIG CALL
1-800-662-4111
801-208-2100
IT'S THE LAW TO CALL

PROPOSED ELEVATIONS

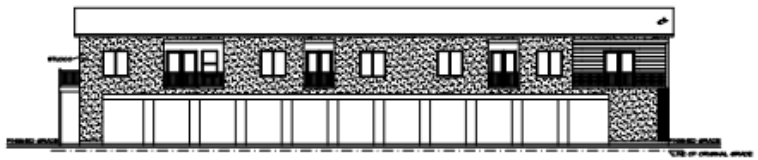


REAR ELEVATION

SUBJECT TO 19.44 RM
19.84 CONDITIONAL USES
9-PLEX



RIGHT ELEVATION



LEFT ELEVATION

EXTERIOR WALL SCONCE
TO MEET 19.44.050 SPECIAL REQUIREMENTS FOR THE R-1 ZONE (1A) ALSO TO BE DARK SKY COMPLIANT

11%	168 SQ FT HORIZONTAL SIDING
30.6%	461 SQ FT VERTICAL SIDING
22%	335 SQ FT BRICK
11.4%	251 SQ FT STUCCO
25%	381 SQ. FT. WINDOWS ON FACADE

BUILDING MEETS REQUIREMENTS FOR 19.44.050 (A) 5

Building Materials. Exterior materials of a durable or resilient nature such as brick, stone, stucco, prefinished panel, composite materials, or other materials of similar quality, hardiness, and low maintenance characteristics shall be used. With the exception of brick or stone, no single material is allowed to exceed 50 percent on all street-facing facades, excluding windows. Other materials may be considered for soffits, or as an accent or architectural feature. Twenty-five year guaranties, architectural shingles and/or other longer lasting roof materials are required. Stucco, EPS, smoothed or polished concrete, or metal siding shall comprise no more than 30 percent of any façade visible from a street or from an abutting property that is located in an R-1, R-2, R-4, A-1, or A-2 zone (residential zone). A change of materials is required between the ground story and all upper stories.

BUILDING MEETS REQUIREMENTS FOR 19.44.050 (A)(3)

VISUAL BREAKS ALONG THE STREET FACING FACADE SUCH AS HORIZONTAL ARTICULATION IN THE PLANE OF THE FACADE BY AT LEAST 2 FEET

CHANGE IN HEIGHT AT THE TOP OF THE BUILDING BY AT LEAST 10 FEET FOR EVERY 50 FEET OF FACADE LENGTH

CHANGES IN MATERIALS, COLOR, TEXTURE OR PATTERN FOR GREATER THAN 50 PERCENT OF THE BUILDING FACADE

COLUMNS OR PILASTERS WITH A MINIMUM 4" HORIZONTAL DEPTH FROM THE PLANE OF THE FACADE AND SPACED AT A MAXIMUM INTERVAL OF 50'

Parking and Vehicular Access. Parking for developments in the R-1 zone shall follow the requirements of 19.2 R&O. In addition to meeting the requirements of 19.2 R&O, parking and vehicular access for multifamily developments shall comply with the following requirements:

Vehicular access will be at least 24' wide



FRONT ELEVATION

TYP. SECTION

PLAT DEVELOPMENT
LOT 8 1500 ST
HOLLADAY CITY, UTAH

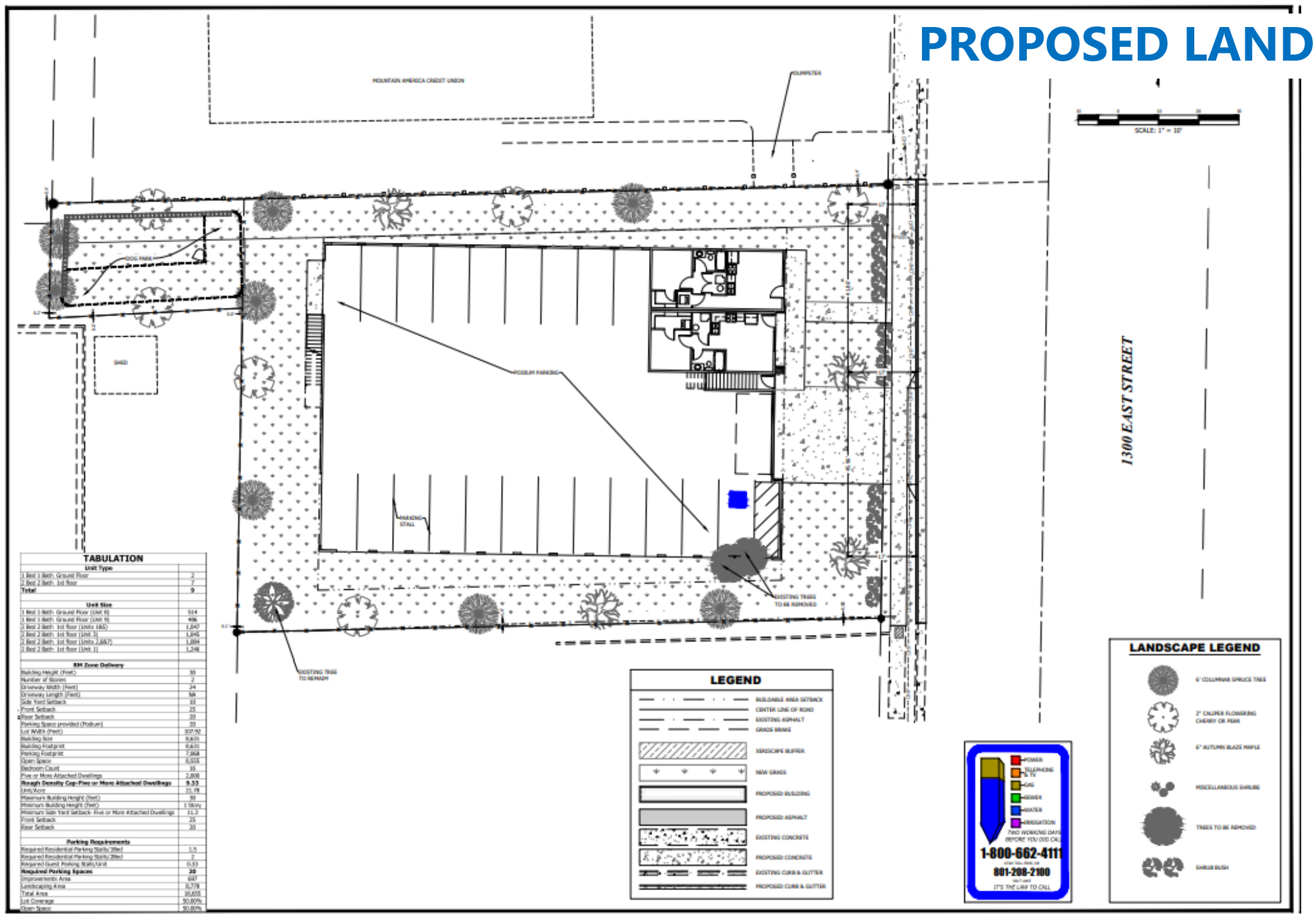
CREATIONS WEST

SEP. 22 21

1

9 PLEX

PROPOSED LANDSCAPE PLAN



TABULATION

Unit Type	
1 Bed 1 Bath: Ground Floor	2
2 Bed 2 Bath: 1st floor	7
Total	**9**
Unit Size	
1 Bed 1 Bath: Ground Floor (Unit 9)	514
1 Bed 1 Bath: Ground Floor (Unit 9)	486
2 Bed 2 Bath: 1st floor (Units 1&5)	1,047
2 Bed 2 Bath: 1st floor (Unit 3)	1,046
2 Bed 2 Bath: 1st floor (Units 2,6&7)	1,004
2 Bed 2 Bath: 1st floor (Unit 1)	1,248
RM Zone Delivery	
Building Height (Feet)	30
Number of Stories	2
Driveway Width (Feet)	24
Driveway Length (Feet)	NA
Side Yard Setback	10
Front Setback	25
Rear Setback	20
Parking Space provided (Podium)	20
Lot Width (Feet)	307.92
Building Size	8,610
Building Footprint	8,610
Parking Footprint	7,068
Open Space	6,555
Bedroom Count	16
Five or More Attached Dwellings	2,008
Rough Density Cap: Five or More Attached Dwellings	**9.33**
Unit/Acre	23.78
Maximum Building Height (Feet)	30
Minimum Building Height (Feet)	1 Story
Minimum Side Yard Setback- Five or More Attached Dwellings	11.3
Front Setback	25
Rear Setback	20
Parking Requirements	
Required Residential Parking Stalls/1Bed	1.5
Required Residential Parking Stalls/2Bed	2
Required Guest Parking Stalls/Unit	0.33
Required Parking Spaces	**20**
Improvements Area	697
Landscaping Area	6,778
Total Area	16,655
Lot Coverage	50.80%
Open Space	50.80%

NEIGHBORHOOD RESPONSE

"*Only those persons or entities who have a direct interest in, or who will be directly affected by the proposed change (including the applicant) must be notified of any pending action"*

Staff sent notices to directly affected property owners and entities on September 24, 2021. Staff did not receive comments from residents.

COMMUNITY COUNCIL RESPONSE

This project was reviewed at Millcreek Community Council.

At their regularly scheduled meeting on Tuesday, October 5th at 6:30 pm. Millcreek Community Council discussed the following:

- **Council inquired about whether there would be an elevator to access the second floor. The Applicant responded that the only access to the second floor would be via the stairs from the rear of the property and parking structure. Council suggested to applicant to include elevator to access the building.**

- **Council Members asked about the aesthetic of the home. The Applicant responded that all design requirements have been met.**

- **Council Members inquired about the retention pond. It was commented that the retention pond would be landscaped and made available as a small open space/dog park, as noted on the plans**

- **Council inquired about the proposed individual trash receptacles. Staff commented that individual receptacles were not allowed for this use and would need to be addressed prior to Planning Commission approval. The Applicant has made changes to the plans which now show a shared on-site trash collection system.**

Millcreek Community Council voted to recommend approval of the project.

PLANNING STAFF ANALYSIS AND FINDINGS

Staff has made the following findings:

1. **The Applicant can meet all the requirements through a Conditional Use permit.**
2. **The Applicant has indicated that they plan to submit a PUD condominium application at a later date.**
3. **The Applicant can meet requirements through Technical Review.**
4. **The height of the project is comparable to the surrounding building heights.**
5. **The project will not be a major impact due to only being 9 units and the results from the Traffic Study have stated a low level of service and impact on 1300 East.**
6. **Signs and accessory buildings will require separate building permits and staff review for zoning/land use compliance.**

MODEL MOTION

Motion to **approve** the proposed **conditional use permit CU-21-016 for a nine-plex at 4820 S 1300 E subject to the following conditions:**

PLANNING STAFF RECOMMENDATION & PROPOSED MOTION (CU-21-016)

Staff recommends that the Millcreek Planning Commission approve Conditional Use Permit, file number CU-21-016, to allow a two story 9-plex residential building, located at 4820 South 1300 East, subject to the following conditions:

1. No upward illumination is allowed. Any installation of public lighting facilities or lighting located within the public right of way must be approved by the Millcreek Public Works Department. No light may trespass onto adjacent lots.
2. Any modifications to these approved plans must be approved by the Millcreek Planning & Zoning Department. Any adjustments to the exterior design of the building, or alterations that increase the height or building footprint of structures, or any increase in density, must be approved by Planning Commission. Any changes to the site plan along a public right of way must be reviewed and approved by Millcreek Public Works Department.
3. The applicant will submit application for a PUD for preliminary approval before starting the Technical Review process for the project.
4. The applicant will comply with all requirements established through the technical review process prior to receiving final conditional use approval.
5. As part of the technical review, applicant is required to meet all standards for roadway development as determined by the Millcreek Public Works department.
6. All applicable fees from the technical review process required must be paid in full before final conditional use approval can be granted and before certificate of occupancy is granted.
7. The applicant will be required to install oil and water separators in the parking lot inlets below the living units.
8. There must not be any inlets in or near the dog park and vice versa.
9. The applicant will comply with all requirements of the Unified Fire Code and is subject to approval by the Fire Marshal. Any safety measures required by the Fire Marshal including a fire hydrant shall be installed. The applicant must include fire sprinklers and riser room in the front of the building, the Riser room will need a door that can be accessed directly from the exterior of the front of building & will need to be of sufficient size for maintenance and mobility.
10. The applicant shall obtain a complete review for an approved building permit and shall comply with the requirements of Millcreek City, and utilities. Building permit may only be applied for once final approval letter for conditional use permit and PUD is given to applicant.
11. Applicant must obtain utility will serve letters during the technical review process.

PLANNING STAFF RECOMMENDATION & PROPOSED MOTION (CU-21-016) cont.

Staff recommends that the Millcreek Planning Commission approve Conditional Use Permit, file number CU-21-016, to allow a two story 9-plex residential building, located at 4820 South 1300 East, subject to the following conditions:

12. The applicant and its successors shall properly and continually maintain all required landscaping, fencing, buildings.

13. An approved landscape plan that complies with the minimum standards found in Chapter 19.77 and shall be bonded for prior to final conditional use approval. A tree preservation, replacement, and removal plan will be completed and approved by City staff.

14. Applicant will be required to receive approval from Salt Lake County addressing department before final conditional use approval.

15. Applicant is required to bond for all proposed or required improvements of landscaping and public improvements as determined by the Public Works Department and Planning and Zoning Department.

16. That applicant shall schedule a pre-construction meeting with the public works department once bonding is complete.

17. The develop shall meet all requirements of Low Impact Development (LID) approach. This approach includes long-term stormwater BMPS that allow stormwater to infiltrate, evapotranspiration or harvest and reduces runoff from the site and protects water quality (MS4 permit 4.2.5.1.3). If a LID approach is infeasible, an alternative rationale must be provided and documented showing that infiltration, evapotranspiration, and harvesting methods were used to the maximum extent feasible. Reasons for infeasibility may include the following: high ground water, drinking water source protection areas, soil conditions, slopes, accessibility, excessive costs, or others (MS4 permit 4.2.5.1.5).

18. All items of the staff report and 19.44, 19.78 requirements.

APPLICATION FILE #CU-21-017

Community Development Corporation of Utah (CDCU)



North & East Elevations

File No. CU-21-017

Planning Commission Staff Report

Meeting Date:	**20 October 2021**
Applicant:	**Todd Reeder, CDCU**
Request:	**Preliminary conditional use approval for a 64-unit affordable senior housing project located at 4074 South West Temple**
Parcel:	**15-36-476-032-0000, 15-36-476-033-0000**
Size:	**1.15 acres / 50,068 square feet**
Prepared By:	**Robert May, Long Range Planning Manager**

CDCU Community Development Corporation of Utah

method studio

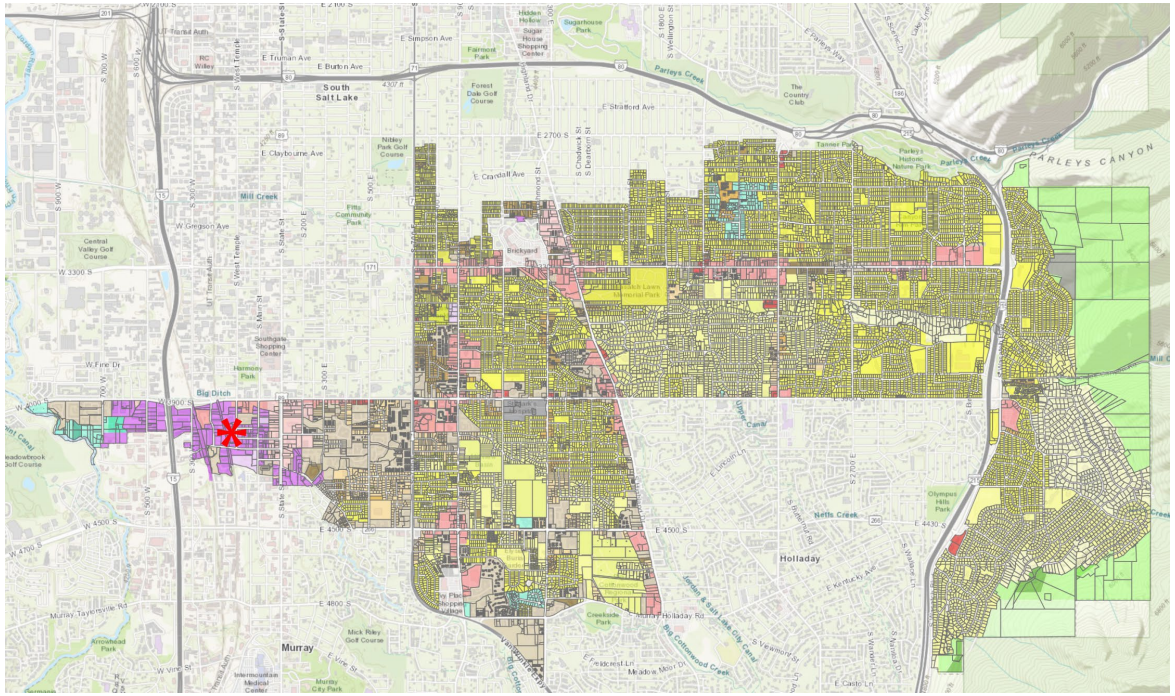


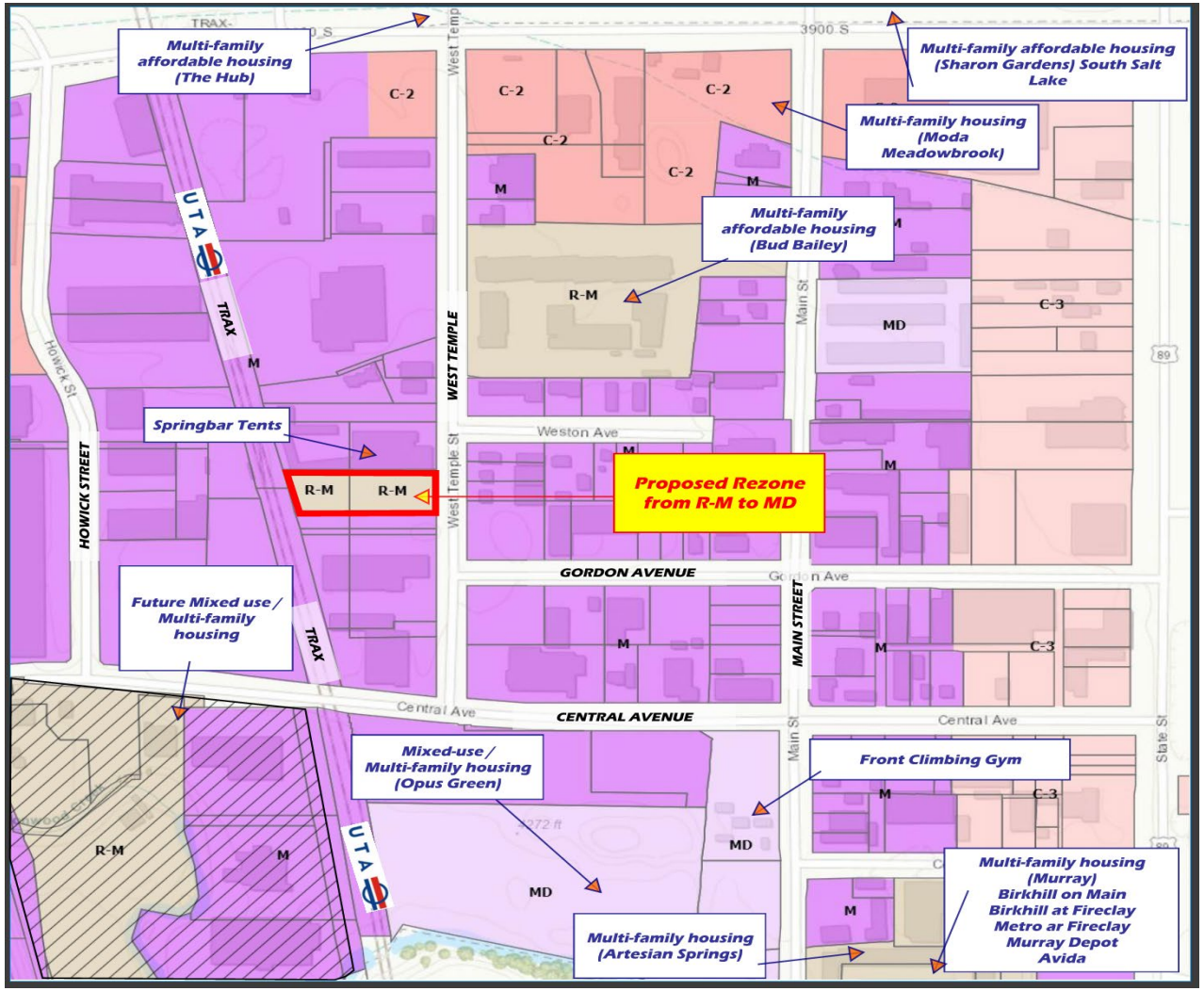


Currently the subject property is vacant and has been used as a dumping ground with overgrown vegetation.

Historically the property has always been used as outside storage and unimproved parking and has remained undeveloped.

The property has no improvements in terms of curb, gutter or sidewalk and serves as a gap for pedestrians using the sidewalk on adjacent properties.



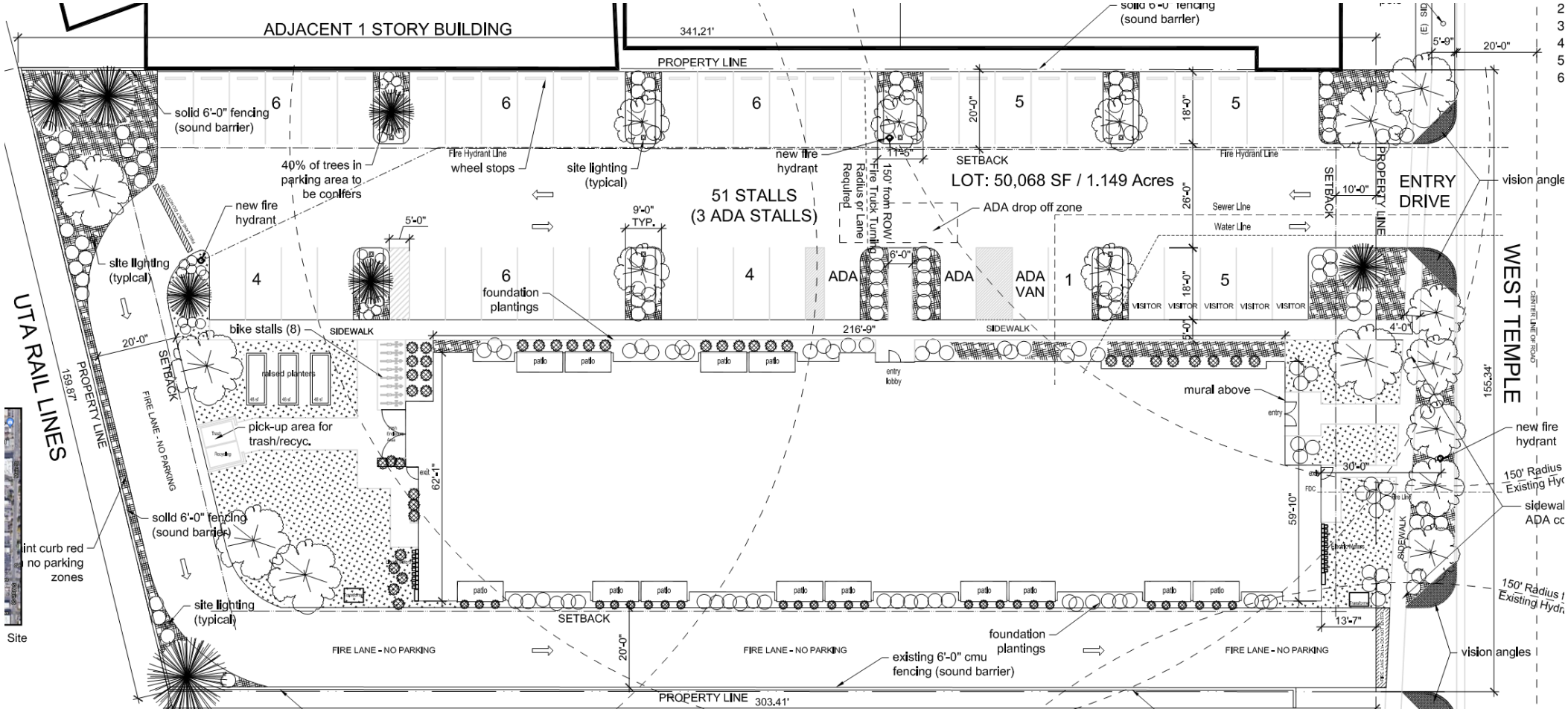


As you may recall, the applicant made a previous application (ZM-21-001) to rezone the subject property to an MD Zone from an RM Zone. Staff recommended approval of application to further help Millcreek reach its demographic projections for moderate income housing and provide a substantial housing development. The rezone application was approved by City Council by way of a development agreement on September 13, 2021.

Site Layout. A 4-story structure with an approximate 12,170 sf footprint which is approximately 24% of the total lot square footage. Structure is designed to have fire access completely around perimeter and is situated such to allow for adequate parking and usable open space.

Site Plan Information:
Current Zoning District: RM - Residential Multi-Family
Proposed Zoning District: MD - Mixed Development

Lot Information:
Lot Size: 50,068 SF / 1.149 Acres
Building Footprint: 12,170 SF / 24% of Lot Area
Landscaping: 9,990 SF / 20% of Lot Area
Units:
Level 1: 13 1-Bedroom Units
Level 2: 17 1-Bedroom Units
Level 3: 17 1-Bedroom Units
Level 4: 17 1-Bedroom Units
Total: 64 Units
Parking Provided:
51 Stalls (4 Accessible one of which is Van Accessible)





Building Design. A flat roof, 4-story building with a diverse range of articulation and materials.

Height: Ground floor to top of parapet is at 45’ feet.

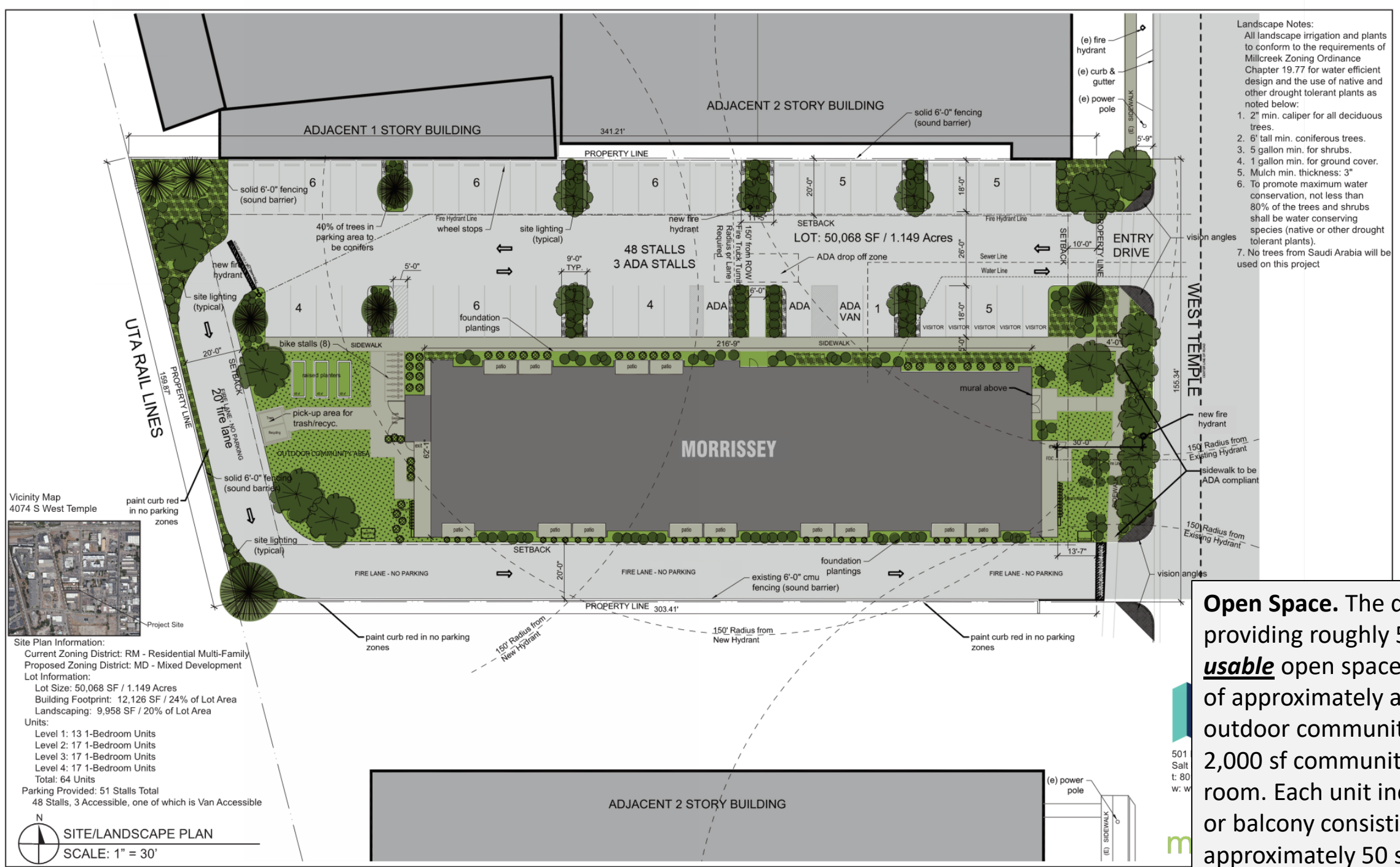
Setbacks: Front: 10’ Rear: 20’ Side: 20’

Materials: A mixture of charcoal grey and red/brown brick, metal panels with aluminum siding. A beautiful mural wall showcasing a rainbow of birds flying aimlessly that faces West Temple.

Massing: Although mostly broken up, the width of the building is roughly 57’ feet wide and 216’ feet long.




Painted Steel Railing (Black)
Painted Standing Seam Metal Panels
Aluminum Storefront
Red/Brown Brick Masonry
Light Gray EIFS
Aluminum Storefront
Charcoal Gray Brick Masonry
Light Gray EIFS
Painted Standing Seam Metal Panels
Charcoal Gray Brick Masonry
Main Entry
Top of Parapet
45'-0"
Fourth Floor
32'-0"
Third Floor
21'-8"
Second Floor
11'-4"
Ground Floor
0'



Vicinity Map
4074 S West Temple

Site Plan Information:
- Current Zoning District: RM - Residential Multi-Family
- Proposed Zoning District: MD - Mixed Development
- Lot Information:
  - Lot Size: 50,068 SF / 1.149 Acres
  - Building Footprint: 12,126 SF / 24% of Lot Area
  - Landscaping: 9,958 SF / 20% of Lot Area
- Units:
  - Level 1: 13 1-Bedroom Units
  - Level 2: 17 1-Bedroom Units
  - Level 3: 17 1-Bedroom Units
  - Level 4: 17 1-Bedroom Units
  - Total: 64 Units
- Parking Provided: 51 Stalls Total
  - 48 Stalls, 3 Accessible, one of which is Van Accessible

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SITE/LANDSCAPE PLAN
SCALE: 1" = 30'

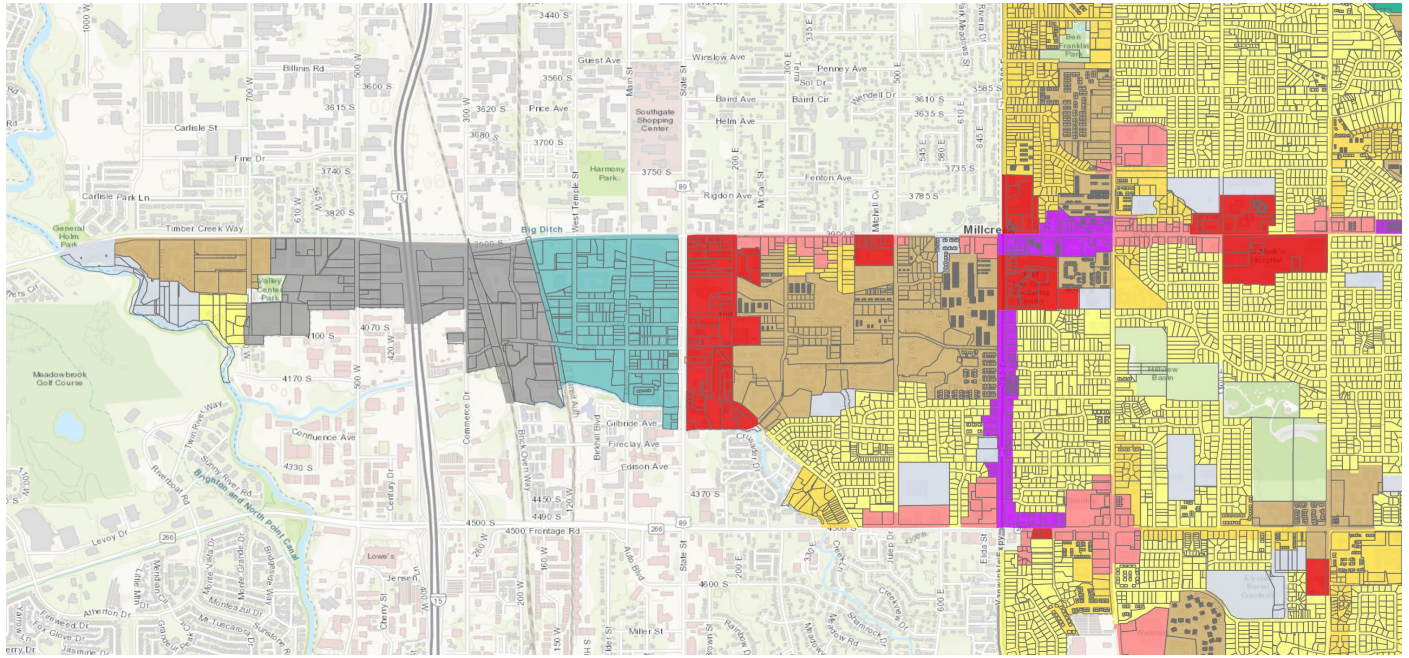
Open Space. The developer is providing roughly 5,000 sf of ***usable*** open space that consists of approximately a 3,000 sf outdoor community space and a 2,000 sf community / fitness room. Each unit includes a patio or balcony consisting of approximately 50 sf.

Millcreek Together General Plan

The proposed affordable housing project intended for low-income seniors between 25% and 55% area median income and will help Millcreek further meet its obligation to provide diverse and affordable housing options.

Per the Millcreek General Plan, the greatest demand is for households making less than 50% AMI. Under Utah Code, municipalities must assure the production of moderate-income housing and submit an annual update for its Moderate Income Housing Plan.

A rezone to accommodate the proposed affordable housing project will help Millcreek meet its implementation strategies and goals for providing affordable housing for households within the 25%-50% AMI.



MEADOWBROOK CENTER	***Primary:*** Diverse mix of uses, including multifamily condominiums or apartments, office, retail, and restaurants. ***Secondary:*** Cultural and public facilities, health services, plazas, squares, pocket parks, community gardens, and other gathering spaces. Flex uses are also appropriate in this area. (See Glossary page 116 for Flex definition).	Building heights range from 2 - 6; however, there is potential for increased heights depending on proximity to transit stops and major streets.	• Intended to develop as a concentrated and dense mix of uses. • Scaled to create a functional, walkable, pedestrian-friendly urban environment with public gathering spaces. • Vertical and horizontal mix of uses that integrates high density residential units with retail, commercial, office and restaurant uses. • Sited adjacent to major regional roadways and potential future transit facilities. • Promote cohesive urban design with consistent development standards.

A parking study commissioned by Millcreek was performed by Fehr and Peers that analyzed other senior and affordable housing parking requirement rates ranging from neighboring jurisdictions and suggested state of the art practices from the Institute of Transportation Engineers and the Urban Land Institute. The study took into account key characteristics at each development that included at minimum, number of units and bedroom counts, age restrictions, income restrictions, available transit services within a half (0.5) mile and existing pedestrian infrastructure.

Based on the findings of the literature review and the collected data, Fehr & Peers recommends that Millcreek implement a parking requirement for senior housing developments, such as the proposed 4074 West Temple development, based on the following standard:

- 0.75 parking stalls per single-bedroom dwelling unit
- 1 parking stall per two-bedroom dwelling unit
- 1.25 parking stalls per dwelling unit with three or more bedrooms.

TABLE 2: STUDY DEVELOPMENT CHARACTERISTICS

Site	Unit Types	Total Units	Total Bedrooms	Age Restriction	Income Restriction	Vacancy Rate	Transit Access
Sharon Gardens	1 Bedroom	58	58	Yes, 62+	Yes, rent=30% income	5%	TRAX, 15-min Bus
Bud Bailey	1-3 Bedrooms	136	285	No	Most ≤55% AMI, a few market rate	4%	TRAX, 15-min Bus
The Hub	1-3 Bedrooms	157	234	No	Mix of subsidized and market	2%	TRAX, 15-min Bus
Kelly Benson	Studio, 1-2 Bedrooms	59	70	Yes, 55+	Yes, rent=30% income	8%	30-min Bus
Preston Place	1 Bedroom	65	65	Yes, 65+	Yes, 50% AMI	0%	30-min Bus

Site	Bikeability	Walkability	Overflow Parking	Parking Supply	Stalls per Unit	Stalls per Bedroom
✓ Sharon Gardens	Poor	Fair	On-Street	57	1.0	1.0
Bud Bailey	Poor	Fair	On-Street	216	1.6	0.75
The Hub	Fair	Fair	On-Street, TRAX Lot	137	0.875	0.6
✓ Kelly Benson	Poor	Far	None	43	0.75	0.6
✓ Preston Place	Fair	Good	On-Street	32	0.5	0.5

Source: Fehr & Peers, 2021

Conditions in the Determination Letter and Development Agreement

1. A minimum of 48 required stalls.
2. Total sum of required stalls shall not include the accessible parking spaces required to satisfy the Americans with Disabilities Act and shall be provided in addition to the number of stalls required.
3. Required parking must be provided to residents free of charge. No fees or premiums shall be collected for resident and guest parking.

COMMUNITY COUNCIL RESPONSE

At their regularly scheduled meeting on October 5, 2021, the Millcreek Community Council (MCCC) voted **unanimously to recommend approval** of the proposed CUP application with the understanding that a development agreement has been recorded.

During the meeting, there was a resident that had a question regarding construction phase and best management practices for dust, debris, and noises. Staff recommended to the applicant to prepare a construction timeline during technical review and how the concerns of the resident will be mitigated.

PLANNING COMMISSION RECOMMENDATION FOR PREVIOUS REZONE APPLICATION ZM-21-001

At their regularly scheduled meeting on July 21, 2021, the Millcreek Planning Commission voted unanimously to make a positive recommendation to the City Council subject to the staff report and the conditions therein. The Planning Commission further added in their motion for recommendation that the development agreement include that the mural will be the same size, scale, and quality as depicted in the plans, change of use language that would affect the parking requirement, bike locker capacity and use, landscaping will use endemic/waterwise plants and trees. All Commissioner's present voted yes.

STAFF FINDINGS

When considering the specific study development characteristics within the Feir and Peers parking stud and the comparable senior housing sites (Sharon Gardens, Kelly Benson, and Preston Place) that are similar to the proposed senior housing development, a parking ratio of .75 per one-bedroom unit will satisfy the required parking and guesting parking needed to accommodate a 64 one-bedroom affordable senior housing project.

- ***Pursuant to the Millcreek Ordinance, the Planning Director identified income-restricted senior housing as a use not classified and established a parking ratio of 0.75 stalls per unit, pursuant to a parking study. Staff finds that a .75 parking ratio with the conditions located in the determination letter and development agreement will help further mitigate the public's parking concerns.***

South Salt Lake and Murray, along with Millcreek have identified this area, due to its transit-oriented opportunities, to be an excellent location for residents seeking affordability and low-income housing. As the area progresses, more opportunities will be available and in return attract more people which helps reduce criminal activity altogether. Millcreek is currently working with developers seeking to develop in the Meadowbrook area on a wide variety of mixed-use plans that will include, in addition to a variety housing options, a city park and trail along Big Cottonwood Creek and a neighborhood market that can be accessed easily.

- ***Staff finds that the rezone request and proposal by CDCU will provide an excellent repurpose of the existing property and that the development aligns with the characteristics and uses deliberately intended for the Meadowbrook district.***

- ***Staff finds that the proposed affordable housing project closely follows the standards and principles found in the Millcreek Together General Plan, and that the slated land use frame within the Future Land Use Map supports the rezone.***

- ***Staff finds that the proposed rezone will accommodate the affordable housing project and help Millcreek meet its implementation strategies and goals for providing affordable housing for households within the 25%-50% AMI.***

The subject property is vacant and has been used as a dumping ground with overgrown vegetation. The property has no improvements in terms of curb, gutter or sidewalk and serves as a gap for pedestrians using the sidewalk on adjacent properties.

- ***Staff finds that the rezone request and proposal will enhance the curb appeal and beautify the property through its building design, landscape plans. The required public improvements will connect the sidewalk creating a safe pedestrian route and make way for curb, gutter, and park strip. Staff finds that the proposal would be a valuable addition to the community and that many of the concerns can be mitigated with a carefully crafted development agreement that outlines conditions for use, parking, density, building height, materials, and landscaping.***

DEVELOPMENT AGREEMENT CONSIDERATIONS

The rezone application was approved by City Council by way of a development agreement on September 13, 2021. Click here to review Ordinance 21-35. The applicants plans for the preliminary conditional use permit reflect all the physical requirements and conditions of the approved and recorded development agreement. A copy of the city approved, and recorded development agreement is included in the supporting documents. Conditions in recorded development agreement are as follows:

1. Use of property is limited to an affordable multi-family senior housing project for low-income seniors that are of 62 years of age or older and fall within a 25% - 55% area median income range. Development and use of property must qualify for affordable senior housing under the requirements set by the U.S Department of Housing and Urban Development.
2. Development shall consist of 64 one-bedroom units.
3. A minimum of 48 parking stalls is required. Total sum of required stalls shall not include the accessible parking spaces required to satisfy the Americans with Disabilities Act and shall be provided in addition to the number of stalls required.
4. Required parking must be provided to residents free of charge. No fees or premiums shall be collected for resident and guest parking.
5. Development shall include an ADA vehicle drop off and vehicle pick-up area that includes an unobstructed path of travel to and from the building.
6. Five parking stalls out of the 48 stalls provided must be identified as guest parking with signage.
7. The approved parking ratio is for one-bedroom units in an affordable senior housing development. If the use changes within the term of the development agreement, the new use must satisfy the then current parking ordinance and parking required for that use.
8. Maximum height of the building is limited to 45 feet measured from original ground surface.

9. Building footprint shall not exceed 12,750 square feet.
10. Exterior building materials of a durable or resilient nature such as brick, stone, prefinished panel, composite materials, or other materials of similar quality, hardiness, and low maintenance characteristics shall be used. No single material is allowed to exceed 50 percent of street-facing facades. Other materials may be considered for soffits, or as an accent or architectural feature. Twenty-five-year guarantee, architectural shingles and/or other longer lasting roof materials are required.
11. Arrangement of the materials and the windows will be substantially the same as indicated on the attached renderings, Exhibit C. All other character defining features such as size, craftmanship and design, including the form and massing of the building shall remain the same as indicated on the attached renderings in Exhibit C.
12. The mural on the east building façade shall be at least 500 square feet in area and be the same scale and quality as depicted in the plans shown in Exhibit C.
13. Developer shall provide 5,000 sf of usable open space that consists of approximately a 3,000-sf outdoor community space and a 2,000-sf community/fitness room with glass frontage. The developer shall include at minimum, three 48 sf raised garden beds as part of the amenities for this development.
14. Each unit shall include a patio or balcony consisting of a minimum fifty square feet and a minimum depth of at least five feet.
15. The developer will install three interior light poles within the parking lot as established on the attached site plan, Exhibit C
16. Landscaping will be provided as provided in the attached landscape plan as established on the attached landscape plan, Exhibit C. Trees and plantings shall include only endemic or waterwise plant species that are appropriate to the region.
17. Developer shall include a minimum of 24 trees, having a minimum caliper of two inches in size consisting of seven conifers and seventeen deciduous trees.
18. Developer shall perform a lot consolidation that is approved by the city and recorded at Salt Lake County Recorder’s Office.

PLANNING STAFF RECOMMENDATION AND MODEL MOTION

Based on staff's analysis and findings, along with the conditions located in Exhibit A of the development agreement recorded at the Salt Lake County Recorder's Office, File # 13773687, staff recommends to the Planning Commission to grant preliminary conditional use approval of application CU-21-017.

Model Motion:

Motion to grant preliminary conditional use approval of application CU-21-017 based on staff's analysis and findings, and the conditions located in the development agreement recorded at the Salt Lake County Recorder's Office, File # 13773687.

CUP PRESENTATION BREAKDOWN

REVIEW

- *EXPLAIN PROPERTY CHARACTERISTICS*
- *CODE REQUIREMENTS & APPLICATION REQUEST*

SUMMARY

- *ESTABLISH APPLICATION PLANS MEET CODE*
- *REVIEW REQUESTED EXCEPTIONS*

RECOMMENDATION

- *COMMUNITY COUNCIL RESPONSE*
- *STAFF FINDINGS*
- *STAFF RECOMMENDATION*

MILLCREEK CODE ALLOWS PRELIMINARY CUP PLANS TO BE CONCEPTUAL BUT SHALL PROVIDE REASONABLE ACCURACY AND SPECIFICATIONS TO ALLOW FOR FULL UNDERSTANDING - *Chapter 19.84.030 (B)*

FULLY DETAILED AND COMPLETE ENGINEERED PLANS ARE EXPENSIVE AND REQUIRE A CONSIDERABLE AMOUNT OF INVESTMENT. UNFORTUNATELY, THIS IS REQUIRED FOR SOME PROJECTS.

HOWEVER, FOR MOST, THIS IS A TALL ORDER WHEN FACING THE UNCERTAINTY OF NOT BEING APPROVED AND PUTS A CHALLENGING FINANCIAL BURDEN ON THE APPLICANT.

19.84.030 Application Requirements; Fee

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

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

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

C. Fee. The initial application fee for any conditional use permit, as provided for in MKC 3.52.040, shall be paid. The payment of a partial application fee, or the submittal of plans for a pre-submittal review, does not constitute a complete application.

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

APPLICATION PROGRESS

MEET WITH PLANNING STAFF – DISCUSS CODE/APPLICATION DETAILS (5%)

DEVELOPMENT REVIEW COMMITTEE MEETING – MULTIPLE AGENCY REVIEW (15%)

PRE-APPLICATION REVIEW – ORGANIZE REQUIRED DOCUMENTS, STUDIES, APPROVAL LETTERS, ETC. (25%)

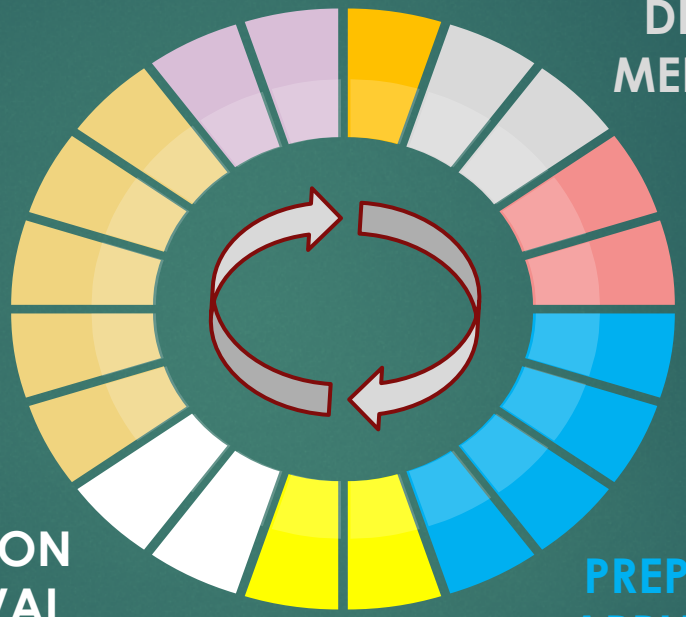
PREPARE AND SUBMIT COMPLETE APPLICATION – PAY APPLICATION FEES, PREPARE FOR NOTICING, CC AND PC (45%)

COMMUNITY COUNCIL RECOMMENDATION (55%)

PLANNING COMMISSION PRELIMINARY APPROVAL (65%)

TECHNICAL REVIEW WITH AGENCY REVIEWERS – FINAL PLAN REVIEW, BONDING AND COLLECT FINAL FEES (90%)

FINAL CUP APPROVAL – PREPARE AND SUBMIT FOR BUILDING PERMIT (100%)



PLANS MUST SHOW THAT ALL REQUIREMENTS ARE MET FOR COMPLETENESS. IN AN EFFORT TO VALIDATE WHETHER APPLICATION CAN MOVE FORWARD AND QUALIFY FOR PRELIMINARY APPROVAL, STAFF IDENTIFIES THE "MAKE OR BREAK" ITEMS WITHIN THE PLANS (*CONCEPTUAL OR NOT*) THAT DEMONSTRATE THE REQUIREMENTS OF THE APPLICATION CAN MEET CODE OR NOT MEET CODE

- "BREAK" ITEMS ARE THE REQUIREMENTS THAT TYPICALLY SHATTER AN APPLICATIONS ABILITY TO MOVE FORWARD AND OBTAIN FINAL APPROVAL. THE APPLICANT MAY BE UNABLE OR FIND DIFFICULLT TO MODIFY.
- "MAKE" ITEMS ARE REQUIREMENTS THAT ALTHOUGH MUST BE MET AND ARE IMPORTANT, DO NOT TEND TO STOP AN APPLICATION FROM MOVING FORWARD. THE APPLICANT CAN EASILY MODIFY AND REVISE PLANS WITHOUT MUCH CHANGE IN DESIGN.

BREAK ITEMS

Difficult to Modify - Dealbreaker Items

Ownership Verification/Clear Title
Uses Allowed
Development Agreement Conditions
Specific Zone Conditions
State and Federal Approval
Traffic Circulation and Movement
Pedestrian Accesses and Movement
Interior Roads and Sidewalks
Easements and Licenses Provided

Maximum Lot Coverage and Minimum Open Space

Building Elevations from Existing Grade
Right-of-Way Dedication
Required Public Improvements
Unit Number and Bedroom Count
Parking Spaces
Environmental Conditions
Geolical Features/Hazards
Fire Codes
Building Codes
Utility Plans
Canal Company Approval
Architecture
Setbacks and Stepbacks
Street Facing Façade
Solar Panels
Commercial Space Dimensions

MAKE ITEMS

Easy to adjust in Plans - Not Likely to break a Project

Patio/Balcony Sizes
Garbage/Recycling Collection
Materials/Windows
Landscaping Specifics
Fencing
Interior Lighting
Screening
Entry Gate
Storage

Bicycle Parking

Amenities
Washer and Dryer
24 Hour On-Site Management
Signage
Electric Charging Stations

REVIEW

EXPLAIN PROPERTY CHARACTERISTICS

- Location
- Size
- Zone(s)
- Current and Proposed Uses

CODE REQUIREMENTS APPLICATION REQUEST

- All Applicable Codes
- Applicants Proposal

SUMMARY

ESTABLISH APPLICATION PLANS MEET CODE

- Cross Reference Code Requirements with Plans
- Application Checklist and Tables

REVIEW REQUESTED EXCEPTIONS

- Parking Reduction
- Shared Parking Reduction
- Setback Reduction Per Landscaping Code

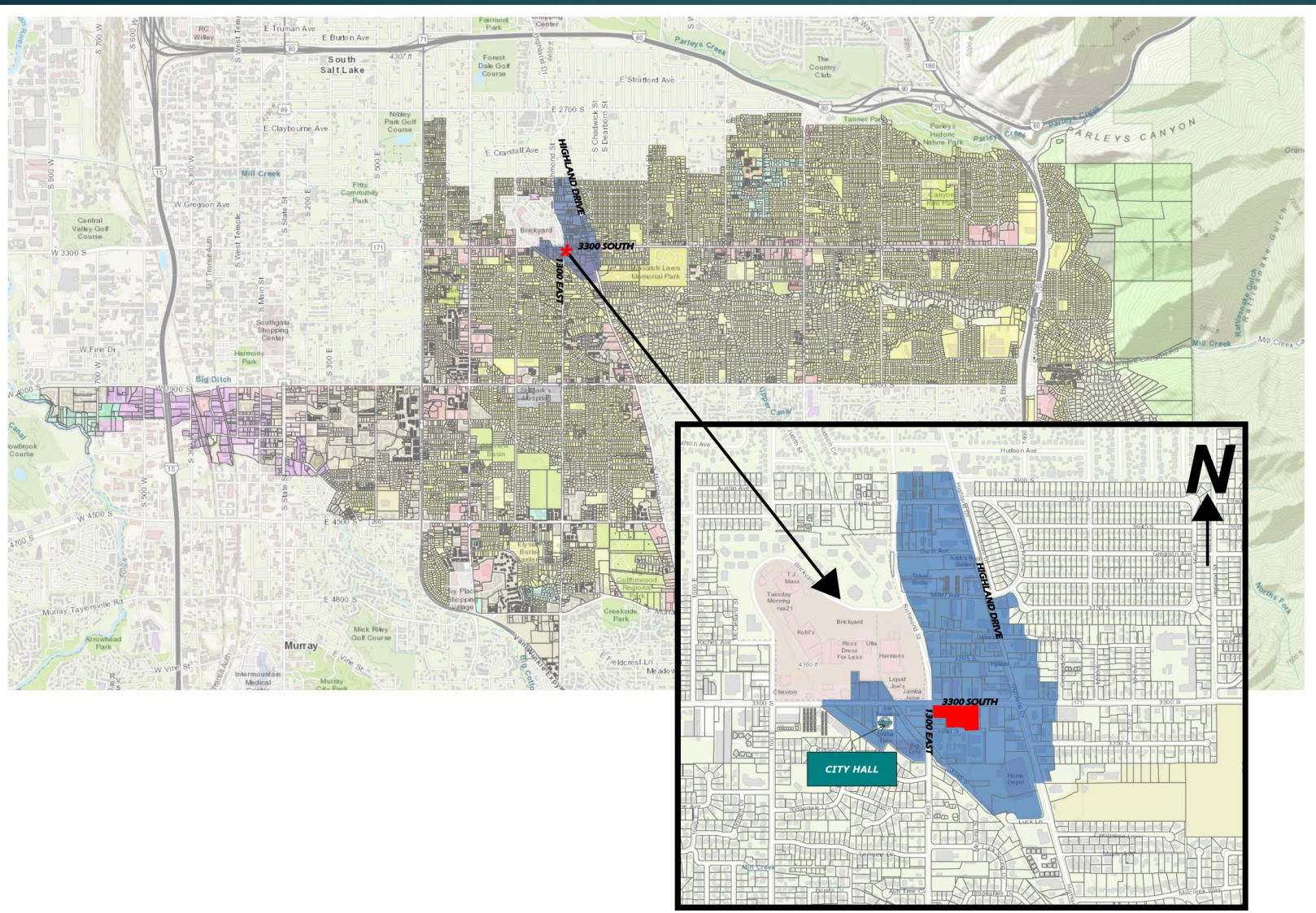
RECOMMENDATION

COMMUNITY COUNCIL RESPONSE

STAFF FINDINGS

STAFF RECOMMENDATION

REVIEW



- **Location**

  1306 East 3300 South

- **Size**

  1.76 acres (76,665 sf)

- **Zone(s)**

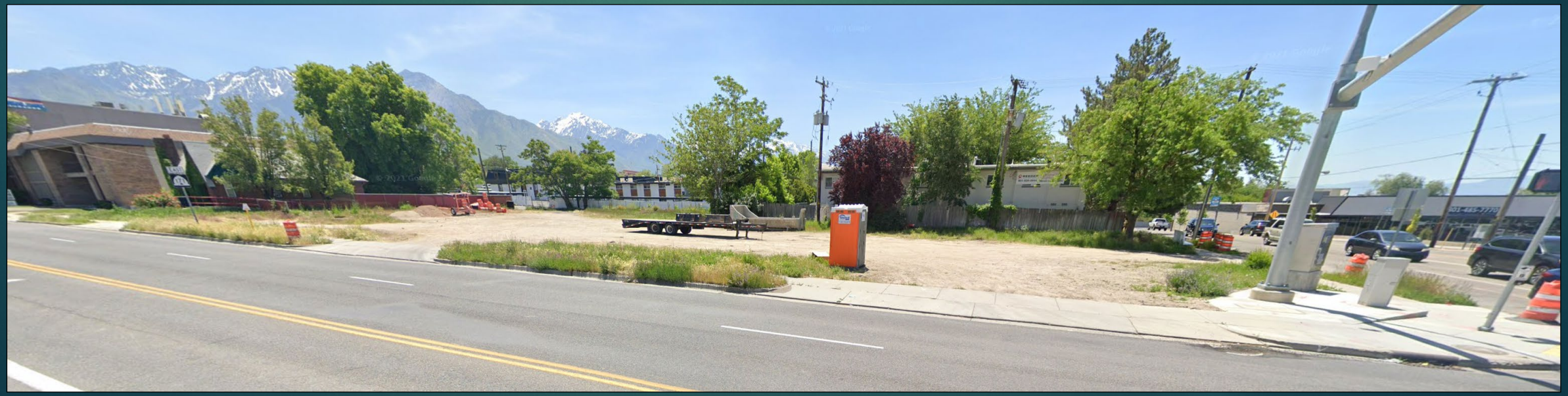
  Commercial (C-2) Zone
  City Center Overlay (CCOZ) Zone
  Market Place District

REVIEW

• Current Use

Use of the site has remained relatively unchanged from 2014 up to present time. The majority of the property is mostly vacant and includes a small office and an abandoned dwelling that previously caught fire and has been deemed uninhabitable. The property has also been used as a staging ground for other nearby projects and UDOT.

Historically, the site consisted of single-family residential use from about 1929 until a gas station or automobile service station was constructed on the western portion of the site between 1953 and 1958. An office building was constructed on the eastern portion of the site between 1970 and 1975. The gas station on the western portion of the site appears to have been upgraded or expanded between 1981 and 1987, and was demolished and removed between 2011 and 2014



• Proposed Use

- Mixed Use Building (Residential + Commercial)
- Commercial consisting of office and retail space



General Categories of Use by District
Neighborhood District - Multi-family, mixed use, neighborhood retail and neighborhood services, office uses (limited to 2,500 square feet or less, unless the uses are in a building that is located within 200 feet of the corner of a neighborhood street and either Richmond Street or Highland Drive), 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

REVIEW

- **All Applicable Codes**

Chapter 19.60 COMMERCIAL ZONES

Chapter 19.73 CITY CENTER OVERLAY ZONE (CCOZ)

Chapter 19.80 OFF-STREET PARKING REQUIREMENTS

Chapter 19.77 WATER EFFICIENT LANDSCAPE DESIGN AND DEVELOPMENT STANDARDS

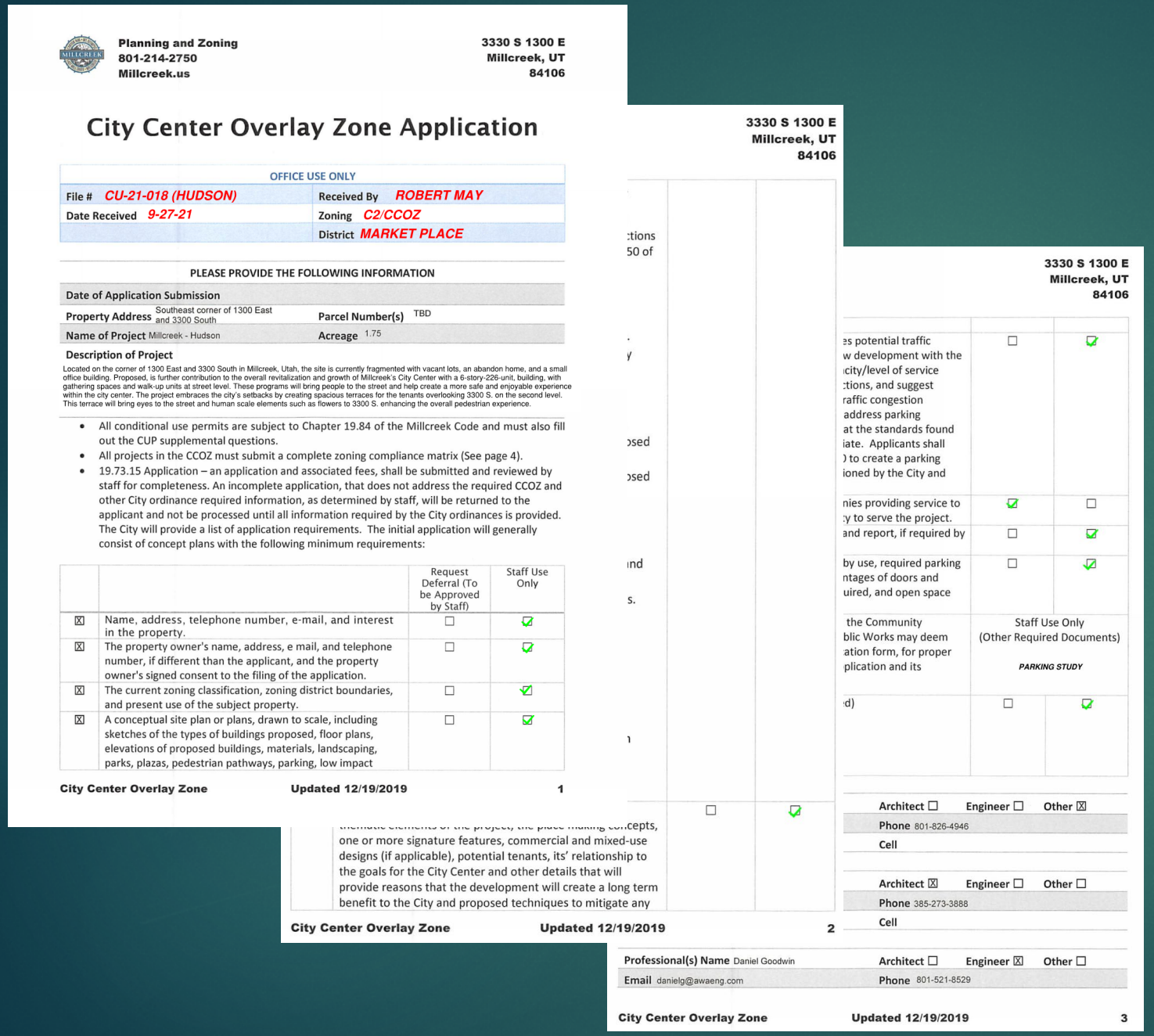
- **Applicants Proposal**

Cottonwood Residential, is requesting is proposing a mixed-use multi-family project consisting of **226 residential units and 7,735 sf feet of commercial retail and office space.**
The project and proposed building, "The Hudson", will be located at the southeast corner of 1300 East and 3300 South that will include a 20' x 15' corner plaza

The seven-story / 75' tall building has ground-floor commercial retail and office uses resulting in a mixture of co-working office space, a coffee shop and fitness studio that will be available to the public and residents of the building.

There will be on-site covered parking using a shared parking concept between commercial and residential uses. The provided parking will be completely off street in an enclosed multi-level parking garage with access at 1300 East and 3300 South.

SUMMARY



Planning and Zoning
801-214-2750
Millcreek.us

3330 S 1300 E
Millcreek, UT
84106

City Center Overlay Zone Application

OFFICE USE ONLY	
File # CU-21-018 (HUDSON)	Received By ROBERT MAY
Date Received 9-27-21	Zoning C2/CCOZ
	District MARKET PLACE

PLEASE PROVIDE THE FOLLOWING INFORMATION

Date of Application Submission	
Property Address Southeast corner of 1300 East and 3300 South	Parcel Number(s) TBD
Name of Project Millcreek - Hudson	Acreage 1.75

Description of Project

Located on the corner of 1300 East and 3300 South in Millcreek, Utah, the site is currently fragmented with vacant lots, an abandon home, and a small office building. Proposed, is further contribution to the overall revitalization and growth of Millcreek's City Center with a 6-story-226-unit, building, with gathering spaces and walk-up units at street level. These programs will bring people to the street and help create a more safe and enjoyable experience within the city center. The project embraces the city's setbacks by creating spacious terraces for the tenants overlooking 3300 S. on the second level. This terrace will bring eyes to the street and human scale elements such as flowers to 3300 S. enhancing the overall pedestrian experience.

- All conditional use permits are subject to Chapter 19.84 of the Millcreek Code and must also fill out the CUP supplemental questions.
- All projects in the CCOZ must submit a complete zoning compliance matrix (See page 4).
- 19.73.15 Application – an application and associated fees, shall be submitted and reviewed by staff for completeness. An incomplete application, that does not address the required CCOZ and other City ordinance required information, as determined by staff, will be returned to the applicant and not be processed until all information required by the City ordinances is provided. The City will provide a list of application requirements. The initial application will generally consist of concept plans with the following minimum requirements:

		Request Deferral (To be Approved by Staff)	Staff Use Only
☒	Name, address, telephone number, e-mail, and interest in the property.	☐	☑
☒	The property owner's name, address, e mail, and telephone number, if different than the applicant, and the property owner's signed consent to the filing of the application.	☐	☑
☒	The current zoning classification, zoning district boundaries, and present use of the subject property.	☐	☑
☒	A conceptual site plan or plans, drawn to scale, including sketches of the types of buildings proposed, floor plans, elevations of proposed buildings, materials, landscaping, parks, plazas, pedestrian pathways, parking, low impact	☐	☑

City Center Overlay Zone Updated 12/19/2019 1

3330 S 1300 E
Millcreek, UT
84106

one or more signature features, commercial and mixed-use designs (if applicable), potential tenants, its' relationship to the goals for the City Center and other details that will provide reasons that the development will create a long term benefit to the City and proposed techniques to mitigate any

City Center Overlay Zone Updated 12/19/2019 2

3330 S 1300 E
Millcreek, UT
84106

es potential traffic w development with the city/level of service tions, and suggest raffic congestion address parking at the standards found iate. Applicants shall) to create a parking ioned by the City and	☐	☑
nies providing service to y to serve the project.	☑	☐
and report, if required by	☐	☑
by use, required parking ntages of doors and uired, and open space	☐	☑
the Community blic Works may deem ation form, for proper plication and its	Staff Use Only (Other Required Documents) *PARKING STUDY*	
d)	☐	☑

Architect ☐ Engineer ☐ Other ☒
Phone 801-826-4946
Cell

Architect ☒ Engineer ☐ Other ☐
Phone 385-273-3888
Cell

Professional(s) Name Daniel Goodwin
Email danielg@awaeng.com
Architect ☐ Engineer ☒ Other ☐
Phone 801-521-8529

City Center Overlay Zone Updated 12/19/2019 3

19.73.030 CCOZ Application Process

19.73.030 CCOZ Application Process

A. Preapplication conference meeting with representatives from the City is required.

B. Application – an application and associated fees shall be submitted and reviewed by staff for completeness. An incomplete application, that does not address the required CCOZ and other City ordinance required information, as determined by staff, will be returned to the applicant and not be processed until all information required by the City ordinances is provided. The City will provide a list of application requirements. The initial application will generally consist of concept plans with the following minimum requirements:

1. The applicant's name, address, telephone number, email address, and interest in the property.
2. The property owner's name, address, email address, and telephone number, if different than the applicant, and the property owner's signed consent to the filing of the application.
3. A property survey, property boundaries, right-of-way center lines, utility access, topographical information indicating original ground surface as defined by MKZ 19.04.095, and recorded easements. The survey shall also include the street address and legal description of the subject property.
4. The current zoning classification, zoning district boundaries, and present use of the subject property.
5. A conceptual site plan or plans, drawn to scale, including sketches of the types of buildings proposed, floor plans, elevations of proposed buildings, materials, landscaping, parks, plazas, pedestrian pathways, parking, low impact design stormwater techniques to be applied to the site, known fault lines and recommended setbacks, oblique sketches of the project to show any view related issues (Valley and Mountains), and conceptual street cross sections using the requirements of sections MKZ 19.73.040 and MKZ 19.73.050 of this chapter.
6. A written explanation of the project that describes the thematic elements of the project, the placemaking concepts, one or more signature features, commercial and mixed-use designs (if applicable), potential tenants, its' relationship to the goals for the City Center and other details that will provide reasons that the development will create a long term benefit to the City and proposed techniques to mitigate any anticipated detrimental effects.
7. A preliminary traffic study that defines potential traffic generation, the integration of the new development with the adjacent street corridors, traffic capacity/level of service issues on adjacent roads and intersections and suggests mitigation solutions for anticipated traffic congestion problems. The traffic study may also address parking demands, if the applicant believes that the standards found in the Parking Chapter are inappropriate. Applicants shall follow the requirements of MKZ Section 19.80.040 to create a parking study. Traffic and parking studies shall be commissioned by the City and paid for by by the applicant.
8. Provide letters from all utility companies providing service to the project site describing their ability to serve the project.
9. A site-specific geologic hazard study and report, if required by MKZ 19.75.
10. A summary table showing floor area by use, required parking by use, materials percentages, percentages of doors and windows, residential amenities if required, and open space requirements.
11. Other information the City may deem necessary, as described on the application form, for proper review and analysis of an application and its potential detrimental effects.

SUMMARY

Planning and Zoning
801-214-2750
Millcreek.us

3330 S 1300 E
Millcreek, UT
84106

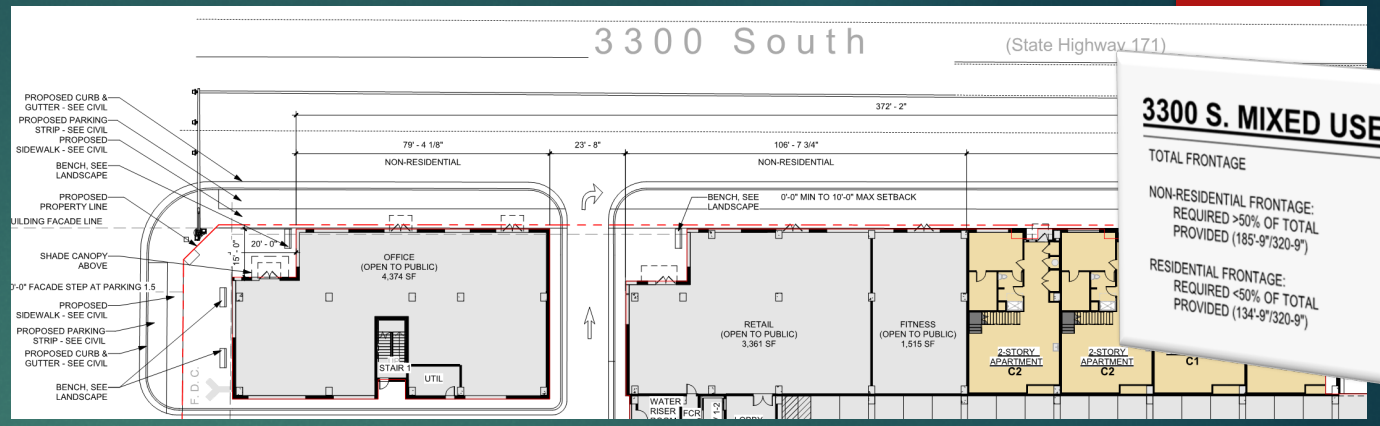
Address 2010 N. Redwood Road, Salt Lake City, UT 84116 **Cell**

To facilitate the land use notice and review process, the undersigned hereby authorize the City to reproduce this application and all documents attached to the application for staff, officials, and the interested public: I certify the submitted information on and included with this application is true and correct to the best of my knowledge, and, if found otherwise, this application and any associated approvals shall be revoked. I am aware this application does not authorize any development activity or conducting of business until the required permit is approved and issued by Millcreek. I also understand when a permit is granted subject to conditions, such permit does not become effective until all conditions have been satisfied. I authorize City Staff to enter the property for purposes related to development review and inspections. I am aware that only complete applications will be accepted for processing (complete application requirements are attached).

Applicant's Signature Gregg Christensen, Authorized Rep Date September 17, 2021

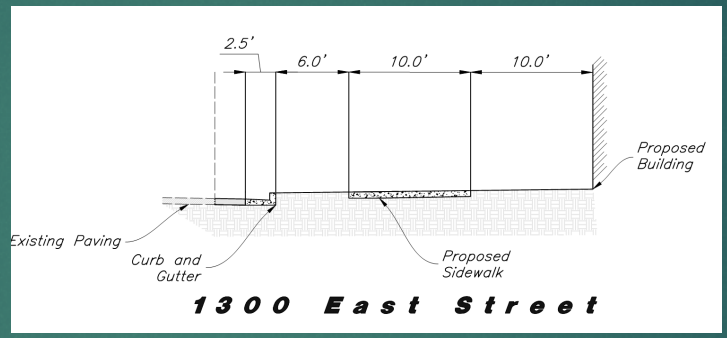
CCOZ CODE COMPLIANCE MATRIX

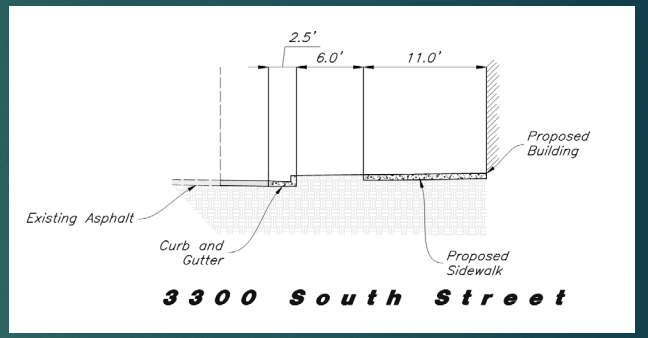
Category	Requirement	Project Details	Review Notes – Office Use Only
		USE REQUIREMENTS	
Commercial Uses	Required for ground floor facades. Projects on NW corner of 3300 S and Highland and NE corner of 3300 S and 1300 E must have at least 25% of floor area as non-residential uses.	The project is located on the SW corner of 3300 South and 1300 East. This requirement does not apply. ✓ REFER TO SHEET SP-01	***PROJECT PROVIDES 50% NON-RESIDENTIAL/COMMERCIAL ON THE FIRST FLOOR FACING 3300 SOUTH -OFFICE, RETAIL AND FITNESS***
	SEE LANDSCAPE PLAN L-00	*STREETSCAPE REQUIREMENTS*	
Street Type	Describe applicable street type:	Richmond/1300 East Boulevard 3300 South ✓ REFER TO SHEET SP-01	
Street Tree Plan	Depends on street type.	Street trees every 40' ✓ REFER TO SHEET L-00	***SUBJECT TO THE URBAN FORESTRY STANDARDS***
Dedication	May be required based on street type.	Richmond/1300 East Boulevard: Back of sidewalk 3300 South: 1' from back of sidewalk ✓	***80 FT RIGHT OF WAY - 40 FT HALF WIDTH*** REFER TO SHEET SP-01
Street Furnishing and Lighting		Richmond/1300 East Boulevard: Lighting 3300 South: Lighting STREET LIGHTING AND PHOTOMETRIC PLAN TO BE PROVIDED BY ELECTRICAL ENGINEER AT TECHNICAL REVIEW	***SUBJECT TO CITY CENTER LIGHTING AND SHALL INCORPORATE A LUMINAIRE ATOP A 14-FOOT LIGHT POLE***
		BULK REQUIREMENTS	



3300 S. MIXED USE

TOTAL FRONTAGE	320'-9"
NON-RESIDENTIAL FRONTAGE: REQUIRED >50% OF TOTAL	185'-9"
PROVIDED (185'-9"/320'-9")	>160.4' 58%
RESIDENTIAL FRONTAGE: REQUIRED <50% OF TOTAL	134'-9"
PROVIDED (134'-9"/320'-9")	<160.4' 42%







Zelkova serrata 'Village Green'

VILLAGE GREEN ZELKOVA

(Z5) Full Sun. Pest and disease resistant

The Village Green Zelkova is a large shade tree with a graceful shape, clean foliage, attractive bark, and varying autumn color.

H 40-60' W 30-50'



19.73.070 Design Standards (F)

SUMMARY

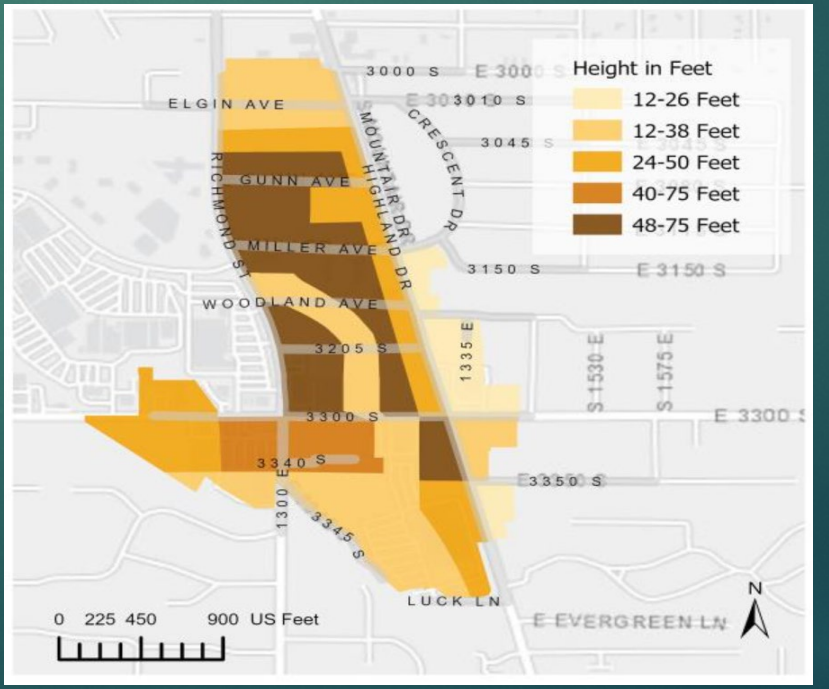
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801-214-2750
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3330 S 1300 E
Millcreek, UT
84106

Build to Zone	0 to 10 feet – subject to new street standard	The ground floor of the building is set at 0 set back. REFER TO SHEET SP-01 ✓	
Min Side Yard Setback	10 feet between buildings. Note: greater setbacks may be required where walls containing residential windows are adjacent to another building with residential windows.	The ground floor of the building is set at 0 set back. REFER TO SHEET SP-01 ✓	
Min Rear Yard Setback	10 feet, or 25 feet if adjacent to residential zoning.	REFER TO SHEET SP-01 ✓	
Building Height	Maximum height to be established per the height map in the CCOZ. Applicant to verify by survey the property location to determine the allowable height.	The height of the building is 75'-0" from the finish grade to the top of the roof deck. DIMENSION HAS BEEN ADDED ON SHEET A5-01 FROM THE FINISH GRADE TO THE TOP OF THE ROOF DECK. ✓	***Height of building is measured from existing grade/surface***
Height Transitions	Required for projects within 100 feet of an R-1 or R-2 zone	N/A ✓	***NONE***
Minimum Lot Coverage	50 percent	The building covers more than 50% of the site. REFER TO SHEET SP-01 ✓	
Maximum Lot Coverage	80 percent	The building covers 79% of the site. REFER TO SHEET SP-01 ✓	

Requirements	
Front Build-to Zone	0-10 feet
Minimum Side Yard Setback	10 feet between buildings, except accessory buildings; or 5 feet from a side property line.
Minimum Rear Yard Setback	10 feet, except when abutting an R-1, R-2, or R-4-8.5 zone, where the setback is 25 feet
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
Required First Floor Uses	Office, retail, craftsman industrial or residential (50% must be non-residential use). Any mixed use building that fronts on Millcreek Common Street shall have 100% non-residential uses on the first floor facing that street.
Depth of first floor non-residential uses	Not less than 30 feet unless at least 40 percent of the habitable floor area of the building consists of nonresidential uses, in which case the depth of first-floor non-residential uses can be reduced to not less than 20 feet.
Upper Story Uses	Any permitted use or conditional use
Where Allowed	Corners in the Neighborhood District, the entire Mill Center, and the entire Market Place
Storefront Width	Not to exceed 30 feet

19.73.070 Design Standards (N)



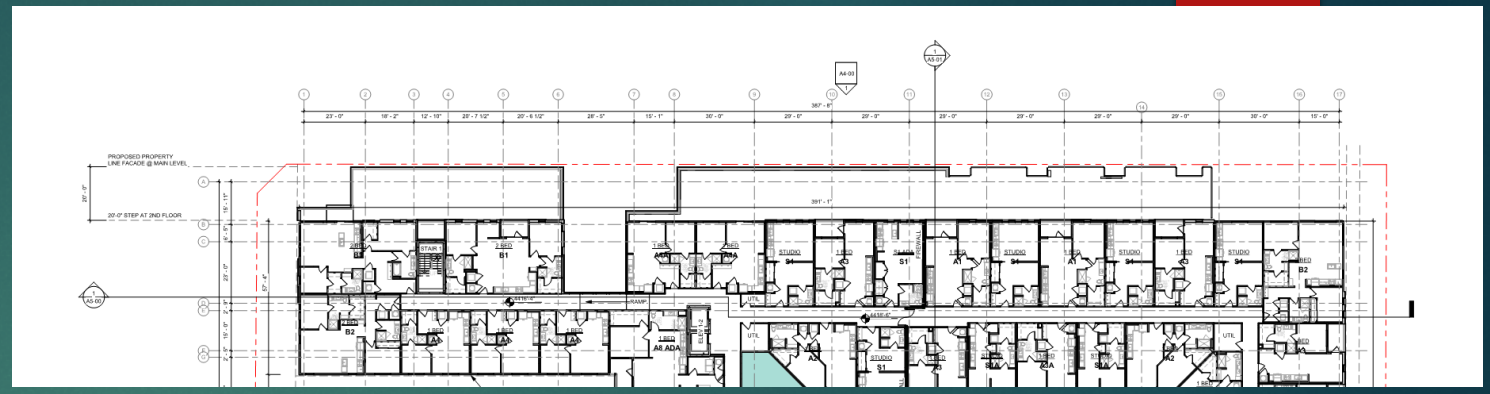
19.73.060 Bulk And Yard Regulations

SUMMARY

Planning and Zoning
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84106

Off-Street Parking	Must be located to the side or rear of building or structure	Parking is located in a parking structure within the building REFER TO SHEETS SP-01, A0-00, A0-00.1, A0-01, & A0-02 ✓	***REQUESTING A REDUCTION IN OFF-STREET PARKING (SHARED AND PARKING STUDY) AN APPROXIMATE 13.5% REDUCTION REQUESTED***
		DESIGN STANDARDS	
Entrances	First floor entrances must face street.	The leasing office and walk-up apartment entrances all face either 3300 South or 1300 East. REFER TO SHEET SP-01 ✓	
Building step-backs	20 foot street or common facing stepback required between first and third stories.	~~The third floor steps back 20' 0" from the~~ street. THE NORTH BUILDING FACE OF LEVEL 1 HAS BEEN MOVED TO THE NORTH APPROXIMATELY 5' TO SATISFY THE 20' SETBACK REQUIREMENT FROM LEVEL 1 TO LEVEL 2. REFER TO SHEET SP-01 & A0-03 ✓	
Windows	50 percent of street facing facades, and 25 percent of upper story facades. Windows must be designed to standards described in the graphic.	50% of the street facing facades will have aluminum storefront. The upper level facade contains 32% windows. REFER TO SHEET A4-00 ✓	
Landscaping	Specific street trees required. Submit plan for non-public spaces	REFER TO SHEET L-00 ✓	***SUBJECT TO THE URBAN FORESTRY STANDARDS.***
Garbage and Recycling	May not be closer than 10 feet from a property line, unless in a parking structure. Enclosures are required for waste containers outside of buildings.	The garbage and recycling room will be locate in the parking deck. REFER TO SHEET SP-01 ✓	









[19.73.070 Design Standards (J-K)](#) [19.80.080 Shared Parking](#) [19.73.070 Design Standards (N-5)](#) [19.73.070 Design Standards (I)](#)

SUMMARY

Planning and Zoning
801-214-2750
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3330 S 1300 E
Millcreek, UT
84106

Building Materials	Stucco and EIFS are prohibited for use as materials on any façade visible from a right-of-way. Stone or brick must be 50 percent of ground floor, excluding windows, or 75 percent of ground floor, excluding windows, if the project is in the mill Center District	There will be no stucco or EIFS on the building. The ground floor has a combination of brick, aluminum storefront and fiber cement siding. ✓ REFER TO SHEET A4-00	
Building Length	No single building may exceed 300 feet in length.	The longest length of the building is 267'-5". ✓ REFER TO DIMENSIONS ON SHEET A0-01	
Building Separation	Buildings must be separated by at least 10 feet. Note: greater setbacks may be required where walls containing residential windows are adjacent to another building with residential windows.	There is a 25'-0" break in the building. ✓ REFER TO DIMENSIONS ON SHEET SP-01	*SEE NORTH SIDE OF BUILDING WHERE ONE-WAY EXIT ONTO 3300 SOUTH*
Facade Articulation	Rooflines shall vary every 100 feet. 3 foot depth façade depth variation requires for buildings longer than	The roof lines vary every 100'-0" with 3'-0" deep recesses. ✓ REFER TO SHEET A0-08	

EXTERIOR FINISH LEGEND

NO.	MATERIAL DESCRIPTION
BR 01	BRICK VENEER- LIGHT GREY
CPL 01	HARDIE REVEL PANEL SYSTEM - LIGHT WHITE
CLS 01	6" LAP CEMENTITIOUS SIDING - LIGHT BROWN
CMP 01	CORRUGATED METAL PANEL - GALVANIZED
WLS 01	WOOD LAP SIDING - HORIZONTAL -
WVS 01	WOOD SIDING - BROWN
MTL 01	METAL CANOPY - DARK BRONZE
STF 01	ALUMINUM STOREFRONT - DARK BRONZE
RL 01	GLASS RAILING - DARK BRONZE
RL 02	ALUMINUM RAILING - DARK BRONZE





[19.73.070 Design Standards (N-2 to 4)]

SUMMARY

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3330 S 1300 E
Millcreek, UT
84106

	100 feet. 2' foot other sides	✓	
Plaza	Sites greater than one acre must have a plaza on the front, corner side, or side of the building.	A plaza will be provided at the corner of 3300 South and 1300 East. REFER TO SHEET SP-01 ✓	
Open Space	Defaults to lot coverage requirements. Residential open space to be 20 percent not including private balconies. May be reduced with a fee-in-lieu, under certain circumstances	The ground floor of the building is set at 0 set back. REFER TO SHEET SP-01 ✓	
Commercial Frontage	100% of a ground floor along Mill Common 50% of a ground floor facing a street outside of Mill Common area	***THE GROUND FLOOR IS MADE UP OF OFFICE, RETAIL AND FITNESS WITH WALK UP APARTMENTS*** REFER TO SHEET SP-01 & A0-01 ✓	
Residential Amenities	3 required per 19.44.050 (11)	A fitness room, clubroom and sky lounge will be provided in the building. There will be a pool and large courtyard on LEVEL 2 ✓	REFER TO SHEET SP-01, A0-01, A0-07
Rooftop Gardens	Allowed, subject to design standards. A ten-foot setback is required for any amenity feature on a roof deck, except for solar panels	There will be a large courtyard for the use of the building residents. There will be no rooftop gardens along 3300 South. REFER TO SHEET A0-03 ✓	

[19.73.070 Design Standards (O)]

[19.73.070 Design Standards (N-5)]



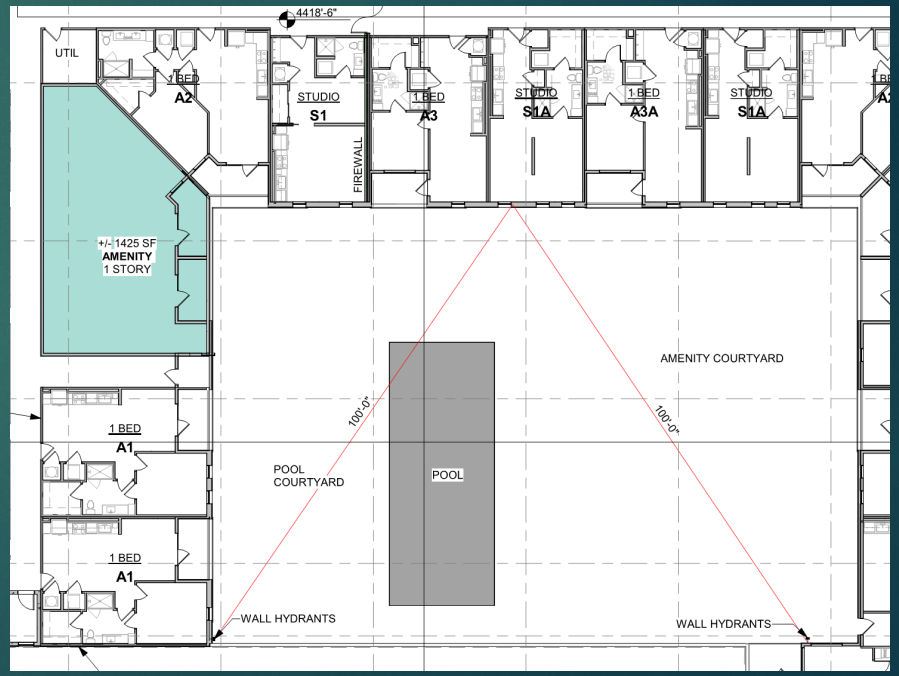
Streets that require a plaza shall design a minimum of **20 feet wide 15 feet** deep usable public plaza space and shall include provisions for shade and protection from inclement weather and seating. For sale art sculpture(s) are encouraged.

LOT COVERAGE

ALLOWABLE MIN LOT COVERAGE	50%
ALLOWABLE MAX LOT COVERAGE	80%
PROPOSED LOT COVERAGE	79%
OPEN SPACE	21%

3300 S. MIXED USE

TOTAL FRONTAGE	320'-9"
NON-RESIDENTIAL FRONTAGE:	185'-9"
REQUIRED >50% OF TOTAL	>160.4'
PROVIDED (185'-9"/320-9")	**58%**
RESIDENTIAL FRONTAGE:	134'-9"
REQUIRED <50% OF TOTAL	<160.4'
PROVIDED (134'-9"/320-9")	**42%**



SUMMARY

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3330 S 1300 E
Millcreek, UT
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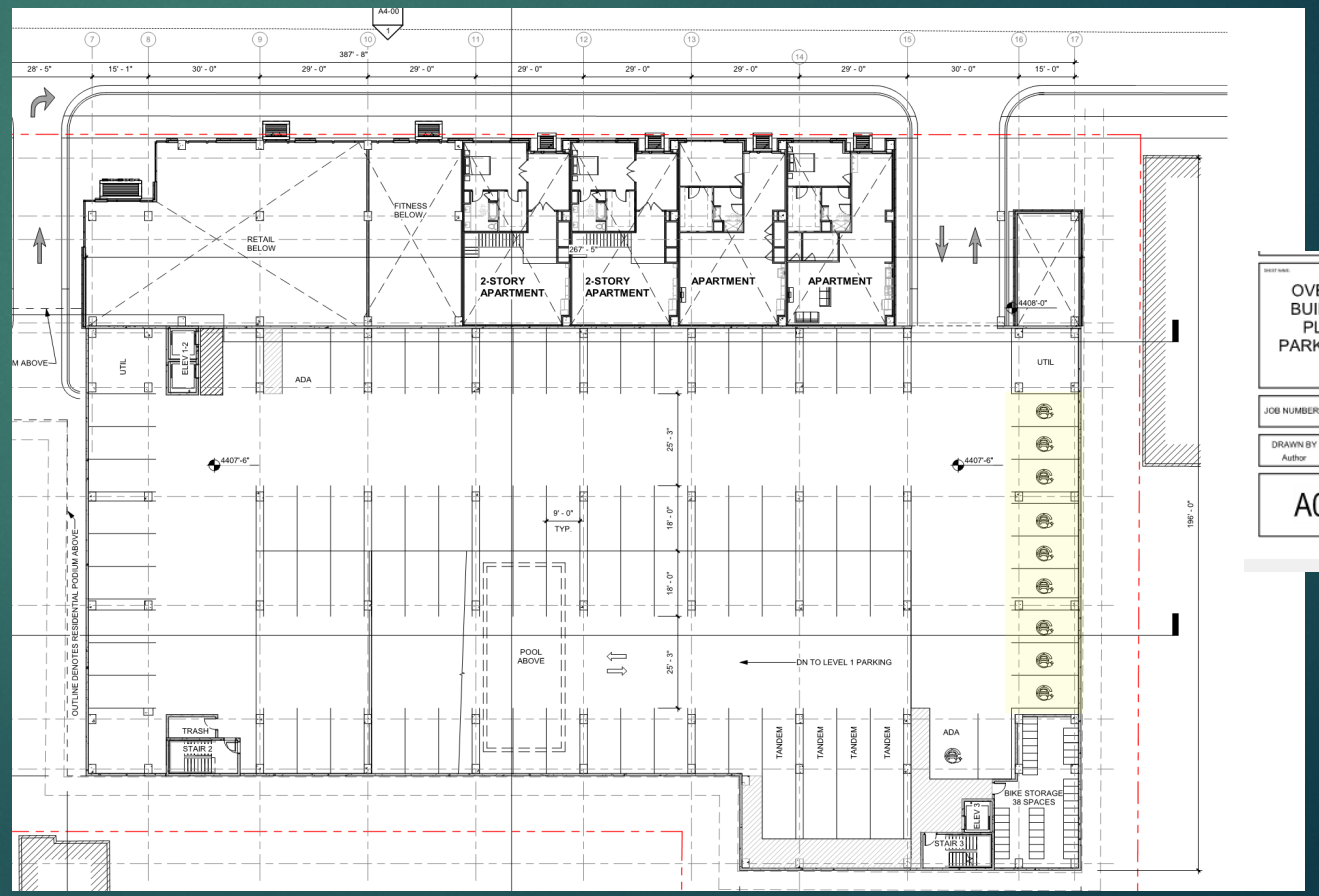
Balconies	All units must have a balcony of 60 sf and 6' depth.	60% of the units have balconies per the CCOZ overlay ordinance. REFER TO SHEET CD-00 ✓	***Mixed-Use / Building Design. For residential units, provide outdoor balconies or patios for 60% of the residential units at a minimum of 6 feet deep and 60 square feet each.***
Utilities	Utilities must be buried underground.	The new electrical lines will be buried. The existing overhead electrical lines will remain. ELECTRICAL LINE LOCATION WILL BE PROVIDED BY ELECTRICAL ENGINEER DURING TECHNICAL REVIEW	
Management	24 hour onsite management required. 19.44.050 (E) (17)	Owner will provide 24 hour on-site management. ✓	
Electric Vehicle Charging	Parking structures shall include one 220V electric vehicle charging station per each 10 stalls. 1 per garage in Townhouses	1 electric vehicle charging station will be provided per every 10 stalls. REFER TO SHEETS SP-01, A0-00, A0-00.1, A0-01, & A0-02 ✓	
Unit Storage	Each unit must provide 100 cubic feet of unit storage. 19.44.050 (E)(17)	The unit closets shall provide the required unit storage. REFER TO UA SHEETS ✓	
Energy Efficiency	Rooftops must include solar for at least 50% of rooftop area.	The building shall be designed to exceed the energy efficiency standards of the 2018 Commercial Energy Conservation Code of Utah and ASHRAE standards by 5%. SUPPORTING EFFICIENCY DOCUMENTATION WILL BE PROVIDED WITH THE PERMIT SUBMITTAL. ✓	

Solar Rooftops, HVACs, and Charging Stations
Rooftops may be used as garden type open space, and/or passive recreation space but all roofs above the highest occupied floor of a building shall incorporate solar panels for power generation. 50% of the entire rooftop space above the highest occupied floor of a building shall be covered with solar panels, or, if solar panels are deemed infeasible or inefficient, the building shall be designed to exceed the energy efficiency standards of the current state-adopted International Energy Conservation Code and ASHRAE standards by at least 5% 19.73.070 Design Standards (Y)

[19.73.070 Design Standards (N5-a)]

[19.73.070 Design Standards (Y)]

BUILDING AREA SUMMARY DATE: 9/28/2021									
	BUILDING AREAS								
Building Level	B2	B1	1	2	3	4	5	6	7
Building FFE									
Residential (SF)			5,808	3,336	30,900	32,361	32,361	32,361	31,618
Balcony (SF)					1,890	2,047	2,047	2,047	1,983
Corridor (SF)					3,498	3,498	3,498	3,498	3,498
Vertical Circulation (SF)	494	494	664	664	664	664	664	664	664
Utility / Trash / Bldg Storage (SF)			867		397	397	397	397	397
Office			4,374						
Retail			3,361						
Exterior Amenity (SF)					10,229				800
TOTAL SF PER FLOOR			15,074	4,000	37,349	38,967	38,967	38,967	38,160
TOTAL SF PER BUILDING									**211,484**



SUMMARY

FEHR & PEERS

Cottonwood Residential Millcreek Mixed-Use Development Parking Study Update

MEMORANDUM

Date:	October 1, 2021
To:	Ryan Heath, Cottonwood Residential
From:	Christopher Bender, PE, Fehr & Peers Preston Stinger, PTP, LEED GA, Fehr & Peers
Subject:	**1306 East 3300 South Cottonwood Residential Millcreek Mixed-Use Development Parking Study**

UT21-2295

A professional transportation consultant was commissioned by the city to provide a parking analysis. The complete parking analysis was included in the staff memo. An update has been received reflecting the changes

DATA COLLECTION

Manual off-street parking occupancy counts were performed at three similar apartment complexes (selected with input from Millcreek City) in the surrounding area. The three study locations included the Brixton Apartments, the Vue at Sugar House, and the 600 Lofts, all three of which are in Salt Lake City, Utah. Management staff members from each location were contacted to determine the total number of studio, one-bedroom, two-bedroom, and three-bedroom apartments at each location. The number of occupied units of each type was also collected. **Table 6** shows the number of total units as well as the number of occupied units at each study location.

Table 6 Residential Unit Mix (Total Units / Occupied Units)

Complex	Studio Bedroom	One Bedroom	Two Bedroom	Three Bedroom	Total
Brixton Apartments	15 / 7	51 / 37	31 / 21	-	97 / 65
Vue at Sugar House	23 / 22	134 / 122	48 / 44	6 / 6	188 / 172
600 Lofts	16 / 14	178 / 174	70 / 69	10 / 10	274 / 267

Source: Fehr & Peers, 2020

The parking was counted at three times during a typical weekday on Wednesday, April 1st. The counts are shown below in **Table 7**.

Table 7 Residential Parking Occupancy Counts

Parking Lot	Supply	Weekday Afternoon	Weekday Evening	Weekday Nighttime
Brixton Apartments	86[a]	51	58	72[b]
Vue at Sugar House	279[a]	146	177	206[b]
600 Lofts	311[a]	184	223	296[b]

a. Brixton Apartments and 600 Lofts do not provide any guest parking; all guests must park on the street. On-street parking was counted and assumed to be guest parking.
b. Residential garages were locked and unable to be counted. Apartment complexes provided total number of reserved spaces. Assumed 100% of the reserved spaces were used during nighttime peak period.

Source: Fehr & Peers, 2020

As shown in **Table 6** and **Table 7**, all the studied complexes provided sufficient parking. Also of note, the average ratio of parked vehicles to occupied unit was approximately 1.14. In other words, only 1.14 vehicles were observed to park for each residential unit. Even after accounting for parking dedicated to the office and coffee shop land uses planned to be included in the project, the Cottonwood Residential Millcreek development is proposed to provide 1.59 spaces per unit, approximately 39% more than the observed sites were using. The observed parking rates showed that the likely demand would be less than the proposed supply.

SUMMARY

LITERATURE REVIEW

Using the characteristics described in the introduction, Fehr & Peers evaluated and compared parking rates from the following sources to calculate the required number of parking spaces for the vacant suites that are proposed to be filled:

- Institute of Transportation Engineers (ITE)
- Urban Land Institute (ULI)
- West Valley City Municipal Code
- Salt Lake City Municipal Code
- Millcreek Municipal Code
- Sandy Municipal Code

Table 1 shows the parking requirement rates from each source listed above for the proposed future land uses of the vacant suites.

The required number of parking stalls for the existing and proposed land uses was calculated using parking rates displayed in **Table 1**. The calculated required parking spaces for the different sources are shown in **Table 2**.

Table 2 Required Parking Spaces

Source	Land Use	Units	Required Parking Spaces	
			Weekday	Saturday
ITE	Studio	Dwelling Unit	37	35
	1 Bedroom	Dwelling Unit	142	134
	2 Bedroom	Dwelling Unit	24	23
	Office	1,000 sq ft	11	-
	Retail	1,000 sq ft	7	10
	Total		221	202
ULI	Studio	Dwelling Unit	39	41
	1 Bedroom	Dwelling Unit	158	166
	2 Bedroom	Dwelling Unit	47	49
	Office	1,000 sq ft	17	2
	Retail	1,000 sq ft	12	13
	Total		273	271
West Valley City	Studio	Dwelling Unit	53	-
	1 Bedroom	Dwelling Unit	237	-
	2 Bedroom	Dwelling Unit	47	-
	Office	1,000 sq ft	17	-
	Retail	1,000 sq ft	13	-
	Total		368	N/A
Salt Lake City	Studio	Dwelling Unit	21	-
	1 Bedroom	Dwelling Unit	158	-
	2 Bedroom	Dwelling Unit	54	-
	Office	1,000 sq ft	9	-
	Retail	1,000 sq ft	7	-
	Total		248	N/A
Millcreek	Studio	Dwelling Unit	55	-
	1 Bedroom	Dwelling Unit	289	-
	2 Bedroom	Dwelling Unit	50	-
	Office	1,000 sq ft	14	-
	Retail	1,000 sq ft	11	-
	Total		419	N/A
Sandy	Studio	Dwelling Unit	72	-
	1 Bedroom	Dwelling Unit	277	-
	2 Bedroom	Dwelling Unit	61	-
	Office	1,000 sq ft	17	-
	Retail	1,000 sq ft	17	-
	Total		443	N/A

SUMMARY

Those counts indicated that, on average, each studied apartment unit would require approximately 1.14 parking spaces (including both resident and guest parking). Even after accounting for parking dedicated to the office and coffee shop land uses planned to be included in the project, the Cottonwood Residential Millcreek development is proposed to provide 1.59 spaces per unit, approximately 39% more than the observed sites were using. The observed parking rates showed that the likely demand would be less than the proposed supply. It should also be noted that the parking counts were collected while a statewide stay-at-home directive was in effect due to the COVID-19 pandemic which likely increased residential parking demand and reduced retail parking demand at each of the observed sites.

Assuming patrons to the Cottonwood Residential Millcreek development occupy the parking lots at a rate like the rates observed during data collection, our review of the site shows that the proposed parking lots will adequately serve the proposed residential and retail land uses and that the current Millcreek Code requirements would result in excess parking spaces that would likely not be needed.

In summary, the literature review, shared parking analyses (both Millcreek and ULI), and quantitative data collection of nearby similar developments all indicate that the Cottonwood Residential Millcreek development is proposed to provide sufficient parking for its planned land uses. Therefore, Fehr & Peers recommends that the Millcreek Planning Commission allow for parking to be combined and shared at the development, and to approve that the proposed 359 parking spaces will be sufficient to meet the parking requirements of the Cottonwood Residential Millcreek development.

SUMMARY

PARKING SUMMARY

PARKING REQUIRED PER CCOZ CHAPTER 19.73

STUDIO	= 1 SPACE / UNIT
1 BED	= 1.5 SPACE / UNIT
2 BED	= 1.5 SPACE / UNIT
OFFICE	= 3 SPACES / 1000 SF
RETAIL	= 3 SPACES / 1000 SF
GUEST	= .33 SPACES / UNIT
ADA	= 8 SPACES (REQUIRED PER CHAPTER 19.80 OFFSTREET PARKING CODE. NOT INCLUDED IN SHARED PARKING ANALYSIS)

STUDIO	41 UNITS X 1	= 41
1 BED	158 UNITS X 1.5	= 237
2 BED	27 UNITS X 1.5	= 41
OFFICE	4,374 SF	=12
RETAIL	3,361 SF	= 9
GUEST	226 X .33	= 75
TOTAL REQUIRED		= 415 PARKING SPACES

REQUIRED PER SHARED PARKING = 396
SEE SHARED PARKING TABLE 19.80.080(a) PER MILLCREEK OFF-STREET PARKING CODE ABOVE

PARKING PROVIDED:		SHARED PARKING SPACES AVAILABLE
PARKING 1.5	= 94	94
LEVEL 1	= 91	91
BASEMENT 1	= 97	0
BASEMENT 2	= 77	0
TOTAL	= 359 PARKING SPACES (RESIDENTIAL/COMMERCIAL) + 8 PARKING SPACES (ADA)	

TOTAL SPACES PROVIDED
= 367 PARKING SPACES

NON-ADA PARKING REDUCTION REQUESTED:
(396-359) = 37 STALLS
(37/396) x 100 = 9.3% REDUCTION

SEE ADDITIONAL PARKING STUDY FOR ANALYSIS AND ACCEPTABILITY OF PROVIDED STALLS

PARKING REDUCTION REQUESTED
BEFORE SHARED PARKING TABLE: 13.49%
AFTER SHARED PARKING TABLE: 9.3%

Chapter 19.80 Shared Parking Table 19.80.080(a)

1	For each applicable general land use category, calculate the number of spaces required for a use as if it were the only use (refer to the schedule of minimum off-street parking requirements).
2	Use the figures for each individual land use to calculate the number of spaces required for that use for each time period specified in the table (six time periods per use).
3	For each time period, add the number of spaces required for all applicable land uses to obtain a grand total for each of the six time periods
4	Select the time period with the highest total parking requirement and use that as the total number of parking spaces required for the site on a shared parking basis.

GENERAL LAND USE CATERGORY		WEEKDAYS			WEEKENDS		
		12a.m.— 7a.m.	7a.m.—6p.m.	6p.m.—12a.m.	12a.m.—7a.m.	7a.m.—6p.m.	6p.m.—12a.m.
☐	**Office & Industrial**	5%	100%	5%	0%	5%	0%
☐	**Retail**	5%	100%	80%	5%	100%	60%
☐	Restaurant	50%	70%	100%	70%	50%	100%
☐	Hotel	100%	65%	100%	100%	65%	100%
☐	**Residential**	100%	50%	80%	100%	75%	75%
☐	Theater/entertainment	5%	20%	100%	5%	50%	100%
☐	Place of worship	0%	30%	50%	0%	100%	75%
USE	**Required Parking**						
LU 1	Office (12 Spaces)	0.6	12	0.6	0	0.6	0
LU 2	Retail (9 spaces)	0.45	9	7.2	0.45	9	5.4
LU 3	Residential (395 spaces)	394	197	315.2	394	295.5	295.5
	Total	**395.05**	218	323	394.45	305.1	300.9

RECOMENDATION

COMMUNITY COUNCIL RESPONSE

STAFF FINDINGS

STAFF RECOMMENDATION

RECOMMENDATION

MILLCREEK COMMUNITY COUNCIL

The following is the response to application CU-21-018 from the Millcreek Community Council meeting held October 5, 2021

"Dear members of the Planning Commission, In regard to Cottonwood Development's proposal CU-21-018, the Millcreek Community Council would like you to consider the following:
The Millcreek Community Council has concerns about this development bringing increased use to the City Center area by both residents and visitors patronizing the retail and office spaces but lacking safe and suitable access to them. We recommend that developers explore redesigning the development and working the developers designing on the project across 3300S to the north, create a sky bridge crossing. A safe pedestrian access across 300S is desired by our council. Planning around increased pedestrian activity is imperative for the longevity of this development and the safety of Millcreek residents. Additionally, the Community Council has concerns that the traffic study data does not accurately represent the degree of population growth that will be coming to the area between 2021 and 2024. The figures used in the traffic study and parking report do not seem accurate for current and future demand. Finally, we have concerns that there are many residents who will be living in the CCOZ zone who will not have space for emergency supplies in their apartments. We want this and all new developments to include storage space for emergency supplies for residents of the development."

cottonwood RESIDENTIAL

The Hudson

Planning Commission Discussion

October 20, 2021

Detail of Shared Parking Reduction Request

359 stalls (1.59/u) – Proposed parking count (excludes 8 additional ADA stalls)

396 stalls (1.75/u) - Millcreek requirement per Shared Parking Table
37 stall (9.3%) requested variance from indicated shared parking total

415 stalls (1.83/u) – CCOZ Requirement without applying Shared Parking Table
56 stall (13.5%) requested variance from the CCOZ requirement prior to applying the shared parking table

Proposed Gating Configuration
174 subterranean stalls would be gated and 185 on the ground level and above would be publicly accessible 100% of the time. Indicated peak usage for guests and commercial space is 96 stalls, so 185 stalls should be adequate to service public users.

Rationale for Shared Parking Reduction Request

The impacted period and scope of the identified shortage is limited

The proposed parking only falls short of the requirements from the shared parking table for the period between midnight and 7am. Otherwise, 359 stalls easily satisfies the indicated usage for every other time period.

STUDIO	41 UNITS X 1	= 41
1 BED	158 UNITS X 1.5	= 237
2 BED	27 UNITS X 1.5	= 41
OFFICE	4,374 SF	=12
RETAIL	3,361 SF	= 9
GUEST	226 X .33	= 75
TOTAL REQUIRED		= 415 PARKING SPACES

Chapter 19.80 Shared Parking Table 19.80.080(a)

1	For each applicable general land use category, calculate the number of spaces required for a use as if it were the only use (refer to the schedule of minimum off-street parking requirements).
2	Use the figures for each individual land use to calculate the number of spaces required for that use for each time period specified in the table (six time periods per use).
3	For each time period, add the number of spaces required for all applicable land uses to obtain a grand total for each of the six time periods
4	Select the time period with the highest total parking requirement and use that as the total number of parking spaces required for the site on a shared parking basis.

GENERAL LAND USE CATERGORY		WEEKDAYS			WEEKENDS		
		12a.m.— 7a.m.	7a.m.—6p.m.	6p.m.—12a.m.	12a.m.—7a.m.	7a.m.—6p.m.	6p.m.—12a.m.
☐	**Office & Industrial**	5%	100%	5%	0%	5%	0%
☐	**Retail**	5%	100%	80%	5%	100%	60%
☐	Restaurant	50%	70%	100%	70%	50%	100%
☐	Hotel	100%	65%	100%	100%	65%	100%
☐	**Residential**	100%	50%	80%	100%	75%	75%
☐	Theater/entertainment	5%	20%	100%	5%	50%	100%
☐	Place of worship	0%	30%	50%	0%	100%	75%
USE	**Required Parking**						
LU 1	Office (12 Spaces)	0.6	12	0.6	0	0.6	0
LU 2	Retail (9 spaces)	0.45	9	7.2	0.45	9	5.4
LU 3	Residential (395 spaces)	394	197	315.2	394	295.5	295.5
	Total	**395.05**	218	323	394.45	305.1	300.9

Fehr & Peers has recommended treating the usage of guest stalls differently than the resident stalls for the overnight period. Their suggestion was a 10% usage rate overnight for the guest stalls, but we are effectively requesting a usage rate of 50%. There are 75 guest stalls provided, so the requested 50% would leave 38 guest stalls available for overnight use.

Rationale for Shared Parking Reduction Request

Comparable property analysis (Table 7 from the parking study, P71 of Staff Memo)

1.14 stalls/u indicated by comparable property study

Comparable shared parking requirements (Table 1 and Table 2 from the parking study, P65-66 of the Staff Memo)

221 peak stalls indicated by ITE

244 peak stalls indicated by ULI

Two additional local development parking data points:

Sugarhouse Project – 1.15 stalls/u; 261 stalls for 234u and 4k sf of retail

1.52 stalls/u would be required in Millcreek; 398 stalls (32% increase)

Downtown Project – 0.93 stalls/u; 238 stalls for 238u

1.68 stalls/u would be required in Millcreek; 428 stalls (80% increase)

Rationale for Shared Parking Reduction Request

Unit Mix impact

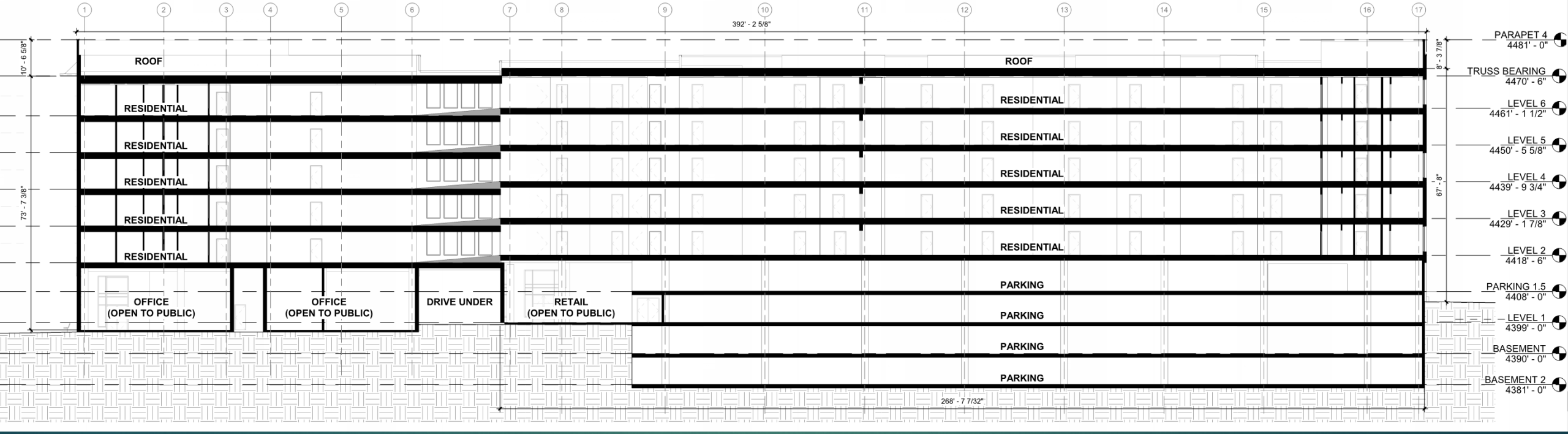
The required parking could be decreased within the current envelope by converting 1BR units to studios or merging (3) 1BR units into (2) 2BR units. This would not decrease the rentable square footage of the property and would actually increase the number of bedrooms and likely occupants overall. This manipulation skews the mix away from what we believe best serves the pool of likely renters and seems to sidestep the spirit of the requirement.

Bike parking well in excess of requirement

Proposing 100+ bike parking stalls, rather than the 12 required.

Vacancy impact

Multifamily properties generally run at 5%-10% vacancy, which would leave parking stalls related to those units unused during vacancy. 5% vacancy would leave 20 stalls empty, and 10% vacancy would leave 40 stalls empty. Basic frictional vacancy is around 2% just to allow 2 weeks of vacancy for the ~50% of apartments that vacate every year.



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SHEET NAME:

BUILDING SECTION

JOB NUMBER: 23 192 01

DRAWN BY	CHECKED BY
FP	Checker

A5-00

Proposed layout provides strong access to and from the project, based on two years of discussions with Millcreek and UDOT, and multiple architects

When approaching the project from the

North – approach on 1300E, turn left onto 3300S and enter

West – right turn into the property on 3300S

South – right turn into the property on 1300E

East – right turn onto Highland Drive, loop back onto 1300E via Chambers, Woodland, Miller, Gunn, etc.

When departing the project to the

North – right turn exit onto 1300E

West – right turn exit onto 1300E, left turn onto 3300S

South – right turn exit onto 3300S, right turn on Highland Dr.

East – right turn exit onto 3300S

MILLCREEK PLANNING AND ZONING
3330 SOUTH 1300 EAST
MILLCREEK, UTAH 84106

MEMORANDUM

To: **Planning Commission**
From: **Francis Xavier Lilly, AICP, Planning Director**
Meeting Date: **20 October 2021**

Re: **GP-21-001** **Amendment to the City Center Master Plan Regarding District Signs**

ZT-21-007 **Amendment to Chapter 19.82 of the Millcreek Zoning Ordinance Regarding Billboards and District Signs**

Appraisal Information

John Brems, acting as City Attorney, asked Phil Cook to prepare a restricted appraisal of the billboard located at 1325 East 3300 South. Mr. Cook is a certified appraiser with prior experience in evaluating the cost of billboards. Due to a lack of specific advertising information that is only available from Reagan Outdoor Advertising (ROA) and a time constraint, the appraisal is limited in its scope. Nonetheless, the appraiser did provide the City with an estimated costs of the billboard and associated rights, including the sign's value as part of a rotary market area, the potential loss of advertising revenue, and the value of ROA's right of first refusal on the land occupied by the sign.

The Millcreek City Council declined to disclose the details of the appraisal, because it is still a working draft, and the city may rely on the appraisal's findings should it decide to initiate an eminent domain action on the sign. However, the City Council authorized me to disclose the estimated value of the sign and all associated rights, including the right of first refusal, from the restricted appraisal.

The restricted appraisal estimates the value of the sign and all associated rights to be $397,500.

In a condemnation proceeding, ROA would prepare its own appraisal, and that appraisal would have the benefit of proprietary sales information that the City could only obtain through a process of discovery as part of an eminent domain action. In all likelihood, ROA's appraisal would be higher than the City's, and a typical eminent domain action results in two parties challenging each other's appraisals until a judge or jury establishes a value, or the parties settle the action out of court.

Because the City cannot expect to avail itself of an order of immediate occupancy while an eminent domain action is pending, the City faces both a higher and undetermined cost for the sign, as well as an undetermined length of time to remove the sign and resolve the right of first refusal. The City Council will likely take into account not just the value of the billboard and its associated rights in considering the draft memorandum of understanding, but delay costs associated to the redevelopment of the Millcreek Common West site, including but not limited to the cost of finding a third temporary location for City Hall while the project is delayed pending an eminent domain action against ROA.

Millcreek's Sign Code and the City Center Overlay Zone

Commissioner Sieber raised the question of the relationship between Millcreek's sign code and the City Center Overlay Zone. The City Center Overlay Zone included specific sign regulations in part because it was adopted before the City's sign ordinance, Chapter 19.82, was revised. It was always our intention as staff to update the sign code, and place specific language pertaining the signs allowed in CCOZ into the sign code itself, which is what this ordinance amendment proposes to do:

Table 19.82.135 ELECTRONIC MESSAGE CENTER, ALLOWED SIGN TYPES, AND ALLOWABLE SIZES BY ZONE

ZONE	ALLOWED SIGN TYPES	PERMITTED USE, PERMITTED WITH CONDITIONS	ALLOWABLE EMC SIZE AS A PERCENTAGE OF TOTAL ALLOWABLE SIGN SIZE per table 19.82.190 [1]
MD	Monument	Permitted	50%
C-2	Monument	Permitted	50%
	Ground	May not be located within 100' of an R-1, R-2, R-4, or R-M zone	50%
C-3	Monument	Permitted	70%
	Ground	May not be located within 100' of an R-1, R-2, R-4, or R-M zone	50%
M	Monument	Permitted	70%
	Ground	May not be located within 100' of an R-1, R-2, R-4, or R-M zone	50%
CCOZ	District	Permitted	100%
All other zones	None	NA	NA

Updates to 19.82.135 – Signs allowed by Zoning District

ZONE	SIGN TYPE	SIZE	HEIGHT	LOCATION AND NUMBER OF SIGNS	OTHER
CCOZ	District	288 sf	35 feet	Maximum 3 within the CCOZ	Must be located on City Property.
	Monument	Subject to base zone requirements	Subject to base zone requirements	Subject to base zone requirements	
	Flat or Wall	Subject to base zone requirements	Subject to base zone requirements	Subject to base zone requirements	Internally illuminated flat or wall signs are prohibited.
	Projecting/Blade	Subject to base zone requirements	8 foot minimum above the ground	Subject to base zone requirements	Projecting or Blade Signs along the Millcreek Common are limited to 42 inches in width.

The highlighted language in the table above is the same set of requirements spelled out in the CCOZ, but in a table format. **Staff believes that language pertaining to signs belongs in the sign code**, and we propose repealing conflicting language in the City Center Overlay Zone, as part of a package of updates to the CCOZ that we intend to bring to you in a forthcoming public hearing. The scope of the proposed ordinance amendment is limited to Chapter 19.82. Until we amend the City Center Overlay Zone, staff advises the Planning Commission and City Council to consider a minor change to Chapter 19.82 that clarifies how signs on public property should be treated in the sign code:

19.82.030 Interpretation

A. Properties divided by public streets are not adjacent.
B. The sign requirements contained in this chapter are declared to be the maximum allowable.
C. Sign types not specifically allowed as set forth within this chapter shall be prohibited.
D. Notwithstanding ordinances for signs located on public property, where ~~Where~~ other ordinances are in conflict with the provisions of this chapter, the most restrictive ordinance shall apply.

E. In matters of interpretation, the provisions of this ordinance shall be interpreted by the Zoning Administrator or designee.

19.82.040 Conformity Required

A. Except as provided in this title, a sign shall not be erected, raised, moved, placed, reconstructed, extended, enlarged or altered, unless in conformity with the regulations specified in this chapter. Sign alterations (see section 19.82.200) that are in excess of 25% of the total sign face square footage shall require conformance to this title. Signs not expressly listed are not allowed.
B. Other chapters of the zoning ordinance may have a reduced list of applicable signs. Notwithstanding signs located on public property, other ~~Other~~ chapter sign types shall be utilized over the listed types found in this chapter.

These changes acknowledge the public purpose for these signs, which will advertise city events and messages for at least 40 percent of the sign time. These changes are consistent with other provisions in our code that acknowledge that public and quasi-public uses are subject to different standards than private, solely commercial or residential uses.

Electronic Message Centers in the C-2 Zone

Commissioner Sieber asked the following question:

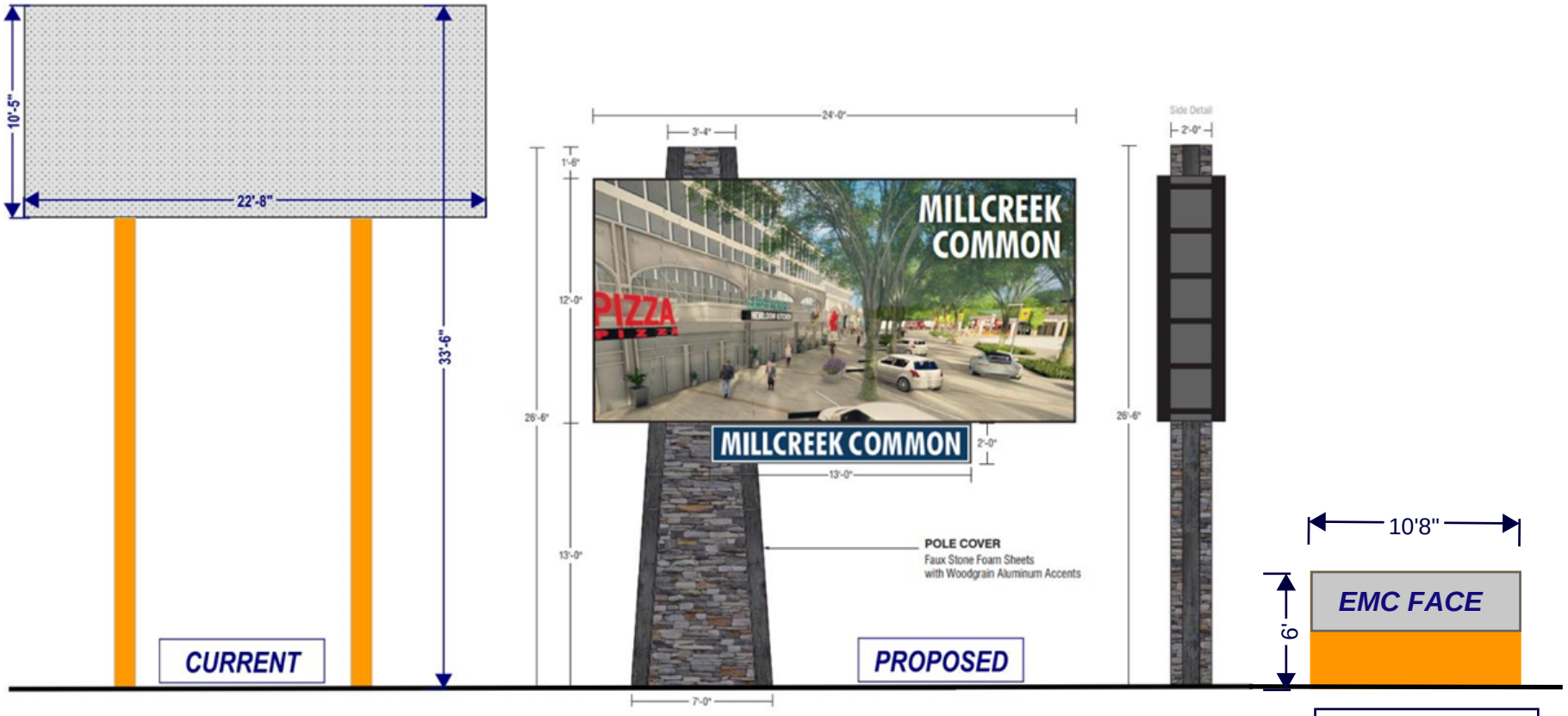
> *Per the current Millcreek sign ordinance, can an "EMC" be included or part of a "Monument Sign"? If not, why not? If it can, how would the maximum-sized monument sign allowed in the C2/C3 zone (with an EMC) look like and compare to the proposed Digital Sign concept? Can a visual side by side comparison between these two sign types be provided?*

In the CCOZ zone as currently written, EMC's are prohibited. Our proposed text change would keep that prohibition intact, except for City-owned digital district signs. Millcreek Common has 206 feet of frontage along 3300 South. In a C-2/C-3 zone, a property with 206 feet of frontage can have a monument sign that is 64 square feet in area, which is the maximum allowed. In C-2/C-3 properties outside of the CCOZ, an electronic message center can occupy up to 50 percent of the sign area, or 32 square feet. A comparison of the signs is attached.

Advertising on Existing Billboards

Commissioner Sieber asked if the city could purchase advertising space for the City Center on the existing billboards, and what that would cost.

The EPG and Great Destination Strategies team recommended that the City consider its own digital signage for the sake of promoting events on Millcreek Common and for communicating city initiatives in general. If the City chooses not to pursue a digital sign option, the City could well utilize existing signage in the area to communicate events. I do not know the specific costs of such a campaign, and I did not call ROA to get an estimate. A Google search, however, indicates that a billboard campaign using existing signs in the area could be significantly less expensive than condemning a billboard, including project delay times incurred upon pursuing an eminent domain action Staff notes that the draft MOU proposes 40 years of free advertising time on the proposed signs, and that the City would own the signs cost-free as well.



MAXIMUM ALLOWED MONUMENT SIGN WITH EMC PER C-2 ZONE



I think that I
shall never
see
A billboard
lovely as a
tree

- Ogden Nash



Based upon Rittel and Webber (1973)

SUMMARY OF PROPOSED DISTRICT SIGNS

Sign	Height	Area	Notes
Millcreek Common	26.5 feet	288 sf per face	
1300 E Chambers Avenue	30 feet	288 sf per face	Additional height of up to 35 feet may be required if the sign is located on either side of Chambers Avenue
Highland Drive / Chambers Avenue	26.5 feet	288 sf per face	Additional height of up to 35 feet may be required if the sign is located on either side of Chambers Avenue The sign will be turned off between the hours of midnight and 5 am.
Combined District Sign Area		**1,728 sf**	

CHANGES TO MILLCREEK'S BILLBOARD INVENTORY

Billboards Removed				District Signs Added			
Location	**Height**	**Sign Faces**	**Area (SF)**	**Location**	**Height**	**Sign Faces**	**Area (SF)**
1325 East 3300 South	35 feet	2	721	Millcreek Common	26.5 feet	2	576
1333 East 3300 South	33.5 feet	2	472	Chambers Avenue at Richmond Street	30 feet	2	576
3155 South Highland Drive	48 feet	4	944	Chambers Avenue at Highland Drive	26.5 feet	2	576
3155 South Highland Drive	25 feet	2	110				
Subtotal		10	2,247				
ROA Billboard Bank Balance			924				
Total			**3,171**			**6**	**1,728**
Net Total Removed		**4**	**1,443**				

HOW TO REMOVE A BILLBOARD…

10-9a-512 Termination of a billboard and associated rights.

(1) A municipality may only require termination of a billboard and associated rights through:
   (a) gift;
   (b) purchase;
   (c) agreement;
   (d) exchange; or
   (e) eminent domain.

(2) A termination under Subsection (1)(a), (b), (c), or (d) requires the voluntary consent of the billboard owner.

WE HAVE FOUR OPTIONS UNDER STATE LAW...

OPTION 1: GIFT OR PURCHASE	ROA voluntarily removes 1325 E 3300 S sign. Credit for sign goes into billboard bank.			
Billboard Bank Balance	1,396 square feet, unless ROA waives the right to 924 sf in the bank through a gift or purchase agreement.			
Possible New Sign Faces	30 Sheet - 10'5" x 22'8"	4 + balance remaining	Bulletin - 14" x 48"	2 + balance remaining
Budget Impacts	Millcreek pays for its own signage on the Common. Millcreek may simply pay to have the sign removed. Appraisal would be under the same assumptions as a condemnation.			
Other Impacts	ROA could say no. Anywhere from 1 - 3 new two-sided billboards in Millcreek. All other signs in the City Center to remain.			

OPTION 2:	Millcreek does nothing.			
Billboard Bank Balance	924 square feet			
Possible New Sign Faces	30 Sheet - 10'5" x 22'8"	3 + balance remaining	Bulletin - 14" x 48"	1 + balance remaining
Budget Impacts	Millcreek pays for its own signage on the Common			
Other Impacts	All signs on the City Center to remain. Construction of Millcreek Common West, City Hall, and shared parking likely delayed or scope radically changed to accommodate existing sign. Anywhere from 1-2 new two-sided billboards in Millcreek			

OPTION 3: EMINENT DOMAIN	Millcreek condemns the sign at 1325 E 3300 S.			
Billboard Bank Balance	924 square feet			
Possible New Sign Faces	30 Sheet - 10'5" x 22'8"	3 + balance remaining	Bulletin - 14" x 48"	1 + balance remaining
Budget Impacts	Millcreek pays to condemn the sign and pays for its own signage on the Common.			
Other Impacts	Billboard inventory reduced by 427 sf. Anywhere from 1-2 new two-sided billboards in Millcreek. All other signs in the City Center to remain.			

OPTION 4: AGREEMENT / EXCHANGE	Millcreek signs an agreement with ROA to exchange static billboards for digital district signs.			
Billboard Bank Balance	0			
Possible New Sign Faces	30 Sheet - 10'5" x 22'8"	0	Bulletin - 14" x 48"	0
Budget Impacts	Millcreek pays nothing. Funds used for condemnation and/or its own signage can now be used for other projects in the City Center.			
Other Impacts	Four existing signs removed from Millcreek. Three large digital signs on the Common. No additional possible signs could be allowed, because the overall billboard inventory reduced by a net 1,443 sf.			



APPRAISAL CONSIDERATIONS

- **We have a restricted appraisal that values the sign at $397,500.**
- **What we don't know:**
  - The true value of the sign in the context of a rotary market area.
  - Other proprietary information that would inform ROA's appraisal.
  - The time to resolve an eminent domain action.
  - The cost of an out-of-court settlement with ROA.

IS DIGITAL SIGNAGE APPROPRIATE IN MILLCREEK CITY CENTER?

- **Aesthetics**

  After controlling for light trespass and animation, is a digital billboard more offensive than a lit static billboard?

  Our complaints about billboards – obstruction of view, development impediments, overall "ugliness" – are just as apparent on a sign that changes its face once a month as they are on a sign that changes its face once every eight seconds.

IS DIGITAL SIGNAGE APPROPRIATE IN MILLCREEK CITY CENTER?

- **Safety**
  - Is a digital billboard more dangerous than a static billboard?
  - Is a digital billboard more dangerous than an electronic message center, which we allow?
  - Is a digital billboard more of a distraction than a smartphone?
  - The research is mixed on these conclusions.

IS DIGITAL SIGNAGE APPROPRIATE IN MILLCREEK CITY CENTER?

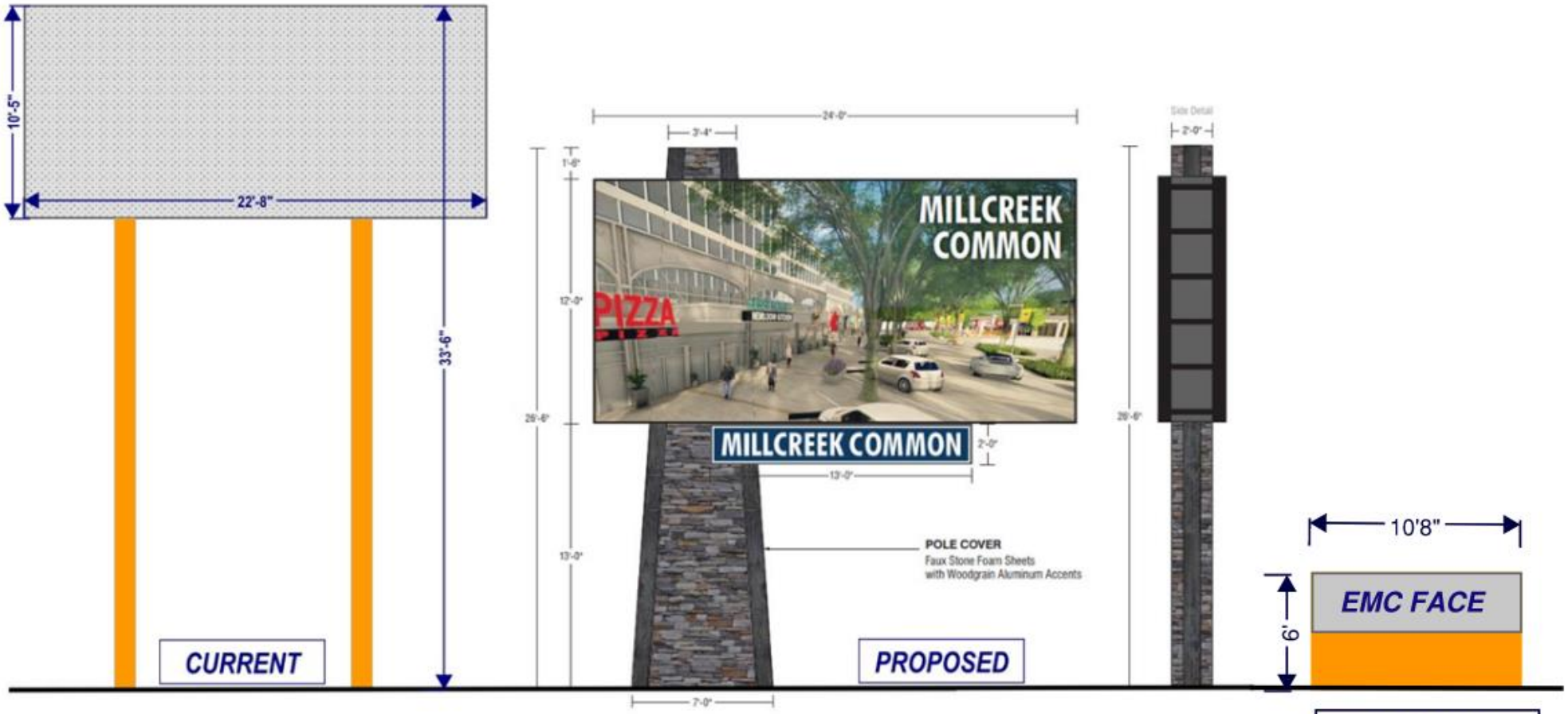
- **Brightness**
  - We already have ambient illumination standards for on-premise signs. The standards assume signs up to 300 sf in area If we apply the same standards to a billboard that we do to on-premise signs, does this address the concerns about brightness?

  - A condition of the MOU is that light trespass louvers be installed on the billboards, to direct light downward and within 30 degrees of the line of sight of the billboard. This is beyond what our code requires for electronic signs.

IS DIGITAL SIGNAGE APPROPRIATE IN MILLCREEK CITY CENTER?

- **Eminent Domain Considerations**
  - Normally, allowing for the conversion of a static billboard to digital makes that sign much more expensive to condemn.
  - We don't want to make a development impediment worse.
  - The billboard *owner* must initiate or respond to a condemnation.
  - Because Millcreek would own the digital district signs, ROA cannot avail itself of the special eminent domain provision in state law. The City cannot condemn its own property interest.
  - There needs to be a provision in the license and lease agreement that provides for an equitable solution should either party desire to terminate the lease early.

COMPARISON OF SIGN OPTIONS



EXISTING ORDINANCE CONSIDERATIONS

- Purpose statement:

It is the policy of Millcreek to reduce the number and combined square footage of billboards where feasible.

Ian: Have limited options, prefer other options

Scott: Shouldn't change plan to accommodate application

Tom: MOU is inadequate as currently presented. Net sf reduction of 1443 equates to 2.5 billboards, is marginal at best. City has negotiated from a point weakness.

Skye: Uncomfortable changing ordinance(s) that have a conflict. Only one board is actual impediment. Appreciate need to move forward but should not be looking at all or nothing deal. More comfortable moving forward with only one sign, not three.

Victoria: Lack of information, misleading and false information. Feels rushed on timeline to make decision. City council began discussing before PC decision. Initial est $1.1-1.3M. Estimate much lower today ($397K). Inaccurate statement of sign faces removed vs signs going up. City newsletter felt inaccurate stating digital billboards were always part of the plan. Appraisal would have been helpful earlier in process.

Dave: Oct 14 letter from Mr. Winder states city needs to buy 3 district signs for $750k, this is misleading. All billboards (in MOU) should be appraised. Safeguards in code don't seem to be followed. We should know values to know if this is a good deal. Long-term effect of digital billboards on city center: positive or negative? Other similar city centers do not have digital billboards. Examples in presentations are not comparable to Millcreek city center.

Aryel: In agreement with previous comments