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**MEETING MINUTE SUMMARY
 MILLCREEK PLANNING COMMISSION MEETING
 September 20, 2017 4:00 PM.**

Approximate meeting length: 4 hours
Number of public in attendance: 6
Summary Prepared by: Alexandra Muller
Meeting Conducted by: Commissioner Stephens

***NOTE: Staff Reports** referenced in this document can be found on the State and County websites, or from Salt Lake County

ATTENDANCE

Commissioners	Present	Absent
Tom Stephens (Chair)	x	
Fred Healey (Vice Chair)	x	
Shawn LaMar	x	
David Carlson	x	
Scott Claerhout		x
Mark Mumford	x	
Heather Wilson	x	
Dave Allen	x	
Russ Booth	x	

Planning Staff & Attorney	Work Session	Absent
John Brems	x	
John Janson	x	
Spencer Hymas	x	
Alex Murphy	X	
Michelle Vest	X	
Alexandra Muller	X	

PUBLIC HEARINGS

Hearings began at 4:02 p.m.

PUBLIC PORTION OF MEETING OPENED

Chairman Stephens read the opening statement.

Commissioner Allen arrived at 4:08pm.

Application #30328 – (Continued from 08/16/2017) - Brendon MacKay requests approval for conditional use and preliminary plat applications for the proposed 25 lot Talo Townhomes PUD Subdivision. Location: 3780/3790 S Highland Drive. Zone: C-2. Community Council: Millcreek. Planner: Alex Murphy

Planner Alex Murphy provided an analysis of the staff report on a proposal for 25 town homes along a single private street. He stated concerns included insufficient parking, insufficient landscaping and the number of units. Mr. Murphy further stated the parking count was currently at 2.5 spaces per unit but concerns about trash were mitigated by a new enclosure.

Commissioner LaMar asked for more details regarding parking for the town homes. Mr. Murphy stated more parking has been added that exceeds the off-street parking ordinance requirement. He further asked whether the interior of the garages being 22 feet was too narrow. Mr. Murphy stated the ordinance only specified a garage has to be 22 feet by 20 feet, and does not specify specific width and length dimensions.

Chairman Stephens stated there were other issues in staffing report of concern such as the clear path exiting the parking lot, lighting, and traffic. He asked what was being done to mitigate those concerns.

Mr. Murphy stated the exiting from the parking area can be addressed in the landscaping plan. Staff was working on a preliminary landscaping plan with the applicant to address several concerns including lighting and security.

Commissioner Wilson asked Mr. Murphy to further explain parking spaces around the town home units. Commissioner Booth asked if there was only one entrance and one exit to the complex. Mr. Murphy said that was correct.

Applicant Brandon MacKay stated he was meeting the ordinance requirement on garage size. He further stated with regards to parking spaces and density that the project was at 17 units per acre which is under the allowable density maximum of 25 units per acre. He stated the project was above the parking requirement. Mr. Mackay stated he has made changes to provide additional parking to address concerns. Mr. Mackay addressed concerns raised by the Community Council on safely turning left on to and from Highland Drive. He asked traffic engineers to do a study, which he passed on to the Planning Commission, which concluded there was adequate stopping distance.

Commissioner LaMar asked how many of the 25 units were 4 bedrooms. Mr. Mackay stated that whether or not there will be a fourth bedroom will depend upon the buyers wanting a fourth bedroom. If not, the room can be used for a purpose other than as a bedroom. Commissioner Booth asked if Mr. MacKay could describe the amenities. Mr. Mackay responded there will be 3 required amenities including open spaces.

Commissioner Booth asked for information about the safety of children on the rooftop.

Mr. MacKay explained there will be railings on the rooftops and barriers.

Commissioner Wilson asked about the front yards facing the fence.

Mr. MacKay said guests can park in the middle of development, walk down sidewalks, and approach the front door.

Chairman Stephens asked Mr. Murphy for a recap of the meeting with the Community Council.

Mr. Murphy said the Community Council's concern included reversing onto in to oncoming traffic. He stated there was no majority vote and it was split 4-4.

Chairman opened for public comment at 4:40pm.

Blair Thompson, Community Council member, asked for more information regarding the sidewalks and driveways. She asked for a zoomed in view of the design.

Mr. Murphy answered that there is a separation of the driveway and sidewalk. He further stated the sidewalks are 6 feet wide.

Mr. MacKay stated the approach will move from the north to the center of the property. The sidewalk will have a rounded curb approach. The units sit back far enough to not interfere with sidewalk.

Commissioner Mumford asked whether driveways will be obscured by landscaping.

Mr. MacKay stated it may need to be addressed in the landscaping plan. He explained the sidewalk was on the perimeter so foot traffic will be on the outside and should not be affected by Highland Drive.

Chairman Stephens closed public hearing at 4:45pm and opened the application for discussion and motion by the planning commission.

Commissioner LaMar asked about guest parking for 4 bedroom units that have only 2 parking spots. Chairman Stephens stated that the off-street parking ordinance only requires 2 parking spaces per unit, regardless of the number of bedrooms.

Commissioner LaMar stated the Commission may have the authority to increase the parking from the minimum of 2 parking spots and would like to further investigate that option.

Commissioner Stephens asked Attorney Brems whether 1 or 2 motions were required as there was a conditional use application and the preliminary plat application.

Attorney Brems said there needed to be 2 motions.

Commissioner LaMar stated he thought the parking was too low and there should be 66 parking spots based on his calculations.

Commissioner Carlson stated when the minimum, as required by the ordinance, is met then you cannot require more of the applicant.

Commissioner Allen spoke of a families' need for parking can vary depending on the situation but the possibility of off-street parking is not even an option at this location.

Chairman Stephens stated the solution is to study and possibly revamp its off-street parking ordinance.

Planner John Janson stated there is a Hales Engineer Parking study but it does not address the number of bedrooms in the units or overflow parking. There is a national study supporting the assertion that the parking unit numbers are fine for the amount of town houses.

Commissioner Wilson does not see a problem with parking, particularly as not every family will have a large number of cars.

Commissioner Carlson stated he will defer to experts in the parking study and the ordinance as to whether or not the parking is inadequate. He pointed out that the applicant has been subjected to

moving targets and needs to be treated with fairness.

Commissioner LaMar said if the town homes were going to be around a long time then the parking requirement needed to be clarified on the 3 bedrooms or 4 bedroom units.

Commissioner Booth asked Attorney Brems if it was possible to give conditional use approval subject to having the required parking stalls undecided for the four bedroom units.

Attorney Brems stated he thought it was possible but it would be awkward and it all needed to be approved or not approved.

Commissioner Booth stated he understood but was at least trying to get it three fourths of the way there.

Commissioner Allen stated he was concerned with the architecture and materials as it is all gray concrete with gray stucco and gray sidings.

End of discussion at 5:04pm.

Commissioner LaMar motioned that he would like to continue to next regularly scheduled meeting to address the amount of parking for the number of units proposed. Commissioner Allen seconded the motion.

Wilson- No
Stephens- No
Carlson - No
Mumford - No
Booth - No
Allen - Yes
LaMar - Yes

Motion failed.

Commissioner Booth motioned for approval of the conditional use on the condition that the applicant limit the size of the units to 3 bedrooms per unit to address the concerns on adequacy of the parking. Commissioner Mumford seconded the motion.

No vote taken.

Commissioner Wilson motioned to approve application 30328 subject to planning staff recommendations limiting the maximum number of bedrooms per unit to three. Commissioner Mumford seconded the motion.

Wilson - Yes
Stephens- Yes
Carlson - Yes
Mumford - Yes
Booth - Yes
Allen - No
LaMar - No

Motion passed.

Commissioner Booth motioned to approve the preliminary plat application #30328 subject to technical review and issues outlined in staff report.

Commissioner Wilson seconded motion

Wilson - Yes

Stephens- Yes

Carlson - Yes

Mumford - Yes

Booth - Yes

Allen - No

LaMar - No

Motion passed.

Application #30346 – Brian McMullen is seeking a recommendation to rezone from the R-1-6 zone to the R-M zone in conjunction with a Development Agreement application to develop 9 townhomes on 0.85 acres. Location: 3360 South Ararat Street. Community Council: Millcreek. Planner Spencer Hymas addressed the commission regarding this application. He said the initial proposal started at 16 units with the current proposal at 9 units. Mr. Hymas further stated concerns included traffic and parking, adequate access for pedestrians, and the design not having a good front presence. He explained the site will be subject to a technical review, including the landscaping standards and amenities. Mr. Hymas said one amenity was required so the applicant has included a playground and picnic area. Mr. Hymas said the planning commission could opt to recommend to the city council a rezone to R-1-3, instead of the RM zone, as this zone might be a better fit for the proposed project and neighborhood.

Commissioner Stephens asked whether the town homes are going to be rental units or owner occupied. Mr. Hymas said applicant would prefer an owner/occupied situation.

Commissioner Wilson asked whether staff had addressed garbage collection. Mr. Hymas stated staff had not addressed this issue specifically but was able to locate a suitable location on the premises where a private company could collect garbage with modifications to a garage.

Applicant Brian McMullen stated that garages have been modified, the buildings redesigned to a 2-story height, entrances on front yard only, and the possibility of increasing parking if needed.

Commissioner Wilson asked whether a private company had been secured to collect garbage. Mr. McMullen stated he had not yet checked whether it needed to be a private company.

Commissioner Wilson asked whether there will be interior street lighting, particularly the front areas of the home in the redesign.

Mr. McMullen said there will be 2 lights on either side of the garages but is amenable to adding more if requested by the Commission.

Public Comments:

Ms. Bagley from Millcreek Community Council stated that the application did not come back to them so there was not much to do as it had been previously approved.

Scott Bjor stated his concern regarding the irrigation canal running along the southernmost portion of lot which Mr. Bjor did not want disturbed. His second concern was the adjoining fence shared with the applicant which he said he shared repair duties with the predecessor owner.

Reed Courtney stated he felt Ararat Street was too narrow and in disrepair. Mr. Courtney would also like a wall to be built to separate his home from the project.

Applicant Mr. McMullen replied that he agrees that something needs to be done on the road repair and will do his part to mitigate any concerns on portions of the street. He further stated he will work with the County to work on the drainage system.

Public Hearing closed.

Commissioner Wilson asked staff if there was a preference of R-1-3 to R-M? Mr. Hymas stated staff did not have a preference.

Commissioner Allen stated that the only benefit of R-1-3 would be to establish more of a limit on the density. He stated it made more sense to go with the more restrictive zone.

Commissioner Carlson stated the reason the development agreement is to lock the rezone application to a specific site plan.

Motion: Commissioner Wilson moved to recommend to the City Council adopt a zone change to R-1-3 subject to a development agreement with the conditions based on site plans presented for 9 units at a height not to exceed 28 feet with garbage collection to be determined by the applicant and the city to be agreed upon and with adequate fencing by PUD standards and technical review.

Commissioner Mumford seconded.

The motion passed unanimously.

Application #30350. Planner Spencer Hymas stated the applicant was proposing a mixed-use project which originally included a covered soccer field, commercial space, 174 apartment units, and underground parking. The proposal is for 5 stories. Mr. Hymas stated the proposal being presented this evening was in fact substantially different from what was shown in the staff report and that the community council had not yet reviewed the changed proposal. Mr. Spencer stated this application is not a rezone but a development agreement is being proposed at the applicant's request. Mr. Hymas stated that the Community Council was concerned with traffic as well as the height and density but did not come to a conclusion about the project and wanted to wait until the planning commission had the opportunity to review it.

Warren Lloyd represents Sam and Jake Christiansen from Atlas Ventures, property owners, and applicant Russ Sorenson, developer. He stated this was a mixed zone project within the C-3 zone, subject to the updated commercial zones ordinance and wants the planning commission to allow for additional height from 40 feet up to 75 feet with 5 stories and 228 residential units over a level of underground parking. Mr. Lloyd stated the soccer field had been eliminated and amenities added, such as surface parking, gym, and open green space. Mr. Lloyd stated that a traffic study had been completed by A-Trans which identified impacts on Highland Drive and 1300 East. The traffic study recommended an extended turn lane on to 1300 East.

Commissioner LaMar asked if there was any proposed access to Miller Avenue from the south. Mr. Lloyd said “no”. All access would be from Gunn Avenue and they had been working with the county to improve this street.

Commissioner Allen asked applicant if they are paying for the roadway improvements. Lloyd stated that was dependent on the development agreement. Commissioner Allen asked about building square footage. Mr. Lloyd stated that the total commercial square footage is 14,457 with the gym at 7000 square feet of space.

Chairman Stephens asked about the parking ratio of 1.11 with 228 residential units and 253 dedicated residential parking stalls. Mr. Lloyd confirmed the base parking ratio but stated it did not factor in the shared parking, the bike lockers, and future access to mass transit.

Commissioner Booth voiced concern for parking adequacy, functionality of retail space, and asked about the traffic as respects Gunn Avenue. Mr. Lloyd stated there would be a higher rate of traffic but mitigated by the proposed 2 prime access points off of 1300 East.

Lynda Bagley, from the Mill Creek Community Council, stated that the Community Council requested the applicant come back so it could hear the proposal again, but the applicant didn't come back so they have not reviewed the changed proposal being presented at this public hearing. She added that the proposed project has too high of a density.

Open for Public Comment at 6:37

Jeff Gibson stated he is always amazed by how much the plans change from Community Council to the Planning Commission. He said he owns a home right next to this proposed project and that it would block his view. Mr. Gibson stated this has happened in Sugar House, and it is not his vision of Millcreek. Mr. Gibson said the proposal included too many cars on a small street.

Lex Pierce stated he has been a lifelong resident of Millcreek and was concerned about this project because the growth will be uncontrolled, particularly the traffic, though he has not seen a traffic study. There is a designated place for high density housing of this magnitude but this is not it because it would drive away businesses, destroy the small-town feel cause a spike in crime.

Ruth Ann White stated her concern is with the parking and traffic. She also questioned the ability to get adequate water and sewer for this development. She lives next to a government subsidized housing, and their sewer is always backed up due to the size of the pipes.

Chris Fadown stated his concern is with the traffic and said this development may lead him to leave Millcreek which would be a yearly loss of \$50,000 in tax revenue.

Lynda Bagley, as a private citizen, stated they are all in agreement that the area needs to be developed as a commercial area and not residential. She stated the area already has a high crime rate.

Applicant Warren Lloyd responded that they are aware of the neighborhood and they view this as a way of improving many aspects of the area including building on a large parking lot that is currently unlit and unsupervised. He stated that they welcomed the opportunity to return to the Millcreek Community Council, discuss concerns, and help them understand what growth in the City can mean in a positive sense.

Developer Russ Sorensen stated that he can answer some of the infrastructure questions. Salt Lake City Corporation is the entity that provides the water and they are upgrading the water main throughout the neighborhood to a 10-inch line. Fire protection will be improved as a result. He spoke with the Mt. Olympus Improvement District, the entity that provides sewage services, to confirm that there will be more than enough capacity for the development.

Closed public hearing at 6:57pm.

Commissioner Carlson stated that since it seemed this project is evolving and once the applicant has a better idea of what the project will look like they should go back to the Community Council for its recommendations.

Commissioner Lamar moved that application #30530 be continued to the next monthly public hearing in October due to the recent changes in the application and to give all parties adequate time to discuss and review with the Community Council, provide a professional parking analysis and then return with a staff report that fully satisfies planning staff and Millcreek ordinances.

Commissioner Mumford seconded the motion.

Call the Question: Passed Unanimously.

Application #205115 Windriver Investments LC – Rezone of 7 acres from M-1/M-2 to R-M Zone at 4186 South Main Street

Mr. Murphy stated that the request is to rezone 7 acres from M-1/M2 to R-M zone. The property has been underutilized. Mr. Murphy stated that the M-D (Mixed Development) zone seemed to be the most appropriate.

Applicant Gary Hassenflu indicated he would like to build 410 luxury apartment units, and that they do have a site plan but at this time it is conceptual. The building height would be 5 stories high and the parking structure would be 6 stories in height. He pointed out that the site is meant for high density residential. Mr. Hassenflu said that the traffic study stated entrance to the

development will require three lanes.

Lynda Bagley, of the Millcreek Community Council, stated that the community council approved the project, as proposed, contingent to a site plan along with the development agreement.

Rusty Ballow stated he is a commercial real estate agent and has worked with the owners for four years and that many other uses will not work because access-to Main Street is limited and that there is not enough frontage. He further stated another issue is the distance from Frontrunner and TRAX.

Dave Hogan stated he owns an office complex on Main Street and was never notified of this project and wondered if the reason he did not receive notice is that he is not a Millcreek resident. He stated that he does not see this project as a good thing for his business.

Alex Murphy stated that noticing would have been sent to property owners within 300 feet of the project boundaries but not to tenants unless listed they were listed as a contact at the county assessor office.

Public Hearing closed at 7:28.

Commissioner Allen stated he wanted to see more details of the proposal before the planning commission makes a motion. He is not opposed to the project but wants a better understanding of the proposed design.

Commissioner Booth stated he likes the general concept but has serious concerns with access and parking. He further added he would like more information before he voted on the rezone.

Commissioner Wilson stated that she is in agreement that the Planning Commission has seen other rezone applications with more information.

Chairman Stephens stated he was fine with the rezone as this was the first step in the process. He stated the M-D ordinance was put in place to deal with these types of proposed projects in the Meadowbrook area. The re-zone is the first step in the process. The planning commission will be involved when this project comes back to the planning commission as a conditional use application, accompanied by a draft development agreement.

Public Hearing opened again at 7:35pm

Mr. Hassenflu stated with regards to access on the north he asked the neighboring property if they would be willing to sell their property and they said no. He stated that in the future there could be an exit on to Central Avenue.

Mayor Silvestrini stated that Mr. Hassenflu and he had a meeting with the fire marshal as respects whether or not the driveway on to Main Street would be adequate for fire safety purposes. The Mayor stated that the fire marshal indicated the width and configuration of driveway would be acceptable and a second or third ingress/egress would not be required.

Public Hearing closed again.

Mumford motioned a recommendation to the Community Council that this property rezone to M-D subject to the applicant entering into a development agreement at the appropriate time. Commissioner Booth seconded the motion.

Wilson - No
Allen - No
Lamar - Yes
Stephens - Yes
Booth – Yes
Mumford – Yes

Business meeting discussion: July 19th, 2017 draft Minutes for approval:
Commissioner Allen moved to approve
Commissioner Booth seconded the motion.
Unanimous yeas

Commissioner Stephens discussed Development Agreements. Attorney Brems explained the process and that developers voluntarily enter into the agreements.

Commissioner Mumford moved to adjourn. Commissioner Booth seconded. Planning commission ends 7:58pm.