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**MEETING MINUTE SUMMARY  
 MILLCREEK PLANNING COMMISSION MEETING  
 November 15, 2017 5:00 PM  
 (Approved January 17, 2018)**

**Approximate meeting length:** 4 hours

**Number of public in attendance:** 39 plus those who did not sign or whose names were ineligible

**Summary Prepared by:** Alexandra Muller

**Meeting Conducted by:** Chairman Tom Stephens

**ATTENDANCE**

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

Millcreek Planning	Present	Absent
Mayor Jeff Silvestrini	x	
John Janson	x	
Alexandra Muller	x	
Francis Lilly	x	
John Brems	x	
Robert May	x	

**Hearing began at 5:02 p.m.**

**PUBLIC PORTION OF MEETING OPENED**

Chairman Stephens read the opening statement.

**ZM-17-001**– Kasey Kershaw requests removal of the zoning condition on the RM Zone currently limiting development to 12 units per acre. **Location:** 1236 E 4500 S/ 1224 E 4500 S/ 4529 S 1200 E / 4500 S 1200 E. **Zone:** RM. **Community:** Millcreek. **Planners:** Frank Lilly, Robert May

Planner Frank said the first item is an application for rezone from R-2-10 to RM. He said to amend the zone from 12 units to the acre with a maximum height of 35 feet to a maximum density of 20 units per an acre. Specifically, applicant Kasey Kershaw is requesting to facilitate townhome project with a small commercial office component. Mr. Lilly said per chapter 19-90 of the Millcreek code states any change to the zoning condition requires an amendment to full zoning ordinance: is additional density is appropriate for this corner? He said Planning Commission is the recommending body with the City Council as the final authority. The Planning Commission will be evaluating the application and forwarding to the City Council.

Mr. Lilly said the existing land use nearby include an assisted living center and a church nearby while the other side was predominantly single-family homes. He asked what sort of impact 12 to 20 acres per will be and what can we do to mitigate? He said assuming rezone goes through the applicant will be back they will have a proposal for a PUD which applicant would like to eventually see a full view development. He said there is City Policy that can be conditioned or stipulated in an agreement for a rezone effort and the developer has been asked to prepare a concept of up to 20 units. He said they can put conditions on the development agreement (DA). Mr. Lilly said they have asked developer to give a site plan which shows potential though not refined enough for DA yet such as having detailed setbacks and architecture. If Planning Commission or City Council approves then the DA will be binding. He said Staff recommends this petition to continue to give additional time to hear from neighbors and to give a site plan that is responsive. He said developer has worked on bringing density down. Currently, the concept plan that the developer has proposed includes an access with 45 feet between this project and Mr. Dials' property though most of the town units back up onto a church site. Mr. Lilly said mitigation can be binding through DA with lot areas to be established in site plan. He said there will be parking: 2 in the front and 2 in the garage. Amenities will be required including a playground as well as one other item.

Mr. Lilly said on November 7<sup>th</sup>, 2017 the Millcreek Community Council heard significant feedback. The Community Council recommended this application be denied. He said subsequently there were 25 emails along with 4 or 5 phone calls and would be formally entered into the record. He said the general plan does provide guidance since the area is considered a corridor so there is significant pressure to change though consistent with pattern of changes in the area. He said developer willing to listen to Planning Commission and have a responsive proposal addressing legitimate concerns by residents. Mr. Lilly said notwithstanding what was written in staff reports, staff recommends an approval of rezone conditioned on a DA all would be satisfied with though they may not be there tonight.

Applicant Kasey Kershaw said he started this application at Salt Lake County 5 months ago and spoke with Planner Alex Murphy and that he was trying to mitigate to 15 units per acre. He said Millcreek's parking and setback requirements makes density almost irrelevant though he doesn't have preference for style. He said people clamoring for 3 story townhomes but cannot do a single 2 story building because that's not what people want nor would he make money which is why there has been 10 years of no development. Mr. Kershaw states he is looking for some middle ground and compromise.

Commissioner Allen asked if there was a specific number of units the developer was proposing?

Mr. Kershaw answered about 20 units per acre and a half or 15 units per acre. He is trying to be respectful by pushing project as far away from the single-family homes.

Commissioner Booth asked staff to elaborate on the city's final plan for proposal.

Mr. Lilly said the final site plan would dial down that would be attached to the site agreement as an exhibition which would bind the city and the applicant. He said he would not bring a DA that is incomplete that doesn't meet all the requirements and an architecture design everyone was comfortable with. He said the adoption of the plat agreement would entail another public hearing.

Commissioner Carlson asked what the bottom left property would be designated for?

Mr. Kershaw answered it is currently an empty duplex for a long time but he is thinking of turning it to an office for himself.

Public Comment: 5:24

Community Council representative Lynda Bagley, 1250 Manor Circle, said the issue was density. She said that the Community Council had previously heard this and voted against it because of the comments received from the people.

Chairman Stephens reminded the public that comments were to be addressed to the Planning Commission and not the applicant. He said due to the size of the crowd that comments would be limited to 3 minutes. He said there would be opportunities to engage applicant outside of this forum.

Speaker 1: Pam Samuelson

Address: 25 South 1200 East

Ms. Samuelson thanked the Planning Commission for listening to comments and Mr. Lilly for being helpful. She said she loved living in Millcreek and had voted for the city because she believed it would care more than the county. She said she realizes the Planning Commission have a hard task preserving the area of 45<sup>th</sup> south. Ms. Samuelson spoke regarding historic buildings with a lot of homes that are well over a hundred years old. She said they had already compromised on the RM zone. She said this does not fit with the neighborhood which consists of well-maintained 1 story brick homes. She said she currently has a great view from her home and there are other homes with excellent view of the mountains with the neighborhood concerned with height limit. Ms. Samuelson said this is a quiet residential area with a 2-lane road. She reminded them it is not a corridor but a quiet street where kids play and now the traffic will increase. She said the police supplied accident report that showed 98 accidents for 2016 and now this project would increase traffic on this quiet street. They currently have neighborhood breakfasts, BBQs, and the increased traffic would change their neighborhood. She said she hoped the Planning Commission had read the petition with 120 signatures which meant that 100% of the neighborhood did not want this project to go forward.

Speaker 2: Milton Burbridge

Address: 1242 East 4500 south

Mr. Burbridge said he knew what townhomes deal with such as issues with no yard, no parking, and other complaints. He moved in there with full knowledge so then he moved into another home that takes care of my needs. He said coming home in the evening was bumper to bumper traffic and now he was being told there will be 20 units per acre but the road won't be widened. Mr. Burbridge aid the concern they have is by approving this variance is they are opening the door to every piece of property in Millcreek. He has lived in Millcreek for 35 years and he was not in favor of making it a city. He said when it became a city it changed to he wants Millcreek to become a city that looks out for their people in the community. He thinks the response to the Planning Commission is not just to look out for the neighborhood in this area but for all of Millcreek. He ended with asking whether the Planning Commission would like the proposed development in their area?

Speaker 3: Lee Dyle

Address: 4525 South 1200 east

Mr. Dyle said his property lines directly with the proposed project. He asked the Planning Commission to deny without continuance. He said the neighborhood was not happy and now they are back with the RM. He said the Community Council denied unanimously. He said the land owner had overpriced her land and she needed to price her land to be feasible. Mr. Dyle said If they denied the application it would force the landowner with 2 options: sit on land or price according to zone. He said they are basically giving her justification for her price and any density of 12 units per acre is too much.

Speaker 4: Grant Gibbs

Address: 1245 Vintage lane (Country Corners Condominiums) / Board member of HOA.

Mr. Gibbs said the 34 homeowners at County Corner were united in their protest. He said Country Corners had been there over 20 years while he had lived there over 15 years. He said he was opposed to the development because of the increase in density, traffic on 45<sup>th</sup> South which progressively worsened in the last 5 years. He these 3 story townhomes are inappropriate as the density would be very problematic. Mr. Gibbs said the City needs to look hard at what to enhance.

Speaker 5: Linda Allen

Address: 1249 Sophomore Circle

Ms. Allen thanked the Planning Commission for their attentiveness and that they were thinking of the residents. She asked if any of the Commissioner had driven past their neighborhood as there are 2 new complexes. She said these developments have been welcomed because they fit in with the neighborhood. She said the decision to build high density would affect them all. She has been a school teacher for over 30 years and wanted to speak to children's safety as they wait for the bus at the nearby LDS church. Ms. Allen said the school bus goes through the neighborhood so how will the high density affect this? She said she has 2 friends who live in the neighborhood who have physical disabilities and as they travel or use bus - how would they be affected? She said the cub scouts meet at the back of the LDS church while other children play with their bikes/scooters - how will this affect them?

Ms. Allen said when they voted she hoped it would be for Millcreek to keep this lovely established neighborhood.

Speaker 6: Doreen Armstrong

Address: 1239 East Circle.

Ms. Armstrong has lived for 15 years in the neighborhood. She said it was hard to afford as a single mom but she loved the neighborhood. She said she would like to commend Kasey Kershaw for trying to improve lot because it is an eyesore but she is concerned and objected to the proposal. Her concerns included the parking lot behind the church and the privacy of neighborhood. She said they would be lowering standards by having rentals and she had moved away from that.

Speaker 7: Orville Smith

Address: 1241 Vintage Lane (Country Corners Condominiums)

He said he agrees with everyone except the Planning Commission. The builders of the past have built to the standards.

Speaker 8: Reese Stein

Address: 1270 Vintage Lane (Country Corners Condominiums)

He said he will not rehash opposition but would reiterate that the petition had all neighbors opposing this. He said he was on Canyon Rim Community Council and when neighbors were against something he voted against it.

Speaker 9: Paul Johnston

Address: 1112 Range Road

Mr. Johnston said he would like to add couple of quick things such as applauding the developer for striving to do something. He said they do want development just the correct one. He said he wasn't sure what the design will be and what this developer had done at another location. He said would encourage the Landowner and current developer to support the style of the neighborhood.

Speaker 10: Doug Holt

Address: Ranch field Rd

Mr. Holt said over the years he had noticed that the traffic has increased on 45<sup>th</sup> South with apparently no way for it to be widened. He said If you try to get out of ranch field road and try to go west very difficult and forget it during rush hour traffic as there is no way to do that. He said his main concern was increased traffic. His recommendation was to vote this down.

Speaker 11: Dr. Michael Smith

Address: 1212 East 4500 South

Mr. Smith said he is a high end cosmetic dentist. He said it was great working with Salt Lake County but excited to work with Millcreek. He said he had nothing against Kasey Kershaw and glad he trying to do something with property but is opposed to the development because it blocks his view. He said he has a vested interest in the neighborhood.

Speaker 12: Randy See

Address: 1234 Sophomore Circle

Mr. See said much of what he wanted to discuss was traffic as he can't reiterate it enough. He said whether or not they are building in the area it is simply cannot be done. He said he can't get out with the current Walmart traffic. He asks how does the community at large benefit from this? He said is his main question as the roads were made to match this single family homes.

Speaker 13: Geraldine Ewing

Address: 1236 East College Street

Ms. Ewing said she has been in the neighborhood 78 years. She said the roads will be impacted. She lives on a 2-lane road that has enough traffic and it is not from the neighborhood but from people cutting through who don't want to go on 45<sup>th</sup> South. She said If that building is developed it will impact her street particularly with no way to enlarge the road.

Speaker 14: Sandy Jo Carpenter Hagen

Address: 4066 Brookwood circle.

Ms. Carpenter-Hagen owns 2 homes close to each other in this neighborhood. She recently lost her husband. She wanted to ask the Planning Commission after listening to explain what is the goal for this area? She said her concern was crime and spot zoning was not wanted. She said it would be easier to approach if the neighborhood knew what the Millcreek was thinking in terms of vision for the city and wondered on how to find ways to find to get this information.

Developer/Applicant Kasey Kershaw said his father was a police officer for 40 years and he did not come from money. He said he was an American and that people obviously did not want his development so he would cancel and move on with his life. He said the property owner will not discount. Mr. Kershaw said that while he understands the concern of density that in Holladay there were 4 story buildings on smaller lots but the area needs growth. He said some of the density and projects are the same the people who are commenting are living in but this can be tabled and he could come back later.

Public Hearing Closed at 6:20pm.

Mr. Lilly said he would like to clarify a few things to the audience with respect to the action tonight and what the developer can do today without Planning Commission's approval is to build something with 12 units per acre at 35 feet. He said also the developer could build up to 18 units and the Planning Commission would be obligated to approve a conditional use permit but what the developer is asking for is extra density. We spoke with developer and came up with a number that is consistent with other townhome agreements in the market. The issue here is 2 units and that's accounting before any dedication that may shave a unit out. He suggested to the public to help with the Millcreek General plan - help influence and shape neighborhood they want.

Commissioner LaMar stated he spent a lot of time on the weekend looking at the maps and he was concerned with the current restrictions of 12 units per acre and trying to find when it went into place and why? He said looking there are a lot of single family homes in the area. Commissioner LaMar said the 12 units per acre in place is appropriate and he would be ok tabling as he would not be in favor of rising to 20 per unit.

Commissioner Healey said his initial thought as he did drive by the neighborhood as well as being familiar with 45<sup>th</sup> is that you drive a little faster. He said it does have a unique feel which is the same as Commissioner LaMar to continue this but after giving it some thought and hearing public opinion he would like to make a motion to recommend to the City Council to deny this application.

Commissioner Booth seconded the motion.

Commissioner Mumford said it premature and to wait for a more definite proposal since developer was not married to any design and willing to work with the planning staff. He said it was common for neighbors to have concern for traffic but to let the traffic engineer do traffic study that ask what the detrimental effect will be.

Chairman Stephens said that was procedurally incorrect and asked if a full commissioner and not an alternate commissioner could 2<sup>nd</sup> the motion. No other commissioner seconded the motion. Motion fails.

Commissioner Allen said that as they are looking to approve the additional 2 units so with thousands of cars on the 45<sup>th</sup> daily it doesn't seem to be a drop of sand in the ocean and he would favor in continuance. He said someone could come in and get a permit for commercial office so this application may not be a worst-case scenario. He said regardless he does not like to change the zoning particularly when public is against it. He said he would like to quickly share one anecdote where he was part of a hearing in Park City and the opposition of 500 people in red shirt arrived. They were fearful the LDS church would destroy their neighborhood but now has become a fabulous part of the area. He said at the end of day if we get a nicely done townhome project then it may be a great addition to the neighborhood.

Commissioner Wilson said she was in favor of continuing this though I feel we have exhausted the developer's to where it is prohibitive just to continue. She said she worked in a former life as a transportation plans with categorizing indirect and cumulative impacts of developments which is part of this discussion. She said it is not the immediate impact for the traffic but over time context and communities change so there is social and physical impact. She agrees this is a better plan from this developer than from what could go in from someone else like a commercial property. Commissioner Wilson said you may be surprised by who is renting and stigmas that we draw out of context. She challenges the public to be good neighbors and to consider the new realities out there of how young people how to purchase homes yet are eager to be good neighbor.

Commissioner Carlson said he appreciates the response from the community as he is very familiar with the neighborhood because he walks it every day. He takes 45<sup>th</sup> and love the community. He said the reality that it is a vacant lot and something will go in there. We need to make sure change is in evitable. He said what really is an advantage is that the developer is sensitive and willing to work with you and make changes as well as be accommodating. He said he is sensitive to property adjacent to that and living conditions that may change.

Commissioner Carlson motions for continuance on this application for future meeting to integrate detailed schematic design and allow the process to go back to the community council allowing the developer to engage the neighbors then return to the Planning Commission.

Commissioner LaMar seconded the motion.

Commissioner Carlson – Yes

Commissioner Healey – No

Commissioner Claerhout – Yes

Commissioner LaMar – Yes

Chairman Stephens – Yes

Commissioner Wilson – Yes

Commissioner Mumford – Yes

Mayor Jeff Silvestrini said he wanted residents of Millcreek to know and that he couldn't emphasize how important it is to have their help in the design. The Mayor said information is on the city website, in a copy of the newsletter, and couldn't impress upon them enough to have the public participate in planning how Millcreek should look like.

Break for 15 minutes.  
Meeting reopens 7:00pm

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**ZM-17-002 – Jeffrey Platt requests rezone from A-1 to R-1-8. Location: 2026-2048 E 3035 Zone: A-1. Community: Canyon Rim. Planners: Robert May**

Planner Robert May said the applicant from A-1 to R-1-8. He said the lot is vacant so applicant is proposing a single-family dwelling. Mr. May said that A-1 zone is diminishing in Millcreek and is now less than 40 acres with this area as a small pocket. He said staff feels like these agricultural zones, though currently adopted, are becoming inconsistent. He said this is due in part to increased residential standing.

Chairman Stephens said applicant owns 2 parcels in the A-1 zone but to build a single-family dwelling in the current zone requires a 10,000 square foot lot. He asked if the change in zoning so the square feet will be adequate to build home with an 8,000 square foot parcel.

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Mr. May said if you go thru the permitted used then you can have a variety such as agricultural uses were approved at 1 time and no longer consistent with area.

Applicant Jeffrey Platt said he would like to correct two things; that the parcels have been consolidated and it is 9,358 square feet. He said this was his father's property who later subdivided it and now there were 2 duplexes where lives in one while his sisters live on the other They don't have the ability to maintain the garden so his son came to me a month ago to see if he could purchase because would like to build a garage to store his boats. He said Salt Lake County has turned him down many times but Mr. Lilly said that the city would like house there.

Commissioner Booth asked what the intent was with the property?

Mr. Platt said to sell to the house single dweller.

Mr. May said the Canyon Rim Community Council approved.

There were no comments from the public.

Commissioner Mumford motioned to make a favorable recommendation from A-1 to R-1-8 on this application to the City Council for a zone change.

Commissioner Clearhout seconded the motion.

Commissioner Carlson – Yes  
Commissioner Healey – Yes  
Commissioner Claerhout – Yes  
Commissioner LaMar – Yes  
Chairman Stephens – Yes  
Commissioner Wilson – Yes  
Commissioner Mumford – Yes

**ZM-17-003** – Chris Clifford requests rezone from R-1-8 to R-2-8

**Location:** 3429-3437 S 1300 E **Zone:** R-1-8. **Community:** Millcreek. **Planner:** Robert May

Mr. May said the applicant from R-1-8 to R-2-8. He said lot is currently vacant so applicant is proposing a single-family dwelling. This is also a lot consolidation with property being a little over an acre. He said the rezone will be followed by a conditional use permit that allows irrigation on the property and the applicant has provided drawings of what he proposed. Mr. May said this will be a Mulberry place concept consisting of 5 buildings: 1 single family dwelling and 4 other twin homes.

Commissioner Carlson said he had concerns after actually viewing the property. He said the property is set lower than the property behind it to the east so the concern was with the drainage because there are some major runs offs behind and to the east side of it. He said he took some pics of the lot where he saw 3 or 4 inch irrigation line.

Mr. May said it is a legitimate concern which would be mitigated by the conditional use process where a development agreement would take place.

Commissioner Carlson asked whether the home on 3439<sup>th</sup> will be demolished?

Mr. May answered he thought it would remain as it is not included in the development.

Applicant Chris Clifford said what he proposed a unique idea that targeted the empty nester or executive with security, low maintenance, and have a community style. He said this sight has some unique impediments such as the irrigation ditch that goes through the middle of east end of the property so they can't use that as a developable area so they cannot put single family homes which would have been allowed. The property itself is 1.24 acres so what they are proposing is 5 building with 3 being duplexes. He said the irrigation will be put underground between the single family and twin homes. Mr. Clifford said they try not have a road of homes but a sense of community as he had done a similar project in Holladay a few years ago and are now selling for \$750,000.

Chairman Stephens asked do you planned unit development?

Mr. Clifford answered yes, there will be a gazebo gathering place for residents.

Commissioner Allen asked if there were 4 twin homes and 1 families single family homes?

Mr. Clifford said yes though he was going to change building number 2 to a single-family home.

Community Council Representative Lynda Bagley, 1250 Manor Circle, stated they had voted to recommend this application. She stated there was a concern regarding notice.

Speaker 1: Dwight Marchant

Address: 3530 Carolyn street

Mr. Marchant said he attended the Millcreek Community Council when it was brought forward and no citizens present.

Chairman Stephens said he and Commissioner LaMar have gone through all the iterations – total of 3 when this property was still being handled by the county.

Speaker 2: Wendy Sampson

Address: 3436 Melvina Street.



Ms. Sampson said this proposal looked great but she is concerned with the change in zoning and whether it would be tied to this particular plan so if it is later sold the next owner can't just build whatever they want.

Chairman Stephens stated when a city has adopted a policy that when a rezone takes place it is accompanied by zoning conditions and development agreement so that which is promised in the rezone process has to be built.

Speaker 3: Payson Neese

Address: 3437 South Melvina Street

Mr. Neese said this was an extremely controversial issue as this is the 10<sup>th</sup> meeting in the last 2 years on different iterations trying to rezone this property. He said they have done the petition with hundred signatures. He said the silver lining is getting to know his neighbors which they would not have met. He said he had not received notice while a single body has recommended approval when no one was there from the neighborhood. He said from the pictures they have seen the pics look great. His concern is to maintain the current zone so a future developer did not try to build whatever they wanted. He said the master plan designated their neighborhood for moderate change.

Chairman Stephens asked what is overview of development agreement process?

Mr. Lilly said they have a city policy where to bring a zone change typically includes a development agreement though some zone change is not necessary. He said the applicant has provided with enough material such as a site plan and concept elevation. He said the Planning Commission has the option to recommend to the City Council to effect the zone change contingent on a development agreement being approved and adopted which would bind city and developer to that particular development.

Speaker 4: Holly Decker

Address: 3426 South Melvina Street

Ms. Decker said she had not received notice for this meeting or the previous meeting. She said she feels very similar to the previous speakers in that the development looks great. She said speaking more generally now that she hopes there is a limitation on height so there are no 3 story town homes.

Speaker 5: Clarence Spencer

Address: 3443 South 1300 East

Mr. Spencer said this area is divided between a commercial area and there is a geographical diving line as well as a dividing line by water by the irrigation canal that runs through the city. He said there is severe drop off in that area making it not suitable for construction. He said in his opinion single family and town homes would be ok as they already have those. He said what would not fit would be the property proposed by Mr. Clifford without a commitment putting in the time property. He said he is against the rezone unless there is foundation set that Mr. Clifford would build what he is proposing.

Mr. Clifford responded by stating he understand the concern how this will turnout. He said he try to be very sensitive to neighbors of the homes and sight lines so people aren't looking at the back of a house. That is part of the PUD process. He said all of these projects that he has done have done had rental restrictions as the people who purchased were are all empty nesters who have been there since they were built in 1997. He does do not allow rent with the only exception being for a 6-month period. He said it is important to understand that they are trying to provide something marketable consistent with the needs of community.

Commissioner Healey asked for clarification from the applicant's comment in changing to 2 single family homes and 3 twins.

Mr. Clifford answered it was because there was a soil issue on one end of the property so the twin home concept is problematic and there is need to do detailed survey analysis.

Commissioner Wilson asked Mr. Clifford if he was amenable to attending a community council meeting for those who have not been heard or would that delay you too much?

Mr. Clifford answered as a practical matter no, he would not but would be ok with meeting at people's homes.

Public Comment closes at 7:45pm.

Commissioner Allen said he was in favor ad with what they have heard from residents here is that the proposal gets fulfilled as proposed. He said developer can't really move any dirt until he gets this approval as there are adequate legal protections. He added this is a good project.

Commissioner Booth said he actually had the longest history with this property as he had tried to buy it 40 years ago.

Mr. May said from a staff perspective is just a recommendation approval to the City Council and more than that the city is in a good position of controlling of how this plays out in terms of permits. He said it is not a done deal yet with more requirements still needing to take place.

Commissioner LaMar said to gives brief history where this came to the Commission in September of 2016 and denied the motion because of density. He said then it back in December for a 6 lot PUD which was favorable with the residents then nothing happened for over a year. Commissioner LaMar said he was generally not in favor of a rezone particularly in this type of area that feels like it is in transition. He said this one is difficult for him but after hearing what the audience has brought he was reluctantly in favor as this one seems to finally be the right one.

Commission Healey motions for recommendation of file # ZM-17-003 to City Council of zone change subject to development agreement that it is a planned unit development and conforms closely to the sight plan as well as the architectural renditions by applicant at this meeting including all the conditions stated in the staff report.

Commissioner Mumford seconds the motion.

Mr. Brems said is concerned about the rental obligation as it not something the Planning Commission can require.

Commissioner Healey – Yes

Commissioner Claerhout – Yes

Commissioner LaMar– Yes

Chairman Stephens – Yes

Commissioner Wilson – Yes

Commissioner Mumford – Yes

Commissioner Carlson – Yes

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**30553 – (Continued from October 18, 2017) RM Residential Multifamily Zone Amendment Community: ALL.**

**Planner:** Frank Lilly

Mr. Janson said he wanted over things that happened the last month covering quite a few items from Planning Commission discussed the 2<sup>nd</sup> draft found in the packet. Mr. Janson said they had left previous meeting with conversation on uses. Some questions included whether there should be nonresidential uses in it? He noted that the RM draft went to all 4 community councils. Canyon Rim made motion to hang on to residential uses. East Millcreek did not have quorum but the ones attending were comfortable keeping nonresidential uses. Mt. Olympus comfortable as well. Mill Creek concerned more with height and density issues. Mr. Janson said adopting

county standard on amenities. He said fencing was not really included. Mr. Janson said the ownership language is modified a bit to encourage ownership.

Chairman Stephens added burden on applicants that height for the building is warranted and not a bother on neighbors It is up to applicant to argue that greater heights are warranted.

Speaker 1: Lynda Bagley

Address: 1250 Manor Circle

She said she wanted to develop it but was concerned about setbacks which will cause me problems so I am listening here as she had not read the RM draft.

Speaker 2: Olivia Crown

Address: 46446 Brookwood drive

Ms. Crown asked how many units and what would the amount of taxes be?

Chairman Stephens said there is no ability to answer

Commissioner Allen asked if the concern pay too much and not enough?

Ms. Crown said her concern is that some people do not pay enough while she pays a lot.

Allen says there is an RM Zone and hopefully gets better development projects – individually come in for review

8:23pm closed public hearing

Commissioner Wilson motioned for #30553 recommendation to City Council for the adoption of alternate draft #2 of the Residential Multi-family zone subject to dropping the 25% language regarding amenities and have planning staff review for any ambiguous language.

Commissioner Healey seconded the motion.

Commissioner Healey – Yes

Commissioner Claerhout – Yes

Commissioner LaMar – Yes

Chairman Stephens – Yes

Commissioner Wilson – Yes

Commissioner Mumford – Yes

Commissioner Carlson – Yes

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Business Meeting:

Chairman Stephens asked does the Planning Commission ask City Council to begin process of updating the flag lot ordinance and whether there should be pending ordinance? He said having a moratorium would allow a stoppage of applications while it sorted out.

Commissioner Healey asked whether the moratorium can be assured?

Commissioner Allen suggested a 6 month timeframe.

Mr. Brem said if you want to stop them then there needs to be a pending ordinance.

Mr. Lilly said he takes some responsibility of the concern about the county flag lot policy. He doesn't necessarily have an agenda but just seeking clarity for staff to take a pause and do research.

Commissioner Healey motions a recommendation to the City Council to adopt a pending flag lot ordinance and to begin a process on updating the flag lot ordinance.

Commissioner Wilson seconded motion

**Unanimous approval.**

Mr. Lilly said one item from City Manager regarding an interoffice memo by Mr. Geilmann directing them to communicate via city assigned emails to ensure compliance with record keeping.

The Mayor said he will not be at the Planning Commission meeting in December as he will be out of the country. He said they are going to have at your next meeting a rezone from Millcreek to ensure it stays in their undeveloped state. He stated he won't be able to speak to that but I really worked hard to have open space but no conserve easement in place yet.

Commissioner Wilson motioned to adjourn.

Commissioner Claerhout seconded.

**Unanimous approval.**

APPROVED