



Millcreek City Community Development

3330 South 1300 East

Millcreek, Utah 84106

Phone: (801) 214-2750

Inspections: (385) 468-6690

STAFF MEMORANDUM

From: Erin O’Kelley
To: East Millcreek Community Council
Meeting Date: 4 October 2018

RE: Conditional Use Permit for a mixed development project in a C-2 zone.

Applicant: Joe Johnson

File No.: CU-18-017

Request

On August 29th 2018 the application to rezone the property located on 2780 E 3300 S was approved by the Millcreek City Council and a rezone ordinance was issued shortly after. The applicant of the rezone application is now seeking the proper conditional use permit to follow through on their proposed project that was disclosed in the development agreement created from the rezoning process.

The finalized development agreement outlines a mixed development project (which requires a conditional use permit in a C-2 zone) that will contain 8 2-bedroom units and 1,350 Sq Ft. of office space.

The Planning Commission will discuss this matter at their meeting on **Wednesday, 17 October 2018 at 5:00 pm.**

Existing Land Use and Proposed Change

The East Millcreek City council is familiar with this project and during the rezone process staff worked to include of the public’s concerns regarding potential detrimental effects. The applicant is still pursuing the same project that has now been solidified in the development agreement along with the conditions to mitigate detrimental effects.

The conditions outlined in the development agreement are as follows:

Developer and the City agree that the proposed development will incorporate the following:

1. During the term of this Agreement, the Developer will commence with all required permits and will complete the project. If the Developer fails to complete the project within the term of this Agreement, the City may unilaterally pursue a rezone of the Property to R-1-10, and the Developer hereby waives any objection.



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2. The height of the building will not exceed 26.5 feet in height, with the exception of a raised tower element along the east façade of the building.
3. The setbacks for the building will be as established on the attached site plan, Exhibit C.
4. The project will include 24 parking stalls for the development.
5. The project will consist of open space totaling approximately 28 percent of the project site.
6. The open space will include the following residential amenities:
 - a. Barbeque area consisting of at least 150 square feet, and consisting of outdoor sitting area with grill.
 - b. Enclosed, secure bicycle parking
7. The project will consist of eight two-bedroom units.
8. Each unit will include an outdoor balcony of at least 40 square feet.
9. Balcony and other exterior lighting on the east, south, and west facades shall be designed so as to prevent any direct illumination onto adjacent residential properties.
10. The developer will install an eight foot wall constructed of pre-cast concrete along the east, west, and south property lines. The height of the wall shall be measured from the highest grade level determined at the property line.
11. The project will consist of approximately 1,350 square feet of office space along the 3300 South frontage. The ground-level retail space will feature storefronts, consisting of at least 60 percent glass.
12. Short-term rentals will be prohibited within the project.
13. Lighting will be installed along the bottom of the second floor along the 3300 South façade. Upward facing lighting shall be placed within the landscaping to illuminate the 3300 South façade of the building.
14. Landscaping will be provided as provided in the attached landscape plan. Columnar trees and Arborvitae are intended to provide screening will be planted along the south perimeter of the property, as indicated on an approved landscape plan. The developer will seek input from south neighbors before planting any trees as to make sure the trees are placed correctly to achieve the greatest amount of screening with said trees. Trees used for screening will consist of either



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Columnar oak (*kindred spirit*) or Arborvitae - and or a mix of kindred spirit on either side of the property east and west corners.

15. The front setback will consist of enhanced landscaping per Chapter 19.77 of the Millcreek code.

16. The project will consist of the following materials.

- a. Pre-stained cement board
- b. Stucco
- c. Brick or Stone

17. Arrangement of the materials and the windows will be as indicated on the attached renderings

18. Ventilation windows in the podium garage will be covered by decorative metal grillwork.

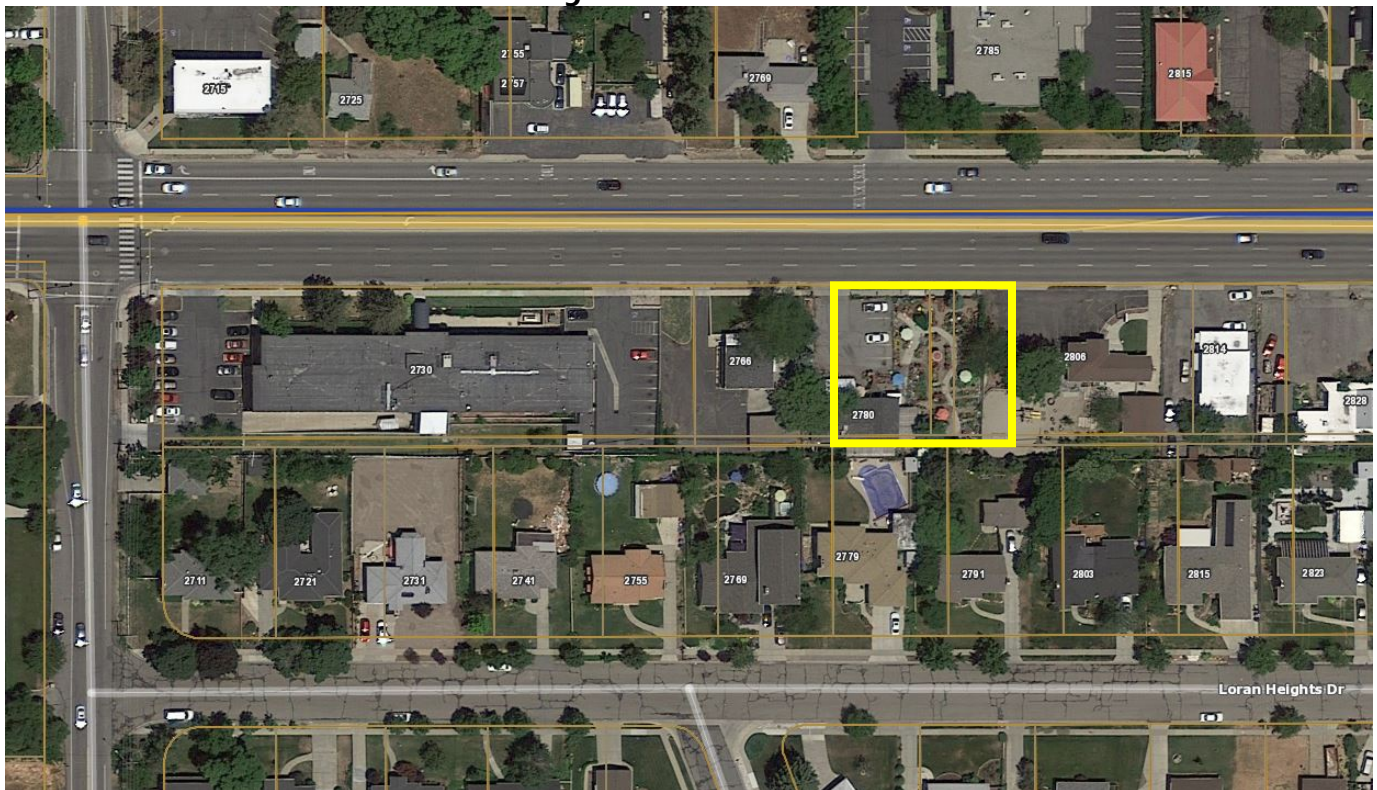
If the East Mill Creek Community Council recommends this project to the Planning Commission, it will go onto be reviewed by the Planning Commission.

Attachments

Aerial Photo/ zoning map

Proposed Plans

Figure 1: Aerial Photo





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Figure 2: Zoning Map

