



Millcreek City Planning and Community Development

3330 South 1300 East

Millcreek, Utah 84106

Phone: (801) 214-2750

Inspections: (385) 468-6690

STAFF MEMORANDUM

From: Blaine Gehring, AICP, Planner
To: Millcreek Community Council
Meeting Date: November 6, 2018

RE: Rezone From C-2 and R-1-8 to R-M
Applicant: Millcreek City

File No.: ZM-18-012

Request

The Millcreek Hollow Condominiums are located at 1136 East 3300 South with a parking lot and access off 1100 East at about 3335 South. The condos were built in 2003 in Salt Lake County in a C-2 Zone with the parking lot and access off 1100 East in an R-1-8 Zone. The condos are considered legal non-conforming as neither use conforms to Millcreek's current zoning ordinance. Millcreek City is seeking a rezone of the property and condos to align the use with the zone.

The Planning Commission will consider this matter at their meeting on **Wednesday, November 20, 2018 at 5:00 pm.**

Existing Land Use and Proposed Change

The Millcreek Hollow Condominiums, built in 2003 while still part of unincorporated Salt Lake County, are mostly zoned C-2 (commercial) and the parking lot and access onto 1100 East is zoned R-1-8, single-family residential. The condos and parking lot do not conform to the current zone requirements of the C-2 and R-1-8 zones. The condos are multi-family residential. Currently, the C-2 zone requires commercial mixed use if residential is proposed for the zone. There is no commercial use in the condos. Moreover, the parking and access on 1100 East is in a single-family zone, and parking and access for a multifamily use isn't even allowed in a single-family zone. Staff thinks it makes sense to align the zoning with the existing use which would be an R-M Zone. It would also eliminate a split zoning of a single parcel. The rezone won't affect the property and won't require any changes.

The discrepancy between zone and use came to staff's attention when the property owner of the law office on 1100 East inquired about building some townhomes on his property. He would like to build his project to a height of approximately 34 feet. Height limitations on his property are dictated by the adjacent zone and not the use. The current single-family zoning on the parking lot and access limits the height to 30 feet. The City has the authority to rezone property through a public process; a rezone does not need to be initiated by a property owner.

Community Council Action

As per Chapter 2.56.100 of the Millcreek City Code, staff is seeking Millcreek Community Council input on the proposed rezone. Specifically, if the proposal is an appropriate addition to the existing area and the council is encouraged to make recommendations concerning the application to the city planning commission.



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Aerial Map





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Vicinity Zoning

