

County Council Zoning Meeting

Public Meeting Agenda

Tuesday, November 1, 2016 4:00 P.M.

LOCATION: SALT LAKE COUNTY GOVERNMENT CENTER
2001 SOUTH STATE STREET, ROOM N1-100
NORTH BUILDING, MAIN FLOOR
(385) 468-6700

UPON REQUEST, WITH 5 WORKING DAYS NOTICE, REASONABLE ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS MAY BE PROVIDED. PLEASE CONTACT WENDY GURR AT 385-468-6707. TTY USERS SHOULD CALL 711.

The County Council Public Meeting is a public forum where the Council receives comment and recommendations from applicants, the public, applicable agencies and County staff regarding land use applications and other items on the Council's agenda. In addition, it is where the Council takes action on Zoning related items. Action may be taken by the Council on any item listed on the agenda which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.

Rezone – To be Heard –

29966 – Bryan Wright of Establish is requesting a zone change from R-1-10 to C-2. **Location:** 3785 South Highland Drive. **Acreage:** The combined parcels equal to ≈1.03 acres. **Community Council:** East Mill Creek. **Planner:** Tom Zumbado

30060 – David Richardson is requesting a rezone from R-1-8 (Single Family Residential) to R-2-6.5 (Medium-Density Residential). **Location:** 3437 South 1300 East. **Community Council:** Millcreek. **Planner:** Jeff Miller

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OFFICE OF TOWNSHIP SERVICES

Planning and Development Services
2001 S. State Street N3-600 • Salt Lake City, UT 84190-4050
Phone: (385) 468-6700 • Fax: (385) 468-6674
www.pwpds.slco.org

File # 29966

Rezone Request Summary and Recommendation

Public Body: Salt Lake County Council

Meeting Date: October 4, 2016

Parcel ID(s): #1633327001, #1633327002 and #1633327003

Current Zone: R-1-10 Proposed Zone: C-2

Property Address: 3785 South Highland Drive

Request: Rezone

Planning Commission: Millcreek

Township/Unincorporated: Millcreek Township

Community Council: East Mill Creek

Planner: Tom C. Zumbado

Planning Commission Recommendation: Approval

Community Council Recommendation: Approval

Planning Staff Recommendation: Approval

Applicant Name: Bryan Wright

PROJECT DESCRIPTION

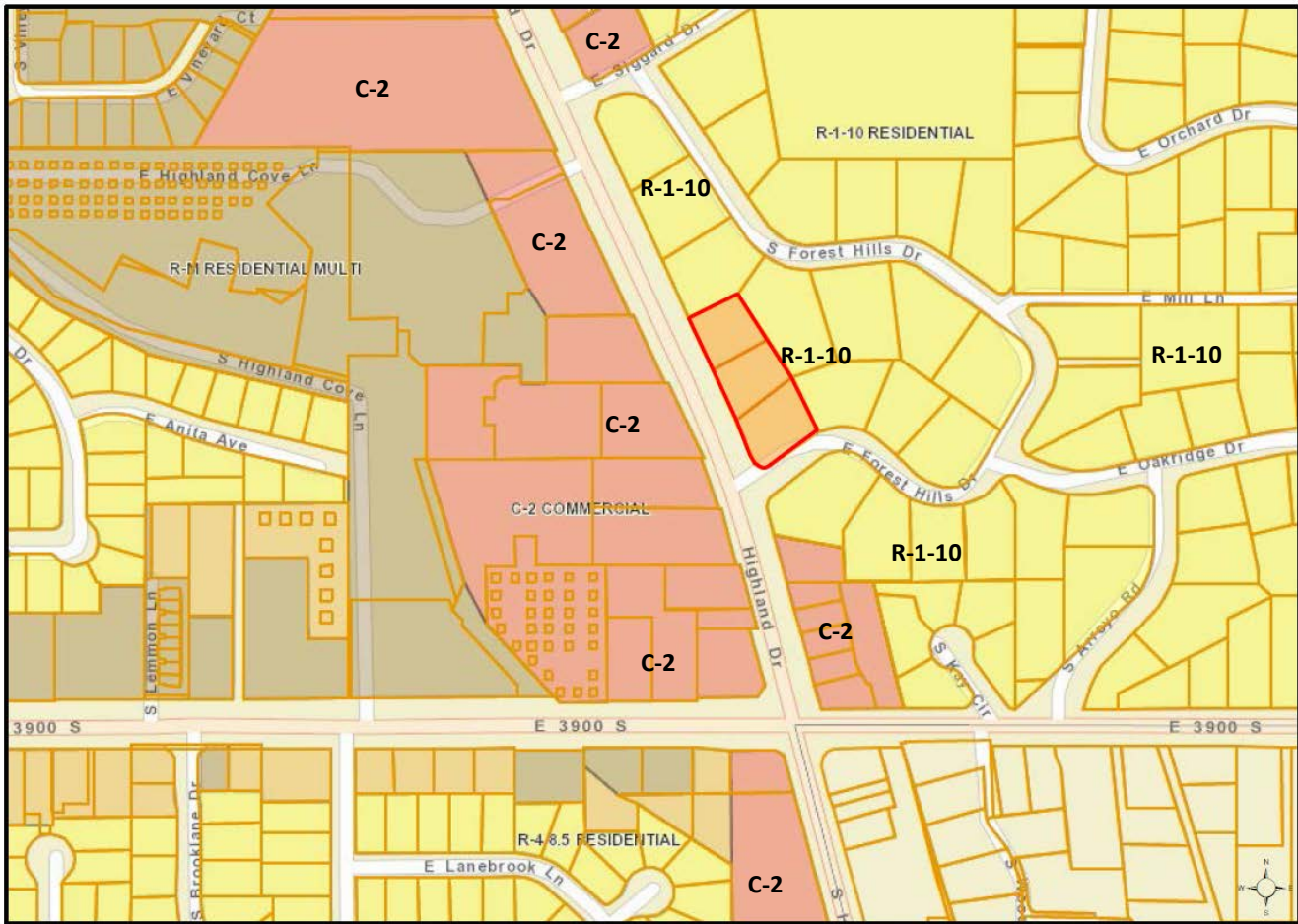
Bryan Wright is requesting a zone change from R-1-10 to C-2 for the purpose of developing an office building for their architecture firm, Establish.

SITE & VICINITY DESCRIPTION (see attached map)

Located at the corner of Highland Drive and East Forest Hills Drive, the three parcels of land encompassed in File #29966 are currently vacant and undeveloped. The immediate neighbors to the north, east and south are R-1-10 parcels. However, the land directly west, along with other parcels along Highland Dr. (at 3900 S. and also at Siggard Dr.) are in the C-2 zone.

File #29966: Rezone Request from R-1-10 to C-2

3785 So. Highland Dr. (Parcels #1633327001, #1633327002 and #1633327003)



GENERAL PLAN CONSIDERATIONS

As it stands, the Millcreek General Plan Map identifies this area as “stable.” However, Highland Dr. is a major corridor through the township and the approval of this project may contribute to goals in the general plan, including:

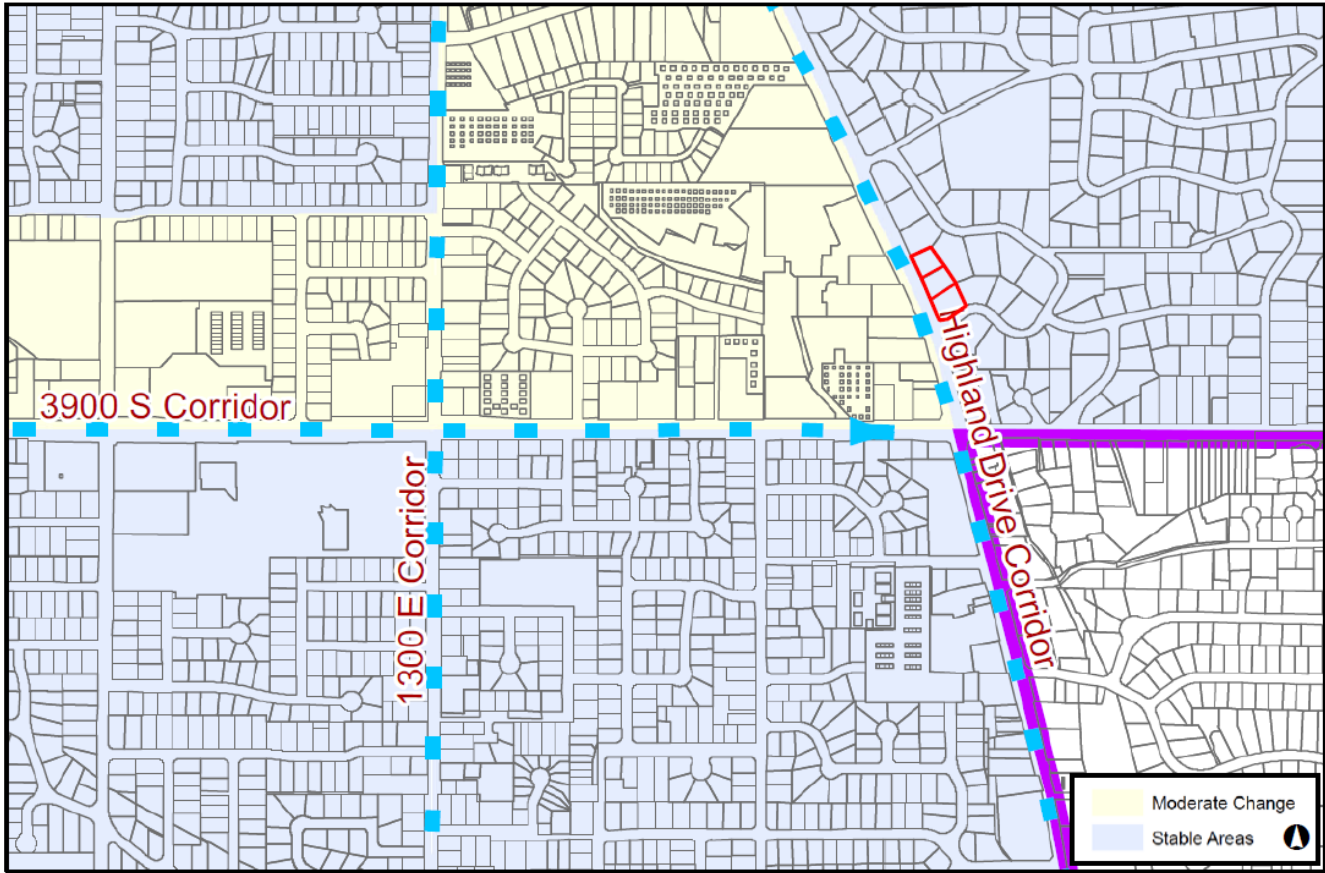
Objective 4.2: Consider a mixed-use pattern of development for major centers, arterials and nodal points to create density and critical population mass to support diverse activities.

Objective 4.3: Develop neighborhood level retail, commercial activity and professional services for quick and easy access by residents.

Objective 4.5: Identify and pursue strategically-targeted business clusters that can provide job opportunities and broaden the economic base of Millcreek Township.

Objective 4.6: Improve the quality of streetscape along key corridors in Millcreek’s neighborhoods, especially along major arterial streets.

File #29966: General Plan Map (Project Parcels Outlined in Red)



ZONE CONSIDERATIONS

Requirement	Existing R-1-10 Zone (RCOZ)	Proposed C-2 Zone
Height	30 Feet	75 Feet Limit
Front Yard Setback	30 Feet	20 Feet
Side Yard Setback	10 Feet	None, except that wherever a building is located upon a lot adjacent to a residential land use, there shall be provided a side yard of not less than ten feet on the side of the building adjacent to the residential property, and on corner lots the side yard which faces on a street shall be not less than twenty feet.
Rear Yard Setback	30 ft. without garage, 15 ft. with garage	None, except that on corner lots which rear upon the side yard of another lot in a residential or agricultural zone, the minimum rear yard shall be ten feet.
Lot Width	80 Feet	None
Lot Area	Minimum 10,000 Square Feet	None
Parking	A driveway shall be provided for vehicular access from the street or right-of-way to the required parking spaces of any dwelling	One space for each 250 square feet of gross floor area.

Compatibility with existing buildings in terms of size, scale and height.	Yes
Compliance with the General Plan.	Yes

NEIGHBORHOOD RESPONSE

At the regularly scheduled meeting of the Millcreek Township Planning Commission on August 10 2016, File #29966 was met with a considerable amount of public scrutiny. It was inquired as to the intended use of the property, the proposed structure to be built and the long-term implications of the rezone.

COMMUNITY COUNCIL RESPONSE

At their regularly scheduled meeting on August 4 2016, the East Mill Creek Community Council unanimously recommended approval for File #29966 with an added height restriction of 40 feet.

PLANNING COMMISSION RESPONSE

At their regularly scheduled meeting on August 10 2016, the Millcreek Township Planning Commission recommended approval for File #29966 with added zoning conditions of a height restriction of 40 feet and for the property to be limited to permanent uses and professional offices only. The vote was 3 in favor with 2 against.

PLANNING STAFF ANALYSIS

County Ordinance 19.14 (R-1-10 Zone)

Staff has verified that the proposed use is not listed in either the permitted or conditional uses for the R-1-10 Zone.

County Ordinance 19.62 (C-2 Zone)

Staff has verified that the proposed use is listed as a permitted use in the C-2 Zone.

County Ordinance 19.90 (Amendments and Rezoning)

The county council may amend the number, shape, boundaries or area of any zone or any regulation within any zone. Any such amendment shall not be made or become effective unless the same shall have been proposed by or be first submitted for the recommendation of the relevant planning commission.

Millcreek General Plan

The overall intent of this general plan is to make the planning process simple, fair, efficient, and predictable. For each area of the County it spells out what kind of development is considered desirable and appropriate.

Goal 4: Promote the development of viable commercial, employment, and activity centers to serve the community.

Millcreek General Plan Map

1. The Official Map is intended to serve as a guide to areas of anticipated and desired stability or growth absorption.

2. The Official Map should be used in conjunction with the Best Practices and the Context sections of the General Plan when making planning decisions.
3. The colors shown on the Official Map indicate a range in the level of stability and intensity of and activity within the Township.
4. The colors shown on the Official Map do not relate to any particular land use or zoning designation.
5. The Zoning Map, rather than the Official Map, should be used to make changes to specific land uses.
6. This Official Map format does not allow staff at the Planning and Development Services desk to suggest whether or not a proposed zone change will be approved.
7. When making planning decisions:
 - a. Locate the proposed change on the Official Map.
 - b. Determine the anticipated level of stability and intensity of the area in which the proposed change occurs (Green, Blue, Yellow, Red, and Corridor)
 - c. Determine if the proposed change would result in a level of change that is consistent with the Official Map.
 - d. Determine if the proposed change is consistent with the relevant Best Practice(s) Core Concepts and Key Questions.
 - e. Determine whether or not to recommend or approve the proposed change.

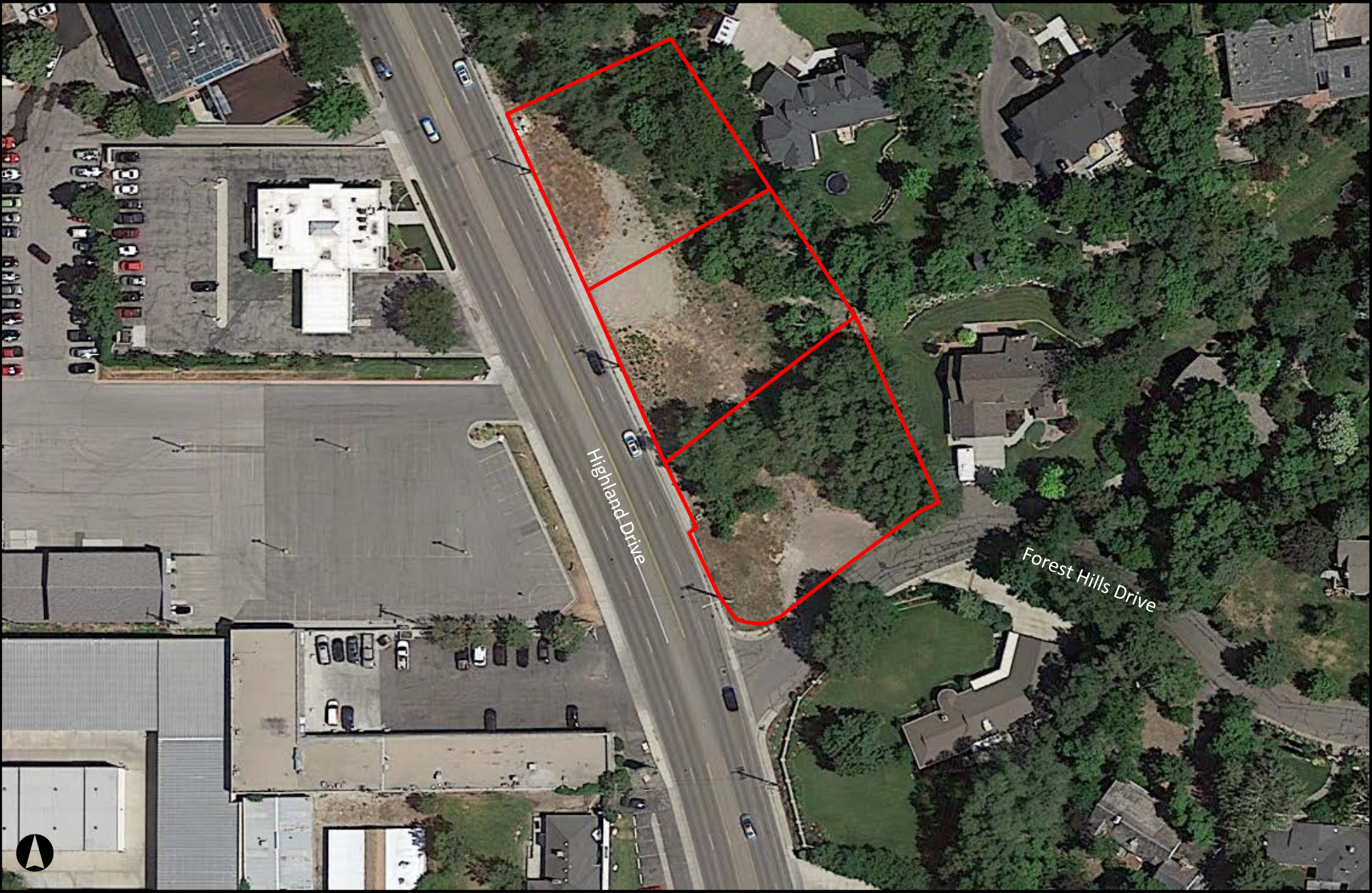
PLANNING STAFF RECOMMENDATION

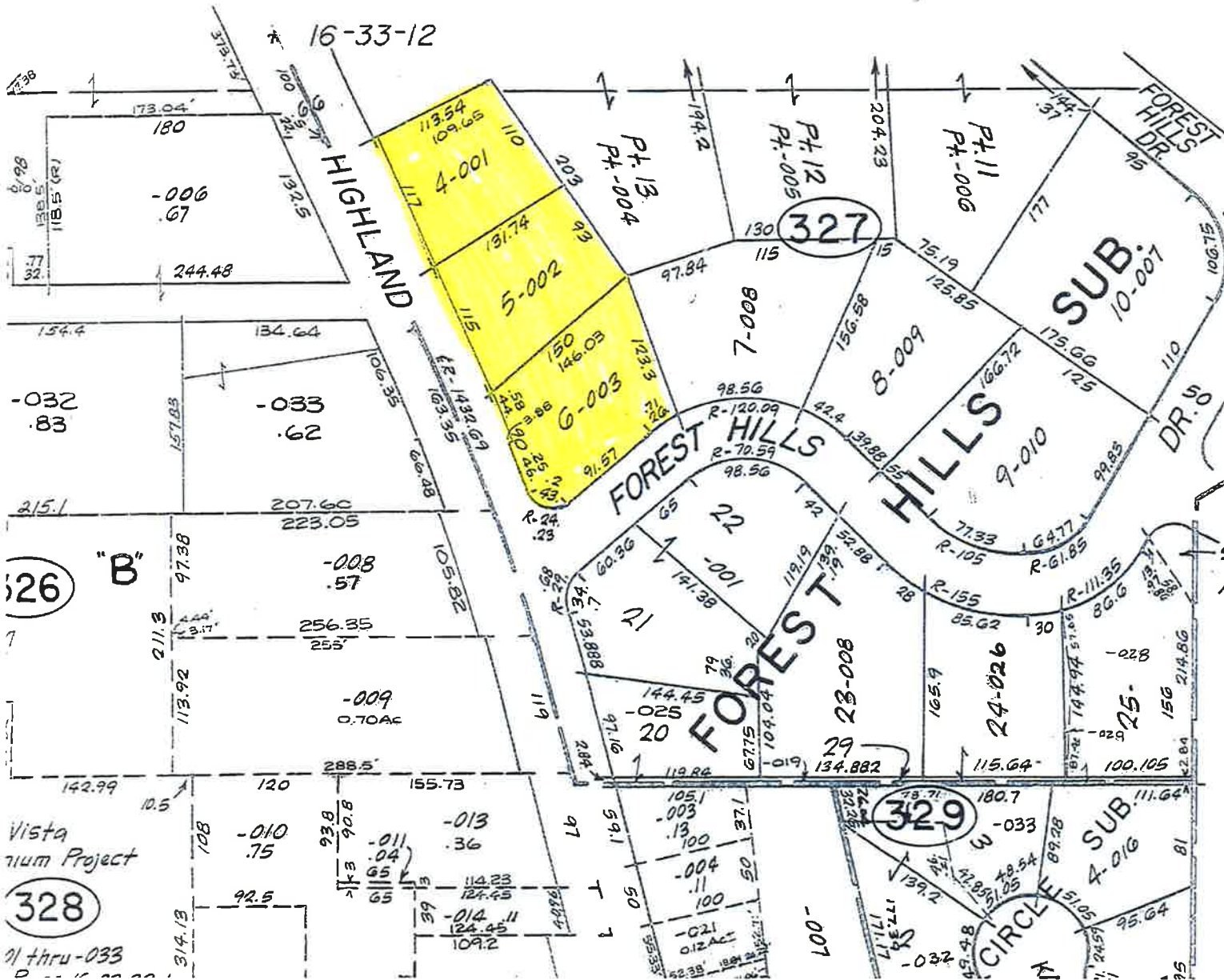
After a close review of all the necessary steps for rezoning, it is the recommendation of Planning Staff that the Salt Lake County Council grant approval to File #29966 for the purpose of building a future commercial office building.

File #29966 Aerial Image: Rezone Request – R-1-10 to C-2

3785 South Highland Drive, Parcel ID(s): #1633327001, #1633327002 and #1633327003

(Parcel lines are approximated)





"A"
 AMMENDED PLAT OF LOTS
 201 THRU 205
 "B"
 B.F.S. 10 ACRE PLAT A
 "C"
 ERIC KERR MINOR SUB
 "D"
 ORCHARD COURT
 PUD

SEE DETAIL
 16-33-41

326 "B"
 Vista
 num Project
 328
 01 thru -033

NOT FOR CONSTRUCTION

TOPOGRAPHIC SURVEY

3775 SO & 3785 SO HIGHLAND DRIVE
(ALSO) 1637 E FOREST HILLS DRIVE

LOTS 4-5-6, FOREST HILLS SUBDIVISION
LOCATED WITHIN SOUTHWEST 1/4 OF SECTION 33,
TOWNSHIP 1 SOUTH, RANGE 1 EAST,
SALT LAKE BASE & MERIDIAN
SALT LAKE COUNTY, UTAH.

PROPERTY DESCRIPTION

Lot 6, FOREST HILLS SUBDIVISION, according to the official plat thereof, as recorded in the office of the Salt Lake County Recorder.

Less and Excepting:
Beginning at the Northwest corner of said Lot 6, and running thence North 53°03'00" East 1.210 m (3.97 feet) along the Northwest corner line of said Lot 6; thence South 24°48'00" East 13.589 m (44.58 feet); thence South 55°11'59" West 1.183 m (3.88 feet) to the Southwest corner of said Lot 6; thence North 24°48'00" West 13.334 m (43.75 feet) along said lot line to the point of beginning.

Lots 4 & 5, FOREST HILLS SUBDIVISION, according to the official plat thereof, as recorded in the office of the Salt Lake County Recorder.

Less and Excepting:
Beginning at the Northwest corner of said Lot 4, and running thence North 65°16'24" East 1.185 m (3.89 feet) along the Northwest corner line of said Lot 4 to a point 11.250 m (36.91 feet) perpendicularly distant Easterly from the centerline of said project; thence South 24°48'00" East 70.458 m (231.16 feet) along a line parallel to said centerline to the Southeast corner of said Lot 4; thence South 53°03'00" West 1.210 m (3.97 feet) along said lot line to the Southwest corner of said Lot 5; thence North 24°48'00" West 70.715 m (232.00 feet) along the Southwest corner line of said Lots 4 and 5 to the point of beginning.

SURVEYOR'S NARRATIVE

This survey was performed at the request of Bryan Wright. For the purpose of locating property lines as they related to existing improvements.

The basis of bearing was derived from the Street monuments on Highland Drive which has a bearing of N 24°48'00" W 821.76. (As shown hereon.)
* FOR EASEMENTS SEE TITLE REPORT & RECORDED SUBDIVISION PLATS.

* UTILITIES, PIPES, WIRES ETC. MAY NOT BE SHOWN ON THIS MAP: NO UNDERGROUND UTILITIES SURVEYED, THIS NOT INTENDED TO BE USE FOR DESIGN/SITE PURPOSES. CALL BLUE STAKING FOR GROUND LOCATIONS. AS THEY EXIST.

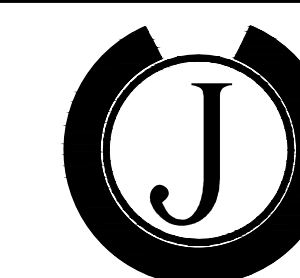
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SURVEYOR'S CERTIFICATE

I, TIMOTHY R. JOHANSON, Do hereby certify that I am a Registered Land Surveyor and that I hold certificate No. 5152650, as prescribed under the laws of the State of Utah and that I have made a survey of the tract of land shown on this plat.

REVISIONS:

REV #	DESC.	DESCRIPTION	DATE



JOHANSON LAND CONSULTANTS

SURVEYING PLANNING LAND DEVELOPMENT

770 EAST MAIN STREET

SUITE 131

LEHI CITY, UTAH 84043

PHONE (801) 707-9463

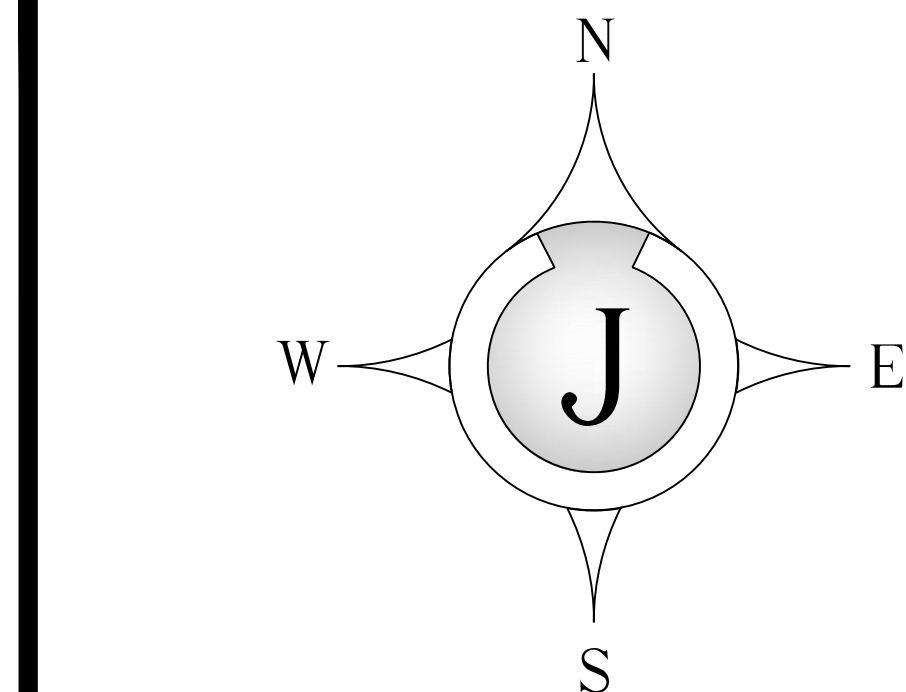
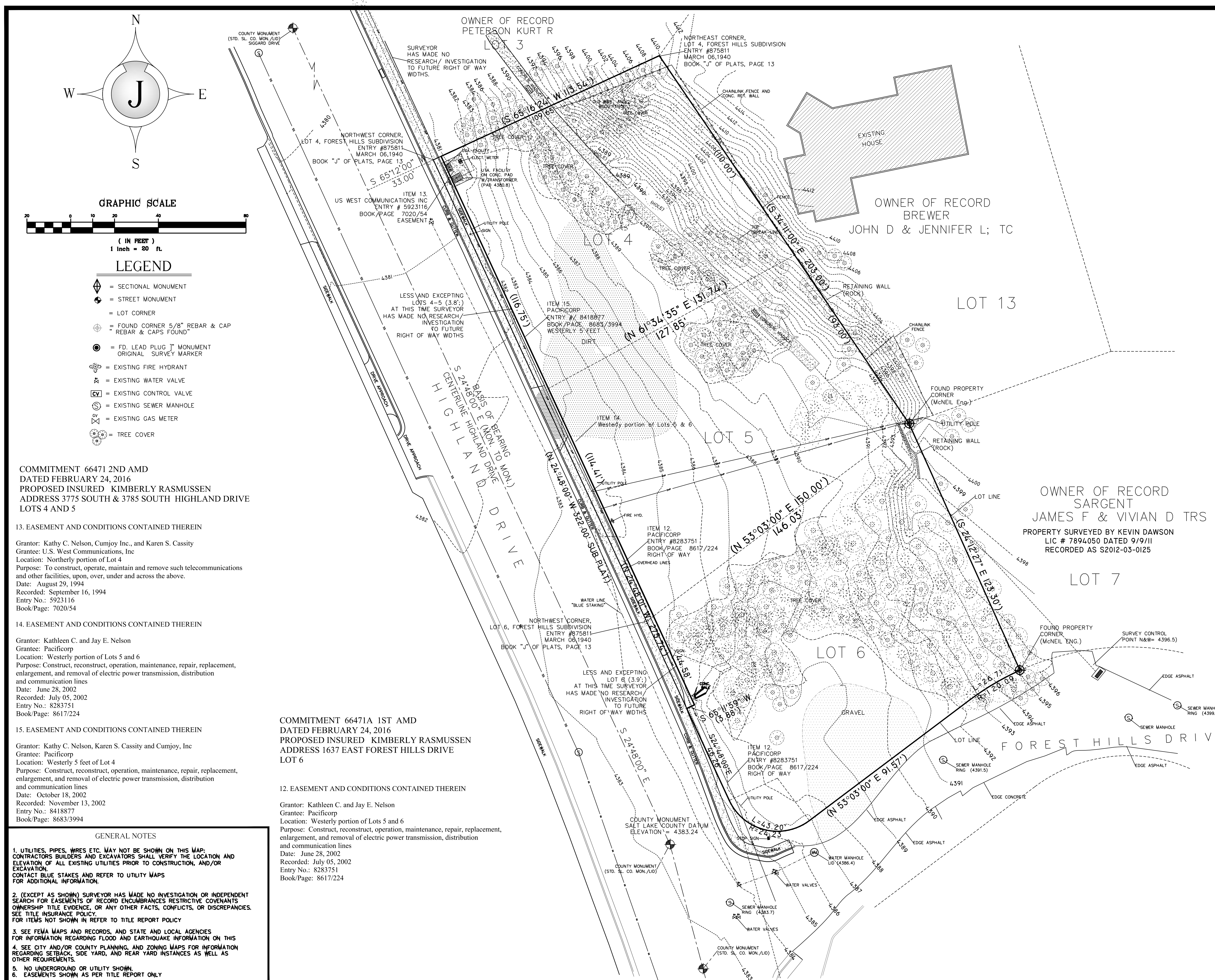
JLCSURVEY.COM

johansonsurvey@gmail.com

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STAMP	PROJECT NO.
PRELIMINARY	JLC-16-037 HIGHLAND DR
	DATE: 06/08/2016
	DRAWN BY: RKJ
	CHKD BY:
	SHEET NUMBER
	1 OF 1



GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.

LEGEND

- = SECTIONAL MONUMENT
- = STREET MONUMENT
- = LOT CORNER
- = FOUND CORNER 5/8" REBAR & CAP
- = REBAR & CAPS FOUND
- = FOUND CORNER 1" MONUMENT ORIGINAL SURVEY MARKER
- = EXISTING FIRE HYDRANT
- = EXISTING WATER VALVE
- = EXISTING CONTROL VALVE
- = EXISTING SEWER MANHOLE
- = EXISTING GAS METER
- = TREE COVER

COMMITMENT 66471 2ND AMD
DATED FEBRUARY 24, 2016
PROPOSED INSURED KIMBERLY RASMUSSEN
ADDRESS 3775 SOUTH & 3785 SOUTH HIGHLAND DRIVE
LOTS 4 AND 5

13. EASEMENT AND CONDITIONS CONTAINED THEREIN

Grantor: Kathy C. Nelson, Cumjoy Inc., and Karen S. Cassidy
Grantee: U.S. West Communications, Inc
Location: Northern portion of Lot 4
Purpose: To construct, operate, maintain and remove such telecommunications and other facilities, upon, over, under and across the above.
Date: August 29, 1994
Recorded: September 16, 1994
Entry No.: 5923116
Book/Page: 7020/54

14. EASEMENT AND CONDITIONS CONTAINED THEREIN

Grantor: Kathleen C. and Jay E. Nelson
Grantee: PacifiCorp
Location: Westerly portion of Lots 5 and 6
Purpose: Construct, reconstruct, operation, maintenance, repair, replacement, enlargement, and removal of electric power transmission, distribution and communication lines
Date: June 28, 2002
Recorded: July 05, 2002
Entry No.: 8283751
Book/Page: 8617/224

15. EASEMENT AND CONDITIONS CONTAINED THEREIN

Grantor: Kathy C. Nelson, Karen S. Cassidy and Cumjoy, Inc
Grantee: PacifiCorp
Location: Westerly 5 feet of Lot 4
Purpose: Construct, reconstruct, operation, maintenance, repair, replacement, enlargement, and removal of electric power transmission, distribution and communication lines
Date: October 18, 2002
Recorded: November 13, 2002
Entry No.: 8418877
Book/Page: 8683/3994

COMMITMENT 66471A 1ST AMD
DATED FEBRUARY 24, 2016
PROPOSED INSURED KIMBERLY RASMUSSEN
ADDRESS 1637 EAST FOREST HILLS DRIVE
LOT 6

12. EASEMENT AND CONDITIONS CONTAINED THEREIN

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4. SEE CITY AND/OR COUNTY PLANNING, AND ZONING MAPS FOR INFORMATION REGARDING SETBACK, SIDE YARD, AND REAR YARD INSTANCES AS WELL AS OTHER REQUIREMENTS.
5. NO UNDERGROUND OR UTILITY SHOWN.
6. EASEMENTS SHOWN AS PER TITLE REPORT ONLY.

ESTABLISH

EKD Development
3785 South Highland Drive
Millcreek, Utah

20 June 2016
Existing Site
A100

3225 South 900 East Salt Lake City, Utah 84106 (801) 467-1268

NOT FOR
CONSTRUCTION

TOPOGRAPHIC SURVEY

3775 SO & 3785 SO HIGHLAND DRIVE
(ALSO) 1637 E FOREST HILLS DRIVE

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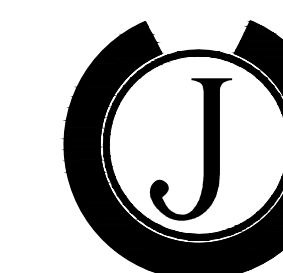
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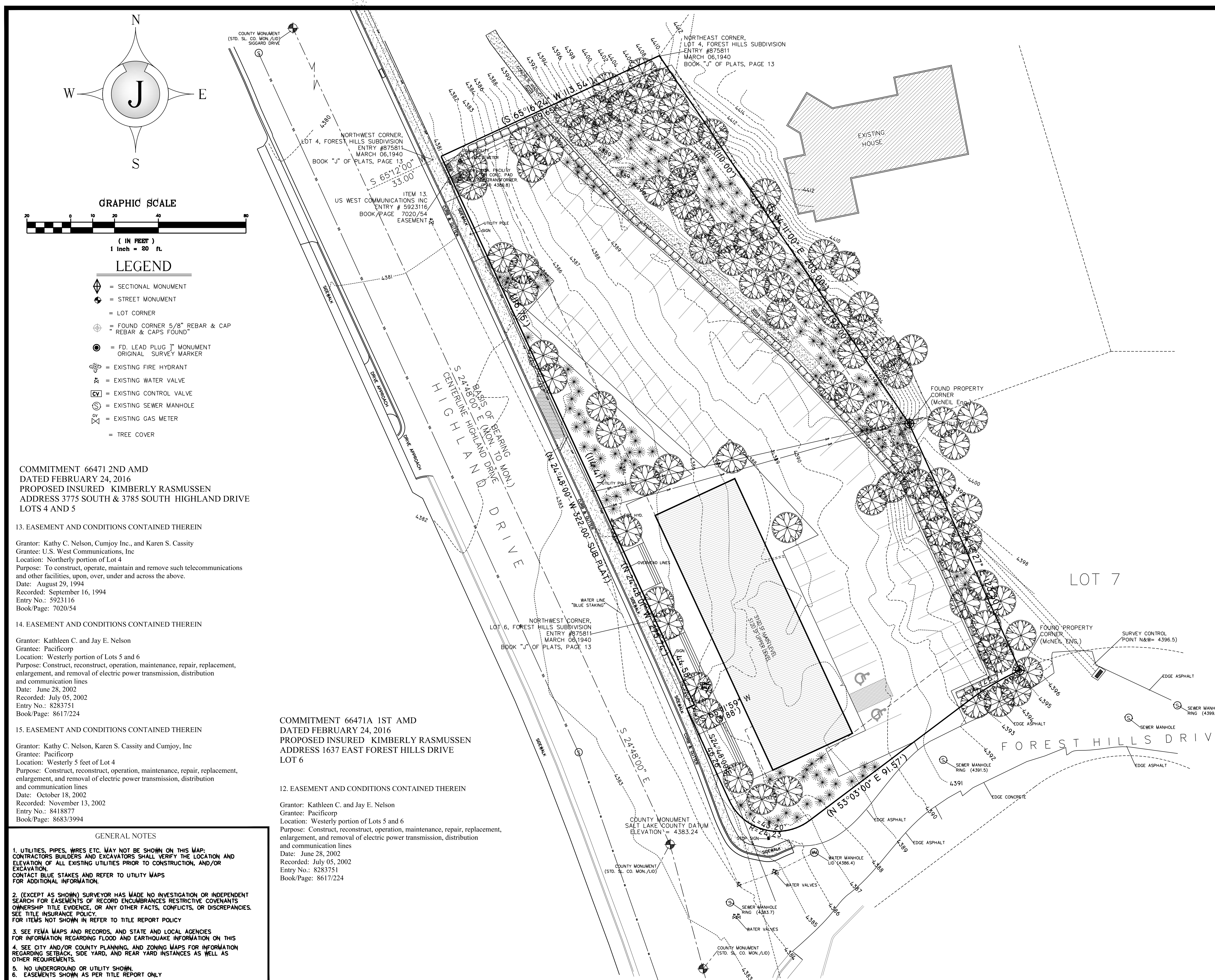
johansonsurvey@gmail.com

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1 OF 1



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Date: June 28, 2002
Recorded: July 05, 2002
Entry No.: 8283751
Book/Page: 8617/224

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- NO UNDERGROUND OR UTILITY SHOWN.
- EASEMENTS SHOWN AS PER TITLE REPORT ONLY.

ESTABLISH



3225 South 900 East Salt Lake City, Utah 84106 (801) 467-1268

EKD
Development
3785 South Highland Drive
Millcreek, Utah

20 June 2016

Site Plan

A101









**SALT LAKE COUNTY
ORDINANCE**

ORDINANCE NO. _____, 2016

AN ORDINANCE AMENDING TITLE 19, ENTITLED "ZONING", OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 2001, BY RECLASSIFYING CERTAIN PROPERTY LOCATED IN SALT LAKE COUNTY FROM THE R-1-10 (SINGLE-FAMILY RESIDENTIAL) ZONE TO C-2 (COMMERCIAL) ZONE.

The County legislative body of Salt Lake County, State of Utah, ordains as follows:

Section 1: Section, 19.06.020, Zoning Maps of Salt Lake County Code of Ordinances 2001, is hereby amended, as follows:

The property described in Application #29966 filed by Bryan Wright, located at 3785 South Highland Drive within Salt Lake County (the "Property"), is hereby reclassified from the R-1-10 (SINGLE-FAMILY RESIDENTIAL) zone to the C-2 (COMMERCIAL) zone with the following zoning conditions:

- Heights of structures are limited to 40 feet to peak or ridgeline of the structure
- Uses are limited to permitted uses in the C-2 zone and office uses

The Property is specifically described as follows:

Parcel No. 16-33-327-003 (Lot 6) -

LOT 6, FOREST HILLS SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, AS RECORDED IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER.

LESS AND EXCEPTING:

BEGINNING AT THE NORTHWESTERLY CORNER OF SAID LOT 6, AND RUNNING THENCE NORTH 53°03'00" EAST 1.210M (3.97 FEET) ALONG THE NORTHWESTERLY LOT LINE OF SAID LOT 6; THENCE SOUTH 24°48'01" EAST 13.589 M (44.58 FEET); THENCE SOUTH 65°11'59" WEST 1.183 M (3.88 FEET) TO THE SOUTHWESTERLY LOT LINE OF SAID LOT 6; THENCE NORTH 24°48'01" WEST 13.334 M (43.75 FEET) ALONG SAID LOT LINE TO THE POINT OF THE BEGINNING.

Parcel No. 16-33-327-002 (Lot 5) and Parcel No. 16-33-327-001 (Lot 4) -

LOTS 4 & 5, FOREST HILLS SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT

THEREOF, AS RECORDED IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER.

LESS AND EXCEPTING:

BEGINNING AT THE NORTHWESTERLY CORNER OF SAID LOT 4, AND RUNNING THENCE NORTH 65°16'24" EAST 1.185 M (3.89 FEET) ALONG THE NORTHWESTERLY LOT LINE OF SAID LOT 4 TO A POINT 11.250 M (36.91 FEET) PERPENDICULARLY DISTANT EASTERLY FROM THE CENTERLINE OF SAID PROJECT; THENCE SOUTH 24°48'01" EAST 70.458 M (231.16 FEET) ALONG A LINE PARALLEL TO SAID CENTERLINE TO THE SOUTHEASTERLY LOT LINE OF SAID LOT 5; THENCE SOUTH 53°03'00" WEST 1.210 M (3.97 FEET) ALONG SAID LOT LINE TO THE SOUTHWESTERLY CORNER OF SAID LOT 5; THENCE NORTH 24°48'00" WEST 70.715 M (232.00 FEET) ALONG THE SOUTHWESTERLY LOT LINES OF SAID LOTS 4 AND 5 TO THE POINT OF BEGINNING.

Lots 4, 5, and 6 contain approximately 1.02 acres or 44,919 square feet.

Section 2: The map showing such change shall be filed with the Salt Lake County Planning Commission in accordance with Section 19.06.020 of the Salt Lake County, Code of Ordinances, 2001.

Section 3: This ordinance shall take effect fifteen (15) days after its passage and upon at least one publication in a newspaper published in and having general circulation in Salt Lake County, and if not so published within fifteen (15) days then it shall take effect immediately upon its first publication.

IN WITNESS WHEREOF, the Salt Lake County Council has approved, passed and adopted this ordinance this _____ day of _____, 2016.

SALT LAKE COUNTY COUNCIL

By: _____
Max Burdick, Chair
Salt Lake County Council

ATTESTED:

Sherrie Swensen, County Clerk

Approved as to Form:

R. Christopher Preston
Deputy District Attorney
Date: _____

ORDINANCE HISTORY

Council Member Wilson _____
Council Member Snelgrove _____
Council Member Bradley _____
Council Member Bradshaw _____
Council Member Jensen _____
Council Member Newton _____
Council Member Granato _____
Council Member DeBry _____
Council Member Burdick _____

Vetoed and dated this _____ day of _____, 2016.

By _____
Mayor Ben McAdams or Designee

(Complete As Applicable)

Veto override: Yes__ No__ Date _____
Ordinance published in newspaper: Date _____
Effective date of ordinance: _____



OFFICE OF TOWNSHIP SERVICES

Planning and Development Services

2001 S. State Street N3-600 • Salt Lake City, UT 84190-4050

Phone: (385) 468-6700 • Fax: (385) 468-6674

www.pwpds.slco.org

File # 30060

Rezone Summary and Recommendation

Public Body: Salt Lake County Council

Parcel ID: 16-29-480-007, 16-29-480-008,

16-29-480-009 & 16-29-480-001

Property Address: 3429 & 3437 South 1300 East

Request: Rezone from R-1-8 to R-2-6.5

Meeting Date: November 1, 2016

Current Zone: R-1-8 **Proposed Zone:** R-2-6.5

Community Council: Millcreek

Planner: Jeff Miller

Community Council Recommendation: Denial

Planning Commission Recommendation: Denial

Planning Staff Recommendation: Specific Recommendation Not Given

Applicant Name: David Richardson

Township: Millcreek

PROJECT DESCRIPTION

David Richardson is requesting a rezone from R-1-8 (Single-Family Residential, 8,000 Square Feet lot size) to R-2-6.5 (Medium-Density Residential) to accommodate an increase in density for a future conditional use application for residential development. The requested rezone includes four parcels, which totals 1.43 acres in size. The applicant had previously pursued a rezone from R-1-8 to R-4-8.5 in association with file #29338. This request was ultimately denied by the Salt Lake County Council after receiving recommendations of denial from the Millcreek Community Council and the Millcreek Township Planning Commission.

SITE & VICINITY DESCRIPTION (see attached map)

The proposed parcels to be rezoned R-2-6.5 are just south of 3300 South and front 1300 East. A majority of the surrounding parcels are zoned R-1-8 (Residential Single-Family), with a few parcels to the west zoned R-2-8 (Medium-Density Residential). There are also large areas zoned C-2 (Commercial Zone) to the north along 3300 South, and to the east along Highland Drive. In the southwest corner of the parcels to be rezoned is a home built in 1895.

GENERAL PLAN CONSIDERATIONS

The proposed parcels are located in an area of "Moderate Change" according to the Millcreek Township General Plan. Moderate changes in land uses will occur in this area, and may represent reasonable changes to the typical land uses for the area/corridor. Changes may occur in clusters, while the land uses of the overall area/corridor will remain largely consistent. Growth in these areas will begin to trend upward, allowing for a transition to more intensive land uses.

Approval of this requested rezone may contribute to goals in the General Plan, which includes:

Objective 5.1: Provide sufficient housing for current and future populations that are appropriate, safe, and affordable, where all citizens are welcome to live.

Objective 5.2: Consider life-cycle housing alternatives that allow for aging populations to “age in place,” as well as provide diverse housing choice for other demographic groups.

Objective 5.4: Encourage residential development that establishes a variety of lot sizes, dwelling types, densities, and price points, as well as an appropriate balance of owner occupied and rental units.

Objective 5.5: Develop safe and visually pleasing residential neighborhoods that are integrated into the natural environment with open space, trails and green systems.

Objective 5.6: Develop programs and neighborhoods that will make home ownership attractive and possible for all members of the community.

Objective 5.7: Preserve and protect the quality and character of existing neighborhoods, including sensitivity of compatible infill development.

ZONE CONSIDERATIONS

Requirement	Existing Zone (R-1-8)	Proposed Zone (R-2-6.5)
Height	35 Feet	35 Feet
Front Yard Setback	25 Feet	25 Feet
Side Yard Setback	20 Feet	8 feet, however, no side yard setback is required from the property line dividing two units of a two family dwelling. Side yard facing a public street is required to have a minimum setback of 20 feet.
Rear Yard Setback without Garage	30 Feet	30 Feet
Rear Yard Setback with Garage	15 Feet	15 Feet
Lot Width	65 Feet	60 feet at a distance 25 feet from the front lot line
Lot Area	8,000 Square Feet	4,000 square feet for a lot containing 1 unit of a two-family dwelling 6,000 square feet for a single-family dwelling 6,500 square feet for a two-family dwelling 8,000 square feet for any other main building
Density (per acre)	4.5 Units	7 Units Per Acre for Single-Family Dwellings (10.01 units for subject property based on 1.43 acres), 12 Units Per Acre for Two-Family Dwellings (17.16 units for subject property based on 1.43 acres).

Compatibility with existing buildings in terms of size, scale and height.	Yes
Compliance with the General Plan.	Yes

ISSUES OF CONCERN/PROPOSED MITIGATION

Planning Staff has not identified any issues of concern with the proposed rezone request.

NEIGHBORHOOD RESPONSE

When this item was presented to the Millcreek Community Council on September 6th, there were a large number of neighbors that were in opposition to the requested rezone. These neighbors were concerned about the impact that a future residential development would have on traffic issues in the area. The neighbors were also concerned about changing the single-family feel of the surrounding neighborhood with the potential addition of two-family dwellings on the subject property. The applicant provided a map of surrounding homes in the area that are currently being used as two-family dwellings (please see the attached map below from the applicant. Staff has not confirmed the accuracy of this map provided by the applicant).

COMMUNITY COUNCIL RESPONSE

This item was heard by the Millcreek Community Council on Tuesday, September 6, 2016. They made a recommendation of denial for the requested rezone.

PLANNING COMMISSION RESPONSE

This item was heard by the Millcreek Township Planning Commission on September 14, 2016. There were a large number of residents in attendance at this meeting who were opposed to the proposed rezone because they were concerned about the increase in density, and the negative impact to existing traffic issues along 1300 East in this particular area. The Millcreek Township Planning Commission gave a recommendation of denial for the requested rezone due to the neighborhood concerns regarding increased density, and traffic issues.

REVIEWING AGENCIES RESPONSE

Planning Staff has reviewed the application for compliance, as well as in accordance with best practices and policies included in the General Plan for the Millcreek Township.

Compliance with current building, construction, engineering, fire, health, landscape and safety standards will be verified prior to final approval of any residential development on this property, if the property is rezoned to R-2-6.5.

PLANNING STAFF ANALYSIS AND RECOMMENDATION TO THE PLANNING COMMISSION

County Ordinance [19.90.030] “The county council, after review of the recommendation of the planning commission, may approve, deny, alter or remand for further review and consideration any application for zone change referred to the council by the planning commission.”

Staff has reviewed this rezone request for compliance with the Millcreek Township General Plan, standards set forth in the Salt Lake County Zoning Ordinance (Title 19), and for compatibility with existing neighboring land uses, and recommended the following considerations to the Millcreek Township Planning Commission:

Considerations for recommending approval to the Council:

1. The proposed zone change is consistent with the Millcreek Township General Plan as a site dedicated to absorb future growth.
2. Specific site and use related issues and mitigation measures will be addressed during the conditional use review process for any proposed conditional use on this site.
3. The proposed zone change is consistent with several Best Practices found within the Millcreek Township General Plan including Housing, Land Use and Mobility.
4. The zone change is consistent with the Goals and Objectives of the Millcreek Township General Plan.
5. The proposed zone change is compatible with the surrounding neighborhood.
6. The proposed zone change is located along a corridor on the General Plan Map.

Consideration for recommending denial to the Council:

1. The proposed zone change is not appropriate for the location.
2. The proposed zone change is not compatible with the surrounding neighborhood.
3. The zone change is not consistent with the Goals and Objectives of the Millcreek Township General Plan.
4. There may be a more suitable zoning designation than an R-2-6.5.

Other Considerations

19.90.060 Conditions to zoning map amendment.

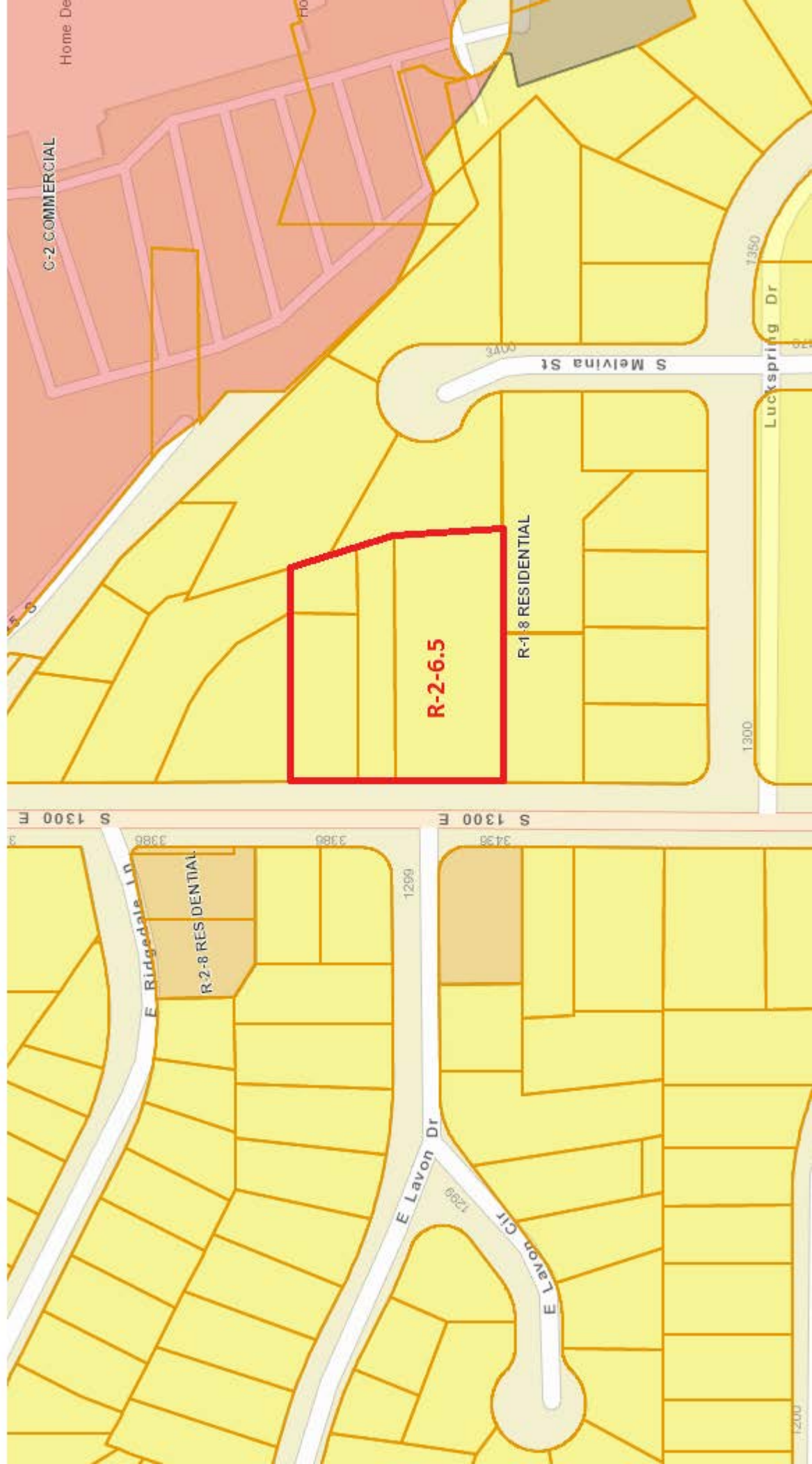
A. In order to provide more specific land use designations and land development suitability; to insure that proposed development is compatible with surrounding neighborhoods; and to provide notice to property owners of limitations and requirements for development of property, conditions may be attached to any zoning map amendment which limit or restrict the following:

1. Uses;
2. Dwelling unit density;
3. Building square footage;
4. Height of structures.

B. A zoning map amendment attaching any of the conditions set forth in subsection A shall be designated ZC after the zoning classification on the zoning map and any such conditions shall be placed on record with the planning commission and recorded with the county recorder.

30060

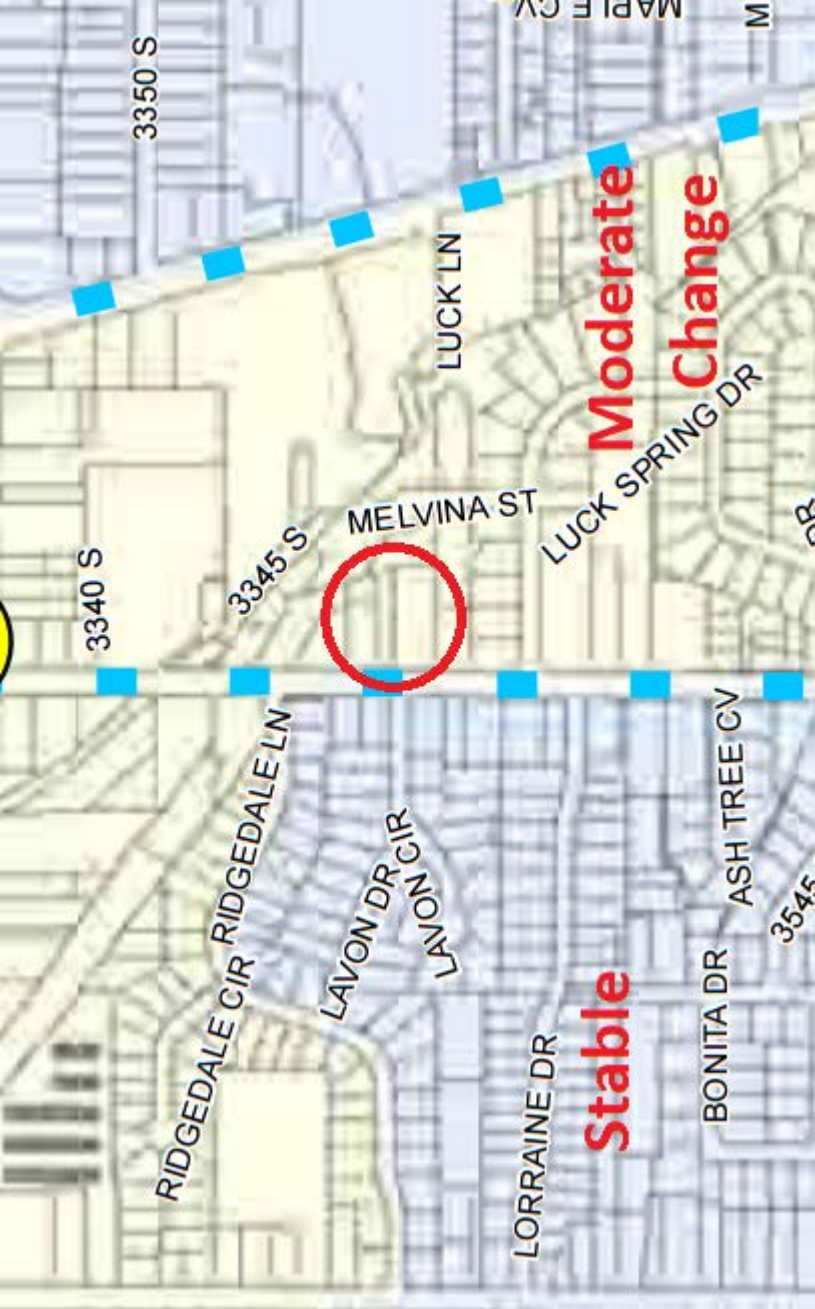
Zoning Map



30060

Aerial Map





3350 S

**Moderate
Change**

LUCK LN

3345 S

MELVINA ST

LUCK SPRING DR

3340 S

RIDGEDALE CIR
RIDGEDALE LN

LAVON DR CIR
LAVON CIR

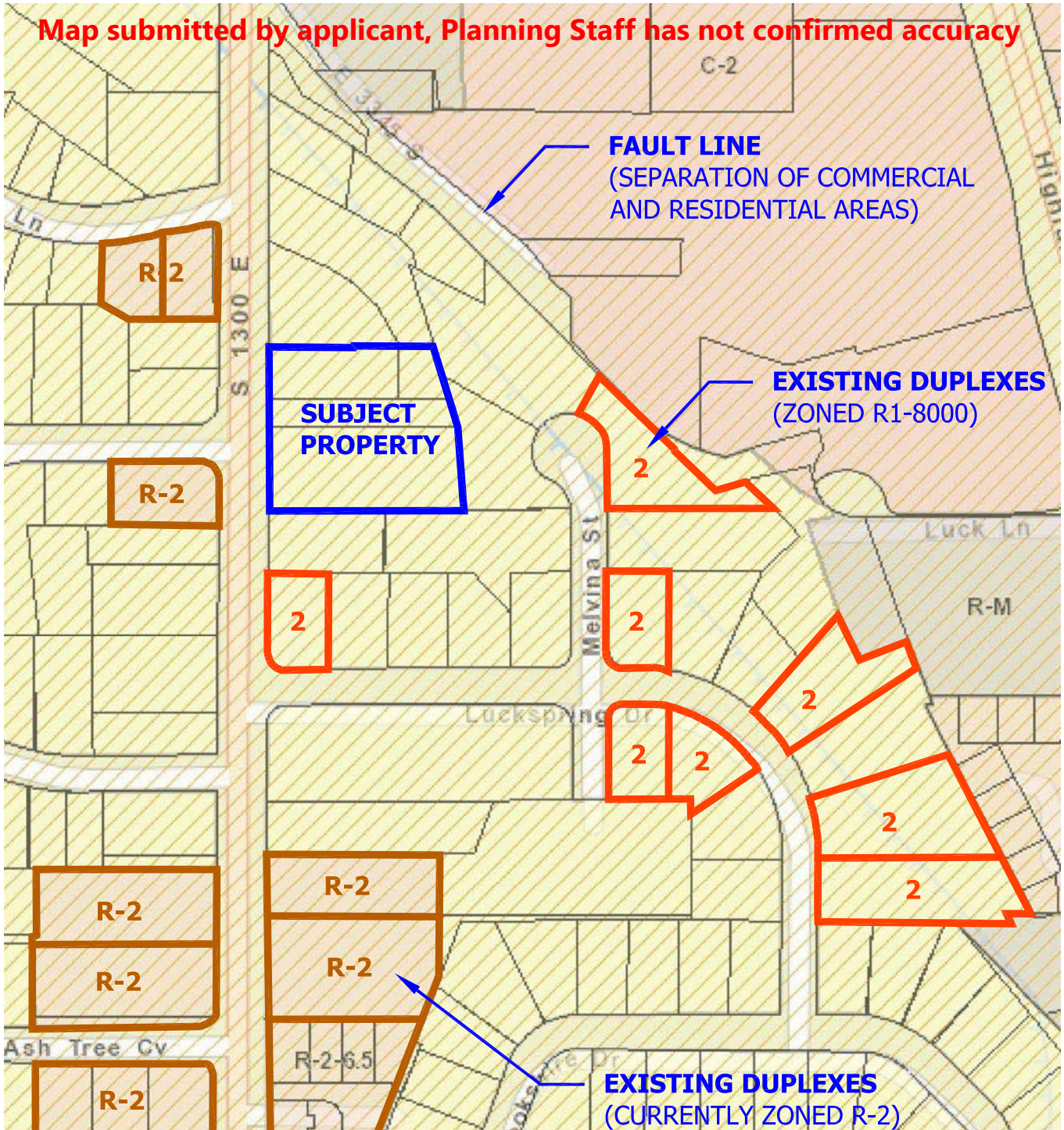
Stable

LORRAINE DR

BONITA DR
ASH TREE CV

3545 S

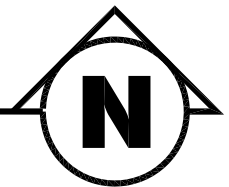
Map submitted by applicant, Planning Staff has not confirmed accuracy



(Underlay is SLCO Millcreek Zoning Map)

NEIGHBORHOOD PLAN

NOT TO SCALE



DUPLEX HOMES
WITHIN PREDOMINATLY R1-8000 ZONE

Near 3437 South 1300 East, Millcreek

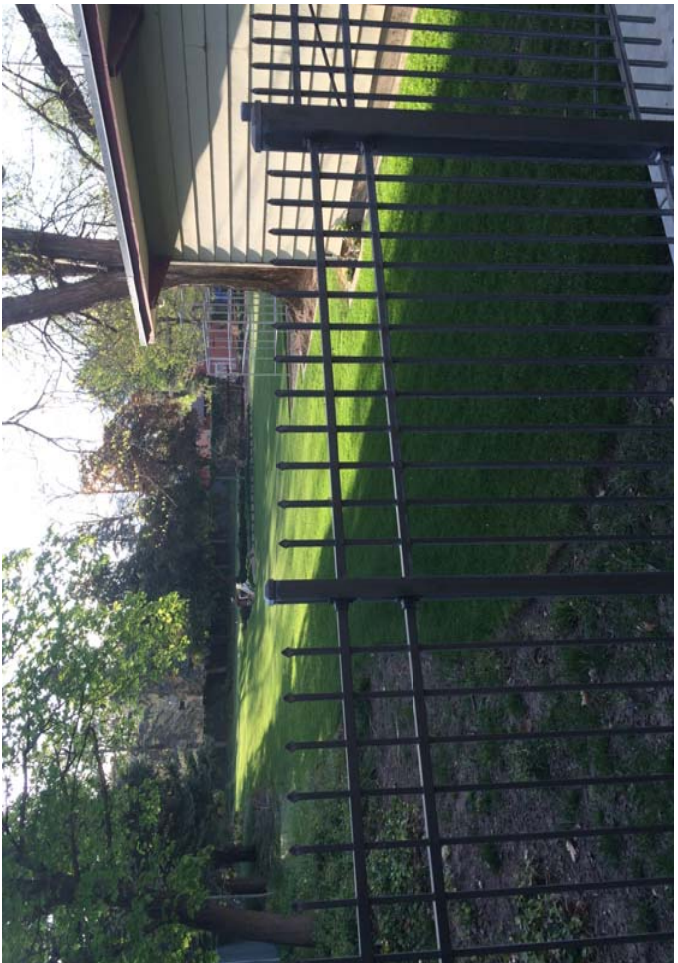
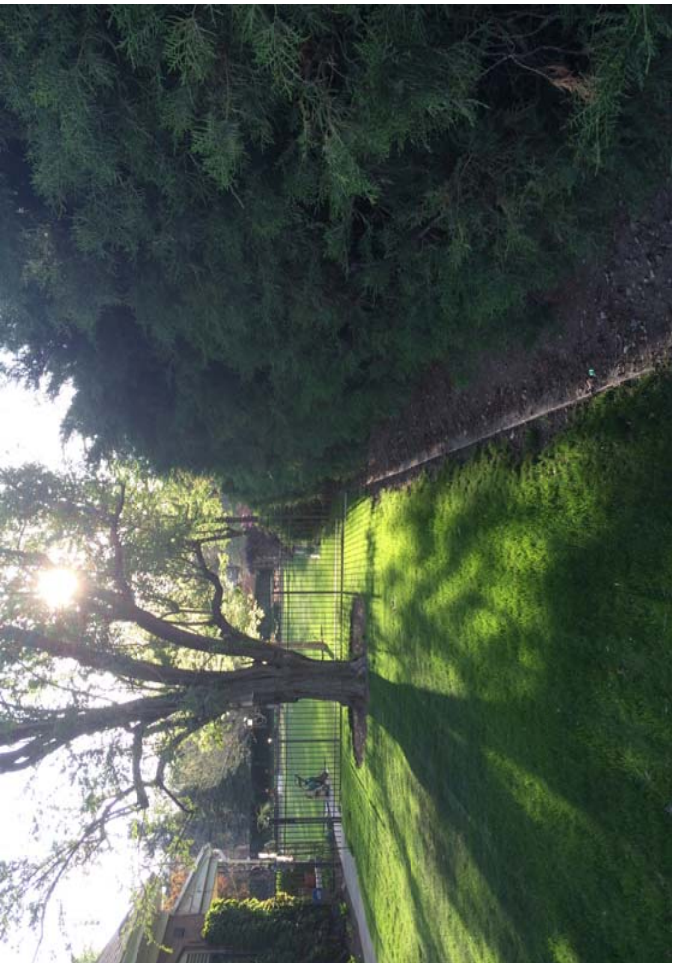
David S. Richardson, AIA, PE

architecture, engineering, interiors, planning, construction

814 East 100 South, Salt Lake City, Utah 84102
telephone (801) 533-0204, facsimile (801) 539-0641

7/28/16

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**SALT LAKE COUNTY
ORDINANCE**

AN ORDINANCE AMENDING TITLE 19, ENTITLED "ZONING", OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 2001, BY RECLASSIFYING CERTAIN PROPERTY LOCATED IN SALT LAKE COUNTY FROM THE R-1-8 (SINGLE-FAMILY RESIDENTIAL) ZONE TO R-2-6.5 (MEDIUM DENSITY RESIDENTIAL) ZONE.

The County legislative body of Salt Lake County, State of Utah, ordains as follows:

Section 1: Section, 19.06.020, Zoning Maps of Salt Lake County Code of Ordinances 2001, is hereby amended, as follows:

The property described in Application #30060 filed by David Richardson, located at approximately 3437 South 1300 East within Salt Lake County (the "Property"), is hereby reclassified from the R-1-8 (SINGLE-FAMILY RESIDENTIAL) zone to the R-2-6.5 (MEDIUM-DENSITY RESIDENTIAL) zone.

The Property is more particularly described as follows:

PARCEL NOS: 16-29-480-007; 16-29-480-008; 16-29-480-009; 16-32-227-001

BEGINNING AT A POINT ON THE EAST RIGHT-OF-WAY LINE OF 1300 EAST STREET, SAID POINT ALSO BEING AT THE NORTHWEST CORNER OF LOT 1, LUCKLAND SUBDIVISION, ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER, SAID POINT ALSO BEING NORTH 00°18'43" EAST 549.14 FEET FROM THE SOUTHWEST CORNER OF LOT 7, BLOCK 23, TEN ACRE PLAT "A", BIG FIELD SURVEY, SAID POINT ALSO BEING SOUTH 00°18'43" WEST 1213.76 FEET FROM THE MONUMENT AT THE INTERSECTION OF 3300 SOUTH STREET AND 1300 EAST STREET, AND RUNNING THENCE NORTH 00°18'43" ALONG SAID EAST RIGHT-OF-WAY A DISTANCE OF 231.95 FEET; THENCE NORTH 89°48'00" EAST 240.81 FEET TO THE WEST LINE OF SAID LUCKLAND SUBDIVISION; THENCE ALONG SAID SUBDIVISION THE FOLLOWING THREE (3) COURSES, 1) SOUTH 17°05'00" EAST 113.66 FEET, 2) SOUTH 04°18'00" EAST 123.50 FEET, 3) SOUTH 89°48'00" WEST 284.72 FEET TO THE POINT OF BEGINNING.

CONTAINS 1.435 ACRES, MORE OR LESS

Section 2: The map showing such change shall be filed with the Salt Lake County Planning Commission in accordance with Section 19.06.020 of the Salt Lake County, Code of Ordinances,

2001.

Section 3: This ordinance shall take effect fifteen (15) days after its passage and upon at least one publication in a newspaper published in and having general circulation in Salt Lake County, and if not so published within fifteen (15) days then it shall take effect immediately upon its first publication.

IN WITNESS WHEREOF, the Salt Lake County Council has approved, passed and adopted this ordinance this _____ day of _____, 2016.

SALT LAKE COUNTY COUNCIL

By: _____
Max Burdick, Chair
Salt Lake County Council

ATTESTED:

Sherrie Swensen, County Clerk

Approved as to Form:

R. Christopher Preston
Deputy District Attorney
Date: _____

ORDINANCE HISTORY

Council Member Wilson _____
Council Member Snelgrove _____
Council Member Bradley _____
Council Member Bradshaw _____
Council Member Jensen _____
Council Member Newton _____
Council Member Granato _____
Council Member DeBry _____
Council Member Burdick _____

Vetoed and dated this _____ day of _____, 2016.

By _____
Mayor Ben McAdams or Designee

(Complete As Applicable)

Veto override: Yes__ No__ Date_____

Ordinance published in newspaper: Date_____

Effective date of ordinance:_____