



MOUNT OLYMPUS COMMUNITY COUNCIL
September 5, 2018 6:00 pm

INTRODUCTIONS

Pledge of Allegiance

Introduction of Council Members

In Attendance: David Baird (Chair), Richard Williamson (minutes), Joan Haven,
Kate Johnson, Joy Goddard, Ken Smith, Kumar Shah, Brian Jorgensen, Chuck Pruitt
Excused: John Knoblock

Minutes:

Minutes from Aug 7, 2018 were discussed and approved by MOCC.
Special thanks to Pasu Pasupathi.

REPORTS:

UPD: Officer Prescott reviewed Case Reports for August 2018 for Mt. Olympus Community.

- Welcomed new officer, Sergeant Bennett.
- Mayor recognized the loss of retired UPD officer, Mikal Wersland, who drowned at Flaming Gorge Reservoir on September 2nd.
- David Baird gratefully acknowledged the UPD's use of speed traps keeping the neighborhood and streets safer.
- David Baird asked for UPD / UFA assistance for redirecting traffic and onlookers when there is ever a fire in the Mt. Olympus community so the UFA can get the scene asap.
- Mayor reaffirmed that UPD and UFA have protocols for Traffic Control during such events.

UFA: will present at the next MOCC meeting in Oct. [Capt. Ayers was excused]

BUSINESS:

1. **Michelle Quist** asked for a few minutes to introduce herself as a candidate for SLCo council
2. **Millcreek Town Center Overlay and Development Agreement Update (Francis Lilly)**
 - a. The developers (Cottonwood Residential, et al) are asking for "more density—height" and a zoning change to allow 4, 5, & 6 story apartment complexes in the proposed section between Highland Dr. and 1300 E. The Mayor and Mr. Lilly discussed that the General Plan encourages the Town Center to combine main level commercial business

accessibility with a residential emphasis. City officials said this development would be a value for Millcreek and the community. The street parking at this location would be striped as angled parking, the exterior building materials would be upgraded from previous plans, and a hop-light would allow pedestrians to cross the streets safely at specific locations. There is a proposed TRAFFIC STUDY being requested to assess the impact to the adjoining streets and community.

- b. Public Comment and MOCC Comment questioned the number of parking stalls compared to design standards (“95 stalls” of on street parking are planned vs. “112 stalls” per commercial square footage parking regulations).
- c. Questions were discussed about future UTA forecast plans for public transportation routes.
- d. Additional questions about traffic impact and the location of the entrances and exits of the apartment complexes to avoid “gridlock” during rush hour commute times on the adjoining streets (Highland and 1300 E.); the proposed TRAFFIC STUDY, when completed, should have detailed information.
- e. MOCC Conclusion:
 - i. David Baird made a motion that MOCC recommend to Millcreek City Council to allow the additional height as discussed -- up to 6 stories for the overlay zone ordinance, permitted as a conditional use.
 - ii. MOCC voted in the affirmative and unanimously to this motion.

3. Francis Xavier Lilly, Millcreek Community Development Director:

- a. Discussed **ZT-18-010** – Amendments to Millcreek Code Regarding Tattoo and Massage Establishments
- b. Recognized there are critical differences between a Licensed Massage Therapist and a non-licensed tattooing artist, and Mr. Lilly requested MOCC make recommendations “to the Planning Commission and City Council with respect to the proposed changes, or any other amendments the Community Councils propose.”

“Proposed Changes

In order to clarify the intent of the code, and to establish a relationship between properly-defined terms and existing use categories is proposing to make the following change to the definition of ‘office uses’ in the code:

19.04.393 - Office use: A category of uses that involve the transaction of business for a profession, service, industry, or government. Office uses include, but are not limited to: Architecture/Engineering/Design, Building Contractor (office only), Business Consulting Charitable Institutions, Computer Programming & Support, Detective Services Educational Services (tutor & testing), Employment Agency, Financial & Insurance Government Offices, Home occupation, Legal Services, Management Services, Physical Therapy/Physical Rehabilitation, **Massage Establishments**, Medical & Dental with Laboratory, PR & Advertising, Property Development, Radio & TV Studio, Real Estate, Recording & Sound Studio, Research & Development, Research Agency, Surveying, **Tattoo Studios / Body Art Studios**.

Since office use is a category already described and allowed in both the RM and C zones, staff recommends adding the following language to the zone text in both zones that establishes further limits

to both massage establishments and tattoo studios/body art studios: Proposed Limitations for Massage Establishments

1. If a massage establishment occupies a free-standing single-tenant building, or occupies a unit in a shopping center¹, then a massage establishment is not allowed in an RM zone or within 300 feet of an arterial/major intersection in the C-2 or C-3 zones², and not within 500 feet of an established substantially similar massage establishment.
2. If a massage establishment occupies a multi-tenant office building, it is permitted in an RM or C-1, C-2, or C-3 and is not subject to the separation restrictions established in (1) above.
3. Massage establishments are prohibited in the C-1 zone.
4. Hours of operation shall be between 7:00 a.m. and 10:00 p.m.
5. Each practitioner who is not an employee of the business licensee shall have a Millcreek business license.
- ~~6. Neither clients nor practitioners shall appear on the premises in a state of nudity or semi-nudity, as defined in the Sexually Oriented Business Chapter of Title 5 of this Code; and~~
7. The premises shall not be used for any conduct that violates Section 58-47b-501 of the Utah Massage Therapy Practice Act (2013) or sexual conduct that violates Title 76 of the Utah Criminal Code.

Proposed Limitations for Tattoo Studios/Body Art Studios

1. If a tattoo studio or body art studio occupies a free-standing single-tenant building, or occupies a unit in a shopping center, then the tattoo studio or body art studio is not allowed in a C-1 or RM zone or within 300 feet of an arterial/major intersection in the C-2 or C-3 zones, and not within 500 feet of an established substantially similar tattoo studio or body art studio.
2. If a tattoo studio or body art studio occupies a multi-tenant office building, it is permitted in an RM, C-2, or C-3 and is not subject to the separation restrictions established in (1) above.
3. Tattoo studios or body art studios are prohibited in the C-1 zone.

¹ **19.04.475 – Shopping Center:** "Shopping center" means a group of architecturally unified commercial establishments built on a site which is planned, developed, owned and managed as an operating unit.

² **19.60.030 -** Arterial intersections are defined as those major intersections where Murray-Holladay Rd., 4500 S, 3900 S, and 3300 S intersect with 300 W, West Temple, Main Street, State Street, 500 East, 700 East, 900 East, 1100 East, 1300 East, Highland Drive, 2000 East, 2300 East, 2700 East, and Wasatch Boulevard. Distance is measured as a radius from the applicant's nearest property line to the arterial intersection ROW line and/or to the property line of the nearest substantially similar business. Any overlap of the radius onto the applicant's property excludes the entire property.

Recommended Action

Staff is seeking a recommendation from the Community Council to the Planning Commission and City Council with respect to the proposed changes, or any other amendments the Community Councils propose."

Public Comment: re: **ZT-18-010:**

Suzanne Dunbar discussed the health benefits of massage, the Massage Therapist Code of Ethics, and their professional education & licensure requirements. She requested that Millcreek City Ordinances distinguish the profession of massage therapy independent of tattoo establishments.

MOCC Discussion re: **ZT-18-010** and about the regulation of DOPL licensing, discussion about Human/Sex Trafficking concerns and the Classification of Crimes which legally authorizes the City to

revoke a business license, if, for example, a business was operating a massage therapy establishment for other purposes other than its intended use and/or without proper licensure.

MOCC conclusion:

Kumar Shah made a motion to recommend the Planning Commission reassess Millcreek City regulations re: **ZT-18-010**, and to continue to investigate proper wording to the amendment for distinguishing licensed massage therapists independent from tattoo artists, and to reassess the zoning restrictions for massage therapy establishments.

MOCC voted in the affirmative and unanimously to this motion.

4. Jupiter Jump Update and Discussion (John Miller)

John Miller explained there will be a Field Assessment (& Cost Assessment) for this Jupiter Jump location, then the information will be presented to the Council to review possible changes.

Mayor Silvestrini explained there will be Risk Assessments, including City liability and public safety, to also review proposed changes to this location, which has an 8-10 degree slope, cross street traffic interchanges, and icy road conditions in the winter. Also, the Community and City Councils would need to assess other “potential hazards” from items or redesigns to the road which may affect drivers and pedestrians.

Public Comment requested speed bumps at this location to avert reckless teenage drivers from illegally performing high speed stunts (jumps), or possibly installing stop signs to slow down the traffic flow. There were several safety concerns discussed for local neighbors who have children playing outside near this location.

MOCC conclusion:

MOCC will review the proposed Field Assessment, when completed, during the upcoming MOCC meeting November 2018.

4. Jupiter and Brockbank Drive Bike Lane Discussion (John Miller)

John Miller explained that the Traffic Study showed (at the 85th percentile) that the painted lanes reduced the average speed from 32 mph to 31 mph at this location. Bike lanes were discussed for both the uphill and downhill lanes.

Public and MOCC Comment: Neighborhood on street parking for local residents is a priority. Drop off zones for Oakridge Elementary is a priority. Line of sight views at intersections are a priority. Cycling routes and traffic count was discussed, and public comment explained the app “STRAVA” (?) is used by bikers (but not all) to show specific bike route data etc.

MOCC conclusion:

Ken Smith made a motion that MOCC recommend to Millcreek City Council that the street will not have designated bike lanes for Jupiter Drive and Broadbank Drive, but bikers may “share the road,” and on street parking will remain as is.

MOCC members present voted on the motion: 8 in favor. 0 against. 1 MOCC member abstained from voting on the motion.

5. Community Cleanup Update (David Baird/Scott Johnson)

Scott Johnson provided another update on the topic. “This event is scheduled for Sept. 15. The project will include both [the Mt. Olympus] area cleanup and beautification of Millstream Lane. He expects that \$10K will be needed for plants, gravel, and irrigation.” A total of 102 trees and shrubs will be planted at this north location of Wasatch Drive and Millstream lane.

Sources of funding were discussed. Funds from private donations may be collected at City Hall and MOCC would match private donations up to \$3K for this project. Rita Lund at City Hall can be the point of contact for further contribution questions.

The event will begin at 08:00 am on September 15th at Churchill Jr. High, and Mayor Silvestrini and others will share some words to help initiate the event. Flyers are being circulated around the community, and MOCC Chair, David Baird, will post this Community Cleanup information on the Nextdoor website as well.

6. Election Update (David Baird)

Community Councils Election Deadline is September 14th

7. Community Request for Residential Building Permit Exemption:

(Resident) asked MOCC for a “sidewalk exception” for her residential building permit, as both neighbors on either side of this parcel do not have sidewalks currently.

MOCC Discussion: MOCC members agreed that if the adjoining neighbors to this parcel do not have sidewalks currently, then adding a single sidewalk to one parcel would not be consistent with the neighborhood plan.

It was proposed by Richard Williamson that the resident should consider landscape designs, if appropriate to the topography, to allot the specified area necessary at the front section of their parcel for the possibility of installing sidewalks in the future.

MOCC conclusion:

David Baird made a motion to recommend to Millcreek City Council to defer it until such time, if any, that sidewalks are installed on the entire block.

MOCC voted in the affirmative, and unanimously.

8. Future Potential Power Line Upgrade Discussion (Richard Williamson)

Richard briefly mentioned the local news article comments and concerns of residents in South Jordan who were surprised to learn of the power pole and transmission line expansion upgrades across residential subdivisions. One of their main concerns was to determine if there is “a link between electric and magnetic field exposure and health risks”; however, “Rocky Mountain officials said there are no state or federal electromagnetic field levels identified as a public health risk ... but if the state was to implement restrictions, the company would respond.” David Baird discussed how established neighborhoods have sufficient voltage in place compared to new developments like those found in the expanding areas of South Jordan, for example. If there are any significant RMP power pole changes required in the Mt. Olympus area, then MOCC will discuss the issue at that time.

Meeting Adjourned at 9:00 pm.

Next Meeting Tuesday October 2, 2018.

Minutes recorded and submitted to MOCC by Richard Williamson
