

Millcreek City Hall
1330 E Chambers Ave
Millcreek, Utah 84106
millcreekut.gov



Planning & Zoning
(801) 214-2700
planner@millcreekut.gov

ZM-24-008

City Council Staff Report (First Reading)

Meeting Date: 8/28/2024

Applicant: Jason Boal

Re: Request to Rezone Property

Property Address: 4100 S 650 W

Zone: From A-1/A-2 to M

Prepared By: Carlos Estudillo, Planner

Scope of Decision: **Discretionary.** This is a legislative matter, to be decided by the Millcreek City Council upon receiving a recommendation from the Community Council(s) and the Millcreek Planning Commission. Your recommendation can be broad in scope, but should consider prior adopted policies, especially the Millcreek General Plan.

REQUEST AND SYNOPSIS

The applicant is proposing to rezone the northern portion of an 8.17 acres lot, generally located at 4100 S 700 W, from the Agricultural zone (A-1 & A-2) to the Manufacturing Zone (M). No development is currently proposed, as the application's purpose is to consolidate the current zoning of the lot into one zone (Manufacturing zone). Historically, the property has been utilized for the following uses, including:

- Trucking and storage business
- Overnight rental and storage of truck, trailer, and automobile equipment.
- Truck, trailer and automobile repair.
- Warehousing

GENERAL PLAN CONSIDERATIONS

GOAL E-2: Cultivate a business culture that allows existing establishments to grow in place, draw new firms to Millcreek and encourages more homegrown enterprises.

Strategy 2.1: Continue land regulations that allow for a diverse mix of workplace types, including non-traditional and flexible workspaces, such as co-working facilities.

Subject Property is an existing and thriving business. The potential rezone would consolidate the manufacturing uses currently present, extending the envisioned land regulations specified in the future land use Map and General Plan (Light-manufacturing).

EXISTING CONDITIONS & FINDINGS:

1. The Subject Property involves five parcels comprising approximately 8.17 acres. The subjected properties are the following:
 - a. 650 W 4100 S
 - b. 640 W 4100 S
 - c. 4075 S 700 W
 - d. 4066 S 700 W
 - e. 4058 S 700 W
2. **Land Use Designation.** The Subject Property is within the “Light Manufacturing” land use designation – which envisions neighborhoods comprised of “A range of employment uses, including a wide range of commercial uses, small-scale manufacturing, light industrial, processing, wholesaling, flex space.
3. **Zoning.** The Subject Property is currently within the M (Manufacturing) zone, as well as the A-1 (Agricultural Zone) and A-2 Zone (Agricultural Zone). Properties within the vicinity surrounding the subject property are within the A-1 (north and west), A-2 (north) and M to the east.
4. **Surrounding Uses.** Properties surrounding the Subject Property consist of multi-family housing stock, agricultural parcels, and manufacturing issues. Sunnyvale Park is located north of the subjected property.
5. **Access.** In a future application, the Community Council will be considering the land swap/vacation of a portion of 700 W, along the property’s frontage, with the purpose of realigning the right-of-way to match existing improvements, through the dedication of the swapped land.
6. **Concept Proposal.** No development is currently proposed, as the application’s purpose is to consolidate the current zoning of the lot into one zone (Manufacturing zone).

RECOMMENDATIONS:

Neighborhood Meeting – The applicant held a neighborhood meeting on June 18th. Most comments pertained to multi-family development and road extension (700 W).

Millcreek Community Council Meeting – The Millcreek Community Council held a meeting on July 2nd, whereupon seven of the nine (7-2) members made a positive recommendation to approve the rezone of the Subject Property from the A-1/A-2 Zone to the M Zone, as proposed. Some of the discussed items during the meeting were:

- a. Contemplation of a future change in land use to accommodate a potential multi-family project in the subjected property.

Planning Commission Recommendation – The Planning Commission reviewed the application and took comments at a public hearing held July 17th whereupon, they unanimously recommended to approve application file number ZM-24-008.

Staff Recommendation - Based on the findings and conclusions listed above, Staff recommends that the City Council take public comments and recommend to approve application file number ZM-24-008, as presented, unless during the hearing facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff.

MODEL MOTION

I move that the City Council recommend **approval** of application file number ZM-24-008, as presented.

SUPPORTING DOCUMENTS

- Submission letter and package.

Snell & Wilmer

15 WEST SOUTH TEMPLE
SUITE 1200
GATEWAY TOWER WEST
SALT LAKE CITY, UT 84101
801.257.1900 P
801.257.1800 F

Jason Boal, AICP
(801) 257-1917
jboal@swlaw.com

June 24, 2024

Millcreek City Council
1330 East Chambers Avenue
Millcreek, UT 84106

Re: Petition for Zoning Map Amendment for the property located at 650 W 4100 S, Salt Lake County, Utah, parcel nos. – 15-36-351-056, 15-36-351-057, 15,35,400,091, 15-35-400-090, 15-35-400-058.

On behalf of 650 MILLCREEK PARTNERS, LLC, the owner of the five (5) parcels located at 650 W 4100 S (“**Property**”) which are also known as parcel nos.: 15-36-351-056, 15-36-351-057, 15,35,400,091, 15-35-400-090, 15-35-400-058, in Millcreek City, as shown in **Exhibit A**, we are submitting this petition for a Zoning Map Amendment to change the zoning designation of these parcels. We are requesting the zoning designation for the entire area of these properties be changed to M, Light Industrial. The majority of the property is currently zoned M, but there are portions on the north and west boundary that are zone A-1 and A-2. This petition is submitted pursuant to Millcreek City Code § 19.90.

The Millcreek City Zoning Code allows a property owner to initiate a zoning map amendment, by submitting an application for the amendment to the Millcreek City Planning Commission. *See* Millcreek City Code § 19.90.010. This letter and the attachments will satisfy the required information needed to be included in a rezone petition, specifically:

1. A letter of intent, which describes the purpose for the amendment;
2. Street address and legal description of the property;
3. DRC Comments;
4. Land Use Application Form;
5. General Plan Questionnaire;
6. Property Owner Affidavit;
7. Neighborhood meeting notice and sign in sheet;
8. Site plans drawn to scale (where applicable); and
9. Required fees.

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Millcreek City Council

June 24, 2024

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1. The purpose for the amendment.

Zoning designations

Currently and historically, the Property has been used for industrial uses. However, the property has split zoning designations, between: M (Light Industrial), A-1 (Agricultural) and A-2 (Agriculture), as shown in **Exhibit B**. The adjacent property to the east has similar split zoning with A-2 and M designations. The properties to the north, and west are zoned as Agriculture. The property to the south is in Murray City limits and zoned Transit Oriented Development (TOD). The purpose statement of the M district is:

A. Purpose of M, Light Manufacturing Zone

The purpose of the Light Manufacturing Zone is to provide areas for light manufacturing, warehousing, and commercial uses as allowed in the C-3 zone in an aesthetically attractive setting.

B. Definitions. Light manufacturing: Manufacturing conducted predominately within an enclosed building predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, mixing/blending/compounding, treatment, research, testing and packaging of such products, and associated services, storage, sales (retail and wholesale) and distribution of such products, which minimizes noise, odors, vibration, hazardous waste materials, waste water runoff, or particulates that could be considered a nuisance to neighboring properties.

Warehousing: the storage of raw, in-process and finished materials within an enclosed structure or building, including retail and wholesale activities, which does not produce noise, odors, vibrations, hazardous waste materials or particulates that will cause detrimental effects to neighboring properties.

See Millcreek City Code § 19.66.010.

We are requesting that the approximately 8.17 acres, consisting of the five (5) parcels located at the 650 W 4100 S, have one (1) zoning designation, which is Light Industrial, to be consistent with the current and historical uses, as shown in **Exhibit C**.

It is assumed that the zoning boundaries which split this parcel are a remnant of Salt Lake County zoning, prior to Millcreek City's incorporation. This request does not seek to modify the use of the properties, rather to ensure the entire property is managed through one (1) set of zoning standards, as opposed to three (3). Although there are no

plans for redevelopment of the site at this time, the review of even minor site improvements, such as fencing will be difficult when three (3) different sets of regulations, such as setbacks, landscaping and buffering will need to be reviewed and complied with.

Millcreek City General Plan

This property is located in the Light Manufacturing District of Millcreek City's Future Land Use Map, which is found in the Millcreek Together General Plan. The future land use designation is shown in **Exhibit D**. This area is intended to provide "A range of employment uses, including a wide range of commercial uses, small-scale manufacturing, light industrial, processing, wholesaling, flex space." This aligns with the historic, current and future uses of the property.

Unfortunately, the zoning map boundaries do not conform with the Future Land Use Map. This is a main reason we are seeking the rezone.

2. Street address and legal description of the property

The Property includes these addresses:

1. 650 W 4100 S - Parcel # 15-36-351-056
2. 640 W 4100 S - Parcel # 15-36-351-057,
3. 4075 S 700 W – Parcel # 15-35-400-091,
4. 4066 S 700 W – Parcel # 15-35-400-090, and
5. 4058 S 700 W – Parcel # 15-35-400-058.

The legal description of the property to be rezoned is as follows:

A PARCEL OF LAND LOCATED WITHIN THE SOUTHWEST QUARTER OF SECTION 36 AND THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, MILLCREEK CITY, SALT LAKE COUNTY, UTAH; SAID PARCEL OF LAND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT BEING NORTH 00°10'00" WEST 22.06 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 36; SAID SOUTHWEST CORNER OF SECTION 36 BEING SOUTH 89°57'26" WEST 1372.52 FEET FROM A WITNESS CORNER ALONG THE CENTERLINE OF 500 WEST STREET; SAID WITNESS CORNER ALONG THE CENTERLINE OF 500 WEST STREET BEING SOUTH 00°08'27" EAST 1754.44 FEET FROM A MONUMENT AT THE INTERSECTION OF 500 WEST AND 3900 SOUTH STREET; SAID MONUMENT AT THE INTERSECTION OF 500 WEST AND 3900 SOUTH STREET BEING SOUTH

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89°54'15" EAST 1575.39 FEET FROM A MONUMENT AT THE INTERSECTION OF 700 WEST AND 3900 SOUTH STREET;
THENCE WEST 238.14 FEET FROM THE POINT OF BEGINNING; THENCE NORTH 04°37'20" WEST 94.01 FEET; THENCE NORTH 00°34'48" EAST 95.91 FEET TO THE BEGINNING OF A 670 FOOT RADIUS CURVE TO THE RIGHT; THENCE ALONG SAID CURVE 210.08 FEET (CHORD: NORTH 09°33'45" EAST 209.22 FEET); THENCE NORTH 18°32'42" EAST 49.80 FEET TO THE BEGINNING OF A 130 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 30.22 FEET (CHORD: NORTH 08°19'01" EAST 30.15 FEET); THENCE NORTH 01°39'27" EAST 170.08 FEET; THENCE NORTH 87°29'30" EAST 11.39 FEET TO THE SOUTHWEST CORNER OF THE VALLEY WELL SUBDIVISION AS ENTRY NUMBER 11164021 IN BOOK 2011P AT PAGE 41 AT THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE ALONG SAID SOUTHERLY LINE THE FOLLOWING TWO (2) COURSES: 1) NORTH 87°29'30" EAST 458.39 FEET; 2) THENCE SOUTH 86°20'30" EAST 130.31 FEET TO THE WESTERLY LINE OF A CERTAIN SPECIAL WARRANTY DEED AS ENTRY NUMBER 14170397 IN BOOK 11454 AT PAGE 2168 AT THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE SOUTH 00°02'30" EAST 508.60 FEET ALONG SAID WESTERLY LINE TO THE NORTHERLY LINE OF A CERTAIN WARRANTY DEED AS ENTRY NUMBER 13229103 IN BOOK 10917 AT PAGE 5867 AT THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE WEST 414.23 FEET ALONG SAID NORTHERLY LINE TO THE WESTERLY LINE OF SAID WARRANTY DEED AS ENTRY NUMBER 13229103; THENCE SOUTH 00°02'30" EAST 2.35 FEET ALONG SAID WESTERLY LINE; THENCE SOUTH 89°57'30" WEST 0.70 FEET; THENCE SOUTH 00°02'30" EAST 1.32 FEET; THENCE NORTH 89°58'05" WEST 0.36 FEET; THENCE SOUTH 00°10'00" EAST 142.94 FEET TO THE POINT OF BEGINNING.

CONTAINS: 354,104.92 SQ. FT. OR 8.129 ACRES

3. Description of the use of the property.

Historically, the Property has been utilized for industrial uses, including:

- A "trucking and storage business" that consists of truck, trailer, heavy equipment, and automotive storage.
- Overnight rental and storage of truck, trailer, equipment, and automotive.
- Truck, trailer, tractor, equipment, and automotive sales and leasing, including tire sales, service, and repair.
- Outdoor storage of equipment and construction materials appurtenant to primary use.
- Metal warehousing and disposal.
- General warehousing and office use.

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- Fabrication manufacturing and as a laydown yard.
- Caretaker dwelling.
- Truck transfer company and terminal including dispatch.
- Truck, trailer, equipment, and automotive impound lot.
- Light manufacturing of parts and equipment for trucks, trailers, and automotive uses.
- Fuel distribution appurtenant to primary use.

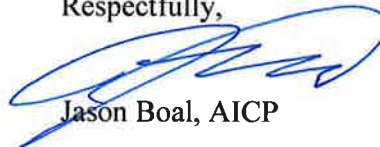
Currently, there are no plans to redevelop the property. Any use of the property will be consistent with the historic uses of the property. If the uses of the property were to change, the new use would need to be a permitted or conditional use in the M Zone.

4. A site plan drawn to scale (where applicable).

There are no proposed changes to the property associated with this rezone. Attached is a survey which identifies the current improvements of the site.

We look forward to the opportunity to have our application heard by you at a public hearing in conformance with Millcreek City Code § 21A.50.040.F.

Respectfully,



Jason Boal, AICP

CC 650 MILLCREEK PARTNERS, LLC
Craig Jenson, Snell & Wilmer

Attachments:

1. Land Use Application Form;
2. General Plan Questionnaire;
3. Property Owner Affidavit;
4. Neighborhood meeting notice and sign in sheet;
5. Site plans drawn to scale (where applicable); and
6. Required fees.

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EXHIBIT A
Property Location

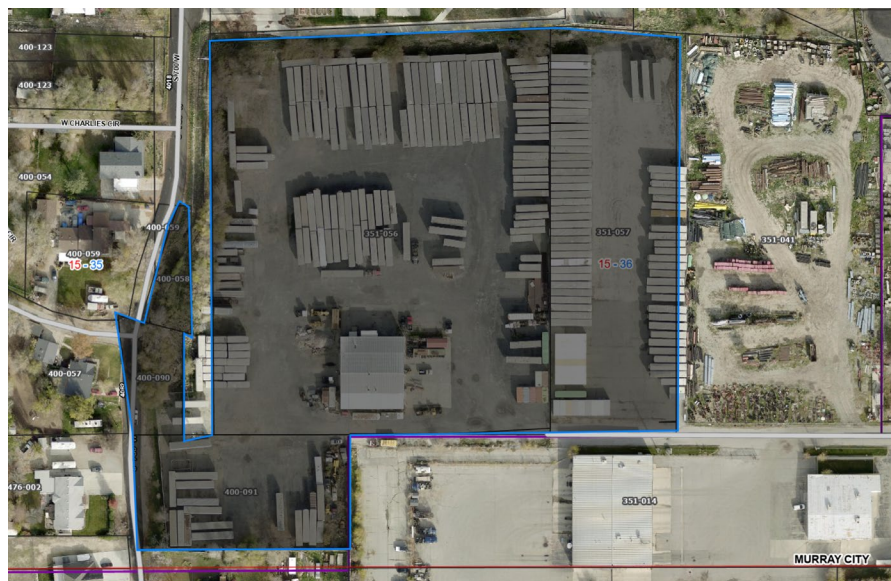
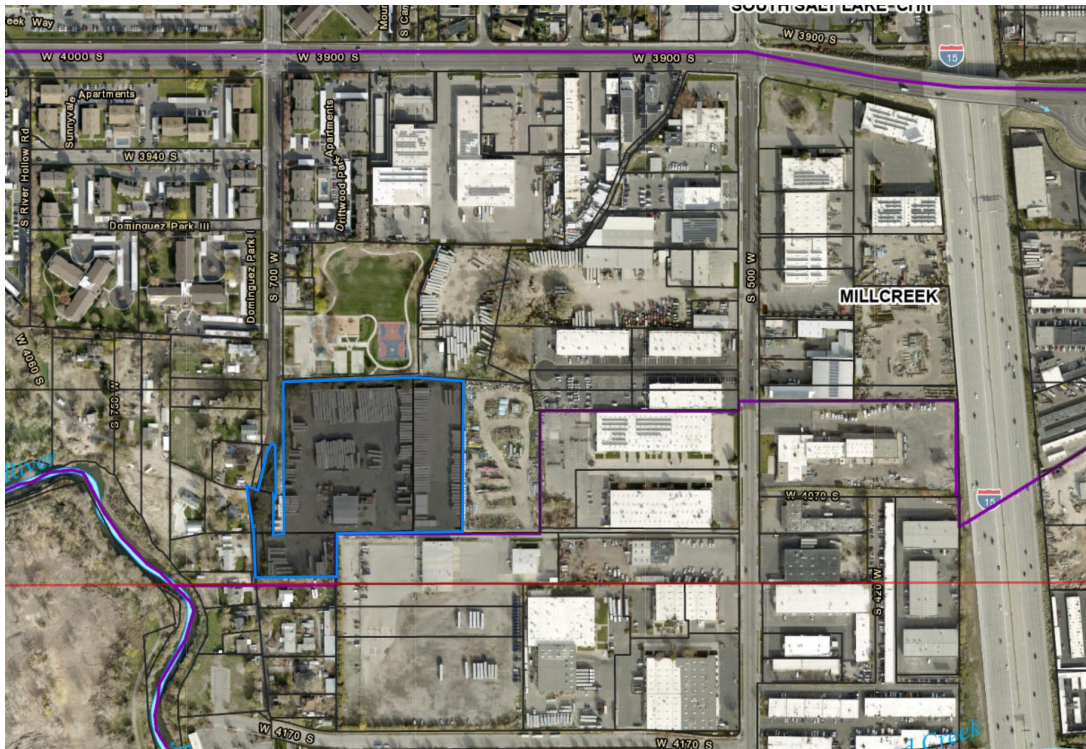


EXHIBIT B Current Zoning

650 W 4100 S, Millcreek – Rezone
Existing Zoning Map



EXHIBIT C Proposed Zoning

650 W 4100 S, Millcreek – Rezone
Proposed Zoning Map

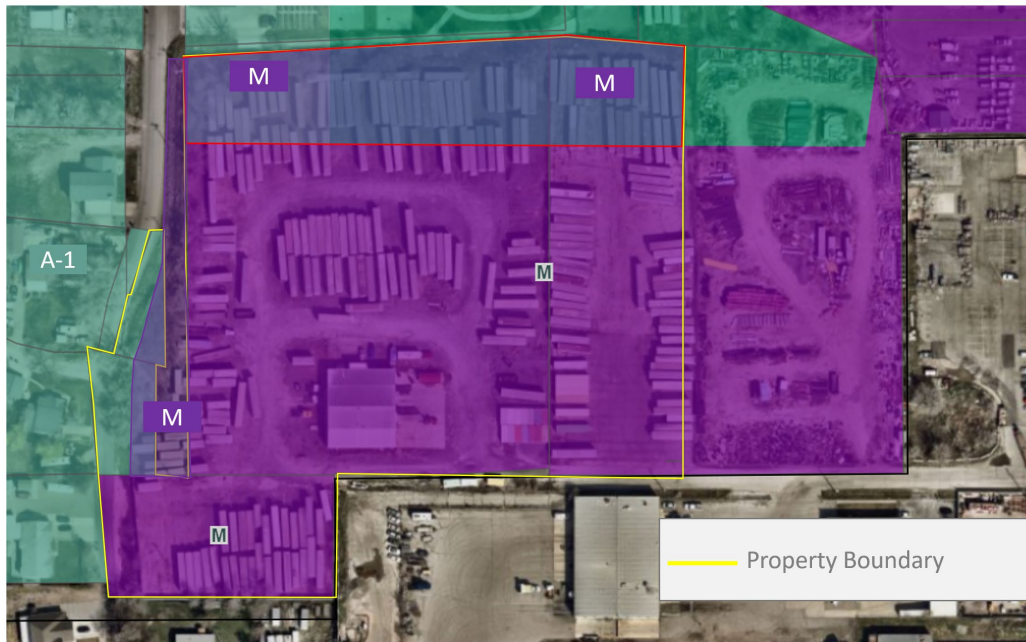
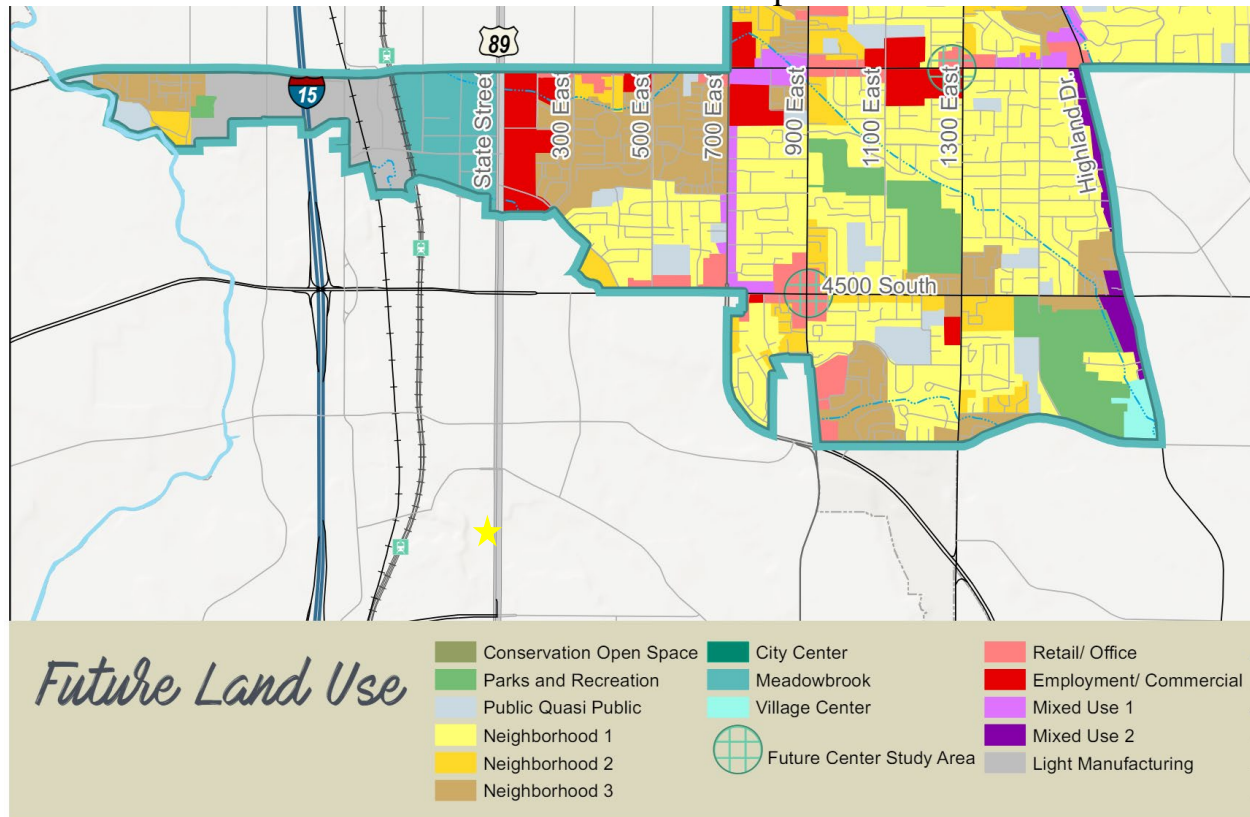


EXHIBIT D Future Land Use Map



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Attachment 1
Land Use Application Form

**Millcreek Planning & Zoning**

1330 E Chambers Ave

Millcreek, Utah 84106

(801) 214-2700

LAND USE AND DEVELOPMENT APPLICATION

| OFFICE USE ONLY | File Number | | Zone | |
|------------------------|----------------------|--|--------------------------|--|
| | Date Received | | Community Council | |

| | | | |
|-------------------------|--|---------------------------|--|
| Property Address | | Parcel No. | |
| Name of Project | | Project Size in SF | |

Please describe your request. Include Supplemental Application if Required. Add additional pages if necessary.

New Development**Modify Existing Development****Other**

- ☐ Accessory Dwelling Unit
- ☐ Conditional Use
- ☐ Development Agreement
- ☐ PUD (# units _____)
- ☐ Rezone
- ☐ Sign
- ☐ Site Plan Review
- ☐ Subdivision (# lots ____)

- ☐ Lot Consolidation
- ☐ Lot Line Adjustment
- ☐ Subdivision Amendment

- ☐ Appeal of a Land Use Decision
- ☐ Exception Request: _____
- ☐ General Plan Amendment
- ☐ Nonconforming Use
- ☐ Noncomplying Structure
- ☐ RCOZ B Approval
- ☐ RCOZ C Special Exception
- ☐ Reasonable Accommodation
- ☐ Research Request
- ☐ Street Vacation
- ☐ Text Amendment
- ☐ Variance

PLANNING REVIEW PERIOD

Each application is subject to a planning review period. Upon payment of all applicable fees and submission of a complete land use application for an approval that requires a public meeting, planning staff will have a review period of fifteen business days to review the application for substantial compliance with all the requirements of applicable ordinances before scheduling the application for the first public meeting or hearing. If staff requires additional information, clarification or an updated application submittal as part of their review, the time to provide the additional information, clarification, or submittal will be in addition to the review period. Staff will schedule your application at the first available public meeting after the review period concludes.

**Millcreek Planning & Zoning**

1330 E Chambers Ave

Millcreek, Utah 84106

(801) 214-2700

APPLICANT'S NAME:

First _____ Last _____ Initial _____

Address _____ City _____ State _____ ZIP _____

Phone _____ Email _____

PROPERTY OWNER(S) – Note: A signed affidavit is required of all property owner(s).

First _____ Last _____ Initial _____

Address 2 TOWN PL STE 220 City Bryn Mawr State PA ZIP 19010

Phone _____ Email _____

PROFESSIONALS

_____ Engineer _____ Architect _____ Other

Company _____ Contact _____

Address _____ City _____ State _____ ZIP _____

Phone _____ Email _____

Applicant hereby authorizes the city to reproduce this application and all documents attached to the application for staff, officials, and the interested public. Applicant further authorizes city staff to access the property for inspections and assessments as required as part of an application review.

Applicant's Signature: Jeff Pustizzi Date: 5/20/2024

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Attachment 2
General Plan Questionnaire



Millcreek Community Development
3330 South 1300 East
Millcreek, Utah 84106
Phone: (801) 214-2750

ESSENTIAL QUESTIONS FOR ZONING MAP AMENDMENTS, DEVELOPMENT AGREEMENTS, AND CITY INITIATIVES

The Millcreek Together general plan identifies essential questions at the end of each chapter of the plan. These questions will help the community councils, planning commission, and city council make findings as they make a decision regarding a zoning map amendment, development agreement, or city initiative.

Realizing that not all these questions will be applicable to every decision, these questions should be considered as a tool to focus on and provide implementation of each theme identified in the general plan.

Unique Neighborhoods

Does the project or initiative...

1. Support adopted and relevant small area and neighborhood plans?
2. Encourage additional investment or reinvestment in neighborhoods?
3. Positively contribute to a diversity of affordable housing choices?
4. Stay within the existing mass, scale, and height of the immediate neighborhood?

5. Create options for new gathering areas or centers where possible?
6. Support the redevelopment of blighted and/or underperforming properties?
7. Enhance the connection of neighborhoods to trails, parks, recreation, and open spaces?
8. Enhance cultural, historical, educational, and/or human service opportunities to support neighborhoods?

Thriving Economy

Does the project or initiative...

1. Advance the Goals and Policies of the Economic Development Plan?
2. Support the retention of existing Millcreek businesses?
3. Help attract new businesses in targeted business sectors?

4. Create or enhance a built environment with amenities that will help attract new, skilled talent to Millcreek?
5. Support the creation of new, high-paying and livable wage jobs?
6. Contribute to effective and efficient use of City resources?
7. Provide for balanced budgets and financial stability for the City over the long-term?
8. Promote renewable, sustainable, and environmentally healthy/friendly business practices and products?
9. Support or align with regional business attraction and retention efforts?
10. Have a positive impact on the educational competitiveness of Millcreek?
11. Result in construction and / or renovation that is compatible with the existing mass, scale, and height of the immediate neighborhood?

Vibrant Gathering Places

Does the project or initiative...

1. Support the overall focus of the Vibrant Gathering Places vision?
2. Support the continued development/redevelopment of the City Center, Meadowbrook Center, or Village Centers?
3. Result in additional infill, development, or redevelopment of appropriate types in appropriate locations?
4. Provide a range of opportunities for transportation access, interconnection of urban centers and enhanced demand and feasibility for multimodal transportation options?
5. Result in well designed, well integrated and compatible development?
6. Include, result in or support the creation of new or enhanced places for community interaction?
7. Enhance connections to and integrate with the City's green infrastructure networks including trails, parks, open space, adjacent communities and public lands?

8. Support or incorporate cultural, historical, educational, and/or human service opportunities?
9. Result in places that are inclusive, adaptable, sustainable and resilient?

Great Connections

Does the project or initiative...

1. Support the overall focus of the Great Connections theme?
2. Contribute positively to increased mobility throughout the City, and particularly related to east/west transportation needs?
3. Specifically contribute in any way to enhanced transit?
4. Contribute to enhanced non-motorized transportation systems, connections with them or their use?
5. Result in fiscally sustainable additions or other changes to the transportation network?

6. Have a positive impact on walkability?
7. Support the quality of the environment, including air quality, water quality, and dark skies.

Health and Environment

Does the project or initiative...

1. Support the overall focus on the Health and Environment theme?
2. Incorporate green building principles?
3. Enhance pedestrian connectivity in Millcreek?
4. Protect or expand Millcreek's urban tree canopy?

Outdoor Lifestyle

Does the project or initiative...

1. Support the overall focus on the Outdoor Lifestyle theme?
2. Positively contribute to the safety, security and well-being of residents, and those who use park or open space facilities?
3. Encourage additional investment or reinvestment in surrounding areas?
4. Contribute to the connectivity within and between neighborhoods, particularly for walkability, access to multimodal transportation alternatives, and contribution to the feasibility of alternative modes?
5. Enhance the connection to the outdoors, trails, parks, natural areas and green infrastructure?
6. Increase parks in needed areas of the City?
7. Increase the number of trails along the foothills, Mill Creek Canyon and Neff's Canyon?

Enriched Culture

Does the project or initiative...

1. Support the overall focus on our Enriched Culture theme?
2. Add value or help establish a cultural identity within the City?
3. Preserve or incorporate the historic assets of the City or promote this legacy?
4. Provide cultural services, opportunities or access to underserved populations or neighborhoods?
5. Incorporate public art in association with this action or decision?
6. Support the enhancement of centers of lifelong learning and innovation in the City?

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Attachment 3
Property Owner Affidavit



Millcreek Planning & Zoning
1330 E Chambers Ave
Millcreek, Utah 84106
(801) 214-2700
millcreekut.gov

AFFIDAVIT – Property Owner

Pennsylvania
STATE OF ~~UTAH~~ }
Philadelphia } ss
COUNTY OF ~~SALT LAKE~~

I (we) 650 SALT LAKE PARTNERS, LLC being duly sworn, depose and say that

I (we) am (are) the owner(s) of the property(s) located at:

650 W 4100 S

My (our) signature below attests that I (we) have reviewed the proposal by Snell & Wilmer, LLP

requesting review and approval of the rezone of the property to M-1

and that I (we) consent to the statements and information provided in the attached plans and exhibits

and that all information presented is true and correct to the best of my (our) knowledge.

Property Owner 650 SALT LAKE PARTNERS, LLC

Property Owner Jeff Pusizzi

Subscribed and sworn to me this 24th day of June, 20 24.

Commonwealth of Pennsylvania - Notary Seal
CAITLIN A COTTRELL - Notary Public
Philadelphia County
My Commission Expires June 27, 2027
Commission Number 1353720

Notary: Caitlin A Cottrell

Residing in Salt Lake County, Utah

Philadelphia, Pennsylvania

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Attachment 4
Neighborhood Meeting Notice & Sign in Sheet

Snell & Wilmer

15 WEST SOUTH TEMPLE
SUITE 1200
GATEWAY TOWER WEST
SALT LAKE CITY, UT 84101
801.257.1900 P
801.257.1800 F

Jason Boal
(801) 257-1917
jboal@swlaw.com

June 5, 2024

RE: *Neighborhood Meeting Notice for Proposed Rezone in your Neighborhood*

To whom it may concern,

You are invited to a neighborhood meeting to discuss a proposed rezone we are proposing near your property. The purpose of the meeting is to discuss the proposal answer any questions and listen to your feedback and suggestions.

Project Summary:

Alterra Property Group is submitting a request to Millcreek City to rezone a portion of the property located at 650 W 4100 S from Agriculture (A-1 and A-2) to Light Industrial (M-1). This proposal is to modify the zoning map so that this property has one zoning designation, as opposed to three. There is no proposed development or change in use of the property associated with this rezone.

Meeting Date: June 19, 2024

Meeting Time: 5:30 pm to 6:30 pm

Meeting Location: Sunnyvale Park Pavilion (4013 S 700 W, Millcreek, UT 84120) weather permitting.

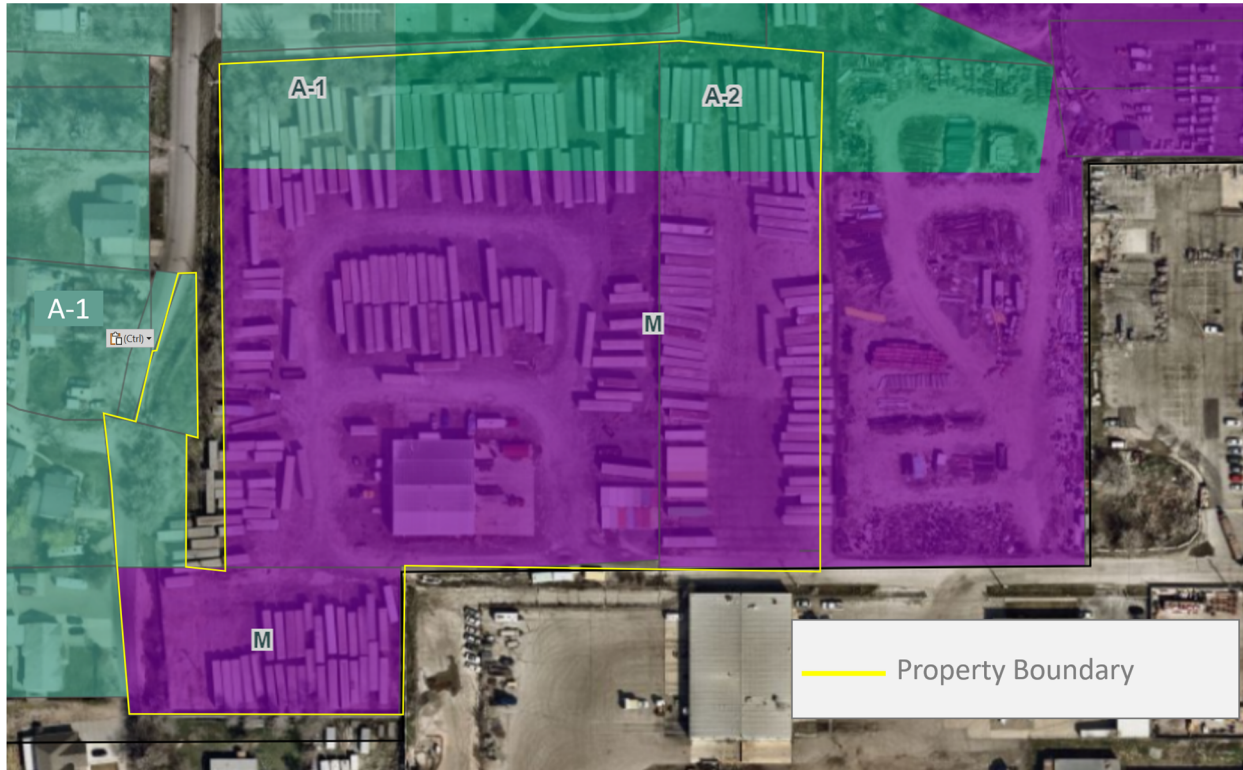
If weather is not suitable for the outside meeting, it will be held at 650 W 4100 S, Millcreek, UT 84120

If you would like to contact us ahead of the meeting, please feel free to reach out to Jason Boal at **801.257.1917** or **jboal@swlaw.com**. We look forward to hearing from you.

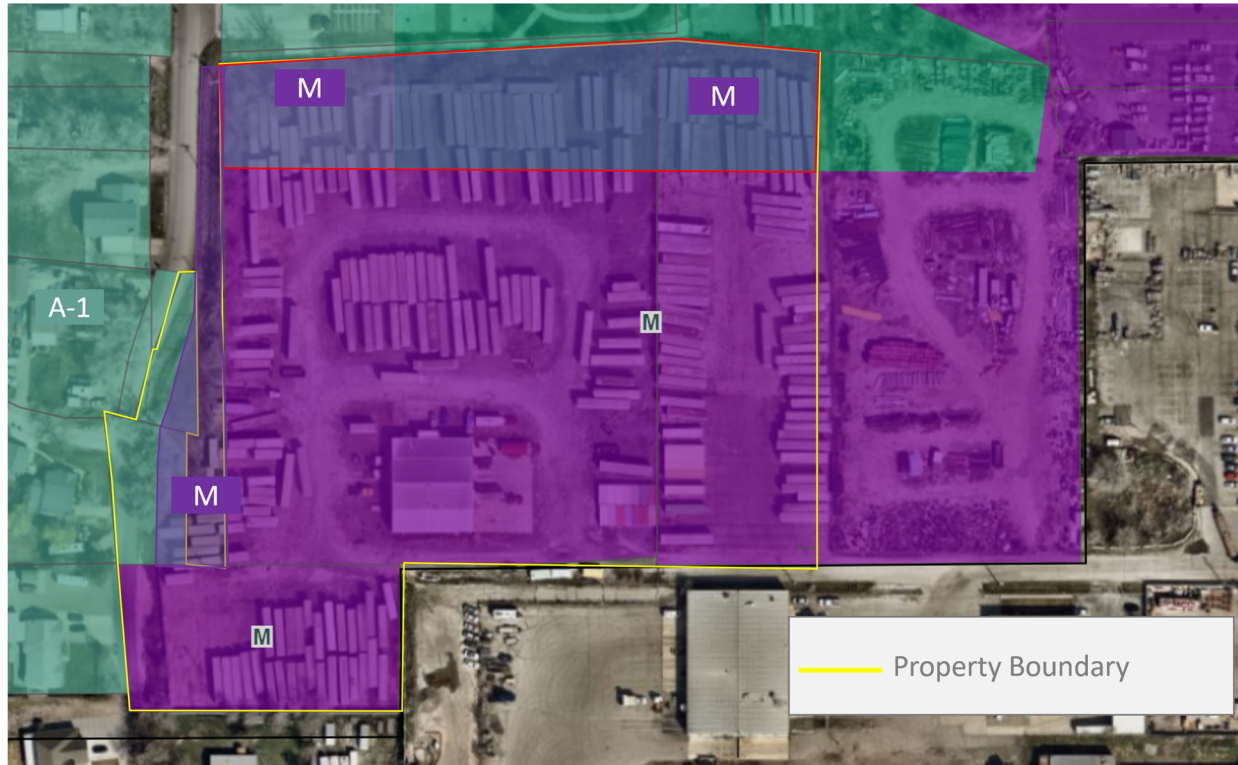
Thank you,

Jason Boal, AICP

Existing Zoning:



Proposed Zoning:



| | Name | Address | Phone | Email |
|----|-----------------|----------------|--------------|----------------------|
| 1 | Brandi Southard | 4088 S. 700 W. | 435-512-9248 | bsbunni@gmail.com |
| 2 | Sean Southard | 4088 S. 700 W | | |
| 3 | Angela Kirsling | 750 W 4060 S | 801-263-9413 | angelaKirsling@gmail |
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Attachment 5
Site Plan/Site Survey

SCHEDULE BII EXCEPTIONS

NOTE: EXCEPTIONS 1-11 ARE NOT SURVEY MATTERS & ARE NOT SHOWN HEREON.

(10) (Affects Parcels 1, 2, 3, and 4)
Subject to 700 West Street.
[700 WEST STREET IS A +/-66' PUBLIC RIGHT OF WAY ACCORDING TO THE SALT LAKE COUNTY AREA REFERENCE PLAT. PHYSICAL EVIDENCE SHOWS THAT 700 WEST STREET WAS NOT CONSTRUCTED IN THE INTENDED +/-66' RIGHT OF WAY AREA. KAY SUBDIVISION - LOT 2 AMENDED, KAY SUBDIVISION, AND A CERTAIN WARRANTY DEED AS ENTRY 4877841 IN BOOK 6195 AT PAGE 1288 CALL OUT A SURVEY PREPARED BY RICHARD P. SØRENSEN THAT IDENTIFIES 700 WEST AS A +/-2 ROD PRIVATE STREET (INGRESS & EGRESS EASEMENT). SURVEYOR WAS UNABLE TO LOCATE SAID SURVEY BY RICHARD P. SØRENSEN AS SURVEY WAS NOT RECORDED WITH THE COUNTY AND SAID SURVEYOR HAS PASSED AWAY.]

(11) Water Line Agreement in favor of Salt Lake County Recreation Board recorded January 15, 1954 as Entry No. 1357697 in Book 1059 at Page 551.
[ITEM CROSSES RECORD PARCELS 1 & 2, AS SHOWN HEREON.]

(12) An easement over, across or through the land for sewer (interceptor line) pipeline facilities and incidental purposes, as granted to Central Valley Water Reclamation Facility, a regional entity by Instrument recorded May 10, 1981 as Entry No. 3622120 in Book 5311 at Page 1152 of Official Records.
[A 20' REGIONAL INTERCEPTOR EASEMENT CROSSES PARCEL 4, AS SHOWN HEREON. A TEMPORARY 61.32' CONSTRUCTION AND 47' CONSTRUCTION EASEMENT ALSO CROSSES THE SUBJECT PROPERTY, AS SHOWN HEREON.]

(13) An easement over, across or through the land for sewer (interceptor line) pipeline facilities and incidental purposes, as granted to Central Valley Water Reclamation Facility, a regional entity by Instrument recorded May 10, 1981 as Entry No. 3622122 in Book 5311 at Page 1158 of Official Records.
[A 10' REGIONAL INTERCEPTOR EASEMENT CROSSES RECORD PARCELS 1 & 2, AS SHOWN HEREON. A TEMPORARY 40' WIDE CONSTRUCTION EASEMENT ALSO CROSSES THE SUBJECT PROPERTY, AS SHOWN HEREON.]

(14) (Affects Parcels 5 and 6)
Right of Way Agreement creating a 30 foot right of way recorded April 6, 1982 as Entry 3663769 in Book 5359 at Page 268 of Official Records.
[ITEM IS ONE AND THE SAME AS EASEMENT PARCEL 7 AND IS SHOWN HEREON AS SUCH.]

(15) (Affects Parcel 5)
An easement over, across or through the land for gas transmission and distribution facilities and incidental purposes, as granted to Mountain Fuel Supply Company, a corporation of the State of Utah, its successors and assigns by Instrument recorded November 1, 1982 as Entry No. 3725345 in Book 5416 at Page 2574 of Official Records.
[30' GAS LINE EASEMENT CROSSES PARCELS 4, 5, & 6, AS SHOWN HEREON.]

(16) Agreement recorded May 6, 1982 as Entry No. 4013146 in Book 5604 at Page 2356 of Official Records.
[A 15' SEWER AND FLOOD CONTROL EASEMENT CROSSES PARCEL 4, AS SHOWN HEREON.]

(17) (Affects Parcel 6)
Subject to three (3) rights of way as disclosed by that certain Warranty Deed recorded November 8, 1984 as Entry No. 4014391 in Book 5605 at Page 1867 of Official Records.
[3 RIGHT OF WAY EASEMENTS CROSS THE SUBJECT PROPERTY, AS SHOWN HEREON. ONE OF SAID RIGHT OF WAY EASEMENTS IS ONE IN THE SAME AS PARCEL 7 AND IS SHOWN HEREON AS SUCH.]

(18) An easement over, across or through the land for sewerage pipeline facilities and incidental purposes, as granted to Salt Lake County Cottonwood Sanitary District, a public corporation of Utah by Instrument recorded November 1, 1989 as Entry No. 4842812 in Book 6172 at Page 1633 of Official Records.
[ITEM CROSSES PARCEL 4, AS SHOWN HEREON.]

(19) An easement over, across or through the land for power lines facilities and incidental purposes as granted to Murray City Corporation, its successors and assigns by Instrument recorded February 23, 1990 as Entry No. 4884715 in Book 6200 at Page 209 of Official Records.
[ITEM CROSSES PARCEL 5, AS SHOWN HEREON.]

(20) An easement over, across or through the land for sewer (interceptor line) pipeline facilities and incidental purposes, as granted to Central Valley Water Reclamation Facility, a regional entity by Instrument recorded August 1, 1995 as Entry No. 6131366 in Book 7197, at Page 668 of Official Records.
[ITEM IS ONE IN THE SAME AS EXCEPTION #13 AND IS SHOWN HEREON AS SUCH.]

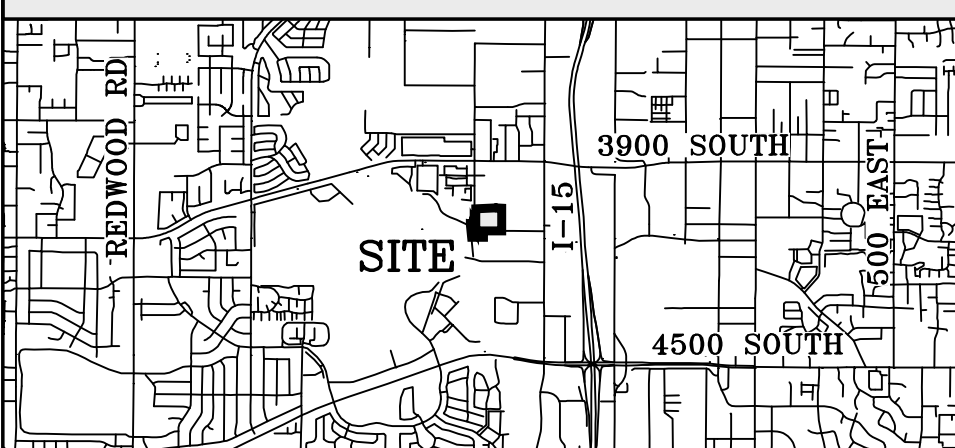
(21) A resolution proposing to create a special improvement district known as Unified Fire Service Area with power and authority to impose assessments for improvements, provisions, restrictions, and/or requirements as disclosed by document recorded September 23, 2020 as Entry No. 13402840 in Book 11024 at Page 6363 of Official Records.
[ITEM BLANKETS THE SUBJECT PROPERTY IN NATURE, NOT SHOWN HEREON.]

(22) Easements and rights of way which are not shown in public records.
[A 2 ROD PRIVATE STREET IS CALLED OUT BY DEED, ENTRY #4877841, BOOK #6195, PAGE #1288. ALSO, A 15' WATERLINE EASEMENT IS CALLED OUT BY EASEMENT DOCUMENT ENTRY #1357699, BOOK #1059, PAGE #555.]

PETERSON ENGINEERING P.C.
7107 SOUTH 400 WEST, STE #1
MIDVALE, UT 84047
Phone: 801-255-3503
JOB #: A-24-007



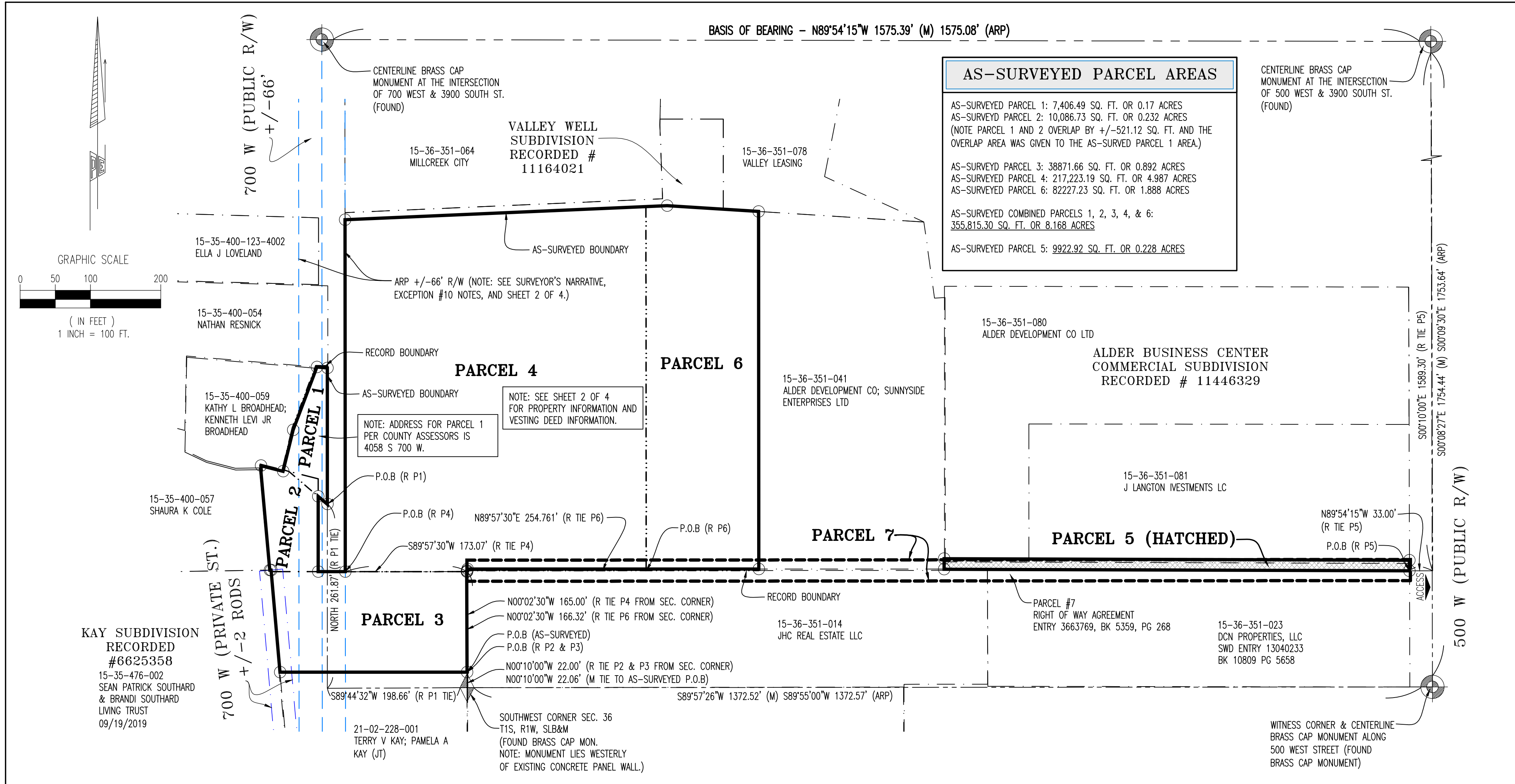
VICINITY MAP - NO SCALE



ALTA/NSPS LAND TITLE SURVEY

LOCATED WITHIN THE SOUTHWEST QUARTER OF SECTION 36 & SOUTHEAST QUARTER OF SECTION 35,
TOWNSHIP 1 SOUTH, RANGE 1 WEST
SALT LAKE BASE & MERIDIAN
MILLCREEK CITY, SALT LAKE COUNTY, UTAH

BASIS OF BEARING & P.O.B TIE DETAILS



MISCELLANEOUS NOTES

- (M1)** ADDRESS AS OBSERVED: 4058, 4066, 4075 S 700 W; 4082 S 500 W; 640, 650 W 4100 S, SALT LAKE CITY, UT.
- (M2)** AT THE TIME OF SURVEY, THERE WAS NO OBSERVED EVIDENCE OF NEW CONSTRUCTION OR ROAD WIDENING.
- (M3)** AT THE TIME OF SURVEY, THERE WAS NO EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS.
- (M4)** AT THE TIME OF SURVEY, SURVEYOR DID NOT FIND EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
- (M5)** AT THE TIME OF SURVEY, THERE WAS NO OBSERVED EVIDENCE OF USE OF THE PROPERTY AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
- (M6)** AT THE TIME OF SURVEY, THERE WAS NO EVIDENCE OF CEMETERIES, GRAVE SITES, AND/OR BURIAL GROUNDS LOCATED ON THE SURVEYED PROPERTY.
- (M7)** SURVEYOR IS NOT AWARE OF ANY PROPOSED CHANGES IN STREET RIGHT OF WAYS.
- (M8)** THE SUBJECT PROPERTY HAS INDIRECT PUBLIC ACCESS TO 500 WEST STREET (PUBLIC RIGHT OF WAY) VIA PARCEL 7 (PRIVATE RIGHT OF WAY).
- (M9)** PARCEL 1 AND 2 DEED DESCRIPTIONS OVERLAP. PARCEL 1 HAS A CLOSURE ERROR OF +/-0.27', PARCEL 3 HAS A CLOSURE ERROR OF +/-2.14'. OTHER DEED OVERLAPS AND GAPS WITH ADJOINING PARCELS ARE CALLED OUT IN THE SIGNIFICANT OBSERVATIONS.
- (M10)** PARCEL 7, ENTRY NUMBER 3663769 IN BOOK 5359 AT PAGE 268, IS AN OFFSITE RIGHT OF WAY AGREEMENT/EASEMENT THAT BENEFITS THE SUBJECT PROPERTY. ALSO, EXCEPTION #17, +/-30' RIGHT OF WAY EASEMENT AS ENTRY NUMBER 4014391 IN BOOK 5605 AT PAGE 1867, IS AN OFFSITE EASEMENT THAT BENEFITS THE SUBJECT PROPERTY.
- (M11)** PER INFORMATION PROVIDED BY CLIENT, ALL UTILITIES SERVING THE PROPERTY ENTER THROUGH ADJOINING PUBLIC STREETS AND/OR EASEMENT OF RECORD.
- (M12)** THIS SURVEY WAS MADE IN ACCORDANCE WITH THE LAWS AND/OR MINIMUM STANDARDS OF THE STATE OF UTAH.
- (M13)** SEE ZONING INFORMATION FOR EXISTING PARKING INFORMATION.
- (M14)** SURVEYOR WAS NOT PROVIDED WITH UTILITY PRINTS BY CLIENT PURSUANT TO TABLE A ITEM 11(A).

FLOOD NOTE

BY GRAPHICAL PLOTTING ONLY, THIS PROPERTY IS PARTIALLY LOCATED WITHIN ZONE X, ZONE AH, AND OTHER AREAS OF FLOOD HAZARD OF THE FLOOD INSURANCE RATE MAP, COMMUNITY NO. 4903500291G, WHICH BEARS AN EFFECTIVE DATE OF SEPTEMBER 25, 2009 AND IS PARTIALLY LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA. AS SHOWN ON THE FEMA WEBSITE ([HTTP://MSC.FEMA.GOV](http://msc.fema.gov)) WE HAVE LEARNED THIS COMMUNITY DOES CURRENTLY PARTICIPATE IN THE PROGRAM. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE. A FLOOD ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

ZONE X: NON SPECIAL FLOOD HAZARD AREA
ZONE AH: SPECIAL FLOOD HAZARD AREA
OTHER AREAS OF FLOOD HAZARD: 0.2% ANNUAL CHANCE FLOOD HAZARD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS LESS THAN ONE FOOT OR WITH DRAINAGE AREAS OF LESS THAN ONE SQUARE MILE.

ZONING INFORMATION

PREPARED BY: PZR
DATED: 3/4/2024
PZR SITE NUMBER: 170654-1

CURRENT ZONING DESIGNATION: MILLCREEK: "M" LIGHT MANUFACTURING, "A-1" AGRICULTURAL AND "A-2" AGRICULTURE DISTRICTS. MURRAY CITY: "M-G" MANUFACTURING GENERAL DISTRICT

ADJACENT ZONING DESIGNATIONS: NORTH: "A-1" and "A-2"; SOUTH: "A-1" and "M-G"; EAST: "M-G"; AND WEST: "A-1"

BUILDING SET-BACK LINES:
FRONT: 20 FEET
INTERIOR SIDE/REAR: 20 FEET ADJACENT TO RESIDENTIAL ZONING; OTHERWISE 10 FEET
EXISTING: 4100 S: 32.5 FEET
EXISTING: 163 FEET MINIMUM
MIN BUILDING HEIGHT: 1 STORY; MAX BUILDING HEIGHT: 100 FEET AND 35 FEET

PARKING SPACE FORMULA: MANUFACTURING AND INDUSTRIAL USE: 1 SPACE PER 3 EMPLOYEES, PLUS 1 SPACE PER COMPANY VEHICLE. TOTAL REQUIRED = 12 SPACES.
NOTE: AT THE TIME OF SURVEY THERE WERE NO OBSERVED STRIPED PARKING STALLS.

SURVEYOR'S NARRATIVE

THIS SURVEY WAS REQUESTED BY NV5 FOR THE PURPOSE OF ESTABLISHING THE BOUNDARY AND PHYSICAL IMPROVEMENTS OF THE PROPERTY LOCATED AT 4058, 4066, 4075 S 700 W; 4082 S 500 W; 640, 650 W 4100 S, SALT LAKE CITY, UT.

THE BASIS OF BEARING IS N89°54'15"W FROM A CENTERLINE BRASS CAP MONUMENT AT THE INTERSECTION OF 500 WEST STREET AND 3900 SOUTH STREET TO A BRASS CAP MONUMENT AT THE INTERSECTION OF 700 WEST STREET AND 3900 SOUTH STREET.

THE SUBJECT PROPERTY VESTING DEEDS CREATE MULTIPLE GAPS AND OVERLAPS WITH ADJOINING PROPERTY OWNERS. AN AS-SURVEYED DESCRIPTION OF PARCELS 1, 2, 3, 4, & 6 HAS BEEN PROVIDED ELIMINATING THE OVERLAPS WITH ADJOINING PROPERTY OWNERS.

THE KAY SUBDIVISION PLAT CALLS OUT TO A 2 ROD PRIVATE STREET WHICH ENDS JUST NORTHERLY OF SAID SUBDIVISION. THE SALT LAKE COUNTY AREA REFERENCE PLATS CALL OUT A +/-66' RIGHT OF WAY FOR 700 WEST STREET. PORTIONS OF THE STREET HAVE NOT BEEN DEDICATED NOR HAVE AN INGRESS/EGRESS EASEMENT PROVIDED.

SEE NOTE FOR EXCEPTION #10 AND SHEET 2 OF 4 FOR AS-SURVEYED DESCRIPTION.

LEGAL

THIS SURVEY WAS PREPARED FOR THE PURPOSE OF THIS REAL ESTATE TRANSACTION ONLY AND NO FURTHER PARTIES OTHER THAN THOSE CERTIFIED HEREON SHALL RELY ON IT FOR ANY OTHER PURPOSE OR TRANSACTION.

UTILITY NOTE

SEE SHEET 2 OF 4 FOR UTILITY PROVIDER INFORMATION.

LEGEND OF SYMBOLS & ABBREVIATIONS

| | | | | | |
|--|-------------------------------|--|-------------------------------|--|-----------------------------|
| | TEST STATION | | WATER VALVE | | SIGHT LIGHT |
| | POWER POLE | | FIRE HYDRANT | | STORM MANHOLE |
| | COMM./ELEC. MANHOLE | | WATER MANHOLE | | STORM INLET |
| | ELECTRIC METER / BOX | | GAS METER | | CURB STORM INLET |
| | CABLE BOX | | ACCESS TO PUBLIC RIGHT OF WAY | | SANITARY SEWER |
| | WATER METER | | MONUMENT | | GAS MANHOLE |
| | INDICATES HANDICAPPED PARKING | | P.O.B - POINT OF BEGINNING | | CORNER NOT SET |
| | SCHEDULE B EXCEPTION | | R - RECORD | | P4 - PARCEL 4 |
| | SECTION CORNER | | M - MEASURED | | P5 - PARCEL 5 |
| | | | P1 - PARCEL 1 | | P6 - PARCEL 6 |
| | | | P2 - PARCEL 2 | | P7 - PARCEL 7 |
| | | | P3 - PARCEL 3 | | L&E - LESS & EXCEPTING |
| | | | | | SWD - SPECIAL WARRANTY DEED |
| | | | | | WD - WARRANTY DEED |
| | | | | | QCD - QUIT-CLAIM DEED |
| | | | | | |

| LINE TABLE | | | |
|------------|----------------------|--|-------------------------|
| | AS-SURVEYED BOUNDARY | | BUILDING OVERHEAD POWER |
| | RECORD BOUNDARY | | 15' EXCEPTION |
| | ADJACENT BOUNDARY | | FENCE LINE |
| | PARCEL 7 | | WALL |
| | CURB & GUTTER | | DRAINAGE DITCH |
| | PARKING STRIPES | | ARP R/W WIDTH |
| | EDGE OF ASPHALT | | RIGHT OF WAY |
| | CULINARY WATER | | STORM DRAIN |
| | SANITARY SEWER | | TELECOMMUNICATIONS |
| | GAS LINE | | FIBER OPTICS |
| | IRRIGATION LINE | | |
| | ELECTRICAL LINE | | |

RECORD DESCRIPTION

The land referred to in this commitment is located in Salt Lake County, Utah and is described as:

PARCEL 1: 058 [P1]
Beginning at a point South 89°44'32" West 198.66 feet and North 261.87 feet from the Southeast corner of Section 35, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence North 49°36' West 71.52 feet; thence North 72°04' West 7.65 feet; thence North 80°43' West 2.50 feet to the Easterly edge of an existing asphalt road; thence along said Easterly edge North 13°34'16" East 61.30 feet and North 20°39'14" East 94.50 feet; thence South 89°03' East 16.56 feet; thence South 196.59 feet to the point of beginning.

PARCEL 2: 090 [P2]
Beginning at a point which is 22.0 feet North 0°10'00" West from the Southeast corner of Section 35, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence North 0°10'00" West 143.0 feet; thence West 211.20 feet; thence North 132.0 feet; thence North 75°45'00" West 85.0 feet; thence South 51°04'44" East 297.08 feet; thence East 268.32 feet; more or less, to the point of beginning.

Less and Excepting therefrom the following: **[L&E P2]**

Beginning at a point that is North 0°10' West 22.0 feet from the Southeast corner of Section 35, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence North 0°10' West 143.0 feet; thence West 278.72 feet; thence South 51°04'44" East 143.53 feet; thence East 268.32 feet to the point of beginning.

PARCEL 3: 091 [P3]
Beginning at a point that is North 0°10' West 22.0 feet from the Southeast corner of Section 35, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence North 0°10' West 143.0 feet; thence West 278.72 feet; thence South 51°04'44" East 143.53 feet; thence East 268.32 feet to the point of beginning.

PARCEL 4: 056 [P4]
Beginning at a point on the East right of way line of 700 West Street, said point being North 0°02'30" West along the section line 165.00 feet and South 89°57'30" West 173.07 feet from the Southwest corner of Section 36, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence North 0°02'30" West along said East right of way line 500.65 feet; thence North 87°29'30" East 428.228 feet; thence South 0°02'30" East 517.761 feet; thence South 89°57'30" West 254.761 feet to the West line of said Section 36; thence South 0°02'30" East along said line 1.32 feet; thence South 89°57'30" West 173.07 feet to the point of beginning.

Subject to a right of way over the South 16.32 feet of the West 173.07 feet thereof.

Together with a non-exclusive right of way as created by that certain Right of Way Agreement recorded April 6, 1982 as Entry No. 3663769 in Book 5359 at Page 268 of Public Records.

PARCEL 5: 043 [P5]
Beginning at a point on the West line of 500 West Street, said point being located South 0°10' East 1589.3 feet and North 89°54'15" West 33 feet from a Salt Lake County Monument located at the intersection of 500 West Street and 3900 South Street, and running thence North 0°10' West 15 feet; thence North 89°48'20" West 661.51 feet; thence South 15 feet; thence South 89°48'20" East 661.19 feet to the point of beginning.

Said point of beginning also being South 0°10' East 407.88 feet from the Northeast corner of Lot 12, Block 12, Ten Acre Plat "A", BFS.

PARCEL 6: 057 [P6]
Beginning North 0°02'30" West 166.32 feet and North 89°57'30" East 254.761 feet from the Southwest corner of Section 36, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence North 0°02'20" West 517.761 feet; thence North 87°29'30" East 30.152 feet; thence South 86°20'30" East 130.315 feet; thence South 0°02'30" East 510.64 feet; thence South 89°57'30" West 160.169 feet to the point of beginning.

PARCEL 7: [P7]
Together with the appurtenant rights appurtenant to Parcel 6 above, as granted by that certain Right of Way Agreement recorded April 6, 1982 as Entry No. 3663769 in Book 5359 at Page 268 of Official Records.

THE LANDS SURVEYED, SHOWN AND DESCRIBED HEREON ARE THE SAME LANDS DESCRIBED IN THE TITLE COMMITMENT PREPARED BY CHICAGO TITLE INSURANCE COMPANY, COMMITMENT NUMBER 22-5008 AB, BEARING AN EFFECTIVE DATE OF FEBRUARY 27, 2024 AT 7:30 AM.

ALTA/NSPS LAND TITLE SURVEY

ALTERRA - SLC

NVS PROJECT NO. 202304767, 001

4058, 4066, 4075 S 700 W; 4082 S 500 W; 640, 650 W 4100 S, SALT LAKE CITY, UT

BASED UPON TITLE COMMITMENT NO. 22-5008 AB

PREPARED BY CHICAGO TITLE INSURANCE COMPANY

BEARING AN EFFECTIVE DATE OF FEBRUARY 27, 2024 AT 7:30 AM

SURVEYOR'S CERTIFICATION

TO: CHICAGO TITLE INSURANCE COMPANY; NATIONAL TITLE AGENCY OF UTAH, INC.; 650 SALT LAKE PARKERS, LLC, A DELAWARE LIMITED LIABILITY COMPANY; ALTERRA IOS ACQUISITIONS III, LLC; NATIONAL TITLE AGENCY OF UTAH AND CHICAGO TITLE INSURANCE COMPANY; AND BOCK & CLARK, AN NV5 CORPORATION:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEY, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 3, 4, 6A, 6B, 7A, 7B1, 7C, 8, 9, 10, 11A, 11B, 13, 14, 16, 17, 18, AND 19 OF TABLE A THEREOF.

THE FIELD WORK WAS COMPLETED ON:
FEBRUARY 8, 2024

MARCH 14, 2024

DAVID D. PETERSON

REGISTRATION NO. 295720

IN THE STATE OF UTAH

DATE OF SURVEY: FEBRUARY 19, 2024

LAST REVISION: MARCH 14, 2024

NVS NETWORK REFERENCE NO. 202304767-001-RLS



Bock & Clark Corporation an NV5 Company

NV5

Transaction Services 1-800-SURVEYS (787-8397)

3550 W. Market Street, Suite 200, Akron, Ohio 44333
www.BockandClark.com mayhelpyou@bockandclark.com www.NV5.com

SURVEY ZONING ENVIRONMENTAL ASSESSMENT

ALTA/NSPS LAND TITLE SURVEY

LOCATED WITHIN THE SOUTHWEST QUARTER OF SECTION 36 & SOUTHEAST QUARTER OF SECTION 35,
TOWNSHIP 1 SOUTH, RANGE 1 WEST
SALT LAKE BASE & MERIDIAN
MILLCREEK CITY, SALT LAKE COUNTY, UTAH

AS-SURVEYED DESCRIPTION PARCELS 1, 2, 3, 4, & 6

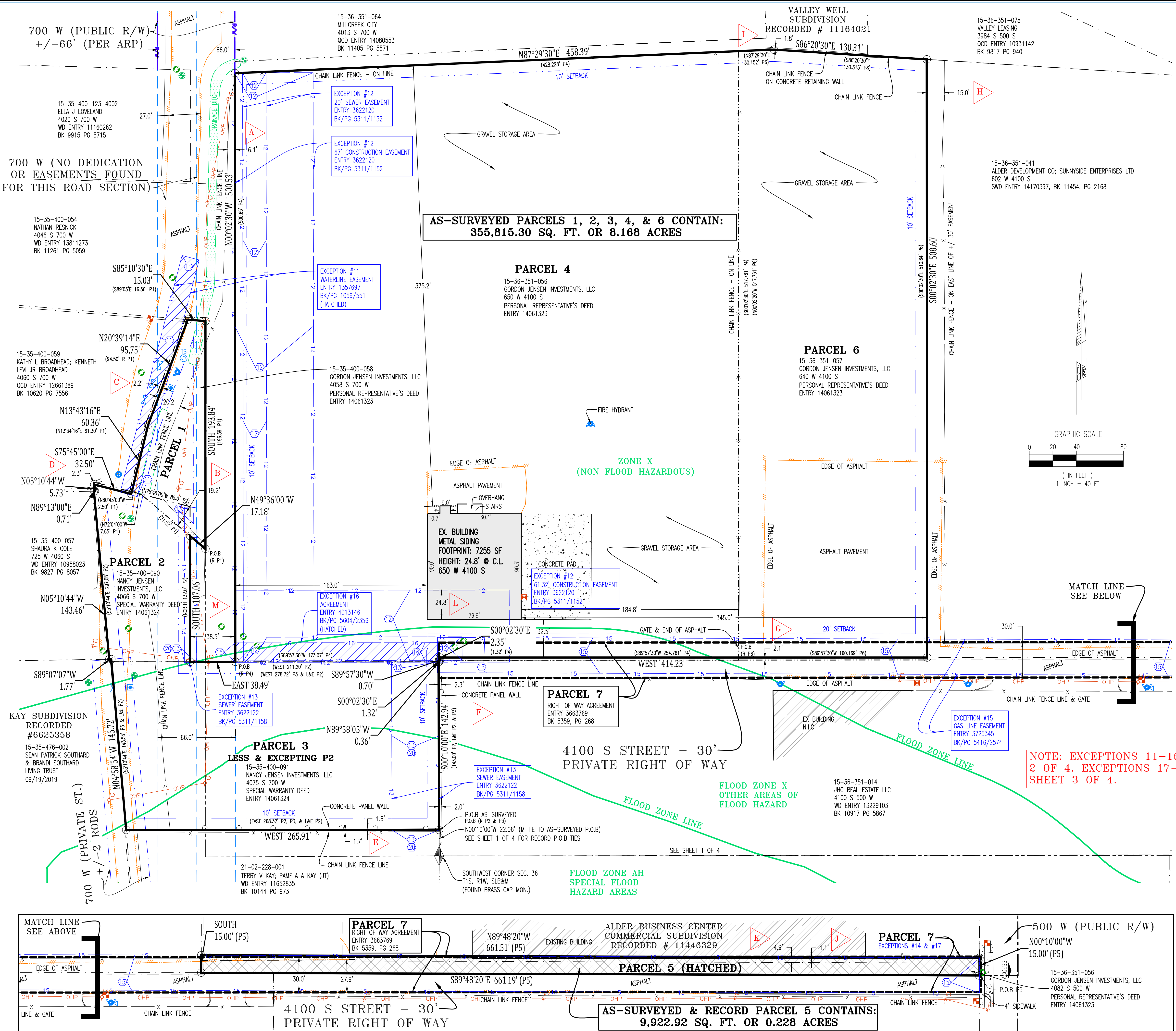
A PARCEL OF LAND LOCATED WITHIN THE SOUTHWEST QUARTER OF SECTION 36 AND THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, MILLCREEK CITY, SALT LAKE COUNTY, UTAH; SAID PARCEL OF LAND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT BEING NORTH 00°10'00" WEST 22.06 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 36; SAID SOUTHWEST CORNER OF SECTION 36 BEING SOUTH 89°57'26" WEST 1372.52 FEET FROM A WITNESS CORNER ALONG THE CENTERLINE OF 500 WEST STREET; SAID WITNESS CORNER ALONG THE CENTERLINE OF 500 WEST STREET BEING SOUTH 00°08'27" EAST 1754.44 FEET FROM A MONUMENT AT THE INTERSECTION OF 500 WEST AND 3900 SOUTH STREET; SAID MONUMENT AT THE INTERSECTION OF 500 WEST AND 3900 SOUTH STREET BEING SOUTH 89°54'15" EAST 1575.39 FEET FROM A MONUMENT AT THE INTERSECTION OF 700 WEST AND 3900 SOUTH STREET; THENCE WEST 265.91 FEET FROM THE POINT OF BEGINNING ALONG THE NORTHERLY LINE OF A CERTAIN WARRANTY DEED AS ENTRY 11652835 IN BOOK 10144 AT PAGE 973 AT THE SALT LAKE COUNTY RECORDERS OFFICE TO THE EASTERLY LINE OF THE KAY SUBDIVISION AS ENTRY NUMBER 6625358 IN BOOK 97-4P AT PAGE 122 AT THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE NORTH 04°58'54" WEST 145.72 FEET ALONG SAID EASTERLY LINE OF SAID KAY SUBDIVISION TO THE NORTHEAST CORNER OF SAID SUBDIVISION; THENCE SOUTH 89°07'07" WEST 1.77 FEET ALONG THE NORTHERLY LINE OF SAID KAY SUBDIVISION; THENCE NORTH 05°10'44" WEST 143.46 FEET TO THE SOUTHERLY LINE OF A CERTAIN QUIT CLAIM DEED AS ENTRY NUMBER 12661389 IN BOOK 10620 AT PAGE 7556 AT THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE ALONG SAID SOUTHERLY LINE THE FOLLOWING THREE (3) COURSES: 1) NORTH 89°13'00" EAST 0.71 FEET; 2) NORTH 05°10'44" WEST 5.73 FEET; 3) THENCE SOUTH 75°45'00" EAST 32.50 FEET TO THE EASTERLY LINE OF SAID QUIT CLAIM DEED AS ENTRY NUMBER 12661389; THENCE ALONG SAID EASTERLY LINE THE FOLLOWING TWO (2) COURSES: 1) NORTH 13°43'16" EAST 60.36 FEET TO A POINT ON THE EASTERLY EDGE OF AN EXISTING ASPHALT ROAD; 2) THENCE NORTH 20°39'14" EAST 95.75 FEET TO THE SOUTHERLY LINE OF A CERTAIN WARRANTY DEED AS ENTRY NUMBER 13811273 IN BOOK 11261 AT PAGE 5059 AT THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE SOUTH 89°10'30" EAST 15.03 FEET ALONG SAID SOUTHERLY LINE; THENCE SOUTH 193.84 FEET; THENCE NORTH 49°36'00" WEST 17.18 FEET; THENCE SOUTH 107.06 FEET; THENCE EAST 38.49 FEET; THENCE NORTH 00°02'30" WEST 500.53 FEET TO THE SOUTHERLY LINE OF THE VALLEY WELL SUBDIVISION AS ENTRY NUMBER 11164021 IN BOOK 2011P AT PAGE 41 AT THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE ALONG SAID SOUTHERLY LINE THE FOLLOWING TWO (2) COURSES: 1) NORTH 87°29'30" EAST 458.39 FEET; 2) THENCE SOUTH 86°20'30" EAST 130.31 FEET TO THE WESTERLY LINE OF A CERTAIN SPECIAL WARRANTY DEED AS ENTRY NUMBER 14170397 IN BOOK 11454 AT PAGE 2168 AT THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE SOUTH 00°02'30" EAST 508.60 FEET ALONG SAID WESTERLY LINE TO THE NORTHERLY LINE OF A CERTAIN WARRANTY DEED AS ENTRY NUMBER 13229103 IN BOOK 10917 AT PAGE 5867 AT THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE WEST 414.23 FEET ALONG SAID NORTHERLY LINE TO THE WESTERLY LINE OF SAID WARRANTY DEED AS ENTRY NUMBER 13229103; THENCE SOUTH 00°02'30" EAST 2.35 FEET ALONG SAID WESTERLY LINE; THENCE SOUTH 89°57'30" WEST 0.70 FEET; THENCE SOUTH 00°02'30" EAST 1.32 FEET; THENCE NORTH 89°58'05" WEST 0.36 FEET; THENCE SOUTH 00°10'00" EAST 142.94 FEET TO THE POINT OF BEGINNING.

SIGNIFICANT OBSERVATIONS

- A** EXISTING CHAIN LINK FENCE LINE EXTENDS WESTERLY +/- 6.1 FEET BEYOND THE WESTERLY BOUNDARY LINE OF THE SUBJECT PROPERTY, AS SHOWN HEREON.
- B** PARCEL 1 & 2 OVERLAP BY +/- 19.2', AS SHOWN HEREON.
- C** RECORD PARCEL 1 OVERLAPS WITH PARCEL 15-35-400-059 BY +/- 2.2', AS SHOWN HEREON. AS SURVEYED DESCRIPTION RUNS ALONG SAID PARCEL 15-35-400-059 BOUNDARY.
- D** RECORD PARCEL 2 OVERLAPS WITH PARCEL 15-35-400-059 BY +/- 2.3', AS SHOWN HEREON. AS SURVEYED DESCRIPTION RUNS ALONG SAID PARCEL 15-35-400-059 BOUNDARY.
- E** EXISTING CHAIN LINK FENCE LINE EXTENDS SOUTHERLY +/- 1.7' BEYOND THE SOUTHERLY BOUNDARY LINE OF THE SUBJECT PROPERTY. OWNERSHIP OF SAID FENCE LINE IS UNKNOWN.
- F** EXISTING CONCRETE PANEL WALL EXTENDS +/- 2.3' EASTERLY BEYOND THE SOUTHERLY BOUNDARY LINE OF THE SUBJECT PROPERTY, AS SHOWN HEREON. OWNERSHIP OF SAID CONCRETE PANEL WALL IS UNKNOWN.
- G** THE SUBJECT PROPERTY RECORD DESCRIPTION OVERLAPS WITH PARCEL 15-36-351-0140 BY +/- 2.1', AS SHOWN HEREON.
- H** EXISTING CHAIN LINK FENCE LINE EXTENDS EASTERLY +/- 15.0' BEYOND THE EASTERLY BOUNDARY LINE OF THE SUBJECT PROPERTY, AS SHOWN HEREON. SAID FENCE LINE RUNS ALONG THE EASTERLY LINE OF A +/- 30' RIGHT OF WAY EASEMENT. OWNERSHIP OF SAID FENCE LINE IS UNKNOWN.
- I** EXISTING CHAIN LINK FENCE LINE AND CONCRETE RETAINING WALL EXTENDS NORTHERLY +/- 1.8' BEYOND THE NORTHERLY BOUNDARY LINE OF THE SUBJECT PROPERTY, AS SHOWN HEREON. OWNERSHIP OF SAID FENCE LINE IS UNKNOWN.
- J** EXISTING BUILDING EXTENDS +/- 1.1' SOUTHERLY BEYOND THE NORTHERLY BOUNDARY LINE OF PARCEL 5, AS SHOWN HEREON.
- K** ALDER BUSINESS CENTER COMMERCIAL SUBDIVISION AS ENTRY NUMBER 11446329 OVERLAPS WITH PARCEL #5 +/- 4.9', AS SHOWN HEREON.
- L** EXCEPTION #12 CROSSES THROUGH AN EXISTING BUILDING ON THE SUBJECT PROPERTY +/- 24.8 FEET, AS SHOWN HEREON.
- M** DEED GAP OF +/- 38.5 FEET BETWEEN RECORD PARCEL 1 AND RECORD PARCEL 4. OWNERSHIP OF AREA BETWEEN SAID PARCELS IS UNKNOWN.

NOTE: EXCEPTIONS 11-16 ARE SHOWN ON SHEET 2 OF 4. EXCEPTIONS 17-22 ARE SHOWN ON SHEET 3 OF 4.



Bock & Clark Corporation
an NV5 Company

Transaction Services 1-800-SURVEYS (787-8397)

3550 W. Market Street, Suite 200, Akron, Ohio 44333
www.BockandClark.com maywehelpyou@bockandclark.com www.NV5.com

SURVEY ZONING ENVIRONMENTAL ASSESSMENT

ALTA/NSPS LAND TITLE SURVEY

LOCATED WITHIN THE SOUTHWEST QUARTER OF SECTION 36 & SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, MILLCREEK CITY, SALT LAKE COUNTY, UTAH

AS-SURVEYED DESCRIPTION PARCELS 1, 2, 3, 4, & 6

A PARCEL OF LAND LOCATED WITHIN THE SOUTHWEST QUARTER OF SECTION 36 AND THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, MILLCREEK CITY, SALT LAKE COUNTY, UTAH; SAID PARCEL OF LAND DESCRIBED AS FOLLOWS:

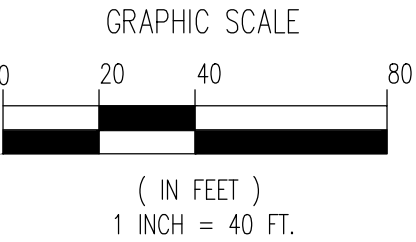
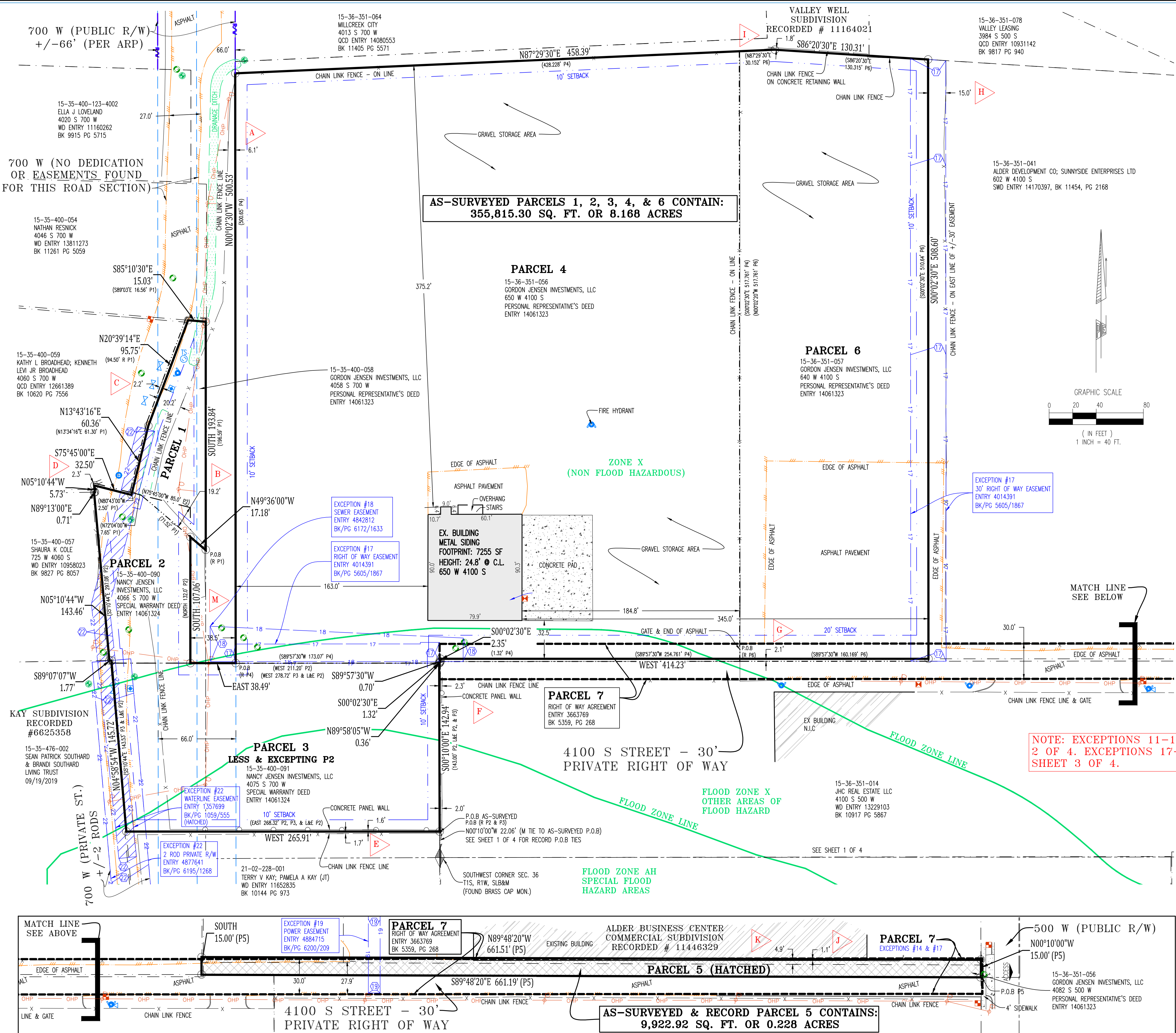
BEGINNING AT A POINT BEING NORTH 00°10'00" WEST 22.06 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 36; SAID SOUTHWEST CORNER OF SECTION 36 BEING SOUTH 89°57'26" WEST 1372.52 FEET FROM A WITNESS CORNER ALONG THE CENTERLINE OF 500 WEST STREET; SAID WITNESS CORNER ALONG THE CENTERLINE OF 500 WEST STREET BEING SOUTH 00°08'27" EAST 1754.44 FEET FROM A MONUMENT AT THE INTERSECTION OF 500 WEST AND 3900 SOUTH STREET; SAID MONUMENT AT THE INTERSECTION OF 500 WEST AND 3900 SOUTH STREET BEING SOUTH 89°54'15" EAST 1575.39 FEET FROM A MONUMENT AT THE INTERSECTION OF 700 WEST AND 3900 SOUTH STREET;

THENCE WEST 265.91 FEET FROM THE POINT OF BEGINNING ALONG THE NORTHERLY LINE OF A CERTAIN WARRANTY DEED AS ENTRY 11652835 IN BOOK 10144 AT PAGE 973 AT THE SALT LAKE COUNTY RECORDERS OFFICE TO THE EASTERLY LINE OF THE KAY SUBDIVISION AS ENTRY NUMBER 6625358 IN BOOK 97-4P AT PAGE 122 AT THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE NORTH 04°58'54" WEST 145.72 FEET ALONG SAID EASTERLY LINE OF SAID KAY SUBDIVISION TO THE NORTHEAST CORNER OF SAID SUBDIVISION; THENCE SOUTH 89°07'07" WEST 1.77 FEET ALONG THE NORTHERLY LINE OF SAID KAY SUBDIVISION; THENCE NORTH 05°10'44" WEST 143.46 FEET TO THE SOUTHERLY LINE OF A CERTAIN QUIT CLAIM DEED AS ENTRY NUMBER 12661389 IN BOOK 10620 AT PAGE 7556 AT THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE ALONG SAID SOUTHERLY LINE THE FOLLOWING THREE (3) COURSES: 1) NORTH 89°13'00" EAST 0.71 FEET; 2) NORTH 05°10'44" WEST 5.73 FEET; 3) THENCE SOUTH 75°45'00" EAST 32.50 FEET TO THE EASTERLY LINE OF SAID QUIT CLAIM DEED AS ENTRY NUMBER 12661389; THENCE ALONG SAID SOUTHERLY LINE THE FOLLOWING TWO (2) COURSES: 1) NORTH 13°43'16" EAST 60.36 FEET TO A NORTH ON THE EASTERLY EDGE OF AN EXISTING ASPHALT ROAD; 2) THENCE NORTH 20°39'14" EAST 95.75 FEET TO THE SOUTHERLY LINE OF A CERTAIN WARRANTY DEED AS ENTRY NUMBER 13811273 IN BOOK 11261 AT PAGE 5059 AT THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE SOUTH 85°10'30" EAST 15.03 FEET ALONG SAID SOUTHERLY LINE; THENCE SOUTH 193.84 FEET; THENCE NORTH 49°36'00" WEST 17.18 FEET; THENCE SOUTH 107.06 FEET; THENCE EAST 38.49 FEET; THENCE NORTH 00°02'30" WEST 500.53 FEET TO THE SOUTHERLY LINE OF THE VALLEY WELL SUBDIVISION AS ENTRY NUMBER 11164021 IN BOOK 2011P AT PAGE 41 AT THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE ALONG SAID SOUTHERLY LINE THE FOLLOWING TWO (2) COURSES: 1) NORTH 87°29'30" EAST 458.39 FEET; 2) THENCE SOUTH 86°20'30" EAST 130.31 FEET TO THE WESTERLY LINE OF A CERTAIN SPECIAL WARRANTY DEED AS ENTRY NUMBER 14170397 IN BOOK 11454 AT PAGE 2168 AT THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE SOUTH 00°02'30" EAST 508.60 FEET ALONG SAID WESTERLY LINE TO THE NORTHERLY LINE OF A CERTAIN WARRANTY DEED AS ENTRY NUMBER 13229103 IN BOOK 10917 AT PAGE 5867 AT THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE SOUTH 414.23 FEET ALONG SAID NORTHERLY LINE TO THE WESTERLY LINE OF SAID WARRANTY DEED AS ENTRY NUMBER 13229103; THENCE SOUTH 00°02'30" EAST 2.35 FEET ALONG SAID WESTERLY LINE; THENCE SOUTH 89°57'30" WEST 0.70 FEET; THENCE SOUTH 00°02'30" EAST 1.32 FEET; THENCE NORTH 89°58'05" WEST 0.36 FEET; THENCE SOUTH 00°10'00" EAST 142.94 FEET TO THE POINT OF BEGINNING.

SIGNIFICANT OBSERVATIONS

- A** EXISTING CHAIN LINK FENCE LINE EXTENDS WESTERLY +/- 6.1 FEET BEYOND THE WESTERLY BOUNDARY LINE OF THE SUBJECT PROPERTY, AS SHOWN HEREON.
- B** PARCEL 1 & 2 OVERLAP BY +/- 19.2', AS SHOWN HEREON.
- C** RECORD PARCEL 1 OVERLAPS WITH PARCEL 15-35-400-059 BY +/- 2.2', AS SHOWN HEREON. AS SURVEYED DESCRIPTION RUNS ALONG SAID PARCEL 15-35-400-059 BOUNDARY.
- D** RECORD PARCEL 2 OVERLAPS WITH PARCEL 15-35-400-059 BY +/- 2.3', AS SHOWN HEREON. AS SURVEYED DESCRIPTION RUNS ALONG SAID PARCEL 15-35-400-059 BOUNDARY.
- E** EXISTING CHAIN LINK FENCE LINE EXTENDS SOUTHERLY +/- 1.7' BEYOND THE SOUTHERLY BOUNDARY LINE OF THE SUBJECT PROPERTY. OWNERSHIP OF SAID FENCE LINE IS UNKNOWN.
- F** EXISTING CONCRETE PANEL WALL EXTENDS +/- 2.3' EASTERLY BEYOND THE SUBJECT PROPERTY EASTERLY BOUNDARY LINE, AS SHOWN HEREON. OWNERSHIP OF SAID CONCRETE PANEL WALL IS UNKNOWN.
- G** THE SUBJECT PROPERTY RECORD DESCRIPTION OVERLAPS WITH PARCEL 15-36-351-0140 BY +/- 2.1', AS SHOWN HEREON.
- H** EXISTING CHAIN LINK FENCE LINE EXTENDS EASTERLY +/- 15.0' BEYOND THE EASTERLY BOUNDARY LINE OF THE SUBJECT PROPERTY, AS SHOWN HEREON. SAID FENCE LINE RUNS ALONG THE EASTERLY LINE OF A +/- 30' RIGHT OF WAY EASEMENT. OWNERSHIP OF SAID FENCE LINE IS UNKNOWN.
- I** EXISTING CHAIN LINK FENCE LINE AND CONCRETE RETAINING WALL EXTENDS NORTHERLY +/- 1.8' BEYOND THE NORTHERLY BOUNDARY LINE OF THE SUBJECT PROPERTY, AS SHOWN HEREON. OWNERSHIP OF SAID FENCE LINE IS UNKNOWN.
- J** EXISTING BUILDING EXTENDS +/- 1.1' SOUTHERLY BEYOND THE NORTHERLY BOUNDARY LINE OF PARCEL 5, AS SHOWN HEREON.
- K** ALDER BUSINESS CENTER COMMERCIAL SUBDIVISION AS ENTRY NUMBER 11446329 OVERLAPS WITH PARCEL #5 +/- 4.9', AS SHOWN HEREON.
- L** EXCEPTION #12 CROSSES THROUGH AN EXISTING BUILDING ON THE SUBJECT PROPERTY +/- 24.8 FEET, AS SHOWN HEREON.
- M** DEED GAP OF +/- 38.5 FEET BETWEEN RECORD PARCEL 1 AND RECORD PARCEL 4. OWNERSHIP OF AREA BETWEEN SAID PARCELS IS UNKNOWN.

NOTE: EXCEPTIONS 11-16 ARE SHOWN ON SHEET 2 OF 4. EXCEPTIONS 17-22 ARE SHOWN ON SHEET 3 OF 4.



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SURVEY ZONING ENVIRONMENTAL ASSESSMENT

ALTA/NSPS LAND TITLE SURVEY

LOCATED WITHIN THE SOUTHWEST QUARTER OF SECTION 36 & SOUTHEAST QUARTER OF SECTION 35,
TOWNSHIP 1 SOUTH, RANGE 1 WEST
SALT LAKE BASE & MERIDIAN
MILLCREEK CITY, SALT LAKE COUNTY, UTAH

UTILITY INFORMATION

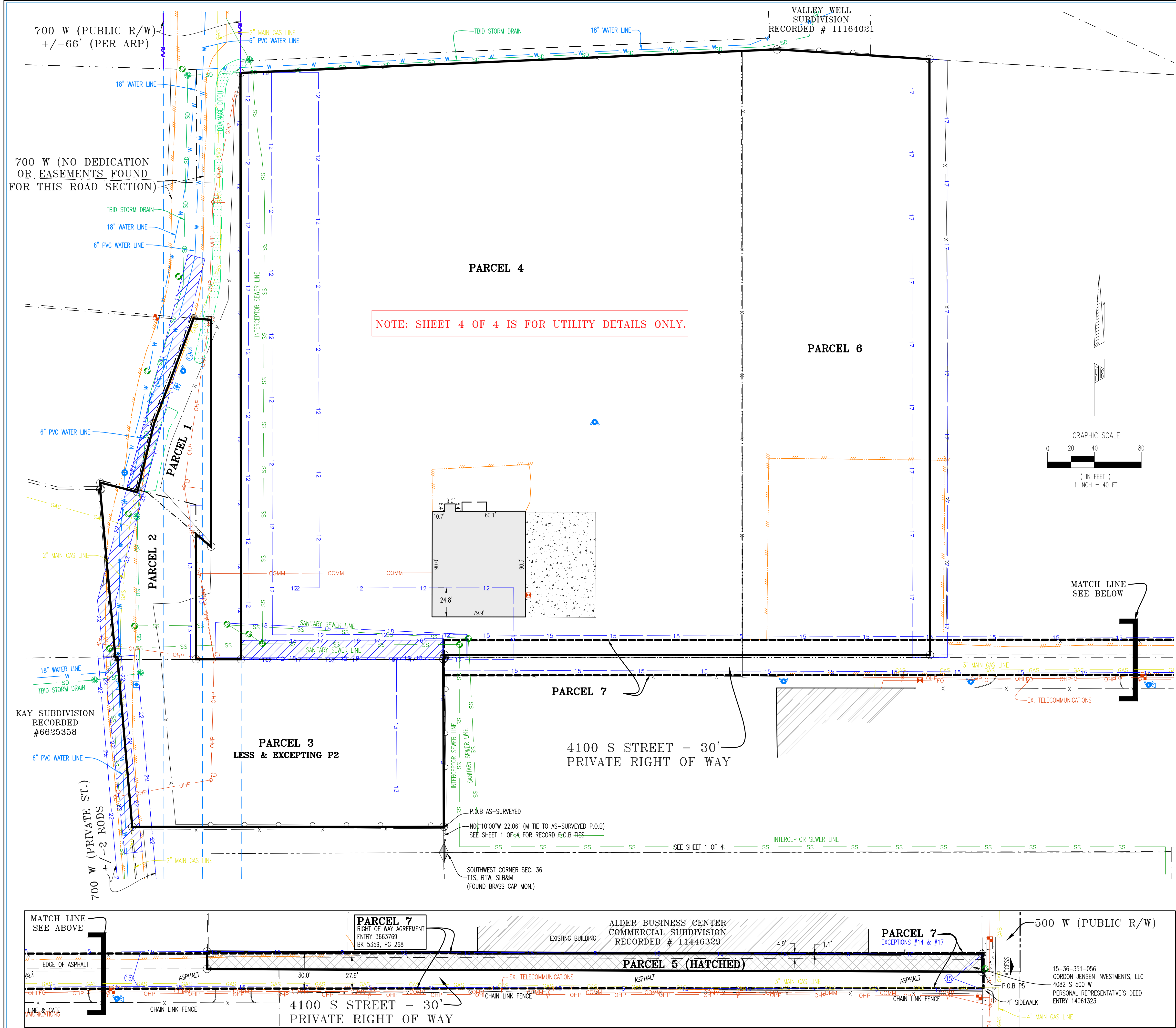
NOTE: SURVEYOR REQUESTED BLUE STAKES TO MARK THE SUBJECT PROPERTY. SURVEYOR ALSO CONTACTED UTILITY PROVIDERS FOR UTILITY PRINTS FOR ADDITIONAL INFORMATION. AN ADDITIONAL SITE VISIT WAS CONDUCTED 3/13/2024 TO LOCATED MARKINGS PROVIDED BY BLUE STAKES.

| UTILITY PROVIDER | CONTACT | PRINTS PROVIDED | MARKED IN FIELD |
|----------------------------------|--------------|-----------------|-----------------|
| COMCAST | 514-644-2333 | YES | NO |
| COTTONWOOD IMPROVEMENT DISTRICT | 801-943-7671 | YES | YES |
| LUMEN/CENTURYLINK | 385-479-7345 | YES | NO |
| CENTRAL VALLEY | 801-973-9100 | YES | NO |
| WATER R.F. | | | |
| FIRSTDIGITAL TELECOM | 801-456-1095 | YES | YES |
| GOOGLE FIBER | 801-503-8245 | YES | NO |
| JORDAN VALLEY | 801-565-4300 | YES | NO |
| WATER C.D. | | | |
| KEARNS IMPROVEMENT DISTRICT | 801-912-0282 | NO | NO |
| MURRAY CITY POWER | 801-270-2403 | YES | NO |
| MURRAY CITY SEWER | 801-270-2403 | YES | YES |
| MURRAY CITY STORM | 801-270-2442 | YES | NO |
| MURRAY CITY WATER | 801-270-2403 | YES | NO |
| MT. OLYMPUS IMPROVEMENT DISTRICT | 801-262-2904 | YES | NO |
| DOMINION ENERGY UTAH | 801-324-3970 | YES | YES |
| ROCKY MOUNTAIN POWER | 801-886-7007 | YES | NO |
| SOUTH SALT LAKE CITY | 801-412-3210 | YES | NO |
| TAYLORSVILLE BENNON | 801-968-9081 | YES | YES |
| I.D. | | | |
| UTOPIA FIBER | 801-613-3854 | YES | YES |
| ZAYO FIBER SOLUTIONS | 719-216-8508 | NO | NO |

NOTE: BEFORE ANY CONSTRUCTION IS PERFORMED ON THE SUBJECT PROPERTY LOCATIONS OF UTILITIES SHALL BE VERIFIED BY BLUE STAKES.

NOTE: SHEET 4 OF 4 IS FOR UTILITY DETAILS ONLY.

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an NV5 Company

NV5

Transaction Services 1-800-SURVEYS (787-8397)

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www.BockandClark.com maywehelpyou@bockandclark.com www.NV5.com

NO. 202304767-001-RLS

SURVEY ZONING ENVIRONMENTAL ASSESSMENT

| | Name | Address | Phone | Email |
|----|-----------------|----------------|--------------|----------------------|
| 1 | Brandi Southard | 4088 S. 700 W. | 435-512-9248 | bsbunni@gmail.com |
| 2 | Sean Southard | 4088 S. 700 W | | |
| 3 | Angela Kirsling | 750 W 4060 S | 801-263-9413 | angelaKirsling@gmail |
| 4 | | | | |
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From: Zackery Wendel
Sent: Thursday, June 20, 2024 8:31 AM
To: Brad Sanderson
Cc: Carlos Estudillo
Subject: Neighborhood Meeting

Hey Brad and Carlos,

Like Jason mentioned in his email there was 3 people that showed up to the neighborhood meeting last night. The Southard's and Angela Kirsling. Later after the residents left, the property owner Parker Pearson showed up and we talked about the project a bit with him. No one had any problem with the rezone itself since the use of the property was staying the same, they were mostly concerned that the property was going to be developed into more apartment buildings.

Overall, the main concern was about what would happen to 700 West after the City gets ownership of it. They were concerned about the city coming in and continuing the road through to meet up with 4170 South creating more traffic going down 700 West. They also mentioned concerns about the maintenance of 700 West as during the winter the road doesn't get all the way plowed, and there are periodic homeless camps and trash build up that makes the residents along the road feel unsafe. It was mentioned the fence on the subject property running along 700 West was in disrepair, but the property owner mentioned that they were already looking into getting the fence repaired or replaced.

The last concern I got from one of the residents, Angela Kirsling, was about what was happening with the Jordan River Parkway and whether Millcreek was doing anything with that project in regard to road repair and new entrances.

Zack Wendel
Planning Permit Technician
Office: 801.214.2607
millcreekut.gov



MILLCREEK, UTAH
ORDINANCE NO. 24-41

**AN ORDINANCE OF THE CITY COUNCIL OF MILLCREEK
APPROVING AN AMENDED DEVELOPMENT AGREEMENT FOR AUSTIN DENT
FOR PROPERTY LOCATED AT OR NEAR 3564 SOUTH 1100 EAST**

WHEREAS, the Millcreek Council ("*Council*") met in regular meeting on August 26, 2024, to consider, among other things, approving an amended Development Agreement for Austin Dent for property located at or near 3564 South 1100 East; and

WHEREAS, on June 26, 2023, the Council approved a development agreement with Austin Dent; and

WHEREAS, the parties have requested an amendment to the development agreement; and

WHEREAS, staff has reviewed the request and recommends that an amendment be approved; and

WHEREAS, staff has presented to the Council an Amended Development Agreement for Austin Dent ("Amended Development Agreement"); and

WHEREAS, Council has reviewed the Amended Development Agreement and hereby finds that it is in the best interests of both parties to enter into the Amended Development Agreement; and

NOW, THEREFORE, BE IT ORDAINED that the Amended Development Agreement is approved, and the Mayor and Recorder are hereby authorized and directed to execute and deliver the same.

This ordinance assigned no. 24-41 shall take effect immediately upon passage and acceptance as provided herein.

PASSED AND APPROVED by the Council of Millcreek, Utah, this 26th day of August 2024.

MILLCREEK

Jeff Silvestrini, Mayor

ATTEST:

Elyse Sullivan, City Recorder

Roll Call Vote:

| | | |
|-------------|-----|----|
| Silvestrini | Yes | No |
| Catten | Yes | No |
| DeSirant | Yes | No |
| Jackson | Yes | No |
| Uipi | Yes | No |

CERTIFICATE OF POSTING

I, the duly appointed recorder for Millcreek, hereby certify that:

ORDINANCE 24-41: AN ORDINANCE OF THE CITY COUNCIL OF MILLCREEK APPROVING AN AMENDED DEVELOPMENT AGREEMENT FOR AUSTIN DENT FOR PROPERTY LOCATED AT OR NEAR 3564 SOUTH 1100 EAST was adopted the 26th day of August, 2024 and that a copy of the foregoing Ordinance 24-41 was posted in accordance with Utah Code 10-3-711 this ____ day of August, 2024.

Elyse Sullivan

When Recorded, Mail To:

Space Above This Line For Recorder's Use

FIRST AMENDMENT TO DEVELOPMENT AGREEMENT

This First Amendment to the Development Agreement (this "First Amendment") is made the ____ day of August 2024 by and between Millcreek, a Utah municipal corporation ("City"), and Austin Dent ("Owner/Developer").

Recitals

A. On or about June 26, 2023, City and Owner/Developer executed a Development Agreement ("Original Agreement") for a real property development located at or near 3564 South 1100 East, in Millcreek, State of Utah. The Original Agreement was recorded on June 27, 2023, as Entry #14122182, in Book 11428, on Page 2417, Total Pages 11 in the Official Records of the Salt Lake County Recorder.

B. Owner/Developer and the City desire to amend the Agreement as provided herein.

Terms and Conditions

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, City and Owner/ Developer hereby amend the Original Agreement as follows:

1. The following is added to Paragraph 5:

For purposes hereof, the term "Buildable Area" means the area identified as such in Exhibit B, and the limitations of Buildable Area apply only to the primary dwelling.

2. All other provisions of the Original Agreement remain the same.

IN WITNESS WHEREOF, the City and the Developer have caused these presents to be signed.

Owner/Developer

By: _____
Its: _____

Millcreek

Jeff Silverstrini, Mayor

Attest:

Elyse Sullivan, City Recorder

STATE OF UTAH)
)
COUNTY OF SALT LAKE) ss.:

On the ____ day of August 2024, personally appeared before me _____ who being by me duly sworn, did say that he is the Mayor of Millcreek, a political subdivision of the State of Utah, and that said instrument was signed in behalf of the City by authority of its City Council and said Mayor acknowledged to me that the City executed the same.

Notary Public

STATE OF UTAH)

COUNTY OF SALT LAKE) : ss.

On the _____ day of August 2024, personally appeared before me _____, who, being by me duly sworn, did say that he is the owner/developer of said project and proved on the basis of satisfactory evidence to the person whose name is subscribed to the instrument, and acknowledge he executed the same.

Notary Public

[Notarial Seal]

Exhibit A
(Insert Legal)

MILLCREEK, UTAH
RESOLUTION NO. 24-18

**A RESOLUTION OF THE MILLCREEK COUNCIL APPROVING AN AMENDED
INTERLOCAL COOPERATIVE AGREEMENT WITH
SALT LAKE COUNTY FOR PUBLIC WORKS SERVICES**

WHEREAS, the Millcreek Council (“*Council*”) met in regular session on August 26, 2024, to consider, among other things, approving an amended Interlocal Cooperative Agreement with Salt Lake County for public works services; and

WHEREAS, the Utah Local Cooperative Act (Utah Code Ann. § 11-13-101, *et seq.*) (the “*Act*”) provides that two or more entities are authorized to enter into agreements with each other for joint or cooperative action; and

WHEREAS, Salt Lake County (“*County*”) and Millcreek are public agencies, as contemplated in the Act, and the services contemplated are joint and cooperative actions, as contemplated in the Act; and

WHEREAS, the Council has determined that it is in the best interest of the inhabitants of Millcreek to enter into an amended Interlocal Cooperative Agreement with the County for public works services; and

WHEREAS, an amended interlocal cooperative agreement has been presented to the Council for review and approval, a copy of which is attached hereto (“*Amended Agreement*”); and

WHEREAS, the Amended Agreement sets forth the purpose thereof, the extent of participation of the parties, and the rights, duties, and responsibilities of the parties.

NOW, THEREFORE, BE IT RESOLVED that the Amended Agreement is approved, and that the Mayor and Recorder are hereby authorized and directed to execute and deliver the same.

This Resolution assigned No. 24-18, shall take effect immediately on passage.

PASSED AND APPROVED by the Millcreek Council this 26th day of August 2024.

MILLCREEK COUNCIL

By: _____
Jeff Silvestrini, Mayor

ATTEST:

Elyse Sullivan, City Recorder

Roll Call Vote:

| | | |
|-------------|-----|----|
| Silvestrini | Yes | No |
| Catten | Yes | No |
| DeSirant | Yes | No |
| Jackson | Yes | No |
| Uipi | Yes | No |

Contract No. _____
D.A. No. _____

**SECOND AMENDMENT TO THE
INTERLOCAL COOPERATION AGREEMENT
FOR
PUBLIC WORKS SERVICES**

THIS SECOND AMENDMENT (this “Amendment”) is made to the Interlocal Cooperation Agreement (“Agreement”) between SALT LAKE COUNTY (the “COUNTY”) and CITY OF MILLCREEK (the “CITY”), dated _____ regarding the provision of public works services.

WITNESSETH:

WHEREAS, the CITY and COUNTY entered into the Agreement for COUNTY to provide public works services; and

WHEREAS, the Agreement provided that the Parties could amend the Agreement’s exhibits as necessary by executing an amendment to the Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and promises set forth herein, the parties agree to amend the Agreement as follows:

1. Cost of Services. Exhibit “B” to the Agreement, as previously amended, is stricken and replaced with an updated Cost of Services schedule, attached here and incorporated as Exhibit “B.” Services provided after the execution of this Amendment shall be invoiced in accordance at these new rates.

2. All other terms and conditions of the Agreement not expressly addressed in this Amendment remain unchanged and in full effect.

[Signatures on following page]

IN WITNESS WHEREOF, the parties have subscribed their names hereon and caused
this Amendment to be duly executed on the ____ day of _____, 2024.

SALT LAKE COUNTY

CITY OF MILLCREEK

By: _____
Mayor or Designee

By: _____
Mayor or Designee

Date: _____

Date: _____

Departmental Approval

ATTEST:

By: _____
Public Works Director

By: _____
City Recorder

Division Approval

By: _____
Operation Division Director

Review as to form

Review as to form

Deputy District Attorney

By: _____
City Attorney

Exhibit B

Cost of Services

2024-2025

| | Millcreek | Millcreek | Millcreek |
|---|------------|-----------|-----------|
| | Metrics | Units | Costs |
| Direct Employees | 15.00 | FTEs | |
| Shared Employees | 4.19 | FTEs | |
| | | | |
| Employee Costs | | | 2,002,858 |
| Snow Plow Cost | | | 873,188 |
| Shared Equipment | | | 730,441 |
| Dumping | | | 32,586 |
| Salt | 12,130.56 | Tons | 280,216 |
| Overlay Materials | 126,853.02 | SqFt | 140,680 |
| Concrete Materials | | | 123,600 |
| Crack Seal Materials | | | 49,225 |
| Patching Materials | | | 52,957 |
| Other Materials | | | 137,162 |
| Micropave | | | 180,691 |
| Slurry Seal | | | 56,138 |
| Other Subcontracted Services | | | - |
| Street Lighting Maintenance | 1,556.00 | Lights | 116,700 |
| Street Lighting Construction | | | - |
| Traffic Signal Preventative Maintenance | 21.75 | Signals | 36,426 |
| Traffic Signal Non Preventative Maintenance | 21.75 | Signals | 20,577 |
| Administration | | | 857,448 |
| | | | |
| Total Contract | | | 5,690,894 |

* Non-Contracted Services will be billed separately from the contracted services.



UNIFIED *POLICE*

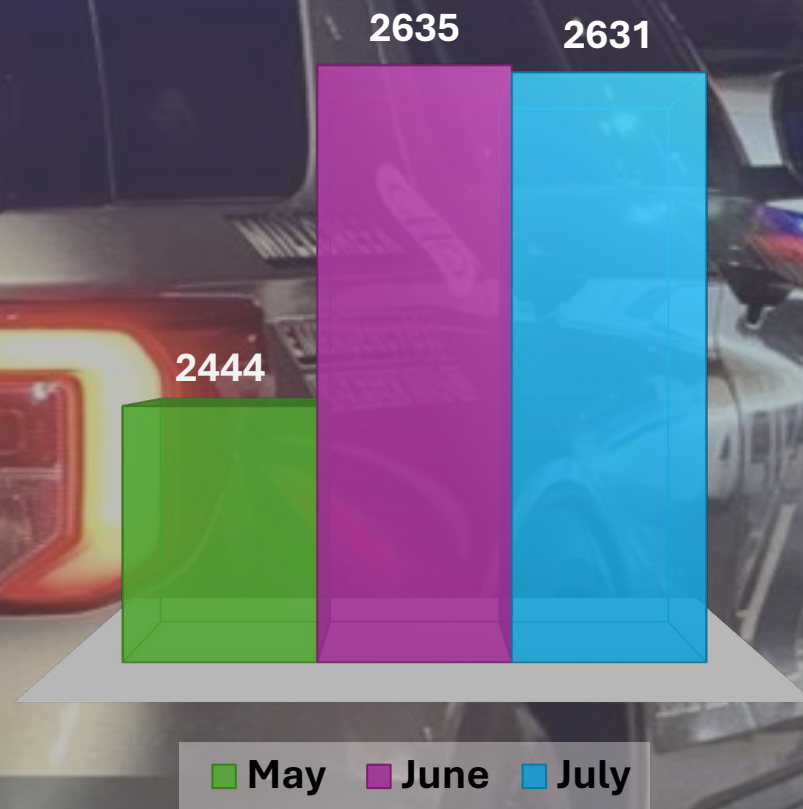
GREATER SALT LAKE



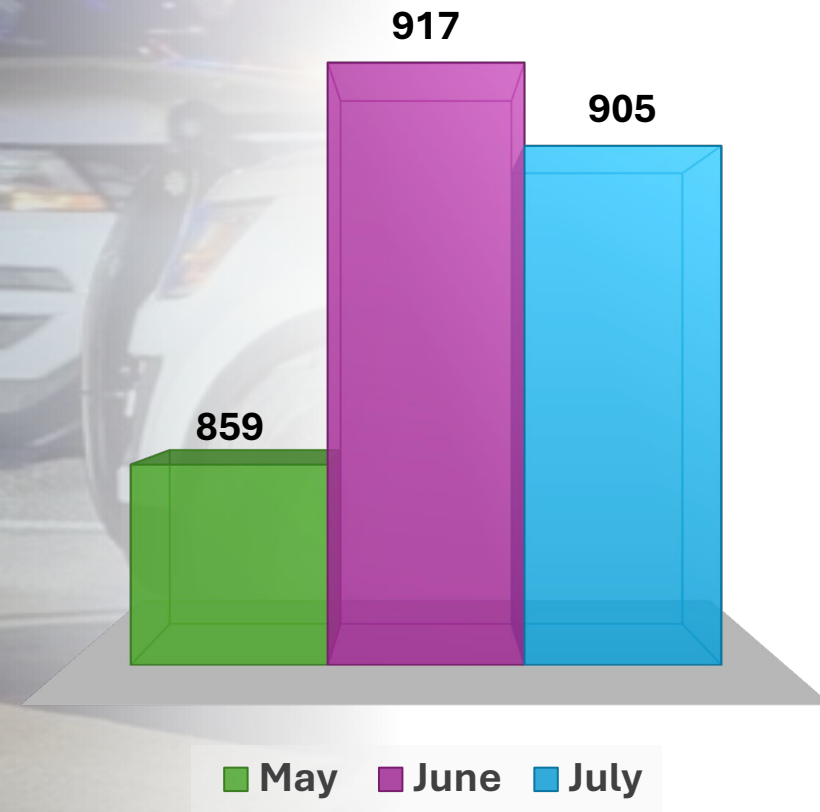
Millcreek City – July 2024

Millcreek City

Calls for Service

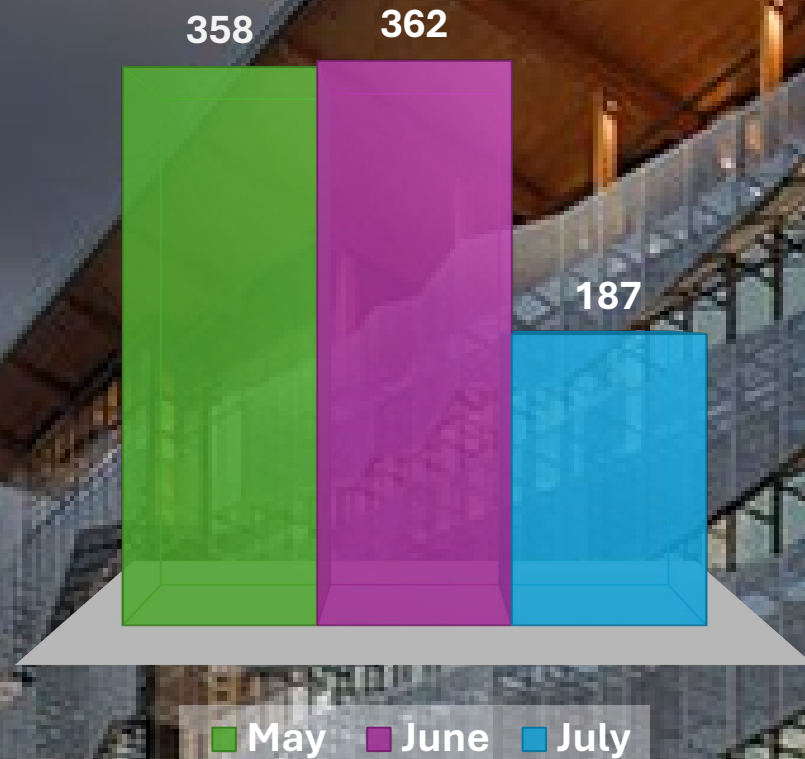


New Police Reports

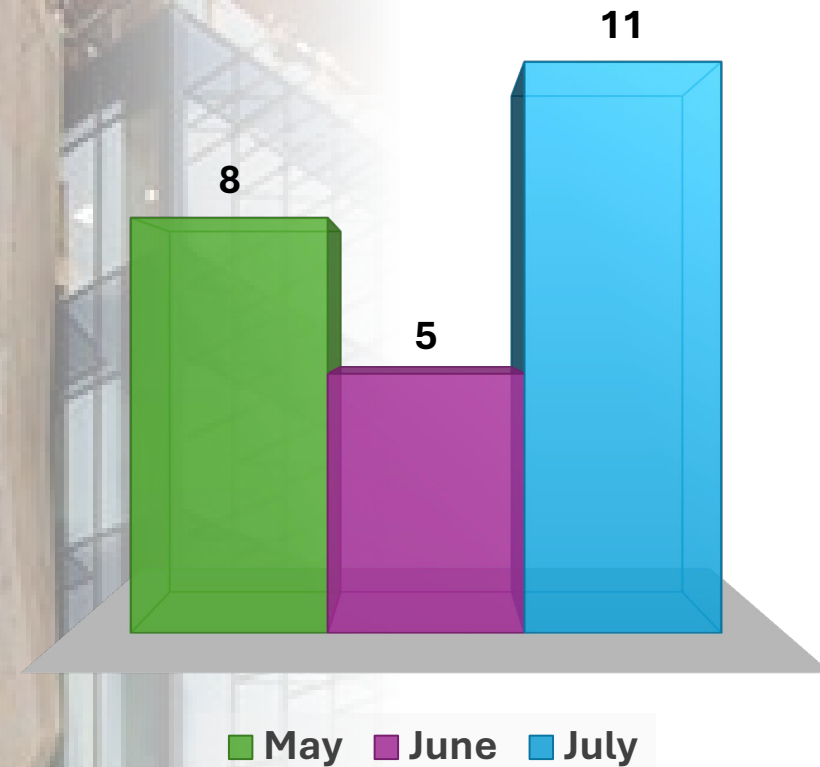


Millcreek City

Citations/Tickets



Booking Arrests



Millcreek Unified Police

July 2024

Directed Enforcement Unit (DEU)

A narcotics transaction was observed at the Home Depot parking lot in Millcreek, leading to a traffic stop where 40 fentanyl pills were seized. The buyer was released after possible charges were screened. The operation is part of an ongoing investigation involving the DEU and HIS (Homeland Security). Subsequently, 560 additional fentanyl pills were found at the suspect's residence, resulting in the suspect's arrest on state charges and a federal ICE detainer. In total, 600 fentanyl pills were removed from the streets during this operation.

6 Arrests

3 Search Warrants

3 Assists

SEIZED:

**Bath Salt
Pills**

**Handgun
222 Fent. pills
Fent. powder
Xanax
Subutex Pills**



TRAFFIC ENFORCEMENT

| | |
|---------------|-----|
| Crashes | 73 |
| Hit and Run's | 23 |
| Citations | 122 |

Millcreek Unified Police

July 2024

Unified Police Motors Unit

August-UPD Motors conducted a saturation patrol in Millcreek on the first day of school for the Granite School District, focusing on school zones and speed enforcement. The patrol, which lasted 2.75 hours, involved 6 motors. Enforcement was carried out in 6 school zones and 2 additional locations for speed. In total, officers made 22 stops—10 in school zones and 12 for speeding. UPD Motors plans to conduct more saturation patrols in the future. Special thanks to Officer Mike Erickson for leading this effort.



Unified Police Investigations

July 2024

VIOLENT CRIMES UNIT (VCU)

| | |
|---------------------------|-----|
| Total Active Cases: | 156 |
| New Cases | 9 |
| Homicide/Suspicious Death | 0 |
| Death Investigations | 7 |
| Felony Assault | 2 |
| Misd. Assaults/Threats | 0 |
| Robbery | 0 |
| Other Suspicious | 0 |

SPECIAL VICTIMS UNIT (SVU)

| | |
|--------------------|----|
| Total Active Cases | 98 |
| New Cases | 20 |
| Adult Sex Cases | 3 |
| Child Sex Cases | 5 |
| Child Abuse Cases | 4 |
| Other | 2 |
| Missing | 2 |
| Runaway | 4 |

Unified Police Special Operations

July 2024

SPECIAL WEAPONS AND TACTICS (SWAT)

New Call Outs 5

CRASH ACCIDENT RECONSTRUCTION UNIT (CAR Team)

Call Outs 10

K9 UNIT

| | |
|-----------------------|----|
| New Calls | 21 |
| Person Crime | 1 |
| Family Offense | 3 |
| Traffic Accident | 2 |
| Traffic Offense | 2 |
| Juvenile Offense | 2 |
| Medical / Fire Assist | 1 |
| Mental Subject | 1 |
| Fugitive / Warrant | 1 |
| Welfare Check | 1 |
| Suspicious | 1 |
| Property Crime | 6 |

Unified Police Investigations

July 2024

Millcreek Precinct

NEW CASES

| | | | |
|----------------|----|-----------------|----|
| Assault | 31 | Homicide | 0 |
| Burglary | 16 | Larceny | 51 |
| Drug Offenses | 16 | Robbery | 2 |
| Family Offense | 79 | Sex Offense | 9 |
| Fraud | 22 | Stolen Vehicles | 21 |

During the month of July, Millcreek Precinct detectives were assigned 103 cases, and 22 of those cases were submitted for charges.

TRANSIENT CALLS

Transient

20

Millcreek Unified Police July 2024

MENTAL HEALTH CALLS

Mental Health Calls

64

Detective Creno worked with a paraplegic adult male had been experiencing severe delusions, believing his parents were replaced by impostors and threatening his neighbors. He refused mental health treatment and neglected his wound care, leading to sepsis and hospitalization. After extensive medical intervention and adjustments to his medication, he has returned home, is no longer delusional, and has stopped threatening his neighbors.



COMMUNITY ORIENTED POLICING & SCHOOL RESOURCE OFFICERS July 2024

- During the month of July, Millcreek City COP Officers and School Resource Officers actively participated in five community events. These included Venture Night Outs and Night Out Against Crime held at Big Cottonwood Regional Park.
- School Resource Officers from Millcreek and Holladay City assisted the administration at Wasatch Jr. High School in teaching their faculty what to expect during an active shooter situation. The training was well received by all faculty members.





Millcreek City Investigations Unit July 2024

- In July, several residents in Millcreek were victims of forced-entry burglaries. Though rare in the area, these crimes were swiftly handled. The suspect would break a window during the day to enter the homes, stealing cash and jewelry. In each case, the initial responding officer requested forensic assistance, and fingerprints were lifted from four of the burglary scenes. Forensic Tech Brobeck skillfully analyzed the prints and identified them as belonging to the same person, leading detectives to a suspect. Detectives, including Det. Warner, conducted surveillance and arrested the suspect, who was observed tossing jewelry into his car's cupholder as they approached. A warrant was obtained, and the suspect's fingerprints were confirmed as a match by UPD Forensics. During an interview, Det. Warner secured a confession, solving all six residential burglaries in Millcreek. This case exemplifies excellent collaboration between patrol officers, UPD Forensics, and detectives.