2024 | UtahStateUniversity

Utah WELLBEING PROJECT





Wellbeing in Millcreek

Reporting on Survey Findings

Dr. Courtney Flint

October 28, 2024

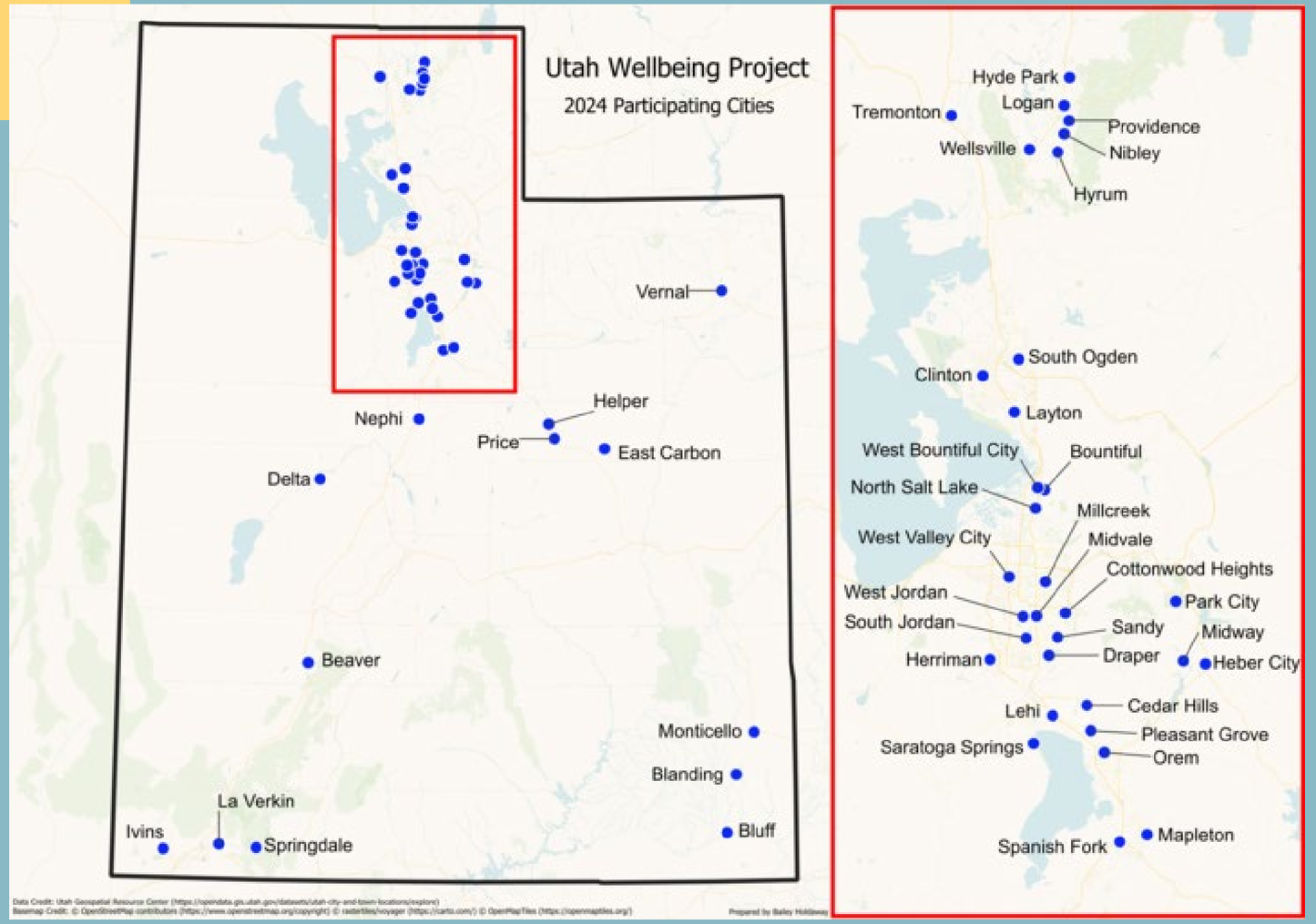
Funding provided by ULCT, WFRC, UAES, USU Extension, and various municipalities

Survey Project Goals

To provide Utah city and town leaders with information on the wellbeing and perspectives of residents to inform local planning processes and decision making.

To support comparative research on community wellbeing.

To support statewide and regional policy and planning efforts with data representing the lives of Utahns.



City Reports Are Online Now!

www.usu.edu/utah-wellbeing-project/

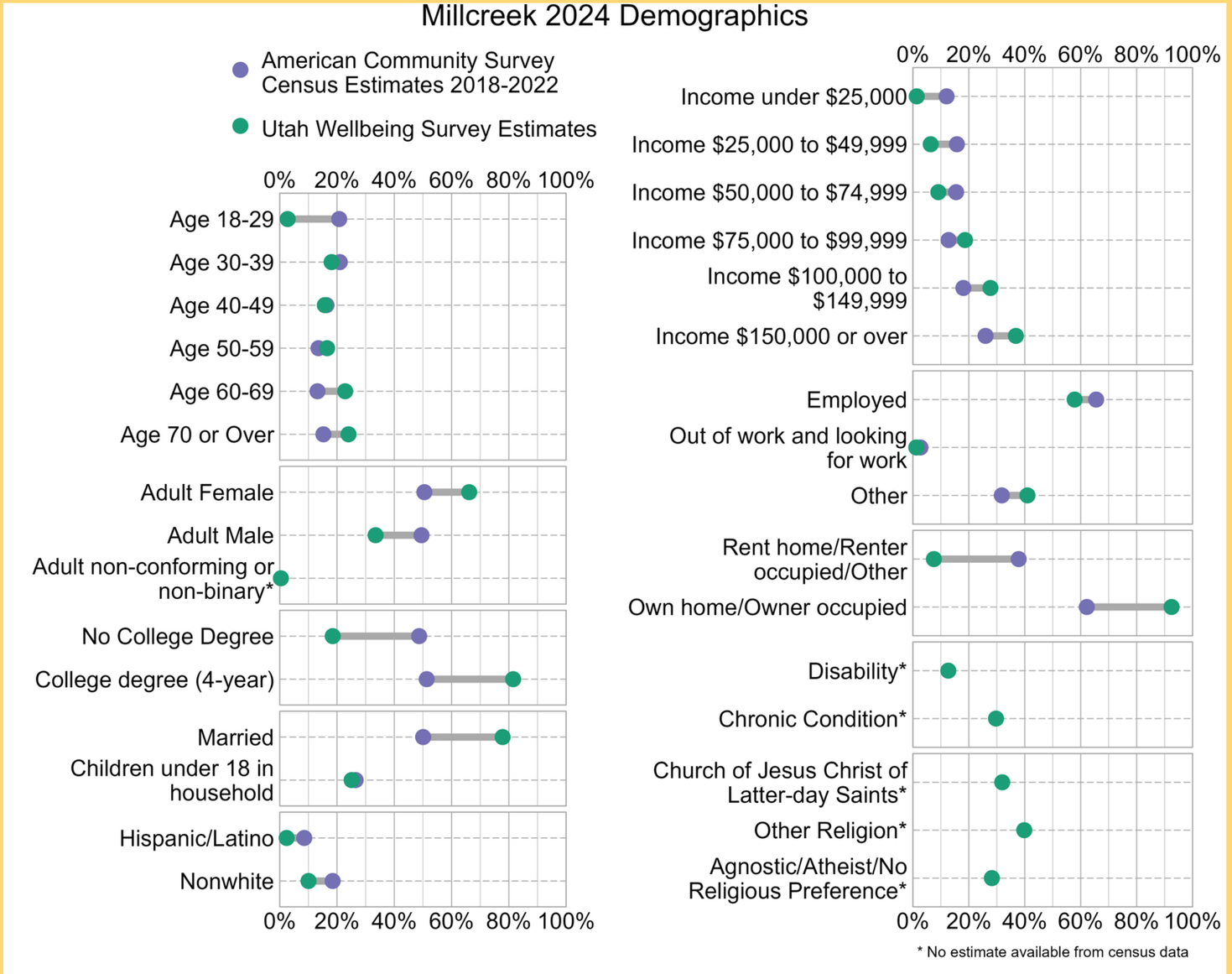
Utah WELLBEING SURVEY

Millcreek Wellbeing Survey

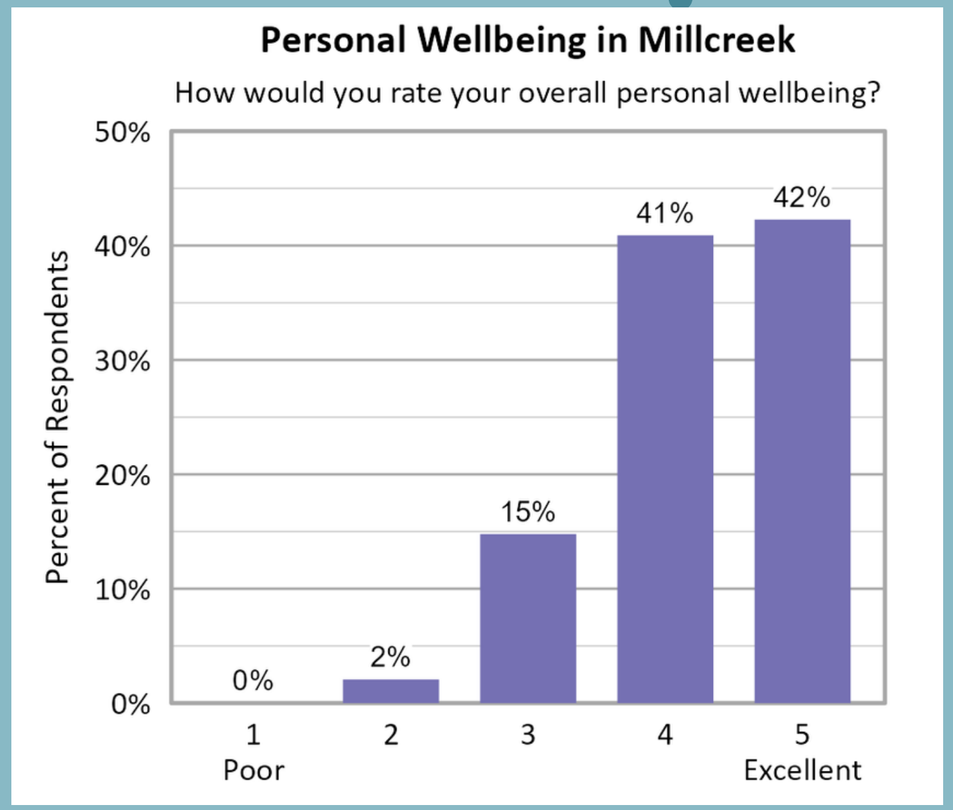
- Online Qualtrics Survey Spring 2024
- **Thank you for the $500 contribution!**
- **291** surveys received in 2024
- **274** in 2022
- Millcreek City advertised through **social media and newsletters**

Demographics

- **99.3%** Full Time Residents
- Average Length of Residence: **21.9 years**
- **24.5%** Lived in Millcreek 5 Years or Less
- Survey underrepresents
  - Age 18-29
  - Adult Males
  - Those without a college degree
  - Renters
- Good coverage on age 30+, Income, & Employment.

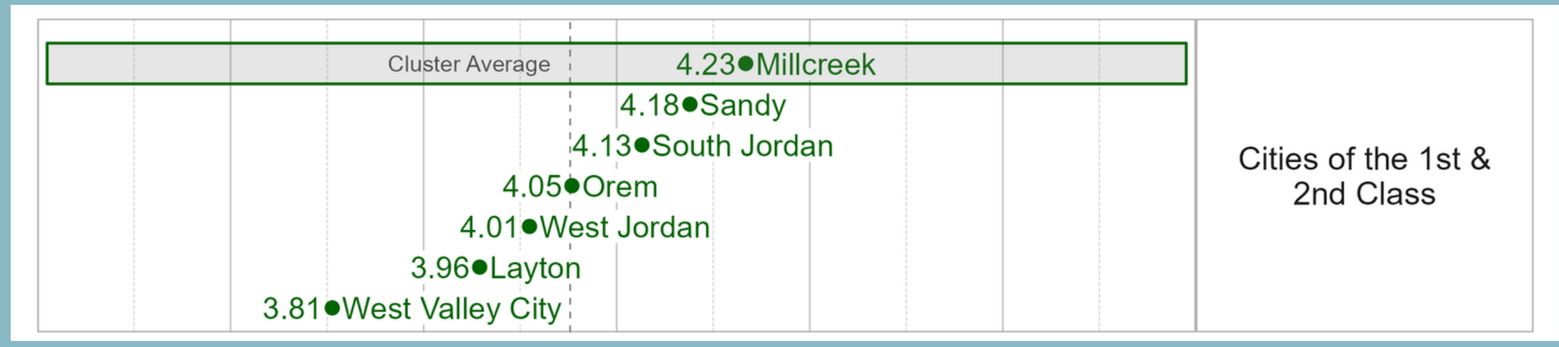


Personal Wellbeing in Millcreek

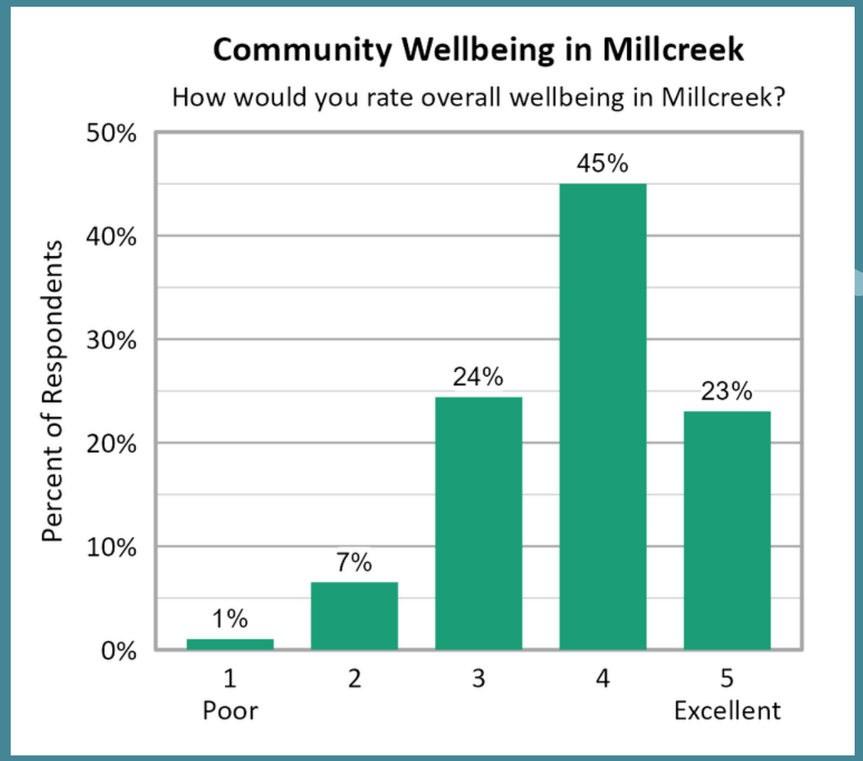


Average
4.23

83% said
4 or 5

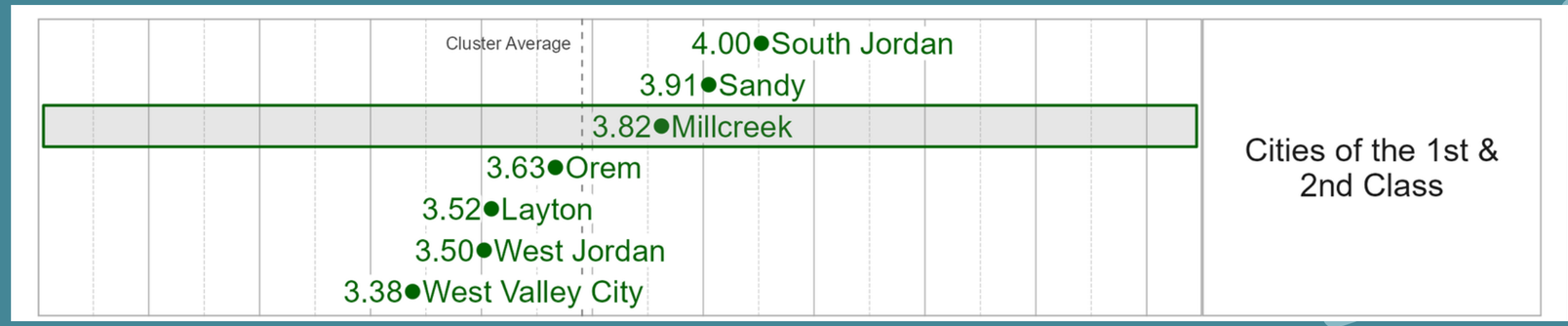


Community Wellbeing in Millcreek

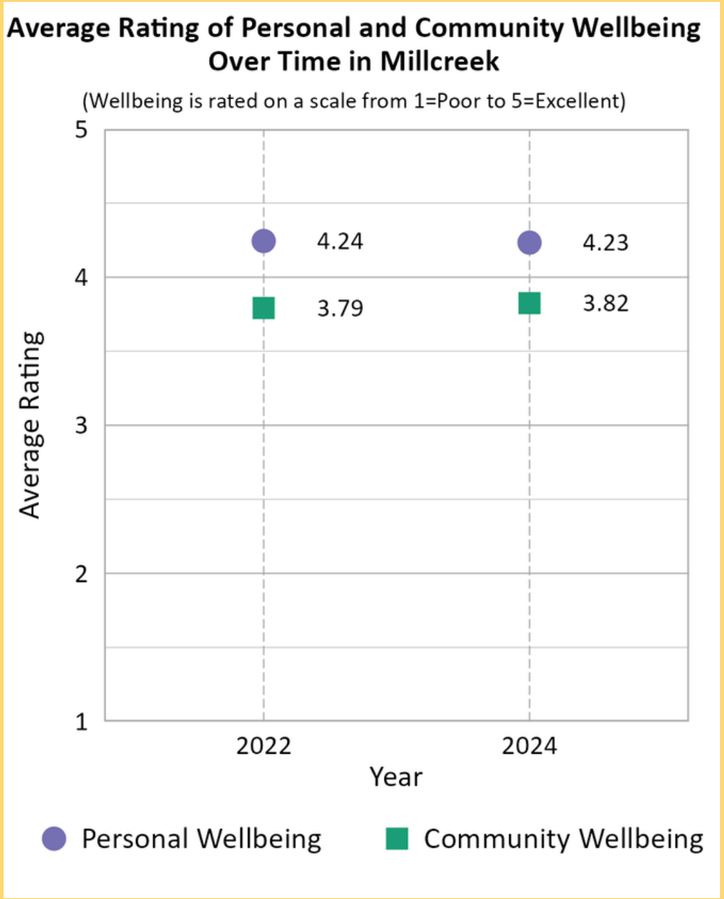


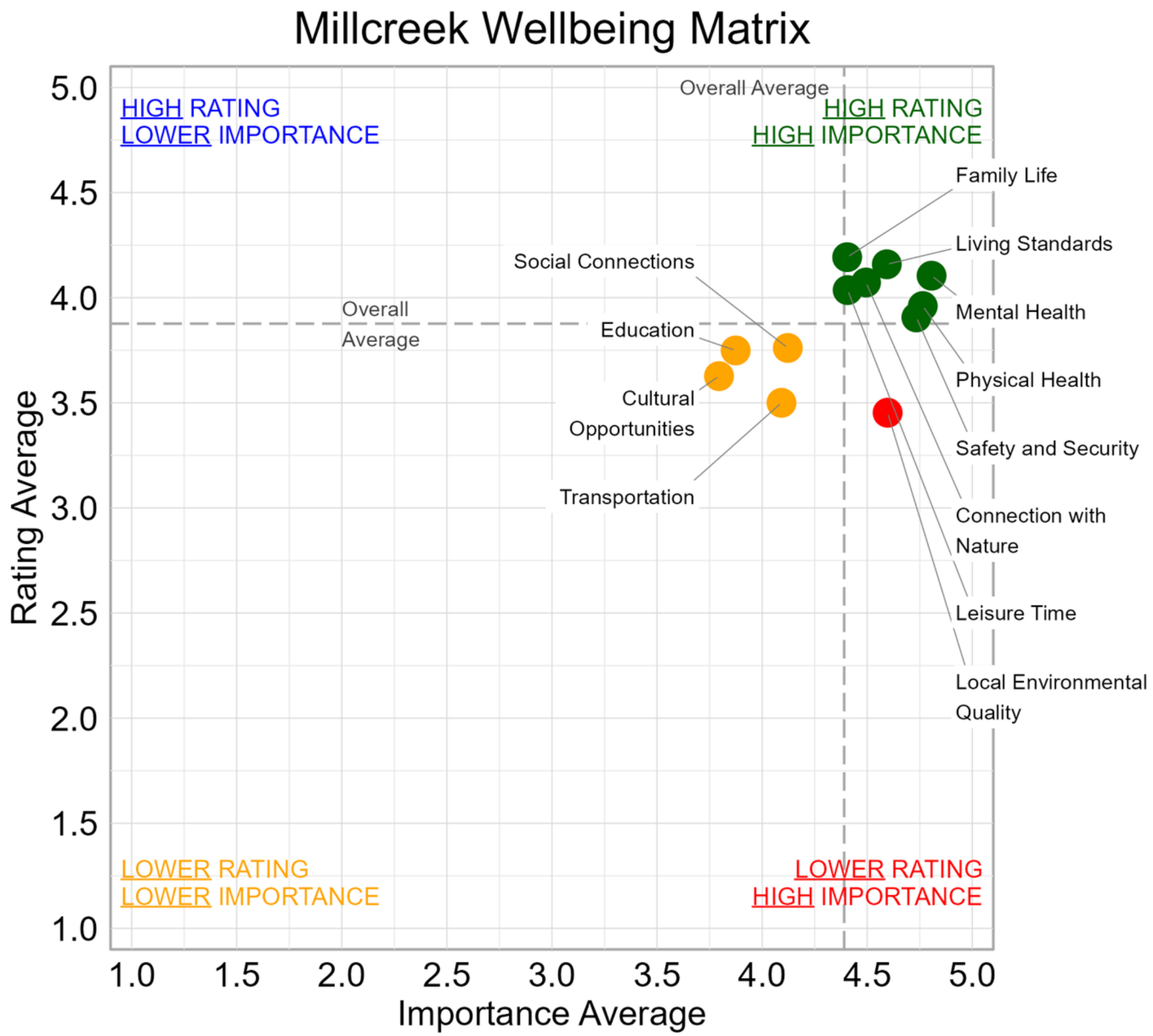
Average
3.82

68% said
4 or 5



Little Change Over Time





Most Important Domains

- Mental Health
- Physical Health
- Safety and Security

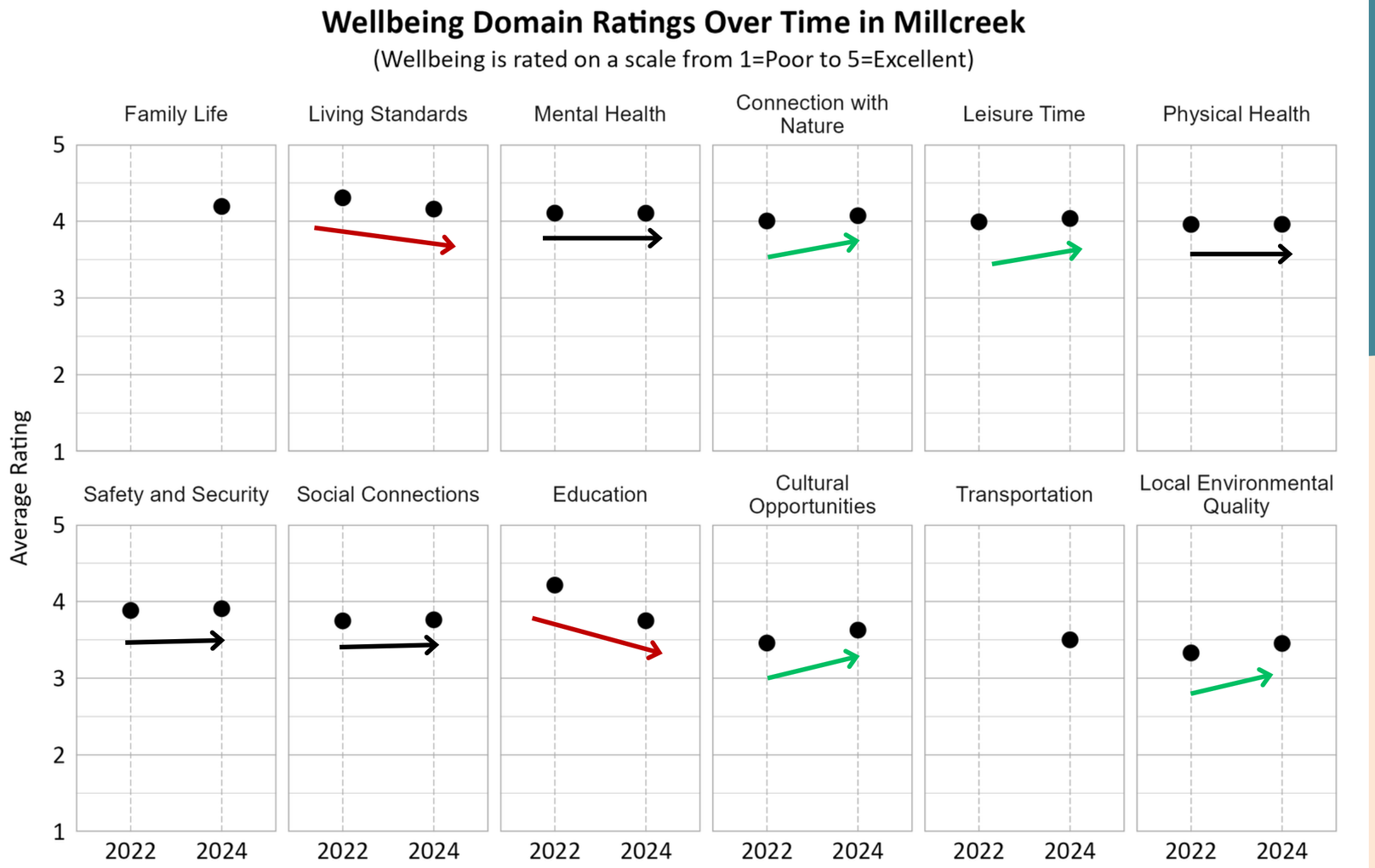
Highest Rated Domains

- Family Life
- Living Standards
- Mental Health

“Red Zone”

(more important, lower than average rating)

- Local Environmental Quality

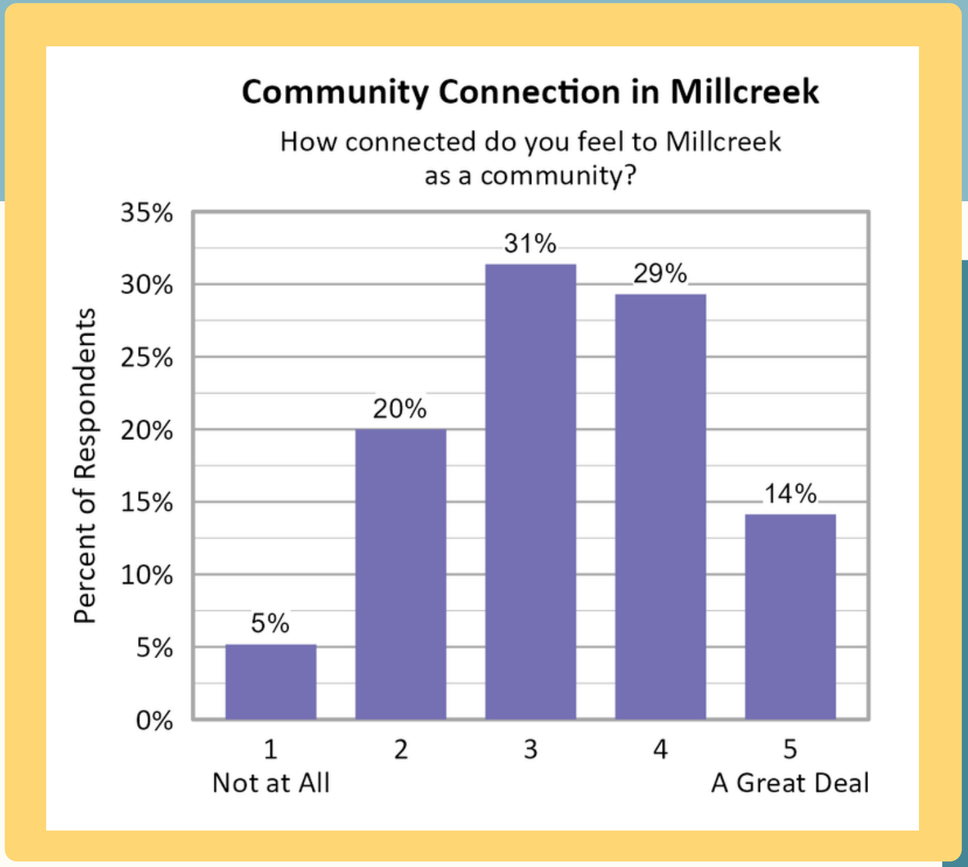


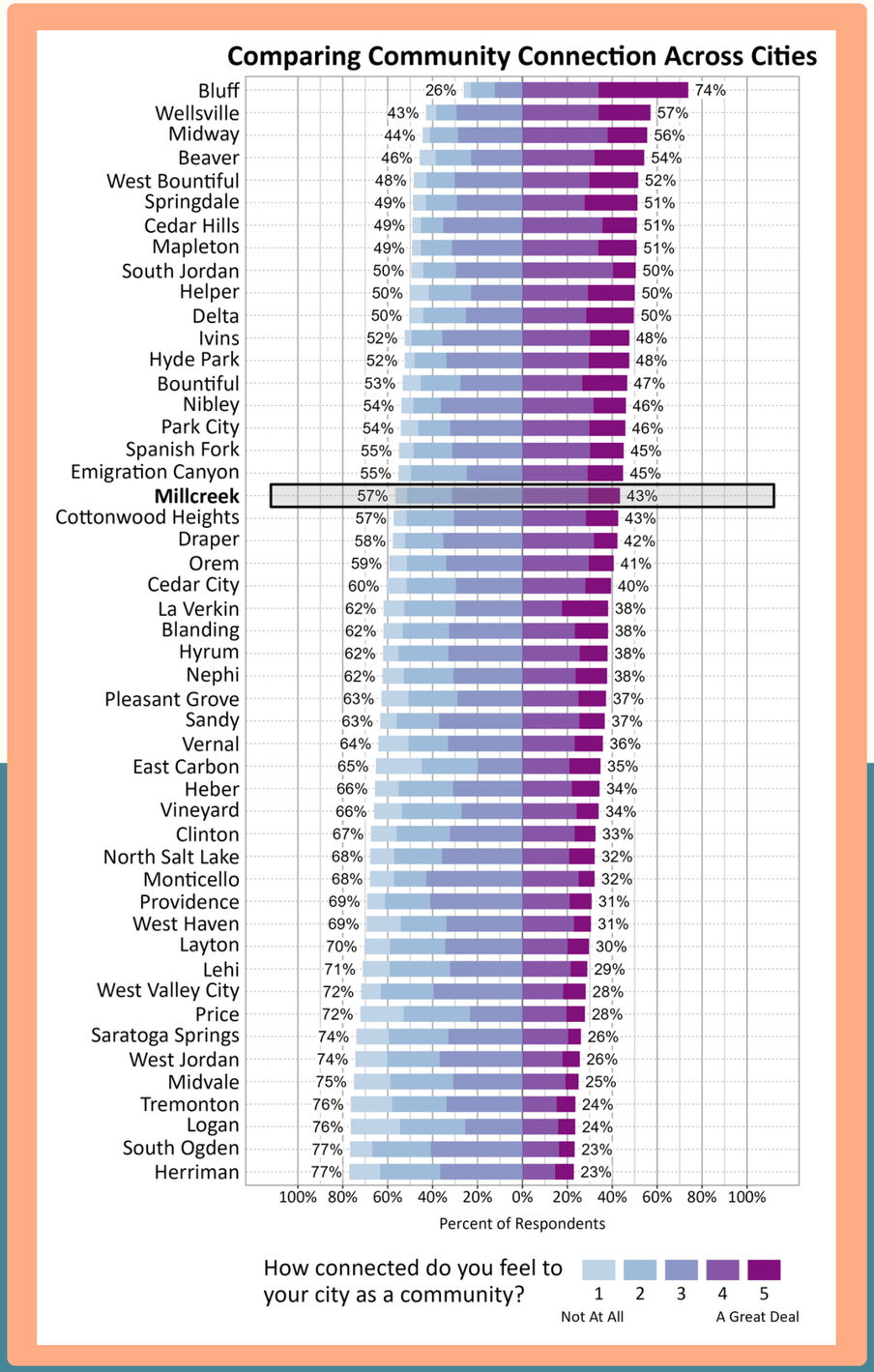
Mixed Trajectories since 2022

Two new categories

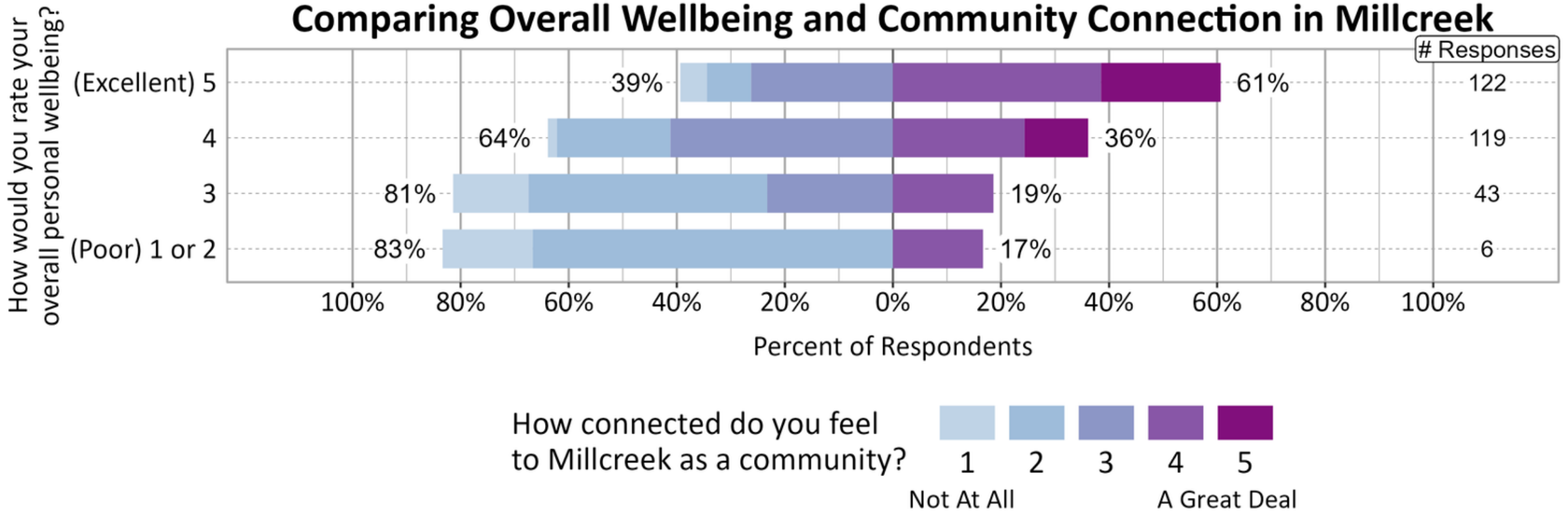
- Family Life
- Transportation

Community Connection in Millcreek



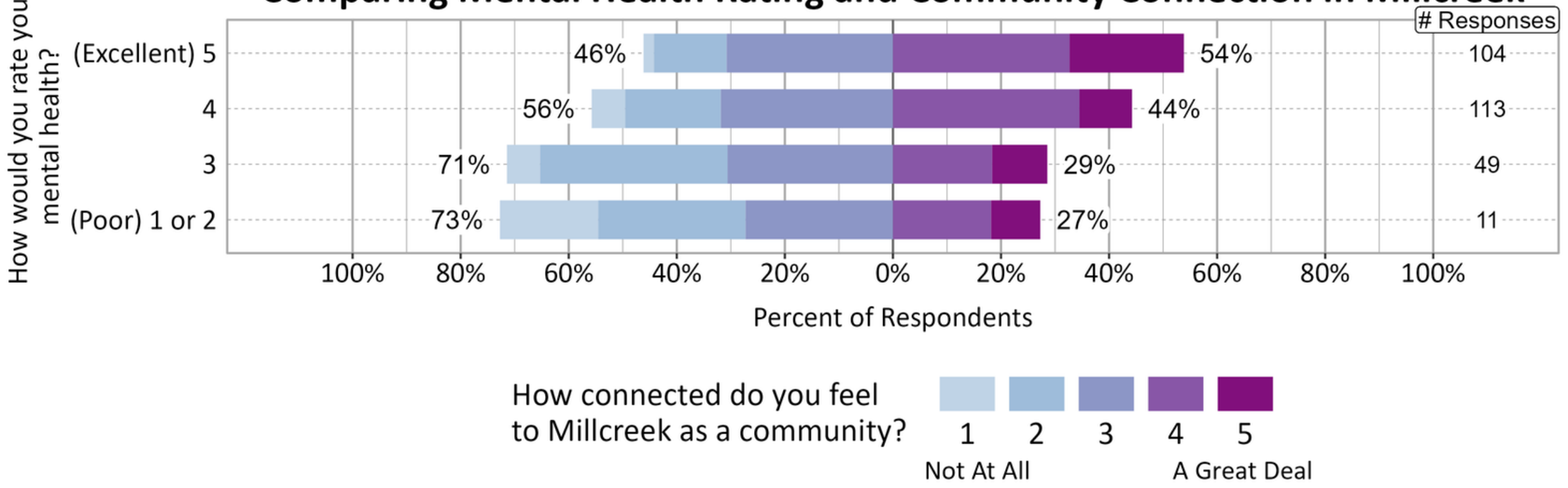


Comparing Overall Wellbeing and Community Connection in Millcreek



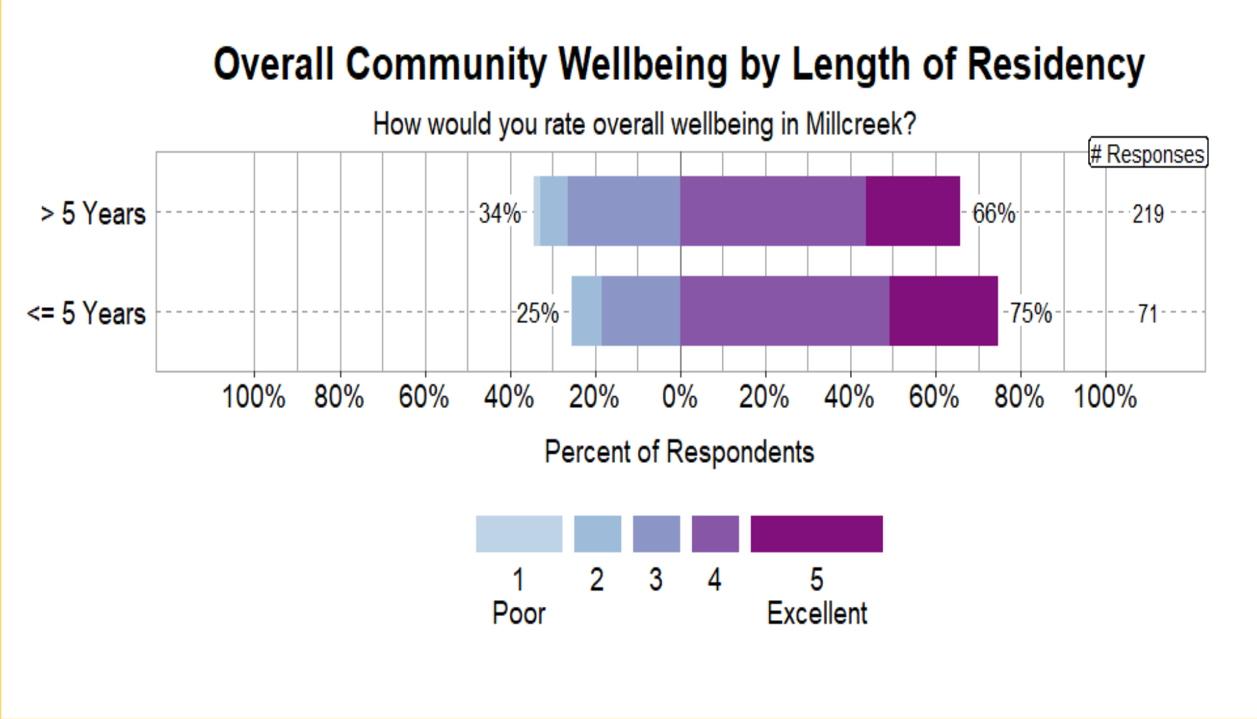

Community Connection

Comparing Mental Health Rating and Community Connection in Millcreek

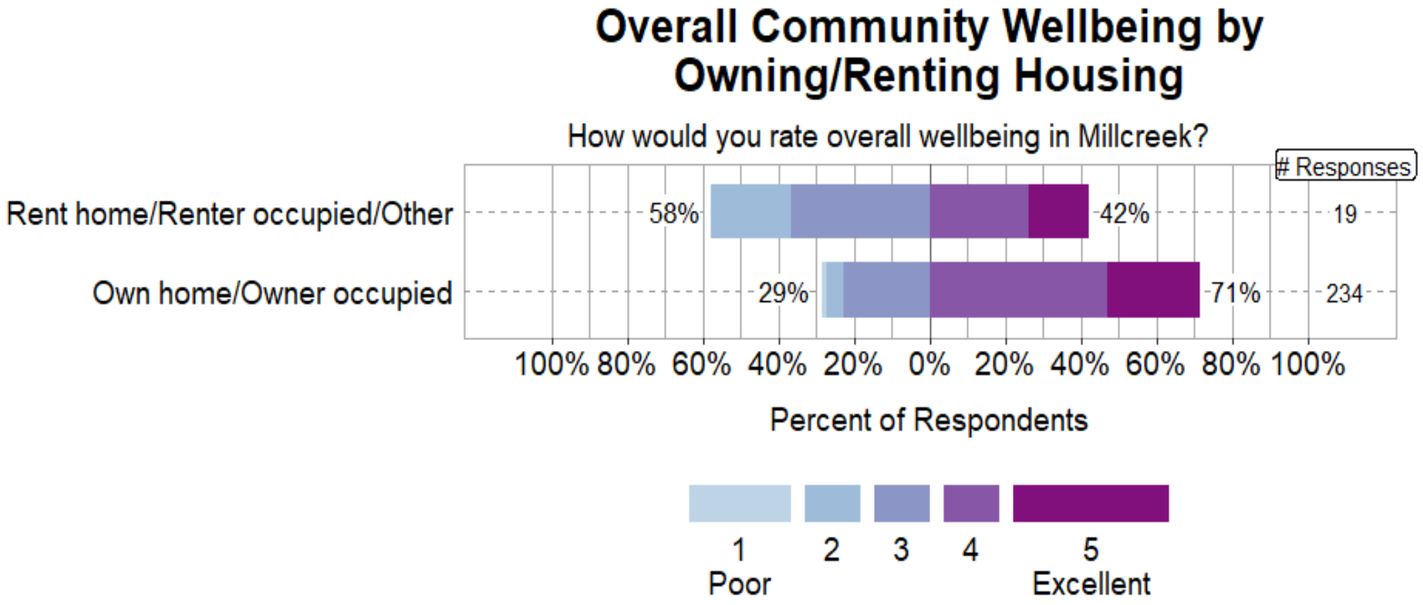



Mental Health

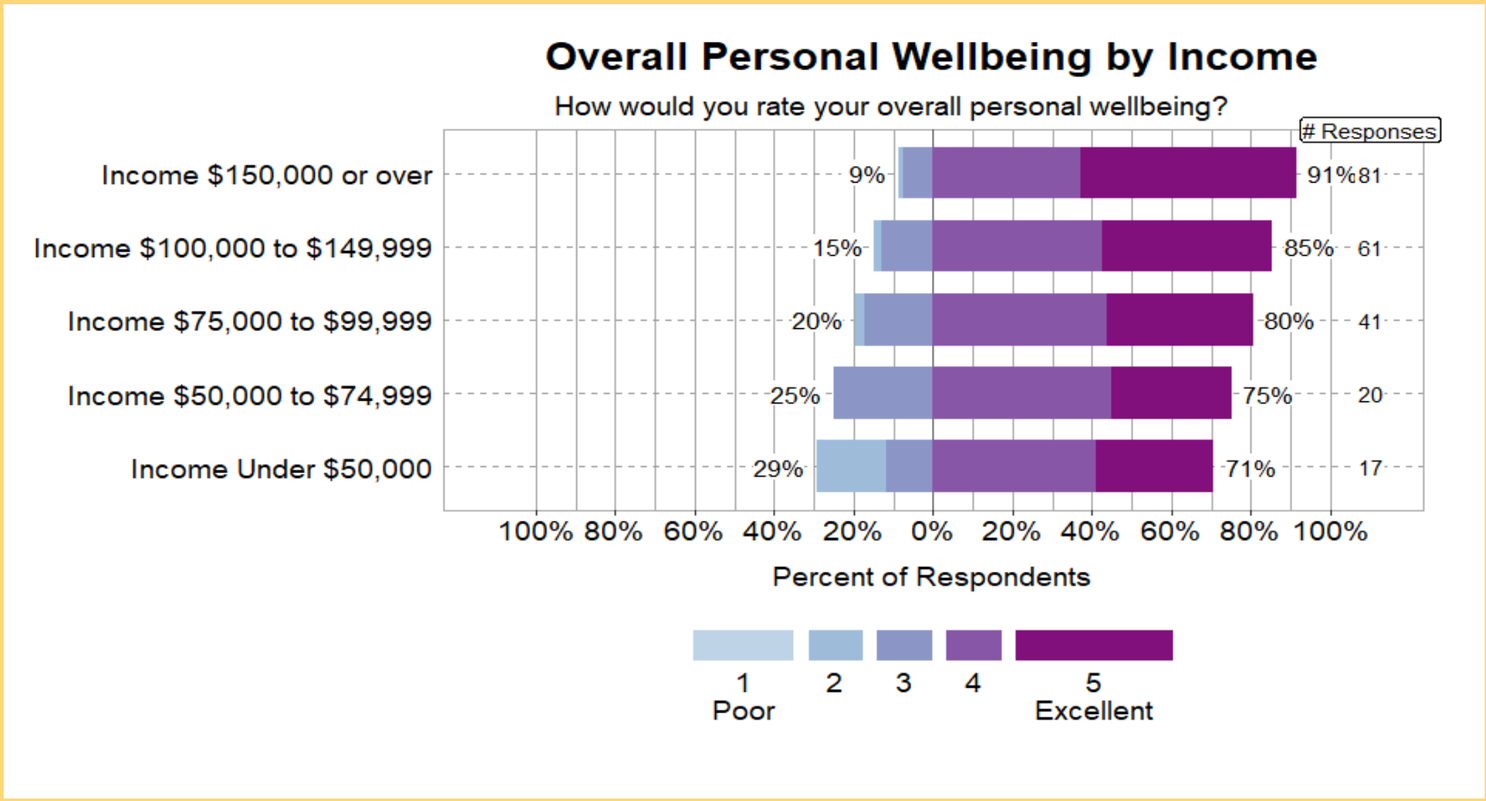
Demographics (Length of Residence)



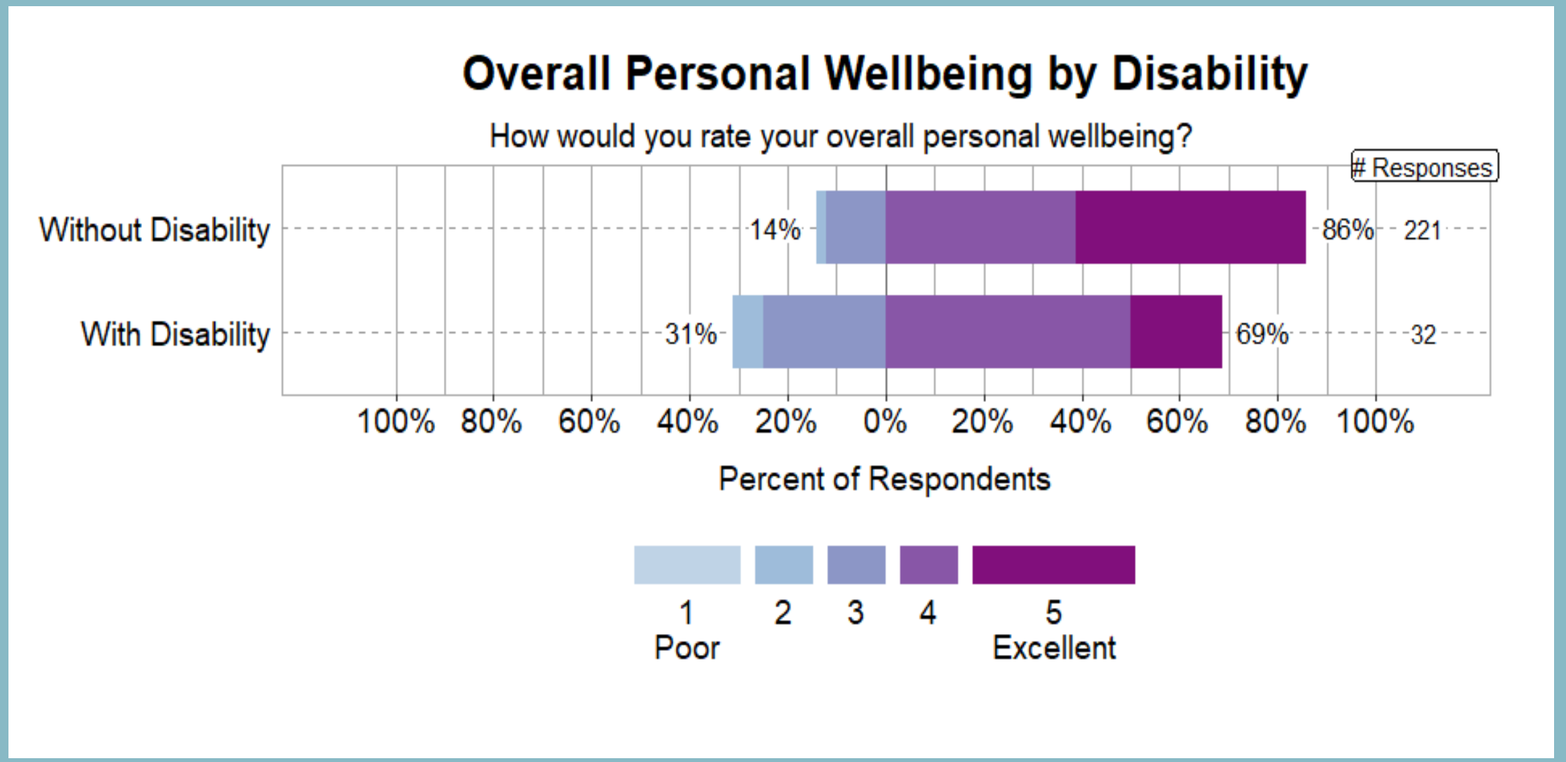
Demographics (Own v Rent)



Demographics (Income)



Demographics (Disability)

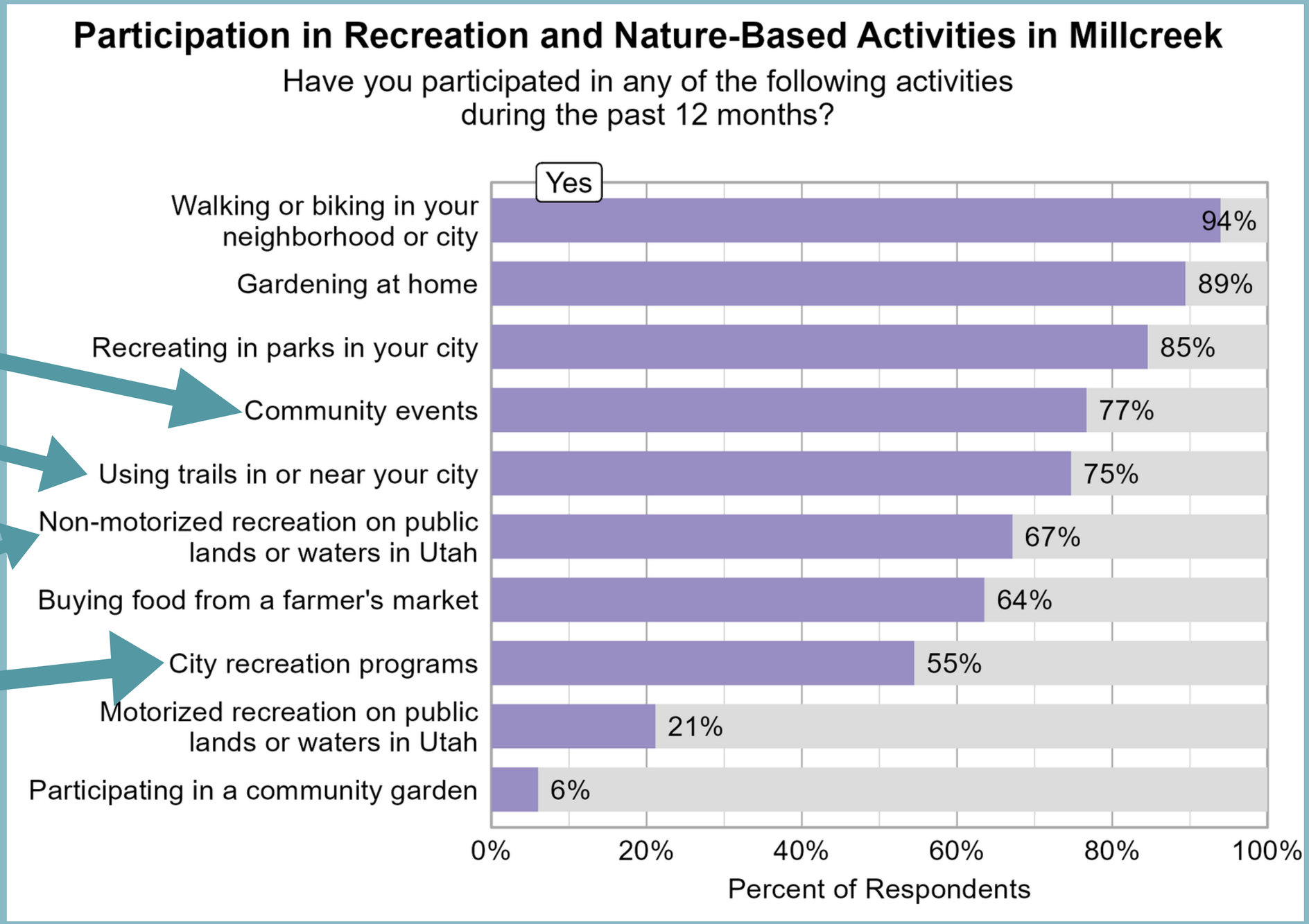


+ Personal Wellbeing, Community Connection, Physical Health

+ Community Connection & Physical Health

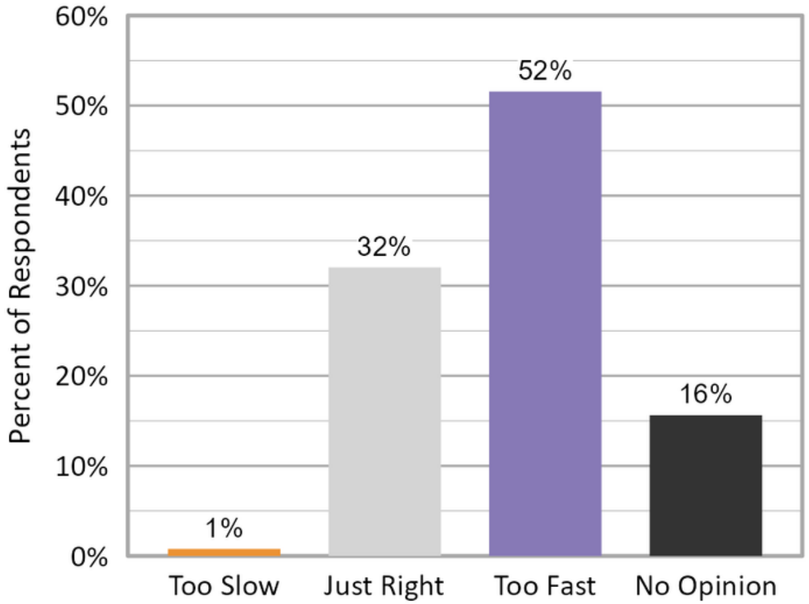
+ Personal Wellbeing, Community Connection & Physical Health

+ Community Connection



Population Growth in Millcreek

How would you describe the current rate of population growth in Millcreek?

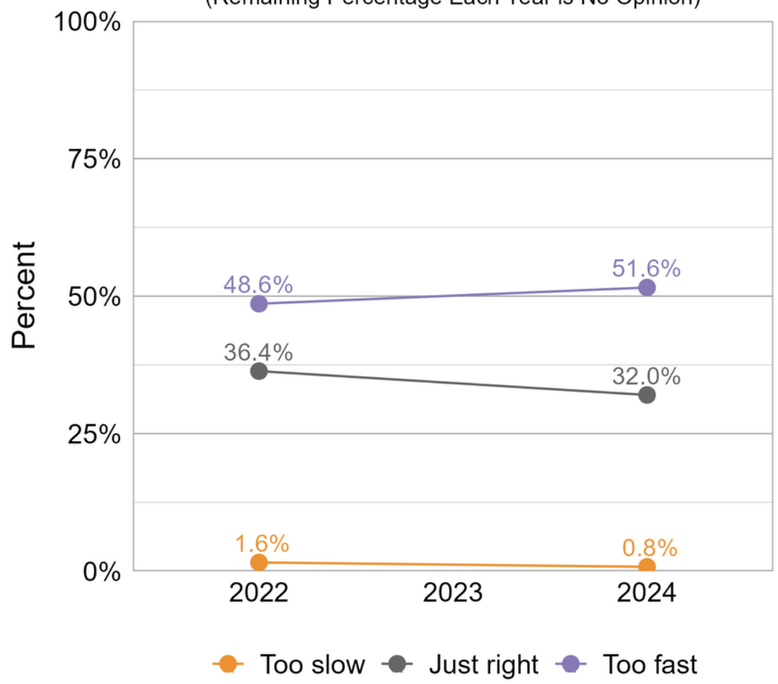


2.0% Population Growth 2010 -2020

***52%** said Population Growth is "too fast"*

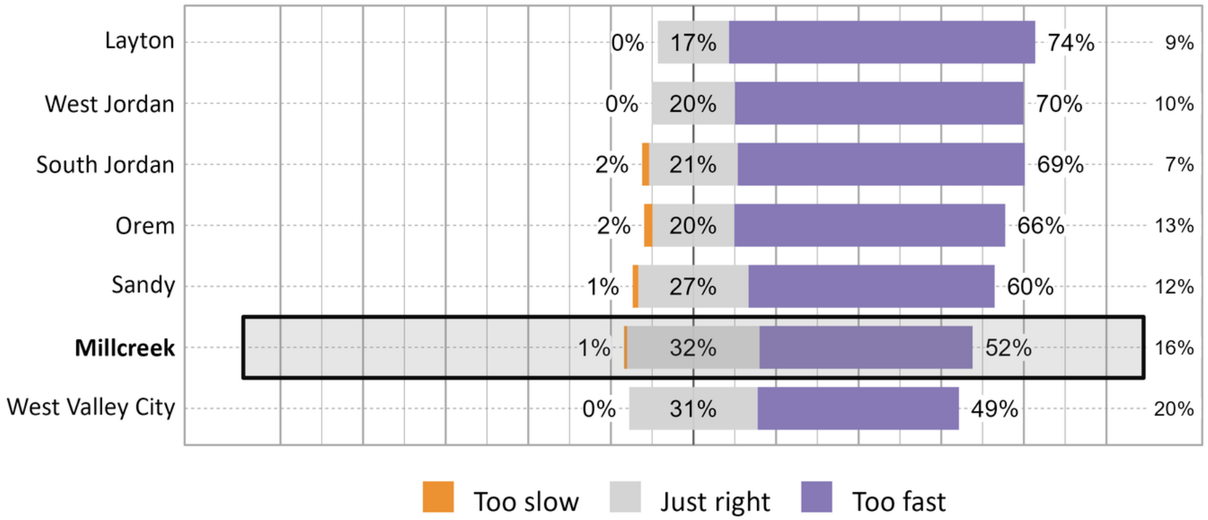
Millcreek Change in Perceptions of Rate of Population Growth

(Remaining Percentage Each Year is No Opinion)



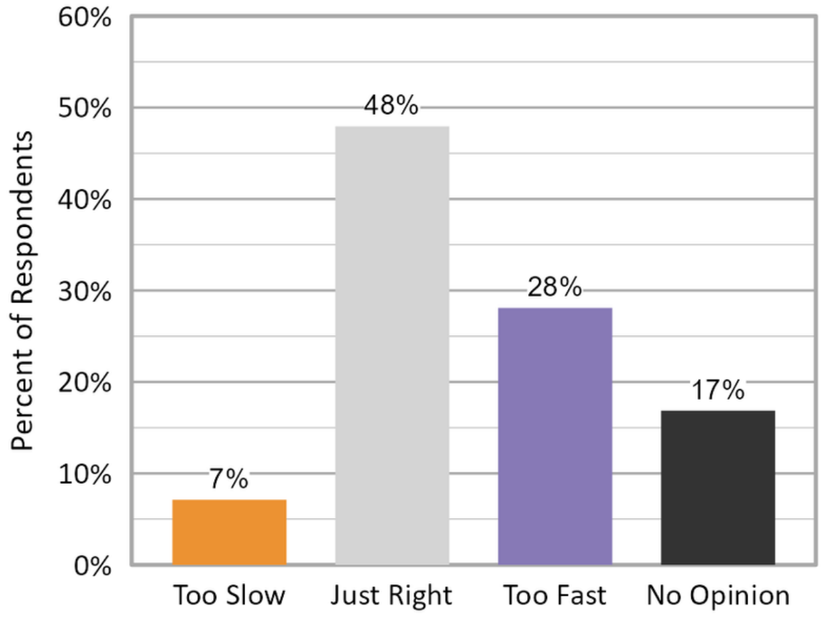
Population Growth for Cities of the 1st & 2nd Class

How would you describe the current rate of population growth in your city/town?



Economic Development in Millcreek

How would you describe the current pace of economic development in Millcreek?

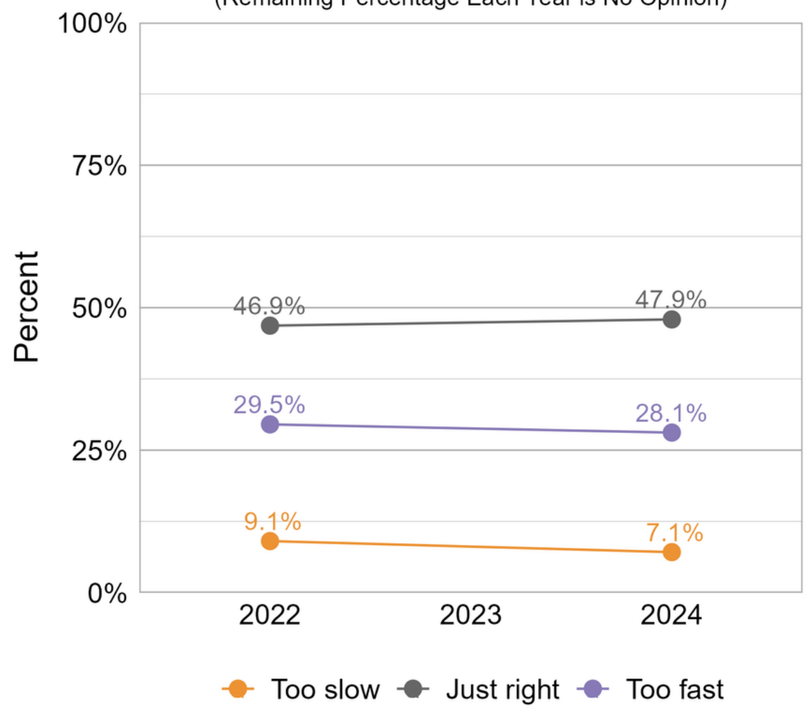


48% *said the Pace of Economic Development is "just right"*

28% *said it's "too fast"*

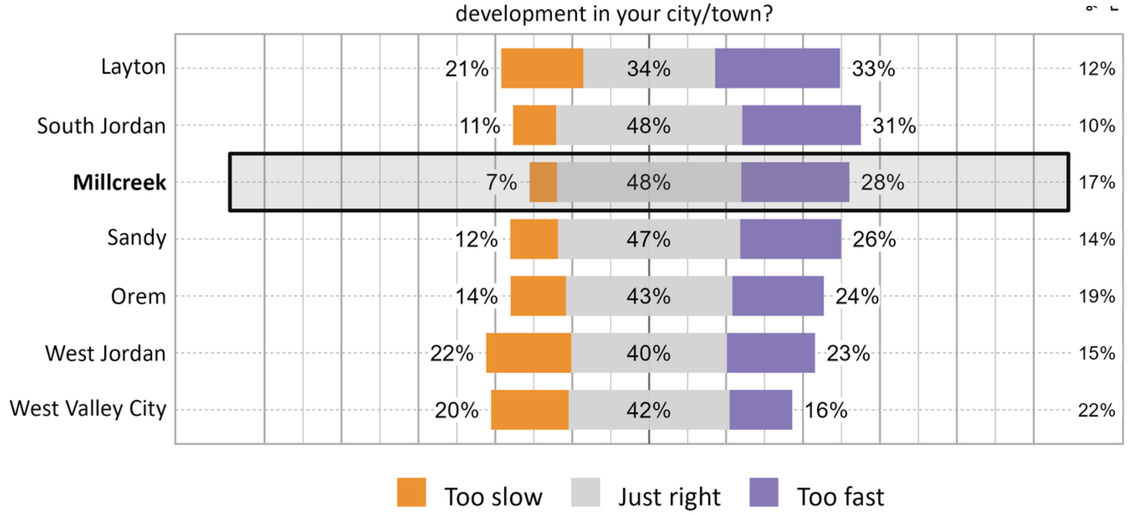
Millcreek Change in Perceptions of Pace of Economic Development

(Remaining Percentage Each Year is No Opinion)



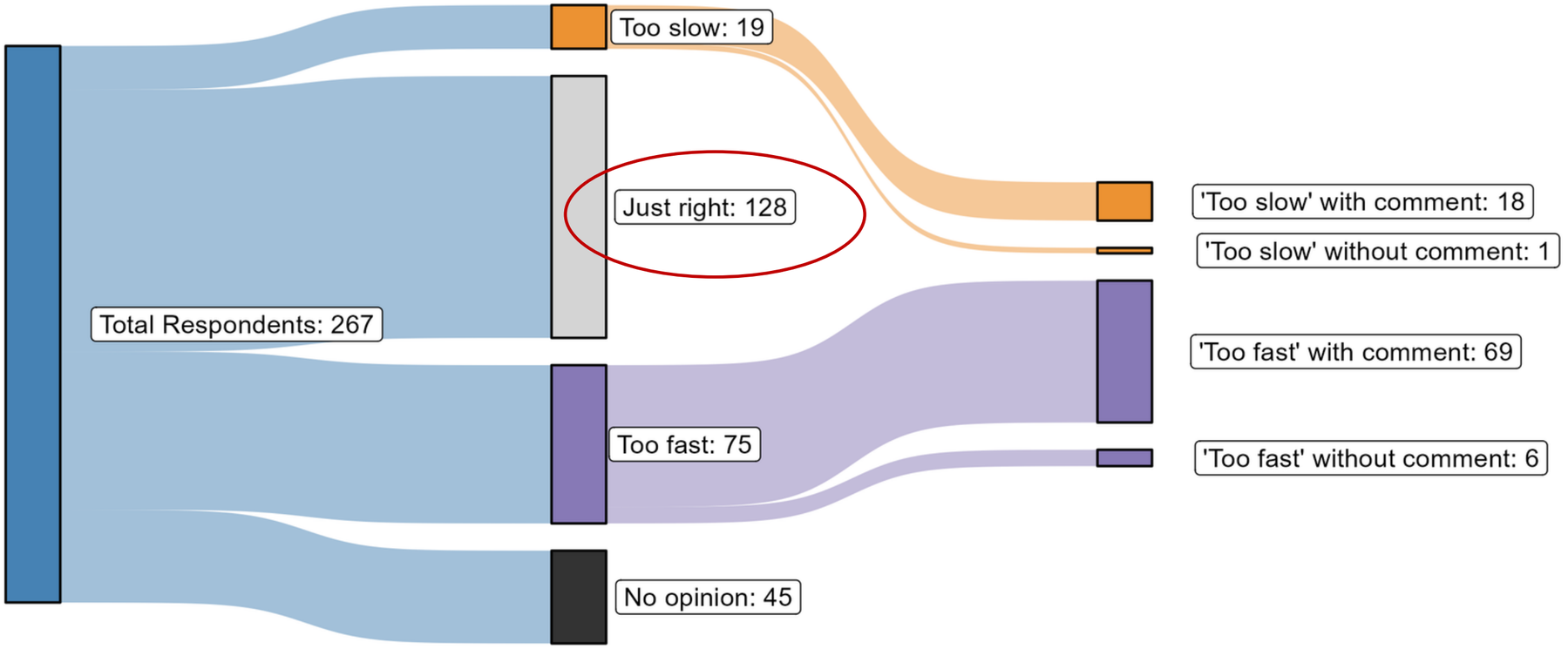
Economic Development for Cities of the 1st & 2nd Class

How would you describe the current pace of economic development in your city/town?



Perceptions about the Pace of Economic Development in Millcreek

How would you describe the current pace of economic development in Millcreek?



Too Slow

Need for:

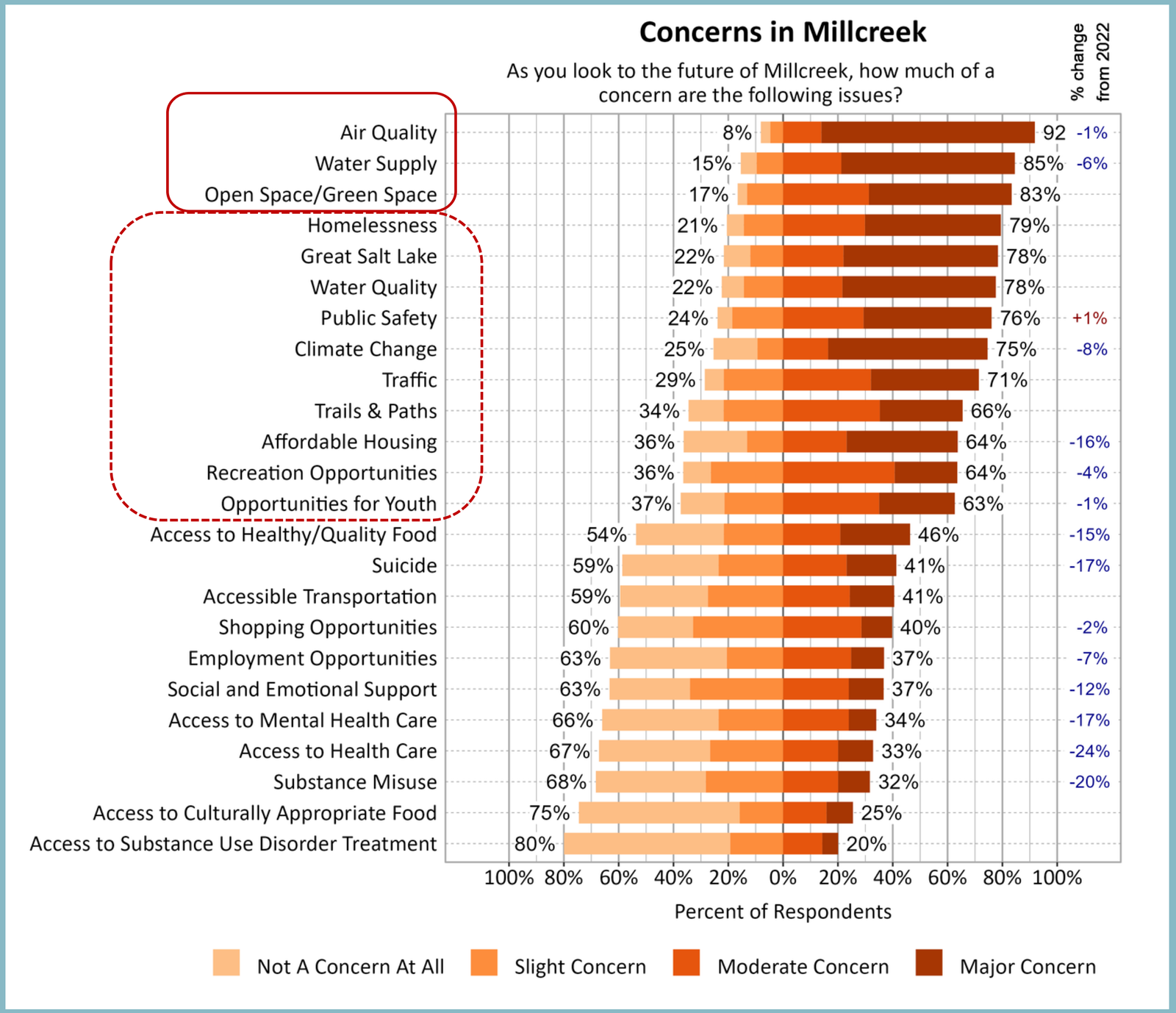
- More road infrastructure
- Planning & governance for growth
- Retail beyond fast food.

Too Fast:

- Traffic
- Businesses
- Housing
- Planning Issues
- Loss of green/ open space
- Change in town character

Top Concerns in Millcreek

Air Quality
Water Supply
Open & Green Space
Homelessness
GSL
Water Quality
Public Safety
Climate Change



What do people value about Millcreek?

- Central location
- Proximity to outdoors
- Sense of community
- Nature & Beauty



What could be done to improve wellbeing in Millcreek?

- Public transit
  - Bike lanes
  - More sidewalks
- Green spaces
  - Upkeep
  - Improvements
- Homelessness
- Infrastructure
- Long term sustainability

Additional Comments

- Concern about local government
  - Some disconnect with local views
- Road conditions
- Sidewalks, bike paths, public transit
- Housing affordability
- Environmental sustainability
- Safety
- More recreation activities

Thank you!



Let us know if you have any questions.

Courtney Flint
courtney.flint@usu.edu
435-797-8635



Utah WELLBEING SURVEY

Wasatch Front Waste and Recycling District

Report for Millcreek City Council Meeting
October 28, 2024



Our Vision: A sustainable organization that provides for the welfare of our communities.

Our Mission: To provide sustainable quality integrated waste and recycling collection services for the health and safety of our community…because not everything fits in the can.

Environmental Stewardship: Millcreek Diversion Rate January - September

Curbside Refuse (Garbage): 13,592 Tons generated and collected for a cost of $37 per ton.



Curbside Recycling: 2,357 Tons Diverted





23% Diverted

Curbside Green Waste: Approximately 1,185 Tons Diverted (3,148 Subscribers, 25 more than 2nd Qtr.)

8.68 tons of Christmas Trees collected in January.

90 tons from 75 Green Trailers rented.



Glass: No cost for processing. Approximately 343 Tons Diverted (828 Subscribers)

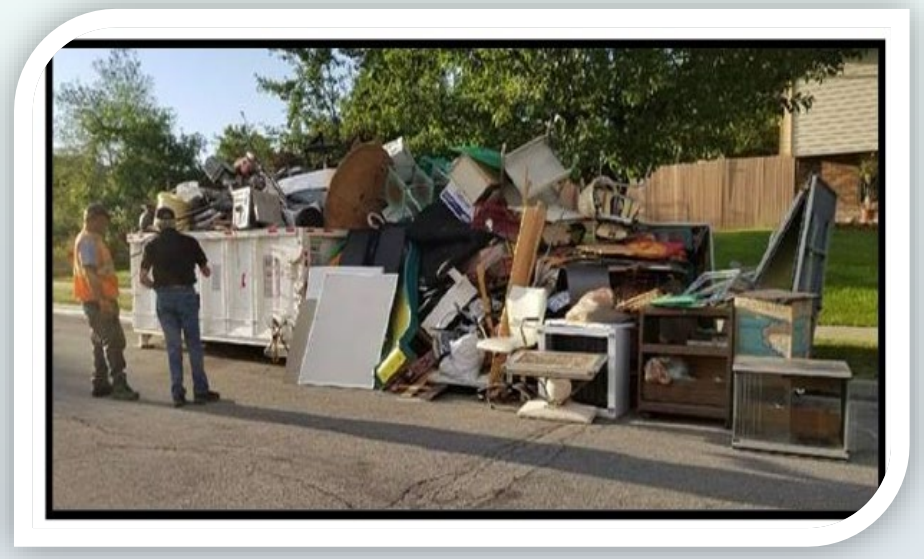
72 tons from Central Site year-to-date. (Scott Ave and Wasatch)

- ✓ The 15,797 homes in Millcreek are 18% of the approximately 86,152 homes in the District boundaries.
- ✓ Residents of Millcreek are above our goal of 18% and diverted 23% of waste from the landfill. District-wide overall 18%.
- ✓ Millcreek ranks as one of our cleanest curbside recycling at 82%, or 18% contamination. A 4% improvement from 2023 at 78% clean.
- ✓ Average disposal fee for Millcreek garbage curbside = $37 per ton. (SLV Landfill)
- ✓ Average processing fee for recycling curbside = $38 per ton. ($18.00 per ton less than 2023)
- ✓ Processing for green curbside = $17.00 per ton.

Seasonal Container Reservation Program (SCRP) Stats

- The 2024 SCRP season marks the fifth year of this approach to the program. With this model, we service between 9-11% of the homes in our cities and towns
- Annual SCRP services run mid-April through September:
  - We started in Millcreek this year and moved clockwise through the District.
  - We ended the season by serving the City of Taylorsville.
  - Millcreek City service dates: Monday, April 8th through Monday, April 6th.
- For the past three years our board has been reviewing ideas posed by residents on how to expand this service to more residents.
- One idea that is being considered:
  - Limit repeat reservations year-after-year, which would mean:
    - Those who received a container in 2024, would not be eligible in 2025 ***unless*** the current year's waitlist was exhausted (essentially a 2nd waitlist)
  - Anyone on the waitlist in 2024, would have "first dibs" in 2025 on the regular reservation list.
- The 2025 Season will begin mid-April in Murray & Holladay and again, will move clockwise throughout the District.

Then ➡



Vs.

Now ➡



<u>Cottonwood Heights Specific SCRP Stats</u>

- Millcreek City had four and a half full weeks of SCRP services and collected 1,202 tons of bulky waste.
- Our team was able to accommodate 1,349 of the 1,941 requested reservations. (*70% accommodated for Millcreek vs avg of 74% District wide*)

District Updates and 2025 Budget Discussions

Our Board has been discussing the likelihood of raising fees for services in 2025 to manage rising costs. The main cost drivers account for close to $6,000,000 increased costs, which equates to close to $6.00 per home per month. These categories and costs are as follows and includes the proposed 2025 budget:

	12/31/2020	12/31/2021	12/31/2022	12/31/2023	as of 10/10/2024	as of 10/10/2025	as of 10/10/24
	2020	**2021**	**2022**	**2023**	**2024 Budget + Projections**	**2025 Budget**	**Increase Costs In 6 yrs**
Wages & Overtime	$ 4,909,969	$ 5,226,486	$ 5,720,120	$ 6,466,754	$ 7,348,300	$ 8,063,500	$ 3,153,531
Maintenance	$ 3,448,266	$ 3,377,225	$ 3,554,944	$ 4,014,809	$ 4,836,734	$ 5,078,600	$ 1,630,334
Dumping Fees	$ 4,309,102	$ 4,217,045	$ 4,137,259	$ 4,371,035	$ 4,589,586	$ 4,650,916	$ 341,814
Recycling	$ 1,058,749	$ 330,584	$ 692,481	$ 1,283,250	$ 1,476,000	$ 1,045,000	$ (13,749)
Fuel (CNG)	$ 995,544	$ 1,125,122	$ 1,213,415	$ 1,374,935	$ 1,593,700	$ 1,641,500	$ 645,956
Truck Purchase Price	$ 322,500	$ 332,200	$ 350,277	$ 415,217	$ 425,000	$ 436,695	$ 114,195
Totals	$ 15,046,151	$ 14,610,683	$ 15,670,518	$ 17,928,022	$ 20,269,320	$ 20,916,211	$ 5,872,080

Considerations:

Wages are the highest increased costs year over year due to adding 10 full time employees (FTEs) to account for growth in homes, the Apprentice Program, Safety and Emergency coordination and employee support. 2020-90 FTEs 2024: 100 FTEs. It's been imperative to keep up with the rapidly rising salary markets especially for CDL drivers and the pay for work related experience and related education.

Starting in 2025, there will be new storage costs for the 110 roll-off containers located at the Bingham Creek Parks Authority in So. Jordan. 10-year agreement, $10,000 annual with a 2% escalation.

Fee History: WFWRD Provides Weekly Waste and Recycling Collections, Seasonal Container Reservations (SCRP), Leaf Bag Collections, Landfill Vouchers, Curbside Christmas Tree Collections, Central Glass Collections and Discounted Trailer Rentals for Bulk Waste and Bulky Green Waste.

The last fee increase was implemented in 2023 after five years since our last fee increase.

- 2023: $2.50 per home/month increase to $19.50 per mo./$58.50 per qtr./$234 annual.
- 2018: $2.25 per month, to $17.00 per mo./$51 per qtr./$204 annual.
- 2014: $2.00 per month, from $12.75 to $14.75.
- 2011: $1.75 per month, from $11.00 per month.

Hind-sight being 20/20, we know that five years was too long to wait for an increase, and the $2.50 fee increase wasn't enough to sustain cash balances for any longer than two years.

WASATCH FRONT
Waste & Recycling District

WFWRD Services & Fee Increase History

WFWRD Provides Weekly Waste and Recycling Collections, Seasonal Container Reservations (SCRP), Leaf Bag Collections, Landfill Vouchers, Curbside Christmas Tree Collections, Central Glass Collections and Discounted Trailer Rentals for Bulk Waste and Bulky Green Waste.



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- 2014: $2.00 per month, from $12.75 to $14.75.
- 2011: $1.75 per month, from $11.00 per month.

Hind-sight being 2020, we know that five years was too long to wait for an increase, and we didn't raise fees high enough to sustain cash balances for longer than two years.

Staff and the Board received advice and recommendations from Zions for financial advisory services on fee structures, billing frequency, revenues and options for leasing heavy equipment. Incurring debt would be new for WFWRD, but our board may choose this as an option to soften the amount of a needed fee increase.

The Board held a special meeting on October 21, 2024, at 9:00 a.m. to review fee increase scenarios for 2025. These include $5.50 - $6.50 per month, and incremental increases for 2-3 years. More will follow during the October 28, 2024, Board meeting.

<u>Other important dates and Information:</u>

- Monday, October 28th, 9:00 a.m., Tentative Adoption of the Tentative 2025 Budget.
- Monday, November 18th at 6:00 p.m. Public Hearing to allow public comment on the Tentative 2025 budget.
- 2025 Budget Adoption on Monday, December 16th at 9:00 a.m.
- All Board Meetings are held at the WFWRD offices located at 604 West 6960 South in Midvale. The main floor of the Salt Lake County Public Works Administration Building.

WASATCH FRONT
Waste & Recycling District

WFWRD Updated Cash Projections No Fee Increase - Point in Time: October 2024 from Zions

Current fees: $19.50 per month/$58.50 per qtr./$234 per year. No Fee Increase.

	2024	2025	2026	2027	2028	2029	2030
Net Revenues before Debt Service	($308,560)	($2,071,327)	($3,002,910)	($3,775,330)	($4,522,568)	($5,295,383)	($6,094,558)
Capital Costs	($5,867,352)	($5,570,056)	($3,965,835)	($4,181,440)	($4,493,280)	($5,032,564)	($3,000,000)
Debt Service Coverage Ratios	-	-	-	-	-	-	-
Days Cash on Hand	85	(19)	(108)	(203)	(306)	(418)	(510)

Thank You for Your Time.
Any Questions?



Contact Information:
Pam Roberts, General Manager
proberts@wasatchfrontwaste.org
385-468-6342

MILLCREEK, UTAH
ORDINANCE NO. 24-49

AN ORDINANCE REZONING 0.43 ACRES OF REAL PROPERTY LOCATED AT APPROXIMATELY 4181 SOUTH 900 EAST FROM THE RESIDENTIAL (R-1-10) ZONE TO THE MULTIFAMILY RESIDENTIAL (R-M) ZONE AND IMPOSING A ZONE CONDITION LIMITING THE PROPERTY TO 5 RESIDENTIAL UNITS

WHEREAS, the Millcreek Council ("Council") met in regular session on October 28, 2024, to consider, among other things, an ordinance rezoning certain property located at approximately 4181 South 900 East from the R-1-10 Zone to the R-M Zone and imposing a zone condition limiting the property to five (5) residential units; and

WHEREAS, Utah Code Ann. § 10-9a-503 provides in part that the Council may make zoning map amendments; and

WHEREAS, Utah Code Ann. § 10-9a-503 also provides that the Council may not make any amendment to its land use ordinances unless the amendment was first submitted to the planning commission for its recommendation; and

WHEREAS, Utah Code Ann. § 10-9a-503 also provides that the Council shall comply with the procedure specified in Utah Code Ann. § 10-9a-502 in preparing and adopting an amendment to a land use regulation; and

WHEREAS, Utah Code Ann. § 10-9a-502 provides planning commission shall provide notice as required by Subsection 10-9a-205(1)(a) and, if applicable, Subsection 10-9a-205(4) and hold a public hearing on the proposed land use ordinances; and

WHEREAS, on June 26, 2024, and July 25, 2024, the required public hearing notice was published; and

WHEREAS, on July 17, 2024, and August 21, 2024, the planning commission held a public hearing to discuss the rezone proposal; and

WHEREAS, at the August 21, 2024, planning commission meeting, the Millcreek Planning Commission recommended denial of the proposed rezone; and

WHEREAS, after the Planning Commission's recommendation of denial, the Applicant revised the proposed site plan to limit development to five (5) residential units; among other things; and

WHEREAS, the Millcreek Code of Ordinances provides, among other things, that before finally adopting any such rezone, the Council shall consider the application during a public meeting which has been properly noticed in compliance with the provisions of Title 52, Chapter 4, of the Open and Public Meetings Act; and

WHEREAS, on October 23, 2024, the Council caused the required notice to be given; and

WHEREAS, on September 9, 2024, and October 14, 2024, the Council discussed the rezone application, and on October 28, 2024, the Council considered the rezone during a public meeting; and

WHEREAS, Section 19.06.020 of the Millcreek Code of Ordinances provides that each of the sections of the city which are amended or zoned be shown on the maps on file with Millcreek.

NOW THEREFORE, BE IT ORDAINED by the Council that the property described in File # ZM-24-005 filed by Bennett Properties, LLC, as the applicant acting on behalf of the property located at 4181 S 900 E is hereby rezoned/reclassified from the R-1-10 Zone to the RM Zone, such property being more particularly described as follows:

Overall Boundary Description:

Beginning at a point on the easterly right-of-way line of 900 east street, a public road at a point south 0° 05' 44" west 580.911 feet and south 89° 56' 29" east 3.00 feet from the northwest corner lot 6, block 4, 10 acre plat a, big field survey; said point also being south 00°00'54" west along the monument line in 900 east street 71.15 feet (71.18 feet record) and south 89°54'16" east 33.00 feet from a street monument (brass cap) at the intersection of 4170 south street and said 900 east street, and running thence south 89° 55' 44" east (south 89°55'40" east per plat) along the southerly line of wasatch view condominiums on file with the office of the salt lake county recorder 211.71 feet; thence south 00° 05' 44" east 86.75 feet; thence north 89° 55' 40" west 212.53 feet to a point on said easterly line; thence northerly along said easterly line the following seven (7) courses: north 08° 26' 07" west 3.18 feet; thence north 00° 05' 44" east 20.00 feet; thence north 15° 50' 59" west 7.28 feet; thence north 00° 05' 44" east 32.99 feet; thence north 20° 04' 43" east 5.85 feet; thence north 00° 05' 44" east 12.00 feet; thence north 09° 23' 49" east 6.19 feet to the point of beginning.

Contains 0.43 Acres In Area

BE IT FURTHER ORDAINED, pursuant to Section 19.06.020 of the Millcreek Code of Ordinances that the official zoning map showing the change enacted hereby be filed as provided in Section 19.06.020.

This Ordinance assigned no. 24-49, shall take immediate effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City's recorder.

PASSED AND APPROVED this 28th day of October 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

CERTIFICATE OF POSTING

I, the duly appointed recorder for Millcreek, hereby certify that:
ORDINANCE 24-49: AN ORDINANCE REZONING 0.43 ACRES OF REAL PROPERTY LOCATED AT APPROXIMATELY 4181 SOUTH 900 EAST FROM THE RESIDENTIAL (R-1-10) ZONE TO THE MULTIFAMILY RESIDENTIAL (R-M) ZONE AND IMPOSING A ZONE CONDITION LIMITING THE PROPERTY TO 5 RESIDENTIAL UNITS was adopted the 28th day of October 2024 and that a copy of the foregoing Ordinance 24-49 was posted in accordance with Utah Code 10-3-711 this ____ day of October, 2024.

_____
Elyse Sullivan, City Recorder

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

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

ZM-24-005

City Council Staff Report (2nd Reading)

Meeting Date:	**10/14/2024**
Applicant:	**Dale Bennett**
Re:	**Request to Rezone Property**
Property Address:	**4181 S 900 E**
Zone:	**From R-1-10 to R-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 seeking to rezone a property located at 4181 S 900 E from the R-1-10 (Residential Single-family) Zone to R-M (Residential Multi-family). The purpose of the rezone is to allow a six-unit residential development, with the intention of subdividing them for owner occupancy.

A development agreement may accompany this application to ensure that the proposed site plan is executed as approved. Conditions to be subjected to Community Council and Planning Commission's recommendation.

GENERAL PLAN CONSIDERATIONS

GOAL N-1: Preserve and enhance the physical elements that define each neighborhood's character.

Strategy 1.5: Ensure that new infill development is compatible with existing neighborhoods by regulating structure sizes and heights; building forms and materials; yard setbacks; streetscape character; height and bulk transitions; buffering; and other factors.

The Subject Property is a new infill development which can be made to be compatible if, the zoning change is accompanied by a development agreement which will help ensure comparable densities, building

forms, setbacks, buffering, and other factors.

GOAL N-2: Strive for a variety of housing choices in types, styles, and costs of housing throughout Millcreek.

Strategy 1.4: Support development projects in centers and mixed-use corridors that provide a variety of housing types and sizes to serve a range of demographic sectors and meet the needs of residents and families through various life stages and income levels.

If granted, R-M Zone would allow for six residential units, all three-bedroom units.

This is the second application this year in which an applicant is seeking a rezone that exceeds the scope of what the Future Land Use Map suggests is appropriate. In this case, the applicant is seeking an RM zone within a Neighborhood 1 Future Land Use Map Designation.

Independent of this application, staff is seeking direction on proceeding with rezone applications that exceed the scope of a Future Land Use Map designation, and if minor redesignations of the Future Land Use Map are appropriate pending an update to the General Plan.

Alternatively, staff could consider a more holistic amendment to the Future Land Use Map, and advise applicants to consider waiting to apply for a rezone pending the outcome of a broader community discussion on updating and realigning the Future Land Use Map.

EXISTING CONDITIONS & FINDINGS:

1. The proposal was presented to the Planning Commission on July 17th, 2024. The Planning Commission recommended continuation of the application to a later date, to further analyze the information provided by the applicant at the Planning Commission meeting. Additionally, the Planning Commission determined to continue the item, to **notice** the community of the potential General Plan Amendment, not noticed in the previous meeting. The Planning Commission held a continuation meeting on August 21st, 2024.

2. **Land Use Designation.** The Subject Property is within the "Neighborhood 1" land use designation – which envisions neighborhoods comprised of "Single-family detached homes, typically 1 – 6 dwelling units per acre."

3. **Zoning**. The Subject Property is currently within the R-1-10 Zone. Properties within the vicinity surrounding the Subject Property are within the R-M (North), R-2-10 (west), R-1-5 (west) and R-1-10 (east & south) zones.

4. **Historic Zoning.** From the 1970's until the 1990's, the subject lot appears to be under the R-2-10 zone, which historically allowed for medium-density developments. However, this zone changed somewhere between 1993 and 2004 to the R-1-10.

5. **Surrounding Uses.** Properties surrounding the subject property consist of small-scale multi-family housing stock, in addition to duplexes and small-scale single-family housing. Most of the R-1-10 zone to the east is occupied by Salt Lake County, in the form of open space.

6. **Densities.** The R-1-10 Zone would allow a total of approximately two (2) units (1-6 units per acre), whereas the R-M Zone would allow up to nine (9) units (2,000 sf per unit). The applicant is asking for six (6) total units, which is comparable to the development just north, located at 4179 S 900 E.

7. **Proposal.**

    a. The Subject Property involves one lot comprising approximately .43 acres. The Subject Property contains existing residential structures along with other accessory structures, all of which will be removed if approved for further development of the property.

    b. The applicant is proposing five (5) residential units that would be within the maximum height allowed of thirty-five (35) feet, with the intention of subdividing them for owner occupancy. The applicant previously proposed six (6) units, but followed the City Council's unit reduction recommendation to five (5) units.

    c. Landscaping to be subject to MKZ 19.77 (Landscape standards). Applicant currently meets the 40% open space requirement.

    d. Parking to be subjected to MKZ 19.80 (Parking and Mobility Standards). Each unit will be provided with a two-car garage. The applicant is also proposing four guest parking stalls, meeting the parking requirements set forth in MKZ.19.80

    e. The Subject Property has single access from 900 East, measuring to be 25' in width. Reviewed and accepted by Unified Fire.

    f. The R-M Zone does not require owner occupied housing; However, the applicant has verbally mentioned that they intend to create a "for sale" product, which may help Millcreek meet the housing goals, identified in the General Plan.

    g. All development will be required to meet the **minimum zoning and land use ordinances**; to which the concept plan may likely evolve from what is currently presented for this rezone application.

8. **Ownership.** The units are intended to be subdivided into individual ownership.

9. **Management.** Applicant intends to place units under a home-owners association (HOA).

10. **Traffic.** A traffic study was not commissioned by the city, as six residential units do not present any significant impact on the 900 E corridor. Alternatively, the 900 E corridor (between 3900 S and 4500 S) presents features such as a fifteen-minute bus service (Route 209), and a bike lane, which provides multi-modal options of transportation to alleviate car traffic.

11. **Development Agreement:** A development agreement may best ensure the type, scale, orientation, dedication, utilities easements, access, phasing, and other aspects pertaining to the future development of these properties, where the underlying zoning and land use ordinances may be insufficient; Therefore, a development agreement may be considered to ensure development design and layout of the property. Staff would like the Community Council to discuss the following, potential development agreement items:

    a. Architectural design and layout of the property.

b. Density (Unit count. Six units MAX allowed).
c. Owner Occupancy, short-term rental control.
d. Height (35 feet Max. Allowed).
e. Trash collection, snow plowing, general maintenance items.
f. Street Lightning and location.
g. Fencing Design and height.
h. Overall and Guest Parking.

NEIGHBORHOOD MEETING SUMMARY

Neighborhood Meeting – A neighborhood meeting was held at City Hall on **February 27th, 2024,** at 5:30 PM. Neighbors within 600' of the subjected property were notified. An approximate sixteen people showed up with the following comments:

1. Most neighbors just don't want their property values to go down.
2. Density will bring traffic concerns to the neighborhood.
3. Affordability. Neighbors are concerned with a potential idea of low-income housing being proposed. This project does not propose low-income or subsidized housing.
4. Short term rentals (Airbnb) concerns.
5. Long-term rentals concerns.
6. Neighborhood safety and homelessness concerns.
7. Desire for owner occupancy.

COMMUNITY COUNCIL RECOMMENDATION

Millcreek Community Council Meeting – The Millcreek Community Council held a meeting on **July 2nd, 2024**, whereupon seven of the nine (7-2) members voted to not recommend approving the rezone of the subject property from the R-1-10 Zone to the R-M zone. Some of the reasons being:

a. Neighborhood compatibility
b. Density
c. Need for general plan amendment to accommodate project.

Millcreek Community Council Meeting (Continuance) – The Millcreek Community Council held a meeting on **August 6th, 2024**, whereupon six of the seven (6-1) members voted to not recommend approving the rezone of the subject property from the R-1-10 Zone to the R-M zone. Roughly 3 residents joined our meeting and voiced concerns about the project, including:

a. Construction equipment blocking roads.
b. Property values dropping.
c. Increased density.

PLANNING COMMISSION RECOMMENDATION

Planning Commission Meeting – The Millcreek Planning Commission held a meeting on **July 17th, 2024**, whereupon all members unanimously recommended continuation of the application to a later date, to further analyze the information provided by the applicant, regarding neighborhood compatibility, and

to contemplate the terms of a potential development agreement. Additionally, the Planning Commission expressed a preference that zone changes that were outside of the scope of a future land use map designation be considered alongside a future land use map amendment. The Planning Commission voted to continue the item, to **notice** the community of the potential General Plan Amendment, not noticed in the previous meeting.

Planning Commission Meeting (Continuance) – The Millcreek Planning Commission held a meeting on **August 21st, 2024**, whereupon members recommended **denial of a future land use map amendment with a vote of 3 in favor of a recommendation of denial to 3 in opposition to a recommendation of denial. The motion did not pass.** The commission discussed multiple iterations of a motion that was acceptable to them. Eventually, The Planning Commission, regarding the request for a General Plan amendment from "Neighborhood 1" to "Neighborhood 2", moved to recommended **denial to the City Council, and additionally recommend to the City Council that they consider a "Neighborhood 2" designation for the entire 900 E**. **The motion passed unanimously.**

The Planning Commission also **recommended denial of a zoning map amendment with a vote of 7 in favor of a recommendation of denial to 0 in opposition to a recommendation of denial.** The recommendation was made in light that the current General Plan would need to be amended to accommodate the change in zone, as well as a change in its future land use.

STAFF ANALYSIS AND CONSIDERATIONS

Staff met with the applicant to summarize the Planning Commission's recommendations, and the public comments made during the meeting, echoing the concerns of the nearby residents. During the discussion, the following items were recommended:

- Change in design features, to allow for a more Missing Middle Housing product, such as the units proposed at 4433 S Garden Ave (ZM-24-001), as this style of units are often delivered on a reduced footprint and share design features that are more compatible with surrounding single-family residences.
- A reduction in the unit count.
- The potential allocation of additional guest-parking stalls, to procure guest-parking within the limits of the subject complex, and not in neighboring streets, as on-street-parking.

A meeting between the applicant and a representative of the near-by neighborhood was organized by staff to present the previously discussed items above. During the meeting, the following items were discussed:

- A reduction in the unit count from six units to five units.
- Larger garages, and larger units due to reduction in unit count, freeing up more footprint space for larger units.
- Additional of one or two guest parking spaces, as more space would be freed up, due to unit count reduction.

Following the City Council's first reading of application ZM-24-005, The City council recommended:

- Reduction of units from six (6) to five (5) total units.

- Provide the site with additional guest parking to abstain from on-street parking.
- Units to be platted for owner occupancy, in an effort to provide "for sale" housing stock.

Conclusions –

1. A Multifamily residential use would NOT be in harmony with the current land use designation because the general plan designation for this lot is under *"Neighborhood 1",* which its primary intended use is accommodate single-family homes in low-density neighborhoods. This application would need a General Plan Amendment, however a General Plan Amendment may be better suited for a larger study area, instead of just one property.

2. Additional research has displayed a variety of housing stock, ranging from single-family homes to multi-family, in the 900 E corridor between 3900 S and 4500 S.

3. With multimodal, mobility services, such as UTA's route 209 providing a fifteen-minute service, the now-present bike lane and a repaved road, it could be argued that 900 E (within Millcreek Boundaries) is a corridor that may be able to sustain new, medium density projects, to meet the necessary demand set by a lack of housing in the state of Utah.

4. The proposal will meet the requirements set forth in MKZ 19.44 (Multi-family Residential zone), 19.77 (Landscape standards) and 19.80 (Parking and Mobility Standards).

5. A development agreement may best ensure the type, scale, style, materials, orientation, dedication, utilities easements, access, phasing, and other aspects pertaining to the future development of these properties, where the underlying zoning and land use ordinances may be insufficient; Therefore, a development agreement may be in place to ensure development design and layout of the property.

6. All development will be required to meet the minimum zoning and land use ordinances; to which the concept plan may likely evolve from what is currently presented for this rezone application.

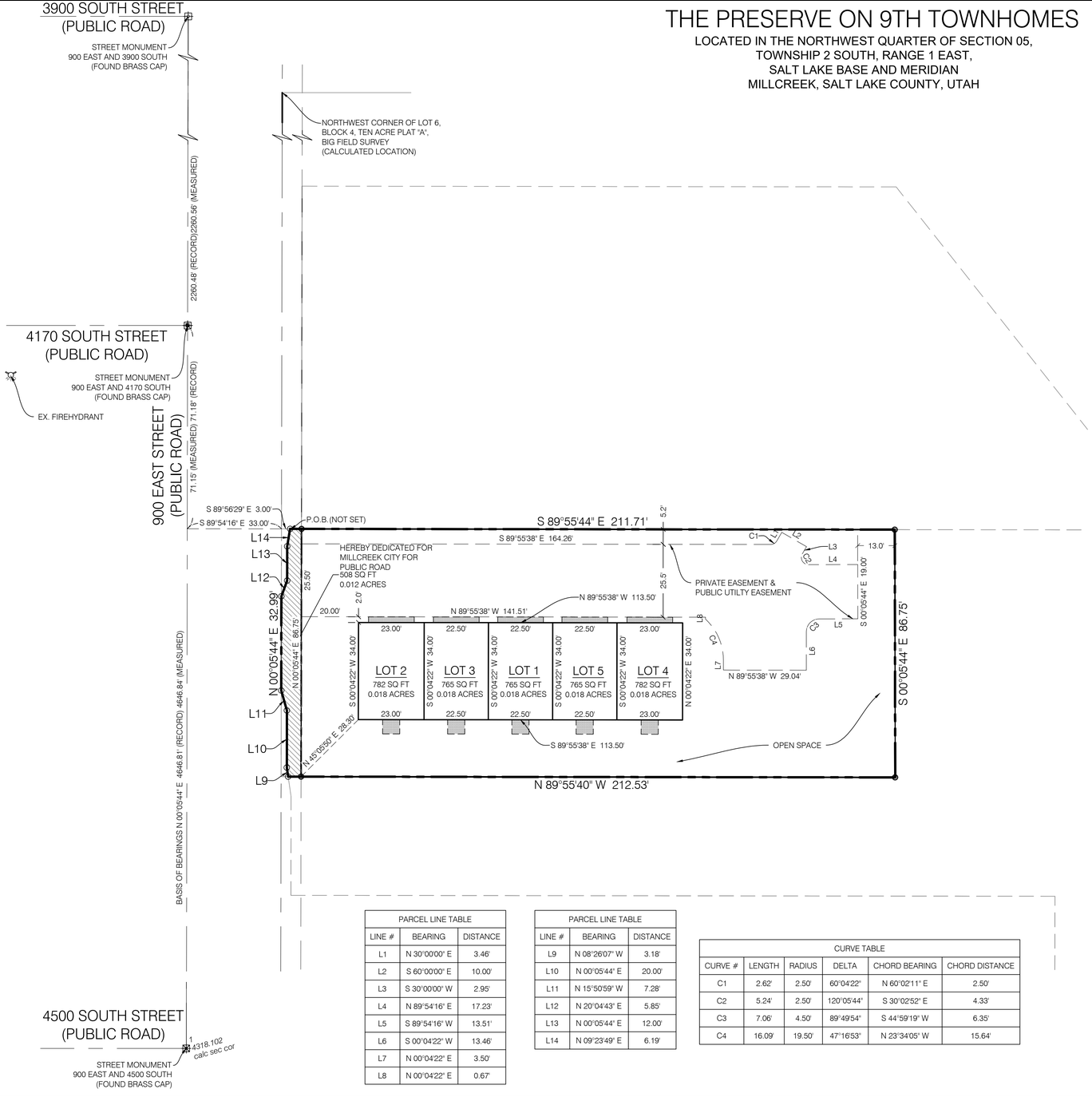
7. Applicants have followed the recommendations of the Community Council, Planning Commission and City Council.

SUPPORTING DOCUMENTS

- **Application package**

THE PRESERVE ON 9TH TOWNHOMES

LOCATED IN THE NORTHWEST QUARTER OF SECTION 05,
TOWNSHIP 2 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN
MILLCREEK, SALT LAKE COUNTY, UTAH



PARCEL LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N 30°00'00" E	3.46'
L2	S 60°00'00" E	10.00'
L3	S 30°00'00" W	2.95'
L4	N 89°54'16" E	17.23'
L5	S 89°54'16" W	13.51'
L6	S 00°04'22" W	13.46'
L7	N 00°04'22" E	3.50'
L8	N 00°04'22" E	0.67'

PARCEL LINE TABLE		
LINE #	BEARING	DISTANCE
L9	N 08°26'07" W	3.18'
L10	N 00°05'44" E	20.00'
L11	N 15°50'59" W	7.28'
L12	N 20°04'43" E	5.85'
L13	N 00°05'44" E	12.00'
L14	N 09°23'49" E	6.19'

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	2.62'	2.50'	60°04'22"	N 60°02'11" E	2.50'
C2	5.24'	2.50'	120°05'44"	S 30°02'52" E	4.33'
C3	7.06'	4.50'	89°49'54"	S 44°59'19" W	6.35'
C4	16.09'	19.50'	47°16'53"	N 23°34'05" W	15.64'

4500 SOUTH STREET
(PUBLIC ROAD)

STREET MONUMENT
900 EAST AND 4500 SOUTH
(FOUND BRASS CAP)

4318.102 calc sec cor

NORTH

GRAPHIC SCALE

20 0 10 20 40

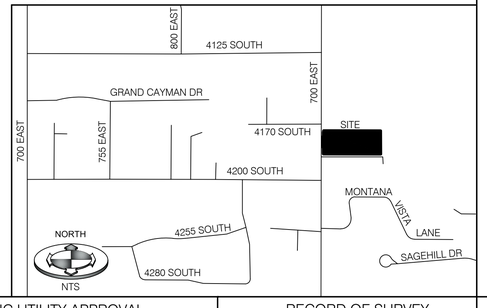
(IN FEET)
1 inch = 20ft.

DEVELOPER/OWNER:	THE PRESERVE ON 9TH, LLC BRANDON WIXOM, MANAGING MEMBER
TELEPHONE:	801-864-2626
EMAIL:	BWIXOM@GMAIL.COM

LEGEND

- SECTION CORNER (FOUND)
- SET 24" x 5/8" REBAR WITH PLASTIC CAP MARKED "BENCHMARK ENG." OR NAIL & WASHER
- NOT SET
- BOUNDARY LINE
- ADJACENT PROPERTY
- STREET CENTERLINE EXISTING
- EASEMENT
- RIGHT OF WAY
- FIRE HYDRANT
- LIMITED COMMON AREA
- RIGHT-OF-WAY HEREBY DEDICATED TO MILLCREEK CITY
- COMMON AREA

VICINITY MAP



SURVEYOR'S CERTIFICATE

I, DALE K. BENNETT, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 103381, IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS SUBDIVISION PLAT IN ACCORDANCE WITH SECTION 17-23-17, HAVE VERIFIED ALL MEASUREMENTS, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, AND A STREET, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS:

THE PRESERVE ON 9TH TOWNHOMES

BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF 900 EAST STREET, A PUBLIC ROAD AT A POINT SOUTH 0° 05' 44" WEST 580.911 FEET AND SOUTH 89° 56' 29" EAST 3.00 FEET FROM THE NORTHWEST CORNER LOT 6, BLOCK 4, 10 ACRE PLAT A, BIG FIELD SURVEY; SAID POINT ALSO BEING SOUTH 00°00'54" WEST ALONG THE MONUMENT LINE IN 900 EAST STREET 71.15 FEET (71.18 FEET RECORD) AND SOUTH 89°54'16" EAST 33.00 FEET FROM A STREET MONUMENT (BRASS CAP) AT THE INTERSECTION OF 4170 SOUTH STREET AND SAID 900 EAST STREET, AND RUNNING THENCE SOUTH 89° 55' 44" EAST (SOUTH 89°55'40" EAST PER PLAT) ALONG THE SOUTHERLY LINE OF WASATCH VIEW CONDOMINIUMS ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER 211.71 FEET; THENCE SOUTH 00° 05' 44" EAST 86.75 FEET; THENCE NORTH 89° 55' 40" WEST 212.53 FEET TO A POINT ON SAID EASTERLY LINE; THENCE NORTHERLY ALONG SAID EASTERLY LINE THE FOLLOWING SEVEN (7) COURSES: NORTH 08° 26' 07" WEST 3.18 FEET; THENCE NORTH 00° 05' 44" EAST 20.00 FEET; THENCE NORTH 15° 50' 59" WEST 7.28 FEET; THENCE NORTH 00° 05' 44" EAST 32.99 FEET; THENCE NORTH 20° 04' 43" EAST 5.85 FEET; THENCE NORTH 00° 05' 44" EAST 12.00 FEET; THENCE NORTH 09° 23' 49" EAST 6.19 FEET TO THE POINT OF BEGINNING.

CONTAINS 0.426 ACRES MORE OR LESS
6 LOTS

DRAFT

PRELIMINARY NOT FOR RECORDATION

PROFESSIONAL LAND SURVEYOR
DALE K. BENNETT
No. 103381
STATE OF UTAH

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT I / WE, THE UNDERSIGNED OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS, TO BE HEREAFTER KNOWN AS THE

THE PRESERVE ON 9TH TOWNHOMES

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. OWNER(S) HEREBY AGREE TO WARRANT AND DEFEND AND SAVE THE CITY HARMLESS AGAINST ANY EASEMENTS. THIS _____DAY OF_____, A.D. 20____.

THE PRESERVE ON 9TH, LLC

_____
SIGNATURE

(PRINT NAME):_BRANDON WIXOM_____

TITLE: __MANAGING MEMBER_____

LLC ACKNOWLEDGMENT

STATE OF UTAH
County of Salt Lake } S.S.

ON THE _____ DAY OF _____, A.D. 2024, _____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND SAID COUNTY OF _____ IN SAID STATE OF UTAH, WHOSE IDENTITY IS PERSONALLY KNOWN TO ME (OR PROVEN ON THE BASIS OF SATISFACTORY EVIDENCE) AND IS THE _____ OF THE PRESERVE ON 9TH, LLC, A UTAH LIMITED LIABILITY COMPANY AND WHO DULY ACKNOWLEDGED TO ME THAT HE/SHE SIGNED THE ABOVE OWNERS DEDICATION FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED FOR AND BEHALF OF _____, LLC, A UTAH LIMITED LIABILITY COMPANY.

MY COMMISSION EXPIRES: _____ (DATE)

COMMISSION NUMBER:_____

_____
NOTARY PUBLIC
COMMISSIONED IN UTAH

BENCHMARK CIVIL

BENCHMARK ENGINEERING & LAND SURVEYING
9138 SOUTH STATE STREET SUITE # 100
SANDY, UTAH 84070 (801) 542-7192
www.benchmarkcivil.com
DATE: SEPT. 2024

HEALTH DEPARTMENT

_____
SIGNED

_____
DATE

UNIFIED FIRE AUTHORITY APPROVAL

I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

_____ _____
PLAN REVIEW SECTION MANAGER DATE

PUBLIC UTILITY APPROVAL

CENTURY LINK: _____	DATE:_____
COMCAST: _____	DATE:_____
ROCKY MTN POWER: _____	DATE:_____
ENBRIDGE GAS:_____	DATE:_____
OTHER:_____ _____	DATE:_____

RECORD OF SURVEY

R.O.S. NO.: _____

_____ _____
COUNTY SURVEYOR DATE

THE PRESERVE ON 9TH TOWNHOMES

LOCATED IN THE NORTHWEST QUARTER OF SECTION 05,
TOWNSHIP 2 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN
MILLCREEK, SALT LAKE COUNTY, UTAH

SHEET 1 OF 1

CHECKED FOR ZONING COMPLIANCE

ZONE: _____ LOT AREA: _____
LOT WIDTH: _____ FRONT YARD: _____
SIDE YARD: _____ REAR YARD: _____

_____ _____
SIGNATURE DATE

PLANNING COMMISSION

APPROVED THIS_____DAY OF _____, A.D. 20___, BY THE HERRIMAN CITY PLANNING COMMISSION.

_____ _____
MILLCREEK PLANNING COMMISSION DATE

HEALTH DEPARTMENT

APPROVED THIS_____DAY OF _____, A.D. 20___.

_____ _____
SIGNED DATE

UNIFIED FIRE AUTHORITY APPROVAL

APPROVED THIS_____DAY OF _____, A.D. 20_____.

_____ _____
SIGNED DATE

MILLCREEK CITY ENGINEER

I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

_____ _____
SIGNED DATE

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS_____DAY OF _____, A.D. 20____.

_____
MILLCREEK CITY ATTORNEY

MILLCREEK MAYOR

PRESENTED TO THE MAYOR AND MILLCREEK COUNCIL THIS _____ DAY OF _____, A.D. 20____, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

_____ _____
MAYOR ATTEST: CITY RECORDER

SALT LAKE COUNTY RECORDER

RECORDED #_____

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF _____
DATE_____TIME_____BOOK_____PAGE_____

FEE $_____ _____
SALT LAKE COUNTY RECORDER

2312222pud_5lot.dwg

GRAPHIC SCALE
10 0 5 10 20
(IN FEET)
1 inch = 10 ft.

NORTH

EX. CONDO UNITS
EX. CONDO UNITS
EX. CONDO UNITS

NOTE:
CURB, GUTTER, SIDEWALK AND DRIVEWAY APPROACHES WERE RECENTLY PUT IN (FALL 2023)

BUILDING'S MUST REMAIN UNDER 30' HIGH TO BOTTOM OF EVE FOR THIS PROJECT TO BE APPROVED

NOTE:
ALL EXISTING STRUCTURES TO BE REMOVED (DEMOLISHED)

NOTE:
ALL GARAGES WILL HAVE EV PLUGS (240v)

CONSTRUCTION KEY NOTES REFERENCE

NO.	DESCRIPTION	DETAIL
1	ASPHALT PAVEMENT WITH GRANULAR BASE	1/CDT.01
2	NEW 6" CONC. LANDSCAPE CURB	2/CDT.01
3	DRIVE APPROACH PER APWA #225	
4	CONCRETE PAVEMENT	1/CDT.01

EX. FIREHYDRANT
MONUMENT LINE / CENTERLINE
95'±
S 89°55'40" E 3.00'
6" CONC. LANDSCAPE CURB
EX. VINYL FENCE
S 89°55'44" E 211.71'
207.71'
6" CONC. LANDSCAPE CURB
1.0'
NEW DRIVE APPROACH
DEPRESSED LANDSCAPING (LID)
N 09°23'49" E 6.19'
N 00°05'44" E 12.00'
N 20°04'43" E 5.85'
NEW ASPHALT
EX. DRIVEWAY (REMOVE)
NO PARKING IN FIRE ACCESS LANE
NO PARKING IN FIRE ACCESS LANE
20.0'
RIDGE
R2.0'
R3.0'
NEW MAIL BOX 6 SLOTS
20.0'
116.5'
2' CONC. APRON
R0.0'
R3.0'
NEW RIGHT OF WAY LINE PER PUBLIC TAKING
900 EAST ST. (PUBLIC ST.)
N 00°05'44" E 32.99'
S 00°05'44" W 86.75'
16' x 8' 2-CAR GARAGE
16' x 8' 2-CAR GARAGE
16' x 8' 2-CAR GARAGE
16' x 8' 2-CAR GARAGE
16' x 8' 2-CAR GARAGE
34.0'
6" CONC. LANDSCAPE CURB
S 00°05'44" E 86.75'
EX. MAIL BOX INSTALLED BY UDOT CONTRACTOR
UNIT 1 23.0'
UNIT 2 22.5'
UNIT 3 22.5'
UNIT 4 22.5'
UNIT 5 23.0'
5' CONC. WALK
BBQ
GAZEBO
PLAY AREA
OPEN SPACE
PLAY AREA
SOD/LANDSCAPE
RETENTION BASIN
N 15°50'59" W 7.28'
6x5'
6x5'
6x5'
6x5'
6x5'
40.0'
20.0'
N 00°05'44" E 20.00'
29.8'
4.0'
18.5'
18.5'
4.0'
18.5'
4.0'
18.7'
4.0'
12.5'
5.0'
N 08°26'07" W 3.18'
208.00'
N 89°55'40" W 212.53'
N 00°05'44" E 4646.01' (RECORD PER SALT LAKE COUNTY SURVEYOR 10 ACRE PLAT "A" BIG FIELD SURVEY) 446.81 PER PLAT
NEW RIGHT OF WAY LINE PER UDOT TAKING
EX. DRIVE CUT (CONSTRUCTED BY UDOT CONTRACTOR IN FALL 2023) (REMOVE)
5' TRAIL/WALK
EX. WOOD FENCE
EX. WOOD FENCE
5' TRAIL (MU..CH) FOR FUTURE PARK CONNECTION
S.L. COUNTY (DRIVEWAY)
41.5'
SALT LAKE COUNTY PARCEL ID #22-05-128-118
EX. GATE

NEW 6' HIGH VINYL FENCE
DEPRESSION IN LANDSCAPE (LID)
SLOPE
NEW ASPHALT & ROADBASE
NEW 6" CONC. LANDSCAPE CURB
SECTION A
SCALE: N.T.S.

EXISTING
NEIGHBORHOOD 1
N-1

PARKING TABLE

STALLS	UNIT
GARAGE	12
GUEST	3
TOTAL	15

AREA TABLE

PARTICULARS	S.F.	%
BLDG	4,318	23.95
HARDSCAPE	6,465	35.85
OPEN SPACE	7,249	40.20
TOTAL	18,541	100

No. | DATE | DESCRIPTION

SCALE MEASURES 11INCH ON FULL SIZE SHEETS
ADJUST ACCORDINGLY FOR REDUCED SIZE SHEETS
0 0.5 1

DRAWN BY: FBA
CHECKED BY: DKB
FIELD CREW: SURVEY
DATE: 10/02/2024
DWG FILE: 231222_SITE-5 unit

PRELIMINARY PLAN NOT FOR CONSTRUCTION

BENCHMARK ENGINEERING & LAND SURVEYING
9138 SOUTH STATE STREET SUITE #100
SANDY, UTAH 84070 (801) 545-7192
www.benchmarkcivil.com
BENCHMARK CIVIL

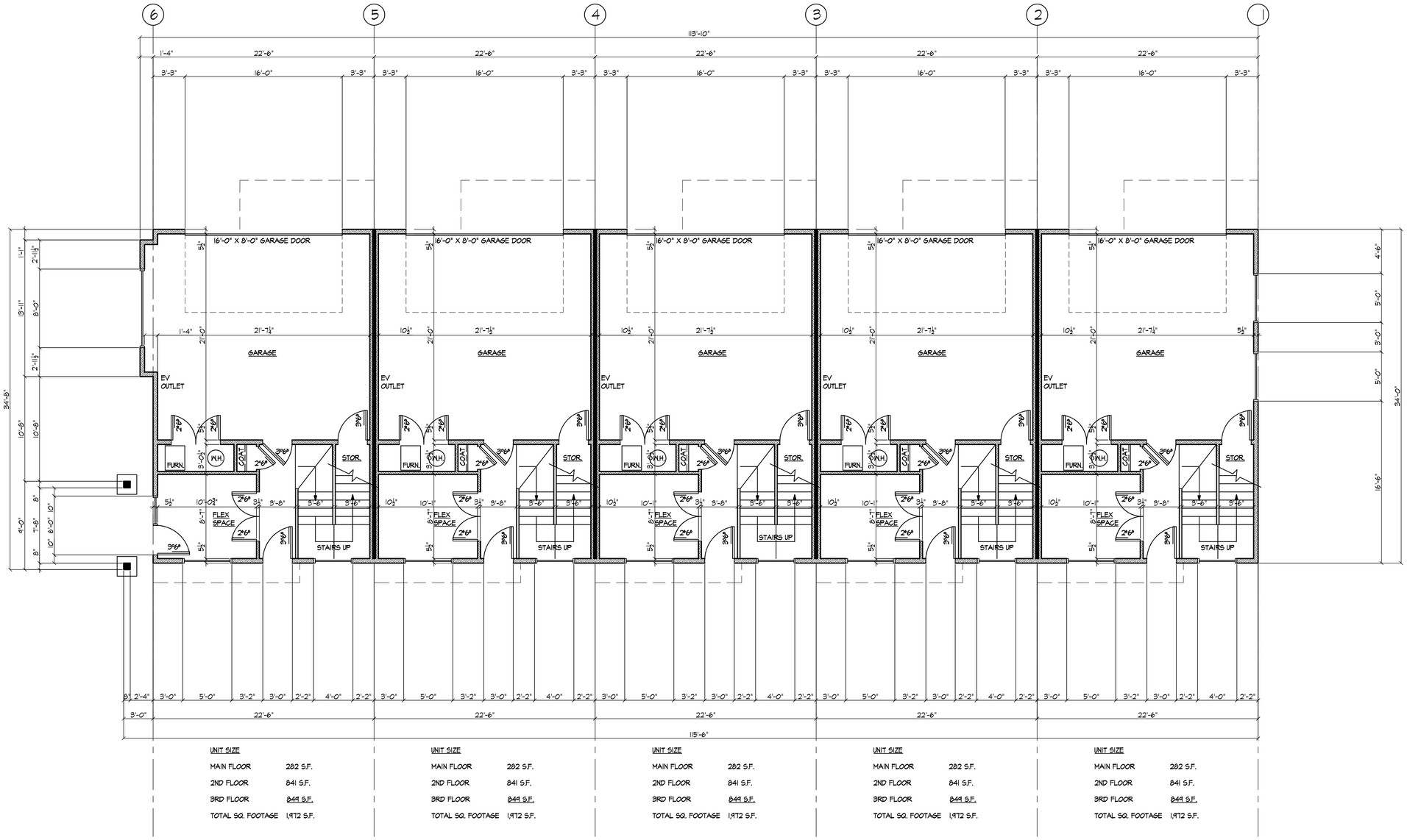
THE PRESERVE ON 9TH TOWNHOMES
4181 S. 900 E.
MILCREEK, UTAH

PROJECT NO. 2312222

SITE PLAN

CSP.01
3 OF 8

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1-800-662-4111
www.bluestakes.org
811



UNIT SIZE		UNIT SIZE		UNIT SIZE		UNIT SIZE		UNIT SIZE	
MAIN FLOOR	282 S.F.	MAIN FLOOR	282 S.F.	MAIN FLOOR	282 S.F.	MAIN FLOOR	282 S.F.	MAIN FLOOR	282 S.F.
2ND FLOOR	841 S.F.	2ND FLOOR	841 S.F.	2ND FLOOR	841 S.F.	2ND FLOOR	841 S.F.	2ND FLOOR	841 S.F.
3RD FLOOR	849 S.F.	3RD FLOOR	849 S.F.	3RD FLOOR	849 S.F.	3RD FLOOR	849 S.F.	3RD FLOOR	849 S.F.
TOTAL SQ. FOOTAGE	1,972 S.F.	TOTAL SQ. FOOTAGE	1,972 S.F.	TOTAL SQ. FOOTAGE	1,972 S.F.	TOTAL SQ. FOOTAGE	1,972 S.F.	TOTAL SQ. FOOTAGE	1,972 S.F.

MAIN FLOOR PLAN

SCALE 3/16"=1'-0"

JB DESIGN GROUP
www.jb-designgroup.com 801-668-5852

MAIN FLOOR PLAN

DATE: 09-23-2024 JOB # 240623

PROJECT:
THE PRESERVE ON 9TH
4181 SOUTH 900 EAST MILLCREEK, UTAH

1



UNIT SIZE	
MAIN FLOOR	282 S.F.
2ND FLOOR	841 S.F.
3RD FLOOR	849 S.F.
TOTAL SQ. FOOTAGE	1,972 S.F.

UNIT SIZE	
MAIN FLOOR	282 S.F.
2ND FLOOR	841 S.F.
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UNIT SIZE	
MAIN FLOOR	282 S.F.
2ND FLOOR	841 S.F.
3RD FLOOR	849 S.F.
TOTAL SQ. FOOTAGE	1,972 S.F.

2ND FLOOR PLAN

SCALE 3/16"=1'-0"

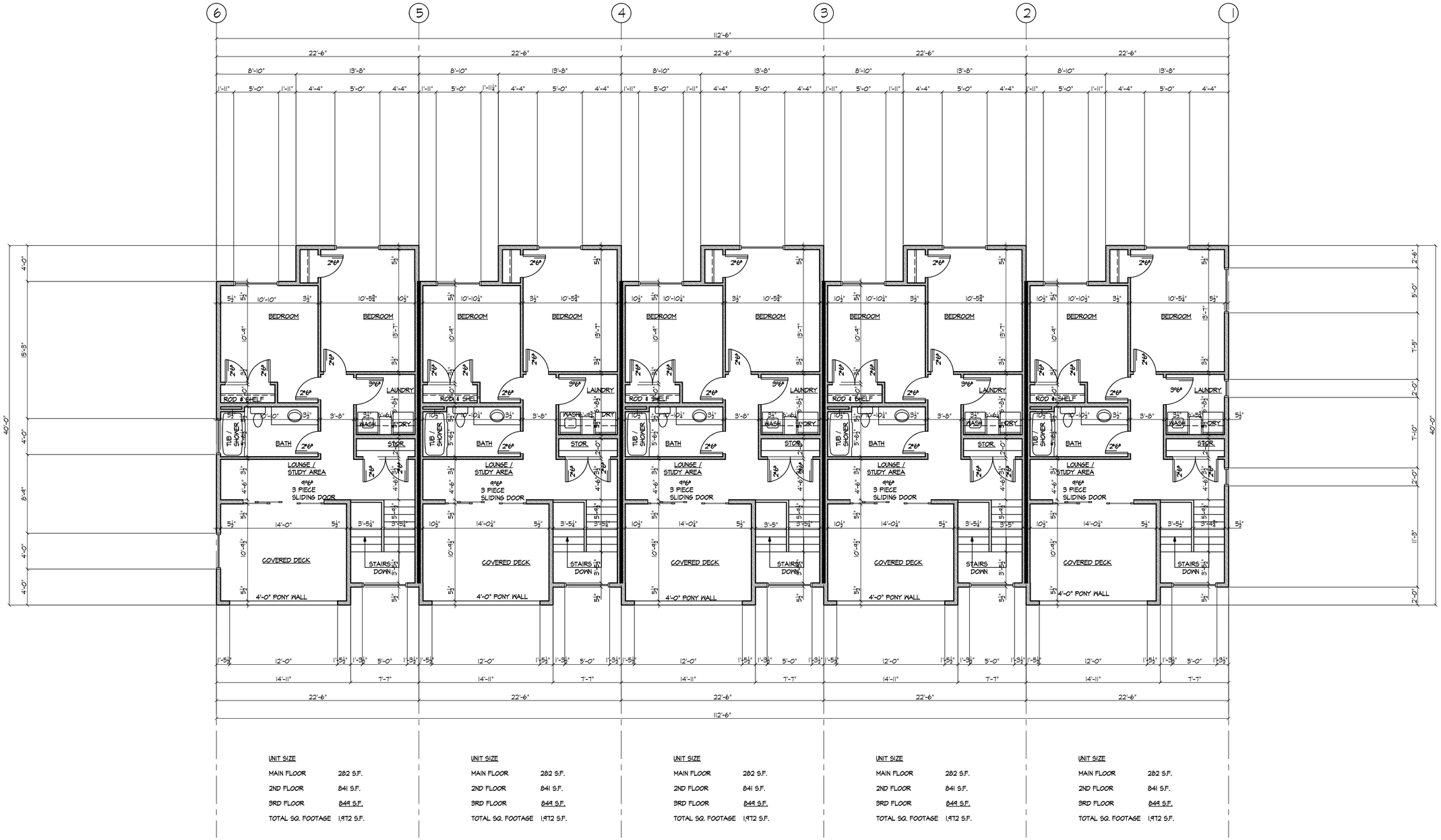
JB DESIGN GROUP
www.jb-designgroup.com 801-668-5852

2ND FLOOR PLAN

DATE: 09-23-2024 JOB # 2406-23

PROJECT:
THE PRESERVE ON 9TH
4181 SOUTH 900 EAST MILLCREEK, UTAH

2



3RD FLOOR PLAN

SCALE 3/16"=1'-0"

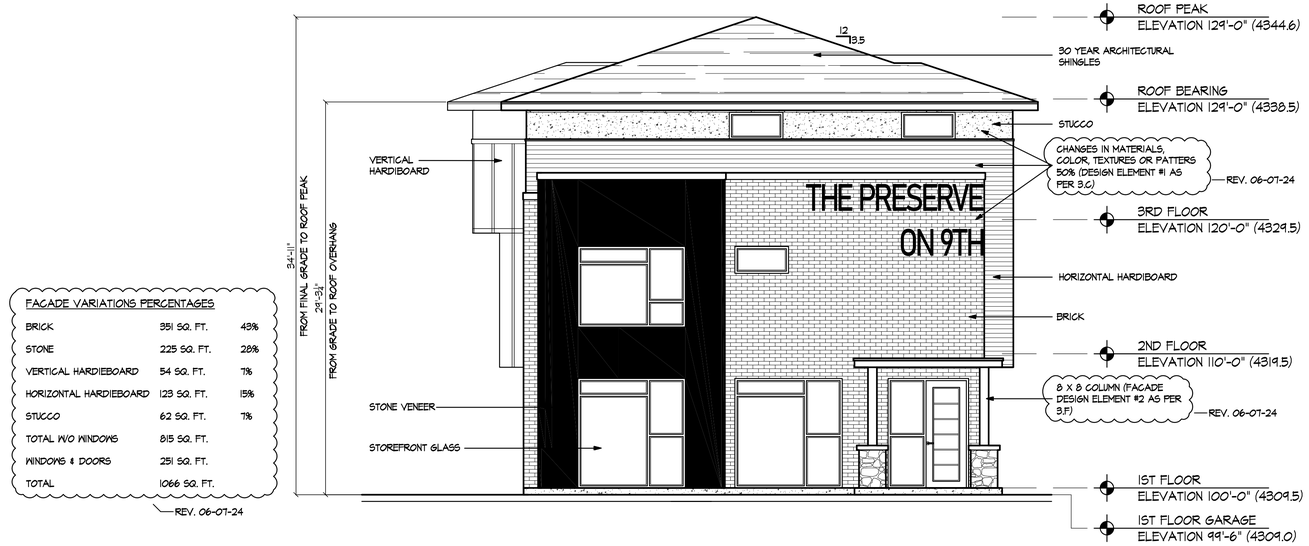
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3RD FLOOR PLAN

DATE: 09-23-2024 JOB # 240623

PROJECT:
THE PRESERVE ON 9TH
4181 SOUTH 900 EAST MILLCREEK, UTAH

3



FACADE VARIATIONS PERCENTAGES		
BRICK	951 SQ. FT.	43%
STONE	225 SQ. FT.	28%
VERTICAL HARDIEBOARD	54 SQ. FT.	7%
HORIZONTAL HARDIEBOARD	123 SQ. FT.	15%
STUCCO	62 SQ. FT.	7%
TOTAL W/O WINDOWS	815 SQ. FT.	
WINDOWS & DOORS	251 SQ. FT.	
TOTAL	1066 SQ. FT.	

REV. 06-07-24

FRONT EXTERIOR ELEVATION

SCALE 3/16"=1'-0"



FACADE VARIATIONS PERCENTAGES		
BRICK	1480 SQ. FT.	56%
VERTICAL HARDIEBOARD	860 SQ. FT.	33%
HORIZONTAL HARDIEBOARD	140 SQ. FT.	6%
STUCCO	120 SQ. FT.	5%
TOTAL W/O WINDOWS	2600 SQ. FT.	
WINDOWS & DOORS	948 SQ. FT.	
TOTAL	3548 SQ. FT.	

REV. 06-07-24

SIDE EXTERIOR ELEVATION

SCALE 3/16"=1'-0"

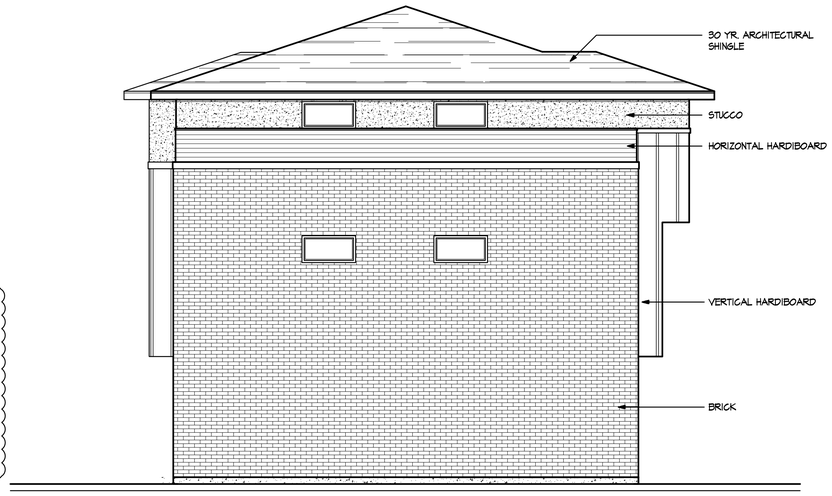
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FRONT & SIDE ELEVATIONS

DATE: 09-23-2024 JOB # 240623

PROJECT:
THE PRESERVE ON 9TH
4181 SOUTH 900 EAST MILLCREEK, UTAH

4



FACADE VARIATIONS PERCENTAGES

BRICK	796 SQ. FT.	78%
VERTICAL HARDIEBOARD	72 SQ. FT.	7%
HORIZONTAL HARDIEBOARD	86 SQ. FT.	8%
STUCCO	76 SQ. FT.	7%
TOTAL W/O WINDOWS	1030 SQ. FT.	
WINDOWS & DOORS	32 SQ. FT.	
TOTAL	1062 SQ. FT.	

REV. 06-07-24

BACK EXTERIOR ELEVATION

SCALE 3/16"=1'-0"

6 5 4 3 2 1



FACADE VARIATIONS PERCENTAGES

BRICK	904 SQ. FT.	42%
VERTICAL HARDIEBOARD	1102 SQ. FT.	49%
HORIZONTAL HARDIEBOARD	54 SQ. FT.	2%
STUCCO	150 SQ. FT.	7%
TOTAL W/O WINDOWS	2210 SQ. FT.	
WINDOWS & DOORS	1338 SQ. FT.	
TOTAL	3548 SQ. FT.	

REV. 06-07-24

SIDE EXTERIOR ELEVATION

SCALE 3/16"=1'-0"

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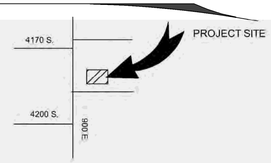
BACK & SIDE ELEVATIONS

DATE: 09-23-2024 JOB # 240623

PROJECT:
THE PRESERVE ON 9TH
4181 SOUTH 900 EAST MILLCREEK, UTAH

5

VICINITY MAP



SITE MATERIALS LEGEND
(NOTE: SITE MATERIALS QUANTITIES ARE PROVIDED FOR CONVENIENCE ONLY. IN CASE OF DISCREPANCY, TYP. DRAWING SCALE TAKE PRECEDENCE)

1 LANDSCAPE

	1-01	SODDED LAWN AREA LAWN AREAS SHALL BE SOD. NEW TURF AREAS TO BE SODDED WITH DROUGHT TOLERANT KENTUCKY BLUE GRASS OR APPROVED EQUAL. SEE SOD LANDSCAPE NOTES FOR FURTHER INFORMATION. SHEET LP-101.	1,636 sf
	1-14	1" MINUS TAN CRUSHED ROCK SUBMIT SAMPLES FOR LANDSCAPE ARCHITECT AND OWNER APPROVAL. PROVIDE 3" DEPTH OF ROCK MULCH TOP DRESSING. SEE INORGANIC MULCH LANDSCAPE NOTES FOR ADDITIONAL INFORMATION. SHEET LP-101.	4,461 sf
	1-23	4-6" GREY CRUSHED ROCK. SUBMIT SAMPLES FOR LANDSCAPE ARCHITECT AND OWNER APPROVAL. PROVIDE 6" DEPTH OF ROCK MULCH TOP DRESSING. SEE INORGANIC MULCH LANDSCAPE NOTES FOR ADDITIONAL INFORMATION. SHEET LP-101.	277 sf

2 HARDSCAPE

	2-01	BOULDERS- DECORATIVE 2' ROUND SUBMIT COLOR SAMPLES FOR ARCHITECT AND OWNER APPROVAL. SEE PLACEMENT INSTRUCTIONS ON DETAIL SHEET LP-501..	7
	2-02	BOULDERS- DECORATIVE 3' ROUND SUBMIT COLOR SAMPLES FOR ARCHITECT AND OWNER APPROVAL. SEE PLACEMENT INSTRUCTIONS ON DETAIL SHEET LP-501.	4
	2-04	6" CONCRETE MOW CURB SEE DETAIL SHEET FOR ADDITIONAL INFORMATION. SHEET LP-501.	152 lf
	2-07	PLAYGROUND SURFACE. SOF FALL ENGINEERED WOOD FIBER. INSTALL AS PER MANUFACTURERS SPECIFICATIONS.	17.4 cy

PLANT LEGEND
(NOTE: PLANT QUANTITIES ARE PROVIDED FOR CONVENIENCE ONLY. IN CASE OF DISCREPANCY, TUE DRAWING SCALE TAKE PRECEDENCE)

CONIFERS

SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	CONT	
	JS'M	6	Juniperus scopulorum `Moonglow` Moonglow Juniper Te2, 18x8; AV 20; sun; z3; Utah Lake water tolerant HZ: 2	B & B	6'

DECIDUOUS TREES

	GD'E	3	Gymnocladus dioica 'Espresso' Kentucky Coffeetree Td2; 50x35; AV 490; fun; z4; Utah Lake water tolerant HZ 2	B & B	2"Cal
	KP'F	6	Koelreuteria paniculata 'Fastigiata' Columnar Goldenrain Tree Td2; 25x8; AV 176; sun; z5; Utah Lake water tolerant HZ: 2	B & B	2"Cal
	S'IS	4	Syringa reticulata 'Ivory Silk' Ivory Silk Japanese Tree Lilac Moderate; 20-25'x12-15'; sun; z3; Utah Lake water tolerant. HZ: 3	B & B	2"Cal

DECIDUOUS SHRUBS

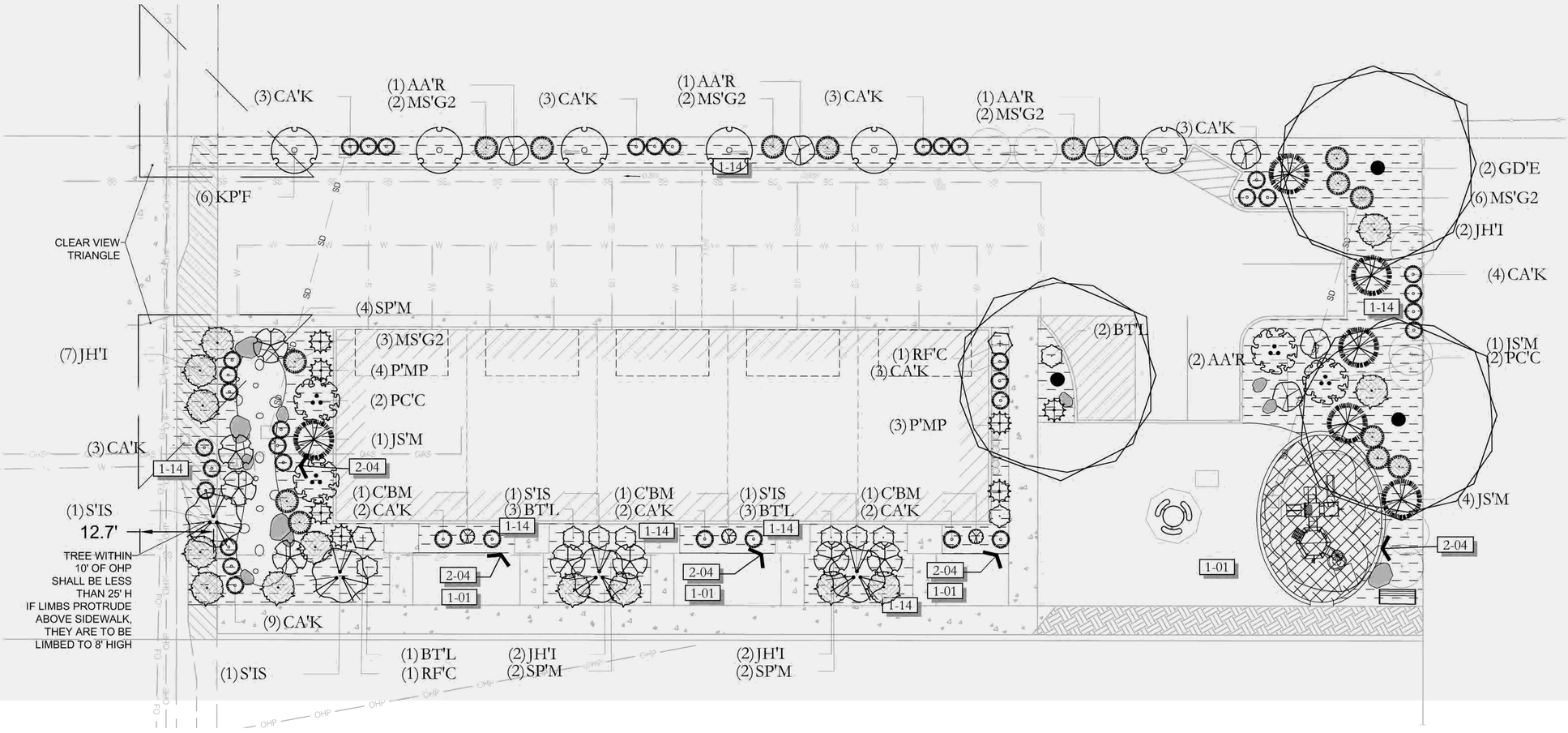
	AA'R	5	Amelanchier alnifolia 'Regent' Regent Serviceberry Sd2; 5x5; AV 50; sun to part shade; z2; Utah Lake water tolerant HZ 2	5 gal
	BT'L	9	Berberis thunbergii `BailErin` TM Limoncello Barberry Sd3; 4x4; AV28; full to partial sun; z4 HZ 3	5 gal
	CBM	3	Caryopteris x clandonensis `CT-9-12` TM Beyond Midnight Bluebeard Sd2; 2.5x2.5; AV12.5; sun; z5 HZ:2	5 gal
	PC'C	4	Prunus x cistena Purple Leaf Sand Cherry Moderate; 10-12'x8'; sun; z2 HZ: 2	5 gal
	RF'C	2	Rhamnus frangula 'Columnaris' Tall Hedge Buckthorn moderate; 15x4; sun; z2; Utah Lake water tolerant: HZ 3	5 gal
	SP'M	8	Syringa patula `Miss Kim` Miss Kim Lilac Sd2; 5x6; AV12.5; sun; z4; Utah Lake water tolerant HZ 2	5 gal

EVERGREEN SHRUBS

	JH'I	13	Juniperus horizontalis `Monber` TM Icee Blue Juniper GV1; 4" x 8'; AV 50; sun; z3; Utah Lake water tolerant. HZ:1	5 gal
	P'MP	7	Pinus mugo 'Mops' Mops Mugo Pine Moderate; 5'x5'; sun; z2; Utah Lake water tolerant; slow HZ: 2	5 gal

GRASSES

	CA'K	37	Calamagrostis x acutiflora `Karl Foerster` Feather Reed Grass Tw2; 4x3; AV 7; sun; z4; Utah Lake water tolerant. HZ:2	1 gal
	MS'G2	15	Miscanthus sinensis 'Graziella' Graziella Maiden Grass 4-5' x 4'; sun low to moderate; z5-9; HZ: 2	1 gal



ISSUE DATE	PROJECT NUMBER	PLAN INFORMATION	PROJECT INFORMATION	DEVELOPER / PROPERTY OWNER / CLIENT	LANDSCAPE ARCHITECT / PLANNER	LICENSE STAMP	DRAWING INFO

9/23/2024

UT24064

NO.	REVISION	DATE
1	XXXX	XX-XX-XX
2		
3		
4		
5		
6		
7		

811 BLUE STAKES OF UTAH
UTILITY NOTIFICATION CENTER, INC
1-800-662-4111
www.bluestakes.org

0' 5' 10' 20' 40'
GRAPHIC SCALE: 1" = 10'

THE PRESERVE ON 9TH
4181 S. 900 E.
MILLCREEK, UTAH

WIXACO 401K PLAN,LLC
ATT: BRANDON WIXOM
801-864-2626
BWIXOM@GMAIL.COM

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PKJ DESIGN GROUP
Landscape Architecture / Planning &Visualization
3450 N. TRIUMPH BLVD. SUITE 102
LEHI, UTAH 84043 (801) 753-5644
www.pkjdesigngroup.com

LICENSED LANDSCAPE ARCHITECT JEREMY ANDREWS 8129171-5301 9/23/2024 ELECTRONIC SEAL STATE OF UTAH

DRAWING INFO	
PM:	JTA
DRAWN:	ACP
CHECKED:	JMA
PLOT DATE:	9/23/2024

LANDSCAPE OVERALL PLAN

CITY PERMIT SET

LP-100

LANDSCAPE PLAN SPECIFICATIONS

PART 1 - GENERAL

1.1 SUMMARY

A. THIS SECTION INCLUDES LANDSCAPE PROCEDURES FOR THE PROJECT INCLUDING ALL LABOR, MATERIALS, AND INSTALLATION NECESSARY, BUT NOT LIMITED TO, THE FOLLOWING:

1. SITE CONDITIONS
2. GUARANTEES
3. MAINTENANCE
4. SOIL AMENDMENTS
5. FINE GRADING
6. LANDSCAPE EDGING
7. FURNISH AND INSTALLING PLANT
8. TURF PLANTING
9. WEED BARRIER

1.2 SITE CONDITIONS

A. EXAMINATION: BEFORE SUBMITTING A BID, EACH CONTRACTOR SHALL CAREFULLY EXAMINE THE CONTRACT DOCUMENTS; SHALL VISIT THE SITE OF THE WORK; SHALL FULLY INFORM THEMSELVES AS TO ALL EXISTING CONDITIONS AND LIMITATIONS; AND SHALL INCLUDE IN THE BID THE COST OF ALL ITEMS REQUIRED BY THE CONTRACT DOCUMENTS ARE AT A VARIANCE WITH THE APPLICABLE LAWS, BUILDING CODES, RULES, REGULATIONS, OR CONTAIN OBVIOUS ERRONEOUS OR UNCOORDINATED INFORMATION, THE CONTRACTOR SHALL PROMPTLY NOTIFY THE PROJECT REPRESENTATIVE AND THE NECESSARY CHANGES SHALL BE ACCOMPLISHED BY ADDENDUM.

B. PROTECTION: CONTRACTOR TO CONDUCT THE WORK IN SUCH A MANNER TO PROTECT ALL EXISTING UNDERGROUND UTILITIES OR STRUCTURES. CONTRACTOR TO REPAIR OR REPLACE ANY DAMAGED UTILITY OR STRUCTURE USING IDENTICAL MATERIALS TO MATCH EXISTING AT NO EXPENSE TO THE OWNER.

C. IRRIGATION SYSTEM: DO NOT BEGIN PLANTING UNTIL THE IRRIGATION SYSTEM IS COMPLETELY INSTALLED, IS ADJUSTED FOR FULL COVERAGE AND IS COMPLETELY OPERATIONAL.

1.3 PERMITS

A. BLUE STAKE/ DIG LINE: WHEN DIGGING IS REQUIRED, "BLUE STAKE" OR "DIG LINE" THE WORK SITE AND IDENTIFY THE APPROXIMATE LOCATION OF ALL KNOWN UNDERGROUND UTILITIES OR STRUCTURES.

1.4 PLANT DELIVERY, QUALITY, AND AVAILABILITY

A. UNAUTHORIZED SUBSTITUTIONS WILL NOT BE ACCEPTED. IF PROOF IS SUBMITTED THAT SPECIFIC PLANTS OR PLANT SIZES ARE UNOBTAINABLE, WRITTEN SUBSTITUTION REQUESTS WILL BE CONSIDERED FOR THE NEAREST EQUIVALENT PLANT OR SIZE. ALL SUBSTITUTION REQUESTS MUST BE MADE IN WRITING AND PREFERABLY BEFORE THE BID DUE DATE.

1.5 FINAL INSPECTION

A. ALL PLANTS WILL BE INSPECTED AT THE TIME OF FINAL INSPECTION PRIOR TO RECEIVING A LANDSCAPE SUBSTANTIAL COMPLETION FOR CONFORMANCE TO SPECIFIED PLANTING PROCEDURES, AND FOR GENERAL APPEARANCE AND VITALITY. ANY PLANT NOT APPROVED BY THE PROJECT REPRESENTATIVE WILL BE REJECTED AND REPLACED IMMEDIATELY.

1.6 LANDSCAPE SUBSTANTIAL COMPLETION

A. A SUBSTANTIAL COMPLETION CERTIFICATE WILL ONLY BE ISSUED BY THE PROJECT REPRESENTATIVE FOR "LANDSCAPE AND IRRIGATION" IN THEIR ENTIRETY. SUBSTANTIAL COMPLETION WILL NOT BE PROPORTIONED TO BE DESIGNATED AREAS OF A PROJECT.

1.7 MAINTENANCE

A. PLANT MATERIAL: THE CONTRACTOR IS RESPONSIBLE TO MAINTAIN ALL PLANTED MATERIALS IN A HEALTHY AND GROWING CONDITION FOR 30 DAYS AFTER RECEIVING A LANDSCAPE SUBSTANTIAL COMPLETION AT WHICH TIME THE GUARANTEE PERIOD COMMENCES. THIS MAINTENANCE IS TO INCLUDE MOWING, WEEDING, CULTIVATING, FERTILIZING, MONITORING WATER SCHEDULES, CONTROLLING INSECTS AND DISEASES, RE-GUYING AND STAKING, AND ALL OTHER OPERATIONS OF CARE NECESSARY FOR THE PROMOTION OF ROOT GROWTH AND PLANT LIFE SO THAT ALL PLANTS ARE IN A CONDITION SATISFACTORY AT THE END OF THE GUARANTEE PERIOD. THE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR FAILURE TO MONITOR WATERING OPERATIONS AND SHALL REPLACE ANY AND ALL PLANT MATERIAL THAT IS LOST DUE TO IMPROPER APPLICATION OF WATER.

1.8 GUARANTEE

A. GUARANTEE: A GUARANTEE PERIOD OF ONE YEAR SHALL BEGIN FROM END OF MAINTENANCE PERIOD AND FINAL ACCEPTANCE FOR TREES, SHRUBS, AND GROUND COVERS. ALL PLANTS SHALL GROW AND BE HEALTHY FOR THE GUARANTEE PERIOD AND TREES SHALL LIVE AND GROW IN ACCEPTABLE UPRIGHT POSITION. ANY PLANT NOT ALIVE, IN POOR HEALTH, OR IN POOR CONDITION AT THE END OF THE GUARANTEE PERIOD WILL BE REPLACED IMMEDIATELY. ANY PLANT WILL ONLY NEED TO BE REPLACED ONCE DURING THE GUARANTEE PERIOD. CONTRACTOR TO PROVIDE DOCUMENTATION SHOWING WHERE EACH PLANT TO BE REPLACED IS LOCATED. ANY OUTSIDE FACTORS, SUCH AS VANDALISM OR LACK OF MAINTENANCE ON THE PART OF THE OWNER, SHALL NOT BE PART OF THE GUARANTEE

PART II - PRODUCTS

2.1 LANDSCAPE MATERIALS

A. TREE STAKING: ALL TREES SHALL BE STAKED FOR ONE YEAR WARRANTY PERIOD. ALL TREES NOT PLUMB SHALL BE REPLACED. STAKED TREES SHALL USE VINYL TREE TIES AND TREE STAKES TWO (2) INCH BY TWO (2) BY EIGHT (8) FOOT COMMON PINE STAKES USED AS SHOWN ON THE DETAILS.

B. TREE WRAP: TREE WRAP IS NOT TO BE USED.

C. MULCH/ROCK: SEE PLANS. ALL PLANTER BEDS TO RECEIVE A MINIMUM 3" LAYER FOR TREES, SHRUBS, AND PERENNIALS AND 1" FOR GROUNDCOVERS.

D. WEED BARRIER: DEWITT 5 OZ. WEED BARRIER FABRIC. MANUFACTURED BY DEWITT COMPANY, DEWITTCOMPANY.COM OR APPROVED EQUAL.

E. TREE, SHRUB, AND GRASS BACKFILL MIXTURE; BACKFILL MIXTURE TO BE 75% NATIVE SOIL AND 25% TOPSOIL, THOROUGHLY MIXED TOGETHER PRIOR TO PLACEMENT.

F. TOPSOIL: REQUIRED FOR TURF AREAS, PLANTER BEDS AND BACKFILL MIXTURE. ACCEPTABLE TOPSOIL SHALL MEET THE FOLLOWING STANDARDS:

a. PH: 5.5-7.5

b. EC (ELECTRICAL CONDUCTIVITY): < 2.0 MMHOS PER CENTIMETER

c. SAR (SODIUM ABSORPTION RATION): < 3.0

d. % OM (PERCENT ORGANIC MATTER): >1%

e. TEXTURE (PARTICLE SIZE PER USDA SOIL CLASSIFICATION): SAND <70%; CLAY < 30%; SILT < 70%, STONE FRAGMENTS (GRAVEL OR ANY SOIL PARTICLE GREATER THAN TWO (2) MM IN SIZE) < 5% BY VOLUME.

G. TURF SOD: ALL SOD SHALL BE 18 MONTH OLD AS SPECIFIED ON PLANS (OR APPROVED EQUAL) THAT HAS BEEN CUT FRESH THE MORNING OF INSTALLATION. ONLY SOD THAT HAS BEEN GROWN ON A COMMERCIAL SOD FARM SHALL BE USED. ONLY USE SOD FROM A SINGLE SOURCE.

H. LANDSCAPE CURB EDGING: SIX (6) INCHES BY FOUR (4) INCHES EXTRUDED CONCRETE CURB MADE UP OF THE FOLLOWING MATERIALS:

a. WASHED MORTAR SAND FREE OF ORGANIC MATERIAL.

b. PORTLAND CEMENT (SEE CONCRETE SPEC. BELOW FOR TYPE)

c. REINFORCED FIBER - SPECIFICALLY PRODUCED FOR COMPATIBILITY WITH AGGRESSIVE ALKALINE ENVIRONMENT OF PORTLAND CEMENT-BASED COMPOSITES.

d. ONLY POTABLE WATER FOR MIXING.

I. LANDSCAPE METAL EDGING: 5.5" STEEL EDGING WITH 15" DOWELS INTO THE GROUND FOR STABILIZATION.

PART III - EXECUTION

3.1 GRADING

A. TOPSOIL PREPARATION: GRADE PLANTING AREAS ACCORDING TO THE GRADING PLAN. ELIMINATE UNEVEN AREAS AND LOW SPOTS. PROVIDE FOR PROPER GRADING AND DRAINAGE.

B. TOPSOIL PLACEMENT: SLOPE SURFACED AWAY FROM BUILDING AT TWO (2) PERCENT SLOPE WITH NO POCKETS OF STANDING WATER. ESTABLISH FINISH GRADES OF ONE (1) INCHES FOR PLANTERS BELOW GRADE OF ADJACENT PAVED SURFACED. PROVIDE NEAT, SMOOTH, AND UNIFORM FINISH GRADES. REMOVE SURPLUS SUB-SOIL AND TOPSOIL FROM THE SITE.

C. COMPACTION: COMPACTION UNDER HARD SURFACE AREAS (ASPHALT PATHS AND CONCRETE SURFACES) SHALL BE NINETY-FIVE (95) PERCENT. COMPACTION UNDER PLANTING AREAS SHALL BE BETWEEN EIGHTY-FIVE (85) AND NINETY (90) PERCENT.

3.2 TURF GRADING

A. THE SURFACE ON WHICH THE SOD IS TO BE LAID SHALL BE FIRM AND FREE FROM FOOTPRINTS, DEPRESSIONS, OR UNDULATIONS OF ANY KIND. THE SURFACE SHALL BE FREE OF ALL MATERIALS LARGER THAN 1/2" IN DIAMETER.

B. THE FINISH GRADE OF THE TOPSOIL ADJACENT TO ALL SIDEWALKS, MOW-STRIPS, ETC. PRIOR TO THE LAYING OF SOD, SHALL BE SET SUCH THAT THE CROWN OF THE GRASS SHALL BE AT THE SAME LEVEL AS THE ADJACENT CONCRETE OR HARD SURFACE. NO EXCEPTIONS.

3.3 PLANTING OPERATIONS

A. REVIEW THE EXACT LOCATIONS OF ALL TREES AND SHRUBS WITH THE PROJECT REPRESENTATIVE FOR APPROVAL PRIOR TO THE DIGGING OF ANY HOLES. PREPARE ALL HOLES ACCORDING TO THE DETAILS ON THE DRAWINGS.

B. WATER PLANTS IMMEDIATELY UPON ARRIVAL AT THE SITE. MAINTAIN IN MOIST CONDITION UNTIL PLANTED.

C. BEFORE PLANTING, LOCATE ALL UNDERGROUND UTILITIES PRIOR TO DIGGING. DO NOT PLACE PLANTS ON OR NEAR UTILITY LINES.

D. THE TREE PLANTING HOLE SHOULD BE THE SAME DEPTH AS THE ROOT BALL, AND TWO TIMES THE DIAMETER OF THE ROOT BALL.

E. TREES MUST BE PLACED ON UNDISTURBED SOIL AT THE BOTTOM OF THE PLANTING HOLE.

F. THE TREE HOLE DEPTH SHALL BE DETERMINED SO THAT THE TREE MAY BE SET SLIGHTLY HIGH OF FINISH GRADE, 1" TO 2" ABOVE THE BASE OF THE TRUNK FLARE, USING THE TOP OF THE ROOT BALL AS A GUIDE.

G. PLANT IMMEDIATELY AFTER REMOVAL OF CONTAINER FOR CONTAINER PLANTS.

H. SET TREE ON SOIL AND REMOVE ALL BURLAP, WIRE BASKETS, TWINE, WRAPPINGS, ETC. BEFORE BEGINNING AND BACKFILLING OPERATIONS. DO NOT USE PLANTING STOCK IF THE BALL IS CRACKED OR BROKEN BEFORE OR DURING PLANTING OPERATION.

I. APPLY VITAMIN B-1 ROOT STIMULATOR AT THE RATE OF ONE (1) TABLESPOON PER GALLON.

J. UPON COMPLETION OF BACKFILLING OPERATION, THOROUGHLY WATER TREE TO COMPLETELY SETTLE THE SOIL AND FILL ANY VOIDS THAT MAY HAVE OCCURRED. USE A WATERING HOSE, NOT THE AREA IRRIGATION SYSTEM. IF ADDITIONAL PREPARED TOPSOIL MIXTURE NEEDS TO BE ADDED. IT SHOULD BE A COURSER MIX AS REQUIRED TO ESTABLISH FINISH GRADE AS INDICATED ON THE DRAWINGS.

K. THE AMOUNT OF PRUNING SHALL BE LIMITED TO THE MINIMUM NECESSARY TO REMOVE DEAD OR INJURED TWIGS AND BRANCHES. ALL CUTS, SCARS, AND BRUISES SHALL BE PROPERLY TREATED ACCORDING TO THE DIRECTION OF THE PROJECT REPRESENTATIVE. PROPER PRUNING TECHNIQUES SHALL BE USED. DO NOT LEAVE STUBS AND DO NOT CUT THE LEADER BRANCH. IMPROPER PRUNING SHALL BE CAUSE FOR REJECTION OF THE PLANT MATERIAL.

L. PREPARE A WATERING CIRCLE OF 2' DIAMETER AROUND THE TRUNK. FOR CONIFERS, EXTEND THE WATERING WELL TO THE DRIP LINE OF THE TREE CANOPY. PLACE MULCH AROUND THE PLANTED TREES.

4. TURF - SOD LAYING

A. TOP SOIL AMENDMENTS: PRIOR TO LAYING SOD, COMMERCIAL FERTILIZER SHALL BE APPLIED AND INCORPORATED INTO THE UPPER FOUR (4) INCHES OF THE TOPSOIL AT A RATE OF FOUR POUNDS OF NITROGEN PER ONE THOUSAND (1,000) SQUARE FEET. ADJUST FERTILIZATION MIXTURE AND RATE OF APPLICATION AS NEEDED TO MEET RECOMMENDATIONS GIVEN BY TOPSOIL ANALYSIS. INCLUDE OTHER AMENDMENTS AS REQUIRED.

B. FERTILIZATION: THREE WEEKS AFTER SOD PLACEMENT FERTILIZE THE TURF AT A RATE OF ½ POUND OF NITROGEN PER 1000 SQUARE FEET. USE FERTILIZER SPECIFIED ABOVE. ADJUST FERTILIZATION MIXTURE AND RATES TO MEET RECOMMENDATIONS GIVEN BY TOPSOIL ANALYSIS.

C. SOD AVAILABILITY AND CONDITION: SOD IS TO BE DELIVERED TO THE SITE IN GOOD CONDITION. IT IS TO BE INSPECTED UPON ARRIVAL AND INSTALLED WITHIN 24 HOURS. SOD IS TO BE MOIST AND COOL TO ENSURE THAT DECOMPOSITION HAS NOT BEGUN AND IS TO BE FREE OF PESTS, DISEASES, OR BLEMISHES. THE CONTRACTOR SHALL SATISFY HIMSELF AS TO THE EXISTING CONDITIONS PRIOR TO ANY CONSTRUCTION. THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR FURNISHING AND LAYING ALL SOD REQUIRED ON THE PLANS. HE SHALL FURNISH NEW SOD AS SPECIFIED ABOVE AND LAY IT SO AS TOO COMPLETELY SATISFY THE INTENT AND MEANING OF THE PLANS AND SPECIFICATION AT NO EXTRA COST TO THE OWNER. IN THE CASE OF ANY DISCREPANCY IN THE AMOUNT OF SOD TO BE REMOVED OR AMOUNT TO BE USED, IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO REPORT SUCH TO THE PROJECT REPRESENTATIVE PRIOR TO COMMENCING THE WORK.

D. SOD LAYING: THE SURFACE UPON WHICH THE NEW SOD TO BE LAID WILL BE PREPARED AS SPECIFIED IN THE DETAIL AND BE LIGHTLY WATERED BEFORE LAYING. AREAS WHERE SOD IS TO BE LAID SHALL BE CUT TRIMMED, OR SHAPED TO RECEIVE FULL WIDTH SOD (MINIMUM TWELVE (12) INCHES). NO PARTIAL STRIP OR PIECES WILL BE ACCEPTED.

E. SOD SHALL BE TAMPED LIGHTLY AS EACH PIECE IS SET TO ENSURE THAT GOOD CONTACT IS MADE BETWEEN EDGES AND ALSO THE GROUND. IF VOIDS OR HOLES ARE DISCOVERED, THE SOD PIECE(S) IS (ARE) TO BE RAISED AND TOPSOIL IS TO BE USED TO FILL IN THE AREAS UNTIL LEVEL. SOD LAID ON ANY SLOPED AREAS SHALL BE ANCHORED WITH WOODEN DOWELS OR OTHER MATERIALS WHICH ARE ACCEPTED BY THE GRASS SOD INDUSTRY.

F. SOD SHALL BE ROLLED WITH A ROLLER THAT IS AT LEAST 50% FULL IMMEDIATELY AFTER INSTALLATION TO ENSURE THE FULL CONTACT WITH SOIL IS MADE.

G. APPLY WATER DIRECTLY AFTER LAYING SOD. RAINFALL IS NOT ACCEPTABLE.

H. WATERING OF THE SOD SHALL BE THE COMPLETE RESPONSIBILITY OF THE CONTRACTOR BY WHATEVER MEANS NECESSARY TO ESTABLISH THE SOD IN AN ACCEPTABLE MANNER TO THE END OF THE MAINTENANCE PERIOD. IF AN IRRIGATION SYSTEM IS IN PLACE ON THE SITE, BUT FOR WHATEVER REASON, WATER IS NOT AVAILABLE IN THE SYSTEM. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO WATER THE SOD BY WHATEVER MEANS, UNTIL THE SOD IS ACCEPTED BY THE PROJECT REPRESENTATIVE.

I. PROTECTION OF THE NEWLY LAID SOD SHALL BE THE COMPLETE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL PROVIDE ACCEPTABLE VISUAL BARRIERS, TO INCLUDE BARRICADES SET APPROPRIATE DISTANCES WITH STRINGS OR TAPES BETWEEN BARRIERS, AS AN INDICATION OF NEW WORK. THE CONTRACTOR IS TO RESTORE ANY DAMAGED AREAS CAUSED BY OTHERS (INCLUDING VEHICULAR TRAFFIC), EROSION, ETC, UNTIL SUCH TIME AS THE LAWN IS ACCEPTED BY THE OWNER.

J. ALL SOD THAT HAS NOT BEEN LAID WITHIN 24 HOURS SHALL BE DEEMED UNACCEPTABLE AND WILL BE REMOVED FROM THE SITE.

3.5 WEED BARRIER

A. FOR THE HEALTH OF THE SOIL AND THE MICROORGANISMS, WEED BARRIER IS NOT RECOMMENDED. IF USE IS REQUIRED OR REQUESTED, DO NOT PLACE IN ANNUAL OR GRASS AREAS.

B. CUT WEED BARRIER BACK TO THE EDGE OF THE PLANT ROOTBALL.

C. OVERLAP ROWS OF FABRIC MIN. 6"

D. STABLE FABRIC EDGES AND OVERLAPS TO GROUND.

END OF SECTION

SITE MATERIALS LEGEND

(NOTE: SITE MATERIALS QUANTITIES ARE PROVIDED FOR CONVENIENCE ONLY. IN CASE OF DISCREPANCY, THE DRAWING SHALL TAKE PRECEDENCE.)

SYMBOL	CODE	DESCRIPTION	QTY
1 LANDSCAPE			
	1-01	SODDED LAWN AREA LAWN AREAS SHALL BE SOD. NEW TURF AREAS TO BE SODDED WITH DROUGHT TOLERANT KENTUCKY BLUE GRASS OR APPROVED EQUAL. SEE SOD LANDSCAPE NOTES FOR FURTHER INFORMATION. SHEET LP-101.	1,636 sf
	1-14	1" MINUS TAN CRUSHED ROCK SUBMIT SAMPLES FOR LANDSCAPE ARCHITECT AND OWNER APPROVAL. PROVIDE 3" DEPTH OF ROCK MULCH TOP DRESSING. SEE INORGANIC MULCH LANDSCAPE NOTES FOR ADDITIONAL INFORMATION. SHEET LP-101.	4,461 sf
	1-23	4-6" GREY CRUSHED ROCK. SUBMIT SAMPLES FOR LANDSCAPE ARCHITECT AND OWNER APPROVAL. PROVIDE 6" DEPTH OF ROCK MULCH TOP DRESSING. SEE INORGANIC MULCH LANDSCAPE NOTES FOR ADDITIONAL INFORMATION. SHEET LP-101.	277 sf
2 HARDSCAPE			
	2-01	BOULDERS- DECORATIVE 2' ROUND SUBMIT COLOR SAMPLES FOR ARCHITECT AND OWNER APPROVAL. SEE PLACEMENT INSTRUCTIONS ON DETAIL SHEET LP-501..	7
	2-02	BOULDERS- DECORATIVE 3' ROUND SUBMIT COLOR SAMPLES FOR ARCHITECT AND OWNER APPROVAL. SEE PLACEMENT INSTRUCTIONS ON DETAIL.SHEET LP-501.	4
	2-04	6" CONCRETE MOW CURB SEE DETAIL SHEET FOR ADDITIONAL INFORMATION. SHEET LP-501.	152 lf
	2-07	PLAYGROUND SURFACE. SOFTFALL ENGINEERED WOOD FIBER. INSTALL AS PER MANUFACTURERS SPECIFICATIONS.	17.4 cy

PLANT LEGEND

(NOTE: PLANT QUANTITIES ARE PROVIDED FOR CONVENIENCE ONLY. IN CASE OF DISCREPANCY, THE DRAWING SHALL TAKE PRECEDENCE.)

SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	CONT	
CONIFERS					
	JS'M	6	Juniperus scopulorum `Moonglow` Moonglow Juniper Te2, 18x8; AV 20; sun; z3; Utah Lake water tolerant HZ: 2	B & B	6`
DECIDUOUS TREES					
	GD'E	3	Gymnocladus dioica 'Espresso' Kentucky Coffeetree Td2; 50x35; AV 490; fun; z4; Utah Lake water tolerant HZ 2	B & B	2"Cal
	KP'F	6	Koelreuteria paniculata 'Fastigiata' Columnar Goldenrain Tree Td2; 25x8; AV 176; sun; z5; Utah Lake water tolerant HZ: 2	B & B	2"Cal
	S'IS	4	Syringa reticulata 'Ivory Silk' Ivory Silk Japanese Tree Lilac Moderate; 20-25'x12-15'; sun; z3; Utah Lake water tolerant. HZ: 3	B & B	2"Cal

SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	CONT
DECIDUOUS SHRUBS				
	AA'R	5	Amelanchier alnifolia 'Regent' Regent Serviceberry Sd2; 5x5; AV 50; sun to part shade; z2; Utah Lake water tolerant HZ 2	5 gal
	BT'L	9	Berberis thunbergii `BailErin` TM Limoncello Barberry Sd3; 4x4; AV28; full to partial sun; z4 HZ 3	5 gal
	C'BM	3	Caryopteris x clandonensis `CT-9-12` TM Beyond Midnight Bluebeard Sd2; 2.5x2.5; AV12.5; sun; z5 HZ:2	5 gal
	PC'C	4	Prunus x cistena Purple Leaf Sand Cherry Moderate; 10-12'x8'; sun; z2 HZ: 2	5 gal
	RF'C	2	Rhamnus frangula 'Columnaris' Tall Hedge Buckthorn moderate; 15x4; sun; z2; Utah Lake water tolerant: HZ 3	5 gal
	SP'M	8	Syringa patula `Miss Kim` Miss Kim Lilac Sd2; 5x6; AV12.5; sun; z4; Utah Lake water tolerant HZ 2	5 gal
EVERGREEN SHRUBS				
	JH'I	13	Juniperus horizontalis `Monber` TM Icee Blue Juniper GV1; 4" x 8'; AV 50; sun; z3; Utah Lake water tolerant. HZ:1	5 gal
	P'MP	7	Pinus mugo 'Mops' Mops Mugo Pine Moderate; 5'x5'; sun; z2; Utah Lake water tolerant; slow HZ: 2	5 gal
GRASSES				
	CA'K	37	Calamagrostis x acutiflora `Karl Foerster` Feather Reed Grass Tw2; 4x3; AV 7; sun; z4; Utah Lake water tolerant. HZ:2	1 gal
	MS'G2	15	Miscanthus sinensis 'Graziella' Graziella Maiden Grass 4-5' x 4'; sun low to moderate; z5-9; HZ: 2	1 gal

GENERAL LANDSCAPE NOTES

GRADING AND DRAINAGE REQUIREMENTS

- AS PER CODE, ALL GRADING IS TO SLOPE AWAY FROM ANY STRUCTURE. SURFACE OF THE GROUND WITHIN 10' FEET OF THE FOUNDATION SHOULD DRAIN AWAY FROM THE STRUCTURE WITH A MINIMUM FALL OF 6"
- AS PER CODE, FINISHED GRADE WILL NOT DRAIN ON NEIGHBORING PROPERTIES
- A MINIMUM OF 6" OF FOUNDATION WILL BE LEFT EXPOSED AT ALL CONDITIONS
- LANDSCAPE CONTRACTOR TO MAINTAIN OR IMPROVE FINAL GRADE AND PROPER DRAINAGE ESTABLISHED BY EXCAVATOR, INCLUDING BUT NOT LIMITED TO ANY MAINTENANCE, PRESERVATION, OR EXAGGERATION OF SLOPES, BERMS, AND SWALES.
- LANDSCAPE CONTRACTOR IS RESPONSIBLE TO CORRECT ANY DAMAGED OR IMPROPER WATERFLOW OF ALL SWALES, BERMS, OR GRADE
- DEVICES FOR CHANNELING ROOF RUN-OFF SHOULD BE INSTALLED FOR COLLECTION AND DISCHARGE OF RAINWATER AT A MINIMUM OF 10' FROM THE FOUNDATION, OR BEYOND THE LIMITS OF FOUNDATION WALL BACKFILL; WHICHEVER DISTANCE IS GREATER

GENERAL LANDSCAPE NOTES

- LANDSCAPE CONTRACTOR SHALL HAVE ALL UTILITIES BLUE STAKED PRIOR TO DIGGING. ANY DAMAGE TO UTILITIES SHALL BE REPAIRED AT CONTRACTOR'S EXPENSE WITH NO ADDITIONAL COST TO THE OWNER.
- DURING THE BIDDING AND INSTALLATION PROCESS, THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR VERIFYING QUANTITIES OF ALL MATERIALS. IF DISCREPANCIES EXIST, THE PLAN SHALL DICTATE QUANTITIES TO BE USED.
- ALL PLANT MATERIAL SHALL BE PLANTED ACCORDING TO ANSI STANDARDS WITH CONSIDERATION TO INDIVIDUAL SOIL AND SITE CONDITIONS, AND NURSERY CARE AND INSTALLATION INSTRUCTIONS.
- SELECTED PLANTS WILL BE ACCORDING TO THE PLANT LEGEND. IF SUBSTITUTIONS ARE NECESSARY, PROPOSED LANDSCAPE CHANGES MUST BE SUBMITTED TO THE LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO LAYING SOD.
- SHOULD THE SITE REQUIRE ADDITIONAL TOPSOIL, REFER TO SOIL TEST WHEN MATCHING EXISTING SOIL. IF A MATCHING SOIL IS NOT LOCATABLE, A 6" DEPTH OF SANDY LOAM TOPSOIL (MIXED PRIOR TO SPREADING WITH 1% ORGANIC MATTER) CAN BE INCORPORATED INTO THE EXISTING SOIL USING THE FOLLOWING DIRECTIONS: SCARIFY TOP 6" OF EXISTING SUBSOIL AND INCORPORATE 3" OF NEW COMPOST ENRICHED TOPSOIL. SPREAD REMAINING TOPSOIL TO REACH FINISHED GRADE.
- EDGING, AS INDICATED ON PLAN, IS TO BE INSTALLED BETWEEN ALL LAWN AND PLANTER AREAS. ANY TREES LOCATED IN LAWN MUST HAVE A 4-6' TREE RING OF THE SAME EDGING.

LAWN/GRASS AREA

- SOD
  - O ALL LAWN AREAS TO RECEIVE MIN. 6" DEPTH OF QUALITY TOPSOIL. IF TOPSOIL IS PRESENT ON SITE, PROVIDE SOIL TEST TO DETERMINE SOIL QUALITY FOR PROPOSED HYDROSEEDING. FINE LEVEL ALL AREAS PRIOR TO LAYING SOD ALL. LAWN AREAS SHALL BE IRRIGATED WITH 100% COVERAGE BY POP-UP SPRAY HEADS AND GEAR-DRIVEN ROTORS. ALL DECIDUOUS AND CONIFER TREES PLANTED WITHIN SOD AREAS SHALL HAVE A FOUR FOOT(4') DIAMETER TREE RING COVERED WITH CHOCOLATE BROWN BARK MULCH, NO SHREDDED FINES. SUBMIT SAMPLES TO BE APPROVED BY LANDSCAPE ARCHITECT AND OWNER BEFORE INSTALLATION.
- SEED
  - O **SOIL:** TEST SOIL FOR ADEQUATE FERTILITY. ANY WEEDS CURRENTLY ON THE SITE SHALL BE REMOVED BY EITHER MECHANICAL MEANS SUCH AS HAND PULLING OR SPRAYING WITH AN HERBICIDE SUCH AS GLYPHOSATE MIXED WITH A SURFACTANT. HERBICIDES SHOULD BE APPLIED BY A CERTIFIED PESTICIDE APPLICATOR . COMPACTED SOIL SHALL BE SCARIFIED TO A DEPTH OF 18 INCHES BEFORE ADDING 6" OF WEED FREE TOPSOIL WITH HIGH ORGANIC MATTER. FINE LEVEL ALL AREAS PRIOR TO HYDROSEEDING AND SET THE GRADE FOR POSITIVE DRAINAGE. TOPSOIL SHOULD BE SOFT AT TIME OF APPLICATION. FERTILIZER IS TO BE ADDED WHEN HYDROSEEDING. REFER TO SOIL TEST RESULTS AND HYDROSEEDING CONTRACTOR FOR APPLICATION RATES.
  - O **SEED**: USE SEED MIXES AS SPECIFIED BY LANDSCAPE ARCHITECT OF PURE LIVE SEED (PLS) ON A BASIS/ACRE. THE OPTIMUM TIME TO PANT IS IN NOVEMBER BEFORE THE FIRST SNOW. DO NOT SOW OVER HEAVY SNOWPACK. SEED WILL LAY DORMANT AND BE READY TO GERMINATE ONCE THE GROUND THAWS AND WARMS IN LATE WINTER. IF SEEDING IN LATE FALL IS NOT POSSIBLE, SEED BEFORE APRIL 1. CONTACT SUMMIT SEED. DARRELL@SUMMITSEEDING.COM 435-709-8003.
  - O **APPLICATION**: HYDROSEEDING SHALL CONSIST OF SEED, TACKIFIER, WOOD FIBER MULCH AND FERTILIZER IN A WATER BASED SLURRY. TANK MOUNTED TRUCK SHALL HAVE CONTINUOUS AGITATION. THE PUMP ON THE TRUCK WILL FORCE THE SLURRY THROUGH A TOP-MOUNTED DISCHARGE NOZZLE (TOWER). USE 2000 POUNDS WOOD FIBER MULCH AND 50-100 POUNDS OF TACKIFIER PER ACRE.
  - O **IRRIGATION**: ALL AREAS MUST BE KEPT MOIST WITHOUT PUDDLES OR RUNOFF USING FREQUENT DAYTIME WATER CYCLES. ADJUST AND MONITOR SPRINKLERS AND CLOCK TO ACHIEVE PROPER IRRIGATION.
- IF PERMANENT IRRIGATION IS NOT PLANNED, TEMPORARY IRRIGATION IS REQUIRED AT THE FOLLOWING SCHEDULE: FOR 8 WEEKS SOIL SHALL REMAIN DAMP DURING ESTABLISHMENT PERIOD WITHOUT PUDDLING ON SOIL SURFACE. APPLY WATER APPROXIMATELY THREE TIMES A DAY FOR 5-7 MINUTES FOR EACH IRRIGATION EVENT DEPENDING ON TEMPERATURE AND TIME OF YEAR. A SPARSE DENSITY IS EXPECTED. CONTINUE TEMPORARY IRRIGATION FOR ONE YEAR EVENTUALLY REDUCING WATER APPLICATION TO ONCE A WEEK, THEN ONCE EVERY TWO WEEKS TO FINALLY ONCE A MONTH. MONITOR PROGRESS OF ESTABLISHMENT AND ADJUST SPRINKLERS ACCORDINGLY. THE GOAL IS TO CREATE A HEALTHY STAND OF GRASSES WITH LITTLE TO NO IRRIGATION.
  - O **WEED CONTROL AND MAINTENANCE:** MANDATORY WEED CONTROL IS REQUIRED TO REDUCE COMPETITION AND WEED SEED PRODUCTION. WEEDS MUST BE KEPT UNDER CONTROL BY MECHANICALLY PULLING OR CHEMICALLY SPRAYING AS DIRECTED BY THE APPLICATOR. APPLY A BROADLEAF HERBICIDE BIANNUALLY AND ESTABLISH A CONSISTENT REGIMEN OF MOWING AND FERTILIZING TO PREVENT WEEDS FROM PRODUCING SEED. MOW ONCE IN THE SPRING AND ONCE IN THE FALL BEFORE FERTILIZATION. FERTILIZER OPTION IS SUSTAIN 4-6-4 DEPENDING ON SOIL FERTILITY. DO NOT MOW SHORTER THAN 4 INCHES. BAG ALL CUTTINGS TO REMOVE WEED SEED FROM PROPERTY. KEEP WEEDS CUT DOWN AND DO NOT LET THEM GO TO SEED. WEED SEED PRODUCTION IS THE GAUGE FOR WHEN TO MOW, WHICH GENERALLY OCCURS IN APRIL OR MAY AS WELL AS EARLY FALL DEPENDING ON TEMPERATURE AND MOISTURE. THIS PROCEDURE WILL BE REQUIRED UNTIL A HEALTHY STAND OF GRASSES IS EVIDENT AND COMPETING WELL WITH WEEDS. EXPECT FROM 1 TO 3 YEARS.
  - O **PROGANICS BIOTIC SOIL MEDIA**: WHERE CONDITIONS MAY PROHIBIT ADDING TOPSOIL, PROGANICS BIOTIC SOIL MEDIA SHOULD BE APPLIED BY HYDROSEEDER AT 3500LBS/ACRE WITH SEED AND FERTILIZER PRIOR TO THE APPLICATION OF WOOD MULCH(2000LBS/ACRE) COMBINED WITH TACKIFIER (50-100 LBS/ACRE.)
  - O **ADDING FORBS**: SHRUBS AND PERENNIALS, BY SEED OR CONTAINER, CAN BE ADDED ONCE WEEDS ARE UNDER CONTROL AND HERBICIDE IS NO LONGER NEEDED. USUALLY 1-2 YEARS AFTER HYDROSEEDING.

MULCH

- ORGANIC
  - O PLANTING AREAS TO BE FREE OF WEEDS AND RECEIVE MIN. 12" DEPTH OF QUALITY TOPSOIL. IF TOPSOIL IS PRESENT ON SITE, PROVIDE SOIL TEST TO DETERMINE SOIL QUALITY FOR PROPOSED PLANTINGS. PROVIDE 3" DEPTH OF ORGANIC MULCH TOP DRESSING. KEEP MULCH AWAY FROM TOP OF ROOT BALL OF ALL PLANT MATERIAL.
  - O IF REQUIRED BY CITY, INSTALL DEWITT 5OZ WEED BARRIER LANDSCAPE FABRIC UNDER ALL MULCH AREAS. KEEP WEED BARRIER 1 FOOT AWAY FROM EDGE OF ROOT BALL OF ALL PLANT MATERIAL. IF WEED BARRIER IS NOT REQUIRED OR INSTALLED, AT OWNER`S APPROVAL, USE TREFLAN 10 AS A PRE-EMERGENT. APPLY ACCORDING TO LABEL DIRECTIONS BY CERTIFIED PESTICIDE APPLICATOR AFTER PLANTING AND AFTER APPLYING MULCH.
  - O IF USING TREFLAN 10 WITHOUT WEED BARRIER, THIS AREA WILL ALSO NEED AN YEARLY MANAGEMENT PROGRAM. SUBMIT PROGRAM TO OWNER.
  - O ANNUAL PLANTING AREAS AS SHOWN ON PLAN TO RECEIVE 4" OF SOIL AID MATERIAL (ORGANIC MULCH). NO MULCH SHALL BE PLACED WITHIN 12" OF TREE TRUNK AND 6" WITHIN BASE OF SHRUBS AND PERENNIALS. DO NOT COVER LOW BRANCHES OF SHRUBS WITH ROCK.
- INORGANIC
  - O ROCK MULCH PLANTING AREAS TO BE FREE OF WEEDS AND RECEIVE MIN. 12" DEPTH OF QUALITY TOPSOIL. IF TOPSOIL IS PRESENT ON SITE, PROVIDE SOIL TEST TO DETERMINE SOIL QUALITY FOR PROPOSED PLANTINGS. WHERE PLANTING IS SPARSE (GREATER THAN 4' DISTANCE BETWEEN PLANTS OR 20' BETWEEN GROUPINGS), ADDITIONAL TOPSOIL IS NOT NECESSARY EXCEPT FOR BACKFILLING PLANTING HOLE. PREPARE A HOLE TWICE THE WIDTH OF THE CONTAINER, WATER IN PLANT, BACKFILL WITH A 4:1 RATIO OF SOIL TO COMPOST. TAMP LIGHTLY AND WATER AGAIN. KEEP ROCK 12" AWAY FROM TRUNK OF TREES AND 6" AWAY FROM BASE OF SHRUBS AND PERENNIALS. DO NOT COVER LOW BRANCHES OF SHRUBS WITH ROCK.
  - O IF REQUIRED BY CITY, INSTALL DEWITT 5OZ WEED BARRIER LANDSCAPE FABRIC UNDER ALL ROCK AREAS. KEEP WEED BARRIER 1 FOOT AWAY FROM EDGE OF ROOT BALL OF ALL PLANT MATERIAL. IF WEED BARRIER IS NOT REQUIRED OR INSTALLED, AT OWNER`S APPROVAL, USE TREFLAN 10 AS A PRE-EMERGENT. APPLY ACCORDING TO LABEL DIRECTIONS BY CERTIFIED PESTICIDE APPLICATOR AFTER PLANTING AND AFTER APPLYING MULCH.
  - O IF USING TREFLAN 10 WITHOUT WEED BARRIER, THIS AREA WILL ALSO NEED AN YEARLY MANAGEMENT PROGRAM. SUBMIT PROGRAM TO OWNER. UPON REQUEST, A PLANT GUIDE IS AVAILABLE WITH OUR RECOMMENDATIONS REGARDING WEED BARRIER, PLANT CARE AND MAINTENANCE.

GENERAL IRRIGATION NOTES

- A NEW UNDERGROUND, AUTOMATIC IRRIGATION SYSTEM IS TO BE INSTALLED BY CONTRACTOR IN ALL LANDSCAPED AREAS. LAWN AREAS TO RECEIVE AT LEAST 100% HEAD TO HEAD COVERAGE AND PLANTER AREAS TO RECEIVE A FULL DRIP SYSTEM TO EACH TREE AND SHRUB. POINT SOURCE DRIP OR IN-LINE DRIP TUBING TO BE SECURED AT CENTER OF ROOT BALL, NOT AGAINST TRUNK. SEE IRRIGATION PLAN.

INSTALLER RESPONSIBILITIES AND LIABILITIES

- THESE PLANS ARE FOR BASIC DESIGN LAYOUT AND INFORMATION. LANDSCAPE CONTRACTOR IS REQUIRED TO USE TRADE KNOWLEDGE FOR IMPLEMENTATION. OWNER ASSUMES NO LIABILITIES FOR INADEQUATE ENGINEERING CALCULATIONS, MANUFACTURER PRODUCT DEFECTS, INSTALLATION OF ANY LANDSCAPING AND COMPONENTS, OR TIME EXECUTION.
- LANDSCAPE CONTRACTOR IS RESPONSIBLE AND LIABLE FOR INSTALLATION OF ALL LANDSCAPING AND IRRIGATION SYSTEMS INCLUDING CODE REQUIREMENTS, TIME EXECUTIONS, INSTALLED PRODUCTS AND MATERIALS.

SITE REQUIREMENT CALCULATIONS

STREET FRONTAGE	REQUIRED:	PROVIDED:
900 EAST		
1 TREE / 40 FT (35 LN FT W/OUT DRIVE AND CLEAR VIEW)	1	1
TREE COUNT: 4,318 SQ FT BLDG	**REQUIRED:**	**PROVIDED:**
1.25 TREES / 1000 SQ.FT. GROUND FLOOR BLDG	6	6
1 SHRUB / 4 LIN. FT. BLDG FOUNDATION (322)	81	83
BUFFER TREES: 1/25' (292)	12	12
LAWN PERCENTAGE:	<20% OUTSIDE REC. AREAS	13% (866 SF)

TOTAL LANDSCAPE AREA: 6,873 SQ FT
DIVERSITY PERCENTAGE: <33% OF EACH TREE SPECIES
SHRUB HYDROZONE:
PERCENTAGE ZONE 3: 10%
PERCENTAGE ZONE 2: 90%

TREE HYDROZONE:
PERCENTAGE ZONE 3: 21%
PERCENTAGE ZONE 2: 79%

ISSUE DATE: 9/23/2024

PROJECT NUMBER: UT24064

NO.	REVISION	DATE
1	XXXX	XX-XX-XX
2		
3		
4		
5		
6		
7		

PLAN INFORMATION

811 BLUE STAKES OF UTAH
UTILITY NOTIFICATION CENTER, INC
1-800-662-4111
www.bluestakes.org

PROJECT INFORMATION

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4181 S. 900 E.
MILLCREEK, UTAH

DEVELOPER / PROPERTY OWNER / CLIENT

WIXACO 401K PLAN,LLC
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JEREMY AINSWORTH
8128121-5301
9/23/2024
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STATE OF UTAH

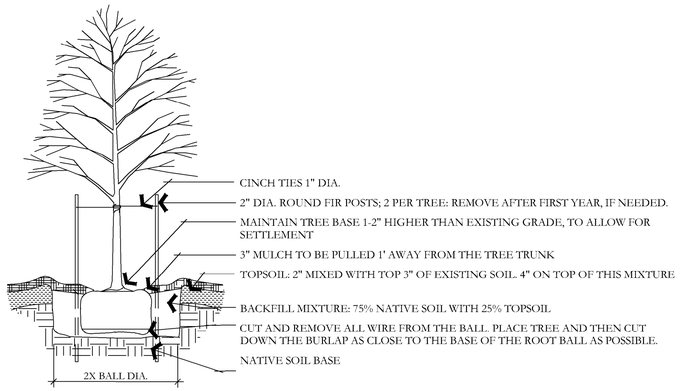
DRAWING INFO

PM: JTA
DRAWN: ACP
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PLOT DATE: 9/23/2024

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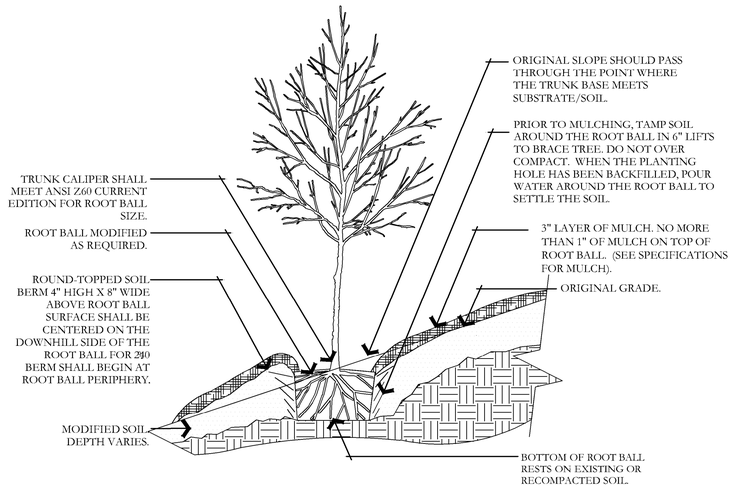
LP-101



A DECIDUOUS TREE PLANTING

NOT TO SCALE

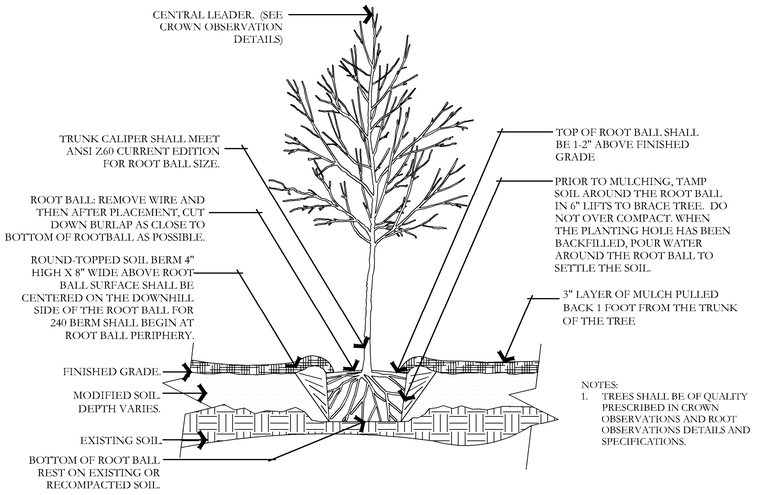
PKJ DESIGN GROUP



B TREE ON SLOPE 5% (20:1) TO 50% (2:1)

NOT TO SCALE

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C TREE W/ BERM (EXISTING SOIL MODIFIED)

NOT TO SCALE

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D EVERGREEN TREE PLANTING

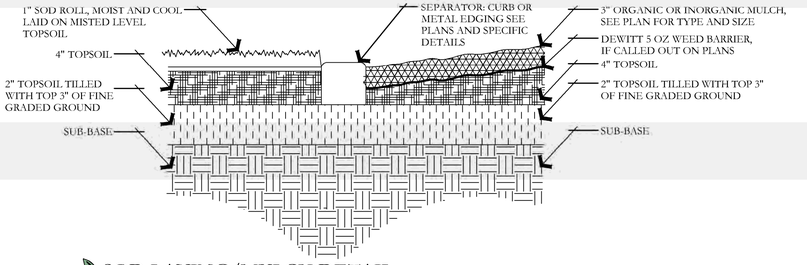
NOT TO SCALE

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E SHRUB - MODIFIED SOIL

NOT TO SCALE

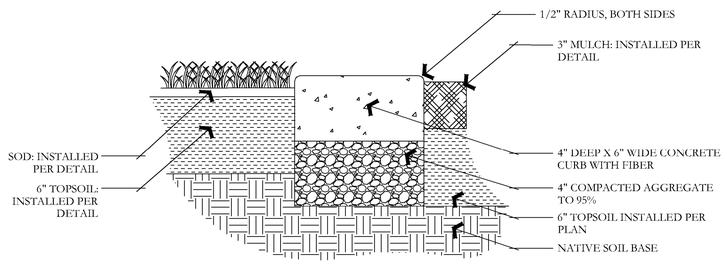
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F PERENNIAL PLANTING

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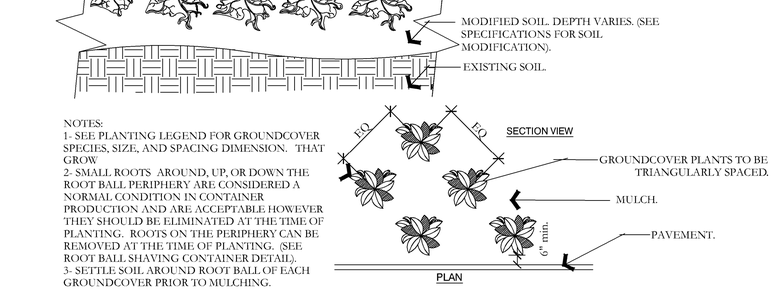
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G CONCRETE MOWCURB

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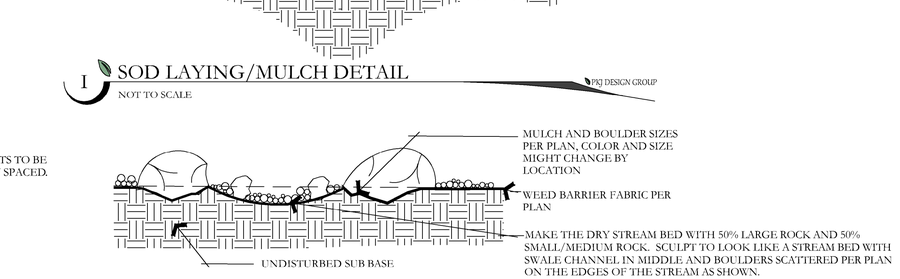
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H PERENNIAL/GROUNDCOVER PLANTING

NOT TO SCALE

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I SOD LAYING/MULCH DETAIL

NOT TO SCALE

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J BOULDER AND DRY STREAM BED DETAIL

NOT TO SCALE

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PLAN INFORMATION

PROJECT INFORMATION

THE PRESERVE ON 9TH
4181 S. 900 E.
MILLCREEK, UTAH

DEVELOPER / PROPERTY OWNER / CLIENT

WIXACO 401K PLAN,LLC
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BWIXOM@GMAIL.COM

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LICENSE STAMP



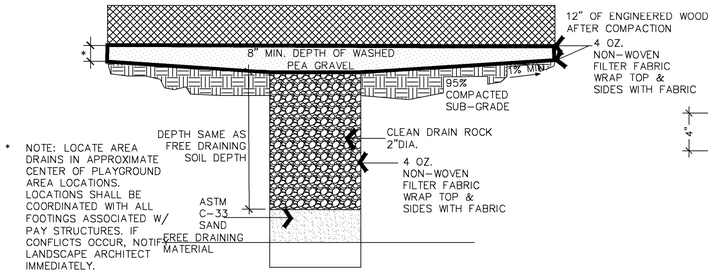
DRAWING INFO

PM:	JTA
DRAWN:	ACP
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PLOT DATE:	9/23/2024

LANDSCAPE DETAILS

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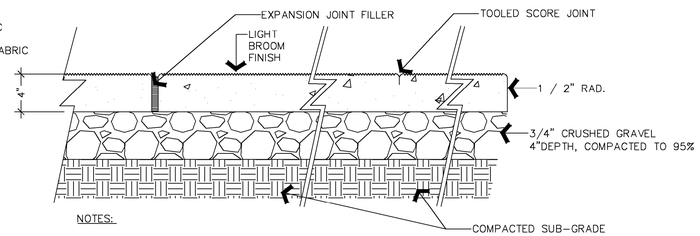
LP-501



K AREA DRAIN DETAIL

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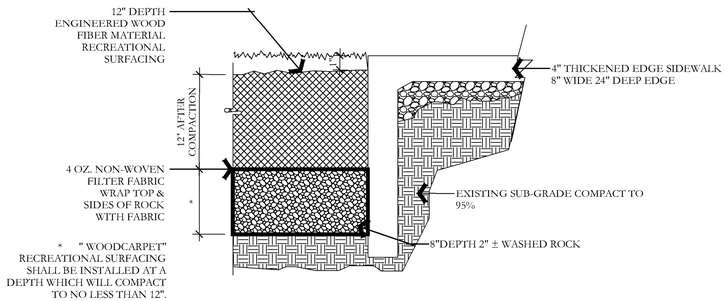
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L CONCRETE FLATWORK DETAIL

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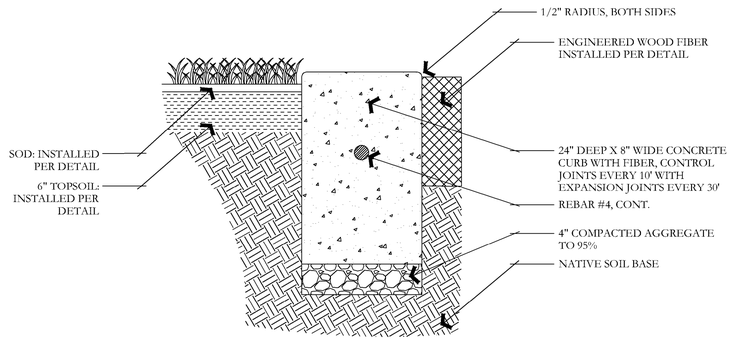
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M ENGINEERED WOOD FIBER SAFETY SURFACING

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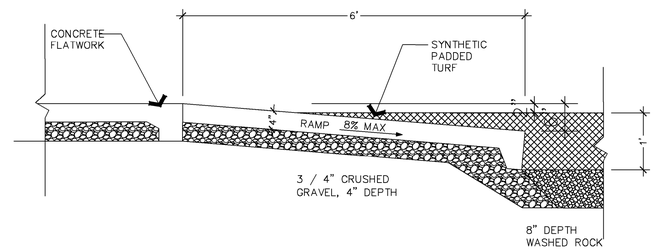
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N PLAYGROUND EDGING

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PKJ DESIGN GROUP



O ADA RAMP

NOT TO SCALE

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JEREMY AINSWORTH
8128121-5301
9/23/2024
ELECTRONIC SEAL
STATE OF UTAH

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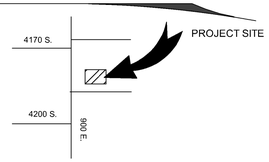
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LANDSCAPE DETAILS

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LP-502

VICINITY MAP



P.O.C. CONFIGURATION

(NOTE: PRESSURE TEST SYSTEM TO VERIFY 80 PSI. IF NOT, CONTACT LANDSCAPE ARCHITECT OR INSTALL PRESSURE REDUCING VALVE)

01 SOURCE DATA

BF BACKFLOW PREVENTOR

SHUTOFF VALVE

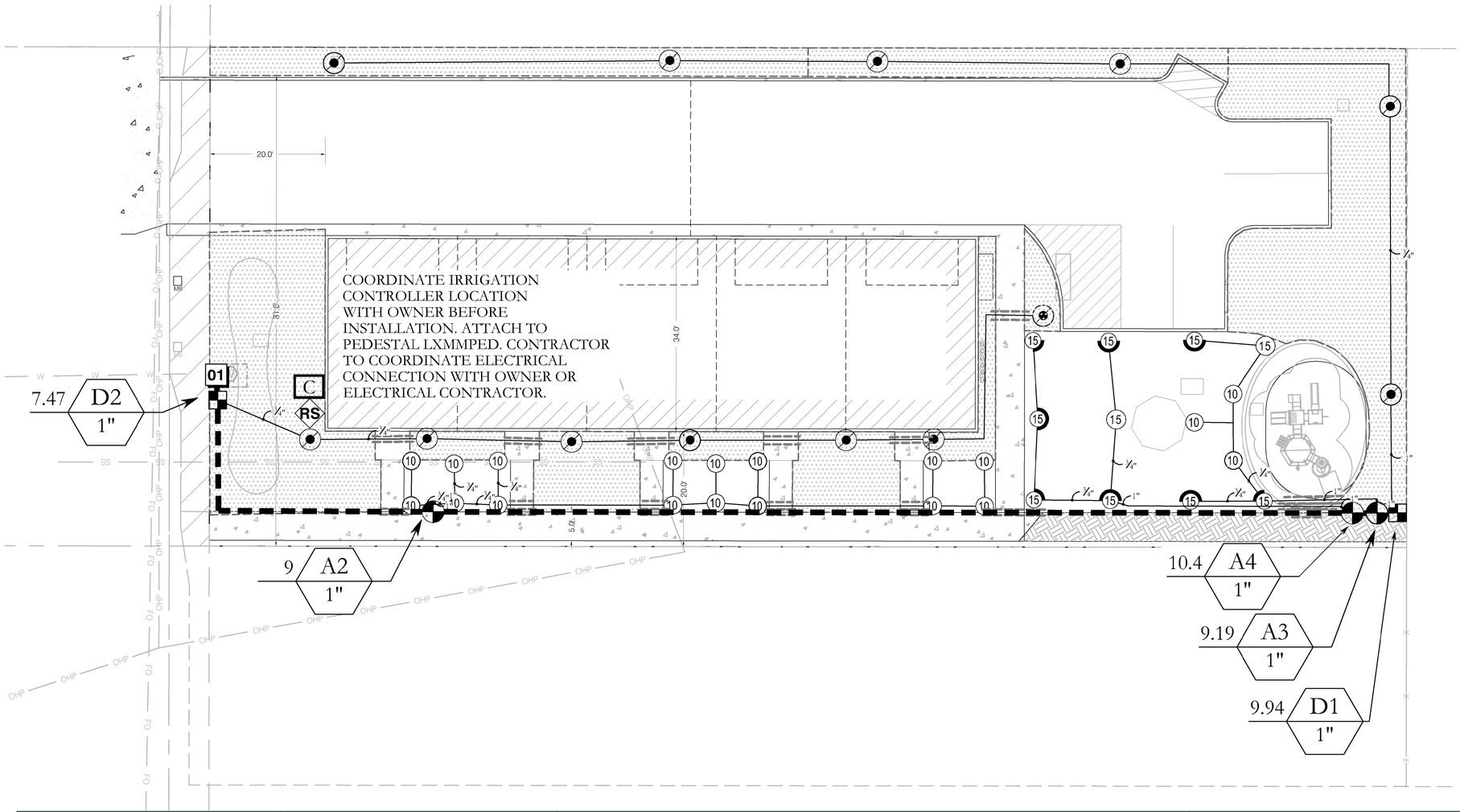
M MASTER VALVE

FS 1" FLOW SENSOR

QUICK COUPLER

FS	Rain Bird FS-200-B 2in. Flow Sensor, Brass Model. Suggested Operating Range 10 GPM to 100 GPM. Size for Flow Not According to Pipe Size. Rain Bird Compatible Controllers: ESP-LXIVM(P) | LXD | LXME2(P) | ME3, or Controllers Accepting Custom K-Factor and Offset. Install in Rain Bird Valve Box.	1
XX	Water Meter 2"	1
	Irrigation Lateral Line:PVC Schedule 40 3/4"	726.6 l.f.
	Irrigation Lateral Line: PVC Schedule 40 1"	33.4 l.f.
	Irrigation Mainline: PVC Schedule 40	228.5 l.f.
	Pipe Sleeve: PVC Class 200 SDR 21 Typical pipe sleeve forirrigation pipe. Pipe sleeve size shall allow for irrigation piping and their related couplings to easily slide through sleeving material. Extend sleeves 18 inches beyond edges of paving or construction.	107.2 l.f.

Valve Callout
- #↓ Valve Number
- # Valve Flow
- #" Valve Size



IRRIGATION LEGEND

(NOTE: PLANT QUANTITIES ARE PROVIDED FOR CONVENIENCE ONLY. IN CASE OF DISCREPANCY, TO BE DRAWING SHALL TAKE PRECEDENCE) IF YOU NEED HELP WITH: WATER AUDIT CONSULTATION, BLA PLANT MAINTENANCE NEEDS, LIC. CONTACT PKJ@PKJDESIGN.GROUP.PS/OE

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY	PSI
10 10 10 10 Q T H F	Rain Bird 1806-U-SAM-PRS U10 Series Turf Spray 6in. Pop-Up Sprinkler with Co-Molded Wiper Seal. 1/2in. NPT Female Threaded Inlet. With Seal-A-Matic Check Valve, and Pressure Regulating.	6	30
15 15 15 15 15 15 Q T H TQ F	Rain Bird 1806-U-SAM-PRS U15 Series Turf Spray 6in. Pop-Up Sprinkler with Co-Molded Wiper Seal. 1/2in. NPT Female Threaded Inlet. With Seal-A-Matic Check Valve, and Pressure Regulating.	1	30
8 08HE-VAN 12 12HE-VAN 10 10HE-VAN 15 15HE-VAN	Rain Bird 1806-U-SAM-PRS HE-VAN Series Turf Spray 6in. Pop-Up Sprinkler with Co-Molded Wiper Seal. 1/2in. NPT Female Threaded Inlet. With Seal-A-Matic Check Valve, and Pressure Regulating.	24	30

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY
	Rain Bird XCZ-100-PRF 1" Medium Flow Drip Control Kit, 1in. DV valve, 1in. pressure regulating filter, 40psi pressure regulator. 5 GPM-20 GPM.	2
	Pipe Transition Point above grade Pipe transition point from PVC lateral to drip tubing with riser to above grade installation.	14
	Area to Receive Drip Emitters Rain Bird PC (2) Single Outlet, Pressure Compensating Drip Emitters with Self-Piercing Barb Inlet. Flow rate: 5 GPH=light brown; 7 GPH=violet; 10 GPH=green; 12 GPH=dark brown; 18 GPH=white; 24 GPH=orange.	4,156 s.f.
	Emitter Notes: PC-05 emitters (1 assigned to each flat plant) PC-05 emitters (1 assigned to each 4"pot plant) PC-05 emitters (1 assigned to each 1 gal plant)	47
	PC-05 emitters (1 assigned to each 2 gal plant) PC-05 emitters (2 assigned to each 3 gal plant) PC-05 emitters (2 assigned to each 5 gal plant)	94
	PC-05 emitters (3 assigned to each 15 gal plant) PC-05 emitters (3 assigned to each 20 gal. plant) PC-05 emitters (3 assigned to each B & B, 1.25"Cal plant) PC-05 emitters (3 assigned to each B & B, 2"Cal plant)	36
	PC-05 emitters (3 assigned to each B & B, 4-6` plant) PC-05 emitters (3 assigned to each B & B, 5`-6` plant) PC-05 emitters (3 assigned to each B & B, 6` plant)	18
	PC-05 emitters (3 assigned to each B & B, 7`-9` plant) PC-05 emitters (3 assigned to each B & B, 8`-10` plant) PC-05 emitters (4 assigned to each B & B, Multi-trunked plant) PC-05 emitters (4 assigned to each Bulb plant) PC-05 emitters (4 assigned to each Plug plant)	

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY
	Rain Bird DVF 1" Standard configuration, electric remote control valve. Plastic residential in 1in.. With Flow Control.	2
	Rain Bird 44-RC 1" 1in. Brass Quick-Coupling Valve, with Corrosion-Resistant Stainless Steel Spring, Thermoplastic Rubber Cover, and 2-Piece Body.	1
	Shut Off Valve	1
M	Rain Bird EFB-CP-PRS-D 1-1/2" 1in., 1-1/4", 1-1/2in., 2in. Brass Master Valve, that is Contamination Proof w/Self-Flushing Filter Screen. Globe Configuration, Reclaimed Water Compatible, and Purple Handle Cover Designates Non-Potable Water Use. With Pressure Regulator.	1
BF	Zurn 475 2-1/2" Reduced Pressure Backflow Preventer.	1
C	Rain Bird ESP4ME3 4 Station, Hybrid Modular Outdoor Controller. For Residential or Light Commercial Use. LNK WiFi Module and Flow Sensor Ready.	1
RS	Rain Bird WR2-RFS Wireless Rain/Freeze Sensor.	1

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N

0' 5' 10' 20' 40'
GRAPHIC SCALE: 1" = 10'

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LICENSED LANDSCAPE ARCHITECT JEREMY AINSWORTH 9128127-5301 9/23/2024 STATE OF UTAH

DRAWING INFO	
PM:	JTA
DRAWN:	ACP
CHECKED:	JMA
PLOT DATE:	9/23/2024

IRRIGATION OVERALL PLAN

CITY PERMIT SET

IR-100

IRRIGATION PLAN SPECIFICATIONS

IRRIGATION SPECIFICATIONS

PART 1 - GENERAL

1.1 SUMMARY

Work to be done includes all labor, materials, equipment and services required to complete the Project irrigation system as indicated on the Construction Drawings, and as specified herein. Includes but is not limited to: Furnishing and installing underground and above ground sprinkler system complete with any accessories necessary for proper function and operation of the system. All plant material on the Project shall be irrigated. Remove and dispose of any existing sprinkler system components which are disturbed during the construction process and are not to be saved. Restoration of any altered or damaged existing landscape to original state and condition.

1.2 SYSTEM DESCRIPTION

A. Design of irrigation components: Locations of irrigation components on Construction Drawings may be approximate. Piping, sleeving and/or other components shown on Construction drawings may be shown schematically for graphic clarity and demonstration of component groupings and separations. All irrigation components shall be placed in landscaped areas, with the exception of pope and wire in sleeving under hardscapes. Actual routing of pipe, wire or other components may be altered due to site conditions not accounted for in the design process.

B. Construction requirements: Actual placement may vary as required to achieve a minimum of 100% coverage without overspray onto hardscape, buildings or other features.

C. Layout of Irrigation Components: During layout and staking, consult with Owner Approved Representative (hereafter referred to as OAR) to verify proper placement of irrigation components, and to provide Contractor recommendations for changes where revisions may be advisable. Small or minor adjustments to system layout are permissible to avoid existing field obstructions such as utility boxes or street light poles. Contractor shall place remote control valves in groups as practical to economize on quantity of manifold isolation valves. Quick coupler valves shall be placed with manifold groups and protected by manifold isolation valves. Quick coupler valves are shown on Construction Documents in approximate locations.

1.3 DEFINITIONS

A. Water Supply: Culinary water piping and components, furnished and installed by others to provide irrigation water to this Project, including but not limited to backflow preventor, saddles, nipples, spools, shut off valves, corporation stop valves, water meters, pressure regulation valves, and piping upstream of (or prior to) the Point of Connection.

B. Point of Connection: Location where the Contractor shall tie into the water supply. May require backflow preventor, saddle, nipples, spools, isolation valves or Stop and Waste valve for landscape irrigation needs and use.

C. Main Line Piping: Pressurized piping downstream of the Point of Connection to provide water to remote control valves and quick couplers. Normally under constant pressure.

D. Lateral Line Piping: Circuit piping downstream of remote control valves to provide water to sprinkler heads, drip systems or bubblers.

1.4 REFERENCES

A. The following standards will apply to the work of this Section:

a. ASTM-American Society for Testing and Materials

b. IA - The Irrigation Association: Main BMP Document, Landscape Irrigation Scheduling and Water Management Document.

1.5 SUBMITTALS

A. At least thirty (30) days prior to ordering of any materials, the Contractor shall provide manufacturer catalog cut sheet and current printed specifications for each element or component of the irrigation system. Submittals shall be in three ring binders or other similar bound form. Provide five copies of submittals to OAR for distribution. Place cover or index sheet indicating order in submittal document. No material shall be ordered delivered or any work preceded in the field until the required submittals have need reviewed in is entirety and stamped approved. Delivered material shall match the approved samples.

B. Operation and Maintenance Manual:

a. At least thirty (30) days prior to final inspection, the Contractor shall provide Operation and Maintenance manual to OAR, containing:

i. Manufacturer catalog cut sheet and current printed specifications for each element or component of the irrigation system.

ii. Parts list for each operating element of the system

iii. Manufacturer printed literature on operation and maintenance of operating elements of the system.

iv. Section listing instructions for overall system operation and maintenance. Include directions for Spring Start-up and Winterization.

b. Project Record Copy

i. Maintain at project site one copy of all project documents clearly marked "Project Record Copy". Mark any deviation in material installation on Construction drawings. Maintain and update drawing at least weekly. Project Record Copy to be available to OAR on demand.

ii. Completed Project As-Built Drawings

1. Prior to final inspection, prepare and submit to OAR accurate as-built drawings including 2 wire path and junction box locations.
2. Show detail and dimension changes made during installation. Show significant details and dimensions that were not shown in original Contract Documents.
3. Field dimension locations of sleeving, points of connection, main line piping, wiring runs not contained in main line pipe trenches, valves and valve boxes, quick coupler valves.
4. Dimensions are to be taken from permanent constructed surfaces, features, or finished edges located at or above finished grade.
5. Controller Map: upon completion of system, place in each controller a color coded copy of the area that controller services: indicating zone number, type of plant material and location on project that zone services. Laminate map with heat shrink clear plastic.

1.6 QUALITY ASSURANCE

A. Acceptance: Do not install work in this section prior to acceptance by OAR.

B. Regulatory Requirements: All work and materials shall be according to any and all rules, regulations or codes, whether they are State or Local laws and ordinances. Contract documents, drawings or specifications may not be construed or interpreted to permit work or materials not conforming to the above codes.

C. Adequate Water Supply: Water supply to this Project exists, installed by others. Connections to these supply lines shall be by this Contractor. Verify that proper connection is available to supply line and is of adequate size. Verify that secondary connection components may be installed if necessary. Perform static pressure test prior to commencement of work at supplied POC. Notify OAR in writing of problems encountered and pressure reading prior to proceeding.

D. Workmanship and Materials:

a. It is the intent of this specification that all material herein specified and shown on the construction documents shall be of the highest quality available and meeting the requirements specified.

b. All work shall be performed in accordance with the best standards of practice relating to the trade.

E. Contractor Qualifications:

a. Contractor shall provide document or resume including at least the following items:

i. That Contractor has been installing sprinklers on commercial projects for five previous consecutive years.

ii. Contractor is licensed to perform Lanscsape and Irrigation construction in the State of this Project.

iii. Contractor is bondable for the work to be performed.

iv. References of five projects of similar size and scope completed within the last five years. Three of the projects listed shall be local.

v. Listing of suppliers where materials will be obtained for use on this Project.

vi. Project site Foreman or Supervisor has at least five consecutive years of commercial irrigation installation experience. This person shall be a current Certified Irrigation Contractor in good standing as set forth by the Irrigation Association. This person shall be on Project site at least 75% of each working day.

vii. Evidence that Contractor currently employs workers in sufficient quantities to complete Project within time limits that are established by the Contract.

viii. All General laborers or workers on the Project shall be previously trained and familiar with sprinkler installation and have a minimum of one-year experience. Those workers performing tasks related to PVC pipe shall have certificates designated below.

1.7 DELIVERY-STORAGE-HANDLING

A. During delivery, installation and storage of materials for Project, all materials shall be protected from contamination, damage, vandalism, and prolonged exposure to sunlight. All material stored at Project site shall be neatly organized in a compact arrangement and storage shall not disrupt Project Owner or other trades on Project site. All material to be installed shall be handled by Contractor with care to avoid breakage or damage. Damaged materials attributed to Contractor shall be replaced with new at Contractor's expense.

1.8 SEQUENCING

A. Perform site survey, research utility records, contact utility location services. The Contractor shall familiarize himself with all hazards and utilities prior to work commencement. Install sleeving prior to installation of concrete, paving or other permanent site elements. Irrigation system Point of Connection components, backflow prevention and pressure regulation devices shall be installed and operational prior to all downstream components. All main lines shall be thoroughly flushed of all debris prior to installation of any sprinkler heads.

1.9 WARRANTY

A. Contractor shall provide one year Warranty. Warranty shall cover all materials, workmanship and labor. Warranty shall include filling and/or repairing depressions or replacing turf or other plantings due to settlement of irrigation trenches or irrigation system elements. Valve boxes, sprinklers or other components settled from original finish grade shall be restored to proper grade. Irrigation system shall have been adjusted to provide proper, adequate coverage of irrigated areas.

1.10 OWNER'S INSTRUCTION

A. After system is installed, inspected, and approved, instruct Owner's Representatives in complete operation and maintenance procedures. Coordinate instruction with references to previously submitted Operation and Maintenance Manual.

1.11 MAINTENANCE

A. Furnish the following items to Owner's Representative:

a. Two quick coupler keys with hose swivels.

b. One of each type or size of quick coupler valve and remote control valve. Five percent or total quantities used of each sprinkler and sprinkler nozzle.

B. Provide the following services:

a. Winterize entire irrigation system installed under this contract. Winterize by 'blow-out' method using compressed air. Compressor shall be capable of minimum of 175 CFM. This operation shall occur at the end of first growing season after need for plant irrigation but prior to freezing. Compressor shall be capable of evacuating system of all water pressure regulation devices. Compressor shall be regulated to not more than 60 PSI. Start up system the following spring after danger of freezing has passed. Contractor shall train Owner's Representative in proper start-up and winterization procedure.

PART 2 - PRODUCTS

2.1 GENERAL NOTES

A. Contractor shall provide materials to be used on this Project. Contractor shall not remove any material purchased for this Project from the Project Site, nor mix Project materials with other Contractor owned materials. Owner retains right to purchase and provide project material.

2.2 POINT OF CONNECTION

A. The Contractor shall connect onto existing irrigation or water main line as needed for Point(s) of Connection. Contractor shall install new main line as indicated. Connection must meet state guidelines

2.3 CONNECTION ASSEMBLY

A. Culinary water shall be used on this Project. Install backflow prevenior and RPZ as needed.

2.4 CONTROL SYSTEM

A. Power supply to the irrigation controller shall be provided for by this Contract. To be installed by owner or electrical contractor.

B. Controller shall be as specified in the drawings. Controller shall be surge protected.

a. Installation of wall-mount controllers: Irrigation contractor shall be responsible for this task. Power configuration for wall-mount controllers shall be 120 VAC unless otherwise noted.

b. Locate Controller(s) in general location shown on Construction drawings. Coordinate power supply and breaker allocation with electrical contractor. Contractor shall be responsible for all power connections to Controllers, whether they are wall mount or pedestal mount. Contractor shall coordinate with electrical or other Project trades as needed to facilitate installation of power to controllers.

C. Wires connecting the remote control valves to the irrigation controller are single conductors, type PE. Wire construction shall incorporate a solid copper conductor and polyethylene (PE) insulation with a minimum thickness of 0.045 inches. The wires shall be UL listed for direct burial in irrigation systems and be rated at a minimum of 30 VAC. Paige Electric Co., LP specification number P7079D.

a. A minimum of 36" of additional wire shall be left at each valve, each splice box and at each controller.

b. Common wire shall be white in color, 12 gauge. Control wire shall be red in color, 14 gauge. Spare wire shall be looped within each valve box of the grouping it is to service.

D. Wire splice connectors shall use 3M brand DBY wire connectors. Wire splicing between controller and valves shall be avoided if at all possible. Any wire splices shall be contained within a valve box. Splices within a valve box that contains no control valves shall be stamped 'WIRE SPLICE' or 'WS' on box lid.

2.5 SLEEVING

A. Contractor shall be responsible to protect existing underground utilities and components. Sleeving minimum size shall be 2". Sleeving 2" through 4" in size shall be SCH40 PVC solvent weld Sleeving 6" and larger shall be CL 200 PVC gasketed. Sleeve diameter shall be at least two times the diameter of the pipe within the sleeve. Sleeves shall be extended 6" minimum beyond walk or edge of pavement. Wire or cable shall not be installed in the same sleeve as piping, but shall be installed in separate sleeves. Sleeve ends or sleeve sizes 4" and large shall be capped with integral corresponding sized PVC slip cap, pressure fit, until used, to prevent contamination. Sleeves shall be installed at appropriate depths for main line pipe or lateral pipe.

2.6 MAIN LINE PIPE

A. All main line pipe 4" and larger shall be Class 200 gasketed bell end. All main line pipe 3" in size and smaller shall be Schedule 40 PVC solvent weld bell end.

a. Maximum flows allowed through main line pipe shall be:

3/4"	8 GPM
1"	12 GPM
1-1/2"	30 GPM
2"	53 GPM
2-1/2"	75 GPM
3"	110 GPM
4"	180 GPM

b. Main line pipe shall be buried with 24" cover

2.7 MAIN LINE FITTINGS

A. All main line fittings 3" and larger shall be gasketed ductile iron material. All ductile iron fittings having change of direction shall have proper concrete thrust block installed. All main line fittings smaller than 3" in size shall be Schedule 80 PVC.

2.8 ISOLATION VALVES

A. Isolation valves 3" and larger shall be Waterous brand model 2500 cast iron gate valve, resilient wedge, push on type, with 2" square operating nut. Place sleeve of 6" or larger pipe over top of valve vertically and then extend to grade. Place 10"" round valve box over sleeve at grade.

B. Isolation valves 2-1/2" and smaller shall be Apollo brand 70 series brass ball valves, contained in a Carson Standard size valve box. Valves shall be installed with SCH80 PVC TOE Nipples on both sides of the valve. Valve shall be placed so that the handle is vertical toward the top of the valve box in the 'off' position.

2.9 MANIFOLDS

A. Action Manifold fittings shall be used to create unions on both sides of each control valve, allowing the valve to be removed from the box without cutting piping. Valves shall be located in boxes with ample space surrounding them to allow access for maintenance and repair. Where practical, group remote control valves in close proximity, and protect each grouping with a manifold isolation valve as shown in details. Manifold Main Line (or Sub-Main Line) and all manifold components and isolation valves shall be at least as large as the largest diameter lateral served by the respective manifold.

2.10 REMOTE CONTROL VALVES

A. Remote control valves shall be as specified on the drawings. Remote control valves shall be located separately and individually in separate control boxes.

2.11 MANUAL CONTROL VALVES

A. Quick coupler valve shall be attached to the manifold sub-main line using a Lasco G175212 swing joint assembly with snap-lock outlet and brass stabilizer elbow. Quick coupler valve shall be placed within a Carson 10" round valve box. Top of quick coupler valve cover shall allow for complete installation of valve box lid, but also allow for insertion and operation of key. Base of quick coupler valve and top of quick coupler swing joint shall be encased in ¾" gravel. Contractor shall not place quick coupler valves further than 200 feet apart, to allow for spot watering or supplemental irrigation of new plant material. Quick coupler valve at POC shall not be eliminated or relocated.

2.12 LATERAL LINE PIPE

A. All lateral piping shall be Schedule 40 PVC, solvent weld, and bell end. Lateral pipe shall be buried with 12-18" of cover typically. Lateral pipe shall be ¾", 1", 1 ¼", 1 ½" or 2" in size as indicated on Construction Drawings.

2.13 LATERAL LINE FITTINGS

A. All lateral line fittings shall be S/40 PVC

2.14 Spray Sprinklers

A. Spray head sprinklers shall be as specified on the drawings. Nozzles shall be as specified on the drawings.

2.15 RAIN BIRD VALVE BOXES

A. Carson valve boxes shall be used on this project. Sizes are as directed in these Specifications, detail sheets or plan sheets. Valve boxes shall be centered over the control valve or element they cover. Valve box shall be sized large enough to allow ample room for services access, removal or replacement of valve or element. Valve box shall be set to flush to finish grade of topsoil or barked areas. Contractor shall provide extensions or stock additional valve boxes as necessary to bring valve box pit to proper grade.

2.16 IMPORT BACKFILL

A. All main line pipe, lateral line pipe and other irrigation elements shall be bedded and backfilled with clean soil, free of rocks 1" and larger. Contractor shall furnish and install additional backfill material as necessary due to rocky conditions. Trenches and other elements shall be compacted and/or water settled to eliminate settling. Debris from trenching operations un-usable for fill shall be removed from project and disposed of properly by Contractor.

2.17 OTHER PRODUCTS

A. Substitution of equivalent products is subject to the Landscape Architetct or OAR's approval and must be designated as accepted in writing.

a. The Contractor shall provide materials to make the system complete and operational.

PART 3 - EXECUTION

3.1 PREPARATION

A. Contractor shall repair or replace work damaged by irrigation system installation. If damaged work is new, repair or replacement shall be performed by the original installer of that work. The existing landscape of this Project shall remain in place. Contractor shall protect and work around existing plant material. Coordination of trench and valve locations shall be laid out for the OAR prior to any excavation occurring. Plant material deemed damaged by the OAR shall be replaced with new plant material at Contractor's expense. Contractor shall not cut existing tree roots larger than 2" to install this Project. Route pipe, wire and irrigation elements around tree canopy drip line to minimize damage to tree roots. Contractor shall have no part of existing system used by other portions of site landscape without water for more than 24 hours at a time.

3.2 TRENCHING AND BACKFILLING

A. Pulling of pipe shall not be permitted on this project. Over excavate trenches both in width and depth. Ensure base of trench is rock or debris free to protect pipe and wire. Grade trench base to ensure flat, even support of piping. Backfill with clean soil or import material. Contractor shall backfill no less than 2" around entire pipe with clean, rock free fill. Main line piping and fittings shall not be backfilled until OAR has inspected and pipe has passed pressure testing. Perform balance of backfill operation to eliminate any settling.

3.3 SLEEVING

A. Sleeve all piping and wiring that pass under paving or hardscape features. Wiring shall be placed in separate sleeving from piping. Sleeves shall be positioned relative to structures or obstructions to allow for pipe or wire within to be removed if necessary.

3.4 GRADES AND DRAINAGE

A. Place irrigation pipe and other elements at uniform grades. Winterization shall be by evacuation with compressed air. Automatic drains shall not be installed on this Project. Manual drains shall only be installed at POC where designated on Construction Drawings.

3.5 PVC PIPE

A. Install pipe to allow for expansion and contraction as recommended by pipe manufacturer.

B. Install main line pipes with 18" of cover, lateral line pipes with 12" of cover.

C. Drawings show diagrammatic or conceptual location of piping - Contractor shall install piping to minimize change of direction, avoid placement under large trees or large shrubs, avoid placement under hardscape features.

D. Plastic pipe shall be cut squarely. Burrs shall be removed. Spigot ends of pipes 3" and larger shall be beveled.

E. Pipe shall not be glued unless ambient temperature is at least 50 degrees F. Pipe shall not be glued in rainy conditions unless properly tented. All solvent weld joints shall be assembled using IPS 711 glue and P70 primer according to manufacturer's specification, no exceptions. All workers performing glue operations shall provide evidence of certification. Glued main line pipe shall cure a minimum of 24 hours prior to being energized. Lateral lines shall cure a minimum of 2 hours prior to being energized and shall not remain under constant pressure unless cured for 24 hours.

F. Appropriate thrust blocking shall be performed on fittings 3" and larger. All threaded joints shall be wrapped with Teflon tape or paste unless directed by product manufacturer or sealing by o-ring.

3.6 CONTROLLERS

A. All grounding for pedestal controllers shall be as directed by controler manufacturer and ASIC guidelines, not to exceed a resistance reading of 5 OHMs.

B. Locate controllers in protected, inconspicuous places, when possible. Coordinate location of pedestal controllers with Landscape Architect to minimize visibility.

C. Coordinate location of wall mount controllers with building or electrical Contractor to facilitate electrical service and future maintenance needs. Wall mount shall be securely fastened to surface. If exterior mounted, wall mount controllers shall have electrical service wire and field control wire in separate, appropriate sized weatherproof electrical conduit, PVC pipe shall not be used.

D. Wiring under hardscape surfaces shall be placed continuously in conduit. Contractor shall be responsible to coordinate sleeving needs for conduit or sweeps elbows from exterior to interior of building.

E. Pedestal controllers shall be placed upon VIT-Strong Box Quick Pad as per manufacturer's recommendations. Controllers shall be oriented such that Owner's Representative maintenance personnel may access easily and perform field system tests efficiently.

F. Place Standard valve box at base of controller or nearby to allow for three to five feet of slack field control wire to be placed at each controller. This Contractor shall provide conduit access if needed for Electrical Contractor. Electrical supply and installation, as well as hook-up to controller shall be by this Contractor.

G. Electrical contractor is in charge of providing 1.5" conduit from controller to outside landscape area. Provide power and room for controller. Provide ethernet to hardwire power into the controller.

3.7 VALVES

A. Isolation valves, remote control valves, and quick coupler valves shall be installed according to manufacturer recommendation and Contract Specifications and Details.

B. Valve boxes shall be set over valves so that all parts of the valve can be reached for service.

C. Valve box and lid shall be set to be flush with finished grade. Only one remote control valve may be installed in a Carson 1419 24 box. Place a minimum of 4" of ¾" washed gravel beneath valve box for drainage. Bottom of remote control valve shall be a minimum of 2" above gravel.

3.8 SPRINKLER HEADS

A. No sprinkler shall be located closer than 6' to walls, fences, or buildings.

B. Heads adjacent to walks, curbs, or paths shall be located at grade and 2" away from hardscape.

C. Control valves shall be opened. Then fully flush lateral line pipe and swing joints prior to installation of sprinklers.

D. Spray heads shall be installed and flushed again prior to installation of nozzles.

E. Contractor shall be responsible for adjustment if necessary due to grade changes during landscape construction.

3.9 FIELD QUALITY CONTROL

A. Main line pipes shall not be backfilled or accepted until the system has been tested for 2 hours at 100 psi.

B. Main line pressure test shall include all pipe and components from the point of connection to the upstream side of remote control valves. Test shall include all manifold components under constant pressure. Piping may be tested in sections that can be isolated.

C. Contractor shall provide pressurized water pump to increase or boost pressure where existing static pressure is less than 100 psi.

D. Schedule testing with OAR 48 hours in advance for approval.

E. Leaks or defects shall promptly be repaired or rectified at the Contractors expense and retested until able to pass testing.

F. Grounding resistance at pedestal controller shall also be tested and shall not exceed 5 OHMs.

3.10 ADJUSTMENT

A. Sprinkler heads shall be adjusted to proper height when installed. Changes in grade or adjustment of head height after installation shall be considered a part of the original contract and at Contractor's expense.

B. Adjust all sprinkler heads for arc, radius, proper trim and distribution to cover all landscaped areas that are to be irrigated.

C. Adjust sprinklers so they do not water buildings, structures, or other hardscape features.

D. Adjust run times of station to meet needs of plant material the station services.

3.11 CLEANING

A. Contractor shall be responsible for cleanliness of jobsite. Work areas shall be swept cleanly and picked up daily.

B. Open trenches or hazards shall be protected with yellow caution tape.

C. Contractor is responsible for removal and disposal of offsite trash and debris generated as a result of this Project.

D. OAR shall perform periodic as well as a final cleanliness inspection.

E. Contractor shall leave Project in at least a 'broom clean' condition.

END OF SECTION

IRRIGATION NOTES

1. BEFORE WORK IS TO COMMENCE, BLUE STAKES UTAH MUST BE CALLED AND NOTIFIED. IF ANY DAMAGE TO ANY UTILITIES HAPPEN DURING CONSTRUCTION, THE CONTRACTOR SHALL REPAIR IT AT THEIR EXPENSE WITH NO ADDITIONAL COST TO THE OWNER.
2. CONTRACTOR SHALL APPLY AND PAY FOR ALL NECESSARY PERMITS IN ACCORDANCE WITH CITY AND/OR COUNTY CODES AND COMPLY WITH SPECIFICATIONS AND DRAWINGS.
3. INVESTIGATE TO MAKE SURE THAT THE IRRIGATION SYSTEM IS, IN FACT, BEING CONNECTED TO A CULINARY SYSTEM. IF IT IS NOT CONNECTED TO CULINARY, CONTACT THE OWNER AND LANDSCAPE ARCHITECT TO COORDINATE A SECONDARY SYSTEM AND REQUIRED COMPONENTS.
4. VERIFY THAT THE POINT OF CONNECTION IS IN THE CORRECT LOCATION BEFORE INSTALLATION. ALL CONNECTIONS ON THIS PROJECT ARE TO BE CULINARY WATER AND SHOULD BE NOTED AS SUCH; THEREFORE, ALL PARTS MUST MEET WATER STANDARDS THAT PERTAIN TO CULINARY WATER USE A BACKFLOW PREVENTOR AND RPZ AS SPECIFIED.
5. ON OCCASION AND FOR GRAPHIC PURPOSES ONLY, THE IRRIGATION SYSTEM MIGHT BE SHOWN IN HARDSCAPE AREAS. THIS IRRIGATION IS TO BE PLACED IN LANDSCAPED AREAS ON THE PROPERTY SITE.
6. CONTRACTOR SHALL USE ONLY COMMERCIAL GRADE IRRIGATION PRODUCTS. THIS INCLUDES PIPE TO BE SCHEDULE 40 PVC OR BETTER. NO POLY PIPE IS TO BE USED, UNLESS BLACK POLY IS CALLED OUT FOR WIRE SLEEVING. FITTINGS UP TO 1-1/2" MUST BE SCHEDULE 40 OR BETTER. FITTINGS LARGER THAN 1-1/2" SHALL BE SCHEDULE 80 OR BETTER. CONTRACTOR IS RESPONSIBLE FOR ENSURING ACCURATE COUNTS AND QUANTITIES OF ALL IRRIGATION MATERIALS FOR BIDDING AND INSTALLATION.
7. MAIN LINES SHALL BE A MINIMUM OF 24" DEEP AND LATERAL LINES A MINIMUM OF 12" DEEP. NO ROCK GREATER THAN 1/2" DIAMETER SHALL BE ALLOWED IN TRENCHES. TRENCHING BACKFILL MATERIAL SHALL BE COMPACTED TO PROPER FINISHED GRADE.
8. NO IRRIGATION MAINLINE MAY BE LOCATED WITHIN 5 FEET OF ANY STRUCTURE.
9. TO AVOID PIPE DAMAGE, ADJUST LOCATIONS OF PIPE TO NOT BE DIRECTLY UNDER PLANT MATERIALS. VALVE BOXES ARE PREFERRED TO BE IN PLANTER BEDS INSTEAD OF THE LAWN. SYSTEM IS TO BE WINTERIZED IN THE LATE FALL.
10. PLAN INDICATES 100% OR BETTER HEAD TO HEAD COVERAGE. SHOULD CONTRACTOR FIND DISCREPANCIES DUE TO NECESSARY FIELD ADJUSTMENTS, CONTACT LANDSCAPE ARCHITECT FOR IRRIGATION CORRECTION.
11. DRIP IRRIGATION TO BE INSTALLED PER DETAILS. CONTRACTOR SHALL MAKE NECESSARY ADJUSTMENTS. TUBING SHOULD REST TOWARD OUTER EDGE OF ROOTBALL AND NOT AGAINST TRUNK OF PLANT.
12. A QUICK COUPLER SHALL BE INSTALLED AT POINT OF CONNECTION TO ALLOW BLOW OUT OF SYSTEM BY AIR COMPRESSOR AT END OF EACH SEASON.
13. INSTALL SLEEVES FOR ALL PIPES AND WIRE CONDUIT THAT ARE PLACED UNDER PAVEMENT AND SIDEWALKS. SLEEVES SHALL BE 2 SIZES LARGER THAN PIPE BEING PLACED INTERNALLY. WIRE CONDUIT SHALL BE INSTALLED IN CLASS 200 PIPE AT ANY DIRECTIONAL CHANGE THAT OCCURS, A JUNCTION BOX IS TO PLACED.
14. CONDUITS CAN NOT BE SHARED BY WATER AND ELECTRICAL LINES. ALL WIRE TO BE PUT IN PVC CONDUIT. ALL WIRE CONNECTIONS TO BE PLACED IN A VALVE BOX. ALL WIRE CONNECTIONS TO USE WATERPROOF WIRE CONNECTORS WITH AT LEAST 3' OF EXTRA WIRE. PROVIDE PLENTY OF EXTRA WIRE AT EVERY DIRECTIONAL CHANGE. INSULATED 14 GAUGE COPPER TO BE USED FOR ALL CONTROL WIRES AND INSTALLED PER MANUFACTURER'S SPECIFICATIONS.
15. CONTRACTOR TO INSTALL LIGHTNING ARRESTOR AND GROUNDING RODS ON SITE PER MANUFACTURER'S RECOMMENDATIONS, SEE DETAILS.
16. CONTRACTOR TO SEPARATE SYSTEM (CONTROLLER, VALVES, AND DIFFERENT COLORED WIRE) FROM CITY MAINTAINED PROPERTY AND HOA/OWNER MAINTAINED PROPERTY.
17. DUCT TAPE ALL SLEEVES TO PREVENT SOIL OR OTHER DEBRIS ENTERING PIPE. IDENTIFY ALL SLEEVES BY WOOD OR PVC STAKES AND SPRAY PAINT WITH MARKING PAINT. REMOVE STAKES ONCE IRRIGATION SYSTEM IS COMPLETE.
18. TO PREVENT EROSION AND LOW POINT DRAINAGE CONTRACTOR SHALL INSTALL CHECK VALVES
19. LOCATE SPRAY HEADS NO CLOSER THAN 6" FROM WALLS, FENCES OR BUILDINGS AND 2" AWAY FROM WALKS, PATHS OR CURBS.
20. PRESSURE TEST MAINLINE FOR LEAKS PRIOR TO BACKFILLING. CONTACT LANDSCAPE ARCHITECT/OWNER AT THIS TIME FOR COMPLIANCE.
21. CONTRACTOR TO CONSULT WITH OWNER ON EXACT LOCATION OF CONTROLLER. CONTRACTOR TO COORDINATE WITH ELECTRICAL CONTRACTOR AND OWNER FOR THE POWER SUPPLY. INSTALL ALL PER MANUFACTURER'S SPECIFICATIONS. CONTRACTOR SHALL INSTALL A RAIN SENSOR WITH THE CONTROLLER UNLESS OTHERWISE DIRECTED BY OWNER OR LANDSCAPE ARCHITECT.
22. LATERAL LINES SHALL BE NO SMALLER THAN 3/4". LANDSCAPE CONTRACTOR TO ENSURE THE FOLLOWING PIPE SIZES DO NOT EXCEED THE SUGGESTED GPM LISTED BELOW:

I	3/4"	8 GPM
II	1"	12 GPM
III	1-1/2"	30 GPM
IV	2"	53 GPM
V	2-1/2"	75 GPM
VI	3"	110 GPM
VII	4"	180 GPM

WATERING SCHEDULE

90 Day Establishment Priod Irrigation Schedule

Hr/Low Water Use Zones	TYPE	HR HEAD	AMT. H20	SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	
H=Low Water Use	TURF	MP ROTATOR	.5 INCH	45 MIN.	45 MIN.	45 MIN.	45 MIN.	45 MIN.	45 MIN.	45 MIN.	Participate in a water check to determine
Medium to Low Water Use	SHRUBS	DRIP	2 GAL/HR.		2 HOURS			2 HOURS			precipitation rate of sprinkler system.
Xeric Water Use	SHRUBS	DRIP	2 GAL/HR.		2 HOURS						

Note: Begin irrigation 4:00 am. Use cycle and soak method in clay soils-divide into 3 waterings for each turf irrigation event. Shrubs to be watered so soil is moist 6" below root ball. Do not overwater shrubs, allow to dry between waterings especially in clay soils. Watch for water stress.

Regular Irrigation Schedule: Begin Sprng Watering May 15 (Turf irrigation event once every 5-7 days; Shrubs 2-.4 times/month)

Hr/Low Water Use Zones	TYPE	HR HEAD	AMT. H20	SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	
H=Low Water Use	TURF	MP ROTATOR	5 INCH		60 MIN.						Participate in a water check to determine
Medium to Low Water Use	SHRUBS	DRIP	2 GAL/HR.			2 HOURS					precipitation rate of sprinkler system.
Xeric Water Use	SHRUBS	DRIP	2 GAL/HR.			No Water					

Note: Begin irrigation 4:00 am. Use cycle and soak method in clay soils-divide into 3 waterings for each turf irrigation event. Do not overwater shrubs, allow to dry between waterings;especially in clay soils. Watch for water stress. Days of watering may vary based on local restrictions

Regular Irrigation Schedule: Begin Sunmer Watering June 15 Turf irrigation event once every 2-3 days; Shrub s 1 time/week)

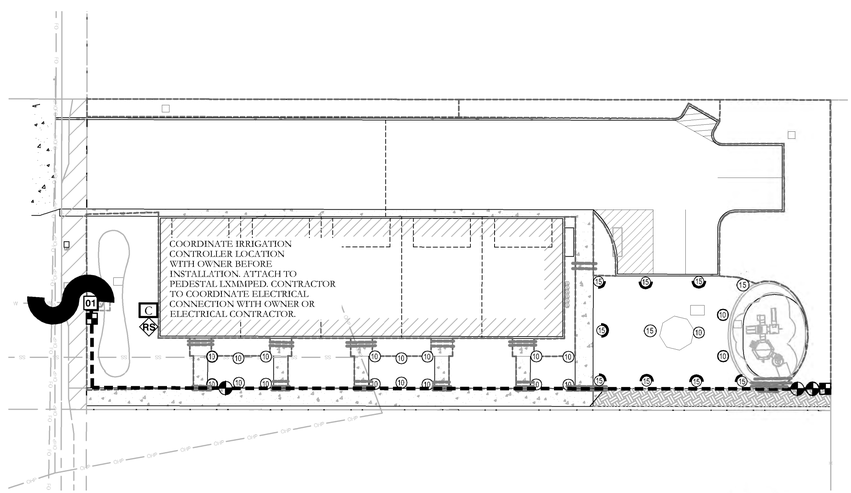
Hr/Low Water Use Zones	TYPE	HR HEAD	AMT. H20	SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	
H=Low Water Use	TURF	MP ROTATOR	5 INCH		60 MIN.		60 MIN.		60 MIN.		Participate in a water check to determine
Medium to Low Water Use	SHRUBS	DRIP	2 GAL/HR.			2 HOURS					precipitation rate of sprinkler system.
Xeric Water Use	SHRUBS	DRIP	2 GAL/HR.			1 HOUR					

Note: Begin irrigation 4:00 am. Use cycle and soak method in clay soils-divide into 3 waterings for each turf irrigation event. Do not overwater shrubs, allow to dry between waterings;especially in clay soils. Watch for water stress. Days of watering may vary based on local restrictions
Reference Utah DNR weekly watering guide: https://conservewater.utah.gov/weekly-lawn-watering-guide/

Regular Irrigation Schedule: Begin Fall Watering September 1-End Fall Watering October 15 (Turf irrigation event once every 5-7 days; Shrubs 2-4 time/month)

Hr/Low Water Use Zones	TYPE	HR HEAD	AMT. H20	SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	
H=Low Water Use	TURF	MP ROTATOR	5 INCH		60 MIN.						Participate in a water check to determine
Medium to Low Water Use	SHRUBS	DRIP	2 GAL/HR.			2 HOURS					precipitation rate of sprinkler system.
Xeric Water Use	SHRUBS	DRIP	No Water								

Note: Begin irrigation 4:00 am. Use cycle and soak method in clay soils-divide into 3 waterings for each turf irrigation event. Do not overwater shrubs, allow to dry between waterings;especially in clay soils. Watch for water stress. Days of watering may vary based on local restrictions



1" MAINLINE ROUTING ,CONTROLLER AND P.O.C. LOCATION OVERVIEW

ISSUE DATE	PROJECT NUMBER	PLAN INFORMATION	PROJECT INFORMATION	DEVELOPER / PROPERTY OWNER / CLIENT	LANDSCAPE ARCHITECT / PLANNER	LICENSE STAMP	DRAWING INFO
9/23/2024	UT24064						

NO.	REVISION	DATE
1	XXXX	XX-XX-XX
2		
3		
4		
5		
6		
7		

811 BLUE STAKES OF UTAH
UTILITY NOTIFICATION CENTER, INC
1-800-662-4111
www.bluestakes.org

N

0' 10' 20' 40' 80'
GRAPHIC SCALE: 1" = 20'

THE PRESERVE ON 9TH
4181 S. 900 E.
MILLCREEK, UTAH

WIXACO 401K PLAN,LLC
ATT: BRANDON WIXOM
801-864-2626
BWIXOM@GMAIL.COM

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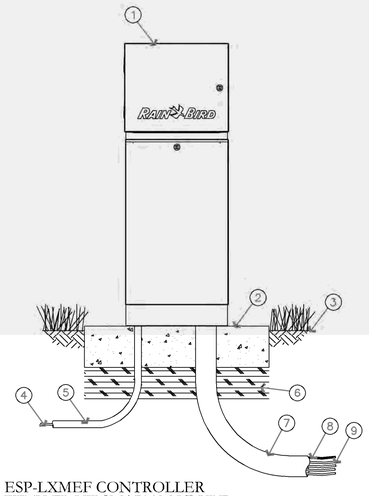
LICENSED LANDSCAPE ARCHITECT
JEREMY ANDREWS
812821-5301
9/23/2024
ELECTRONIC SEAL
STATE OF UTAH

DRAWING INFO	
PM:	JTA
DRAWN:	ACP
CHECKED:	JMA
PLOT DATE:	9/23/2024

IRRIGATION COVER

CITY PERMIT SET

IR-101

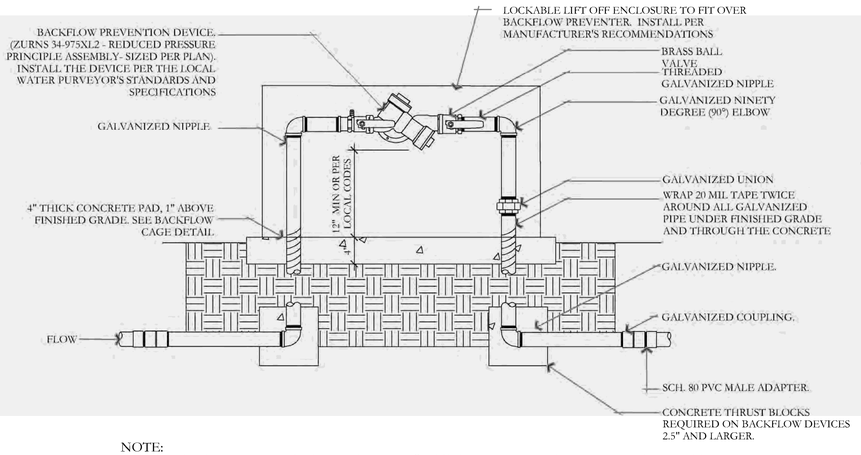


1. IRRIGATION CONTROLLER: RAIN BIRD ESP-LXMEF CONTROLLER WITH FLOW SMART MODULE IN LXMM METAL CABINET AND LXMMPED METAL PEDESTAL. INSTALL CONTROLLER, CABINET AND PEDESTAL PER MANUFACTURER'S RECOMMENDATIONS.
2. CONCRETE PAD: 6-INCH MINIMUM THICKNESS
3. FINISH GRADE.
4. POWER SUPPLY WIRE.
5. 1-INCH SCH 40 PVC CONDUIT, FITTINGS AND SWEEP ELL FOR POWER SUPPLY
6. COMPACTED SUBGRADE.
7. 3-INCH SCH 40 PVC CONDUIT, FITTINGS AND SWEEP ELL FOR STATION WIRES
8. FLOW SENSOR WIRE: (PE 39, 89 OR 54) TO FLOW SENSOR
9. MASTER VALVE AND REMOTE CONTROL VALVE WIRES

NOTES:
1. ESP-LXMEF CONTROLLER IS AVAILABLE IN 8- OR 12-STATION BASE MODELS. ADDITIONAL MODULES IN 4-, 8- AND 12-STATION VERSIONS MAY BE ADDED TO BRING THE CONTROLLER UP TO 48 STATIONS MAXIMUM.
2. FOR EASE OF INSTALLATION INTO A CONTROLLER WITH MORE THAN 24 STATIONS, INSTALL A JUNCTION BOX AT THE BASE OF CONTROLLER AND TRANSITION LARGER VALVE AND COMMON WIRES FROM FIELD TO 18 AWG MULTI CONDUCTOR WIRE TO BE USED IN CONTROLLER.
3. PROVIDE PROPER GROUNDING COMPONENTS TO ACHIEVE GROUND RESISTANCE OF 10 OHMS OR LESS.

A ESP-LXMEF CONTROLLER WITH FLOW SMART MODULE IN METAL PEDESTAL

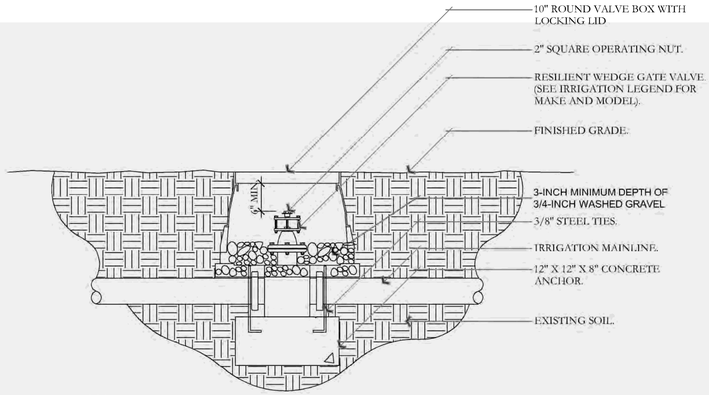
NOT TO SCALE — PKJ DESIGN GROUP



NOTE:
1. GALVANIZED NIPPLE SHALL EXTEND 12" PAST THE EDGE OF THE CONCRETE FOOTING.
2. SCH. 80 PVC MALE ADAPTER SHALL BE USED IN CONNECTION FROM GALVANIZE TO THE MAINLINE.
3. BACKFLOW PREVENTION DEVICE SHALL BE LOCATED AS CLOSE AS POSSIBLE TO THE LANDSCAPE METER.
4. BACKFLOW PREVENTION DEVICE SHALL BE LOCATED IN PLANTING AREA UNLESS APPROVED BY OWNER'S REPRESENTATIVE.
5. SEE DETAIL FOR BACKFLOW CAGE INSTALLATION.
6. ALL ASSEMBLY PARTS (THREADED NIPPLES, FITTINGS, ETC.) SHALL BE GALVANIZED OR BRASS PER LOCAL CODES AND REQUIREMENTS.
7. ALL BACKFLOW PREVENTION DEVICES SHALL HAVE FREEZE BLANKET INCLUDED UPON INSTALLATION.
8. ALL GALVANIZED CONNECTIONS SHALL TO BE MADE USING PIPE THREAD SEALANT. ALL SCH. 80 PVC TO GALVANIZED CONNECTIONS TO BE MADE USING TEFLON TAPE.

B BACKFLOW PREVENTION DETAIL

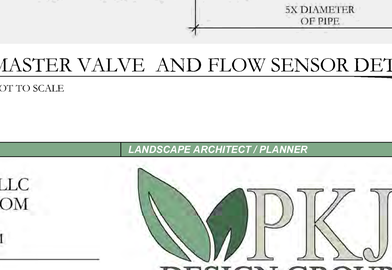
NOT TO SCALE — PKJ DESIGN GROUP



NOTES:
1. INSTALL GATE VALVE PER MANUFACTURER'S SPECIFICATIONS AND RECOMMENDATIONS.
2. VALVE BOX SHALL BE WRAPPED WITH MINIMUM 3 MIL. THICK PLASTIC AND SECURE IT TO VALVE BOX USING DUCT TAPE OR ELECTRICAL TAPE.
3. VALVE BOX SHALL BE LOCATED IN PLANTING AREA.

C GATE VALVE AND ANCHOR DETAIL

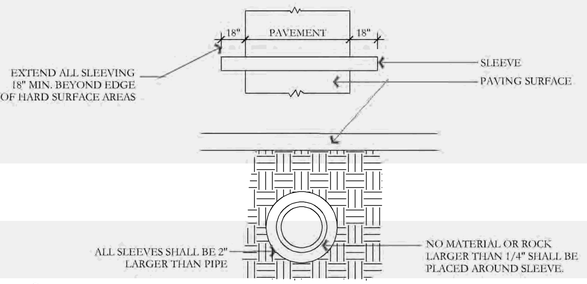
NOT TO SCALE — PKJ DESIGN GROUP



NOTES:
1. ALL FITTINGS TO BE SCH. 80 PVC
2. PROVIDE OWNER WITH KEY

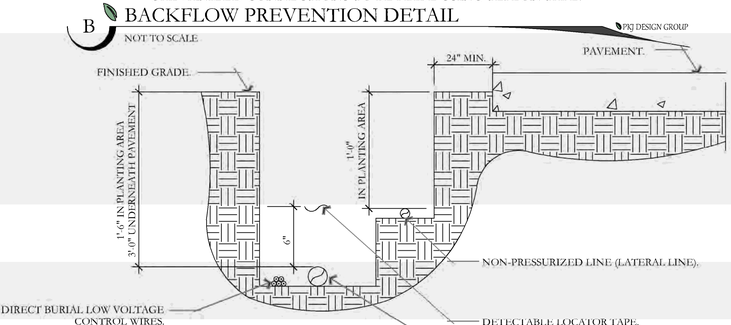
F MANUAL DRAIN DETAIL

NOT TO SCALE — PKJ DESIGN GROUP



D TYPICAL SLEEVING DETAIL

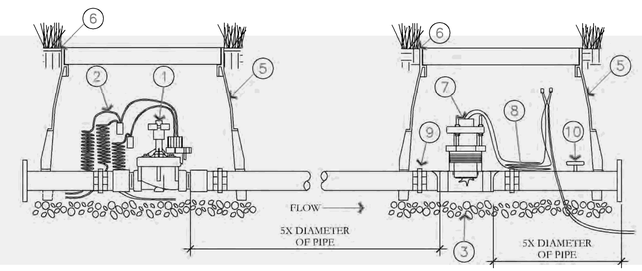
NOT TO SCALE — PKJ DESIGN GROUP



NOTES:
1. SEE IRRIGATION LEGEND FOR MAINLINE AND LATERAL LINE PIPE SIZE AND TYPE.
2. DIRECT BURIAL CONTROL WIRES SHALL BE INSTALLED IN SCH. 40 PVC ELECTRICAL CONDUIT IF REQUIRED.
3. 2-WIRE IRRIGATION WIRE SHALL BE INSTALLED IN SCH. 40 PVC ELECTRICAL CONDUIT.
4. DETECTABLE LOCATOR TAPE SHALL BE LOCATED SIX INCHES (6") ABOVE THE ENTIRE MAINLINE RUN.

E IRRIGATION TRENCHING DETAIL

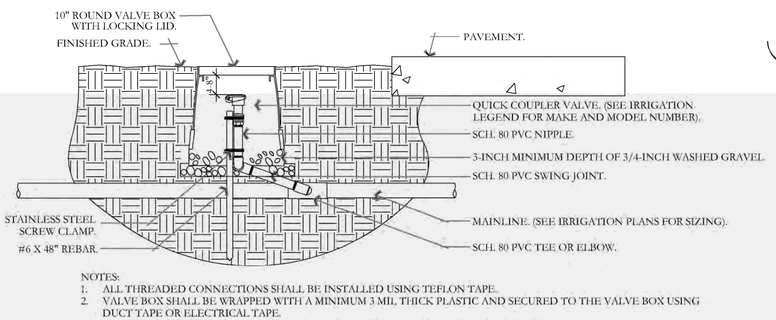
NOT TO SCALE — PKJ DESIGN GROUP



1. NORMALLY CLOSED MASTER VALVE(S)
2. 36-INCH LENGTH OF COILED WIRE TO SATELLITE CONTROLLER SPARE STATION
3. 3-INCH MINIMUM DEPTH OF 3/4-INCH WASHED GRAVEL
4. VALVE BOX WITH COVER - RAINBIRD JUMBO BOX
6. FINISH GRADE
7. RAIN BIRD FS SERIES FLOW SENSOR(S). SEE COVER SHEET FOR SIZE
8. 36-INCH LENGTH OF COILED MAXI-CABLE TO FLOW SENSING
9. PVC PIPE UNION
10. BRASS BALL VALVE

I MASTER VALVE AND FLOW SENSOR DETAIL

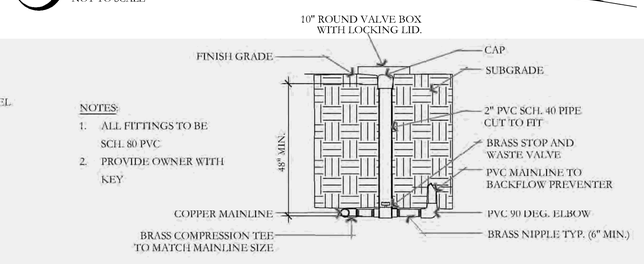
NOT TO SCALE — PKJ DESIGN GROUP



NOTES:
1. ALL THREADED CONNECTIONS SHALL BE INSTALLED USING TEFLON TAPE.
2. VALVE BOX SHALL BE WRAPPED WITH A MINIMUM 3 MIL THICK PLASTIC AND SECURED TO THE VALVE BOX USING DUCT TAPE OR ELECTRICAL TAPE.
3. ALL QUICK COUPLERS SHALL BE INSTALLED A MINIMUM OF 18" OFF OF THE MAINLINE.
4. VALVE BOXES SHALL BE LOCATED IN PLANTING AREAS.

G QUICK COUPLER DETAIL

NOT TO SCALE — PKJ DESIGN GROUP



NOTES:
1. ALL FITTINGS TO BE SCH. 80 PVC
2. PROVIDE OWNER WITH KEY

H STOP AND WASTE VALVE ASSEMBLY DETAIL

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ISSUE DATE	PROJECT NUMBER
9/23/2024	UT24064

NO.	REVISION	DATE
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THE PRESERVE ON 9TH
4181 S. 900 E.
MILLCREEK, UTAH

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801-864-2626
BWIXOM@GMAIL.COM

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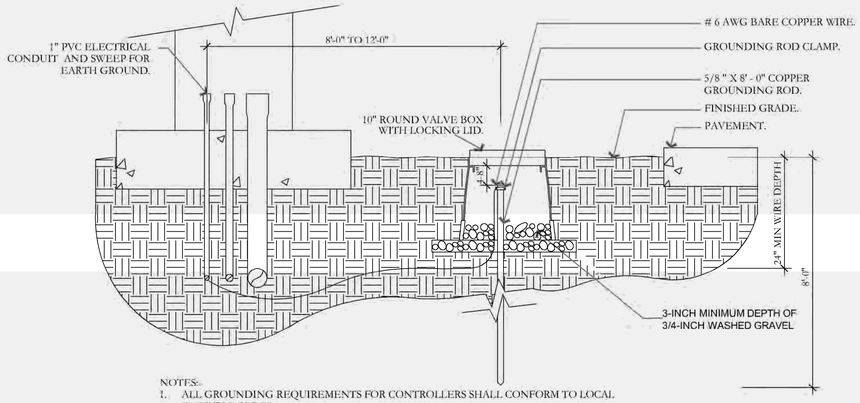
LICENSED LANDSCAPE ARCHITECT — JEFFREY AINSWORTH — 8128121-5301 — 9/23/2024 — ELECTRONIC SEAL — STATE OF UTAH

DRAWING INFO	
PM:	JTA
DRAWN:	ACP
CHECKED:	JMA
PLOT DATE:	9/23/2024

IRRIGATION DETAILS

CITY PERMIT SET

IR-501

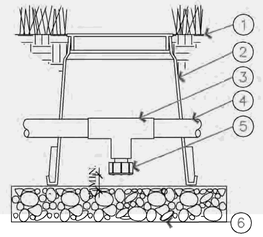


NOTES:
1. ALL GROUNDING REQUIREMENTS FOR CONTROLLERS SHALL CONFORM TO LOCAL ELECTRIC CODES.
2. GROUNDING ROD SHALL NOT BE LOCATED IN THE SAME TRENCH AS THE IRRIGATION MAINLINES OR LATERAL LINES.
3. VALVE BOX SHALL BE WRAPPED WITH A MINIMUM 3 MIL THICK PLASTIC AND SECURED TO THE VALVE BOX USING DUCT TAPE OR ELECTRICAL TAPE.
4. INSTALL GROUNDING ROD PER THE CONTROLLER MANUFACTURER'S SPECIFICATIONS AND RECOMMENDATIONS.

K GROUNDING ROD DETAIL

NOT TO SCALE

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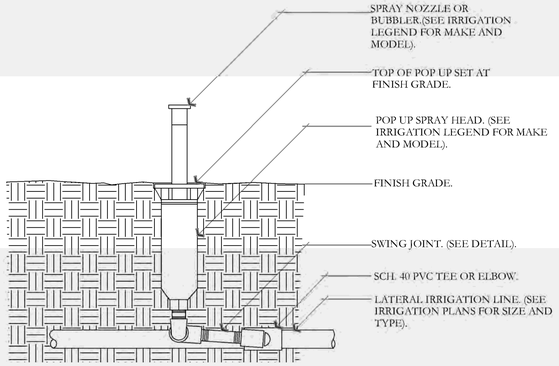


1. FINISH GRADE/TOP OF MULCH
2. VALVE BOX WITH COVER: RAIN BIRD VB-6RND
3. PVC SCH 40 TEE
4. PVC LATERAL PIPE
5. FILTERED DRAIN VALVE: RAIN BIRD 16A-FDV-075
6. 6-INCH MINIMUM DEPTH OF 3/4" WASHED GRAVEL

L MANUAL LINE DRAIN VALVE DETAIL

NOT TO SCALE

PKJ DESIGN GROUP

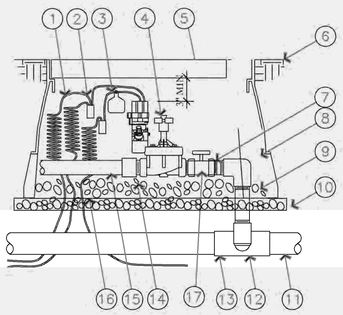


NOTE:
1. 4" POP UPS SHALL BE USED IN TURF AREAS.
2. CONTRACTOR SHALL SETTLE SOIL AROUND THE POP UP AFTER INSTALLATION.
3. ALL POP UP SPRAY HEADS SHALL HAVE CHECK VALVES.
4. ALL SCH. 40 PVC TO SCH. 80 PVC CONNECTIONS SHALL BE MADE USING TEFLON TAPE.

O POP UP-SPRAY HEAD DETAIL

NOT TO SCALE

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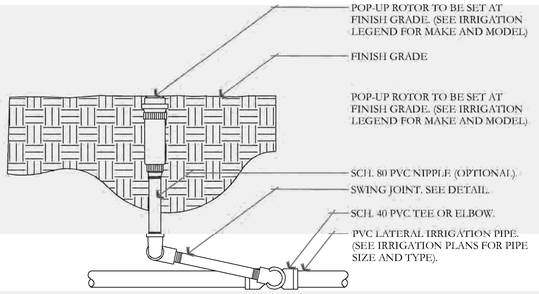


1. 30-INCH LINEAR LENGTH OF WIRE, COILED.
2. WATERPROOF CONNECTION RAIN BIRD SPLICE-1 (1 OF 2)
3. ID TAG: RAIN BIRD VID SERIES
4. REMOTE CONTROL VALVE: RAIN BIRD PESB-PRS-D WITH NP-HAN
5. VALVE BOX WITH COVER: RAIN BIRD VB-STD
6. FINISH GRADE/TOP OF MULCH
7. PVC SCH 80 NIPPLE (CLOSE)
8. PVC SCH 40 ELL
9. PVC SCH 80 NIPPLE (LENGTH AS REQUIRED)
10. BRICK (1 OF 4)
11. PVC MAINLINE PIPE
12. SCH 80 NIPPLE (2-INCH LENGTH, HIDDEN) AND SCH 40 ELL
13. PVC SCH 40 TEE OR ELL
14. PVC SCH 40 MALE ADAPTER
15. PVC LATERAL PIPE
16. 3.0-INCH MINIMUM DEPTH OF 3/4 " WASHED GRAVEL
17. BRASS BALL VALVE

M ELECTRIC REMOTE-CONTROL VALVE DETAIL

NOT TO SCALE

PKJ DESIGN GROUP



NOTES:
1. ALL THREADED CONNECTION POINTS BETWEEN SCH. 40 PVC AND SCH. 80 PVC FITTING SHALL BE INSTALLED USING TEFLON TAPE.
2. CONTRACTOR SHALL COMPACT SOIL AROUND ROTOR AND RISER PRIOR TO PLANTING, PLUGGING, SEEDING, OR LAYING OF SOD.

N ROTOR HEAD DETAIL

NOT TO SCALE

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9/23/2024	UT24064

NO.	REVISION	DATE
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PLAN INFORMATION

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PROJECT INFORMATION

THE PRESERVE ON 9TH
4181 S. 900 E.
MILLCREEK, UTAH

DEVELOPER / PROPERTY OWNER / CLIENT

WIXACO 401K PLAN,LLC
ATT: BRANDON WIXOM
801-864-2626
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LICENSE STAMP

LICENSED LANDSCAPE ARCHITECT
JEREMY AINSWORTH
8128127-5301
9/23/2024
BUSINESS
STATE OF UTAH

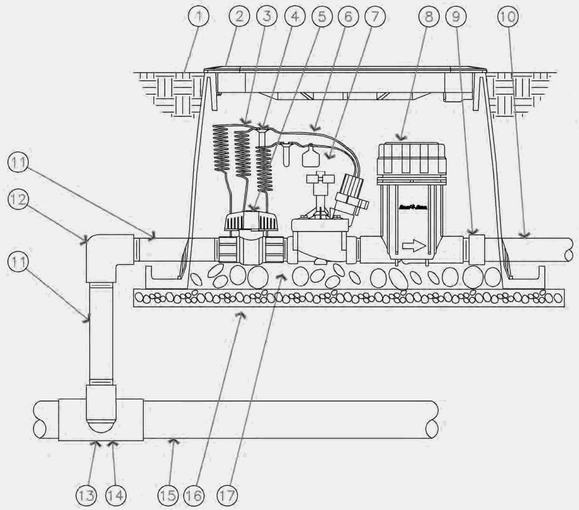
DRAWING INFO

PM: JTA
DRAWN: ACP
CHECKED: JMA
PLOT DATE: 9/23/2024

IRRIGATION DETAILS

CITY PERMIT SET

IR-502

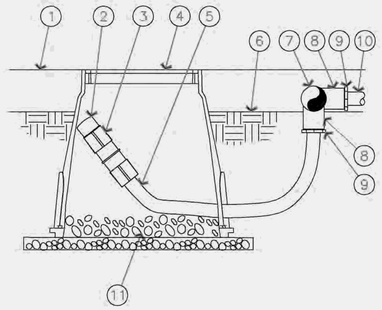


1. FINISH GRADE/TOP OF MULCH
2. VALVE BOX WITH COVER: RAIN BIRD VB-STD
3. 30-INCH LINEAR LENGTH OF WIRE, COILED
4. WATERPROOF CONNECTION: RAIN BIRD DB SERIES
5. 1-INCH BALL VALVE (INCLUDED IN XCZ-PRB-100-COM KIT)
6. ID TAG
7. REMOTE CONTROL VALVE: RAIN BIRD PESB (INCLUCED IN XCZ-PRB-100-COM KIT)
8. PRESSURE REGULATING AND FLOW INDICATING BASKET FILTER: RAIN BIRD XCZ-100-FLOW
9. PVC SCH 40 FEMALE ADAPTOR
10. LATERAL PIPE
11. PVC SCH 80 NIPPLE (LENGTH AS REQUIRED)
12. PVC SCH 40 ELL
13. PVC SCH 80 NIPPLE (2-INCH LENGTH, HIDDEN) AND PVC SCH 40 ELL
14. PVC SCH 40 TEE OR ELL
15. MAINLINE PIPE
16. 3-INCH MINIMUM DEPTH OF 3/4-INCH WASHED GRAVEL
17. PVC SCH 80 NIPPLE, CLOSE (INCLUDED IN XCZ-PRB-100-COM KIT)

P DRIP CONTROL ZONE KIT DETAIL

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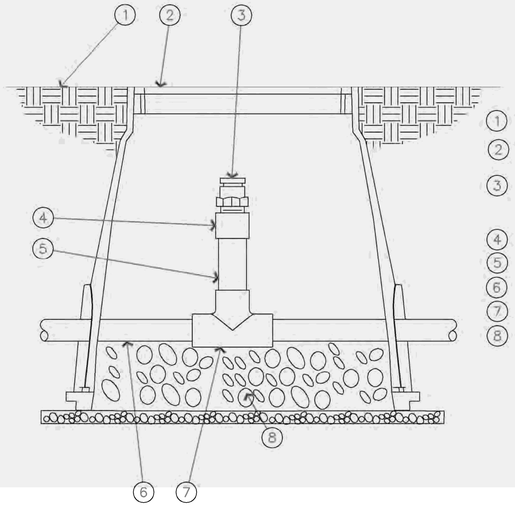
1. MULCH
2. FLUSH CAP FOR EASY FIT COMPRESSION FITTINGS: POTABLE:RAIN BIRD MDCFCAP
3. EASY FIT COUPLING: RAIN BIRD MDCFCOUP
4. SUBTERRANEAN EMITTER BOX: RAIN BIRD SEB 7XB
5. ½" POLYETHYLENE TUBING: RAIN BIRD XF BLANK TUBING
6. FINISH GRADE
7. PVC EXHAUST HEADER
8. PVC SCH 40 TEE OR EL
9. BARB X MALE FITTING: RAIN BIRD XFF-MA FITTING (TYPICAL)
10. ON-SURFACE DRIPLINE: RAIN BIRD XF SERIES DRIPLINE POTABLE: XFCV DRIPLINE
11. 3-INCH MINIMUM DEPTH OF 3/4 " WASHED GRAVEL

NOTE:
1. ALLOW A MINIMUM OF 6-INCHES OF DRIPLINE TUBING IN VALVE BOX IN ORDER TO DIRECT FLUSHED WATER OUTSIDE VALVE BOX.

Q ON-SURFACE DRIPLINE FLUSH POINT DETAIL

NOT TO SCALE

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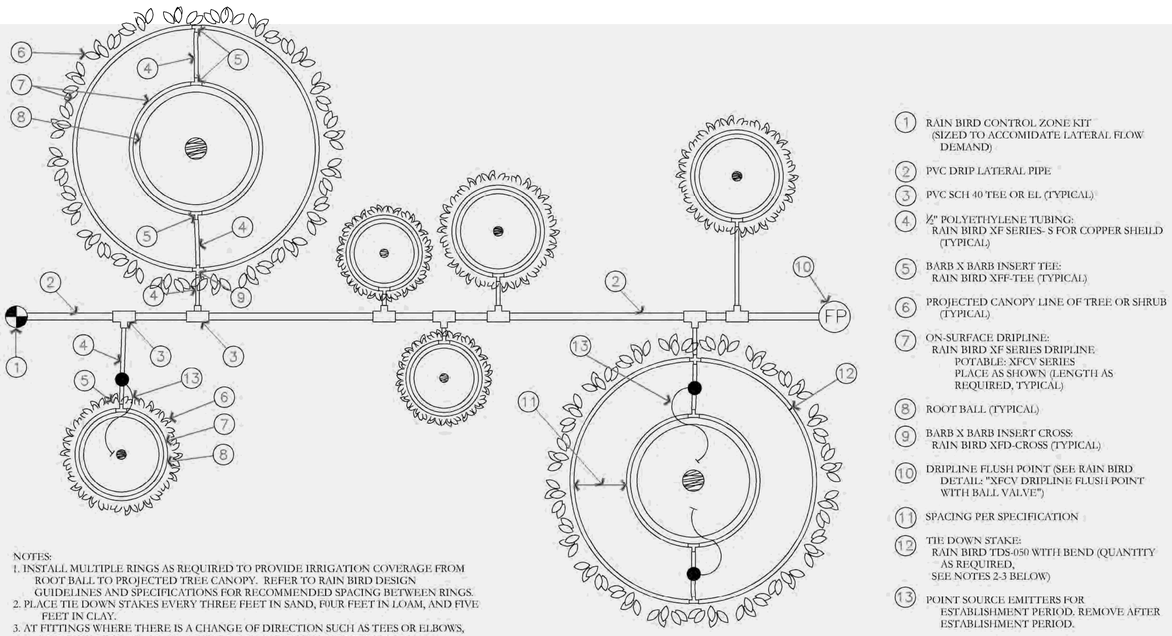


1. FINISH GRADE
2. SUBTERRANEAN EMITTER BOX: RAIN BIRD SEB 7XB
3. ¼" AIR RELIEF VALVE: RAIN BIRD ARV050 TO BE INSTALLED AT HIGH POINTS IN DRIP ZONE
4. PVC SCH 40 FEMALE ADAPTER
5. PVC SCH 80 RISER
6. PVC HEADER PIPE
7. PVC SCH 40 TEE
8. 3" MINIMUM DEPTH OF 3/4" WASHED GRAVEL

R AIR RELIEF VALVE DETAIL

NOT TO SCALE

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1. RAIN BIRD CONTROL ZONE KIT (SIZED TO ACCOMIDATE LATERAL FLOW DEMAND)
2. PVC DRIP LATERAL PIPE
3. PVC SCH 40 TEE OR EL (TYPICAL)
4. ½" POLYETHYLENE TUBING: RAIN BIRD XF SERIES- S FOR COPPER SHEILD (TYPICAL)
5. BARB X BARB INSERT TEE: RAIN BIRD XFF-TEE (TYPICAL)
6. PROJECTED CANOPY LINE OF TREE OR SHRUB (TYPICAL)
7. ON-SURFACE DRIPLINE: RAIN BIRD XF SERIES DRIPLINE POTABLE: XFCV SERIES PLACE AS SHOWN (LEINGTH AS REQUIRED, TYPICAL)
8. ROOT BALL (TYPICAL)
9. BARB X BARB INSERT CROSS: RAIN BIRD XFD-CROSS (TYPICAL)
10. DRIPLINE FLUSH POINT (SEE RAIN BIRD DETAIL: "XFCV DRIPLINE FLUSH POINT WITH BALL VALVE")
11. SPACING PER SPECIFICATION
12. TIE DOWN STAKE: RAIN BIRD TDS-050 WITH BEND (QUANTITY AS REQUIRED, SEE NOTES 2-3 BELOW)
13. POINT SOURCE EMITTERS FOR ESTABLISHMENT PERIOD. REMOVE AFTER ESTABLISHMENT PERIOD.

NOTES:
1. INSTALL MULTIPLE RINGS AS REQUIRED TO PROVIDE IRRIGATION COVERAGE FROM ROOT BALL TO PROJECTED TREE CANOPY. REFER TO RAIN BIRD DESIGN GUIDELINES AND SPECIFICATIONS FOR RECOMMENDED SPACING BETWEEN RINGS.
2. PLACE TIE DOWN STAKES EVERY THREE FEET IN SAND, FOUR FEET IN LOAM, AND FIVE FEET IN CLAY.
3. AT FITTINGS WHERE THERE IS A CHANGE OF DIRECTION SUCH AS TEES OR ELBOWS, USE TIE-DOWN STAKES ON EACH LEG OF THE CHANGE OF DIRECTION.

S ON-SURFACE DRIPLINE TREE/SHRUB DETAIL

NOT TO SCALE

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LICENSED LANDSCAPE ARCHITECT
JOSHUA AINSWORTH
8128121-5301
9/23/2024
ELECTRONIC SEAL
STATE OF UTAH

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PM:	JTA
DRAWN:	ACP
CHECKED:	JMA
PLOT DATE:	9/23/2024

IRRIGATION DETAILS

CITY PERMIT SET

IR-503

MILLCREEK, UTAH
ORDINANCE NO. 24-50

AN ORDINANCE OF THE MILLCREEK COUNCIL APPROVING A DEVELOPMENT AGREEMENT CONCERNING 0.43 ACRES OF REAL PROPERTY LOCATED AT APPROXIMATELY 4181 SOUTH 900 EAST

WHEREAS, the Millcreek Council ("*Council*") met in a regular meeting on October 28, 2024, to consider, among other things, an ordinance of the Millcreek Council approving a Development Agreement pertaining to a rezone and development proposal concerning approximately 0.43 acres of real property located at approximately 4181 South 900 East; and

WHEREAS, the Utah Code Ann. § 10-9a-102 authorizes, among other things, that the City may enter into development agreements; and

WHEREAS, staff has presented to the Council a Development Agreement for the referenced property ("Development Agreement"); and

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

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

PASSED AND APPROVED by the Council this 28th day of October 2024.

M**ILLCREEK**

_____
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 24-50: AN ORDINANCE OF THE MILLCREEK COUNCIL APPROVING A DEVELOPMENT AGREEMENT CONCERNING 0.43 ACRES OF REAL PROPERTY LOCATED AT APPROXIMATELY 4181 SOUTH 900 EAST
was adopted the 28th day of October 2024 and that a copy of the foregoing Ordinance 24-50 was posted in accordance with Utah Code 10-3-711 this ____ day of October, 2024.

_____
Elyse Sullivan, City Recorder

When recorded, return to:

Millcreek
Attn: Jeff Silvestrini
1330 E Chambers Ave
Millcreek, UT 84106

DEVELOPMENT AGREEMENT

This Development Agreement (this "Agreement") is entered into this ___ day of _____, 2024, by and between Bennett Properties, LLC ("Developer"), for the land to be included in or affected by the project located at approximately 4181 South & 900 East, in Millcreek Utah, a municipal corporation of the State of Utah ("City"). The Developer and the City are sometimes referred to as the "Parties."

RECITALS

WHEREAS, the Developer owns approximately .43 acres of real property located at 4181 South & 900 East in Millcreek, Utah ("Property"). A legal description of the Property is attached hereto as Exhibit "A." The Parties desire that the Property be developed (the "Project") in a unified and consistent fashion pursuant to the terms and conditions of this Agreement; and

WHEREAS, the Property is zoned Residential R-1-10 and

WHEREAS, the Developer desires to rezone the entirety of the Property, as described in Exhibit "A" from the R-1-10 Residential Zone to the R-M Multifamily Zone and

WHEREAS, the Developer intends to develop the Property consistent with the certain design criteria as identified in Exhibit "B" and with the concept plans as shown in Exhibit "D" and

WHEREAS, Developer hereby represent to the Millcreek Council that it is voluntarily entering into this Agreement; and

WHEREAS, Developer is willing to restrict the Property in a manner that is in harmony with the objectives of the City's General Plan and long-range development objectives, and which addresses the more specific development issues set forth in this Agreement, and is willing to abide by the terms of this Agreement; and

WHEREAS, the City and Developer acknowledge that the terms of this Agreement shall be enforceable and the rights of the Developer relative to the Property shall vest only if the City Council, in its sole legislative discretion, approves the rezone and this Agreement; and

WHEREAS, the City, acting pursuant to its authority under the Utah Municipal Land Use, Development, and Management Act, Utah Code Ann. §10-9a-101, *et seq*., and its ordinances, resolutions, and regulations, and in furtherance of its land-use policies, has made certain determinations with respect to the proposed Project, and, in the exercise of its legislative discretion, has elected to approve this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

1. **Affected Property**. The legal description of the Property contained within the Project boundaries is attached as Exhibit "A." No additional property may be added to or removed from this description for the purposes of this Agreement except by written amendment to this Agreement executed and approved by the Developer and the City.

2. **Reserved Legislative Powers**. Nothing in this Agreement shall limit the future exercise of police power by the City in enacting zoning, subdivision, development, transportation, environmental, open space, and related land-use plans, policies, ordinances, and regulations after the date of this Agreement.

3. **Vested Rights.** Except as provided below, the Parties intend that this Agreement grants the Developer the right to develop the Project to fulfill this Agreement.

3.1 **Exceptions.** The vesting, as specified above, is subject to the following exceptions:

3.1.1. City's future laws/ordinances that the Developer gives the City notice of its intent to comply with City's future laws/ordinances. If the Developer provides notice of its intent to abide by the City's future laws/ordinances, then such future laws/ordinances shall apply to the Project for the remaining duration of the entire Project;

3.1.2 State and Federal Compliance. City's future laws, which are generally applicable to all properties in the City and which are required to comply with State and Federal laws and regulations affecting the Project;

3.1.3 Codes. City development standards, engineering requirements and supplemental specifications for Public Works and any new editions or replacement thereof and any City's future laws that are updates or amendments to existing building, plumbing, mechanical, electrical, dangerous buildings, drainage, or similar construction or safety related codes, such as the International Building Code, the APWA Specifications, AAHSTO Standards, the Manual of Uniform Traffic Control Devices or similar standards that are generated by a nationally or statewide recognized construction/safety organization, or by the State or Federal governments and are required to meet legitimate concerns related to public health, safety or welfare;

3.1.4 Taxes. Taxes, or modifications thereto, so long as such taxes are lawfully

imposed and charged uniformly by the City to all properties, applications, persons, and entities similarly situated; or,

3.1.5 Fees. Changes to the fees for processing development applications generally applicable to all development within the City (or a portion of the City as specified in the lawfully adopted fee schedule) and which are adopted pursuant to State law.

3.1.6 Impact Fees. Impact Fees or modifications thereto which are adopted and imposed by the City.

3.1.7 Compelling, Countervailing Interest. Laws, rules, or regulations that the City's land use authority finds on the record are necessary to avoid jeopardizing a compelling, countervailing public interest pursuant to Utah Code Ann. § 10-9a-509(1)(a)(i) (2019).

4. **Compliance with City Ordinances and Standards**. The Developer acknowledges and agrees that nothing in this Agreement shall be deemed to relieve it from the obligation to comply with all applicable city ordinances and requirements necessary for the development of the Project, including the payment of fees and compliance with applicable City standards.

5. **Specific Design Conditions**. The Project shall be developed and constructed as set forth in the specific design conditions/criteria set forth in Exhibit "B." The Project shall also comply with all requirements set forth in the minutes of the Millcreek Planning Commission and Millcreek meetings.

6. **Agreement to Run With the Land**. This Agreement shall be recorded in the Office of the Salt Lake County Recorder, shall be deemed to run with the Property, and shall encumber the same; and shall be binding on and inure to the benefit of all successors and assigns of Developer in the ownership or development of any portion of the Property. This Agreement supersedes any and all development agreements that have been executed concerning the Property.

7. **Assignment.** Neither this Agreement nor any of the provisions, terms, or conditions hereof can be assigned to any other party, individual, or entity without the other party's consent. This Agreement shall be binding upon any successors and assigns. This restriction on assignment is not intended to prohibit or impede the sale by the Developer.

8. **No Joint Venture, Partnership, or Third-Party Rights**. This Agreement does not create any joint venture, partnership, undertaking, or business arrangement between the parties or any rights or benefits to third parties except as expressly provided herein.

9. **Integration, Modification and Entire Agreement**. This Agreement contains the entire agreement between the parties with respect to the subject matter hereof and integrates all prior conversations, discussions, or understandings of whatever kind or nature and may only be modified by subsequent writing duly executed and approved by the parties hereto. Exhibits A and B are hereby incorporated into this Agreement.

10. **Notices.** Any notices, requests, or demands required or desired to be given hereunder shall be in writing and should be delivered personally to the party for whom intended, or, if mailed by certified mail, return receipt requested, postage prepaid to the parties as follows:

TO DEVELOPER:

Bennett Properties, LLC
9138 S State St #100
Sandy, UT, 84070

TO CITY:

Millcreek
Jeff Silvestrini, Mayor
1330 E Chambers Ave
Millcreek, Utah 84106

Any party may change its address by giving written notice to the other party in accordance with the provisions of this section.

11. **Choice of Law and Venue**. Any dispute regarding this Agreement shall be heard and settled under the laws of the State of Utah. Any Utah litigation regarding this Agreement shall

be filed in the Third District Court in Salt Lake City, Utah. Any federal litigation regarding this Agreement shall be filed in the United States District Court for the District of Utah in Salt Lake City, Utah.

12. **Severability.** In the event any provision of this Agreement is held to be invalid or unenforceable, the remaining provisions shall remain valid and binding upon the parties. One or more waivers of any term, condition, or other provision of this Agreement by either party shall not be construed as a waiver of a subsequent breach of the same or any other provision.

13. **Limitation on Recovery for Default – No Damages.** No party shall be entitled to any claim for any monetary damages as a result of any breach of this Agreement, and each Party waives any claims thereto. The sole remedy available to the Developer or assignee shall be specific performance. Notwithstanding such limitation, the City may withhold all further reviews, approvals, licenses, building permits, and/or other permits for the development of the Project in the case of a default by Develop or any assignee.

14. **Term of Agreement.** This Agreement shall run with the land and shall continue in full force and effect until all obligations hereunder have been fully performed and all rights hereunder fully exercised; provided, however, that unless the Parties mutually agree to extend the term, this Agreement shall not extend further than a period of ten years from its date of recordation in the official records of the Salt Lake County Recorder's Office.

15. **Force Majeure.** Neither party shall be liable or deemed to be in default for any delay, failure, or interruption in performance under the Agreement resulting, directly or indirectly, from acts of God, acts of civil or military authority, acts of public enemy, war, accidents, fires, explosions, earthquakes, floods, failure of transportation, machinery or supplies, vandalism, strikes or other work interruptions, or any other cause beyond the control of either party. Both Parties, however, agree to make good faith efforts to perform under this Agreement in the event of any such circumstance.

16. **Construction.** The Parties stipulate that this Agreement and all agreements or documents incorporated herein shall not be subject to the rule of construction that a written agreement is construed against the Party preparing or drafting that Agreement.

17. **Headings**. The descriptive headings of the paragraphs of this Agreement are inserted for convenience only and shall not control or affect the meaning or construction of any of the provisions hereof.

18. **No Waiver**. The failure of either Party to exercise in any respect a right provided for in this Agreement shall not be deemed a subsequent waiver of the same right or any other right.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first above written.

Millcreek ATTEST:

_____ _____

Jeff Silvestrini, Mayor Elyse Sullivan, MMC, City Recorder

CITY ACKNOWLEDGMENT

STATE OF UTAH)
:ss
COUNTY OF SALT LAKE)

On the _____ day of _____, 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 on behalf of the City by authority of its City Council and said Mayor acknowledged to me that the City executed the same.

_____

Notary Public

DEVELOPER

By: _____

Title: _____

OWNER/DEVELOPER ACKNOWLEDGMENT

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

On the _____ day of _____, 2024, personally appeared before me _____, who being by me duly sworn, did say that he is the Managing Member of the '_____, Limited Liability company and that the foregoing instrument was duly authorized by the company at a lawful meeting held by authority of its bylaws and signed in behalf of said company.

_____
Notary Public

Exhibit A

Parcel No. 22-05-128-108-0000
4181 South & 900 East

Legal Description

BEGINNING AT A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF 900 EAST STREET, A PUBLIC ROAD AT A POINT SOUTH 0° 05' 44" WEST 580.911 FEET AND SOUTH 89° 56' 29" EAST 3.00 FEET FROM THE NORTHWEST CORNER LOT 6, BLOCK 4, 10 ACRE PLAT A, BIG FIELD SURVEY; SAID POINT ALSO BEING SOUTH 00°00'54" WEST ALONG THE MONUMENT LINE IN 900 EAST STREET 71.15 FEET (71.18 FEET RECORD) AND SOUTH 89°54'16" EAST 33.00 FEET FROM A STREET MONUMENT (BRASS CAP) AT THE INTERSECTION OF 4170 SOUTH STREET AND SAID 900 EAST STREET, AND RUNNING THENCE SOUTH 89° 55' 44" EAST (SOUTH 89°55'40" EAST PER PLAT) ALONG THE SOUTHERLY LINE OF WASATCH VIEW CONDOMINIUMS ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER 211.71 FEET; THENCE SOUTH 00° 05' 44" EAST 86.75 FEET; THENCE NORTH 89° 55' 40" WEST 212.53 FEET TO A POINT ON SAID EASTERLY LINE; THENCE NORTHERLY ALONG SAID EASTERLY LINE THE FOLLOWING SEVEN (7) COURSES: NORTH 08° 26' 07" WEST 3.18 FEET; THENCE NORTH 00° 05' 44" EAST 20.00 FEET; THENCE NORTH 15° 50' 59" WEST 7.28 FEET; THENCE NORTH 00° 05' 44" EAST 32.99 FEET; THENCE NORTH 20° 04' 43" EAST 5.85 FEET; THENCE NORTH 00° 05' 44" EAST 12.00 FEET; THENCE NORTH 09° 23' 49" EAST 6.19 FEET TO THE POINT OF BEGINNING.

CONTAINS 0.426 ACRES, MORE OR LESS

Exhibit B
Design and Improvement Criteria

The Developer shall develop the Project consistent with the design and improvement criteria as identified below:

1. **Uses.** The Project shall consist of five (5) total residential units within one (1) building.

2. **Ownership.** Prior to the City issuing a final Site Plan/Conditional Use Permit approval, the Developer shall obtain preliminary subdivision approval from the Planning Commission.

    - The Developer shall record a final subdivision plat within one year of the date of Site Plan/Conditional Use Permit approval to create individual lots for each of the five units.

    - To ensure owner occupancy for each of the five units, the Developer shall, prior to issuance of any building permits with respect to the Project, record a subdivision plat to create five separate lots capable of individual ownership, common areas, property line alignments, right of way dedication (if any) and all easements for access, utilities, shared parking, shared open space, etc. along with a restrictive use agreement with the office of the Salt Lake County Recorder including language as set forth in item **No. 9 of Exhibit "B"** attached hereto and a Notice and Declaration of Deed Restriction in the form attached as Exhibit "D."

3. **Height.** The height of the buildings shall not exceed thirty-five feet (35') in height, as measured from the lowest elevation point of original grade (4309.00 ft), as depicted in the attached ALTA/NSPS Land Title & Topography survey, Exhibit C.

4. **Setbacks.** The building setbacks shall be as depicted on the site plan, Exhibit C.

5. **Parking.** The Project shall have at least fourteen (14) parking stalls, ten (10) of which shall be contained within the five individual two-car garages. The remaining four (4) guest parking stalls shall be located near the eastern side of the project's site, as depicted in the attached site plan, Exhibit C.

6. **Materials.** The building's facades shall consist of high-quality, durable, low-maintenance materials (e.g., composite siding and trellises, brick, stone, stucco, glass, and metal) in accordance with the R-M Zone ordinance. The materials and windows shall be arranged according to the elevation sheets, as depicted in the attached site plan, Exhibit C.

7. **Right-of-way improvements.** The Developer shall provide a ten-foot (10') wide public utility easement parallel to and abutting the 900 East right-of-way. The Developer shall also install frontage improvement to the abutting right of way (including but not limited to curb, gutter, sidewalk, landscaped park strip, asphalt, and utilities.).

8. **Street improvements.** The Developer must follow and meet the requirements set forth in ordinance **14.16.120 Restoration Of Surface; Required** during site construction.

    - Any person making any excavation, bore, or boring in or under any public street, alley, sidewalk, or other public place in the city shall, at his own expense, restore the surface to the same type and depth of pavement as that which is adjoining, including the gravel base material (at a minimum 3" Bituminous surface and 8" untreated base course). All restoration shall conform to the city standards, and all restorations shall be accomplished within seventy-two (72) hours from the time of the excavation unless additional time is granted in writing by the city. If, within the preceding three (3) years, the pavement has been resurfaced with either asphalt, chip seal, or slurry seal, the permittee shall be responsible for resurfacing the entire width of the excavated pavement, from curb to curb to a length of fifty feet (50') from each side of the excavation or cut. Such resurfacing shall be made with asphalt, chip seal, or slurry seal, consistent with the pavement resurfacing. Excavation of city streets during winter (herein defined as October 15 to April 15) will be allowed only if the work is a new service connection, required maintenance or emergency, or otherwise approved by the city. Permanent patching of a city street excavated in winter may be delayed until April 15, provided the outdoor ambient temperature is 45 degrees and rising, and the permittee maintains a temporary patch until such time as the permanent surfacing is accomplished.

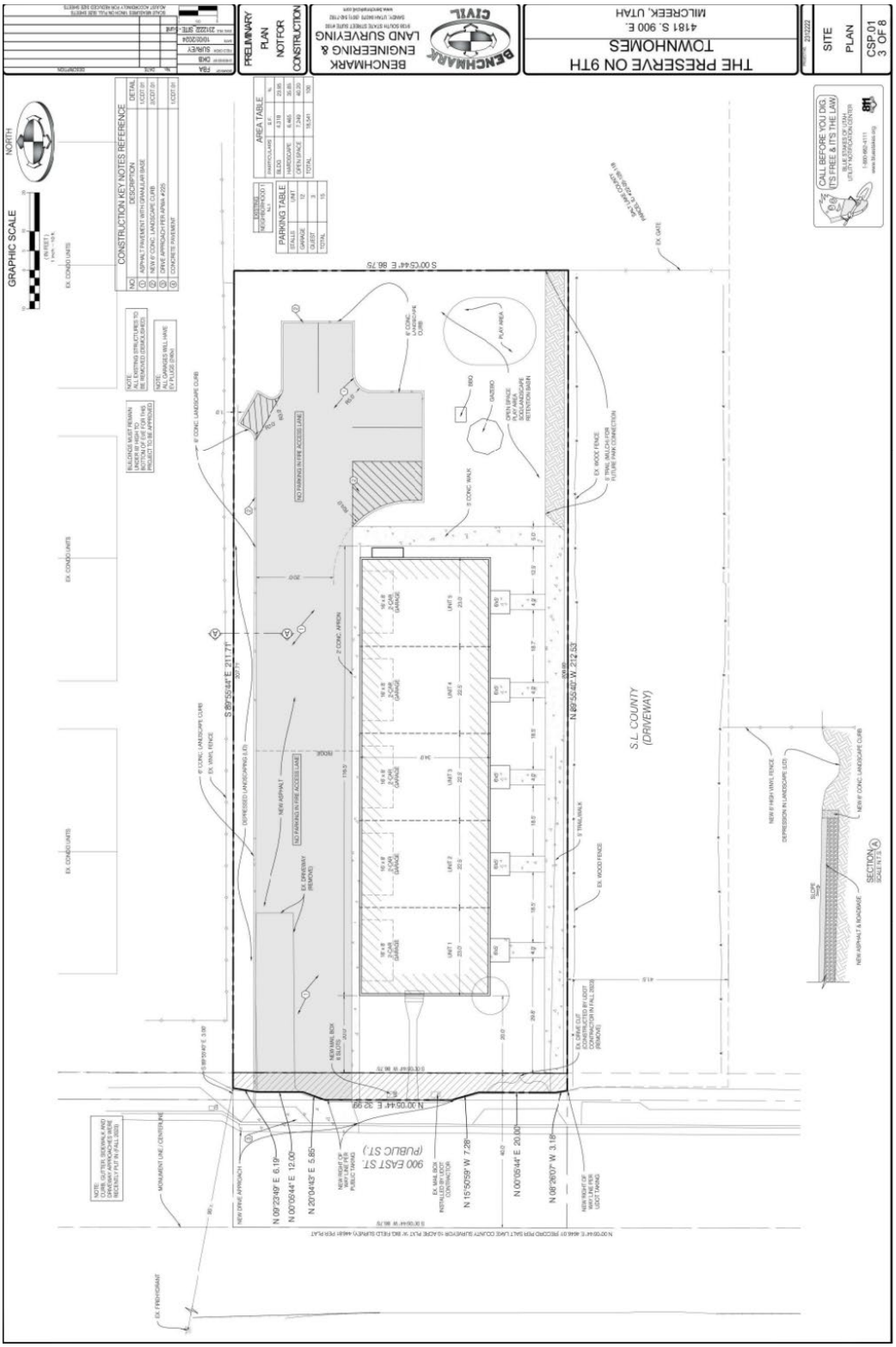
9. **Restrictive-Use Agreement**. The Developer shall cause the following language to be included in a declaration of covenants, conditions, and restrictions (CC&Rs) against the Property, which is to be recorded by the Developer at the time of recording a subdivision plat and shall apply to each of the five units :

    1. Each of the five units is intended to be owner-occupied, including occupancy by the owner's immediate family members (including parents, siblings, children, and grandchildren) and unrelated persons so long as the owner remains in occupancy.

    2. The foregoing restriction shall not apply, however, to:
        a) Any of the units owned by a person who has ceased occupying such Unit due to military service for the period of the owner's deployment;
        b) To any unit occupied by an owner's parent, child, or sibling;
        c) An owner whose employer has relocated the owner for two (2) years or less;
        d) Any unit owned by an entity that is occupied by an individual who:
            i. has voting rights with respect to the entity and
            ii. has at least 25% ownership of the entity; or
        d) Any unit owned by a trust or other entity created for estate planning purposes if the trust or other estate planning entity was created for the estate of:
            i. a current resident of the unit; or

ii. the parent, child, or sibling of the current resident of the unit;

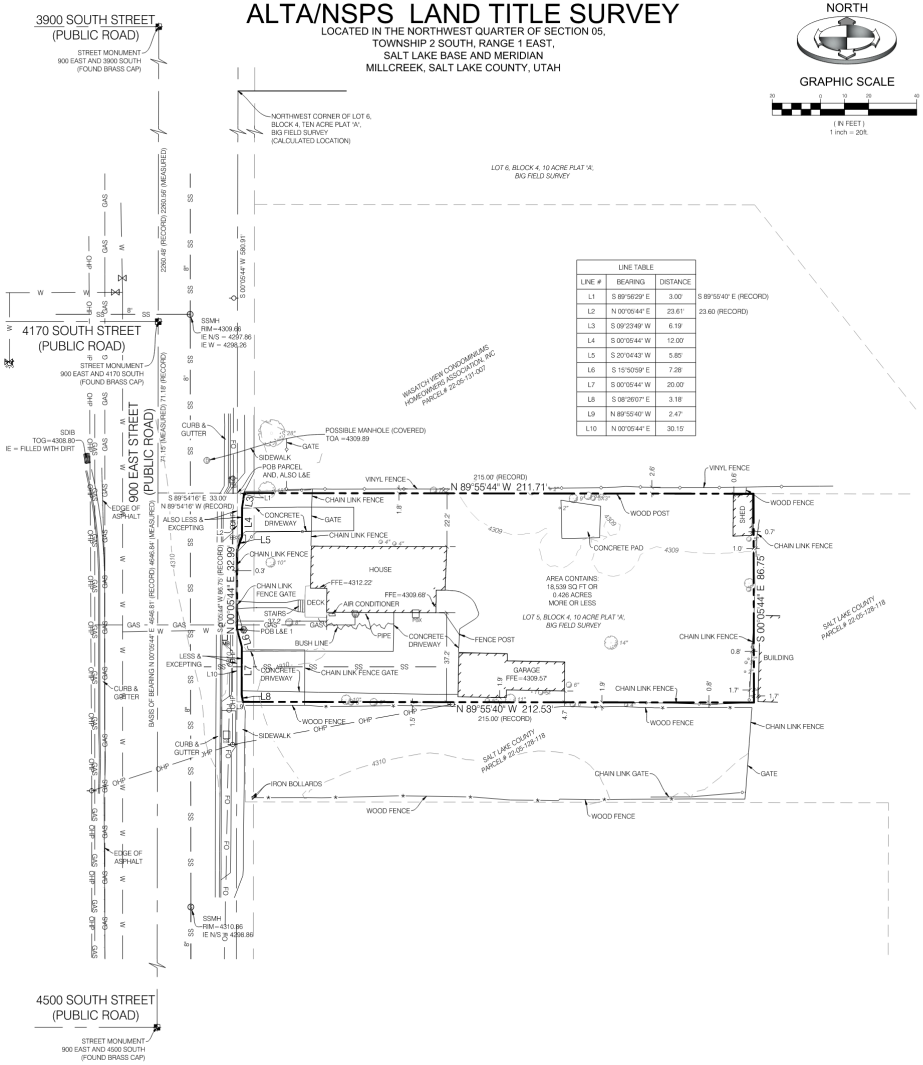
Exhibit C
(Site plan and Elevations)



(Site Plan)

ALTA/NSPS LAND TITLE SURVEY

LOCATED IN THE NORTHWEST QUARTER OF SECTION 05,
TOWNSHIP 2 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN
MILLCREEK, SALT LAKE COUNTY, UTAH



LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S 89°56'29" E	3.00
L2	N 00°05'44" E	23.61'
L3	S 09°23'49" W	6.19'
L4	S 00°05'44" W	12.00'
L5	S 20°04'43" W	5.85'
L6	S 15°50'59" E	7.28'
L7	S 00°05'44" W	20.00'
L8	S 08°26'07" E	3.18'
L9	N 89°55'40" W	2.47'
L10	N 00°05'44" E	30.15'

NORTH

GRAPHIC SCALE
30 0 10 20 40
(IN FEET)
1 inch = 20ft

SURVEYOR'S CERTIFICATE

TO:
GUARANTEED RATE, INC. ISAOA, ATIMA
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
MONUMENT TITLE INSURANCE, INC.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 4, 5, 8, 11 AND 13 OF TABLE 'A' THEREOF. THE FIELDWORK WAS COMPLETED ON JANUARY 3, 2024.

PROFESSIONAL LAND SURVEYOR
9-5-24
7240531
BRIAN A. LINAM
STATE OF UTAH

LEGAL DESCRIPTION PER TITLE REPORT

BEGINNING AT A POINT ON THE EAST LINE OF 9TH STREET, SOUTH 0 DEGREES 05'44" WEST 580.911 FEET FROM THE NORTHWEST CORNER LOT 6, BLOCK 4, 10 ACRE PLAT A, BIG FIELD SURVEY THENCE SOUTH 0 DEGREES 5'44" WEST 86.75 FEET; SOUTH 89 DEGREES 55'40" EAST 215 FEET; NORTH 0 DEGREES 05'44" WEST 86.75 FEET; NORTH 89 DEGREES 55'44" WEST 215 FEET TO BEGINNING.

LESS AND EXCEPTING:

A PARCEL OF LAND IN FEE FOR THE WIDENING OF THE EXISTING 900 EAST STREET KNOWN AS PROJECT NO. F-2180(3)1, BEING PART OF AN ENTIRE TRACT OF PROPERTY SITUATE IN LOT 5 OF BLOCK 4 OF THE TEN ACRE PLAT 'A' BIG FIELD SURVEY, IN THE NE¼NW¼ OF SECTION 5, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN. THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EXISTING EASTERLY RIGHT OF WAY LINE OF SAID 900 EAST STREET WHICH POINT IS 580.91 FEET SOUTH 00 DEGREES 05'44" WEST AND 56.60 FEET SOUTH 00 DEGREES 05'44" WEST FROM THE NORTHWEST CORNER OF LOT 6 OF SAID BLOCK 4, SAID POINT IS ALSO 71.18 FEET SOUTH 00 DEGREES 05'44" WEST ALONG THE MONUMENT LINE OF SAID 900 EAST STREET AND 33.00 FEET NORTH 89 DEGREES 54'16" WEST AND 56.60 FEET SOUTH 00 DEGREES 05'44" WEST FROM THE STREET MONUMENT AT THE INTERSECTION OF 4170 SOUTH STREET AND SAID 900 EAST STREET, WHICH POINT IS 33.00 FEET PERPENDICULARLY DISTANT EASTERLY FROM THE CONTROL LINE OF SAID PROJECT OPPOSITE ENGINEER STATION 122+58.50; AND RUNNING THENCE SOUTH 15 DEGREES 50'59" EAST 7.28 FEET TO A LINE PARALLEL WITH AND 25.00 FEET PERPENDICULARLY DISTANT EASTERLY FROM SAID CONTROL LINE OPPOSITE ENGINEER STATION 122+51.50; THENCE SOUTH 00 DEGREES 05'44" WEST 20.00 FEET ALONG SAID PARALLEL LINE TO A POINT OPPOSITE ENGINEER STATION 122+31.50; THENCE SOUTH 08 DEGREES 26'07" EAST 3.18 FEET TO THE SOUTHERLY BOUNDARY LINE OF SAID ENTIRE TRACT AT A POINT APPROXIMATELY 26.47 FEET PERPENDICULARLY DISTANT EASTERLY FROM SAID CONTROL LINE OPPOSITE ENGINEER STATION 122+28.35; THENCE NORTH 89 DEGREES 55'40" WEST 2.47 FEET ALONG SAID SOUTHERLY BOUNDARY LINE TO SAID EXISTING EASTERLY RIGHT OF WAY LINE; THENCE NORTH 00 DEGREES 05'44" EAST 30.15 FEET ALONG SAID EXISTING EASTERLY RIGHT OF WAY LINE TO THE POINT OF BEGINNING AS SHOWN ON THE OFFICIAL MAP OF SAID PROJECT ON FILE IN THE OFFICE OF THE UTAH DEPARTMENT OF TRANSPORTATION.

ALSO LESS AND EXCEPTING:

A PARCEL OF LAND IN FEE FOR THE WIDENING OF THE EXISTING 900 EAST STREET KNOWN AS PROJECT NO. F-2180(3)1, BEING PART OF AN ENTIRE TRACT OF PROPERTY SITUATE IN LOT 5 OF BLOCK 4, OF THE TEN ACRE PLAT 'A' BIG FIELD SURVEY, IN THE NE¼NW¼ OF SECTION 5, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN. THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID ENTIRE TRACT WHICH CORNER IS 580.91 FEET SOUTH 00 DEGREES 05'44" WEST FROM THE NORTHWEST CORNER OF LOT 6 OF SAID BLOCK 4, SAID CORNER IS ALSO 71.81 FEET SOUTH 00 DEGREES 05'44" WEST ALONG THE MONUMENT LINE OF SAID 900 EAST STREET AND 33.00 FEET NORTH 89 DEGREES 54'16" WEST FROM THE STREET MONUMENT AT THE INTERSECTION OF 4170 SOUTH STREET AND SAID 900 EAST STREET, WHICH POINT IS 33.00 FEET PERPENDICULARLY DISTANT EASTERLY FROM THE CONTROL LINE OF SAID PROJECT OPPOSITE APPROXIMATE ENGINEER STATION 123+15.10; AND RUNNING THENCE SOUTH 89 DEGREES 55'40" EAST 3.00 FEET ALONG THE NORTHERLY BOUNDARY LINE OF SAID ENTIRE TRACT TO A POINT 36.00 FEET PERPENDICULARLY DISTANT EASTERLY FROM SAID CONTROL LINE OPPOSITE APPROXIMATE ENGINEER STATION 123+15.11; THENCE SOUTH 09 DEGREES 23'49" WEST 6.19 FEET TO A LINE PARALLEL WITH AND 35.00 FEET PERPENDICULARLY DISTANT EASTERLY FROM SAID CONTROL LINE OPPOSITE ENGINEER STATION 123+09.00; THENCE SOUTH 00 DEGREES 05'44" WEST 12.00 FEET ALONG SAID PARALLEL LINE TO A POINT OPPOSITE ENGINEER STATION 122+97.00; THENCE SOUTH 20 DEGREES 04'43" WEST 5.85 FEET TO THE EXISTING EASTERLY RIGHT OF WAY LINE OF SAID 900 EAST STREET; THENCE NORTH 00 DEGREES 05'44" EAST 23.60 FEET ALONG SAID EXISTING EASTERLY RIGHT OF WAY LINE TO THE POINT OF BEGINNING AS SHOWN ON THE OFFICIAL MAP OF SAID PROJECT ON FILE IN THE OFFICE OF THE UTAH DEPARTMENT OF TRANSPORTATION.

NARRATIVE OF SURVEY

SCOPE
BENCHMARK ENGINEERING & LAND SURVEYING, LLC WAS RETAINED BY BRANDON WIXOM TO PERFORM AN ALTA/NSPS SURVEY OF SUBJECT PROPERTY AS SHOWN HEREON.

BASIS OF BEARING
THE BASIS OF BEARINGS FOR THIS SURVEY IS NORTH 00°05'44" EAST AS SHOWN HEREON.

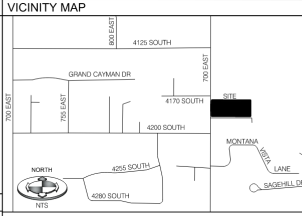
BENCHMARK
STREET MONUMENT
900 EAST AND 4500 SOUTH
(FOUND BRASS CAP)
ELEVATION = 4318.10

LEGEND AND ABBREVIATIONS

STREET MON. (FOUND)
STREET MON. (NOT FOUND)
ADJACENT PL or LOT LINES
EXISTING RIGHT-OF-WAY LINE
CENTERLINE of ROAD
EASEMENT LINE
CURB & GUTTER
EDGE OF EXISTING ASPHALT
FENCE, CHAIN
FENCE, VINYL
FENCE, WOOD
INDEX CONTOUR LINE
INTERMEDIATE CONTOUR LINE

SDMH STORM DRAIN MANHOLE
SSMH SANITARY SEWER MANHOLE
SD STORM DRAIN
CB CATCH BASIN
IE INVERT ELEVATION
TOG TOP OF GRATE
POB POINT OF BEGINNING
SANITARY SEWER MANHOLE & PIPE
STORM DRAIN MANHOLE & PIPE
GAS LINE
WATER VALVE & WATER METER
FIRE HYDRANT
DECIDUOUS TREE
POWER UTILITY POLE
STORM DRAIN INLET BOX
GAS METER
ELECTRICAL BOX
BOX
CABLE BOX
MAILBOX

VICINITY MAP



REFERENCE DOCUMENTS

R1) COMMITMENT FOR TITLE INSURANCE ISSUED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, ORDER NO. 231247JJ, EFFECTIVE DATE OCTOBER 16, 2023.

R2) MCNEIL ENGINEERING AND LAND SURVEYS, LLC., BOUNDARY SURVEY S2007-11-1008. AS RECORDED IN THE OFFICE OF THE SALT LAKE COUNTY SURVEYOR.

TITLE EXCEPTIONS

THIS SURVEY IS BASED UPON THE COMMITMENT FOR TITLE INSURANCE ISSUED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO. 231247JJ, EFFECTIVE DATE OCTOBER 16, 2023.

NOTES PERTAINING TO EXCEPTIONS TO COVERAGE, SCHEDULE B-2 OF REFERENCED COMMITMENT:

ITEMS 1-10 NOT ADDRESSED IN THIS SURVEY

ITEM 11 THE EFFECT OF EASEMENTS, RESTRICTIONS, COVENANTS, CONDITIONS, NOTES, BUILDING SET-BACK LINES, AND RIGHTS OF WAY FOR ROADS, DITCHES, CANALS, STREAMS, RIVERS, TELEPHONE AND TRANSMISSION LINES, DRAINAGE, UTILITIES OR OTHER INCIDENTAL PURPOSES, OVER, UNDER OR ACROSS SAID PROPERTY, WHICH ARE OF RECORD OR WHICH MAY BE ASCERTAINED BY AN INSPECTION OR ACCURATE SURVEY, INCLUDING, WITHOUT LIMITATION, ANY EASEMENTS, NOTES, RESTRICTIONS, BUILDING SITE REQUIREMENTS, SETBACK LINES, OR RIGHTS OF WAY PROVIDED FOR IN THE OFFICIAL PLAT MAP OR OF RECORD, IF ANY. (SURVEY FINDINGS:

ITEM 12 ANY COVENANTS, CONDITIONS AND/OR RESTRICTIONS, EASEMENTS, ASSESSMENTS, LIENS, CHARGES, TERMS AND PROVISIONS CONTAINED WITHIN THOSE CERTAIN DECLARATIONS AND ANY AMENDMENTS THERETO, FILED IN SALT LAKE COUNTY, UTAH, FOR SAID SUBDIVISION, EXCEPT THOSE BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANT, CONDITION OR RESTRICTION VIOLATES 42 USC 3604(C). (SURVEY FINDINGS.

ITEM 13 EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT:
IN FAVOR OF : UTAH DEPARTMENT OF TRANSPORTATION
PURPOSE: TEMPORARY CONSTRUCTION EASEMENT
RECORDING DATE: JANUARY 5, 2022
RECORDING NO : 13862439, IN BOOK 11290, PAGE 9345
(SURVEY FINDINGS:

ITEM 14 EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT:
IN FAVOR OF : UTAH DEPARTMENT OF TRANSPORTATION
PURPOSE: TEMPORARY CONSTRUCTION EASEMENT
RECORDING DATE: JANUARY 5, 2022
RECORDING NO : 13862439, IN BOOK 11290, PAGE 9347
(SURVEY FINDINGS:

ITEMS 15-16 NOT ADDRESSED IN THIS SURVEY

GENERAL NOTES

1) SURVEYOR'S OBSERVATIONS REGARDING POSSIBLE ENCROACHMENTS.
A - THE FENCE LINE ON THE NORTH AND SOUTH PROPERTY LINES DO NOT MATCH THE BOUNDARY
2) ALL UNDERGROUND UTILITIES MAY NOT BE SHOWN AND BLUESTAKE MARKINGS FOUND AT THE SITE MAY NOT DEPICT UNDERGROUND FEATURES ACCURATELY. LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY AND RELIABLY DEPICTED.
3) NO OBSERVED EVIDENCE OF ANY CEMETERIES AND/OR BURIAL GROUNDS CONTAINED WITHIN PROPERTY.
4) THE SUBJECT PROPERTY HAS DIRECT ACCESS TO 900 EAST STREET.
5) NO GAPS, GORES OR STRIPS ALONG COMMON BOUNDARY LINES WERE FOUND.
6) THE PROPERTY DESCRIBED HEREON IS THE SAME AS THE PROPERTY DESCRIBED IN THAT TITLE REPORT PREPARED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO. 231247JJ, EFFECTIVE DATE OCTOBER 16, 2023.

No.	DESCRIPTION	DATE

BRIAN LINAM
SURVEYED BY
DRAWN BY
CHECKED BY
APPROVED BY
INITIAL ISSUE
9-5-2024

FIELD MEASURED WITHIN FEET UNLESS OTHERWISE NOTED
ACTUAL ACCORDANCE 1 FOR REDUCED SIZE SHEETS

0" 1"

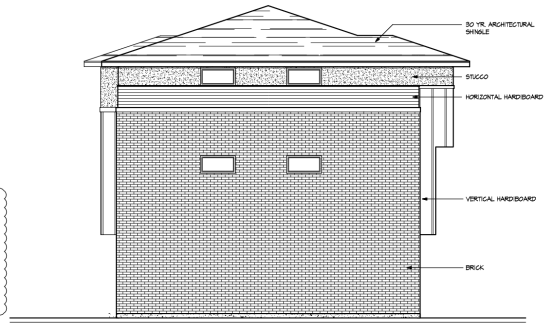
BENCHMARK ENGINEERING & LAND SURVEYING
4844 S. 900 E. SUITE 210
SANDY, UTAH 84070 (801) 547-7162
www.benchmarkcivil.com

WILLIAM BOUCK
4181 SOUTH 900 EAST
MILLCREEK, UTAH

PROJECT NO. 2312222

ALTA/NSPS LAND TITLE SURVEY

SVA.01
1 OF 1



FACADE VARIATIONS PERCENTAGES		
BRICK	798 SQ. FT.	76%
VERTICAL HARDIEBOARD	72 SQ. FT.	7%
HORIZONTAL HARDIEBOARD	86 SQ. FT.	8%
STUCCO	76 SQ. FT.	7%
TOTAL W/O WINDOWS	1030 SQ. FT.	
WINDOWS & DOORS	32 SQ. FT.	
TOTAL	1062 SQ. FT.	

REV. 06-07-24

BACK EXTERIOR ELEVATION

SCALE 3/16"=1'-0"



FACADE VARIATIONS PERCENTAGES		
BRICK	924 SQ. FT.	42%
VERTICAL HARDIEBOARD	1102 SQ. FT.	49%
HORIZONTAL HARDIEBOARD	54 SQ. FT.	2%
STUCCO	150 SQ. FT.	7%
TOTAL W/O WINDOWS	2210 SQ. FT.	
WINDOWS & DOORS	1338 SQ. FT.	
TOTAL	3548 SQ. FT.	

REV. 06-07-24

SIDE EXTERIOR ELEVATION

SCALE 3/16"=1'-0"

JB DESIGN GROUP
www.jb-designgroup.com 801-668-5852

BACK & SIDE ELEVATIONS

DATE: 09/23/2024 JOB # 240623

PROJECT:
THE PRESERVE ON 9TH
4181 SOUTH 900 EAST MILLCREEK, UTAH

5

(South and West Elevations)

Exhibit E
(Deed Restriction)

When recorded, return to:

Millcreek
Attn: Jeff Silvestrini
1330 E Chambers Ave
Millcreek, UT 84106

NOTICE AND DECLARATION OF DEED RESTRICTIONS

This Notice and Declaration of Deed Restrictions ("Declaration/Deed Restriction") is made by Bennett Properties, LLC ("Bennett") for the benefit of Millcreek ("City" and collectively the "Parties"). This Declaration/Deed Restriction is based on the following facts:

A. Bennett is the sole owner of record of that certain real property situated in the County of Salt Lake, State of Utah ("the Property"), located at 4181 South 900 East, that is more particularly described in the attached Exhibit "A." Such real property and all improvements, or any individual residence constructed thereon, are collectively called "Property."

B. Bennett applied to the City to rezone the Property from the R-1-10 Residential Zone to the R-M Multifamily Zone, which would allow for more density. The City agreed to grant the rezone and allow increased density in consideration of this Deed Restriction.

C. The Parties desire to enter into and record this Declaration/Deed Restriction to give notice of this Declaration/Deed Restriction to successors in interest and others who may obtain an interest in the Property or any portion thereof.

D. Bennett further desires by this Declaration/Deed Restriction to acknowledge that the City has authority to enforce the restrictions declared herein as restrictions running with the land that shall bind Bennett and all successors in interest to the Property.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

1. The Property must be owner-occupied. Owner-occupied shall mean real estate that is both owned and is currently used as the owner's primary residence. The owner is not required to use the Property as its primary residence if:

a. The owner has a bona fide, temporary absence of 3 years or less for activities such as military service, temporary job assignments, sabbaticals, or voluntary service (indefinite periods of absence from the dwelling shall not qualify for this exception); or

b. The owner is placed in a hospital, nursing home, assisted living facility, or similar facility that provides regular medical care, except retirement living facilities or communities.

c. The owner establishes a financial hardship, by clear and convincing evidence, which would prevent the owner from continuing to occupy the Property and that a sale of the Property to a different owner occupant is not possible without compromising the sale price of the Property by more than 70% of the purchase price paid by the current owner.

d. The owner rents the Property to his/her children, stepchildren, parents, grandparents, or grandchildren.

If there is any dispute about the foregoing, the matter shall be referred to the City's Land Use Hearing Officer. The owner shall have the burden of proceeding and proving that one of the above-claimed exceptions applies.

2. Bennett understands that failure to comply with the owner-occupancy requirement shall constitute a breach of this Declaration/Deed Restriction and shall be enforceable by the City at its option. **This Declaration/Deed Restriction shall constitute a continuing lien and an encumbrance against the Property, and the City shall have the continuing right, at its option, to commence an action to foreclose such lien in the manner then specified for foreclosure of mortgages under then-current Utah state law based on the then current fair market values as determined by a disinterested appraiser. Enforcement may also include revocation of applicable permits, zoning certificates, other necessary approvals, and specific performance.**

3. The City is hereby designated as a beneficiary of this Declaration/Deed Restriction and shall have the right, but not the obligation, to enforce the provisions herein.

4. In the case of a violation of the owner-occupancy requirement where no exception applies, the current owner agrees that all costs incurred to enforce these restrictions shall be paid by the then-current owner of the Property.

5. This Declaration/Deed Restriction shall run with the land and be binding upon, and enforceable against, Bennett and all heirs, assigns, future owners, and successors in interest to the Property. If the Property or any portions thereof is conveyed to any other person or entity, the instrument that conveys title or any interest in or to said Property, or any portion thereof, shall contain the owner-occupancy limitation pursuant to the terms of this Declaration/Deed Restriction. If at any time these restrictions are determined by a court of competent jurisdiction not to constitute a covenant running with the land, it is Declarant's intent that these restrictions shall form an equitable servitude on the Property, be binding on Bennett and successors in interest, and remain in effect during the term of this Declaration/Deed Restriction.

6. This Declaration/Deed Restriction shall encumber the Property for a period of seven (7) years from the date this Deed Restriction is executed ("Termination Date"). Upon the Termination Date, this Declaration/Deed Restriction shall automatically terminate without requiring any documentation, notice, or recording materials. The Parties shall promptly cooperate and sign the documents they deem necessary to terminate this Declaration/Deed Restriction.

7. The City and Bennett do not, by this Declaration/Deed Restriction in any way or for any purpose, become partners or joint venturers.

8. The following provisions are also an integral part of this Declaration/Deed Restriction:

   a. This Declaration/Deed Restriction shall be binding upon and shall inure to the benefit of the successors and assigns of the respective parties hereto.
   b. The provisions of this Declaration/Deed Restriction are severable, and should any provision hereof be void, voidable, unenforceable, or invalid, such void, voidable, unenforceable, or invalid provision shall not affect the other provisions of this Declaration/Deed Restriction.
   c. Any waiver by either party of any breach of any kind or character whatsoever by the other, whether direct or implied, shall not be construed as a continuing waiver of or consent to any subsequent breach of this Declaration/Deed Restriction.
   d. This Declaration/Deed Restriction may not be modified except by an instrument in writing signed by the parties hereto.

   e. This Declaration/Deed Restriction shall be interpreted, construed, and enforced according to the substantive laws of the state of Utah.
   f. If either party brings any action or proceeding regarding this Declaration/Deed Restriction, the prevailing party shall be entitled to recover its costs and reasonable

attorneys' fees, whether such sums are expended with or without a suit, at trial, or on appeal.

g. Time is the essence of this Declaration/Deed Restriction.
h. Bennett may assign or otherwise convey its rights or delegate its duties under this Declaration/Deed Restriction only in connection with the conveyance of fee title to the Property. Such assignment and delegation shall be deemed to occur automatically and contemporaneously with any such conveyance.

This Notice and Declaration is effective on the date of its recording with the Salt Lake County Recorder.

BENNETT:

By: _____
Signature

Notary Acknowledgement

STATE OF UTAH)
: ss
COUNTY OF SALT LAKE)

On this _____ day of _____, in the year 2024, before me _____, a notary public, personally appeared _____, proved on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to in the foregoing Declaration/Deed Restriction and acknowledge he/she/they executed the same.

Commission Number _____
My Commission Expires _____

_____
Print Name: _____
A Notary Public Commissioned in Utah

MILLCREEK

By: _____
Signature

ATTEST:

_____
Elyse Sullivan, City Recorder

Notary Acknowledgement

STATE OF UTAH)
:ss
COUNTY OF SALT LAKE)

On this _____ day of _____, in the year 2024, before me _____, a notary public, personally appeared _____, proved on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to in the foregoing Declaration/Deed Restriction and acknowledge he/she/they executed the same.

Commission Number _____
My Commission Expires _____

_____
Print Name: _____
A Notary Public Commissioned in Utah

Exhibit A

Parcel No. 22-05-128-108-0000
4181 South & 900 East

Legal Description

BEGINNING AT A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF 900 EAST STREET, A PUBLIC ROAD AT A POINT SOUTH 0° 05' 44" WEST 580.911 FEET AND SOUTH 89° 56' 29" EAST 3.00 FEET FROM THE NORTHWEST CORNER LOT 6, BLOCK 4, 10 ACRE PLAT A, BIG FIELD SURVEY; SAID POINT ALSO BEING SOUTH 00°00'54" WEST ALONG THE MONUMENT LINE IN 900 EAST STREET 71.15 FEET (71.18 FEET RECORD) AND SOUTH 89°54'16" EAST 33.00 FEET FROM A STREET MONUMENT (BRASS CAP) AT THE INTERSECTION OF 4170 SOUTH STREET AND SAID 900 EAST STREET, AND RUNNING THENCE SOUTH 89° 55' 44" EAST (SOUTH 89°55'40" EAST PER PLAT) ALONG THE SOUTHERLY LINE OF WASATCH VIEW CONDOMINIUMS ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER 211.71 FEET; THENCE SOUTH 00° 05' 44" EAST 86.75 FEET; THENCE NORTH 89° 55' 40" WEST 212.53 FEET TO A POINT ON SAID EASTERLY LINE; THENCE NORTHERLY ALONG SAID EASTERLY LINE THE FOLLOWING SEVEN (7) COURSES: NORTH 08° 26' 07" WEST 3.18 FEET; THENCE NORTH 00° 05' 44" EAST 20.00 FEET; THENCE NORTH 15° 50' 59" WEST 7.28 FEET; THENCE NORTH 00° 05' 44" EAST 32.99 FEET; THENCE NORTH 20° 04' 43" EAST 5.85 FEET; THENCE NORTH 00° 05' 44" EAST 12.00 FEET; THENCE NORTH 09° 23' 49" EAST 6.19 FEET TO THE POINT OF BEGINNING.

CONTAINS 0.426 ACRES, MORE OR LESS

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

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

ZT-23-017

City Council Staff Report

(First Reading)

Meeting Date:	8/28/2024
Applicant:	Planning Staff
Re:	Fence and Retaining Wall Code Update
Prepared By:	Brad Sanderson, Jake Green, Logan & Simpson, (consultant)
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

As part of Millcreek's comprehensive zoning code update, the City Planning Staff is proposing an update to the Fence and Retaining Wall Code. The purpose for updating this code is to promote the use of high-quality materials in fences, screens, walls, and retaining walls, while providing for privacy, safety and security for individual properties and pedestrians through fence and wall design, height, materials, and placement. One of the objectives is to reduce certain discrepancies, enhance clarity, create better regulations, introduce better development processes and standards.

The Fence and Retaining Wall Code is a "Floating Zone" meaning; the code generally applies to all zones/areas throughout the city. The proposed code is made up of the following main categories as listed below:

- New Development
- Incompatible uses
- Collector streets
- Location, Height, Materials
- Clear View Areas
- General Requirements and Inspections
- Single Retaining Walls
- Wall Heights and Setbacks
- Retaining Wall Systems (Terracing)

City Staff recognized there will always be a unique circumstance whereupon one may need to seek a variance. That said, Staff welcomes any guidance from the Planning Commission on how the proposed code update could be improved and is requesting your recommendation to the City Council for consideration.

PROPOSED ORDINANCE AMENDMENTS

A summary of the proposed changes is as outlined below:

- Any fence and/or walls in existence prior to the adoption date of this ordinance may remain, provided that the fence and/or wall meets all three of the following:
    1. Legally complied with the standards/codes at that time,
    2. Has been properly maintained in good condition,
    3. It does not encroach into a public right-of-way or cause a clear vision safety concern as determined by the City Engineer.
- Consolidated requirements between uses as it pertains to fence location, height and materials.
- Chain link fences are a prohibited material within the front yard areas.
- Clear View Areas are better defined in terms of how they are measured and certain exceptions to the clear view areas.
- New requirements for recreational fencing (i.e. sports courts), such as materials, height's location (not allowed within front yard areas and may require a five foot setback from property line - pending height).
- New masonry fence requirements – (primarily between new development and existing uses.
- New requirements between incompatible uses.
- Retaining Walls
    - Changed the criteria used to determine if a building permit is required for a retaining wall from measuring from the bottom of the foundation, footing, or wall system to measuring the unbalanced fill height. This change updates the code to be consistent with recent state code amendments to the International Residential Code (IRC).
    - Updated submittal and approval requirements to better protect the city from retaining wall failures due to poor design.
    - Changed the maximum height of a single wall from 8' to 12'.
    - Allowed more than two walls in a terraced wall system, eliminated a single wall height requirement of 6', and allowed the terraced wall system to be a max height of 16'.
- New graphics have been provided (needs further updates) to show the options and restrictions.

COMMUNITY COUNCIL RECOMMENDATIONS

Describe how often the item was presented to the Community Councils, and when.

1. **Millcreek Community Council.** The Millcreek Community Council met on 9/3/2024. They voted unanimously in favor of the adoption of file number ZT-23-017 with the following considerations:
    - Exterior Waste Receptacles, as listed under the General Requirement (18.67.040A), be clarified to mean "shared" or "common" and not necessarily individual receptacles and, the waste receptacle gates/doors should have to be of a "solid steel" material;
    - Allow other fencing materials besides decorative solid precast/masonry fences for developing properties which are an incompatible use such as nonresidential and existing residential uses, as listed under Fencing Between Incompatible Uses (18.67.050.A);
    - Wood and Chain link should be allowed materials instead of prohibited materials, as proposed under sections 18.67.070.A.3 and 18.67.080.B3. Also, "corrugated sheet metal" should be allowed if it is "decorative".

- Concerns with single retaining walls being changed from 8' to 12' tall.

2. **Canyon Rim Citizens Association.** The Canyon Rim Citizens Association met on 9/4/2024. They did not have enough members present at the time to vote during the meeting but ensured staff that they would discuss and formulate a formal recommendation. No recommendation was given by the date of the planning commission meeting however staff conveyed their understanding of the issues discussed during their regular meeting. The CRCA later gave a recommendation concerning file number ZT-23-017 as follows:
   - Unable to support the code update [draft] as it is currently written
   - The code is written quite poorly. It is unclear and the syntax is not flowing. This means it is difficult for us, the CRCA, to truly understand the changes being made in the code. Like all code updates, we request that the code being updated be written in clear, concise, and easy to understand language. This code update did not meet that criteria.
   - The code update is eliminating wood from potential materials for fencing. The CRCA feels that, while it is true that unmaintained wood fences may not look appealing, wood fencing is the white picket american dream. We recommend that the code should reflect well maintained and good looking wood fencing should be allowed. We recommend the code be updated to include cases where wood fencing may be used.
   - Making Fencing unaffordable. Wood fencing is one of the cheaper materials used for fencing. We recommend that this code update considers the needs of our less wealthy residents and provides accommodations for homeowners that may not be able to afford the current proposed fencing materials. Owning a home is expensive, we should try to limit how the code can be cost prohibitive to homeowners. When you read of local or municipal codes that are prohibitively affecting housing prices and availability, I am concerned that this update would fall into that category making it harder for first time homeowners to find a place in Millcreek.
   - Additional materials can be used for potential fencing materials. We recommend that the code explore the uses of additional fencing materials, such as TREX fencing materials as suitable fencing.
   - 3' height limit in the front yards does not consider the needs of pet ownership, especially on busy streets. We recommend that fencing heights may be tall enough to prevent average sized pets from escaping owner properties into traffic, e.g. removing the 3' height limit in the front yards. Again, I am concerned about this code update negatively affecting homeownership and availability in Millcreek.

3. **East Mill Creek Community Council.** The East Mill Creek Community Council met on 9/5/2024. They voted unanimously in favor of the adoption of file number ZT-23-017 subject to the following considerations:
   - Fence Materials, as listed within sections 18.67070.A3 & 18.67.080.B.3, be changed to allow wood and chain link fence materials in front yards with added language to limit wood fences to a more weather resistant wood material (i.e. cedar, redwood, cypress, bamboo etc. Also, added language to prohibit wood panels or sheathing, etc. Front yard fencing needs to remain as an open style as proposed.
   - Concerns with single retaining walls being changed from 8' to 12' tall.

4. **Mount Olympus Community Council.** The Mount Olympus Community Council met on 9/09/2024. They voted unanimously in favor of the adoption of file number ZT-23-017, subject to the following considerations:
   - Concerns single retaining walls not being allowed taller than the proposed height of 12' tall.

- Would like the city to consider scalable stepping of retaining wall systems.
- Consider adding setback between retaining walls and property lines.
- Consider adding railing, guardrails, or barrier on top of significantly tall retaining walls along property lines.
- No maximum cap on terraced retaining walls as long as they kept the 2:1 ratio, as proposed.
- Generally, did not like wood, chain link, or vinyl materials - particularly within front yard areas.

PLANNING COMMISSION RECOMMENDATIONS

The Planning Commission held a public hearing on 9/18/2024. Upon taking public comment, the Planning Commission recommended in favor the proposed code update, file ZT-23-017 with the following changes:

- Allow a single retaining wall to be as high as 12 feet.
- No limit on the diameter of trees within the clear view area.
- Continue to require the clear view area to be 20 feet as measured from the center of a driveway as per current code, rather than ten feet from the edge of driveway as proposed.
- A clarification to change the figure/exhibit to show the street side yard fence to allow a 6' tall privacy fence once beyond the front plain of the home.

PLANNING STAFF RECOMMENDATION

Staff has incorporated most of the items as suggested by the various Community Councils and Planning Commission, except for the following:

- Where/how the clear view area is measured 20' from the center of the driveway vs. 10' from the edge of the driveway. Because of driveway width vary, the point of measurement may be too much or too little of measured from the center of the driveway.
- No limit to tree diameter and other similar objects. Due to roads having variable speed limits, vehicle volumes, curvature, slope, etc. the proposed code allows discretion on a case by case, based on safety.

Staff recommends that the City Council provide constructive feedback and direction pertaining to File number ZT-23-017.

SUPPORTING DOCUMENTS

- Fence and Wall Code Update

18.67 Fences and Retaining Walls

18.67.010 Purpose

A. The purpose of this chapter is to promote the use of high-quality materials in fences, and retaining walls, while providing for privacy, safety and security for individual properties and pedestrians through design, height, materials, and placement.

18.67.020 Applicability

A. All fences and walls shall comply with the standards of this chapter.

B. Any fence and/or walls in existence prior to the adoption date of this ordinance may remain, provided that the fence and/or wall meets all three of the following:

1. Legally complied with the standards/codes at that time,
2. Has been properly maintained in good condition,
3. It does not encroach into a public right-of-way or cause a clear vision safety concern as determined by the City Engineer.

C. The provisions of this ordinance may be superseded by specific regulations found in other chapters.

18.67.030 Permit Requirements.

A. Department approval required. Fences or retaining walls consistent with this section are permitted by right without the need to obtain a department approval, unless otherwise stated.

B. Building permit. A building permit shall be obtained for fences exceeding seven feet (7') in height and retaining walls with a height greater than four (4) feet of unbalanced fill, or walls supporting a surcharge, or as required by the currently adopted version of the International Building Code (IBC) or International Residential Code (IRC).

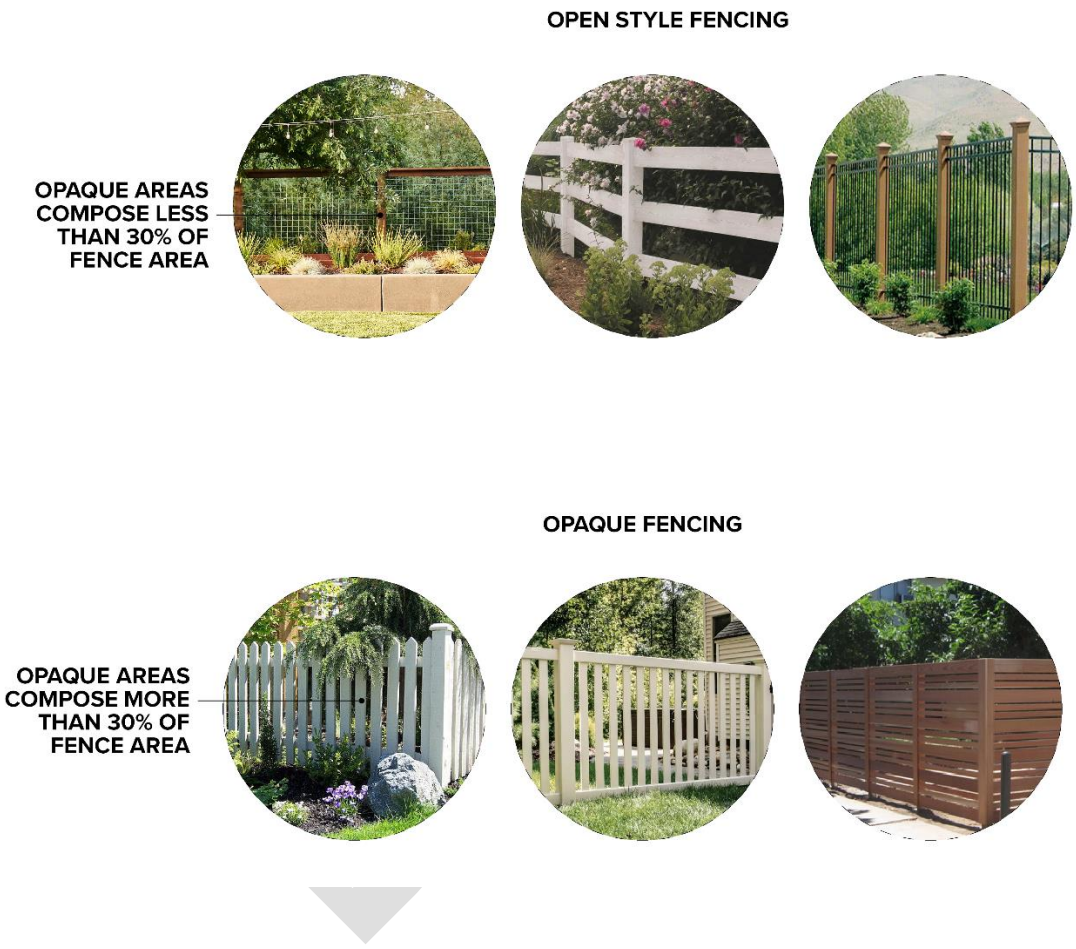
C. Review Of Construction Drawings. Prior to construction, all fencing and walls for new development shall have construction drawings submitted to the City for review and approval by the City Engineer and shall be considered as part of the project improvements for purposes of bonding and occupancy. Such plans shall include both existing and proposed fences, style, material, heights, site plan and profile views, and original and finished grades as measured within four feet (4') of both sides of the fence.

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18.67.040 General Requirements

A. Fencing may be described as open-style or opaque fencing. Open-style fencing is when a minimum of 70% of the fence area is transparent. Opaque fencing is where more than 70% of the fence area is obscured.

Figure 18.67.041 Fence Types



B. Waste Receptacles. All exterior commercial or shared/common waste receptacles shall be enclosed by a minimum six-foot (6′) tall masonry or precast wall and shall include solid steel access doors. The color and materials of waste receptacle enclosures shall be consistent with colors used on the associated buildings. All gates and doors shall be a solid steel material. Exterior waste enclosures are prohibited within ten feet (10′) of a residential property line or within the front and street side yard areas.

C. Recreation Fencing. All recreation sports court fences in excess of eight feet in height shall be a dark colored open-style net, mesh, or powder coated chain-link material.

1. Commercial ball field fences/nets may be allowed up to sixty feet (60′) tall when associated with a park, golf course, ball field, or similar commercial recreational facility. Fences/nets more than eight feet (8′) tall shall be located a minimum ten feet (10′) from property lines.
2. Residential sports court fence shall only be located within the rear and interior side yard areas. Sports court fences exceeding eight feet (8′) in height shall be located a minimum thirty inches (30″) from the property lines. Residential sports court fences may exceed eight feet (8′) in height when the fence is setback a minimum thirty inches (30″) from the property lines. For each foot of fence height in excess eight feet (8′), the setback shall also increase by one foot. In no case shall a residential sports court exceed fourteen feet (14′) in height.

D. Temporary Fencing. A temporary six-foot (6') chain-link or other similar six-foot (6') safety fence shall be installed around construction sites throughout the duration of the construction project. All construction fences shall be well maintained in excellent condition. All gates shall be securely locked when the construction site is unattended. Temporary construction fencing is exempt from the size and location requirements but must still meet all clear vision area requirements.

E. Decorative Treatment. All sides of fencing shall have equal treatment on both sides. Masonry fences located along collector streets shall include an anti-graffiti sealant.

F. Trail and Parks. Other fencing or landscaping techniques may be used to buffer waterways, trails, parks, open spaces or other uses as determined by the Planning Director.

G. Fence and Wall Maintenance. All fences and walls shall be continually maintained in good repair, structurally sound, and safe condition, by the property owners abutting the fence or wall. Repairs and patching shall consist of similar fencing materials and shall blend with the fence. The owner of the fence shall be responsible for removing graffiti within 10 days after receiving a notice from a city code compliance officer.

H. Utility Clearance and Easements:

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1. No fence or retaining wall may be within four feet (4') of an above ground utility including but not limited to, fire hydrants, water meter boxes, telecommunication pedestals, and streetlights, without written permission from the utility company.
2. Fences and retaining walls shall not be constructed within an easement without prior written permission in a form acceptable to the city from each affected utility. Notwithstanding any written permission, the city reserves the right to deny a permit for a wall within, or over, a utility easement.

18.67.050 Hazardous Area Fencing

A. Fencing is required along hazardous areas such as, but not limited to, railroads, canals, ditches, flood channels, waterways, unless as otherwise directed by the Planning Director.

B. Fencing shall be a minimum six foot (6') tall. The Planning Director may require a higher fence or wall for property with unusual topography or for a major utility facility.

C. Cap fences must be approved materials.

D. Fencing shall be solid decorative precast and integrally colored and textured block, brick, stone or other masonry fence.

E. Along sidewalks or pathways that cross over and are perpendicular to canals, ditches, flood channels, waterways, decorative open-style fencing such as decorative simulated wrought iron or other decorative open-style fences made of high quality, durable, low maintenance materials shall be utilized.

18.67.060 Collector and Arterial Street Fencing

A. Properties with a rear or side yard abutting a collector or arterial street, as identified in the Millcreek Transportation Master Plan, may install a minimum six foot (6') high decorative masonry or precast wall along the abutting a street right-of-way line adjoining the property. Colors and patterns shall match other masonry walls within the vicinity as determined by the Planning Director.

B. Noise Walls

1. Any developing property abutting I-215 or I-15 shall install a noise wall along the corridor right-of-way line if the Utah Department of Transportation determines such wall is necessary.
2. Sound walls are exempt from the height and location requirements of this Chapter.

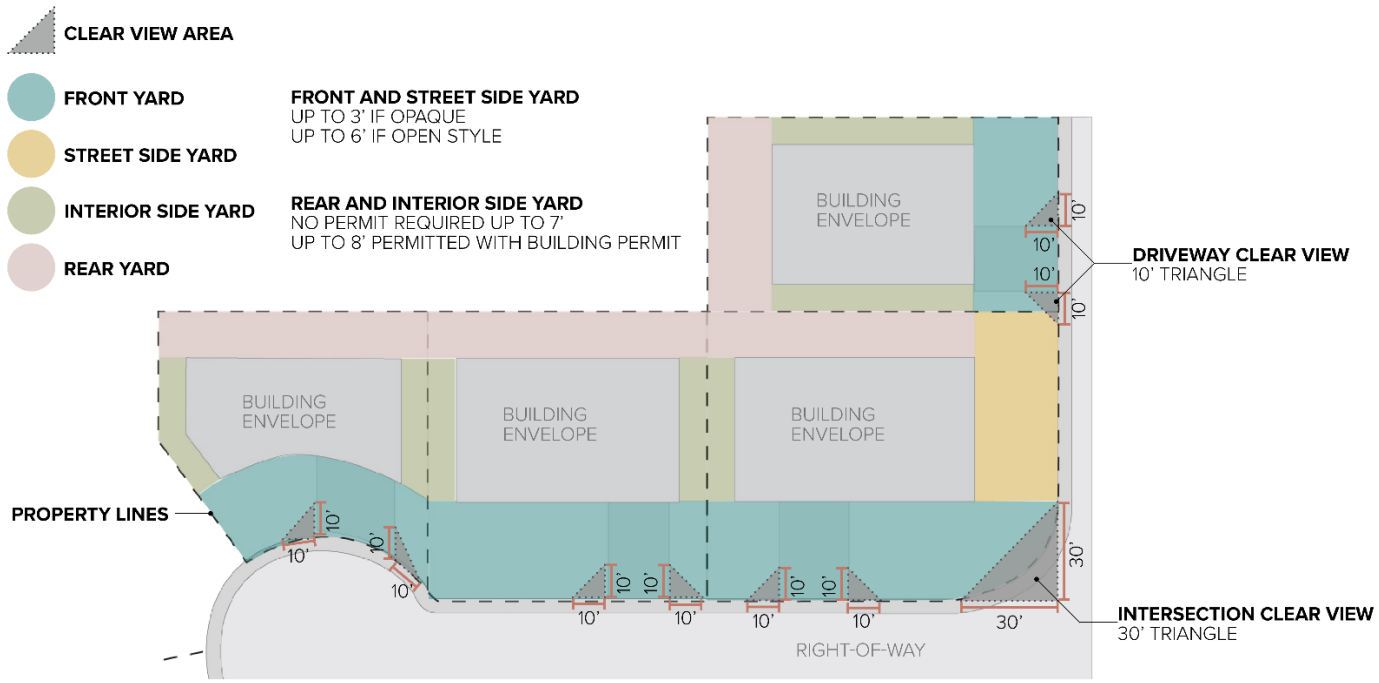
18.67.070 Fence Location

A. Front Yards and Street Side Yard Fences

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1. Fences may be located within the front yard and/or street side yard setback area along a street right of-way Figure (18.67.071 Yard Fence Locations) provided that:
    a. Privacy fences shall not exceed six feet (6') in height within the street side yard area and not exceed three feet (3') in height within the front yard and/or clear view areas, as measured from the nearest sidewalk, top of curb, or asphalt improvements,
    b. Front yard fences may be allowed up to six feet in height if designed and maintained as an open-style non-obscuring fence.
    c. Chain-link fences are prohibited within the street side yard and front yard areas except for during construction.
    d. Fences located within clear view areas shall be less than three feet in height unless designed and maintained as an open-style and non-obscuring fence.
    e. Fences shall meet all collector street fencing requirements where applicable.

Figure 18.67.071 Yard Fence Locations



B. Interior Side Yard and Rear Yard Fences

1. A maximum seven foot (7') tall fence may be installed between abutting properties within side or rear yard area and/or along a rear or side property line without a building permit.
2. Rear or side yard area fences and/or walls may extend up to a maximum eight feet (8') in height however, fences and/or walls may require a building permit according to applicable building codes.
3. All rear and side yard fences shall comply with applicable clear view areas.

18.67.080 Fence Materials

A. Permitted Fence Materials

1. Fences and walls shall be made of high quality, durable materials that require minimal maintenance. The following materials and colors shall apply to all fences, except as otherwise provided in this section or by a more restrictive provision of this title or engineering standard:
    a. Decorative precast concrete or integrally colored and textured block, brick, stone, or other masonry wall materials;
    b. Vinyl, polyethylene materials with beige, white or other neutral color;
    c. Composite fence materials (Treks, SimTech, or similar);
    d. Weather tolerant wood materials such as but not limited to cedar, redwood, cypress, bamboo;
    e. Decorative (simulated) wrought iron materials;
    f. Chain-link may be allowed for public recreational uses if powder coated or for temporary construction fences.

B. Prohibited Fence Materials

1. The following fencing materials shall be prohibited in all zones:
    a. Plastic materials other than vinyl and composite;
    b. Materials not typically used, designated, or manufactured for fencing, such as but not limited to roofing panels, corrugated or sheet metal, tarps, wood panel (plywood OSB sheeting), scrap lumber or metal, rubber, containers;
    c. Chain-link, when located within a front or street side yard area.
    d. Barbed wire, concertina wire, razor ribbon, and similar fencing materials;
    e. Electric fences.

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C. Properties which are both zoned as agricultural and large enough for livestock animals shall be constructed of sturdy fence materials that may include metal pipes, horse-grade vinyl, wood posts or other similar material as recommended by the manufacturer and as determined by the Planning Director.

18.67.090 Fence Height Measurement

A. Fence height shall be measured from the finished grade to the highest point of the fence.

B. Berms, retaining walls, or other means to raise the elevation of the ground upon, or within four feet of a fence, shall be included in the measurement of fence height.

C. When a difference in grade exists on either side of a fence or wall, the height of the fence or wall shall be measured as follows:

1. Height is measured at the property line from the lower property grade.
2. The higher property grade may not exceed twelve feet (12') of elevation gain at any point within four feet (4') feet of the property line.

18.67.100 Clear View Areas

A. Clear view areas are a ten foot (10') triangular area formed by the edge of any driveway or automobile access and the street right-of-way line or within a thirty foot (30') triangular area formed by intersecting street right-of-way lines. (see figure) A lesser or greater clear view triangular area may be approved or required by the City Engineer based upon traffic speeds, flows, volumes and other traffic related variables.

B. No view obscuring object(s) including walls or opaque fencing in excess of three feet (3') in height shall be placed within the clear view area.

C. Open-style fences up to six feet (6') or a combination of opaque fencing up to three feet (3') with an open style fence above is permitted.

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Figure 18.67.101 Driveway Clear View Areas

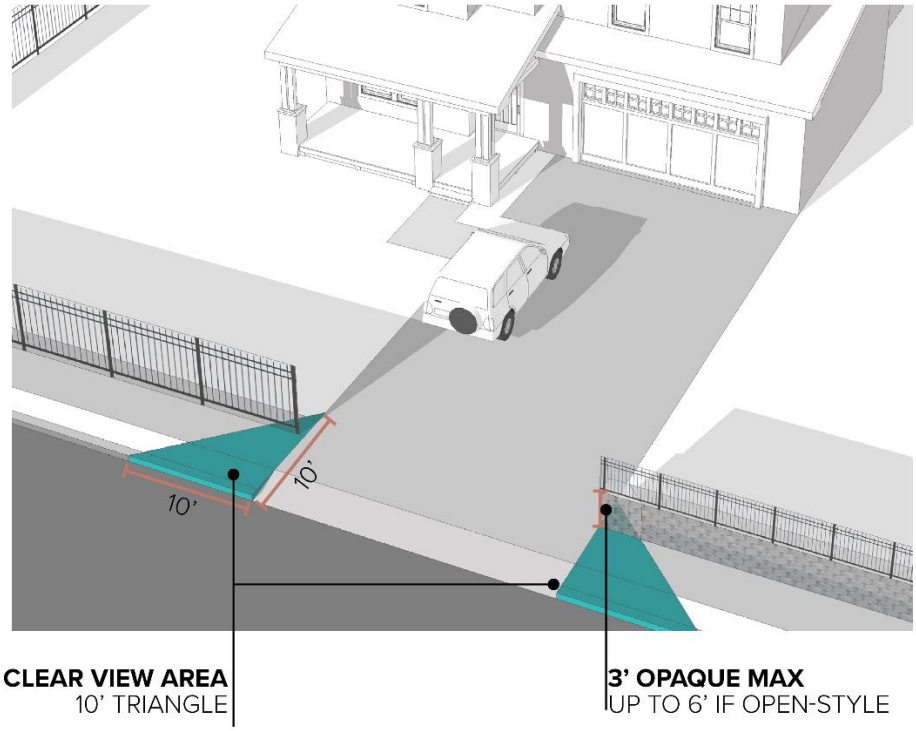
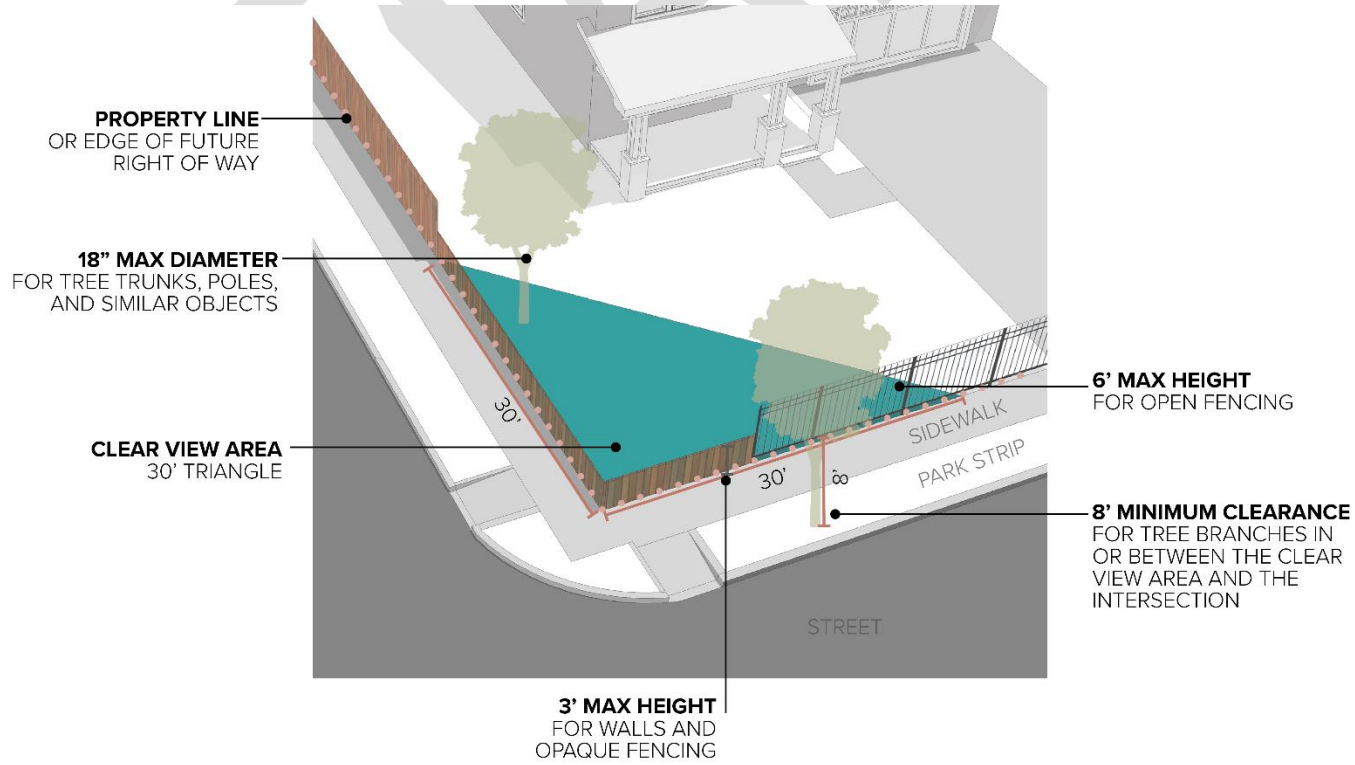


Figure 18.67.102 Corner Clear View Areas



D. Exceptions. Fences, trees, utility poles, and street signage may be located within the clear view area provide that:

1. Fences and other objects shall not exceed three feet (3') in height or shall be an open-style and non-obscuring material as approved by the City Engineer.
2. Tree branches shall be pruned a minimum of eight feet (8') above the ground and shall not block street signs or signals.
3. Tree trunks, utility poles, and similar objects may be allowed if approved by the City Engineer.

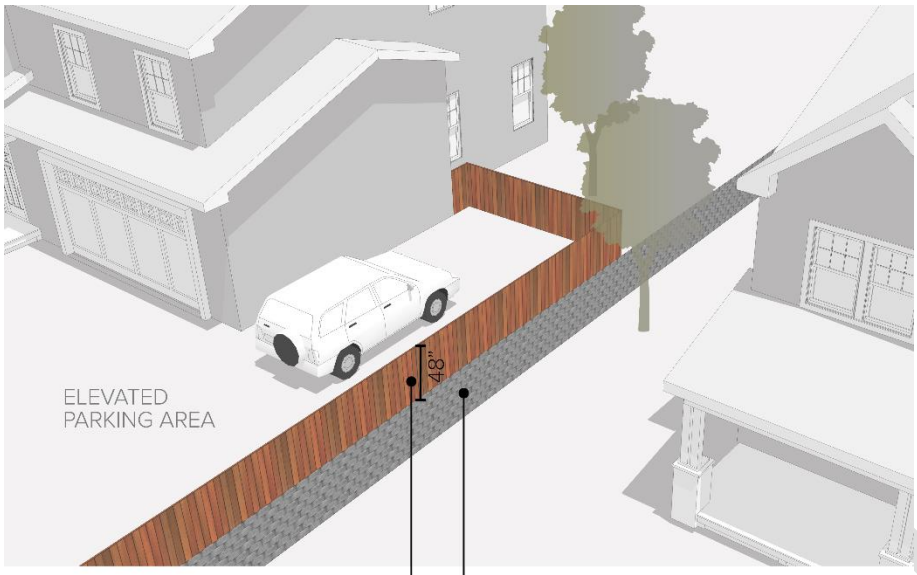
18.67.110 Retaining Walls

A. General Requirements.

1. Walls requiring a building permit shall submit a geotechnical report for soil stability by a certified geotechnical engineer licensed in the state of Utah.
2. Wall systems four feet (4') tall or taller which are based on organic material, such as treated lumber or railroad ties, are prohibited.
3. Retaining walls located on properties subject to Sensitive Lands standards, shall comply with all applicable standards of MKZ 18.62, Sensitive Lands.
4. If retaining walls are used to extend driveways or to create additional surface parking or vehicular access when a fill is required to raise the elevation of the property from the original grade, qa minimum 48" opaque screening fence shall be utilized.

Figure 18.67.111 Retaining Wall Parking Screening

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48” MINIMUM SCREENING
FOR ELEVATED PARKING
AREAS

WALL

DRAFT

18.67.120 Retaining Wall Submittal and Inspections

A. To obtain a building permit, a site plan and wall design plan shall be stamped by a structural or geotechnical engineer who is registered and qualified to perform work in the state of Utah.

B. Site plans shall include:

1. The boundary of the property, including any required setbacks, easements, and building envelopes;
2. The existing and proposed surrounding surface grades and structures located in front of, behind, and to the side of the retaining wall at a distance equivalent to three times (3x) the height of the wall. If the wall is supporting a slope, the site plan shall include the entire slope plus surface grades and structures within a horizontal distance equivalent to one times (1x) the height of the slope;
3. The location of the proposed retaining wall(s);
4. The height and elevation of the bottom of the lowest point of the wall, the top of wall and the finish elevation of the fill on both sides of the wall;
5. The drainage plan for the surrounding area and how the walls drainage system will connect to the site drainage system;

C. Wall Design plans shall:

1. Reference any geological and geotechnical studies conducted on the site and incorporate the findings into the design.
2. Include sections and details to be utilized in the construction of the retaining wall showing:
    a. A detailed cross-section showing each lift's minimum rock or block size, or a cross-section showing concrete thickness and re-bar size and spacing.
    b. The maximum wall height.
    c. The backfill material and specification.
    d. Soil stabilization methods or reinforcement materials and the required frequency of installation.
    e. A retaining wall drainage detail.
    f. Slope of the adjacent ground, including the surrounding properties
    g. Minimum embedment into the existing soil
    h. The inward slope of a retaining wall's outside face.

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D. Inspections And Final Report: All phases of retaining wall construction shall be monitored by the engineer of record to verify that the nature and quality of the materials being used are appropriate and that the construction is in accordance with the engineered design. The engineer shall verify and submit to the city in writing that the materials and construction of the retaining walls is in accordance with the engineered design after construction.

E. Conflict:

1. Millcreek retains a City Geologist to review, suggest modifications, and approve geotechnical reports. Millcreek reserves the right to commission the City Geologist to review or inspect all retaining walls, whether they are existing or proposed at the expense of the applicant.
2. Millcreek may request an as-built survey of retaining walls to verify height and surrounding grades at the applicant's expense prior to approval.
3. In cases of conflict between the provisions contained within this title and adopted zoning regulations, building code, subdivision ordinance, and geologic hazards ordinances, or any other ordinance of Millcreek, the most restrictive provision shall apply.

18.67.130 Retaining Wall Height and Terracing:

A. For the purpose of evaluating the height of a retaining wall for compliance with the standards of this code, height shall be measured from finished grade to the top of the retaining wall system.

B. Retaining Walls shall not exceed three feet (3’) in height when located within a clear view area as established in 18.67.100.

C. A single retaining wall shall not exceed twelve feet (12') in height.

D. For a Retaining Wall System, which uses terracing and/or a combination of multiple retaining walls;

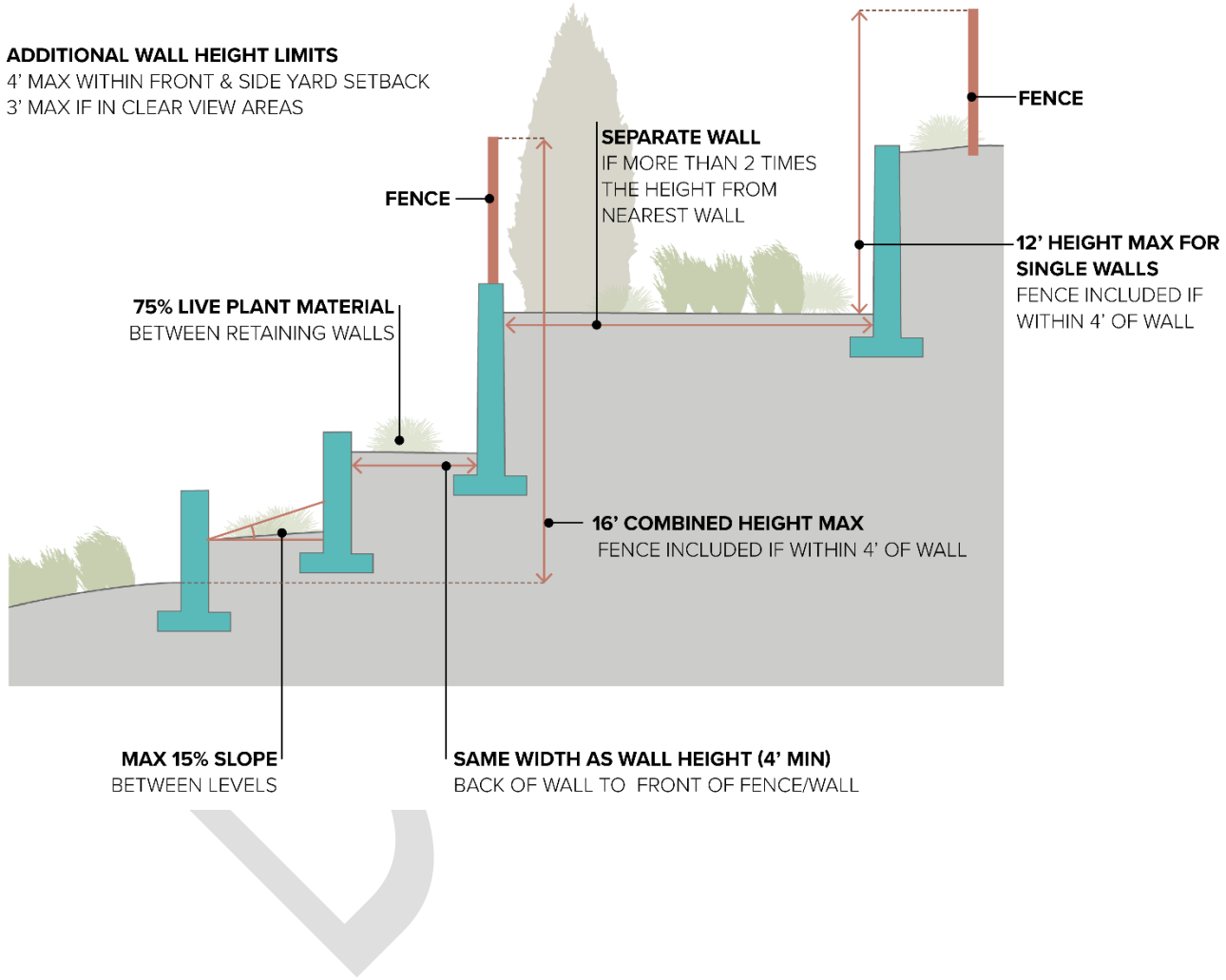
1. The combined height of all retaining walls shall not exceed sixteen feet (16').
2. The engineer of record shall establish a minimum separation between the walls as measured from the back of the lower wall to the face of the upper wall. In no case shall the minimum separation be less than a one-to-one (1:1) ratio based on the height of the taller wall or be less than four feet (4’) in width.
3. Terraces created between retaining walls shall be permanently landscaped or revegetated with shrubs and other similar perennials at a minimum of seventy five percent (75%) live plant material.
4. Any slopes in excess of fifteen percent (15%) between terraces or tying into the original or proposed finish grade need to be certified by the engineer of record and shall not exceed fifty percent (50%) slope.

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E. Retaining walls with a separation distance of at least two times (2x) the height of the tallest wall from the back of the lower wall to the face of the upper wall are considered as separate walls.

F. Fences on top of, or within four feet (4') parallel to the top of a retaining wall, are considered a part of the overall wall height excluding open style guardrails and fences.

Figure 18.67.131 Retaining Wall Requirements



18.67.140 Retaining Wall Setbacks:

A. The following shall apply to retaining walls within the front and street side yard setback areas:
    1. A single retaining wall shall not exceed four feet (4') in height.
    2. When a terraced wall system is used each wall shall not exceed four feet (4') in height.
    3. Fences shall not be installed on the top of, or within four (4') feet parallel to the top of a retaining wall.

B. Any retaining wall exceeding thirty inches (30") in height and within thirty-six inches (36") of a walking surface or a property line shall provide a minimum forty-two inch (42") tall guardrail, or similar barrier on top of the retaining wall.

C. At no point shall a retaining wall be located within four feet (4') of the current or future public right of way as set forth in the adopted Millcreek Transportation Master Plan.

18.67.150 Special Requirements for Rockery Walls:

A. Fill Compaction: Where the rockery walls are constructed in front of a fill, the fill shall be placed, compacted, and tested as directed in the geotechnical study. All fills shall consist of quality fill meeting APWA standard.

B. Rock Selection: Rock shall be of a generally cubical, tabular, or rectangular shape. Rounded rocks shall not be used and internal void spaces in the facing shall be kept to a minimum. The rock shall be preapproved by the engineer of record.

C. Rock placement: Rock shall be placed as recommended by the geotechnical engineer. A keyway as recommended by the engineer of record shall be constructed into unyielding soil.

D. Building permits for rockery walls shall Include a detail that is specific to the site and not a generic standard design.

E. Steepness of walls: The steepness of the rockery wall shall be noted in the drawings.

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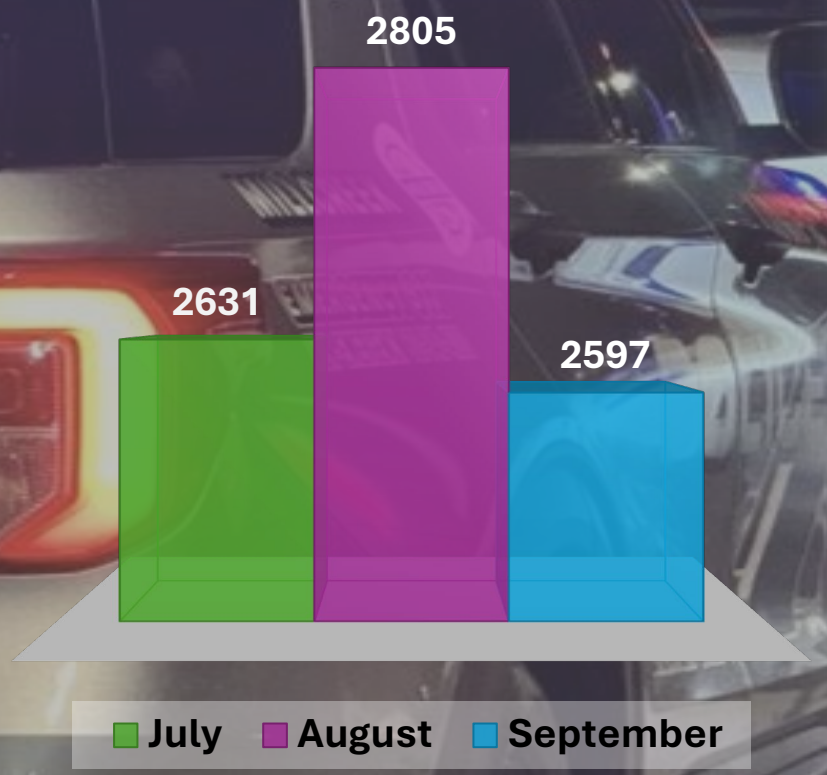
Millcreek City – September 2024

UNIFIED POLIC

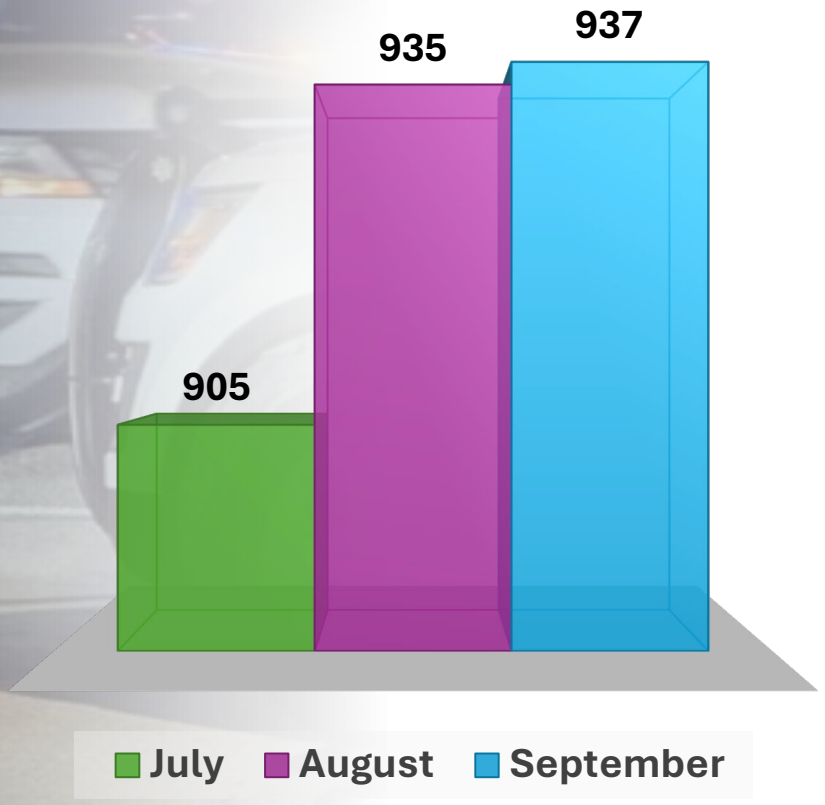
GREATER SALT

Millcreek City

Calls for Service

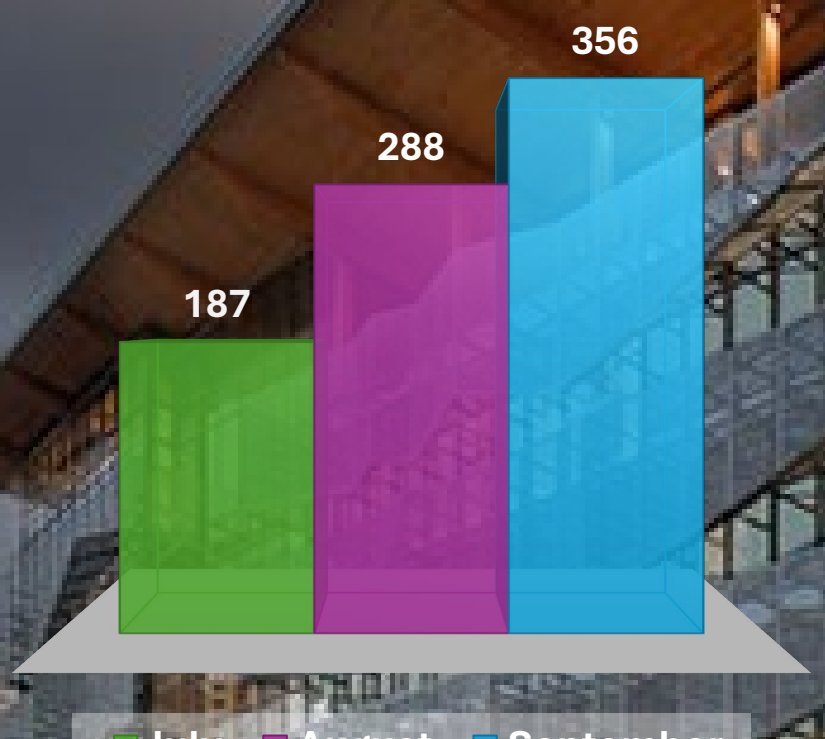


New Police Reports

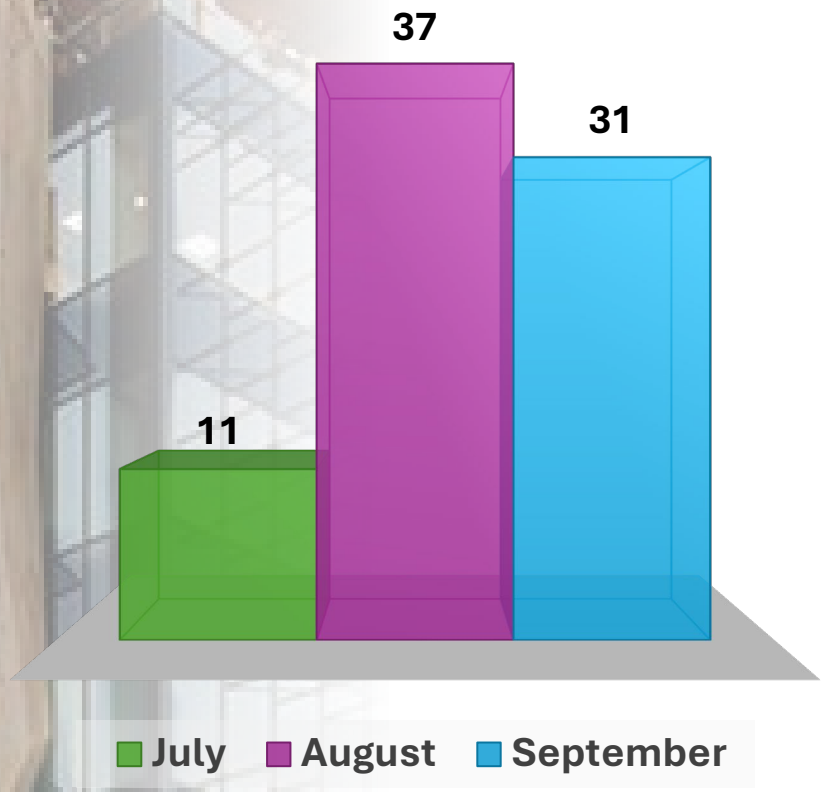


Millcreek City

Citations/Tickets



Booking Arrests



Millcreek Unified Police
September 2024



Directed Enforcement Unit (DEU)

DEU Detectives patrolling the Millcreek area spotted an occupied stolen vehicle. Detectives followed the vehicle while coordinating an arrest plan and waiting for backup. The vehicle traveled to a parking lot, then continued south on State Street, eventually entering I-15 and exiting at 3300 South. When officers attempted to stop the vehicle, the driver fled, and the vehicle was not pursued. A UHP helicopter tracked the vehicle to Weston Avenue, where two occupants fled on foot. A UPD K-9 search led to the suspects being found hiding under a trailer and a car. Both were taken into custody. Further investigation revealed the suspects had committed a burglary earlier in South Salt Lake, and additional stolen property, drugs, and paraphernalia were found in the vehicle. Charges were submitted to the Salt Lake County District Attorney's Office.



15 Arrests
16 Search Warrants
9 Assists
2 Recovered Stolen Vehicles

<u>SIEZED</u>
3 Firearms
2750 Fentanyl Pills
250 Adderall Pills
2 lbs of Methamphetamine

TRAFFIC ENFORCEMENT

Crashes	50
Hit and Run's	11
Citations	215

Millcreek Unified Police

September 2024

Unified Police Motors Unit

September-During a recent Millcreek traffic saturation, the UPD Millcreek Traffic Unit and UPD Motors focused on two school zones and four speed zones. Six motor officers participated from 8:15 AM to 10:30 AM. A total of 31 tickets were issued, including 5 in school zones and 26 for speeding. This enforcement effort demonstrates our ongoing commitment to traffic safety, particularly in high-risk areas such as school and speed zones.

2700 E Craig Dr – 2 tickets
3710 S Highland Dr – 3 tickets
3625 S Wasatch Blvd – 4 tickets
3750 S Wasatch Blvd – 4 tickets
1755 E 3300 S – 4 tickets
4140 S Jupiter Dr - 14 tickets





Unified Police Investigations
September 2024

VIOLENT CRIMES UNIT (VCU)

Total Active Cases:	209
New Cases	7
Homicide/Suspicious Death	0
Death Investigations	2
Felony Assault	3
Misd. Assaults/Threats	1
Robbery	1
Other Suspicious	0

SPECIAL VICTIMS' UNIT (SVU)

Total Active Cases	96
New Cases	10
Adult Sex Cases	3
Child Sex Cases	2
Child Abuse Cases	1
Other	4
Missing	0
Runaway	0

Unified Police Special Operations September2024

SPECIAL WEAPONS AND TACTICS (SWAT)

New Call Outs	4

UPD DRONE UNIT

New Call Outs	2
Hours	7

CRASH ACCIDENT RECONSTRUCTION UNIT (CAR Team)

Call Outs	4

K9 UNIT

NEW	33
Person Crime	2
Family Offense	3
Weapon Offense	4
Traffic Offense	5
Trespassing	1
Medical / Fire Assist	3
Disturbance	1
Lost / Missing Person	1
Juvenile Offense	1
Fugitive / Warrant	2
Welfare Check	3
Suspicious	2
Property Crime	5

Unified Police Investigations
September 2024
Millcreek Precinct

NEW CASES

Assault	28	Homicide	0
Burglary	19	Larceny	55
Drug Offenses	19	Robbery	2
Family Offense	68	Sex Offense	3
Fraud	27	Stolen Vehicles	18

During the month of August, Millcreek Precinct detectives were assigned 58 cases, and 11 of those cases were submitted for charges.



TRANSIENT CALLS

Transient	16

Millcreek Unified Police
September 2024



MENTAL HEALTH CALLS

Mental Health Calls	50

Millcreek City Investigations Unit September 2024

- On August 14, 2024, a case involving a fraudulent contractor was assigned for further investigation. A homeowner hired the contractor in October 2023 to build a deck, paying $15,000. Despite the payment, the contractor never started the project or purchased materials. The homeowner attempted to contact the contractor in the spring, but he became unreachable. Further investigation revealed that the contractor had been involved in several similar cases. After legal efforts stalled, charges for theft by deception were filed against the contractor on October 14, 2024.



Minutes of the
Millcreek City Council
September 23, 2024
6:15 p.m.
Site Visit
7:00 p.m.
Regular Meeting

The City Council of Millcreek, Utah, met in a site visit and regular meeting on September 23, 2024, at City Hall, located at 1330 E. Chambers Avenue, Millcreek, UT 84106. The meeting was recorded for the City's website and had an option for online public comment.

PRESENT:

Council Members
Jeff Silvestrini, Mayor
Silvia Catten, District 1 (left at 7pm, returned at 7:38pm)
Thom DeSirant, District 2
Cheri Jackson, District 3
Bev Uipi, District 4

City Staff
Rita Lund, Communications Director
Elyse Sullivan, City Recorder
Lisa Dudley, HR-Finance Director
John Brems, City Attorney
Kurt Hansen, Facilities Director
Carlos Estudillo, Planner
Brad Sanderson, Current Planning Manager

Attendees: Chief Christine Petty-Brown, Detective Brian Warner, Rick Hansen, Ronnie Williams (electronic), Mike Rush, Scout Troop 53

SITE VISIT:

1. Visit the Unified Police Department Spaces at Millcreek City Hall

Chair Silvestrini called the work meeting to order at 6:17pm. The Council toured the UPD occupied spaces of city hall.

Council Member Uipi moved to adjourn the work meeting 7:07 p.m. Council Member Jackson seconded. Mayor Silvestrini called for the vote. Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

REGULAR MEETING – 7:00 p.m.
TIME COMMENCED: 7:08 p.m.

1. Welcome, Introduction and Preliminary Matters
1.1 Pledge of Allegiance

Mayor Silvestrini called the meeting to order, and Scout Troop 53 led the pledge of allegiance. He indicated Council Member Catten was present in the work meeting [site visit] and had to leave but would be back.

1.2 Unified Police Department Millcreek Precinct Officer of the Month for June and August 2024 and Introduction of Directed Enforcement Unit
Chief Petty-Brown announced Detective Brian Warner as the Officer of the Month for August 2024. Detective Warner worked an overtime shift and responded to a call at a care facility where a patient wanted to report a crime. The complainant was grateful to Detective Warner as he was empathetic to the patient.

Chief Petty-Brown introduced the Directed Enforcement Unit to the council. The unit is replaced the Community Crime Suppression Unit and is shared with Millcreek, Midvale, and Holladay. The unit consists of a sergeant and detectives from Midvale and Millcreek. The unit was recently able to identify suspects in two homicide cases. The mayor commended the unit for their work.

1.4 Public Comment
There was none.

2. Planning Matters

2.1 Discussion and Consideration of Ordinance 24-47, Rezoning the Northeast Portion of a Parcel Generally Located at 4016 South 700 West from the Agricultural (A-1) Zone to the Residential Single-Family (R-1-10) Zone
Carlos Estudillo noted there was a single family home and agricultural structures on the subject property. The surrounding uses included R-M, A-1, and M. He showed an aerial image of the current use and the proposed rezoned areas of the site. The rezone would accommodate the current house, the agricultural uses, and could accommodate an additional future lot. Estudillo reviewed the findings from his staff report. The subject property involves three parcels comprising approximately 1.73 acres, however, only one lot is being proposed to be rezoned. The proposed lot would approximately comprise of 0.35 acres. The main residence is intended to be part of the newly arranged lot in the R-1-10 zone. A traffic study was not commissioned and there was no proposed development agreement. The Future Land Use map from the General Plan identifies the property as Neighborhood 1, which would be met by the application. Estudillo described the property's current agricultural use and the proposed layout with the new zone/lot boundaries. A neighborhood meeting was held (August 2, 2024) with most neighbors being in favor of the proposal. The Millcreek Community Council (August 6, 2024) and Planning Commission (August 21, 2024) both unanimously recommended approving the rezone. Staff recommended approval of the application based on the findings in the staff report.

Mayor Silvestrini asked for public comment. There was none.

Council Member DeSirant moved to approve Ordinance 24-47, Rezoning the Northeast Portion of a Parcel Generally Located at 4016 South 700 West from the Agricultural (A-1) Zone to the Residential Single-Family (R-1-10) Zone based upon the evidence presented. Council Member Jackson seconded. The Recorder called for the vote. Council Member

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DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

Council Member DeSirant asked about properties with multiple zonings (as depicted in surrounding properties to the subject property in item 2.1). Brad Sanderson said the Planning Department would go through and review appropriate land use designations for properties throughout the city in the near future as a General Plan amendment.

2.2 First Reading: *ZM-24-010*, Request to Remove Zoning Condition at 877 E 4500 S, 4430-4438 S 900 E, 851 E 4500 S, 4402-4410 S 900 E, 814 E Williams Way, and 739 E Williams Way #X; Sean Murray, Planner

Brad Sanderson said the city received an application for a martial arts business license on one of the subject properties and those properties had a zone condition that did not allow for the use. The city would like to remove the condition since a lot of the listed uses were not applicable to current times. There are existing businesses on the properties that do not follow the zoning condition and would not be able to be there if their business license lapsed. Council Member Jackson asked if the property owners were okay with the change. Sanderson confirmed.

3. Financial Matters

3.1 Public Hearing to Consider a Monetary Contribution of up to $45,000 to Community Councils, $30,000 to Millcreek Arts Council, and $10,000 to the Rain Barrel Program

Mayor Silvestrini said this would authorize the council to distribute funds with appropriate budgetary requests. A third-party study was commissioned to ensure the use of the funds met the requirements and was an appropriate use by the city. Rita Lund said there was already a request for an appropriation of $5,000 to the Arts Council for the Millcreek Theater's annual production.

Council Member Uipi moved to open the public hearing. Council Member DeSirant seconded. Mayor Silvestrini called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

A Scout Troop 53 leader asked what the funds would go towards since nothing was specifically being appropriated. Mayor Silvestrini said the in the past, community councils have used funds for events, operations, and emergency cache sites. The Arts Council has used funds for the Art Festival, concerts, and events. These are volunteer organizations in the community. The city's budget is almost $40 million. Council Member Jackson said the council makes sure that each dollar is appropriately spent. She mentioned the rain barrel program which enables residents to collect rainwater from the downspout of houses to have for emergency or gardening uses.

A scout asked for the council to explain the budget. Mayor Silvestrini explained that the budget revenue comes from sales tax, property tax, fees, and permits. The budget is set every year from July 1 to June 30. About $13 million pays for police services. Other things the city spends money on is to build and fix roads and sidewalks, storm sewers, the

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city's four parks, Millcreek Common, animal services, and crosswalks and crossing guards.

Council Member DeSirant moved to close the public hearing. Council Member Jackson seconded. Mayor Silvestrini called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

3.2 Discussion and Consideration of Ordinance 24-45, Approving a Monetary Contribution of up to $45,000 to Community Councils, $30,000 to Millcreek Arts Council, and $10,000 to the Rain Barrel Program

Council Member Jackson moved to approve Ordinance 24-45, Approving a Monetary Contribution of up to $45,000 to Community Councils, $30,000 to Millcreek Arts Council, and $10,000 to the Rain Barrel Program. Council Member DeSirant seconded.
Council Member Catten asked if the city was requiring the community councils to provide a budget or just make requests. The mayor noted the city had not yet received any requests. Council Member Uipi wanted to know how much money was currently in the community councils' budgets.
The Recorder called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

3.3 Public Hearing to Consider Amending the Fiscal Year 2024-2025 General Fund, Capital Improvement Fund, and Stormwater Fund Budgets

Lisa Dudley said there would only be amendments for the General Fund and Stormwater Fund. The General Fund changes included revenue from the public market ($85,600), newly acquired rental property at the southwest corner of the intersection of 1300 E and 3300 S ($30,000), and budgetary use of fund balance ($71,300). The Stormwater Fund includes a federal grant for the Neff's Canyon debris basin ($2,270,250). Dudley highlighted the General Fund revenue and expense amendments. Mayor Silvestrini noted the city purchased the building where Check City was, adjacent from city hall, but would be leasing back the space until the term ended. That property would then be considered for a veteran memorial plaza. Dudley reported changes to the public works, facilities, and human resources department budgets, and market adjustments on some staff salaries. Mayor Silvestrini explained the budget in detail for the benefit of the scout troop present.

Council Member Jackson moved to open the public hearing. Council Member Uipi seconded. Mayor Silvestrini called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

There were no comments.

Council Member DeSirant moved to close the public hearing. Council Member Uipi seconded. Mayor Silvestrini called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

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3.4 Discussion and Consideration of Ordinance 24-46, Amending the 2024-2025 Fiscal Year Budget

Council Member Uipi moved to approve item 3.4, Ordinance 24-46. Council Member DeSirant seconded. The Recorder called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

4. Business Matters

4.1 Discussion and Consideration of Resolution 24-21, Approving an Updated Utility Agreement Among Rocky Mountain Power, the Community Renewable Energy Agency, and Millcreek

Mayor Silvestrini said the agreement was required to conform the utility agreement to changes that the legislature made to state law with respect to the Community Renewable Energy Agency. The legislature changed the Act, HB 411, to allow the agency to not only use renewable energy but also clean energy. It also made it so other communities could join the agency. Midvale has since joined. These were minor amendments in the agreement to reflect those changes.

Council Member Jackson moved to adopt Resolution 24-21, Approving an Updated Utility Agreement Among Rocky Mountain Power, the Community Renewable Energy Agency, and Millcreek. Council Member Catten seconded. The Recorder called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

5. Reports

5.1 Mayor's Report

Mayor Silvestrini reported from the UPD Board meeting of a potential property that has been identified to relocate and house certain UPD operations.

5.2 City Council Member Reports

Council Member Uipi reported that she and Council Member Jackson attended the Elected Women of Utah Conference. Council Member Uipi would sit on a panel to inspire women to run for office with the Women's Leadership Institute. Council Member Catten said there would be a screening of "Politics of Beauty" as part of the "Get to the River Month" festivities.

5.3 Treasurer's Report

Council Member Jackson reported as of that day in the operating account, the city had $2,378,497, and the PTIF state fund account had $31,968,130, for a total shared cash of $34,346,626. Current property taxes received was $225,064 (1.89%), sales tax revenue $2,492,444, and building permits $284,925, for a total general fund revenue of $5,839,045. For disbursement, 139 checks had been written for $4,473,698, bank drafts $2,812,270, and two payroll periods were $353,168. She thanked the finance staff.

5.4 Staff Reports

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Lisa Dudley reported the auditors were doing field work at city hall that week.

5.5 Unified Police Department Report

Chief Petty-Brown reported the crime statistics for August 2024. There were 2,805 calls for service, 935 new police reports, 288 citations/tickets, and 37 booking arrests in Millcreek. The DEU served 3 search warrants, 2 arrests, 1 assist, and seized 2 firearms with a homicide case at the Monaco Apartments. 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. Traffic Enforcement had 62 crashes, 23 hit and runs, and 167 citations. The Violent Crimes Unit had 160 active cases, the Special Victims Unit had 103 active cases, SWAT had 4 call outs, Crash Accident Reconstruction had 9 call outs, and the K9 unit had 31 new calls. In Millcreek, there were 33 assaults, 9 burglaries, 14 drug offenses, 66 family offenses, 28 frauds, 1 homicide, 64 larcenies, 1 robbery, 10 sex offenses, and 16 stolen vehicles. Millcreek detectives were assigned 94 cases and 14 were submitted for charges. There were 23 transient calls and 87 mental health calls. The chief highlighted a solved case involving theft of scrap metal.

Mayor Silvestrini noted the UPD Board approved bonuses for lateral transfers to get the force back to full strength. Chief Petty-Brown noted a lot of vacancies happened because of the split from the Salt Lake County Sheriff's Office. Millcreek had 9 vacancies. Mayor Silvestrini noted the Chief had mentioned hiring another mental health officer or social worker.

6. Consent Agenda

6.1 Approval of August 26, 2024 Work Meeting and Regular Meeting Minutes

Council Member DeSirant moved to approve the minutes from August 26, 2024, for the work meeting and the regular meeting. Council Member Jackson seconded. Mayor Silvestrini called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

7. New Items for Subsequent Consideration

There were none.

8. Calendar of Upcoming Meetings

- Millcreek Community Council Mtg., 10/1/24, 6:30 p.m.
- Canyon Rim Citizens Association Mtg., 10/2/24, 6:30 p.m.
- East Mill Creek Community Council Mtg.,10/3/24, 7:00 p.m.
- Mt. Olympus Community Council Mtg., 10/7/24, 6:00 p.m.
- Historic Preservation Commission Mtg., 10/10/24, 6:00 p.m.
- City Council Mtg. 10/14/24 7:00 p.m.

The council discussed upcoming city events, including the opening of the pickleball courts at Canyon Rim Park. This led to a conversation about the potential rules for the new courts.

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ADJOURNED: Council Member Catten moved to adjourn the meeting at 8:55 p.m. Council Member Jackson seconded. Mayor Silvestrini called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

APPROVED: _____ Date
Jeff Silvestrini, Mayor

_____
Attest: Elyse Sullivan, Recorder

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Minutes of the
Millcreek City Council
October 14, 2024
7:00 p.m.
Regular Meeting

The City Council of Millcreek, Utah, met in a public work meeting and regular meeting on October 14, 2024, at City Hall, located at 1330 E. Chambers Avenue, Millcreek, UT 84106. The meeting was recorded for the City's website and had an option for online public comment.

PRESENT:

Council Members
Jeff Silvestrini, Mayor
Silvia Catten, District 1
Thom DeSirant, District 2
Cheri Jackson, District 3
Bev Uipi, District 4

City Staff
John Brems, City Attorney
Elyse Sullivan, City Recorder
Kurt Hansen, Facilities Director
Carlos Estudillo, Planner
Sean Murray, Planner
Rita Lund, Communications Director

Attendees: Chief Petty-Brown, Rick Hansen, Kenzie Olson, Brandon Wixom, Dale Bennett, Jacob Richardson, Chief Jason Mazuran, Ron Lillie

REGULAR MEETING – 7:00 p.m.
TIME COMMENCED: 7:02 p.m.

1. Welcome, Introduction and Preliminary Matters

1.1 Pledge of Allegiance
Mayor Silvestrini called the meeting to order and led the pledge of allegiance.

1.2 Public Comment
Unified Police Department Chief Mazuran appreciated Millcreek's hospitality. He reported that things have gone well with the reorganization of UPD. He commended Millcreek Precinct Chief Petty-Brown.

Council Member Catten moved to move Business Matter 3.2 to just before the Planning Matters. Council Member DeSirant seconded. Mayor Silvestrini called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

3.2 Discussion and Consideration of Resolution 24-23, Approving an Appointment to the Planning Commission

Mayor Silvestrini said there was a vacancy on the Planning Commission, so applications were accepted to fill the position. He was happy to recommend Jacob Richardson from Council District 1. Richardson said he had served for about a year on the Millcreek Community Council.

Council Member DeSirant moved to approve Resolution 24-23, Approving an Appointment to the Planning Commission. Council Member Catten seconded. The Recorder called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

2. Planning Matters

2.1 Discussion and Consideration of Ordinance 24-48, Rezoning Certain Property Located at Approximately 877 E 4500 S, 4430-4438 S 900 E, 851 E 4500 S, 4402-4410 S 900 E, 814 E Williams Way, 739 E Williams Way # X from the C-2/ZC (Commercial 2 / Zone Condition) to C-2 (Commercial 2)

Mayor Silvestrini said this rezone would remove a zone condition on these properties which would not affect other C-2 properties in the city. Some of the conditions were no longer valuable or necessary. The mayor acknowledged a first reading of the item occurred at the council's last meeting. Sean Murray noted the zone condition was implemented in the 1980's by the county when the area was redeveloping for a lower intensity commercial use. Removing the zone condition would clean up the zoning and allow other small businesses into the existing building spaces. Mayor Silvestrini asked for public comment. There was none.

Council Member Jackson moved to adopt Ordinance 24-48, rezoning certain properties identified. Council Member DeSirant seconded. The Recorder called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

2.2 Discussion and Consideration of Ordinance 24-49, Rezoning 0.43 Acres of Real Property Located at Approximately 4181 South 900 East from the Residential (R-1-10) Zone to the Multifamily Residential (R-M) Zone and Imposing a Zone Condition Limiting the Property to 5 Residential Units

Mayor Silvestrini said a first reading of the item had taken place at a prior council meeting. Carlos Estudillo highlighted changes from the last proposal the council reviewed. The proposal included five townhome units that were larger than the initially proposed six townhome units. There would be an additional guest parking stall and more open space. He showed the council the building elevations. Based on the feedback in the neighborhood, community council, planning commission, and city council meetings, staff prepared a development agreement to accompany the rezone. The items addressed in the agreement included use and density, ownership, height, setbacks, parking, materials, right-of-way improvements, street improvements, and a restrictive-use agreement. Staff recommended approval of the rezone and development agreement as presented.

Council Member Jackson asked about, "an owner-occupied unit owned by an entity that is occupied by an individual who: has voting rights under the entity's organizing

documents; and has a 25% or greater share of ownership, control, and right to profits and losses of the entity…" from the restrictive use agreement. Mayor Silvestrini said the purpose was to make sure the occupant owned at least 25% of the property so that it could not be owned by a corporate entity unless the occupant was a large shareholder.

Mayor Silvestrini noted the council had received an email from the applicant for an appeal to increase the density back to the six unit proposal as it provided another housing unit for the public and an appeal on a constitutional basis for someone to use their property as they see fit. Brandon Wixom, applicant, felt the developers followed the city's code and met the requirements for the project but the project changed due to public comments. He said one parking stall would not make a difference in comparison to having an additional housing unit. He did not feel allowing only five units was the best choice. He felt there were constitutional rights being imposed upon by restricting what the owner could do with the property as far as rentals. The developers did not want to sell the units to one entity.

Mayor Silvestrini asked for public comment.

Ron Lillie, a neighbor across 900 E, felt the neighborhood could support five units with more parking provided that the agreement is kept. The neighbors did not want rental units.

Mayor Silvestrini noted he missed the first reading of the application. The Millcreek Community Council and Planning Commission recommended denial of the application. The commission did not want to go against the General Plan, which recommends Neighborhood 1 in this area. Neighborhood 2 would support the proposed project. The mayor noted he understood property rights, but pointed out the applicant was asking the council to approve a project in excess of the single-family zoning of the area, so he felt it was okay to impose conditions for the increased density. He said he had always recognized the housing shortage and the council has been bold about trying to increase the housing stock in the city. It was in the city's interest to promote home ownership. The request to approve additional density that is out of character for the neighborhood plan is within the council's discretion and they could insist upon home ownership for the development. It was not unreasonable to approve the compromise that was reached with the neighborhood in reducing the density to five units. He would not vote to approve the application over the recommended denial of the community council and planning commission unless homeownership was guaranteed. This could be accomplished through a restrictive agreement and CC&Rs. He noted the CC&Rs could be amended in the future and that was concerning. The city is making a compromise on density for the homeownership. He insisted upon a deed restriction on the property in addition to the CC&Rs. Council Member Jackson asked who enforced the restrictions. Mayor Silvestrini said the city could enforce the deed restriction.

Council Member DeSirant asked if every owner occupied housing approved by the council would also have a restrictive use agreement. Mayor Silvestrini said no, it would only apply to this project because this project was being considered on its own merits. Council Member DeSirant asked if a precedent was being set. Mayor Silvestrini said it depends on the density that is being required and what the circumstances are; other

projects may not have the impediments that this one has, violating the Future Land Use Map and General Plan. Council Member Catten asked what the objective was and felt the proposal was unfair. She asked about the Lotus Calla project on 900 E. Brad Sanderson said the rezone for that development had a deed restriction that allowed a portion of owner-occupied units within the rental project. Council Member Catten asked why the Millcreek Community Council recommended denial. Estudillo said there was concern for construction blocking roads, property values dropping, rentals, and parking. The commission recommended denial because it was spot zoning and went against the General Plan. They felt a holistic approach was needed for amending the General Plan in the area. Council Member Catten felt the council needed to figure out whether the area should be Neighborhood 1 or 2. She expressed concern over the restriction on rentals as she takes property owner rights very seriously. Council Member Jackson said there was an assumption that people would buy the property to rent it, but that was unknown.

Council Member Uipi asked the applicant about the sales price. Wixom anticipated about $650,000 per unit. Council Member Uipi asked about restricting room rentals or removing the owner-occupancy requirement. Mayor Silvestrini said owners could rent rooms if it was still owner occupied. He wanted to avoid full rentals and only allow owner-occupancy. John Brems said a deed restriction and CC&Rs would be the best way to restrict rentals.

Council Member Jackson asked the applicant if there was concern about having the restriction on the property. Wixom said he would not want to own something he could not rent. He felt it was government overstepping to restrict renters without federal funding involved, it would violate the Fair Housing Act. The mayor said restricting rentals is not discriminatory on the basis of any protection in the Fair Housing Act. The applicant was requesting density in excess of what the zone would allow. The council was giving the applicant the parameters of what they would approve for a zone change but the applicant did not have to agree and therefore not build the project. Council Member Catten asked if the restrictions could be lifted in the future if the General Plan changed to a greater future land use. Mayor Silvestrini said the council could lift restrictions in the future. He then recommended a continuance of the application to work with the developer on a deed restriction.

Council Member Uipi asked Lillie what he would like to see as a neighboring property owner. Lillie felt like the mayor's opinion on the matter was good. The neighborhood did not want to see rentals or overflow parking. Their concern was with density.

Council Member Uipi moved to continue items 2.2, Ordinance 24-49, and 2.3, Ordinance 24-50.

Council Member Catten asked what the deed restriction and CC&Rs would look like. Brems said he could craft them how the council wanted. Council Member Jackson asked what the mayor wanted to see with a continuance. Mayor Silvestrini said a deed restriction that would ensure owner occupancy on the property. Council Member DeSirant was not opposed to the deed restriction if it was something the council would continue using. He said property having a similar deed restriction would not have prevented him from buying it when he was searching. He did not feel removing an entire unit to gain one parking stall was a benefit. Council Member

Catten felt 5-6 units was negligible, but if the neighbors felt parking was the true issue, then one stall could make a difference.

Dale Bennett, subject property owner, expressed concern about the economy going down and needing to rent the units. The mayor said the city might consider a hardship in the future. Wixom asked if half of the units could be deed restricted. The mayor did not want to do that. Council Member Jackson felt adding a hardship clause to the deed restriction was reasonable.
Council Member Catten seconded. Mayor Silvestrini called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

2.3 Discussion and Consideration of Ordinance 24-50, Approving a Development Agreement Concerning 0.43 Acres of Real Property Located at Approximately 4181 South 900 East
Item continued.

3. Business Matters

3.1 Discussion and Consideration of Resolution 24-22, Approving a Third Amended Interlocal Cooperative Agreement with Salt Lake County for Public Works Services
Mayor Silvestrini said this added the additional $500,000 for pavement preservation the council approved in this year's budget since it was not in the original contract.

Council Member Jackson moved to adopt Resolution 24-22, Approving a Third Amended Interlocal Cooperative Agreement with Salt Lake County for Public Works Services. Council Member Uipi seconded. The Recorder called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

4. Reports

4.1 Mayor's Report
The mayor reported the city celebrated Indigenous People's Day that day at Millcreek Common. He said the city could celebrate Christopher Columbus as a bold explorer, too.

4.2 City Council Member Reports
Council Member Catten reported attending Millfreaks. Council Member Jackson reported using the Grandview of City Hall as a resident.

4.3 Staff Reports
Elyse Sullivan asked the council to send her records for the records request (GRAMA) she emailed them earlier in the day.

5. Consent Agenda

5.1 Approval of September 9, 2024 Work Meeting and Regular Meeting Minutes

Council Member Catten moved to approve the minutes from the September 9th meetings. Council Member Uipi seconded. Mayor Silvestrini called for the vote. Council Member

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Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

6. New Items for Subsequent Consideration
There were none.

7. Calendar of Upcoming Meetings

- Planning Commission Mtg. 10/16/24 5:00 p.m.
- City Council Mtg. 10/28/24 7:00 p.m.

ADJOURNED: Council Member Uipi moved to adjourn the meeting at 8:25 p.m. Council Member Jackson seconded. Mayor Silvestrini called for the vote. Council Member Catten voted yes, Council Member DeSirant voted yes, Council Member Jackson voted yes, Council Member Uipi voted yes, and Mayor Silvestrini voted yes. The motion passed unanimously.

APPROVED: _____ **Date**
Jeff Silvestrini, Mayor

_____
Attest: Elyse Sullivan, Recorder

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