

COTTONWOOD HEIGHTS CITY PLANNING COMMISSION MEETING AGENDA

October 7, 2026



Notice is hereby given that the **Cottonwood Heights Planning Commission** will convene on **Wednesday, October 7, 2026**, at **Cottonwood Heights City Hall** (2277 E. Bengal Blvd., Cottonwood Heights, UT 84121) for its **Work Session** and **Business Session** meetings.

1. Work Session – **5:00 p.m.** –Council workroom
2. Business Session – **6:00 p.m.** – City Council Chambers

Both sessions will also be broadcast electronically on the city's YouTube channel at <https://www.youtube.com/@CottonwoodHeights/streams>.
Please see the reverse side of this agenda for instructions on how to make public comments.

5:00 p.m. Work Session

1.0 Review Business Session Agenda

The commission will review and discuss agenda items.

2.0 Adjourn

6:00 p.m. Business Session

1.0 Welcome and Acknowledgements

- 1.1 Ex parte communications or conflicts of interest to disclose.

2.0 General Public Comment

This is an opportunity for individuals to make general public comments that do not relate to any projects scheduled for public hearing under the "Business Items" section of this agenda. Please see the Public Comment Policy on the reverse side of this agenda for more information.

3.0 Business Items

3.1 Planning Commission Chair and Vice Chair Elections

The annual election of a planning commission chairperson and vice chairperson. The terms of these individuals shall be one year, and selected individuals shall not hold the position for more than two consecutive terms.

3.2 Project CUP-26-016

The Planning Commission will hold a public hearing to consider a request for a Conditional Use Permit submitted by Bayan Arain to operate a home occupation with client visits, providing childcare, at 7164 S. Ponderosa Drive

3.3 Project CUP-26-015

The Planning Commission will hold a public hearing to consider a request for a Conditional Use Permit submitted by ReAnne Cram & Brett Clark to operate a home occupation with client visits, providing a home massage business, at 7640 S. 2325 E.

3.4 Project CUP-25-005

Dunn Associates, Inc will introduce the Old Mill Structural Analysis Report and its findings.

4.0 Consent Agenda

4.1 Approval of **August 5 and September 2**, Planning Commission Minutes.

5.0 Adjourn

*Next Planning Commission Meeting: **October 21, 2026.***

Public Comment

Individuals may provide public comments verbally or via writing.

Verbal comments are accepted in person at the 6:00 p.m. Business Session, but not at the 5:00 p.m. Work Session. At the Business Session, public comments may be given during two intervals:

1. General Public Comment Period – An opportunity for general comments not relating to specific projects on the meeting agenda.
2. Specific Project Public Hearings – An opportunity for comments relating to specific projects on the meeting agenda which were noticed as public hearings.

Please note that verbal comments must be provided by attending the meetings in-person. Verbal comments cannot be provided via the electronic broadcast of planning commission meetings on the city's YouTube channel.

Verbal comment periods are an opportunity for individuals to share comments as they see fit but **are not an opportunity for "question and answer" dialogue.** Questions should be directed to city staff at planning@ch.utah.gov. Verbal comments provided during the public comment period will be limited to three minutes per individual, or five minutes per a spokesperson who has been asked by a group that is present to summarize their concerns.

Alternatively, **written comments** may be submitted to staff via email at planning@ch.utah.gov. For written comments to be entered into the record and distributed to the planning commission prior to the meeting, **they must be submitted to staff by 12:00 p.m. MDT on Tuesday, October 6, 2026, the day prior to the meeting.** Comments received after this deadline will be distributed to the planning commission after the meeting.

Meeting Procedures

Items will generally be considered in the following order: 1. Chair introduction of item, 2. Staff presentation, 3. Applicant presentation, if applicable, 4. Chair opens public hearing, if applicable, 5. Chair closes public hearing, if applicable, 6. Planning commission deliberation, 7. Planning commission motion and vote on item.

Applications may be tabled if additional information is needed in order to act on the item; or if the planning commission feels there are unresolved issues that may need further attention before the commission is ready to make a motion. No agenda item will begin after 9:00 pm without a unanimous vote of the commission. The commission may carry over agenda items, scheduled late in the evening and not heard, to the next regularly scheduled meeting.

Notice of Compliance with the Americans with Disabilities Act (ADA)

In compliance with the Americans with Disabilities Act, individuals needing special accommodations or assistance during this meeting shall notify the City Recorder at (801) 944-7015 at least 24 hours prior to the meeting. TDD number is (801) 270-2425 or call Relay Utah at #711.

Confirmation of Public Notice

On Thursday, October 1, 2026, a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Cottonwood Heights City Offices. The agenda was also posted on the City's website at www.cottonwoodheights.utah.gov and the Utah public notice website at <http://pmn.utah.gov>.

DATED THIS 1ST DAY OF OCTOBER 2026, ATTEST: TIFFANY JANZEN, CITY RECORDER

COTTONWOOD HEIGHTS CITY PLANNING COMMISSION PUBLIC HEARING STAFF REPORT

October 7, 2026



Summary

Project #:
CUP-26-016

Subject Property:
7164 S. Ponderosa Drive

Action Requested:
Conditional use approval to
operate home occupation with
clients. (Lovein Nest Childcare)

Applicants:
Bayan Arian

Recommendation:
Approve, with conditions



Aerial View

Context

Property Owners:
Bayan Arian

Address & Parcel #:
7164 S. Ponderosa Drive
22-27-101-031-0000

Acres:
0.18



View of driveway and parking

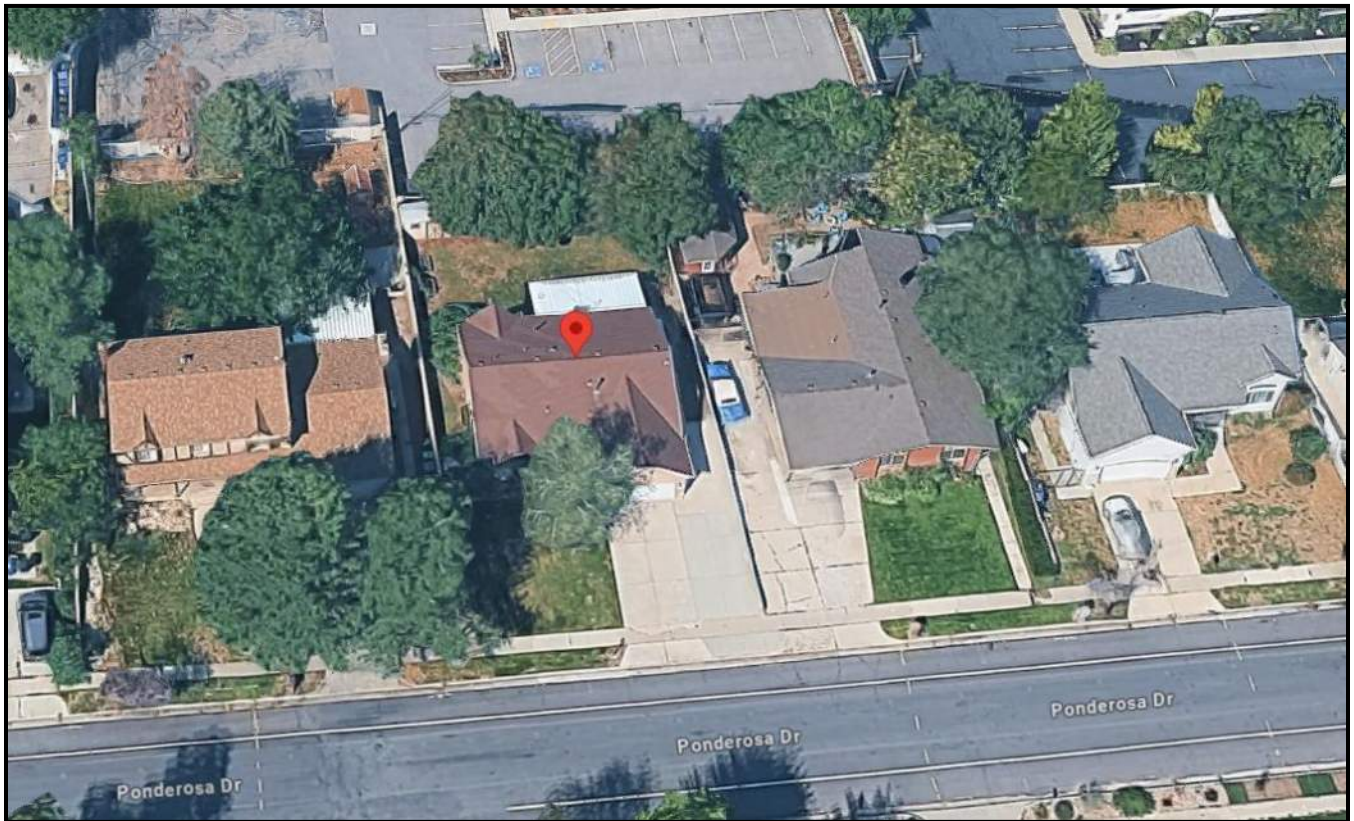
Request

The applicant, Bayan Arian, requests Conditional Use Permit approval to operate Lovein Nest Childcare, a home day care/preschool at 7164 S. Ponderosa Drive. The proposed operation would provide childcare for up to 12 children under five years of age, Monday through Friday from 7:30 a.m. to 6:30 p.m.

The proposed childcare operation would occur within the existing residence, with the living room and master bedroom designated as childcare areas. The backyard would be used as the outdoor play area. No structural remodeling of the residence is proposed.

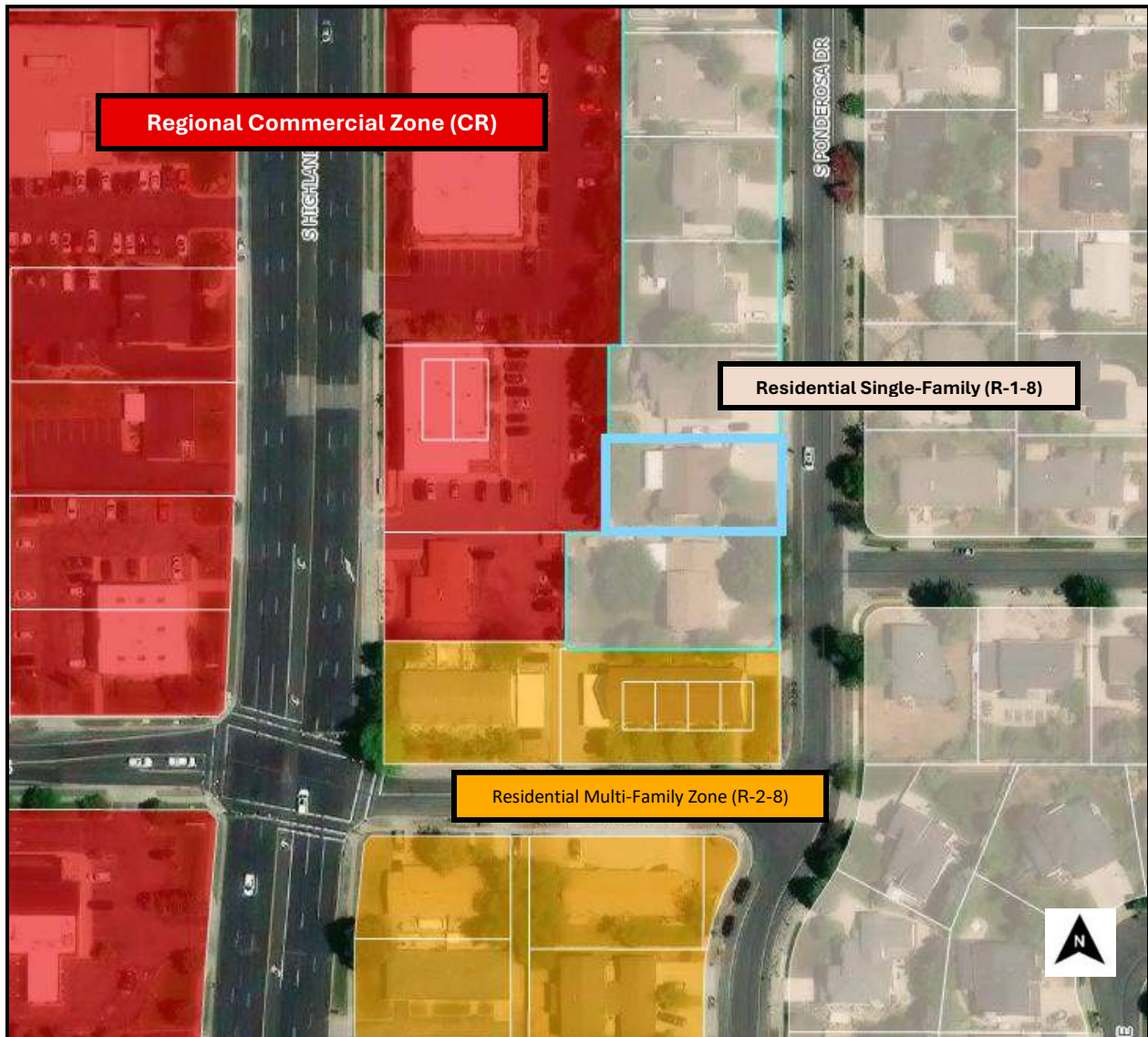
The revised parking plan identifies two garage spaces for the residence, one side-yard parking space for the non-resident employee, and three short-term client drop-off/pick-up positions within the existing driveway. The applicant proposes staggered arrival and departure times and states that clients will not park, wait, or queue on Ponderosa Drive.

Site Photo



View from Google 3D Map

Zoning and Land Use



Zoning Map

Analysis

Code Analysis

1. Maximum Number of Children

The Code allows a maximum of 12 children on the premises at any time, including the caregiver's own children under six years old who are not yet in full-day school. The applicant proposes childcare for up to 12 children.

Staff Analysis: The proposed maximum capacity is consistent with the Code. The applicant should be advised that the 12-child maximum includes qualifying children of the caregiver, if any.

2. Non-Resident Employee

The Code allows no more than one employee present at any one time who does not reside in the dwelling.

The revised parking plan identifies one parking space for a non-resident employee.

Staff Analysis: The proposal appears consistent with this requirement, provided no more than one non-resident employee is present at any one time.

3. Licensing

The caregiver is required to comply with all applicable licensing requirements under Title 5 of the City Code.

The applicant describes the proposal as a licensed family childcare program and also states that the final childcare setup will comply with applicable Utah Child Care Licensing requirements.

Staff Analysis: Compliance with applicable City business licensing and State childcare licensing requirements should be required prior to operation and maintained thereafter.

4. Noise

The Code requires compliance with all applicable noise regulations.

The primary potential noise impact identified by staff is outdoor activity associated with children using the backyard play area. The proposed play area is located behind the residence rather than within the front yard.

Staff Analysis: Because compliance with applicable noise regulations is already required by Code, staff does not recommend establishing an additional arbitrary noise standard through the CUP. Continued compliance with applicable noise regulations should be required.

5. Outdoor Play Area

The Code requires that the play yard:

- not be located in the front yard; and
- only be used between 8:00 a.m. and 7:00 p.m.

Staff Analysis: The applicant proposes the backyard as the outdoor play area.

The proposed overall business hours are 7:30 a.m.–6:30 p.m. Therefore, there is an important distinction:

The business may open at 7:30 a.m., but outdoor play cannot begin until 8:00 a.m. The applicant also proposes to install a compliant fence before children use the backyard.

6. Parking

The Code requires:

one available on-site parking space not required for use of the dwelling, plus one additional available on-site parking space not required for use of the dwelling for any non-resident employee.

Therefore, with one non-resident employee, the property must provide the required residential parking spaces, one additional on-site parking space for the home day care/preschool, and one additional on-site parking space for the non-resident employee.

The Director must also approve the parking location based on whether it is functional and does not change the residential character of the lot.

The September 20 revised plan shows:

- 2 garage spaces — residence;
- 1 side-yard space — non-resident employee;
- 3 driveway positions — short-term clients;
- no on-street parking/waiting; and
- no driveway/front-yard expansion.

The applicant proposes staggered arrivals/departures and states that if all three client positions are occupied, another family will return at its assigned time rather than queue on Ponderosa Drive.

Staff Analysis: The revised arrangement addresses the operational parking concerns. The Director reviewed and approved the proposed traffic and parking plan.

7. Signage

The Code prohibits signs on the dwelling or lot except for a nameplate sign. The submitted application materials do not identify any proposed signage.

Staff Analysis: No signage is proposed as part of this application.

8. Other Laws and Regulations

The use must comply with all applicable local, State, and federal requirements.

Staff Analysis: The applicant specifically acknowledges State childcare health and safety requirements.

9. Complaint / Enforcement Process

Staff Analysis: If the City receives a complaint alleging violation of the home day care/preschool requirements or another City ordinance, the City reviews the complaint. If substantiated, the Code allows the City to pursue a Planning Commission hearing regarding revocation of the CUP and/or a Title 5 license revocation proceeding.

F. Home occupations.

1. *“Home occupation” means, (unless otherwise provided in this code) any use conducted entirely within a dwelling and carried on by one person residing in the dwelling unit and one additional person who may, or may not, reside in the dwelling unit, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character of the dwelling or property for residential purposes, and in connection with which there is no display nor stock in trade, “stock in trade” being any item offered for sale which was not produced on the premises.*
2. *The home occupation shall not include the sale of commodities except those produced on the premises; provided, however, that original or reproductions of works of art designed or created by the artist operating a home occupation may be stored and sold on the premises. “Reproduction of works of art” includes, but is not limited to printed reproduction, casting, and sound recordings.*
3. *The home occupation shall not involve the use of any accessory building, yard space or activity outside the main building if the use of accessory buildings or outside activity, for the*

purpose of carrying on a home occupation, violates the rule of the use being clearly incidental and secondary to the use of the dwelling or dwelling purposes.

4. *The director shall determine whether additional parking, in addition to the two spaces required per dwelling unit, is required for a home occupation and shall also determine the number and location of such additional parking spaces.*
5. *The director will review all home occupations for compliance with the above items. If the proposed home occupation cannot meet any one of the above items, the director shall not approve the home occupation.*
6. *“Minor home occupation” means a home occupation which complies with the requirements of Chapter 5.54 of this code and which will not otherwise have an offsite impact which, when combined with the impact of the primary residential use of the dwelling, exceeds the impact of the residential use alone. A minor home occupation is a permitted use in any zone which allows home occupations.*
7. *“Home occupation with clients” means a home occupation, not otherwise expressly prohibited by this code, where one or more persons visit the dwelling to conduct business on more than a very occasional, sporadic basis. A home occupation with clients requires a conditional use permit.*

Noticing

Notice of the public hearing was mailed to property owners within 500 feet of the subject property at least 10 days prior to the public hearing, in accordance with CHMC §19.76.040 (E)

The following photos document the designated childcare spaces and the bathrooms available to children in care.



Living Room - designated childcare area



Master Bedroom - designated childcare area



Master Bathroom - accessible to children in care



Bathroom - accessible to children in care



Green	Living Room and Master Bedroom — designated childcare areas.
Blue	Master Bathroom and Bathroom — accessible to children in care.

Impact

Traffic and Parking: The proposed childcare use will generate additional vehicle activity during morning drop-off and afternoon pick-up periods. The applicant proposes to mitigate potential impacts through three short-term driveway positions, staggered arrival and departure times, and no client parking or queuing on Ponderosa Drive. The revised plan also identifies two garage spaces for residential parking and one side-yard space for the non-resident employee. The Director has reviewed and approved the proposed parking arrangement as functional and consistent with the residential character of the property, as required by the home day care/preschool standards. The applicant's traffic management measures are intended to minimize overlapping vehicle activity and potential impacts to Ponderosa Drive.

Noise and Outdoor Activity: The backyard will be used as the outdoor play area. Outdoor childcare activity may generate intermittent noise typical of childcare use; however, the use is required to comply with applicable noise regulations, and the Code limits use of the play yard to between 8:00 a.m. and 7:00 p.m. The applicant proposes business hours ending at 6:30 p.m. and will install a fence before the backyard is used for childcare.

Residential Character: No structural remodeling or expansion of the residence is proposed. The applicant proposes to use existing interior rooms and the backyard for childcare, and no expansion of the existing driveway or front-yard parking area is proposed. Staff finds that the residential character of the property can be maintained provided the operation remains consistent with the approved plans and applicable home day care/preschool standards.

Conclusions – Recommended Findings for Approval

1. The applicant has provided a written narrative and supporting materials addressing client parking, hours of operation, staffing, and use of interior space. Based on the information submitted, staff finds that the proposed home occupation will remain incidental and secondary to the primary use of the property as a single-family residence and will not alter the residential character of the neighborhood.
2. A Planning Commission public hearing will be held in accordance with applicable local and state noticing and procedural requirements to consider the Conditional Use Permit request.
3. The proposed home day care/preschool is limited to no more than 12 children and no more than one non-resident employee, consistent with the applicable home day care/preschool standards.
4. The Director has reviewed and approved the proposed parking and circulation arrangement as functional and consistent with the residential character of the property.
5. Potential impacts associated with parking, traffic, outdoor activity, and noise can be reasonably mitigated through compliance with the approved plans, applicable City regulations, and the conditions of approval.
6. No structural expansion or remodeling of the residence is proposed, and the proposed use can maintain the residential character of the property subject to compliance with the conditions of approval.

Recommendation

Staff recommends approval of the application with conditions:

Conditions of Approval

1. **Substantial Compliance.** The home day care/preschool shall operate in substantial compliance with the approved application materials, project narrative, supplemental response, and revised parking/circulation plan, except as modified by these conditions or other applicable City requirements.
2. **Maximum Number of Children.** No more than 12 children shall be present on the premises at any time, including the caregiver's own children age six or under and not yet in full-day school.
3. **Employees.** No more than one employee who does not reside in the dwelling shall be present at the property at any one time.
4. **Hours of Operation and Outdoor Play.** Business operations shall be limited to Monday through Friday, 7:30 a.m. to 6:30 p.m., consistent with the approved application. The outdoor play yard shall not be used before 8:00 a.m. and shall only be used during the approved business hours.

5. **Parking and Traffic Management.** Parking, client drop-off/pick-up, and vehicle circulation shall be maintained in accordance with the Director-approved parking and circulation plan. The approved parking spaces shall remain available for their designated purposes. Client arrival and departure times shall be staggered as proposed, and clients shall not park, wait, or queue on Ponderosa Drive. The approved plan provides two garage spaces for residential parking, one side-yard parking space for the non-resident employee, and three short-term client drop-off/pick-up positions within the existing driveway.
6. **Outdoor Play Area and Fence.** The backyard shall serve as the designated outdoor play area. Prior to use of the backyard for childcare, the proposed fence and gate shall be installed in compliance with applicable City requirements and applicable childcare licensing requirements, including obtaining any required City permits.
7. **Licensing and Applicable Regulations.** The caregiver shall comply with all applicable licensing requirements under Title 5 of the Cottonwood Heights Municipal Code and all applicable local, state, and federal laws and regulations, including applicable noise regulations.
8. **Signage.** No signs shall be allowed on the dwelling or lot except a nameplate sign.

Model Motions

Approval

I move to approve project CUP-26-016, based upon the recommended findings for approval outlined in this staff report:

- List any other findings or conditions of approval...

Denial

I move to deny project CUP-26-016, based on the following findings:

- List findings for denial...

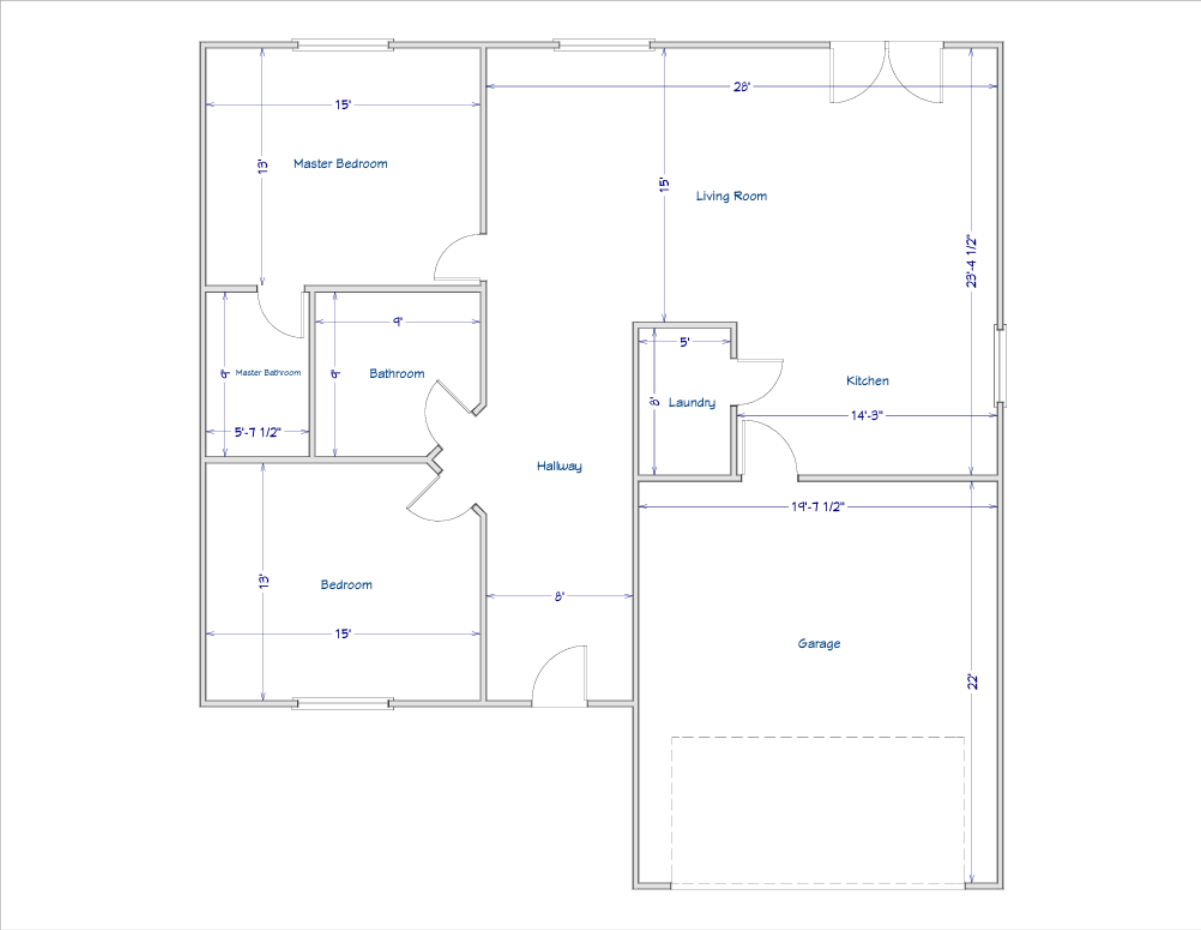
Attachments

1. Applicant Narrative
2. Parking Plan
3. Floor Plan

Property / Project Summary

- Lovein Nest
- 7164 S Ponderosa Dr. Cottonwood Heights, UT 84121
- Owner/Operator: Bayan Arian
- Initial capacity: **6-12 children**
- Age: **under 5**
- Hours: **7:30 AM–6:30 PM**
- Lovein Nest is a Licensed Family Child Care program proposed at 7164 Ponderosa Dr, Cottonwood Heights, UT 84121. I am the property owner, and the proposed program will provide childcare services for up to 12 children under five years of age, with hours of operation from 7:30 AM to 6:30 PM, Monday through Friday. The living room and master bedroom will be designated childcare areas, as shown on the submitted floor plan. The backyard will be used as a designated outdoor play area and will be fully fenced for the safety and security of the children.

LOVEIN NEST CHILDCARE - Floor Plan





LOVEIN NEST CHILDCARE

Revised Parking / Site Plan & Circulation / Traffic Management Plan

7164 S Ponderosa Dr, Cottonwood Heights, UT 84121

Prepared in response to CED Director comments — Revised September 20, 2026

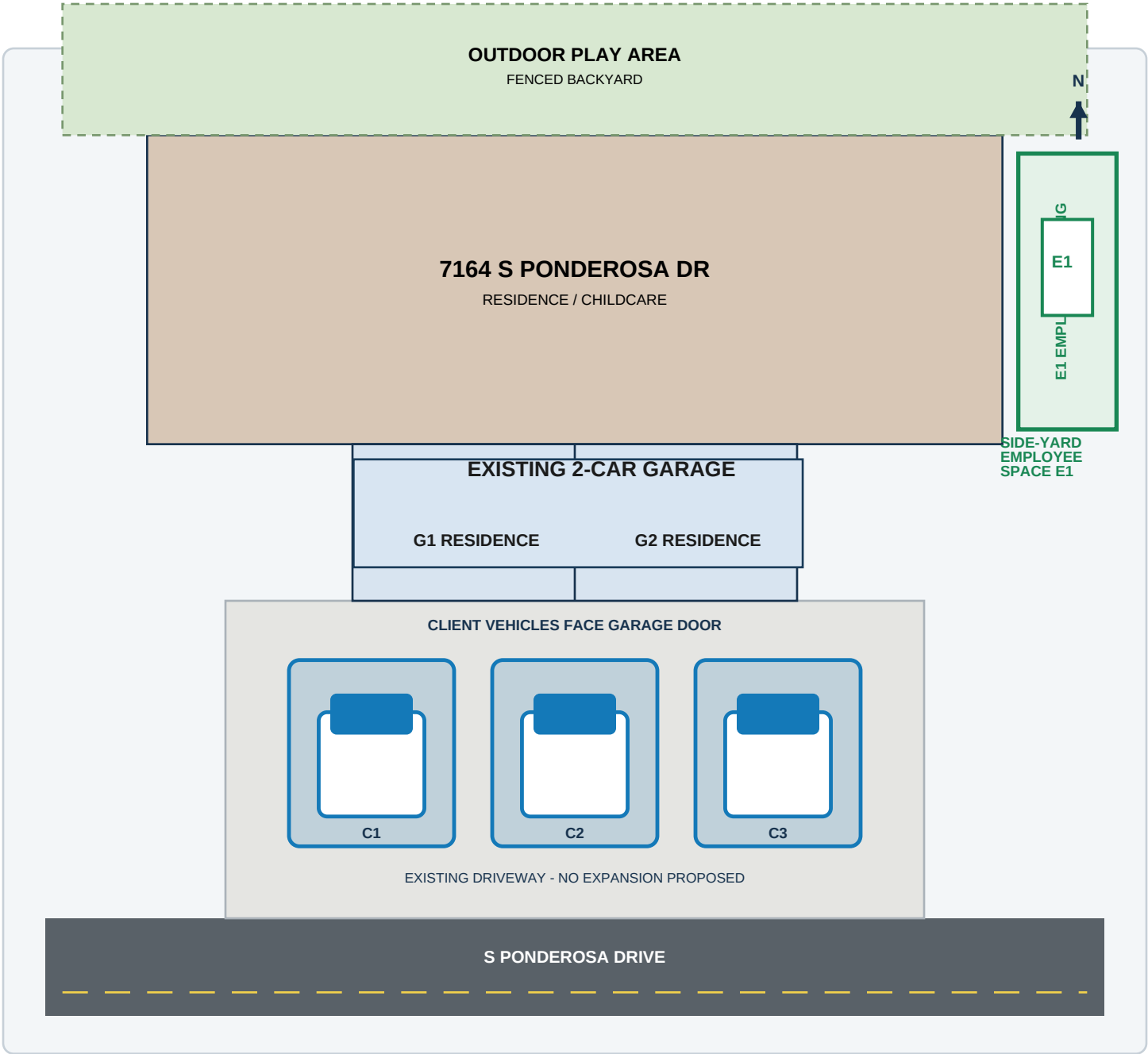
Response to Staff Comments

- 1. Existing site conditions.** The revised site plan depicts the existing front yard, existing driveway, and existing two-car garage. No expansion, remodeling, or reconfiguration of the front yard or driveway is proposed. The three client positions remain within the existing driveway area.
- 2. Parking arrangement.** The existing two-car garage provides the two parking spaces required for the residence. One additional parking space for the non-resident employee is designated in the side yard parking area, as shown on the revised site plan. The driveway provides three short-term client drop-off/pick-up positions. No on-street parking or waiting is proposed.
- 3. Vehicle circulation.** Client vehicles enter the existing driveway moving forward and stop facing the garage door. The circulation plan does not rely on vehicles turning around within the driveway. After the child transfer is completed, the vehicle backs out toward S. Ponderosa Drive and exits to the street.
- 4. Drop-off / pick-up management.** Family arrival and departure times will be scheduled and staggered. Drop-off is planned for 7:30–9:00 AM and pick-up for 4:30–6:30 PM. Client stops are brief and supervised. Staff may assist during busier periods.
- 5. No street queuing.** If the three driveway positions are occupied, an arriving family will not wait or queue on Ponderosa Drive. The family will return at the assigned time. This is intended to prevent street-side waiting and reduce overlapping vehicle activity.

Plan notes to be read together with the attached drawings

Site / Parking Plan	Circulation / Traffic Plan
- Existing driveway — no expansion proposed 2 garage spaces: residence parking 1 side-yard space: non-resident employee 3 short-term client positions - No on-street parking/waiting - No front-yard remodeling proposed	- Enter driveway moving forward - Stop facing garage - Brief supervised child transfer - Check sidewalk/roadway before backing - Back out toward street and exit - No turnaround within driveway required

Operating hours Monday–Friday, 7:30 AM–6:30 PM. The attached two-page drawings are diagrammatic and show the existing configuration and proposed operating/circulation method; no physical driveway expansion is proposed.



PARKING SUMMARY

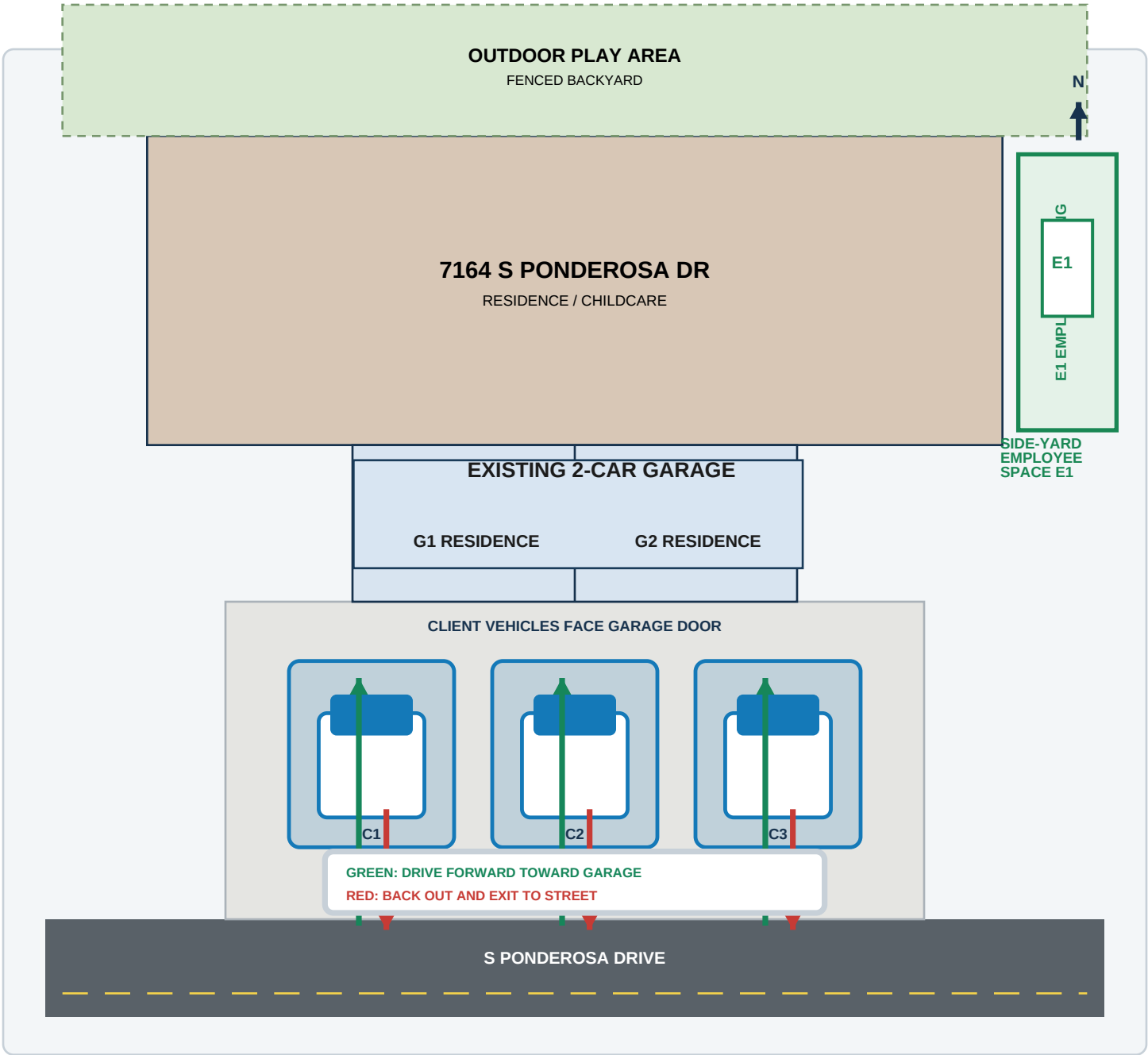
2 garage spaces: residence parking
1 side-yard space: non-resident employee
3 driveway positions: short-term clients
Vehicles park facing the garage door
Driveway reserved for clients during hours
No on-street parking or waiting proposed
No driveway/front-yard expansion proposed

SITE / OPERATIONS

Business hours: Mon-Fri, 7:30 AM-6:30 PM
Drop-off: 7:30-9:00 AM
Pickup: 4:30-6:30 PM
Arrivals/departures scheduled + staggered
Client stops are brief and supervised

LEGEND & PLAN NOTES

C1-C3 = client drop-off/pick-up positions
G1-G2 = residence parking inside garage
E1 = non-resident employee side-yard space
All client positions use existing driveway
No front-yard remodeling is proposed
Diagram does not establish property lines



VEHICLE MOVEMENT

1. Parent arrives during assigned time window.
2. Vehicle enters driveway moving forward.
3. Vehicle stops facing the garage door.
4. Child transfer is brief and supervised.
5. Driver checks sidewalk/roadway are clear.
6. Vehicle backs out and exits to the street.

TRAFFIC MANAGEMENT

Residence vehicles use the garage spaces. One non-resident employee uses E1 side-yard parking. Scheduled windows reduce overlapping demand. Maximum driveway capacity shown: 3 clients. If positions are occupied, parent returns at the assigned time; no waiting on Ponderosa Drive. Staff may assist during peak periods.

SCHEDULE

Hours: Mon-Fri, 7:30 AM-6:30 PM
Morning drop-off: 7:30-9:00 AM
Afternoon pickup: 4:30-6:30 PM
Specific family windows are staggered.

Site Photos



Lovein Nest Childcare

Supplemental Response to City Review Request

Property	7164 S Ponderosa Dr., Cottonwood Heights, UT 84121
Owner / Operator	Bayan Arian
Prepared	September 21, 2026

1. Childcare areas and photos

The living room and master bedroom are the designated childcare areas. Both bathrooms shown on the floor plan are accessible to children in care. The annotated floor plan on the following page identifies these areas clearly.

2. Backyard and fence

The backyard will be used as the designated outdoor play area. The current backyard condition is shown in the attached photo. A compliant fence will be installed before the backyard is used by children for childcare.

3. Proposed remodeling or modifications

No structural remodeling of the house is proposed for the childcare business. The existing room layout will remain unchanged. Child-safety measures will be used where needed, including safety gates and child-safe shelving/furniture to separate or define activity areas. The backyard fence is a planned site safety improvement.

The final childcare setup will be completed in accordance with applicable Utah Child Care Licensing health and safety requirements.

This submission is limited to the three additional items requested by the City.

1. Childcare Areas – Annotated Floor Plan

Green areas: designated childcare areas. Blue areas: bathrooms accessible to children in care.



Green	Living Room and Master Bedroom — designated childcare areas.
Blue	Master Bathroom and Bathroom — accessible to children in care.

The childcare areas shown above are taken from the submitted floor plan; no other rooms are designated as childcare areas.

1. Childcare Areas – Photos

The following photos document the designated childcare spaces and the bathrooms available to children in care.



Living Room designated childcare area



Master Bedroom designated childcare area



Master Bathroom accessible to children in care



Bathroom accessible to children in care

2. Backyard and Fence

The backyard shown below is the proposed outdoor play area for the childcare program.



Current backyard condition the perimeter fence has not yet been installed.

A fence will be installed around the outdoor play area before children use the backyard. The final fence and gate configuration will be completed to meet applicable Utah Child Care Licensing requirements for an outdoor area used by children, including applicable enclosure, barrier, and safety requirements.

No photo of an existing childcare fence is included because the fence is a proposed improvement and is not currently installed.

3. Proposed Remodeling or Modifications

No structural remodeling of the house is proposed for the childcare business.

The existing floor plan and room configuration will remain unchanged. No new walls, room conversions, plumbing changes, or other structural changes are proposed.

Planned child-safety measures:

- Safety gates will be used in locations where separation or controlled access is needed.
- Child-safe shelving and furniture may be used to define activity areas and keep children away from areas or items that are not part of the childcare activity space.
- The bathrooms identified on the floor plan will remain accessible to children in care.
- The backyard perimeter fence and gate will be installed before the outdoor area is used for childcare.
- All safety measures will be arranged and maintained to meet applicable Utah Child Care Licensing and health and safety requirements.

Utah Child Care Licensing rules for residential child care address safe indoor areas, accessible toilet and handwashing facilities, safe outdoor access, required outdoor enclosure where applicable, and safety of barriers and gaps. The planned setup will be completed with those requirements in mind.

Prepared for City review – Lovein Nest Childcare, 7164 S Ponderosa Dr., Cottonwood Heights, UT 84121

COTTONWOOD HEIGHTS CITY PLANNING COMMISSION PUBLIC HEARING STAFF REPORT

October 7, 2026



Summary

Project #:
CUP-26-015

Subject Property:
7640 S 2325 E

Action Requested:
Conditional Use Permit to
operate a home occupation with
clients (RESYNC LC)

Applicants:
ReAnne Cram

Recommendation:
Approve, with conditions



Aerial View

Context

Property Owners:
ReAnne Cram & Brett Clark

Address & Parcel #:
7640 S 2325 E
22-27-451-003-0000

Acres:
0.22



Front View

Request

The applicant is requesting approval of a Conditional Use Permit (CUP) to operate a home massage business, RESYNC LC, within the existing single-family residence located at 7640 S 2325 E.

The business will be owner-operated with no additional employees and will operate only during the following hours: **Monday through Friday from 8 a.m. to 4 p.m.** The applicant anticipates serving approximately **two to three clients per day**, with appointments staggered to minimize traffic and parking impacts. No more than one client at a time. All client parking will be accommodated within the existing driveway. Clients would arrive and park in the driveway, enter through the front door, and service would be provided in the front living room. The main bathroom would be available for client use.

No exterior modifications, signage, outdoor business activities, or structural improvements are proposed as part of this application. The applicant has indicated an interest in constructing an office addition in the future. Any future addition or other structural modification would require separate City review and approval and must comply with applicable zoning, building, fire, and other requirements. This permit does not approve a future addition or authorize the use of an accessory building for the business.

Staff find that the proposed home occupation is a low-impact use that is expected to remain incidental and secondary to the primary residential use of the property while preserving the residential character of the surrounding neighborhood. The request is subject to be reviewed under the Conditional Use Permit provisions of the Cottonwood Heights Municipal Code.

Site Photo



View from driveway and parking

Zoning and Land Use



Zoning Map

Analysis

Zoning

The subject property is located within the R-1-8 (Single-Family Residential) zoning district. Pursuant to CHMC §19.26.030(E) and CHMC §19.76.040(F)(7), a home occupation with clients is permitted as a conditional use within the R-1-8 zone.

The proposed home occupation consists of private massage sessions entirely within an existing room of the residence. The business will be owner-operated, with no additional employees, no exterior signage, no outdoor activity, and no currently proposed structural modifications to the residence. Based on the information provided by the applicant, staff finds that the proposed use will remain incidental and secondary to the residential use of the property, will not alter the residential character of the neighborhood, and is consistent with the intent and purpose of the R-1-8 zoning district.

F. Home occupations.

1. *“Home occupation” means, (unless otherwise provided in this code) any use conducted entirely within a dwelling and carried on by one person residing in the dwelling unit and one additional person who may, or may not, reside in the dwelling unit, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character of the dwelling or property for residential purposes, and in connection with which there is no display nor stock in trade, “stock in trade” being any item offered for sale which was not produced on the premises.*
2. *The home occupation shall not include the sale of commodities except those produced on the premises; provided, however, that original or reproductions of works of art designed or created by the artist operating a home occupation may be stored and sold on the premises. “Reproduction of works of art” includes, but is not limited to printed reproduction, casting, and sound recordings.*
3. *The home occupation shall not involve the use of any accessory building, yard space or activity outside the main building if the use of accessory buildings or outside activity, for the purpose of carrying on a home occupation, violates the rule of the use being clearly incidental and secondary to the use of the dwelling or dwelling purposes.*
4. *The director shall determine whether additional parking, in addition to the two spaces required per dwelling unit, is required for a home occupation and shall also determine the number and location of such additional parking spaces.*
5. *The director will review all home occupations for compliance with the above items. If the proposed home occupation cannot meet any one of the above items, the director shall not approve the home occupation.*
6. *“Minor home occupation” means a home occupation which complies with the requirements of Chapter 5.54 of this code and which will not otherwise have an offsite impact which, when combined with the impact of the primary residential use of the dwelling, exceeds the impact of the residential use alone. A minor home occupation is a permitted use in any zone which allows home occupations.*
7. *“Home occupation with clients” means a home occupation, not otherwise expressly prohibited by this code, where one or more persons visit the dwelling to conduct business on more than a very occasional, sporadic basis. A home occupation with clients requires a conditional use permit.*



View of Office Area

Noticing

Notice of the public hearing was mailed to property owners within 300 feet of the subject property at least 10 days prior to the public hearing, in accordance with CHMC §19.84.050.

Impact

The proposed home occupation is expected to generate minimal impacts on the surrounding neighborhood. The applicant anticipates serving approximately two to three clients per day through staggered sessions, with no more than one client present at a time. This scheduling approach is expected to minimize traffic and prevent overlapping client arrivals and departures. All client parking will be accommodated within the existing circular driveway, with no reliance on on-street parking. Staff find that the existing off-street parking is adequate to accommodate the anticipated client visits without creating adverse impacts to neighboring properties or the public street.

Massage therapy is a quiet, low-impact indoor activity that is not expected to generate excessive noise, odors, or other off-site impacts beyond those typically associated with a single-family residence. The business will operate entirely within the existing residence, with no exterior signage,

outdoor business activities, or other visible indications of commercial activity proposed. Based on the limited intensity of the use, one-client-at-a-time limitation, and proposed hours of operation, staff finds that the home occupation is expected to remain incidental and secondary to the primary residential use and preserve the residential character of the surrounding neighborhood.

Conclusions – Recommended Findings for Approval

Based on the application materials and subject to the conditions of approval, staff recommends that the Planning Commission make the following findings:

1. The proposed use is eligible for consideration as a conditional use. The property is identified in the application as being in the R-1-8 zoning district. The proposed massage practice involves clients visiting the residence on a regular basis and is therefore being reviewed as a home occupation with clients through the conditional use permit process.
2. The proposed business will remain incidental and secondary to the residential use. The applicant proposes to operate the business within the existing residence, without additional employees, exterior signage, or outdoor business activity. Limiting the approval to the activity and location described in the application will help maintain the property's primary use as a single-family residence.
3. The anticipated client activity is limited in scale. The applicant offers service during the stated weekday hours, with no more than one client on the premises at a time and approximately two to three clients per day. Conditions limiting hours, client volume, and simultaneous appointments will address reasonably anticipated traffic and neighborhood impacts.
4. Client parking can be addressed on the property as the property has an existing circular driveway that can accommodate an additional car.
5. The approval is limited to the proposal reviewed. No building addition, exterior modification, or use of an accessory building or outdoor area for the business is approved through this permit. Any future change to the business or its operating location will be subject to applicable City review.
6. With the stated conditions, the reasonably anticipated effects of the proposed use can be mitigated. The conditions limiting the location of services, hours, staffing, appointments, client activity, and parking are intended to preserve the residential character of the property and surrounding neighborhood. This finding should be finalized against the application materials, parking determination, and the applicable conditional use standards before the Commission acts.

Recommendation

Staff recommends approval of the application with conditions:

Conditions of Approval

1. The applicant shall obtain and maintain a valid Cottonwood Heights Business License for the duration of the home occupation.

2. The home occupation shall operate only within the existing residence and shall remain clearly incidental and secondary to the primary residential use of the property, in accordance with CHMC §19.76.040(F).
3. The business shall be owner-operated, with no additional employees or independent contractors conducting business on the premises.
4. The home occupation shall operate by appointment only and shall be limited to the following hours as described in the approved application:
 - Monday through Friday, 8:00 a.m. to 4:00 p.m.
5. The home occupation shall be limited to providing massage therapy services as described in the approved application. No other commercial services or activities shall be conducted from the residence without additional City review and approval.
6. The business shall serve no more than one client at a time on the premises. Appointments shall be scheduled and staggered to minimize traffic, parking, and other impacts to the surrounding neighborhood. The business shall be limited to approximately two to three clients per day, consistent with the approved application.
7. No exterior signage, outdoor instruction, outdoor business activity, retail display, or alterations to the exterior appearance of the residence shall be permitted in connection with the home occupation. The business shall be conducted entirely within the existing designated office space inside the residence. No accessory structures or outdoor areas shall be used for business purposes.
8. Any future addition, office, or other structural modification proposed in connection with the home occupation shall require separate review and approval by the City and shall comply with all applicable zoning, building, fire, and other development regulations. Any such addition shall be incorporated into and remain part of the primary residence and shall not be constructed or used as a detached accessory structure for the home occupation. Approval of this Conditional Use Permit does not constitute approval of any future building addition or modification.
9. Approval of this Conditional Use Permit is subject to review or revocation upon evidence of noncompliance with these conditions or applicable provisions of the Cottonwood Heights Municipal Code.
10. Any expansion or modification of the home occupation, including but not limited to hours of operation, number of clients served, services provided, parking arrangements, or employment of additional personnel, shall require additional City review and approval prior to implementation.

Model Motions

Approval

I move to approve project CUP-26-015, based upon the recommended findings for approval outlined in this staff report:

- List any other findings or conditions of approval...

Denial

I move to deny project CUP-26-015, based on the following findings:

- List findings for denial...

Attachments

1. Applicant Narrative
2. Parking Plan
3. Floor Plan
4. Photos

PROJECT NARRATIVE

Your narrative will be considered an integral part of your application and should provide a comprehensive overview of your project, including, but not limited to the following elements. Please note that staff reserves the right to deem any application lacking appropriate narrative detail as incomplete.

I WOULD LIKE TO WORK FROM HOME WITH MY MASSAGE BUSINESS USING THE PROPOSED AREA UNTIL WE OBTAIN APPROVAL/ATTAIN COMPLETION OF BUILDING AN OFFICE IN THE BACK OF HOUSE IN 2027.

- ☒ Describe the overall proposal, including the type of services offered by the business, the proposed days and hours of operation, and the anticipated number of clients per day.
WORK FROM HOME MASSAGE THERAPY. UT LICENSE # 9347886, M-F 8am-4pm
- working with 2-3 clients per day - one client at a time.
- ☒ Describe how many employees will be part of the business (including yourself), and which employees (including yourself) reside at the home.

I AM THE ONLY ONE, EMPLOYEE, AND I LIVE IN THIS HOUSE.

- ☒ Describe what areas, both indoor and outdoor, will be used for the business.
CLIENTS WILL ARRIVE AND PARK IN THE DRIVEWAY, ENTER THROUGH THE FRONT DOOR, AND SERVICE PROVIDED IN FRONT LIVING ROOM. MAIN BATH AVAILABLE
- ☒ Describe what efforts will be made to prevent noise, odor, or other potential nuisances from impacting neighboring properties, including any information about staggering business customers to reduce traffic. ONE CLIENT/ONE CAR AT A TIME, NO CLIENT OVERLAP, AND IT IS A QUIET/CONTAINED PRACTICE.

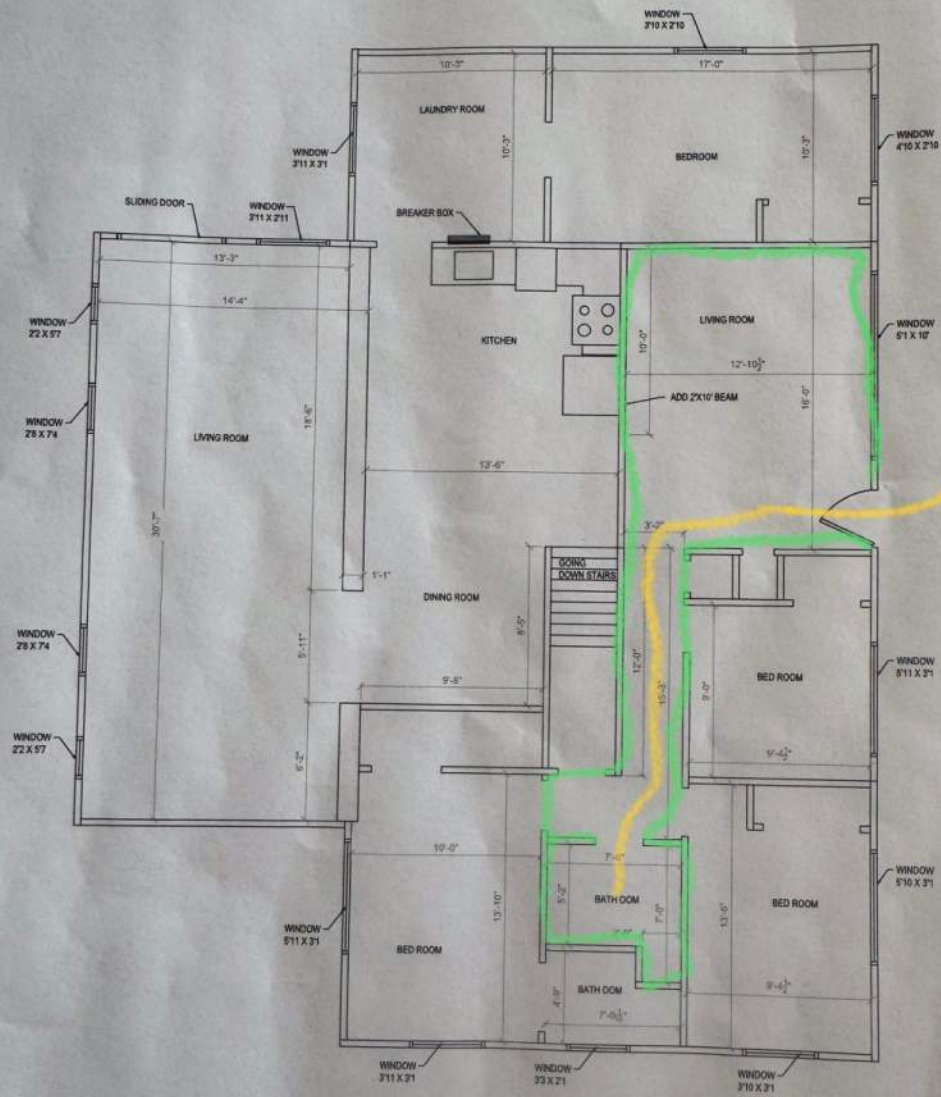
- ☒ Describe what sale of product will take place at the home, if any.

N/A

- ☒ Describe what remodels or additions are proposed for this business, if any.
We are working with an architect and GC to create a plan and bid for an addition or backyard detached office for 2027.
- ☒ Describe how the proposed project is consistent with the Cottonwood Heights zoning ordinance and master plans.

- As an immediate in home business, there is plenty of parking on our driveway as to never impede traffic. For safety: there are front and back door available if needed for evacuation. There will be no signage or external advertising of any kind. The business shall only operate within approved areas and shall abide by all applicable laws. The business will not provide any service on the premises until it has gained formal conditional use and only when the business is licensed in Cottonwood Heights to operate for massage therapy at this address.
- As stated: we are working with an architect and GC as we work toward gathering a permit and SBA loan to conduct a build for a home office. In the meantime, the lease for Resync LC (ReAnne's Massage biz) is expiring on October 31st 2027, so the goal is to work inside the house until the build is done and approved for business use.
- Every step of this project - proposed and approved - will be conducted with respect to Zoning Ordinance, easements, and master plans.















COTTONWOOD HEIGHTS PLANNING COMMISSION STAFF REPORT



October 7, 2026

Summary

Project Number:
CUP-25-005

Subject Property:
6851 S. Big Cottonwood
Canyon Rd

Action Requested:
Review and discussion

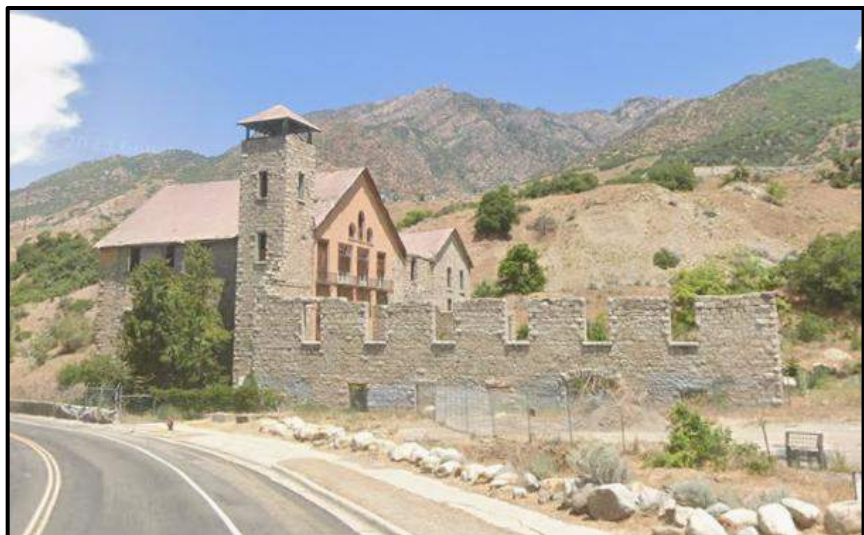


Satellite view of subject property

Context

Property Owner:
Doug Shelby; WDOM
Properties LLC

Acreage:
0.86 acres



Google Street View

Summary / Background

This report is intended to help the Planning Commission in its ongoing review of the request submitted by Doug Shelby (WDOM) to demolish the Old Mill, a locally and federally designated historic structure. Pursuant to Section 19.86.040 of the Cottonwood Heights Municipal Code, applications involving designated historic sites must pend before the Planning Commission for a minimum period of one year prior to a final decision.

The purpose of these work sessions is to provide both the applicant and the Planning Commission sufficient time to gather, prepare, and review studies, historical records, technical reports, and other relevant documentation related to the Old Mill structure. This phased review process is intended to assist the Commission in developing a complete and well-supported record that will inform its eventual recommendation and decision once the required pendency period has elapsed.

In the coming months, city staff will consolidate all application materials submitted to-date into a comprehensive report for the Commission's review.

Current Applicant Submittals

The applicant has submitted an Old Mill Business Review (Exhibit B), dated September 10, 2026. The review summarizes the history of business activities associated with the Old Mill, from its original use as a paper mill through its later use as a dance, entertainment, and event venue, and discusses historical operating challenges, financial performance, capital investments, maintenance costs, and efforts to rehabilitate and reuse the structure. The document also provides a monetary review of several historic investments using estimated 2026 dollar equivalents and concludes that multiple business models and periods of investment have not resulted in sustained financial viability. This business review represents information and conclusions submitted by the applicant in support of the demolition request and will be considered as one component of the broader record being assembled by the city.

Independent Third-Party Structural Analysis

As part of the city's ongoing review of the demolition request, the city retained an independent consultant to evaluate the Old Mill structure. The consultant was selected through a qualifications-based procurement process initiated through RFQ No. CH-2026-001, *Structural Integrity Assessment and Preservation Cost Study of the Old Mill Structure*, issued on March 26, 2026.

The purpose of the study is to provide the city with an objective, professionally prepared assessment of the structure's existing condition and preservation considerations. The scope of work included review of historical documentation and prior engineering reports; on-site evaluation of the structure; identification of structural deficiencies and life-safety concerns; evaluation of potential stabilization and preservation measures; development of opinions of probable costs for stabilization and rehabilitation; and preparation of a written structural assessment report.

The structural analysis has now been completed and is included as an exhibit to this staff report. The consultants who prepared the analysis will attend the Planning Commission meeting to present their findings and recommendations, explain the methodology used in completing the assessment, and respond to questions from the Commission.

This presentation is part of the city's ongoing data collection and record-development process. No decision or recommendation regarding the demolition request is expected from the Planning Commission at this meeting. The purpose of the consultant presentation is to provide the Commission with an opportunity to receive and understand the technical findings of the independent analysis and to incorporate that information into the broader record being assembled by the city.

The structural analysis represents one component of the information. Over the next several months, city staff will continue reviewing and synthesizing the structural analysis together with information previously submitted by the applicant, historical and preservation information, public input, applicable city requirements, and other materials developed during the review process.

Following completion of this data collection and analysis, staff will prepare a comprehensive report summarizing the information and issues relevant to the demolition request. That report will be presented to the Planning Commission for consideration as part of a future public hearing, anticipated to be scheduled sometime after January 2027. Notice of the public hearing will be provided in accordance with applicable city requirements.

Attachments

Exhibit A: Engineering Report - Dunn Associates, Inc.

Exhibit B: Business Review



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COTTONWOOD HEIGHTS PAPER MILL SEISMIC EVALUATION





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Seismic Evaluation

Cottonwood Heights Paper Mill – Project #260084
September 4, 2026

Introduction

The purpose of this study is to conduct an evaluation of the existing structure at 6900 S Big Cottonwood Canyon Rd, in Cottonwood Heights, Utah. The structure is a historic mill site with granite stone from the same quarry as the Salt Lake City Temple. While it has been occupied in various capacities, it is currently vacant and in need of repair. At the time of this evaluation, and to our knowledge, there are no original structural drawings available for the building. ASCE 41-23 “Seismic Evaluation and Retrofit of Existing Buildings”, an approved national standard using performance-based methodology, was referenced and used as a baseline for the analysis and to identify deficiencies in the structural system. This report is based on a combination of limited visual observations and architectural drawings. Based on the results of the evaluation, three preservation options are discussed to stabilize, restore, or re-construct the building. The second part of this effort, presented by Aegis Project Controls, presents a cost and development review for each option.

Analysis Approach

Building Code Requirements

Utah State has adopted the 2024 International Existing Building Code (IEBC) with Utah amendments. If the building were to continue to stand, it would require extensive structural repairs to the current gravity system. As such, repair work must comply with the applicable provisions of the International Existing Building Code (IEBC) and the International Building Code (IBC) as well as the seismic evaluation and retrofit criteria of ASCE 41-23.

Analysis

ASCE 41-17, Seismic Retrofit and Analysis of Existing Buildings, was used to identify deficiencies in the lateral system. Based on the visual observations, the building was classified as unreinforced masonry with flexible diaphragms. Based on the building type, the appropriate Tier 1 Screening checklist was used, in conjunction with the necessary Quick Check calculations, to analyze the structure.

The building was evaluated for the Collapse Prevention performance level, with existing building seismic levels (BSE-2E). This analysis also helped determine preliminary seismic retrofit strategies for the building.



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The basis of a Tier 1 analysis assumes the building will not require a seismic retrofit per the IEBC. Due to the current condition on the building, it is possible the jurisdiction or owner could require or elect to provide such improvements. Additionally, increasing the known occupancy or risk category of the building could similarly trigger a required evaluation and retrofit to new building equivalent seismic forces.

Nonstructural

Non-structural items evaluated in this report are limited to a Tier 1 review of appendages, which present a potential public safety hazard. Non-structural items such as mechanical and plumbing fittings and supports were not evaluated.

Building Description

Built in 1883 using granite from nearby quarries, the Old Mill originally operated as a paper mill until a fire gutted its interior in 1893. After remaining abandoned for decades, it was rebuilt as an open-air dance hall in 1927 and later saw sporadic post-World War II use. Recognized for its historical significance, the structure was added to the National Register of Historic Places in 1971. However, Cottonwood Heights condemned the building in 2005 due to seismic safety concerns, and public access inside remains strictly prohibited.

Due to the dilapidated and unsafe condition of the building currently, there is currently a permit application to demolish the building. Alternatively, the Old Mill is also under consideration for restoration, rehabilitation, or reconstruction to preserve the historic nature of the building and to ultimately reoccupy it.

Ground Floor and Foundations

The existing ground floor construction is unknown. Likely, it is not structural in nature and could consist of concrete slabs. Concrete foundation elements below the heavy granite masonry walls are not believed to be present. It is likely foundations were provided at interior column locations when the structure was rebuilt in the 1920s.

Vertical-Load-Resisting System

The Old Mill is a 3-story building with unreinforced granite exterior bearing walls as well as an unreinforced granite interior wall. The floor system appears to be wood decking supported by joists or trusses, with wood posts to help support it in open areas.

After the fire, part of the granite walls on the third floor collapsed on the north and south sides of the building. In 1927 when it was rebuilt those walls were filled in with presumably unreinforced brick masonry with a stucco façade.



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In its current state, significant portions of the roof framing are partially collapsed. Due to a lack of adequate roofing, it is assumed interior floor framing is also decayed due to exposure to weather.

Lateral-Load-Resisting System

It is believed that there is no dedicated lateral system in place for the building. The Old Mill was built and renovated in an era that understood little about seismic design. The diaphragms consist of wood plank floor and roof decks, which transfers load to the perimeter masonry walls.

Results and Recommendations

Based on Tier 1 criteria the majority of the building has deficiencies, with limited areas structurally adequate. The general load path is adequate, however a large portion of the gravity elements are not adequate due to deterioration of the roof, floor and walls in some parts. The entire building will require additional lateral force resisting elements such as diaphragm ties, joist strengthening, and strengthening of the URM walls.

Assuming a wall thickness of 2'-0" and restoration of the masonry to minimum material capacities, the walls satisfy the Tier 1 Quick Check shear-stress criterion in Section 4.4.3.3. This result does not establish that the walls are adequate for a full seismic upgrade. Under a more detailed evaluation, the walls are expected to require strengthening with shotcrete or a strong-back system.

The following deficiencies were found to impact the seismic performance of the structure. Recommended mitigation solutions are provided to address the identified deficiencies, should a retrofit path be taken.

Deficiencies/Unknowns	Recommendation	Priority
WALL PROPORTIONS: The URM walls between the third floor and the roof exceed allowable height-to-thickness ratio of 9.	Add a ceiling diaphragm to brace the wall, shortening its effective height, or strengthen the portion of the wall that is gabled all the way up using either shotcrete or a strong back method.	
WALL ANCHORAGE: URM walls are not sufficiently anchored to each floor. While there are straps visible, it is unclear how they are attached to the walls.	Provide gage metal straps fastened to joists or blocking within the floor framing, with epoxy anchored angle clips into the URM walls at approximately 32"oc.	

EXHIBIT A



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DIAPHRAGM TO WALL ATTACHMENT: There does not appear to be any mechanical anchorage to transfer in-plane shear forces between the floor diaphragm and the URM walls.	In conjunction with the anchorage item above, provide continuous blocking along the perimeter of floor, with epoxy grouted rods to the URM walls and A35 clips to the joist and floor.	
BEAM, GIRDER, AND TRUSS SUPPORTS: Beams, girders and trusses do not have secondary columns for support of vertical loads.	Provide secondary vertical support posts at non-repetitive floor/roof members.	
DIAPHRAGM STRENGTH: Rotting wood in some areas has affected the structural integrity of the diaphragm. In some areas the floor has collapsed	Replace or overlay the existing floor and roof decks with structural sheathing.	
ROOF STRENGTH: Much of the roof is currently collapsed and will need extensive repairs.	Further investigate and strengthen or replace existing members.	
CHIMNEY AND STAIR TOWER: The masonry towers will require bracing to ensure stability.	Brace the chimneys to the roof or strengthen the chimney walls. Brace the stair tower walls at each floor level and tie back to the floor framing.	
TIES BETWEEN FOUNDATION ELEMENTS: Unlikely that footings have been restrained by concrete beams	Further investigate the condition of the existing footings.	
SURFACE FAULT RUPTURE: The site sits on the edge of the surface-fault-rupture hazard Special-Study Zone	Engage a geotechnical engineer to determine the fault rupture risk.	
SLOPE FAILURE: The building site is within proximity of a potential earthquake induced slope failure	Engage a geotechnical engineer to receive a site report of the likelihood of slope failure.	
SITE CONDITIONS: The condition of the soil under the building is unknown	Engage a geotechnical engineer to determine the strength of the soil and if liquefaction or settlement is possible.	



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Mitigation Strategies

Stabilize in Place

The simplest, and least cost, approach to mitigation is to stabilize the existing structure in place. This approach would likely involve interior steel bracing to secure the heavy granite block walls. New concrete foundations on the interior would be required to support the bracing system. It is anticipated that localized floor and roof reinforcing will be needed to maintain stability.

The primary intent of this approach would be to do the least possible to make the structure stable. It would not be intended to be an occupied building.

Retrofit of Current Structure

Understanding that the building represents multiple historical periods, this approach would respect the current building. These mitigations are most consistent with addressing the Tier 1 deficiencies previously mentioned.

The structure would be designed using ASCE 41-23. All horizontal framing would be rehabilitated, though it is unknown if it could remain in place or if the deterioration would require fully rebuilding it. Due to the timeframe which the building has been unoccupied, it is anticipated the entire system would be need to be validated to current code requirements, even if historical occupancy is not changing. As such, it is anticipated there will be additional deficiencies, in addition to those previously listed through the Tier 1 checklist.

Laterally, new concrete shear walls would be required. It is anticipated 8" shotcrete would wrap the interior of the granite walls. The existing, or new, floors and roof would be anchored to the walls to act as the diaphragm.

New foundations would be required at shear walls and would extend under the granite walls. Interior footings supporting vertical columns would be analyzed independently.

The south walls which never had the roof re-built would likely be demolished due to their current state. Alternatively, they could be incorporated into a new building design. In this application, the existing walls would not be considered structural, only as façade elements.

Re-Construction of Original Footprint

Understanding that the building represents multiple historical periods, this approach would respect the footprint and roof line of the original building. The floor layout and materials would likely be set to economize the space to new programming needs.

The existing structure would be demolished, with the original granite salvaged. The stone would be repurposed into new non-bearing veneer.



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From the exterior, the appearance of this approach would make, as much as possible, the original building constructed on side. While the interior would provide the most functional layout possible for the future owner.

Conclusions

The Cottonwood Heights Paper Mill, or "Old Mill," was evaluated using a Tier 1 approach in accordance with ASCE 41-23. The evaluation identified deficiencies in the gravity and lateral systems, including deterioration of the roof and floor diaphragms and inadequate connections to the unreinforced masonry walls. The stabilization, retrofit, and reconstruction strategies described in this report are conceptual and require additional investigation, analysis, and engineering design. If structural work or future occupancy is pursued, the required scope must be coordinated with the jurisdiction and developed using verified existing conditions.

Sincerely,

Tyler Weinbrecht P.E.
Associate

Brianna Evans E.I.T.
Project Engineer

Attachments: Appendix A – References
 Appendix B – Table 17-2. Collapse Prevention Basic Configuration Checklist
 Appendix C - Table 17-36. Collapse Prevention Structural Checklist for Building
 Types URM and URMa



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Appendix A – References

Cover Page Photo: Preservation Utah



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BASIC CONFIGURATION CHECKLIST

Table 17-2. Collapse Prevention Basic Configuration Checklist.

Status	Evaluation Statement	Tier 2 Reference	Commentary Reference
Low Seismicity			
Building System—General			
C NC N/A U	LOAD PATH: The structure contains a complete, well-defined load path, including structural elements and connections, that serves to transfer the inertial forces associated with the mass of all elements of the building to the foundation.	5.4.1.1	A.2.1.1
C NC N/A U	ADJACENT BUILDINGS: The clear distance between the building being evaluated and any adjacent building is greater than 0.25% of the height of the shorter building in low seismicity, 0.5% in moderate seismicity, and 1.5% in high seismicity.	5.4.1.2	A.2.1.2
C NC N/A U	MEZZANINES: Interior mezzanine levels are braced independently from the main structure or are anchored to the seismic-force-resisting elements of the main structure.	5.4.1.3	A.2.1.3
Building System—Building Configuration			
C NC N/A U	WEAK STORY: The sum of the shear strengths of the seismic-force-resisting system in any story in each direction is not less than 80% of the strength in the adjacent story above.	5.4.2.1	A.2.2.2
C NC N/A U	SOFT STORY: The stiffness of the seismic-force-resisting system in any story is not less than 70% of the seismic-force-resisting system stiffness in an adjacent story above or less than 80% of the average seismic-force-resisting system stiffness of the three stories above.	5.4.2.2	A.2.2.3
C NC N/A U	VERTICAL IRREGULARITIES: All vertical elements in the seismic-force-resisting system are continuous to the foundation.	5.4.2.3	A.2.2.4
C NC N/A U	GEOMETRY: There are no changes in the net horizontal dimension of the seismic-force-resisting system of more than 30% in a story relative to adjacent stories, excluding 1-story penthouses and mezzanines.	5.4.2.4	A.2.2.5
C NC N/A U	MASS: There is no change in effective mass of more than 50% from one story to the next. Light roofs, penthouses, and mezzanines need not be considered.	5.4.2.5	A.2.2.6
C NC N/A U	TORSION: The estimated distance between the story center of mass and the story center of rigidity is less than 20% of the building width in either plan dimension. This statement does not apply to buildings with flexible diaphragms.	5.4.2.6	A.2.2.7
Moderate Seismicity (Complete the Following Items in Addition to the Items for Low Seismicity)			
Geologic Site Hazards			
C NC N/A U	LIQUEFACTION: Liquefaction-susceptible, saturated, loose granular soils that could jeopardize the building's seismic performance do not exist in the foundation soils at depths within 50 ft (15.2 m) under the building.	5.4.3.1	A.6.1.1
C NC N/A U	SLOPE FAILURE: The building site is located away from potential earthquake-induced slope failures or rockfalls so that it is unaffected by such failures or is capable of accommodating any predicted movements without failure.	5.4.3.1	A.6.1.2
C NC N/A U	SURFACE FAULT RUPTURE: Surface fault rupture and surface displacement at the building site are not anticipated.	5.4.3.1	A.6.1.3
High Seismicity (Complete the Following Items in Addition to the Items for Moderate Seismicity)			
Foundation Configuration			
C NC N/A U	TIES BETWEEN FOUNDATION ELEMENTS: For buildings supported on soils classified as Site Class D, DE, E, or F, the individual pile caps, piles, and piers are restrained by concrete beams or slabs adequate to resist seismic forces. For buildings supported on soils classified as Site Class E or F, individual spread footings are restrained by concrete beams or slabs adequate to resist seismic forces.	5.4.3.4	A.6.2.2

Note: C = Compliant, NC = Noncompliant, N/A = Not Applicable, and U = Unknown.

EXHIBIT A



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URM: UNREINFORCED MASONRY BEARING WALLS WITH FLEXIBLE DIAPHRAGMS AND URMA: UNREINFORCED MASONRY BEARING WALLS WITH STIFF DIAPHRAGMS.

Status	Evaluation Statement	Reference	Reference
Low and Moderate Seismicity			
Seismic-Force-Resisting System			
C NC N/A U	REDUNDANCY: The number of lines of shear walls in each principal direction is greater than or equal to 2.	5.5.1.1	A.3.2.1.1
C NC N/A U	SHEAR STRESS CHECK: The shear stress in the unreinforced masonry shear walls, calculated using the Quick Check procedure of Section 4.4.3.3, is less than 30 lb/in. ² (0.21 MPa) for clay units and 70 lb/in. ² (0.48 MPa) for concrete units.	5.5.3.1.1	A.3.2.5.1
Connections			
C NC N/A U	WALL ANCHORAGE: Exterior concrete or masonry walls that are dependent on the diaphragm for lateral support are anchored for out-of-plane forces at each diaphragm level with steel anchors, reinforcing dowels, or straps that are developed into the diaphragm. Connections have strength to resist the connection force calculated in the Quick Check procedure of Section 4.4.3.7.	5.7.1.1	A.5.1.1
C NC N/A U	WOOD LEDGERS: The connection between the wall panels and the diaphragm does not induce cross-grain bending or tension in the wood ledgers or top plates fastened to the walls.	5.7.1.3	A.5.1.2
C NC N/A U	TRANSFER TO SHEAR WALLS: Diaphragms are connected for transfer of seismic forces to the shear walls.	5.7.2	A.5.2.1
C NC N/A U	GIRDER-COLUMN CONNECTION: There is a positive connection using plates, connection hardware, or straps between the girder and the column support.	5.7.4.1	A.5.4.1
High Seismicity (Complete the Following Items in Addition to the Items for Low and Moderate Seismicity)			
Seismic-Force-Resisting System			
C NC N/A U	PROPORTIONS: The height-to-thickness ratio of the shear walls at each story is less than the following: Top story of multistory building 9; First story of multistory building, 15; and All other conditions, 13.	5.5.3.1.2	A.3.2.5.2
C NC N/A U	MASONRY LAYUP: Filled collar joints of multiwythe masonry walls have negligible voids.	5.5.3.4.1	A.3.2.5.3
Diaphragms (Stiff or Flexible)			
C NC N/A U	DIAPHRAGM CONTINUITY: Floor and roof diaphragms do not have expansion joints or vertical offsets, such as split levels, sawtooth, or clerestory configurations.	5.6.1.1	A.4.1.1
C NC N/A U	ROOF CHORD CONTINUITY: All chord elements are continuous, regardless of changes in roof elevation.	5.6.1.1	A.4.1.3
C NC N/A U	OPENINGS AT SHEAR WALLS: Diaphragm openings immediately adjacent to the shear walls are less than 25% of the wall length.	5.6.1.3	A.4.1.4
C NC N/A U	OPENINGS AT EXTERIOR MASONRY SHEAR WALLS: Diaphragm openings immediately adjacent to exterior masonry shear walls are not greater than 8 ft (2.4 m) long.	5.6.1.3	A.4.1.6
Flexible Diaphragms			
C NC N/A U	CROSSTIES: There are continuous crossties between diaphragm chords to distribute the out-of-plane wall anchorage forces into the diaphragm. Where each out-of-plane connection does not have a continuous crosstie across the entire diaphragm, these connections are developed into subdiaphragms between crossties with a maximum length-to-width ratio of 3-to-1.	5.6.1.2	A.4.1.2
C NC N/A U	STRAIGHT SHEATHING: All straight-sheathed diaphragms have horizontal spans less than 24 ft (7.3 m) and aspect ratios less than 2-to-1 in the direction being considered.	5.6.2	A.4.2.1
C NC N/A U	DIAGONALLY SHEATHED AND UNBLOCKED DIAPHRAGMS: All diagonally sheathed or unblocked wood structural panel diaphragms have horizontal spans less than 40 ft (12.2 m) and aspect ratios less than or equal to 4-to-1.	5.6.2	A.4.2.2

EXHIBIT A



DUNN ASSOCIATES, INC
Consulting Structural Engineers

Status	Evaluation Statement	Item Reference	Commentary Reference
C NC N/A U	BLOCKED DIAPHRAGMS: All blocked wood structural panel diaphragms have horizontal spans less than 120 ft (36.5 m) and have aspect ratios less than or equal to 4-to-1.	5.6.2	A.4.2.3
C NC N/A U	CANTILEVERED WOOD DIAPHRAGMS: All cantilevered wood diaphragms that provide lateral support for concrete or masonry walls consist of wood structural panels and have a maximum cantilever length of 20 ft (6.1 m) if unblocked or 35 ft (10.7 m) if blocked, and a maximum ratio of cantilever length to diaphragm width of 1:2 if unblocked and 1:1 if blocked. In addition, the cantilevered diaphragm has a back-span length equal to or greater than the cantilevered portion.	5.6.2	A.4.2.4
C NC N/A U	NON-CONCRETE-FILLED DIAPHRAGMS: Bare steel deck diaphragms or steel deck diaphragms with fill other than reinforced structural concrete consist of horizontal spans of less than 120 ft (36.5 m) and have aspect ratios less than 4-to-1.	5.6.3	A.4.3.1
C NC N/A U	OTHER DIAPHRAGMS: The diaphragms do not consist of a system other than wood, steel deck, concrete, or horizontal bracing.	5.6.5	A.4.7.1
Connections			
C NC N/A U	STIFFNESS OF WALL ANCHORS: Anchors of concrete or masonry walls to wood structural elements are installed taut and are stiff enough to limit the relative movement between the wall and the diaphragm to no greater than 1/8 in. (3.1 mm) before engagement of the anchors.	5.7.1.2	A.5.1.4
C NC N/A U	BEAM, GIRDER, AND TRUSS SUPPORTS: Beams, girders, and trusses supported by unreinforced masonry walls or pilasters have independent secondary columns for support of vertical loads.	5.7.4.4	A.5.4.5

Note: C = Compliant, NC = Noncompliant, N/A = Not Applicable, and U = Unknown.



City of Cottonwood Heights OLD MILL

Cost & Development Review

Point of Contact: Sean Flynn, PE
Senior Project Director, Aegis Project Controls
September 10, 2026

Executive Summary

Purpose and main recommendation

This review considers how the Old Mill in Cottonwood Heights could be protected, returned to use and paid for. The preferred long-term approach is to rebuild it in its historic form, reusing suitable original stone around a new structure. The Mill could serve as a restaurant, event venue and gathering place within a larger surrounding development, rather than being expected to pay for itself through rent alone.

The estimate covers approximately 37,600 square feet across the Mill's three levels and one-story courtyard area.

Options and estimated costs

Approach	Estimated range	Middle estimate
1a Brace and protect the Mill only	\$6.0-\$9.0 million	\$7.5 million
1b Protect the Mill and courtyard walls	\$6.6-\$9.9 million	\$8.3 million
2 Repair the Mill and restore the courtyard	\$34.2-\$51.3 million	\$42.8 million
3 Rebuild in historic form using recovered stone	\$37.0-\$55.5 million	\$46.3 million

Bracing and protecting the existing structure is a temporary holding measure. It does not allow the building to open to the public or earn rent.

These are early planning estimates, not contractor bids. They include construction, professional fees and money set aside for unexpected costs. They exclude land, borrowing costs, future price increases, specialized tenant interiors, and major site utility.

Why rebuilding is preferred

Rebuilding provides more flexibility for usable interiors and a new structure designed to meet current building and earthquake-safety requirements. It is not the cheapest option: its middle estimate is about \$3.5 million higher than repairing the existing building. Repair remains an alternative that would also need an approved design.

Rebuilding would retain the landmark's form and some original stone, but replace its original supporting structure. It is not the same as preserving the existing building in place.

Can the Mill pay for itself?

Under the report's assumptions, the owner would invest about \$48.9 million, including expected construction-price increases and leasing fees. The model also assumes the business renting the building pays a separate \$6.4 million for specialized interior improvements. Starting rent is assumed to be \$35 per square foot per year, plus agreed property expenses.

After construction, the model allows eight years of rental income and a sale at the end of Year 10. Cash left from rent after expenses totals about \$8.5 million, and the assumed sale brings in about \$29.4 million after selling costs. Together, that returns roughly \$37.9 million against the \$48.9 million investment, leaving an \$11.0 million loss. Land, borrowing costs, income taxes and other excluded costs would make the result worse.

How the surrounding development could help

An active Mill could attract visitors and make nearby properties more appealing. The report tests an example with \$250 million of surrounding buildings and a 3% increase in their income and value attributed to the Mill. After shared activity costs and selling expenses, the estimated added benefit is about \$4.9 million. That reduces the Mill-related shortfall to about \$6.1 million, but does not eliminate it. This benefit is an assumption, not a verified property valuation. The calculation is not the profit or loss of the entire surrounding development.

What would need to change?

To close the remaining \$6.1 million gap, the report tests changes separately: reduce the rebuilding budget to about \$40.5 million, raise starting rent to about \$40.60 per square foot per year, or secure about \$6.1 million in new outside funding that does not need repayment. Each alternative assumes everything else stays unchanged. Recovering costs without a profit is not the same as earning an acceptable investment return.

The recommended next step is to test a combined package: a \$42 million rebuilding budget; a firm 20-year lease starting at \$38 per square foot per year plus agreed property expenses, with 2.5% annual rent increases and specialized interior work paid for by the business renting the building; and verified benefits to surrounding properties. These are negotiating targets, not agreed prices, signed leases or approved funding.

The decision now

Advance planning, detailed pricing and funding discussions, not immediate demolition or construction. Keep the Mill closed and protected under an engineer-approved, funded plan. Do not dismantle it until required approvals, building documentation, a stone-recovery plan and committed reconstruction funding are in place. Proceed only after the full development budget and expected returns support the investment.

Opinion of Probable Cost

Stabilization, reconstruction and master-development value

The Old Mill should be evaluated as a gateway and gathering place within a larger development, not only as a stand-alone building. This review combines the project-team measurements, Dunn's structural concepts and the supplied cost model to identify a practical path forward.

Planning cost comparison

Option	Low	Midpoint	High
1a Support existing building only	\$6.0m	\$7.5m	\$9.0m
1b Support building and court walls	\$6.6m	\$8.3m	\$9.9m
2 Restore core and reinstate court	\$34.2m	\$42.8m	\$51.3m
3 Reconstruct with salvaged stone	\$37.0m	\$46.3m	\$55.5m

Recommended direction

Option 3 - preferred long-term strategy. Advance a reconstruction concept coordinated with the master plan and an end user. Document the existing building, recover usable granite and reproduce the intended historic form around a new structural system and functional interior. The completed design must satisfy applicable code, seismic and use requirements.

Option 1 - interim holding strategy. When full development funding is unavailable, use the minimum engineer-approved stabilization and protection scope that can be funded and maintained. Option 1b includes the court walls; Option 1a does not. Neither permits public occupancy or creates rental income.

Option 2 - comparison alternative, not the preferred development path. Retaining and upgrading the existing structure carries layout and construction constraints. Its midpoint is approximately \$3.5 million below reconstruction, so Option 3 is preferred for functionality and delivery flexibility, not because this estimate proves it is cheaper.

Reconstruction retains the landmark's form and some original material, but replaces its historic loadbearing fabric. It is not preservation in place, and neither heritage approval nor tax-credit eligibility is assured. Both occupied options require an approved design; retrofit is not assumed incapable of meeting code.

Decision at this stage

Proceed with concept validation, specialist pricing, an operator commitment and a complete funding plan. Keep the building closed and protected. Do not dismantle it before the decision point of required approvals, documentation, stone-recovery plan and funded reconstruction commitment are in place.

1 | Measurements and cost basis

These measurements control the estimate. Elevation area measures walls; gross floor area sums all levels and is not a footprint or verified lease area. Totals are based on rough order of magnitudes based on existing plan data.

Exterior elevation	Area (SF)	Floor area	Area (SF)
North	7,759	First floor	11,574
South	7,542	Second floor	9,673
West	4,958	Third floor	9,714
East	1,456		
Existing total	21,716	Existing total	30,961
Court - all sides	5,690	Court - one story	6,640
Combined elevations	27,406	Combined gross floor area	37,601

High-level cost reconciliation

Cost component	1a	1b	2	3
Direct construction	\$4.34m	\$4.80m	\$25.54m	\$27.65m
Contractor allowance (20%)	\$0.89m	\$0.98m	\$5.24m	\$5.67m
Soft costs (15%)	\$0.78m	\$0.87m	\$4.62m	\$5.00m
Project contingency (20%)	\$1.20m	\$1.33m	\$7.08m	\$7.66m
Predevelopment analysis	\$0.28m	\$0.28m	\$0.28m	\$0.28m
Total midpoint	\$7.49m	\$8.26m	\$42.76m	\$46.26m

Excluded: land, financing, tenant specialty fitout, future escalation in this comparison, and major ground, flood, off-site utility or parking works.

2 | Stand-alone operating opportunity

Reported interest from local high-end restaurant operators offers a potential anchor for dining, catering, private events, entertainment and bar use. This concept could activate the Mill and serve the surrounding development, subject to a viable lease and operating plan.

As a baseline analysis, retain \$35 per rentable SF per year, triple-net, as the planning rent.

Option 3 - reconstruction	Amount	Calculation / explanation
Reconstructed gross floor area	37,601 SF	Three-level core plus one-story court.
Assumed rentable area	31,961 SF	37,601 SF x 85% = 31,960.85 SF before rounding.
Initial annual base rent	\$1,118,630	31,960.85 rentable SF x \$35/SF/year.
Initial net operating income (NOI)	\$1,009,563	Base rent x 95% collection x 95% after landlord expenses.
Less: annual replacement allowance	-\$31,961	\$1 per rentable SF; deducted from cash flow, not NOI.
Initial annual operating cash flow	\$977,602	NOI less the replacement allowance.
Current-dollar reconstruction cost	\$46,257,158	Option 3 midpoint; no change to the cost estimate.
Construction escalation	\$2,298,708	5% for one year on reconstruction cost, excluding \$283,000 investigations.
Initial leasing commission	\$375,973	3% of the initial 10-year rent, including 2.5% annual rent increases.
Total landlord capital	\$48,931,839	Reconstruction + escalation + initial leasing.
Separate tenant specialty improvements	\$6,392,170	31,960.85 SF x \$200/SF. Tenant-funded; not in landlord capital.

NOI is rental income after vacancy and recurring landlord expenses. Operating cash flow also deducts the replacement allowance. Triple-net tenant payments cover agreed taxes, insurance and common-area costs; those reimbursements are not extra landlord profit.

Investment and lease timing

Year 0 is the investment start. Half of the capital is paid at inception and half at the end of Year 1. The Mill opens at the end of Year 2 and produces eight full annual cash flows in Years 3-10. Rent, NOI and replacement costs grow 2.5% annually. The sale occurs at the end of Year 10, when the master development is assumed fully stabilized.

3 | Year 10 sale and net profit

The exit scenario applies a 4.0% capitalization rate to the Mill's Year 10 NOI. This converts the building's annual property income into a gross sale value. It does not include the value of the other master-development buildings.

Sale value = Year 10 NOI / 4.0%. **Net deal profit** = net sale proceeds + operating cash received - landlord capital invested.

Year 10 investment result	Amount	Calculation / explanation
Year 10 NOI	\$1,200,054	\$1,009,563 initial NOI x 1.025 ⁷ ; seven annual increases.
Gross sale value	\$30.00m	Year 10 NOI / 4.0% exit cap.
Less: selling costs	-\$0.60m	2.0% of gross sale value.
Net sale proceeds	\$29.40m	Gross sale less selling costs.
Plus: operating cash received	\$8.54m	Sum of eight annual cash flows in Years 3-10, after replacement costs.
Less: landlord capital invested	-\$48.93m	Option 3 cost, escalation and initial leasing.
NET PROFIT / (LOSS)	-\$10.99m LOSS	Net sale + operating cash - investment.

What the result means

The sale alone is \$19.53m below the landlord investment. The \$8.54m of operating cash reduces that shortfall, leaving a \$10.99m net loss. A longer hold and the 4.0% exit therefore improve recovery, but do not make the Mill profitable on its own at the current planning cost.

The modeled all-equity return is -2.9%, with 0.78x cash returned for each dollar invested. This is below the separate 20% annual-return and 2.5x cash-multiple threshold targets.

Limits of this result

This is a nominal cash profit / loss before land, financing and income taxes. It excludes extraordinary site work, any separate interim holding program and additional landlord-funded tenant improvements. No grant, tax credit, debt proceeds or reserve refund is included. These excluded costs would reduce the result.

4 | Master-development contribution

An operating Mill can be planned as the gateway, shared destination and gathering place for the wider development. Those objectives should be evaluated alongside the building's own loss, rather than assuming either that they have no value or that they automatically pay for reconstruction.

Separate master-development illustration

Retain the prior example of \$250m of other stabilized buildings at Year 10 and a 3% Mill-attributable income / value premium. These are planning assumptions, not an appraised uplift.

Illustrative incremental benefit	Amount	Calculation / explanation
Gross added surrounding-property value	\$7.50m	\$250m x 3%; before added programming cost.
Net additional annual site income	\$262,500	\$7.50m x 5.5%, less \$150,000 annual shared-programming cost.
Net added site sale proceeds	\$4.68m	\$262,500 / 5.5% x 98%, after selling costs.
Plus: Year 10 site operating income	\$262,500	Only Year 10 is credited; no earlier site benefit is assumed.
Total illustrative added site benefit	\$4.94m	Incremental net sale proceeds + Year 10 site income.
MILL + ADDED SITE NET RESULT	-\$6.05m LOSS	Mill loss + separate illustrative site benefit.

What must change

The combined illustration remains \$6.05m below nominal break-even. The next section isolates the size of each change needed to close that gap, then tests a more balanced package of cost and lease targets.

The Mill can be intentionally funded as a master-plan amenity, but that allocation must be visible in the wider development budget.

5 | Break-even analysis

Break-even means recovering the modeled capital through operating cash and net sale proceeds, with no nominal profit or loss. The starting point is the -\$6.05m Mill-plus-incremental-site result, not the profit of the entire master development.

Each row below changes one variable only. The Year 10 sale, eight operating years and all other baseline assumptions remain unchanged. These alternatives must not be added together.

Key variable	Baseline	Break-even level	Meaning
Current-dollar reconstruction cost	\$46.26m	At most \$40.49m	Reduce cost by \$5.76m (12.5%). With lower escalation, total capital becomes \$42.88m.
Initial annual NNN rent	\$35.00/SF	At least \$40.60/SF	Increase blended rent by 16.0%; the calculation also increases leasing commission.
Mill exit cap rate	4.00%	At most 3.32%	Requires a higher sale price. Not recommended as a market assumption.
Surrounding-property premium	3.00%	At least 5.34%	Appraisal and ownership capture required. No higher premium is assumed.
Other buildings' Year 10 value	\$250.00m	At least \$444.86m	Same 3% premium. Added buildings need their own cost and return analysis.
New net external support	None	At least \$6.05m	Net nonrepayable funds; no award assumed. Internal transfers are not new profit.

6 | Final development recommendation

Advance a priced Option 3 concept and operator agreement, not an unconditional construction commitment. These are targets to verify, not achieved savings, agreed leases or approved funding.

Request	Negotiating target	Evidence needed
Construction	\$42.0m current-dollar budget	Target 9.2% below the midpoint: direct work of \$25.09m versus \$27.65m. Keep the existing allowances and 20% contingency; substantiate savings with specialist bids.
Operator	\$38/SF/year NNN; 20 firm years	Request 2.5% annual increases, tenant-funded fitout and credit support. Twenty firm years leave 12 at sale. Verify affordability; renewal options are not firm income.
Wider-site benefit	Retain the 3% illustration	Verify the premium, programming cost and ownership capture. Use one master budget; count each benefit or genuine saving only once.

Target capital is \$45.02m: \$42.00m reconstruction + \$2.09m escalation + \$0.93m leasing. The longer lease increases commission, not the number of pre-sale operating years. No grant or tax credit is added.

Proceed only when the funding and exit evidence agree

Secure the cost and lease targets, verify the site benefit and demonstrate funded master-project returns under a supportable exit appraisal. Until agreements are reached between decision makers, maintain funded, engineer-approved stabilization.

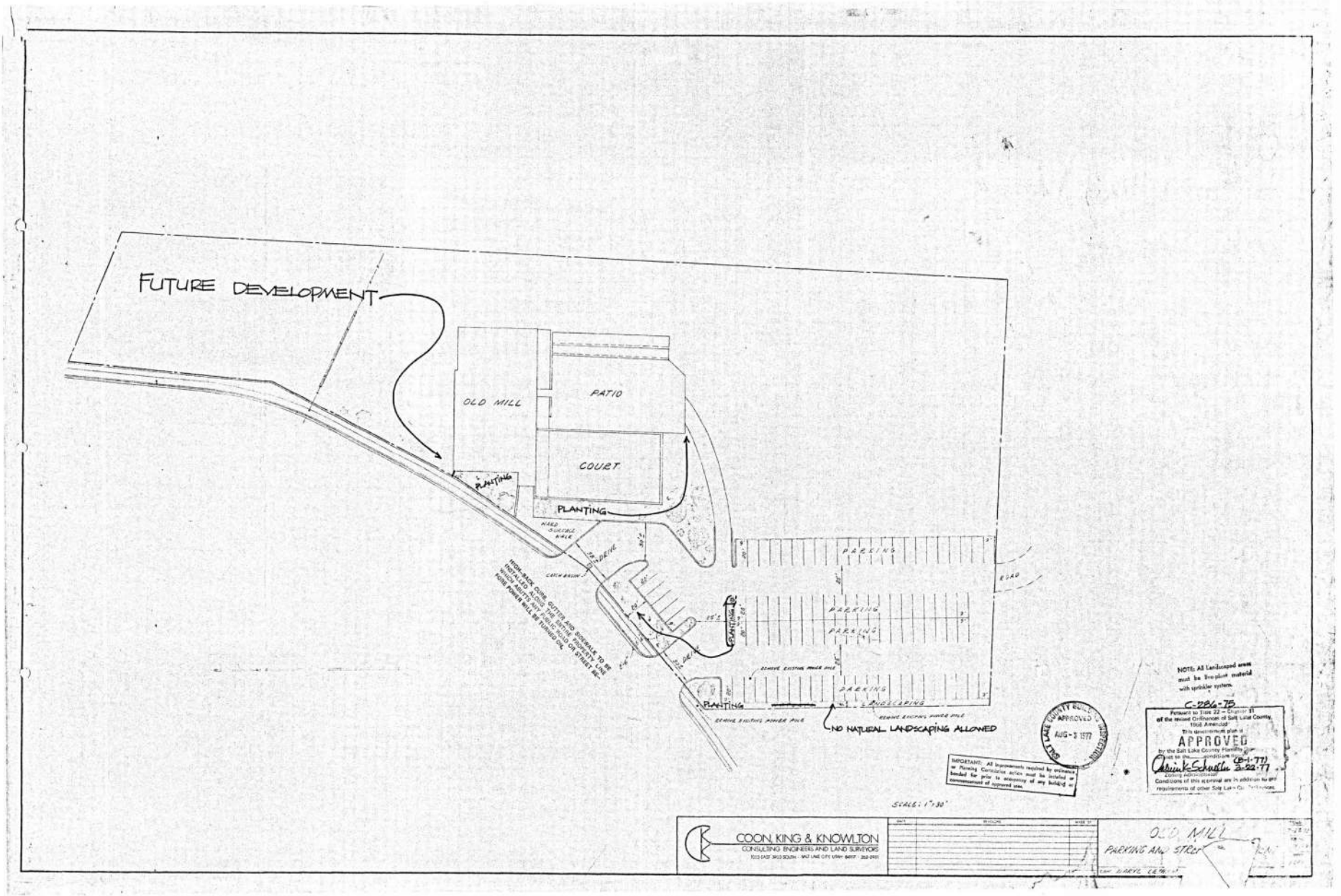
Exhibit E1 – E5

EXISTING EXTERIOR ELEVATION			EXISTING BUILDING AREA		
Key	Location	Area (SF)	Key	Location	Area (SF)
A1	North Elevation	7,759	F1	First Floor	11,574
A2	South Elevation	7,542	F2	Second Floor	9,673
A3	West Elevation	4,958	F3	Third Floor	9,714
A4	East Elevation	1,456			30,961
		21,716			
EXISTING OPEN COURT ELEVATION			EXISTING OPEN COURT AREA		
A0	Open Court	5,690	F0	Open Court	6,640
FULLY RESTORED EXTERIOR ELEVATION			FULLY RESTORED BUILDING AREA		
Total	All Elevations	27,406	Total	All Elevations	37,601









BUSINESS REVIEW – 5 PAGES

Submission to Cottonwood Heights
September 10, 2026
Old Mill, public
Business Review
Walker Development

CONTENTS IN THIS DOCUMENT

1-Old Mill Business Review
2-Business Review Summary
3-Monetary Review
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EXHIBIT B

1 - Old Mill Business Review

The original 1881 paper mill was funded at a cost of \$150,000. Despite great effort to gather rags for paper pulp, consistent paper production could not be sustained. Water from Big Cottonwood Creek turned the turbines of the mill, but seasonal dwindling of creek water caused manufacturing interruptions. A peak production day at the mill produced five tons of grey paper. Media sources of the time called the quality of this paper “poor”.

Meanwhile, mass-produced paper came in by railway. This comparatively inexpensive source of ready-to-use paper put financial light on the cost of paper-making. In 1892 when the Deseret News restructured to solve debt problems, the paper mill was sold. The new owner, Granite Paper Mills Company, did not have long to improve paper quality. On April 1st, 1893, a fire broke out that destroyed the mill and machinery.

In early 1927 nine Salt Lake businessmen acquired the mill ruin—now over forty years old—for a sport/social club. Their business model was the Salt Lake Country Club founded in 1899. Startup capital for the venture was a \$2,000 loan from one founder. Stock was held by another founder. The mill was obtained with a down-payment.

Spring of 1927 brought changes to the mill ruin. Fallen stone was excavated and carpentry began. Laborer wages were paid half with cash, half with Old Mill Club stock. Construction materials were obtained on credit. Club promoters hired an orchestra and opened the venue on July 2nd for outdoor dancing. There was no water, no plumbing and no electricity. The roof was half completed.

The no-frills mill site was wildly popular and for nine years summer dancing brought in enviable revenue. Advertising, refreshments and orchestra fees were the largest operating costs.

Net income during these years may have remained in the black if the mill had been a finished building when the club began. But it wasn't. Establishing utilities was expensive and slow. The bills that brought utilities to the clubhouse were paid for with loans. The Old Mill Club did not have a hot water connection until 1937. Losses to the IRS were reported eight of the nine years. The losses varied from \$2,055.65 to \$12,837.54. Profit for one year was \$2,911.67.

Income expected from club memberships never materialized. Most members paid a \$20 initial payment on the \$350 membership fee. Loans and credit kept improvements on the mill going with work paid for half in cash, half in stock. The construction had problems. By 1934 the roof needed major repairs and the exterior required painting twice.

The club's direct competitors for dance patronage were the Hotel Newhouse and the Hotel Utah. While the Hotel Utah put seating at the perimeter of a new dance floor and set out menus for dining, the Old Mill Club plastered, painted, wired, sourced water from a spring 3,000 feet away and installed rough plumbing.

Outdoor dancing entertainment survived the stock market crash of 1929. The original stockholder/membership concept of the club did not. Some members did nothing when the “membership cancelled” letter came. Perhaps this was because there was no “club”. Summer dancing was the only

EXHIBIT B

activity at the mill. Hotels with central heating hosted year-round entertainment. It wasn't until 1935 that the Old Mill Club obtained another loan to install a coal-fired boiler.

Spiraling finances affected the club dream. Nine men steered the nightmare until club members took over and leadership was given to other men. One of the men was Mr. Walker, a local excavation contractor who did initial site improvements in 1927. He headed up the hoped-for turnaround of the Old Mill Club.

One turnaround strategy was to enact six stock levies and three membership assessments. This caused mass abandonment by stockholders and members. One club member refused to pay his assessment saying, "Why should I pay for a membership when I can dance for fifty cents like everyone else?"

In a 1937 board meeting, club directors noted that their building was "decidedly outclassed". Perhaps not realizing that not only their club, but dancing itself was on the wane, a board member fronted a loan so a kitchen could be installed. Thinking that meal service would raise the old mill to the level of the Hotel Utah, tables, chairs, dishes, silverware and a range were purchased. There is no evidence a meal was ever served. The loan was never repaid.

Hope of being a competitor of the Salt Lake Country Club had long ceased to be spoken of. Though board meeting after board meeting was held, loyal men watched the club doors slowly close. By 1939 dancing was cut from six nights to two, then ceased altogether.

Lawsuits from original construction debt plagued the Old Mill Club until the early 1940s. By this time there was no board, no stockholders and no members. When the building went to a sheriff's sale, Mr. Walker stood alone and claimed the outclassed structure with money from his excavation business. Some creditors still hoped for a settlement, but unless they wanted to carry away chairs or dishes, there were no assets.

Mr. Walker's 1940s daybooks indicate that in ten years, the Old Mill was open for Saturday dancing one of those years. And so began the party rental era. The building was not luxurious. It had minimal wiring, simple restroom facilities and a boiler that eventually warmed the main portion of the building.

What the Old Mill had going for itself was uniqueness, but this did not offset the rudimentary. The forties and fifties attracted church groups and small businesses for evening party rentals. All food had to be catered.

The sixties brought both relief and dismay for Mr. Walker. Now in his seventies, he hired a manager who promoted occasional rock concerts in the mill. As usual, little profit was expected—relief from the care of the building was enough. This relief was short-lived and Mr. Walker again manned the venue rental business. Damage during this period came from drunken fraternity men with the elderly property owner unable to handle the situation. The rental fee may have covered expenses but it didn't allow for hiring a team of bouncers. The smashed chairs and broken windows went unrepaired.

In 1972 the Board of Health brought rental of the building to an official close. The 1930s septic system was justifiably deemed inadequate. In 1973 Mr. Walker died.

1978 brought refurbishments to the Old Mill. Salt Lake County code requirements were stringent for electrical, heating and fire code. The lack of diaphragm framing and its relationship to the roof were not

addressed by the county. At this time there was no seismic code to mitigate the nearly 100-year-old unreinforced masonry. If seismic code compliance had been required at this time, the 1970s upgrade of the building would not have been possible.

With the Old Mill now refurbished, what business would be done in the rough structure that now had ten-times better lighting, improved plumbing, fire code compliance and a new gas boiler? After an entire year of working with the county on zoning, it was decided, ironically, that a dance venue would be allowed.

The delay in zoning contributed to the Old Mill Disco missing the disco fad. The new venture opened and closed in just a few months. The arts and crafts fair, the haunted house and the second period of rental venue are public record.

2 - Business Review Summary

Paper-making was an uphill proposition. Pioneers put their efforts to it in a brand-new mill that functioned seasonally. Debt, ready-to-buy paper and a fire put those efforts to rest.

The July 1928 birthday report of the Old Mill Club announced future improvements of fairways, putting greens, private dining, a café, swimming, tennis and a riding academy. None of that happened. Hopeful men kept the orchestra playing, but fewer and fewer came to dance. Finally, one man from the club hung on, hoping for business of any kind.

Even with a fresh start—as fresh a start a ninety-seven-year-old building can have—the third phase of business at the Old Mill looked a lot like paper-making and dancing.

With income from another source, Mr. Walker, his son-in-law and his grandson-in-law kept the lights and furnace on at the Old Mill for seventy years. Then the wiring was stolen by vandals. Security costs to keep vandals from injuring themselves in the incessantly-challenged structure are notable.

The facts of this review should be considered and perhaps be considered cautionary:

The Deseret Paper Mill was funded by the ruling religious organization of the time. The Old Mill Club was funded by debt. The Old Mill Disco was funded by another business.

Maintenance costs of the building have largely been paid with income earned elsewhere.

Multiple business models failed to create financial viability.

Repeated investment failed to create a profitable enterprise.

Product displacement and venue difficulty contributed to the demise of every business effort.

In the face of continual financial shortfall and lack of patronage, the building demands personal sacrifice.

EXHIBIT B

With respect, records support the conclusion that demolition of the Old Mill is not the destruction of a thriving, historic resource. It is the recognition that 145 years of sincere effort has reached a practical end.

3 - Monetary Review

The following monetary figures are 2026 dollar equivalents:

In 1881 the Deseret News paid the equivalent of \$4,911,000.00 to build the Deseret Paper Mill. Records concerning this expense and the return on investment are private, but it is publicly documented that paper-making assets were shed and the use of inexpensive paper that arrived by railroad was the new business model.

In 1927 two dozen businessmen paid the equivalent of \$5,150,800.00 over a thirteen year period to rebuild the old Deseret Paper Mill and establish the Old Mill Club. The building operated as a dance / party rental venue for fifty years. So far, records of one year of profit have been found.

Refurbishment and bringing the building up to code in the late 1970s cost the equivalent of \$1,562,200.00. Income for the second party rental period was inconsistent.

Capital investments put into the mill—three times—have never been recouped. Maintenance costs exceed income.

2027 marks the 100th anniversary of the establishment of the Old Mill Club. A successful match of enterprise and venue have yet to be found, and now the building must meet seismic code.

4 - Sources

Stockholder / board meeting notes and tax records of the Old Mill Club

Utahhistoricalmarkers.org

npgallery.nps.gov WJh^71 – NPGallery

National Register of Historic Places Nomination Inventory, Granite Paper Mill nomination form

Deseret News: 175-year timeline

**MINUTES OF THE COTTONWOOD HEIGHTS CITY
PLANNING COMMISSION MEETING**

Wednesday, August 5, 2026

6:00 p.m.

**2277 East Bengal Boulevard
City Council Chambers**

ATTENDANCE

Members Present: Chair Sean Steinman, Commissioner Mike Smith, Commissioner Mike Shelton, Commissioner Garry Barnes, Commissioner Sarah Kovac, Commissioner Kimberly Petersen

Staff Present: Planner III, Maverick Yeh; Planner II, Emma Glende; Deputy City Recorder, Sydney Pierce; IT Manager, Matt Ervin

WORK SESSION

Chair Sean Steinman called the Planning Commission Work Session to order at 5:00 p.m.

1.0 Welcome New Planning Commission Member.

Chair Steinman asked Commissioner Kimberly Petersen to introduce herself. Commissioner Petersen reported that she has a business degree and is a private angel investor. She has four children, and her youngest is a senior at Brighton High School. She lives in District 3 near the Old Mill.

2.0 APA Fall Conference, Commissioner Training Opportunity.

Planner III, Maverick Yeh, reported that the APA Fall Conference would take place September 9-10, 2026, at the Davis Conference Center in Layton. Planning Commission sessions are typically held on the second day. Anyone interested in attending should inform Staff so they could be registered for the event. Fees were paid by the City. Mr. Yeh would forward the agenda to the Commission once it was received.

Chair Steinman stated that the Planning Commission was required to complete online training earlier in the year, but the conference would be a good opportunity for new Commissioners. The Utah Land Institute also had great video training courses available on land use laws. He asked Staff to email each Commissioner regarding their required training hours for the year.

3.0 Review Business Session Agenda.

Chair Steinman reviewed the Business Session Agenda and indicated that the Business Session Agenda included project CUP-26-012. Mr. Yeh reported that the request was for a Conditional

Use Permit (“CUP”) to operate a Home Occupation with clients at 3594 Brighton Point Drive in the R-1-8 Zone.

The Applicant requested approval of a CUP to operate Albion Pilates, an appointment-only Home Occupation, within the existing single-family residence. Private Pilates instruction would be provided for up to two clients per session within the existing indoor studio space. The business was owner-operated with no additional employees and would serve one to five clients per day.

Proposed business hours were as follows:

- Monday: 8:00 a.m. to 12:00 p.m.
- Tuesday: 8:00 a.m. to 9:00 a.m.
- Wednesday: 8:00 a.m. to 11:00 a.m.
- Thursday: 8:00 a.m. to 9:00 a.m.

Appointments will be staggered to minimize traffic and parking impacts, and client parking would be provided within the existing driveway. No exterior modifications, signage, outdoor activities, or structural improvements were provided.

In response to a question raised by Chair Steinman, Mr. Yeh reported that Staff recommended allowing clients during normal business hours, which are typically Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. or 9:00 a.m. and 6:00 p.m. The Applicant would not need to request an amendment as long as she continued operating within normal business hours.

Site photographs, as well as floor and parking plans, were reviewed. The Applicant has a very large, circular driveway in addition to three driveway parking spaces. Her personal car is parked inside the garage. Each class is approximately 50 minutes in duration, which provides a 10-minute window for the class to exit before the next class begins, and classes are by appointment only. All business activity will occur in the basement of the home.

Mr. Yeh reported that as of 12:00 p.m. on Tuesday, August 4, 2026, two public comments had been received regarding the application and forwarded to the Planning Commission for

Zoning and impact analyses determined the following:

- The property is located in the R-1-8 Single-Family Residential Zoning District.
- A Home Occupation with clients may be approved as a Conditional Use pursuant to CHMC §§ 19.26.030(E) and 19.76.040(F)(7).
- The proposed use was an appointment-only, owner-operated Home Occupation providing private and duet Pilates instruction within an existing residence.
- The Applicant anticipated approximately one to five clients per day, with staggered appointments to minimize traffic and overlapping arrivals.
- Client parking will be accommodated within the existing driveway, and no on-street parking was proposed.
- Staff found that the proposed use was incidental and secondary to the primary residential use, was not expected to create significant off-site impacts, and would preserve the

residential character of the neighborhood, subject to compliance with the proposed Conditions of Approval.

Staff recommended approval subject to the conditions outlined in the Staff Report. Mr. Yeh indicated that Condition 4 specified business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday to accommodate changes to class hours. In response to a question from Chair Steinman, Mr. Yeh reported that current quiet hours were 10:00 p.m. to 7:00 a.m.

Chair Steinman proposed allowing classes between 8:00 a.m. and 10:00 p.m., as this type of business may hold classes after business hours. It was a low-impact use, and expanding the hours may cut down on administrative time for future amendments. He appreciated that the Applicant was abiding by the City's regulations and doing what they were supposed to do.

Commissioner Smith stated that he had no concerns about the hours, but if he lived in the neighborhood, he may be concerned about business traffic in a quiet residential neighborhood. One letter talked about a child with disabilities, and they needed to ensure that everyone stays safe. However, if the flow of customers was as stated, he had no objections. He asked how that would be monitored. Commissioner Shelton stated that the City would hear about it when a neighbor believed it was too much.

Commissioner Petersen stated that she drove by the subject property and the driveway was completely clear.

Mr. Yeh reported that the Applicant would be in attendance during the Business Session and could discuss child safety or other concerns.

Chair Steinman asked if the Commission should consider limiting the business to eight appointments per day. Commissioner Shelton stated that the number of simultaneous clients should perhaps be limited to, for example, three at a time. Commissioner Kovac indicated that Condition 5 could be expanded to include that requirement. Commissioner Petersen remarked that three clients could potentially be a total of six cars when classes change. The appropriate maximum number of cars and clients was discussed. Commissioner Barnes pointed out that the equipment would limit the number of simultaneous clients.

Chair Steinman expressed his appreciation for the application as many home business owners had not gone through the process.

Planner II, Emma Glende reported that Utah requires Planning Commissioners to complete one hour of annual training on general powers and duties and three additional hours, one of which can be satisfied by attending 12 public Planning Commission meetings within the calendar year. In response to a question, Mr. Yeh reported that the State Auditor requires proof of the one-hour general training.

4.0 CUP-25-005 – Old Mill Demolition.

Mr. Yeh reported that the consultant had begun collecting data and expected to present their report at an October Planning Commission meeting. Staff had not heard from the Applicant in two months. The item was scheduled for an October Business Session. At Chair Steinman's recommendation, it was decided that the public hearing would be moved to a November meeting to provide the Commission adequate time to review the consultant's findings.

In response to a question raised by Commissioner Barnes, it was clarified that the Planning Commission could not vote on the item until at least one year had passed. Chair Steinman stated that after the Commission made a recommendation, the matter would then go to the City Council for a Certificate of Appropriateness.

Chair Steinman asked for an update on form-based code. Mr. Yeh reported that the item had not been discussed recently. Commissioner Shelton indicated that an article in the recent newsletter referenced a joint meeting in September. Mr. Yeh clarified that the joint meeting would be on the General Plan. The consultant collected comments at a July 22 open house and online comments were being collected until August 31. Those comments would be compiled for discussion at the joint meeting in September. Commissioner Shelton stated that he believed the General Plan would either adopt or not adopt form-based code.

5.0 Adjourn.

Commissioner Shelton moved to ADJOURN the Work Session. Commissioner Smith seconded the motion. The motion passed with the unanimous consent of the Commission.

The Work Session adjourned at 5:27 p.m.

BUSINESS SESSION

Chair Sean Steinman called the Planning Commission Business Session to order at 6:00 p.m.

1.0 Welcome and Acknowledgements

1.1 Ex Parte Communications and Conflicts of Interest to Disclose.

There were no Ex Parte Communications or Conflicts of Interest disclosed.

2.0 General Public Comment

There were no comments.

3.0 **Business Items**

3.1 **Project CUP-26-012 – The Planning Commission will hold a public hearing to consider a request for a Conditional Use Permit submitted by Kathryn Belcher to operate a Home Occupation with client visits, providing Pilates instruction and services, at 3594 Brighton Point Drive.**

Mr. Yeh presented the Staff Report. The request was for a CUP to operate Albion Pilates, a Home Occupation at 3594 Brighton Point Drive in the R-1-8 Zone. Up to two clients per session would be served by appointment only within an existing indoor studio space, with a maximum of five clients per day. The business was owner-operated with no additional employees.

Proposed business hours were as follows:

- Monday: 8:00 a.m. to 12:00 p.m.
- Tuesday: 8:00 a.m. to 9:00 a.m.
- Wednesday: 8:00 a.m. to 11:00 a.m.
- Thursday: 8:00 a.m. to 9:00 a.m.

Appointments would be staggered to minimize traffic and parking impacts, and client parking would be provided within the existing driveway. No exterior modifications, signage, outdoor activities, or structural improvements were provided. Site photographs, as well as floor and parking plans, were reviewed. The Pilates studio is located in the Applicant's basement.

Mr. Yeh reported that as of 12:00 p.m. on Tuesday, August 4, 2026, two public comments had been received regarding the application. The comments were forwarded to the Planning Commission for review.

Zoning and impact analyses determined the following:

- The property is located in the R-1-8 Single-Family Residential Zoning District.
- A Home Occupation with clients may be approved as a Conditional Use pursuant to CHMC §§ 19.26.030(E) and 19.76.040(F)(7).
- The proposed use was an appointment-only, owner-operated Home Occupation providing private and duet Pilates instruction within an existing residence.
- The Applicant anticipated approximately one to five clients per day, with staggered appointments to minimize traffic and overlapping arrivals.
- Client parking will be accommodated within the existing driveway, and no on-street parking was proposed.
- Staff found that the proposed use was incidental and secondary to the primary residential use, was not expected to create significant off-site impacts, and would preserve the residential character of the neighborhood, subject to compliance with the proposed Conditions of Approval.

Staff recommended approval with the conditions outlined in the Staff Report.

The Applicant, Kathryn Belcher, stated that it was important to her to go through the process and ensure that she was respecting her neighbors, family, and clients. There had been a discussion during the Work Session regarding whether she would have more than two clients at a time, but two is her maximum capacity because more would not fit in her studio space. Sessions are 50 minutes long, which provides time for one session to exit before clients arrive for the next session. In the event that someone stays over, there is an additional space in her circular driveway. Her clients had attended classes at a local studio for 16 years, and Pilates had helped their quality of life. She hoped to keep providing that service to them.

In response to a question from Chair Steinman, Ms. Belcher stated that she currently had 10 total clients. The hours could shift slightly, but the total number of hours and clients would not change.

Chair Steinman opened the public hearing.

Kathryn Robinson stated that she lives across the street from the subject property. She was probably the biggest opponent to the application because she was worried about traffic and setting a precedent. She complimented Cottonwood Heights on how careful Staff had been to ensure that everything was in writing and clear. She had met with Ms. Belcher and now believed that the business would be kept small because she does not have the space. If Ms. Belcher were to decide to bring in more people, she would need to start the process over again. Her fears had been assuaged because the City had been careful to protect the neighborhood. She and other neighbors had decided to support the application and hoped the business would be very successful.

There were no further comments. The public hearing was closed.

Chair Steinman thanked Ms. Belcher for going through the process and setting a great example. An astonishing number of illegal businesses were being run from homes in Cottonwood Heights, which created risk for the business and can cause animosity in the neighborhood, as well as public health and safety issues. The City is very deliberate in what is allowed, and going through the process helps the business be more successful as well.

During the Work Session, the Planning Commission discussed modifying the allowed hours to allow clients between the hours of 8:00 a.m. and 10:00 p.m. The limited amount of traffic the business will generate will be in line with standard neighborhood usage, and that will help the client avoid asking for modifications if client hours change.

Commissioner Shelton expressed his gratitude for the very well-done application. It is uncommon to have someone do their best to play by the rules. When they do, it works for everyone. He recommended that Condition 5 be amended to allow no more than four simultaneous clients.

Commissioner Smith stated that Cottonwood Heights is interested in promoting health and wellness, and a Pilates studio was a step in that direction. He hoped that the number of clients would need to be revisited in the future as this endeavor will help enhance the community's health.

Mr. Yeh reported that during the Work Session, the Planning Commission had discussed setting a maximum of eight appointments per day. Chair Steinman indicated that the condition would be

difficult to regulate. The Applicant had been diligent and honest, and he did not believe she would want to work out for more than eight hours per day.

Commissioner Shelton moved to APPROVE Project CUP-26-012 pursuant to the Conditions of Approval outlined in Staff Report, with the following modification:

- 1. The business may operate Monday through Friday between the hours of 8:00 a.m. and 10:00 p.m.***

Commissioner Smith seconded the motion. Vote on Motion: Commissioner Smith-Yes; Commissioner Shelton-Yes; Commissioner Barnes-Yes; Commissioner Kovac-Yes; Commissioner Petersen-Yes; Chair Steinman-Yes. The motion passed with the unanimous consent of the Commission.

4.0 Consent Agenda

4.1 Approval of July 1, 2026, Planning Commission Minutes.

Commissioner Barnes moved to APPROVE the Consent Agenda, as presented. Commissioner Kovac seconded the motion. The motion passed with the unanimous consent of the Commission.

5.0 Adjourn.

Commissioner Shelton moved to ADJOURN the Business Session. Commissioner Kovac seconded the motion. The motion passed with the unanimous consent of the Commission.

The Business Session adjourned at 6:23 p.m.

I hereby certify that the foregoing represents a true, accurate, and complete record of the Cottonwood Heights City Planning Commission Work Session and Business Session held on Wednesday, August 5, 2026.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: _____

DRAFT

**MINUTES OF THE COTTONWOOD HEIGHTS CITY
PLANNING COMMISSION MEETING**

Wednesday, September 2, 2026

6:00 p.m.

**2277 East Bengal Boulevard
City Council Chambers**

ATTENDANCE

Members Present: Chair Sean Steinman, Commissioner Mike Smith, Commissioner Mike Crowder, Commissioner Garry Barnes, Commissioner Sarah Kovac, Commissioner Dan Poulson, Commissioner Rusty Lugo

Staff Present: Community and Economic Development Director, Jim Spung; Planner III, Maverick Yeh; Planner II, Emma Glende; Deputy City Recorder, Sydney Pierce; Systems Administrator, Alex Earl; City Attorney, Todd Sheeran

WORK SESSION

Chair Sean Steinman called the Planning Commission Work Session to order at 5:00 p.m.

1.0 Review Business Session Agenda.

Chair Steinman reviewed the Business Session agenda items. In addition to the Welcome and Acknowledgments and General Public Comment portions of the meeting, there are four Business Items on the agenda: Project ZMA-26-003, Project ZTA-26-003, Projects GPA-26-004/ZMA-26-004, and Project SUB-26-005. He asked City Staff to further review the four Business Items.

Planner II, Emma Glende, shared information about Project ZMA-26-003. The applicant is requesting approval of a Zoning Map Amendment for property located at 7030 South Park Center Drive. She shared information about the procedure and authority. Zoning Map Amendments are legislative actions, meaning that the Planning Commission has authority to take public comments, discuss the merits of the proposal, and make recommendations to the City Council. The City Council will be the final approval authority for this application. Additional details about the procedure and authority for these application types has been included in the Staff Report.

A Zoning Map Amendment changes the zoning classification assigned to a property. This affects the full range of permitted uses, density, setbacks, height, and development standards. The Planning Commission should make a legislative recommendation to the City Council based on clearly stated policy considerations, including General Plan consistency, compatibility with the surrounding area, infrastructure capacity, potential impacts, public input, and the purposes of Title 19. Ms. Glende reviewed the language included in 19.02.020 – Purpose of Provisions.

Additional information about the application was shared. Ms. Glende reiterated that the request is a Zoning Map Amendment at 7030 South Park Center Drive. The request is to amend the current Office, Research, and Development (“O-R-D”) Zone to the Regional Commercial (“CR”) Zone.

The property is currently developed with an office/warehouse building, with Dynatronics Corporation as the existing business. The property is being considered for redevelopment, so the rezone is intended to better align the property with the surrounding commercial area, provide greater flexibility for future commercial uses, and potentially allow for the development of two ground lease pads. Information about the existing conditions was shared. Ms. Glende reported that the O-R-D Zone allows for light and high-technology industries. It prohibits land uses with significantly adverse impacts. The Future Land Use Map shows this area as Mixed Use. The property is located within an established commercial area. The majority of the adjoining properties are in the CR Zone, with the exception of the property directly to the north, which is in the O-R-D Zone. All of the surrounding properties are also designated Mixed Use on the Future Land Use Map. The proposed rezone would create greater zoning continuity with the surrounding area.

Ms. Glende shared the Zoning Map and Future Land Use Map with the Planning Commission. Discussions were had about the location of the O-R-D Zone in the City. Ms. Glende reported that there is a section in the northeast part of the City, which is where some larger office buildings are located. There are a few other locations throughout the City as well. The neighborhood analysis information was reviewed. The surrounding area has an established commercial and non-residential character. In addition, the CR Zone is consistent with the predominant zoning pattern. Potential impacts from future development would be evaluated through a subsequent review.

The General Plan was considered when reviewing the Zoning Map Amendment request. The Mixed Use land use designation supports a combination of commercial, office, and residential uses. The proposed CR Zone is consistent with the commercial and office components of the Mixed Use designation. It would maintain the commercial and employment function of the property, and it would expand opportunities for retail, restaurants, personal services, and other customer-oriented uses. It would also support redevelopment and economic investment. It was noted that the CR Zone does not require residential development or an integrated mix of uses.

Ms. Glende reported that future projects on the site would need to be reviewed for the following:

- Traffic generation and turning movements;
- Site access and cross-access;
- Drive-through activity and operating hours;
- Lighting and signage;
- Loading and refuse areas;
- Noises and odors;
- Pedestrian connections and circulation; and
- Drainage, utilities, and infrastructure.

The property is already developed and served by existing infrastructure. The rezone itself will not increase development intensity. Ms. Glende reported that future development would be subject to subdivision, engineering, utility, and Fire Department reviews as well as Building Permits.

Staff finds the CR Zone is consistent with the commercial and office components of the Mixed Use designation. It also aligns with the predominant CR Zoning surrounding the property. The proposal supports commercial redevelopment and future investment. Ms. Glende pointed out that the rezone would provide greater flexibility for the reuse of an existing developed site. The surrounding area is already established as commercial and non-residential; there is existing public infrastructure and utilities available, and the future impacts can be addressed through Site Plan, Engineering, Building, Fire, and other reviews. The amendment is not anticipated to negatively impact public health, safety, or welfare. Based on the outlined findings, Staff recommends that the Planning Commission forward a recommendation of approval to the City Council.

Ms. Glende reported that there was a proposed development concept provided, but that is not currently being considered by the Planning Commission. She reviewed the public notice information. Notices were mailed and posted at least 10 days prior to the meeting and were also mailed to property owners within 1,000 feet. There was a public notice sign posted on the property. Notice was provided in accordance with the applicable City and State standards. There were no public comments received on the proposed Zoning Map Amendment ahead of the meeting.

Chair Steinman asked to review the Use Table for both of the zones. He wanted to know what the potential loss of use might be and what the conditional use opportunities are in the zones. Ms. Glende shared information about what is allowed in the O-R-D Zone. She also highlighted some of the conditional uses, such as hospitals, public schools, private parks, and catering services. Information about the uses allowed in the CR Zone was shared as well as the conditional uses.

Chair Steinman wanted to know if there is precedent to have additional conditional uses that are more applicable to the O-R-D Zone. This was denied. Chair Steinman was concerned about losing uses in the City that were originally intended to be there. Commissioner Rusty Lugo clarified that he is no longer the listing agent for the building, but he was previously. It has been a struggle to fill it with an appropriate use. This is a large and dated office building with a warehouse section. A charter school and a pet hospital both considered the property, but this is the wrong building in the wrong location. He supports the rezone because it will fit in better with the surrounding area.

Additional discussions were had about the O-R-D Zone. Ms. Glende believed there is a long-term hotel on the property to the north that is zoned O-R-D. It was noted that this area is designated as one of the core commercial tax base areas of the City, and office does not generate sales tax.

Commissioner Mike Smith asked about the impact on traffic in the area, because that is already an issue. Ms. Glende reported that there would likely need to be a traffic study conducted for future development. Commissioner Smith does not necessarily object to development here, but believed the traffic pattern will need to be looked at if there are plans for future development in the area. Chair Steinman stated that he feels comfortable with the Zoning Map Amendment application.

Ms. Glende shared information about Project ZTA-26-003, which is a Zoning Text Amendment. She explained that Zoning Text Amendments are legislative actions, meaning that the Planning Commission has authority to take public comments, discuss the merits of the proposal, and make

recommendations to the City Council. The City Council is the final approval authority for this application. Additional details on the procedure and authority are included in the Staff Report.

A Zoning Text Amendment changes the written regulations in Title 19 rather than changing the zoning designation of a specific property. It may add, remove, or revise permitted uses, definitions, development standards, review procedures, or other zoning requirements. Unlike a site-specific application, a Text Amendment may affect multiple properties or zoning districts. The Planning Commission should evaluate the long-term and Citywide implications of the amendment.

This is an applicant-initiated request for a Zoning Text Amendment to update the City Code: Chapter 19.40 (CR – Regional Commercial Zone). The proposed amendment would move banks, savings and loan institutions, and finance offices from the list of conditional uses to the list of permitted uses. As part of reviewing that chapter, Staff identified several other uses that could also reasonably be moved from the conditional use list to the permitted use list in the CR Zone. The proposed Zoning Text Amendment will simplify zoning regulations, reduce unnecessary conditional use requirements, and allow common commercial uses consistent with the CR Zone.

Ms. Glende explained that the purpose of the CR Zone is to accommodate larger-scale commercial uses serving the community, region, and traveling public. It is intended for uses that are:

- Land-intensive and not well-suited to neighborhood locations;
- Compatible with adjacent residential areas; and
- Supported by available roads and utilities.

There are several common commercial uses that currently require conditional use approval. Ms. Glende reiterated that the applicant has requested that banks, savings and loan institutions, and finance offices be permitted uses. The reason for the request is that commercial development patterns have changed since the CR Zone regulations were established in 2005. She explained that financial institutions are increasingly integrated into shopping centers and mixed commercial developments. Conditional use review may no longer be necessary for those lower-impact uses.

The proposed Zoning Text Amendment would expand the list of permitted uses in the CR Zone. In addition to adding banks, savings and loan institutions, and finance offices, there are other generally compatible commercial uses that have been identified by Staff. These uses include supermarkets, florists, professional offices, restaurants, indoor theaters, drugstores, appliance stores, department stores, and liquor stores. Hardware, lawn, and garden supply stores were broken out into permitted with no outdoor storage and conditional with outdoor storage. The goal is to allow compatible commercial uses in the CR Zone without unnecessary conditional use review.

There is also a proposal to increase the floor area thresholds. Currently, anything that is 10,000 square feet is required to go through the Conditional Use Permit (“CUP”) process. Staff recommends changing that threshold to 25,000 square feet. This would align with the Mixed Use (“MU”) Zone, which states that 25,000 square feet or greater requires conditional use approval.

It is recommended that conditional review continue for higher-impact uses. Some examples include vehicle sales with outdoor sales, display, and storage, bowling alleys and commercial

recreation, gasoline stations, nursery schools and daycare centers, public garages, open stands or markets, car washes, and pawn shops without weapons. Ms. Glende noted that there is also a recommendation to remove the hyphen from “newspapers” for consistency with modern spelling.

There were no public comments received about the proposed Zoning Text Amendment. Staff recommends the Planning Commission forward a recommendation of approval to the City Council, since this would modernize the CR Zone regulations, align with the current development patterns, and provide greater flexibility while still maintaining appropriate review for higher-impact uses.

Chair Steinman wanted to further review the permitted uses that are proposed. He asked about the Staff rationale for the specific uses that have been proposed in addition to the applicant request related to banks, savings and loan institutions, and finance offices. Ms. Glende explained that Staff did not see specific conditions that the Planning Commission would need to set in order for the proposed uses to blend in with the surrounding area. Most of these uses align with the uses that are already permitted. The Planning Commission reviewed the list of currently permitted uses.

Community and Economic Development Director, Jim Spung, explained that if a tenant leaves and a new business wants to come in, an application is submitted for a Business License. If the newly proposed use is conditional, then there is a lengthier and more expensive process that occurs.

Commissioner Mike Crowder pointed out that often when something goes out of business, a bank will take over the space. He asked if it might be better to leave that use as conditional. Commissioner Crowder also wondered if there are instances where banks are denied. Mr. Spung explained that anything that is listed as a conditional use is essentially permitted by law, because it is not possible to deny a conditional use unless the impacts cannot be mitigated. Commissioner Crowder reiterated his concerns about the number of banks currently in the community.

Mr. Spung reported that a Business License application can take a few minutes to review, depending on the complexity of the application. On the other hand, a CUP takes approximately 15 to 20 hours to process and review. It is also a more expensive process because there are permit application costs as well as noticing costs. The process takes a lot longer when there is a conditional use. The intention is to be strategic and thoughtful when identifying land uses that warrant an additional level of review. The conditional uses proposed to remain were reviewed.

Additional discussions were had about conditional uses. Mr. Spung explained that something being listed as conditional adds uncertainty on the business side. The intention of a conditional use is to evaluate a business, use, or operation and consider how it could impact the surrounding area. There are then mitigation measures taken through the conditional use process. Commissioner Dan Poulson pointed out that if there are too many similar businesses in one area, not all of them will be successful. Mr. Spung stated that a philosophy for evaluating the level of permission for each land use is asking: “Is there a good reason why this land use should not be in this specific zone? Are there problematic situations this type of land use would bring to the area?”

Chair Steinman agreed with the additional uses that Staff added to the Zoning Text Amendment. These make sense and are consistent with the permitted uses. However, as for banks, savings and loan institutions, and finance offices, there is one detail those uses have that the others do not,

which is a drive-through area. He pointed out that most banks will request a drive-through area. This seems like something where conditions should be imposed based on the site and circulation.

Commissioner Garry Barnes noted that the CR Zone is designed for large-scale retail and commercial activities. In the immediate area, there are large-scale retailers, but there are also some smaller ones. Mr. Spung mentioned some of the other commercial zones in the City. Since an applicant-initiated request came in for the CR Zone, it made sense to look into it further. He appreciated the comment from Chair Steinman about drive-through areas associated with banks.

Commissioner Sarah Kovac asked about the rationale for leaving nursery schools and daycare centers as conditional uses. Ms. Glende explained that there tend to be issues associated with these uses, especially when it comes to managing the pick-up and drop-off times. Mr. Spung stated that it is possible to think about the common issues that arise with different conditional uses. There can be standards crafted to address some of those commonly seen issues. The conditional use process makes it possible to review higher-impact uses in more detail before a decision is made.

Chair Steinman would like to evaluate standards for drive-through areas, specifically for banks. He asked whether language should be added to the motion or if this item should be tabled. Mr. Spung explained that it comes down to what the Planning Commission is most comfortable with. If there is a desire to see drive-through information come back, then that can be requested. The other option is to leave banks as a conditional use and conduct an additional review in the future. However, one of the specific requests the applicant had related to the inclusion of banks. It was noted that there could be language to state that any use with a drive-through will be conditional.

Planner III, Maverick Yeh, shared information about Projects GPA-26-004/ZMA-26-004. This is a General Plan Amendment and Zoning Map Amendment for property located at 2196 East 6450 South. The applicant's request is a General Plan Amendment from Residential – Rural Density to Residential – Low Density. For the Zoning Map Amendment, the request is to move from the RR-1-21 Zone to the R-1-15 Zone. The purpose of the request is to facilitate a future two-lot subdivision, retain the existing residence, and create one additional detached single-family lot. Mr. Yeh explained that any future subdivisions will require separate review and approval.

The existing neighborhood conditions were shared. There is an established single-family residential neighborhood. The property is currently zoned RR-1-21 and there is an existing detached single-family residence on the site. There is a mixture of larger rural residential parcels and smaller legal non-conforming lots in the area. There are also existing roadways and utilities in the area. The Current Land Use Designation and Proposed Land Use Designation maps were shown. In addition, the Current Zoning Designation and Proposed Zoning Designation maps were shared. The neighborhood analysis found that 29 of 57 lots are legal non-conforming lots. Many of the existing lots are below the 21,000 square foot minimum lot size. The existing neighborhood contains varied lot widths and sizes. The proposed lots are generally consistent with portions of the surrounding development pattern. Staff found that the existing development pattern is relevant to evaluating neighborhood compatibility and the practical functioning of the area today.

Chair Steinman asked about the proposed lots for the subdivision. Mr. Yeh explained that during the subdivision process, there would be a review done to ensure that the new property line met the R-1-15 Zone setback requirements. Chair Steinman wanted to make sure the property could be compliant with the setbacks. Ms. Glende stated that the setback requirements are 10 feet on both sides. It is possible to ask the applicant for additional information during the Business Session.

Commissioner Kovac asked about access to the new lot. Mr. Yeh reported that during the subdivision process, it is possible to establish an access easement. Alternatively, the applicant can create another driveway or access to the lots. It depends on the choices made by the applicant.

Staff conducted a GIS analysis of the surrounding RR-1-21 neighborhood and found that 40 of the 63 lots within the study area are legal non-conforming lots that do not meet one or more current RR-1-21 dimensional standards, including minimum lot size and/or lot width requirements. Commissioners discussed what it means for a lot to be considered legal non-conforming. Mr. Spung explained that something might have been legal when it was established, but since then, the rules have changed. As a result, something might be legal, but not conform to current standards.

There was one public comment received ahead of the Planning Commission Meeting, which has been shared with Commissioners. Mr. Yeh shared information about Rural Residential. According to the Cottonwood Heights Municipal Code ("CHMC") 8.14.020, there is a minimum 20,000 square foot lot size required for keeping livestock. Staff found that many surrounding lots do not meet the minimum lot size requirement. A substantial portion of surrounding properties are unable to fully utilize the livestock rights associated with Rural Residential zoning. The existing neighborhood conditions differ from the original intent of the Rural Residential District.

An analysis of the General Plan was shared. The current designation is Residential - Rural Density, which is intended for larger-lot development with approximately 21,000-square-foot lots or greater. There are generally no more than two dwelling units per acre. The proposed designation is Residential - Low Density, which is detached single-family residential. These are approximately 8,700 to 17,400 square foot lots and have approximately 2.5 to 5 dwelling units per acre.

Staff acknowledges the request represents a departure from the historic intent of the Rural Density designation. However, Staff finds the existing neighborhood contains a mixture of conforming and legal non-conforming lots, the proposal maintains a detached single-family residential land use, the proposal does not introduce multi-family or commercial uses, and the proposal may better align with the existing and anticipated development pattern of the neighborhood. Mr. Yeh reported that there was a proposed development concept submitted, but it is only an unofficial rendering.

Neighborhood compatibility information was shared. The current proposal represents a limited change in development potential. The conceptual lots are approximately 0.4 and 0.7 acres. Both exceed the 15,000 square foot minimum lot area of the R-1-15 District. The City recently approved a similar RR-1-21 to R-1-15 amendment for the immediately adjacent property, which was ZMA-26-002 and GPA-26-002. Commissioners reviewed the proposed development concept and discussed the 97 feet of frontage shown. It was noted that the applicant can discuss the frontage.

Mr. Yeh reviewed the infrastructure analysis. Existing roadway access is available in the general area. Water, sewer, stormwater, and other utilities are also available to serve future development, subject to provider review. Given the limited increase in development potential, Staff does not anticipate substantial impacts to the public infrastructure or services. He reminded Commissioners that future development remains subject to subdivision review, engineering review, utility and fire approvals, and drainage and stormwater requirements. He shared information about the procedure, authority, and public notice requirements. Staff recommends approval finding the proposal:

- Maintains detached single-family residential land use;
- Represents an incremental change in development potential;
- Generally compatible with portions of the surrounding neighborhood pattern;
- Existing public infrastructure and municipal services are available in the general area;
- Future subdivision review remains separate from this legislative action; and
- Not anticipated to result in adverse impacts to public health, safety, or welfare.

Chair Steinman asked that Project SUB-26-005 be presented during the Business Session.

2.0 CUP-25-005 – Old Mill Demolition.

Mr. Spung shared information about the Old Mill demolition. He reported that the consultants should complete their study shortly. The plan is for them to come to the first Planning Commission Meeting in October 2026. During that meeting, the findings will be presented. After the study is complete and information is received from the owner, everything will be reviewed by Staff. In January or February, there will be a presentation shared with the Planning Commission.

3.0 Adjourn.

Commissioner Smith moved to ADJOURN the Work Session. Commissioner Poulson seconded the motion. The motion passed with the unanimous consent of the Commission.

The Work Session adjourned at 6:03 p.m.

BUSINESS SESSION

Chair Steinman called the Planning Commission Business Session to order at 6:05 p.m.

Chair Steinman noted that next month, there will be an election for the Chair position. Commissioners were asked to think about who should serve in that role moving forward. There will be an official vote and announcement at a future Planning Commission Meeting. It was requested that clarification be provided on the term limit that exists for the Chair position.

In two weeks, there will be a Joint Meeting between the Planning Commission and City Council. There will be a review of the General Plan during the meeting on September 15, 2026, at 4:00 p.m.

1.0 Welcome and Acknowledgements

1.1 Ex Parte Communications and Conflicts of Interest to Disclose.

There were no Ex Parte Communications or Conflicts of Interest disclosed.

2.0 General Public Comment

There were no General Public comments.

3.0 Business Items

3.1 Project ZMA-26-003 – The Planning Commission will Hold a Public Hearing to Review and Make a Possible Recommendation to the City Council on a Request by Alex Fleischman (AWA) to Rezone Approximately 1.98 Acres of Property Located at 7030 South Park Centre Drive from O-R-D (Office, Research and Development Zone) to CR (Regional Commercial Zone).

Ms. Glende presented the Staff Report and explained that this is a request for a Zoning Map Amendment at property located at 7030 South Park Center Drive. Zoning Map Amendments are legislative actions. The Planning Commission will take public comments, discuss the proposal, and make a recommendation to the City Council. The City Council is the final approval authority. She noted that a Zoning Map Amendment changes the zoning classification assigned to a property.

Ms. Glende reiterated that the request is a Zoning Map Amendment at 7030 South Park Center Drive. The request is to amend the current O-R-D Zone and rezone to the CR Zone. The property is currently developed with an office/warehouse building, with Dynatronics Corporation as the existing business. The property is being considered for redevelopment, so the rezone is intended to better align the property with the surrounding commercial area, provide greater flexibility for future commercial use, and potentially allow for the development of two ground lease pads.

Information about the existing conditions was shared. Ms. Glende reported that the O-R-D Zone allows for light and high-technology industries. It prohibits land uses with significantly adverse impacts. The Future Land Use Map shows this area as Mixed Use. The property is located within an established commercial area. The majority of the adjoining properties are in the CR Zone, with the exception of the property directly to the north, which is in the O-R-D Zone. All of the surrounding properties are also designated Mixed Use in the Future Land Use Map. As a result, the proposed rezone would create greater zoning continuity with the surrounding area.

Ms. Glende shared the Zoning Map and Future Land Use Map with those present. The neighborhood analysis shows that the surrounding area has an established commercial and non-residential character. The CR Zone is consistent with the predominant zoning pattern. Potential impacts from future development would be evaluated through a subsequent review process.

The General Plan was considered when reviewing the Zoning Map Amendment request. The Mixed Use land use designation supports a combination of commercial, office, and residential

uses. The proposed CR Zone is consistent with the commercial and office components of the Mixed Use designation. It would maintain the commercial and employment function of the property and it would expand opportunities for retail, restaurants, personal services, and other customer-oriented uses. It would also support redevelopment and economic investment. It was noted that the CR Zone does not require residential development or an integrated mix of uses.

Ms. Glende reported that future projects on the site would need to be reviewed for the following:

- Traffic generation and turning movements;
- Site access and cross-access;
- Drive-through activity and operating hours;
- Lighting and signage;
- Loading and refuse areas;
- Noise and odors;
- Pedestrian connections and circulation; and
- Drainage, utilities, and infrastructure.

The property is already developed and served by existing infrastructure. The rezone itself will not increase development intensity. Ms. Glende reported that future development would be subject to subdivision, engineering, utility, and Fire Department reviews as well as Building Permits.

Staff finds the CR Zone is consistent with the commercial and office components of the Mixed Use designation. It also aligns with the predominant CR Zoning surrounding the property. The proposal supports commercial redevelopment and future investment. Ms. Glende explained that the rezone would provide greater flexibility for the reuse of an existing developed site. The surrounding area is already established as commercial and non-residential, there are existing public infrastructure and utilities available, and the future impacts can be addressed through Site Plan, Engineering, Building, Fire, and other reviews. The amendment is not anticipated to negatively impact public health, safety, or welfare. Based on the outlined findings, Staff recommends that the Planning Commission forward a recommendation of approval to the City Council.

Ms. Glende reported that there was a proposed development concept provided, but that is not currently being considered by the Planning Commission. She reviewed the public notice information. Notices were mailed and posted at least 10 days prior to the meeting and were mailed to property owners within 1,000 feet. There was a public notice sign posted on the property. Notice was provided in accordance with the applicable City and State standards. There were no public comments received on the proposed Zoning Map Amendment ahead of the meeting.

The applicant representative, Rick Magness, explained that he is with AWA Engineering. He took a moment to express appreciation for City Staff and their efforts throughout this process. There is agreement with the Staff recommendations that have been outlined in the Staff Report. He offered to answer Commissioner questions about the application. Commissioner Smith mentioned the impact future development could have on traffic. He hopes this will be taken into consideration.

Chair Steinman opened the public hearing. There were no comments. The hearing was closed.

Chair Steinman reported that this was discussed during the Work Session. There is comfort with what is proposed, as it will benefit the City and allow for better occupancy in the space.

Commissioner Smith moved to recommend APPROVAL of Project ZMA-26-003 to the City Council, based on the findings and recommendations listed in the Staff Report dated September 2, 2026. Commissioner Poulson seconded the motion. Vote on Motion: Commissioner Smith-Yes; Commissioner Crowder-Yes; Commissioner Barnes-Yes; Commissioner Kovac-Yes; Commissioner Poulson-Yes; Commissioner Lugo-Yes; Chair Steinman-Yes. The motion passed unanimously.

3.2 Project ZTA-26-003 – The Planning Commission will Hold a Public Hearing to Review and Make a Possible Recommendation to the City Council on an Applicant-Initiated Zoning Text Amendment to Modify CHMC Chapter 19.40 Regarding Development Standards in the CR (Regional Commercial) Zone.

Ms. Glende presented the Staff Memo and explained that this is a Zoning Text Amendment request for CHMC Chapter 19.40, which relates to development standards in the CR Zone. Zoning Text Amendments are legislative actions, meaning that the Planning Commission has authority to take public comments, discuss the merits of the proposal, and make recommendations to the City Council. The City Council is the final approval authority for this application. A Zoning Text Amendment changes the written regulations in Title 19 rather than changing the zoning designation of a specific property. It may add, remove, or revise permitted uses, definitions, development standards, review procedures, or other zoning requirements. Unlike a site-specific application, a Text Amendment may affect multiple properties or zoning districts. The Planning Commission should evaluate the long-term and Citywide implications of the amendment.

This is an applicant-initiated request for a Zoning Text Amendment to update the City Code: Chapter 19.40 (CR – Regional Commercial Zone). The proposed amendment would move banks, savings and loan institutions, and finance offices from the list of conditional uses to the list of permitted uses. As part of reviewing that chapter, Staff identified several other uses that could reasonably be moved from the conditional use list to the permitted use list in the CR Zone. The proposed Zoning Text Amendment will simplify zoning regulations, reduce unnecessary conditional use requirements, and allow common commercial uses consistent with the CR Zone.

Ms. Glende explained that the purpose of the CR Zone is to accommodate larger-scale commercial uses serving the community, region, and traveling public. It is intended for uses that are:

- Land-intensive and not well-suited to neighborhood locations;
- Compatible with adjacent residential areas; and
- Supported by available roads and utilities.

There are several common commercial uses that currently require conditional use approval. Ms. Glende reiterated that the applicant has requested that banks, savings and loan institutions, and finance offices be permitted uses. The reason for the request is that commercial development patterns have changed since the CR Zone regulations were established in 2005. She explained that

financial institutions are increasingly integrated into shopping centers and mixed commercial developments. Conditional use review may no longer be necessary for these lower impact uses.

The proposed Zoning Text Amendment would expand the list of permitted uses in the CR Zone. In addition to adding banks, savings and loan institutions, and finance offices, there are other generally compatible commercial uses that have been identified by Staff. These uses include supermarkets, florists, professional offices, restaurants, indoor theaters, drugstores, appliance stores, department stores, and liquor stores. Hardware, lawn, and garden supply stores were broken out into permitted with no outdoor storage and conditional with outdoor storage. The goal is to allow compatible commercial uses in the CR Zone without unnecessary conditional use review.

There is also a proposal to increase the floor area thresholds. Currently, anything that is 10,000 square feet is required to go through a CUP process. Staff recommends changing that threshold to 25,000 square feet. This would align with the MU Zone, which requires conditional use approval for 25,000 square feet or greater. It is recommended that the conditional review continue for higher-impact uses. Some examples include vehicle sales with outdoor sales, display, and storage, bowling alleys and commercial recreation, gasoline stations, nursery schools and daycare centers, public garages, open stands or markets, car washes, and pawn shops without weapons. There is also a recommendation to remove the hyphen from the word “newspapers.”

There were no public comments received about the proposed Zoning Text Amendment. Staff recommends the Planning Commission forward a recommendation of approval to the City Council, since this would modernize the CR Zone regulations, align with the current development patterns, and provide greater flexibility while still maintaining appropriate review for higher-impact uses.

Chair Steinman opened the public hearing. There were no comments. The hearing was closed.

Chair Steinman reported that this application was discussed during the Work Session. He expressed appreciation for the work done by Staff to increase efficiencies. It is possible to do something similar in the Neighborhood Commercial Zone, as everything is a conditional use. As mentioned in the Work Session, there is a desire to see the conditional review remain in the CR Zone when there are drive-throughs. He asked that this be reflected in the motion language.

Commissioner Poulson moved to recommend APPROVAL of Project ZTA-26-003 to the City Council, based on the findings and recommendations listed in the Staff Memo and Attachments dated September 2, 2026, with the recommendation that a conditional use be placed on businesses that have a drive-through. Commissioner Smith seconded the motion. Vote on Motion: Commissioner Smith-Yes; Commissioner Crowder-Yes; Commissioner Barnes-Yes; Commissioner Kovac-Yes; Commissioner Poulson-Yes; Commissioner Lugo-Yes; Chair Steinman-Yes. The motion passed unanimously.

3.3 Projects GPA-26-004 / ZMA-26-004 – The Planning Commission will Hold a Public Hearing to Review and Make a Possible Recommendation to the City Council on a Request by Jordan and Brooke Brady to Amend the General Plan Land Use Map and Rezone Approximately 1.11 Acres of Property Located at 2196 East 6450 South from RR-1-21 (Rural Residential Zone) to R-1-15 (Residential Single-Family Zone).

Mr. Yeh presented the Staff Report and explained that this is a General Plan Amendment and Zoning Map Amendment for property located at 2196 East 6450 South. The applicant request is a General Plan Amendment from Residential – Rural Density to Residential – Low Density. For the Zoning Map Amendment, the request is to move from the RR-1-21 Zone to the R-1-15 Zone. The purpose of the request is to facilitate a future two-lot subdivision, retain the existing residence, and create one additional detached single-family lot. Future subdivisions require separate review.

The existing neighborhood conditions were reviewed. Mr. Yeh reported that there is an established single-family residential neighborhood. The property is currently zoned RR-1-21 and there is an existing detached single-family residence on the site. There is a mixture of larger rural residential parcels and smaller legal non-conforming lots in the area. In addition, there are existing roadways and utilities. The Current Land Use Designation and Proposed Land Use Designation maps were shown as well as the Current Zoning Designation and Proposed Zoning Designation maps.

The neighborhood analysis found that 29 of 57 lots are legal non-conforming lots. Many of the existing lots are below the 21,000 square foot minimum lot size. The existing neighborhood contains varied lot widths and sizes. The proposed lots are generally consistent with portions of the surrounding development pattern. Staff found that the existing development pattern is relevant to evaluating neighborhood compatibility and the practical functioning of the area today.

Staff conducted a GIS analysis of the surrounding RR-1-21 neighborhood and found that 40 of the 63 lots within the study area are legal non-conforming lots that do not meet one or more current RR-1-21 dimensional standards, including minimum lot size and/or lot width requirements.

According to CHMC 8.14.020, there is a minimum 20,000 square foot lot size required for keeping livestock. Staff found that many surrounding lots do not meet the minimum lot size requirement. A substantial portion of surrounding properties are unable to fully utilize the livestock rights associated with Rural Residential zoning. Mr. Yeh explained that the existing neighborhood conditions differ from the original intent of the Rural Residential District.

An analysis of the General Plan was shared. The current designation is Residential - Rural Density, which is intended for larger-lot development with approximately 21,000 square foot lots or greater. There are generally no more than two dwelling units per acre. The proposed designation is Residential - Low Density, which is detached single-family residential. These are approximately 8,700 to 17,400 square foot lots and have approximately 2.5 to 5 dwelling units per acre.

Staff acknowledges that the request represents a departure from the historic intent of the Rural Density designation. However, Staff finds the existing neighborhood contains a mixture of

conforming and legal non-conforming lots, the proposal maintains a detached single-family residential land use, the proposal does not introduce multi-family or commercial uses, and the proposal may better align with the existing and anticipated development pattern of the neighborhood. There was a proposed development concept submitted, but it is simply a rendering.

Neighborhood compatibility information was shared. The current proposal represents a limited change in development potential. The conceptual lots are approximately 0.4 and 0.7 acres. Both exceed the 15,000 square foot minimum lot area of the R-1-15 District. The City recently approved a similar RR-1-21 to R-1-15 amendment for the immediately adjacent property.

Mr. Yeh reviewed the infrastructure analysis. Existing roadway access is available in the general area. Water, sewer, stormwater, and other utilities are also available to serve future development, subject to provider review. Given the limited increase in development potential, Staff does not anticipate substantial impacts to public infrastructure or services. He reminded Commissioners that future development remains subject to subdivision review, engineering review, utility and fire approvals, and drainage and stormwater requirements. He shared information about the procedure, authority, and public notice requirements. Staff recommends approval finding the proposal:

- Maintains detached single-family residential land use;
- Represents an incremental change in development potential;
- Generally compatible with portions of the surrounding neighborhood pattern;
- Existing public infrastructure and municipal services are available in the general area;
- Future subdivision review remains separate from this legislative action; and
- Not anticipated to result in adverse impacts to public health, safety, or welfare.

The applicant, Jordan Brady, thanked City Staff for their efforts in preparing the application and Staff Report. He wanted to address some of the concerns that were expressed during the Work Session. One of the main concerns had to do with the lot frontage, so he shared engineered drawings with the Commission. The 97 feet of frontage extends approximately 60 feet from the front property line heading south. On the west side, it extends 97 feet to the south. Based on the plat, there would be room for a substantial single-family residential home. The bottom half of the lot tapers down to 83.5 feet, which is still substantial. This is much wider than many of the other lots in this zoning area. The entirety of the lot would be a 0.43-acre lot with over 18,000 square feet. It is possible to build a home similar to the submitted rendering based on the setbacks for the zone.

The engineered drawing is what will be submitted with the subdivision application. Mr. Brady explained that it meets all of the City requirements for setbacks. He further reviewed the drawing and pointed out the driveway entrance for the property. There is a lot owned by the property owners who have parcels to the west. Those two property owners are co-owners of the driveway entrance area. Both have agreed to grant ingress and egress access in order to create the third lot.

Chair Steinman opened the public hearing.

Scott Brady explained that he is one of the owners of the two lots to the west of this project as well as the driveway. There is an agreement to provide lifetime access to whoever builds on that lot. He expressed support for the proposal and asked that the Planning Commission consider approval.

There were no further comments. The public hearing was closed.

Chair Steinman stated that he likes to see projects like this because there is a deficit of housing. There is a need for many different housing types in the County and the City. Infill developments are creative solutions. He stressed the importance of having different types of housing stock available to combat the housing attainability issue within the State. He thanked the Brady family for thinking creatively, because he would not have thought to subdivide in the back of a cul-de-sac. Chair Steinman also thanked the applicant for addressing concerns about frontage. He is comfortable with the applicant's proposal, especially since his concerns have been alleviated. Staff will review any future subdivision request as well as any changes proposed to this lot in the future.

Commissioner Smith asked if the livestock allowance is an issue for many of the neighbors. Mr. Yeh reported that based on visits to the area, it appears that two or three residences have livestock. Chair Steinman requested additional information about the General Plan. It was clarified that the zoning designation is in line with the current General Plan designation for this area.

Commissioner Smith moved to recommend APPROVAL of Project ZMA-26-004/GPA-26-004 to the City Council, based on the findings and recommendations listed in the Staff Report dated September 2, 2026. Commissioner Barnes seconded the motion. Vote on Motion: Commissioner Smith-Yes; Commissioner Crowder-Yes; Commissioner Barnes-Yes; Commissioner Kovac-Yes; Commissioner Poulson-Yes; Commissioner Lugo-Yes; Chair Steinman-Yes. The motion passed unanimously.

Ahead of the last Business Item, it was noted that the Chair of the Planning Commission can serve no more than two consecutive terms. Chair Steinman would be eligible to serve for another year.

3.4 Project SUB-26-005 – The Planning Commission will Hold a Public Hearing to Review and Take Possible Action on a Subdivision Plat Amendment Request by Jordan Brady to Amend the Existing Brady Woods Subdivision and Record the Amended Subdivision as the South Brady Subdivision. The Proposed Amendment would Create Three Single-Family Residential Lots fronting onto South.

Mr. Yeh presented the Staff Report and explained that this is a request for a Subdivision Plat Amendment at 2193 East 6525 South. The applicant is requesting approval to amend all of Lot 2 of the Brady Woods Subdivision and create three single-family residential lots within the approximately 1.083-acre property. The Zoning District is R-1-15. He shared the proposed three-lot configuration and pointed out Lot 201, which would be approximately 15,643 square feet, Lot 202, which would be approximately 15,781 square feet, and Lot 203, which would be approximately 15,771 square feet. Each proposed lot would have frontage along 6525 South.

During the initial Staff review, there were no major land use or subdivision design issues identified. The water, sewer, and the Fire Department reviews have been completed and approved. Mr. Yeh reported that there are still some remaining items, including Engineering, Public Works, easements, drainage, and plat drafting corrections. The final plat signature and recording will occur only after remaining comments have been resolved. Key analysis information was shared:

- Land Use and Zoning:
 - Detached single-family residential use;
 - All lot areas exceed the R-1-15 minimum; and
 - Lot width, frontage, and setbacks will be verified during the final review.
- Access and Frontage:
 - Access is from the existing 6525 South;
 - No new public subdivision street; and
 - Frontage improvements are subject to Public Works and Engineer review.
- Utilities and Easements:
 - Water and sewer reviews are complete;
 - Existing and proposed easements will be verified before recordation; and
 - Well easement is reviewed with the title/plat.
- Drainage and Stormwater:
 - Retention volume is 777 cubic feet total;
 - Dry wells are proposed for each lot; and
 - Final calculations are subject to City Engineer approval.
- Plat Corrections:
 - Correct R-1-5 reference to R-1-15;
 - Address labeling, setback references, and legal description verified; and
 - Technical drafting comments must be resolved before recordation.

Staff recommended approval subject to conditions that preserve the final technical review before plat signature and recordation. Mr. Yeh reviewed the proposed Conditions of Approval:

1. Technical Review. The applicant shall address all remaining comments from Planning, Engineering, Public Works, and other applicable reviewing agencies prior to final plat approval and recordation.
2. Final Plat Compliance. The final plat shall comply with all applicable subdivision, zoning, engineering, and recording requirements and shall incorporate all revisions required through the City review process.
3. Engineering and Public Improvements. Final grading, drainage, stormwater, utility, access, frontage, right-of-way, and public improvement requirements shall be reviewed and approved by the City Engineer and other applicable agencies prior to final approval and/or construction, as applicable.
4. Easements and Title. Existing and proposed easements, including the proposed well easement, shall be verified and revised as necessary through final technical

and title review prior to recordation. Any required easement modification, vacation, relocation, or new dedication shall be properly documented.

5. Plat Corrections. Drafting errors and inconsistencies identified during review, including zoning, address, labeling, setback references, and other plat information, shall be corrected prior to recording. The legal description and other survey information shall also be verified through final technical review.
6. Utility Approvals. Water and sewer reviews have been completed and approved. The applicant shall satisfy any remaining applicable utility-provider requirements prior to final plat recordation and/or construction authorization, as applicable.
7. Recordation. The final plat shall be recorded within the applicable approval period established by City Code unless an extension is approved in accordance with applicable requirements.

Mr. Brady expressed his appreciation for the effort that went into the Staff Report. As mentioned earlier in the meeting, there was an engineer hired who had experience working on both residential and commercial properties in Cottonwood Heights. The plat design that was originally submitted with the application conformed, with a few minor adjustments. There is agreement to make the amendments that have been outlined by Staff. He offered to answer Commissioner questions.

Chair Steinman opened the public hearing. There were no comments. The hearing was closed.

Chair Steinman asked to review the proposed Conditions of Approval. Mr. Yeh explained that the amendments that need to be made are minor. Nothing proposed will change in the general design.

Chair Steinman wanted to understand why this item is currently before the Planning Commission. Mr. Yeh clarified that there was a rezone in June, which the City Council approved in July. The applicant has now started the subdivision process. Certain triggers led to the need for Planning Commission review. It is possible for the Commission to propose additional Conditions of Approval if there are concerns about what has been proposed. Chair Steinman believed the original proposal had three lots, which was confirmed. Chair Steinman noted that during the original discussion, the fire turnaround was considered. He asked if the Fire Department and Engineering have reviewed that element. Mr. Yeh reported that there was a site visit conducted and the Subdivision Plat Amendment was reviewed with consideration of a turnaround area. The Fire Marshal has approved the plan. The fire turnaround area shown on the plat was reviewed.

Chair Steinman asked if the access point to the west of the subdivision is meant to act as the fire turnaround for the entire subdivision. Mr. Yeh confirmed that this area will be used. Ms. Glende added that it is part of the public right-of-way. Chair Steinman asked if it would be possible to create signage in the area or enhance the public right-of-way through a Condition of Approval. Mr. Yeh was not certain and stated that he would need to check with the Fire Marshal about that.

Chair Steinman noted that there could be Conditions of Approval proposed to enhance the fire turnaround area. He does not know what the enhancements would look like, as that would be

determined by the Fire Department. However, he wants to ensure there is clear access. It is important that the fire engine does not become stuck, so there could be road base and gravel added.

Discussions were had about the proposal from Chair Steinman. Commissioner Smith asked if the Fire Department has reviewed and signed off on the plans, which was confirmed. The location of the fire hydrants were highlighted. Commissioners felt that if the Fire Marshal has signed off on what has been proposed, there likely is not a need to add further Conditions of Approval.

Commissioner Lugo moved to APPROVE Project SUB-26-005, a request by Jordan and Brooke Brady to amend all of Lot 2 of the Brady Woods Subdivision and establish the South Brady Subdivision, consisting of three single-family residential lots at 2193 East 6525 South, based on the findings and subject to the conditions contained in the Staff Report dated September 2, 2026. Commissioner Poulson seconded the motion. Vote on Motion: Commissioner Smith-Yes; Commissioner Crowder-Yes; Commissioner Barnes-Yes; Commissioner Kovac-Yes; Commissioner Poulson-Yes; Commissioner Lugo-Yes; Chair Steinman-Yes. The motion passed unanimously.

4.0 Adjourn.

Commissioner Poulson moved to ADJOURN the Business Session. Commissioner Smith seconded the motion. The motion passed with the unanimous consent of the Commission.

The Business Session adjourned at 7:07 p.m.

I hereby certify that the foregoing represents a true, accurate, and complete record of the Cottonwood Heights City Planning Commission Work Session and Business Session held on Wednesday, September 2, 2026.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: _____

DRAFT