



ZM-26-016

PLANNING COMMISSION STAFF REPORT

Date: October 21, 2026

Re: Rezone

Subject Property: 874 East Gregson Ave, and 3088 - 3094 South 900 East (approx.)

From: Single Household Residential Zone (R-1-6)
To: Single Household Residential Zone (R-1-5)

Applicant: Adam Nash with Land Development LLC

Prepared By: Brad Sanderson, AICP

Scope of Decision: **Discretionary.** This is a legislative matter, to be decided by the Millcreek City Council upon receiving a recommendation from the Millcreek Planning Commission. While your recommendation can be broad in scope it should consider prior adopted policies, especially the Millcreek General Plan.

REQUEST AND SYNOPSIS

Adam Nash representing Land Development LLC (applicant), has filed a Zone Map Amendment application seeking approval to rezone two separate properties each being 0.21 acres and 0.69 acres, comprising four parcels or 0.90 acres of property, generally located at 874, East Gregson Ave, and 3088 - 3094 South 900 East.

The applicant is proposing to change the zone designation from the current **R-1-6** Single Household Residential zone to the **R-1-5** Single Household Residential zone. If approved, the R-1-5 zone would allow lot sizes to be reduced from 6,000 sqft to a minimum 5,000sqft. Additionally, the lot frontages, setbacks and lot coverage would also be slightly reduced - see Table 18.36-2 found here:

[https://millcreek.municipalcodeonline.com/book?type=planzone#name=18.36_SINGLE-HOUSEHOLD_RESIDENTIAL_\(R-1\)_ZONES](https://millcreek.municipalcodeonline.com/book?type=planzone#name=18.36_SINGLE-HOUSEHOLD_RESIDENTIAL_(R-1)_ZONES)

FINDINGS:

1. According to the adopted Millcreek Future Land Use Map, all involved properties, including those within the immediate surrounding area, are designated as 'Neighborhood 1', which anticipates lots

designated for single-family detached homes, ranging between 1-6 units per acre (see Millcreek General Plan).

2. The parcel addressed from Gregson Ave. contains an existing duplex, which is likely to be removed to accommodate a new street access without creating a noncomplying setback from the new street. The duplex is also a legal but nonconforming multi-family use within a single-family zone.
3. There is an existing parcel within the middle of the applicant's subject property containing both a house and accessory structure. While there have been several concept plans showing how development and access could work with the neighboring property, this landowner has not consented to his property being rezoned and is therefore not a part of this rezone application.
4. The applicant claims they may have a legal access, via twenty- to thirty-foot-wide access and utility easement, through neighboring property.
5. The concept plan contemplates reconfiguring the parcels into several residential lots intended for modest size single-family homes.
6. The properties are largely undeveloped and have likely come to exist as a result of portions of land being deeded from once larger parcels, thus causing the subject property to be somewhat of an infill property.
7. Further development or subdivision of property would require a separate application to be processed and approved by the city and other utility entities.
8. Setbacks, height envelopes, and lot coverages are established by the respective underlying zones.
9. In years previously, the applicant sought a variance to Millcreek's zoning and development standards however they were denied.
10. The City has recently modified a number of zoning and development codes to help with infill development however, these properties still maintain several development challenges under the current R-1-6 Zone as it pertains to lot sizes, and widths as well as building heights and setbacks.
11. On September 29th a neighborhood meeting was held onsite by the applicant to gather input, wherein 4-5 individuals attended.
12. An Open House was later held on October 6th whereupon the applicant presented his concept proposal and answered questions. There were four individuals who attended this meeting including a representative from the Millcreek Community Council (MCC). No formal comments were received from MCC.
13. A couple of nearby landowners have provided formal written comments which have been included with this report.

The following Goals may apply to this application:

1. GOAL N-2: Strive for a variety of housing choices in types, styles, and costs of housing throughout Millcreek.
2. GOAL GP-9: Support complementary infill development and land use investment in the mature and developed areas of the city.

CONCLUSIONS:

1. The R-1-5 Zone, if approved, would help the property to be development as it would allow lot sizes to be reduced from 6,000 sqft to 5,000 sqft and lot widths to be reduced from 60 feet wide to 50 feet wide. Additionally, the R-1-5 zone would allow slightly smaller setbacks and a different building height envelope.
2. Staff has concerns with the middle landowner not being a part of the rezone and potential future development as access seems to uncertain at this point in time. Furthermore, the middle landowner's accessory structure would be physically separated from the primary residential structure if a street

were to be constructed through the property. Additional concerns with setbacks to structures are also unresolved.

3. The R-1-5 Zone meets the intent of the 'Neighborhood 1' Land Use designation, according to the Millcreek General Plan.
4. Any nonconformities with respect to structures and uses are not necessarily relevant to the zoning application however, these do need to be resolved as part of any development applications such as subdivision of the property.
5. Developability of the property remains uncertain as the current and future access heavily rely on the applicants' physical and legal ability to have access to much of the property via another landowner's property, without future causing additional nonconformities. Additional landowners have not provided owners' affidavits and are not formally a part of this application.

RECOMMENDATIONS:

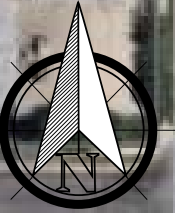
Based on the Findings and Conclusions listed above, the following is recommended:

Staff Recommendation: That the Planning Commission take public comments during the public hearing and consider a CONTINUANCE of application file number ZM-26-016, to rezone property generally located at approximately 874 East Gregson Ave, and 3088 - 3094 South 900 East (approx.) from the Single Household R-1-6 Residential Zone to the Single Household R-1-5 Residential Zone, as presented, unless during the meeting facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff.

SUPPORTING DOCUMENTS

- Aerial Image
- Zoning Map
- Land Use Map
- Proposed Concept Plan
- Original Plat Concept
- Public Comments

Aerial Image



Gregson Ave

**Subject
Property**

800 E

800 E

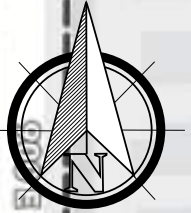
800 E

800 E

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Future Land Use Map



Apple Park

Apple Park Way

Neighborhood 1

800 E

800 E

Gregson Ave

800 E

900 E

Barrows Ave

800 E

900 E

Subject Property

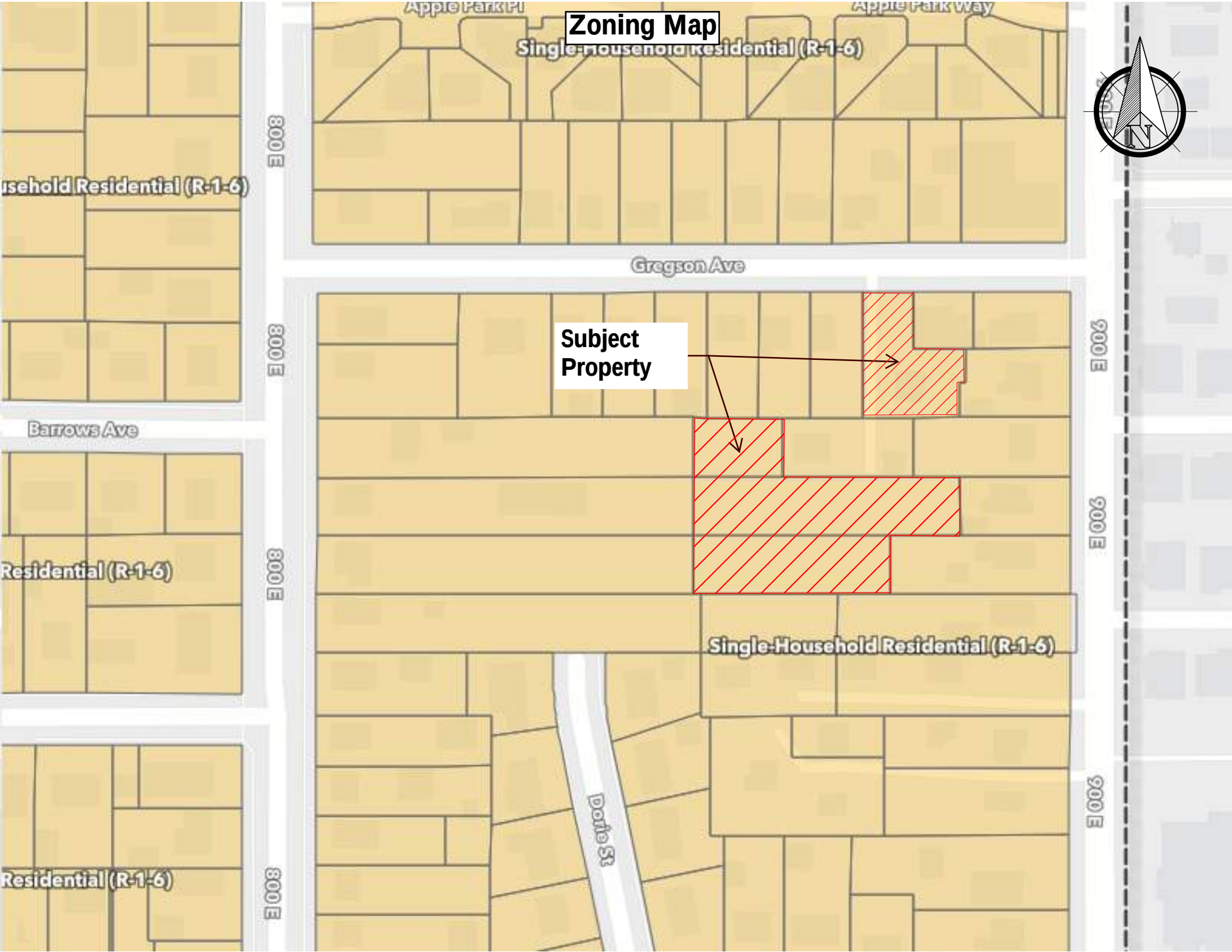
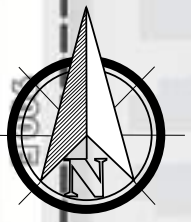


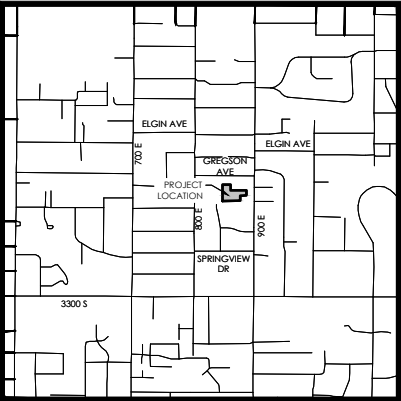
Doris St

900 E

800 E

Zoning Map





VICINITY MAP

N 1/4

NOTES

- #5 REBAR AND CAP (FOCUS ENGINEERING) TO BE SET AT ALL PROPERTY CORNERS.
- PARCEL A HEREBY DEDICATED TO THE OWNER OF 872 EAST GREGSON AVENUE.
- MANY AREAS IN MILLCREEK HAVE GROUNDWATER PROBLEMS DUE TO A FLUCTUATING WATER TABLE. APPROVAL OF THIS PLAT DOES NOT CONSTITUTE REPRESENTATION BY THE CITY THAT BUILDING AT ANY SPECIFIED ELEVATION WILL SOLVE GROUNDWATER PROBLEMS, IF ANY.

OWNERS AND POTENTIAL PURCHASERS OF PROPERTY LEGALLY DESCRIBED BY THIS PLAT (THE "PROPERTY") SHOULD FAMILIARIZE THEMSELVES WITH ALL NOTES, LOT INFORMATION, EASEMENTS, AND OTHER PERTINENT INFORMATION CONTAINED ON THIS PLAT. IN ADDITION TO ANY AGREEMENTS, CONDITIONS, COVENANTS AND RESTRICTIONS (CC&R'S) DOCUMENTS CURRENTLY EXISTING AND AS MAY BE CHANGED OR AMENDED FROM TIME TO TIME. FAILURE TO COMPLY AND ADHERE TO THESE ITEMS COULD RESULT IN FINANCIAL LOSS OR CHANGES IN EXPECTED PROPERTY USE.

A GEOTECHNICAL REPORT HAS BEEN PREPARED BY _____ AND DATED _____ THIS INFORMATION IS ON FILE WITH MILLCREEK AND ALSO AT THE OFFICE OF _____

(IF APPLICABLE)
THIS PLAT IS SUBJECT TO THOSE TERMS AND CONDITIONS OF A DEVELOPMENT AGREEMENT MADE BETWEEN (_____) AND MILLCREEK, RECORDED ON _____ AS ENTRY NUMBER _____ IN BOOK _____ PAGE _____ OF THE SALT LAKE COUNTY RECORDER'S OFFICE OF OFFICIAL RECORDS.

A GEOLOGIC HAZARD DISCLOSURE FORM AND ANY APPLICABLE SPECIAL HAZARD STUDIES FOR _____ HAVE BEEN RECORDED AND IS ON FILE WITH SALT LAKE COUNTY RECORDER'S OFFICE, AS RECORDED AS ENTRY# _____ BOOK, _____ PG. _____

(IF APPLICABLE)
EACH LOT OWNER IS RESPONSIBLE FOR ENTERING INTO THEIR OWN LONG TERM STORM WATER MAINTENANCE AGREEMENT WITH MILLCREEK, AND ENSURING THAT THE AGREEMENT IS RECORDED AT THE OFFICE OF THE SALT LAKE COUNTY RECORDER.

THE SURVEYOR AND/OR ENGINEER LISTED, CERTIFIES THAT LEGAL DESCRIPTION OF THE PROPERTY REFERENCED WITHIN A CERTAIN TITLE REPORT (DATED: _____) PREPARED BY _____ MATCHES THE DESCRIPTION SHOWN ON THIS PLAT AND FURTHER CERTIFIES THAT ALL KNOWN OR RECORDED EASEMENTS, CLAIMS OF EASEMENTS OR ENCUMBRANCES, AS LISTED WITHIN THIS SAME TITLE REPORT, ARE _____ SHOWN OR NOTED ON THIS PLAT.

4. STREET B HEREBY CONVEYED TO MILLCREEK CITY AS A PUBLIC UTILITY EASEMENT TO BE MAINTAINED BY SALT LAKE CITY PUBLIC UTILITIES.

GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

Curve Table

CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C6	50.00	89°40'52"	78.26	N44°52'40"E	70.51

LEGEND

- BOUNDARY
- SECTION LINE
- EASEMENT
- RIGHT-OF-WAY LINE
- BUILDING SETBACK
- EXISTING PROPERTY LINE
- BOUNDARY MARKERS
- SECTION MONUMENT (FOUND)
- STREET MONUMENT (TO BE SET)

FOUND BRASS CAP
MONUMENT (RING & LID)
700 EAST & 2700 SOUTH

NORTHWEST CORNER
OF LOT 9, BLOCK 29,
TEN ACRE PLAT "A"
BIG FIELD SURVEY

MEASURED: N89°53'51"E 1,597.75'
2700 SOUTH STREET
(PUBLIC - ROW)

FOUND BRASS CAP
MONUMENT (RING & LID)
900 EAST & 2700 SOUTH

NORTHEAST CORNER
OF LOT 10, BLOCK 29,
TEN ACRE PLAT "A"
BIG FIELD SURVEY

NORTHEAST CORNER
OF THE SOUTH HALF
OF LOT 15, BLOCK 29,
TEN ACRE PLAT "A"
BIG FIELD SURVEY

POINT OF
BEGINNING

S89°52'47"W 106.00' (TIE #1)
N89°47'33"W 145.28' (TIE #2)

N89°52'47"E 266.49'

(S89°52'49"W 20.00')

(N0°07'09"W 17.00')

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RECORD OF SURVEY

R.O.S

COUNTY SURVEYOR REVIEWER _____ DATE _____

PREPARED FOR:

OWNER/DEVELOPER
LAND DEVELOPMENT LLC
3267 E 3300 S, SUITE #304
SALT LAKE CITY, UTAH 84109
(801) 580-1428
CONTACT: ADAM NASH

PREPARED BY:



FOUND BRASS CAP
MONUMENT (RING & LID)
700 EAST & 3300 SOUTH

SOUTHWEST CORNER
OF LOT 4, BLOCK 29,
TEN ACRE PLAT "A"
BIG FIELD SURVEY

SOUTHWEST CORNER
OF LOT 2, BLOCK 29,
TEN ACRE PLAT "A"
BIG FIELD SURVEY

SOUTHEAST CORNER
OF LOT 15, BLOCK 29,
TEN ACRE PLAT "A"
BIG FIELD SURVEY

SOUTHEAST CORNER
OF LOT 1, BLOCK 29,
TEN ACRE PLAT "A"
BIG FIELD SURVEY

3300 SOUTH STREET
(PUBLIC - ROW)

MEASURED: N89°53'25"E 1,597.23'

MOUNT OLYMPUS IMPROVEMENT DISTRICT

APPROVED THIS ____ DAY OF _____, 20____,
BY MOUNT OLYMPUS IMPROVEMENT DISTRICT.

MOUNT OLYMPUS IMPROVEMENT DISTRICT

MILLCREEK ENGINEERING DEPARTMENT

APPROVED THIS ____ DAY OF _____, A.D. 20____,
BY MILLCREEK ENGINEERING DEPARTMENT.

MILLCREEK ENGINEER

MILLCREEK ENGINEERING

DATE _____ SIGNATURE _____

SALT LAKE COUNTY HEALTH
DEPARTMENT

APPROVED THIS ____ DAY OF _____, A.D. 20____

SALT LAKE COUNTY HEALTH DEPT.

APPROVAL AS TO FORM

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

MILLCREEK ATTORNEY

PUBLIC UTILITY APPROVAL

COMMUNICATION/CABLE CO. _____ DATE: _____
POWER COMPANY: _____ DATE: _____
FUEL/ENERGY COMPANY: _____ DATE: _____
OTHER: _____ DATE: _____

SURVEYOR'S CERTIFICATE

I, Evan J. Wood, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 183395 in accordance with Title 58, Chapter 22 of Utah State Code. I further certify by authority of the owners(s) that I have completed a Survey of the property described on this Plat in accordance with Section 17-73-504 of said Code, and have subdivided said tract of land into lots, and easements, and the same has, or will be correctly surveyed, staked and monumented on the ground as shown on this Plat.

Evan J. Wood
Professional Land Surveyor
License No. 183395

Date _____

BOUNDARY DESCRIPTION

A part of Lot 15, Block 29, Ten Acre Plat "A", Big Field Survey, located in the Southwest Quarter of Section 29, Township 1 South, Range 1 East, Salt Lake Base and Meridian, situate in Millcreek, Salt Lake County, Utah, comprised of Parcels 16-29-326-028, 16-29-326-030, 16-29-326-029, 16-29-326-025 and 16-29-326-003, and part of Parcels 16-29-326-015, 16-29-309-003, 16-29-309-002 and 16-29-309-001, being more particularly described as follows:

Beginning at a southeast corner of a Warranty Deed recorded as Entry #14410389 on July 16, 2025 on file with the Salt Lake County Recorder, said point also being located point S89°52'47"W 106.00 feet from the Northeast Corner of the South half of Lot 15, block 29, Ten Acre Plat "A", Big Field Survey, said point also being located N00°12'27"E 1,466.89 feet along the Monument line of 900 East Street and N89°47'33"W 145.28 feet from the monument found at the intersection of said 900 East Street and 3300 South Street; running thence S01°08'33"W 57.53 feet to the Northwest corner of a Warranty Deed recorded as Entry No. 14154862 in Book 11446 at Page 1072 of Official Records; thence along said deed line S 00°02'13" W 56.02 feet to the northerly line of a Warranty Deed recorded as Entry No. 12794286 in Book 10685 at Page 4904 of Official records; thence along said deed line the following two (2) courses: (1) S 89°52'50" W 64.89 feet; (2) thence S 00°02'13" W 56.02 feet to the Northerly deed line of a Warranty Deed recorded as Entry No. 12110467 in Book 10351 at Page 7695-7696 in the Salt Lake County Recorder's Office; thence along said deed line S89°52'51"W 199.57 feet to and along the Northerly Subdivision line of Primose Subdivision Amendment No. 1 recorded as Entry No. 14366069 in Book 2025P at Page 079 in the Salt Lake County Recorder's Office; thence N00°16'23"W 169.55 feet to the Southerly line of a Warranty Deed recorded as Entry No. 13578927 in Book 11125 at Page 6710-6712 in the Salt Lake County Recorder's Office; thence along and beyond said deed line N89°52'47"E 266.49 feet to the point of beginning.

Containing 41,315 square feet or 0.95 acres, more or less.

Containing 6 Lots

OWNER'S DEDICATION

KNOWN ALL BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF THE DESCRIBED TRACT OF LAND ABOVE, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS TO HEREAFTER BE KNOWN AS

TWIN PINES COURT

DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC, ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE, AND WARRANT, DEFEND, AND SAVE THE CITY HARMLESS AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCES ON THE DEDICATED STREETS WHICH WILL INTERFERE WITH THE CITY'S USE, OPERATION, AND MAINTENANCE OF THE STREETS AND DO FURTHER DEDICATE THE EASEMENTS AS SHOWN FOR THE USE BY ALL SUPPLIERS OF UTILITY OR OTHER NECESSARY SERVICES.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS ____ DAY OF _____, A.D. 20____

LAND DEVELOPMENT, LLC

BY: _____

NAME: _____

ITS: _____

LIMITED LIABILITY ACKNOWLEDGMENT

STATE OF UTAH
S.S.
COUNTY OF _____

ON THE ____ DAY OF _____, A.D. 20____ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY OF _____, IN SAID STATE OF UTAH, _____, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE/SHE IS THE _____ OF _____ L.L.C., A UTAH L.L.C. AND THAT HE/SHE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID LIMITED LIABILITY COMPANY FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES: _____ A NOTARY PUBLIC COMMISSIONED IN UTAH RESIDING IN _____ COUNTY

MY COMMISSION No. _____ PRINTED FULL NAME OF NOTARY _____

TWIN PINES COURT

LOCATED IN THE SW1/4 OF SECTION 29, T.1S., R.1E., S.L.B. & M.
A PART OF LOT 15, BLOCK 29, TEN ACRE PLAT "A",
BIG FIELD SURVEY
MILCREEK, SALT LAKE COUNTY, UTAH

RECORDED # _____

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

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

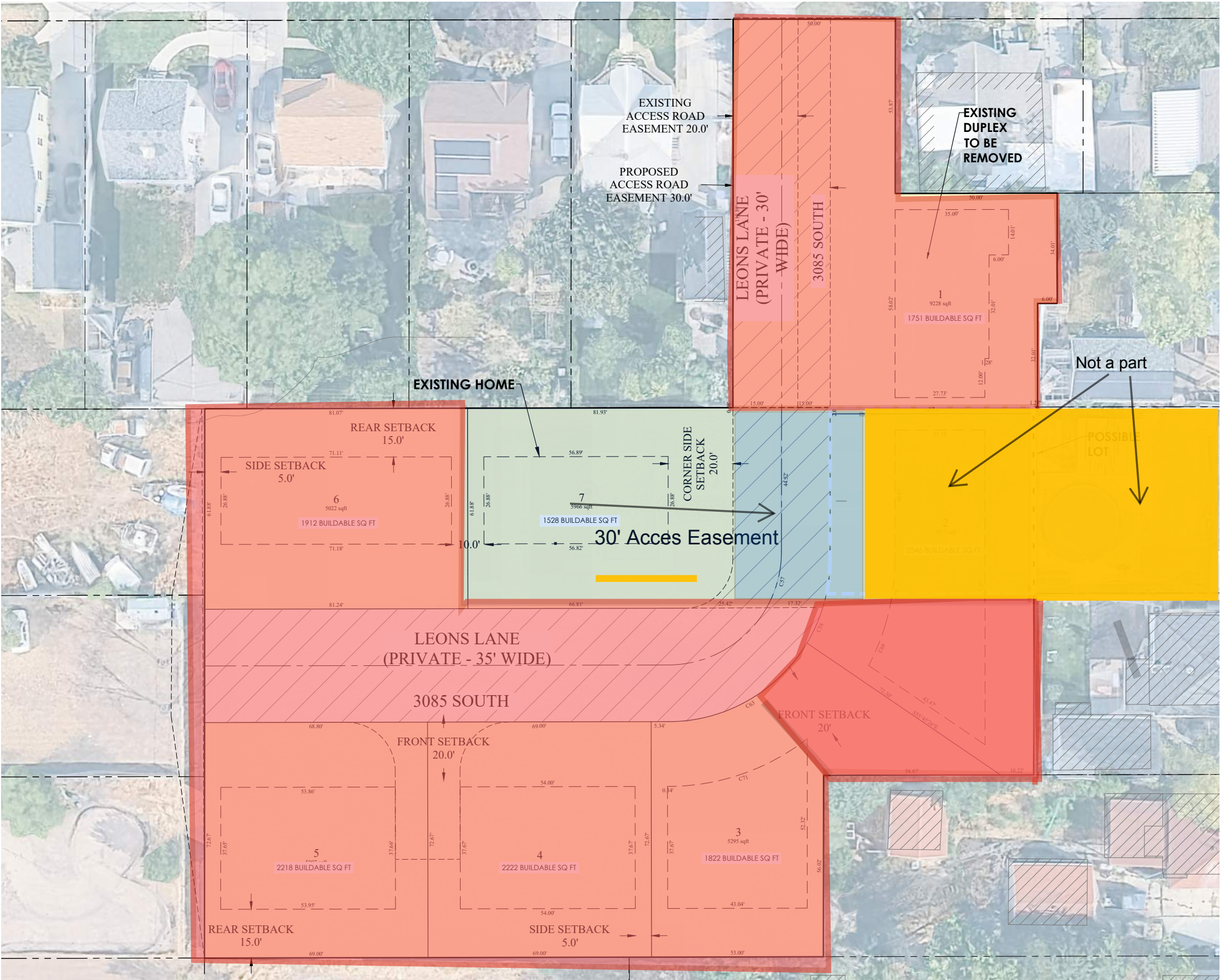
\$ _____
SALT LAKE COUNTY DEPUTY RECORDER

NUMBER _____

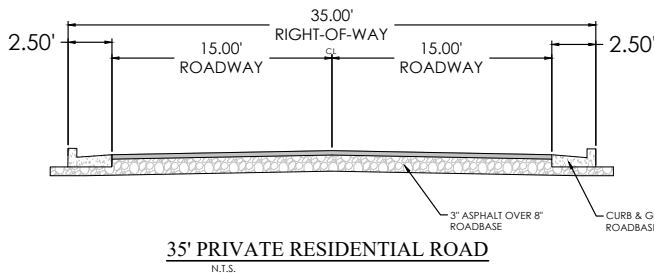
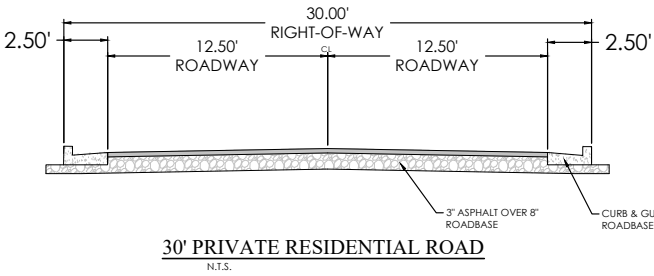
ACCOUNT _____

SHEET 1 OF 1

TWIN PINES - RESIDENTIAL SUBDIVISION 874 EAST GREGSON AVENUE

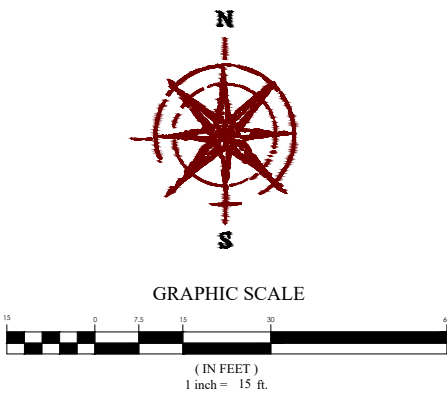


ZONE REQUIREMENTS		
PROPOSED ZONE	R-1-5	
MIN. LOT SIZE	5,000 SQFT	
MIN. LOT WIDTH	25'	
FRONT YARD SETBACK	20'	
SIDE YARD SETBACK	5'	
REAR YARD SETBACK	15'	
CORNER SIDE YARD SETBACK	20'	
MAXIMUM LOT COVERAGE	35%	
*ALL SETBACKS ARE FOR A PRIVATE GARAGE OR DWELLING MEASURED FROM THE LOT LINES.		



TWIN PINES - RESIDENTIAL SUBDIVISION
5 NEW R-1-5,000 SQ FT LOTS
1 DUPLEX REMOVED AND REPLACED BY
A SINGLE FAMILY RESIDENCE

This plan shows features that are typical in the R-1-5 zone. Property Lines widths and setbacks will all most likely change.



TWIN PINES COURT site plan

MILLCREEK CITY, SALT LAKE COUNTY
10/6/2026
20-0338



Z:_2020\20-0338 Millcreek Court\Design 20-0338.dwg\concept\20-0338 Twin Pines Concept Option 1 100526.dwg

Re: ZM-26-016, Twin Pines Court Rezoning Application
Letter of Concern: Adam Rubalcaba; 872 E Gregson Ave, Millcreek, Utah 84106
Submitted for October 21, 2026 public hearing

Dear Members of the Millcreek Planning Commission,

I am writing regarding the proposed Twin Pines Court rezoning application, ZM-26-016. My name is Adam Rubalcaba, and I am a Millcreek resident, a U.S. Army veteran with wartime service, and, most relevant to this application, the homeowner at 872 E Gregson Avenue, Millcreek, Utah 84106. My property sits in the middle of the proposed development, with the applicant intending to establish the subdivision's primary access road through an existing corridor on my property, directly between my house and detached garage.

To begin, I want to emphasize that I am generally supportive of responsible development in this area. I believe additional homes could benefit the neighborhood, and I have made repeated efforts to work in good faith with the applicant toward a mutually acceptable solution. Despite these efforts, we have not reached an agreement regarding the treatment of my property, and several fundamental questions remain unanswered about the feasibility of the proposed development and its potential impacts on my existing residence and garage. I respectfully request that the Commission consider the following concerns before recommending the rezoning, particularly given that the proposed zoning change is intended to facilitate this specific residential development.

1. Existing Garage and Property Impacts

My property includes an existing, fully functional detached garage approximately 30 feet wide by 25 feet deep, located east of the proposed access corridor (see Exhibit A). This garage is an important part of my property's functionality and value. The proposed roadway presents several significant concerns regarding the available space, continued usability of the garage, and broader impacts on my property:

- **Insufficient Roadway Width:** Based on measurements using the Salt Lake County parcel viewer, the available space between the front of my garage and my lawn/driveway is approximately 26 feet (two readings, 26.2 and 26.4 feet; see Exhibit A). This is less than the 30-foot roadway the applicant has referenced in several proposals, a figure that corresponds to the 30-foot dimension of the recorded easement where it crosses my property (see Section 4), and substantially less than the 35-foot corridor that Millcreek planning staff has indicated is required. The City's private-street standards also require improvements beyond the paved driving surface, including curb, gutter, sidewalk, and drainage, which is why the required corridor is wider than the pavement itself. The existing physical clearance is therefore smaller than both the roadway width referenced by the applicant and the corridor width identified by Millcreek staff. Without a dimensioned survey and roadway design, it remains unclear how the necessary improvements can be accommodated. This raises a fundamental question: How does the applicant intend to construct a compliant private street within these physical constraints without altering or removing my garage, lawn, driveway, parking areas, or other existing improvements? I recognize that the GIS measurements are approximate and do not establish surveyed property or easement boundaries; that is precisely why a dimensioned survey from the applicant, as the party proposing to build, is needed, and I would

welcome one. To date, I have not received a dimensioned survey or engineering plan demonstrating how the roadway would fit, nor have I consented to the removal or alteration of these improvements.

- **Property Use and Safety Concerns:** Currently, the area between my house and garage functions as a residential driveway that I use for parking, vehicle maneuvering, and everyday access between the two structures. Converting this area into the primary access road for several new residences would fundamentally change how I use my property. Subdivision traffic would pass directly between my home and garage, potentially restricting existing parking and maneuvering space while introducing significant additional vehicle and pedestrian safety concerns. Rather than benefiting my property, the proposed arrangement would make everyday access between my house and garage more difficult and introduce hazardous traffic and risks that do not exist to the same degree today.
- **Continued Functionality and Legal Status:** Even if a roadway configuration could be designed that physically leaves my garage standing, that would not necessarily resolve its impacts on my property. Millcreek's regulations establish requirements for private streets, building setbacks, and accessory structures, including setbacks measured from the edge of a private street where applicable. My garage would appear to stand at or near the edge of the proposed roadway, raising several important questions: How would the new street affect the garage's compliance with applicable development standards and its continued lawful status? Would I retain the ability to maintain, repair, or replace the structure in the future? And if modifications were necessary to accommodate the proposed roadway, who would be responsible for those changes and their associated costs?

In fact, the Commission has considered similar issues before. At its June 17, 2026 meeting, in connection with ZM-26-012, staff explained that an existing accessory structure would be removed, a replacement garage constructed, and the existing residence brought into compliance before the final subdivision plat was recorded. In that case, the affected structures belonged to the applicant. Here the garage is mine, and I am not the one proposing the development. While the circumstances differ slightly, the same consideration should be given to protecting existing structures and determining who would be responsible for any necessary modifications. Thus, I do not believe leaving the garage physically untouched is a sufficient solution if its continued functionality, lawful status, and safe use are materially compromised.

Recognizing these concerns, I have repeatedly proposed relocating the garage to the west side of my house through a mutually agreed land transfer and construction of a comparable replacement garage. This would place my home and garage together in a contiguous area, preserve the functionality of my property, and potentially provide the applicant with the space necessary to accommodate the proposed roadway. Despite extensive discussions regarding this alternative, I have not received a commitment or proposed site plan incorporating the arrangement or otherwise demonstrating a workable solution.

2. Private-Street Feasibility and Construction Impacts

The proposed subdivision depends on converting the existing access corridor into a private street that satisfies Millcreek's development and engineering standards. Today, this corridor functions as a residential driveway without the curb, gutter, sidewalk, or drainage improvements typically associated with a new private street. My understanding from discussions with city staff is that the proposed street requires a 35-foot corridor. However, the applicant has referenced a 30-foot roadway across my property, and successive iterations of the preliminary plans have depicted varying roadway widths. These discrepancies have not been reconciled through a dimensioned engineering plan demonstrating how the required pavement, curbs, gutters, sidewalks, underground utilities, drainage, and emergency-vehicle access can be accommodated within the existing physical constraints and available property rights. Put simply, the applicant has proposed a road but has not demonstrated where all the required improvements will physically fit.

Beyond the finished roadway, I am equally concerned about how its construction would affect my ability to access my home. My only access to Gregson Avenue runs through the same corridor the applicant proposes to reconstruct. Construction would likely involve excavation, grading, utility installation, and substantial work along this route. I have repeatedly asked how access to my residence would be maintained during construction but have not received an explanation or proposed plan. I do not know whether access would be interrupted, how long any closures might last, or what alternative arrangements would be available for my vehicles, emergency services, deliveries, and everyday use of my home.

I understand that detailed construction drawings and final engineering approvals occur later in the development process. However, I believe it is reasonable to expect a credible preliminary design demonstrating that the proposed subdivision can be developed without compromising existing structures, substantially disrupting access to an established residence, or relying on additional property rights that have not been secured.

3. Existing Property Rights

I own the land underlying the portion of the existing access corridor that crosses my parcel, now consolidated under parcel 16-29-326-035-0000. While I acknowledge the existence of certain recorded access and utility rights, these should be distinguished from ownership of the underlying property and any additional rights that may be necessary to construct the proposed subdivision. The existence of an easement does not, by itself, establish that every aspect of the proposed roadway and associated improvements is authorized.

I have not agreed to convey additional land, grant new easements, accept subdivision-related maintenance obligations, or otherwise modify my existing property rights. Any development plan relying on my property should clearly identify which rights already exist under the recorded instruments and which, if any, would require additional agreement.

4. Easement Scope and Limitations

I have reviewed the recorded property documents, including the February 2022 warranty deed, Entry No. 13884984 (see Exhibit B), which reserves certain access and utility rights to the grantor. The deed describes a 20-foot-wide corridor extending approximately 119.85 feet from Gregson Ave, followed by a separate area crossing my property that includes a 30.00-foot

northern boundary course, approximately 48-foot side courses, and curved boundaries leading to a 32.59-foot southern boundary course. The instrument does not describe a continuous 35-foot-wide corridor along the proposed access route.

I do not dispute the existence of these recorded rights. However, it remains unclear whether they, together with any additional legally available land or easements, are sufficient to accommodate the proposed private street and associated improvements. I recognize that the City is not responsible for adjudicating private property disputes. Nevertheless, because the proposed subdivision depends on this access route, I believe the applicant should demonstrate through a dimensioned survey and preliminary engineering plan that the roadway can be constructed within the available property rights and applicable development standards before the City relies upon it in evaluating the development.

5. Good-Faith Coordination and Unresolved Property Arrangements

I want the Commission to understand that I have made repeated efforts to find a practical and mutually beneficial solution. These efforts have included proposing a land exchange, relocating and replacing my existing garage, and exploring other property arrangements that would allow the development to proceed. I have pursued these alternatives in good faith because I would like to see responsible development succeed, provided it does not come at the expense of my existing property's functionality, safety, or value.

Despite these discussions, we have not reached an agreement, and I have yet to receive a site plan that adequately addresses the central concerns described above. The proposed configuration has changed repeatedly, and I have at times learned of material changes through public notices and documents posted by the City rather than through direct coordination with the applicant. This has made it difficult to meaningfully evaluate the evolving proposal, understand its implications for my property, or participate in developing a mutually acceptable solution.

I remain willing to work collaboratively toward a resolution. However, I have not consented to any new property arrangement, additional easements, or other modifications affecting my property beyond existing recorded rights. I believe a development of this nature should be pursued in coordination with affected property owners, rather than advancing through repeated unilateral changes while fundamental property issues remain unresolved.

6. Proposed Rezoning Boundaries and Land-Use Compatibility

Separately, I am concerned about the proposed rezoning boundaries themselves. As I understand the applicant's latest approach, my property would be excluded from the R-1-5 rezoning while the surrounding development properties are rezoned. This could leave my existing residence as an R-1-6 property surrounded on multiple sides by R-1-5 development, despite the proposed subdivision's primary access road passing directly through my property.

I question whether this represents the most sensible long-term land-use arrangement, particularly when a coordinated approach could potentially address the zoning configuration alongside the existing access and garage concerns. I am open to including my property in a coordinated R-1-5 rezoning, provided the applicant and I first reach a mutually acceptable agreement addressing the treatment of my existing garage, necessary property arrangements, roadway access, and

associated construction impacts. I believe such an approach could produce a more cohesive development plan that benefits both properties, rather than advancing a fragmented arrangement while these fundamental issues remain unresolved.

To be clear, my willingness to consider participating in a coordinated rezoning is not consent to the current proposal or to any changes to my existing property rights. Rather, it reflects my continued willingness to work toward a comprehensive solution that allows responsible development to proceed while protecting the functionality and value of my property.

Request to the Planning Commission

I understand that the current application concerns rezoning and that subsequent subdivision and engineering approvals involve separate review processes. However, that distinction is precisely why I believe these concerns warrant consideration now. It is my understanding that rezoning is a legislative decision about the appropriate future use of the property, while subsequent subdivision review is largely administrative and focused on compliance with applicable standards. Once a subdivision application satisfies those standards, the City's ability to deny it on broader planning grounds is limited. I therefore believe it is reasonable for the Commission to consider whether the development contemplated by this rezoning has a credible and feasible access arrangement before recommending that the zoning change proceed.

Accordingly, I respectfully request that the Planning Commission defer its recommendation until the applicant has provided sufficient information to demonstrate a credible and feasible access arrangement. At a minimum, I believe this should include a dimensioned preliminary plan identifying my existing garage and surrounding improvements, the boundaries of the recorded easements, the full width and location of the required roadway improvements, and how these elements can coexist within the available property rights. I also request clarification regarding the garage's continued functionality and applicable setbacks, together with a preliminary plan explaining how access to my residence would be maintained throughout roadway construction.

If the Commission is nevertheless inclined to recommend approval, I respectfully request that it recommend the City Council consider a development agreement in conjunction with the rezoning. Such an agreement could establish specific requirements and timelines for the applicant to demonstrate a compliant roadway design, document the necessary property rights, address the continued functionality and legal status of my existing garage, and provide a construction plan that maintains safe access to my residence. I believe these matters should be addressed through clear, enforceable requirements before the relevant subdivision or construction approvals are granted, rather than left unresolved as the project advances. I recognize that any such agreement would need to be consistent with the City's authority and applicable approval procedures.

Additionally, I ask the Commission to consider whether the proposed rezoning boundaries represent an appropriate long-term land-use arrangement, particularly given the applicant's continued reliance on an access corridor through property that may be excluded from the rezoning. A coordinated approach may provide a more practical and cohesive solution to the access and land-use concerns described above.

Lastly, I want to be clear that I am not asking the Commission to resolve a private compensation dispute or prevent responsible development. Rather, I am requesting that these fundamental feasibility issues be addressed before the City advances a zoning change intended to enable a development whose access configuration remains uncertain. I remain willing to work with the applicant toward a practical solution that allows responsible development while protecting my existing property and its use.

Thank you for your time and consideration.

Respectfully,

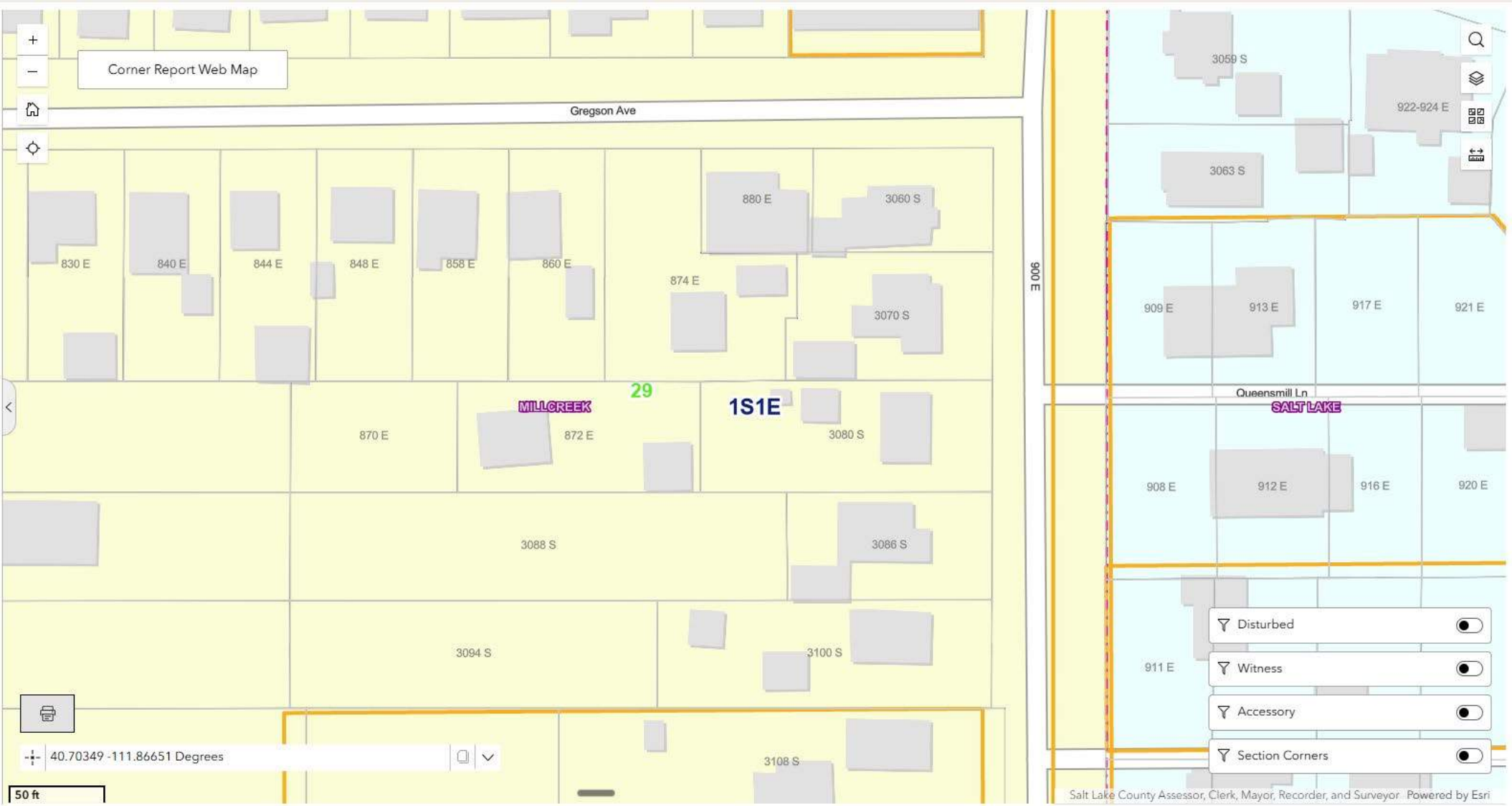
A handwritten signature in black ink, appearing to be 'AR', with a long horizontal line extending to the right.

Adam Rubalcaba
872 E Gregson Avenue
Millcreek, UT 84106

Attachments

- **Exhibit A:** Annotated property map showing the existing residence, garage, access corridor, and approximate GIS measurements.
- **Exhibit B:** February 2022 Warranty Deed, Salt Lake County Entry No. 13884984, including the recorded easement description.
- **Exhibit C:** Latest Twin Pines Court preliminary development plan sent to me by Adam Nash on 10/12/2026.

Exhibit A





new Parcel Viewer



Base Maps

Pictometry



Zoom to Results

Clear Graphic

Export Results

Measurement Result

Feet

Measurement Result

26.2 Feet

Measurement Result

Parcel

Parcel Record	16293260350000
Owner	RUBALCABA, ADAM K
Address	872 E GREGSON AVE
Total Acreage	0.17
Tax Class Id	111
Property Type	ACP
Tax District	
% Exempt	
Exempt Type	
Municipal Zone	
MLS Number	

Valuation / Tax Year	2026
Land Value	\$ 189,100
Building Value	\$ 479,400
Final Value:	\$ 668,500

Legal Description:
BEG S 89°52'47" W 150 FT FR NE COR OF S 1/2 OF LOT 15, BLK 29, 10 ACRE PLAT A, BFS; S 0°02'13" W 57.52 FT; S 89°52'49" W 126.18 FT; N 0°02'13" E 57.52 FT; N 89°52'47" E 126.33 FT TO BEG.

Land

Structures

Value History

Results 1



Measurement Result

Feet

Measurement Result

26.4 Feet

Measurement Result

WHEN RECORDED RETURN TO:
GRANTEE
957 South 700 East
Salt Lake City, UT 84105

Tax ID No.: 16-29-326-001

13884984 B: 11302 P: 6907 Total Pages: 2
02/04/2022 02:21 PM By: ndarmiento Fees: \$40.00
WD- WARRANTY DEED
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: SUTHERLAND TITLE COMPANY
920 E WOODOAK LN, STE 100 SALT LAKE CITY, UT 84117

WARRANTY DEED

LAND DEVELOPMENT, LLC, a Utah limited liability company, **GRANTOR**, hereby CONVEY(S) AND WARRANT(S) to STRACK BROTHERS, LLC, **GRANTEE**, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following tract(s) of land in Salt Lake County, State of Utah described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

Subject to City and/or County taxes and assessments, not delinquent; Easements, Rights-of-Way, Covenants, Conditions and Restrictions now of record.

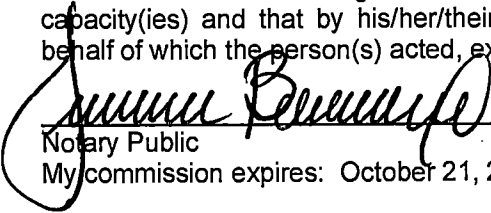
WITNESS, the hand of said grantor this 3rd day of February, 2022.

LAND DEVELOPMENT, LLC


ADAM NASH
Manager

State of Utah
County of Salt Lake

On this 3rd day of February, 2022, before me, the undersigned Notary Public, personally appeared ADAM NASH who is the Manager of LAND DEVELOPMENT, LLC personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged before me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.


Notary Public

My commission expires: October 21, 2022

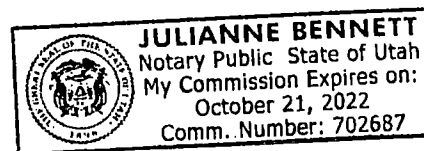


EXHIBIT "A"
LEGAL DESCRIPTION

Land located in Salt Lake County, State of Utah, more particularly described as follows:

Parcel 1:

Beginning at a point 150 feet West of the Northeast corner of the South half of Lot 15, Block 29, Ten Acre Plat "A", Big Field Survey, and running thence West 213 feet; thence South 57.5 feet; thence East 213 feet; thence North 57.5 feet to the point of beginning.

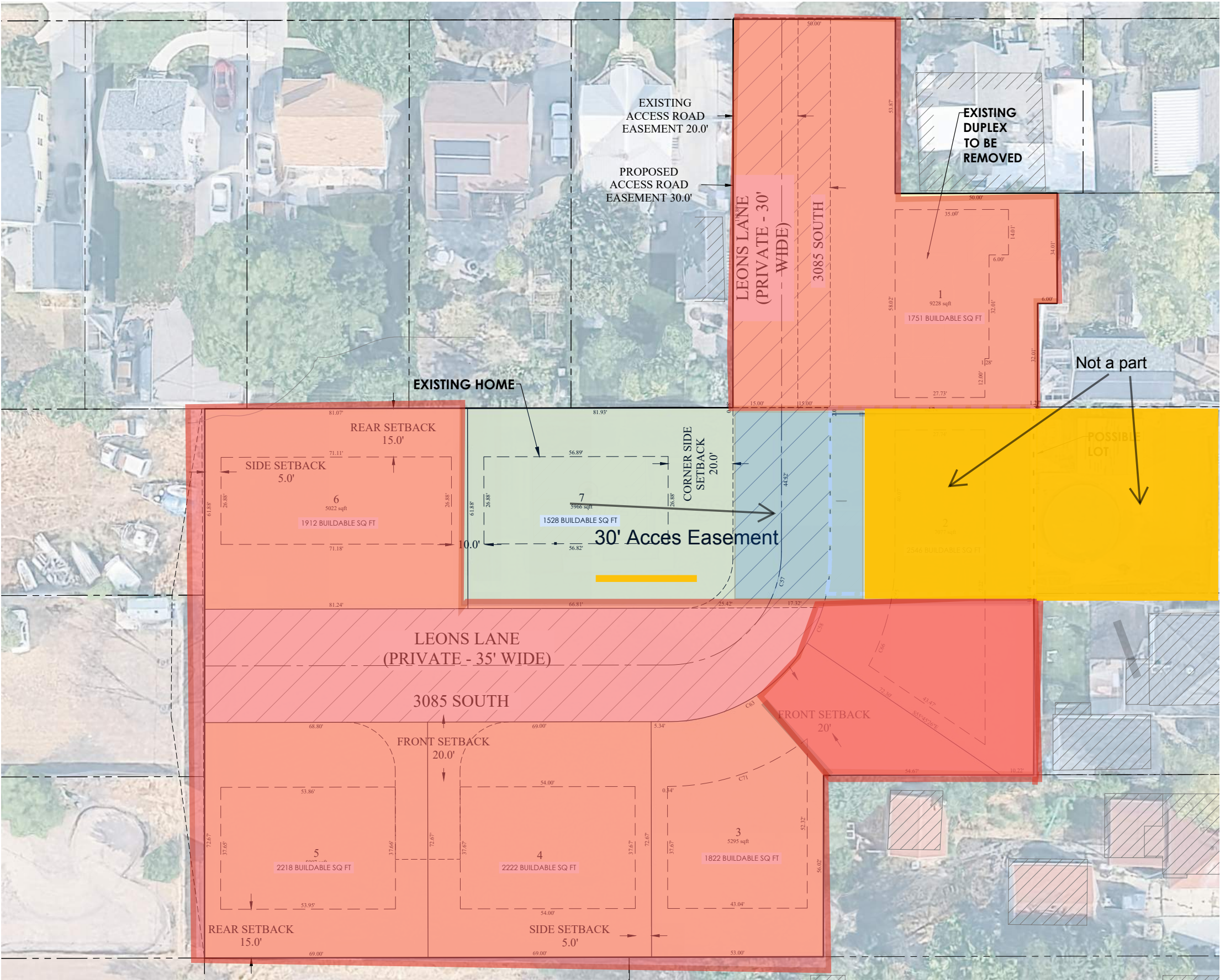
Tax Parcel No.: 16-29-326-001

Parcel 1A:

TOGETHER WITH a right of way over the following described property: Commencing 167.25 feet South and 180 feet West from the Northeast corner of Lot 15, Block 29, Ten Acre Plat "A", Big Field Survey, and running thence West 20 feet; thence South 119.85 feet; thence East 20 feet; thence North 119.85 feet to beginning.

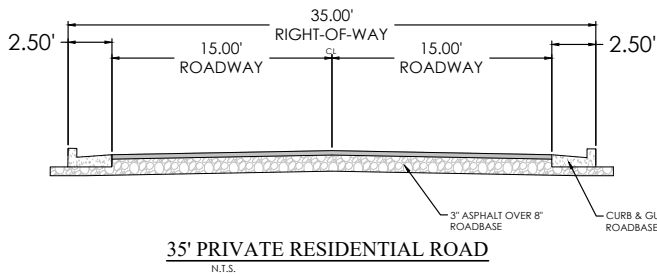
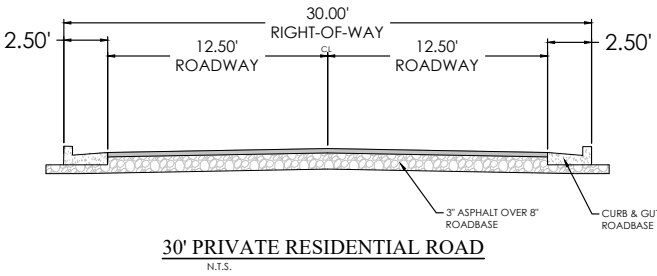
RESERVING UNTO THE GRANTOR a right of way for access and utilities, over under and across the following: Commencing 167.25 feet South and 180 feet West from the Northeast corner of Lot 15, Block 29, Ten Acre Plat "A", Big Field Survey, and running thence West 20 feet; thence South 119.85 feet; thence East 20 feet; thence North 119.85 feet to beginning. ALSO, Beginning 167.25 feet South and 200 feet West and 119.85 feet South from the Northeast corner of Lot 15, Block 29, Ten Acre Plat "A", Big Field Survey, and running thence North 89°52'47" East 30.00 feet; thence South 00°02'13" West 47.80 feet; thence along the arc of a curve to the right with a radius of 45.00 feet a distance of 9.80 feet through a central angle of 12°28'26" Chord: South 06°16'26" West 9.78 feet; thence South 89°52'49" West 32.59 feet; thence Northerly along the arc of a non-tangent curve to the left having a radius of 15.00 feet (radius bears: North 49°07'29" West) a distance of 10.69 feet through a central angle of 40°50'17" Chord: North 20°27'22" East 10.47 feet; thence North 00°02'13" East 47.72 feet to the point of beginning.

TWIN PINES - RESIDENTIAL SUBDIVISION 874 EAST GREGSON AVENUE



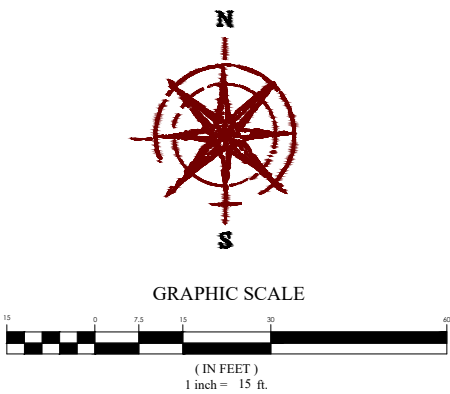
ZONE REQUIREMENTS		
PROPOSED ZONE		R-1-5
MIN. LOT SIZE		5,000 SQFT
MIN. LOT WIDTH		25'
FRONT YARD SETBACK		20'
SIDE YARD SETBACK		5'
REAR YARD SETBACK		15'
CORNER SIDE YARD SETBACK		20'
MAXIMUM LOT COVERAGE		35%

*ALL SETBACKS ARE FOR A PRIVATE GARAGE OR DWELLING MEASURED FROM THE LOT LINES.



TWIN PINES - RESIDENTIAL SUBDIVISION
5 NEW R-1-5,000 SQ FT LOTS
1 DUPLEX REMOVED AND REPLACED BY
A SINGLE FAMILY RESIDENCE

This plan shows features that are typical in the R-1-5 zone. Property Lines widths and setbacks will all most likely change.



TWIN PINES COURT site plan

MILLCREEK CITY, SALT LAKE COUNTY
10/6/2026
20-0338



Z:_2020\20-0338 Millcreek Court\Design 20-0338.dwg\concept\20-0338 Twin Pines Concept Option 1 100526.dwg

Brad Sanderson

From: Planner
Sent: Wednesday, September 30, 2026 11:20 AM
To: Sara Beaudry
Cc: Brad Sanderson
Subject: Re: [Ext] 874 East Gregson Ave - rezone application

Hi Sara,

Thank you for reaching out. I have copied Brad Sanderson on this email, as he is the planner assigned to this application and can take note of your concerns.

Best regards,

Trudi Hawes

PLANNING ADMINISTRATIVE ASSISTANT

Office: 801.252.6408

thawes@millcreekut.gov

millcreekut.gov



Disclaimer: Information, comments, or recommendations provided in this email are offered as a courtesy and are non-binding. They should not be interpreted as a formal review, approval, or determination by Millcreek.

From: Sara Beaudry <[REDACTED]@gmail.com>
Sent: Tuesday, September 29, 2026 10:16 AM
To: Planner <planner@millcreekut.gov>
Subject: [Ext] 874 East Gregson Ave - rezone application

Hello, I am writing in regards to the rezoning application for 874 East Gregson Ave in Millcreek.

I just got a letter yesterday about a meeting being held by the developer for this property. The meeting is being held TODAY.

I have multiple concerns as a neighbor of this property.

1. This area is landlocked between multiple other properties and this is NOT an area that can handle more traffic or parking. There are no roads in and out of this area.
2. The zoning changes would necessitate very tall homes to fit in this area, that would look directly into the yards of all of us that live around it. I do NOT want that and it would substantially change the feel of our neighborhood.

3. This developer has a history of meetings without notice and trying to steamroll changes in our neighborhood. A meeting with less than one day notice is unacceptable. It also feels very suspicious that this is being held by the developer, not the city.

I am asking for the zoning application for this property to be denied.

Thank you,

Sara Beaudry
3070 South 900 East, Millcreek

--

Sara Beaudry, Ph.D., LAT, ATC

██████████

██████████ cell

██████████@gmail.com

██████████.com

This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.

Millcreek City Council

Cheri Jackson, Mayor
Silvia Catten, District 1
Thom DeSirant, District 2
Nicole Handy, District 3
Bev Uipi, District 4



Millcreek City Hall

1330 East Chambers Avenue
Millcreek, Utah 84106
Millcreekut.gov
801-214-2700

CUP-26-012

Planning Commission Staff Report

Meeting Date: 10/21/2026
Applicant: Helping Hand Association, Inc. dba "The Haven"
Re: Conditional Use Permit (CUP)
Property Address: 860 East 4500 South and 4358 South 900 East
Prepared By: Francis Xavier Lilly, AICP, Planning Director

Scope of Decision: **Administrative.** This is an administrative matter to be decided by the Millcreek Planning Commission. Your approval should be narrow in scope and primarily based on state statute and adopted local zoning, land use, and development codes.

REQUEST

The applicant is seeking a conditional use permit (CUP) to convert an existing office building into four separate residential treatment units, accommodating a total capacity of 64 beds. Some of the existing parking will be repurposed into supportive program space, including a commercial kitchen, laundry facilities, a gym and wellness area, and outpatient treatment services. Nursing Homes/Assisted Living is a conditional use in the RM Zone. The applicant's proposed use is substantially similar to a Medical Clinic and Nursing Home / Assisted Living, and must be regulated as such under federal and state fair housing and disability laws. Aside from a significant building remodel, no new development is being proposed at this time. The 64 clients will be men who are in active recovery from substance use disorders, and who would most likely otherwise be homeless. The applicant's project narrative, particularly pages 6 through 8, articulates the legal parameters around the nature of this application, and why the applicant's proposed use should be regarded as akin to an assisted living facility along with a medical or dental clinic.

BACKGROUND ON THE HAVEN

Compliance and Calls For Service:

The Haven is a nonprofit entity that has provided treatment for substance use disorders since 1969. Currently, the Haven operates several facilities in Salt Lake County. The table below lists each facility, its address, the number of clients served, and provides a link to the latest inspection report issued by the Utah Department of Health and Human Services (UDHHS). Each of the facilities is in compliance with UDHHS

standards, and there were no deaths or serious injuries due to noncompliance, nor any substantiated instances of child abuse associated with the facilities.

Facility Name	Address	Clients Served	UDHHS Compliance
Bond House Recovery Residence	2425 W Garden Creek Wy West Jordan	20 Men	Inspection Report
RDG Recovery Casa Recovery Residence	2186 West 8910 South West Jordan	16 Men	Inspection Report
The Haven South Salt Lake Outpatient Treatment	3570 South West Temple South Salt Lake	100 Men	Inspection Report
The Haven South Jordan Recovery Residence / Day Treatment	2841 West 11400 South South Jordan	16 Women Residents 27 Outpatient Clients	Inspection Report
The Haven Downtown Recovery Residence / Day Treatment	974 E South Temple Salt Lake City	16 Men Residents 20 Outpatient Clients	Inspection Report
Men's West Program Recovery Residence / Day Treatment / Outpatient Treatment	1875 West 9000 South West Jordan	16 Men Residents 29 Outpatient Clients	Inspection Report
Women's Residence Recovery Residence	2682 West Marion Drive West Jordan	14 Women	Inspection Report

Staff queried the West Jordan Police Department on their experiences with the four facilities The Haven operates in that city. The West Jordan Police Department indicated 16 reports across the four facilities in the last two years. Reports included responses to civil disputes, investigations of prior crimes committed, a complaint by a resident regarding fraud by a third party, a complaint by a resident regarding stalking from a person not associated with the facility, and harassment. The West Jordan Police Chief characterized that their “response frequency to these facilities seems consistent, if not a little less than other centers in West Jordan”.

Programmatic Considerations:

As part of their application, the Haven provided a screening overview document and a list of exclusionary criteria. The Haven will impose the following background restrictions:

1. Registered on the Sex Offender Registry, the Child Abuse/Neglect Registry, or the Kidnapping Offender Registry
2. History of Homicide, subject to a case-by-case review
3. No charges involving animals exceeding neglect.

Their exclusionary criteria also include active substance use and refusal to follow house rules. To the extent that these considerations are non-discriminatory, they should be included by reference in the staff report, and the conditional use permit should be subject to continued compliance with the above background restrictions.

PUBLIC COMMENT SUMMARY

As of the publication of this staff report, Millcreek received a recommendation letter from the Millcreek Community Council, and four other written comments from Millcreek residents. Additionally, one resident from West Jordan reached out to Millcreek after receiving a letter from staff sent to several West Jordan residents asking about their experiences with a Haven facility adjacent to their property. The public comments are included as an appendix to this staff report.

CONDITIONAL USE REVIEW

Standards for Review:

The Planning Commission may impose site plan modifications and conditions to mitigate the reasonably anticipated detrimental effects of conditional use. Mitigation is required of reasonably anticipated detrimental effects arising from the conditional use, per the standards of approval as specifically listed in City Code Section 18.15.030.A(4).

MKZ 18.15.030.A Conditional Use Permit

Conditions of Approval: Unless otherwise specified in this Code or Utah Code Section 10-20-506, Conditional Uses, the Planning Commission shall approve all conditional use applications with objective standards as set forth in the Land Use Code. In such cases, any conditions attached to approvals shall be directly related to the anticipated detrimental effects of the proposed use or development. No conditions of approval shall be less restrictive than the requirements of this Code, except where the Code allows flexibility. All conditional uses are presumed to be compatible with the zone and the General Plan's intent.

Denial: If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the Land Use Authority may deny the conditional use.

ANALYSIS OF REASONABLY ANTICIPATED DETRIMENTAL EFFECTS

- 1. Detrimental effects of decreased street service levels and/or traffic patterns including the need for street modifications such as dedicated turn lanes, traffic control devices, safety, street widening, curb, gutter and sidewalks, location of ingress/egress, parking lot surfacing and design of off-street parking and circulation, loading docks, as well as compliance with off-street parking standards, including other reasonable mitigation as determined by a qualified traffic engineer.*

The proposed use may generate traffic associated with employees, employee shift changes, outpatient clients, visitors, deliveries, service providers, resident transportation, and emergency services. The conversion of the existing parking-garage area to conditioned space also changes the manner in which parking demand will be accommodated. These activities may adversely affect street operations, ingress and egress, parking availability, internal circulation, pedestrian movements, and adjoining streets if not properly managed.

Staff notes that the building was formerly an office building, and the conversion from that office building to an institutional residential use with associated operations and outpatient treatment services reduces the parking demand, at least according to the Millcreek Code. A summary of the parking requirements are below:

Use	Parking Ratio	Requirement	Note
Nursing Home / Assisted Living	4 parking spaces plus 1 parking space for every 5 beds.	64 beds = 17 spaces	Includes the bedrooms on levels 1 and 2, as well as the cafeteria, gym, laundry, and kitchen spaces on the Parking Level
Medical, Dental, Veterinary Offices	1 space per 300 square feet	6,518 sf = 22 spaces	Includes the group rooms, admissions, offices, and lobby/utility spaces on the Parking Level
Professional Office	1 space per 400 square feet for the first 20,000 square feet	3,029 sf = 8 spaces	Includes the administrative offices on the west side of the building on the Level 3 New Floor Plan
Total Parking Requirement		47 Spaces	Parking Provided 101 Spaces

Because the building is contemplated to have multiple, overlapping uses, the above is staff's best estimate of the parking demand, based on the square footages provided by the applicant. Staff notes that some of the offices are contained within the Nursing Home / Assisted Living and Medical Office uses, while others are set aside for the Haven's Administration. In any case, parking demand appears to be well below the parking provided on-site.

Similarly, a traffic impact study commissioned by Millcreek noted that the traffic impacts of the proposed use are less than the previous use of the building as commercial office space. Considering that neither the outpatient clients nor the residents will drive or maintain automobiles, and that vehicle movements will be limited to staff, deliveries, and the occasional visitor Hales Engineering does not recommend any mitigations related to traffic impacts on the site.

Mitigation: These effects can be substantially mitigated by requiring compliance with the approved parking and circulation plan; maintaining required off-street parking; prohibiting operational practices that routinely displace facility-generated parking onto adjoining residential streets; maintaining required fire lanes and emergency access; and implementing traffic or circulation improvements reasonably required through engineering review.

2. *Detrimental effects on the adequacy of utility systems, water and sewer, solid waste, snow removal, service delivery, and capacities, including the need for such items as relocating, upgrading, providing additional capacity, irrigation systems, or preserving existing systems, including other reasonable mitigation as determined by Millcreek's engineering staff, contracted engineers, and utility service providers.*

Residential occupancy, a commercial kitchen, laundry operations, outpatient treatment, and continuous operation may create utility and service demands different from the prior office use. Potential effects include increased demand upon water, sewer, solid waste, and other utility systems. As part of the preliminary conditional use review, Millcreek requested comment from Salt Lake City Public Utilities, which indicated that the change of use would not necessitate any utility upgrades to the site, or nearby. Additionally, the applicant agreed in their project narrative that solid waste and snow removal operations will continue unchanged once the building is converted. Final review and issuance of a building permit is subject to approval by the Millcreek Engineering Department, the Unified Fire Authority Fire Marshal, and Salt Lake City Public Utilities.

Mitigation: These effects can be substantially mitigated by requiring confirmation of adequate utility capacity and completion of any utility improvements attributable to the proposed development that are reasonably required by the City Engineer or applicable utility provider.

3. *Detrimental effects on connectivity and safety for pedestrians and bicyclists.*

Residents, employees, outpatient clients, visitors, and other persons will travel between the building, parking areas, sidewalks, and surrounding transportation network. The resulting pedestrian movements may create conflicts with vehicles if pedestrian routes are not properly designed and maintained.

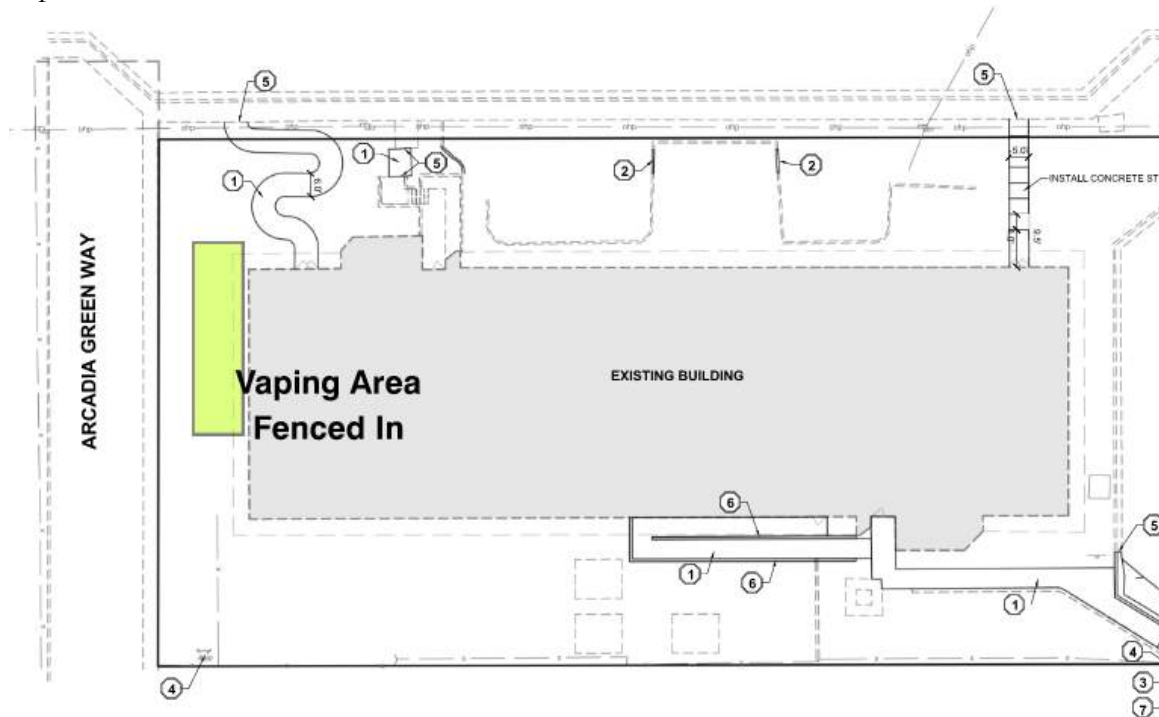
Given the assertion of the traffic study that the traffic impacts of the proposed use are less than the historic uses on the site, and considering the Applicant's operational practice to discourage free travel to and from the building, staff believes that the activity will not likely significantly challenge connectivity for pedestrians and bicyclists, any more than a permitted use in the zone would, provided sidewalks and pedestrian routes are continuously maintained.

Mitigation: The Applicant shall provide and continuously maintain required pedestrian connections, accessible routes, sidewalks, crosswalks, and related improvements shown on the approved plans or otherwise required under applicable City standards. Required pedestrian routes shall remain unobstructed.

4. *Detrimental effects of the use due to its nature, including noise that exceeds sound levels normally found in residential areas, odors beyond what is normally considered acceptable, within a neighborhood including effects of environmental impacts, dust, fumes, smoke, odor, noise, vibrations; chemicals, toxins, pathogens, gases, heat, light, electromagnetic disturbances, and radiation. Detrimental effects of the use may include hours of operation and the potential to create an attractive nuisance.*

The applicant asserts that the Haven will not produce any excess noise or odors beyond the property's historical use and/or what is normally considered acceptable within a neighborhood. However, staff notes that the residential component of the facility will operate on a continuous basis. Noise may result from residents, employees, visitors, vehicles, deliveries, mechanical equipment, refuse collection, and outdoor activities. Outdoor congregation or activities could also adversely affect adjoining properties if not appropriately managed. The applicant asserts that

smoking is prohibited on the property, but that vaping would be allowed. The applicant is proposing that a fenced-in vaping area located immediately east of the building, along Arcadia Green Way, as depicted below:



This proposed location is the furthest away it could be from surrounding residences, while having immediate access to the building. The nearest residence is located 72 feet away from the north end of the proposed vaping area.

Occasionally, residents may decide they may no longer want to participate in the program. Since the Haven is not a lockdown facility, residents are technically free to leave the program at will. However, the applicant stipulates that staff will not simply send the resident out the front door; instead, they will work with the resident to address the concern or determine an appropriate discharge plan. The applicant commits to offer transportation to a resident who chooses to leave the program.

Poorly-managed treatment programs may produce excessive calls to first responders, and operational practices may result in security and safety concerns for the building, its occupants, or neighboring property owners and nearby residents. In order to protect the health, safety, and welfare of surrounding property owners, reasonable, non-discriminatory criteria should be imposed on potential clients of the program.

Mitigation: The facility shall comply with applicable noise requirements. Outdoor activities, deliveries, refuse collection, resident transportation, and similar activities shall be reasonably managed to minimize nighttime impacts upon adjoining residential properties. Outdoor program activities and congregation shall occur on the Property in appropriate areas and shall not be conducted on adjoining private property or in the public right-of-way, except for ordinary lawful use

of the right-of-way. A Vaping Area shall be located east of the existing building, no closer than 72 feet from the nearest residence. The Applicant shall work with residents who choose to leave, and offer transportation to the residents as necessary. The Applicant shall continually adhere to the exclusionary criteria for admission that was submitted as part of their application, and that includes, at a minimum, a prohibition on clients from participating in the program if they meet the following criteria:

1. Registered on the Sex Offender Registry, the Child Abuse/Neglect Registry, or the Kidnapping Offender Registry
 2. History of Homicide, subject to a case-by-case review
 3. No charges involving animals exceeding neglect.
5. *Detrimental effects that increase the risk of contamination of or damage to adjacent properties and injury or sickness to people arising from, but not limited to, waste disposal, fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/topography, storm drainage/flood control, the removal of dangerous or blighted structures, high ground water, environmental health hazards, or wetlands, as determined by the City Engineer, and/or other qualified specialists.*

Residential occupancy, food preparation, treatment activities, and related operations will generate solid waste and may generate medical or other regulated waste. Improper storage or disposal could result in litter, odors, pests, contamination, or health impacts. Additionally, the project is located in a moderate liquefaction area. No additional storm water mitigation is warranted for the site, since impervious surfaces are not increasing on the site.

Mitigation: Refuse shall be stored in approved containers and collection areas and removed regularly. Medical, hazardous, or otherwise regulated waste shall be stored, handled, transported, and disposed of in accordance with applicable law. Waste areas shall be maintained so they do not create unreasonable odors, litter, pests, or unsanitary conditions affecting surrounding property. Prior to receiving a building permit, the Applicant shall record a Geologic Hazards Disclosure on the property title pursuant to Millcreek's Sensitive Lands Standards.

6. *Detrimental effects of modifications to exterior lighting that conflict with abutting properties.*

The Applicant indicates that they are not planning on adding lighting, unless at the request of the City. However, they will be replacing existing lighting as needed. Existing or future security and site lighting could create glare or light trespass onto adjoining residential properties.

Mitigation: Exterior lighting shall comply with applicable City standards and shall be maintained and operated to minimize unreasonable glare and light trespass onto adjoining residential property. Any lighting upgrades new lighting proposed as part of the building permit shall be reviewed by the City for compliance with the City's lighting standards. Any subsequent lighting shall comply with the City's lighting standards.

7. *Detrimental effects arising from site design and/or building design in terms of use, scale, intensity, height, mass, setbacks, character, construction, solar access, landscaping, fencing, screening, lighting (on-site and adjacent street lighting), signs, and architectural design and exterior detailing/finishes and colors within the area.*

No additions or significant exterior changes are proposed for the building, other than enclosing the ground-level parking garage into conditioned space. Although the existing building is largely being retained, conversion from office use to residential and outpatient treatment increases the intensity of use (at least in the evening hours) and changes the operational characteristics of the Property. However, there is no need for additional parking for the proposed use.

Mitigation: Development and operation shall substantially conform to the approved plans and representations contained in the Staff Report. Material changes affecting access, circulation, parking, landscaping, screening, building configuration, or mitigation measures shall obtain additional City approval when required by the Land Use Code.

8. *Detrimental effects on emergency fire service and emergency vehicle access.*

Residential occupancy increases the importance of maintaining adequate fire suppression, emergency access, fire lanes, exits, and other life-safety systems. The Fire Marshal and Building Official completed a preliminary review of the proposed use. As part of the building permit review, both the Fire Marshal and the Building Official will have to certify that the building will be suitable for an institutional residential occupancy of 64 people.

Mitigation: Each phase shall receive all required fire and life-safety approvals before occupancy. Required fire lanes, hydrants, fire-department connections, exits, and emergency access routes shall remain unobstructed at all times.

9. *Detrimental effects on usable/functional/accessible open space and sensitive lands.*

The building has limited existing open space, and none of that open space will be changing as part of the change of use.

Mitigation: Development and operation shall substantially conform to the approved plans and representations contained in the Staff Report. Any future expansion or change to the site will require an amendment to the conditional use permit, and subsequent land use approval by Millcreek.

10. *Detrimental effects from inadequate maintenance of the property and structures in perpetuity, including performance measures, compliance reviews, and monitoring.*

Inadequate maintenance of landscaping, parking areas, sidewalks, refuse facilities, lighting, drainage improvements, or the building exterior could adversely affect surrounding property. Failure to maintain required licensing from the State of Utah may occur.

Mitigation: The Property shall be continuously maintained in a clean, safe, sanitary, and orderly condition. The Applicant shall conduct the routine property inspections and maintenance reviews represented in its application and maintain reasonable documentation of corrective actions. The Applicant shall continually maintain any required permits and licenses by Millcreek, the State of Utah, and any applicable government agency. Additionally, the Applicant shall engage in the following outreach and monitoring program with Millcreek:

- 10.1. Applicant shall meet monthly with Millcreek Staff and representatives from the Unified Police Department for the first year following the start of operations of Phase 1. After one year, meetings between the Applicant and Millcreek Staff / UPD shall occur quarterly.
- 10.2. After one year of occupancy, Applicant shall schedule a follow-up neighborhood meeting, inviting property owners located within 300 feet of the subject property.
- 10.3. Applicant shall provide Millcreek and surrounding property owners with a direct point of contact to address any concerns that may arise in the course of operations.

11. Detrimental effects of excessive storm water generation.

The Applicant stipulates that the hardscape will be reduced slightly, as a result of the site modifications necessary for the change of use. No additional storm water mitigation is required by Millcreek code.

Mitigation: Final grading and drainage shall comply with plans approved by the City Engineer and applicable stormwater requirements. Required stormwater facilities shall be maintained in functioning condition.

FINDINGS AND CONCLUSIONS

1. The subject property includes a building located in the Residential Mixed (RM) Zone, and an associated parking lot that is located in the Commercial (C) Zone. In the RM Zone, “Nursing Home or Assisted Living” is listed as a conditional use. “Medical or Dental Clinic” is listed as a permitted use in a legally established commercial building.
2. The subject property is approximately 1.7 acres in area.
3. The property contains an existing office building that is approximately 31,000 square feet in area.
4. The applicant is seeking to convert the building into a series of licensed residential treatment facilities totaling 64 beds, along with administrative offices and an outpatient treatment component. Conversion of the building to accommodate occupancy in an institutional context is subject to a building permit, and approval of the fire department. Currently the building is two stories atop a parking podium. The podium will be enclosed to provide a kitchen, outpatient facilities, a wellness area, and office space. The associated parking lot contains 101 parking spaces.
5. The Property has historically operated primarily as an office property. The proposed use will change the operational characteristics of the Property by introducing residential occupancy, treatment activities, outpatient services, food preparation, laundry facilities, resident transportation, employee shifts, visitors, deliveries, and other activities associated with a treatment facility.

6. The Applicant proposed to develop and occupy the facility in phases rather than immediately operating the entire facility at maximum capacity.
7. The proposed use is subject to licensing by the Utah Department of Health and Human Services.
8. The use is similar in terms of operations and impact to a nursing home or assisted living facility. Recent case law supports treating this application akin to a nursing home or assisted living facility.
9. Properties surrounding the subject property consist of a grocery store and commercial retail across 3900 South to the north, a residential townhome development to the west and south, commercial development across 900 East to the east, and commercial uses to the south of the parking lot. (See aerial map)
10. The clients are not referred to the program through a judicial process, and does not provide “secure treatment” in a lockdown facility.
11. During daytime hours, the applicant reports that the facility will be staffed with 22 full-time clinical staff and employees. After-hours, a minimum of eight full-time staff members are present to support client needs.
12. No additional development is planned, so no site plan approval is warranted.
13. A trip generation memorandum prepared by Hales Engineering finds that, in terms of traffic generation, a nursing home of the same size as the proposed office building generates less traffic than the office building would have. Thus – no traffic mitigations are required
14. The proposed use may reasonably be anticipated to create detrimental effects as established in Section 18.15.030 (A)(4) of the Millcreek Code.
15. The reasonably anticipated detrimental effects identified by the Planning Commission arise from the physical and operational characteristics of the proposed land use. The Planning Commission does not find that the disability, diagnosis, medical condition, recovery status, or treatment status of a resident, patient, client, employee, visitor, or other person associated with the facility constitutes a detrimental land-use effect.
16. The Planning Commission finds that each reasonably anticipated detrimental effect identified in the Staff Report can be substantially mitigated through reasonable conditions directly related to the identified effect.

PLANNING STAFF RECOMMENDATION

Staff Recommendation - Based on the findings and conclusions listed above, Staff recommends that the Planning Commission take public comments and approve the Conditional Use Permit application file number CUP-26-012 located at 860 East 4500 South and 4358 South 900 East, as presented and subject to the following conditions:

1. The Conditional Use Permit authorizes the use substantially as described in the approved application, including residential substance use disorder treatment, outpatient treatment, administrative offices, and customary accessory activities.
2. Residential treatment occupancy shall not exceed sixteen (16) residents within any individual residential treatment program and shall not exceed sixty-four (64) residential treatment residents

within the facility as a whole.

3. Development and operation of the Property shall substantially conform to the approved site plan, building plans, application materials, and representations made by the Applicant that are incorporated into the City's approval.
4. No residential treatment unit may be occupied until all building, fire, life-safety, licensing, and other governmental approvals required for occupancy of that phase have been obtained.
5. All parking generated by the facility shall be accommodated within approved off-street parking areas serving the Property. Required parking spaces shall remain available for parking and shall not be converted to storage or other uses without required City approval.
6. The Applicant shall manage employee parking, visitor parking, outpatient appointments, deliveries, resident transportation, and employee shift changes so that facility operations do not routinely cause facility-generated parking to occur on adjoining residential streets.
7. Ingress, egress, internal circulation, loading areas, fire lanes, and emergency access shall be maintained in accordance with approved plans. The Applicant shall complete traffic, access, circulation, signage, striping, or similar mitigation measures identified in the approved plans or reasonably required by the City Engineer based upon the impacts attributable to the proposed use.
8. The Applicant shall complete utility improvements reasonably required by the City Engineer or applicable utility provider that are attributable to the proposed development and necessary to provide adequate service to the approved use.
9. The Applicant shall provide and continuously maintain required pedestrian connections, accessible routes, sidewalks, crosswalks, and related improvements shown on the approved plans or otherwise required under applicable City standards. Required pedestrian routes shall remain unobstructed.
10. Facility operations shall comply with applicable City noise requirements. Outdoor activities, deliveries, refuse collection, resident transportation, and similar activities shall be reasonably managed to minimize unreasonable nighttime impacts upon adjoining residential properties.
11. Outdoor program activities and congregation associated with the facility shall occur within appropriate areas of the Property. Facility operations shall not rely upon adjoining private property or the public right-of-way as outdoor congregation or program areas.
12. A Vaping Area shall be located east of the existing building, no closer than 72 feet from the nearest residence.

13. The Applicant shall work with residents who choose to leave, and offer transportation to the residents as necessary.
14. The Applicant shall continually adhere to the exclusionary criteria for admission that was submitted as part of their application, and that includes, at a minimum, a prohibition on clients from participating in the program if they meet the following criteria:
 - a. Registered on the Sex Offender Registry, the Child Abuse/Neglect Registry, or the Kidnapping Offender Registry
 - b. History of Homicide, subject to a case-by-case review
 - c. No charges involving animals exceeding neglect.
15. Refuse shall be stored in approved containers and collection areas and regularly removed. Waste-storage areas shall be maintained to prevent unreasonable odors, litter, pests, and unsanitary conditions. Medical, hazardous, or otherwise regulated waste shall be handled in accordance with applicable law.
16. The facility shall continuously comply with applicable fire and life-safety requirements. Required fire lanes, hydrants, fire-department connections, emergency-access routes, and exits shall remain unobstructed.
17. Prior to receiving a building permit, the Applicant shall record a Geologic Hazards Disclosure on the property title pursuant to Millcreek's Sensitive Lands Standards.
18. Exterior lighting shall comply with applicable City standards and shall be maintained and operated to minimize unreasonable glare or light trespass onto adjoining residential properties.
19. The building exterior, landscaping, screening, fencing, parking, circulation, and other site improvements shall substantially conform to the approved plans.
20. Each phase shall receive all required fire and life-safety approvals before occupancy. Required fire lanes, hydrants, fire department connections, exits, and emergency access routes shall remain unobstructed at all times.
21. The Property shall be continuously maintained in a clean, safe, sanitary, and orderly condition, including landscaping, weed control, litter removal, refuse containment, snow removal, parking areas, pedestrian facilities, exterior lighting, drainage facilities, and exterior building components.
22. The Applicant shall conduct the routine inspections and maintenance reviews represented in its application and shall maintain reasonable records documenting identified deficiencies and corrective actions. Such records shall be made reasonably available to the City when necessary to investigate compliance with a condition of approval.
23. The Applicant shall engage in the following outreach and monitoring program with Millcreek:

- a. Applicant shall meet monthly with Millcreek Staff and representatives from the Unified Police Department for the first year following the start of operations of Phase 1. After one year, meetings between the Applicant and Millcreek Staff / UPD shall occur quarterly.
 - b. After one year of occupancy, Applicant shall schedule a follow-up neighborhood meeting, inviting property owners located within 300 feet of the subject property.
 - c. Applicant shall provide Millcreek and surrounding property owners with a direct point of contact to address any concerns that may arise in the course of operations.
24. Final grading and drainage shall comply with plans approved by the City Engineer and applicable stormwater requirements. Development shall not create an unlawful or materially increased concentration of stormwater discharge onto adjoining private property.
25. Snow storage shall not obstruct required parking, ADA-accessible routes, sidewalks, fire lanes, emergency access, sight-distance areas, or drainage facilities.
26. The Applicant shall maintain licenses and governmental approvals legally required for the activities conducted at the Property. The suspension, expiration, or revocation of a required license prohibits operation of the activity requiring that license unless and until the required authorization is restored.
27. A modification that materially changes an approved mitigation measure or materially increases traffic, parking demand, residential occupancy, outdoor activity, or another reasonably anticipated detrimental effect shall obtain additional City review and approval to the extent required by the Millcreek Code.
28. These conditions regulate the land-use impacts of the approved facility. No condition shall be interpreted or enforced based upon the disability, diagnosis, medical condition, recovery status, or treatment status of any resident, patient, client, employee, visitor, or other person associated with the facility.
29. A complaint concerning the facility shall not, standing alone, establish a violation of this CUP. Enforcement shall be based upon evidence establishing violation of the Millcreek Code, an applicable law, or an objective condition of this approval.
30. The Applicant and any successor owner or operator shall continuously comply with the conditions of this Conditional Use Permit. Failure to comply with a condition may result in enforcement, including proceedings authorized by the Millcreek Code.
31. The Conditional Use Permit runs with the land and is not personal to the Applicant, property owner, or facility operator.

MODEL MOTION

I move that the Planning Commission approve the Conditional Use Permit, file number CUP-26-012 based on the findings and conclusions listed and presented by Staff, subject to the following conditions:

1. The Conditional Use Permit authorizes the use substantially as described in the approved application, including residential substance use disorder treatment, outpatient treatment, administrative offices, and customary accessory activities.
2. Residential treatment occupancy shall not exceed sixteen (16) residents within any individual residential treatment program and shall not exceed sixty-four (64) residential treatment residents within the facility as a whole.
3. Development and operation of the Property shall substantially conform to the approved site plan, building plans, application materials, and representations made by the Applicant that are incorporated into the City's approval.
4. No residential treatment unit may be occupied until all building, fire, life-safety, licensing, and other governmental approvals required for occupancy of that phase have been obtained.
5. All parking generated by the facility shall be accommodated within approved off-street parking areas serving the Property. Required parking spaces shall remain available for parking and shall not be converted to storage or other uses without required City approval.
6. The Applicant shall manage employee parking, visitor parking, outpatient appointments, deliveries, resident transportation, and employee shift changes so that facility operations do not routinely cause facility-generated parking to occur on adjoining residential streets.
7. Ingress, egress, internal circulation, loading areas, fire lanes, and emergency access shall be maintained in accordance with approved plans. The Applicant shall complete traffic, access, circulation, signage, striping, or similar mitigation measures identified in the approved plans or reasonably required by the City Engineer based upon the impacts attributable to the proposed use.
8. The Applicant shall complete utility improvements reasonably required by the City Engineer or applicable utility provider that are attributable to the proposed development and necessary to provide adequate service to the approved use.
9. The Applicant shall provide and continuously maintain required pedestrian connections, accessible routes, sidewalks, crosswalks, and related improvements shown on the approved plans or otherwise required under applicable City standards. Required pedestrian routes shall remain unobstructed.
10. Facility operations shall comply with applicable City noise requirements. Outdoor activities, deliveries, refuse collection, resident transportation, and similar activities shall be reasonably

managed to minimize unreasonable nighttime impacts upon adjoining residential properties.

11. Outdoor program activities and congregation associated with the facility shall occur within appropriate areas of the Property. Facility operations shall not rely upon adjoining private property or the public right-of-way as outdoor congregation or program areas.
12. A Vaping Area shall be located east of the existing building, no closer than 72 feet from the nearest residence.
13. The Applicant shall work with residents who choose to leave, and offer transportation to the residents as necessary.
14. The Applicant shall continually adhere to the exclusionary criteria for admission that was submitted as part of their application, and that includes, at a minimum, a prohibition on clients from participating in the program if they meet the following criteria:
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 - b. History of Homicide, subject to a case-by-case review
 - c. No charges involving animals exceeding neglect.
15. Refuse shall be stored in approved containers and collection areas and regularly removed. Waste-storage areas shall be maintained to prevent unreasonable odors, litter, pests, and unsanitary conditions. Medical, hazardous, or otherwise regulated waste shall be handled in accordance with applicable law.
16. The facility shall continuously comply with applicable fire and life-safety requirements. Required fire lanes, hydrants, fire-department connections, emergency-access routes, and exits shall remain unobstructed.
17. Prior to receiving a building permit, the Applicant shall record a Geologic Hazards Disclosure on the property title pursuant to Millcreek's Sensitive Lands Standards.
18. Exterior lighting shall comply with applicable City standards and shall be maintained and operated to minimize unreasonable glare or light trespass onto adjoining residential properties.
19. The building exterior, landscaping, screening, fencing, parking, circulation, and other site improvements shall substantially conform to the approved plans.
20. Each phase shall receive all required fire and life-safety approvals before occupancy. Required fire lanes, hydrants, fire department connections, exits, and emergency access routes shall remain unobstructed at all times.

21. The Property shall be continuously maintained in a clean, safe, sanitary, and orderly condition, including landscaping, weed control, litter removal, refuse containment, snow removal, parking areas, pedestrian facilities, exterior lighting, drainage facilities, and exterior building components.
22. The Applicant shall conduct the routine inspections and maintenance reviews represented in its application and shall maintain reasonable records documenting identified deficiencies and corrective actions. Such records shall be made reasonably available to the City when necessary to investigate compliance with a condition of approval.
23. The Applicant shall engage in the following outreach and monitoring program with Millcreek:
 - a. Applicant shall meet monthly with Millcreek Staff and representatives from the Unified Police Department for the first year following the start of operations of Phase 1. After one year, meetings between the Applicant and Millcreek Staff / UPD shall occur quarterly.
 - b. After one year of occupancy, Applicant shall schedule a follow-up neighborhood meeting, inviting property owners located within 300 feet of the subject property.
 - c. Applicant shall provide Millcreek and surrounding property owners with a direct point of contact to address any concerns that may arise in the course of operations.
24. Final grading and drainage shall comply with plans approved by the City Engineer and applicable stormwater requirements. Development shall not create an unlawful or materially increased concentration of stormwater discharge onto adjoining private property.
25. Snow storage shall not obstruct required parking, ADA-accessible routes, sidewalks, fire lanes, emergency access, sight-distance areas, or drainage facilities.
26. The Applicant shall maintain licenses and governmental approvals legally required for the activities conducted at the Property. The suspension, expiration, or revocation of a required license prohibits operation of the activity requiring that license unless and until the required authorization is restored.
27. A modification that materially changes an approved mitigation measure or materially increases traffic, parking demand, residential occupancy, outdoor activity, or another reasonably anticipated detrimental effect shall obtain additional City review and approval to the extent required by the Millcreek Code.
28. These conditions regulate the land-use impacts of the approved facility. No condition shall be interpreted or enforced based upon the disability, diagnosis, medical condition, recovery status, or treatment status of any resident, patient, client, employee, visitor, or other person associated with the facility.
29. A complaint concerning the facility shall not, standing alone, establish a violation of this CUP. Enforcement shall be based upon evidence establishing violation of the Millcreek Code, an

applicable law, or an objective condition of this approval.

30. The Applicant and any successor owner or operator shall continuously comply with the conditions of this Conditional Use Permit. Failure to comply with a condition may result in enforcement, including proceedings authorized by the Millcreek Code.

31. The Conditional Use Permit runs with the land and is not personal to the Applicant, property owner, or facility operator.

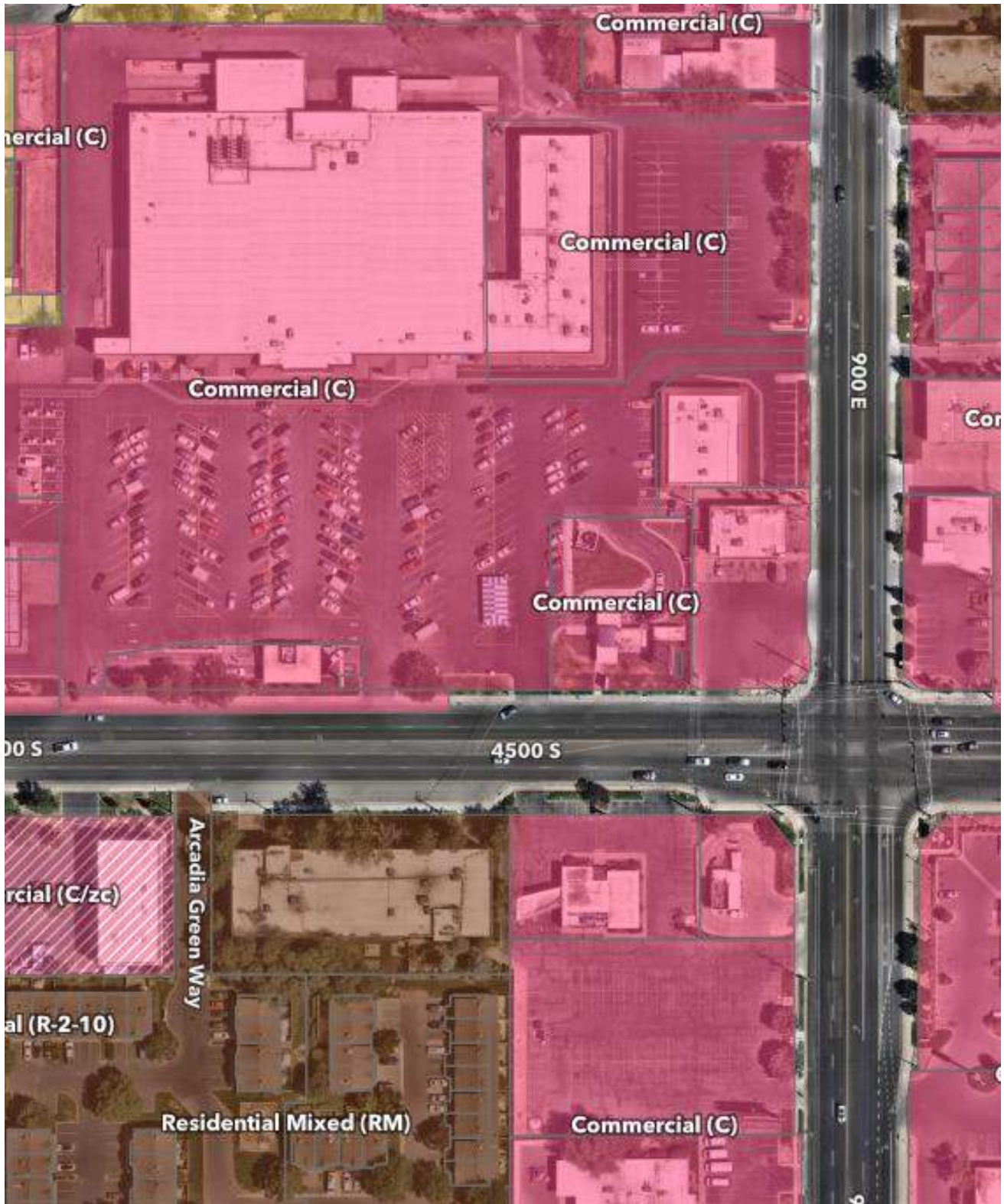
SUPPORTING DOCUMENTS

- Aerial Map
- Zoning Map
- Applicant's Conditional Use Letter and Packet
- Exclusionary Criteria for Admission to the Haven
- Trip Generation Study
- Millcreek Community Council Recommendation Letter
- Written Public Comment

Aerial Map:



Zoning Map:





Dan McDonald
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Pleasant Grove, Utah 84062
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Telephone: (801) 372-0055
www.mcdonaldfielding.com

October 1, 2026

Honorable Millcreek Planning Commission
1330 East Chambers Ave.
Millcreek, Utah 84106

Re: Helping Hand Association, Inc. dba "The Haven"

Dear Planning Commission Members:

This letter is meant to correct an inadvertent discrepancy in the September 24, 2026, narrative I prepared on behalf of my client Helping Hand Association, Inc. dba "The Haven." The second paragraph on page 5 states:

It is important to note that the project will be completed over a two-year period to allow for orderly construction, licensing, and operational implementation. The phases are structured to ensure that essential support services are in place prior to residential occupancy and that expansion occurs in a measured and responsible manner.

However, the following paragraphs of that same narrative indicate it will be completed over a 30-month period. That is the more accurate estimate. Accordingly, you should disregard the error in paragraph two of page 5, which should have said:

It is important to note that the project will be completed over a ~~two-year period~~ a 30-month period to allow for orderly construction, licensing, and operational implementation. The phases are structured to ensure that essential support services are in place prior to residential occupancy and that expansion occurs in a measured and responsible manner.

Please accept my sincerest apologies for this inadvertent error.

Sincerely,

MCDONALD FIELDING PLLC

A handwritten signature in blue ink that reads "D J McDonald".

Daniel J. McDonald

C: The Haven

Francis Xavier Lilly, AICP
Assistant City Manager / Planning Director
Millcreek City
1330 East Chambers Ave.
Millcreek, Utah 84106
Via Email: flilly@millcreekut.gov



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www.mcdonaldfielding.com

September 24, 2026

Honorable Millcreek Planning Commission
1330 East Chambers Ave.
Millcreek, Utah 84106

Re: Helping Hand Association, Inc. dba “The Haven”

Dear Planning Commission Members:

This firm represents Helping Hand Association, Inc. dba “The Haven.” The Haven recently purchased an existing three-story office building at 860 East 4500 South (Tax Parcel No. 22053260280000) and the adjacent parking lot at 4538 South 900 East (Tax Parcel No. 22053260300000). The office building is in the Residential Mixed (RM) Zone. The parking lot is in the Commercial (C) Zone. The purpose of this narrative is to help you understand, in more detail, the nature of The Haven’s operations and the legal reasons the Planning Commission should approve The Haven’s conditional use permit application.

A. The Haven’s Proposed Uses and Operations

The Haven is a 501(c)(3) nonprofit corporation that has been in operation since 1969, providing quality housing, care and treatment to a diverse population of adults with the handicap of drug and alcohol addiction. It is licensed by the Utah Department of Health and Human Services (“UDHHS”) It currently operates the following licensed programs in Utah:

Program	License Category	Location
Women’s Residential Program	residential treatment	2841 W 11400 South South Jordan, Utah 84095
Men’s Downtown Program	residential treatment	974 E. South Temple Salt Lake City, Utah 84102
Men’s West Program	residential treatment	1875 W 9000 South West Jordan, Utah 84088
Women’s Recovery Residence	recovery residence	2682 Marion Drive West Jordan, Utah 84084
Men’s Recovery Residence	recovery residence	2425 Garden Creek Way West Jordan, Utah 84088

Men's Recovery Residence 2	recovery residence	2186 West 8910 South West Jordan, Utah 84088
Outpatient and Administration	outpatient treatment	3570 S. West Temple Salt Lake City, Utah 84115

More information about The Haven is available on its website: www.havenhelps.com .

The Haven is accredited by the Joint Commission. The Joint Commission (“**TJC**”) is an independent, non-profit organization that accredits and certifies more than 22,000 healthcare organizations and programs in the United States, such as hospitals, clinics, and nursing homes. Known for its “Gold Seal of Approval,” TJC sets rigorous standards for quality and patient safety, conducting on-site surveys to ensure compliance. TJC standards are recognized by the Centers for Medicare & Medicaid Services (“**CMS**”) as meeting or exceeding Medicare requirements.

The Haven houses those with substance use disorders (“**SUDs**”). But its residents also deal with other handicaps and disabilities related to trauma and other mental health co-morbidities. Most of its residents have dual diagnoses.

Each of The Haven’s residents suffers from a “**DISABILITY**” as defined in the City Code. *See* City Code § 18.97.030. The federal regulations promulgated under the federal Fair Housing Act further define “handicap” as including a “drug addiction (other than addiction caused by current, illegal use of a controlled substance) and alcoholism.” 24 C.F.R. § 100.201(a)(2). The residents of The Haven will not be engaged in the “current, illegal use of or addiction to a controlled substance” 42 U.S.C. § 3602(h). The Haven’s residents will each have a “disability” under the Rehabilitation Act and the Americans with Disabilities Act (the “**ADA**”). *See also* 29 U.S.C. § 705(9) (definition of disability under the Rehabilitation Act); 42 U.S.C. § 12102 (definition of disability under the ADA).

The Haven’s mission is to provide services to extreme low-income individuals who are unable to afford treatment services and would otherwise be homeless without The Haven’s intervention. The Haven would be unable to house and treat these individuals without funding from the State of Utah’s Medicaid insurance and generous donors from the community.

The Haven intends to convert the existing office building at this location into a UDHHS-licensed residential treatment program for adult males suffering from SUDs and other co-occurring mental health disabilities. This project represents an adaptive reuse of the existing structure, which is currently occupied largely by office tenants. The Haven will not expand the building’s current footprint.

The Haven’s proposal includes the following components:

- Conversion of the existing office building into four (4) separate residential treatment units, each to be staffed and operated as separate, stand-alone residential treatment programs
- Each unit will accommodate sixteen (16) residents, for a total capacity of sixty-four (64) beds
- Each unit will function as an independent residential component within the building

In addition, The Haven is requesting approval to repurpose the existing parking garage area into supportive program space, including:

- A commercial kitchen
- Laundry facilities
- A gym and wellness area
- Outpatient treatment services

All required parking for staff, visitors, and outpatient clients will be accommodated in the adjacent existing parking lot, which will serve as the primary parking area for the facility.

The Haven proposes that each of the four residential treatment programs will be an all-male facility for up to 16 residents per unit for a total of 64 residents in the building as a whole. Each unit will be licensed by UDHHS for “residential treatment” in a “residential treatment program.” The Utah Code defines those terms as follows:

"Residential treatment" means a 24-hour group living environment for four or more individuals unrelated to the owner or provider that offers room or board and specialized treatment, behavior modification, rehabilitation, discipline, emotional growth, or habilitation services for persons with emotional, psychological, developmental, or behavioral dysfunctions, impairments, or chemical dependencies.

Utah Code Ann. § 26B-2-101(50)(a).

- (51) "Residential treatment program" means a program or facility that provides:
- (a) residential treatment; or
 - (b) intermediate secure treatment.

Id. 26B-2-101(51). The Haven will not provide intermediate secure treatment. It will not provide social or medical detoxification. The Haven is not a social or medical detoxification facility.

It will also be licensed as a “substance abuse treatment program”/“substance use disorder treatment program” as those terms are defined in Utah Code Ann. § 26B-2-101(56). These are programs “designed to provide[] ... (i) specialized drug or alcohol treatment; (ii) rehabilitation; or

(iii) habilitation services; and (b) that provides the treatment ... to persons with[] ... a diagnosed substance use disorder; or []chemical dependency disorder.” *Id.*

The outpatient portion of the building will also be licensed by UDHHS to provide outpatient treatment to non-residents with SUDs and other disabilities. “‘Outpatient treatment’ means individual, family, or group therapy or counseling designed to improve and enhance social or psychological functioning for those whose physical and emotional status allows them to continue functioning in their usual living environment.” Utah Code Ann. § 26B-2-101(42). The Haven’s outpatient program is limited to non-residents with SUDs and other co-occurring mental health disabilities.

The Haven provides a stable, safe, and drug/alcohol-free living environment for persons suffering from the handicap of addiction to substances and/or SUDs. It’s a place where those suffering from the same handicap can form social networks to support each other in their sobriety goals. This living environment is essential to ameliorating their handicaps and disabilities because, without such a stable, drug/alcohol-free living environment with social support from other addicts, The Haven’s residents would relapse, be unable to hold jobs or regular employment, and would be unable to use and enjoy housing. It is essential that they leave the housing environments from which they came because those environments almost always involve trauma, abuse, the use of drugs and/or alcohol or other triggers that lead to abuse and relapse. The living environment, itself, i.e., living with others in recovery creates a therapeutic community described by Sandy Bloom, M.D. as the “Sanctuary Model.” The Haven’s proposal provides that necessary, overarching therapeutic community.

The Haven also utilize the traditional Alcoholics Anonymous 12-Step model along with the other evidence-based models mentioned above.

The Haven is overseen by an experienced and talented board of directors. The Haven’s leadership and operational structure includes an experienced team of executives, program-level managers, clinicians, nurses and a medical director, operations and support staff, an admissions and intake team, and other specialists.

The Haven also has its own strict admissions criteria and policies, which include Risk and Needs Triage (RANT) screening. It also has strict exclusionary criteria. The Haven does not and will not admit a resident that is a direct threat to the safety of person or property.

Residents are generally restricted to the premises, going off site only with the supervision of staff. The Haven’s residents do not have vehicles on the premises, but are transported by staff with facility vehicles. The Haven will have a 15-passenger transportation van and one compact transportation vehicle for each treatment unit.

Visitation from family or friends is usually limited to a few hours a week at a specific time. There is a high level of staff-to-resident ratio. For example, during daytime hours there will be at least 16 full time clinical staff working in the four residential programs and six full-time employees

within the outpatient program, not including all of the administrative, medical, admissions, kitchen, and maintenance staff that will also be one site. During after-hours operations, a minimum of eight (8) full-time staff members are present on-site to support client needs and maintain program operations.

It is important to note that the project will be completed over a two-year period to allow for orderly construction, licensing, and operational implementation. The phases are structured to ensure that essential support services are in place prior to residential occupancy and that expansion occurs in a measured and responsible manner.

Here is a description of each estimated phase of development:

1. Phase 1 (Estimated Duration: 6 Months)

Phase 1 will focus on converting the existing parking garage into essential support facilities required for operation of the four residential treatment programs. This will include the development of a commercial kitchen, laundry facilities, recreational and wellness space (gym). Phase 1 also includes construction of the outpatient service areas.

During this phase, The Haven will also construct a new ADA-compliant building access to ensure safe and accessible entry for residents, staff, and visitors. Completion of Phase 1 ensures that core infrastructure and accessibility improvements are in place prior to residential occupancy in the residential treatment programs.

2. Phase 2 (Estimated Duration: 6 Months)

Phase 2 will involve remodeling the top floor of the building to create administrative office space and to open the first 16-bed residential treatment program. This phase will allow the facility to begin operations in a limited capacity while maintaining appropriate staffing and program support.

3. Phase 3 (Estimated Duration: 6 Months)

Phase 3 will consist of completing and opening the second 16-bed residential treatment program unit on the top floor. At the conclusion of this phase, two independent 16-bed residential treatment programs will be operational.

4. Phase 4 (Estimated Duration: 12 Months)

Phase 4 will involve completion of the remaining interior renovations necessary to open treatment units three and four, each consisting of 16 beds. Upon completion of this final phase, the building will be fully operational with four separate 16-bed residential treatment programs, for a total of 64 residents.

This structured, four-phase approach allows for gradual expansion, careful oversight, and coordination with applicable licensing and inspection requirements. It also ensures that infrastructure, staffing, and operational systems are implemented responsibly as capacity increases. It also allows The Haven to honor/accommodate two existing leases with Holy Cross Ministries (HCM) and McIntyre & Golden, P.C. until those leases expire.

HCM will occupy the 6,347 square feet on the second floor, the Suite 200 executive suite, and Suite 250 (a utility room) until its lease term expires on October 31, 2028. McIntyre & Golden P.C. will occupy the 2,596 square foot unit on the third floor until its lease expires on October 31, 2026.

B. Zoning and Fair Housing / ADA Analysis

As mentioned, the office building is in the Residential Mixed (RM) Zone. The parking lot is in the Commercial (C) Zone. Residential Facilities for Persons with a Disability (“RFPDs”) are a permitted use in the RM Zone. Assisted Living and Medical or Dental Clinics are conditional uses in this zone. The threshold zoning issue is determining what use classification best applies to The Haven.

The Haven does not strictly meet Millcreek’s definition of an RFPD, which is defined by the City Code as follows:

Residential Facilities for Persons With a Disability means a residence in which more than one person with a disability resides, and is: (1) licensed or certified by the Department of Health and Human Services as a Human Services Program or Facility as regulated under Utah Code Section 26B-2-1-101 et seq. or (2) as a Health Care Facility as regulated under Utah Code Section 26B-2-1-201 et seq.

City Code § 18.97.030. There are undoubtedly residential components to The Haven. For example, The Haven will be operating a UDHHS-licensed “residential” treatment program as part of its operation. However, according to Millcreek’s building department, The Haven is *not* a residential use and does not fit within the R-4 category under the International Building Code (“IBC”) and related safety codes. Instead, Millcreek’s building department considers The Haven an institutional use, specifically I-1, condition 1 under the IBC. Indeed, based upon direction from Millcreek’s building department The Haven’s design team has designed the project and project specifications assuming the use is “institutional” under the IBC, International Fire Code, etc.

Typically a stand-alone 16-person residential treatment facility in a detached structure would be an R-4 residential use under the IBC. But because these four residential treatment facilities are to be located together under one roof, the use is classified as “institutional” for building and fire code purposes. This puts The Haven into the same category as assisted living facilities, congregate care facilities, social rehabilitation facilities under relevant building codes and fire codes.

Since The Haven is treated as an “institutional” use for building purposes, it would be inconsistent to treat it as a “residential” use for zoning purposes. For that reason, it makes more sense to treat The Haven as a “Clinic, Medical or Dental” under 18.97.030(C). The City Code defines a “Clinic, Medical or Dental” (“**Medical Clinic**”) as follows:

Clinic, Medical or Dental means an establishment *where patients receive consultation, diagnosis, and treatment* by doctors, dentists, or similar practitioners. *This use includes* medical services offered exclusively on an outpatient basis, including emergency services such as urgent care centers, and *licensed facilities offering substance abuse treatment*, blood banks, plasma donation centers, physical therapy and rehabilitation, and medical/ dental laboratories..

Id. (emphasis added). The Haven readily meets multiple parts of this definition.

To begin, UDHHS-licensed residential treatment programs are “an establishment where patients receive consultation, diagnosis, and treatment by doctors, ... or similar practitioners” within the meaning of 18.97.030(C). For example, by UDHHS rule, the following requirements must be met for all such programs:

- “Each residential treatment provider shall provide individual, group, and family counseling or other treatment, including skills development, at least weekly or as outlined in the individual's treatment plan.” R501-19-3(11).
- “A clinical professional shall oversee any therapeutic services conducted in the therapeutic environment[.]” R501-19-3(12).
- “‘Clinical’ means treatment or services delivered by a mental health or medical professional that is licensed by the Division of Professional Licensing.” R501-1-3(5).
- “A licensee that offers clinical services shall employ or consult with licensed professional staff that include an individual who is familiar with the program and the needs of each client.” R501-1-15(3).
- “A residential program licensee shall additionally (d) ensure access to a medical clinic or a medical professional familiar with the program and population served;” R501-1-7(1)(d).
- “A licensee who manages, stores, or administers client medication shall identify a medical professional to oversee the medication management, medication oversight, and staff training regarding medication management and administration.” R501-1-15(7).

Since The Haven complies with UDHHS regulations, then, per force, it meets Millcreek's first definition of “Medical or Dental Clinic”.

The Haven also meets this definition because it is a licensed facility offering substance abuse treatment on both an inpatient and outpatient basis. In our view, the phrase “offered exclusively on an outpatient basis” only modifies the phrase “medical services” but not the phrase “licensed facilities offering substance abuse treatment.” Also, the phrase “includes” is not

exclusionary. In other words, there is nothing in Section 18.97.030(C) that limits Medical or Dental Clinics to just outpatient ones.

Further, the Fair Housing Act and the Americans with Disabilities Act provide additional legal reasons for Millcreek to treat The Haven as a conditional use.

The Fair Housing Act makes it illegal to discriminate on the basis of a handicap. *See* 42 U.S.C. § 3604(f)(1)-(2). It also requires “reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling.” 42 U.S.C. § 3604(f)(3)(B). Title II of the Americans with Disabilities Act similarly provides, “no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity. 42 U.S.C. § 12132. The ADA and its implementing regulations also outline the duty of a public entity to accommodate the needs of the disabled. For those with a qualifying “disability” as defined in 42 U.S.C. § 12131(2), “[a] public entity shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability[.]....” 28 C.F.R. § 35.130(b)(7)(i). *See also* 29 U.S.C. § 794(a) (“[n]o otherwise qualified individual with a disability in the United States . . . shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance”).

Since Section 18.39.030 and Table 18.39-1 of the City Code allow Assisted Living as a conditional use in the RM Zone, federal law would require The Haven to likewise be treated as a conditional use. This was made clear in *Courage to Change Ranches Holding Co. v. El Paso Cnty.*, 73 F.4th 1175 (10th Cir. 2023), recently decided by the United States Court of Appeals for the Tenth Circuit, which is the federal circuit court with jurisdiction over Utah cases. In that case, the Tenth Circuit held “that ... other structured group-living arrangements ... especially group homes for the aged, are the relevant comparators to group homes for disabled persons” that treat and provide services to persons with the disability of addiction. *Id.* at 1193.

Under Section 18.97.030 of the City Code, “Nursing Home or Assisted Living means an establishment where people are lodged and furnished with meals, assistance, and/or nursing care.” *Id.* Since The Haven also provides lodging, meals, and assistance, a federal court would conclude that The Haven is similarly situated to Nursing Homes or Assisted Living facilities and, thus, must be treated equally to them. *See Courage to Change*, 73 F.4th at 1193; *see also Cinnamon Hills Youth Crisis Center, Inc. v. Saint George City*, 685 F.3d 917, 919-22 (10th Cir. 2012) (other structured group-living arrangements are the relevant comparator); *Bangerter v. Orem City*, 46 F.3d 1491, 1501-02 (10th Cir. 1995) (same). Accordingly, it would be discriminatory for the City to treat facilities like The Haven and Assisted Living facilities differently. Simply put, allowing The Haven as a conditional use avoids discrimination by the City.

C. Approval Criteria

Section 18.15.030(A)(4) of the City Code provides: “The Land Use Authority shall approve a Conditional Use Permit if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use.” *Id.* The City Code sets forth eleven (11) potential “detrimental effects” that should be addressed by the Planning Commission with each conditional use application. I will now briefly address each of those items.

1. Streets and Traffic

City Code § 18.15.030(A)(4)(I): “Detrimental effects of decreased street service levels and/or traffic patterns including the need for street modifications such as dedicated turn lanes, traffic control devices, safety, street widening, curb, gutter and sidewalks, location of ingress/egress, parking lot surfacing and design of off-street parking and circulation, loading docks, as well as compliance with off-street parking standards, including other reasonable mitigation as determined by a qualified traffic engineer.”

The proposed use is not anticipated to create detrimental impacts to existing street service levels, traffic patterns, or surrounding roadway operations. The facility will operate with a controlled number of residents, employees, visitors, and service providers, resulting in traffic volumes that are limited and generally dispersed throughout the day rather than concentrated during traditional peak commuting periods.

As part of the planned renovations, the site will be improved to provide appropriate access, ingress and egress, and internal circulation for the proposed use. Following completion of the renovations, the site is expected to provide safe and functional access for residents, staff, visitors, service providers, and emergency vehicles without creating adverse impacts to surrounding streets.

The existing parking garage will be removed as part of the renovation project. Parking for the facility will instead be provided in the adjacent parking lot, which will serve the parking needs of residents, staff, visitors, and other authorized users. Parking and circulation will be designed and maintained in accordance with applicable City requirements.

The proposed use is not anticipated to create significant loading or delivery activity or otherwise require substantial roadway modifications. Based on the anticipated intensity and operational characteristics of the facility, the use is expected to be compatible with the surrounding transportation network. The applicant will comply with any reasonable traffic, parking, access, or circulation mitigation measures identified through the City review process or by a qualified traffic engineer.

2. Utilities

City Code § 18.15.030(A)(4)(2): “Detrimental effects on the adequacy of utility systems, water and sewer, solid waste, snow removal, service delivery, and capacities, including the need for such items as relocating, upgrading, providing additional capacity, irrigation systems, or preserving existing systems, including other reasonable mitigation as determined by Millcreek’s engineering staff, contracted engineers, and utility service providers.”

The change of use is not anticipated to produce any detrimental effects to any existing utilities systems. Solid waste and snow removal operations will continue unchanged from the previous office building use. The necessary site work required for the building modifications is designed to minimize alterations to existing utilities, pressurized irrigation, and the operational nature of the site. The Engineer of Record will work with Millcreek’s engineering staff to determine and implement any reasonable mitigation necessary for the conversion of use

3. Pedestrians and Bicyclists

City Code § 18.15.030(A)(4)(3): “Detrimental effects on connectivity and safety for pedestrians and bicyclists.”

See Traffic Study.

4. Noise, Odors, Fumes, Etc.

City Code § 18.15.030(A)(4)(4): “Detrimental effects of the use due to its nature, including noise that exceeds sound levels normally found in residential areas, odors beyond what is normally considered acceptable, within a neighborhood including effects of environmental impacts, dust, fumes, smoke, odor, noise, vibrations; chemicals, toxins, pathogens, gases, heat, light, electromagnetic disturbances, and radiation. Detrimental effects of the use may include hours of operation and the potential to create an attractive nuisance.”

The Haven will not produce any excess noise or odors beyond the property’s historical use and/or what is normally considered acceptable within a neighborhood. The Haven will not generate any dust, fumes, smoke, etc. The Haven’s hours of operation are reasonable and will not create any neighborhood impact beyond the property’s historical use and/or what is normally considered reasonable for a neighborhood.

5. Contamination, Damage, Injury, etc.

City Code § 18.15.030(A)(4)(5): “Detrimental effects that increase the risk of contamination of or damage to adjacent properties and injury or sickness to people arising from, but not limited to, waste disposal, fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/topography, storm drainage/flood control, the removal of dangerous or blighted structures, high ground water, environmental health hazards, or wetlands, as determined by the City Engineer, and/or other qualified specialists.”

The change of use is not anticipated to result in any detrimental affects that would increase risk of contamination or damage to neighboring properties. Site waste disposal will comply with all State and Federal regulations applicable to the use. The existing fire safety system is to remain intact and may be modified as required by the Fire Marshal to ensure compliance with the current IFC.

There are no known geological hazards associated with the site or the conversion of use. Minor regrading will occur around the building related to the necessary building modifications for the conversion of use. This grading work is designed to comply with IBC and Millcreek City requirements. There are no excessive onsite slopes that would present a hazardous condition. There is no known liquefaction potential.

The existing site drainage system will be modified as needed to ensure storm water will be safely directed away from structures and neighboring properties, and to the public system and public ROW. The overall site hardscape area will be reduced with the site modifications, resulting in a reduction in storm water runoff from the site.

There are no dangerous or blighted structures to be removed. There are no known issues with high ground water, environmental health hazards, or presence of wetlands. The Engineer of Record will work with the Millcreek City Engineer to determine and implement any reasonable mitigations necessary for the conversion of use.

6. Exterior Lighting

City Code § 18.15.030(A)(4)(6): “Detrimental effects of modifications to exterior lighting that conflict with abutting properties.”

We are not adding any exterior lights. The current lighting layout will not change and the impact to abutting properties will remain as it is currently.

7. Site/Building Design

City Code § 18.15.030(A)(4)(7): “Detrimental effects arising from site design and/or building design in terms of use, scale, intensity, height, mass, setbacks, character, construction, solar access, landscaping, fencing, screening, lighting (on-site and adjacent street lighting), signs, and architectural design and exterior detailing/finishes and colors within the area.”

The building footprint and overall design of the exterior will remain same as it currently is apart from the parking garage being turned into conditioned space and included in the building envelope. All new finishes will match the existing. Scale, intensity, height, mass, setbacks, character, construction, solar access, fencing, screening, lighting signs and architectural design will remain as they are. Any new portions of exterior wall being added to enclose the existing parking garage on the lowest level will match the existing.

The building's use is changing from office to rehabilitation center. The residents of the rehabilitation center will not be coming and going from the building and will not need additional parking or site considerations than would be needed if the use of the building were to remain office

8. Emergency Access/Services

City Code § 18.15.030(A)(4)(8): "Detrimental effects on emergency fire service and emergency vehicle access."

Unified Fire Authority has approved the fire suppression system plans that were submitted to them. The position of the building on the site is not changing from what exists currently.

9. Open Space/Sensitive Lands

City Code § 18.15.030(A)(4)(9): "Detrimental effects on usable/functional/accessible open space and sensitive lands."

The amount of open space is not being changed by any of the renovations or improvements to the site.

10. Property Maintenance

City Code § 18.15.030(A)(4)(10): "Detrimental effects from inadequate maintenance of the property and structures in perpetuity, including performance measures, compliance reviews, and monitoring."

We employ a full maintenance team responsible for keeping the property and structures clean, safe, and in good repair. The team will provide routine upkeep, preventive maintenance, and necessary repairs throughout the duration of the approved use to prevent deterioration and adverse impacts on neighboring properties.

Maintenance will include landscaping and weed control; litter removal and proper waste disposal; snow and ice removal; upkeep of parking areas, walkways, fencing, and exterior lighting; and repair of building exteriors and mechanical systems. Performance measures will include unobstructed access routes, functional exterior lighting, maintained landscaping, properly contained waste, and timely correction of damaged or deteriorating conditions.

The maintenance team will conduct routine property checks and documented monthly inspections. Identified deficiencies will be recorded in a maintenance log with corrective actions, responsible parties, and completion dates. Conditions presenting an immediate safety concern will receive immediate attention, while other repairs will be scheduled according to their urgency and scope.

Management will review maintenance records quarterly to verify completion of corrective work and identify recurring concerns. The owner and operator will cooperate with City compliance reviews and inspections, make maintenance records available upon request, and promptly address any identified violations or maintenance-related complaints. These responsibilities will be incorporated into ongoing operating procedures and communicated to any successor owner or operator to support continued compliance in perpetuity.

11. Storm Water

City Code § 18.15.030(A)(4)(11): “Detrimental effects of excessive storm water generation.”

The minor site modifications necessary for the conversion of use will result in an overall reduction hardscape area for the site. This will result in an overall reduction in storm water generation relative to the current use. Minor grading and drainage modifications will be made to the site to support the conversion of use in conformance with the IBC and Millcreek City requirements to safely direct storm water away from structures and neighboring properties, and to the public system and the public ROW.

Sincerely,

MCDONALD FIELDING PLLC



Daniel J. McDonald

C: The Haven

Francis Xavier Lilly, AICP
Assistant City Manager / Planning Director
Millcreek City
1330 East Chambers Ave.
Millcreek, Utah 84106
Via Email: flilly@millcreekut.gov

SCHEDULE BII EXCEPTIONS

NOTE: EXCEPTIONS 1-10 & 16 ARE NOT SURVEY MATTERS & ARE NOT SHOWN HEREON.

11 Certificate of Creation
Dated: March 26, 2018
Recorded: May 7, 2018
Entry No.: 12767700
Book/Page: 10672 / 1947
[ITEM BLANKETS THE SUBJECT PROPERTY IN NATURE, NOT SHOWN HEREON.]

12 Right of Way Agreement, including the terms and conditions thereof:
Between: Tracy-Collins Bank and Trust Company
And: John W. Peterson and Opal Peterson
Dated: July 3, 1961
Recorded: September 14, 1961
Entry No.: 1799840
Book/Page: 1841 / 319
[ITEM CROSSES THE SUBJECT PROPERTY, AS SHOWN HEREON.]

13 Declaration of Easements, Covenants and Restrictions, including the terms and conditions thereof:
Between: Stangl 45/9 Associates, LTD.
And: S. William Levey and Elisabeth Relistab Levy, as Trustees
Dated: October 10, 1991
Recorded: October 11, 1991
Entry No.: 5139405
Book/Page: 6365 / 0835

And Re-recorded: January 15, 1992
Entry No.: 5183559
Book/Page: 6388/1488
[ITEM BLANKETS THE SUBJECT PROPERTY AND PARCEL 22-05-326-028 IN NATURE, NOT SHOWN HEREON. SAID DOCUMENT CREATES PARCEL 3 WHICH IS A PERPETUAL NON-EXCLUSIVE RIGHT OF WAY AND EASEMENT FOR VEHICULAR INGRESS AND EGRESS WHICH BENEFITS PARCEL 22-05-326-028, AS SHOWN HEREON. ITEM ALSO PROVIDES A PERPETUAL NON-EXCLUSIVE RIGHT OF WAY AND EASEMENT FOR VEHICULAR INGRESS AND EGRESS WHICH BENEFITS THE SUBJECT PROPERTY AND BLANKETS ALL PORTIONS OF PARCEL 22-05-326-028 THAT ARE DESIGNED FOR VEHICULAR TRAFFIC, NOT SHOWN HEREON.]

14 Amended Notice of Claim of Interest:
Recorded: January 10, 2023
Entry No.: 14061103
Book/Page: 11395 / 3576
Wherein: R.O.A. General, LLC, a Delaware limited liability company gives notice of an interest in and to the subject property
By way of: Outdoor Advertising Lease Agreement dated December 11, 2022
By: 860 Plaza LLC
[ITEM BLANKETS PARCEL 1 IN NATURE, NOT SHOWN HEREON.]

15 Subject, but not limited to, the following items, as disclosed by a survey prepared by Ensign Land Surveying, having been certified under the date of April 29, 1994, by Keith R. Russell, a Registered Land Surveyor holding License No. 6260, as Job No. 92-124-A and filed in the office of the Salt Lake County Surveyor as Plat 594-10-0563, including but not limited to the following:
a. Fence line do not match deed lines.
b. Catch Basin and Storm Drain Lines across the subject property.
c. Telephone Pad and Electric Meters
d. Matters since the date of survey.
[ALL ITEMS HAVE BEEN EVALUATED AND SHOWN HEREON AS APPLICABLE.]

17 Memorandum of Sign Location Lease, and the terms, conditions and provisions thereof:
Lessor: 860 Plaza, LLC
Lessee: Classic Media, Inc., a Florida corporation
Recorded: April 6, 2004
Entry No.: 902573
Book/Page: 8969 / 6218

Unrecorded Assignment to Erin Outdoor, LLC, a Utah limited liability company dated October 24, 2002

Notice of Assignment of Lease
Assigned to: Reagan Acquisition Corp.
Recorded: July 9, 2004
Entry No.: 9116639
Book/Page: 9012/6090

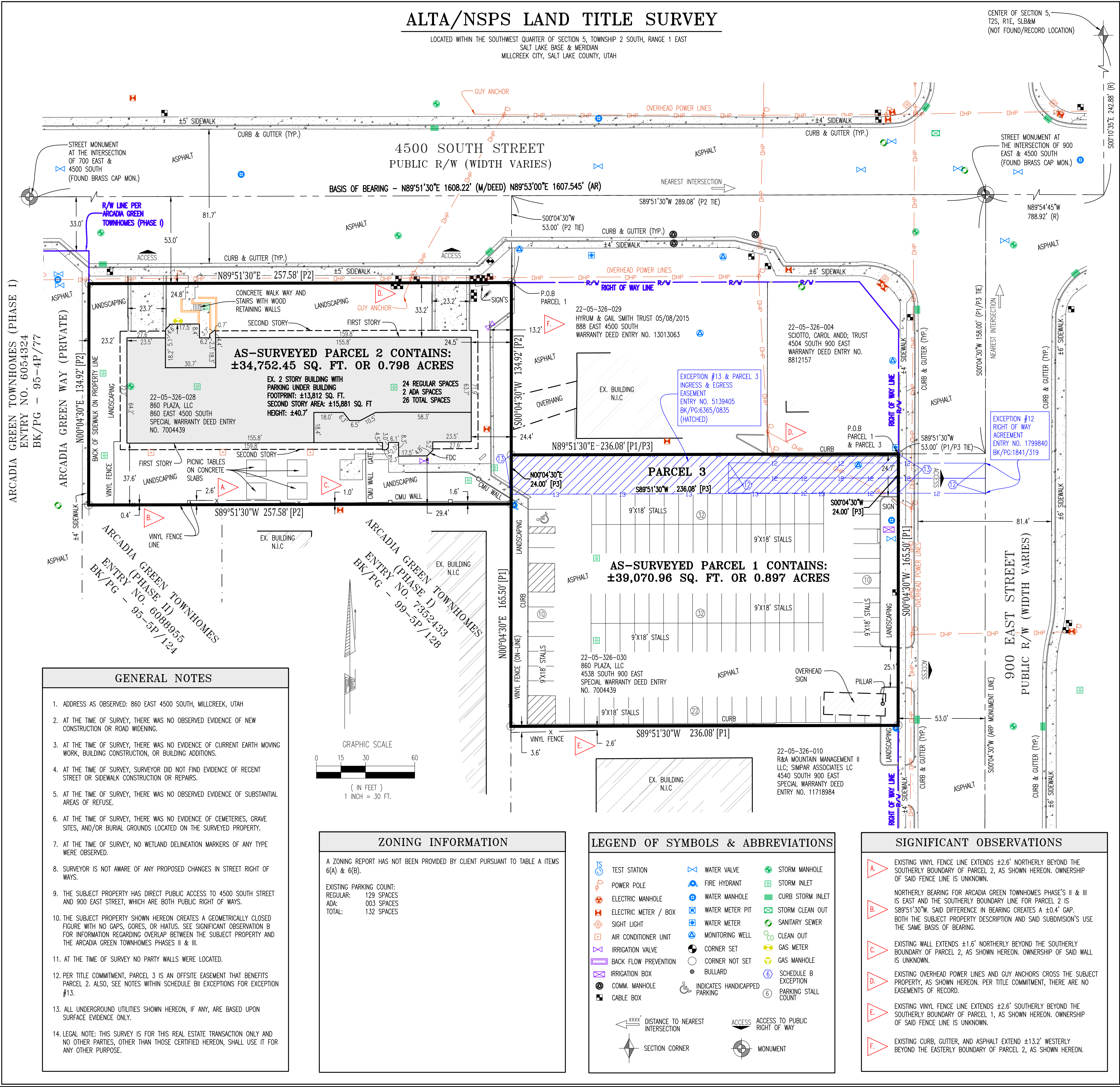
Amended Notice of Claim of Interest with a RIGHT OF FIRST REFUSAL:
Lessor: 860 Plaza LLC
Lessee: R.O.A. General, Inc, dba Reagan Outdoor Advertising
Recorded: August 1, 2007
Entry No.: 10180284
Book/Page: 9498/3180
[ITEM BLANKETS PARCEL 1 IN NATURE, NOT SHOWN HEREON.]

16 Memorandum of Lease, and the terms, conditions and provisions thereof:
Lessor: 860 Plaza, LLC, a Utah limited liability company
Lessee: Verizon Wireless (VW) LLC a/b/a Verizon Wireless
Recorded: November 19, 2012
Entry No.: 11517013
Book/Page: 10078 / 5679
[LEASE OF CELL SITE IS LOCATED ON PARCEL 2 PER EXHIBIT A WITHIN DOCUMENT. ITEM CANNOT BE PLOTTED DUE TO LACK OF DESCRIPTION, NOT SHOWN HEREON.]

FLOOD NOTE

BY GRAPHICAL PLOTTING ONLY, THIS PROPERTY IS LOCATED WITHIN ZONE X OF THE FLOOD INSURANCE RATE MAP, COMMUNITY NO. 490350311G, WHICH BEARS AN EFFECTIVE DATE OF SEPTEMBER 25, 2009 AND IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA, AS SHOWN ON THE FEMA WEBSITE (HTTP://MSC.FEMA.GOV) WE HAVE LEARNED THIS COMMUNITY DOES CURRENTLY PARTICIPATE IN THE PROGRAM. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE. A FLOOD ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

VICINITY MAP - NO SCALE



RECORD DESCRIPTION

Parcel 1:
Beginning at a point on the West line of 900 East Street, said point being South 0°04'30" West 158.00 feet along the monument line and South 89°51'30" West 53.00 feet from a Salt Lake County Survey monument in the intersection of 4500 South Street and 900 East Street, said monument being South 0°10'35" East 242.88 feet along the quarter section line to the monument line of said 4500 South Street and North 89°54'45" West 788.92 feet along said monument line, from the Northeast corner of the Southwest Quarter of Section 5, Township 2 South, Range 1 East, Salt Lake Base and Meridian, as shown on the area reference plot for said Section 5, and running thence South 0°04'30" West 165.50 feet along said West line; thence South 89°51'30" West 236.08 feet; thence North 0°04'30" East 165.50 feet; thence North 89°51'30" East 236.08 feet to the point of Beginning.

Parcel 2:
Beginning at a point on the South line of 4500 South Street, said point being South 89°51'30" West 289.08 feet along the monument line and South 0°04'30" West 53.00 feet from a Salt Lake County Survey monument in the intersection of 4500 South Street and 900 East Street, said monument being South 0°10'35" East 242.88 feet along Quarter Section line to monument line of said 4500 South Street and North 89°54'45" West 788.92 feet along said monument line from the Northeast corner of the Southwest Quarter of Section 5, Township 2 South, Range 1 East, Salt Lake Base and Meridian, as shown on the area reference plot of said Section 5, and running thence South 0°04'30" West 134.92 feet; thence South 89°51'30" West 257.58 feet; thence North 0°04'30" East 134.92 feet to said South line of 4500 South Street; thence North 89°51'30" East 257.58 feet along said South line to the point of Beginning.

Parcel 3:
A non-exclusive right of way and easement for vehicular ingress and egress appurtenant to the above described property, as created by that certain Declaration of Easements, Covenants and Restrictions recorded October 11, 1991 as Entry No. 5139405 in Book 6365 at Page 835 and re-recorded January 15, 1992 as Entry No. 5183559 in Book 6398 at Page 1488 of the Official Records, which is described as follows:

Beginning at a point on the West line of 900 East Street, said point being South 0°04'30" West 158.00 feet along the monument line and South 89°51'30" West 53.00 feet from a Salt Lake County Survey monument in the intersection of 4500 South Street and 900 East Street, said monument being South 0°10'35" East 242.88 feet along quarter section line to the monument line of said 4500 South Street and North 89°54'45" West 788.92 feet along said monument line from the Northeast corner of the Southwest Quarter of Section 5, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence South 0°04'30" West 24.00 feet along said West line; thence South 89°51'30" West 236.08 feet; thence North 0°04'30" East 24.00 feet; thence North 89°51'30" East 236.08 feet to the point of Beginning.

THE LANDS SURVEYED, SHOWN AND DESCRIBED HEREON ARE THE SAME LANDS DESCRIBED IN THE TITLE COMMITMENT PREPARED BY METRO NATIONAL TITLE, COMMITMENT NUMBER 105953, BEARING AN EFFECTIVE DATE OF APRIL 7, 2025 AT 7:45 AM.

SURVEYOR'S NARRATIVE

THIS SURVEY WAS REQUESTED BY DEREK SAWAYA FOR THE PURPOSE OF THIS REAL ESTATE TRANSACTION OF THE PROPERTY LOCATED AT 860 EAST 4500 SOUTH AND 4538 SOUTH 900 EAST, SALT LAKE CITY, UTAH.

THE BASIS OF BEARING IS 89°51'30"E FROM A BRASS CAP MONUMENT AT THE INTERSECTION OF 700 EAST AND 4500 SOUTH TO A BRASS CAP MONUMENT AT THE INTERSECTION OF 900 EAST AND 4500 SOUTH, AS SHOWN HEREON.

THE NORTHERLY BEARING FOR ARCADIA GREEN TOWNHOMES PHASE'S II & III IS "EAST" AND THE SOUTHERLY BOUNDARY LINE FOR PARCEL 2 IS "S89°51'30"W". SAID DIFFERENCE IN BEARING CREATES A ±0.4' GAP. BOTH THE SUBJECT PROPERTY DESCRIPTION AND SAID SUBDIVISION'S USE THE SAME BASIS OF BEARING.

LINE TABLE

BOUNDARY	BOUNDARY
ADJACENT BOUNDARY	ADJACENT BOUNDARY
RIGHT OF WAY LINE	RIGHT OF WAY LINE
CURB & GUTTER	CURB & GUTTER
PARKING STRIPES	PARKING STRIPES
FENCE	FENCE
WALL	WALL
EDGE OF ASPHALT	EDGE OF ASPHALT
BUILDING SETBACK	BUILDING SETBACK
BUILDING (1ST STORY)	BUILDING (1ST STORY)
BUILDING (2ND STORY)	BUILDING (2ND STORY)
OVERHEAD POWER	OVERHEAD POWER
TIES, SECTION LINES, & MONUMENT LINES	TIES, SECTION LINES, & MONUMENT LINES
SCHEDULE BII EXCEPTION	SCHEDULE BII EXCEPTION

ALTA/NSPS LAND TITLE SURVEY

860 EAST 4500 SOUTH & 4538 SOUTH 900 EAST
MILLCREEK, UTAH 84107

BASED UPON TITLE COMMITMENT NO. 105953
PREPARED BY METRO NATIONAL TITLE
BEARING AN EFFECTIVE DATE OF APRIL 7, 2025 AT 7:45 AM

SURVEYOR'S CERTIFICATION

TO: METRO NATIONAL TITLE, FIDELITY NATIONAL TITLE INSURANCE COMPANY; HELPING HAND ASSOCIATION; AND 860 PLAZA, LLC, A UTAH LIMITED LIABILITY COMPANY;

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

THE FIELD WORK WAS COMPLETED ON:
MAY 20, 2025

MAY 28, 2025

MARRISA A. CROFT
REGISTRATION NO. 14215259
IN THE STATE OF UTAH
DATE OF SURVEY: MAY 28, 2025
LAST REVISION: NONE

ALTA/NSPS LAND TITLE SURVEY

PROJECT # A-25-063
DRAWN BY: M. CROFT
CHECKED: D. PETERSON

PETERSON ENGINEERING, P.C.
CONSULTING ENGINEERS & LAND SURVEYORS
7107 SOUTH 400 WEST #1, MIDVALE, UTAH 84047 801-255-3503

860 EAST 4500 SOUTH &
4538 SOUTH 900 EAST
MILLCREEK, UTAH 84107

ALTA/NSPS LAND
TITLE SURVEY

SHEET: 1 OF 1
A1.0

811

Know what's below.
Call before you dig.

CALL BLUESTAKES
@ 811 AT LEAST 48 HOURS
PRIOR TO THE
COMMENCEMENT OF ANY
CONSTRUCTION.

BENCHMARK

CENTERLINE MONUMENT
4500 SOUTH 900 EAST

ELEV = 4318.01'

THE HAVEN

860 EAST 4500 SOUTH
MILLCREEK, UTAH

INDEX OF DRAWINGS

C-001	GENERAL NOTES
C-100	SITE DEMOLITION PLAN
C-200	SITE PLAN
C-300	OVERALL GRADING AND DRAINAGE PLAN
C-301	GRADING AND DRAINAGE PLAN
C-302	GRADING AND DRAINAGE PLAN
C-400	UTILITY PLAN

FOR REVIEW
NOT FOR CONSTRUCTION

DATE PRINTED
September 17, 2026

NOTICE TO CONTRACTOR

ALL CONTRACTORS AND SUBCONTRACTORS PERFORMING WORK SHOWN ON OR RELATED TO THESE PLANS SHALL CONDUCT THEIR OPERATIONS SO THAT ALL EMPLOYEES ARE PROVIDED A SAFE PLACE TO WORK AND THE PUBLIC IS PROTECTED. ALL CONTRACTORS AND SUBCONTRACTORS SHALL COMPLY WITH THE "OCCUPATIONAL SAFETY AND HEALTH REGULATIONS OF THE U.S. DEPARTMENT OF LABOR AND THE STATE OF UTAH DEPARTMENT OF INDUSTRIAL RELATIONS CONSTRUCTION SAFETY ORDERS." THE CIVIL ENGINEER SHALL NOT BE RESPONSIBLE IN ANY WAY FOR THE CONTRACTORS AND SUBCONTRACTORS COMPLIANCE WITH SAID REGULATIONS AND ORDERS.

CONTRACTOR FURTHER AGREES TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB-SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY. THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE CIVIL ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR ENGINEER.

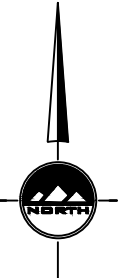
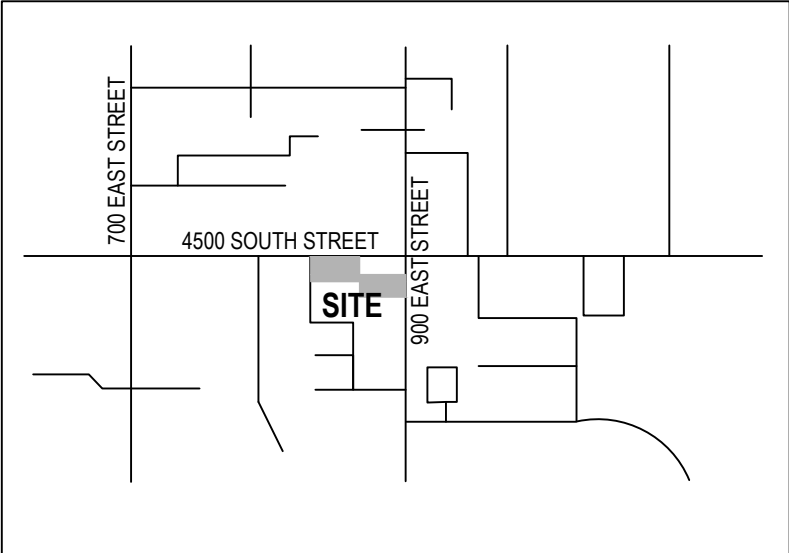
NOTICE TO DEVELOPER/CONTRACTOR

UNAPPROVED DRAWINGS REPRESENT WORK IN PROGRESS, ARE SUBJECT TO CHANGE, AND DO NOT CONSTITUTE A FINISHED ENGINEERING PRODUCT. ANY WORK UNDERTAKEN BY DEVELOPER OR CONTRACTOR BEFORE PLANS ARE APPROVED IS UNDERTAKEN AT THE SOLE RISK OF THE DEVELOPER, INCLUDING BUT NOT LIMITED TO BIDS, ESTIMATION, FINANCING, BONDING, SITE CLEARING, GRADING, INFRASTRUCTURE CONSTRUCTION, ETC.

UTILITY DISCLAIMER

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND / OR ELEVATIONS OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

VICINITY MAP



NO SCALE

GENERAL NOTES

- ALL WORK SHALL CONFORM TO MILLCREEK CITY STANDARDS & SPECIFICATIONS.
- CALL BLUE STAKES AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES.



LAYTON
919 North 400 West
Layton, UT 84041
Phone: 801.547.1100

SANDY
Phone: 801.255.0529

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

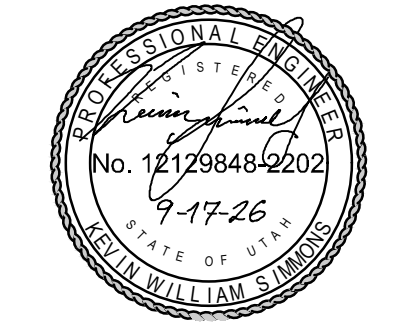
WWW.ENSIGNENG.COM

FOR:
JZW ARCHITECTURE
45 EAST CENTER STREET STE 202
NORTH SALT LAKE, UT 84054

CONTACT:
GARY KNAPP
PHONE: 801.936.1343

THE HAVEN

860 EAST 4500 SOUTH
MILLCREEK, UTAH 84107



NO. DATE REVISION

COVER

PROJECT NUMBER
15204

PRINT DATE
2026-09-17

PROJECT MANAGER
K.SIMMONS

DESIGNED BY
C.GODFREY

GENERAL NOTES

- ALL CONSTRUCTION MUST STRICTLY FOLLOW THE STANDARDS AND SPECIFICATIONS SET FORTH BY: THE DESIGN ENGINEER, LOCAL AGENCY JURISDICTION, APWA (CURRENT EDITION), AND THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (M.U.T.C.D.). THE ORDER LISTED ABOVE IS ARRANGED BY SENIORITY. THE LATEST EDITION OF ALL STANDARDS AND SPECIFICATIONS MUST BE ADHERED TO. IF A CONSTRUCTION PRACTICE IS NOT SPECIFIED BY ANY OF THE LISTED SOURCES, CONTRACTOR MUST CONTACT DESIGN ENGINEER FOR DIRECTION.
- CONTRACTOR TO STRICTLY FOLLOW THE MOST CURRENT COPY OF THE SOILS REPORT FOR THIS PROJECT. ALL GRADING INCLUDING BUT NOT LIMITED TO CUT, FILL, COMPACTION, ASPHALT SECTION, SUBBASE, TRENCH EXCAVATION/BACKFILL, SITE GRUBBING, AND FOOTINGS MUST BE COORDINATED DIRECTLY WITH SOILS REPORT.
- CONTRACTOR MUST VERIFY ALL EXISTING CONDITIONS BEFORE BIDDING, AND BRING UP ANY QUESTIONS BEFORE SUBMITTING BID.
- CONTRACTOR SHALL PROVIDE A CONSTRUCTION SCHEDULE IN ACCORDANCE WITH THE CITY, STATE, OR COUNTY REGULATIONS FOR WORKING IN THE PUBLIC WAY.
- CONTRACTOR SHALL BE RESPONSIBLE FOR DUST CONTROL ACCORDING TO GOVERNING AGENCY STANDARDS. WET DOWN DRY MATERIALS AND RUBBISH TO PREVENT BLOWING.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO ADJACENT SURFACE IMPROVEMENTS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR CORRECTING ANY SETTLEMENT OF OR DAMAGE TO EXISTING UTILITIES.
- THE CONTRACTOR IS RESPONSIBLE TO FURNISH ALL MATERIALS TO COMPLETE THE PROJECT.
- ALL EXPOSED SURFACES WILL HAVE A TEXTURED FINISH, RUBBED, OR BROOMED. ANY "PLASTERING" OF NEW CONCRETE WILL BE DONE WHILE IT IS STILL "GREEN".
- PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED ALL PLANS AND OTHER DOCUMENTS APPROVED BY ALL OF THE PERMITTING AUTHORITIES.
- THE LOCATIONS OF UNDERGROUND FACILITIES SHOWN ON THESE PLANS ARE BASED ON FIELD SURVEYS AND LOCAL UTILITY COMPANY RECORDS. IT SHALL BE THE CONTRACTOR'S FULL RESPONSIBILITY TO CONTACT THE VARIOUS UTILITY COMPANIES TO LOCATE THEIR FACILITIES PRIOR TO PROCEEDING WITH CONSTRUCTION. NO ADDITIONAL COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR DAMAGE AND REPAIR TO THESE FACILITIES CAUSED BY HIS WORK FORCE. CONTRACTOR SHALL START INSTALLATION AT LOW POINT OF ALL NEW GRAVITY UTILITY LINES.
- ALL DIMENSIONS, GRADES, AND UTILITY DESIGN SHOWN ON THE PLANS SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE ENGINEER IF ANY DISCREPANCIES EXIST, PRIOR TO PROCEEDING WITH CONSTRUCTION FOR NECESSARY PLAN OR GRADE CHANGES. NO EXTRA COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR WORK HAVING TO BE REDONE DUE TO THE DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THESE PLANS, IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.
- NO CHANGE IN DESIGN LOCATION OR GRADE WILL BE MADE BY THE CONTRACTOR WITHOUT THE WRITTEN APPROVAL OF THE PROJECT ENGINEER.
- NATURAL VEGETATION AND SOIL COVER SHALL NOT BE DISTURBED PRIOR TO ACTUAL CONSTRUCTION OF A REQUIRED FACILITY OR IMPROVEMENT. MASS CLEARING OF THE SITE IN ANTICIPATION OF CONSTRUCTION SHALL BE AVOIDED.
- CONTRACTOR SHALL BE RESPONSIBLE FOR FURNISHING, MAINTAINING, OR RESTORING ALL MONUMENTS AND MONUMENT REFERENCE MARKS WITHIN THE PROJECT SITE. CONTACT THE CITY OR COUNTY SURVEYOR FOR MONUMENT LOCATIONS AND CONSTRUCTION DETAILS.
- EXISTING UTILITY INFORMATION SHOWN IS FOR INFORMATIONAL PURPOSES ONLY. IT IS DERIVED FROM ON-SITE SURVEY AND/OR UTILITY MAPPING PROVIDED TO THE ENGINEER, AND THEREFORE UTILITIES MAY NOT BE LOCATED CORRECTLY, EITHER HORIZONTALLY OR VERTICALLY, AND MAY NOT BE ALL INCLUSIVE. CONTRACTOR IS REQUIRED TO FOLLOW THE PROCEDURE OUTLINED BELOW:
 - CONTRACTOR IS REQUIRED TO LOCATE AND POTHOLE ALL EXISTING UTILITY LINES (BOTH HORIZONTALLY AND VERTICALLY) THAT AFFECT THE PROJECT CONSTRUCTION, EITHER ON-SITE OR OFF-SITE, AND DETERMINE IF THERE ARE ANY CONFLICTS WITH THE DESIGN OF THE SITE AS SHOWN ON THE APPROVED PLANS PRIOR TO ANY CONSTRUCTION. IF IT IS DETERMINED THAT CONFLICTS EXIST BETWEEN EXISTING UTILITIES AND DESIGN UTILITIES (OR ANOTHER ASPECT OF PROPOSED CONSTRUCTION) THE ENGINEER MUST BE NOTIFIED IMMEDIATELY TO CORRECT THE CONFLICTS BEFORE ANY WORK CAN BEGIN. IF THE CONTRACTOR FAILS TO FOLLOW THIS ABSOLUTE REQUIREMENT AND CONFLICTS ARISE DURING CONSTRUCTION THE CONTRACTOR WILL BEAR THE SOLE RESPONSIBILITY TO FIX THE CONFLICTS.
 - CONTRACTOR IS REQUIRED TO VERIFY THAT PROPER COVER AND PROTECTION OF EXISTING UTILITY LINES IS MAINTAINED OR ATTAINED WITHIN THE DESIGN ONCE VERIFICATION OF THE EXISTING UTILITIES IS COMPLETED AS OUTLINED IN 16.1 ABOVE.
 - IN ADDITION TO 16.1 AND 16.2 ABOVE THE CONTRACTOR WILL VERIFY DEPTHS OF UTILITIES IN THE FIELD BY "POTHOLING" A MINIMUM OF 300 FEET AHEAD OF PROPOSED PIPELINE CONSTRUCTION TO AVOID POTENTIAL CONFLICTS WITH DESIGNED PIPELINE ALIGNMENT AND GRADE AND EXISTING UTILITIES.
 - IF A CONFLICT ARISES BETWEEN EXISTING UTILITIES AND DESIGN UTILITIES (OR ANOTHER ASPECT OF PROPOSED CONSTRUCTION) AS DETERMINED UNDER 16.1, 16.2 OR 16.3 THE CONTRACTOR WILL NOTIFY THE ENGINEER IMMEDIATELY TO RESOLVE THE CONFLICT.
 - IF A CONFLICT ARISES BETWEEN EXISTING UTILITIES AND DESIGN UTILITIES (OR ANOTHER ASPECT OF PROPOSED CONSTRUCTION) RESULTING FROM THE CONTRACTOR'S NEGLIGENCE TO IDENTIFY AND/OR "POTHOLE" EXISTING UTILITIES AS REQUIRED IN 16.1, 16.2 AND 16.3 ABOVE, THE CONTRACTOR WILL BE REQUIRED TO RESOLVE THE CONFLICT WITHOUT ADDITIONAL COST OR CLAIM TO THE OWNER OR ENGINEER.
- ANY AREA OUTSIDE THE LIMIT OF WORK THAT IS DISTURBED SHALL BE RESTORED TO ITS ORIGINAL CONDITION AT NO COST TO OWNER.
- CONSULT ALL OF THE DRAWINGS AND SPECIFICATIONS FOR COORDINATION REQUIREMENTS BEFORE COMMENCING CONSTRUCTION.
- AT ALL LOCATIONS WHERE EXISTING PAVEMENT ABUTS NEW CONSTRUCTION, THE EDGE OF THE EXISTING PAVEMENT SHALL BE SAWCUT TO A CLEAN, SMOOTH EDGE.
- ALL CONSTRUCTION AND MATERIALS SHALL BE IN ACCORDANCE WITH THE MOST RECENT, ADOPTED EDITION OF ADA ACCESSIBILITY GUIDELINES.
- CONTRACTOR SHALL, AT THE TIME OF BIDDING AND THROUGHOUT THE PERIOD OF THE CONTRACT, BE LICENSED IN THE STATE OF UTAH AND SHALL BE BONDBABLE FOR AN AMOUNT REQUIRED BY THE OWNER.
- CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE ALL WATER, POWER, SANITARY FACILITIES AND TELEPHONE SERVICES AS REQUIRED FOR THE CONTRACTOR'S USE DURING CONSTRUCTION.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ADEQUATELY SCHEDULING INSPECTION AND TESTING OF ALL FACILITIES CONSTRUCTED UNDER THIS CONTRACT. ALL TESTING SHALL CONFORM TO THE REGULATORY AGENCY'S STANDARD SPECIFICATIONS. ALL RE-TESTING AND/OR RE-INSPECTION SHALL BE PAID FOR BY THE CONTRACTOR.
- IF EXISTING IMPROVEMENTS NEED TO BE DISTURBED AND/OR REMOVED FOR THE PROPER PLACEMENT OF IMPROVEMENTS TO BE CONSTRUCTED BY THESE PLANS, THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING EXISTING IMPROVEMENTS FROM DAMAGE. COST OF REPLACING OR REPAIRING EXISTING IMPROVEMENTS SHALL BE INCLUDED IN THE UNIT PRICE BID FOR ITEMS REQUIRING REMOVAL AND/OR REPLACEMENT. THERE WILL BE NO EXTRA COST DUE TO THE CONTRACTOR FOR REPLACING OR REPAIRING EXISTING IMPROVEMENTS.
- WHenever EXISTING FACILITIES ARE REMOVED, DAMAGED, BROKEN, OR CUT IN THE INSTALLATION OF THE WORK COVERED BY THESE PLANS OR SPECIFICATIONS, SAID FACILITIES SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE WITH MATERIALS EQUAL TO OR BETTER THAN THE MATERIALS USED IN THE ORIGINAL EXISTING FACILITIES. THE FINISHED PRODUCT SHALL BE SUBJECT TO THE APPROVAL OF THE OWNER, THE ENGINEER, AND THE RESPECTIVE REGULATORY AGENCY.
- CONTRACTOR SHALL MAINTAIN A NEATLY MARKED SET OF FULL-SIZE RECORD DRAWINGS SHOWING THE FINAL LOCATION AND LAYOUT OF ALL STRUCTURES AND OTHER FACILITIES. RECORD DRAWINGS SHALL REFLECT CHANGE ORDERS, ACCOMMODATIONS, AND ADJUSTMENTS TO ALL IMPROVEMENTS CONSTRUCTED. WHERE NECESSARY, SUPPLEMENTAL DRAWINGS SHALL BE PREPARED AND SUBMITTED BY THE CONTRACTOR. PRIOR TO ACCEPTANCE OF THE PROJECT, THE CONTRACTOR SHALL DELIVER TO THE ENGINEER ONE SET OF NEATLY MARKED RECORD DRAWINGS SHOWING THE INFORMATION REQUIRED ABOVE. RECORD DRAWINGS SHALL BE REVIEWED AND THE COMPLETE RECORD DRAWING SET SHALL BE CURRENT WITH ALL CHANGES AND DEVIATIONS REDLINED AS A PRECONDITION TO THE FINAL PROGRESS PAYMENT APPROVAL AND/OR FINAL ACCEPTANCE.
- WHERE THE PLANS OR SPECIFICATIONS DESCRIBE PORTIONS OF THE WORK IN GENERAL TERMS BUT NOT IN COMPLETE DETAIL, IT IS UNDERSTOOD THAT ONLY THE BEST GENERAL PRACTICE IS TO PREVAIL AND THAT ONLY MATERIALS AND WORKMANSHIP OF THE FIRST QUALITY ARE TO BE USED.
- ALL EXISTING GATES AND FENCES TO REMAIN UNLESS OTHERWISE NOTED ON PLANS. PROTECT ALL GATES AND FENCES FROM DAMAGE.
- ALL EXISTING TREES ARE TO REMAIN UNLESS OTHERWISE NOTED ON PLANS. PROTECT ALL TREES FROM DAMAGE.
- ASPHALT MIX DESIGN MUST BE SUBMITTED AND APPROVED BY THE GOVERNING AGENCY PRIOR TO THE PLACEMENT.
- CONTRACTORS ARE RESPONSIBLE FOR ALL OSHA REQUIREMENTS ON THE PROJECT SITE.
- A UPDES (UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM) PERMIT IS REQUIRED FOR ALL CONSTRUCTION ACTIVITIES 1 ACRE OR MORE AS WELL AS A STORM WATER POLLUTION PREVENTION PLAN.

UTILITY NOTES

- ALL CONSTRUCTION AND MATERIALS SHALL BE IN ACCORDANCE WITH THESE CONTRACT DOCUMENTS, CITY AND STATE REQUIREMENTS AND THE MOST RECENT EDITIONS OF THE FOLLOWING: THE INTERNATIONAL PLUMBING CODE, UTAH DRINKING WATER REGULATIONS, APWA MANUAL OF STANDARD PLANS AND SPECIFICATIONS. THE CONTRACTOR IS REQUIRED TO ADHERE TO ALL OF THE ABOVE-MENTIONED DOCUMENTS UNLESS OTHERWISE NOTED AND APPROVED BY THE ENGINEER.
- CONTRACTOR SHALL COORDINATE LOCATION OF NEW "DRY UTILITIES" WITH THE APPROPRIATE UTILITY COMPANY, INCLUDING BUT NOT LIMITED TO: TELEPHONE & INTERNET SERVICE, GAS SERVICE, CABLE, AND POWER.
- EXISTING UTILITIES HAVE BEEN SHOWN ON THE PLANS BASED ON ON-SITE SURVEY. PRIOR TO COMMENCING ANY WORK, IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO HAVE EACH UTILITY COMPANY LOCATE, IN THE FIELD, THEIR MAIN AND SERVICE LINES. THE CONTRACTOR SHALL NOTIFY BLUE STAKES AT 1-800-824-1111 48 HOURS IN ADVANCE OF PERFORMING ANY EXCAVATION WORK. THE CONTRACTOR SHALL RECORD THE BLUE STAKES ORDER NUMBER AND FURNISH ORDER NUMBER TO OWNER AND ENGINEER PRIOR TO ANY EXCAVATION. IT WILL BE THE CONTRACTOR'S SOLE RESPONSIBILITY TO DIRECTLY CONTACT ANY OTHER UTILITY COMPANIES THAT ARE NOT MEMBERS OF BLUE STAKES. IT SHALL BE THE CONTRACTOR'S SOLE RESPONSIBILITY TO PROTECT ALL EXISTING UTILITIES SO THAT NO DAMAGE RESULTS TO THEM DURING THE PERFORMANCE OF THIS CONTRACT. ANY REPAIRS NECESSARY TO DAMAGED UTILITIES SHALL BE PAID FOR BY THE CONTRACTOR. THE CONTRACTOR SHALL BE REQUIRED TO COOPERATE WITH OTHER CONTRACTORS AND UTILITY COMPANIES INSTALLING NEW STRUCTURES, UTILITIES AND SERVICE TO THE PROJECT.
- CARE SHOULD BE TAKEN IN ALL EXCAVATIONS DUE TO POSSIBLE EXISTENCE OF UNRECORDED UTILITY LINES. EXCAVATION REQUIRED WITHIN PROXIMITY OF EXISTING UTILITY LINES SHALL BE DONE BY HAND. CONTRACTOR SHALL REPAIR ANY DAMAGE TO EXISTING UTILITY LINES OR STRUCTURES INCURRED DURING CONSTRUCTION OPERATIONS AT CONTRACTOR'S EXPENSE.
- TRENCH BACKFILL MATERIAL AND COMPACTION TESTS ARE TO BE TAKEN PER APWA STANDARD SPECIFICATIONS (CURRENT EDITION), SECTION 33 05 20 - BACKFILLING TRENCHES, OR AS REQUIRED BY THE GEOTECHNICAL REPORT IF NATIVE MATERIALS ARE USED. NO NATIVE MATERIALS ARE ALLOWED IN THE PIPE ZONE. THE MAXIMUM LIFT FOR BACKFILLING EXCAVATIONS IS DETERMINED BY THE GEOTECHNICAL RECOMMENDATIONS.
- THE CONTRACTOR IS SOLELY RESPONSIBLE FOR CONFORMING TO LOCAL AND FEDERAL CODES GOVERNING SHORING AND BRACING OF EXCAVATIONS AND TRENCHES AND FOR THE PROTECTION OF WORKERS.
- THE CONTRACTOR IS REQUIRED TO KEEP ALL CONSTRUCTION ACTIVITIES WITHIN THE APPROVED PROJECT LIMITS. THIS INCLUDES, BUT IS NOT LIMITED TO VEHICLE AND EQUIPMENT STAGING, MATERIAL STORAGE AND LIMITS OF TRENCH EXCAVATION. IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN PERMISSION AND/OR EASEMENTS FROM THE APPROPRIATE GOVERNING ENTITY AND/OR INDIVIDUAL PROPERTY OWNER(S) FOR WORK OR STAGING OUTSIDE OF THE PROJECT LIMITS.
- THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY DAMAGE, CAUSED BY ANY CONDITION INCLUDING SETTLEMENT, TO EXISTING UTILITIES FROM WORK PERFORMED AT OR NEAR EXISTING UTILITIES. THE CONTRACTOR SHALL TAKE ALL MEASURES NECESSARY TO PROTECT ALL EXISTING PUBLIC AND PRIVATE ROADWAY AND UTILITY FACILITIES. DAMAGE TO EXISTING FACILITIES CAUSED BY THE CONTRACTOR MUST BE REPAIRED BY THE CONTRACTOR AT HISHER EXPENSE TO THE SATISFACTION OF THE OWNER OF SAID FACILITIES.
- ALL WATER LINE AND SEWER LINE INSTALLATION AND TESTING TO BE IN ACCORDANCE WITH LOCAL GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
- ALL MANHOLES, HYDRANTS, VALVES, CLEANOUT BOXES, CATCH BASINS, METERS, ETC. MUST BE RAISED OR LOWERED TO FINAL GRADE PER APWA (CURRENT EDITION) STANDARDS AND INSPECTOR REQUIREMENTS. CONCRETE COLLARS MUST BE CONSTRUCTED ON ALL MANHOLES, CLEANOUT BOXES, CATCH BASINS, AND VALVES PER APWA STANDARDS. ALL MANHOLE, CATCH BASIN, OR CLEANOUT BOX CONNECTIONS MUST BE MADE WITH THE PIPE CUT FLUSH WITH THE INSIDE OF THE BOX AND GROUTED OR SEALED.
- CONTRACTOR SHALL NOT ALLOW ANY GROUNDWATER OR DEBRIS TO ENTER THE NEW OR EXISTING PIPE DURING CONSTRUCTION.
- SILT AND DEBRIS ARE TO BE CLEANED OUT OF ALL STORM DRAIN BOXES. CATCH BASINS ARE TO BE MAINTAINED IN A CLEANED CONDITION AS NEEDED UNTIL AFTER THE FINAL BOND RELEASE INSPECTION.
- CONTRACTOR SHALL CLEAN ASPHALT, TAR OR OTHER ADHESIVES OFF OF ALL MANHOLE LIDS AND INLET GRATES TO ALLOW ACCESS.
- EACH TRENCH SHALL BE EXCAVATED SO THAT THE PIPE CAN BE LAID TO THE ALIGNMENT AND GRADE AS REQUIRED. THE TRENCH WALL SHALL BE SO BRACED THAT THE WORKMEN MAY WORK SAFELY AND EFFICIENTLY. ALL TRENCHES SHALL BE DRAINED SO THE PIPE LAYING MAY TAKE PLACE IN DEWATERED CONDITIONS.
- CONTRACTOR SHALL PROVIDE AND MAINTAIN AT ALL TIMES AMPLE MEANS AND DEVICES WITH WHICH TO REMOVE PROMPTLY AND TO PROPERLY DISPOSE OF ALL WATER ENTERING THE TRENCH EXCAVATION.
- ALL SEWER LINES AND SEWER SERVICES SHALL HAVE A MINIMUM SEPARATION OF 10 FEET, EDGE TO EDGE, FROM THE WATER LINES. IF A 10 FOOT SEPARATION CAN NOT BE MAINTAINED, CONSTRUCT PER GOVERNING AGENCY'S MINIMUM SEPARATION STANDARDS.
- CONTRACTOR SHALL INSTALL THRUST BLOCKING AT ALL WATERLINE ANGLE POINTS AND TEES.
- ALL UNDERGROUND UTILITIES SHALL BE IN PLACE PRIOR TO INSTALLATION OF CURB, GUTTER, SIDEWALK AND STREET PAVING.
- CONTRACTOR SHALL INSTALL MAGNETIC LOCATING TAPE CONTINUOUSLY OVER ALL NONMETALLIC PIPE.

TRAFFIC CONTROL AND SAFETY NOTES

- TRAFFIC CONTROL AND STRIPING TO CONFORM TO THE CURRENT MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (M.U.T.C.D.).
- BARRICADING AND DETOURING SHALL BE IN CONFORMANCE WITH THE REQUIREMENTS OF THE CURRENT M.U.T.C.D.
- NO STREET SHALL BE CLOSED TO TRAFFIC WITHOUT WRITTEN PERMISSION FROM THE APPROPRIATE AGENCY, EXCEPT WHEN DIRECTED BY LAW ENFORCEMENT OR FIRE OFFICIALS.
- THE CONTRACTOR SHALL MAKE EVERY EFFORT TO PROVIDE FOR SMOOTH TRAFFIC FLOW AND SAFETY. ACCESS SHALL BE MAINTAINED FOR ALL PROPERTIES ADJACENT TO THE WORK.
- DETOURING OPERATIONS FOR A PERIOD OF SIX CONSECUTIVE CALENDAR DAYS, OR MORE, REQUIRE THE INSTALLATION OF TEMPORARY STREET STRIPING AND REMOVAL OF INTERFERING STRIPING BY SANDBLASTING. THE DETOURING STRIPING PLAN OR CONSTRUCTION TRAFFIC CONTROL PLAN MUST BE SUBMITTED TO THE GOVERNING AGENCY FOR REVIEW AND APPROVAL.
- ALL TRAFFIC CONTROL DEVICES SHALL BE RESTORED TO THEIR ORIGINAL CONDITION AT THE END OF THE WORK TO THE SATISFACTION OF THE GOVERNING AGENCY.
- TRAFFIC CONTROL DEVICES (TCDs) SHALL REMAIN VISIBLE AND OPERATIONAL AT ALL TIMES.
- ALL PERMANENT TRAFFIC CONTROL DEVICES CALLED FOR HEREON SHALL BE IN PLACE AND IN FINAL POSITION PRIOR TO ALLOWING ANY PUBLIC TRAFFIC ONTO THE PORTIONS OF THE ROAD(S) BEING IMPROVED HEREUNDER, REGARDLESS OF THE STATUS OF COMPLETION OF PAVING OR OTHER OFF-SITE IMPROVEMENTS CALLED FOR BY THESE PLANS.
- THE CONTRACTOR SHALL PROVIDE BARRICADES, SIGNS, FLASHERS, OTHER EQUIPMENT AND FLAG PERSONS NECESSARY TO INSURE THE SAFETY OF WORKERS AND VISITORS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING UTAH TRANSIT AUTHORITY (UTA) IF THE CONSTRUCTION INTERRUPTS OR RELOCATES A BUS STOP OR HAS AN ADVERSE EFFECT ON BUS SERVICE ON THAT STREET TO ARRANGE FOR TEMPORARY RELOCATION OF STOP.

DEMOLITION NOTES

- EXISTING UTILITY INFORMATION SHOWN IS FOR INFORMATIONAL PURPOSES ONLY. IT IS DERIVED FROM ON-SITE SURVEY AND MAY NOT BE LOCATED CORRECTLY AND IS NOT ALL INCLUSIVE. CONTRACTOR SHALL FIELD LOCATE ALL UTILITIES WITHIN THE PROJECT LIMITS BEFORE BEGINNING DEMOLITION/CONSTRUCTION.
- THERE MAY BE BURIED UTILITIES WITHIN THE LIMITS OF DISTURBANCE THAT ARE NOT SHOWN ON THE PLANS DUE TO LACK OF MAPPING OR RECORD INFORMATION. CONTRACTOR SHALL NOTIFY THE ENGINEER WHEN UNEXPECTED UTILITIES ARE DISCOVERED.
- THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR LOCATING AND PROTECTING FROM DAMAGE ALL EXISTING UTILITIES AND IMPROVEMENTS WHETHER OR NOT SHOWN ON THESE PLANS. THE FACILITIES AND IMPROVEMENTS ARE BELIEVED TO BE CORRECTLY SHOWN BUT THE CONTRACTOR IS REQUIRED TO SATISFY HIMSELF AS TO THE COMPLETENESS AND ACCURACY OF THE LOCATIONS. ANY CONTRACTOR PERFORMING WORK ON THIS PROJECT SHALL FAMILIARIZE HIMSELF WITH THE SITE AND SHALL BE HELD SOLELY RESPONSIBLE FOR ANY DAMAGE TO EXISTING FACILITIES RESULTING DIRECTLY, OR INDIRECTLY, FROM HIS OPERATIONS, WHETHER OR NOT SAID FACILITIES ARE SHOWN ON THESE PLANS.

GRADING AND DRAINAGE NOTES

- SITE GRADING SHALL BE PERFORMED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS AND THE RECOMMENDATIONS SET FORTH IN THE GEOTECHNICAL REPORT AND ALL RELATED ADDENDUMS.
- THE CONTRACTOR SHALL STRIP AND CLEAR THE TOPSOIL, MAJOR ROOTS AND ORGANIC MATERIAL FROM ALL PROPOSED BUILDING AND PAVEMENT AREAS PRIOR TO SITE GRADING. (THE TOPSOIL MAY BE STOCKPILED FOR LATER USE IN LANDSCAPED AREAS.)
- THE CONTRACTOR SHALL REMOVE ALL ORGANIC MATERIAL AND OTHER DELETERIOUS MATERIALS PRIOR TO PLACING GRADING FILL OR BASE COURSE. THE AREA SHOULD BE PROOF-ROLLED TO IDENTIFY ANY SOFT AREAS. WHERE SOFT AREAS ARE ENCOUNTERED, THE CONTRACTOR SHALL REMOVE THE SOIL AND REPLACE WITH COMPACTED FILL.
- ALL DEBRIS PILES AND BERMS SHOULD BE REMOVED AND HAULED AWAY FROM SITE OR USED AS GENERAL FILL IN LANDSCAPED AREAS.
- THE CONTRACTOR SHALL CONSTRUCT THE BUILDING PAD TO THESE DESIGN PLANS AS PART OF THE SITE GRADING CONTRACT, AND STRICTLY ADHERE TO THE SITE PREPARATION AND GRADING REQUIREMENTS OUTLINED IN THE GEOTECHNICAL REPORT.
- THE CONTRACTOR SHALL GRADE THE PROJECT SITE TO PROVIDE A SMOOTH TRANSITION BETWEEN NEW AND EXISTING ASPHALT, CURB AND GUTTER, AND ADJOINING SITE IMPROVEMENTS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR DAMAGE AND DEBRIS ON ADJACENT STREETS WHEN EQUIPMENT IS TRAVELING THOSE STREETS.
- THE CONTRACTOR SHALL BE FAMILIAR WITH ALL CONDITIONS AND RECOMMENDATIONS OUTLINED IN THE GEOTECHNICAL REPORT AND TAKE ALL NECESSARY PRECAUTIONS AND RECOMMENDED PROCEDURES TO ASSURE SOUND GRADING PRACTICES.
- THE CONTRACTOR SHALL TAKE APPROPRIATE GRADING MEASURES TO DIRECT STORM SURFACE RUNOFF TOWARDS CATCH BASINS.
- THE LOCATIONS OF UNDERGROUND FACILITIES SHOWN ON THESE PLANS ARE BASED ON ON-SITE SURVEY. IT SHALL BE THE CONTRACTOR'S FULL RESPONSIBILITY TO CONTACT THE VARIOUS UTILITY COMPANIES TO LOCATE THEIR FACILITIES PRIOR TO PROCEEDING WITH CONSTRUCTION. NO ADDITIONAL COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR DAMAGE AND REPAIR TO THESE FACILITIES CAUSED BY HIS WORK FORCE.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PERFORM ALL NECESSARY CUTS AND FILLS WITHIN THE LIMITS OF THIS PROJECT AND THE RELATED OFF-SITE WORK, SO AS TO GENERATE THE DESIRED SUBGRADE, FINISH GRADES, AND SLOPES SHOWN.
- THE CONTRACTOR IS WARNED THAT AN EARTHWORK BALANCE WAS NOT NECESSARILY THE INTENT OF THIS PROJECT. ANY ADDITIONAL MATERIAL REQUIRED OR LEFTOVER MATERIAL FOLLOWING EARTHWORK OPERATIONS BECOMES THE RESPONSIBILITY OF THE CONTRACTOR.
- THE GRADING CONTRACTOR IS RESPONSIBLE TO COORDINATE WITH THE OWNER TO PROVIDE FOR THE REQUIREMENTS OF THE PROJECT STORM WATER POLLUTION PREVENTION PLAN (SWPPP) AND ASSOCIATED PERMIT. ALL CONTRACTOR ACTIVITIES 1 ACRE OR MORE IN SIZE ARE REQUIRED TO PROVIDE A STORM WATER POLLUTION PREVENTION PLAN.
- ALL CUT AND FILL SLOPES SHALL BE PROTECTED UNTIL EFFECTIVE EROSION CONTROL HAS BEEN ESTABLISHED.
- THE USE OF POTABLE WATER WITHOUT A SPECIAL PERMIT FOR BUILDING OR CONSTRUCTION PURPOSES INCLUDING CONSOLIDATION OF BACKFILL OR DUST CONTROL IS PROHIBITED. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS FOR CONSTRUCTION WATER FROM GOVERNING AGENCY.
- THE CONTRACTOR SHALL MAINTAIN THE STREETS, SIDEWALKS, AND ALL OTHER PUBLIC RIGHT-OF-WAYS IN A CLEAN, SAFE AND USABLE CONDITION. ALL SPILLS OF SOIL, ROCK OR CONSTRUCTION DEBRIS SHALL BE PROMPTLY REMOVED FROM THE PUBLICLY-OWNED PROPERTY DURING CONSTRUCTION AND UPON COMPLETION OF THE PROJECT. ALL ADJACENT PROPERTY, PRIVATE OR PUBLIC, SHALL BE MAINTAINED IN A CLEAN, SAFE, AND USABLE CONDITION.

ABBREVIATIONS

APWA	AMERICAN PUBLIC WORKS ASSOCIATION
AR	ACCESSIBLE ROUTE
ASTM	AMERICAN SOCIETY FOR TESTING AND MATERIALS
AWWA	AMERICAN WATER WORKS ASSOCIATION
BOS	BOTTOM OF STEP
BVC	BEGIN VERTICAL CURVE
C	CURVE
CB	CATCH BASIN
CF	CURB FACE OR CUBIC FEET
CL	CENTER LINE
CO	CLEAN OUT
COMM	COMMUNICATION
CONC	CONCRETE
CONT	CONTINUOUS
DI	DIAMETER
DIP	DUCTILE IRON PIPE
ELEC	ELECTRICAL
ELEV	ELEVATION
EDA	EDGE OF ASPHALT
EVC	END OF VERTICAL CURVE
EW	EACH WAY
EXIST	EXISTING
FF	FINISH FLOOR
FG	FINISH GRADE
FH	FIRE HYDRANT
FL	FLOW LINE OR FLANGE
GB	GRADE BREAK
GF	GARAGE FLOOR
GV	GATE VALVE
HC	HANDICAP
HP	HIGH POINT
IRR	IRRIGATION
K	RATE OF VERTICAL CURVATURE
LD	LAND DRAIN
LF	LINEAR FEET
LX	LOW POINT
MP	MATCH EXISTING
MH	MANHOLE
MJ	MECHANICAL JOINT
NG	NATURAL GROUND
NIC	NOT IN CONTRACT
NO	NUMBER
OC	ON CENTER
OCEW	ON CENTER EACH WAY
OHP	OVERHEAD POWER
PC	POINT OF CURVATURE OR PRESSURE CLASS
PCC	POINT OF COMPOUND CURVATURE
PI	POINT OF INTERSECTION
PV	POST INDICATOR VALVE
PL	PROPERTY LINE
PRC	POINT OF REVERSE CURVATURE
PRO	PROPOSED
PT	POINT OF TANGENCY
PVC	POINT OF VERTICAL CURVATURE
PVI	POINT OF VERTICAL INTERSECTION
PVT	POINT OF VERTICAL TANGENCY
R	RADIUS
RD	ROOF DRAIN
ROW	RIGHT OF WAY
S	SLOPE
SAN SWR	SANITARY SEWER
SD	STORM DRAIN
SEC	SECONDARY
SS	SANITARY SEWER
STA	STATION
SW	SECONDARY WATER LINE
TBC	TOP BACK OF CURB
TOG	TOP OF GRATE
TOA	TOP OF ASPHALT
TOC	TOP OF CONCRETE
TOF	TOP OF FOUNDATION
TOW	TOP OF WALL
TOS	TOP OF STEP
TYP	TYPICAL
VC	VERTICAL CURVE
WV	WALL INDICATOR VALVE
W	WATER LINE

NOTE: MAY CONTAIN ABBREVIATIONS THAT ARE NOT USED IN THIS PLAN SET.

LEGEND

	SECTION CORNER		EXISTING EDGE OF ASPHALT
	EXISTING MONUMENT		PROPOSED EDGE OF ASPHALT
	PROPOSED MONUMENT		EXISTING STRIPING
	EXISTING REBAR AND CAP		PROPOSED STRIPING
	SET ENSIGN REBAR AND CAP		EXISTING FENCE
	EXISTING WATER METER		PROPOSED FENCE
	PROPOSED WATER METER		EXISTING FLOW LINE
	EXISTING WATER MANHOLE		PROPOSED FLOW LINE
	PROPOSED WATER MANHOLE		GRADE BREAK
	EXISTING WATER BOX		EXISTING STORM DRAIN LINE
	EXISTING WATER VALVE		PROPOSED STORM DRAIN LINE
	PROPOSED WATER VALVE		ROOF DRAIN LINE
	EXISTING FIRE HYDRANT		CATCHMENTS
	PROPOSED FIRE HYDRANT		HIGHWATER LINE
	PROPOSED FIRE DEPARTMENT CONNECTION		EXISTING SANITARY SEWER
	EXISTING SECONDARY WATER VALVE		PROPOSED SANITARY SEWER LINE
	PROPOSED SECONDARY WATER VALVE		PROPOSED SAN. SWR. SERVICE LINE
	EXISTING IRRIGATION BOX		EXISTING LAND DRAIN LINE
	EXISTING IRRIGATION VALVE		PROPOSED LAND DRAIN LINE
	PROPOSED IRRIGATION VALVE		PROPOSED LAND DRAIN SERVICE LINE
	EXISTING SANITARY SEWER MANHOLE		EXISTING CULINARY WATER LINE
	PROPOSED SANITARY SEWER MANHOLE		PROPOSED CULINARY WATER SERVICE LINE
	EXISTING SANITARY CLEAN OUT		EXISTING SECONDARY WATER LINE
	EXISTING STORM DRAIN CLEAN OUT BOX		PROPOSED SECONDARY WATER LINE
	PROPOSED STORM DRAIN CLEAN OUT BOX		PROPOSED SEC. WATER SERVICE LINE
	EXISTING STORM DRAIN INLET BOX		EXISTING IRRIGATION LINE
	EXISTING STORM DRAIN CATCH BASIN		PROPOSED IRRIGATION LINE
	PROPOSED STORM DRAIN CATCH BASIN		EXISTING OVERHEAD POWER LINE
	EXISTING STORM DRAIN COMBO BOX		PROPOSED STORM DRAIN COMBO BOX
	EXISTING STORM DRAIN CLEAN OUT		EXISTING ELECTRICAL LINE
	EXISTING STORM DRAIN CULVERT		EXISTING GAS LINE
	PROPOSED STORM DRAIN CULVERT		EXISTING TELEPHONE LINE
	TEMPORARY SAG INLET PROTECTION		ACCESSIBLE ROUTE
	TEMPORARY IN-LINE INLET PROTECTION		SAW CUT LINE
	STRAW WATTIE		TEMPORARY BERM
	TEMPORARY SILT FENCE		LIMITS OF DISTURBANCE
	EXISTING WALL		PROPOSED WALL
	EXISTING CONTOURS		PROPOSED CONTOURS
	BUILDABLE AREA WITHIN SETBACKS		PUBLIC DRAINAGE EASEMENT
	PROPOSED ASPHALT		EXISTING ASPHALT TO BE REMOVED
	EXISTING CURB AND GUTTER		PROPOSED CURB AND GUTTER
	PROPOSED CURB AND GUTTER		TRANSITION TO REVERSE PAN CURB
	CONCRETE TO BE REMOVED		EXISTING CONCRETE
	PROPOSED CONCRETE		BUILDING TO BE REMOVED
	EXISTING BUILDING		PROPOSED BUILDING
	DENSE VEGETATION		

NOTE: MAY CONTAIN SYMBOLS THAT ARE NOT USED IN THIS PLAN SET.



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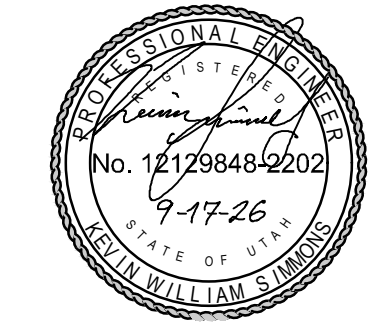
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NO. DATE REVISION
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GENERAL NOTES

PROJECT NUMBER
15204
PROJECT MANAGER
K.SIMMONS
PRINT DATE
2026-09-17
DESIGNED BY
C.GODFREY

C-001

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- SCOPE OF WORK:
PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS.
- 1

SAWCUT EXISTING ASPHALT PAVEMENT

2

REMOVE AND PROPERLY DISPOSE OF EXISTING ASPHALT PAVEMENT.

3

SAWCUT, REMOVE AND PROPERLY DISPOSE OF EXISTING CONCRETE CURB AND GUTTER,

4

SAWCUT, REMOVE AND PROPERLY DISPOSE OF EXISTING SIDEWALK

5

SAWCUT, REMOVE AND PROPERLY DISPOSE OF EXISTING DRIVE APPROACH

6

REMOVE AND PROPERLY DISPOSE OF EXISTING TREE

7

EXISTING TRANSFORMER. PROTECT IN PLACE

8

EXISTING CONCRETE TO REMAIN

9

EXISTING PAVERS. PROTECT IN PLACE
- 10

EXISTING RETAINING WALL. PROTECT IN PLACE.

11

EXISTING CURB TO REMAIN

12

EXISTING FIRE HYDRANT. PROTECT IN PLACE.

13

EXISTING LANDSCAPE TO REMAIN

14

FIELD-LOCATE AND REMOVE EXISTING 1" WATERLINE.

- GENERAL NOTES
1. ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.

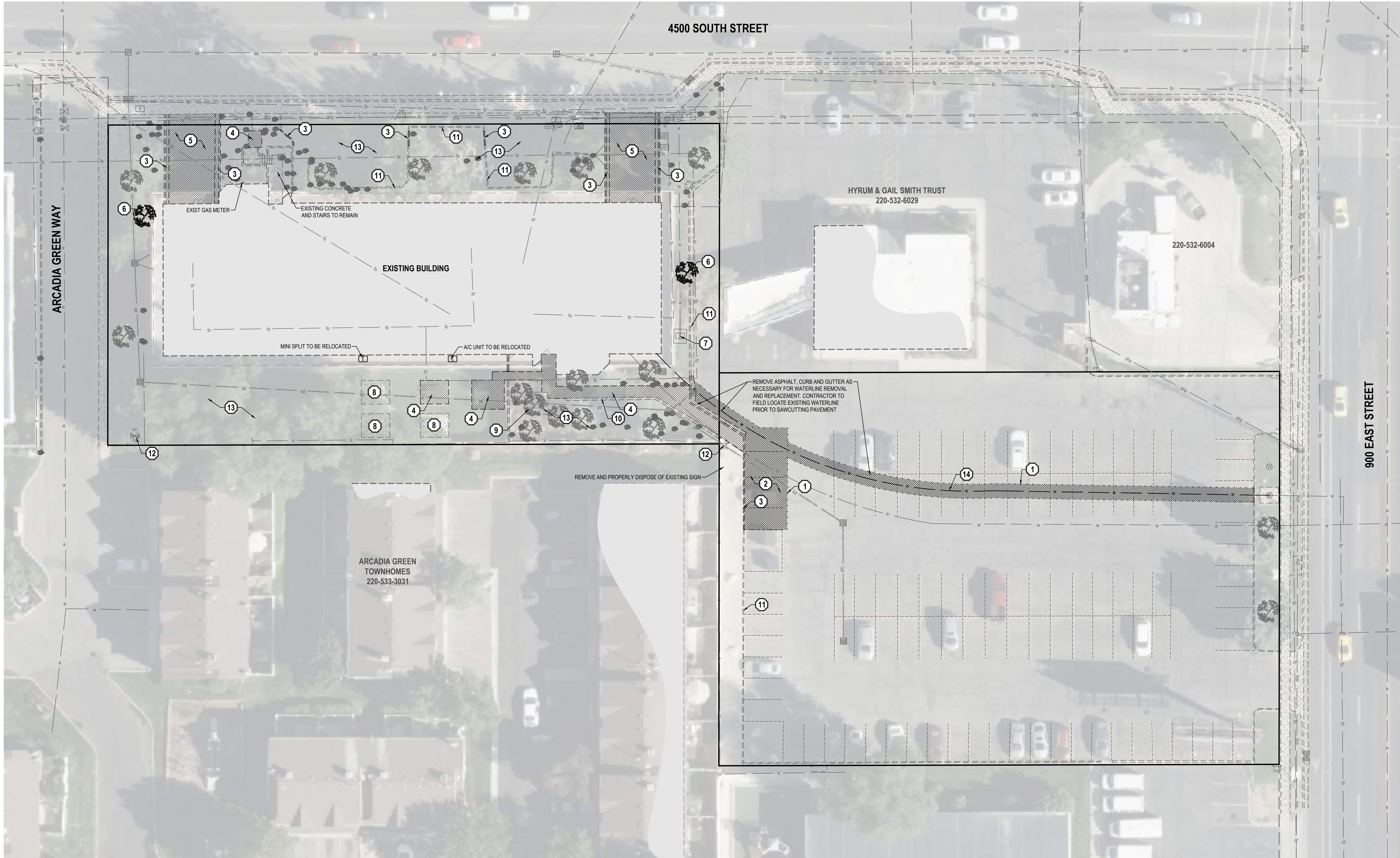
2. EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.

3. ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SOO, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.

4. ALL CONSTRUCTION SIGNAGE, BARRICADES, TRAFFIC CONTROL DEVICES, ETC. SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. THE CONTRACTOR WILL MAINTAIN SUCH SO THAT THEY ARE PROPERLY PLACED AND VISIBLE AT ALL TIMES.

5. SIDEWALKS AND CURBS DESIGNATED TO BE DEMOLISHED SHALL BE DEMOLISHED TO THE NEAREST EXPANSION JOINT, MATCHING THESE PLANS AS CLOSELY AS POSSIBLE.

6. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.



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PROFESSIONAL SEAL
No. 12129848-2202
9-17-26
STATE OF UTAH
JOSH WILLIAM SIMMONS

NO. DATE

REVISION

SITE DEMOLITION
PLAN

PROJECT NUMBER
15204

PRINT DATE
2026-09-17

PROJECT MANAGER
K.SIMMONS

DESIGNED BY
C.GODFREY

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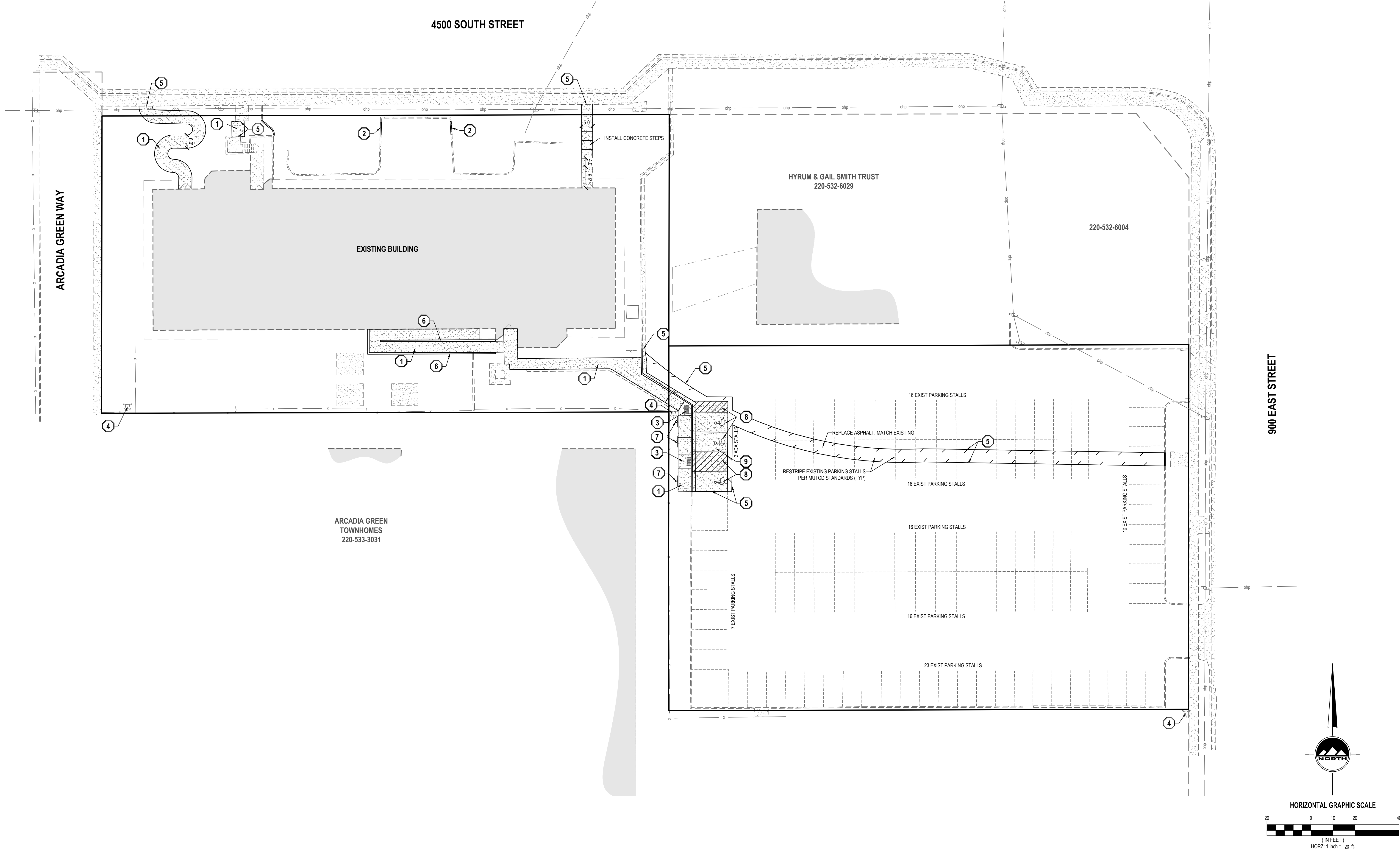
- SCOPE OF WORK:**
PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:
1. INSTALL CONCRETE SIDEWALK PER APWA PLAN #231
 2. REPLACE DECORATIVE CURB. MATCH EXISTING
 3. INSTALL ADA ACCESSIBLE RAMP WITH DETECTABLE WARNING SURFACE PER APWA PLAN #236.3
 4. EXIST FIRE HYDRANT. PROTECT IN PLACE
 5. MATCH EXISTING IMPROVEMENTS
 6. INSTALL CONCRETE RETAINING WALL - MAX HEIGHT = 4'-0"
 7. INSTALL ACCESSIBLE PARKING SIGN WITH BOLLARD
 8. INSTALL ADA STRIPING AND SYMBOLS PER M.U.T.C.D. STANDARDS
 9. INSTALL 4" THICK CONCRETE PAVEMENT OVER 4" UNTREATED BASE COURSE

PARKING DATA TABLE	
STANDARD STALLS	104 STALLS
ADA - ACCESSIBLE STALLS	3 STALLS
TOTAL STALLS	107 STALLS

LANDSCAPE TABLE		
TOTAL PROPERTY AREA	73,824 sq. ft.	
TOTAL EXISTING LANDSCAPE AREA	19,127 sq. ft.	25.9%
TOTAL PROPOSED LANDSCAPE AREA	19,592 sq. ft.	26.5%

PARKING REQUIREMENT TABLE	
ADMIN OFFICE - 17150 sf	44 STALLS
MEDICAL OFFICE - 13809 sf	47 STALLS
NURSING HOME - 4 ROOMS/32 BEDS	11 STALLS
TOTAL PARKING STALLS REQUIRED:	102 STALLS

- GENERAL NOTES**
1. ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
 2. ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
 3. SEE LANDSCAPE/ARCHITECTURAL PLANS FOR CONCRETE MATERIAL, COLOR, FINISH, AND SCORE PATTERNS THROUGHOUT SITE.
 4. ALL PAVEMENT MARKINGS SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. (MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES).
 5. ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SOD, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
 6. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR ASPHALT.
 7. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.



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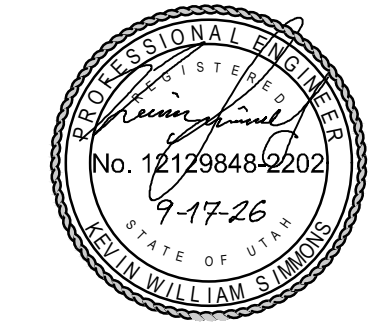
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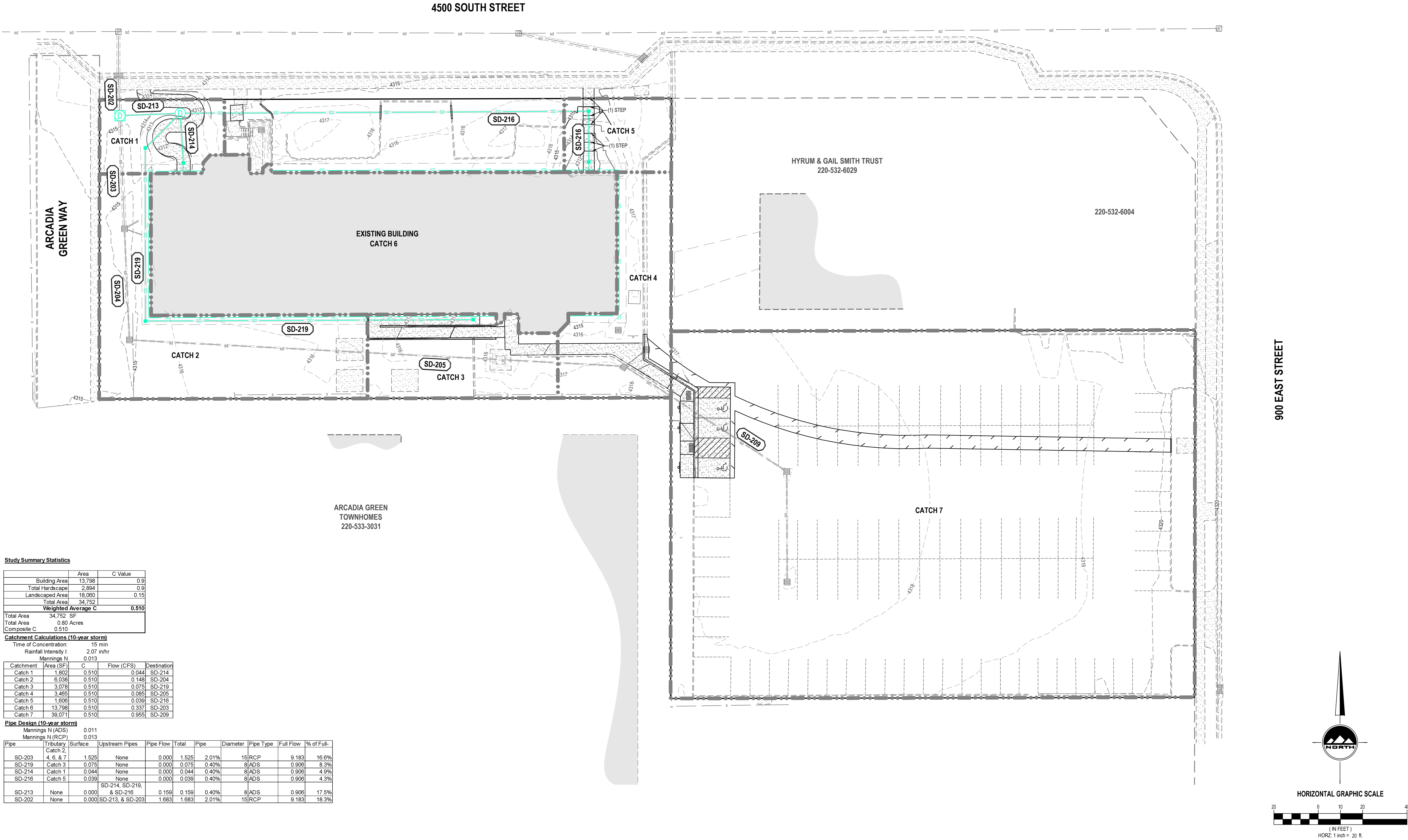
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GENERAL NOTES

- ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
- ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
- ALL WORK SHALL COMPLY WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER POSSIBLY INCLUDING, BUT NOT LIMITED TO, REMOVAL OF UNCONSOLIDATED FILL, ORGANICS, AND DEBRIS, PLACEMENT OF SUBSURFACE DRAIN LINES AND GEOTEXTILE, AND OVEREXCAVATION OF UNSUITABLE BEARING MATERIALS AND PLACEMENT OF ACCEPTABLE FILL MATERIAL.
- THE CONTRACTOR SHALL BECOME FAMILIAR WITH THE EXISTING SOIL CONDITIONS.
- ELEVATIONS HAVE BEEN TRUNCATED FOR CLARITY. XX.XX REPRESENTS AN ELEVATION OF 48XX.XX ON THESE PLANS.
- LANDSCAPED AREAS REQUIRE SUBGRADE TO BE MAINTAINED AT A SPECIFIC ELEVATION BELOW FINISHED GRADE AND REQUIRE SUBGRADE TO BE PROPERLY PREPARED AND SCARIFIED. SEE LANDSCAPE PLANS FOR ADDITIONAL INFORMATION.
- SLOPE ALL LANDSCAPED AREAS AWAY FROM BUILDING FOUNDATIONS TOWARD CURB AND GUTTER OR STORM DRAIN INLETS.
- EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.
- ALL STORM DRAIN INFRASTRUCTURE TO BE INSTALLED PER GOVERNING AGENCY OR APWA STANDARD PLANS AND SPECIFICATIONS.
- ENSURE MINIMUM COVER OVER ALL STORM DRAIN PIPES PER MANUFACTURER'S RECOMMENDATIONS. NOTIFY ENGINEER IF MINIMUM COVER CANNOT BE ATTAINED.
- ALL FACILITIES WITH DOWNSPOUTS/ROOF DRAINS SHALL BE CONNECTED TO THE STORM DRAIN SYSTEM. SEE PLUMBING PLANS FOR DOWNSPOUT/ROOF DRAIN LOCATIONS AND SIZES. ALL ROOF DRAINS TO HAVE MINIMUM 1% SLOPE.
- THE CONTRACTOR SHALL ADJUST TO GRADE ALL EXISTING UTILITIES AS NEEDED PER LOCAL GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
- NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE, ASPHALT, OR STORM DRAIN STRUCTURES OR PIPES.
- THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.



EN SIGN

THE STANDARD IN ENGINEERING

LAYTON

919 North 400 West
Layton, UT 84041
Phone: 801.547.1100

SANDY

Phone: 801.255.0529

TOOELE

Phone: 435.843.3590

CEDAR CITY

Phone: 435.865.1453

RICHFIELD

Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:

JZW ARCHITECTURE
45 EAST CENTER STREET STE 202
NORTH SALT LAKE, UT 84054

CONTACT:

GARY KNAPP
PHONE: 801.936.1343

THE HAVEN

860 EAST 4500 SOUTH

MILLCREEK, UTAH 84107

PROFESSIONAL SEAL

No. 12129848-2202

9-17-26

STATE OF UTAH

JOHN WILLIAM SIMMONS

NO. DATE

REVISION

FOR REVIEW

OVERALL GRADING AND DRAINAGE PLAN

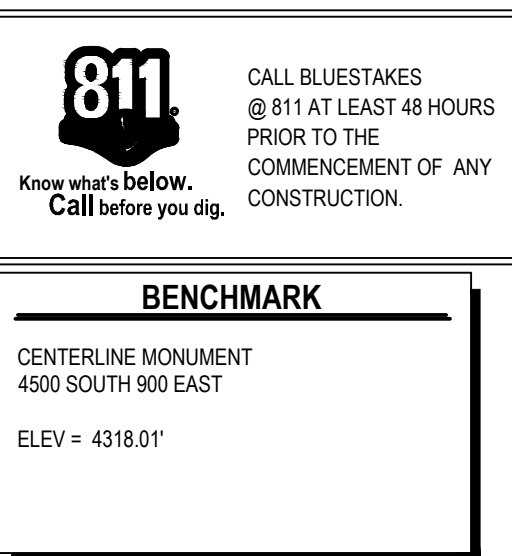
PROJECT NUMBER
15204

PRINT DATE
2026-09-17

PROJECT MANAGER
K.SIMMONS

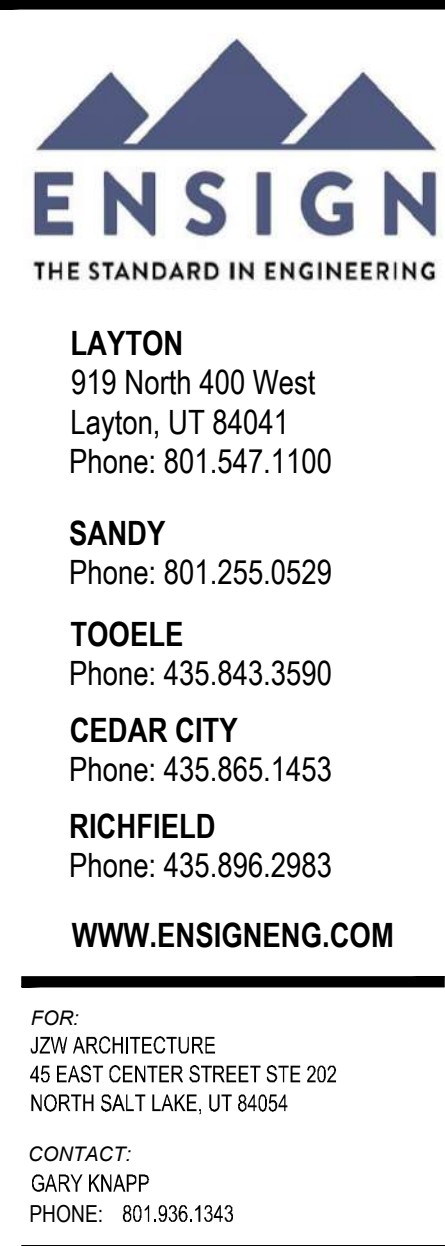
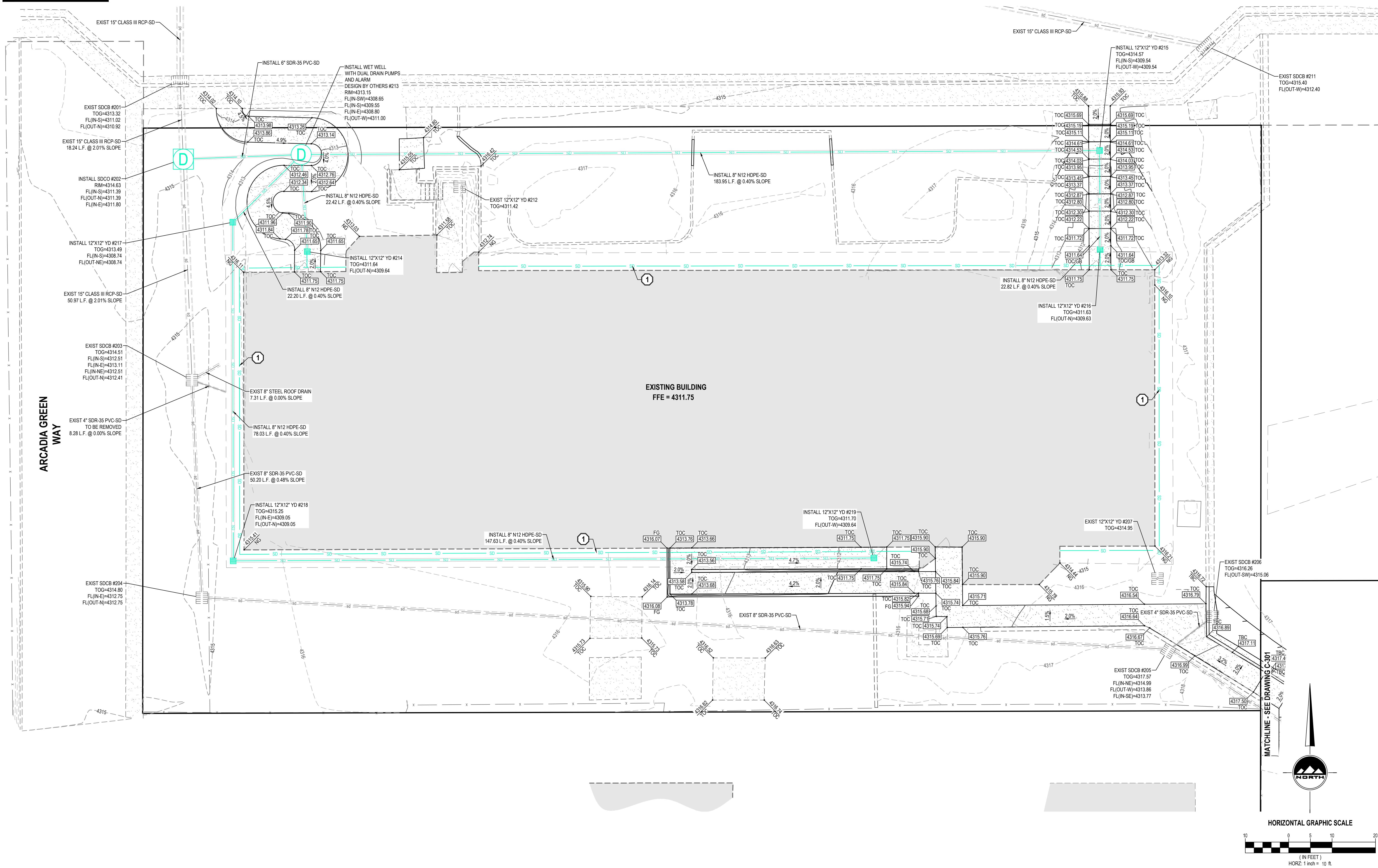
DESIGNED BY
C.GODFREY

C-300

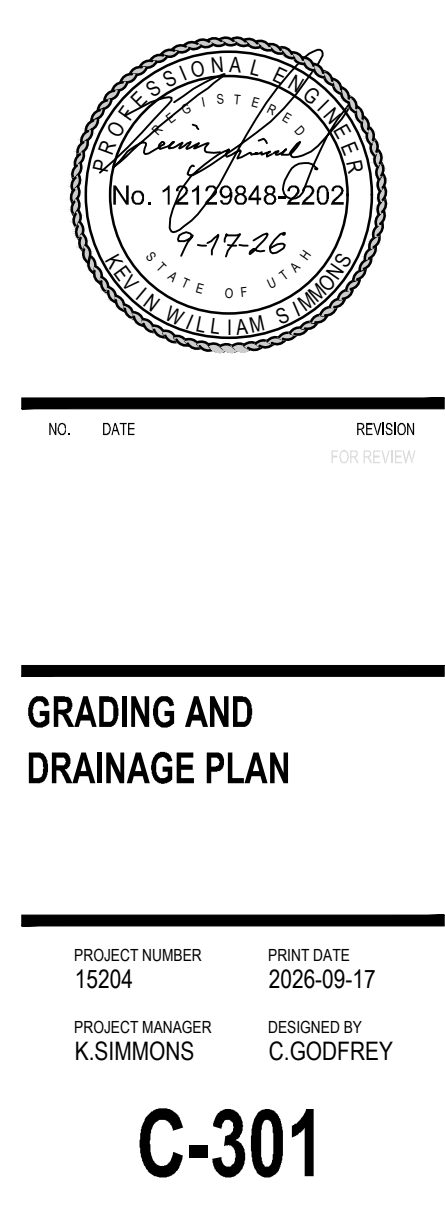


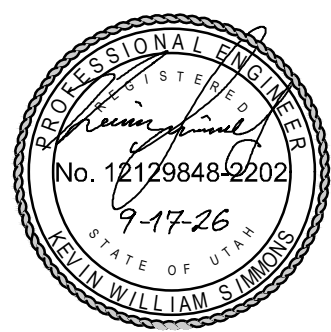
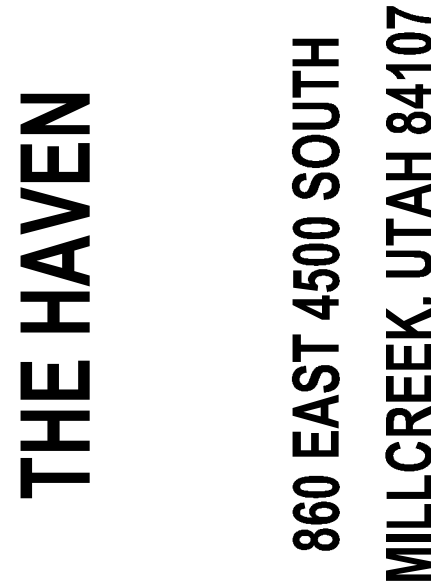
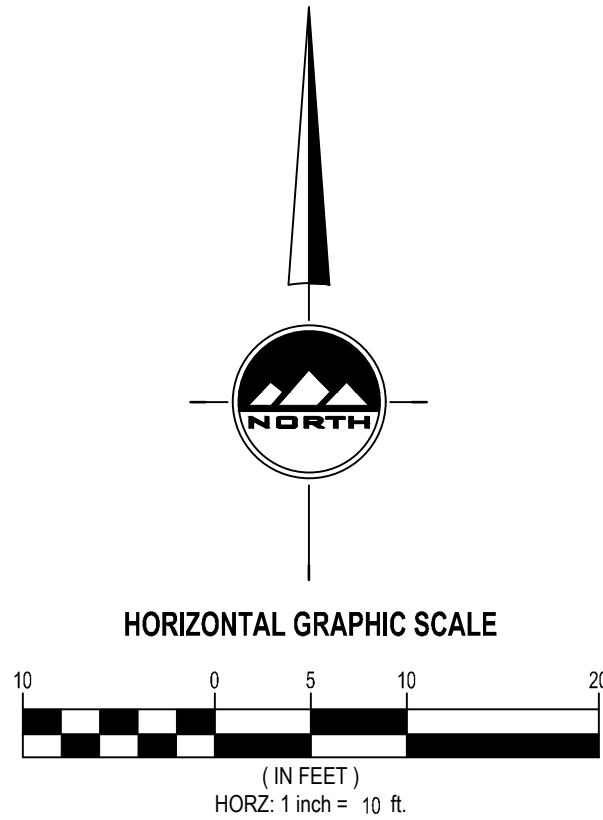
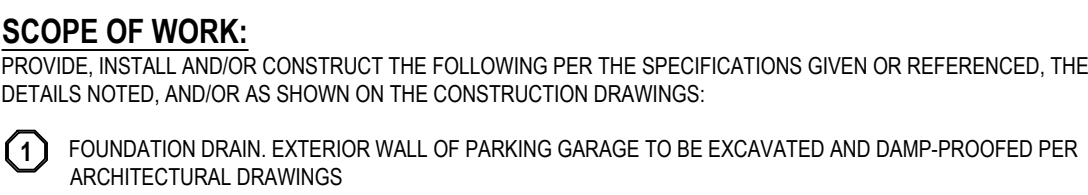
SCOPE OF WORK:
 PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:

① INSTALL 4" PERFORATED FOUNDATION DRAIN; EXTERIOR WALL OF PARKING GARAGE TO BE EXCAVATED AND DAMP-PROOFED PER ARCHITECTURAL DRAWINGS.



THE HAVEN
860 EAST 4500 SOUTH
MILLCREEK, UTAH 84107





NO.	DATE	REVISION
		FOR REVIEW

GRADING AND DRAINAGE PLAN

PROJECT NUMBER 15204	PRINT DATE 2026-09-17
PROJECT MANAGER K.SIMMONS	DESIGNED BY C.GODFREY

C-301

811

Know what's below.
Call before you dig.

CALL BLUESTAKES
@ 811 AT LEAST 48 HOURS
PRIOR TO THE
COMMENCEMENT OF ANY
CONSTRUCTION.

BENCHMARK

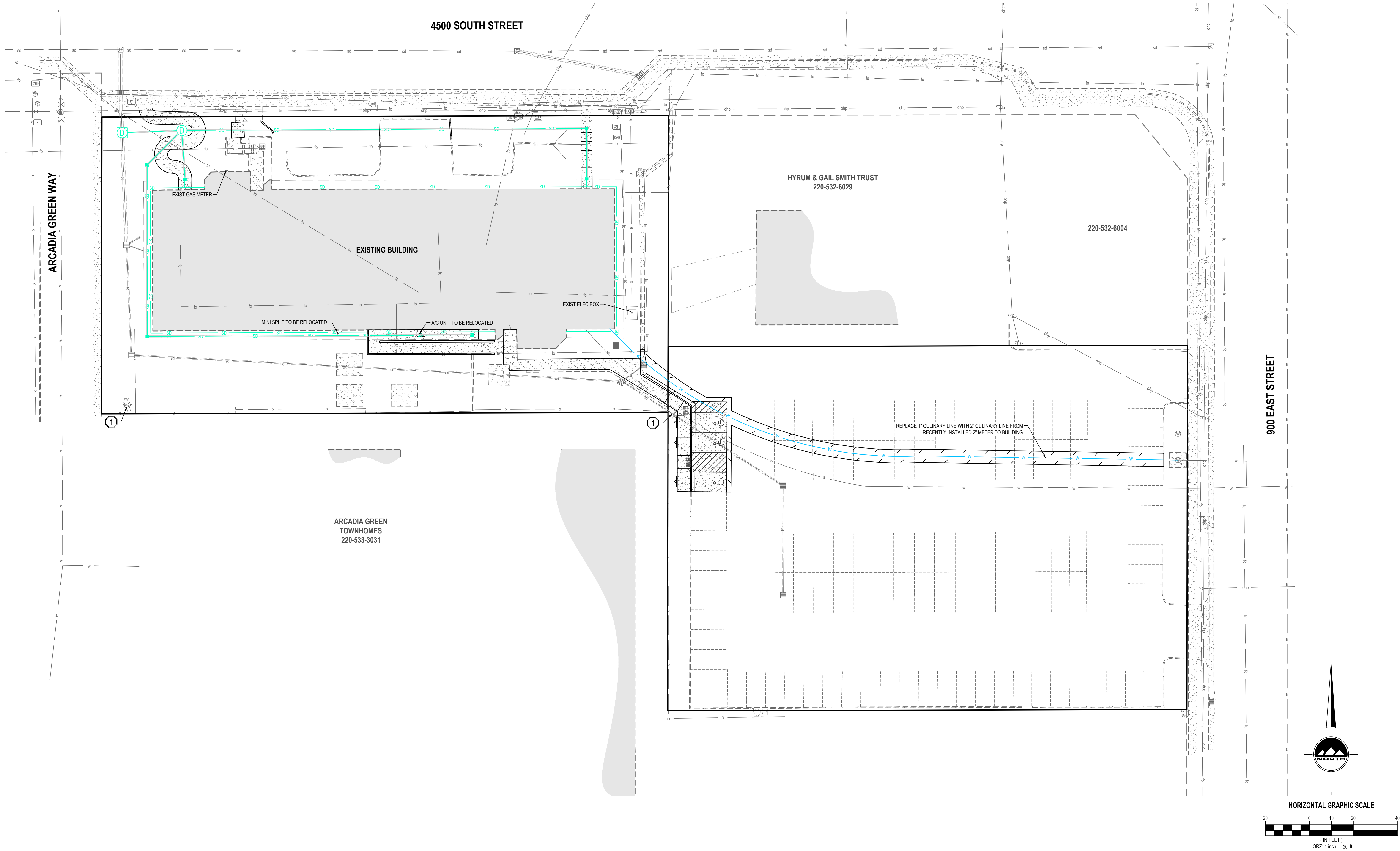
CENTERLINE MONUMENT
4500 SOUTH 900 EAST
ELEV = 4318.01'

SCOPE OF WORK:
PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:

1 EXIST FIRE HYDRANT

GENERAL NOTES

- ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
- EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.
- ALL SANITARY SEWER INFRASTRUCTURE TO BE INSTALLED PER GOVERNING AGENCY STANDARD PLANS AND SPECIFICATIONS.
- ALL WATER INFRASTRUCTURE TO BE INSTALLED PER GOVERNING AGENCY OR APWA STANDARD PLANS AND SPECIFICATIONS.
- DEFLECT OR LOOP ALL WATERLINES TO AVOID CONFLICTS WITH OTHER UTILITIES PER GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
- PROJECT SHALL COMPLY WITH ALL UTAH DIVISION OF DRINKING WATER RULES AND REGULATIONS INCLUDING, BUT NOT LIMITED TO, THOSE PERTAINING TO BACKFLOW PROTECTION AND CROSS CONNECTION PREVENTION.
- THE CONTRACTOR IS TO COORDINATE ALL UTILITIES WITH MECHANICAL/PLUMBING PLANS.
- NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING UTILITY STRUCTURES OR PIPES.
- THE CONTRACTOR SHALL ADJUST TO GRADE ALL EXISTING UTILITIES AS NEEDED PER LOCAL GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
- THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.





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UNITED STATES
POSTAL SERVICE®

NAME AND ADDRESS OF SENDER

TOTAL NO.
OF PIECES LISTED BY SENDER

TOTAL NO.
OF PIECES RECEIVED AT POST OFFICE™

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The Haven
3570 S. West Temple
Salt Lake City, UT 84115

5

Postmaster, per (name of receiving employee)

McDonald



0000

U.S. POSTAGE PAID
SOUTH SALT LAKE, UT
84115
JUN 22 26
AMOUNT
\$3.50
\$2324Y502203-23

USPS® Tracking Number
Firm-specific Identifier

Address
(Name, Street, City, State, and ZIP Code™)

Postage

Fee

Parcel Airlift

1.

Smith's Food King Properties Inc
1014 Vine St.
Cincinnati, OH 45202

2.

Ernst W
1977 E. Viscounti Dr.
Sanday, UT 84093

3.

Julie Diep
940 Arcadia Green Way #46
Millcreek, UT 84107

4.

Chanel D
940 Arcadia Green Way #46
Millcreek, UT 84107

5.

Caroline Nelson Handy Trust
503 W. 500 S. #200
Bountiful, UT 84010

6.

See Reverse for Instructions



Certificate of Mailing — Firm

Name and Address of Sender

The Haven
3570 S. West Temple
Salt Lake City, UT 84115

TOTAL NO.
of Pieces Listed by Sender

TOTAL NO.
of Pieces Received at Post Office™

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Postmaster, per (name of receiving employee)

Brown

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84115
JUN 22 26
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\$4.20
S2324Y502203-23

JUN 22 2026

USPS® Tracking Number
Firm-specific Identifier

Address
(Name, Street, City, State, and ZIP Code™)

Postage

Fee

Parcel Airlift

1.

Chelise Montague
4507 S. 1950 E.
Murray, UT 84107

2.

NPNC INC
PO Box 711
Dallas, TX 75221

3.

Smith's Food & Drug Centers Inc
1014 Vine St.
Cincinnati, OH 45202

4.

Carolyn Nielson MD INC
Retirement Trust
5003 W. 500 S. #200
Bountiful UT 84010

5.

JOB LLC
877 S. 1300 E.
Salt Lake City, UT 84102

6.

Carolyn R Nielson INC
Pension & Profit
5003 W. 500 S. #200
Bountiful, UT 84010



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Salt Lake City, UT 84115

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Address
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Postage

Fee

Parcel Airlift

1.

ISAAC KENT MORRIS
909 E. GREEN VISTA CT.
MILLCREEK, UT 84107

2.

GLTKCM, LLC
836 E. 4500 S.
MURRAY, UT 84107

3.

TERRI NEBORAY
4543 S. 785 E.
MILLCREEK, UT 84107

4.

ADRIAN & KATHY BERRIODON
4531 S. 785 E.
MILLCREEK, UT 84107

5.

PETER MAI KEI MO & JENNY HUI SYAN MO
FAMILY TRUST
4527 S. 785 E.
MILLCREEK, UT 84107

6.

LYNETTE M STANTON
4523 S. 785 E.
MURRAY, UT 84107



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Thur HAVEN
3570 S. West Temple
Salt Lake City, UT 84115

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[Signature]

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84115
JUN 22 '26
AMOUNT

\$4.20
S2324Y502203-23



USPS® Tracking Number
Firm-specific Identifier

Address
(Name, Street, City, State, and ZIP Code™)

Postage

Fee

Parcel Airlift

1.

Ryan Archie Morton
814 E. Green Vista Ct.
Millcreek, UT 84107

2.

Trisha B Briggs
814 E. Green Vista Ct.
Millcreek, UT 84107

3.

Russell Nielson
814 E. Green Vista Ct.
Murray, UT 84107

4.

Raelyn Tyndsen Trust
812 E. Green Vista Ct.
Millcreek, UT 84107

5.

Eva Michelle Thorpe
810 E. Green Vista Ct
Millcreek UT 84107

6.

Brittany Sarah Casselman
808 E. Green Vista Ct.
Millcreek, UT 84107





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The Haven
3570 S. West Temple
Salt Lake City, UT 84115

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Donald

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S2324Y502203-23



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Firm-specific Identifier

Address
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Postage

Fee

Parcel Airlift

1.

Nancy Sutton
4536 S. Green Vista Ct.
Murray, UT 84107

2.

Tiffany Larsen
4534 S. Green Vista Ct.
Murray, UT 84107

3.

Sidney Katherine Larsen
4532 S. Green Vista Ct.
Murray, UT 84107

4.

~~Murray, UT 84107~~ Xiong Li
4530 S. Green Vista Ct.
Murray, UT 84107

5.

Rolfstad Family Trust
2930 Klamath Ave
Simi Valley, CA 93003

6.

Victoria Annick Hansen
2258 W Mackay Ln
Taylorsville, UT 84129



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The Haven
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Salt Lake City, UT 84115

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SOUTH SALT LAKE, UT
84115
JUN 22 26
AMOUNT
\$4.20
\$2324Y502203-23



USPS® Tracking Number

Firm-specific Identifier

Address
(Name, Street, City, State, and ZIP Code™)

Postage

Fee

Parcel Airlift

1. Teresa Kunde
4537 S. Green Vista Ct.

Millcreek, UT 84101

~~4538 S. Green Vista Ct.~~

Linda Lee Largo Living Trust

~~4535 S. Green Vista Ct.~~

Millcreek, UT 84101

Josephine & Cecelia Sadia

4533 S. Green Vista Ct.

Murray, UT 84101

Kenning Lu

4531 S. Green Vista Ct.

Murray, UT 84101

Jennifer K Adams

4529 S. Green Vista Ct.

Murray, UT 84101

Heather L Martin

4538 S. Green Vista Ct.

Murray, UT 84101



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Salt Lake City, UT 84115

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84115
JUN 22 2026
AMOUNT
\$4.20
S2324Y502203-23

USPS® Tracking Number
Firm-specific Identifier

Address
(Name, Street, City, State, and ZIP Code™)

Postage

Fee

Parcel Airlift

1.

Cottages on Cottage Common Area
Master Card

750 E. 9000 S. #A

Sandy, UT 84094

Simpac Associate LC

2013 W. Lawrence Cir

South Jordan, UT 84095

2.

R&A Mountain Management LLC
2013 W. Lawrence Cir
South Jordan, UT 84095

3.

Trust Not Identified
7315 El Fuerte St.
Carlsbad, CA 92009

4.

Armadillo Green Townhomes
at 142 Common Area Master Card
Armadillo Green 3783 S. 500 W. #2
South Salt Lake, UT 84115

5.

Gian Chen
19429 Arza Ave
Torrance, CA 90503

6.



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Name and Address of Sender The Haven 3570 S. West Temple Salt Lake City, UT 84115		TOTAL NO. of Pieces Listed by Sender	TOTAL NO. of Pieces Received at Post Office™	Affix Stamp Here Postmark with Date of Receipt.		
Postmaster, per (name of receiving employee)		48		 0000		
USPS® Tracking Number Firm-specific Identifier		Address (Name, Street, City, State, and ZIP Code™)		Postage	Fee	Parcel Airlift
1.		Criffand Services LLC 4550 S. 900 E. Millcreek, UT 84117				
2.		Hurricane Ridge LLC 924 S. 300 W. Salt Lake City, UT 84101				
3.		Hytum & Gail Smith Trust 1920 E. Everest Dr. ST George, UT 84710				
4.		Helping Hand Association DBA The Haven 974 E. South Temple Salt Lake City, UT 84102				
5.		Arcadia Green Townhomes Home Owners Association 3183 S. 500 W. #8 South Salt Lake, UT 84115				
6.		B IPR TR 923 E. Wri Leigh Ln Salt Lake City, UT 84117				

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84115
JUN 22 2026
AMOUNT
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THE TAVEN
3570 S. West Temple
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Firm-specific Identifier

Address
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Postage

Fee

Parcel Airlift

1. Serrano Rafael Mercado Nava
4501 S. Arcadia Green Way
Millcreek, UT 84107

2. Suranna Hospitality LLC
PO Box 1159
Deerfield, IL 60015

3. 4545 Building LLC
311 S. Wacker Dr. #4190
Chicago, IL 60606

4. Bahman Dadgari Trust
1951 S. Sunrise Hills Cir.
Cottonwood Heights, UT 84121

5. 919 E. LLC
109 Knight Cir
Clemson, SC 29631

6. Nelson Family Enterprises LLC
2795 E. Lancaster Dr.
Salt Lake City, UT 84109

West Temple
Salt Lake City, UT 84115

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Address		Postage	Fee	Parcel Airlift
1.	Pratap Khadka, Samina Thapa Khadka 4519 S. Arcadia Green Way Millcreek, UT 84107			
2.	Conor Lennettan 4515 S. Arcadia Green Way Millcreek, UT 84107	✓		
3.	Alejandro Ramirez Ortega 4507 S. Arcadia Green Way Millcreek, UT 84107	✓		
4.	Dalia Ruth Balamzar Lopez 4507 S. Arcadia Green Way Millcreek, UT 84107			
5.	Annette Atkinson 820 E. Arcadia Green Way Murray, UT 84107			
6.	Savenkarabegovic, Diana Karabegovic 4511 S. Arcadia Green Way Murray, UT 84107			

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Salt Lake City, UT 84115

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Postage

Fee

Parcel Airlift

1.	Sara Scott 849 E. Arcadia Green Wy #30 Millcreek, UT 84107	✓		
2.	Nelson Family Enterprises LTD 2795 E. Lancaster Dr. Salt Lake City, UT 84108	✓		
3.	Ashley Landon 839 E. Arcadia Green Wy Millcreek, UT 84107	✓		
4.	Christina Loken 834 E. Arcadia Green Wy Millcreek, UT 84107	✓		
5.	Julie Folgate 832 E. Arcadia Green Wy Murray, UT 84107	✓		
6.	Freddie T Terrell & Hyacinth Terrell 830 E. Arcadia Green Wy Millcreek, UT 84107	✓		

35705. West Temple
Salt Lake City, UT 84115

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Address
(Name, Street, City, State, and ZIP Code™)

Postage

Fee

Parcel Airlift

1.	Austin Manwill & Natalie Manwill 4505 Bella Vista Dr Ct. Millcreek, UT 84107	✓		
2.	Dustin Rogers 4508 S. Bella Verde Ct. #34 Millcreek, UT 84107	✓		
3.	Pinar Aybaca 4512 S. Bella Verde Ct. Millcreek, UT 84107	✓		
4.	Sinem Kaya 4512 S. Bella Verde Ct. Millcreek, UT 84107	✓		
5.	Abishnek Chaudhary 4516 S. Bella Verde Ct. Millcreek, UT 84107	✓		
6.	Tina M Myrick 4520 S. Bella Verde Ct. #31 Millcreek, UT 84107	✓		

The Haven
3570 S. West Temple
SLC, UT 84115

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of Pieces Listed by Sender		TOTAL NO. of Pieces Received at Post Office™	Affix Stamp Here Postmark with Date of Receipt.		
USPS® Tracking Number Firm-Specific Identifier		Postmaster, per (name of receiving employee)			
		Address (Name, Street, City, State, and ZIP Code™)	Postage	Fee	Parcel Airlift
1.		Sara Kathleen Gilman & Jami Dae Gilman 4523 S. Bella Verde Ct. Millcreek, UT 84107	✓		
2.		Eric Hodgson 2061 E. 3220 S. Salt Lake City, UT 84109	✓		
3.		Colleen Strabala 2061 E. 3220 S. Salt Lake City, UT 84109	✓		
4.		Cheeseball LLC 13102 S. Cherry Crest Dr. Draper, UT 84020	✓		
5.		Bargeloh & Stevers Living Trust 4513 S. Bella Verde Ct. Millcreek, UT 84107	✓		
6.		Yang Woo Kim & Hye Ok Kim 4509 S. Bella Verde Ct Millcreek, UT 84107	✓		

3570 S. West Temple
Salt Lake City, UT 84115

TOTAL NO.
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Postmaster, per (name of receiving employee)

USPS® Tracking Number
Firm-specific Identifier

Address
(Name, Street, City, State, and ZIP Code™)

Postage

Fee

Parcel Airlift

1. Metta Properties LLC; Metta M Driscoll
2785 E. Lancaster Dr.
Salt Lake City, UT 84108

✓

2. Gregory H Nelson
508 W. Squawra Wy
Winds, UT 84731

✓

3. Metta Properties LLC
2785 E. Lancaster Dr.
Salt Lake City, UT 84108

✓

4. Gregory H Nelson; Metta Properties LLC
2785 E. Lancaster Dr.
Salt Lake City, UT 84108

✓

5. Michael Hanson
4527 S. Bella Verde Ct
Millcreek, UT 84107

✓

6. Mark A Nelson
3501 E. Roger Dr.
Millcreek, UT 84124

✓

CENTER QUARTER CORNER
SECTION 5
TOWNSHIP 2 SOUTH, RANGE 1 EAST
SALT LAKE BASE & MERIDIAN



N 89°54'45" W
788.92'

S 0°04'30" W
158.00'

S 89°51'30" W
53.00'

N 89°51'30" E 236.08'

POINT OF
BEGINNING

N 0°04'30" E 165.50'

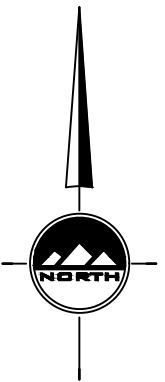
S 0°04'30" W 165.50'

900 EAST STREET

S 89°51'30" W 236.08'

PARCEL 1

Beginning at a point on the West line of 900 East Street, said point being South 0°04'30" West 158.00 feet along the monument line and South 89°51'30" West 53.00 feet from a Salt Lake County Survey monument in the intersection of 4500 South Street and 900 East Street, said monument being South 0°10'35" East 242.88 feet along the quarter section line to the monument line of said 4500 South Street and North 89°54'45" West 788.92 feet along said monument line, from the Northeast corner of the Southwest Quarter of Section 5, Township 2 South, Range 1 East, Salt Lake Base and Meridian, as shown on the area reference plat for said Section 5, and running thence South 0°04'30" West 165.50 feet along said West line; thence South 89°51'30" West 236.08 feet; thence North 0°04'30" East 165.50 feet; thence North 89°51'30" East 236.08 feet to the point of Beginning.



PROJECT NUMBER
15204

PRINT DATE
2026-09-17

PROJECT MANAGER
K.SIMMONS

DESIGNED BY
D.JUMAA

1 OF 2

THE HAVEN

860 EAST 4500 SOUTH
MILLCREEK, UTAH, 84107
CROSS ACCESS EXHIBIT



SANDY
Phone: 801.255.0529

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

LAYTON
919 North 400 West
Layton, UT 84041
Phone: 801.547.1100
WWW.ENSIGNENG.COM

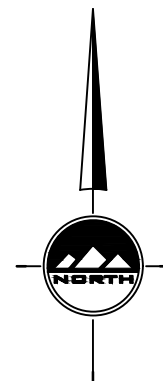
CENTER QUARTER CORNER
SECTION 5
TOWNSHIP 2 SOUTH, RANGE 1 EAST
SALT LAKE BASE & MERIDIAN

N 89°54'45" W 788.92'
S 89°51'30" W 289.08'
S 0°10'35" E 242.88'



PARCEL 2

Beginning at a point on the South line of 4500 South Street, said point being South 89°51'30" West 289.08 feet along the monument line and South 0°04'30" West 53.00 feet from a Salt Lake County Survey monument in the intersection of 4500 South Street and 900 East Street, said monument being South 0°10'35" East 242.88 feet along Quarter Section line to monument line of said 4500 South Street and North 89°54'45" West 788.92 feet along said monument line from the Northeast corner of the Southwest Quarter of Section 5, Township 2 South, Range 1 East, Salt Lake Base and Meridian, as shown on the area reference plat of said Section 5, and running thence South 0°04'30" West 134.92 feet; thence South 89°51'30" West 257.58 feet; thence North 0°04'30" East 134.92 feet to said South line of 4500 South Street; thence North 89°51'30" East 257.58 feet along said South line to the point of Beginning.



PROJECT NUMBER
15204

PRINT DATE
2026-09-17

PROJECT MANAGER
K.SIMMONS

DESIGNED BY
D.JUMAA

2 OF 2

THE HAVEN

860 EAST 4500 SOUTH
MILLCREEK, UTAH, 84107
CROSS ACCESS EXHIBIT



SANDY
Phone: 801.255.0529

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

LAYTON
919 North 400 West
Layton, UT 84041
Phone: 801.547.1100
WWW.ENSIGNENG.COM



Conditional Use Permit Application Checklist

Millcreek City Hall
1330 East Chambers Avenue
Millcreek, Utah 84106
801-214-2700
millcreekut.gov

18.15.030 Administrative Decisions-Other Land Use Decisions (A) (16)

CHECK BOX WHEN COMPLETED	SUMMARY REQUIREMENTS	PAGE NUMBER IN PLANS REQUIREMENT IS MET
☐	Completed and Signed Millcreek Land Use Application.	
☐	Notarized Property Owner Affidavit.	
☐	Application Fee.	
☐	A Summary of the Neighborhood Meeting, pursuant to MKZ 18.14.030	
☐	A Summary of other Pre-Application Meetings, if required.	
☐	Letter of Intent describing the proposed conditional use permit.	
☐	A narrative describing reasonably anticipated detrimental effects from the proposed conditional use and describing proposed mitigations to the reasonably anticipated detrimental effects.	
☐	A completed Sensitive Lands Review Checklist, if required.	
☐	Any other relevant supporting documentation, photographs, maps and studies.	
CHECK BOX WHEN COMPLETED	PROPERTY SURVEY REQUIREMENTS	PAGE NUMBER IN PLANS REQUIREMENT IS MET
<i>A property survey showing, at a minimum:</i>		
☐	Property boundaries.	
☐	Topographical Survey identifying existing and proposed building elevations, ground and elevation contours, property boundaries and any easements and encroachments.	
☐	The location and type of easements, covenants, or other property restrictions.	
☐	Location of existing rights-of-way and right-of-way centerlines.	
☐	Location of all existing buildings, structures, and utilities, including water utilities.	
☐	Location of existing rights-of-way and right-of-way centerlines.	
☐	Location of existing trees measured at four inch (4") caliper or greater.	
☐	Location of any sensitive lands features.	
CHECK BOX WHEN COMPLETED	SITE PLAN REQUIREMENTS	PAGE NUMBER IN PLANS REQUIREMENT IS MET
☐	Location of proposed buildings.	
☐	Location of proposed off-street and on-street parking areas.	
☐	Location of proposed open spaces	
☐	A summary table showing floor area by use, required parking by use, materials percentages, percentages of doors and windows, minimum lot size requirements, residential amenities if required, and open space requirements.	
☐	Location, design, and cross-sections of proposed streets, driveways, lanes, or paths.	

☐	Number, size, height, and location of all proposed signs.	
☐	Location of existing and proposed fire hydrants.	
☐	Landscape plan showing location and type of proposed plantings and trees to be preserved.	
☐	Setbacks and buffers as required by the relevant zoning or landscaping standard.	
☐	Lighting plan showing location and height of proposed street and interior property lighting.	
☐	Location of any required right-of-way dedications, as measured from a right-of-way centerline.	
☐	Site Grading and Drainage Plan.	
CHECK BOX WHEN COMPLETED	BUILDING FLOOR PLAN AND ELEVATION REQUIREMENTS	PAGE NUMBER IN PLANS REQUIREMENT IS MET
☐	Proposed building bulk and height.	
☐	Proposed building elevations, including building color and materials.	
☐	Proposed building floor plans.	
CHECK BOX WHEN COMPLETED	REQUIRED STUDIES	PAGE NUMBER IN PLANS REQUIREMENT IS MET
☐	Geological Hazards Study, if required.	
☐	Parking and Traffic Impact Study, if required.	
☐	Photometric Study, if required.	



PLAN REVIEW COMMENT FORM

Reviewing Department: Planning & Zoning	
Project Number: DRC-26-023	Date: 6/12/2026
Review Number: 1	Reviewer: Sean Murray

Process:

1. This will require a conditional use permit for the medical clinic and assisted living use. Conditional use permits are approved by the Planning Commission after reviews done by staff and other governmental agencies. See MKZ 18.15.030(A).
2. This application will require a Neighborhood Meeting hosted by the applicant.
3. Will need to set up an on site meeting with Fire and Police during the review process. Likely good to do a site walk through with Fire and Building to understand code hurdles.

Parking:

1. Since parking will be on a separate, adjacent parcel, an off site parking agreement will need to be drafted in accordance with MKZ 18.63.020(D)(5).
2. Parking calculations will be based off use. Medical offices require 1 space per 300 sf. Nursing homes are "4 spaces plus 1 for every 5 beds". Show square footage for each treatment center and total bed count. The higher parking ratio will be used.
3. Administrative offices outside of these treatment centers will be calculated at, "1 space per 400 square feet for the first 20,000 square feet plus 1 space per 1000 square feet excess of 20,000 square feet." Please show total administrative office square footage.
4. Will need some form of cross access easement/agreement between parking parcel and treatment center.



Conditional Use Permit criteria:

The Land Use Authority shall approve a Conditional Use Permit if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use. Detrimental effects of the proposed use include:

1. Detrimental effects of decreased street service levels and/or traffic patterns including the need for street modifications such as dedicated turn lanes, traffic control devices, safety, street widening, curb, gutter and sidewalks, location of ingress/egress, parking lot surfacing and design of off-street parking and circulation, loading docks, as well as compliance with off-street parking standards, including other reasonable mitigation as determined by a qualified traffic engineer.
2. Detrimental effects on the adequacy of utility systems, water and sewer, solid waste, snow removal, service delivery, and capacities, including the need for such items as relocating, upgrading, providing additional capacity, irrigation systems, or preserving existing systems, including other reasonable mitigation as determined by Millcreek's engineering staff, contracted engineers, and utility service providers.
3. Detrimental effects on connectivity and safety for pedestrians and bicyclists.
4. Detrimental effects of the use due to its nature, including noise that exceeds sound levels normally found in residential areas, odors beyond what is normally considered acceptable, within a neighborhood including effects of environmental impacts, dust, fumes, smoke, odor, noise, vibrations; chemicals, toxins, pathogens, gases, heat, light, electromagnetic disturbances, and radiation. Detrimental effects of the use may include hours of operation and the potential to create an attractive nuisance.
5. Detrimental effects that increase the risk of contamination of or damage to adjacent properties and injury or sickness to people arising from, but not limited to, waste disposal, fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/topography, storm drainage/flood control, the removal of dangerous or blighted structures, high ground water, environmental health hazards, or wetlands, as determined by the City Engineer, and/or other qualified specialists.
6. Detrimental effects of modifications to exterior lighting that conflict with abutting properties.
7. Detrimental effects arising from site design and/or building design in terms of use, scale, intensity, height, mass, setbacks, character, construction, solar access, landscaping, fencing, screening, lighting (on-site and adjacent street lighting), signs, and architectural design and exterior detailing/finishes and colors within the area.
8. Detrimental effects on emergency fire service and emergency vehicle access.
9. Detrimental effects on usable/functional/accessible open space and sensitive lands.
10. Detrimental effects from inadequate maintenance of the property and structures in perpetuity, including performance measures, compliance reviews, and monitoring.
11. Detrimental effects of excessive storm water generation.

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



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



FIRE & LIFE SAFETY PLAN REVIEW

PRELIMINARY
APPROVED w/ COMMENTS
REVISIONS REQUIRED

X

PROJECT INFORMATION: Conceptual DRC Meeting Review

Project Name:	The Haven	Review Date:	06/16/2026
Project Address:	860 East 4500 South	Review #:	
Building Permit #:		Fire Impact Fees:	

OCCUPANCY & BUILDING SUMMARY:

Type of Construction	Use Group(s)	Occupant Load	Square Footage	Height / # Stories	Fire Systems	Special Permits Req'd
?	?	?	45,322	3 Stories	Yes	

GENERAL INFORMATION:

- Fire department approval is based on the implementation of all comments and requirements listed below. Compliance will be verified during site inspections.
- If revisions are required, please address each comment listed in plans submitted.

The plan review process cannot be considered totally comprehensive and does not grant approval to code deficiencies not identified. Plan approval does not constitute final project approval and does not relieve the applicant of the responsibility of code compliance.

REVIEW COMMENTS:

Provide a detailed building code analysis / summary to include required life safety systems to be modified or installed.

Fire Sprinkler System Comments

Deferred submittals, Fire Sprinkler & Alarm – - Fire suppression and fire alarm plan submittals for new installations are required to have an independent 3rd party plan review prior to being submitted to the UFA for approval. Plans will not be accepted at our office without the 3rd party review letter attached to the top of the deferred submittal. *[IBC 2021 107.3.4.1, IFC 2021 106.1, IFC 2021 901.2]*

Fire sprinkler and fire alarm shop drawings shall then be submitted to the UFA for review and permitting. A digital submittal (.pdf format) is preferred. Email the submittal to ufaplansubmittal@unifiedfire.org. Include a downloadable link or attach plan files to the email. Attention: Stewart Gray, Plans Examiner. *Plans must be stamped by a NICET III or better and shall include manufacturer cut sheets, hydraulic or battery calculations and the 3rd party review letter if required.*



Deferred submittals called out on Architectural Drawings - Please include the following on the list of deferred submittals:

- a. NFPA 13 Fire Sprinkler System
- b. NFPA 72 Fire Alarm System
- c. UL300 Wet Chemical Kitchen Hood Suppression System

Fire Riser Room Comments

Labeling, Fire Riser Room Doors - Access doors for automatic sprinkler system riser rooms and fire pump rooms shall be labeled with an approved sign. The lettering shall be in contrasting color to the background. Letters shall have a minimum height of 2 inches with a minimum stroke of 3/8 inch. [IFC-2018, 901.4.6.2]

Riser Room Environment - Automatic sprinkler system riser rooms and fire pump rooms shall be maintained at a temperature of not less than 40°F (4°C). Heating units shall be permanently installed. [IFC-2018, 901.4.6.3]

Required Access to Fire Riser Rooms - [IFC SECTION 504.4]

- a. An approved access walkway leading from fire apparatus access roads to exterior openings for the fire sprinkler riser room shall be provided.
- b. When a direct access door is not provided to the fire sprinkler riser room, an electrically supervised post indicator valve (PIV) in accordance with section 903.4 of this code is permitted. PIV shall be monitored by the fire alarm system.

Fire Riser Room Size - Riser rooms shall be designed with adequate space for all installed equipment necessary for the installation and to provide sufficient working space around the stationary equipment. Clearances around equipment shall be in accordance with manufacturer requirements and meet all other code requirements.

[IFC 901.4.6.1 – 901.4.6.4 Utah Amendment]

Fire Alarm System Comments

Fire Alarm System Required - An approved alarm system shall be provided in the interior of the building to alert the occupants of a fire sprinkler system activation. A notification device shall be provided on the exterior of the building in an approved location. Kitchen hood suppression systems shall be tied into the building fire alarm system.

[Utah 5A-5-304 - Amendments and additions to NFPA related to Automatic Fire Sprinklers Systems]

Off Premises Monitoring of Fire Alarm System - Off Premise Monitoring for the fire alarm system must be provided. [IFC 907.15]

Fire Department Connection (FDC) - Indicate the location for the FDC on the building. FDC location must meet the following:

- a. ***Location*** - The location of FDC must be approved with respect to fire hydrants, driveways, buildings, and landscaping. The FDC must be located such that the fire



apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus.

b. **Visibility** - FDC must be located on the street side of buildings, fully visible and recognizable from the street or nearest point of fire department vehicle access.

c. **Accessibility** - Immediate access to the FDC must be maintained at all times and without obstruction by fences, bushes, trees, walls or any other object for a minimum of 3 feet.

Note: An all-weather, clear access path must be provided to and around the FDC for fire department personnel.

d. **Labeling** - A metal sign with raised letters at least 1-inch in size must be mounted on all FDC's serving fire sprinklers, standpipes and fire pump connections. Such signs must read:

**Automatic Sprinklers or Standpipes or Test Connection, or a combination thereof as applicable.*

e. **FDC Locking Plugs** - Knox Locking FDC plugs are required on all buildings with a Fire Department Connection. Purchase of locking plugs to be arranged by the general contractor. Locking FDC plugs can be ordered online at www.knoxbox.com. See attached information.

Water Flow Switches - All water-flow switches for the automatic fire sprinkler systems must be electrically supervised. Water-flow alarm and trouble signal must be distinctly different and must be automatically transmitted to an approved central station, remote station or proprietary monitoring station. [IFC 903.4.1]

Fire Sprinkler Control Valves - All valves controlling the water supply for the automatic fire sprinkler system must be electrically supervised. Valve monitoring signal must be distinctly different and must be automatically transmitted to an approved central station, remote station or proprietary monitoring station. Provide supervision for control valves on fire sprinkler system. [IFC 903.4.1]

Exterior Water Flow Alarm - An approved, audible water flow bell or horn shall be located above the FDC, near or on the front of the building. [IFC 903.4.2]

Wet Pipe Systems in Areas Above 40°F (4°C) - A wet pipe system shall be permitted to be used where all piping is installed in areas maintained above 40°F (4°C), including areas properly insulated to maintain 40°F (4°C). [NFPA 13-2016, 8.16.4.1]

Building Access Comments

Knox Fire Department Key Box: A Fire Department key box is required on all commercial buildings that have fire suppression or fire alarm systems installed. Key box to be mounted in a visible location with a mounting height of 5' adjacent to the main entrance. A hinged door on the key box is required and recessed installation is preferred for added security. Additional key boxes are required to be installed at the exterior access door to a fire riser room or gated access areas. *Knox 1650 or 3200 series key boxes can be ordered online at www.knoxbox.com. [IFC 2018 506.1]*

Fire Department Access Key: Provide a key to the tenant space to be placed in the building's Knox box at final inspection.



Electrical/Mechanical/Utility Room Identification - Rooms containing Electrical or Mechanical equipment, system controls and shutoffs shall be identified for the use of the fire department. Approved signs required to identify equipment rooms or equipment location shall be constructed of durable materials, permanently installed and readily visible. Minimum 2" contrasting lettering. [IFC 2021 509.1 & 604.3.1]

FIRE EXTINGUISHERS

2A-10BC Fire Extinguishers required - The fire extinguisher needs to be a serviceable type with threaded metal head and metal neck. Extinguishers shall be located in a visible location, readily accessible and immediately available for use. Fire extinguisher spacing shall not exceed 75' feet of travel. Mounting height shall not exceed five 5' feet. [2021 IFC 906]

Extinguisher During Construction - Structures under construction, alteration or demolition shall be provided with not less than one approved portable fire extinguisher in the following locations:

- a. At each stairway on all floor levels where combustible materials have accumulated.
- b. In every trailer, container or area where combustible materials are stored.
- c. Areas where special hazards exist including, but not limited to, the storage and use of flammable and combustible liquids.

Commercial Kitchen Extinguishers - 2A-10BC Extinguisher shall be installed as well as a Class "K" type when kitchen hood suppression system is installed or when grease laden vapors are present.

TYPE 1 KITCHEN HOODS

Deferred submittal, Kitchen Hood Suppression System - Wet chemical kitchen hood system shop drawings and spec sheets shall be submitted to the UFA for review and permitting. UFA accepts the hood system as a "pre-engineered" system. A digital submittal (.pdf) is the preferred format. Email the submittal to ufaplansubmittal@unifiedfire.org. Include a downloadable link or attach plan files to the email.

Type 1 Hood Required – Type I hoods shall be installed where cooking appliances produce grease or smoke as a result of the cooking process. Type I hoods shall be installed over medium-duty, heavy-duty and extra-heavy-duty cooking appliances.

Type 1 Kitchen Hood Operation – Hood systems shall operate during the cooking operation. The exhaust fan serving a Type I hood shall have automatic controls that will activate the fan when any appliance that requires such Type I Hood is turned on, or a means of interlock shall be provided that will prevent operation of such appliances when the exhaust fan is not turned on. Where one or more temperature or radiant energy sensors are used to activate a Type I hood exhaust fan, the fan shall activate not more than 15 minutes after the first appliance served by that hood has been turned on. A method of interlock between an exhaust hood system and appliances equipped with standing pilot burners shall not cause the pilot burners to be extinguished. A method of interlock between an exhaust hood system and cooking appliances shall not involve or depend on any component of a fire-extinguishing system.

Emergency Fuel Shutoff / Reset valve for the under hood kitchen equipment shall be located below the ceiling, in a visible and readily accessible location.



Required Inspections:

- Underground fire line / Fire riser flush
- Pressure Test / Rough in
- 200psi / Rough in - Fire sprinkler system.
- Final Acceptance Testing
 - ✓ Fire Sprinkler System
 - ✓ Fire Alarm System / 24hr battery test
 - ✓ Building Fire Clearance

Contractor Certificates of Completion for fire sprinklers, fire alarms, underground water lines / hydrants, and elevators will be collected at final inspection.

For questions regarding the comments and requirements listed above, or to schedule an inspection, contact Area Fire Marshal, Sean Callesto at 385-566-2617.



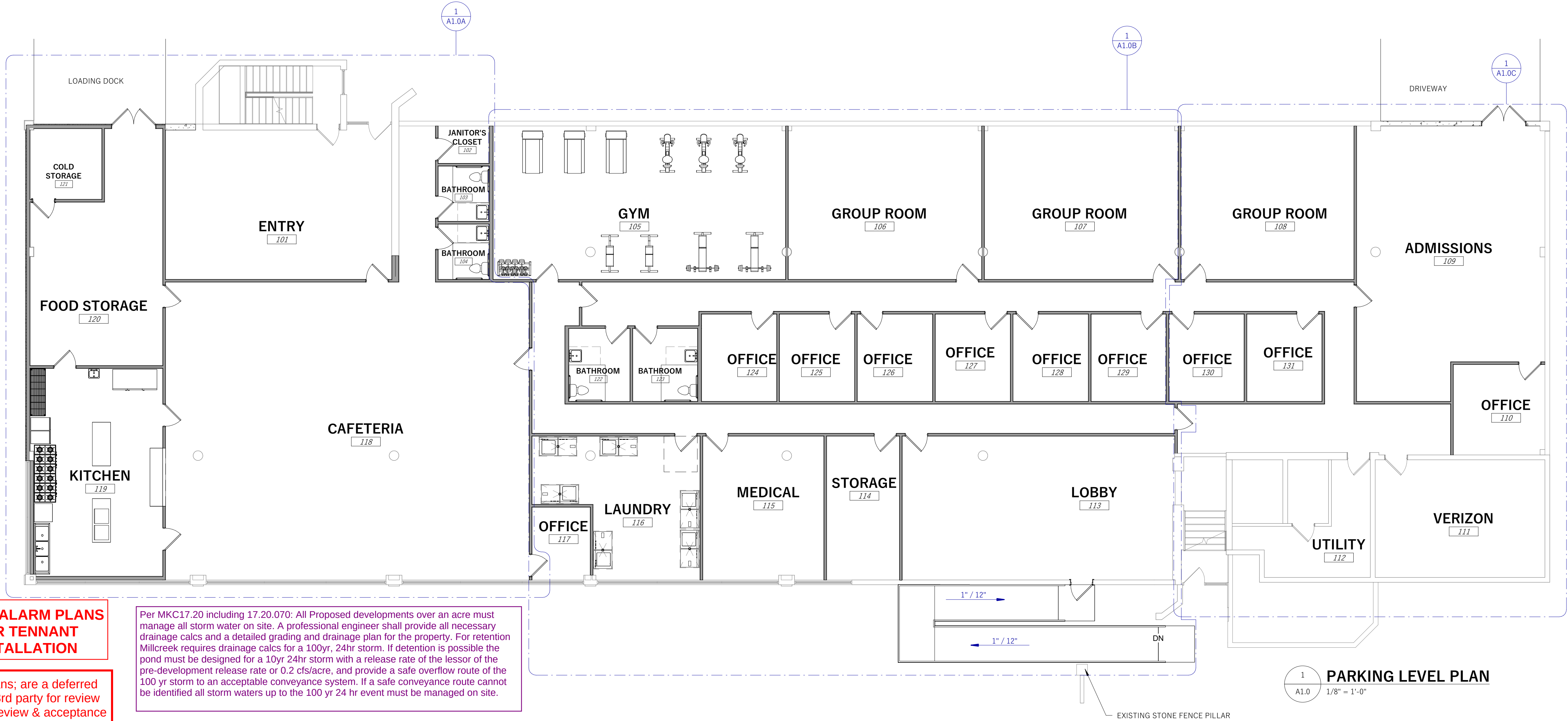
Per MKC17.20 including 17.20.070: All Proposed developments over an acre must manage all storm water on site. A professional engineer shall provide all necessary drainage calcs and a detailed grading and drainage plan for the property. For retention Millcreek requires drainage calcs for a 100yr, 24hr storm. If detention is possible the pond must be designed for a 10yr 24hr storm with a release rate of the lessor of the pre-development release rate or 0.2 cfs/acre, and provide a safe overflow route of the 100 yr storm to an acceptable conveyance system. If a safe conveyance route cannot be identified all storm waters up to the 100 yr 24 hr event must be managed on site.

Note: Please see additional review comments with detailed fire requirements included for this project

GENERAL NOTES - FLOOR PLAN

- A SEE PROJECT GENERAL NOTES FOR ADDITIONAL REQUIREMENTS
- B DIMENSIONS TO DOORS AND WINDOWS ARE TO CENTER OF FRAMED OPENING UNLESS NOTED OTHERWISE
- C SEE STRUCTURAL DRAWINGS AND CALCULATIONS FOR ALL STRUCTURAL REQUIREMENTS INCLUDING FOUNDATION WALL SPECIFICATIONS AND SHEARWALL AND HOLDDOWN REQUIREMENTS
- D REFER TO ENLARGED PLANS AND UNIT PLANS FOR REMAINING DIMENSIONS
- E EXTERIOR GRID LINES AND DIMENSIONS ARE TO EXTERIOR FACE OF SHEATHING. SEE ARCHITECTURAL AND STRUCTURAL DETAILS FOR FOUNDATION LOCATION

KEYED NOTES



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FIRE SPRINKLER & ALARM PLANS ARE REQUIRED FOR TENNANT IMPROVEMENT INSTALLATION

Fire Sprinkler & Alarm Plans; are a deferred submittal & must go to a 3rd party for review then sent to the UFA for review & acceptance

A Fire Dept. Riser Room with direct access from the outside is required

Kitchen Hood Suppression System to be a deferred submittal to Unified Fire Authority

Fire Department Connections & Alarm notification is required at street side of the building near the fire riser room

KNOX LOCKING KEY BOX TO BE INSTALLED FOR FIRE ACCESS

THE REQUIRED FIRE HYDRANTS AND WATER FLOW IS BASED ON THE PROPOSED BUILDING SIZE

ONE "2A-10bc" FIRE EXTINGUISHER IS REQUIRED EVERY 75 FEET PER FLOOR

Include north arrow

CONSULTANT

HAVEN HELPS

860 E 4500 S
SALT LAKE CITY, UT 84107

ISSUED:
DECEMBER 30, 2025

REVISIONS:
NO. DATE DESCRIPTION

STAMP

PROJECT NUMBER:
25122

PARKING
LEVEL PLAN

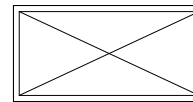
A1.0

JZW
ARCHITECTS

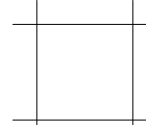
GENERAL NOTES - RCP

- A SEE PROJECT GENERAL NOTES FOR ADDITIONAL REQUIREMENTS.
- B REFER TO DETAILS FOR REQUIRED ANCHORING AND BRACING OF SUSPENDED CEILING SYSTEM.
- C ALL CEILING MOUNTED EQUIPMENT (LIGHT FIXTURES, EXIT SIGNS, MOTION SENSORS, FIRE SPRINKLER HEADS, ETC.) TO BE CENTERED IN ACOUSTICAL PANEL OR GYP. BD. CEILING.

SYMBOL LEGEND



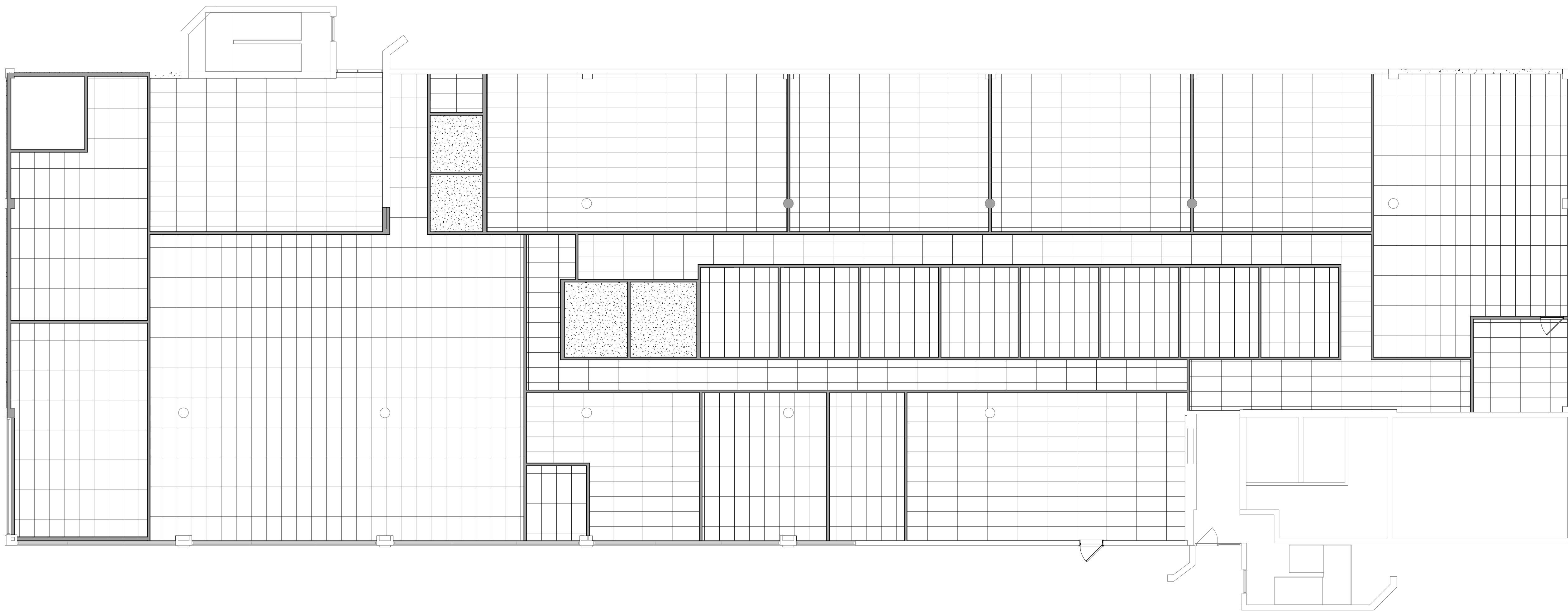
2 x 4 LED LAY-IN LIGHT
FIXTURE. REFER TO
ELECTRICAL DRAWINGS



LAY-IN CEILING GRID SUSPENDED
FROM STRUCTURE WITH
ACOUSTIC CEILING TILES



GYP. BD. CEILING APPLIED
DIRECTLY TO STRUCTURE. REFER TO
HORIZONTAL RATED ASSEMBLIES.



1

A1.0D

PARKING LEVEL NEW RCP

1/8" = 1'-0"

ISSUED:

DECEMBER 30, 2025

REVISIONS:

NO. DATE DESCRIPTION

STAMP

NOT FOR PERMIT
NOT FOR CONSTRUCTION

PROJECT NUMBER:

25122

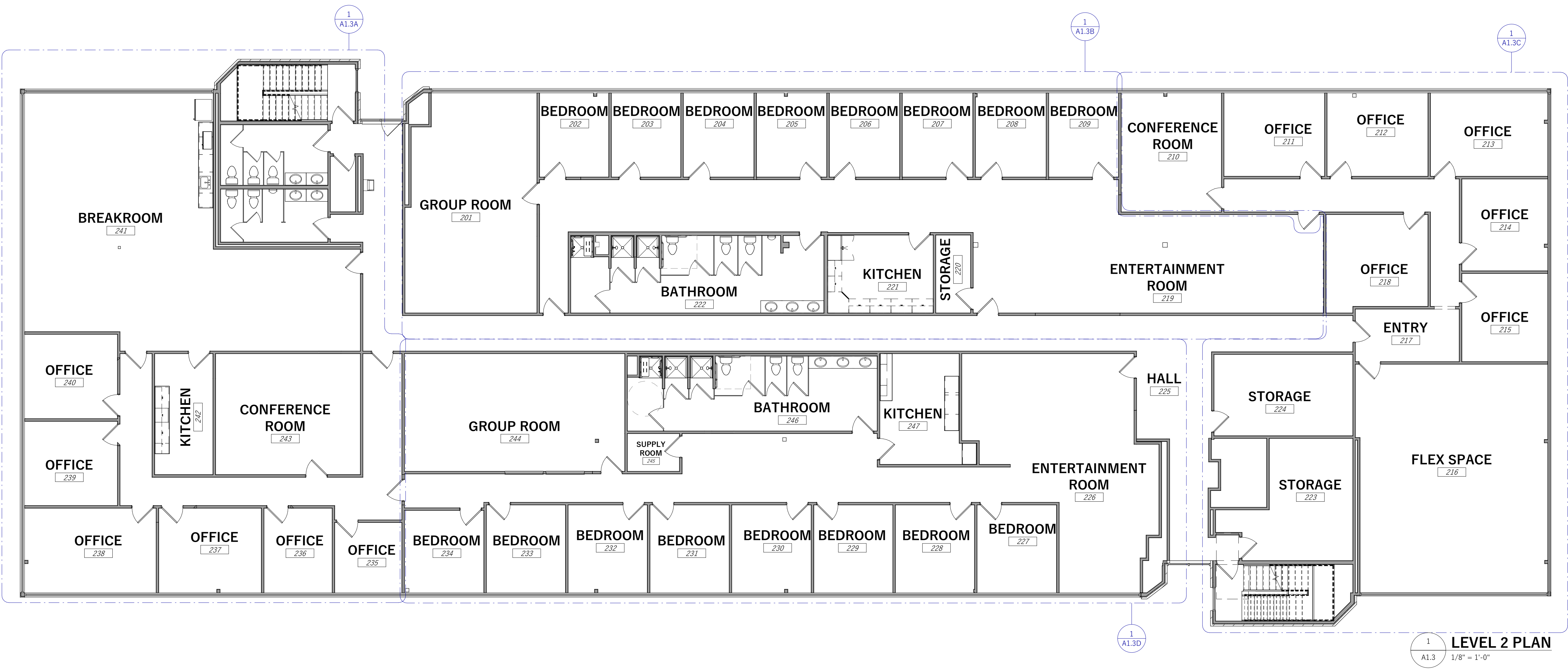
PARKING
LEVEL NEW
RCP

A1.0D

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KEYED NOTES



ISSUED:
DECEMBER 30, 2025

REVISIONS:
NO. DATE DESCRIPTION

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PROJECT NUMBER:
25122

LEVEL 2 NEW
PLAN

A1.3

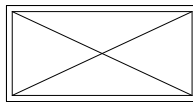


Include north arrow

GENERAL NOTES - RCP

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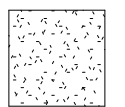
SYMBOL LEGEND



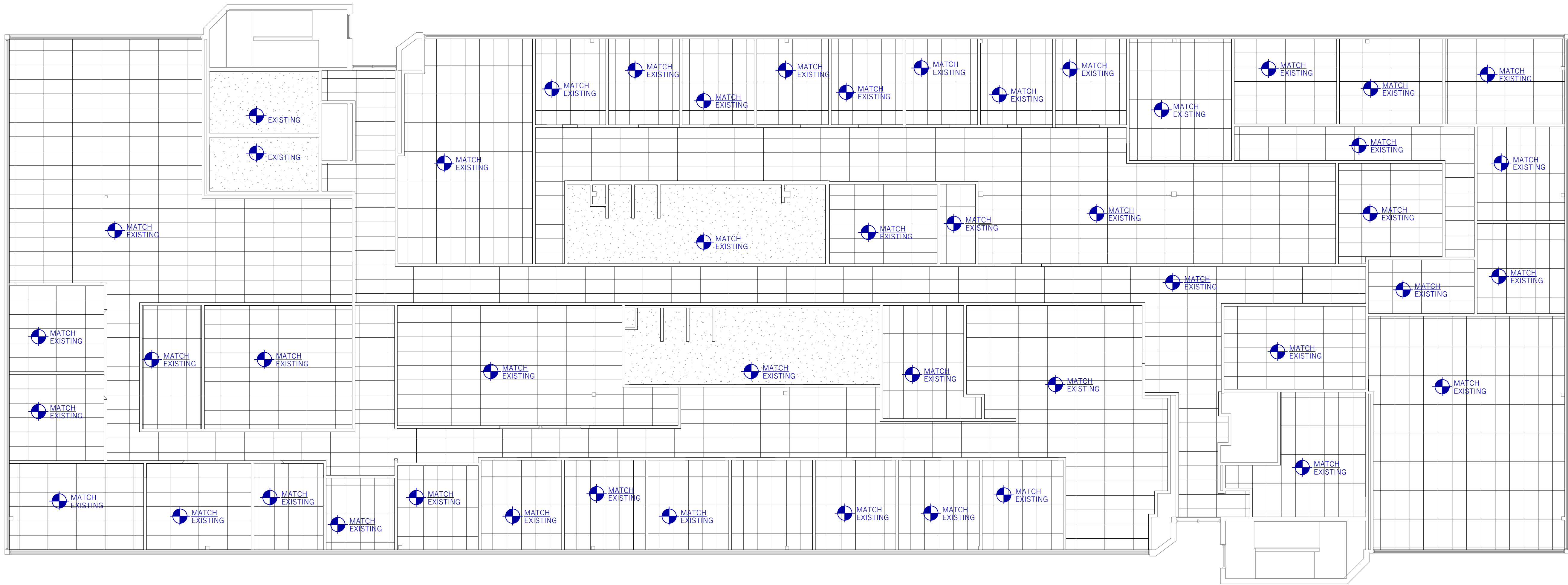
2 x 4 LED LAY-IN LIGHT
FIXTURE. REFER TO
ELECTRICAL DRAWINGS



LAY-IN CEILING GRID SUSPENDED
FROM STRUCTURE WITH
ACCOUSTIC CEILING TILES



GYP. BD. CEILING APPLIED
DIRECTLY TO STRUCTURE. REFER TO
HORIZONTAL RATED ASSEMBLIES.



1 LEVEL 2 NEW RCP

A1.4 1/8" = 1'-0"

ISSUED:
DECEMBER 30, 2025

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PROJECT NUMBER:
25122

LEVEL 2 NEW
RCP

A1.4

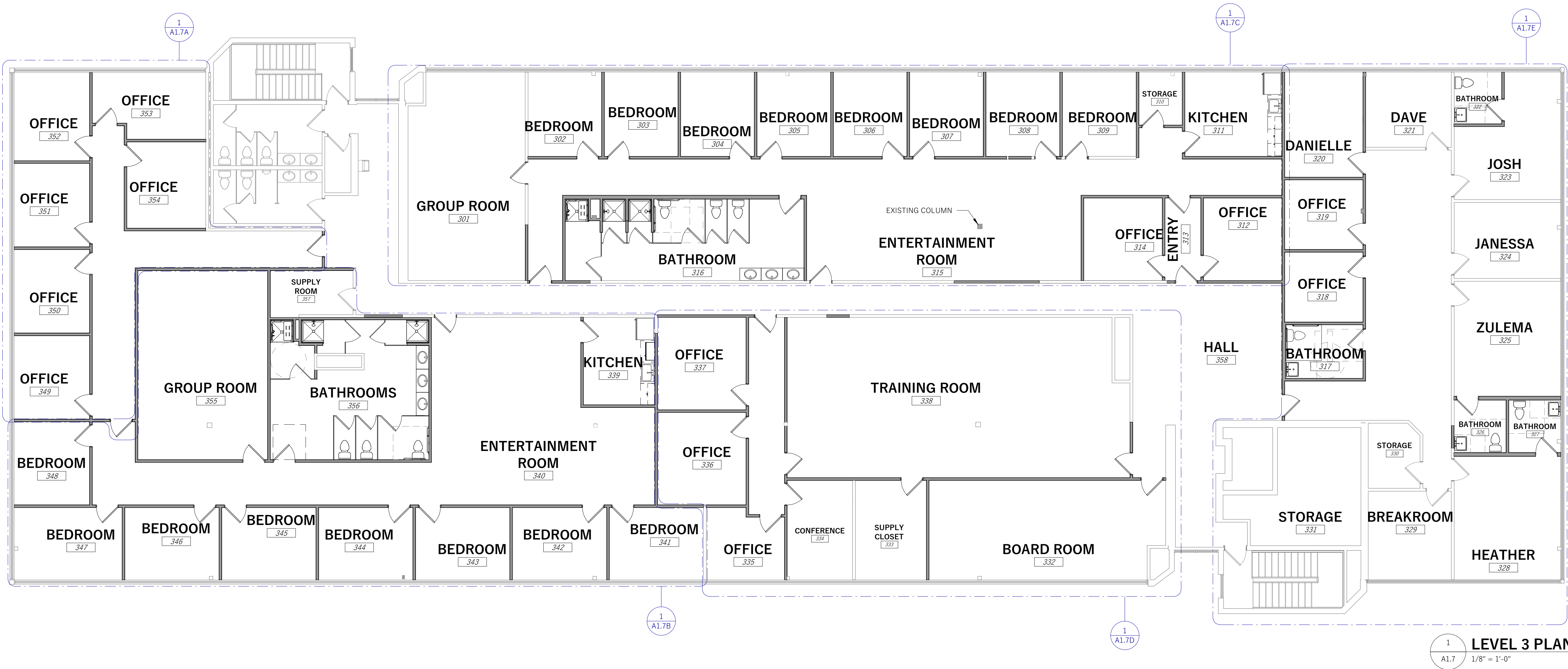


NOT FOR PERMIT
NOT FOR CONSTRUCTION

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KEYED NOTES



HAVEN HELPS

860 E 4500 S
SALT LAKE CITY, UT 84107

ISSUED:
DECEMBER 30, 2025

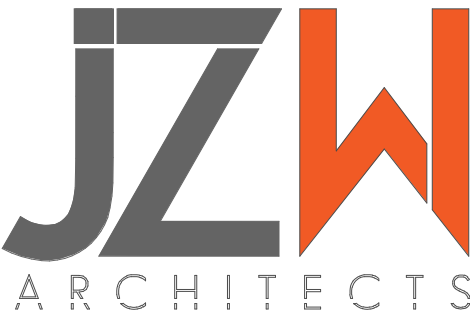
REVISIONS:
NO. DATE DESCRIPTION

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PROJECT NUMBER:
25122

LEVEL 3 NEW
PLAN

A1.7

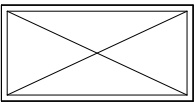
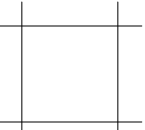


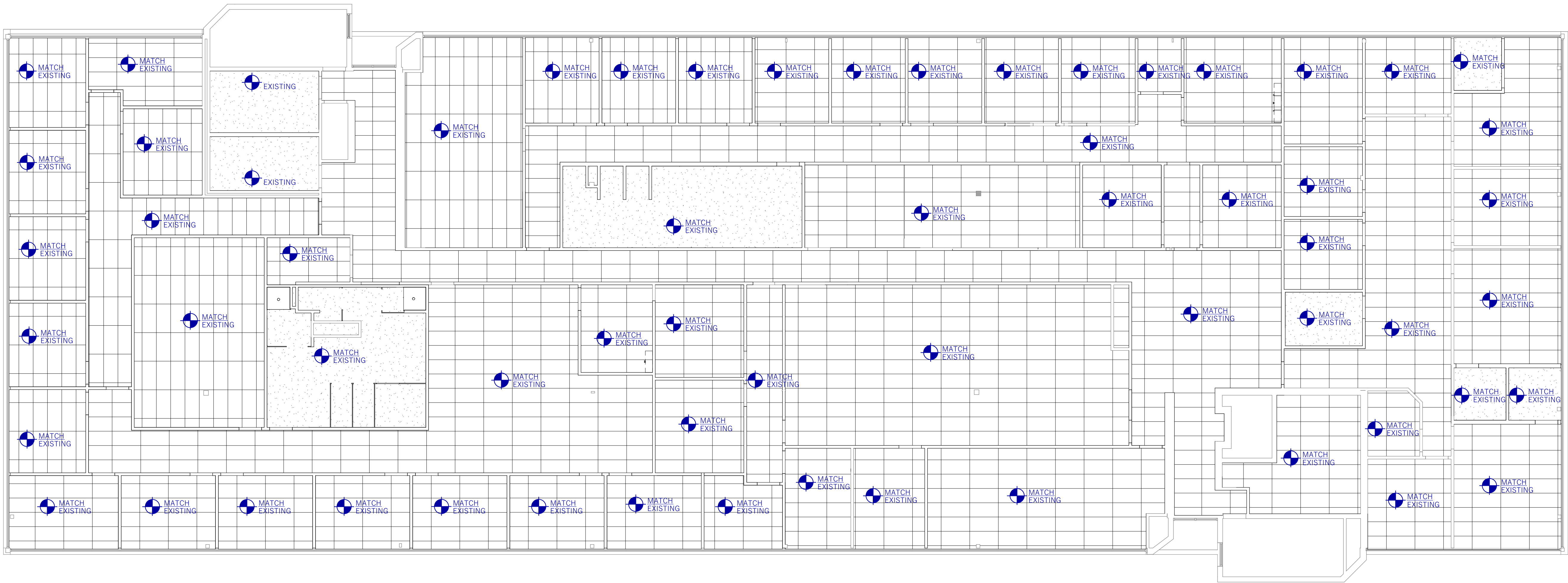
Include north arrow

GENERAL NOTES - RCP

- A SEE PROJECT GENERAL NOTES FOR ADDITIONAL REQUIREMENTS.
- B REFER TO DETAILS FOR REQUIRED ANCHORING AND BRACING OF SUSPENDED CEILING SYSTEM.
- C ALL CEILING MOUNTED EQUIPMENT (LIGHT FIXTURES, EXIT SIGNS, MOTION SENSORS, FIRE SPRINKLER HEADS, ETC.) TO BE CENTERED IN ACOUSTICAL PANEL OR GYP. BD. CEILING.

SYMBOL LEGEND

-  **2 x 4 LED LAY-IN LIGHT FIXTURE.** REFER TO ELECTRICAL DRAWINGS
-  **LAY-IN CEILING GRID** SUSPENDED FROM STRUCTURE WITH ACOUSTIC CEILING TILES
-  **GYP. BD. CEILING** APPLIED DIRECTLY TO STRUCTURE. REFER TO HORIZONTAL RATED ASSEMBLIES.



1
A1.8 LEVEL 3 - NEW RCP
1/8" = 1'-0"

HAVEN HELPS
860 E 4500 S
SALT LAKE CITY, UT 84107

ISSUED:
DECEMBER 30, 2025

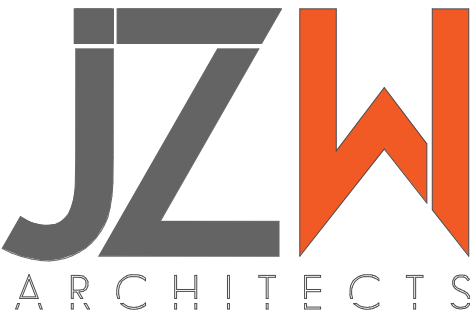
REVISIONS:
NO. DATE DESCRIPTION

STAMP

PROJECT NUMBER:
25122

LEVEL 3 NEW
RCP

A1.8



Neighborhood Meeting Minutes

Project: Helping Hand Association DBA The Haven

Proposed Behavioral Health Treatment Center

Property: 860 E. 4500 S., Millcreek, Utah

Meeting Date: July 2, 2026

Attendees

Helping Hand Association DBA The Haven

- Heather Chase, Executive Director
- Josh Craig, Director of Finance

Millcreek City

- Francis Lilly

Neighbors

- Jessica Lord
- Steph Sterepp
- Sara Gilman

Meeting Summary

Heather Chase and Josh Craig welcomed attendees and provided an overview of the proposed project to convert the property into a licensed behavioral health treatment center providing residential and outpatient substance use disorder and co-occurring mental health treatment services.

The Haven explained that treatment is voluntary and that the facility will provide counseling, group therapy, individual therapy, case management, peer support, medical services, psychiatric services, life skills training, and outpatient programming. The presenters clarified that the facility will **not** operate as a homeless shelter, emergency shelter, detoxification center, halfway house, or correctional facility.

The Haven reviewed the organization's history, noting it has operated continuously since 1969 and is licensed by the Utah Department of Health and Human Services and accredited by The Joint Commission. It was explained that the facility will remain subject to ongoing state licensing requirements, inspections, life safety standards, and local zoning requirements.

Project Overview

The proposed development includes:

- Four separate 16-bed residential treatment programs (64 total residential beds)
- Outpatient treatment services
- Medical clinic
- Admissions department
- Administrative offices
- Cafeteria
- Gymnasium
- Support services

The Haven explained that the project will be completed in multiple phases over approximately two to two-and-a-half years, with programs opening gradually as construction and licensing milestones are completed. Existing residential programs will eventually be consolidated into the new facility.

Questions and Discussion

Client Population

Neighbors asked about the types of clients that would be served.

The Haven explained that clients are adults voluntarily seeking treatment for substance use disorders and common co-occurring mental health conditions such as depression, anxiety, and PTSD. Individuals requiring higher-acuity psychiatric care or presenting significant safety concerns are screened out and referred to more appropriate programs.

The Haven also explained that all prospective clients undergo extensive screening, including criminal background checks and required registry checks prior to admission. Violent offenders are not admitted to the program.

Length of Stay

Questions were asked regarding how long clients remain in treatment.

The Haven explained that residential treatment typically lasts six to eight months, followed by outpatient services that may continue for several additional months while clients transition into recovery housing.

Staffing and Security

Neighbors asked numerous questions regarding staffing levels and security.

The Haven explained that:

- Staff are present on-site 24 hours per day.
- Residential programs are staffed according to licensing requirements.
- Security cameras will monitor the property.
- Controlled access systems will be installed.
- Visitors must be pre-approved and monitored.
- Overnight staffing remains on-site at all times.

The Haven also explained that transportation for clients is provided by organization-owned vehicles and staff, reducing the need for clients to walk to appointments or community activities.

Parking and Traffic

Questions were asked regarding parking demand and neighborhood traffic.

The Haven explained that:

- Most residential clients do not drive.
- Outpatient services will primarily occur during evening hours.
- Most outpatient clients rely on public transportation, family transportation, or arranged rides.
- Existing parking is expected to adequately accommodate staff and visitors.
- Emergency access and existing easements will remain unobstructed.

The organization indicated it expects traffic impacts to remain limited and spread throughout the day.

Neighborhood Safety

Neighbors expressed concerns regarding neighborhood safety, loitering, litter, smoking, and potential criminal activity.

The Haven responded that:

- Smoking will be limited to a designated enclosed outdoor area.
- Cigarette smoking is prohibited; vaping is permitted in designated areas.
- Clients are expected to remain within defined program boundaries.
- Clients participate in structured programming throughout the day.
- Staff supervise clients continuously.
- Grounds are maintained by dedicated maintenance staff.
- Any concerns raised by neighbors would be addressed promptly.

The Haven emphasized that maintaining positive relationships with neighboring properties is a priority.

Incident Reporting

Neighbors asked how incidents would be handled.

The Haven explained that significant incidents are reported in accordance with state licensing requirements and that applicable incidents are reported to the Utah Department of Health and Human Services, law enforcement when appropriate, and other regulatory agencies. The organization also noted that it has never experienced a fatal overdose or other critical incident within its programs since beginning operations in 1969.

Organization History

Neighbors asked about the organization's experience and reputation.

The Haven shared that it has operated continuously for more than 50 years and currently operates multiple residential treatment programs, outpatient services, and recovery residences. The organization discussed its regulatory oversight, quality assurance processes, and long-standing relationships with community partners throughout Utah.

City Discussion

Francis Lilly discussed the City's conditional use permit review process and explained that:

- The proposed use is reviewed under Millcreek City's conditional use provisions.
- The City will evaluate compliance with zoning regulations, parking requirements, building code requirements, and operational conditions.
- Final approval is contingent upon obtaining all required state licenses and approvals.
- Continued compliance with state licensing requirements is necessary for operation.

Francis Lilly also discussed the potential for maintaining ongoing communication between the City, neighbors, and The Haven throughout the project.

Public Feedback

The attending neighbors expressed appreciation for the information provided and stated that many of their initial concerns had been addressed through the discussion.

Questions focused primarily on:

- Neighborhood safety
- Security measures
- Client screening
- Traffic
- Parking
- Property maintenance
- Construction timeline
- Communication with neighbors
- Regulatory oversight

The Haven encouraged neighbors to contact the organization directly with future questions or concerns and committed to maintaining open communication throughout the project.

Meeting Adjournment

The meeting concluded after all attendees had an opportunity to ask questions. Contact information was exchanged, and The Haven thanked those in attendance for their participation and thoughtful discussion.

Neighborhood Meeting Sign-In Sheet

Date: June 30, 2026

Location: 860 E 4500 S, Suite 302, Millcreek, UT

[illegible]



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

AFFIDAVIT – Property Owner

STATE OF UTAH }
 } ss
COUNTY OF SALT LAKE }

I (we) JOSHUA CRAIG being duly sworn, depose and say that

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

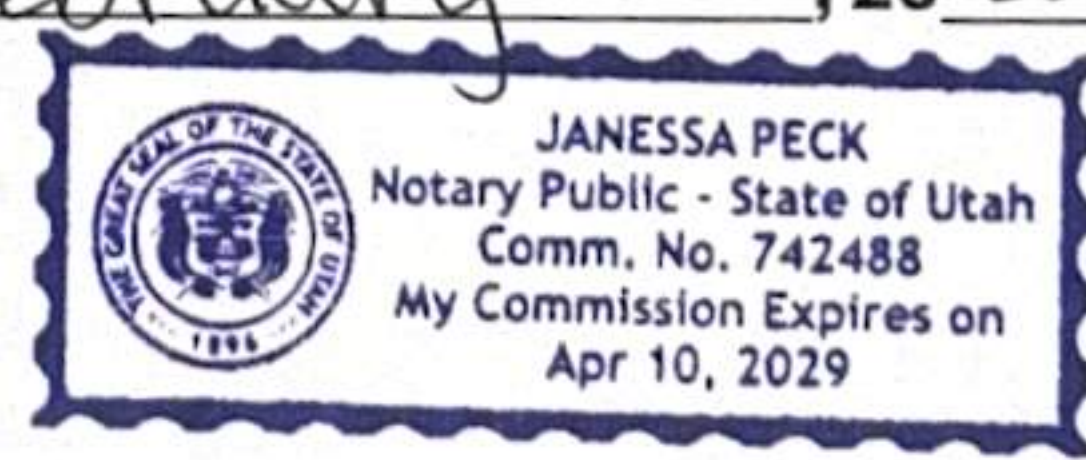
860 E 4500 S, MILLCREEK, UT 84107.

My (our) signature below attests that I (we) have reviewed the proposal by THE HAVEN
requesting review and approval of MILLCREEK CITY

and that I (we) consent to the statements and information provided in the attached plans and exhibits
and that all information presented is true and correct to the best of my (our) knowledge.

Property Owner [Signature]
Property Owner _____

Subscribed and sworn to me this 24th day of February, 2020.



Notary: _____
Residing in Salt Lake County, Utah
[Signature]

**Helping Hand Association
DBA The Haven
Board of Directors**

Heather Chase, LCSW, ASUDC
Executive Director
The Haven (President)
Heather@havenhelps.com

Sarah McVea, MBA
Vice President of Human Resources
CNS Cares (Chair)
Sarah.mcvea@gmail.com

Steve Hunt
Chief Facilities Manager
LB Hunt Management (Vice Chair)
Steve@lbhunt.com

Sam Robinson, MBA
Former Chief Operating Officer
Send Out Cards (Treasurer)
Samrobinsonm3@gmail.com

Patrick Adams, LCSW
Clinical Director Brighton Recovery
Padams1972@yahoo.com

Cheral Chivers, CMHC
Director of Adult Residential Services
Odyssey House of Utah (Trustee)
Cchivers@odysseyhouse.org

Tony Padjen, LCSW
Owner and Executive Director
Balance House (Trustee)
Tony@balancehouseut.com

Gary Jorgensen, PhD, LMFT
Psychologist (Trustee)

Russ Bird, CMHC
Clinical Director Renaissance Ranch
russbird3@gmail.com

Michael Haws, SUDC
Nonprofit Program Director
mikehaws@gmail.com

Amy Deaschel, CSW, ASUDC
Admissions Odyssey House
adaeschel@odysseyhouse.org

Brock Smith, CSW
FourLifers Incorporated
brockmckaysmith@gmail.com

Organizational Structure of The Haven

1. Governing Body

At the highest level, The Haven is overseen by a **Board of Directors**, which provides governance, strategic direction, and accountability for the organization.

2. Executive Leadership (Top-Level Authority)

The **Executive Director** serves as the chief leader of the organization and is responsible for overall operations, strategic planning, and organizational performance.

- **Executive Director** – Oversees all programs, staff, and organizational direction
- **Director of Finance** – Manages financial operations, budgeting, and fiscal accountability
- **Human Resource Director** – Oversees hiring, employee relations, and HR compliance
- **Director of Organizational Development** – Focuses on staff development, training, and organizational growth

These leaders guide policy, operations, and organizational strategy across all departments.

3. Program-Level Leadership (Mid-Level Management)

Each treatment program operates under a **Program Manager**, creating clear lines of authority within each service area.

Residential Treatment Programs

Each residential site (Salt Lake Men's, West Jordan Men's, South Jordan Women's) includes:

- **Program Manager** – Oversees daily operations, staff supervision, and client care
- **Therapists / Counselors** – Provide clinical services (individual and group therapy)
- **Case Managers** – Coordinate care, resources, and discharge planning
- **Kitchen Managers** – Oversee food services and facility nutrition

Outpatient Program

- **Outpatient Program Manager** – Oversees outpatient services
- **Therapists and SUD Counselors** – Provide clinical treatment
- **Peer Support Specialists** – Offer lived-experience support and recovery guidance

These roles ensure program-specific operations run effectively while aligning with overall organizational goals.

4. Clinical and Medical Team

The Haven integrates medical and behavioral health services through a dedicated clinical structure:

- **Medical Director (Physician)** – Oversees medical care and clinical protocols
- **Advanced Practice Registered Nurse (APRN)** – Provides medical treatment and medication management
- **Medication Coordinator** – Manages medication processes and coordination

Additionally, the broader clinical team includes:

- Licensed therapists
- Substance use disorder counselors
- Social workers
- Peer support specialists

This multidisciplinary team delivers comprehensive, evidence-based care.

5. Operations and Administrative Support

These roles support the infrastructure and day-to-day functioning of the organization:

- **Operations Manager** – Oversees facility operations and logistics
- **Administrative Assistant** – Provides administrative support
- **Billing Specialist** – Handles financial processing and insurance billing
- **Support Staff Supervisor** – Oversees non-clinical support staff

These positions ensure smooth organizational functioning behind the scenes.

6. Admissions and Intake Team

This team serves as the entry point for clients:

- **Assessment Specialist** – Conducts clinical assessments for eligibility

- **Admissions Specialist** – Coordinates intake and placement
- **Admissions Coordinator** – Manages scheduling and communication

They ensure appropriate placement and access to services.

7. Lines of Authority (Hierarchy Summary)

Board of Directors

↓

Executive Director

↓

Executive Leadership Team (Finance, HR, Organizational Development)

↓

Program Managers / Department Heads (Residential, Outpatient, Operations, Medical, Admissions)

↓

Clinical Staff (Therapists, Counselors, Case Managers, Peer Support)

↓

Support Staff (Administrative, Kitchen, Billing, Support Staff)

8. Job Description Overview (Generalized by Role)

- **Executive Leadership:** Strategic planning, policy development, organizational oversight
 - **Program Managers:** Supervision of staff, program implementation, client outcomes
 - **Clinical Staff:** Direct treatment services, therapy, case management
 - **Medical Staff:** Health assessments, medication management, medical oversight
 - **Operations/Admin Staff:** Facility management, billing, administrative coordination
 - **Admissions Team:** Client screening, intake, and placement
-

9. Key Organizational Characteristics

- **Multidisciplinary structure** integrating clinical, medical, and operational services
- **Program-based hierarchy** (each site operates semi-independently under a manager)
- **Centralized leadership** with decentralized service delivery
- **Team-based care model** emphasizing collaboration across roles

The Haven Screening Overview

Program Overview and Expectations

The Haven provides a structured continuum of care designed to support individuals in achieving long-term recovery and stability. Participation in the program may include up to one year of services, consisting of residential treatment for up to six months followed by outpatient services for an additional six months.

Clients entering the program should be aware that there is an initial blackout period during which they will focus on stabilization, engagement in treatment, and meeting foundational program requirements. As clients progress, privileges such as day passes may be earned, typically after 45 days, based on compliance and clinical recommendations.

The Haven operates as a highly structured and accountable environment. Smoking is not permitted on the premises; however, discreet disposable vape devices may be used in designated outdoor areas. Nicotine replacement options such as patches, gum, or lozenges may be available through Medicaid with a prescription.

Cell phones are not permitted during residential treatment in order to support focus, safety, and therapeutic engagement.

Medication and Medical Requirements

The Haven maintains strict medication guidelines to ensure client safety and program integrity. Clients receiving methadone services must coordinate treatment through Project Reality while in residential care. Medication-assisted treatment (MAT), including options such as Sublocade and Vivitrol, is available through The Haven's medical providers.

Certain medications are not permitted within the program due to safety concerns or potential for misuse. These may include, but are not limited to, Suboxone (in residential settings unless transitioned to Sublocade), Gabapentin, Lyrica, opioid pain medications, benzodiazepines, stimulant medications (such as Adderall or Ritalin), muscle relaxants, certain sleep aids, and medical cannabis. All medications will be reviewed on a case-by-case basis, and clients may be required to taper or discontinue certain prescriptions prior to admission.

Clients are expected to disclose all current medications and medical conditions. The Haven is a high-functioning treatment environment, and individuals must be medically stable enough to participate in daily programming, including group therapy, individual sessions, and structured activities.

Services and Referral Information

The Haven offers multiple levels of care, including residential treatment, outpatient services, and sober living options. Individuals may enter the program through self-referral or referral from external agencies such as shelters, hospitals, detox facilities, or correctional programs.

Understanding a client's current environment and referral source is important for coordinating care and ensuring appropriate placement within the program. The Haven works collaboratively with community partners to support smooth transitions into treatment.

Social and Family Considerations

Clients are encouraged to provide information regarding their current living situation, family dynamics, and support systems. This includes identifying emergency contacts and noting whether they have dependents or family members connected to their Medicaid or Department of Workforce Services (DWS) case.

These factors help inform case management services and ensure that appropriate resources and supports are in place during treatment.

Substance Use History

A thorough understanding of a client's substance use history is essential for determining appropriate level of care and treatment planning. Clients are asked to identify their primary substances of use, date of last use, and all substances used within the past 30 days, including methods of use (e.g., intravenous, smoking, oral ingestion, or nasal use).

Additional information regarding overdose history, including the number of overdoses and most recent occurrence, is critical for assessing risk. Clients should also disclose any history of seizures or withdrawal complications, as this may impact medical and clinical recommendations.

Medical and Behavioral Health Considerations

Clients should disclose any ongoing medical, dental, or behavioral health needs that may require attention during treatment. This includes chronic health conditions, recent hospitalizations, or scheduled medical procedures.

The Haven is designed for individuals who can safely participate in a structured, high-functioning treatment environment. Clients must be able to engage in programming and activities of daily living with minimal medical intervention beyond what can be supported within the program.

Commitment to Treatment

By entering The Haven program, clients are committing to actively participate in all aspects of treatment, adhere to program rules, and engage in a recovery-oriented environment. This includes compliance with medication policies, participation in therapy, and adherence to behavioral expectations.

The Haven's structured approach is designed to provide a safe, supportive, and accountable environment where individuals can build the skills necessary for long-term recovery and reintegration into the community.

Risk and Needs Triage (RANT)

The Risk and Needs Triage (RANT) is a brief screening tool used within criminal justice and behavioral health settings to quickly assess an individual's likelihood of reoffending and identify criminogenic needs that contribute to criminal behavior. This tool is commonly utilized during the early stages of intake, such as pretrial, probation, or admission into treatment, to support timely and informed decision-making. RANT is not a comprehensive assessment, but rather a triage instrument designed to guide placement, supervision levels, and referrals for further evaluation or services.

Risk Domain

The risk domain of the RANT focuses on identifying the individual's likelihood of reoffending by examining both static and dynamic risk factors. Static factors include elements such as criminal history and age at first arrest, which do not change over time but are highly predictive of recidivism. Dynamic factors, such as substance use patterns and compliance with supervision, may fluctuate and can inform intervention planning.

Individuals with extensive criminal histories, including multiple arrests or convictions, particularly for violent offenses, are generally considered higher risk. Additionally, individuals who were first arrested at a younger age tend to demonstrate a greater likelihood of continued criminal behavior. A history of probation or parole violations, absconding, or failure to comply with supervision requirements further elevates risk. The nature and severity of current charges, such as felony offenses, also contribute to overall risk classification. Substance use patterns, especially chronic or early-onset use, are another important indicator within this domain. Based on these factors, individuals are typically categorized as low, moderate, or high risk.

Needs Domain

The needs domain of the RANT assesses criminogenic needs, which are dynamic factors directly linked to criminal behavior and are responsive to intervention. These needs represent areas where targeted treatment and support can significantly reduce the likelihood of recidivism.

Common criminogenic needs include substance use disorders, antisocial thinking patterns, and association with high-risk or criminal peers. Additional factors such as instability in employment or education, lack of prosocial family or social support, mental health concerns, and housing instability are also considered. These needs are categorized as low, moderate, or high, depending on severity and impact on functioning. Identifying these needs is critical in determining the type and intensity of services required to support behavior change.

RANT Quadrants

The primary outcome of the RANT assessment is the placement of individuals into one of four quadrants based on the intersection of risk and need levels. These quadrants include low risk/low need, low risk/high need, high risk/low need, and high risk/high need. This classification provides a clear framework for determining appropriate interventions and levels of supervision.

Individuals classified as low risk and low need typically require minimal intervention, as excessive services may be unnecessary and potentially counterproductive. Those identified as low risk but high need benefit from targeted services such as outpatient treatment or case management to address specific areas of concern without increasing exposure to higher-risk populations. Individuals categorized as high risk but low need may require structured supervision and interventions focused on cognitive and behavioral strategies. Finally, individuals identified as high risk and high need require intensive services, often including residential treatment and close supervision, to effectively address both their risk level and underlying needs.

Application of RANT

The RANT is primarily used as a front-end triage tool to support decision-making during intake and early system involvement. It helps determine appropriate placement, level of supervision, and whether a more comprehensive assessment is warranted. By quickly identifying risk and need levels, the tool assists organizations in allocating resources effectively and ensuring that individuals receive interventions that are proportionate to their level of risk.

In practice, the RANT supports the principle of prioritizing higher-risk individuals for more intensive services while avoiding over-servicing those who are low risk. This approach aligns with evidence-based practices and improves overall outcomes by reducing recidivism and promoting efficient use of resources.

Theoretical Framework

The RANT is grounded in the Risk-Need-Responsivity (RNR) model, which is a widely recognized framework in criminal justice and behavioral health. The risk principle emphasizes matching the intensity of services to the individual's risk level, ensuring that higher-risk individuals receive more structured and intensive interventions. The need principle focuses on targeting criminogenic needs that contribute directly to criminal behavior. The responsivity principle highlights the importance of tailoring interventions to the individual's learning style, motivation, and personal characteristics to maximize effectiveness.

Strengths and Limitations

One of the primary strengths of the RANT is its efficiency, as it can be administered quickly and provides immediate guidance for decision-making. It is particularly valuable in early stages of engagement when timely placement decisions are critical. Additionally, the structured nature of the tool helps reduce bias and promotes consistency in assessment practices.

However, the RANT is not a comprehensive assessment and should not be used as the sole basis for high-stakes decisions. Its accuracy depends on the quality of available information, including self-report and collateral records. For this reason, it is best used as an initial screening tool that informs the need for further evaluation rather than replacing more in-depth assessments.

Example Application

In a treatment setting such as The Haven, the RANT can be used to guide intake and placement decisions. For example, an individual presenting with multiple DUI offenses, early onset of substance use, and a pattern of supervision violations may be classified as high risk. If that same individual also demonstrates severe substance use disorder, unstable housing, and limited support systems, they would be categorized as high need. This would place the individual in the high risk/high need quadrant, indicating the need for intensive services such as residential treatment combined with structured supervision and comprehensive support.



Exclusionary Criteria for Admission to The Haven

To ensure the safety and clinical appropriateness of all participants, the following exclusionary criteria will be used during the screening and intake process. Individuals who meet any of the following criteria may be deemed ineligible for admission to the program:



✓ Funding

1. Funding Accepted

- Medicaid Eligibility
 - TAM (Targeted Adult Medicaid) (Fee for Service)
 - Salt Lake County Adult Expansion Medicaid:
 - Integrated Select Health
 - Integrated Healthy U
 - Molina
 - Health Choice
- Commercial Insurances “In Network” contracts:
 - Select Health
 - U of U
 - Molina
 - Aetna
 - BCBS
 - Health Choice
- Out of Network is policy dependent
 - Can run VOB on any policy that has “Out of Network” benefits
 - Dominion Diagnostics (UA lab) is not in with EMI and United

2. Unable to Accept:

- Disability, Family, Pregnancy, Former Foster Care Medicaid’s, or Children’s (OPTUM)
 - County-specific Medicaid outside of Salt Lake County
-



Legal & Criminal Background Restrictions

1. **Registered on any of the following Utah registries:**
 - Sex Offender Registry
 - Child Abuse/Neglect Registry
 - Kidnapping Offender Registry
2. **History of Homicide** (*case-by-case review*):
 - Admission will clear with director of organization prior to admission.
3. **No charges involving animals** exceeding neglect

Psychiatric & Cognitive Functioning

1. **Active psychosis or psychotic disorders, including schizophrenia, unless:**
 - The individual is diagnosed with schizoaffective disorder,
 - The individual is currently stable, medication-compliant, high functioning, and
 - The individual is willing to participate in ongoing medication management and understands that decline in functioning may result in discharge.
2. **Uncontrolled bipolar disorder** with recent manic or depressive episodes that impair functioning. If the individual is stabilized, willing to maintain medication compliance, and understands if they are unwilling or go off the medications it may result in discharging them from the program.
3. **Severe cognitive impairments or intellectual disabilities** that prevent participation in group therapy or independent daily living skills.
4. **Severe traumatic brain injury (TBI)** with behavioral dysregulation or memory deficits that interfere with treatment.

Language & Communication Barriers

1. **Non-English speakers**, due to the absence of on-site or contracted interpreter services necessary for effective treatment.

Medical Conditions & Pregnancy

1. **No pregnancy** due to the program's inability to safely accommodate prenatal care, emergency response, or delivery preparation.
2. **Unmanaged serious medical conditions** (e.g., unstable diabetes, uncontrolled hypertension, seizure disorders without medication adherence) requiring specialized medical oversight beyond the program's capacity.

Behavioral & Safety Risks

1. **Actively suicidal or homicidal**, or displaying severe self-harming behaviors such as cutting, or burning.

Substance Use Specific Criteria

1. **Needs for medical detoxification** that exceeds the facility's staffing or clinical capabilities. Referrals will be made to medically supervised detox programs first.
 2. Permitted MAT includes Vivitrol, Sublocade, Methadone (Methadone and Suboxone through Project Reality Clinic Only)
 1. Refer to the restricted medication list.
-



Physical Accessibility & Mobility Limitations

1. **Limited mobility that prohibits use of stairs or full participation in the residential setting**, including but not limited to:

- Individuals who require the use of **wheelchairs, walkers, crutches, canes**, or **prosthetics** that significantly restrict independent stair use.
- Individuals with **medical conditions or physical disabilities** that prevent them from performing daily living tasks or household responsibilities as expected within the program (e.g., chores, cleaning, walking between buildings, group activities etc).

*Note: The facility is located in a multi-level, older residential setting that is **not ADA compliant** due to being **grandfathered** under current regulations. The program requires a baseline level of physical functionality to navigate stairs, engage in community tasks, and participate fully in residential activities.*

! Additional Discretionary Factors

1. **Unwillingness to participate** in treatment programming, group therapy, or recovery-related activities.
2. **Refusal to adhere** to house rules, medication protocols, or behavior contracts.
3. **No means of payment or funding source**, unless referred through a funding partner or eligibility is being established.

Memorandum

Date: September 25, 2026
To: Millcreek City
From: Hales Engineering
Subject: Millcreek Haven Helps Trip Generation Study



UT26-3342

Introduction

This memorandum discusses the trip generation study completed for the proposed Haven Helps development in Millcreek, Utah. A vicinity map of the proposed development is shown in Figure 1.



Figure 1: Proposed development location in Millcreek, Utah

Background

The proposed development is located southwest of the 900 East / 4500 South intersection in Millcreek, Utah. The project includes transitioning a 31,820 square-foot office building into a 45,504 square-foot nursing home with 64 in-patient beds and 40 outpatient clients. No changes to access are anticipated. The lower-level office parking garage will be converted into additional nursing home space. A site plan for the proposed development is included in Appendix A.

Trip Generation

A comparison of the trips generated by the existing office building to the proposed nursing home was performed. Trip generation for the existing office building and the project was calculated using trip generation rates published in the Institute of Transportation Engineers (ITE) *Trip Generation* (12th Edition, 2025). Trip generation for the proposed project is included in Table 1.

Table 1: Trip Generation

Land Use ¹	# of Units	Unit Type	Trip Generation		New Trips			
			% In	% Out	In	Out	Total	
Weekday Daily								
General Office Building (710)	31.8	KSF	50%	50%	203	203	406	
Nursing Home (620)	104	Beds	50%	50%	160	160	320	
AM Peak Hour								
General Office Building (710)	31.8	KSF	88%	12%	49	7	56	
Nursing Home (620)	104	Beds	72%	28%	13	5	18	
PM Peak Hour								
General Office Building (710)	31.8	KSF	16%	84%	10	54	64	
Nursing Home (620)	104	Beds	33%	67%	8	16	24	

¹ Land use code from the Institute of Transportation Engineers (ITE) Trip Generation, 12th Edition, 2025.

1. Land use code from the Institute of Transportation Engineers (ITE) *Trip Generation*, 12th Edition, 2025.

The existing office building is estimated to generate approximately 406 trips on an average weekday, with 56 trips in the morning peak hour and 64 trips in the evening peak hour. It is anticipated that after transitioning to a nursing home, the project will generate approximately 320 trips on an average weekday, with 18 trips in the morning peak hour and 24 trips in the evening peak hour based on the planned 104 patients.

The proposed project trips can also be estimated using gross floor area square footage as the independent variable. Based on a total of 45,504 square feet, the nursing home can be anticipated to generate 308 trips on an average weekday, with 26 trips in the morning peak hour and 28 trips in the evening peak hour. Using the highest trip rates by either independent variable as a conservative measure, the project is anticipated to generate significantly fewer trips than the existing office building and will have an overall lower impact to the surrounding roadway network.

Conclusions

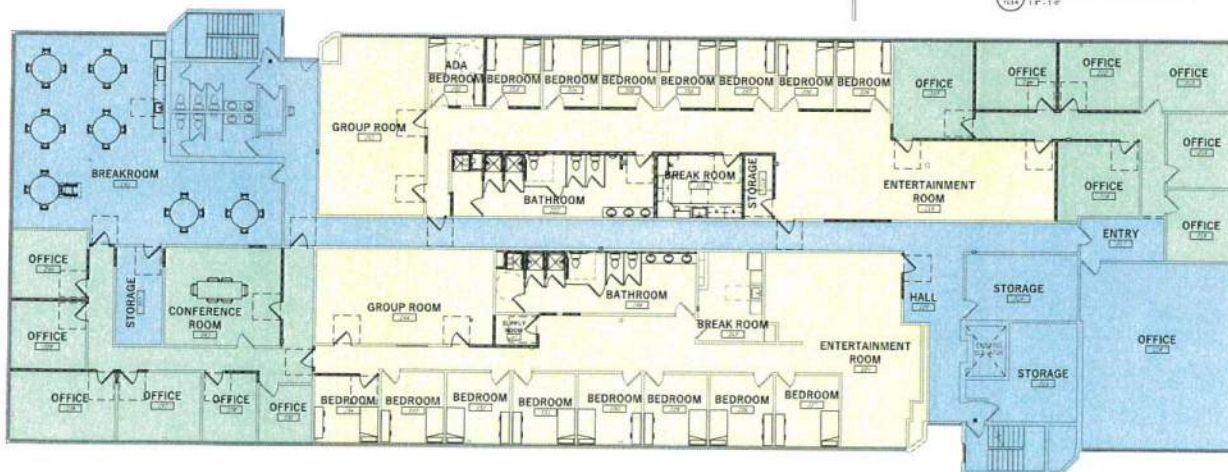
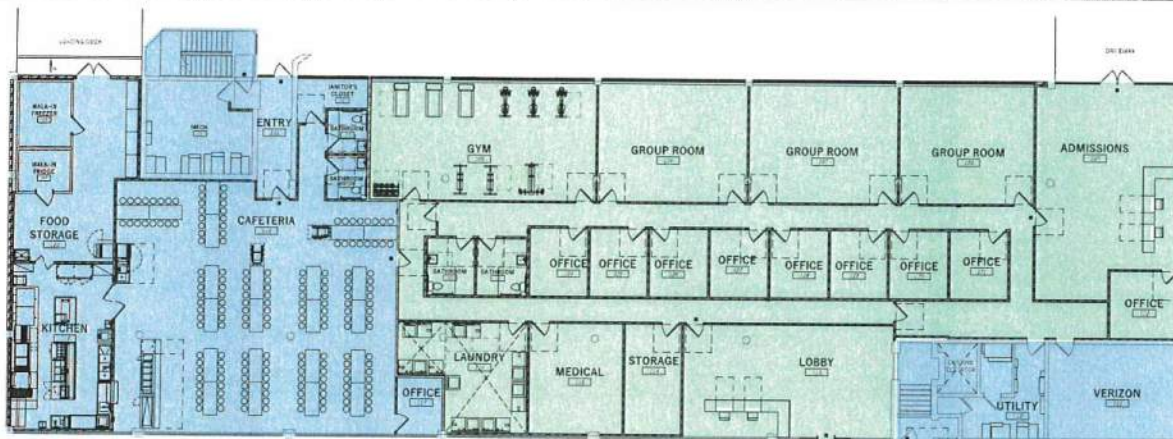
The findings of this study are as follows:

- The proposed development includes converting an office building into a nursing home with expanded square footage. No changes to access are anticipated.
- The original office land use is estimated to generate 406 daily trips on an average weekday, with 56 trips in the morning peak hour and 64 trips in the evening peak hour.
- It is anticipated that the proposed project will generate approximately 320 trips on an average weekday, including up to 26 trips during the morning peak hour, and 28 trips during the evening peak hour.
- It is anticipated that the proposed project will generate significantly fewer trips than the existing office building and will have a lower overall impact to the surrounding roadway network.

If you have any questions regarding this memorandum, please contact us at 801.766.4343.

Appendix A

Site Plan



PARKING: 100, 100 SF
ADMIN OFFICE: 1544 SF
MEDICAL OFFICE: 805 SF

ADMIN OFFICE
MEDICAL OFFICE
NURSING HOMES

LEVEL 2 AREA
ADMIN OFFICE: 1011 SF
MEDICAL OFFICE: 3423 SF
NURSING HOMES: 7442 SF

HAVEN HELPS
BUDGET 4500.0

DATE: FEBRUARY 10, 2024
PROJECT: 25122

AREA PLAN

XG3.4
JZL
ARCHITECT



October 12, 2026

Millcreek City Planning Commission
1330 East Chambers Ave
Millcreek, Utah 84106

Re: Recommendations from the Millcreek Community Council - October 6, 2026 Meeting
For the October 21, 2026 Planning Commission Meeting

Dear Planning Commission Members,

The Millcreek Community Council respectfully submits the following recommendation from our regular meeting held on October 6, 2026. This recommendation pertains to land use application CUP-26-012 scheduled for consideration at your October 21, 2026 meeting.

CUP-26-012 Conditional Use Permit 860 E 4500 S

This project will convert the existing office building into four separate residential treatment units, accommodating a total capacity of 64 beds. Some of the existing parking will be repurposed into supportive program space, including a commercial kitchen, laundry facilities, a gym and wellness area, and outpatient treatment services. Medical Clinics and Nursing Homes/Assisted Living are conditional uses in the Commercial Zone. The applicant's proposed use is substantially similar to a Medical Clinic and Nursing Home / Assisted Living, and must be regulated as such under federal and state fair housing and disability laws.

Planner: Francis Lilly

Motion 1 (Ongoing Communication & Engagement):

To recommend approval with conditions requiring structured, ongoing communication and oversight:

1. mandatory ongoing monthly coordination meetings between City staff, Unified Police Department (UPD, including the mental health sergeant and clinical social worker), Promise staff, and The Haven executive leadership;
2. establishment of a direct 24/7 hotline/contact line for neighborhood residents to reach executive leadership at The Haven immediately with concerns; and
3. periodic community check-ins and neighborhood meetings to review operations and foster positive community relations.

Vote: Unanimous (12/12)



Motion 2 (Security Plan & Unscheduled Departure Protocol):

To recommend requiring as conditions of approval that The Haven:

1. submit a detailed security plan specifying site security measures, including appropriate perimeter fencing/gating and security camera coverage;
2. establish explicit operational protocols for unannounced, voluntary, or involuntary client departures (when a resident leaves prior to program completion or without arranged transportation), including mandatory staff notification to law enforcement/UPD or clinical social workers if a client leaves in crisis; and
3. provide historical data and incident metrics from their existing Salt Lake Valley facilities regarding unscheduled departures.

Vote: Unanimous (12/12)

Council Discussion & Neighborhood Input:

The Council engaged in extensive discussion with Planning Director Francis Lilly and neighboring residents. While acknowledging that residential treatment facilities for individuals recovering from substance use disorders are permitted conditional uses in the zone under fair housing and disability laws, council members and neighbors highlighted specific concerns regarding neighborhood safety, potential loitering or unscheduled exits into the adjacent residential community, staffing ratios, site fencing, and long-term oversight. Council members emphasized that proactive management, clear protocols for client departures, robust site security, and direct lines of communication between facility leadership, law enforcement, and nearby residents are essential to mitigating reasonably anticipated detrimental effects and ensuring safety for both the neighborhood and facility clients.

We appreciate the Planning Commission's continued collaboration with the Community Council and your thoughtful review of land-use items affecting our neighborhoods. Please feel free to contact us if additional clarification or input is needed.

Sincerely,

Millcreek Community Council

Francis Lilly

From: Kalie Mitchell [REDACTED]
Sent: Tuesday, October 13, 2026 10:42 PM
To: Francis Lilly
Subject: [Ext] CUP 26-012 Residential Treatment Facility at 860 E 4500 S

Francis,

I'm writing to follow-up from the open house meeting last week about the potential to change the property at 860 E 4500 S to be a residential treatment facility. I would like to share my concerns about this in hopes that Millcreek City and The Haven might seriously consider an alternate location as a better option for everyone involved and to let you know that, while I support what the Haven is doing, I do NOT support the building of this facility in our neighborhood.

I am a current resident of Millcreek and have lived here for longer than Millcreek's been a city! We've loved our neighborhood and it's been a wonderful place for us to raise our family so far. We currently still have young children at home and especially because of them but also for the safety of our neighborhood in general we have some serious concerns about adding a residential treatment facility. Our concerns include the following:

-There is a school bus stop at 785 E. 4500 S. that is used by our kids and kids from a neighborhood to the east and a neighborhood to the west of us. These kids (including one child with special needs) would be waiting for the bus in the morning (in the dark for a large part of the school year) and getting off the bus in the afternoon essentially right next to this treatment facility.

-The parking lot at Smith's, 7-11, and Walmart already have a large amount of seemingly transient people loitering, asking for money, and holding signs for help. Likely as a result of this, our street (785 E.) has a fairly high amount of transient pedestrian traffic. I do not think a facility of this nature, especially catering to those currently experiencing homelessness, will help improve the safety of our neighborhood. I know it was explained that the facility is meant to rehabilitate their residents and then help them find housing after they've completed the program. However, I am nervous that because their residents are free to leave whenever they'd like, this facility is likely to increase the amount of transient pedestrian traffic we have on our street and thus decrease the safety of our neighborhood. I do understand that the residents may have motivation to stay because by leaving they will forfeit their opportunity for room and board and treatment with the facility. However, with my professional background in Emergency Room nursing, I've seen that it is very difficult to overcome addictions and that individuals often make choices that seem irrational or not in their best interest (such as staying away from their addictions so they can have free room and board) when they are not in full control of their thoughts and actions due to their dependence on any variety of substances. I feel like the risk of their residents leaving is too great for this facility to be a good fit for any residential area, especially in that the residents could leave at any time of the day or night.

-We are concerned about the need for staff to be coming and going at all hours of the day and night as well. Having a facility that is open and running days and nights and weekends and holidays does not seem like a good fit for a residential area where neighbors are hoping to be sleeping in the night. Having

traffic coming and going and lights always on is not conducive to the peace and health of our neighborhood.

-We are not in favor of extra exposure to our kids or our neighborhood of coarse language, drugs and alcohol, and a homeless lifestyle. There is plenty of this already around and even though this facility is meant to help eliminate this, it again seems too high of a risk to the neighborhood to build a facility that is meant to bring more of this to our neighborhood. It seems that a place closer to city or industrial buildings and/or police would be a better fit. We do not think it is a good fit for our neighborhood. The risk of increasing the amount of negative role models to the children and youth in our area as well as undermining all the efforts currently being made to elevate our part of Millcreek in the eyes of those living in our surrounding areas seems like it's not a good option. We currently have a student at Cottonwood High School and we are grateful for the many efforts of their administration and staff to "re-brand" Cottonwood so those in our area can realize how great it is and so the kids there have the power to reach their potential! It becomes more difficult to promote our neighborhood and community and to attract more vibrant and enthusiastic residents to our part of town when there is a residential treatment facility in the midst of it.

-One of our neighbors has been an owner of a similar facility in the past and his advice to us was to do everything we could to stop it from happening in our neighborhood. He explained first hand that a facility with residents and treatment plans like the Haven are proposing have too high a recidivism rate, especially as the residents often have little or no family support, to be safe for a residential area.

I appreciate your willingness to receive our comments, questions, and concerns and would be happy to schedule a meeting with you and/or any of the city council to discuss my concerns further if that would be helpful. I am also happy to gather some of our other neighbors to join and discuss together as a group. We would love to help you to fully understand how detrimental we think this facility will be to our neighborhood. I appreciate all that the Haven and their non-profit is working to do, but I absolutely believe they and we would be better off if their facility was built in a different part of town and I urge you and the city council to consider our kids and our neighborhood and vote no to the treatment facility being built at 860 E. 4500 S.

Thank you!

-Kalie Mltchell



Francis Lilly

From: Morgan Weisenburger [REDACTED]
Sent: Tuesday, October 13, 2026 8:49 PM
To: Francis Lilly
Subject: [Ext] Millcreek Property Proposal

Hi Francis,

I am a resident of 785 East in Millcreek. I was recently informed by a neighbor that the building east of Goodrich Flooring (approx 800 E. 4500 S.) is trying to get approved as a rehabilitation center for drug and alcohol addicts, mostly for homeless people. Pardon me if I have misunderstood any of those details.

I am writing you to request that you please do not approve this project. I feel that it will attract/invite more homeless people and drug addicts to our area. We already have so many sketchy people walking around our neighborhood, often snooping in our backyards and sometimes taking naps on our sidewalks and lawns.

My house was broken into a couple years ago, and the creep walked through my entire house and stole things. Luckily, they caught the guy and put him in jail. Not for more than a couple months, unfortunately. But he broke in through my back window and went through my home, stole my cash, and invaded my personal space. Being a single woman living alone, this was absolutely terrifying. I didn't sleep for weeks.

Since then, I have added security cameras to my house. Those cameras have caught people hopping my back fence, peeking in my windows, or just running through my yard like it's a shortcut. I now have metal spikes on my fence because I'm scared to live in my own home.

I am begging you, please do not approve this rehab center. There has got to be a better location for this type of facility - somewhere that is more industrial, not so residential. There are families with young children that play outside, ride bikes, etc. and it's already scary enough as it is. I'm constantly looking out my window and checking my cameras to see who the next creep is that's gonna walk over to my home and peek through my windows, over my fence, or pretend "his package got misdelivered" to my doorstep. Yes, these things have all happened.

Please reconsider. I want to keep this neighborhood as safe as possible.

Thank you for your consideration,
Morgan Weisenburger

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Francis Lilly

From: Russell Wade [REDACTED]
Sent: Tuesday, October 13, 2026 11:19 AM
To: Francis Lilly
Subject: [Ext] The Haven - West Jordan - 2186 W 8910 S

Hello Francis,

I am responding to your invitation to comment on The Haven facility in West Jordan and our neighbor. I appreciate the opportunity to provide feedback regarding this matter.

My house is separated from The Haven location by 2200 West in West Jordan. To be honest, my wife and I were not aware that this house was a residential treatment facility. What we were aware of is the house sold a few years back and was now being occupied by what we observed to be several men. We thought it was just a bachelor pad for a bunch of guys that bought a house together. The residents keep the yard looking good. We have not had any contact with the occupants of the house primarily due to the fact we are on opposite sides of a busy street.

Any unwelcome feedback I would give is noise. There have been several times when music is being played very loud with bass thumping the surrounding homes. This can be in early morning hours and late at night when people come and go. Times when neighbors should use discretion on their music and noise. Also, loud engine revving early in the morning when people take off to work. Large pickup trucks are generally the culprit. Peeling out of the neighborhood also creates quite a racket.

I wish they were quieter in the morning and evening hours. Overall, that is the only criticism. They seem to be good neighbors.

I hope this is useful information. Thanks for the opportunity to respond.

Russ

Russ Wade
[REDACTED]

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Francis Lilly

From: Joseph Smith [REDACTED]
Sent: Monday, July 6, 2026 3:55 PM
To: Planner
Cc: Francis Lilly; Shawn LaMar; Christian Larsen; Jenny Burgess; Nils Per Lofgren; Victoria Reid; Jacob Richardson
Subject: Re: [Ext] Opposition to Conditional Use Permit for The Haven Treatment Center

Millcreek City Planning Commission

Millcreek City, Utah

Re: Opposition to Conditional Use Permit for The Haven Treatment Center

Dear Members of the Planning Commission,

I hope this is getting to the right people; please let me know otherwise:

I am writing to respectfully oppose the Conditional Use Permit for The Haven treatment facility (860 E 4500 S.) proposed adjacent to my commercial property. I am the trustee of the owner of the US Bank building immediately neighboring the proposed development, and we have a significant long-term financial investment in this area.

I appreciate the important services The Haven provides to individuals seeking recovery and mental health treatment. My objection is not directed toward those individuals or the value of treatment programs. Rather, my concern is that this specific location is not an appropriate or compatible land use for a facility of this size and intensity.

Based on the information presented during the neighborhood meeting, the proposed development would ultimately include:

- A 64-bed residential treatment facility.
- Up to 50 outpatient participants.
- Medical and psychiatric services.
- Mental health and substance abuse treatment.
- A multi-phase expansion over approximately two years.

Although the applicant has described extensive security measures, staffing ratios, resident screening, transportation, and regulatory oversight, the reality remains that this would be one of the most intensive institutional uses in the immediate commercial area.

My concerns include the following:

Compatibility with Existing Commercial Uses

The surrounding properties were developed and invested in as commercial office and retail properties. My building is occupied by US Bank, a financial institution whose customers expect a professional, convenient, and stable commercial environment. A residential treatment campus of this scale is fundamentally different from the surrounding land uses.

Impact on Property Values and Leasing

As a commercial property owner, I must protect the long-term value of my investment. The presence of a large inpatient behavioral health facility immediately adjacent to my property has the potential to negatively affect future leasing opportunities, tenant retention, financing, and overall property value. Existing and prospective tenants evaluate neighboring uses when deciding whether to lease commercial space.

Intensity of the Proposed Use

This proposal is considerably more intensive than a traditional office or assisted living use. At full build-out, the project would include 64 residential clients, up to 50 outpatient participants, medical services, psychiatric care, staff operating around the clock, visitor traffic, deliveries, and support operations. This represents a significant change in the character of the area.

Conditional Use Review

Because this application requires a Conditional Use Permit, compatibility with surrounding properties is a critical consideration. The Planning Commission has an obligation to determine whether the proposed use can exist without creating unreasonable impacts on neighboring properties. I respectfully ask the Commission to carefully evaluate whether this proposal is truly compatible with adjacent commercial businesses.

While I recognize the applicant's efforts to implement operational safeguards, those measures do not eliminate the long-term land use impacts associated with placing a large residential treatment campus immediately adjacent to established commercial properties.

For these reasons, I respectfully request that the Planning Commission deny the Conditional Use Permit and require the applicant to identify a location that is more appropriate for a facility of this size and intensity.

Thank you for your consideration and for allowing my comments to become part of the public record.

Respectfully,

Joseph E Smith

Trustee/Owner, US Bank Building

--



Joseph E Smith

HR Director



Planning & Zoning Open House

Community Feedback Form

Name: Tony Pomister Date: 10/6/2026
Email Address: [REDACTED]
Project Location or #: 860 E 4500 S

Comments: The notice of public hearing should be delivered
much further than 300 feet from the new use purpose.
Some of us who live very close and in the immediate
area did not receive notice. I suggest changing the range
to at least 1000 feet and perhaps the adjacent 10
residential properties in each direction.

(continue on back)

Millcreek City Council

Cheri Jackson, Mayor
Silvia Catten, District 1
Thom DeSirant, District 2
Nicole Handy, District 3
Bev Uipi, District 4



Millcreek City Hall

1330 East Chambers Avenue
Millcreek, Utah 84106
Millcreekut.gov
801-214-2700

CUP-26-013

Planning Commission Staff Report

Meeting Date: 10/21/2026
Applicant: Jehixon Aguilar
Re: Conditional Use Permit (CUP)
Property Address: 4231 S State St
Prepared By: Carlos Estudillo, Planner

Scope of Decision: **Administrative.** This is an administrative matter to be decided by the Millcreek Planning Commission. Your approval should be narrow in scope and primarily based on state statute and adopted local zoning, land use, and development codes.

REQUEST:

The applicant, JS Cars, is seeking a conditional use permit (CUP) to allow for a car dealership (Automobile, Equipment, or Recreational Vehicle Sales or Rental) at 4231 S State Street. This property is located within Millcreek's Manufacturing (M) zone, which requires a conditional use permit (CUP) prior to operating under a business license.

The car dealership would occupy an existing commercial building that may require site improvements in terms of customer parking and car stock storage. No new development is being proposed at this time.

CONDITIONAL USE REVIEW:

Standards for Review:

The Planning Commission and Staff, in their review capacity, may impose site plan modifications and conditions to mitigate the reasonably anticipated detrimental effects of conditional use. Mitigation is required of reasonably anticipated detrimental effects arising from the conditional use, per the standards of approval as specifically listed in City Code Section 18.15.030.A(4).

MKZ 18.15.030.A Conditional Use Permit

Conditions of Approval: Unless otherwise specified in this Code or Utah Code Section 10-9a-507, Conditional Uses, the Planning Commission shall approve all conditional use applications with objective standards as set forth in the Land Use Code. In such cases, any conditions attached to approvals shall be directly related to the anticipated detrimental effects of the proposed use or development. No conditions of

approval shall be less restrictive than the requirements of this Code, except where the Code allows flexibility. All conditional uses are presumed to be compatible with the zone and the General Plan's intent.

Denial: If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the Land Use Authority may deny the conditional use.

FINDINGS:

1. The subject property is approximately 1.93 acres in area.
2. The subject property includes two buildings located in the Manufacturing (M) Zone. The second floor of the northern building and the entirety of the southern building are currently occupied by a landscaping services company, which dispatches their trucks from the site in the morning hours, to come back in the evening. This is an approved and licensed use.
3. Properties surrounding the subject property consist of light manufacturing uses, such as car dealerships, landscaping services and repair shops.
4. This property used to have a permitted car dealership use prior to 2023, until it was changed to Landscaping Services.
5. The proposed car dealership would occupy the first-floor office space located in the west portion of the northern building. The existing office space covers approximately 3,500 square feet in area.
6. The remainder of the first floor will be car storage for the car dealership. The existing car storage garage attached to the existing office is approximately 2,700 square feet in area.
7. MKZ 18.46.030 indicates that Automobile, Equipment or Recreational Vehicle Sales or Rental Uses are only allowed when located on arterial roadways 80' or greater in width. The proposed dealership would be located on State Street, which generally maintains a standard 100-foot right-of-way.
8. MKZ 18.46.030 indicates that Automobile, Equipment or Recreational Vehicle Sales or Rental Uses are Prohibited within 150' of a Residential Zone Boundary or a legally established dwelling. The nearest residential complex is at least 600 ft away from the subject property.
9. The parking lot would be used primarily for car showcase; Therefore, applicant must ensure all accesses are at least 24' in width for emergency vehicle access. The parking lot should be able to accommodate the proposed business; its employees and customers associated with the other businesses located at this site.
10. The applicant will be required to provide at least 8 parking stalls (1 customer parking space per 400 SF of gross floor area in the automobile sales area or 4 parking spaces, whichever is greater) as per MKZ 18.63.020.
11. The parking lot lighting has existing light poles. The city does have dark sky standards. It is unknown whether the site lighting complies with these standards. There have been no known complaints that would suggest the existing lighting is or has been a nuisance in the past. Since no new development is proposed as part of this application, the requirements of the City's Outdoor Lighting standards do not apply.
12. The proposed use is interior only and will not involve any exterior modifications to the building and no site changes.

13. Building renovations, remodels, and new signage may require a new building or other planning permit to be obtained.

CONCLUSIONS:

1. The proposed business meets all the approval criteria for a Conditional Use Permit.
2. Based on the findings and information provided by the applicant, it is staff's opinion that the proposed car dealership business will not create any detrimental effects.
3. The applicant is using the current building and site as is, and no site changes are being proposed in association with this application.

PLANNING STAFF RECOMMENDATIONS:

Staff Recommendation - Based on the findings and conclusions listed above, Staff recommends that the Planning Commission take public comments and approve the Conditional Use Permit application file number CU-26-013 located at 4231 S State St, as presented, unless during the hearing facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff:

MODEL MOTION:

I move that the Planning Commission approve the Conditional Use Permit, file number CU-26-013 based on the findings and conclusions listed and presented by Staff.

SUPPORTING DOCUMENTS:

- Letter of Intent
- Aerial Map
- Zoning Map
- Site Plan
- Floor Plan

JS CARS LLC

PROPOSED USE / OPERATION INFORMATION

4231 S State Street, Millcreek, Utah 84107

Business	JS Cars LLC
Proposed Use	Motor Vehicle Sales / Auto Dealership
JS Cars Area	First floor and designated exterior parking / vehicle inventory areas shown on the submitted site plan.

PROPOSED OPERATION

JS Cars LLC proposes to use its portion of the premises exclusively as an automobile dealership for the display, storage, and sale of motor vehicles. Customer-facing activities will take place in the first-floor showroom and sales area, administrative functions will be conducted in the first-floor offices, and vehicle inventory may be stored in the designated indoor vehicle-storage area.

ACTIVITIES NOT PROPOSED BY JS CARS LLC

- Mechanical repair or vehicle servicing
- Vehicle detailing
- Vehicle washing
- Fueling or fuel storage
- Battery charging as a business or service activity
- Body work or collision repair
- Vehicle painting or paint-related work

SPACE USE

First Floor — JS Cars LLC: showroom / sales area, four private offices, restroom area, and indoor vehicle storage.

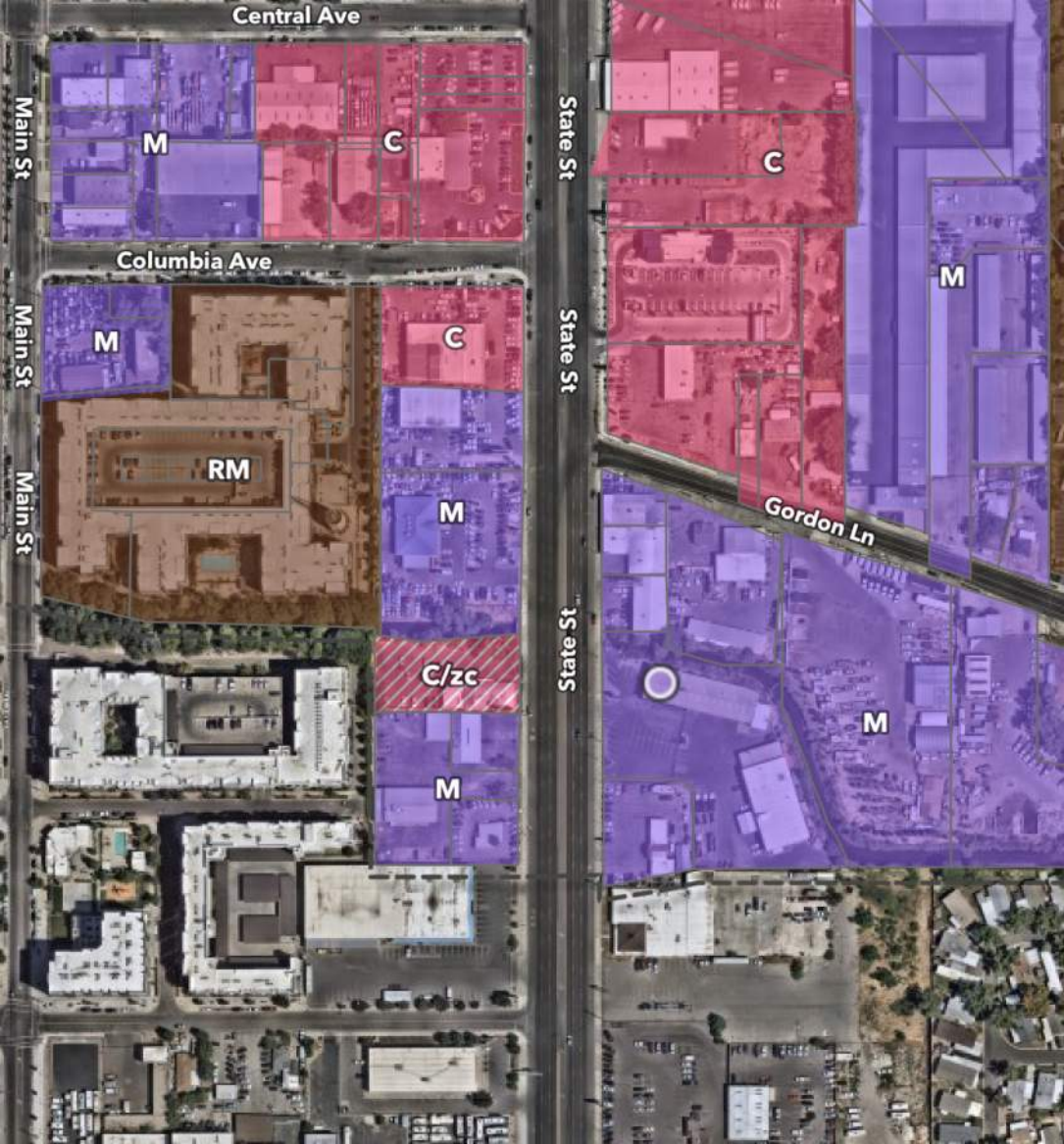
Second Floor — Arbor Plus: The second floor is not part of JS Cars LLC's proposed use or operations. It is used by Arbor Plus.

Exterior — JS Cars LLC: customer parking, vehicle inventory parking, and vehicle access / exit areas as shown on the submitted site plan.

STATEMENT OF INTENT

JS Cars LLC intends to operate its designated portion of the property solely as a motor vehicle sales dealership. The second floor is used by Arbor Plus and is not included in JS Cars LLC's proposed dealership operations. Any future change to JS Cars LLC's proposed use or addition of activities not described above will be addressed with the City of Millcreek as required before such activities begin.

Prepared for submission with the site plan and supporting floor plans.



Central Ave

Main St

M

C

State St

C

Columbia Ave

M

Main St

M

C

State St

Main St

RM

M

Gordon Ln

State St

C/zc

M

M



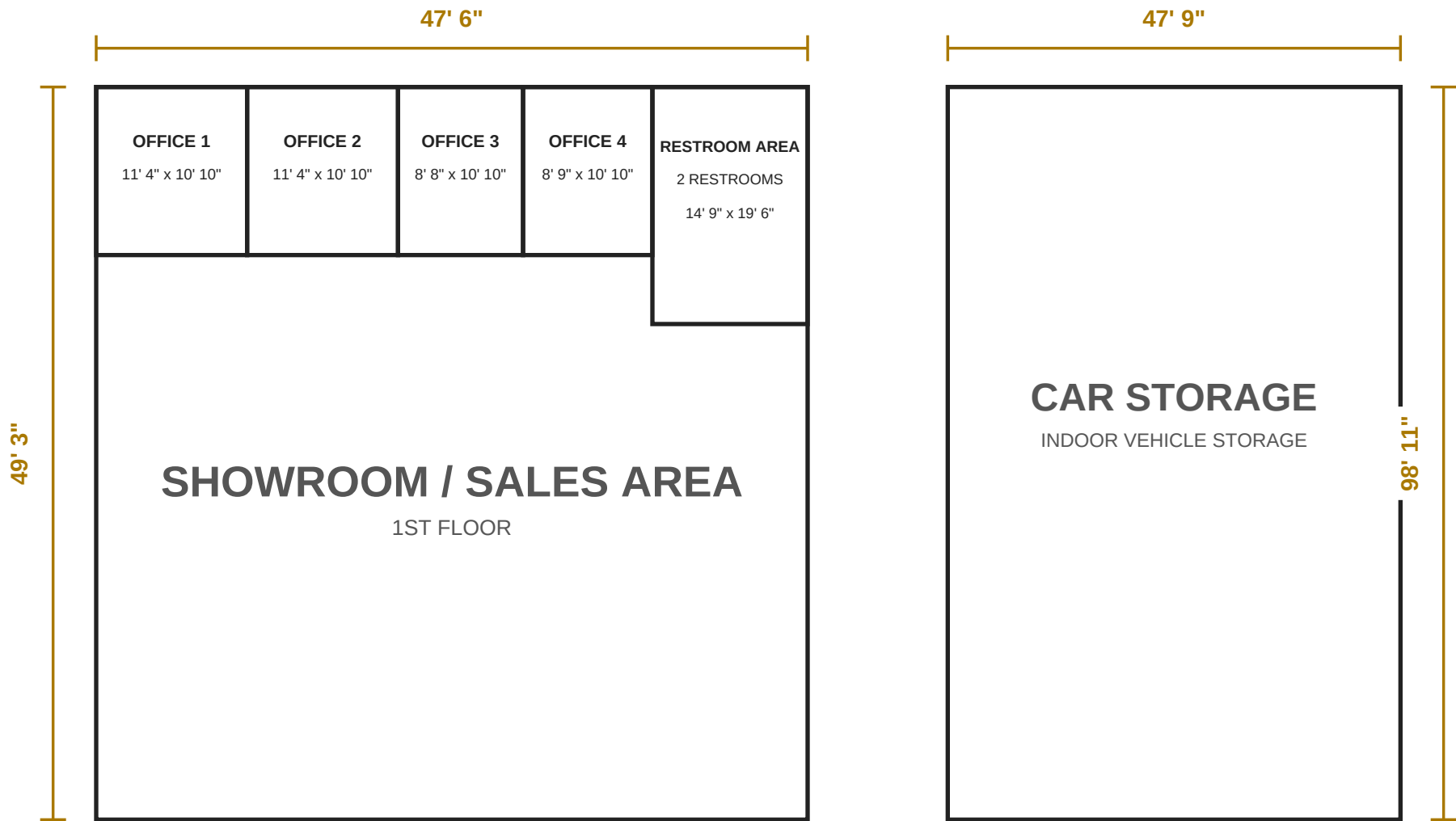
State St



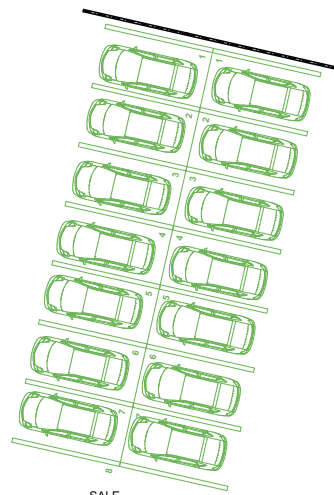
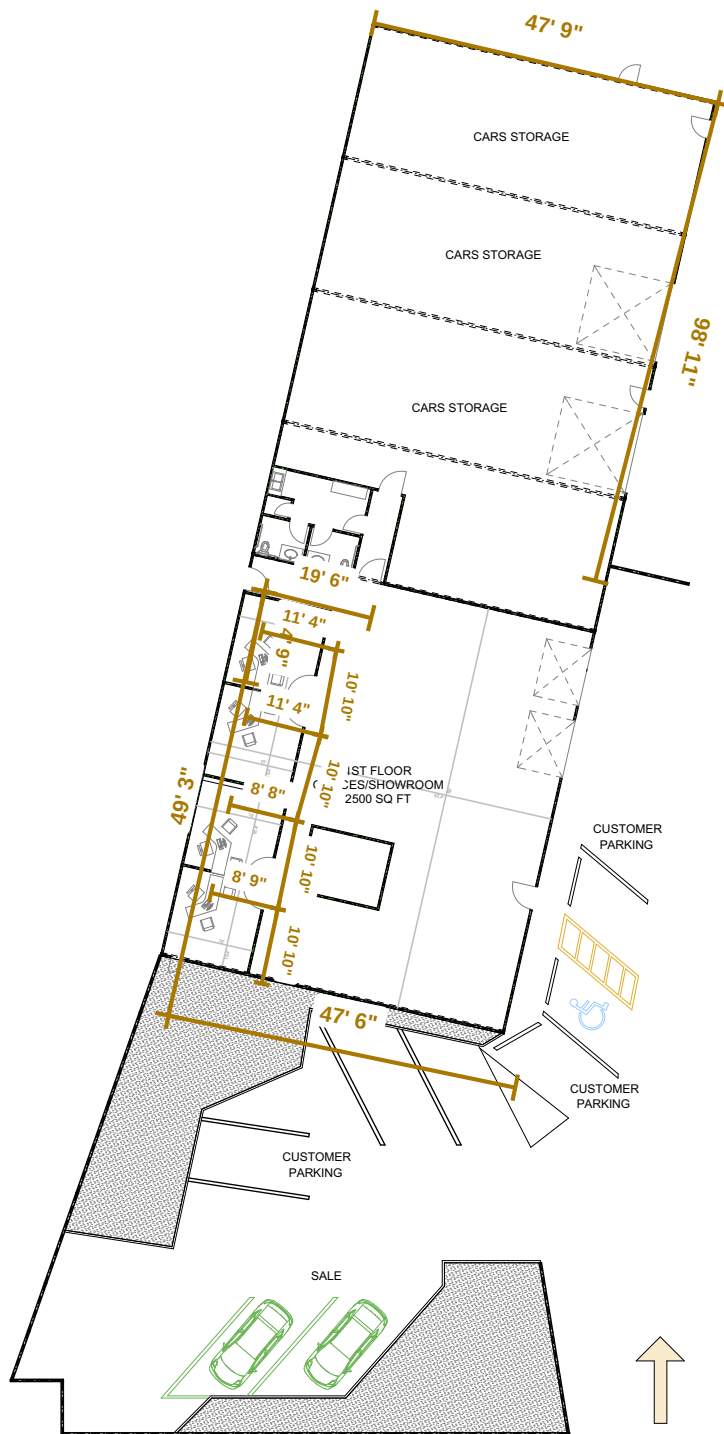
- JS Cars LLC Building
- JS Cars LLC Parking
- Arbor Plus Building
- Arbor Plus Parking

JS CARS LLC - FIRST FLOOR PLAN

4231 S State St, Millcreek, UT 84107 | Field dimensions provided 09/30/2026

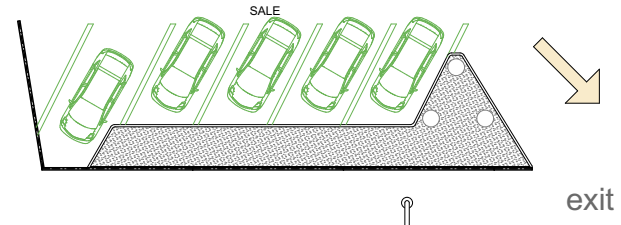
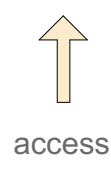
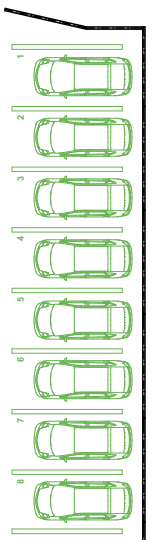


Schematic floor plan based on field measurements supplied by JS Cars LLC. Not a survey.
Office dimensions: Office 1 11'4" x 10'10" | Office 2 11'4" x 10'10" | Office 3 8'8" x 10'10" | Office 4 8'9" x 10'10".



SALE
INVENTORY PARKING

SALE
INVENTORY PARKING



4231 S State St,
Millcreek, UT
84107



access

exit

4231 S State St,
Millcreek, UT
84107



SD-26-012

Planning Commission Staff Report

Date: October 21, 2026
Re: Major Subdivision
Subject Property: 3060 S Richmond St
Applicant: Matt Knight/J Development
Prepared By: Brad Sanderson, AICP

Scope of Decision: **Administrative.** This is an administrative matter, to be decided by the Millcreek Planning Commission. Your recommendation should be narrow in scope and should primarily be made on the basis of state statute and adopted local zoning land use development codes.

REQUEST AND SYNOPSIS

Matt Knight with J-Development (applicant) has filed a subdivision application seeking approval to subdivide 0.87 acres of property into a 16-residential lot subdivision. The purpose of the subdivision is to create individual ownership, as required by a previously approved development agreement. While a site plan is under review with Millcreek Staff, this application is specifically intended for attached multi-family housing.

FINDINGS:

1. All existing residential and other accessory structures will be removed as part of the development.
2. A Development Agreement was approved in 2022, as part of a rezone application (see terms of approved agreement attached).
3. Among other things, the Development Agreement requires the property to be further subdivided for the purpose of creating individual ownership.
4. A site plan is under review with Millcreek Staff, which includes a 16-unit multi-family townhouse development comprised of four separate buildings.
5. In accordance with Millcreek's subdivision code, the Planning Commission shall approve the request if:

- a. The Preliminary Subdivision is consistent with and complies with the requirements of the specific zoning district in which the Preliminary Subdivision is located and the applicable requirements of this Code and other applicable Millcreek and State requirements.
 - b. As applicable, the Preliminary Subdivision is consistent with the terms and conditions of any previously approved development plan or Development Agreements.
 - c. Provides a layout of lots, streets, blocks, driveways, utilities, drainage, and other public facilities as required by all applicable standards of this Code and applicable regulations and standards.
 - d. The project preserves, protects, integrates, or mitigates impacts to any identified sensitive lands or geologic hazards associated with the property.
 - e. The Subdivision will not impair the ability of Millcreek or any public utility provider to provide facilities or services effectively.
 - f. The engineering drawings and subdivision improvement plans comply with all applicable standards of this Title and other applicable Millcreek and State requirements.
 - g. The Planning Commission may not approve a Preliminary Subdivision with a noncomplying structure or a structure occupied by a nonconforming use.
6. The proposal meets the minimum setbacks, lot sizes, density, building heights, open space, lighting, fencing/screening, and other RM related zoning and applicable development codes.
 7. While there have been some minor architectural design and building layout changes the proposal is still consistent with the approved development agreement.
 8. The civil plans provided meet the minimum utility, drainage, fencing landscaping, architecture, and other similar requirements necessary for subdivision.
 9. All hazardous and sensitive lands related studies have been submitted and reviewed and found to comply with city codes.
 10. All utility providers will be required to provide written approval prior to recording plat.
 11. The subdivision/improvement plans include both dedication and improvements to 1300 East, extending the length of the property frontage.
 12. All structures will be removed to alleviate any noncomplying/nonconforming structures and uses.
 13. An open house was held 10/6/26 wherein nearby landowners and/or other community council member(s) attended and asked questions, however no written comments were received at the time this report was generated.

CONCLUSIONS:

Based on the findings listed above, the following conclusions can be made:

1. The proposal meets the subdivision criteria per Section 18.24 of the Millcreek Subdivision Code.
2. The proposal complies with all other Millcreek zoning and Utah State codes.

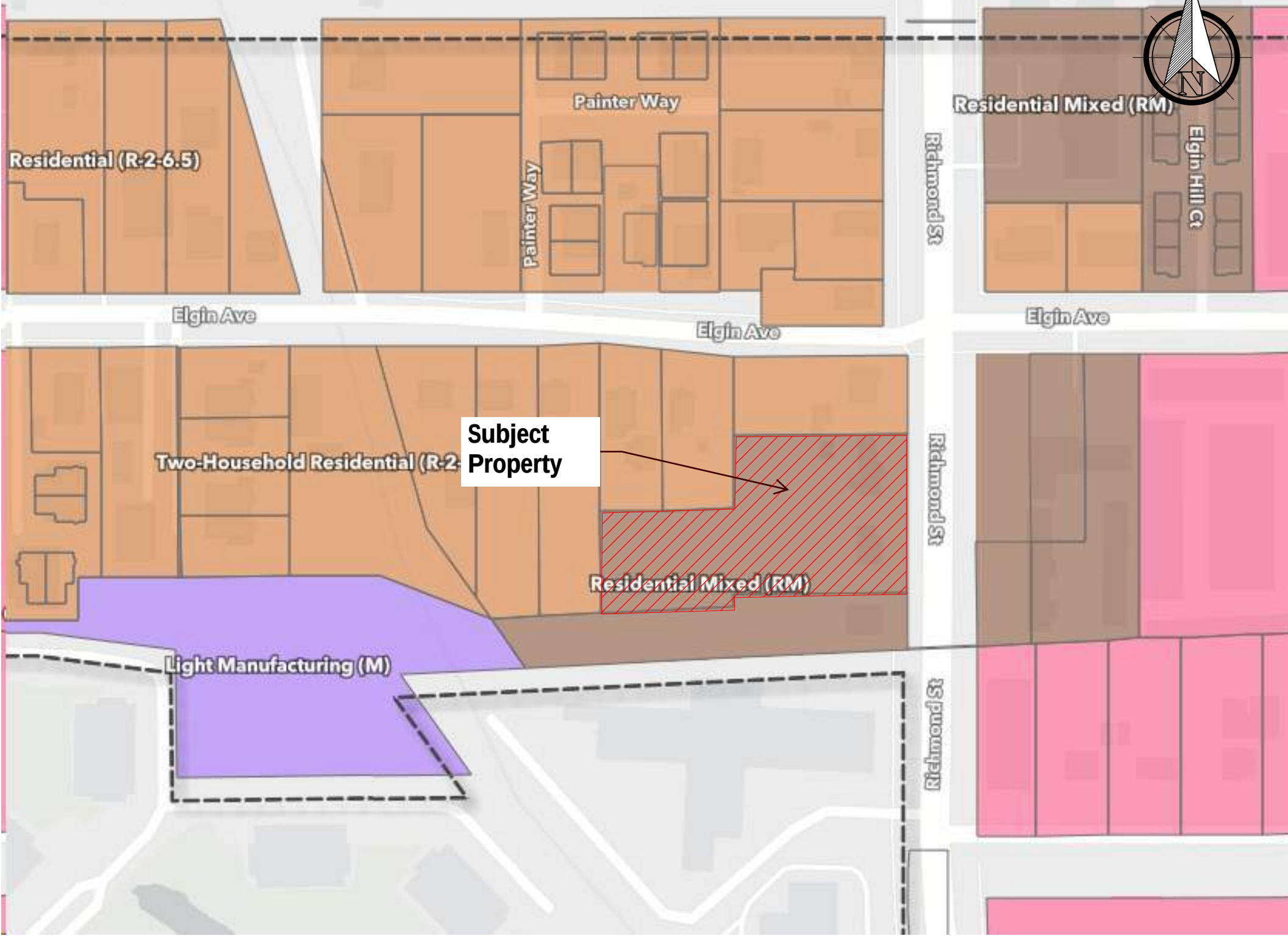
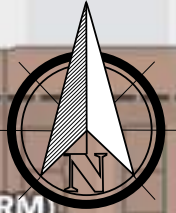
RECOMMENDATIONS:

Staff Recommendation: Based on the findings and conclusions listed above, Staff recommends that the Planning Commission take public comments and approve application file number SD-26-012, unless during the hearing facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff.

SUPPORTING DOCUMENTS

- **Zoning/Location Map**
- **Proposed Subdivision Plat**
- **Terms of Development Agreement**

Zoning Map



MILLCREEK GROVE TOWNS SUBDIVISION

AMENDING AND REMOVING LOTS 18 AND 19 OF THE ELGIN ORCHARD SUBDIVISION AND CREATING THE

MILLCREEK GROVE TOWNS SUBDIVISION

LOCATED IN THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE
BASE AND MERIDIAN. SALT LAKE COUNTY UTAH 2026



VICINITY MAP (NOT TO SCALE)
MILLCREEK CITY, UTAH

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QUESTAR GAS COMPANY, DBA ENBRIDGE GAS UTAH ("ENBRIDGE"), APPROVES THIS PLAT SOLELY TO CONFIRM THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. THIS APPROVAL DOES NOT (A) AFFECT ANY RIGHT ENBRIDGE HAS UNDER TITLE 54, CHAPTER 8A.A RECORDED EASEMENT OR RIGHT-OF-WAY, PRESCRIPTIVE RIGHTS, OR ANY PROVISIONS OF LAW, (B) CONSTITUTE ACCEPTANCE OF ANY TERMS CONTAINED IN ANY PORTION OF THE PLAT, AND (C) GUARANTEE ANY TERMS OR WAIVE ENBRIDGE'S RIGHT TO REQUIRE ADDITIONS EASEMENT FOR GAS SERVICES.

QUASTAR GAS COMPANY
DBA ENBRIDGE GAS UTAH

1. PURSUANT TO UTAH COD ANN. 10-20-803 AND 17-79-703 ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER: (1) A RECORDED EASEMENT OF RIGHT-OF-WAY, (2) THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS, (3) TITLE 54, CHAPTER 8A. DAMAGE TO UNDERGROUND UTILITY FACILITIES OR (4) ANY OTHER PROVISION OF LAW

APN: 16-29-278-016
OWNER: SINDERBLOK LLC
WARRANTY DEED
ENTRY NO. 14378835

LOT 1
ROS
S2001-03-0125
S2021-12-0857

APN: 16-29-278-060
OWNER: STEVEN R KUNZ
WARRANTY DEED
ENTRY NO. 14123289

LOT 2
ROS
S2001-03-0125

APN: 16-29-278-059
OWNER: MELINDA GARSIDE
WARRANTY DEED
ENTRY NO. 11950147

APN: 16-29-278-013
OWNER: TIMOTHY HILBIG
WARRANTY DEED
ENTRY NO. 2846980

COMMON AREA LOT
24,348 SQ FT
0.559 AC

SALT LAKE COUNTY REFERENCE

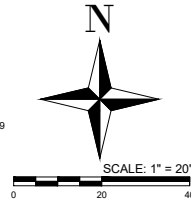
(RS1) - LOT LINE ADJUSTMENT - NORTHERN ENGINEERING - PLS 354377 - FILE NO. S2001-03-0125
(RS2) - RECORD OF SURVEY - GARY TAYLOR - HILL & ARGYLE, INC - PLS 166385 - FILE NO. S2003-01-0083
(RS3) - RECORD OF SURVEY - FRANK BELKO - HILL & ARGYLE, INC - PLS 166385 - FILE NO. S2007-08-0630
(RS4) - RECORD OF SURVEY - FRANK BELKO - HILL & ARGYLE, INC - PLS 166385 - FILE NO. S2021-12-0857
(S1) - ELGIN ORCHARD - BOOK G PAGE 22
(R1) - TRUST DEED - ENTRY NO. 13786307
(R2) - TRUST DEED - ENTRY NO. 11176302

APN: 16-29-278-057
OWNER: TIEFFREY GIBSON
AFFIDAVIT
ENTRY NO. 8891525

LOT 30
ROS
S2007-08-0630
S2003-01-0083

LEGEND

BOUNDARY LINE	FOUND MONUMENT AS NOTED
LOT LINE	SET 1" IRON ROD AND CAP PLS 10719099
BUILDING TIE LINE	(M) MEASURED INFORMATION
STREET MONUMENT LINE	(**) RECORD INFORMATION
ADJOINING TITLE LINE	P.O.B. POINT OF BEGINNING
10 PUBLIC UTILITY EASEMENT & IRRIGATION EASEMENT (P.U.E.)	SQ FT SQUARE FEET
10 IRRIGATION EASEMENT	AC ACRES
PRIVATE OWNERSHIP	RIGHT-OF-WAY DEDICATION
	COMMON AREA



Line Table		
LINE #	LENGTH	DIRECTION
L1	1.96 FT	S89° 43' 40"E
L2	0.63 FT	S00° 09' 31"W
L3	1.96 FT	S89° 43' 40"E
L4	0.63 FT	S00° 09' 45"W
L5	2.00 FT	N89° 43' 40"W
L6	0.62 FT	N00° 16' 20"E
L7	2.00 FT	N89° 43' 40"W
L8	0.62 FT	N00° 16' 20"E
L9	0.62 FT	S00° 16' 20"W
L10	2.00 FT	N89° 43' 40"W
L11	2.05 FT	S89° 43' 40"E
L12	0.72 FT	S00° 07' 44"E

Line Table		
LINE #	LENGTH	DIRECTION
L13	2.05 FT	S89° 43' 40"E
L14	0.71 FT	N00° 08' 03"E
L15	2.00 FT	N89° 43' 40"W
L16	0.62 FT	S00° 16' 20"W
L17	11.31 FT	N00° 16' 20"E
L18	0.13 FT	N89° 43' 40"W
L19	11.31 FT	S00° 16' 20"W
L20	0.13 FT	N89° 43' 40"W
L21	0.92 FT	S00° 16' 20"W
L22	0.91 FT	S00° 16' 20"W
L23	0.91 FT	N00° 16' 20"E
L24	0.92 FT	N00° 16' 20"E

PLAT NOTES

MANY AREAS IN MILLCREEK HAVE GROUNDWATER PROBLEMS DUE TO A FLUCTUATING WATER TABLE. APPROVAL OF THIS PLAT DOES NOT CONSTITUTE REPRESENTATION BY THE CITY THAT BUILDING AT ANY SPECIFIED ELEVATION WILL SOLVE GROUNDWATER PROBLEMS, IF ANY.

OWNERS AND POTENTIAL PURCHASERS OF PROPERTY LEGALLY DESCRIBED BY THIS PLAT (THE "PROPERTY") SHOULD FAMILIARIZE THEMSELVES WITH ALL NOTES, LOT INFORMATION, EASEMENTS, AND OTHER PERTINENT INFORMATION CONTAINED ON THIS PLAT. IN ADDITION TO ANY AGREEMENTS, CONDITIONS, COVENANTS AND RESTRICTIONS (CC&R'S) DOCUMENTS CURRENTLY EXISTING AND AS MAY BE CHANGED OR AMENDED FROM TIME TO TIME. FAILURE TO COMPLY AND ADHERE TO THESE ITEMS COULD RESULT IN FINANCIAL LOSS OR CHANGES IN EXPECTED PROPERTY USE.

A GEOTECHNICAL REPORT HAS BEEN PREPARED BY GORDON GEOTECHNICAL ENGINEERING, INC., AND DATED 9-3-2026. THIS INFORMATION IS ON FILE WITH MILLCREEK AND ALSO AT THE OFFICE OF.

THIS PLAT IS SUBJECT TO THOSE TERMS AND CONDITIONS OF A DEVELOPMENT AGREEMENT MADE BETWEEN (DEVELOPER AND/OR AS ASSIGNED) AND MILLCREEK, RECORDED ON DATED FEBRUARY 28, 2023, AS ENTRY NUMBER 14076652, IN BOOK 11403, PAGE 4029, OF THE SALT LAKE COUNTY RECORDER'S OFFICE OF OFFICIAL RECORDS.

A GEOLOGIC HAZARD DISCLOSURE FORM AND ANY APPLICABLE SPECIAL HAZARD STUDIES FOR HAVE BEEN RECORDED AND IS ON FILE WITH SALT LAKE COUNTY RECORDER'S OFFICE, AS RECORDED AS ENTRY# BOOK, PG.

THE SURVEYOR AND/OR ENGINEER LISTED, CERTIFIES THAT LEGAL DESCRIPTION OF THE PROPERTY REFERENCED WITHIN A CERTAIN TITLE REPORT COMMITMENT NUMBER FTUT2604883-A PREPARED BY FEDELITY NATIONAL TITLE AGENCY OF UTAH, MATCHES THE DESCRIPTION SHOWN ON THIS PLAT AND FURTHER CERTIFIES THAT ALL KNOWN OR RECORDED EASEMENTS, CLAIMS OF EASEMENTS OR ENCUMBRANCES, AS LISTED WITHIN THIS SAME TITLE REPORT, ARE SHOWN OR NOTED ON THIS PLAT.

SEE STORM WATER MAINTENANCE AGREEMENT, AS IS ON FILE WITH SALT LAKE COUNTY RECORDER'S OFFICE, AS RECORDED AS ENTRY NUMBER IN BOOK PAGE

ALL COMMON AREA IS A PUBLIC UTILITY EASEMENT IN ITS ENTIRETY.

WATER LINE EASEMENT AGREEMENT, AND THE TERMS CONDITION AND LIMITATIONS CONTAINS THEREIN, BETWEEN SINDER BLOCK, LLC, A OHIO LIMITED LIABILITY COMPANY, AS GRANTOR AND J DEVELOPMENT LLC, A UTAH LIMITED LIABILITY COMPANY RECORDER AUGUST 13, 2026 AS ENTRY NO. 14582674, IN BOOK 11686, AT PAGE 9538 OF THE OFFICIAL RECORDS.

FOUND STANDARD FLAT 2.5" BRASS
CAP MARKING THE CENTER 1/4 COR
SEC 29, T1S, R1E, SLSM
POINT NAME 151E2805
IN RING AND VAULT

BASIS OF BEARING
S89° 23' 17"E 2634.68 FT (M) (SEC TO SEC)

FOUND STANDARD FLAT 4" BRASS
CAP MARKING THE EAST 1/4 COR SEC
29, T1S, R1E, SLSM
POINT NAME 151E2906
IN RING AND VAULT

S89° 20' 51"E 216.60 FT (M)
(RS4 - N89° 37' 11"W 216.61 FT)
(RS2, RS3 - S89° 37' 11"E 216.60 FT)

FOUND STANDARD FLAT 2.5" BRASS
CAP MARKING THE 1/4 OF HIGHLAND
DRIVE
POINT NAME 16281001
IN RING AND VAULT

SALT LAKE COUNTY HEALTH DEPARTMENT		RECORD OF SURVEY		CONTACTS	
APPROVED THIS _____ DAY OF _____ A.D., 20____ BY THE SALT LAKE COUNTY HEALTH DEPARTMENT.		R.O.S. NO: S2026-04-0191		ENGINEER FAWKES CONSULTANTS INC 185 W CANYON CREST ROAD STE 260 ALPINE, UT 84004 GUY WILLIAMS 213-600-5936 G.WILLIAMS@FAWKESCONSULTANTS.COM	
DIRECTOR, HEALTH DEPARTMENT		SIGNED _____ DATE _____		OWNER/DEVELOPER J-DEVELOPMENT 3816 SOUTH HIGHLAND DRIVE SUITE 101 MILLCREEK, UTAH 84106 801-382-8866 MATT KNIGHT	
LOWER MILLCREEK IRRIGATION COMPANY		UNIFIED FIRE AUTHORITY		SALT LAKE COUNTY ADDRESSING APPROVAL	
APPROVED THIS _____ DAY OF _____ A.D., 20____ BY LOWER MILLCREEK IRRIGATION COMPANY.		APPROVED THIS _____ DAY OF _____ 20____ BY THE UNIFIED FIRE AUTHORITY.		APPROVED THIS _____ DAY OF _____ 20____ BY MILLCREEK ENGINEERING DEPARTMENT.	
LOWER MILLCREEK IRRIGATION COMPANY		UNIFIED FIRE AUTHORITY		MILLCREEK ENGINEER	
UTILITY APPROVAL		MT OLYMPUS SEWER DISTRICT/DEPARTMENT		MILLCREEK PLANNING COMMISSION	
COMMUNICATION/CABLE CO. _____ DATE _____		APPROVED THIS _____ DAY OF _____ 20____ BY MT OLYMPUS SEWER DEPARTMENT		APPROVED THIS _____ DAY OF _____ 20____ BY MILLCREEK PLANNING DEPARTMENT.	
POWER COMPANY _____ DATE _____		MT OLYMPUS SEWER DEPARTMENT		MILLCREEK PLANNING AND ZONING DEPARTMENT	
FUEL/ENERGY COMPANY _____ DATE _____		MILLCREEK PLANNING COMMISSION CHAIR		APPROVAL AS TO FORM	
OTHER _____ DATE _____		MILLCREEK PLANNING AND ZONING DIRECTOR		PRESENTED TO THE MAYOR AND MILLCREEK COUNCIL THIS _____ DAY OF _____ A.D., 20____ AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.	
				MAYOR _____ ATTEST: CITY RECORDER _____	
				SUBDIVISION NAME	
				MILLCREEK GROVE TOWNS SUBDIVISION AMENDING AND REMOVING LOTS 18 AND 19 OF THE ELGIN ORCHARD SUBDIVISION AND CREATING THE MILLCREEK GROVE TOWNS SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN. SALT LAKE COUNTY UTAH 2026	
				SALT LAKE COUNTY RECORDING	
				RECORDED # _____ STATE OF UTAH, COUNTY OF SLAT LAKE, RECORDED AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ FEE \$ _____ DEPUTY, SALT LAKE COUNTY RECORDER _____	
				NUMBER _____ ACCOUNT _____ SHEET _____ OF _____ SHEETS	

Development Agreement Terms and Exhibits

Exhibit D

The Parties agree that the Project will incorporate the following concepts.
(Concept Plan)



Development Agreement
Terms and Exhibits



Development Agreement
Terms and Exhibits



Development Agreement

Terms and Exhibits

Exhibit E

The Parties agree that the Project will incorporate the following:
(Terms)

1. Dedication. Prior to building permit, the Developer shall dedicate property abutting Richmond Street as public right-of-way, per the City's Master Transportation Plan, and provide a 10' wide public utility easement parallel to and abutting the new right-of-way. The Developer shall also install frontage improvement to the abutting right of way (e.g., curb, gutter, sidewalk, landscaped park strip, asphalt, utilities, etc.) prior to final building occupancy.
2. Utilities. All utilities shall be routed within the public right-of-way and placed underground with the appropriate access and maintenance easements, including private irrigation systems, (subject to utility providers approval).

If the City determines to relocate and/or bury overhead utilities that are located on the west side of Richmond Street, south of Elgin Avenue, the Developer shall pay its proportionate share of the cost, not to exceed \$58,000, based on estimates provided by the utility providers and/or licensed contractors. The proportionate share shall be determined by the north/south linear feet of street frontage abutting the Project. The City shall make this determination prior the applicant submitting for building permit, or within one year of the date from which this Agreement is recorded, whichever comes first.

3. Orientation and Scale. All buildings in the Project shall be oriented towards street frontages with an emphasis on creating an urban street edge according to CEPTED (Crime Prevention Through Environmental Design) principals, with large windows and balconies roof decks etc., as depicted on the concept plans.
4. Parking. The project shall include a minimum two covered parking stalls per unit, plus 0.33 guest parking stalls per unit, within the Project.
5. Open Space/Landscaping. The Project shall provide a minimum 40% usable open space, based upon the net acreage (after right-of-way dedication). Rooftop patios may be included as part of this requirement. The project shall include a minimum 2" caliper shade trees within the park strip at 45-foot intervals and other.
6. Amenities. The Project shall include the following residential amenities: semi-covered year-round rooftop patios, as depicted within the concept elevations, one garden box per each unit, and one community pavilion/pergola (min. 15' x 15') with seating, tables and cooking area per the concept site plan/elevations.
7. Screening. The Project shall include a six-foot-tall privacy fence with minimum seven-foot-tall evergreen trees at 30-foot intervals along the property lines abutting residential uses.

Development Agreement
Terms and Exhibits

8. Units. The project shall not exceed 16 residential units.
9. Ownership. The developer shall plat each unit so as to be available as a for sale product. A subdivision plat shall be recorded prior to building permit.
10. Lighting. The developer shall install one to two standard streetlights, (pending spacing), within the new park strip directly abutting the Property along Richmond Street.
11. Materials. The project will consist of high quality, durable, low maintenance materials including those materials (e.g. composite siding and trellises, brick, stone, stucco, glass, and metal), as depicted on the concept plans and in accordance with the R-M Zone.



**Minutes of the
Millcreek Planning Commission
September 16, 2026
5:00 p.m.
Regular Meeting**

The Planning Commission of Millcreek, Utah, met in a regular public meeting on Wednesday, September 16, 2026, at City Hall, located at 1330 E. Chambers Avenue, Millcreek, Utah 84106. The meeting was conducted electronically and live streamed via the city's website with an option for online public comment.

PRESENT:

Commissioners

Shawn LaMar, Chair
Christian Larsen, Vice Chair
Steven Anderson
Jenny Burgess
Robert Peterson
Jacob Richardson
Victoria Reid
Diane Soule
Ian Wright (electronic)

City Staff

Elyse Sullivan, City Recorder
Francis Lilly, Planning Director
Zack Wendel, Planner
Sean Murray, Planner
Jake Green, Dev. Review Specialist
(electronic)

Attendees: Rick Hansen, Ryan Sexton

REGULAR MEETING – 5:00 p.m.

TIME COMMENCED – 5:03 p.m.

Chair LaMar called the meeting to order and briefly explained the duties of the planning commission.

1. Public Hearing

1.1 Consideration of ZT-26-002, Zoning and Subdivision Code Updates Planner: Francis Lilly

Francis Lilly presented the Commission with the redline proposed text changes, explaining that this round of zoning code amendments was geared primarily toward resolving specific state statute issues while continuing a process of ongoing improvement where provisions that "sound good on paper" prove difficult to implement. He apologized for two relatively late additions circulated the prior day, noting that while he ordinarily avoids late substantive land use changes, both items affected only how and when applicants apply for permits.

The first section expanded the removal and vacancy provisions for planning commission members in compliance with state statute. Items A through C were adopted verbatim from state law, including the phrase "impermissible bias," which Lilly indicated derives from case law though the statute provides no definition. Subsection D, "any other cause as determined

by the mayor," was added at the City Attorney's advice to restore language predating the statutory amendments. Lilly volunteered an alternative used by other cities: limiting cause to "malfeasance, misfeasance, or nonfeasance as determined by the mayor," terms he explained as performing work deliberately badly, incompetently, or not at all. He cited the example of a newly elected Orem mayor who removed all planning commissioners at once. Commissioner Reid and Commissioner Soule both characterized subsection D as overly broad and expressed support for the narrower formulation; written comment from Commissioner Ian Wright likewise found D too broad. A second provision clarified that a commissioner's discussion of a pending land use application with municipal staff, an elected official, or an applicant is not by itself cause for removal. In response to Chair LaMar, Lilly distinguished deliberation, conducted in a recorded, public meeting, from ordinary correspondence with staff or applicants, which remains permissible. He noted a variance between this language and the Commission's rules of procedure and committed to convening several commissioners and the City Council to revise those rules.

Lilly explained that language copied directly from state statute clarifies that an appeal hearing is not a venue for public clamor, limiting participation to the appellant, the land use applicant, their respective representatives, and staff. He also updated all statutory cross-references, which the Legislature renumbered after the city adopted its zoning code. He described two differing burdens of proof: an applicant must show the land use authority's decision was illegal or not supported by substantial evidence, while an adversely affected party must show the decision was illegal or that the factual findings were clearly erroneous. Lilly noted he is not an attorney but questioned the equal-protection implications of the distinction, adding that the city's role is to implement what the Legislature directs.

Staff reported that the current requirement that subdivisions resolve all noncompliant properties or uses has proven burdensome for certain residential subdivisions and carries implications for affordable housing. In the interest of preserving naturally occurring affordable housing, the amendment would allow noncompliant structures and structures with nonconforming uses to be included in subdivisions provided the resulting lots comply with lot coverage, lot size, and setback standards. Lilly illustrated the change with a legally nonconforming duplex on a large lot in an R1 zone: under current code the duplex would have to be removed to create a flag lot behind it, whereas the amendment would permit retention of the duplex where the applicant carries the burden of establishing its historic legality. Identical language was proposed for major subdivisions.

Addressing one of the late additions, Lilly explained that the change of use permit requirement adopted in 2025 has worked well overall, particularly for resolving parking questions, but produces an unnecessary burden for home offices and home businesses with no employees and no on-site customers. Such applicants currently must obtain a no-fee state home occupation permit from the business license office and then pay the city \$100 for a determination that no impact exists. The redline exempts those uses from the change of use permit requirement, while retaining the requirement for customer-generating uses such as hair salons, dance schools, or art schools. Commissioners indicated agreement. Lilly said amendments respond to changes in state statute governing classification requests, a process the city has used once. He explained the process using the analogy of a "cat hotel" applying under a code provision addressing dog kennels and noted the original state-mandated process improperly required the City Council to hear appeals, blending administrative and legislative

roles. Under the revised statute and code, a denial is appealed to Third District Court, while City Council review of a classification determination remains available and no longer passes through the Planning Commission.

The second late addition would eliminate the requirement for a formal application where the Planning Director, defined to include staff, can make a nonconformity determination from records held by Millcreek, including historic building and land use permits and historic zoning and subdivision codes dating to 1957. The applicant otherwise retains the burden of establishing that the nonconforming use, structure, lot, or other nonconformity legally existed. Lilly indicated staff can make this determination in most cases and would simply issue a letter. The amendment clarifies that the minimum area of a lot or parcel subdivided on a private street shall not include the area dedicated to the private street, protecting against the creation of noncompliant lots should the city later accept dedication of the street. In response to Chair LaMar's question regarding a private road terminating in what appeared to be a driveway, Lilly noted the existing definition of "private street" largely addresses the issue, that private streets must now be 25 feet wide, and that staff is working on Title 14 amendments to clarify related terms. Additional clarifying language addresses measurement of the largest circle that can be drawn within an oversized lot for purposes of determining side yard setbacks in the A, R1, and R2 zones; Lilly emphasized no spatial requirements were changed, and that the clarification followed a challenge the city successfully defended.

Lilly noted that the RM zone is the only zone requiring balconies or patios for every unit, unlike the C, C-Corridor, and MD zones. Housing Connect, developing deeply affordable senior housing on property it owns between Second and Third East, found the balcony requirement programmatically difficult. The proposed language would permit open space in lieu of private balconies where that open space is in addition to the minimum required and equivalent to at least 60 square feet per unit. Commissioner Reid asked whether the alternative should be restricted to senior housing. Commissioner Larsen recommended against limiting it to a specific demographic, viewing restriction as a hindrance to deeply affordable housing, and Commissioner Burgess agreed the provision should not be restricted, warning that excessive granularity would be unworkable. Commissioner Richardson noted potential value in additional green space and a more spacious property appearance. Lilly observed that most for-profit developers would elect balconies to maximize units, so the alternative would likely be used only in rare cases. The Commission elected to leave the provision as drafted, applicable to all housing in the RM zone.

References to open houses were struck because state law no longer permits their regulation. At the request of code enforcement, clarity was added regarding garage sale limits — three consecutive days per event. Chair LaMar observed that the language as drafted would permit repeated consecutive sales and cited a property in Millcreek maintaining a perpetual garage sale; he recalled a prior code provision establishing roughly twelve total days per calendar year and recommended adding a maximum annual total while retaining the three-consecutive-day limit. Lilly agreed to review the prior code and confer with code enforcement. Separately, a drafting error was corrected so that the 20-foot setback for accessory structures applies only to the property line abutting the public right-of-way, protecting the city's interest in potential right-of-way expansion.

Lilly noted that retaining walls were largely unregulated outside the Foothills and Canyons Overlay Zone until 2020–2021, leaving thousands of nonconforming walls, and that repair often requires full removal and replacement, triggering compliance obligations under the nonconforming ordinance. The amendment treats replacement of a noncomplying fence or retaining wall at the same height and location as ordinary maintenance and repair, while relocation or increased height would not qualify; ordinary maintenance and repair excludes structural alterations and may not increase the degree of nonconformity. Commissioner Richardson asked whether a homeowner replacing a nonconforming front-yard chain link fence could install chain link again, and Lilly confirmed they could under the proposed language, acknowledging this perpetuates the nonconformity. Commissioner Richardson expressed appreciation for staff allowing additional breathing room for homeowners with nonconforming uses.

Regarding new retaining walls, the maximum height of the first wall was reduced at the recommendation of city engineers, and walls were permitted nearer the right-of-way line. Jake Green explained that the three-foot clear view area governs the reduction, avoiding sight distance conflicts at driveways. A survey establishing the right-of-way line would be required where a wall falls within four feet of that line. Chair LaMar asked whether subsequent terraced walls beyond the first could still rise four feet with four-foot setbacks; Green indicated the code as drafted did not provide that, but that staff could discuss it, and Lilly invited the Commission to include the change in their motion.

Lilly reported that state law now prohibits regulation of exterior materials, roof pitch, and window placement on detached ADUs, extending prohibitions previously applicable to single-family homes. He observed that Millcreek permits ADUs closer to property lines than approximately one-third of Utah cities, which allow them only within the principal dwelling's setbacks, and expressed the personal view that such flexibility should be paired with greater municipal design discretion. He reported communicating this concern to the Utah League of Cities and Towns and the Property Rights Land Use Task Force. Because the existing local provisions are unenforceable, staff recommended their removal while continuing to advocate for restoration of municipal discretion.

The final substantive item increases the permitted standoff distance for wall-mounted wireless facilities from 24 to 36 inches, allowing antenna downtilt and enabling the city to remove the existing cell tower behind Check City in favor of a wall-mounted array on the City Hall parking structure. Related changes to the monopole ordinance would accommodate a better-designed, co-location-capable monopole near Evergreen Junior High. Commissioner Richardson noted that stealth monopoles are currently required only in the R1, R2, and R4 districts, while much of the west side of the city — including blocks of single-family homes along 500 East and Old Farm — is zoned RM, and asked that RM be added to the list, expressing openness to a citywide or mixed-use requirement consistent with the city's "Connected by Nature" motto. Lilly indicated the insertion would be straightforward and observed that in higher-density and city center zones, facilities are more likely to be building-mounted. Additional amendments updated images to match the text and added or revised definitions for "ordinary maintenance and repair," "parking lot," and "recreational vehicle," along with comprehensive updates to statutory and code cross-references.

Chair LaMar opened the public hearing.

There were no comments.

Chair LaMar closed the public hearing.

Commissioner Larsen moved that the Planning Commission recommend approval of ZT-26-002 zoning and subdivision code updates with the following additional updates: add malfeasance, misfeasance, and non-feasance to cause for removal of planning commissioner; add a maximum number of days in a year yard sales can be held; require stealth monopolies in RM zone; and allow for four foot side and front retaining walls beyond the first retaining wall. Commissioner Richardson seconded. Chair LaMar called for the vote. Chair LaMar voted yes, Commissioner Anderson voted yes, Commissioner Burgess voted yes, Commissioner Larsen voted yes, Commissioner Peterson voted yes, Commissioner Reid voted yes, Commissioner Richardson voted yes, Commissioner Soule voted yes, and Commissioner Wright voted yes. The motion passed unanimously.

2. New Item

2.1 Consideration of CUP-26-007, Request for a Conditional Use Permit for an Equipment Transfer Facility Location: 650 W 4100 S Applicant: Equipment Share Planner: Zack Wendel

Zack Wendel presented a conditional use permit application for Equipment Share at 650 West 4100 South, a 6.19-acre property located in Millcreek's Light Manufacturing Zone. He explained that Equipment Share proposes to operate an equipment transfer facility using the existing approximately 7,200-square-foot building for office and equipment maintenance and repair, with the remainder of the site primarily used for equipment storage. Because the proposed use is not specifically identified in the city's code, a previously approved classification request determined that it most closely resembles a truck transfer facility, which requires a conditional use permit in the Light Manufacturing Zone. Wendel noted that the property had previously operated as a truck transfer facility; however, because that use had been discontinued and the associated business license expired in February 2026, a new conditional use permit is required.

The proposed business would operate approximately 7:00 a.m. to 5:00 p.m., Monday through Friday, employ approximately 10 to 15 full-time employees, and generate an estimated 15 to 25 truck trips per day. Access would remain from 500 West, with no connection to 700 West. The equipment storage area would be gravel to mitigate dust, and the existing perimeter fencing would be repaired as necessary. As part of the site plan review, staff is also requiring approximately one tree for every 40 linear feet around the property perimeter to provide additional screening and help mitigate potential dust and noise impacts on surrounding properties. Wendel reported that a neighborhood meeting was held on July 16 with no attendees and an open house was held on September 1, where one neighboring resident attended and asked general questions about the proposed operation. Staff recommended approval of the conditional use permit subject to conditions requiring the applicant to obtain and maintain a valid Millcreek business license; obtain site plan approval and complete required improvements within one year of approval; comply with the submitted operations and detrimental-effects mitigation plans, with future modifications subject to Planning Department review; and comply with Salt Lake County's noise ordinance, including

prohibiting equipment loading, unloading, movement, or other noise-generating activities before 7:00 a.m.

Ryan Sexton, West Coast Construction Manager for Equipment Share, addressed the Planning Commission regarding the proposed facility. He stated that, beyond city requirements, Equipment Share plans to repair or replace fencing around the entire property and install privacy slats to help mitigate dust and screen the equipment from surrounding properties. The company also intends to install a drip irrigation system around the perimeter to maintain the required landscaping and trees. Sexton explained that the facility would primarily store heavy and general construction equipment, including bulldozers, excavators, and aerial lifts, and would not operate as a customer-facing rental location. Equipment would be delivered to and from job sites within an approximately three-hour regional service area, with the property serving primarily as a location to store and dispatch equipment. He noted that most equipment would be stored outdoors and that certain aerial equipment may reach approximately 40 feet in height when stored in the required raised position. Sexton added that Equipment Share has been in business for approximately 15 years, operates roughly 400 locations nationwide, and recently became publicly traded on Nasdaq.

Chair LaMar asked for public comment. There was none.

Commissioner Anderson moved that the Planning Commission approve the Conditional Use Permit, file number CUP-26-007 based on the findings and conclusions listed and presented by Staff, subject to the following conditions:

- 1. The applicant shall obtain and maintain a valid Millcreek business license for the approved use and shall remain in compliance with all applicable business licensing requirements.**
- 2. The applicant shall obtain a Site Plan approval and have one (1) year to complete any necessary site improvements.**
- 3. The applicant and any successor operator shall comply with the Operation Plan and Detrimental Effect Mitigation Plan submitted with the Conditional Use Permit application. Any modifications to the approved plans or operation of the use shall require review and approval by the Millcreek Planning Department prior to implementation.**
- 4. To comply with Salt Lake County's noise ordinance, the loading, unloading, or moving of equipment or other sources of noise disturbances shall not start until 7:00 AM.**

Commissioner Burgess seconded. Chair LaMar called for the vote. Chair LaMar voted yes, Commissioner Anderson voted yes, Commissioner Burgess voted yes, Commissioner Larsen voted yes, Commissioner Peterson voted yes, Commissioner Reid voted yes, Commissioner Richardson voted yes, Commissioner Soule voted yes, and Commissioner Wright voted yes. The motion passed unanimously.

The commission took a break from 6:13-6:30pm.

3. Commission Business

3.1 Approval of August 19, 2026 Regular Meeting Minutes

Chair LaMar moved to approve the minutes as presented. Commissioner Richardson seconded. Chair LaMar called for the vote. Chair LaMar voted yes, Commissioner

Anderson voted yes, Commissioner Burgess voted yes, Commissioner Larsen voted yes, Commissioner Peterson voted yes, Commissioner Reid voted yes, Commissioner Richardson voted yes, Commissioner Soule voted yes, and Commissioner Wright voted yes. The motion passed unanimously.

3.2 Housing Subcommittee Report

Commissioner Richardson reported that the Housing Subcommittee met earlier in the day and briefly discussed the recent APA conference, where Planning Director Lilly participated in several panel discussions. The primary focus of the meeting was the potential creation of an R-1-2 zoning district, which would allow residential lots of approximately 2,000 square feet. The Subcommittee discussed possible development standards, including limitations on home size, to help support housing affordability, as well as potential challenges associated with incorporating smaller lots into existing neighborhoods. Commissioner Richardson stated that the Subcommittee agreed to include the R-1-2 concept as an option during the upcoming General Plan review process to obtain community feedback. Chair LaMar added that the Subcommittee also discussed organizing a roundtable with developers, planners, Habitat for Humanity representatives, and other housing advocates to better understand which regulatory changes could meaningfully facilitate affordable housing development. He noted that developer input could help the Subcommittee evaluate practical changes to development standards, such as setbacks, and formulate informed recommendations for future code amendments.

3.3 Updates from the Planning Director

Francis Lilly brought up the idea of doing a planning-related book club. He requested the commission pick the book to read.

3.4 900 East and 3300 South Small Area Plan Discussion

Sean Murray provided an update on the small area plan for the area surrounding 900 East and 3300 South, emphasizing that the discussion was intended as a progress update rather than a formal review or adoption of the plan. Murray explained that the planning effort began as a collaboration between the Planning and Economic Development departments following Granite School District's interest in potentially developing employee housing on the open portion of the Roosevelt Elementary School property. The city partnered with MHTN to evaluate how potential development could appropriately fit the scale and character of the surrounding neighborhood while also addressing broader concerns previously identified by residents along 900 East, including pedestrian and bicycle safety, traffic, and a desire to support and retain small businesses. The plan considers existing land uses, zoning, transportation, transit, pedestrian and bicycle connections, development opportunities, and areas likely to remain stable or experience redevelopment pressure. Murray noted that the study area is predominantly commercial and includes several underutilized properties, including the former Salt Lake County library property and portions of the Granite School District property.

Murray also reviewed the extensive community engagement conducted as part of the planning process, including property owner interviews, site visits, a stakeholder workshop, and a well-attended neighborhood open house. Feedback included concerns regarding building height, neighborhood character, parking, pedestrian safety, traffic speeds, preservation of open space, and the potential displacement of valued local businesses. Based on this input, the draft plan

includes potential recommendations related to building heights and design standards, landscaping, street trees, lighting, bicycle facilities, safer sidewalks and intersections, and other public-realm improvements. Murray emphasized that the intent is to proactively establish appropriate standards for future development rather than react to individual projects after redevelopment occurs.

Regarding the potential Granite School District employee housing component, Murray explained that the District previously surveyed employees and received hundreds of responses indicating interest in housing options, with needs ranging from studio units to larger units suitable for families. Consultants developed several conceptual scenarios that attempt to balance those housing needs with community feedback and development feasibility. Concepts include combinations of row homes and apartments, preservation of public open space, improved pedestrian connections and mid-block crossings, and potential mixed-use opportunities on the former county library property. Murray stressed that these concepts are illustrative only and do not represent an approved development proposal. He added that Salt Lake County continues to consider potential uses for its property, which could include affordable or senior housing, childcare, other public-serving uses, or other options consistent with county goals.

Francis Lilly added that city staff plans to meet with Salt Lake County to discuss the future of the former library property. He stated that the city had previously approached the county about collaborating on an affordable housing opportunity at the site and indicated that affordable housing remains one possible use. However, he noted that the county is considering several competing interests and potential options for the property, including an arts center, another county facility, sale of the property on the open market, or affordable housing. Lilly explained that the county will need to evaluate these options and determine its preferred direction, and he expressed his belief that a decision may not occur until after the election.

Murray continued the presentation by reviewing three conceptual development scenarios for the Granite School District property. He explained that the concepts were developed to demonstrate a range of housing types that could accommodate differing employee needs while avoiding a single large building that would be inconsistent with the surrounding neighborhood. One concept included a three-story apartment building with approximately 42 two-bedroom units and 14 two-story, three-bedroom townhomes, along with nearly one acre of combined green and plaza space. Murray stated that Granite School District has not indicated a strong preference for owner-occupied housing and is currently more focused on determining whether employee housing is feasible, potentially allowing employees to use the housing temporarily as they transition to other housing opportunities. He emphasized that the District remains in the preliminary stages of evaluating the concept and has not determined whether it will proceed.

Murray explained that the alternative concepts vary in building placement, unit count, parking, and open-space configuration. One option places buildings closer to the street to establish a more defined urban street edge while locating green space farther from traffic and noise, while another combines elements of the first two concepts and incorporates green space through the property. The concepts also incorporate recommendations from the 3300 South corridor planning efforts, including a multi-use path, public plazas, pedestrian connections, and open space. Murray noted that the existing Roosevelt Elementary building is expected to

remain in use and is currently occupied by the Utah International Charter School, while the potential housing concepts focus on the adjacent open portion of the school district property. He also highlighted proposed building step-backs, with approximately two stories nearer the street and three stories farther into the property, as a way to respond to neighborhood concerns about building height and massing. Murray acknowledged that conditions on some nearby properties have changed since the concepts were prepared, including improvements to a property near the proposed teacher village, but noted that preservation and creation of additional green space remained a consistent priority expressed by residents.

Murray reiterated that the small area plan remains preliminary and that additional refinements will primarily consist of expanded descriptions, more detailed design recommendations, and other adjustments. He explained that the plan itself would provide policy guidance rather than impose binding development requirements; implementation of specific design standards would likely require a future overlay zone or similar regulatory mechanism. Staff also anticipates addressing provisions such as the city's right of first refusal should Granite School District decide to sell the undeveloped property. Murray confirmed that all three development concepts are expected to remain in the final plan as illustrative options rather than selecting a preferred alternative. He emphasized that the concepts are intended to demonstrate to Granite School District how its potential housing needs could be balanced with the priorities and concerns identified through community engagement and do not represent approved or finalized development plans.

Commissioner Larsen recommended that the plan articulate a vision for the southeast corner of the intersection, which had been identified as a catalytic site but for which no concept detail had been prepared. Drawing on conversations with the property owners, Commissioner Larsen reported that while they expressed no immediate desire to redevelop, they did express a long-term interest in redevelopment and in retaining office use. Commissioner Larsen therefore suggested the plan define an office or other low-impact commercial use for the corner that would represent an improvement over existing conditions, noting that the plan already identifies desired outcomes for other privately owned parcels and that a site designated as catalytic warrants a stated vision. Commissioner Larsen closed by expressing overall optimism about the plan. Chair LaMar asked whether ground-floor office with residential above might be contemplated; Commissioner Larsen responded that the property owners had expressed interest in retaining all-office use, and that any outcome depends on alignment between property owners and developers, favoring a low-impact office or medical use better than what exists today.

Chair LaMar expressed a preference for the concept preserving the greatest amount of open space, while acknowledging that the outcome largely depends on Granite School District's own decisions regarding unit count. The Chair asked whether Millcreek might help offset the cost of publicly used open space so that the school district is not effectively subsidizing a city park, and whether such an arrangement could serve as an incentive. Francis Lilly responded that housing constructed on the site would be subject to a parks impact fee noting that a nonprofit entity is not exempt and that the city could, by agreement, credit the district the cost of that fee against equivalent improvements. Murray indicated that such an arrangement would be ideal but cautioned that district administrators are focused on district-wide matters and that the site represents only one small area of their portfolio; staff would pursue those conversations if the district's interest increases.

Chair LaMar emphasized the importance of framing the open space positively for the district, which might otherwise view it as forgone housing area, and asked whether the city has resources to assist the district through the development process, so the effort is not deferred as overwhelming. Lilly replied that the plan itself is partly intended to serve that function and noted that Economic Development Director Mike Winder is effective at assembling such efforts. Chair LaMar observed that the city, not the district, has funded and prepared the plan, presenting an idea for the entire area rather than for Granite alone. Lilly explained that the effort began with a conversation with the district about its intentions for the property and became serious enough, particularly as densities and unit counts were discussed, that the Planning Department determined the concept should be aired publicly. He added that when he hears from applicants that existing zoning height limits will not accommodate a project, his response is to initiate a plan.

Commissioner Soule noted that the school district has prior experience with this type of process through the Meadowbrook and Millcreek station area planning efforts where district representatives participated in public workshops and recalled that the district was then considering selling a closed maintenance facility property. She suggested that, given school downsizing and facility costs, the present effort may offer the district another avenue to dispose of surplus property.

Commissioner Soule asked why the document is titled a small area plan when the commission has historically discussed village districts and village centers. Murray explained that a small area plan is simply a focused plan for a defined area, and that this document constitutes a small area plan for a village center. He noted the station area plan is likewise a small area plan centered on the transit station and that small area plans elsewhere are sometimes organized around historic districts with standards governing signage and roof pitch. He explained that the General Plan already identifies several areas intended to function as centers with their own identity, that the city has completed few of these since incorporation due to competing priorities, and that the first step is the small area plan, followed by new zoning or an overlay zone to implement the vision. Even absent implementing zoning, he noted, the plan provides direction against which future rezone requests can be evaluated with respect to identified community values such as open space, height restrictions, and small businesses.

Commissioner Soule asked whether staff had any sense of the long-term intentions of Rancho Market and the Maliheh Free Clinic, and whether Rancho Market would be open to allowing portions of its parking lot to accommodate additional businesses. Murray reported that the owner of Rancho Market described the location as among her most successful stores and is unlikely to relocate, that she was supportive of measures making access safer for the substantial share of customers arriving by bus, bicycle, walking, and car share, and that she has been approached informally about additional uses on the parking lot. Her principal concern is preserving access to the property and maneuvering room for delivery trucks. He noted this is the reason several concept drawings show an additional building on that lot, describing the parking area as rarely if ever fully utilized. Regarding the Maliheh Free Clinic, he reported the tenant moved in relatively recently, has made significant building improvements, and shows no indication of leaving.

Commissioner Peterson characterized Rancho Market as the opposite of a food desert — an affordable and attractive "food oasis" and suggested the possibility of a food court or grouping of ethnic food vendors in the area. Commissioner Larsen cautioned that such a use would compete with rather than complement Rancho Market and might not be welcomed on that particular site. Commissioner Larsen added that, in his view, the plan represents the city leading with vision: while none of the concepts are certain to be realized, articulating the possibilities may inspire property owners and developers to view the area with new eyes, knowing the city supports the direction.

Commissioner Burgess asked about the timeline. Murray responded that the next step is to incorporate the changes already identified internally along with the commission's recommendations, complete staff review, and then release the draft for public comment through a public open house of the kind held at the beginning of each month, which he anticipated would again draw substantial attendance. He expected the plan could be adopted relatively soon thereafter, with final adoption resting with the City Council. In response to a further question from Commissioner Burgess, he confirmed that the multiple concepts would likely remain in the document, as they are directed primarily at Granite School District but also communicate to any future developer the public's preferences for lower building heights, avoidance of high-rise or overly dense development, added greenery and open space, and conversion of surplus parking where feasible.

Commissioner Larsen again commended staff and the consultant on the open space preserved in all three concepts, observing that preservation of the existing open field was by far the most frequent public request and that the field is well loved and well used. Murray agreed, noting the goal of allowing it to be better utilized — more open, not fenced off, and usable without ambiguity about public access.

Commissioner Reid asked what use staff envisions for the former library building as complementary to the balance of the plan. Murray reported that several nearby residents he spoke with at the neighborhood meeting expressed indifference as to the specific use so long as the building is no longer vacant. He identified childcare or daycare as a complementary use aligned with county policy, noted that affordable housing remains a continuing city objective, and offered a personal preference for small business uses such as restaurants, while acknowledging proximity to the elementary school. He emphasized that the overarching goal is a use benefiting the public good rather than luxury townhomes.

Commissioner Reid asked whether the city could help facilitate the landscaping shown in the concepts within the large grocery store parking lot, observing it would substantially improve the area's appearance. Murray indicated that grant funding and other programs likely exist, that Mike Winder would be the appropriate resource, and that increased shade coverage in large, paved expanses is already addressed in city code. Francis Lilly suggested the item could be added to the plan as an implementation goal to work practically with the property owner on reconfiguring the parking lot. Commissioner Reid then asked whether there is appetite for owner-occupied housing within the plan area, noting the volume of apartment units already constructed. Murray responded that the outcome depends on Granite School District's intentions, and that the proposed right of first refusal could allow the city to acquire the property and either pursue owner-occupied housing directly or plat the property and sell individual units. He cautioned that the effort remains conceptual, that no civil construction

plans have been prepared, and that property lines are drawn only at that later stage. Commissioner Peterson also raised the possibility of an educational or tutoring hub associated with the teacher housing, potentially operated online, leveraging the concentration of educators on site.

Commissioner Richardson asked for further explanation of the mechanism available to the city. Lilly clarified that state law already requires school districts to offer surplus property to the municipality first, so the question is not whether to negotiate a right of first refusal but whether the city should act on it. He suggested the plan include an implementation strategy to exercise the right of first refusal to acquire as much property as possible in order to control the outcome, including open space and owner occupancy, subject to budget. Commissioner Richardson expressed support.

Chair LaMar asked whether the plan would proceed through the code process to an overlay zone for the area. Sean Murray explained that the plan functions as a guiding document similar to the General Plan, which in Utah is advisory rather than binding, and that making the vision prescriptive would require either an overlay zone or a new zoning designation; a decision not yet made. He noted the advantage of an overlay zone is that standards can be applied to this area without altering commercial zoning elsewhere in the city. Chair LaMar made a comparison to the overlay zone adopted for the village center near Olympus Cove along Wasatch. Sean Murray distinguished that overlay as developer-initiated and contemplated in code, requiring certain public improvements, such as the multi-use path, in exchange for larger development, whereas a city-initiated overlay for this area would be drafted differently. In response to Commissioner Larsen, he indicated that if Granite School District initiated the project, a similar route would likely be used, but that the resulting overlay would be tailored to the site and might not include all descriptors the city may wish to apply elsewhere in the study area.

Commissioner Larsen suggested enlisting the Arts Council and UDOT to install a "Welcome to Millcreek" sign across 3300 South. Commissioner Soule, referencing the southeast corner discussion, agreed that office or small business use could be appropriate but urged that any redevelopment be required to add green space, noting the extensive parking associated with existing businesses and that even improved landscaping would represent a gain. Murray agreed, reporting that additional greenery, street trees and open space, was a recurring theme at the neighborhood meeting, and that an overlay zone could establish standards governing streetscape, public space, and parking ratios for any development in the area. Commissioner Larsen clarified that his recommendation for the corner is simply to envision something better than what exists — two-story office buildings similar to those across the street or in downtown Sugar House, expressly not high-rise development, possibly with a small corner plaza at the intersection.

Murray indicated he may follow up with commissioners by email and would return with a more official plan incorporating the requested detail, noting it may take some time. Lilly stated his preference to package the small area plan with the 900 East corridor study and notice the entire effort together, adopting the plan alongside appropriate future land use map interventions along the corridor per the prior meeting's recommendation, estimating a couple of months to assemble. Murray suggested it may be more manageable for staff to process the

corridor in segments rather than as a single large action, leaving that as a process question to be resolved later.

3.5 Central Jordan River Reconnect Plan Discussion

Sean Murray provided an overview of the Jordan River Regional Park planning effort led by Salt Lake County in partnership with consultant PORT. He explained that the Utah Legislature previously designated the central Jordan River corridor, extending generally from south of Salt Lake City through the Murray and Midvale area, as a regional park, requiring the County to develop a coordinated plan for improvements, access, recreation, and environmental preservation. Because the corridor crosses multiple jurisdictions, the planning process involves five municipalities, along with Salt Lake County, the Jordan River Commission, and other stakeholders, with the goal of establishing a cohesive vision that reflects state requirements and the individual goals of participating communities. Murray noted that Millcreek has the smallest portion of the study area but has already completed several improvements along its section of the river, including trailhead, boat launch, and bridge improvements.

Murray explained that the plan is organized around guiding principles emphasizing a healthy river corridor, multiple forms of transportation and recreation, environmental preservation, and accessibility. Focus Area 4 contains the portion affecting Millcreek near 3900 South and proposes additional improvements intended to restore a more natural stream environment and enhance recreational opportunities. Potential improvements include creating more natural and meandering stream channels, enhancing perennial stream areas, increasing native vegetation, and improving nearby parks, overlooks, and recreational amenities. The plan also identifies design approaches such as elevated boardwalks that would provide public access while minimizing impacts on soils and vegetation. Murray highlighted a longer-term proposal to raise the Meadowbrook Expressway/3900 South bridge to allow the Jordan River Trail to continue beneath the roadway on both sides of the river and provide sufficient clearance for kayaks and other watercraft, reducing the need for pedestrians, bicyclists, and river users to cross or portage around the roadway. He noted that other proposed improvements outside Millcreek, including overlooks and connections near General Holm Park, could also benefit Millcreek residents and river users. Murray concluded by explaining that Salt Lake County will provide a more detailed presentation to the Planning Commission as the plan moves toward adoption and requested that commissioners identify questions, concerns, or priorities in advance so county representatives can address them during that discussion.

Chair LaMar requested better wayfinding signs on the trail and over the river for kayakers. Commissioner Peterson asked whether the report addresses housing and homelessness. Murray explained that the State Legislature's designation established the regional park with specific requirements, which the county was then directed to satisfy; the plan is accordingly focused on identifying needed improvements along the river and coordinating them across the several municipalities involved, each with differing goals. He noted the plan does address the subject in places, particularly with respect to conditions along the South Salt Lake segment, and that one rationale for constructing trails on both sides of the river is to increase "eyes on the trail." Opening sight corridors so that users can see others across the river and along the path addresses safety, crime, and homelessness concerns by eliminating stretches where a user is isolated from view.

Commissioner Richardson reported working with Council Member Catten on planting additional trees along the Millcreek section of the corridor and asked that the county be willing to work with municipalities on installing the irrigation necessary to ensure newly planted trees survive. He observed that summer conditions on the trail are uncomfortably hot, that shade materially improves the user experience, and that increasing trail usage would in turn advance the safety objectives discussed.

Commissioner Richardson offered additional feedback directed to the city rather than the county, noting that the 3900 South multi-use trail the city is pursuing in partnership with UDOT represents a significant opportunity to allow residents to reach the Jordan River trail without driving. He encouraged the city to do whatever it can to provide funding to accelerate extension of that trail eastward, describing it as a means of helping more residents use the regional asset. Sean Murray responded that the project had experienced funding difficulties as a State and UDOT effort but that he understood it is now moving forward and will extend somewhat farther east, though he was uncertain where the next phase terminates. Commissioner Richardson indicated that West Temple is the next phase, with extension to approximately 900 East anticipated in roughly four to five years.

Commissioner Soule addressed the segment between 3900 South and 3300 South, noting that the large open meadow area cannot readily accommodate trees because of the pond and the movement of the stream. She suggested the county consider installing a small number of shade structures with benches so that users have a place to rest and take shelter from the sun, observing that her household uses that section far less in summer than in winter and that a walker may travel more than a mile before reaching shade. She contrasted this with the 3900 South to 4500 South segment, which she described as excellent and almost entirely shaded.

Murray advised that the county would likely present to the commission the following month and could address these matters in greater detail. Commissioner Reid raised a final point regarding the document's maps, explaining that she found it difficult to identify which section of the corridor lies within Millcreek and had ultimately relied on the text instead. She asked that when the county presents, it clearly label or color code Millcreek's segment on each map so the commission can focus on the portion within the city, noting that the county had invested considerable work in the plan and presumably wishes it to be understood. Murray agreed, observing that the maps are not oriented with north at the top, which is contrary to standard convention and initially disorienting. Commissioners also noted in passing the possibility of Millcreek signage along the corridor.

4. Calendar of Upcoming Meetings

- City Council Mtg. 9/28/26, 7:00 p.m.
- Historic Preservation Commission Mtg. 10/8/26, 6:00 p.m.
- City Council Mtg. 10/12/26, 7:00 p.m.
- Planning Commission Mtg. 10/21/26, 5:00 p.m.

ADJOURNED: Commissioner Larsen moved to adjourn the meeting at 7:47 p.m. Commissioner Richardson seconded. Chair LaMar called for the vote. Chair LaMar voted yes, Commissioner Anderson voted yes, Commissioner Burgess voted yes, Commissioner

Larsen voted yes, Commissioner Peterson voted yes, Commissioner Reid voted yes, Commissioner Richardson voted yes, Commissioner Soule voted yes, and Commissioner Wright voted yes. The motion passed unanimously.

APPROVED: _____ Date
Shawn LaMar, Chair

Attest: _____
Elyse Sullivan, Recorder