3330 South 1300 East
Millcreek, UT 84106
801-214-2700
millcreek.us

File # ZM-20-003

Planning Commission Staff Report

Meeting Date:	**April 15, 2020**
Applicant:	**Bryan Colemere**
Property Address:	**4524 South 785 East**
Parcel IDs:	**22-05-304-026, 22-05-304-027, 22-05-304-028**
Request:	**Rezone property from R-1-10 to R-1-5**
Zone:	**R-1-10**
Community Council:	**Millcreek Community Council**
Prepared By:	**Robert May, Planner**

SYNOPSIS AND SCOPE OF DECISION

The applicant is petitioning City Council to rezone property located at 4524 South 785 East from an R-1-10 to R-1-5. The applicant wishes to increase the maximum density to 7.0 units per acre from 4.0 units per acre. Although the applicant has no intention on developing the property themselves, the applicant has provided a concept plan and commissioned a professional traffic impact study that demonstrates some anticipated outcomes and possibilities. Both are attached for your review.

Currently the subject properties (3) are zoned R-1-10 and consist of approximately 1.18 acres. There is currently a Single-family dwelling and a series of agricultural buildings on the property. According to the Assessor's website, the home is approximately 1,300 square feet in size and was built in 1930. The subject property and much of the immediate area, per the Future Land Use Map, is designated as a Neighborhood 1 which has a typical range of density between 1-6 dwelling units per acre. The underlying base zones along 785 East range from an average of 5-8 dwelling units per acre. The immediate area surrounding 785 East does contain some higher density zoning capable of multi-family housing.

The applicant is seeking a recommendation of approval from the Planning Commission to City Council that may include a development agreement or zone condition. Such development agreement or zone condition will consist of special requirements ensuring the property is developed in accordance with Millcreek Codes and any neighborhood concerns.

-BACKGROUND INFORMATION-

Until recently, the applicant was petitioning City Council to rezone subject property from R-1-10 to R-1-3 located at 4524 South 785 East. This was an attempt to increase the maximum density to 11.0 units per acre from 4.0 units per acre. Staff could not support the proposal due to compatibility with nearby land uses and the provisions of the future land use map but does recommend approval of an R-1-5 Zone. At 7 units per acre, an R-1-5 Zone is much more compatible with surrounding zoning and the intent of the future land use map and is subject to the Residential Compatibility Overlay (RCOZ) Zone which would help balance neighborhood compatibility. Staff notes that the R-1-3 Zone is not subject to RCOZ.

An informal neighborhood meeting was held by the applicant at City Hall on February 18, 2020 where six residents attended. The neighborhood feedback of the proposal was not well accepted. The six residents that attended shared their concern of anticipated traffic impacts due to the proposal and their opinion of the 785 East and 4500 South intersection.

The Millcreek Community Council at their regularly scheduled meeting on March 3, 2020 recommended denial of the proposed rezone but stated in their motion that a density similar to an R-1-6 Zone (6 units per acre) would be considered. The applicant chose to continue the application ZM-20-003 until the April Planning Commission meeting so an attempt to re-visiting the Millcreek Community Council with more information and a positive recommendation could possibly be granted.

In the meantime, in light of a negative recommendation from planning staff and the community council, the applicant has amended their proposal to rezone from an R-1-10 to an R-1-5, instead of an R-1-3. Under the recent circumstances due to social distancing parameters and orders of priority, and in light of their recommendation from March, the Millcreek Community Council declined to review the applicants revised plans during their regularly scheduled meeting on April 7, 2020. This was partly due to the Millcreek Community Council being comfortable with recommending a density similar to an R-1-6 Zone.

SITE & VICINITY DESCRIPTION

Figure 1: Street View

Figure 2: 600' parameter Notice map

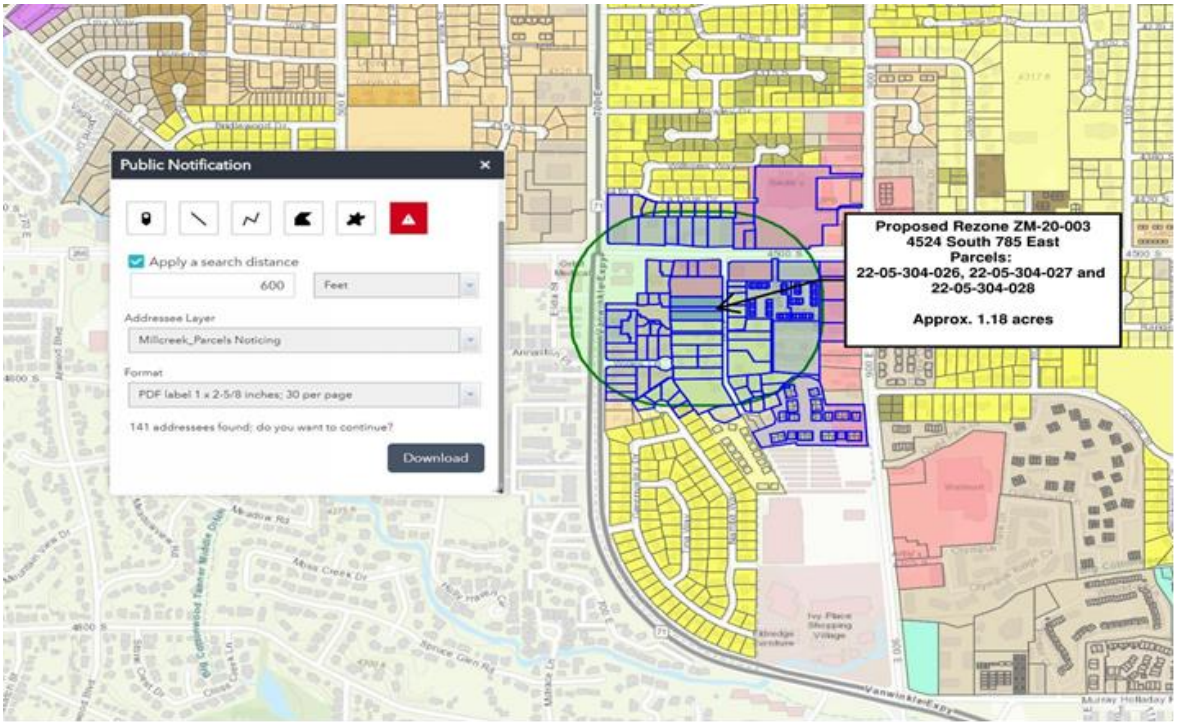


Figure 3: Zone map

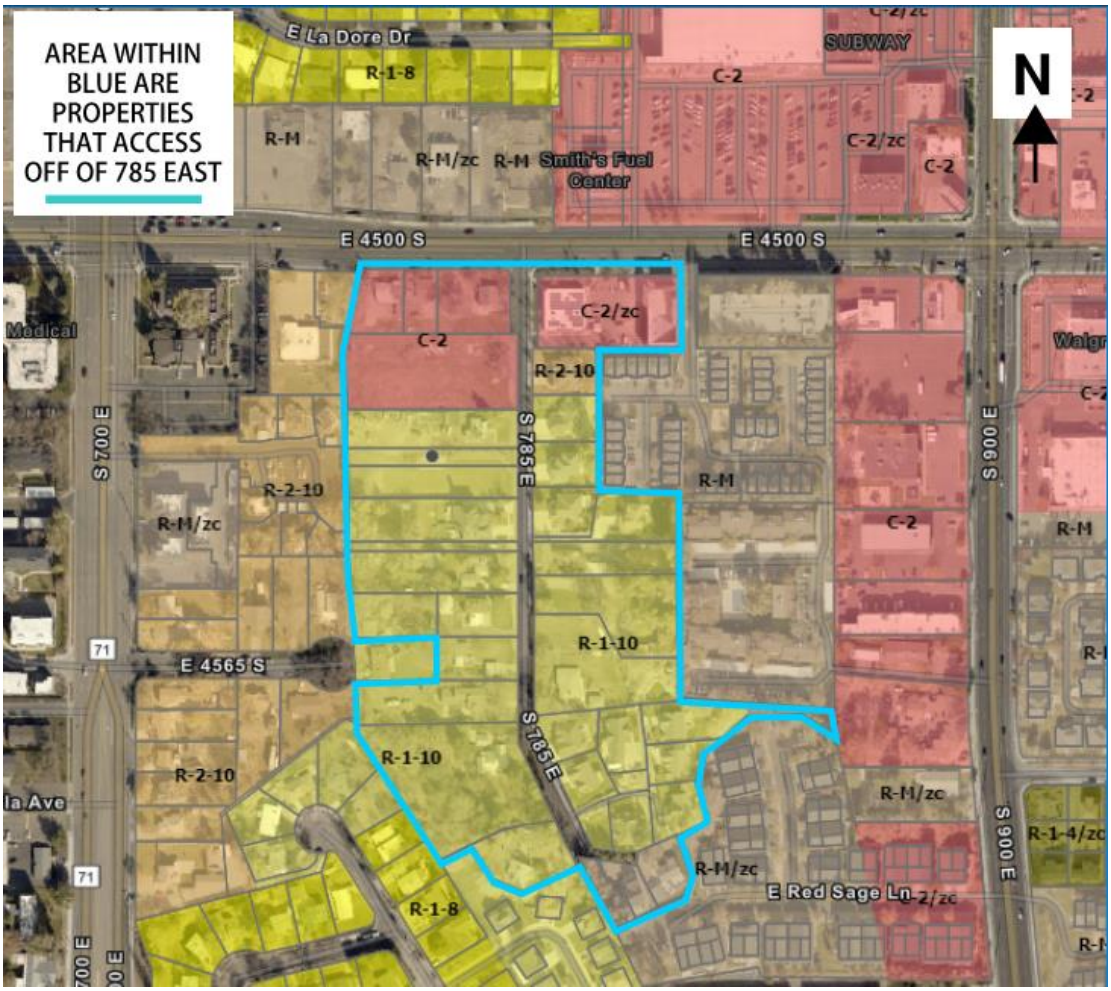
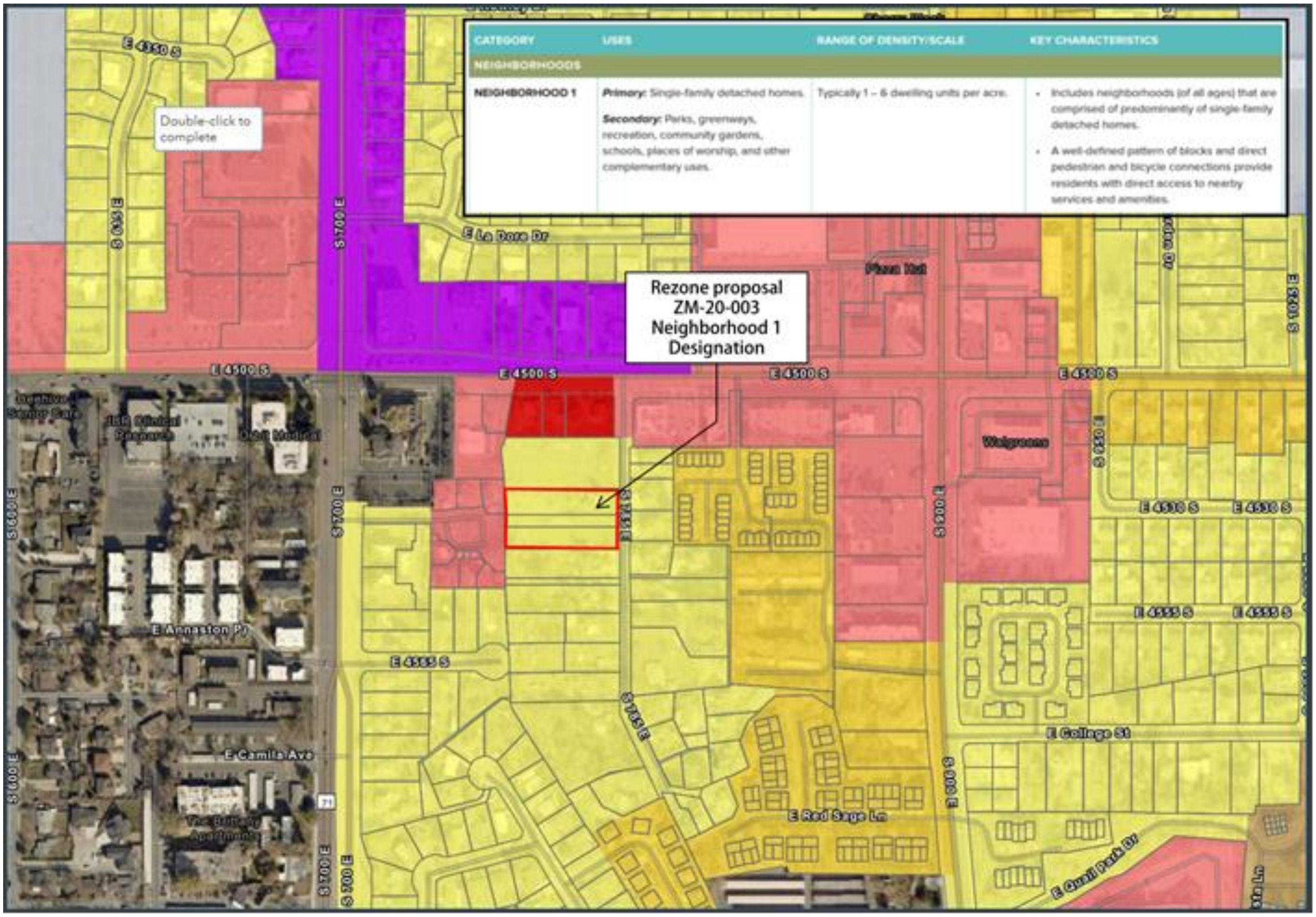


Figure 4: Map identifying properties with more than one unit on 785 East

When determining the neighborhood unit requirements, the zoning layers for which the property lies in regulates what requirements must be met. Depending on the zone, each will vary in its requirements such as lot width, lot area, single or two-family unit characteristics, etc. Besides understanding the zone's development and design policies, it is important to get an understanding of what is actually on site. It is not uncommon to have nonconformities such as two and three-family dwellings in a zone that specifically permits single-family dwellings. In the image above, all properties with the exception of two are located in a zone that currently requires one unit per property.

GENERAL PLAN CONSIDERATIONS

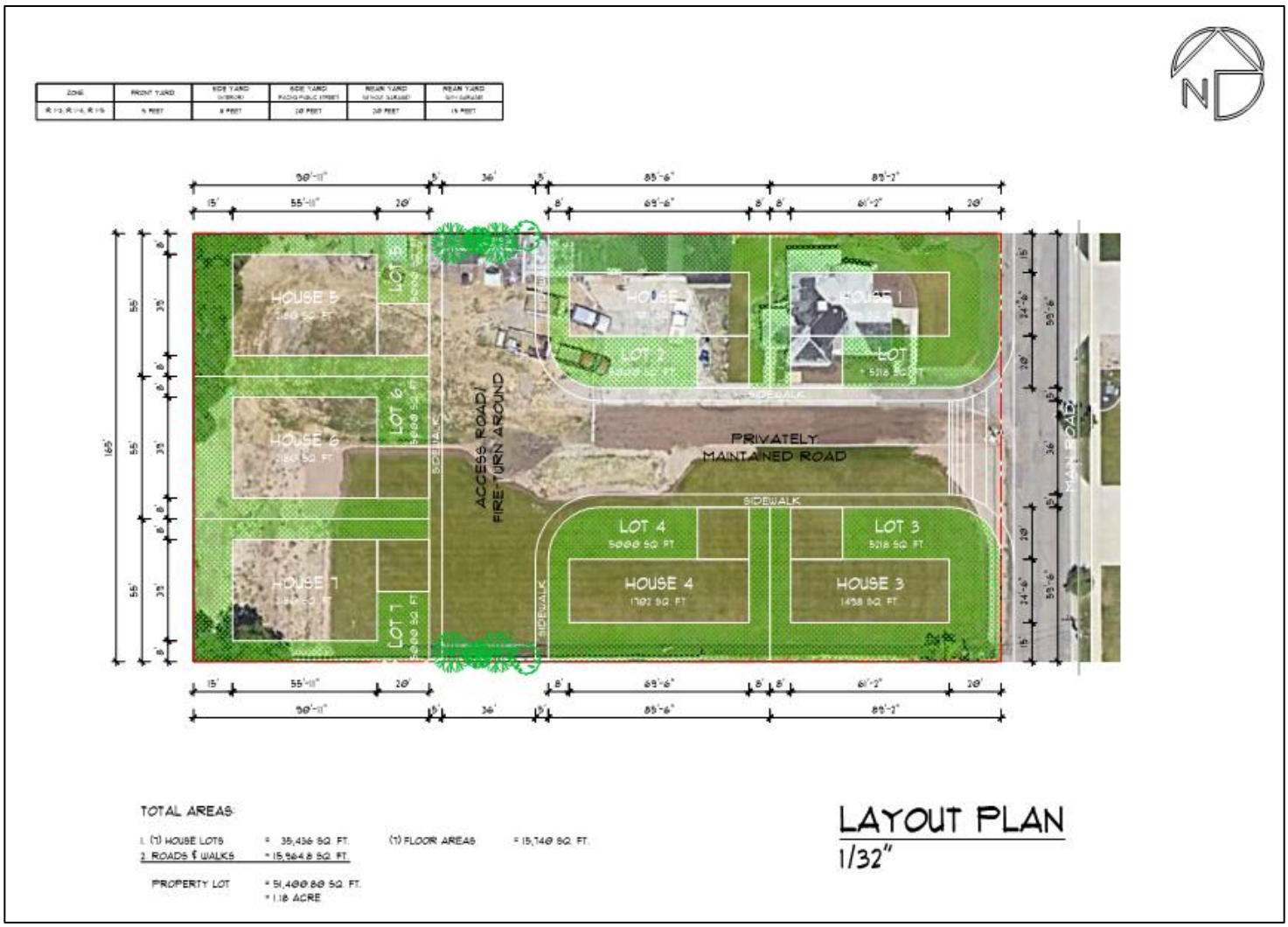
Figure 3. Future Land Use Map



CATEGORY	USES	RANGE OF DENSITY/SCALE	KEY CHARACTERISTICS
NEIGHBORHOODS			
NEIGHBORHOOD 1	***Primary:*** Single-family detached homes. ***Secondary:*** Parks, greenways, recreation, community gardens, schools, places of worship, and other complementary uses.	Typically 1 – 6 dwelling units per acre.	• Includes neighborhoods (of all ages) that are comprised of predominantly of single-family detached homes. • A well-defined pattern of blocks and direct pedestrian and bicycle connections provide residents with direct access to nearby services and amenities.

This property is designated Neighborhood 1 on the Millcreek Future Land Use map. The area itself (600′ feet) hosts a variety of designations that allow higher density housing. Carefully review the land use framework and designations at **https://millcreek.us/DocumentCenter/View/747/Millcreek-Together-General-Plan** for more information. Staff finds that maintaining an R-1-5 still comfortably harnesses the R-1 single-family neighborhood and that the addition of 3 more units would not negatively impact 785 East.

PROJECT INFORMATION



The applicant does not intend on developing the property themselves. Above is a possible layout plan the applicant has provided that demonstrates what type of development could be approved anticipating an R-1-5 Zone. Staff would also recommend including a development agreement outlining any specific requirements not already enforced by the current zoning code. Such additional requirements would require specific building materials, a specific architectural design that required pitched roofs and fencing requirements.

Proposed Uses. Single-family homes, up to seven (7).

Site Layout. Conceptual site plan illustrating a typical subdivision.

Fencing: Fencing improvements will be recommended in the development agreement conditions.

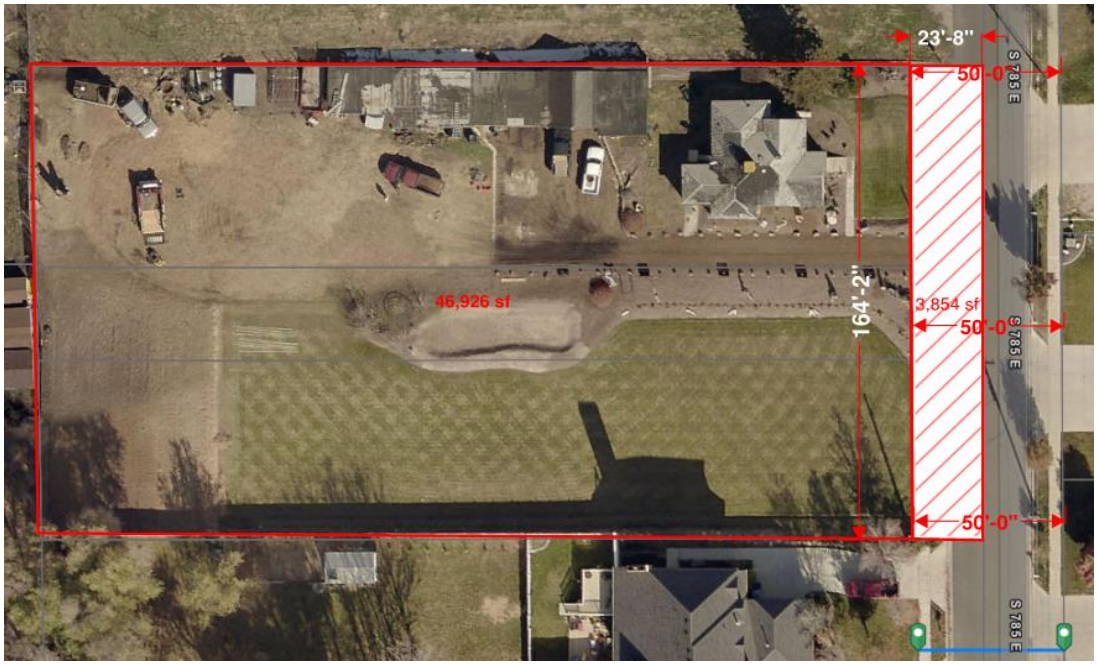
Lighting: Lighting will be installed as per code.

Landscaping: Landscaping will be in accordance with Chapter 19.77

Access. Private road coming off of 785 East

Parking. Each single-family home will include two-car garage parking.

Dedication. An approximate 24' ROW (right-of-way) dedication will be required due to the local road 50' ROW standard. This standard will require any developer to install full improvements which may widen the asphalt and include curb, gutter and sidewalk improvements. Such improvements will align with the property directly north which is slated to be a Cyprus Credit Union.



Open Space. RCOZ requirements in the R-1-5 Zone will apply capping the max lot coverage at 35%

Building Design.

Height: RCOZ requirements in the R-1-5 Zone will apply capping the max height at 28' feet
Setbacks: RCOZ requirements in the R-1-5 Zone will apply.
Materials: Materials have not been described yet but may be a condition in the development agreement.

Utilities and Waste Removal. Project will tie into existing utilities and contract with a private waste management company for trash removal.

Project Information Summary Table

Requirement	R-1-10 Zone	R-1-5 Zone (Proposed)
Height	30' feet	28' feet
Density	4 units per acre	7 units per acre
Front Yard Setback	30 Feet	20 Feet
Side Yard Setback	10' feet	8' feet *
Rear Yard Setback	15' Feet	15' feet
Lot Width	80 Feet	25 feet
Lot Area	10,000 sf	5,000 sf
Parking	2 spaces per unit with at least one covered	2 spaces per unit with at least one covered
Lot Coverage	31%	35%

***The R-1-5 Zone interior side yard setback requires 5 feet unless attached to a dwelling on an adjacent lot. However, the RCOZ minimum standards for combined side yard setbacks for any main structure shall be at least twenty-five (25%) percent of the lot width with no side setback less than eight feet (8**

COMMUNITY COUNCIL RESPONSE

The Millcreek Community Council at their regularly scheduled meeting on March 3, 2020 recommended denial of the proposed rezone but stated in their motion that a density similar to an R-1-6 Zone (6 units per acre) would be considered. The applicant chose to continue the application ZM-20-003 until the April Planning Commission meeting so an attempt to re-visiting the Millcreek Community Council with more information and a positive recommendation could possibly be granted.

In the meantime, in light of a negative recommendation from planning staff and the community council, the applicant has amended their proposal to rezone from an R-1-10 to an R-1-5. Under the recent circumstances due to social distancing parameters and orders of priority, the Millcreek Community Council declined to review the applicants revised plans during their regularly scheduled meeting on April 7, 2020. This was partly due to the Millcreek Community Council being comfortable with ***recommending a density similar to an R-1-6 Zone***.

NEIGHBORHOOD RESPONSE

An informal neighborhood meeting was held by the applicant here at City Hall on February 18, 2020 where six (6) residents attended. See the attached sign-in sheet in the supporting documents. The neighborhood feedback of the proposal was not well accepted. The six (6) residents that attended shared their concern of anticipated traffic impacts due to the proposal and their opinion of the 785 East and 4500 South intersection. Millcreek commissioned a professional traffic report which was paid for by the applicant and discussed the details and summary of key findings and recommendations.

A keynote to remember is that the traffic report was commissioned when the applicant's proposal was to rezone from an R-1-10 to an R-1-3 and potentially creating 21 separate dwelling units. See attached Hales Engineering report in the supporting documents. The applicant and homeowner have also provided a signed petition of residents who reside on 785 East that are in favor of an R-1-3 Zone proposal. See attached petition in the supporting documents.

DEVELOPMENT AGREEMENT CONSIDERATIONS

Staff is recommending a development agreement with the minimum following conditions:

1. The development is limited to 7 single-family dwelling units.
2. Any development shall include recording a city approved subdivision plat and meet all applicable requirements of Millcreek Code Title 18.
3. Each single-family dwelling is limited to three-bedrooms.
4. Each single-family dwelling is limited to 28' feet in height measured from natural grade.
5. Each single-family dwelling must incorporate a pitched roof.
6. Each single-family dwelling must include two-car garage parking.
7. The development is subject to the standards of approval located in Chapter 19.84.060 of the Millcreek Code.
8. The development shall be designed to accommodate and efficiently manage the collection, storage, and removal of garbage in harmony with the neighborhood so as to minimize detrimental effects of the collection, storage, and removal on any residence within the development or abutting neighborhoods.
9. Each single-family dwelling must use building materials of a durable or resilient nature such as brick, stone, stucco, prefinished panel, composite materials, or other materials of similar quality, hardiness, and low maintenance characteristics shall be used. No single material is allowed to exceed fifty percent on street-facing facades. Other materials may be considered for soffits, or as an accent or architectural feature. Twenty-five-year guarantee, architectural shingles and/or other longer lasting roof materials are required.

10. Fencing around the perimeter of all development shall be provided. Acceptable fencing materials include architecturally designed brick, stone, or block, or pre-cast concrete. Fencing with materials using composite products, wrought iron, wood, or vinyl may be allowed with a minimum two-foot wide, six-foot tall brick or stone pillar spaced every ten feet on center.
11. All lighting within the development shall be directed downward with mechanisms to prevent dark sky illumination.
12. All utilities shall be located underground, except as may be provided for in state law. Utility equipment shall be screened from view and preferably, not fronting on a public street.
13. Any development the includes more than two dwellings must provide a private road that meets Millcreek Public Works private-road standard and obtain Unified Fire approval.
14. The development shall be required to dedicate any property within the public right-of-way.

PLANNING STAFF FINDINGS

- Staff finds that an R-1-5 Zone is much more compatible at 7 units per acre and is subject to the Residential Compatibility Overlay (RCOZ) Zone which would help balance neighborhood compatibility.

- Staff finds that maintaining an R-1-5 still comfortably harnesses the R-1 single-family neighborhood and that the addition of 3 more units would not negatively impact the current traffic on 785 East and the intersection of 785 East and 4500 South.

- Staff finds that based on the details and summary of key findings and recommendations of the Hales Engineering traffic report, the additional density proposed will not pose a detrimental effect.

- Staff finds that the proposed rezone to an R-1-5 with a development agreement showcasing the minimum conditions outlined by staff will secure a positive project and maintain the current balance of the neighborhood.

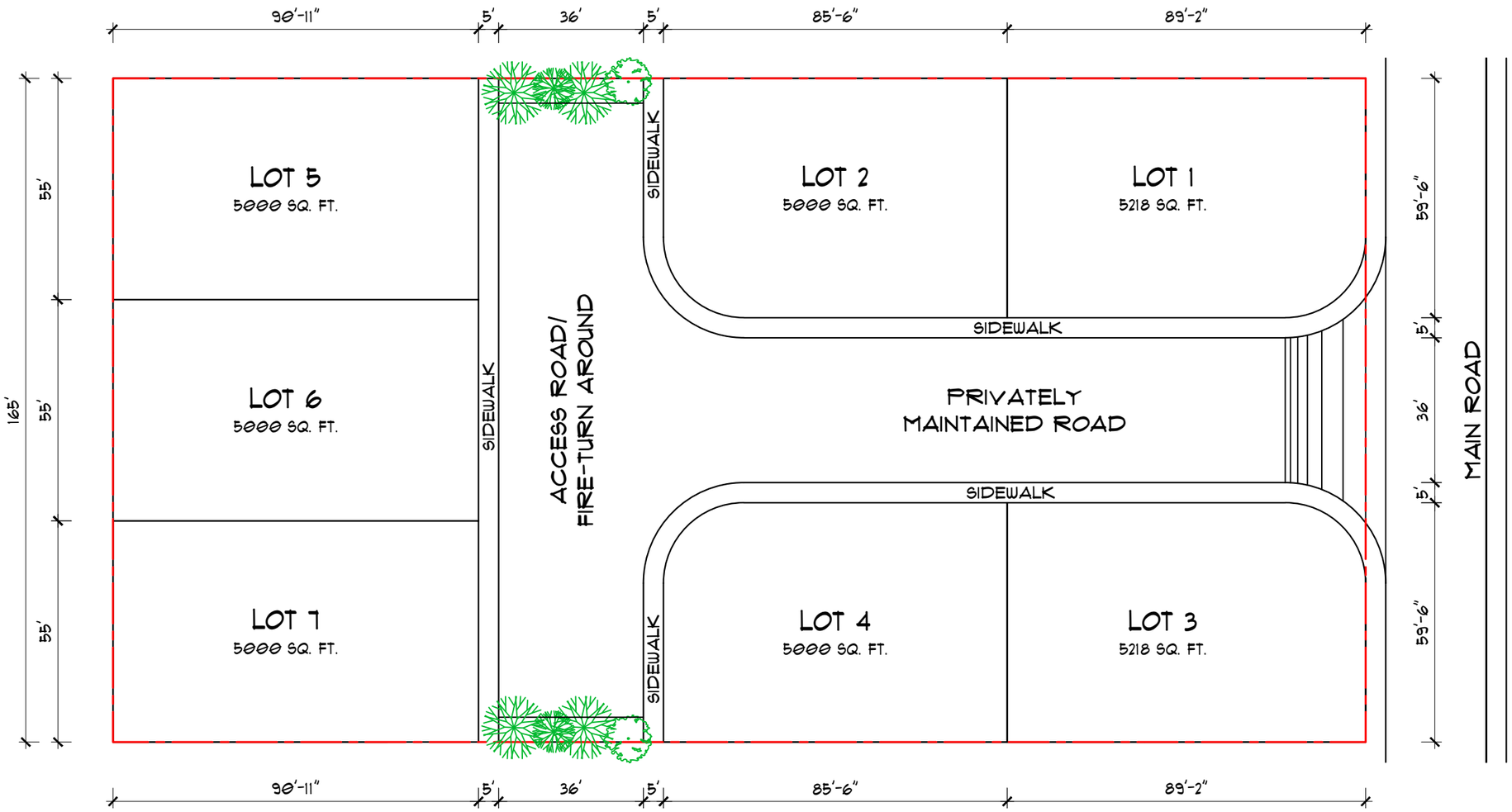
- Staff would also recommend including a development agreement outlining any specific requirements not already enforced by the current zoning code. Such additional requirements would require specific building materials, a specific architectural design that required pitched roofs and fencing requirements similar to the planned unit development requirements found in Chapter 19.78 of the Millcreek Code.

STAFF RECOMMENDATION

Staff recommends to the Millcreek Planning Commission to grant a favorable recommendation to the City Council of rezone proposal ZM-20-003 with a development agreement and conditions found in the staff report.

SUPPORTING DOCUMENTS

1. R-1-5 Site Plan
2. Rezone letter from property owner
3. Neighborhood meeting sign in sheet and notes
4. Traffic Impact Study
5. Signed petition of residents in favor or rezone

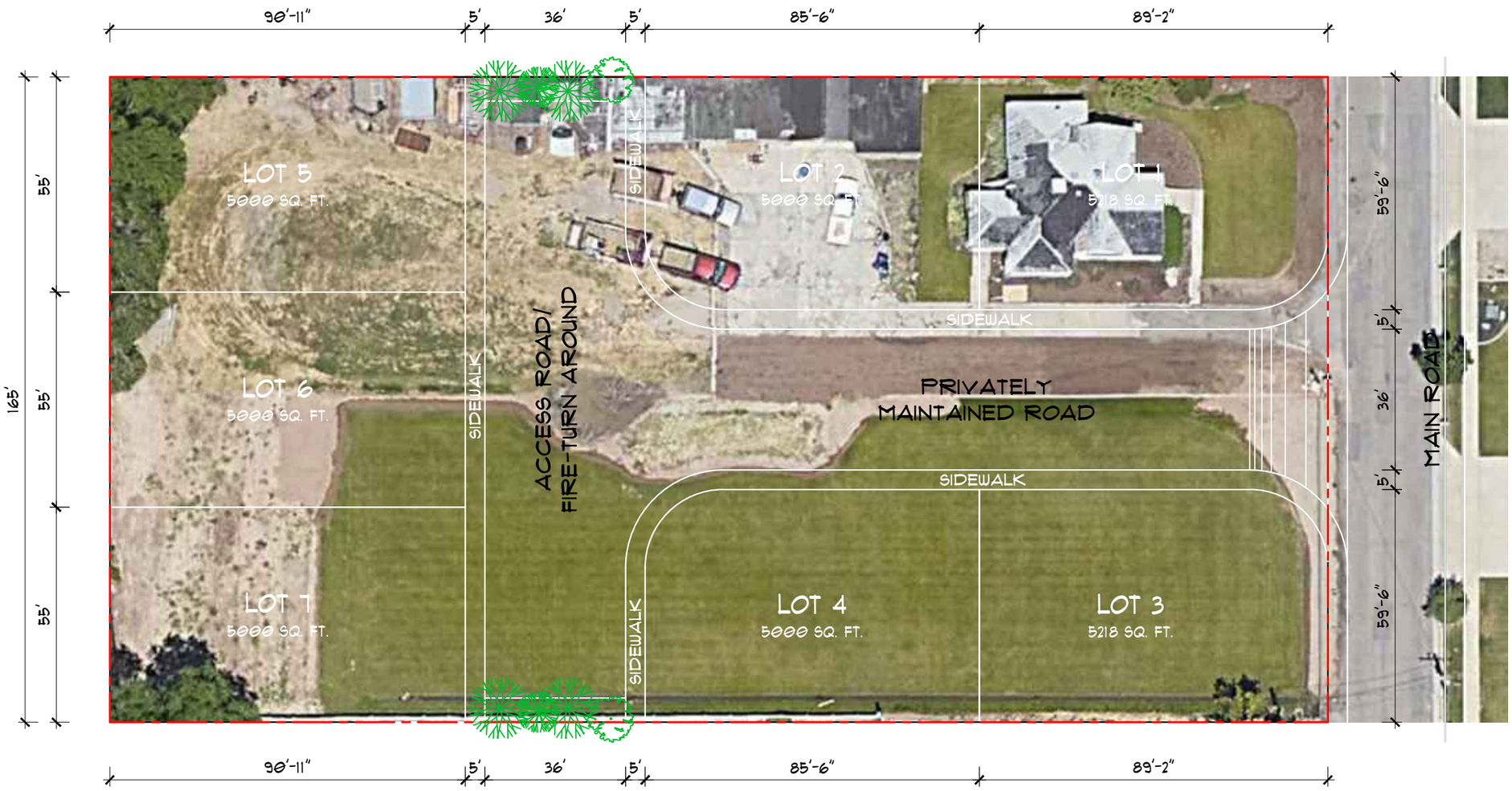


TOTAL AREAS:

1. (7) HOUSE LOTS	= 35,436 SQ. FT.
2. ROADS & WALKS	= 15,964.8 SQ. FT.
PROPERTY LOT	= 51,400.80 SQ. FT.
	= 1.18 ACRE

LAYOUT PLAN

1/32"



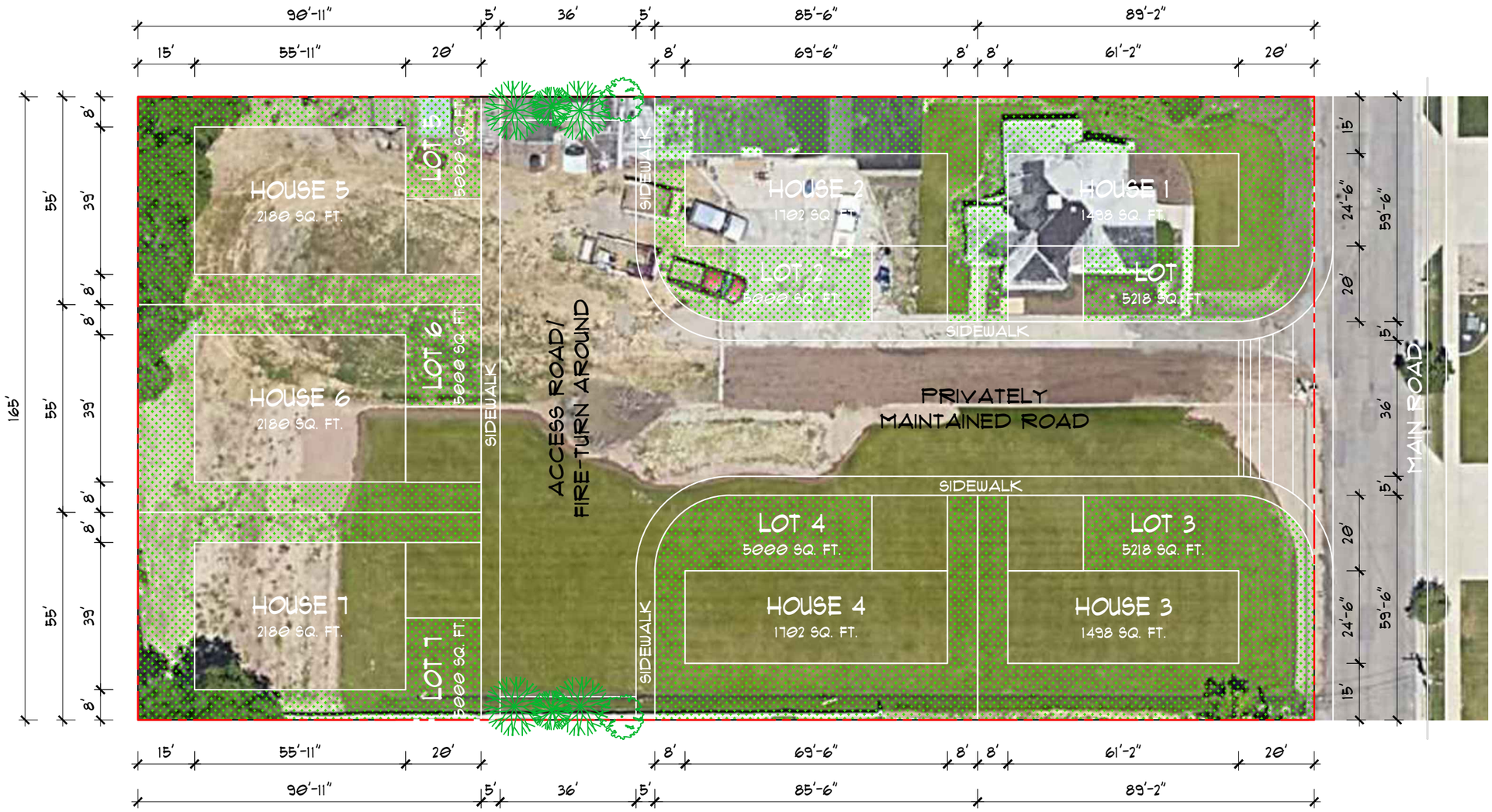
TOTAL AREAS:

1. (7) HOUSE LOTS	= 35,436 SQ. FT.
2. ROADS & WALKS	= 15,964.8 SQ. FT.
PROPERTY LOT	= 51,400.80 SQ. FT.
	= 1.18 ACRE

LAYOUT PLAN

1/32"

ZONE	FRONT YARD	SIDE YARD (INTERIOR)	SIDE YARD (FACING PUBLIC STREET)	REAR YARD (WITHOUT GARAGE)	REAR YARD (WITH GARAGE)
R 1-3, R 1-4, R 1-5	5 FEET	8 FEET	20 FEET	20 FEET	15 FEET



TOTAL AREAS:

1. (7) HOUSE LOTS = 35,436 SQ. FT.
2. ROADS & WALKS = 15,964.8 SQ. FT.

(7) FLOOR AREAS = 15,740 SQ. FT.

PROPERTY LOT = 51,400.80 SQ. FT.
= 1.18 ACRE

LAYOUT PLAN

1/32"

Application for Rezone:

Parcels: 22-05-304-027, 22-05-304-026, 22-05-304-028. Mr. Christensen desires to apply for a rezone to an R1-3 for parcels owned by his trust and listed above.

Currently the street of 785 E has a mix of older homes, some delipidated and blighted, others being newer and very nice. These newer homes and developments on the street have made the area look nicer and have increased in value, therefore increased the streets value and overall appeal the street and city.

Mr. Christensen as stated above desire to rezone their property to an R1-3 zone. This rezone will accommodate what has already been done on the street of other developments and in pockets throughout Millcreek City. In doing so and granting the current request, the development will increase the value of Mr. Christensen's, increase the appeal of the street and neighborhood, increase the value of all of the neighboring properties and will not increase traffic count based on the recent traffic study conducted. The goal is to increase the values and provide a beautiful housing project. Therefore, creating a win win scenario for all involved and affected by the change.

The land owner, Mr. Christensen simply desires for the R1-3 rezone. Once such a request is approved, the land owner will seek a developer to work out the details of the project that they desire with the city and neighborhood. The land owner doesn't think it makes sense to project future building plans entailing details that could or could not portray the development, lot and lot sizes, building materials, site plans etc. Rather, he prefers to let the developer/builder that would buy the project do that through the use of a Land Use Development agreement, DRC meetings, Site Plan approvals and an other approvals the city deems necessary.

FEBRUARY 18, 2020

4524 S 785 E

REZONE FROM R-1-10 TO R-1-3 NEIGHBORHOOD MEETING

DEL CHRISTIANSEN AND BRYAN COLEMERE

SIGN-IN SHEET		
NAME	PHONE NUMBER OR EMAIL	ADDRESS
Chelsie Montague	(801) 518-3835	4517 so 785 E.
LYNETTE STANTON	801-201-2268	4523 S 785 E
Michael Totten	801-824-1098	4549 S 785 E
R Dunyon	801-268-1015	865 E Rowley Dr
Bonnie Dunyon	801-266-0751	865 E Rowley Dr.
Stephen Anderson	801-425-7213	4531 S 785 East
(anderl49@cougars.csusm.edu)		

Neighborhood Meeting 2/18/2020

Fix dates in Traffic Study

Lynette Doesn’t like the Density, R-10 to an R-1-5 with a different access to 700 E

Where is the drive thru for Cypress Credit Union

Critical piece to have another access

Rather have twin homes vs High Rise Condos

Traffic accidents on 4500 S

Email Hales Engineer about the Dates on the dates they went out

Robert to do a density to r1-5 vs r1-3

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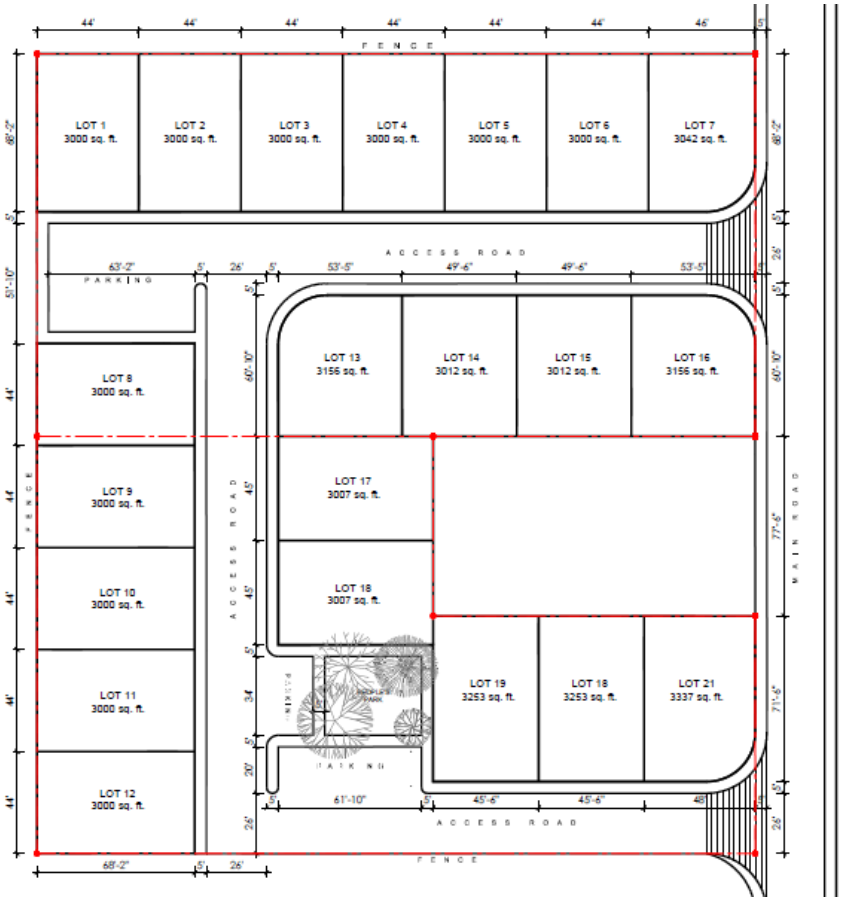
785E & 4550S Homes

Traffic Impact Study



Millcreek, Utah

April 30, 2019

UT18-1454

1220 North 500 West, Ste. 202 Lehi, UT 84043 p 801.766.4343
www.halesengineering.com

EXECUTIVE SUMMARY

This study addresses the traffic impacts associated with the proposed residential single-family homes located in Millcreek, Utah. The proposed project is located on the south side of 4500 South, south of the approved Cyprus Credit Union, and west of 785 East.

Included within the analyses for this study are the traffic operations and recommended mitigation measures for existing conditions and plus project conditions (conditions after development of the proposed project) at key intersections and roadways near the site.

The evening peak hour level of service (LOS) was computed for each study intersection. The results of this analysis are shown in Table ES-1.

TABLE ES-1
LOS Analysis - Evening Peak Hour
Millcreek - 785 East & 4550 South Homes TIS

Intersection	Level of Service (Sec/Veh)[1]	
	Existing (2019) Background[3]	Existing (2019) Plus Project[3]
785 East / 4500 South	**C (20.0) / NB**	**C (22.1) / NB**
North Access / 785 East[2]	**-**	**A (3.7) / EB**
South Access / 785 East[2]	**-**	**A (4.2) / EB**

1. Intersection LOS and delay (seconds/vehicle) values represent the overall intersection average for roundabout, signalized, all-way stop controlled intersections and the worst approach for all other unsignalized intersections.
2. This intersection is a project access and was only analyzed in "plus project" scenarios.
3. The recently approved Cyprus Credit Union traffic volumes were included in this condition.

Source: Hales Engineering, April 2019

SUMMARY OF KEY FINDINGS/RECOMMENDATIONS

The following is a summary of key findings and recommendations:

- All study intersections are currently operating at acceptable levels of service during the evening peak hour in existing (2019) background conditions.
    - This analysis included the approved credit union and office building traffic.
    - The 785 East / 4500 South intersection is anticipated to perform at a LOS C with approximately 60 feet of queueing for the northbound approach with a single egress lane.
- The proposed development will consist of 21 single-family homes and is anticipated to generate 248 daily trips, 20 morning peak hour trips, and 24 evening peak hour trips.
    - No new auxiliary lanes are required per UDOT's R930-6.
- All study intersections are anticipated to operate at acceptable levels of service during the evening peak hour with project traffic added.
    - The 785 East / 4500 South intersection is anticipated to perform at a LOS C with approximately 60 feet of queueing for the northbound approach with a single egress lane.
    - The northbound left-turn maneuver is anticipated to have approximately 29.6 seconds of delay, on average, per vehicle. This is an increase of 2.8 seconds of delay per vehicle on average with the project.
    - The northbound right-turn maneuver is anticipated to have approximately 14.5 second of delay per vehicle on average. This is an increase of ½ a second of delay per vehicles on average with the project.
    - No additional northbound lanes are warranted at this time.

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I. INTRODUCTION

A. Purpose

This study addresses the traffic impacts associated with the proposed residential single-family homes located in Millcreek, Utah. The proposed project is located on the south side of 4500 South, south of the approved Cyprus Credit Union, and west of 785 East. Figure 1 shows a vicinity map of the proposed development.

Included within the analyses for this study are the traffic operations and recommended mitigation measures for existing conditions and plus project conditions (conditions after development of the proposed project) at key intersections and roadways near the site.

Figure 1: Vicinity map showing the project location in Millcreek, Utah

B. Scope

The study area was defined based on conversations with the development team. This study was scoped to evaluate the traffic operational performance impacts of the project on the following intersections:

- 785 East / 4500 South

C. Analysis Methodology

Level of service (LOS) is a term that describes the operating performance of an intersection or roadway. LOS is measured quantitatively and reported on a scale from A to F, with A representing the best performance and F the worst. Table 1 provides a brief description of each LOS letter designation and an accompanying average delay per vehicle for both signalized and unsignalized intersections. Figure 2 provides a visual representation of each LOS letter designation.

The *Highway Capacity Manual* (HCM), 6th Edition methodology was used in this study to remain consistent with "state-of-the-practice" professional standards. This methodology has different quantitative evaluations for signalized and unsignalized intersections. For signalized and all-way stop intersections, the LOS is provided for the overall intersection (weighted average of all approach delays). For all other unsignalized intersections LOS is reported based on the worst approach.

D. Level of Service Standards

For the purposes of this study, a minimum overall intersection performance for each of the study intersections was set at LOS D. However, if LOS E or F conditions exist, an explanation and/or mitigation measures will be presented. An LOS D threshold is consistent with "state-of-the-practice" traffic engineering principles for urbanized areas.

Table 1: Level of Service Description

Level of Service	Description of Traffic Conditions	Average Delay (seconds/vehicle)
	Signalized Intersections	**Overall Intersection**
A	Extremely favorable progression and a very low level of control delay. Individual users are virtually unaffected by others in the traffic stream.	0 ≤ 10.0
B	Good progression and a low level of control delay. The presence of other users in the traffic stream becomes noticeable.	> 10.0 and ≤ 20.0
C	Fair progression and a moderate level of control delay. The operation of individual users becomes somewhat affected by interactions with others in the traffic stream.	>20.0 and ≤ 35.0
D	Marginal progression with relatively elevated levels of control delay. Operating conditions are noticeably more constrained.	> 35.0 and ≤ 55.0
E	Poor progression with unacceptably elevated levels of control delay. Operating conditions are at or near capacity.	> 55.0 and ≤ 80.0
F	Unacceptable progression with forced or breakdown operating conditions.	> 80.0
	Unsignalized Intersections	**Worst Approach**
A	Free Flow / Insignificant Delay	0 ≤ 10.0
B	Stable Operations / Minimum Delays	>10.0 and ≤ 15.0
C	Stable Operations / Acceptable Delays	>15.0 and ≤ 25.0
D	Approaching Unstable Flows / Tolerable Delays	>25.0 and ≤ 35.0
E	Unstable Operations / Significant Delays Can Occur	>35.0 and ≤ 50.0
F	Forced Flows / Unpredictable Flows / Excessive Delays Occur	> 50.0

Source: Hales Engineering Descriptions, based on the *Highway Capacity Manual* (HCM), 6th Edition Methodology (Transportation Research Board, 2016)

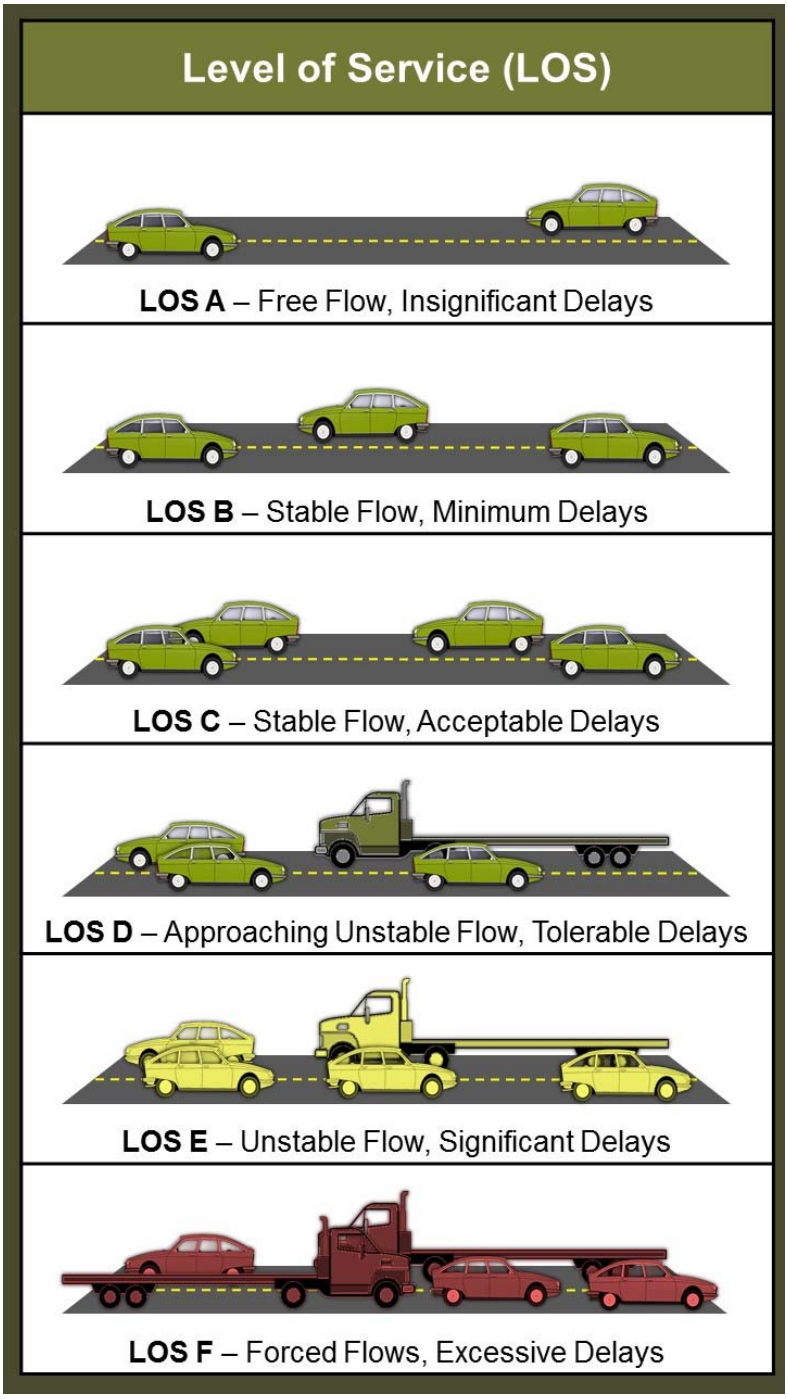


Figure 2: LOS letter designation

II. EXISTING (2019) BACKGROUND CONDITIONS

A. Purpose

The purpose of the background analysis is to study the intersections and roadways during the peak travel periods of the day with background traffic and geometric conditions. Through this analysis, background traffic operational deficiencies can be identified, and potential mitigation measures recommended. This analysis will provide a baseline condition that may be compared to the build conditions to identify the impacts of the development.

B. Roadway System

The primary roadways that will provide access to the project site are described below:

4500 South (SR-266) – is a state-maintained roadway (classified by UDOT access management standards as a "Regional Priority – Urban Importance" facility, or access category 5 roadway). 4500 South has two travel lanes in each direction with a center two-way left-turn lane (TWLTL). As identified and controlled by UDOT, a "Regional Priority – Urban Importance" access classification identifies minimum signalized intersection spacing of one-half mile (2,640 feet), minimum unsignalized street spacing of 660 feet, and minimum driveway spacing of 350 feet. The posted speed limit on 4500 South is 40 mph.

785 East – is a city-maintained roadway. This roadway has one travel lane in each direction. The posted speed limit is 25 mph in the study area.

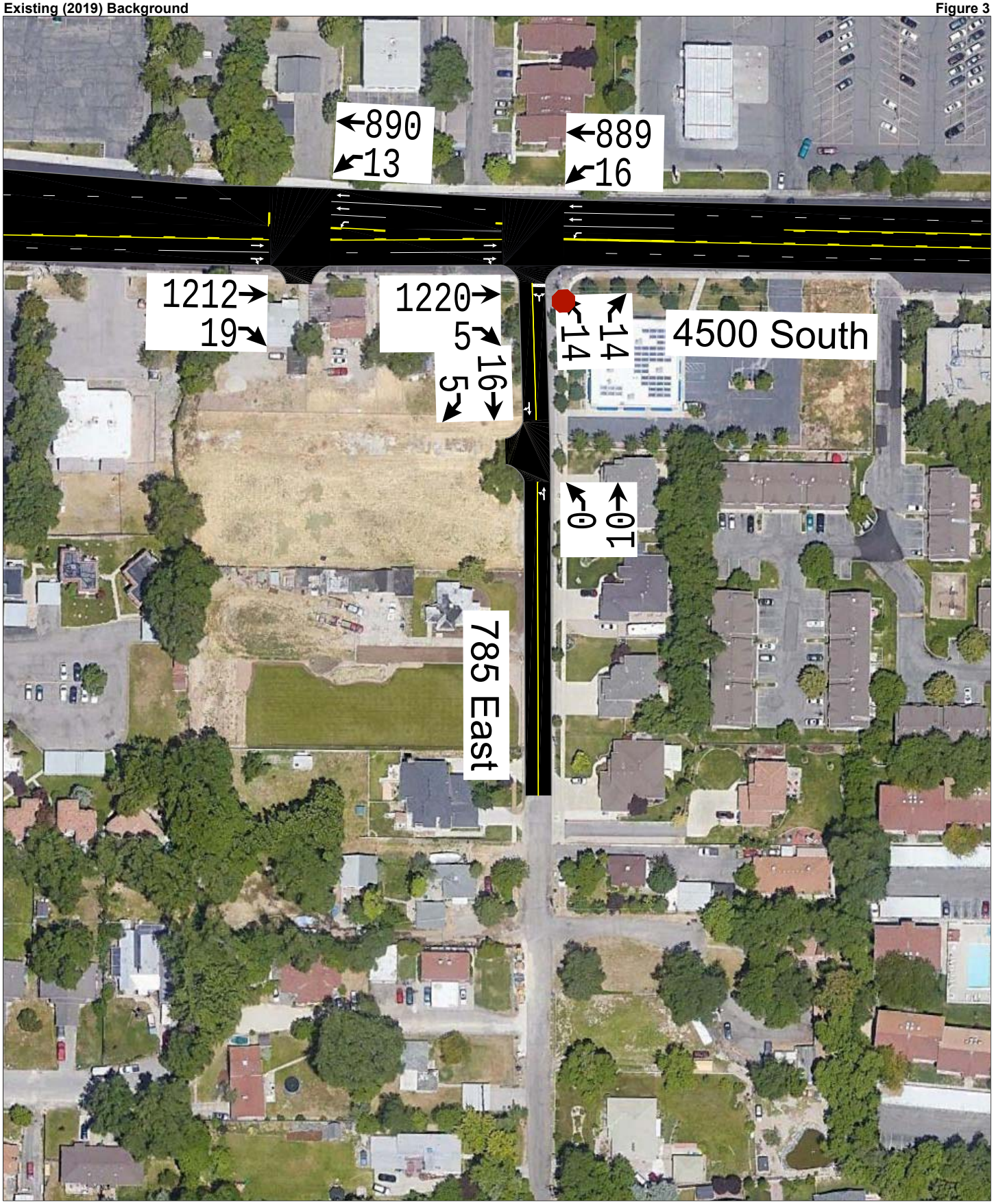
C. Traffic Volumes

Weekday morning (7:00 to 9:00 a.m.) and evening (4:00 to 6:00 p.m.) peak period traffic counts were performed at the following intersections:

- 785 East / 4500 South

The counts were performed on Wednesday, August 8, 2018. The morning peak hour was determined to be between 8:00 and 9:00 a.m. and the evening peak hour was determined to be between 5:00 and 6:00 p.m. The evening peak hour volumes were approximately 25% higher than the morning peak hour volumes. Therefore, the evening peak hour volumes were used in the analysis to represent the worst-case conditions. Detailed count data are included in Appendix A. A recently approved Cyprus Credit Union and office building had a traffic impact study completed and the volumes from that study are included in this background analysis.

Figure 3 shows the existing evening peak hour volumes as well as intersection geometry at the study intersection.


890
13
889
16
1212
19
1220
5
16
5
14
14
4500 South
0
0
785 East

D. Level of Service Analysis

Using Synchro/SimTraffic, which follow the *HCM*, 6th Edition methodology introduced in Chapter I, the evening peak hour LOS was computed for each study intersection. The results of this analysis are reported in Table 2 (see Appendix B for the detailed LOS reports). Multiple runs of SimTraffic were used to provide a statistical evaluation of the interaction between the intersections. These results serve as a baseline condition for the impact analysis of the proposed development during existing (2019) conditions. As shown in Table 2, all study intersections are currently operating at an acceptable LOS during the evening peak hour. The northbound left-turn at 785 East / 4500 South is currently experiencing approximately 26.8 seconds of delay per vehicle on average and the northbound right-turns are experiencing 14.0 seconds of delay per vehicle on average.

Table 2: Existing (2019) Background Evening Peak Hour Level of Service

Intersection		Worst Approach			Overall Intersection	
Description	Control	Approach[1,3]	Aver. Delay (Sec/Veh)[1]	LOS[1]	Aver. Delay (Sec/Veh)[2]	LOS[2]
785 East / 4500 South	NB Stop	NB	20.0	C	-	-

1. This represents the worst approach LOS and delay (seconds / vehicle) and is only reported for non-all-way stop unsignalized intersections.
2. This represents the overall intersection LOS and delay (seconds / vehicle) and is reported for all-way stop and signal-controlled intersections.
3. SB = Southbound approach, etc.

Source: Hales Engineering, April 2019

E. Queuing Analysis

Hales Engineering calculated the 95th percentile queue lengths for each of the study intersections. The queue reports can be found in Appendix D. Some queueing was observed at the following intersections:

<u>785 East / 4500 South</u>
Northbound (60 feet)

F. Conclusions

No mitigation measures are warranted at this time.

III. PROJECT CONDITIONS

A. Purpose

The project conditions analysis explains the type and intensity of development. This provides the basis for trip generation, distribution, and assignment of project trips to the surrounding study intersections defined in the Introduction.

B. Project Description

This study addresses the traffic impacts associated with the proposed residential single-family homes located in Millcreek, Utah. The proposed project is located on the south side of 4500 South, south of the approved Cyprus Credit Union, and west of 785 East. A concept plan for the proposed developments has been included in Appendix C.

The proposed land use for the development has been identified as follows:

- Single-family Homes 21 units

C. Trip Generation

Trip generation for the development was calculated using trip generation rates published in the Institute of Transportation Engineers (ITE), *Trip Generation*, 10th Edition, 2017. Trip Generation for the proposed project is included in Table 3.

The total trip generation for the development is as follows:

- Daily Trips: 248
- Morning Peak Hour Trips: 20
- Evening Peak Hour Trips: 24

Table 3
Millcreek - 485E & 4550S Homes TIS
Trip Generation

Weekday Daily Land Use[1]	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	**Total Daily Trips**
Single-Family Detached Housing (210)	21	Dwelling Units	248	50%	50%	124	124	**248**
Project Total Daily Trips						**124**	**124**	**248**
Morning Peak Hour Land Use[1]	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	**Total a.m. Trips**
Single-Family Detached Housing (210)	21	Dwelling Units	20	25%	75%	5	15	**20**
Project Total a.m. Peak Hour Trips						**5**	**15**	**20**
Evening Peak Hour Land Use[1]	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	**Total p.m. Trips**
Single-Family Detached Housing (210)	21	Dwelling Units	24	63%	37%	15	9	**24**
Project Total p.m. Peak Hour Trips						**15**	**9**	**24**

1. Land Use Code from the Institute of Transportation Engineers (ITE) *Trip Generation* ,10th Edition,2017.

SOURCE: Hales Engineering, April 2019

D. Trip Distribution and Assignment

Project traffic is assigned to the roadway network based on the type of trip and the proximity of project access points to major streets, high population densities, and regional trip attractions. Existing travel patterns observed during data collection also provide helpful guidance to establishing these distribution percentages, especially near the site. The resulting distribution of project generated trips during the evening peak hour is as follows:

To/From Project:

- 40% East
- 60% West

These trip distribution assumptions were used to assign the evening peak hour generated traffic at the study intersections to create trip assignment for the proposed development. Trip assignment for the development is shown in Figure 4.

0
6
0
9
785 East
5
10
4
5
4500 South
North Acess
6
0
0
3
0
5
South Access
3
0
0
0

E. Access

The proposed access for the site will be gained at the following locations (see also concept plan in Appendix C):

785 East:

- The North Access will be located approximately 320 feet south of 4500 South. This access will take the place of an existing drive way on the west side of 785 East. It is anticipated that the access will be full-movement and stop-controlled.
- The South Access will be located approximately 560 feet south of 4500 South. This access is located across from an existing driveway. It is anticipated that the access will be full-movement and stop-controlled.

F. Auxiliary Lane Requirements

Based on Administrative Rule R930-6, the following auxiliary lanes may be required for the 785 East intersection with 4500 South (SR-266) (UDOT Access Category 5 roadway):

Left-turn Deceleration Lane:

- Required when the projected peak hour left-turn ingress volume is greater than 10 vph. As shown in Figure 5, it is anticipated that this volume will be met during the evening peak hour at the access onto 4500 South (SR-266). Therefore, a left-turn lane may be required at this location. A center TWLTL currently exists at this location and can serve as a left-turn lane for this access.

Right-turn Deceleration Lane:

- Required when the projected peak hour right-turn ingress volume is greater than 25 vph. As shown in Figure 5, it is not anticipated that this peak hour volume will be met during the evening peak hour at the 785 East intersection with 4500 South (SR-266). Therefore, a right-turn deceleration lane is not required at this location.

Right-turn Acceleration Lane:

- Required when the projected peak hour right-turn egress volume is greater than 50 vph when the posted speed limit on the highway is greater than 40 mph. As shown in Figure 5, it is not anticipated that this peak hour volume will be met during the evening peak hour at the 785 East intersection with 4500 South (SR-266). Therefore, a right-turn acceleration lane is not required at this location.

Left-turn Acceleration Lane:

- May be required if such a design will be a benefit to the safety and operation of the roadway. No Left-turn acceleration lane is recommended at the 785 East / 4500 South intersection.

IV. EXISTING (2019) PLUS PROJECT CONDITIONS

A. Purpose

The purpose of the existing (2019) plus project analysis is to study the intersections and roadways during the peak travel periods of the day for existing background traffic and geometric conditions plus the net trips generated by the proposed development. This scenario provides valuable insight into the potential impacts of the proposed project on background traffic conditions.

B. Traffic Volumes

Project trips were assigned to the study intersections based on the trip distribution percentages discussed in Chapter III and permitted intersection turning movements. The existing (2019) plus project evening peak hour volumes were generated for the study intersections and are shown in Figure 5.

C. Level of Service Analysis

Using Synchro/SimTraffic, which follow the *HCM*, 6th Edition methodology introduced in Chapter I, the evening peak hour LOS was computed for each study intersection. The results of this analysis are reported in Table 4 (see Appendix B for the detailed LOS reports). Multiple runs of SimTraffic were used to provide a statistical evaluation of the interaction between the intersections. As shown in Table 4, all intersections are anticipated to operate at an acceptable LOS during the evening peak hour with project traffic added. The northbound left-turn at 785 East / 4500 South is currently experiencing approximately 29.6 seconds of delay per vehicle on average and the northbound right-turns are experiencing 14.5 seconds of delay per vehicle on average.

D. Queuing Analysis

Hales Engineering calculated the 95th percentile queue lengths for each of the study intersections. The queue reports can be found in Appendix D. Some queueing is anticipated during the evening peak hour.

<u>785 East / 4500 South</u>
Northbound (60 feet)

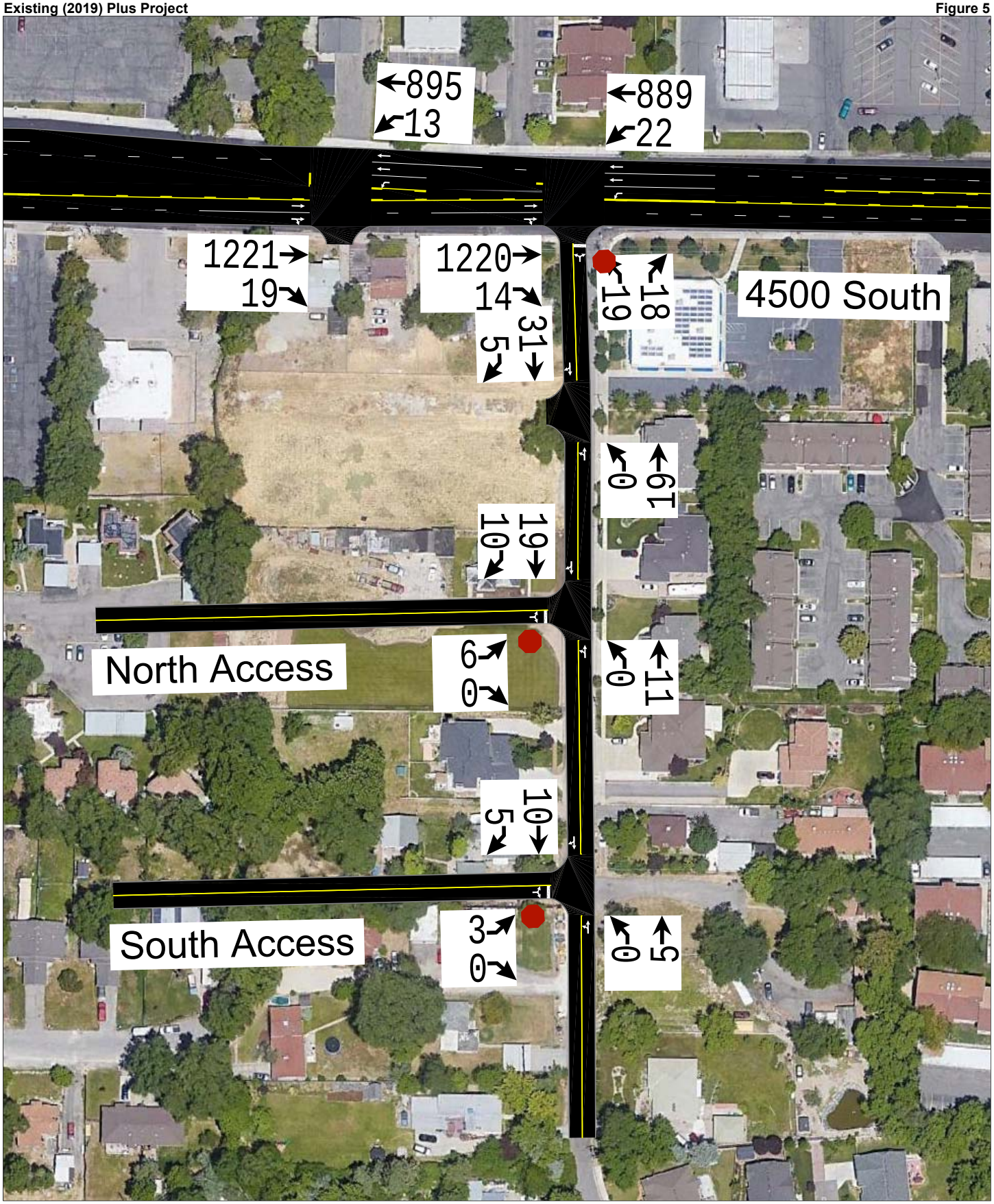

895
13
889
22
1221
19
1220
14
31
5
19
18
4500 South
19
10
61
0
6
0
11
0
10
5
3
0
5
0
North Access
South Access

Table 4: Existing (2019) Plus Project Evening Peak Hour Level of Service

Intersection		Worst Approach			Overall Intersection	
Description	Control	Approach[1,3]	Aver. Delay (Sec/Veh)[1]	LOS[1]	Aver. Delay (Sec/Veh)[2]	LOS[2]
785 East / 4500 South	NB Stop	NB	22.1	C	-	-
North Access / 785 East	EB Stop	EB	3.7	A	-	-
South Access / 785 East	EB Stop	EB	4.2	A	-	-

1. This represents the worst approach LOS and delay (seconds / vehicle) and is only reported for non-all-way stop unsignalized intersections.
2. This represents the overall intersection LOS and delay (seconds / vehicle) and is reported for all-way stop and signal-controlled intersections.
3. SB = Southbound approach, etc.

Source: Hales Engineering, April 2019

E. Conclusions

The northbound approach at the 785 East / 4500 South intersection is anticipated to perform at a LOS C with a 95th percentile queue length of approximately 60 feet. The 95th percentile queue length for both with and with the project is anticipated to be approximately the same at 60 feet. The northbound left-turn maneuver is anticipated to have approximately 29.6 seconds of delay, on average, per vehicle. This is an increase of 2.8 seconds of delay per vehicle on average. The northbound right-turn maneuver is anticipated to have approximately 14.5 second of delay per vehicle on average. This is an increase of ½ a second of delay per vehicles on average.

No additional northbound lane is warranted at this time.

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APPENDIX A

Turning Movement Counts

TrafficCounts

2364 North 1450 East
Lehi, UT 84043
801.636.0891

Intersection Turning Movement Summary

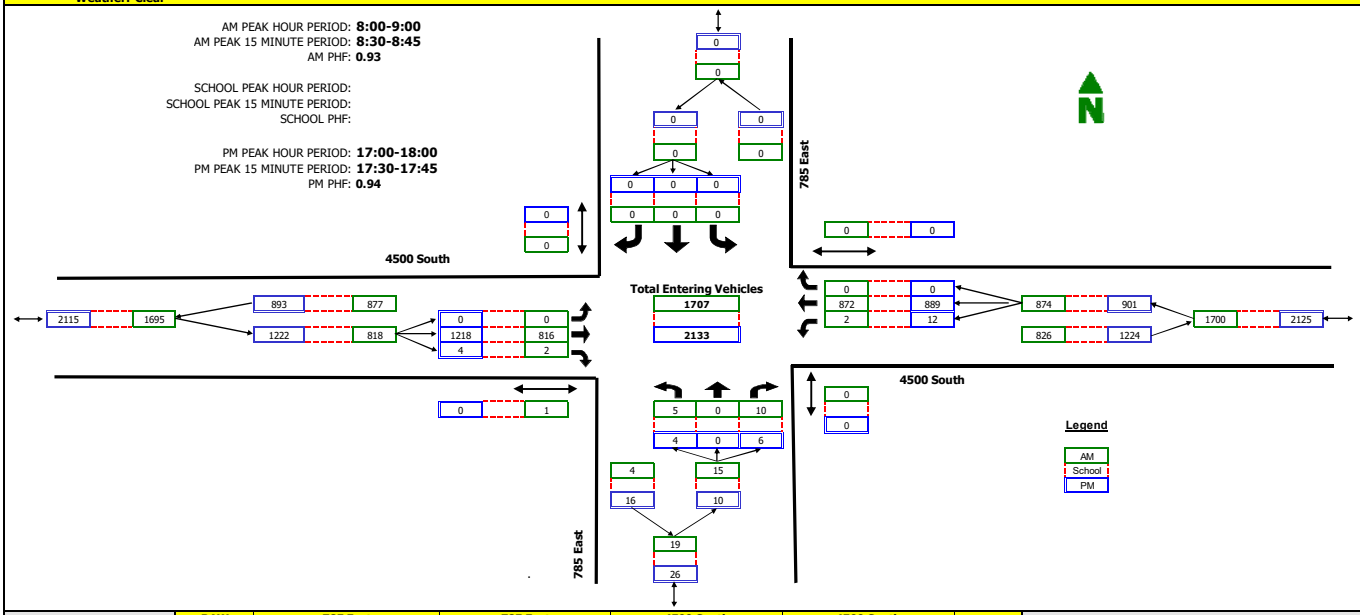
Intersection: 785 East / 4500 South
North/South: 785 East
East/West: 4500 South
Jurisdiction: Millcreek
Project Title: Cypress Credit Union TIS
Project No: UT18-1301
Weather: Clear

Date: 8-8-18, Wed
Day of Week Adjustment: 100.0%
Month of Year Adjustment: 100.0%
Adjustment Station #: 0
Growth Rate: 0.0%
Number of Years: 0

AM PEAK HOUR PERIOD: **8:00-9:00**
AM PEAK 15 MINUTE PERIOD: **8:30-8:45**
AM PHF: **0.93**

SCHOOL PEAK HOUR PERIOD:
SCHOOL PEAK 15 MINUTE PERIOD:
SCHOOL PHF:

PM PEAK HOUR PERIOD: **17:00-18:00**
PM PEAK 15 MINUTE PERIOD: **17:30-17:45**
PM PHF: **0.94**



RAW COUNT SUMMARIES	785 East Northbound				785 East Southbound				4500 South Eastbound				4500 South Westbound				
	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	
AM PERIOD COUNTS																	
Period	**A**	**B**	**C**	**D**	**E**	**F**	**G**	**H**	**I**	**J**	**K**	**L**	**M**	**N**	**O**	**P**	**TOTAL**
7:00-7:15	0	0	2	1	0	0	0	0	0	194	2	0	1	143	0	0	342
7:15-7:30	1	0	1	0	0	0	0	0	0	133	0	2	1	170	0	0	306
7:30-7:45	2	0	0	0	0	0	0	0	0	196	0	0	0	201	0	0	399
7:45-8:00	5	0	2	0	0	0	0	0	0	201	0	1	3	208	0	0	419
8:00-8:15	2	0	6	0	0	0	0	0	0	191	0	1	0	206	0	0	405
8:15-8:30	0	0	1	0	0	0	0	0	0	194	0	0	1	221	0	0	417
8:30-8:45	1	0	0	0	0	0	0	0	0	217	0	0	1	239	0	0	458
8:45-9:00	2	0	3	0	0	0	0	0	0	214	2	0	0	206	0	0	427
MIDDAY PERIOD COUNTS																	
Period	**A**	**B**	**C**	**D**	**E**	**F**	**G**	**H**	**I**	**J**	**K**	**L**	**M**	**N**	**O**	**P**	**TOTAL**
9:00-9:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:15-9:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:30-9:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:45-10:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:00-10:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:15-10:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:30-10:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:45-11:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:00-11:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:15-11:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:30-11:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:45-12:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:00-12:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15-12:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30-12:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45-13:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:00-13:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:15-13:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:30-13:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:45-14:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:00-14:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:15-14:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:30-14:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:45-15:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:00-15:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:15-15:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:30-15:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:45-16:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PM PERIOD COUNTS																	
Period	**A**	**B**	**C**	**D**	**E**	**F**	**G**	**H**	**I**	**J**	**K**	**L**	**M**	**N**	**O**	**P**	**TOTAL**
16:00-16:15	4	0	1	0	0	0	0	0	1	250	2	0	0	166	0	0	424
16:15-16:30	0	0	4	0	0	0	0	0	0	231	3	1	0	193	0	0	431
16:30-16:45	0	0	0	0	0	0	0	0	0	318	2	0	2	201	0	0	523
16:45-17:00	0	0	0	0	0	0	0	0	0	255	3	0	0	206	0	0	464
17:00-17:15	0	0	3	0	0	0	0	0	0	283	2	0	4	223	0	0	515
17:15-17:30	2	0	0	0	0	0	0	0	0	295	1	0	1	218	0	0	517
17:30-17:45	1	0	1	0	0	0	0	0	0	343	1	0	2	219	0	0	567
17:45-18:00	1	0	2	0	0	0	0	0	0	297	0	0	5	229	0	0	534

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APPENDIX B

LOS Results

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SimTraffic LOS Report

Project: **Millcreek - 485E & 4550S Homes TIS**
Analysis Period: ***Existing (2019) Background***
Time Period: ***Evening Peak Hour*** **Project #:** ***UT19-1454***

Intersection: **785 East & 4500 South**
Type: **Unsignalized**

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	L	14	14	98	26.8	*D*
	R	14	16	112	14.0	*B*
	Subtotal	***28***	***30***	***107***	***20.0***	***C***
EB	T	1,220	1,205	99	0.6	*A*
	R	5	5	100	0.1	*A*
	Subtotal	1,225	1,210	99	0.6	*A*
WB	L	16	12	74	14.2	*B*
	T	889	875	98	2.5	*A*
	Subtotal	905	887	98	2.7	*A*
Total		2,159	2,127	99	1.7	*A*

9: 785 East & 4500 South Performance by movement Interval #1 5:00

Movement	EBT	EBR	WBL	WBT	NBL	NBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.0	0.0	0.6	0.0	0.0	0.0	0.0
Total Delay (hr)	0.0	0.0	0.0	0.1	0.0	0.0	0.2
Total Del/Veh (s)	0.5	0.3	9.8	2.5	31.9	12.7	1.7
Vehicles Entered	293	1	3	210	3	4	514
Vehicles Exited	296	1	4	216	3	4	524
Hourly Exit Rate	1184	4	16	864	12	16	2096
Input Volume	1199	5	16	873	14	14	2121
% of Volume	99	80	100	99	86	114	99

9: 785 East & 4500 South Performance by movement Interval #2 5:15

Movement	EBT	EBR	WBL	WBT	NBL	NBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.0	0.0	0.1	0.0	0.0	0.0	0.0
Total Delay (hr)	0.0	0.0	0.0	0.1	0.0	0.0	0.2
Total Del/Veh (s)	0.6	0.1	19.4	2.3	23.8	16.3	1.6
Vehicles Entered	302	1	3	214	3	4	527
Vehicles Exited	299	1	3	207	3	4	517
Hourly Exit Rate	1196	4	12	828	12	16	2068
Input Volume	1199	5	16	873	14	14	2121
% of Volume	100	80	75	95	86	114	98

9: 785 East & 4500 South Performance by movement Interval #3 5:30

Movement	EBT	EBR	WBL	WBT	NBL	NBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.0	0.0	0.4	0.0	0.0	0.0	0.0
Total Delay (hr)	0.1	0.0	0.0	0.2	0.0	0.0	0.3
Total Del/Veh (s)	0.6	0.1	10.8	2.5	22.6	14.2	1.8
Vehicles Entered	320	1	3	226	5	5	560
Vehicles Exited	323	1	3	233	4	5	569
Hourly Exit Rate	1292	4	12	932	16	20	2276
Input Volume	1285	5	17	936	15	15	2273
% of Volume	101	80	71	100	107	133	100

9: 785 East & 4500 South Performance by movement Interval #4 5:45

Movement	EBT	EBR	WBL	WBT	NBL	NBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.0	0.0	0.2	0.0	0.0	0.0	0.0
Total Delay (hr)	0.0	0.0	0.0	0.2	0.0	0.0	0.2
Total Del/Veh (s)	0.5	0.0	15.3	2.6	23.6	12.2	1.7
Vehicles Entered	290	1	2	223	3	3	522
Vehicles Exited	287	1	2	218	3	3	514
Hourly Exit Rate	1148	4	8	872	12	12	2056
Input Volume	1199	5	16	873	14	14	2121
% of Volume	96	80	50	100	86	86	97

9: 785 East & 4500 South Performance by movement Entire Run

Movement	EBT	EBR	WBL	WBT	NBL	NBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.0	0.0	0.3	0.0	0.0	0.0	0.0
Total Delay (hr)	0.2	0.0	0.0	0.6	0.1	0.1	1.0
Total Del/Veh (s)	0.6	0.1	14.2	2.5	26.8	14.0	1.7
Vehicles Entered	1205	5	12	874	14	16	2126
Vehicles Exited	1205	5	12	875	14	16	2127
Hourly Exit Rate	1205	5	12	875	14	16	2127
Input Volume	1220	5	16	889	14	14	2159
% of Volume	99	100	74	98	98	112	99

Intersection: 9: 785 East & 4500 South, Interval #1

Movement	EB	WB	NB
Directions Served	TR	L	LR
Maximum Queue (ft)	2	31	41
Average Queue (ft)	0	9	21
95th Queue (ft)	4	31	51
Link Distance (ft)	155		123
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)		100	
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 9: 785 East & 4500 South, Interval #2

Movement	WB	NB
Directions Served	L	LR
Maximum Queue (ft)	32	49
Average Queue (ft)	9	25
95th Queue (ft)	34	58
Link Distance (ft)		123
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)	100	
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 9: 785 East & 4500 South, Interval #3

Movement	WB	NB
Directions Served	L	LR
Maximum Queue (ft)	30	44
Average Queue (ft)	8	26
95th Queue (ft)	32	53
Link Distance (ft)		123
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)	100	
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 9: 785 East & 4500 South, Interval #4

Movement	WB	NB
Directions Served	L	LR
Maximum Queue (ft)	24	43
Average Queue (ft)	5	20
95th Queue (ft)	26	50
Link Distance (ft)		123
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)	100	
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 9: 785 East & 4500 South, All Intervals

Movement	EB	WB	NB
Directions Served	TR	L	LR
Maximum Queue (ft)	2	43	61
Average Queue (ft)	0	8	23
95th Queue (ft)	2	31	54
Link Distance (ft)	155		123
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)		100	
Storage Blk Time (%)			
Queuing Penalty (veh)			

HALES ENGINEERING
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SimTraffic LOS Report

Project: Millcreek - 485E & 4550S Homes TIS
Analysis Period: *Existing (2019) Plus Project*
Time Period: *Evening Peak Hour* **Project #:** *UT19-1454*

Intersection: 785 East & 4500 South
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	L	19	16	85	29.6	*D*
	R	18	16	90	14.5	*B*
	Subtotal	***37***	***32***	***86***	***22.1***	***C***
EB	T	1,220	1,237	101	0.7	*A*
	R	14	14	98	0.2	*A*
	Subtotal	1,234	1,251	101	0.7	*A*
WB	L	22	22	99	13.0	*B*
	T	889	892	100	2.5	*A*
	Subtotal	911	914	100	2.8	*A*
Total		2,184	2,199	101	1.9	*A*

Intersection: 785 East & North Access
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	T	11	10	89	0.2	*A*
	Subtotal	11	10	91	0.2	*A*
SB	T	22	21	98	0.1	*A*
	R	10	10	98	0.1	*A*
	Subtotal	32	31	97	0.1	*A*
EB	L	6	6	100	3.7	*A*
	Subtotal	***6***	***6***	***100***	***3.7***	***A***
Total		49	47	96	0.6	*A*

HALES ENGINEERING
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SimTraffic LOS Report

Project: **Millcreek - 485E & 4550S Homes TIS**
Analysis Period: ***Existing (2019) Plus Project***
Time Period: ***Evening Peak Hour*** **Project #:** ***UT19-1454***

Intersection: **785 East & South Access**
Type: **Unsignalized**

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	T	5	4	80	0.0	*A*
	Subtotal	5	4	80	0.0	*A*
SB	T	14	14	98	0.0	*A*
	R	5	4	80	0.0	*A*
	Subtotal	19	18	95	0.0	*A*
EB	L	3	3	100	4.2	*A*
	Subtotal	***3***	***3***	***100***	***4.2***	***A***
Total		27	25	92	0.5	*A*

9: 785 East & 4500 South Performance by movement Interval #1 5:00

Movement	EBT	EBR	WBL	WBT	NBL	NBT	NBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.0	0.0	0.2	0.0	0.0	0.0	0.0	0.0
Total Delay (hr)	0.1	0.0	0.0	0.2	0.0	0.0	0.0	0.3
Total Del/Veh (s)	0.7	0.2	12.8	2.5	25.4	1.7	15.7	1.8
Vehicles Entered	306	5	5	216	4	1	4	541
Vehicles Exited	310	5	5	220	4	1	4	549
Hourly Exit Rate	1240	20	20	880	16	4	16	2196
Input Volume	1199	14	22	873	18	2	17	2145
% of Volume	103	143	91	101	89	200	94	102

9: 785 East & 4500 South Performance by movement Interval #2 5:15

Movement	EBT	EBR	WBL	WBT	NBL	NBT	NBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.0	0.0	0.4	0.0	0.0		0.0	0.0
Total Delay (hr)	0.1	0.0	0.0	0.2	0.0	0.0	0.0	0.3
Total Del/Veh (s)	0.7	0.2	8.9	2.5	33.0		8.7	1.8
Vehicles Entered	300	2	6	218	4	0	4	534
Vehicles Exited	297	2	6	214	4	0	3	526
Hourly Exit Rate	1188	8	24	856	16	0	12	2104
Input Volume	1199	14	22	873	18	2	17	2145
% of Volume	99	57	109	98	89	0	71	98

9: 785 East & 4500 South Performance by movement Interval #3 5:30

Movement	EBT	EBR	WBL	WBT	NBL	NBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.0	0.0	0.6	0.0	0.0	0.0	0.0
Total Delay (hr)	0.1	0.0	0.0	0.2	0.0	0.0	0.3
Total Del/Veh (s)	0.8	0.3	17.0	2.6	31.4	14.8	2.1
Vehicles Entered	324	4	5	232	4	5	574
Vehicles Exited	327	4	6	235	5	5	582
Hourly Exit Rate	1308	16	24	940	20	20	2328
Input Volume	1284	15	23	936	21	20	2299
% of Volume	102	107	104	100	95	100	101

9: 785 East & 4500 South Performance by movement Interval #4 5:45

Movement	EBT	EBR	WBL	WBT	NBL	NBT	NBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.0	0.0	0.3	0.0	0.0		0.0	0.0
Total Delay (hr)	0.1	0.0	0.0	0.2	0.0	0.0	0.0	0.3
Total Del/Veh (s)	0.7	0.2	11.2	2.5	20.6		15.2	1.8
Vehicles Entered	306	3	6	226	4	0	4	549
Vehicles Exited	303	3	6	222	3	0	4	541
Hourly Exit Rate	1212	12	24	888	12	0	16	2164
Input Volume	1199	14	22	873	18	2	17	2145
% of Volume	101	86	109	102	67	0	94	101

9: 785 East & 4500 South Performance by movement Entire Run

Movement	EBT	EBR	WBL	WBT	NBL	NBT	NBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.0	0.0	0.4	0.0	0.0	0.0	0.0	0.0
Total Delay (hr)	0.3	0.0	0.1	0.6	0.1	0.0	0.1	1.2
Total Del/Veh (s)	0.7	0.2	13.0	2.5	29.6	1.0	14.5	1.9
Vehicles Entered	1236	15	22	892	16	2	16	2199
Vehicles Exited	1237	14	22	892	16	2	16	2199
Hourly Exit Rate	1237	14	22	892	16	2	16	2199
Input Volume	1220	14	22	889	19	2	18	2184
% of Volume	101	98	99	100	85	133	90	101

15: 785 East & North Access Performance by movement Interval #1 5:00

Movement	EBL	NBT	SBT	SBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.1	0.0	0.0	0.0	0.0
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)	4.7	0.3	0.1	0.1	0.5
Vehicles Entered	1	2	6	3	12
Vehicles Exited	1	2	6	3	12
Hourly Exit Rate	4	8	24	12	48
Input Volume	6	11	21	10	48
% of Volume	67	73	114	120	100

15: 785 East & North Access Performance by movement Interval #2 5:15

Movement	EBL	NBT	SBT	SBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.1	0.0	0.0	0.0	0.0
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)	4.6	0.1	0.1	0.0	0.5
Vehicles Entered	1	2	5	2	10
Vehicles Exited	1	2	5	2	10
Hourly Exit Rate	4	8	20	8	40
Input Volume	6	11	21	10	48
% of Volume	67	73	95	80	83

15: 785 East & North Access Performance by movement Interval #3 5:30

Movement	EBL	NBT	SBT	SBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.1	0.0	0.0	0.0	0.0
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)	3.3	0.3	0.1	0.1	0.6
Vehicles Entered	2	3	5	4	14
Vehicles Exited	2	3	5	4	14
Hourly Exit Rate	8	12	20	16	56
Input Volume	6	12	23	11	52
% of Volume	133	100	87	145	108

15: 785 East & North Access Performance by movement Interval #4 5:45

Movement	EBL	NBT	SBT	SBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.1	0.0	0.0	0.0	0.0
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)	3.1	0.3	0.0	0.0	0.6
Vehicles Entered	2	2	5	2	11
Vehicles Exited	2	2	5	2	11
Hourly Exit Rate	8	8	20	8	44
Input Volume	6	11	21	10	48
% of Volume	133	73	95	80	92

15: 785 East & North Access Performance by movement Entire Run

Movement	EBL	NBT	SBT	SBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.1	0.0	0.0	0.0	0.0
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)	3.7	0.2	0.1	0.1	0.6
Vehicles Entered	6	10	21	10	47
Vehicles Exited	6	10	21	10	47
Hourly Exit Rate	6	10	21	10	47
Input Volume	6	11	22	10	49
% of Volume	100	89	98	98	96

17: 785 East & South Access Performance by movement Interval #1 5:00

Movement	EBL	NBT	SBT	SBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.1	0.1	0.0	0.0	0.0
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)	3.5	0.0	0.0	0.0	0.5
Vehicles Entered	1	1	4	1	7
Vehicles Exited	1	1	4	1	7
Hourly Exit Rate	4	4	16	4	28
Input Volume	3	5	14	5	27
% of Volume	133	80	114	80	104

17: 785 East & South Access Performance by movement Interval #2 5:15

Movement	EBL	NBT	SBT	SBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)		0.1	0.0	0.0	0.0
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)		0.0	0.1	0.0	0.3
Vehicles Entered	0	1	4	1	6
Vehicles Exited	0	1	4	1	6
Hourly Exit Rate	0	4	16	4	24
Input Volume	3	5	14	5	27
% of Volume	0	80	114	80	89

17: 785 East & South Access Performance by movement Interval #3 5:30

Movement	EBL	NBT	SBT	SBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.1	0.1	0.0	0.0	0.0
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)	3.9	0.0	0.0	0.0	0.7
Vehicles Entered	1	1	3	1	6
Vehicles Exited	1	1	3	1	6
Hourly Exit Rate	4	4	12	4	24
Input Volume	3	5	15	5	28
% of Volume	133	80	80	80	86

17: 785 East & South Access Performance by movement Interval #4 5:45

Movement	EBL	NBT	SBT	SBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.1	0.1	0.0	0.0	0.0
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)	3.5	0.0	0.0	0.0	0.6
Vehicles Entered	1	1	3	1	6
Vehicles Exited	1	1	3	1	6
Hourly Exit Rate	4	4	12	4	24
Input Volume	3	5	14	5	27
% of Volume	133	80	86	80	89

17: 785 East & South Access Performance by movement Entire Run

Movement	EBL	NBT	SBT	SBR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.1	0.1	0.0	0.0	0.0
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)	4.2	0.0	0.0	0.0	0.5
Vehicles Entered	3	4	14	4	25
Vehicles Exited	3	4	14	4	25
Hourly Exit Rate	3	4	14	4	25
Input Volume	3	5	14	5	27
% of Volume	100	80	98	80	92

Total Zone Performance By Interval

Interval Start	5:00	5:15	5:30	5:45	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.3	0.4	0.4	0.3	0.3
Total Delay (hr)	0.3	0.3	0.3	0.3	1.2
Total Del/Veh (s)	255.9	88.8	245.7	83.2	222.5
Vehicles Entered	13	12	17	15	60
Vehicles Exited	2	1	2	2	9
Hourly Exit Rate	8	4	8	8	9
Input Volume	2220	2220	2379	2220	2260
% of Volume	0	0	0	0	0

Intersection: 9: 785 East & 4500 South, Interval #1

Movement	EB	EB	WB	NB
Directions Served	T	TR	L	LR
Maximum Queue (ft)	4	2	35	54
Average Queue (ft)	1	0	11	25
95th Queue (ft)	9	5	37	60
Link Distance (ft)	155	155		123
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)			100	
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 9: 785 East & 4500 South, Interval #2

Movement	WB	NB
Directions Served	L	LR
Maximum Queue (ft)	32	47
Average Queue (ft)	12	23
95th Queue (ft)	36	54
Link Distance (ft)		123
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)	100	
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 9: 785 East & 4500 South, Interval #3

Movement	WB	NB
Directions Served	L	LR
Maximum Queue (ft)	44	54
Average Queue (ft)	16	27
95th Queue (ft)	45	55
Link Distance (ft)		123
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)	100	
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 9: 785 East & 4500 South, Interval #4

Movement	WB	NB
Directions Served	L	LR
Maximum Queue (ft)	25	46
Average Queue (ft)	13	23
95th Queue (ft)	37	52
Link Distance (ft)		123
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)	100	
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 9: 785 East & 4500 South, All Intervals

Movement	EB	EB	WB	NB
Directions Served	T	TR	L	LR
Maximum Queue (ft)	4	2	52	65
Average Queue (ft)	0	0	13	25
95th Queue (ft)	5	2	39	56
Link Distance (ft)	155	155		123
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)			100	
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 15: 785 East & North Access, Interval #1

Movement	EB
Directions Served	LR
Maximum Queue (ft)	28
Average Queue (ft)	5
95th Queue (ft)	23
Link Distance (ft)	410
Upstream Blk Time (%)	
Queuing Penalty (veh)	
Storage Bay Dist (ft)	
Storage Blk Time (%)	
Queuing Penalty (veh)	

Intersection: 15: 785 East & North Access, Interval #2

Movement	EB
Directions Served	LR
Maximum Queue (ft)	18
Average Queue (ft)	4
95th Queue (ft)	21
Link Distance (ft)	410
Upstream Blk Time (%)	
Queuing Penalty (veh)	
Storage Bay Dist (ft)	
Storage Blk Time (%)	
Queuing Penalty (veh)	

Intersection: 15: 785 East & North Access, Interval #3

Movement	EB
Directions Served	LR
Maximum Queue (ft)	25
Average Queue (ft)	6
95th Queue (ft)	26
Link Distance (ft)	410
Upstream Blk Time (%)	
Queuing Penalty (veh)	
Storage Bay Dist (ft)	
Storage Blk Time (%)	
Queuing Penalty (veh)	

Intersection: 15: 785 East & North Access, Interval #4

Movement	EB
Directions Served	LR
Maximum Queue (ft)	25
Average Queue (ft)	6
95th Queue (ft)	25
Link Distance (ft)	410
Upstream Blk Time (%)	
Queuing Penalty (veh)	
Storage Bay Dist (ft)	
Storage Blk Time (%)	
Queuing Penalty (veh)	

Intersection: 15: 785 East & North Access, All Intervals

Movement	EB
Directions Served	LR
Maximum Queue (ft)	31
Average Queue (ft)	5
95th Queue (ft)	24
Link Distance (ft)	410
Upstream Blk Time (%)	
Queuing Penalty (veh)	
Storage Bay Dist (ft)	
Storage Blk Time (%)	
Queuing Penalty (veh)	

Intersection: 17: 785 East & South Access, Interval #1

Movement	EB
Directions Served	LR
Maximum Queue (ft)	18
Average Queue (ft)	3
95th Queue (ft)	18
Link Distance (ft)	396
Upstream Blk Time (%)	
Queuing Penalty (veh)	
Storage Bay Dist (ft)	
Storage Blk Time (%)	
Queuing Penalty (veh)	

Intersection: 17: 785 East & South Access, Interval #2

Movement	EB
Directions Served	LR
Maximum Queue (ft)	12
Average Queue (ft)	2
95th Queue (ft)	13
Link Distance (ft)	396
Upstream Blk Time (%)	
Queuing Penalty (veh)	
Storage Bay Dist (ft)	
Storage Blk Time (%)	
Queuing Penalty (veh)	

Intersection: 17: 785 East & South Access, Interval #3

Movement	EB
Directions Served	LR
Maximum Queue (ft)	18
Average Queue (ft)	4
95th Queue (ft)	20
Link Distance (ft)	396
Upstream Blk Time (%)	
Queuing Penalty (veh)	
Storage Bay Dist (ft)	
Storage Blk Time (%)	
Queuing Penalty (veh)	

Intersection: 17: 785 East & South Access, Interval #4

Movement	EB
Directions Served	LR
Maximum Queue (ft)	15
Average Queue (ft)	3
95th Queue (ft)	19
Link Distance (ft)	396
Upstream Blk Time (%)	
Queuing Penalty (veh)	
Storage Bay Dist (ft)	
Storage Blk Time (%)	
Queuing Penalty (veh)	

Intersection: 17: 785 East & South Access, All Intervals

Movement	EB
Directions Served	LR
Maximum Queue (ft)	31
Average Queue (ft)	3
95th Queue (ft)	18
Link Distance (ft)	396
Upstream Blk Time (%)	
Queuing Penalty (veh)	
Storage Bay Dist (ft)	
Storage Blk Time (%)	
Queuing Penalty (veh)	

Zone Summary

Zone wide Queuing Penalty, Interval #1: 0
Zone wide Queuing Penalty, Interval #2: 0
Zone wide Queuing Penalty, Interval #3: 0
Zone wide Queuing Penalty, Interval #4: 0
Zone wide Queuing Penalty, All Intervals: 0

HALES ENGINEERING
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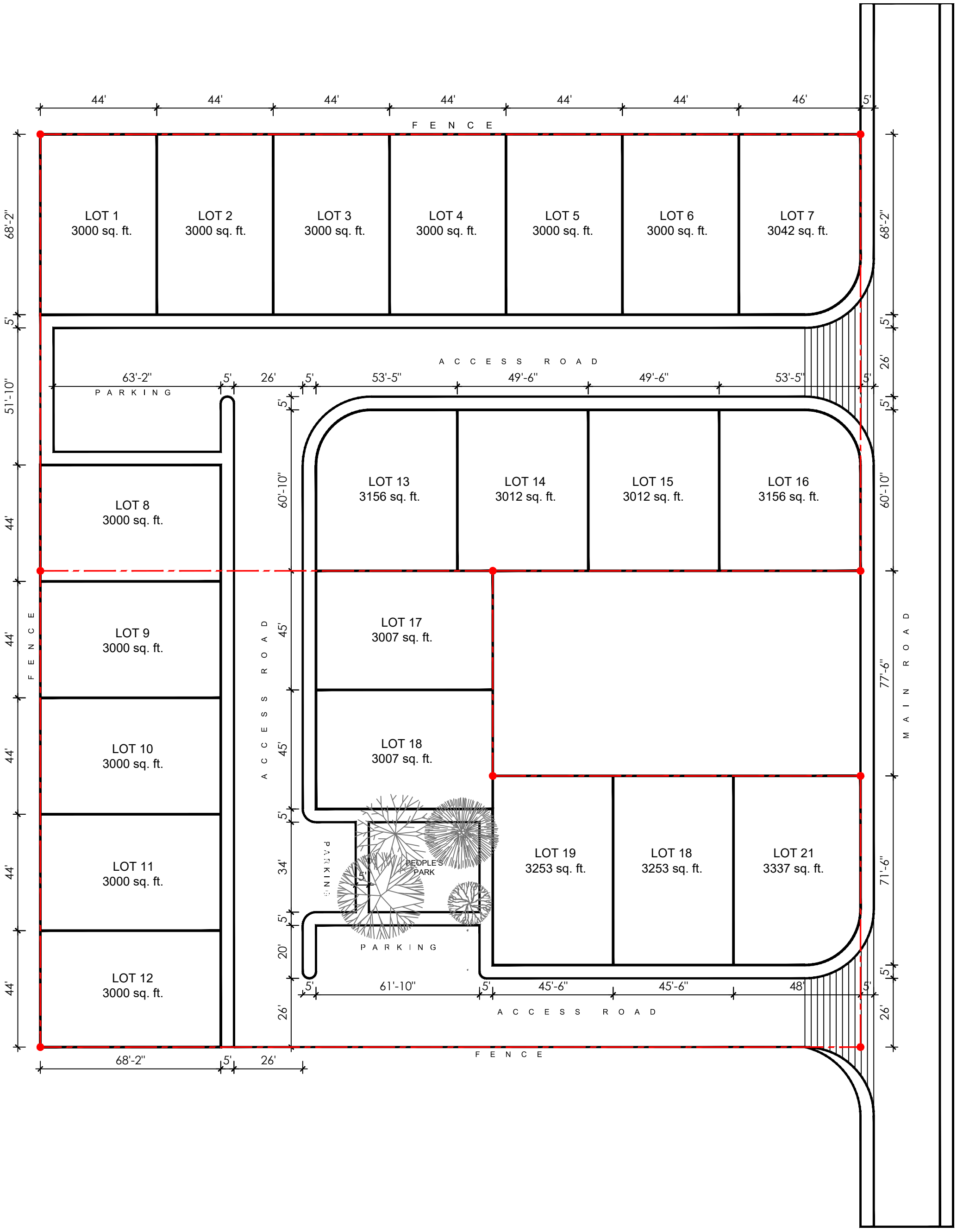
APPENDIX C

Site Plan



TOTAL AREAS:

1. (21) HOUSE LOTS	= 64235.80 sq. ft.	(21) FLOOR AREAS	= 34020.85 sq. ft.
2. ROADS & WALKS	= 27271.66 sq. ft.		
3. PARKING & PARK	= 4670.04 sq. ft.		
PROPERTY LOT	= 96177.50 sq. ft.		

LAYOUT PLAN

SCALE: 1/32"

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APPENDIX D

95th Percentile Queue Length Reports

SimTraffic Queueing Report

Project: Millcreek - 485E & 4550S Homes TIS

Analysis: Existing (2019) Background

Time Period: Evening Peak Hour

95th Percentile Queue Length (feet)

HALES ENGINEERING
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Project #: UT19-1454

Intersection	NB	EB	WB
	LR	TR	L
785 East & 4500 South	54	2	31

SimTraffic Queueing Report

Project: Millcreek - 485E & 4550S Homes TIS

Analysis: Existing (2019) Plus Project

Time Period: Evening Peak Hour

95th Percentile Queue Length (feet)

HALES ENGINEERING
innovative transportation solutions

Project #: UT19-1454

Intersection	NB	EB			WB
	LR	LR	T	TR	L
785 East & 4500 South	56	--	5	2	39
785 East & North Access	--	24	--	--	--
785 East & South Access	--	18	--	--	--

I, the undersign would consider a development and a rezone to an R1-3 for the parcels owned by Del Christenson. By signing this we are simply stating based on the facts we have at the present moment we are in favor.

Name	Address	Phone Number	Email
James Miller	793 Mill Garden Ln	801 599 8447	james.miller@q.com
Maesha Pickard	799 Mill Garden Ln	801-699-0954	maesha.miller@gmail.com
Kallie Mitchell B Mitchell	797 E Mill Garden Lane	208-406-7721	kalliedianemitchell@gmail.com bmitchell.me@gmail.com
S Hagen	796 E. Mill Garden Ln.	801842213	Scott.hagen@music.utah.edu
L Nehrich	4543 South 785 E.	801-448-2590	terrinhi@gmail.com
Doug Talbot	4546 SO 785 E	385 485-7000	watchDog2@Icloud.com
Chris Martindale	4549 S. 785 E.	801-419-8820	librium100@gmail.com
George Papadopoulos	4547 S 785 E	801-509-3556	eurotan12@comcast.net

Doug Needham 7596 S. 785 E SLC UT 84107

Doug_Needham@yahoo.com

Name	Address	Phone Number	Email
ED GALLAGHER	4606 S. 785 E SLC. UT 84107	916-297-4683	
SANDRA GALLAGHER	4606 S. 785 E, SLC UT 84107	910-200-1158	

ESM

I, the undersign would consider a development and a rezone to an R1-3 for the parcels owned by Del Christenson. By signing this we are simply stating based on the facts we have at the present moment we are in favor.

Name	Address	Phone Number	Email
Jordan Owens	4552 S 785 E	801-661-3452	dymposition202460gmail.com
Kathryn Holle US	4551 S 785 E	503-801 4910	Keating121@yahoo.com
Jeremy Smith	4551 S 785 E	801-706 7146	JCSSALTLAKE@LIVE.com
SANDY GALLAGHER	4606 S. 785 E.	910/200-1158	sandylaw4322@gmail.com
ED GALLAGHER	4606 S. 785 E	910-297-4683	ED.JOE.GALLAGHER@GMAIL.COM
Paul Avery	4556 S. 785 E	801-201-2477	

Name	Address	Phone Number	Email
Engel Islas	4563 S 785 E	801-502-2138	engel-islas@gmail.com
Fred Harrison	4582 S. 785 E.	801-201-8171 801-266-3305	f.James harrison@Gmail.Com.
Ricardo Dominguez	4554 S 785 E	801-500-2939	Richiedguez@hotmail.com
KEVIN BURGE	4945 785 E	385499-9756	kevinburge98@GMAIL.com
Danny Lambert	4549 S. 785 E	801-703-3468	Danbesthranco@ebmail.com

Millcreek City Planning and Community Development
3330 South 1300 East
Millcreek, Utah 84106
Phone: (801) 214-2700
www.milcreek.us

File # CU-20-004_SD-20-006

Planning Commission Staff Report

From: **Robert May, Planner**
To: **Millcreek Planning Commission**
Meeting Date: **April 15, 2020**

RE: **Preliminary Conditional Use Permit and Preliminary Plat Approval for a Townhome Planned Unit Development consisting of 12 dwellings in the R-M Zone at 4120 South Highland Drive**

Applicant: **Paul Gardner**

File No.: **CU-20-004_SD-20-006**

SYNOPSIS AND SCOPE OF DECISION

Paul Gardner is requesting Preliminary Conditional Use Permit and Preliminary Plat Approval for a Townhome Planned Unit Development consisting of 12 dwellings in an R-M zone at 4120 South Highland Drive. Pursuant to Chapter 19.60.020 of the Millcreek Code, the R-M zone allows a multi-family Planned Unit Development as a conditional use.

Existing Zoning	Existing Land Use	Surrounding Uses and Zones	Site Improvements	Parcel IDs	Size
R-M	Reception/event center	Single-family residential and commercial/office	12 units	22-04-130-008	1.79 acres

18.08.010 Procedure Generally

The planning commission shall be the land use authority for subdivisions. In order to assure that each subdivision fully complies with the provisions of this title, the director or director's designee shall administer formal application and review procedures for subdivisions. An application shall not be deemed complete until the full application, fees and all required materials have been submitted.

The Planning Commission is asked to consider this request considering reasonably anticipated detrimental effects of the proposed use for the neighborhood. Final approval will be issued by staff after a technical review. The property is currently The Old Meeting House reception center operated by

the applicant. Adjacent uses include commercial and office uses to the north and east with single family homes to the south and west. The applicant would like to demolish the old chapel due to structural and liability concerns.

A previous conditional use approval was granted by Planning Commission last November 2019 for a 38-unit townhome/condominium development. The Millcreek Community Council on November 5th voted to send a favorable recommendation for this conditional use permit to the Planning Commission subject to incorporating traffic mitigation as approved by the City Engineer.

The three-story townhomes will consist of 3-bedrooms with two-car garages on the main floor. Five of the twelve townhomes will be below the 30' feet max due to the height transition of the R-1 zoning to the west. The remaining 7 units will be built to approximately 33' feet in height, below the 40' max height allowed by the R-M Zone. The applicants parking arrangement exceeds the required minimum for a 12-unit townhome project by 26 parking stalls and will provide the same access points as previously approved but will also include a private thru street, giving the residents within the development better access to Highland Drive, lessening the impacts onto Winder Lane.

ZONING MAP

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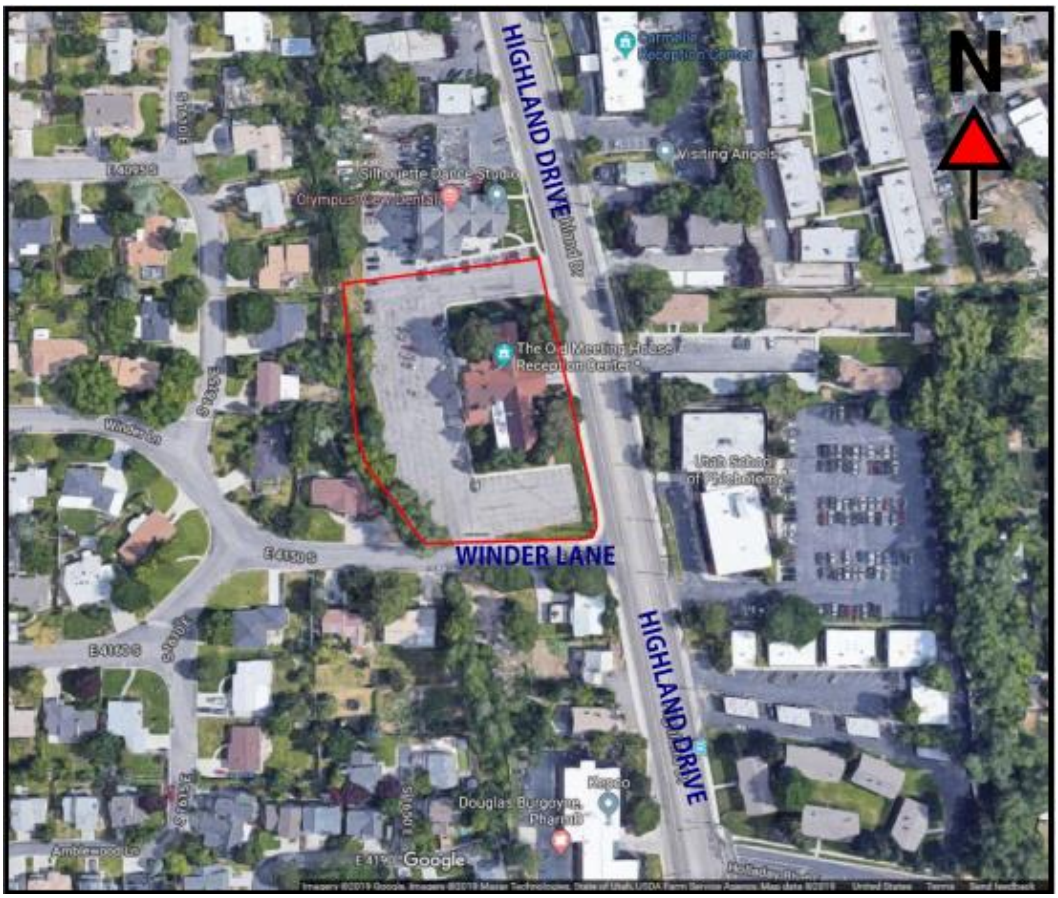
Aerial Map



PROJECT INFORMATION

The property is currently The Old Meeting House reception center operated by the applicant. He would like to demolish the Old Meeting House and replace it with the proposed 12 single-family units. (See attached Reason for Demolition letter) Adjacent uses include commercial and office uses to the north and east with single family homes to the south and west. A special landscape wall and plaque will be constructed on the corner of Winder Lane and Highland Drive to memorialize the Old Meeting House/Winder Ward Chapel. The three-story townhomes will consist of 3-bedrooms with two-car garages on the main floor. Five of the twelve townhomes will be below the 30' feet max due to the height transition of the R-1 zoning to the west. The remaining 7 units will be built to approximately 33' feet in height, below the 40' max height allowed by the R-M Zone. The applicants parking arrangement exceeds the required minimum for a 12-unit townhome project by 26 parking stalls and will provide the same access points as previously approved. The applicants plan includes a private thru street, giving the residents within the development better access to Highland Drive.

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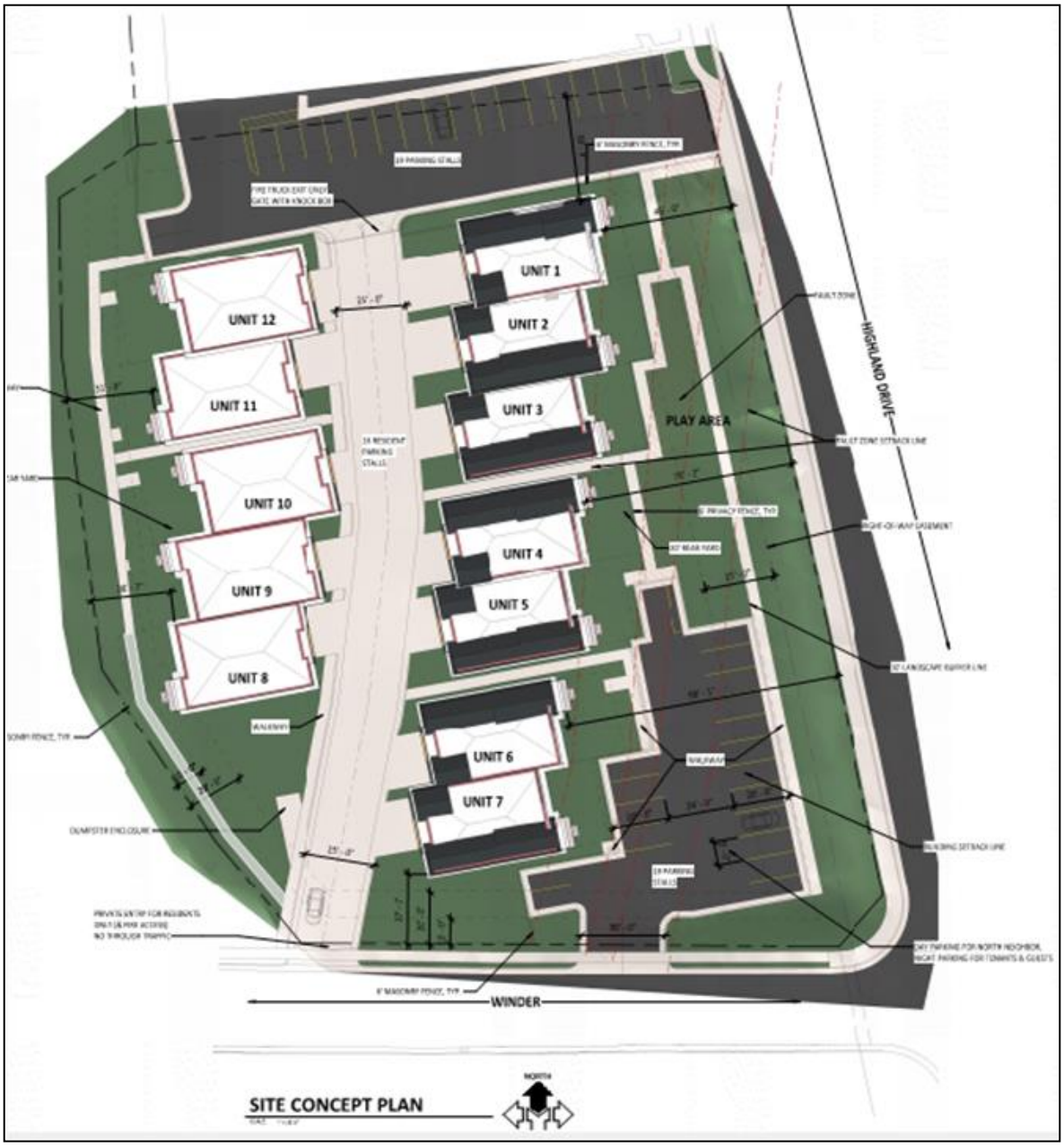
Site Plan



Proposed Uses. 12-unit townhome residential development.

Density. The size of the property is 1.79 acres. The R-M Zone allows one multi-family unit per 2,000 square feet which would allow up to 39 units on the property. The developer is proposing 12 units that will be owner occupied. (6.7 units per/acre).

Height. The proposed building height is 30 feet for units 8-12 and 30-35 feet for units 1-7 measured from natural grade.

Site Layout. The buildings cover 18,864 square feet of area (24%) with 36,061 square feet of open space (40%) and 23,221 square feet of surface parking 29%.

Fencing and Landscaping: 6′ Masonry style of fencing

Lighting: *No light source (light bulb, fluorescent tube, or other direct source of light used to illuminate a parking area) shall be visible beyond the property line of any off-street parking area as required by Section 19.80.030 of the zoning ordinance.*

Access. There is an existing curb cut on the property along Highland Drive which provides access and parking for residents and guests. A private access road off Winder Lane will connect to the Highland Drive parking allowing each unit covered parking garages and Unified Fire access.

Dedication. A dedication of 23 feet along Highland Drive is being required which will be landscaped and developed as additional street improvements in the future.

Parking. See the attached parking summary in the site plan tabulations.

Open Space. The site has a 46% open space requirement including parking and landscaping parking requirements stated in 19.77 of the MCC, which have been met.

Unit Characteristics. 12- 3-bedroom/3-story townhomes

Materials. Materials being used will mostly comprise of brick to keep the design and characteristics of the old meeting house. Building facades facing Highland and Winder will not exceed more than 50% of one material.

Amenities. On-site amenities will include an open children's play area with outside 10x12 picnic gazebo and a barbecue station.

Utilities and Waste Removal. Applicant will address how and where utilities will be connected. Garbage cans will be provided for each unit for waste removal stored in each private garbage. On site dumpsters will be provided with contracted waste management removal.

Development Agreement Considerations. Not applicable.

Exceptions. None

Geologic Hazards. The eastern portion of the Old Meeting House sits on an identified fault line based on a required geologic hazards study. (See attached fault zone and setbacks exhibit in the supporting documents) The proposed buildings are setback from the fault line as identified in the study.

Site Tabulations

SITE SUMMARY:

R-M ZONE	
TOTAL AREA:	1.79 ACRES
GROSS AREA:	1.67 ACRES
BLDG. COVERAGE:	18,864 sq. ft.
	24.14% OF TOTAL
OPEN SPACE /	36,061.26 sq. ft.
LANDSCAPING:	46.15% OF TOTAL
OPEN SPACE /	23,221.74 sq. ft.
HARD SURFACE:	29.72% OF TOTAL

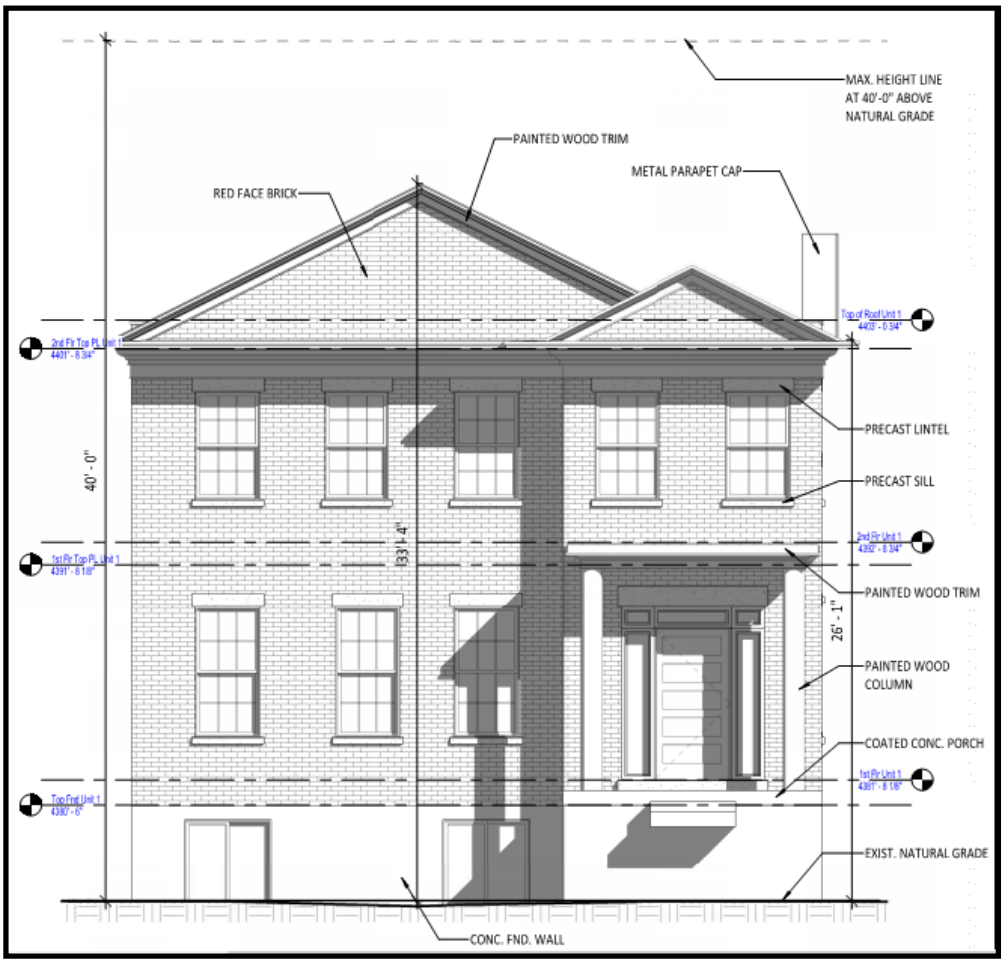
SITE TABULATIONS

REQUIRED:		PROVIDED:	
NO. OF BEDROOMS		TOTAL BEDROOMS:	30
PER UNIT:	3	TOTAL PARKING SPACES:	62
PARKING MULTIPLIER:	2.5 STALLS/UNIT	GUEST PARKING:	26
NO. REQUIRED:	30	OPEN SPACE:	59,283 sq. ft.
GUEST PARKING:	0.33 STALLS/UNIT		(75.86% OF TOTAL)
NO. REQUIRED:	33% with 6 MIN.	BUILDING COVERAGE:	18,864 sf. ft.
OPEN SPACE:	40%		(24.14% OF TOTAL)
MAX. LOT COVERAGE:	60%	AMENITY:	1 - OPEN PLAY AREA
NO. OF AMENITIES:	1		(Gazebo, barbecue and picnic table)

PARKING

36 STALLS TOTAL REQ.	62 STALLS TOTAL PROVIDED
30 RESIDENT + 6 GUEST	30 RESIDENT + 6 GUEST + 26 ADDITIONAL SPACES
UNITS WITHIN 100' OF RESIDENTIAL	UNITS FARTHER THAN 100' OF RESIDENTIAL
(30' MAX. HEIGHT ABOVE EXIST. GRADE)	(40' MAX. HEIGHT ABOVE EXIST. GRADE)
UNITS 8, 9, 10, 11, 12	UNITS 1, 2, 3, 4, 5, 6, 7

Elevations



Units 1-7 that **<u>are not</u>** restricted to the 30' foot maximum height.

Units 8-12 that **<u>are</u>** restricted to the 30' foot maximum height.

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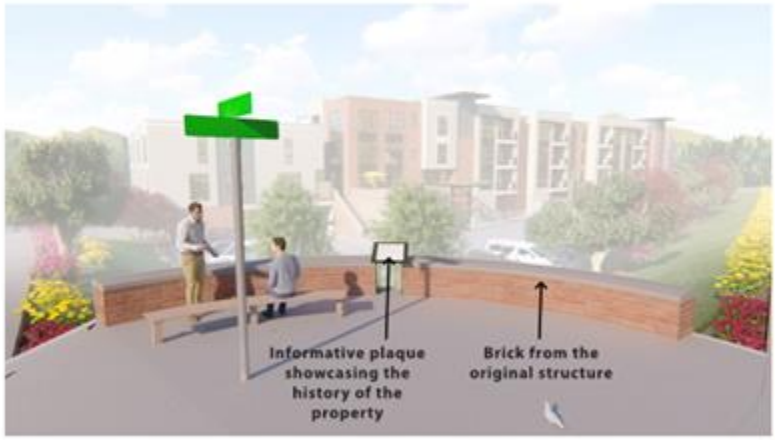
Landscape Plan

Monument Plan

Honor the existing building with a monument



A monument for Winder Ward on the street corner

Example of an existing monument in the same area.

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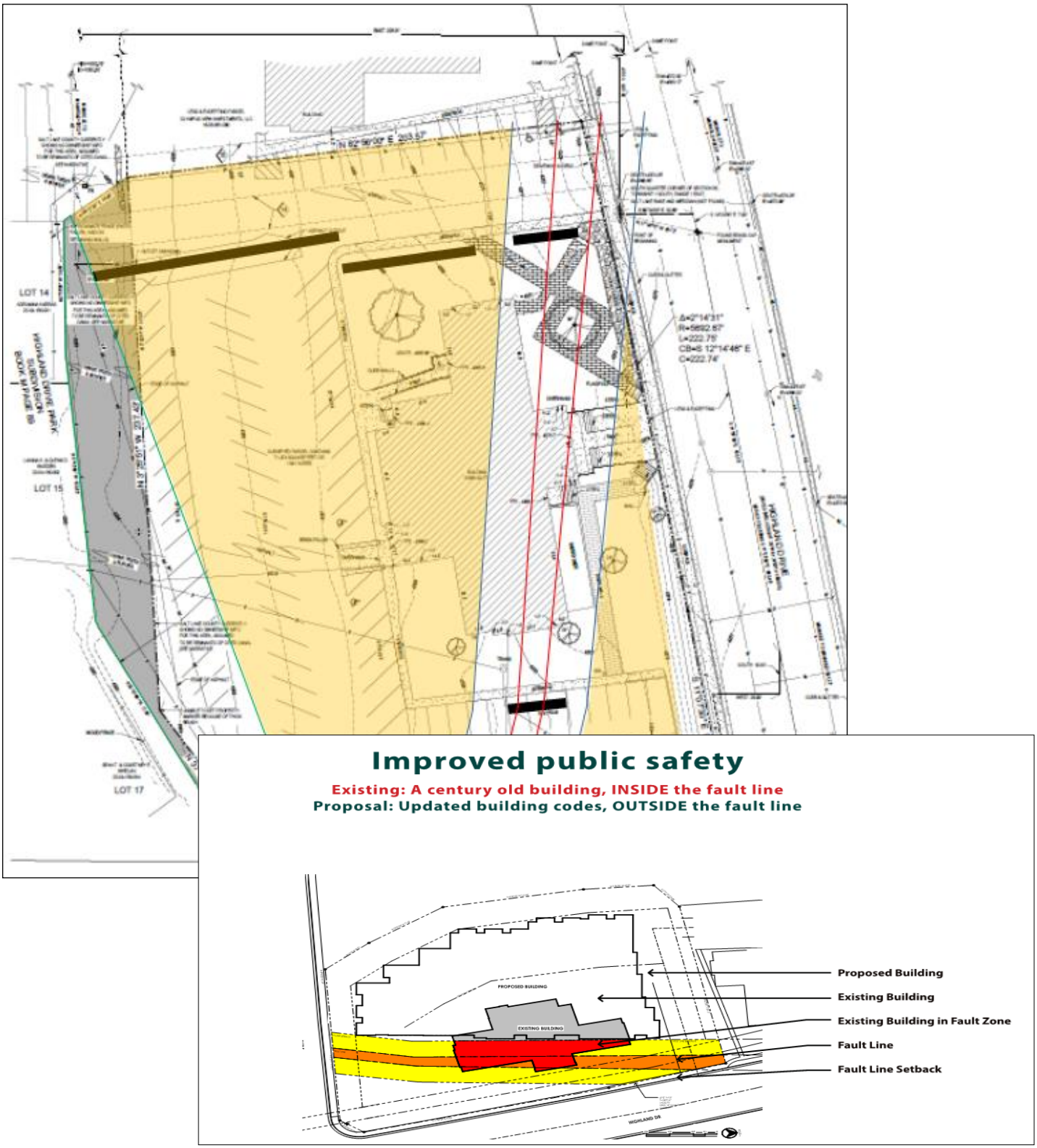
Fault Line



STANDARDS FOR APPROVAL

Per §19.84.060 of the Millcreek Code, All Conditional Use Permits run with the land and may require the applicant to record documents to that effect. The Planning Commission and staff, in their review capacity, may impose site plan modifications and conditions to mitigate the reasonably anticipated detrimental effects of a conditional use.

While staff finds that the project is well designed and much less dense than the previously approved 38 units, the final conditional use permit will be evaluated for potential detrimental impacts established in the Millcreek Code.

Staff identified the following reasonably anticipated detrimental effects on this project, and recommend the following modifications and conditions to mitigate them:

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, 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.

Effect: The addition of 12 units which will exit onto Winder Lane will have an impact on that neighborhood. There will minimum impact on Traffic on Highland Drive.
Mitigation: In the CC&Rs prohibit any resident and guest parking on any adjacent residential streets.

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

Effect: Utilities in the area are in place in this area.
Mitigation: Provide service availability letters as part of final review.

3. Detrimental effects on connectivity and safety for pedestrians and bicyclists.
Effect: The introduction will have a minimal effect on the connectivity and safety for pedestrians and bicyclists.
Mitigation: Due to the development providing sufficient off-street parking and interior traffic circulation, the impact on safety for pedestrian and bicyclist traffic will be minimal. There is existing curb, gutter and sidewalk across the entire Highland Drive frontage.

4. Detrimental effect by 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 such effects as environmental impacts, dust, fumes, smoke, odor, noise, vibrations, chemicals, toxins, pathogens, gases, heat, light, electromagnetic disturbances, and radiation. Detrimental effects by the use may include hours of operation and the potential to create an attractive nuisance.

Effect: This will be a residential use in a residential/commercial neighborhood reducing the overall surface parking area.
Mitigation: Any parking lot or outside lighting shall be dark sky compliant.

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, high ground water, environmental health hazards, or wetlands, as determined by City Engineer, City geologist and other qualified specialists.

Effect: This will be a residential use in a residential/commercial neighborhood. A fault line has been identified on the site which requires specific setbacks by the geologic hazards study.
Mitigation: Any detrimental effects, if any, will be addressed and corrected as part of a technical review of the final conditional use permit.

6. Detrimental effects of modifications to or installation of signs or exterior lighting that conflict with neighborhood compatibility.

Effect: Signs and outdoor lighting associated with the project.
Mitigation: All sign and outdoor lighting must be dark sky compliant.

7. Detrimental effects arising from incompatible designs in terms of use, scale, intensity, height, mass, setbacks, character, construction, solar access, landscaping, fencing, screening, and architectural design and exterior detailing/finishes and colors within the neighborhood in which the conditional use will be located.

Effect: The PUD project is a conditional use in the R-M Zone. It meets all setbacks and building height limitations for the R-M zone and the PUD code.
Mitigation: The project has been designed to meet ordinance requirements and to be compatible with the neighborhood. The developer will also respect the historic nature of the site by placing a narrative historic plaque and plaza on the corner of Highland Drive and Winder Lane.

8. Detrimental effects on the current level of economy in governmental expenditures.

Effect: The project will add 12 new residential units to the tax base replacing the Old Meeting House Reception Center. The effect on the tax base will be relatively neutral.

Mitigation: None needed.

9. Detrimental effects on the current level of economy in governmental expenditures.

Effect: The project fronts Highland Drive with full street improvements. Additional dedication of property for future widening is also part of the project.
Mitigation: Not applicable.

10. Detrimental effects on emergency fire service and emergency vehicle access.

Effect: A review by the fire Marshal is necessary as part of the building permit process. In order to obtain a building permit, the applicant will need to meet all fire codes related to the safe occupancy of the development.
Mitigation: The developer will be required to continuously comply with all applicable fire codes.

11. Detrimental effects on usable/functional/accessible open space.

Effect: The project meets the required open space in the R-M Zone.
Mitigation: Not applicable.

NEIGHBORHOOD COMMENTS

See resident emails in supporting documents

COMMUNITY COUNCIL RECOMMENDATION

At their regularly scheduled meeting on April 7, 2020, the Millcreek Community Council voted unanimously to recommend approval of proposal subject to incorporating traffic mitigation as approved by the City Engineer and Planning staff.

PLANNING STAFF ANALYSIS AND FINDINGS

The applicant's property at 4120 S. Highland Drive for a 12-unit townhome development will facilitate the development of a cohesive zoned area that is appropriate along Highland Drive. Staff finds the revised townhome development to be more amenable to the area and a much less of an impact in terms of parking and traffic. Staff finds that due to the proposed density going from 38 units to 12 units, the overall impact of the development will create less of an impact onto Winder Lane.

Staff finds that the proposed development incorporates more of the historic "Old Meeting House" character by using much of the same materials and design.

Planning Staff recommends approval of application CU-20-004 / SD-20-006 with the following conditions:

1. The applicant shall provide a project parking as detailed on the site plan.
2. The applicant shall provide the proposed exterior detailing/finishes as provided for in the application drawings.
3. The development will be limited to the twelve (12) three-bedroom townhomes as proposed on the plan.
4. All service and mechanical equipment must be screened by landscaping or other methods as set forth in section 19.77.070 of the zoning ordinance.
5. Signs will require separate building permits and staff review for zoning/land use compliance.
6. No light source (light bulb, fluorescent tube, or other direct source of light used to illuminate a parking area) shall be visible beyond the property line of any off-street parking area as required by Section 19.80.030 of the zoning ordinance.
7. Any modifications to these approved plans must be approved by the Planning Department, in writing, prior to the changes being implemented in the field.
8. Landscaping shall be installed in compliance with Chapter 19.77 Water Efficient Landscape Design and Development Standards. Any revisions to the landscape plan package shall be reviewed and approved in writing by the director or designee prior to commencement of construction. Re-certification of compliance with the requirements of the landscaping ordinance shall be provided by the qualified professionals who prepared and submitted the landscape plan.
9. Landscaping and fencing shall be installed according to the plans submitted by the applicant for preliminary approval.
10. The applicant will comply with all requirements established through the technical review process prior to receiving final approval.
11. The applicant will comply with all requirements of the Unified Fire Code, subject to approval by the Fire Marshal.
12. The applicant shall obtain a complete review for an approved building permit and shall continually comply with the requirements of Millcreek City, Salt Lake City Department of Public Utilities, and the S. L. City Suburban Sewer District.

13. The applicant and its successors shall properly and continually maintain all required landscaping, fencing, buildings, and roads.
14. All signs and outdoor light shall be dark sky compliant.
15. Provide a historic plaque and plaza commemorating the Old Meeting House/Winder Chapel per the drawings submitted by the applicant as part of the preliminary approval
16. Comply with all the requirements of the City's Geologic Hazards Ordinance.
17. The proposed subdivision plat must complete a final technical review that includes an engineering review to ensure that the final plat complies with all conditions of approval of the preliminary plat and to ensure that the final plat complies with the design standards, codes, and ordinances and with minimum engineering/surveying requirements, including any bonding for possible future improvements.
18. All accrued final technical review fees must be paid in full prior to recordation.
19. All public improvements must be installed or 100% bonded for and enter into an approved bond agreement with Millcreek prior to recordation.
20. Applicant will work with the State Historic Preservation Office and other stakeholders to identify an appropriate means to honor the legacy of the Old Meeting House as part of the new development.
21. The proposed plat must obtain Unified Fire and Salt Lake County Addressing approvals before recordation.
22. In the CC&Rs prohibit any resident and guest parking on any adjacent residential streets.
23. Allow left hand turns only out of the parking structure with no right turns onto Winder Lane.
24. Applicant will not charge a fee for the required residential parking.

SUPPORTING DOCUMENTS

1. CUP Plans
2. PUD and Civil Plans
3. CU-19-011 Preliminary approval letter
4. Resident Emails

SITE SUMMARY:

R-M ZONE	
TOTAL AREA:	1.79 ACRES
GROSS AREA:	1.67 ACRES
BLDG. COVERAGE:	18,864 sq. ft.
	24.14% OF TOTAL
OPEN SPACE /	36,061.26 sq. ft.
LANDSCAPING:	46.15% OF TOTAL
OPEN SPACE /	23,221.74 sq. ft.
HARD SURFACE:	29.72% OF TOTAL

SITE TABULATIONS

REQUIRED:		PROVIDED:	
NO. OF BEDROOMS		TOTAL BEDROOMS:	30
PER UNIT:	3	TOTAL PARKING SPACES:	61
PARKING MULTIPLIER:	2.5 STALLS/UNIT	GUEST PARKING:	25
NO. REQUIRED:	30	OPEN SPACE:	59,283 sq. ft.
GUEST PARKING:	0.33 STALLS/UNIT		(75.86% OF TOTAL)
NO. REQUIRED:	33% or 6 MIN.	BUILDING COVERAGE:	18,864 sf. ft.
OPEN SPACE:	40%		(24.14% OF TOTAL)
MAX. LOT COVERAGE:	60%	AMENITY:	1 - OPEN PLAY AREA
NO. OF AMENITIES:	1		

PARKING

36 STALLS TOTAL REQ.	62 STALLS TOTAL PROVIDED
30 RESIDENT + 6 GUEST	30 RESIDENT + 6 GUEST + 26 ADDITIONAL SPACES
UNITS WITHIN 100' OF RESIDENTIAL (30' MAX. HEIGHT ABOVE EXIST. GRADE)	UNITS FARTHER THAN 100' OF RESIDENTIAL (40' MAX. HEIGHT ABOVE EXIST. GRADE)
UNITS 8, 9, 10, 11, 12	UNITS 1, 2, 3, 4, 5, 6, 7

SITE CONCEPT PLAN

SCALE: 1" = 20'-0"

Norm Schoenherr AIA Carl Greene AIA
Design International
UTAH COLORADO NEVADA
DESIGN INTERIORS PLANNING ARCHITECTURE CONSULTING
P.O. Box 1596, Park City, Utah 84060
801-641-3894 435-640-6081

RESIDENCES AT WINDER

OLD MEETINGHOUSE SITE
4120 SOUTH HIGLAND DRIVE
MILLCREEK, UTAH

PROJECT NO.	20166
DRAWN BY	CEG
CHECKED BY	Approver
DATE	7 APRIL 2020
PROP. NO.	##

REVISIONS

DATE	DESCRIPTION

SITE CONCEPT LAYOUT

C1.01

C:\Work from Home\20166 - Residences at Winder - Old Meeting House\Prod Dwg\Old Meetinghouse Site.rvt

PLANT SCHEDULE

TREES	COMMON NAME	BOTANICAL NAME	SI□E
	ATLAS CEDAR	CEDRUS ATLANTICA □ARGENTEA □ASTIGIATA□	7□HT
	□OREST PANS□ REDBUD	CERCIS CANADENSIS □OREST PANS□□	8□10□CLUMP
	HOOPSI BLUE SPRUCE	PICEA PUNGENS □HOOPSII□	7□HT
	GREEN VASE SAWLEA□ □ELKOVA	□ELKOVA SERRATA □GREEN VASE□	2" CAL

SHRUBS	COMMON NAME	BOTANICAL NAME	CONT
	ARCTIC □IRE DOGWOOD	CORNUS SANGUINEA □ARCTIC □IRE□	5 GAL
	SHERWOOD COMPACT MUGO PINE	PINUS MUGO □SHERWOOD COMPACT□	5 GAL
	ALDER BUCKTHORN	RHAMNUS □RANGULA □COLUMNARIS□	5 GAL
	AUTUMN AMBER SUMAC	RHUS AROMATICA □AUTUMN AMBER□	5 GAL

ORNAMENTAL GRASSES	COMMON NAME	BOTANICAL NAME	CONT
	ICE DANCE SEDGE	CARE□ □ □ICE DANCE□	1 GAL

LAWN

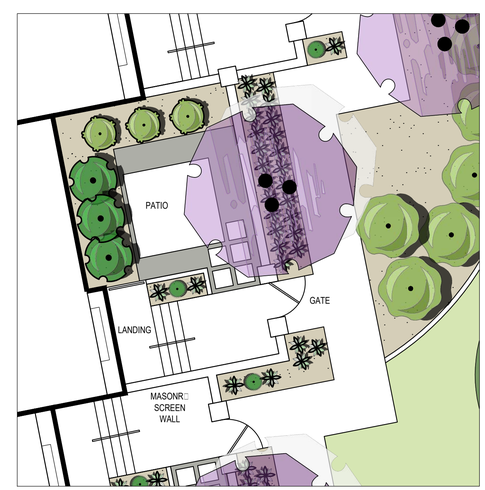
LAWN SOD□"IMPERIAL BLUE" □ROM CHANSHARE □ARMS :866□SOD□EAS□ OR APPROVED E□UAL

MULCH

"SUPREME SHREDDED BARK" □ROM MILLER COMPANIES :435□245□3157 OR APPROVED E□UAL. INSTALLED A MINIMUM 3" DEEP.

DECORATIVE STONE

CRUSHER □INES□"WASATCH GRE□" □ROM STAKER □ PARSON COMPANIES :801□819□9089 OR APPROVED E□UAL INSTALLED A MINIMUM 3" DEEP.



NORTH

S□ ALE□ 1"□ 20□

0 10□ 20□ □0□ □0□

A□ OID□ □UTTING UNDERGROUND UTILITIES. IT□S □OSTLY.

Call □EFORE YOU Dig

1-800-□□2□111

NOTICE!

THE □ ONTRA□ TOR SHALL □ E RESPONS□ LE FOR THE LO□ ATION□ PROTE□ TION□ AND RESTORATION OF ALL □URIED OR A□ O□ E GROUND UTILITIES□ SHO□ N OR NOT SHO□ N ON THE PLANS.

S:\2020Files\20166\Landscape\Prod Dwg\20166_LND.dwg Scott□ Mar 20, 2020 - 4:28pm

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Civil Engineering • Consulting & Landscape Architecture
Structural Engineering • Land Surveying & HDS

STATE OF UTAH
03/20/2020
SCOTT A. SCHOONOVER
349757
LICENSED LANDSCAPE ARCHITECT

OLD MEETINGHOUSE TOWNHOMES

4120 SOUTH HIGHLAND DRIVE
MILLCREEK, UTAH

REVISIONS

REV	DATE	DESCRIPTION

PROJECT NO□	20166
DRAWN BY□	TG
CHECKED BY□	SS
DATE□	3□20□2020
PROP NO□	

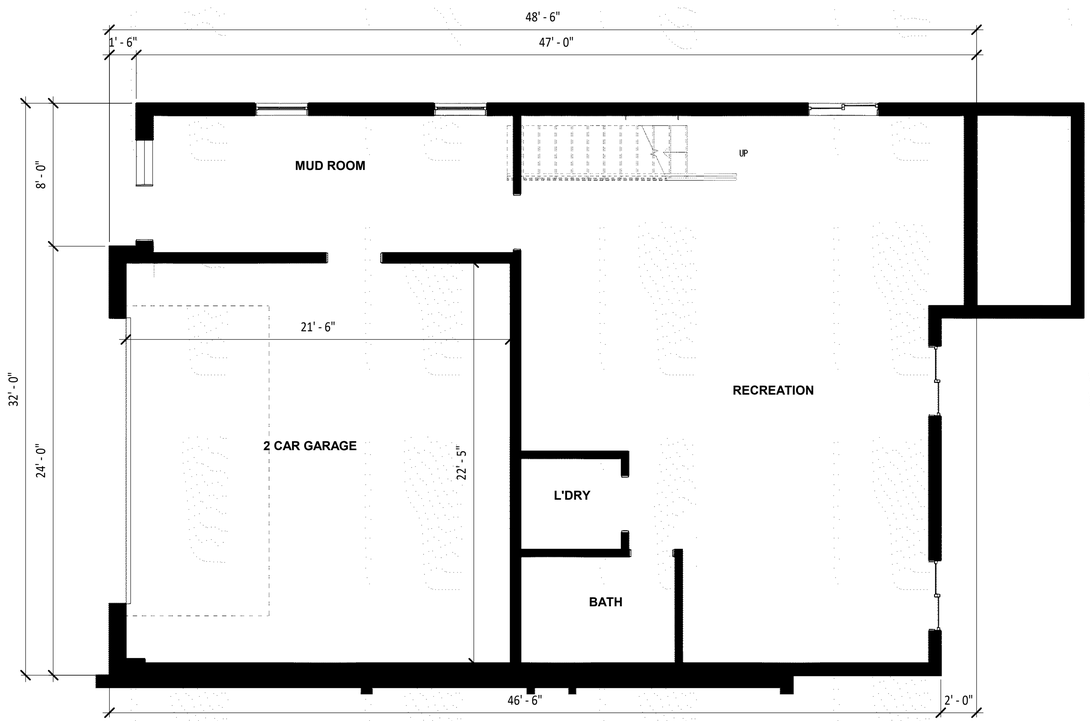
LANDSCAPE PLAN

L1.01

SECOND FLOOR PLAN

1,332 sq. ft.

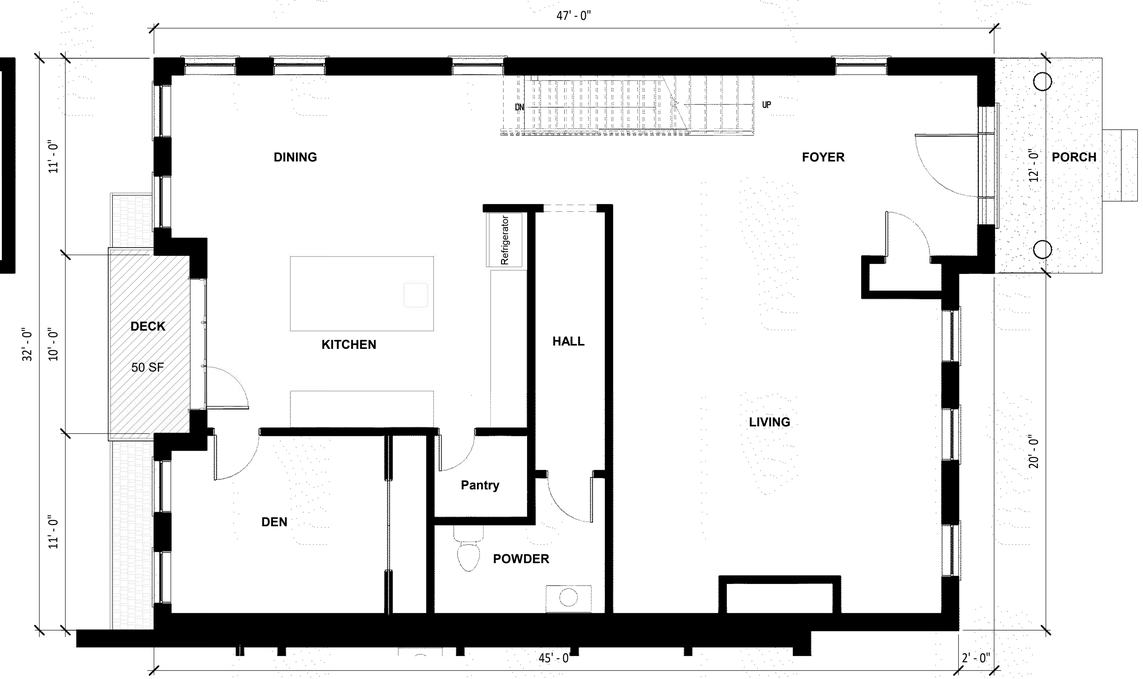
SCALE: 1/4" = 1'-0"



LOWER LEVEL FLOOR PLAN

SCALE: 1/4" = 1'-0"

1,572 sq. ft. - FOOTPRINT
512 sq. ft. - GARAGE
1,060 sq. ft. - LIVING



FIRST FLOOR PLAN

1,388 sq. ft.

SCALE: 1/4" = 1'-0"

Norm Schoenherr AIA Carl Greene AIA
Design International
UTAH COLORADO NEVADA
DESIGN INTERIORS PLANNING ARCHITECTURE CONSULTING
P.O. Box 1596, Park City, Utah 84060
801-641-3894 435-640-6081

RESIDENCES AT WINDER

OLD MEETINGHOUSE SITE
4120 SOUTH HIGLAND DRIVE
MILLCREEK, UTAH

PROJECT NO.	20166
DRAWN BY	CEG
CHECKED BY	Approver
DATE	20 MARCH 2020
PROP. NO.	##

REVISIONS

DATE	DESCRIPTION

FLOOR PLANS

A1.01

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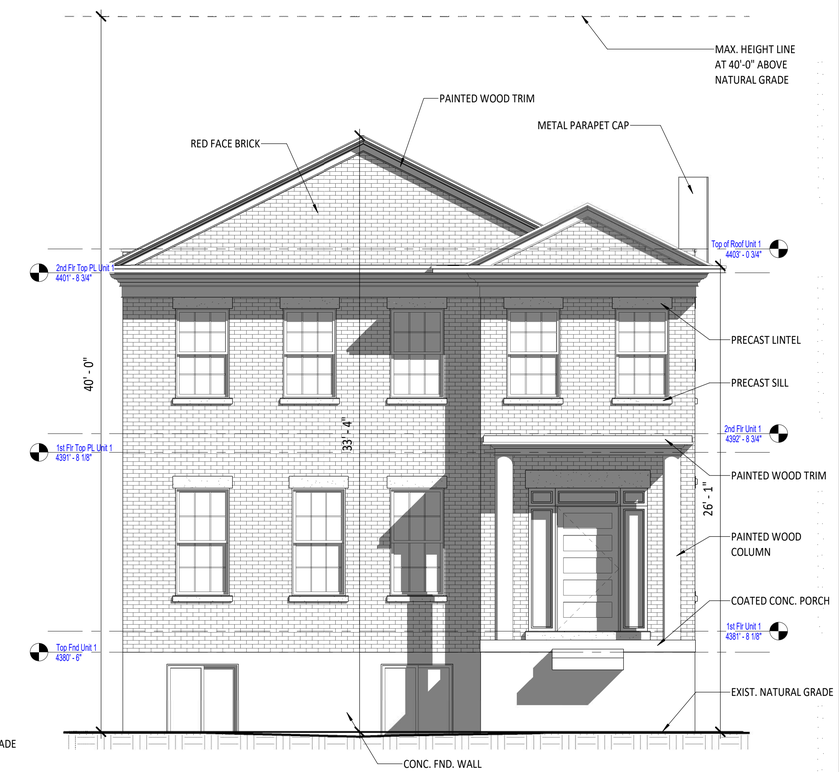
SIDE ELEVATION

SCALE: 1/4" = 1'-0"

REAR ELEVATION

SCALE: 1/4" = 1'-0"



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

Norm Schoenherr AIA Carl Greene AIA
Design International
UTAH COLORADO NEVADA
DESIGN INTERIORS PLANNING ARCHITECTURE CONSULTING
P.O. Box 1596, Park City, Utah 84060
801-641-3894 435-640-6081

RESIDENCES AT WINDER

OLD MEETINGHOUSE SITE
4120 SOUTH HIGLAND DRIVE
MILLCREEK, UTAH

PROJECT NO.	20166
DRAWN BY	Author
CHECKED BY	Approver
DATE	20 MARCH 2020
PROP. NO.	##

REVISIONS

DATE	DESCRIPTION

EXTERIOR ELEVATIONS - UNITS 1 - 7

A3.01

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FRONT ELEVATION - UNITS 1, 2, 3

SCALE: 1/4" = 1'-0"

REAR ELEVATION - UNITS 1, 2, 3

SCALE: 1/4" = 1'-0"

Norm Schoenherr AIA Carl Greene AIA
Design International
UTAH COLORADO NEVADA
DESIGN INTERIORS PLANNING ARCHITECTURE CONSULTING
P.O. Box 1596, Park City, Utah 84060
801-641-3894 435-640-6081

RESIDENCES AT WINDER

OLD MEETINGHOUSE SITE
4120 SOUTH HIGLAND DRIVE
MILLCREEK, UTAH

PROJECT NO.	20166
DRAWN BY	Author
CHECKED BY	Approver
DATE	20 MARCH 2020
PROP. NO.	##

REVISIONS

DATE	DESCRIPTION

EXTERIOR ELEVATIONS - UNITS 1, 2, 3

A3.02

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REAR ELEVATION - UNITS 11 & 12

SCALE: 1/4" = 1'-0"

FRONT ELEVATION - UNITS 11 & 12

SCALE: 1/4" = 1'-0"

S:\2020Files\20166\Consulting\Prod Dwg\Old Meetinghouse Site.rvt

Norm Schoenherr AIA Carl Greene AIA
Design International
UTAH COLORADO NEVADA
DESIGN INTERIORS PLANNING ARCHITECTURE CONSULTING
P.O. Box 1596, Park City, Utah 84060
801-641-3894 435-640-6081

RESIDENCES AT WINDER

OLD MEETINGHOUSE SITE
4120 SOUTH HIGLAND DRIVE
MILLCREEK, UTAH

PROJECT NO.	20166
DRAWN BY	Author
CHECKED BY	Approver
DATE	20 MARCH 2020
PROP. NO.	##

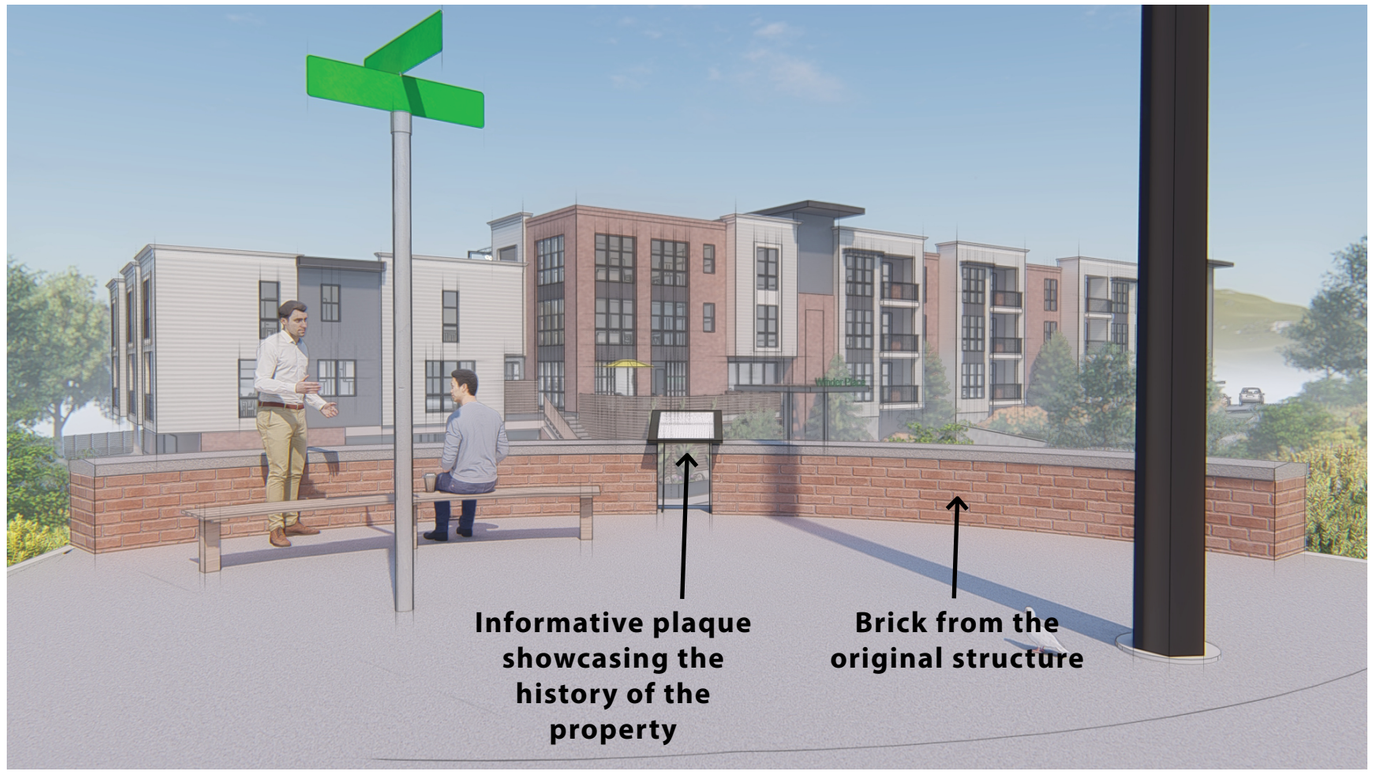
REVISIONS

DATE	DESCRIPTION

EXTERIOR ELEVATIONS - UNITS 11 & 12

A3.03

Honor the existing building with a monument



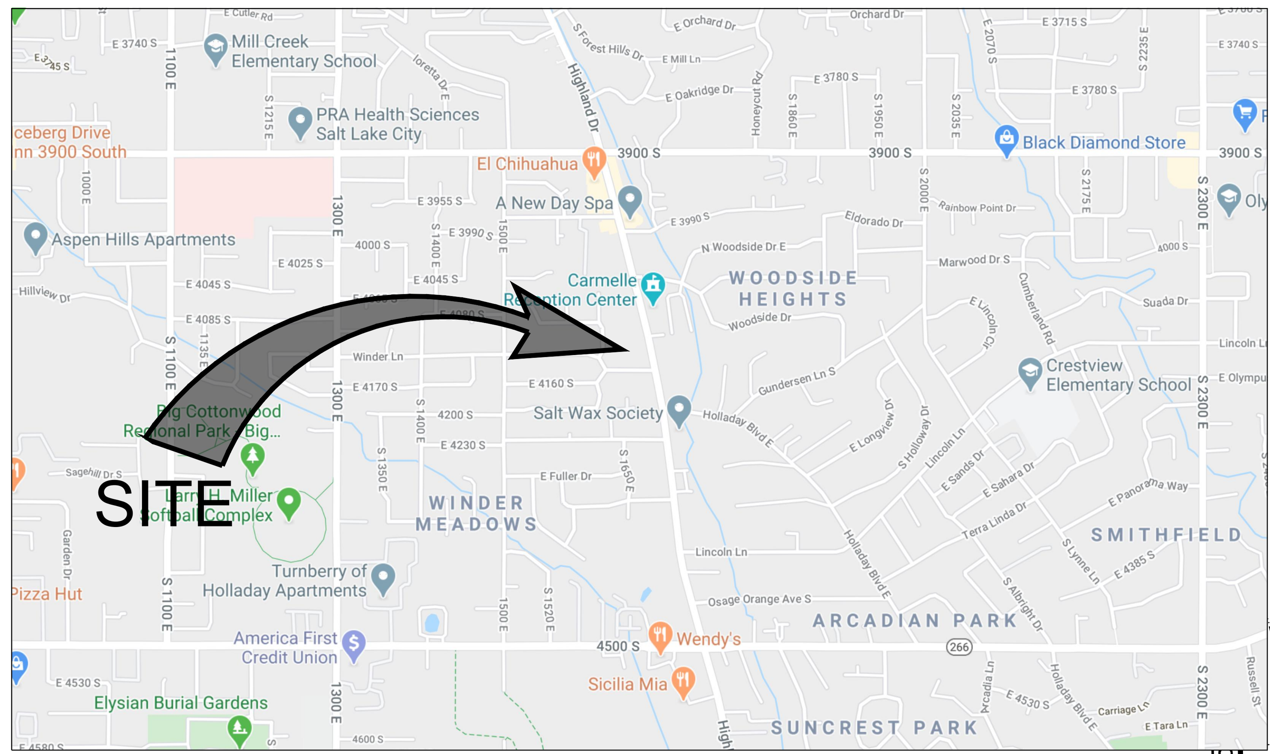
A monument for Winder Ward on the street corner

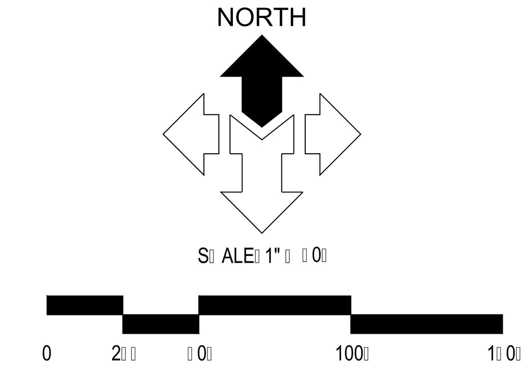
Example of an existing monument in the same area.

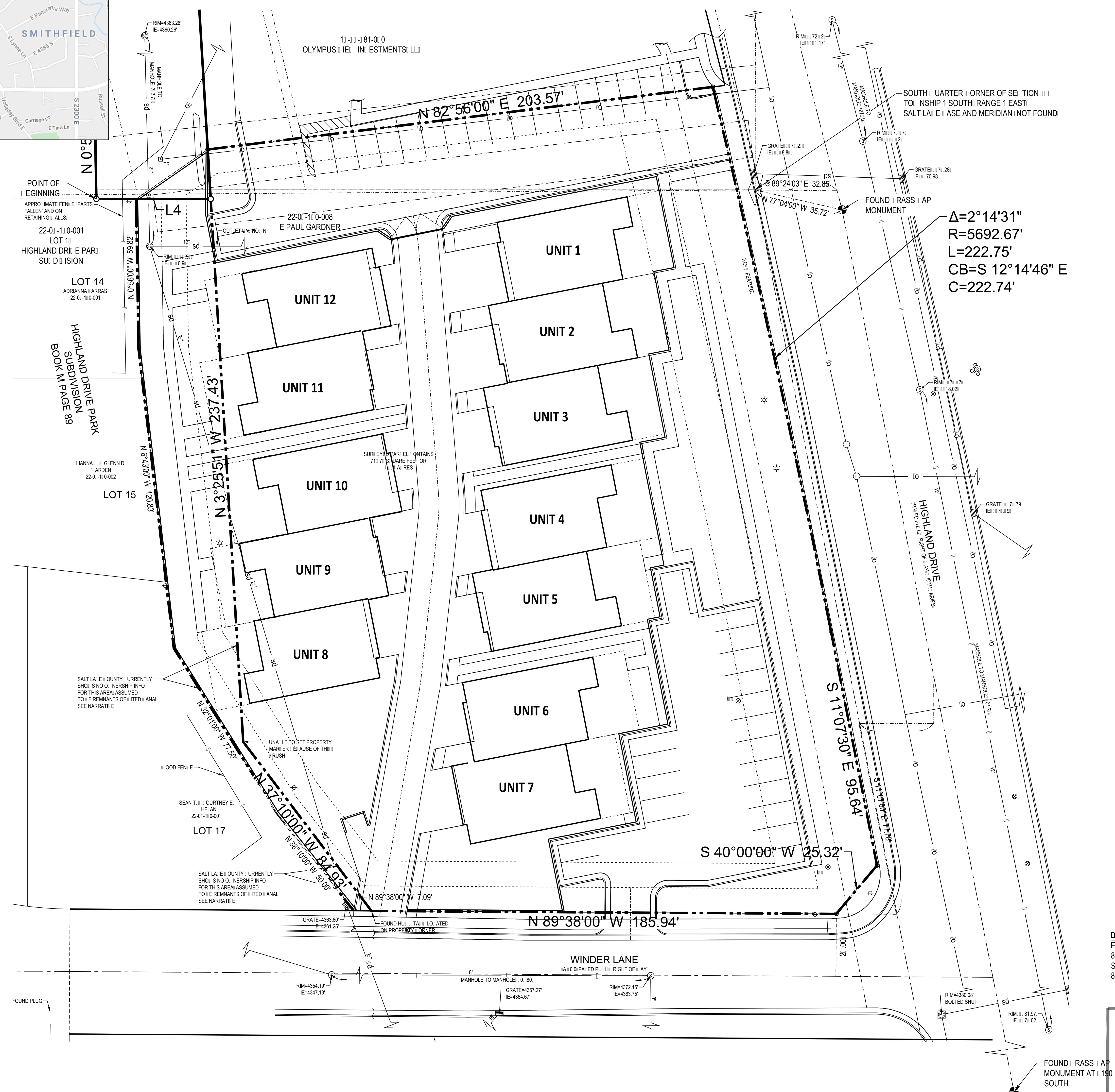
PROPOSED BUILDING LOCATION IS AN ESTIMATE BASED ON A CIVIL SURVEY OF THE HEIGHTS AND LOCATIONS OF ADJACENT BUILDINGS. COLORS ARE REPRESENTATIONAL ONLY. FINAL COLORS MAY VARY FROM ABOVE REPRESENTATION

RESIDENCES AT WINDER SUBDIVISION

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY
MILLCREEK, SALT LAKE COUNTY, UTAH
MARCH 2020







LEGEND

- SU□ DI□ ISION □ OUNDARY
- SE□ TION LINE
- MONUMENT LINE□ ENTER LINE OF ROAD
- LOT LINE
- RIGHT OF □ AY LINE
- EASEMENT LINE
- SU□ DI□ ISION □ ORNER
- E□ ISTING FIRE HYDRANT

NARRATIVE

THE □ ASIS OF □ EARING FOR THIS SUR□ EY IS SOUTH 11°07'00" EAST ALONG THE MONUMENT LINE OF HIGHLAND DRI□ E□ □ ET□ EEN T□ O □ RASS □ AP MONUMENTS AS SHO□ N ON THIS SUR□ EY. THE NORTH PROPERTY LINE □ AS ESTA□ LISHED PER DEED. THE EAST PROPERTY LINE □ AS ESTA□ LISHED AT THE □ ESTERLY RIGHT OF □ AY LINE OF HIGHLAND DRI□ E. THE SOUTH PROPERTY LINE □ AS ESTA□ LISHED ALONG THE NORTH RIGHT OF □ AY LINE OF □ INDER LANE . THE □ ESTERLY PROPERTY LINES □ ERE ESTA□ LISHED PER THE RE□ ORD DES□ RIPTION. THE DES□ RIPTION □ ALLS TO THE EASTERLY □ AN□ OF THE THE □ IG □ OTTON□ OOD LO□ ER □ ANAL. THE □ ANAL NO LONGER E□ ISTS ALONG THE □ ESTERLY □ OUNDARY NOR ANY APPARENT E□ IDEN□ E OF THE EASTERLY □ AN□ □ THEREFORE□ THE DEED DES□ RIPTION □ AS HELD.

DEVELOPER/OWNER
E. PAUL GARDNER □□ d□or HIS ASSIGNS
8□ 82 □ ILLO□ □ REE□ DR.
SANDY□ UTAH 8□ 09□
801-971-011□

SHEET 1 / 1 SHEETS

□ ARL E GREENE□ AR□ HITE□ T
DESIGN INTERNATIONAL
8□ 10 SANDY PAR□ □ AY□ SUITE 200
SANDY□ UTAH 8□ 070

SURVEYOR CERTIFICATE

I, ____________________ , DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD LICENSE NO. ________________ IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS SUBDIVISION PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS; THAT THE REFERENCE MONUMENTS SHOWN ON THIS PLAT ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR REESTABLISH THIS PLAT; AND THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE HEREIN DESCRIBED TRACT OF REAL PROPERTY; AND THAT THIS PLAT OF

"SAMPLE" SUBDIVISION

IN MILLCREEK, SALT LAKE COUNTY, UTAH HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE HEREIN DESCRIBED LANDS INCLUDED IN SAID SUBDIVISION, BASED UPON DATA COMPILED FROM RECORDS OF THE SALT LAKE COUNTY RECORDERS OFFICE; I FURTHER CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES OF ____________ CONCERNING ZONING REQUIREMENTS REGARDING LOT MEASUREMENTS HAVE BEEN COMPLIED WITH.

SIGNED THIS ____ DAY OF _____________, 20__

STAMP

XXXXXX X. XXXXXX, P.L.S. # XXXXXXX

BOUNDAR□ DESCRIPTION

□ EGINNING AT THE SOUTHEAST □ ORNER OF THE SOUTH□ EST □ UARTER OF SE□ TION □□□ TO□ NSHIP 1 SOUTH□ RANGE 1 EAST□ SALT LA□ E □ ASE AND MERIDIAN□ AND RUNNING THENCE SOUTH 89°24'03" EAST 32.841 FEET ALONG THE TOWNSHIP LINE; THENCE SOUTH 14° 2□□0" EAST 7.898 FEET TO A SALT LA□ E □ OUNTY MONUMENT ON THE □ ENTERLINE OF HIGHLAND DRI□ E□ THEN□ E SOUTH 11°07'00" EAST 190.102 FEET ALONG SAID □ ENTERLINE□ THEN□ E SOUTH 19.00 FEET□ THEN□ E □ EST 29.898 FEET TO THE □ EST RIGHT OF □ AY LINE OF HIGHLAND DRI□ E□ THEN□ E SOUTH 11°07'00" EAST 77.78□ FEET ALONG SAID □ EST RIGHT OF □ AY LINE TO THE NORTH RIGHT OF □ AY LINE OF □ 1□0 SOUTH STREET□ THEN□ E NORTH 89°38'00" □ EST 210 FEET ALONG SAID NORTH RIGHT OF □ AY LINE TO THE EAST □ AN□ OF THE □ IG □ OTTON□ OOD LO□ ER □ ANAL□ THEN□ E NORTH 37°10'00" □ EST 8□.9□ FEET ALONG SAID EAST □ AN□ □ THEN□ E NORTH 03°25'51" □ EST □□1.0□□ FEET ALONG THE EAST RIGHT OF □ AY LINE OF SAID □ ANAL□ THEN□ E EAST 22□.1□□ FEET□ THEN□ E SOUTH 119.□2 FEET TO THE POINT OF □ EGINNING.

LESS AND E□□ EPTING THEREFROM THAT PAR□ EL OF LAND □ ON□ EYED □ Y THAT □ ERTAIN □ ARRANTY DEED RE□ ORDED □ANUARY 1□□ 2002□ AS ENTRY NO. 8121□□1□ IN □ OO□ 8□□□□ AT PAGE 7□1□ OF OFFI□ IAL RE□ ORDS□□ EING MORE PARTI□ ULARLY DES□ RI□ ED AS FOLLO□ S□

A PAR□ EL OF LAND IN FEE FOR THE □ IDENING AND RE□ ONSTRU□ TION OF HIGHLAND DRI□ E□ A SALT LA□ E □ OUNTY PRO□ E□ T□□ EING PART OF AN ENTIRE TRA□ T OF PROPERTY□ SITUATE IN THE NORTH HALF OF SE□ TION □□ TO□ NSHIP 2 SOUTH□ RANGE 1 EAST□ AND THE SOUTHEAST □ UARTER OF THE SOUTH□ EST □ UARTER OF SE□ TION □□□ TO□ NSHIP 1 SOUTH□ RANGE 1 EAST□ SALT LA□ E □ ASE AND MERIDIAN□ THE □ OUNDARIES OF SAID PAR□ EL ARE DES□ RI□ ED AS FOLLO□ S□
BEGINNING AT A POINT 553.084 METERS (1,814.56 FEET) SOUTH 14°24'47" EAST ALONG THE MONUMENT LINE AND 9.982 METERS □□2.7□ FEET□□ EST FROM A SALT LA□ E □ OUNTY MONUMENT AT THE □ ENTER OF THE INTERSE□ TION OF SAID HIGHLAND DRI□ E AND □900 SOUTH STREET □□ Y DEED□ SAID POINT □ EING THE SOUTHEAST □ ORNER OF THE SOUTH□ EST □ UARTER OF SAID SE□ TION □□□ AND RUNNING THEN□ E SOUTH 89°24'03" EAST 10.010 METERS □□2.8□ FEET□ ALONG THE TO□ NSHIP LINE□ THEN□ E SOUTH 14°24'30" EAST 2.□07 METERS □7.90 FEET□□ THEN□ E SOUTH 11°07'00" EAST □7.9□□ METERS □190.10 FEET□□ THEN□ E SOUTH □.791 METERS □19.00 FEET□□ THEN□ E □ EST 9.11□ METERS □29.90 FEET□□ THEN□ E SOUTH 11°07'00" EAST 2□.709 METERS □77.78 FEET□ TO THE NORTH LINE OF □1□0 SOUTH STREET□ THEN□ E NORTH 89°38'00" □ EST 7.□□□ METERS □2□.0□ FEET□ ALONG SAID NORTH LINE□ THEN□ E NORTH 40°00'00" EAST 7.718 METERS □2□.□2 FEET□ TO A POINT 11.2□0 METERS □□□.91 FEET□ PERPENDI□ ULARLY DISTAN□ E FROM THE □ ENTERLINE OF SAID PRO□ E□ T□ THEN□ E NORTH 11°07'30" □ EST 29.1□0 METERS □9□.□□ FEET□ ALONG A LINE PARALLEL TO SAID □ ENTERLINE□ THEN□ E NORTHERLY □7.900 METERS □222.77 FEET□ ALONG THE AR□ OF A 1□7□□.1□7 METERS □□□92.□7 FOOT□ RADIUS □ UR□ E TO THE LEFT□□ ON□ ENTRI□ □ ITH SAID □ ENTERLINE □□ HORD □ EARS NORTH 12°14'46" □ EST □7.89□ METERS □222.7□ FEET□□ THEN□ E NORTH 82°56'00" EAST 1.□91 METERS □□.89 FEET□□ THEN□ E NORTH 14°24'30" □ EST 2□.□□9 METERS □77.□□ FEET□□ THEN□ E NORTH 89°53'30" □ EST 2.208 METERS □7.2□ FEET□□ THEN□ E NORTH 14°24'30" □ EST 0.8□9 METERS □2.7□ FEET□ TO THE NORTHERLY □ OUNDARY LINE OF SAID ENTIRE TRA□ T□ THEN□ E EAST 11.980 METERS □□9.□0 FEET□ ALONG SAID NORTHERLY □ OUNDARY LINE□ THEN□ E SOUTH □□.□□1 METERS □119.□2 FEET□ TO THE POINT OF □ EGINNING.

ALSO□ LESS AND E□□ EPTING THEREFROM THAT PAR□ EL OF LAND □ ON□ EYED □ Y THAT □ ERTAIN □ ARRANTY DEED RE□ ORDED MAR□ H 10□ 1997□ AS ENTRY NO. □□90□87□ IN □ OO□ 7□1□□ AT PAGE 2□2□ OF OFFI□ IAL RE□ ORDS□□ EING MORE PARTI□ ULARLY DES□ RI□ ED AS FOLLO□ S□

□ EGINNING AT A POINT □0 FEET NORTH FROM THE SOUTH □ UARTER □ ORNER OF SE□ TION □□□ TO□ NSHIP 1 SOUTH□ RANGE 1 EAST□ SALT LA□ E □ ASE AND MERIDIAN□ AND RUNNING THEN□ E NORTH □□.88 FEET□ THEN□ E NORTH 89°53'30" □ EST 22□.0□ FEET□ THEN□ E SOUTH 03°25'51" EAST 101.□2 FEET□ THEN□ E NORTH 82°56'00" EAST 220.66 FEET; THENCE NORTH 6.68 FEET TO THE POINT OF BEGINNING.

PAR□ EL 1A□

AN EASEMENT FOR INGRESS AND EGRESS DIS□ LOSED □ Y THAT □ ERTAIN RIGHT OF □ AY AGREEMENT RE□ ORDED MAY 17□ 2007□ AS ENTRY NO. 1010□□□□□ IN □ OO□ 9□□□□ AT PAGE 7□00 OF OFFI□ IAL RE□ ORDS.

OWNERS DEDICATION

I, THE UNDERSIGNED OWNER OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN HERON AND NAME SAID TRACT:

RESIDEN□ ES AT □ INDER SU□ DI□ ISION

AND DO HEREBY DEDICATE, GRANT AND CONVEY TO PUBLIC USE ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER. AND HEREBY GRANT AND DEDICATE A PERPETUAL RIGHT AND EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED ON THE PLAT AS PUBLIC UTILITY, STORM WATER DETENTION PONDS, DRAINAGE AND CANAL MAINTENANCE EASEMENTS, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE, AND OPERATION OF PUBLIC UTILITY SERVICE LINES, STORM DRAINAGE FACILITIES, IRRIGATION CANALS OR FOR THE PERPETUAL PRESERVATION OF WATER DRAINAGE CHANNELS IN THEIR NATURAL STATE WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY THE GOVERNING AUTHORITY WITH NO BUILDINGS OR STRUCTURES BEING ERECTED WITHIN SUCH.

SIGNED THIS ________________ DAY OF ________________________________, 20__

E. PAUL GARDNER □□ d□or HIS ASSIGNS
DEVELOPER / OWNER

REVISIONS

INITIALS	DATE	DESCRIPTION

SALT LAKE COUNTY HEALTH DEPARTMENT

APPROVED THIS _____ DAY OF _________________ A.D., 20 ___ BY THE SALT LAKE COUNTY HEALTH DEPARTMENT.

DIRECTOR, HEALTH DEPARTMENT

UNIFIED FIRE AUTHORITY APPROVAL

SIGNED DATE

ADDRESSING APPROVAL

SIGNED DATE

MILLCREEK ENGINEERING

SIGNED DATE

RECORD OF SURVEY

R.O.S. NO: ______________________

COUNTY SURVEYOR DATE

MILLCREEK COMMUNITY DEVELOPMENT DEPARTMENT

APPROVED THIS _____ DAY OF _________________ A.D., 20 ___ , BY MILLCREEK PLANNING AND DEVELOPMENT DEPARTMENT.

MILLCREEK COMMUNITY DEVELOPMENT DIRECTOR

"SAMPLE" SUBDIVISION

PART OF THE NORTHWEST QUARTER OF SECTION 35
TOWNSHIP 1 SOUTH, RANGE 1 EAST, S.L. BASE & MERIDIAN
MILLCREEK, SALT LAKE COUNTY, UTAH

PUBLIC UTILITY APPROVAL

CENTUR□LINK□ ________ DATE: ________
COMCAST: ________ DATE: ________
DOMINION ENERGY: ________ DATE: ________
ROCKY MTN. POWER□□□□□□□□□□□□ DATE: ________
OTHER: ________ DATE: ________

CHECKED FOR ZONING COMPLIANCE

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

SIGNATURE DATE

MILLCREEK PLANNING COMMISSION

APPROVED THIS _____ DAY OF _______________ A.D., 20 ___ , BY THE MILCREEK PLANNING COMMISSION.

MILLCREEK PLANNING COMMISSION DATE

PLAN CHECK

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

PLAN REVIEW SECTION MANAGER DATE

APPROVAL AS TO FORM

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

MILLCREEK ATTORNEY

MILLCREEK MAYOR

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

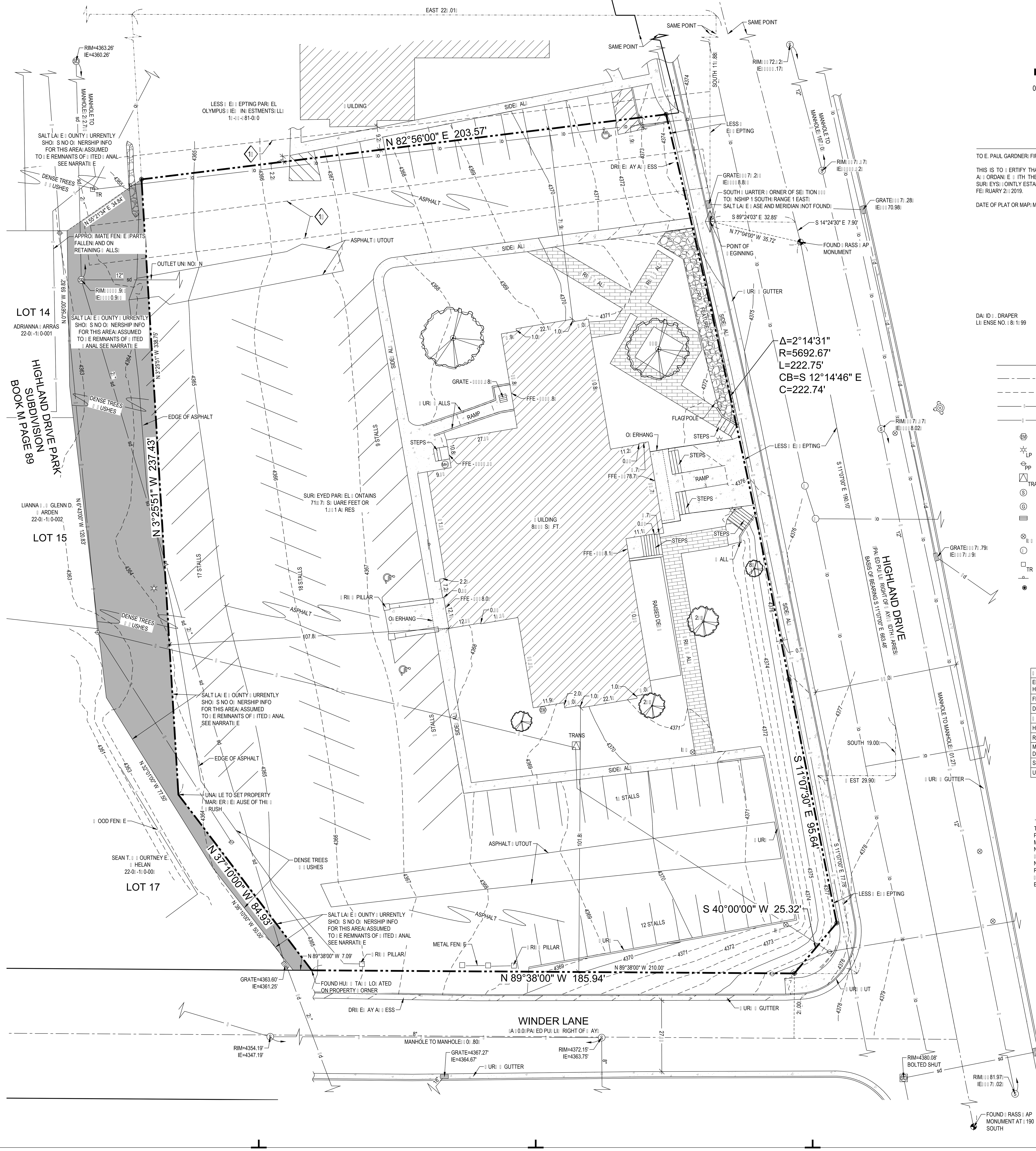
MAYOR ATTEST: CITY RECORDER SEAL

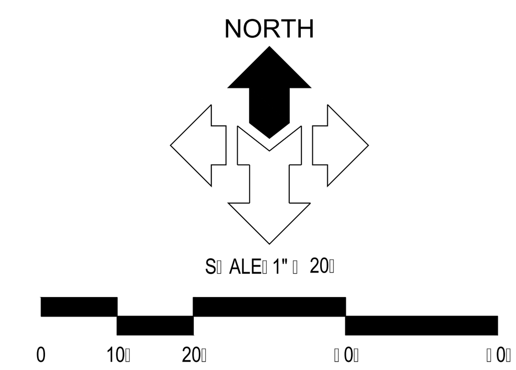
SALT LAKE COUNTY RECORDER

RECORDED # ______________________
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF

DATE: ______ TIME: ___________ BOOK: __________ PAGE: ______________

FEE $ DEPUTY, SALT LAKE COUNTY RECORDER





SURVE□OR'S CERTI□ICATE

TO E. PAUL GARDNER□ FIRST AMERI□AN TITLE INSURAN□E □OMPANY□ HIGHLAND TITLE AGEN□Y□ IN□.□

THIS IS TO □ERTIFY THAT THIS MAP OR PLAT AND THE SUR□EY ON □HI□H IT IS □ASED □ERE MADE IN A□□ORDAN□E □ITH THE 201□ MINIMUM STANDARD DETAIL RE□UIREMENTS FOR ALTA□NSPS LAND TITLE SUR□EYS□ □OINTLY ESTA□LISHED AND ADOPTED □Y ALTA AND NSPS. THE FIELD □OR□ □AS □OMPLETED ON FE□RUARY 2□ 2019.

DATE OF PLAT OR MAP□ MAR□H 7□ 2019

DA□ID □. DRAPER
LI□ENSE NO. □8□1□99

LEGEND

MONUMENT LINE		PROPERTY LINE	
EASEMENT LINE		AD□OINING PROPERTY LINE	
E□ISTING FEN□E		LOT LINE	
PO□ER LINE		TELEPHONE LINE	
ELE□TRI□ METER		□ATER LINE	
LIGHT POLE		SANITARY SE□ER LINE	
PO□ER POLE		STORM DRAIN LINE	
TRANSFORMER		GAS LINE	
SANITARY SE□ER MANHOLE		□ON□RETE	
GAS MANHOLE		□UILDING	
STORM DRAIN □AT□H □ASIN		PAR□EL A	
IRRIGATION □ONTROL □AL□E		DE□IDUOUS TREE	
□OMMUNI□ATION MANHOLE		FIRE HYDRANT	
TELEPHONE RISER			
SIGN			
PROPERTY □ORNER □SEE GENERAL NOTE 2□			

UTILITY □OMPANY	□ONTA□T	□ONTA□T INFO	STATUS
□OM□AST	□EFF HOUSTON	□□□-22□-2□□□	NOT RE□EI□ED
ELE□TRI□ LIGHT□ A□E HOLDINGS□ IN□.	SYL□AN STE□ART	801-808-7□□□	NOT RE□EI□ED
FIRSTDIGITAL TELE□OM	□RANDON □ALMFORTH	801-□□□-109□	SHO□N
DOMINION ENERGY	SL MAPPING DEPT.	801-□2□-□970	NOT RE□EI□ED
□ENTURYLIN□	RO□ERT □IGIL	801-97□-8181	SHO□N
HOLLIDAY □ATER □OMPANY	MARLIN SUND□ERG	801-277-289□	NOT RE□EI□ED
RO□□Y MOUNTAIN PO□ER	□OEL SIMMONS	□0□-81□-□99□	SHO□N
MT OLYMPUS IMPRO□EMENT DISTRI□T	DEAN AYALA	801-2□2-290□	SHO□N
SL□ PU□LI□ UTILITIES	NI□□□RYGER	801-□8□-□8□□	SHO□N
UDOT REGION II	GOLDEN HOLT	801-887-□□0□	SHO□N

SURVE□ NARRATIVE

THE PURPOSE OF THIS SUR□EY IS TO PRO□IDE AN "ALTA□NSPS LAND TITLE SUR□EY" ON THE SU□□E□T PROPERTY PER □LIENTS RE□UEST. THE □ASIS OF □EARING FOR THIS SUR□EY IS SOUTH 11°07'00" EAST ALONG THE MONUMENT LINE OF HIGHLAND DRI□E□ □ET□EEN T□O □RASS □AP MONUMENTS AS SHO□N ON THIS SUR□EY. THE NORTH PROPERTY LINE □AS ESTA□LISHED PER DEED. THE EAST PROPERTY LINE □AS ESTA□LISHED AT THE □ESTERLY RIGHT OF □AY LINE OF HIGHLAND DRI□E. THE SOUTH PROPERTY LINE □AS ESTA□LISHED ALONG THE NORTH RIGHT OF □AY LINE OF □INDER LANE . THE □ESTERLY PROPERTY LINES □ERE ESTA□LISHED PER THE RE□ORD DES□RIPTION. THE DES□RIPTION □ALLS TO THE EASTERLY □AN□ OF THE THE □IG □OTTON□OOD LO□ER □ANAL. THE □ANAL NO LONGER E□ISTS ALONG THE □ESTERLY □OUNDARY NOR ANY APPARENT E□IDEN□E OF THE EASTERLY □AN□ THEREFORE□ THE DEED DES□RIPTION □AS HELD.

PARCEL A DESCRIPTION

□EGINNING AT THE SOUTH□EST □ORNER OF THAT □ERTAIN PAR□EL DES□RI□ED AS PAR□EL 1 IN THAT □ERTAIN □ARRANTY DEED RE□ORDED □ANUARY 1□ 201□ AS ENTRY NO. 1220□1□1 IN □OO□ 10□9□ AT PAGE 82□□ IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER, SAID POINT BEING SOUTH 89°24'03" EAST ALONG THE SECTION LINE 32.84 FEET TO THE MONUMENT LINE OF HIGHLAND DRIVE AND SOUTH 14°24'30" EAST ALONG SAID MONUMENT LINE 7.90 FEET TO A FOUND BRASS CAP MONUMENT AND SOUTH 11°07'00" EAST ALONG SAID MONUMENT LINE 190.10 FEET AND SOUTH 19.00 FEET AND WEST 29.90 FEET AND SOUTH 11°07'00" EAST 77.78 FEET TO A POINT ON THE EAST E□TENSION OF THE NORTH RIGHT OF □AY LINE OF □1□0 SOUTH STREET AND NORTH 89°38'00" WEST ALONG SAID RIGHT OF WAY LINE AND THE EXTENSION THEREOF 210.00 FEET FROM THE SOUTHEAST □ORNER OF THE SOUTH□EST □UARTER OF SE□TION □□□ TO□NSHIP 1 SOUTH□ RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, AND RUNNING THENCE NORTH 89°38'00" WEST ALONG SAID NORTH RIGHT OF □AY LINE 7.09 FEET TO THE SOUTHEAST □ORNER OF LOT 17□ HIGHLAND DRI□E PAR□ SU□DI□ISION□ AS RECORDED IN BOOK "M" OF PLATS AT PAGE 89 IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER; THEN□E NORTHERLY ALONG AN EASTERLY LINE OF SAID SU□DI□ISION THE FOLLO□ING FOUR □OURSES□ 1) NORTH 38°10'00" WEST 50.00 FEET, 2) NORTH 32°01'00" WEST 77.50 FEET, 3) NORTH 6°43'00" WEST 120.83 FEET, 4) NORTH 0°56'00" WEST 59.82 FEET TO THE NORTHEAST CORNER OF SAID SUBDIVISION; THENCE NORTH 55°21'34" EAST 34.84 FEET TO A POINT ON THE WESTERLY LINE OF SAID PARCEL 1; THENCE SOUTHERLY ALONG SAID WESTERLY LINE THE FOLLOWING TWO COURSES: 1) SOUTH 3°25'51" EAST 237.43 FEET, 2) SOUTH 37°10'00" EAST 84.93 FEET TO THE POINT OF BEGINNING

□ONTAINS □□7□ OR 0.1□□ A□RES

VICINIT□ MAP

S□ALE□ N.T.S.

DESCRIPTION PER TITLE REPORT

□EGINNING AT THE SOUTHEAST □ORNER OF THE SOUTH□EST □UARTER OF SE□TION □□□ TO□NSHIP 1 SOUTH□ RANGE 1 EAST□ SALT LA□E □ASE AND MERIDIAN□ AND RUNNING THEN□E SOUTH 89°24'03" EAST □2.8□1 FEET ALONG THE TOWNSHIP LINE; THENCE SOUTH 14°
2□□0" EAST 7.898 FEET TO A SALT LA□E □OUNTY MONUMENT ON THE □ENTERLINE OF HIGHLAND DRI□E□ THEN□E SOUTH 11°07'00" EAST 190.102 FEET ALONG SAID □ENTERLINE□ THEN□E SOUTH 19.00 FEET□ THEN□E □EST 29.898 FEET TO THE □EST RIGHT OF □AY LINE OF HIGHLAND DRI□E□ THEN□E SOUTH 11°07'00" EAST 77.78□ FEET ALONG SAID □EST RIGHT OF □AY LINE TO THE NORTH RIGHT OF □AY LINE OF □1□0 SOUTH STREET□ THEN□E NORTH 89°38'00" □EST 210 FEET ALONG SAID NORTH RIGHT OF □AY LINE TO THE EAST □AN□ OF THE □IG □OTTON□OOD LO□ER □ANAL□ THEN□E NORTH 37°10'00" □EST 8□.9□ FEET ALONG SAID EAST □AN□□ THEN□E NORTH 03°25'51" □EST □□1.0□□ FEET ALONG THE EAST RIGHT OF □AY LINE OF SAID □ANAL□ THEN□E EAST 22□.1□□ FEET□ THEN□E SOUTH 119.□2 FEET TO THE POINT OF □EGINNING.

LESS AND E□□EPTING THEREFROM THAT PAR□EL OF LAND □ON□EYED □Y THAT □ERTAIN □ARRANTY DEED RE□ORDED □ANUARY 1□□ 2002□ AS ENTRY NO. 8121□□1□ IN □OO□ 8□□□□ AT PAGE 7□1□ OF OFFI□IAL RE□ORDS□ □EING MORE PARTI□ULARLY DES□RI□ED AS FOLLO□S□

A PAR□EL OF LAND IN FEE FOR THE □IDENING AND RE□ONSTRU□TION OF HIGHLAND DRI□E□ A SALT LA□E □OUNTY PRO□E□T□ □EING PART OF AN ENTIRE TRA□T OF PROPERTY□ SITUATE IN THE NORTH HALF OF SE□TION □□ TO□NSHIP 2 SOUTH□ RANGE 1 EAST□ AND THE SOUTHEAST □UARTER OF THE SOUTH□EST □UARTER OF SE□TION □□□ TO□NSHIP 1 SOUTH□ RANGE 1 EAST□ SALT LA□E □ASE AND MERIDIAN□ THE □OUNDARIES OF SAID PAR□EL ARE DES□RI□ED AS FOLLO□S□
□EGINNING AT A POINT □□□.08□ METERS □1□81□.□□ FEET□ SOUTH 14°24'47" EAST ALONG THE MONUMENT LINE AND 9.982 METERS
□□2.7□ FEET□□ □EST FROM A SALT LA□E □OUNTY MONUMENT AT THE □ENTER OF THE INTERSE□TION OF SAID HIGHLAND DRI□E AND □900 SOUTH STREET □□Y DEED□ SAID POINT □EING THE SOUTHEAST □ORNER OF THE SOUTH□EST □UARTER OF SAID SE□TION □□□□ AND RUNNING THEN□E SOUTH 89°24'03" EAST 10.010 METERS □□2.8□ FEET□ ALONG THE TO□NSHIP LINE□ THEN□E SOUTH 14°24'30" EAST 2.□07 METERS □7.90 FEET□□ THEN□E SOUTH 11°07'00" EAST □7.9□□ METERS □190.10 FEET□□ THEN□E SOUTH □.791 METERS □19.00 FEET□□ THEN□E □EST 9.11□ METERS □29.90 FEET□□ THEN□E SOUTH 11°07'00" EAST 2□.709 METERS □77.78 FEET□ TO THE NORTH LINE OF □1□0 SOUTH STREET□ THEN□E NORTH 89°38'00" □EST 7.□□□ METERS □2□.0□ FEET□ ALONG SAID NORTH LINE□ THEN□E NORTH 40°00'00" EAST 7.718 METERS □2□.□2 FEET□ TO A POINT 11.2□0 METERS □□□.91 FEET□ PERPENDI□ULARLY DISTAN□E FROM THE □ENTERLINE OF SAID PRO□E□T□ THEN□E NORTH 11°07'30" □EST 29.1□0 METERS □9□.□□ FEET□ ALONG A LINE PARALLEL TO SAID □ENTERLINE□ THEN□E NORTHERLY □7.900 METERS □222.77 FEET□ ALONG THE AR□ OF A 1□7□□.1□7 METERS □□□92.□7 FOOT□ RADIUS □UR□E TO THE LEFT□ □ON□ENTRI□ □ITH SAID □ENTERLINE□□ HORD □EARS NORTH 12°14'46" □EST □7.89□ METERS □222.7□ FEET□□ THEN□E NORTH 82°56'00" EAST 1.□91 METERS □□.89 FEET□□ THEN□E NORTH 14°24'30" □EST 2□.□□9 METERS □77.□□ FEET□□ THEN□E NORTH 89°53'30" □EST 2.208 METERS □7.2□ FEET□□ THEN□E NORTH 14°24'30" □EST 0.8□9 METERS □2.7□ FEET□ TO THE NORTHERLY □OUNDARY LINE OF SAID ENTIRE TRA□T□ THEN□E EAST 11.980 METERS □□9.□0 FEET□ ALONG SAID NORTHERLY □OUNDARY LINE□ THEN□E SOUTH □□.□□1 METERS □119.□2 FEET□ TO THE POINT OF □EGINNING.

ALSO□ LESS AND E□□EPTING THEREFROM THAT PAR□EL OF LAND □ON□EYED □Y THAT □ERTAIN □ARRANTY DEED RE□ORDED MAR□H 10□ 1997□ AS ENTRY NO. □□90□87□ IN □OO□ 7□1□□ AT PAGE 2□2□ OF OFFI□IAL RE□ORDS□□ □EING MORE PARTI□ULARLY DES□RI□ED AS FOLLO□S□

□EGINNING AT A POINT □0 FEET NORTH FROM THE SOUTH □UARTER □ORNER OF SE□TION □□□ TO□NSHIP 1 SOUTH□ RANGE 1 EAST□ SALT LA□E □ASE AND MERIDIAN□ AND RUNNING THEN□E NORTH □□.88 FEET□ THEN□E NORTH 89°53'30" □EST 22□.0□ FEET□ THEN□E SOUTH 03°25'51" EAST 101.□2 FEET□ THEN□E NORTH 82°56'00" EAST 220.□□ FEET□ THEN□E NORTH □.□8 FEET TO THE POINT OF □EGINNING.

PAR□EL 1A□

AN EASEMENT FOR INGRESS AND EGRESS DIS□LOSED □Y THAT □ERTAIN RIGHT OF □AY AGREEMENT RE□ORDED MAY 17□ 2007□ AS ENTRY NO. 1010□□□□□ IN □OO□ 9□□□□ AT PAGE 7□00 OF OFFI□IAL RE□ORDS.

TITLE IN□ORMATION

THIS SUR□EY DOES NOT □ONSTITUTE A TITLE SEAR□H □Y THE SUR□EYOR. ALL INFORMATION REGARDING RE□ORD EASEMENTS□ AD□OINERS AND OTHER DO□UMENTS THAT MIGHT AFFE□T THE □UALITY OF TITLE TO TRA□T SHO□N HEREON □AS GAINED FROM TITLE □OMMITMENT NO□□□917 PREPARED □Y FIRST AMERI□AN TITLE INSURAN□E □OMPANY. EFFE□TI□E DATE□ □ANUARY □1□ 2019□ AT 8□00 AM.

SCHEDULE B□2 E□CEPTIONS

1□ AN EASEMENT O□ER□ A□ROSS OR THROUGH THE LAND FOR DRAINAGE PIPE AND IN□IDENTAL PURPOSES□ AS GRANTED TO THE STATE ROAD □OMMISSION □Y INSTRUMENT RE□ORDED □ANUARY 20□ 19□0 AS ENTRY NO. 1□9□800 IN □OO□ 1□81 AT PAGE □□2 OF OFFI□IAL RE□ORDS.
SURVEY FINDINGS: APPROXIMATE LOCATION SHOWN HEREON

1□ AN EASEMENT IN FA□OR OF MOUNTAIN STATES TELEPHONE AND TELEGRAPH □OMPANY AND THE RIGHT TO □ONSTRU□T□ OPERATE□ MAINTAIN□ AND REMO□E SU□H □OMMUNI□ATION AND OTHER FA□ILITIES UPON□ O□ER□ UNDER AND A□ROSS A PORTION OF THE SU□□E□T PROPERTY□ RE□ORDED NO□EM□ER 7□ 19□7 AS ENTRY NO. 22221□□ IN □OO□ 2□0□ AT PAGE 2□0 OF OFFI□IAL RE□ORDS.
SURVEY FINDINGS: SHOWN HEREON, WIDTH NOT SPECIFIED

18 AGREEMENT AND THE TERMS AND □ONDITIONS □ONTAINED THEREIN□ □Y AND □ET□EEN □IG □OTTON□OOD LO□ER □ANAL □O.□ IN□.□ A UTAH NONPROFIT □ORPORATION AND GARDNER DE□ELOPMENT□ LL□□ RE□ORDED APRIL 21□ 1998□ AS ENTRY NO. □9□□912□ IN □OO□ 79□1□ AT PAGE 2792 OF OFFI□IAL RE□ORDS.
SURVEY FINDINGS: NOTHING TO PLOT BLANKET IN NATURE

20 RIGHT OF □AY□PUR□HASE AGREEMENT AND THE TERMS AND □ONDITIONS □ONTAINED THEREIN□ RE□ORDED DE□EM□ER 27□ 2001□ AS ENTRY NO. 810□□□□□ IN □OO□ 8□□□□ AT PAGE 7□11 OF OFFI□IAL RE□ORDS.
SURVEY FINDINGS: AFFECTS LESS & EXCEPTING PARCEL NOTHING TO PLOT

21 EASEMENT□PUR□HASE AGREEMENT AND THE TERMS AND □ONDITIONS □ONTAINED THEREIN□ RE□ORDED DE□EM□ER 27□ 2001□ AS ENTRY NO. 810□□□□□ IN □OO□ 8□□□□ AT PAGE 7□1□ OF OFFI□IAL RE□ORDS.
SURVEY FINDINGS: FOR A TEMPORARY EASEMENT THAT HAS EXPIRED, NOTHING PLOTTED

22 RIGHT OF □AY AGREEMENT AND SHARED PAR□ING EASEMENT AND THE TERMS AND □ONDITIONS □ONTAINED THEREIN□□Y AND □ET□EEN GARDNER DE□ELOPMENT□ LL□□ A UTAH LIMITED LIA□ILITY □OMPANY AND ED□ARD AND PAULA SAL□ETTI□ HUS□AND AND □IFE□ RE□ORDED MAY 17□ 2007□ AS ENTRY NO. 1010□□□□□ IN □OO□ 9□□□□ AT PAGE 7□00 OF OFFI□IAL RE□ORDS.
SURVEY FINDINGS: NOTHING TO PLOT, OR DEPICT, STIPULATES 22 RESERVED STALLS BUT DOES NOT CITE THE EXACT LOCATION OF SAID STALLS

GENERAL NOTES

1. M□NEIL ENGINEERING OR M□NEIL ENGINEERING - SUR□EYING L.□.□ MA□ES NO REPRESENTATIONS AS TO THE E□ISTEN□E OF ANY OTHER RE□ORD DO□UMENTS THAT MAY AFFE□T THIS PAR□EL OTHER THAN THOSE SHO□N IN THE E□□EPTIONS OF S□HEDULE □-2 AS SHO□N HEREON.

2. □ORNER MONUMENTS NOT FOUND □ERE SET □ITH A □□8" RE□AR □ □AP OR NAIL □ □ASHER STAMPED "M□NEIL ENG." UNLESS NOTED OTHER□ISE HEREON.

□. THIS MAP MA□ES NO ASSUMPTIONS AS TO ANY UN□RITTEN RIGHTS THAT MAY E□IST □Y AND □ET□EEN THE AD□OINING LANDO□NERS.

□. □OURSES AND DISTAN□ES SHO□N ON THIS MAP ARE MEASURED DIMENSIONS UNLESS SHO□N □ITHIN PARENTHESIS□ INDI□ATING A RE□ORD □OURSE OR DISTAN□E. RE□ORD INFORMATION IS TA□EN FROM □ITED TITLE □OMMITMENT□ DEEDS OF RE□ORD□ SU□DI□ISION PLATS□ ROAD□AY DEDI□ATION PLATS□ □ITY ATLAS PLATS□ FILED SUR□EYS OR OTHER SOUR□ES OF RE□ORD INFORMATION.

□. NO O□SER□ED E□IDEN□E OF □EMETERIES OR □URIAL GROUNDS.

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Structural Engineering • Land Surveying & HDS

THE OLD MEETING HOUSE

4120 SOUTH HIGHLAND DRIVE
MILLCREEK, UTAH

LOCATED IN THE NORTHWEST 1□4 O□ SECTION 4, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE □ MERIDIAN

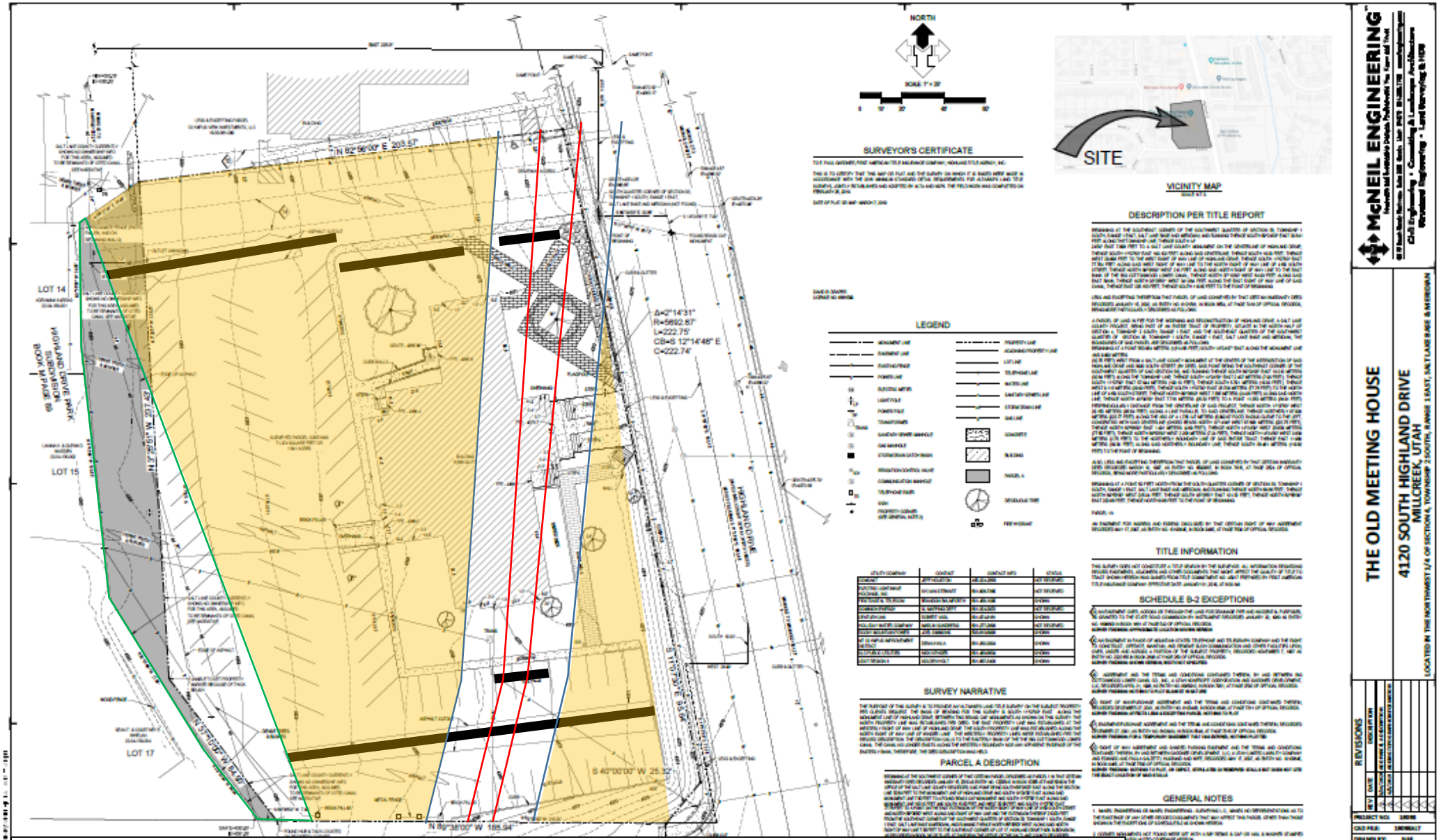
REVISIONS

REV	DATE	DESCRIPTION
1	3□14□2019	ADD PARCEL A DESCRIPTION
2	4□5□2019	ADDING TOPOGRAPHIC IN□ORMATION

PROJECT NO□	19098
CAD □ILE□	19098ALT
DRAWN BY□	NAE
CALC BY□	DBD
□IELD CREW□	HD□SS
CHECKED BY□	DBD
DATE□	4□4□2019

ALTA□NSPS LAND TITLE SURVEY

1 O□ 1



Plan showing fault zone and setbacks

Red Lines – Zone of faulting

Blue Lines – 20 foot building setback from zone of faulting

Green Area- Geologic restrictions – Additional study needed prior to building any habitable structures

Bold Black Lines- Approximate Trench Locations

Yellow Shaded – Buildable areas

ABBREVIATIONS

A	A RE	DEL	DELINEATOR	GM	GAS METER	P	POINT OF COMPOUND URE E
ADA	AMERI ANS ITH DISA ILITIES A T	DIA or Ø	DIAMETER	GMH	GAS MANHOLE	PI	POINT OF INTERSE TION
ATMS	AD AN ED TRAFFI MGMT. SYSTEM	DIP	DU TILE IRON PIPE	GUY	GUY IRE	PM	PAR ING METER
	AR AP	DTREE	DE IDUOUS TREE	G	GAS AL E	PP	PO ER POLE
	UILDING ORNER	DYL	DOU LE YELLO LINE	HDPE	HIGH DENSITY POLYETHYLENE	PR	POINT OF RE ERSE URE E
FG	OTTOM FINISH GRADE	E	EAST			PR	PAR ING STRIPE
LUE	LUE STA ED ELE TRI	E	ELE TRI O	HG	HEADGATE	PO	POINT OF ONNE TION
LUFO	LUE STA ED FI ER OPTI	EGL	ENERGY GRADE LINE	HGL	HYDRAULI GRADE LINE	PT	POINT OF TANGEN Y
LUG	LUE STA ED NATURAL GAS	ELE	ELE ATION	HP	HIGH POINT	P R	PO ER
LUIRR	LUE STA ED IRRIGATION	EM	ELE TRI METER	H	HEAD ALL or HIGH ATER	P	POLY INYL HLORIDE PIPE
LUSD	LUE STA ED STORM DRAIN	EMH	ELE TRI MANHOLE	H Y	HIGH AY	R	RANGE
LUSS	LUE STA ED SANITARY SE ER	EOA	EDGE OF ASPHALT	I O	IRRIGATION LEANOUT	R P	REINFOR ED ONC RETE PIPE
LUT	LUE STA ED TELEPHONE	EO	EDGE OF ON RETE	I	IRRIGATION ONTROL ALE E		
LU	LUE STA ED ATER	EOG	EDGE OF GRA EL	IE	IN ERT ELE ATION	RD	ROOF DRAIN
M	EN HMAR	EOL	EDGE OF LA N	IRR	IRRIGATION	RE	RE ISION
OF	OTTOM OF FOOTING	E or E IST	E ISTING	LF	LINEAR FEET	RO	RIGHT-OF AY
O	OTTOM OF O	F	FIRE	LIP	LIP OF GUTTER	RR	RAILROAD
OL	OLLARD	F	FOUNDATION ORNER	LP	LO POINT or LIGHT POLE	S	SOUTH
OT	OTTOM	FD	FOUND or FOUNDATION DRAIN	MA	MA IMUM	SAD	SEE AR HITE TURAL DRA INGS
O	LO -OFF ALE E	FD	FIRE DEPT. ONNE TION	MIN	MINIMUM		
O	A OF ALE	FDM	FOUND MONUMENT	MON	MONUMENT	SD	STORM DRAIN
	FINISH GRADE AT OTTOM OF ALL	FDS	FOUND SE TION ORNER	MP	METAL PIPE	SD	STORM DRAIN ATI H ASIN
		FFE	FINISHED FLOOR ELE ATION	M	MONITORING ELL	SD O	STORM DRAIN LEOUNOUT O
		FG	FINISHED GRADE	N	NORTH		
	ENTERLINE	FH	FIRE HYDRANT	NG	NATURAL GROUND	SDMH	STORM DRAIN MANHOLE
AT	A LE TELE ISION	FL	FLO LINE	NGRET	NG AT RETAINING ALL	SE	SE TION
R	ON RETE ARRIER	FN	FEN E	NR	NAIL RI ON	SPE S	SPE IFI ATIONS
	UR UT	FN L	HAIN LIN FEN E	N	NAIL ASHER	SL M	SALT LA E ASE MERIDIAN
OL	OLUMN	FN IRN	IRON FEN E	NTS	NOT TO S ALE	S	S UARE
OMM	OMMUNI ATIONS	FN YL	INYL FEN E	OG	ORIGINAL GROUND	S FT	S UARE FEET
ON	ON RETE	FN D	OOD FEN E	OH	O ERHAG	S YD	S UARE YARD
ONST	ONSTRU TION	FN R	IRE FEN E	OH	O ERHEAD	SS	SANITARY SE ER
MP	ORRUGATED METAL PIPE	FO	FI ER OPTI		OMMUNI ATIONS	SS O	SANITARY SE ER LEANOUT
P	ONTROL POINT	FO	FRONT OF ALE	OHP	O ERHEAD PO ER	SMH	SANITARY SE ER MANHOLE
TREE	ONIFEROUS TREE	FT	FEET	OHT	O ERHEAD TELEPHONE	ST	STEAM
UFT	U FOOT	G	NATURAL GAS	OHT	O ERHEAD TELE ISION	STA	STATION
UYD	U YARD	GAR	GARAGE		PROPERTY LINE	STD	STANDARD
		G	GRADE REA	P	PO ER O	STM	STORM
		GL	GROUND LIGHT	P	POINT OF URE ATURE	SYL	SOLID YELLO LINE

S L	SOLID HITE LINE		
T	TO NSHIP		
T	TOP A OF URE		
TELE	TELEPHONE		
TF	TOP FA E OF URE		
TFG	TOP FINISH GRADE		
TL	TREE LINE		
TMH	TELEPHONE MANHOLE		
TOA	TOP OF ASPHALT		
TO	TOP OF ON RETE		
TOF	TOP OF FOOTING		
TOG	TOP OF GRATE		
TOE	TOE OF SLOPE		
TOP	TOP OF SLOPE or TOP OF PIPE		
TO	TOP OF ALL		
TR	TELEPHONE RISER		
TE	TELE ISION		
T	FINISH GRADE AT TOP OF ALL		
TRANS	TRANSFORMER		
TSP	TRAFFI SIGNAL POLE		
TS	TRAFFI SIGNAL O		
UD	UNDERDRAIN		
UG	UNDERGROUND OMMUNI ATIONS		
UGP	UNDERGROUND PO ER		
UGT	UNDERGROUND TELEPHONE		
UGT	UNDERGROUND TELE ISION		
U.N.O.	UNLESS NOTED OTHER ISE		
UP	UTILITY POLE		
P	ITRIFIED LAY PIPE		
P	ERTI AL PIPE		
	EST or ATER		
M	ATER METER		
MH	ATER MANHOLE		
S	ATER SURFA E		
TR	ATER		
	ATER AL E		
	ATER AY		

LEGEND

- MONUMENT LINE
- EASEMENT LINE
- E ISTING FEN E
- PO ER LINE
- ELE TRI METER
- LIGHT POLE
- PO ER POLE
- TRANSFORMER
- SANITARY SE ER MANHOLE
- GAS MANHOLE
- STORM DRAIN ATI H ASIN
- IRRIGATION ONTROL ALE E
- OMMUNI ATION MANHOLE
- TELEPHONE RISER
- SIGN
- PROPERTY ORNER (SEE GENERAL NOTE 2)
- FLO LINE
- SPOT ELE ATION (E ISTING)
- SPOT ELE ATION (NE)
- PROPERTY LINE
- AD OINING PROPERTY LINE
- LOT LINE
- TELEPHONE LINE
- ATER LINE
- SANITARY SE ER LINE
- STORM DRAIN LINE
- GAS LINE
- ON RETE
- UILDING
- PAR EL A
- DE IDUOUS TREE
- FIRE HYDRANT

NORTH

S ALE 1" 20

0 10 20 0 0

Norm Schoenherr AIA Carl Greene AIA

Design International

UTAH COLORADO NEVADA

DESIGN INTERIORS PLANNING ARCHITECTURE CONSULTING

P.O. Box 1596, Park City, Utah 84060

801-641-3894 435-640-6081

RESIDENCES AT WINDER

OLD MEETINGHOUSE SITE
4120 SOUTH HIGLAND DRIVE
MILLCREEK, UTAH

PROJECT NO.	20166
DRAWN BY	CEG
CHECKED BY	CEG
DATE	20 MARCH 2020
PROP. NO.	##

REVISIONS

DATE	DESCRIPTION

GRADING & DRAINAGE PLAN

C2.01

LEGEND

- MONUMENT LINE
- EASEMENT LINE
- EXISTING FENCE
- POWER LINE
- ELECTRIC METER
- LIGHT POLE
- POWER POLE
- TRANSFORMER
- SANITARY SEWER MANHOLE
- GAS MANHOLE
- STORM DRAIN CATCH BASIN
- IRRIGATION CONTROL VALVE
- COMMUNICATION MANHOLE
- TELEPHONE RISER
- SIGN
- PROPERTY CORNER (SEE GENERAL NOTE 2)
- WATER METER / MANHOLE
- PROPERTY LINE
- ADJOINING PROPERTY LINE
- LOT LINE
- TELEPHONE LINE
- WATER LINE
- SANITARY SEWER LINE
- STORM DRAIN LINE
- GAS LINE
- CONCRETE
- BUILDING
- PARKING
- DECIDUOUS TREE
- FIRE HYDRANT

NORTH

SCALE: 1" = 20'

0 10' 20' 40' 80'

NOTICE!

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION PROTECTION AND RESTORATION OF ALL BURIED OR ABOVE GROUND UTILITIES SHOWN OR NOT SHOWN ON THE PLANS.

Blue Stakes of UTAH811 bluestakes.org

Norm Schoenherr AIA Carl Greene AIA
Design International
UTAH COLORADO NEVADA
DESIGN INTERIORS PLANNING ARCHITECTURE CONSULTING
P.O. Box 1596, Park City, Utah 84060

RESIDENCES AT WINDER

OLD MEETINGHOUSE SITE
4120 SOUTH HIGLAND DRIVE
MILLCREEK UTAH

PROJECT NO.	20
DRAWN BY	C
CHECKED BY	C
DATE	20 MARCH 2
PROP. NO.	

REVISIONS

DATE	DESCRIPTION

UTILITY PLAN

C3.01

S:\2020Fil\2010\Prod D\Old M\Site.dwg

Millcreek Council
Jeff Silvestrini, Mayor
Silvia Catten, District 1
F. Dwight Marchant, District 2
Cheri Jackson, District 3
Bev Uipi, District 4

Millcreek Offices
3330 South 1300 East
Millcreek, Utah 84106
801-214-2700
www.millcreek.us

November 26, 2019

Todd Gardner
8382 Willow Creek Drive
Sandy, UT 84093

Re: CU-19-011
Preliminary Approval for a 38-unit townhome/condominium development in an R-M zone at 4120 S. Highland Drive

Address:	4120 S. Highland Drive
APN:	22-04-130-008
Zone:	R-M Multi-family Residential

Dear Mr. Gardner,

On Wednesday, November 20, 2019, the Millcreek Planning Commission granted preliminary conditional use approval of application CU-19-011 for a 38-unit townhome/condominium development in an R-M zone at 4120 South Highland Drive. The development of this 1.79-acre property is subject to the following conditions approved by the Planning Commission:

1. The applicant shall provide a project parking as detailed on the site plan.
2. The applicant shall provide the proposed exterior detailing/finishes as provided for in the application drawings.
3. The development will be limited to the eleven three-bedroom townhomes and twenty-seven 2-bedroom condominiums as proposed on the plan.
4. The front yard is 25', the side yards are to be 8', 14.5' and 15' and the rear yard is 25'.
5. The building height is 30 feet for the townhomes and 40 feet for the condominiums with 5 additional feet for solar panels providing more than 50% of the project power as per Section 19.44.050.22 of the zoning ordinance.
6. All service and mechanical equipment must be screened by landscaping or other methods as set forth in section 19.77.070 of the zoning ordinance.
7. No light source (light bulb, fluorescent tube, or other direct source of light used to illuminate a parking area) shall be visible beyond the property line of any off-street parking area as required by Section 19.80.030 of the zoning ordinance.
8. Any modifications to these approved plans must be approved by the Planning Department, in writing, prior to the changes being implemented in the field.
9. Landscaping shall be installed in compliance with Chapter 19.77 Water Efficient Landscape Design and Development Standards. Any revisions to the landscape plan package shall be reviewed and approved in writing by the director or designee prior to commencement of

construction. Re-certification of compliance with the requirements of the landscaping ordinance shall be provided by the qualified professionals who prepared and submitted the landscape plan.

10. Landscaping and fencing shall be installed according to the plans submitted by the applicant for preliminary conditional use approval.
11. The applicant will comply with all requirements established through the technical review process prior to receiving final conditional use approval.
12. The applicant will comply with all requirements of the Unified Fire Code, subject to approval by the Fire Marshal.
13. The applicant shall obtain a complete review for an approved building permit and shall continually comply with the requirements of Millcreek City, Salt Lake City Department of Public Utilities, and the S. L. City Suburban Sewer District.
14. The applicant and its successors shall properly and continually maintain all required landscaping and buildings.
15. All signs and outdoor light shall be dark sky compliant.
16. Applicant will work with the State Historic Preservation Office and other stakeholders to identify an appropriate means to honor the legacy of the Old Meeting House as part of the new development.
17. Comply with all the requirements of the City's Geologic Hazards Ordinance.
18. Allow left hand turns only out of the parking structure with no right turns onto Winder Lane.
19. In the CC&Rs prohibit any resident and guest parking on any adjacent residential streets.
20. Applicant will not charge a fee for the required residential parking.

Planning staff will conduct a technical review. The fee for the technical review is $530. After all of the conditions and requirements of the preliminary approval have been resolved staff will issue the final land use approval. The final approval letter along with a copy of the approved site development plans will be issued. A building permit or a business license application will not be accepted until the applicant has a valid Land Use Approval.

Please note that this preliminary approval shall expire after 12 months of the Planning Commission approval date specified above. The applicant may receive a one-year extension by requesting it in writing and paying a fee of $175.

Any adversely affected person shall have the right to appeal to the land use hearing officer any decision rendered by the planning commission, the director or director's designee by filing in writing, stating the reasons for the appeal with the land use hearing officer, within ten calendar days following the date upon which the decision is made. Appeals to the land use hearing officer shall be submitted to Millcreek Community Development.

Sincerely,

Blaine Gehring

Blaine Gehring, AICP
Planner

Diane:

We live on 4160 South just West of the Old Meeting House. Our concern is for the traffic flow past the proposed development location. The occupants of the house that sits on the South side of Winder Lane and Highland Drive park on the street and when someone parks across on the North side of Winder, it is cut down to one lane. I have never seen a multi family development that parking did not become a problem. If this goes forward then we believe that Winder Lane should not have street parking allowed on either side from Highland Drive past the most West driveway of the development. The increased traffic alone will cause additional flow problems but trying to turn onto or off of Highland Drive and Winder Lane blocked by parked cars could cause accidents. Thank you for considering this when you make a decision.

----- Forwarded Message -----
From: "rojorootie@aol.com" <rojorootie@aol.com>
To: "dangusmail@yahoo.com" <dangusmail@yahoo.com>
Sent: Mon, Apr 6, 2020 at 9:21 AM
Subject: Old Meeting house

Hello Diane,

The biggest concern I have about this Location is whether there will be enough parking for the tenants and their visitors. I already live in an area that is classified a planned community, Amblewood Lane and they are not allowed to park cars on the street or even in their driveways at night. This then causes tenants and their visitors to park in front of my house and my neighbors houses. This causes real problems in the winter for snow removal. I see this new development does have extra parking on the property. I hope is is enough.

Thanks for your time Roger Nelson

3330 South 1300 East
Millcreek, UT 84106
801-214-2700
millcreek.utah.gov

File # SD-20-003

Planning Commission Staff Report

Meeting Date:	**15 April 2020**
Applicant:	**Ivory Development**
Property Address:	**3035 South Kenwood Street**
Parcel ID:	**16-28-257-038-0000, 16-28-257-018-0000**
Request:	**Preliminary plat approval for a 4-lot subdivision**
Zone:	**R-1-8**
Prepared By:	**Robert May, Planner**

SYNOPSIS AND SCOPE OF DECISION

The applicant, Ivory Development is requesting a 4-lot subdivision located at 3035 South Kenwood Street which is located in the Canyon Rim area of Millcreek. The surrounding neighborhood is predominantly comprised of single-family homes and single-family residential zoning. Two (2) of the proposed lots will be accessed off of 1800 East which is currently recognized as a private road and serves as access to roughly 6 dwelling units. The applicant is currently undergoing a friendly condemnation to acquire the land being used as a private road in an effort to turn it over to the city as a public road. Millcreek has agreed to accept the land with the condition that it must qualify and meet all applicable ordinances and standards of a local public road.

(*Historical Background*)

Prior to the Millcreek incorporation, the subject property had received preliminary subdivision approval from the Millcreek Township Planning Commission on two separate occasions (***File #28628,2013***) and (***File #30133,2016***) and for reasons unknown had not completed final plat approval, therefore expiring.

In 2016, the Millcreek Township Planning Commission as part of preliminary approval, required the applicant to obtain approval from the Land Use Hearing Officer in order to utilize the private road (1800 East) for access. In December of 2016, the Land Use Hearing Officer granted a variance/permit to access lots subject to all of the landowners agreeing on a road maintenance agreement on the private lane known as 1800 East.

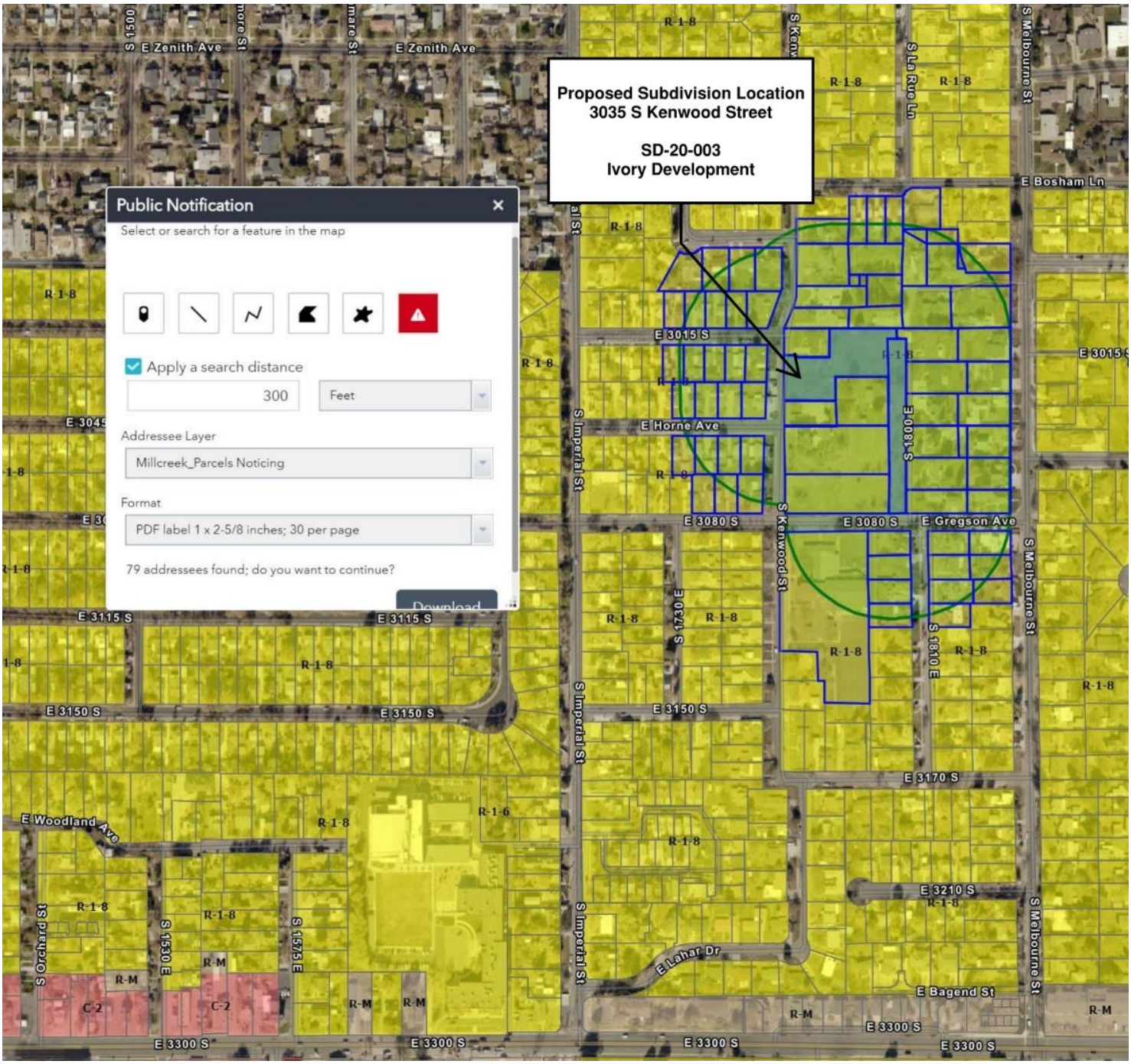
(Historical Background) continued

<u>18.08.010 Procedure Generally</u>

The planning commission shall be the land use authority for subdivisions. In order to assure that each subdivision fully complies with the provisions of this title, the director or director's designee shall administer formal application and review procedures for subdivisions. An application shall not be deemed complete until the full application, fees and all required materials have been submitted. The payment of a partial fee and submission of preliminary plans for a pre-submittal review does not constitute a complete application.

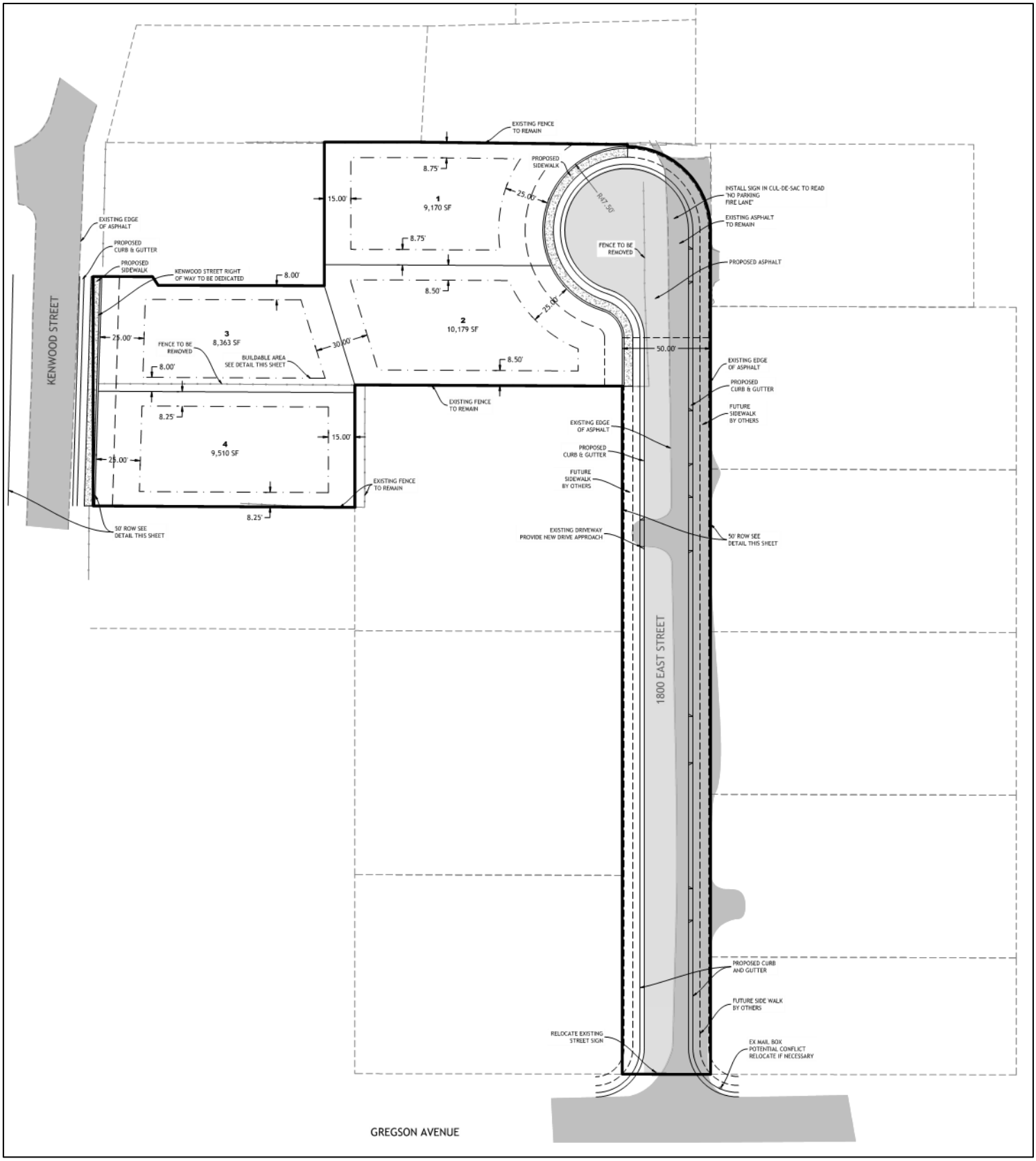
SITE VICINITY AND DESCRIPTION

ZONING MAP



STREET VIEW PICS

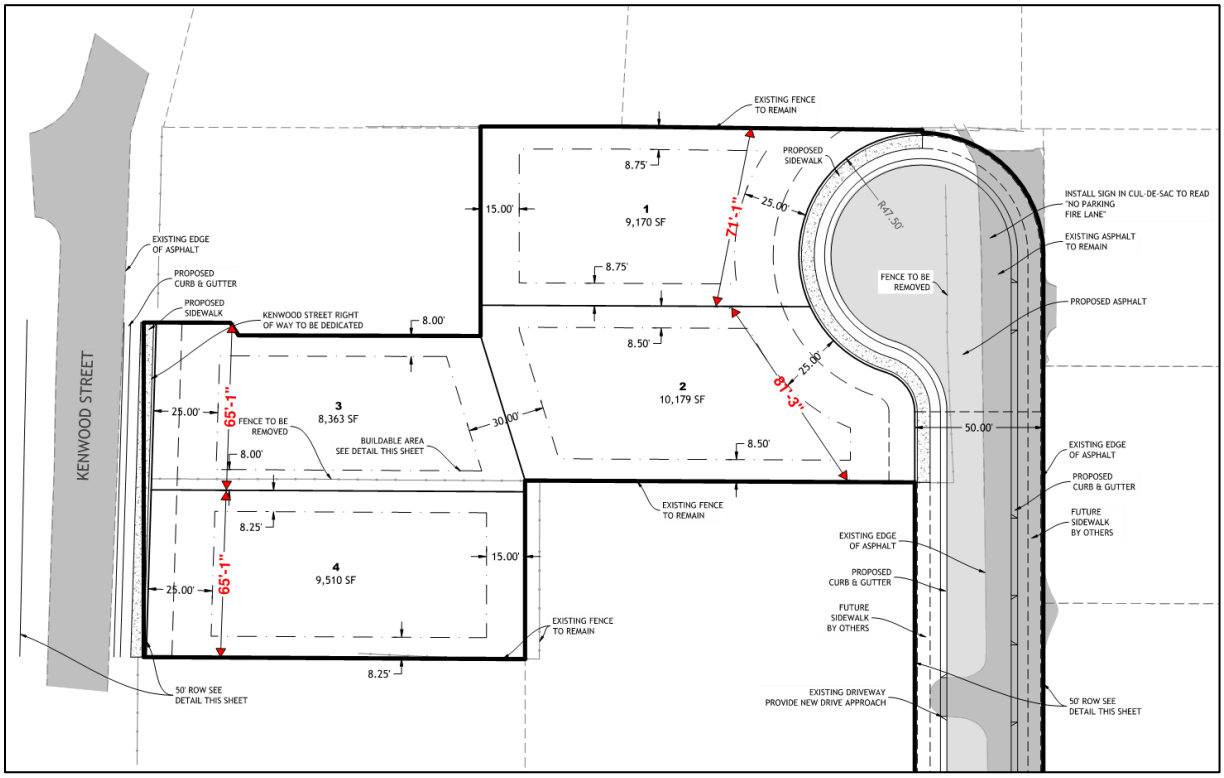
SITE PLAN


EXISTING FENCE TO REMAIN
PROPOSED SIDEWALK
8.75'
15.00'
1
9,170 SF
25.00'
R47.50'
8.75'
INSTALL SIGN IN CUL-DE-SAC TO READ "NO PARKING FIRE LANE"
EXISTING ASPHALT TO REMAIN
EXISTING EDGE OF ASPHALT
PROPOSED CURB & GUTTER
PROPOSED SIDEWALK
KENWOOD STREET RIGHT OF WAY TO BE DEDICATED
8.00'
FENCE TO BE REMOVED
PROPOSED ASPHALT
8.50'
25.00'
KENWOOD STREET
25.00'
3
8,363 SF
FENCE TO BE REMOVED
30.00'
2
10,179 SF
50.00'
BUILDABLE AREA SEE DETAIL THIS SHEET
8.00'
8.50'
EXISTING EDGE OF ASPHALT
PROPOSED CURB & GUTTER
FUTURE SIDEWALK BY OTHERS
EXISTING FENCE TO REMAIN
8.25'
15.00'
4
9,510 SF
25.00'
EXISTING EDGE OF ASPHALT
PROPOSED CURB & GUTTER
FUTURE SIDEWALK BY OTHERS
EXISTING FENCE TO REMAIN
8.25'
50' ROW SEE DETAIL THIS SHEET
EXISTING DRIVEWAY PROVIDE NEW DRIVE APPROACH
50' ROW SEE DETAIL THIS SHEET
1800 EAST STREET
PROPOSED CURB AND GUTTER
FUTURE SIDE WALK BY OTHERS
RELOCATE EXISTING STREET SIGN
EX MAIL BOX POTENTIAL CONFLICT RELOCATE IF NECESSARY
GREGSON AVENUE

PROJECT INFORMATION

The subject property consist of approximately .96 acres / 41,817 sf and has approximately 130 feet of frontage along Kenwood Street (Public) and approximately 110 feet along 1800 East (Private).

Each proposed parcel will comply with all R-1-8 Zone and Residential Compatibility Overlay (RCOZ) Zone standards and requirements.



- Lots will be located in the Salt Lake City Water System
- Lots will be located in the Mt. Olympus Sewer District
- Lots are subject to the (RCOZ) Residential Compatibility Overlay Zone of the R-1-8 Zone
- Lots are <u>not</u> located in a designated floodplain area as illustrated in the NFIP Flood Rate Maps
- The proposed subdivision plat has completed a site plan identifying all easements
- The proposed subdivision plat has completed preliminary requirements that consist of a site plan, utility plan, and a grading and drainage plan that illustrates storm water runoff and retention.
- The proposed subdivision plat <u>will be required</u> to complete a final technical review that includes an engineering review to ensure that the final plat complies with all conditions of approval of the preliminary plat and to ensure that the final plat complies with the design standards, codes, and ordinances and with minimum engineering/surveying requirements.

- All accrued final technical review fees must be paid in full prior to recordation.
- All public improvements must be installed or 100% bonded for and enter into an approved bond agreement with Millcreek prior to recordation.
- The proposed plat must obtain Unified Fire and Salt Lake County Addressing approvals before recordation.
- Each lot will consist of a one, one-family dwelling.
- Any agreement between developer and Millcreek regarding the 1800 East friendly condemnation must be approved by the Millcreek City Attorney.
- Prior to final plat and Millcreek approval, any road or land dedication must be approved by the Millcreek City Attorney.

APPLICABLE ORDINANCES

*Title 18 of the Millcreek Code (Chapter 18.12, Chapter 18.16,Chapter 18.20, and Chapter 18.24)

*Chapter 19.14 R-1-3, R-1-4, R-1-5, R-1-6, R-1-7, R-1-8, R-1-10, R-1-15, R-1-21, R-1- 43 SINGLE-FAMILY RESIDENTIAL ZONES

*Chapter 19.71 Residential Compatibility Overlay Zone (RCOZ)

*Chapter 14.12.020 Roadways to Comply with Standards

*Chapter 14.12.025 Curb Ramps, Ramps and Sidewalks to Comply with Standards

ISSUES OF CONCERN/PROPOSED MITIGATION

While staff finds that the subdivision can meet preliminary and final plat requirements and is in compliance with the City's development standards, final plat approval will subject to the standards and regulations under Title 18 of the Millcreek Code. Staff finds that a condition must be included before final approval by Millcreek and the plat can be recorded that all road and land dedications must be reviewed and accepted by Millcreek.

REVIEWING AGENCIES RESPONSE

Compliance with current building, construction, engineering, fire, health, landscape and safety standards will be verified prior to final approval. All technical review requirements associated with final approval must be met including any public improvements required by Millcreek Engineering. Specifically;

***14.12.020 Roadways to Comply with Standards**
All public and private roadway development located within the city subject to the jurisdiction of the city and shall meet the requirements of this chapter. Where specific elements of design and construction are not addressed in this chapter,

roadway design and construction shall comply with the minimum guidelines for design set forth in the current version of the American Public Works Association Manual Standard Specifications and the Utah Chapter of American Public Works Association Manual of Standard Plans. Where specific elements of design and construction are not addressed in this chapter or the current version of the American Public Works Association Manual Standard Specifications and the Utah Chapter of American Public Works Association Manual of Standard Plans then the roadway design and construction shall comply with the minimum guidelines for design set forth in the current version of the AASHTO publication, "A Policy on Geometric Design of Highways and Streets". The public works director shall utilize the AASHTO manual in setting safe design requirements.

***14.12.025 Curb Ramps, Ramps and Sidewalks to Comply with Standards**
All public and private curb ramp, ramp and sidewalk development located within the city subject to the jurisdiction of the city shall meet the requirements of this chapter. Where specific elements of design and construction are not addressed in this chapter, curb ramp, ramp and sidewalk construction shall comply with the minimum guidelines for design set forth in the current version of the American Public Works Association Manual Standard Specifications and the Utah Chapter of American Public Works Association Manual of Standard Plans. Where specific elements of design and construction are not addressed in this chapter or in the current version of the American Public Works Association Manual Standard Specifications and the Utah Chapter of American Public Works Association Manual of Standard Plans then the curb ramp, ramp and sidewalk construction shall comply with the minimum guidelines for design set forth in the ADAAG, July 26, 1991, and any successor editions. The public works director shall utilize the ADAAG in setting appropriate design requirements.

***Meet all code compliance and fire protection requirements outlined by the Unified Fire Authority.**
The review of civil site plans, architectural drawings and fire protection system submittals. Expansions to existing buildings, new commercial buildings and residential subdivisions plan review process and issuance of permits must be complied with.

PLANNING STAFF ANALYSIS AND FINDINGS

- Staff as found that the proposed subdivision can meet the requirements of Title 18 of the Millcreek Subdivision Code and Residential Compatibility Overlay Zone.
- Staff finds that the proposed subdivision is in harmony with the General Plan and character of the immediate area. The proposed subdivision does not create a zoning violation or conflict with existing properties.

PLANNING STAFF RECOMMENDATION (SD-20-003)

Staff recommends to the Millcreek Planning Commission **to preliminary approve the proposed 4-lot subdivision SD-20-003 with the following staff conditions:**

1. The design of the site and buildings shall comply with all applicable development standards of the Millcreek Zoning Code and any site development standards required by the Millcreek Engineer and Building Official, and Unified Fire Authority.

2. Prior to receiving final plat approval, the applicant shall certify that existing utility services have the capacity to accommodate additional demand induced by the development, or that the services will be upgraded to meet the additional demand.

3. Accessory structures will require separate building permits and staff review for zoning/land use compliance.

4. Any modifications to these approved plans must be approved by the Planning Department, in writing, prior to the changes being implemented in the field.

5. The proposed subdivision plat must complete a final technical review that includes an engineering review to ensure that the final plat complies with all conditions of approval of the preliminary plat and to ensure that the final plat complies with the design standards, codes, and ordinances and with minimum engineering/surveying requirements, including any bonding for possible future improvements.

6. All accrued final technical review fees must be paid in full prior to recordation.

7. All public improvements must be installed or 100% bonded for and enter into an approved bond agreement with Millcreek prior to recordation.

8. The proposed plat must obtain Unified Fire and Salt Lake County Addressing approvals before recordation.

9. Each lot will consist of a one, one-family dwelling.

10. Any agreement between developer and Millcreek regarding the 1800 East friendly condemnation will be under the terms approved by the Millcreek City Attorney.

11. Prior to final plat approval by Millcreek, any road or land dedication must be approved and accepted by the city.

12. All public and private curb ramp, ramp and sidewalk development shall meet the requirements of Section 14.12.025 of the Millcreek Code.

13. All applicable zoning, building, health, fire and safety requirements must be met prior to receiving final approval of a building permit.

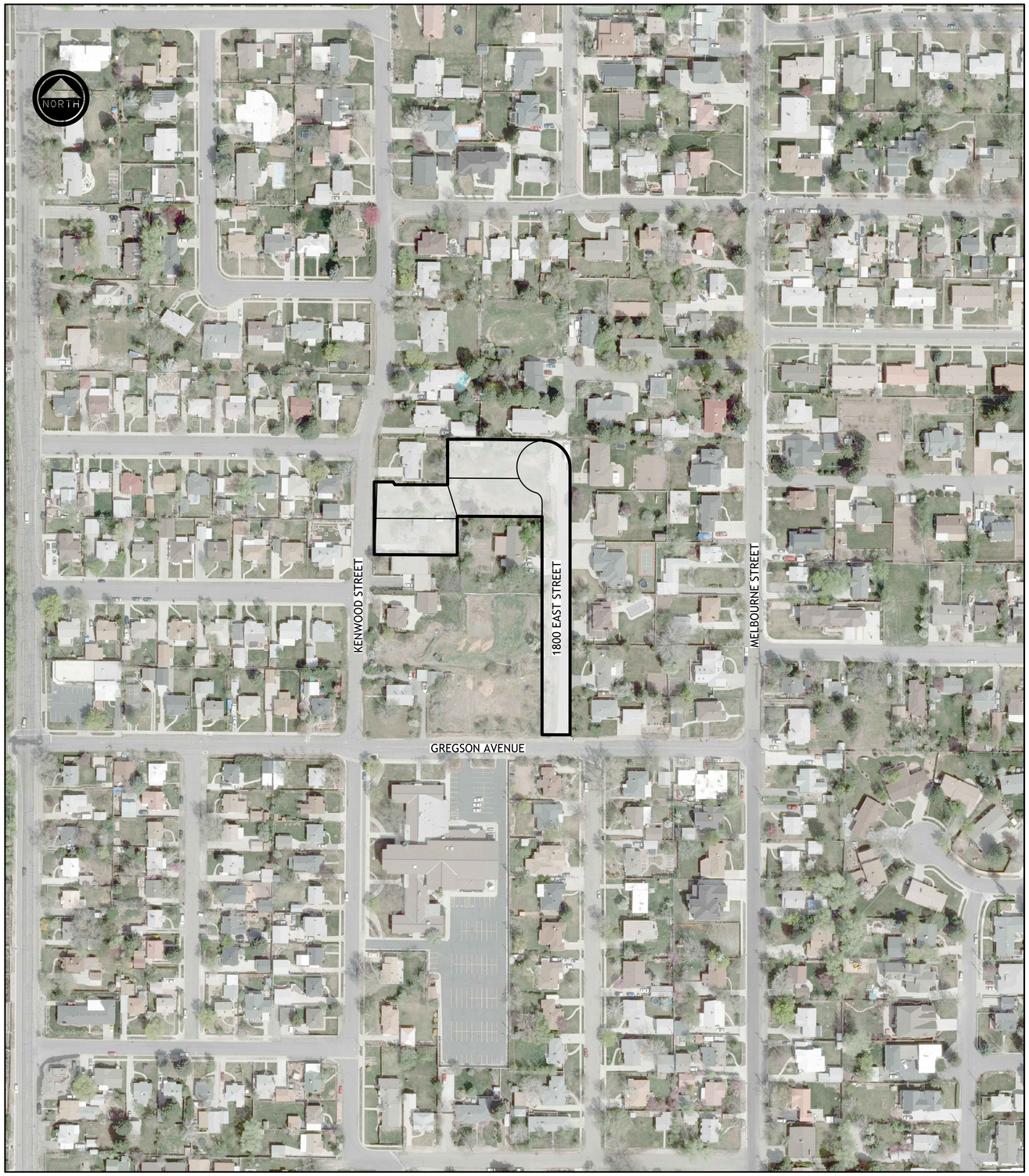
14. All items of the staff report, including but not limited to all applicable ordinances.

SUPPORTING DOCUMENTS

1. Preliminary plat and civil plans

KENWOOD AVENUE SUBDIVISION

MILLCREEK CITY



VICINITY MAP
1" = 100'

GEOTECHNICAL STUDY

A SITE SPECIFIC GEOTECHNICAL STUDY HAS BEEN PREPARED FOR THIS PROJECT BY AGEC. THE REPORT IS DATED MAY 17, 2016, AND WAS PREPARED BY DOUGLAS R. HAWKES, PE, PG. IT IS IDENTIFIED BY AGEC PROJECT NUMBER 1160267. THE REQUIREMENTS OUTLINED IN THIS STUDY SHALL BE FOLLOWED ON THIS PROJECT.

SHEET INDEX

O-1 TITLE SHEET
-- SUBDIVISION PLAT
O-2 SITE PLAN
O-3 UTILITY PLAN
O-4 GRADING & DRAINAGE PLAN

LEGEND

- PROPOSED SANITARY SEWER
- EXISTING SANITARY SEWER
- SANITARY SEWER MANHOLE
- PROPOSED CULINARY WATER LINE
- EXISTING CULINARY WATER LINE
- CULINARY WATER FIXTURES
- PROPOSED FIRE HYDRANT
- EXISTING FIRE HYDRANT
- PROPOSED SECONDARY WATER LINE
- EXISTING SECONDARY WATER LINE
- SECONDARY WATER FIXTURES
- PROPOSED LIGHT POLE
- EXISTING OVERHEAD UTILITY
- RCP CL III STORM DRAIN
- EXISTING STORM DRAIN
- SD COMBOBOX, CB & CO
- PROPOSED UNDER DRAIN
- EXISTING UNDER DRAIN
- UNDER DRAIN CLEANOUT
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR

EDM Partners
2815 East 3300 South, Salt Lake City, UT 84109
(801) 305-4670 www.edmpartners.com

OWNER:
Ivory Development
978 East Woodoak Lane
Salt Lake City, UT 84117
801-747-7000

IVORYHOMES
Utah's Number One Homebuilder

NOTES:

1. All sanitary sewer improvements shall conform with the standards and specifications of Mt. Olympus Improvement District.
2. All culinary water improvements shall conform with the standards and specifications of Salt Lake City Public Utilities.
3. All improvements in the public right of way shall conform with the standards and specifications of Millcreek City.
4. All private improvements shall conform to APWA standards and specifications.
5. Contractor to field locate and verify the horizontal and vertical location of all utilities prior to beginning work.
6. The project benchmark is a brass cap in the intersection of 3080 South 1700 East Elevation = 4476.11

CALL BEFORE YOU DIG! BLUE STAKES 1 800 662 4111

LICENSED PROFESSIONAL ENGINEER No. 368611 NICHOLAS M. MINGO 2/14/20 STATE OF UTAH

Kenwood Avenue Subdivision
Title Sheet

PROJECT:
DRAWN BY: NMM
REVIEWED BY: PMD
REVISIONS:

No.	DATE	REMARKS

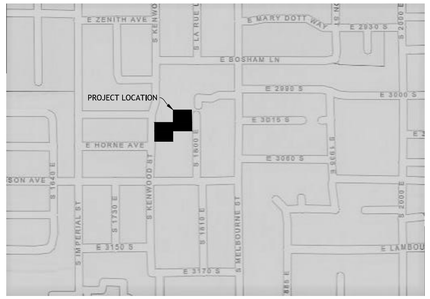
DATE: February 14, 2020

SHEET NUMBER: O-1

C:\Users\Korey\Dropbox\EDM\Projects\Kenwood\Drawings\1.Title Sheet.dwg

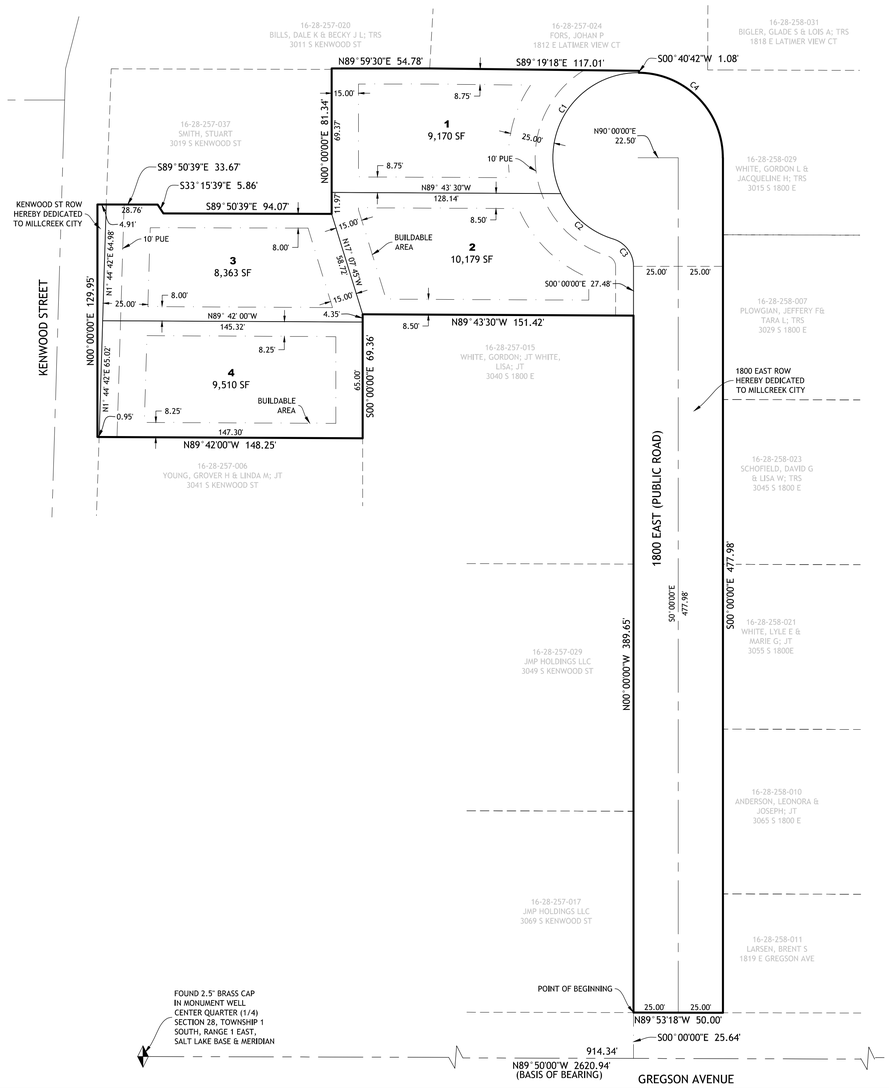
KENWOOD SUBDIVISION

LYING WITHIN THE NORTHEAST QUARTER (NE 1/4) OF SECTION 28, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, MILLCREEK, SALT LAKE COUNTY, UTAH



VICINITY MAP
NOT TO SCALE

CURVE TABLE				
CURVE	ARC LENGTH	RADIUS	CHORD DIRECTION	CHORD LENGTH
C1	95.85	47.50	S32°52'04"W	80.40
C2	39.89	47.50	S49°00'08"E	38.73
C3	20.40	16.00	S36°31'51"E	19.05
C4	74.05	47.50	S44°39'39"E	66.78



LEGEND

- BOUNDARY LINE
- LOT LINE
- SECTION LINE
- CENTERLINE / MONUMENT LINE
- ADJACENT PROPERTY LINE
- SURVEY TIE LINE
- RIGHT OF WAY LINE
- EASEMENT LINE
- SECTION CORNER (FOUND)
- SECTION CORNER (NOT FOUND)
- ROAD MONUMENT
- PROPERTY MARKER (SET OR FOUND AS NOTED)

NARRATIVE:

THIS SUBDIVISION PLAT WAS PREPARED AT THE REQUEST OF IVORY DEVELOPMENT FOR THE PURPOSE OF SUBDIVIDING THE PARCELS OF LAND KNOWN BY THE SALT LAKE COUNTY ASSESSOR AS PARCEL NUMBER 16-28-257-038 AND 16-28-257-018 INTO LOTS AND STREETS AS SHOWN HEREON.
EXISTING MONUMENTS SHOWN ON THIS PLAT WERE OBSERVED IN THEIR RECORD LOCATIONS.

BASIS OF BEARING: N89°50'00"W BEING THE BEARING BETWEEN THE CENTER QUARTER (1/4) CORNER OF SECTION 28, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT BASE & MERIDIAN AND THE EAST QUARTER OF SECTION 28, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN.

NOTES:

- A 5/8" REBAR WITH PLASTIC CAP MARKED EDM WILL BE SET AT ALL REAR CORNERS AND ALONG BOUNDARY EXCEPT ALONG LOTS 1-4 THE FRONT LOT LINES WILL BE MARKED WITH A RIVET IN THE CURB AT THE LOT LINE EXTENDED

ZONING SETBACKS ARE SUBJECT TO RCOZ AND ARE AS FOLLOWS:

FRONT: 25 FEET
REAR: 15 FEET WHEN DWELLING HAS AN ATTACHED GARAGE/ 30 FEET WHEN DWELLING HAS A DETACHED GARAGE
SIDE: COMBINED TOTAL OF 25% OF LOT WIDTH PER RCOZ.

SURVEYOR'S CERTIFICATE

I, TYLER E. JENKINS DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 4938730 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREAFTER TO BE KNOWN AS:

KENWOOD SUBDIVISION

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND.

PROFESSIONAL LAND SURVEYOR
02/13/2020
4938730
TYLER E. JENKINS
STATE OF UTAH

BOUNDARY DESCRIPTION

A PORTION OF THE NORTHEAST QUARTER (1/4) OF SECTION 28, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY LINE OF GREGSON AVENUE SAID POINT BEING S89°50'00"E 914.34 FEET ALONG THE SECTION LINE AND N00°00'00"E 25.64 FEET FROM THE CENTER QUARTER (1/4) CORNER OF SECTION 28. TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN; AND RUNNING THENCE N00°00'00"W 389.65 FEET; THENCE N89°43'30"W 151.42 FEET; THENCE S00°00'00"E 69.36 FEET; THENCE N89°42'00"W 148.25 FEET TO THE EASTERLY LINE OF KENWOOD STREET; THENCE N00°00'00"E 129.95 FEET ALONG THE EAST SIDE OF KENWOOD STREET TO THE SOUTHERLY LINE OF THAT REAL PROPERTY DESCRIBED IN BOOK 10387, PAGE 2824 OF THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE ALONG SAID DEED THE FOLLOWING 4 (FOUR) COURSES AND DISTANCES: S89°50'39"E 33.67 FEET; THENCE S33°15'39"E 5.86 FEET; THENCE S89°50'39"E 94.07 FEET; THENCE N00°00'00"E 81.34 FEET; THENCE N89°59'30"E 54.78 FEET; TO THE SOUTHWEST CORNER OF LOT 1, LATIMER LANE SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE SALE LAKE COUNTY RECORDER OFFICE; THENCE ALONG SAID PLAT S89°19'18"E 117.01 FEET; THENCE S00°40'42"W 1.08 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 47.50 FEET, A DISTANCE OF 74.05 FEET, A CHORD DIRECTION OF S44°39'39"E AND A CHORD DISTANCE OF 66.78 FEET; THENCE S00°00'00"E 477.98 FEET TO THE NORTHERLY LINE OF GREGSON AVENUE. THENCE ALONG SAID NORTHERLY LINE N89°53'18"W 50.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 66,730 SQFT OR 1.53 ACRES

OWNER'S DEDICATION

I/WE, THE UNDERSIGNED OWNER(S) OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN HEREON TO BE HEREAFTER KNOWN AS:

KENWOOD SUBDIVISION

AND DO HEREBY DEDICATE FOR PERPETUAL USE AND DO HEREBY GRANT UNTO EACH PRIVATE UTILITY COMPANY AND PUBLIC UTILITY AGENCY PROVIDING UTILITY SERVICES TO THIS PROJECT, A PERPETUAL NON-EXCLUSIVE EASEMENT IN ALL AREAS SHOWN HEREON TO INSTALL, USE, KEEP, MAINTAIN, REPAIR AND REPLACE AS REQUIRED, UNDERGROUND UTILITY LINES, PIPES AND CONDUITS OF ALL TYPES AND APPURTENANCES THERETO SERVING THIS PROJECT.

NAME: CHRISTOPHER P. GAMVROULAS
TITLE: PRESIDENT OF IVORY DEVELOPMENT, LLC

NAME: GORDON L. WHITE

ACKNOWLEDGEMENT

ON THE _____ DAY OF _____ A.D., 2019, CHRISTOPHER P. GAMVROULAS PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF SALT LAKE IN THE STATE OF UTAH, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE PRESIDENT OF IVORY DEVELOPMENT LLC AND THAT HE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID LIMITED LIABILITY COMPANY FOR THE PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC | COMMISSION NUMBER | SIGNATURE

A NOTARY PUBLIC COMMISSIONED IN THE STATE OF UTAH. COMMISSION EXPIRES_____

ACKNOWLEDGEMENT

ON THE _____ DAY OF _____ A.D., 2019, _____ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF SALT LAKE IN THE STATE OF UTAH, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS GORDON L. WHITE AND THAT HE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF HIMSELF FOR THE PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC | COMMISSION NUMBER | SIGNATURE

A NOTARY PUBLIC COMMISSIONED IN THE STATE OF UTAH. COMMISSION EXPIRES_____

KENWOOD SUBDIVISION
LYING WITHIN THE NORTHEAST QUARTER (NE 1/4) OF SECTION 28, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, MILLCREEK, COUNTY OF SALT LAKE, STATE OF UTAH

SHEET 1 OF 1

HEALTH DEPARTMENT
SIGNED DATE

UNIFIED FIRE AUTHORITY APPROVAL
SIGNED DATE

ADDRESSING APPROVAL
SIGNED DATE

MILLCREEK ENGINEERING
SIGNED DATE

RECORD OF SURVEY
RECORD OF SURVEY NUMBER:
COUNTY SURVEYOR REVIEWER DATE

MILLCREEK COMMUNITY DEVELOPMENT
APPROVED AS TO FORM THIS____ DAY OF_____ A.D., 20____.
DIRECTOR DATE

OWNER / DEVELOPER
IVORY DEVELOPMENT, LLC
978 EAST WOODOAK LANE
SALT LAKE CITY, UTAH 84117

DATE	REVISIONS	BY

PUBLIC UTILITY APPROVAL
COMMUNICATIONS:_____ DATE:_____
ROCKY MNT POWER:_____ DATE:_____
DOMINION ENERGY: _____ DATE:_____
TELEVISION:_____ DATE:_____
OTHER:_____ DATE:_____

CHECKED FOR ZONING COMPLIANCE
ZONE:_____ LOT AREA:_____
LOT WIDTH:_____ FRONT YARD:_____
SIDE YARD:_____ REAR YARD:_____
SIGNED DATE

MILLCREEK PLANNING COMMISSION
APPROVED THIS____ DAY OF_____ A.D., 20____, BY THE MILLCREEK PLANNING COMMISSION.
MILLCREEK PLANNING COMMISSION DATE

LOWER MILLCREEK IRRIGATION
SIGNED DATE

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS____ DAY OF_____ A.D., 20____.
MILLCREEK ATTORNEY

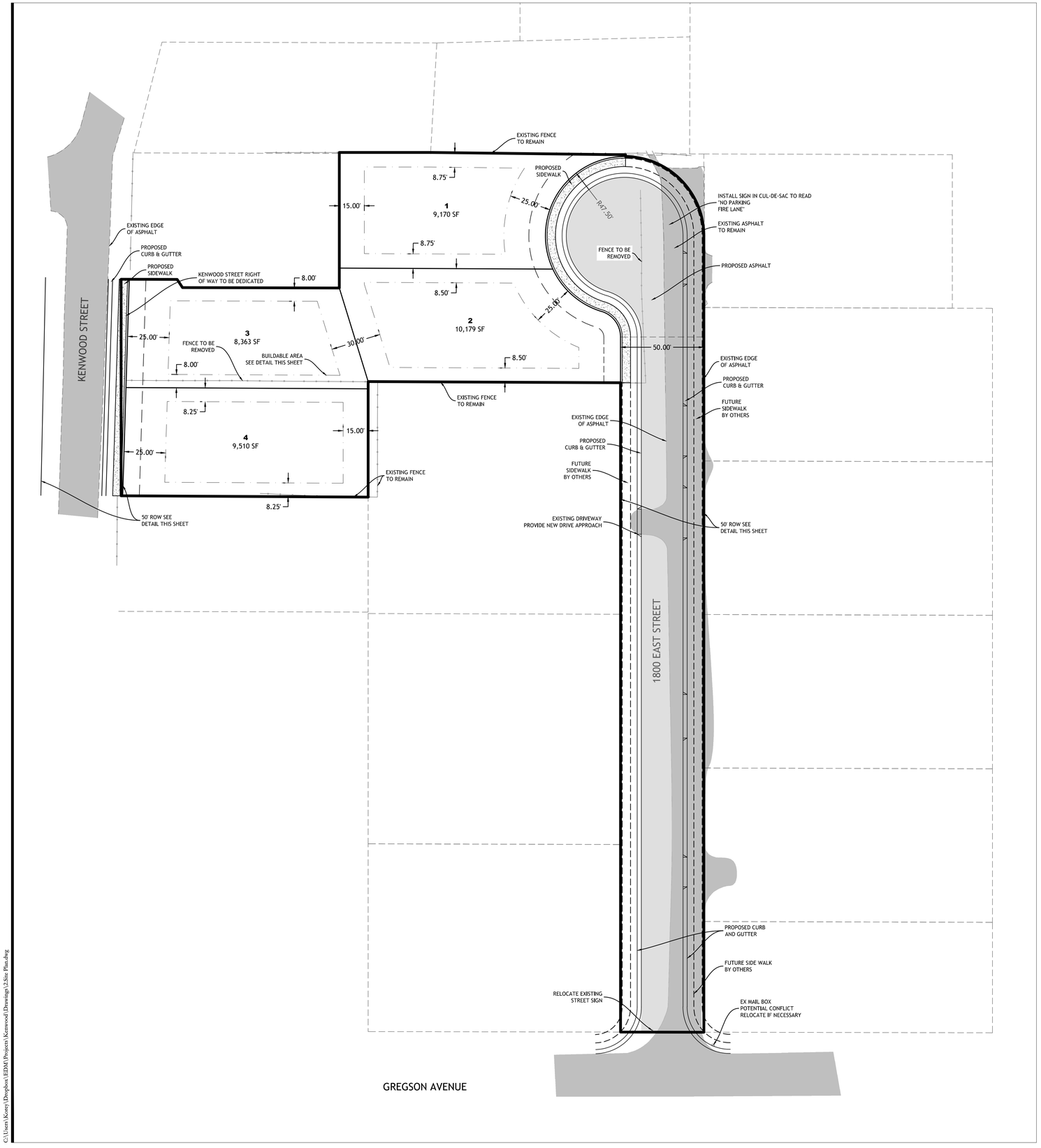
MILLCREEK MAYOR
PRESENTED TO THE MAYOR AND MILLCREEK COUNCIL THIS____ DAY OF_____ A.D., 20____, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.
MAYOR ATTEST: CITY RECORDER

SEAL

EDM Partners LLC
3980 S. 700 E., #22 Salt Lake City, UT 84107
(801) 305-4670 www.edmpartners.com

SALT LAKE COUNTY RECORDER
RECORDED #_____
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF:_____
DATE:_____ TIME:_____ BOOK:_____ PAGE:_____
FEE SALT LAKE COUNTY RECORDER

C:\Users\antiga\Dropbox\EDM (0)\Projects\Kenwood\Drawings\Plat - Kenwood Subdivision.dwg



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LEGEND

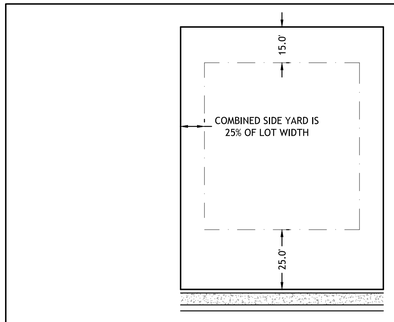
- PROPOSED SANITARY SEWER
- EXISTING SANITARY SEWER
- SANITARY SEWER MANHOLE
- PROPOSED CULINARY WATER LINE
- EXISTING CULINARY WATER LINE
- CULINARY WATER FIXTURES
- PROPOSED FIRE HYDRANT
- EXISTING FIRE HYDRANT
- PROPOSED SECONDARY WATER LINE
- EXISTING SECONDARY WATER LINE
- SECONDARY WATER FIXTURES
- PROPOSED LIGHT POLE
- EXISTING OVERHEAD UTILITY
- RCP CL III STORM DRAIN
- EXISTING STORM DRAIN
- SD COMBOBOX, CB & CO
- PROPOSED UNDER DRAIN
- EXISTING UNDER DRAIN
- UNDER DRAIN CLEANOUT
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR

ZONING SETBACKS ARE SUBJECT TO RCOZ AND ARE AS FOLLOWS:

FRONT: 25 FEET

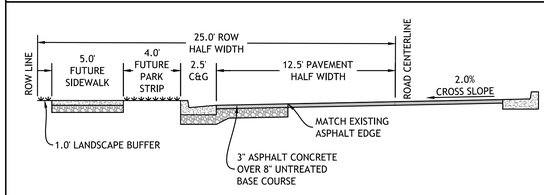
REAR: 15 FEET WHEN DWELLING HAS AN ATTACHED GARAGE/ 30 FEET WHEN DWELLING HAS A DETACHED GARAGE

SIDE: COMBINED TOTAL OF 25% OF LOT WIDTH PER RCOZ.



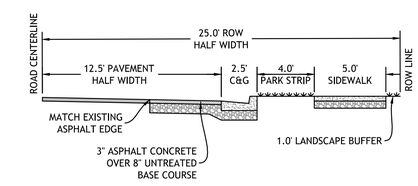
TYPICAL LOT DIMENSIONS

NOT TO SCALE



1800 EAST STREET SECTION

NOT TO SCALE



KENWOOD STREET SECTION

NOT TO SCALE

EDM Partners

2815 East 3300 South, Salt Lake City, UT 84109

(801) 305-4670 www.edmpartners.com

NORTH

SCALE: 1" = 30'

0 15 30 60 90

OWNER:

Ivory Development

978 East Woodoak Lane

Salt Lake City, UT 84117

801-747-7000

IVORYHOMES

Utah's Number One Homebuilder

NOTES:

1. All sanitary sewer improvements shall conform with the standards and specifications of Mt. Olympus Improvement District.
2. All culinary water improvements shall conform with the standards and specifications of Salt Lake City Public Utilities.
3. All improvements in the public right of way shall conform with the standards and specifications of Millcreek City.
4. All private improvements shall conform to APWA standards and specifications.
5. Contractor to field locate and verify the horizontal and vertical location of all utilities prior to beginning work.
6. The project benchmark is a brass cap in the intersection of 3080 South 1700 East Elevation = 4476.11

CALL BEFORE YOU DIG! BLUE STAKES 1 800 662 4111

PROJECT STATISTICS:

TOTAL PROJECT AREA =	1.53 ACRES
RESIDENTIAL LOTS =	4
OFF STREET PARKING =	16 MINIMUM
DENSITY =	2.61 UNITS/ACRE

LICENSED PROFESSIONAL ENGINEER No. 368611 NICHOLAS M. MINGO 2/14/20 STATE OF UTAH

Kenwood Avenue Subdivision

Site Plan

PROJECT:

DRAWN BY: NMM

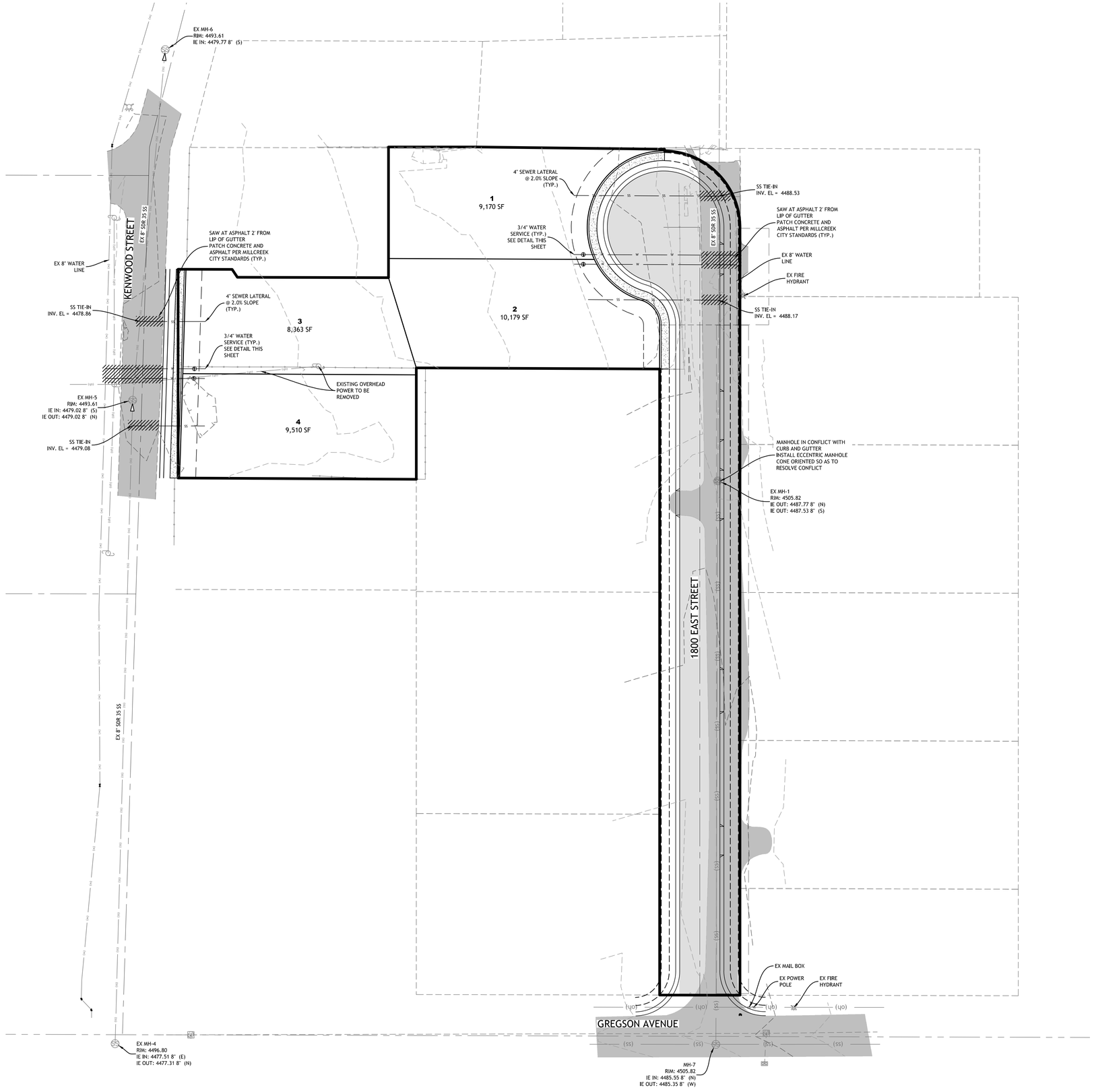
REVIEWED BY: PMD

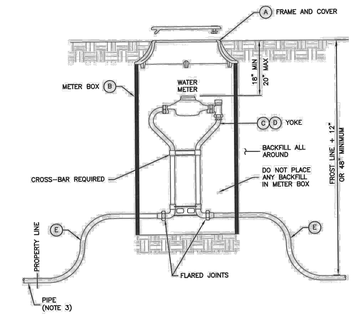
REVISIONS:

No.	DATE	REMARKS

DATE: February 14, 2020

SHEET NUMBER: O-2





SECTION

LEGEND			
No.	*	ITEM	DESCRIPTION
A		FRAME AND COVER	CAST IRON COVER (grass) DUCTILE IRON COVER (driveway)
B		METER BOX (18" TO 21" DIAMETER) (30" TO 36" DEEP)	CORRUGATED PE, PVC, CMP OR MATERIAL ACCEPTABLE TO AGENCY
C		3/4" METER YOKE	OPTIONAL BACKFLOW PROTECTION PER AGENCY REQUIREMENTS
D		1" METER YOKE	OPTIONAL BACKFLOW PROTECTION PER AGENCY REQUIREMENTS
E		COPPER PIPE	TYPE K (SOFT)

* FURNISHED BY UTILITY AGENCY

3/4" and 1" meter

239

August 2001

Plan
521

EDM Partners
2815 East 3300 South, Salt Lake City, UT 84109
(801) 305-4670 www.edmpartners.com

NORTH

SCALE: 1" = 30'

0 15 30 60 90

OWNER:
Ivory Development
978 East Woodoak Lane
Salt Lake City, UT 84117
801-747-7000

IVORYHOMES
Utah's Number One Homebuilder

NOTES:

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4. All private improvements shall conform to APWA standards and specifications.
5. Contractor to field locate and verify the horizontal and vertical location of all utilities prior to beginning work.
6. The project benchmark is a brass cap in the intersection of 3080 South 1700 East Elevation = 4476.11

CALL BEFORE YOU DIG!
BLUE STAKES 1 800 662 4111

LICENSED PROFESSIONAL ENGINEER
No. 368611
NICHOLAS M. MINGO
2/14/20
STATE OF UTAH

Kenwood Avenue Subdivision

Utility Plan

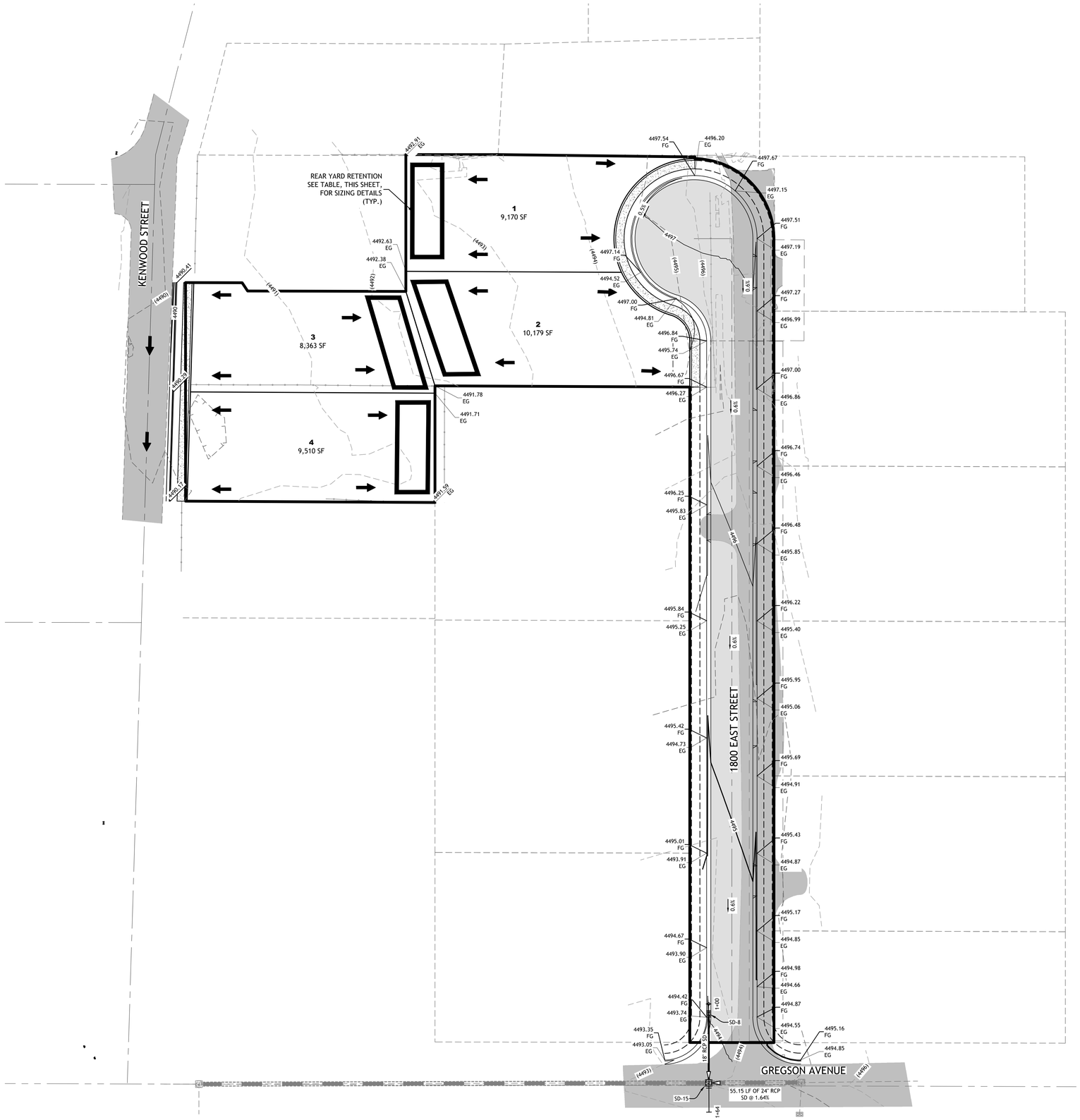
PROJECT:
DRAWN BY: NMM
REVIEWED BY: PMD
REVISIONS:

No.	DATE	REMARKS

DATE: February 14, 2020

SHEET NUMBER:
O-3

C:\Users\Korey\Dropbox\EDM\Projects\Kenwood\Drawings\3.UtilityPlan.dwg

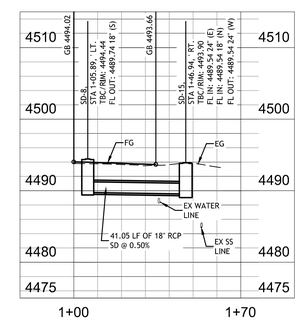


RETENTION BASIN DESIGN

RETENTION BASINS ARE TO BE TRIANGULAR BASINS 9' DEEP, 30' WIDE, AND THE LENGTH SPECIFIED IN THE TABLE BELOW. TO SIZE THESE BASINS THE RUNOFF COEFFICIENT C = 0.35 AND A 100-YR, 24-HR DESIGN STORM (2.52 IN) WAS USED.

*SIZING CALCULATIONS ASSUME NO INFILTRATION

LOT #	CONTRIBUTION AREA (FT^2)	VOLUME REQUIRED (FT^3)	BASIN LENGTH (FT)
1	6915	508.2525	46
2	7635	561.1725	50
3	6415	471.5025	42
4	7565	556.0275	50



STORM DRAIN PROFILE

SCALE H: 1" = 30', V: 1" = 10'

EDM Partners
2815 East 3300 South, Salt Lake City, UT 84109
(801) 305-4670 www.edmpartners.com

NORTH

SCALE: 1" = 30'

0 15 30 60 90

OWNER:
Ivory Development
978 East Woodoak Lane
Salt Lake City, UT 84117
801-747-7000

IVORYHOMES
Utah's Number One Homebuilder

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CALL BEFORE YOU DIG!
BLUE STAKES 1 800 662 4111

LICENSED PROFESSIONAL ENGINEER
No. 368611
NICHOLAS M. MINGO
2/14/20
STATE OF UTAH

Kenwood Avenue Subdivision

Grading & Drainage Plan

PROJECT:
DRAWN BY: NMM
REVIEWED BY: PMD
REVISIONS:

No.	DATE	REMARKS

DATE: February 14, 2020

SHEET NUMBER: O-4

C:\Users\Korey\Dropbox\EDM\Projects\Kenwood\Drawings\4-Grading and Drainage Plan.dwg

3330 South 1300 East
Millcreek, UT 84106
801-214-2700
millcreek.us

File # EX-20-002

Planning Commission Staff Report

Meeting Date: 15 April 2020
Applicant: Heather Wood on behalf of property owner
Property Address: 918 E 3385 S
Parcel IDs: 16-29-380-001(.24 Acres)

Request: Have a Use Violation Declared Legal Through Special Exception as per Chapter 19.88.140 of the Millcreek Code.

Zone: R-1-8 Zone

Community Council: Millcreek Community Council

Prepared By: Erin O'kelley

SYNOPSIS AND SCOPE OF DECISION

The applicant has an additional dwelling on the property located in the basement. The unit has adequate off-street parking. Due to the current zoning of R-1-8, the use as a duplex is not a permitted use. The applicant is proposing, through application, as per Chapter 19.88.140 of the Millcreek Code to have the use of a duplex declared legal through special exception.

The property owner originally received a conditional use permit for the property that allows part of the first level of the home to be used as a salon with a separate entrance on 900 E. Historically, the original house was built in 1959 and has changed zone multiple times since then all still being residential. However, there is no evidence that staff can find demonstrating the additional dwelling in the basement has been legally established through permitted use or otherwise.

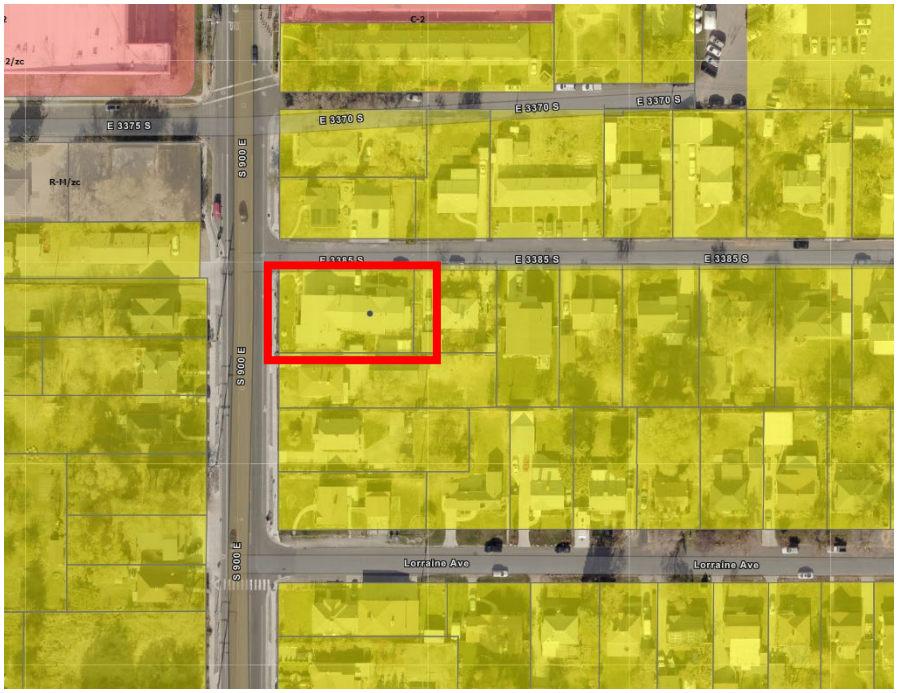
Section 19.88.140

"Whenever land or a structure is used in violation of this Chapter, the owner may file an application with the planning commission to have the use declared legal through special exception. The planning commission may approve such an application only when the evidence established all of the following:

1. The use exists on the property at the time of the application and has been in continuous violation of the zoning ordinance for a period exceeding ten years;
2. No complaint has been made to the development services division concerning the violation for a period exceeding ten consecutive years during which the violation existed;
3. Continuation of the use will not have a detrimental effect on the health, safety or welfare of persons or property in the vicinity.

The planning commission may consider as evidence:
1. Documents that are part of the public record, such as tax appraisals, utility records, aerial photographs, building permits, etc.. Ms. Lake provided a copy of the original building permit. However, due to the accuracy of the old permits it did not show the attached unit. Therefore, we are taking this through the exception process even though we have seen a copy of the permit.
2. Documentation from third parties, such as affidavits, photographs, etc.
3. Documentation from current or past property owners, such as tax records, rental/lease agreements, appraisals records, etc. In approving an application hereunder, the planning commission may set any conditions it deems necessary for protection of adjacent properties or the public welfare including provisions limiting the period of time the use may continue. This section shall in no way be interpreted to permit the continuation of any violation which exists on the effective date of the ordinance codified in this section. Any person shall have the right to appeal to the land use hearing officer a decision rendered by the planning commission pursuant to this section."

SITE & VICINITY DESCRIPTION



COMMUNITY COUNCIL RECOMMENDATION

At their regularly scheduled meeting on April 7, 2020 the Millcreek Community Council offered a positive recommendation to approve the special exception to declare the non-conforming use legal.

STAFF ANALYSIS

The Millcreek Code 19.88 requires that the applicant provide evidence proving the following the standards are met:

The use exists on the property at the time of the application and has been in continuous violation of the zoning ordinance for a period exceeding ten years;

The applicant has provided documentation that the house has existed in this condition for a greater period of 10 years and is prepared to sign a sworn affidavit stating this.
No complaint has been made to the development services division concerning the violation for a period exceeding ten consecutive years during which the violation existed;

The City has no record of any complaints or violations on the property in the last 10 years.

Continuation of the use will not have a detrimental effect on the health, safety or welfare of persons or property in the vicinity.

The applicant has proven that they can meet all applicable zoning regulations that are involved with accommodating an additional dwelling on the lot such as off-street parking. Staff is not concerned that granting this exception will have a detrimental effect on the health, safety, and welfare of persons in the vicinity.

PLANNING COMMISSION RECOMMENDATION AND MODEL MOTION

Staff finds the request for special exception to meet the requirements of Section 19.88.140 of the Millcreek Code and recommends approval of the special exception with the following conditions:

1. The applicant obtain a business license for renting the unit.

Motion to grant the special exception EX 19-002 to have the second unit of the property at 918 E 3385 S declared legal.

Supporting Documents

Application letter
Building permit and inspection documents from Salt Lake County.
Photos
Questionnaire

SALT LAKE COUNTY

Inspection Requests: 468-2163 Information: 468-2000

BUILDING AND INSPECTION SERVICES
2001 S State St #N3600 Salt Lake City, Utah 84190-4050

Title 58, Chapter 50, Section 12, Utah Code Annotated, requires that each political subdivision of the state which requires the issuance of a permit as a precondition to construction for which a contractors license is also required shall:

1. Require that each applicant for a permit file a signed statement that the applicant has a current contractor's license with the license number included in the application;
2. Require that any representation of exemption from the contractor's licensing law be included in the signed statement; and
3. Upon issuance of a permit affix the contractor's license number to that permit for public display.

Licensed Contractors Declaration

I hereby affirm that I am licensed under provisions of Chapter 1, 2, or 3 of the Contractor's License Law and that my license is in full force and effect.

License No. _____

License Class. _____

Expiration Date _____

Contractor _____ Date _____

Owner-Builder Declaration

I hereby affirm that I am exempt from the contractor's License Law because I am the sole owner of the property and I am building structures on it for my own personal use. Said structures shall not be rented or leased, nor used by the public, nor shall they be offered for sale for a period of at least one year after completion.

Owner X Shannon Plant Date _____

If a contractor has not been selected at the time of the application for this permit, the permit is issued only on the condition that a currently licensed contractor will be selected and that the license number of the contractor will be given to Salt Lake County and displayed on the permit. This permit becomes null and void if work or construction is not commenced within 180 days, or if work is suspended or abandoned for a period of 180 days at any time after work is commenced. Commencement or continuation of work is verified only by inspection reports from Salt Lake County inspectors. All required inspections shall be requested at least one working day before they are to be made.

I hereby certify that I have read and examined this application and that the information provided by me is true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction. I make this statement under penalty of perjury.

Shannon Plant _____ Date _____
Signature of applicant or agent

JOB ADDRESS 918 E 3385 S.				COORDINATE	RECEIPT NO. 7842	DATE	PROJECT 736375	
USE OF PERMIT								
APPLICANT					SUBDIVISION NAME & #			
ADDRESS					APN		LOT#	ZONE
CITY	STATE	ZIP CODE	PHONE		FSB	S-1	S-2	RSB / MODULE
OWNER					CONDITIONAL USE			
CONTRACTOR					PERMITTED USE			
ADDRESS					BOARD OF ADJUSTMENT			
CITY	STATE	ZIP CODE	PHONE					
STATE CONT. LIC.#		BUSINESS LICENSE #						
ARCHITECT/ENGINEER								
ADDRESS								
CITY	STATE	ZIP CODE	PHONE		COUNTER APP.	CHK #	CASH	FEES:
TYPE OF PERMIT				OCCUPANCY	TYPE OF CONST.	OCC. LOAD		VALUATION
CENSUS TRACT	TRAFFIC ZONE		NEW LAND USE CODE		PREVIOUS LAND USE			

Contractor _____ Date _____

SALT LAKE COUNTY

Inspection Requests: 468-2163 Information: 468-2000

BUILDING AND INSPECTION SERVICES
2001 S State St #N3600 Salt Lake City, Utah 84190-4050

Title 58, Chapter 50, Section 12, Utah Code Annotated, requires that each political subdivision of the state which requires the issuance of a permit as a precondition to construction for which a contractors license is also required shall:

1. Require that each applicant for a permit file a signed statement that the applicant has a current contractor's license with the license number included in the application;
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Licensed Contractors Declaration

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License No. _____

License Class. _____

Expiration Date _____

Contractor _____ Date _____

Owner-Builder Declaration

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Owner Norman Plant Date _____

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Norman Plant
Signature of applicant or agent

Date _____

JOB ADDRESS 918 E 3385 S.				COORDINATE	RECEIPT NO 7842		DATE	PROJECT 736375	
USE OF PERMIT									
APPLICANT					SUBDIVISION NAME & #				
ADDRESS					APN		LOT #	ZONE	
CITY	STATE	ZIP CODE	PHONE		FSB	S-1	S-2	RSB	MODULE
OWNER					CONDITIONAL USE				
CONTRACTOR					PERMITTED USE				
ADDRESS					BOARD OF ADJUSTMENT				
CITY	STATE	ZIP CODE	PHONE						
STATE CONT. LIC.#		BUSINESS LICENSE #							
ARCHITECT/ENGINEER									
ADDRESS									
CITY	STATE	ZIP CODE	PHONE		COUNTER APP.	CHK #	CASH	FEES:	
TYPE OF PERMIT				OCCUPANCY	TYPE OF CONST.		OCC. LOAD	VALUATION	
CENSUS TRACT	TRAFFIC ZONE		NEW LAND USE CODE		PREVIOUS LAND USE				

Contractor _____ Date _____

SALT LAKE COUNTY COMPLIANCE INSPECTION REPORT

Tel. 468-2163 or 468-2000
2001 South State Street, Salt Lake City, UT 84190-4050

Property Address 916 E. 3385 So. Lot No. _____

Coordinates _____ Date 12-20-89

Project Number 136 375 Time _____

INSPECTION TYPE	RESULT: Approved	Correction Required	Reinspection Required
OFFSITE			
Forms	☐	☐	☐
Subgrade	☐	☐	☐
Asphalt	☐	☐	☐
Storm Drain	☐	☐	☐
C, G, & SW	☐	☐	☐
Final	☐	☐	☐
Other _____			
Tests _____			
LAND USE			
Sideyards	☐	☐	☐
Setbacks	☐	☐	☐
CU req'm'ts	☐	☐	☐
Other _____			
Bonds $			
BUILDING			
Subrough:			
Footings	☐	☐	☐
Foundation	☐	☐	☐
Electrical	☐	☐	☐
Mechanical	☐	☐	☐
Plumbing	☐	☐	☐
Rough:			
Building	☑	☐	☐
Electrical	☑	☐	☐
Mechanical	☑	☐	☐
Plumbing	☑	☐	☐
Bond Beam	☐	☐	☐
Insulation	☐	☐	☐
Chapter 70	☐	☐	☐
Other _____			
Power to Panel:			
Electrical	☐	☐	☐
# of meters _____			
Final			
Building	☐	☐	☐
Electrical	☐	☐	☐
Mechanical	☐	☐	☐
Plumbing	☐	☐	☐
Insulation	☐	☐	☐
Chapter 70	☐	☐	☐
Other _____			
PREINSPECTION _____			
COMPLAINT _____			
OTHER _____			

SPECIAL COMMENTS

- ☐ Reinspection Fee required
- ☐ Prior violations corrected
- ☐ Prior violations not corrected
- ☐ Corrections will be checked at next regular inspection
- ☐ Work Incomplete

UNABLE TO MAKE INSPECTION BECAUSE:

- ☐ Approved plans/permit not available
- ☐ Building not identified
- ☐ Building locked/inaccessible
- ☐ Cannot locate structure

☐ **STOP WORK** ☐ Penalty fee ☐ Permits req'd

This stop work order is issued pursuant to Section 202 of the Uniform Building Code. For instructions regarding compliance with or appeal of this order you must contact the Building Official at the above address or phone number within 10 days of the date hereof.

Signed Bob Van Wagner
INSPECTOR

Revised Jan. 1988

No. B - 018656

SALT LAKE COUNTY COMPLIANCE INSPECTION REPORT

Tel. 468-2163 or 468-2000
2001 South State Street, Salt Lake City, UT 84190-4050

Property Address: 918 E. 3385 So. Lot No.:
Coordinates: Date: 12-6-89
Project Number: 136 375 Time:

INSPECTION TYPE	Approved	Correction Required	Reinspection Required
OFFSITE			
Forms	☐	☐	☐
Subgrade	☐	☐	☐
Asphalt	☐	☐	☐
Storm Drain	☐	☐	☐
C, G, & SW	☐	☐	☐
Final	☐	☐	☐
Other			
Tests			
LAND USE			
Sideyards	☐	☐	☐
Setbacks	☐	☐	☐
CU req'm'ts	☐	☐	☐
Other			
Bonds $			
BUILDING			
Subrough:			
Footings	☐	☐	☐
Foundation	☐	☐	☐
Electrical	☐	☐	☐
Mechanical	☐	☐	☐
Plumbing	☐	☐	☐
Rough:			
Building	☐	☐	☑
Electrical	☐	☐	☑
Mechanical	☐	☐	☑
Plumbing	☐	☐	☑
Bond Beam	☐	☐	☐
Insulation	☐	☐	☐
Chapter 70	☐	☐	☐
Other			
Power to Panel:			
Electrical	☐	☐	☐
# of meters			
Final			
Building	☐	☐	☐
Electrical	☐	☐	☐
Mechanical	☐	☐	☐
Plumbing	☐	☐	☐
Insulation	☐	☐	☐
Chapter 70	☐	☐	☐
Other			
PREINSPECTION			
COMPLAINT			
OTHER			

SPECIAL COMMENTS: Carport & B. Shop.

- ☐ Reinspection Fee required
- ☐ Prior violations corrected
- ☐ Prior violations not corrected
- ☐ Corrections will be checked at next regular inspection
- ☑ Work Incomplete

UNABLE TO MAKE INSPECTION BECAUSE:

- ☐ Approved plans/permit not available
- ☐ Building not identified
- ☐ Building locked/inaccessible
- ☐ Cannot locate structure

☐ **STOP WORK** ☐ Penalty fee ☐ Permits req'd

This stop work order is issued pursuant to Section 202 of the Uniform Building Code. For instructions regarding compliance with or appeal of this order you must contact the Building Official at the above address or phone number within 10 days of the date hereof.

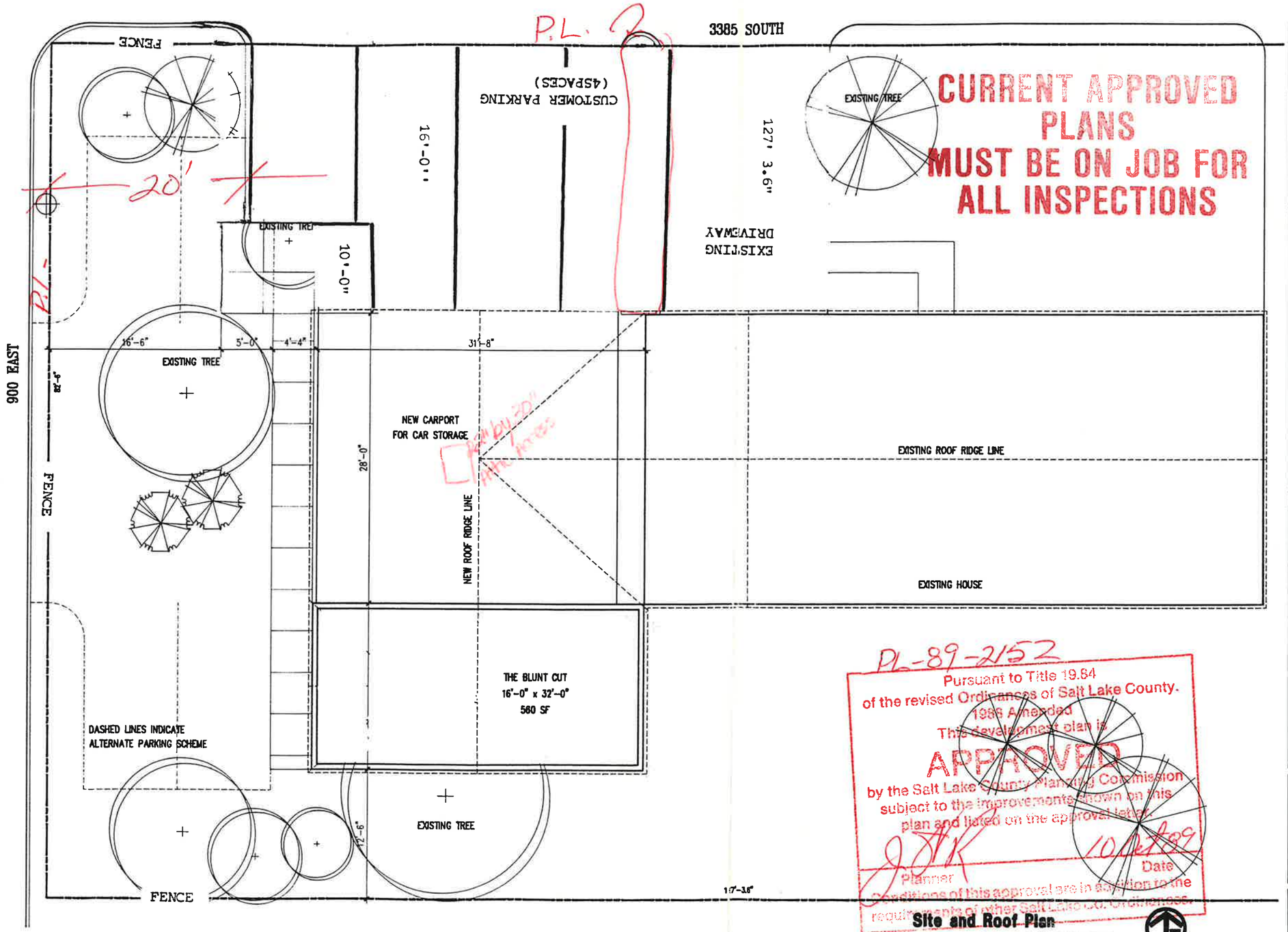
Signed: Bob Van Wagner
INSPECTOR

1- need to air or water test waste and Vent Pipes.

2- complete the rough work then call for inspections.

Revised Jan. 1988

No. B - 018918



CURRENT APPROVED PLANS MUST BE ON JOB FOR ALL INSPECTIONS

PL-89-2152

Pursuant to Title 19.84 of the revised Ordinances of Salt Lake County, 1986 Amended This development plan is APPROVED by the Salt Lake County Planning Commission subject to the improvements shown on this plan and listed on the approval letter.

Planner — Date 10/26/89

Conditions of this approval are in addition to the requirements of other Salt Lake Co. Ordinances.

Site and Roof Plan

SCALE: 1" = 10'-0"

AUGUST 30, 1989

The Blunt Cut

SALT LAKE CITY, UTAH

A-1

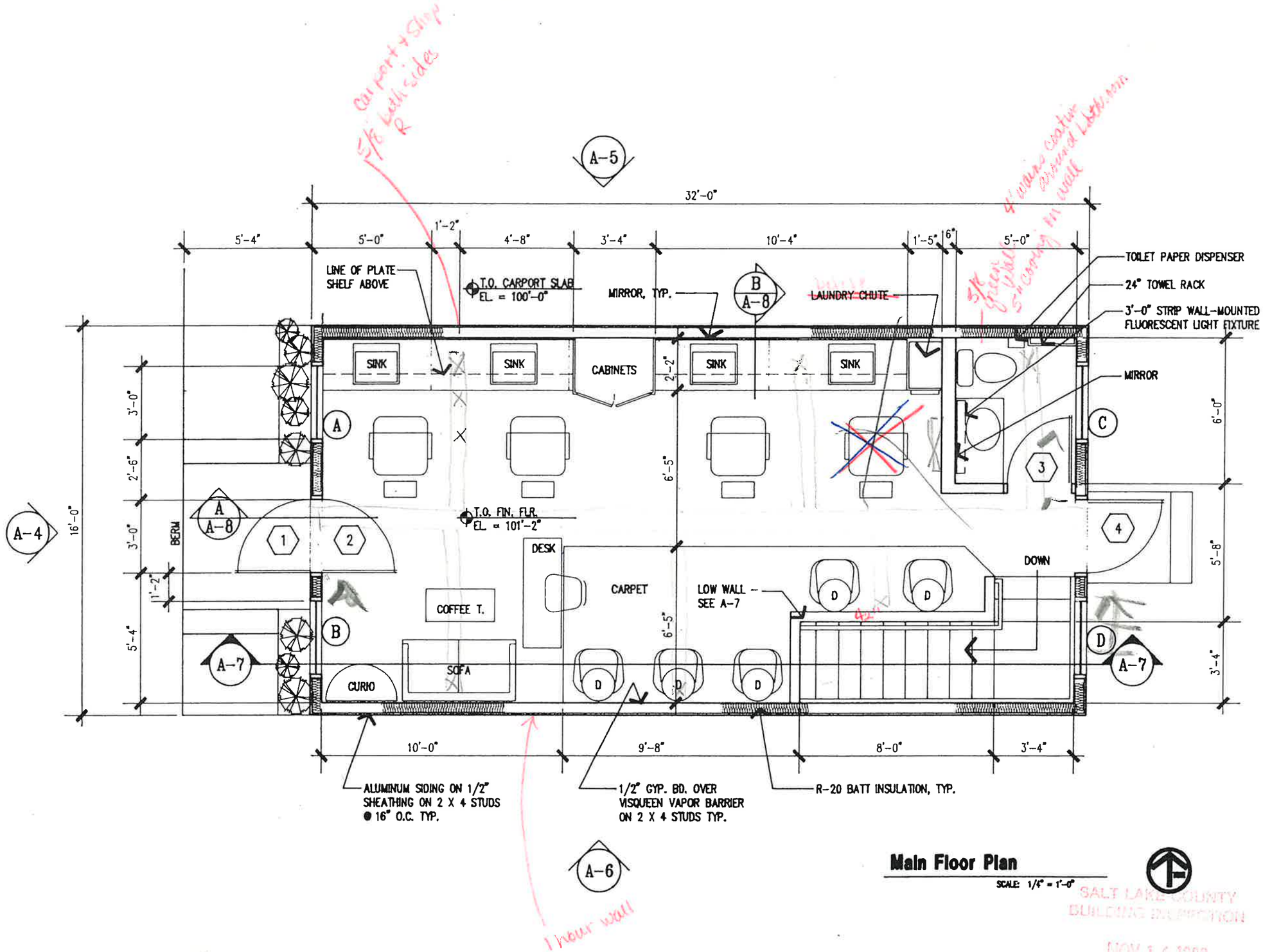
Ray Noble 468 2309 7:30 to 8:00 AM 282-101

SALT LAKE COUNTY BUILDING INSPECTION NOV 16 1989 APPROVED By

SALT LAKE COUNTY BUILDING INSPECTION FOOTINGS AND FOUNDATION ONLY OCT 11 1989 APPROVED By

136375 project no.

Jeri at genie counter



Main Floor Plan

SCALE: 1/4" = 1'-0"

SALT LAKE COUNTY BUILDING INSPECTION
NOV 1 6 1989
APPROVED
By

The Blunt Cut

A-2

FINISH SCHEDULE

ROOM	FLOOR	EAST WALL	NORTH WALL	WEST WALL	SOUTH WALL	CLG.
MAIN	carpet ½ lino	paint	paint	paint	paint	paint
MAIN TOILET	lino	paint	paint	paint	paint	paint
BASEMENT	unfinished					
BASEMENT TOILET	lino	paint	paint	paint		

DOOR SCHEDULE

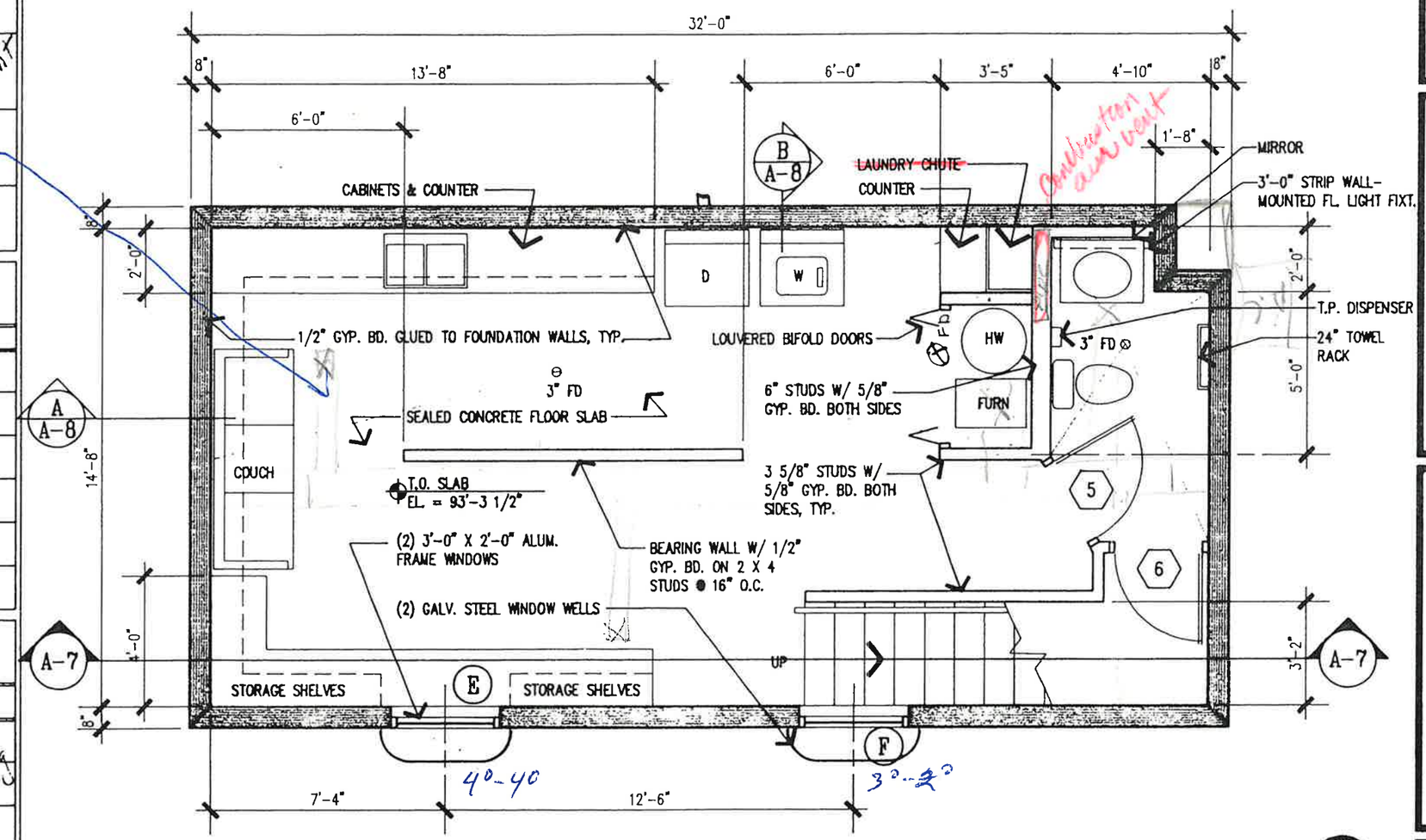
#	SIZE	MATERIAL	HARDWARE
1	3'-0"	security screen	
2	3'-0"	metal	dead bolt
3	2'-6"	lab	
4	3'-0"	metal	dead bolt
5	2'-6"	slab	
6			

WINDOW SCHEDULE

#	SIZE	MATERIAL	GLAZING	TYPE
A	30x30	Alum	double	Sliding
B	30x30	"	double	"
C	no window			
D	30x30	"	double	"
E	30x20	"	double	"
F	30x20	"	double	"

40 x 40

44" off floor BSmt



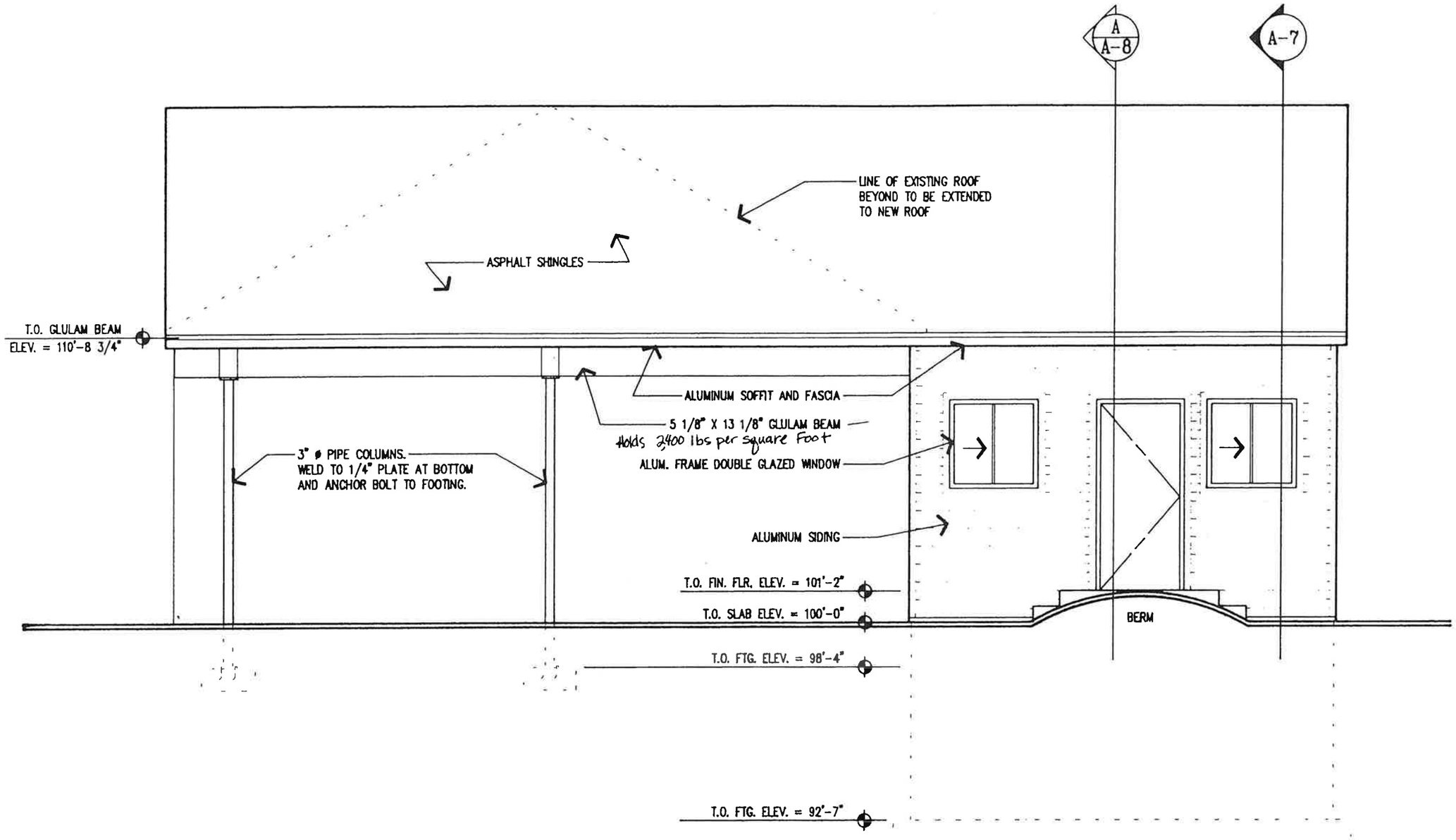
Basement Floor Plan

SCALE: 1/4" = 1'-0"

SALT LAKE COUNTY
BUILDING INSPECTION
NOV 1 6 1989
APPROVED
By

The Blunt Cut

A-3



West Elevation

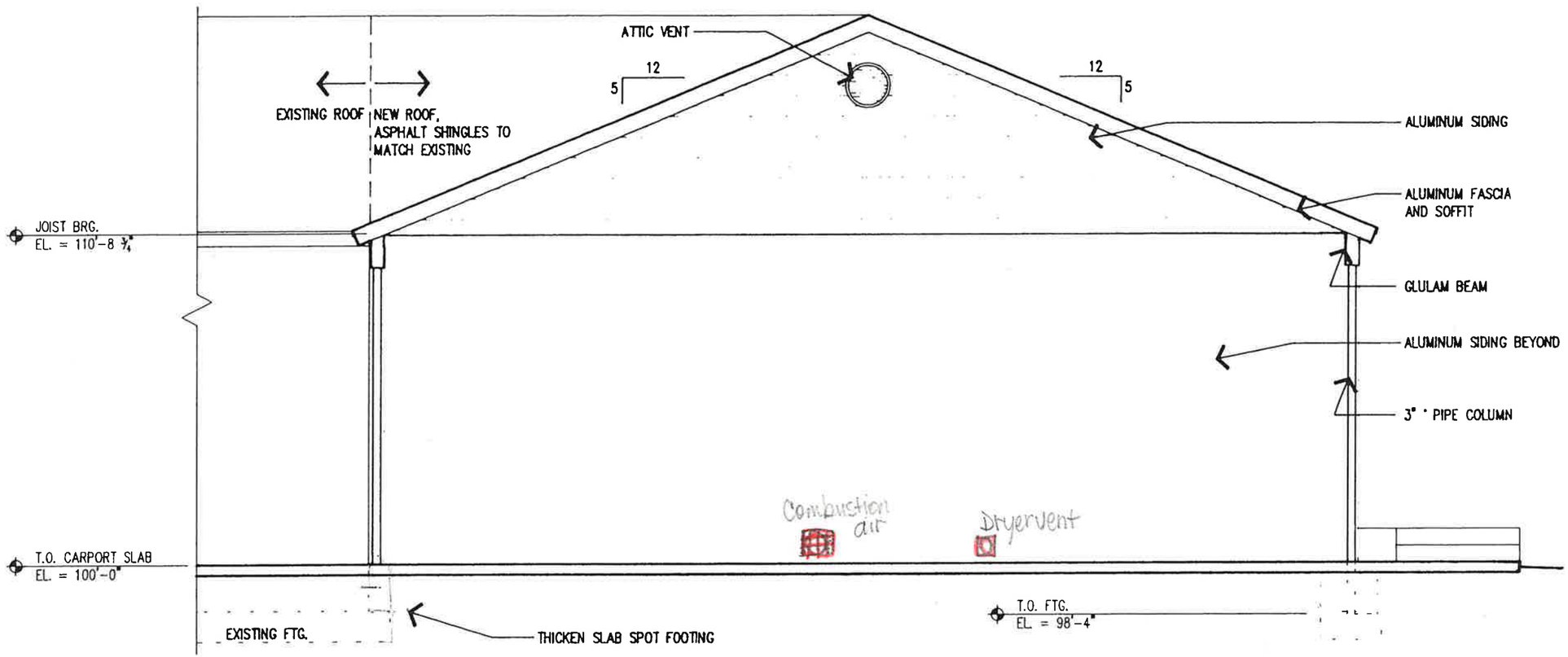
SCALE: 1/4" = 1'-0"

SALT LAKE COUNTY
BUILDING INSPECTION
NOV 1 6 1989
APPROVED
By

OCTOBER 9, 1989

The Blunt Cut
SALT LAKE CITY, UTAH

A-4



North Elevation

SCALE: 1/4" = 1'-0"

SALT LAKE COUNTY
BUILDING INSPECTION
NOV 1 6 1989
APPROVED
By

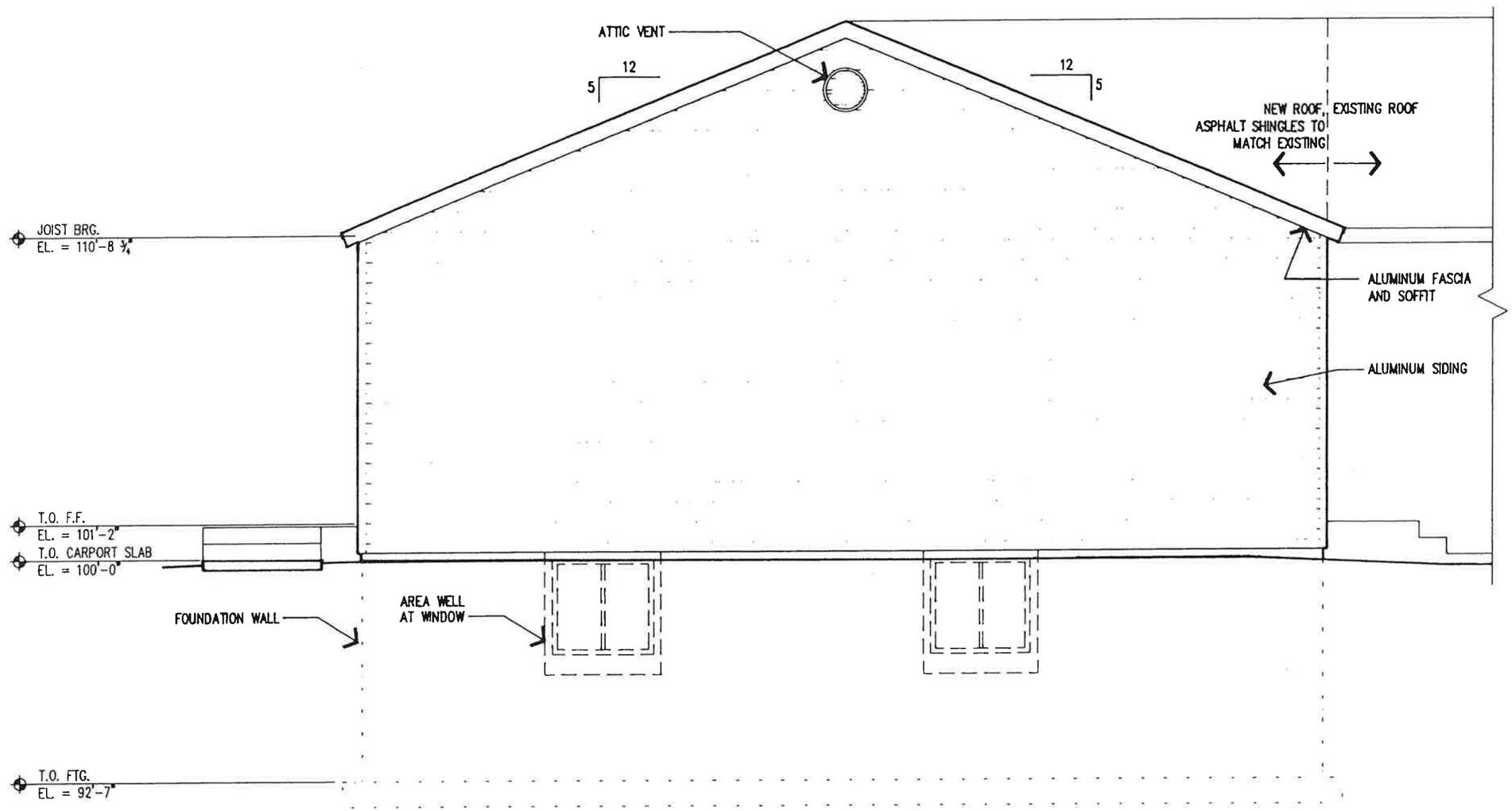
OCTOBER 9, 1989

The Blunt Cut

SALT LAKE CITY, UTAH

1

A-5



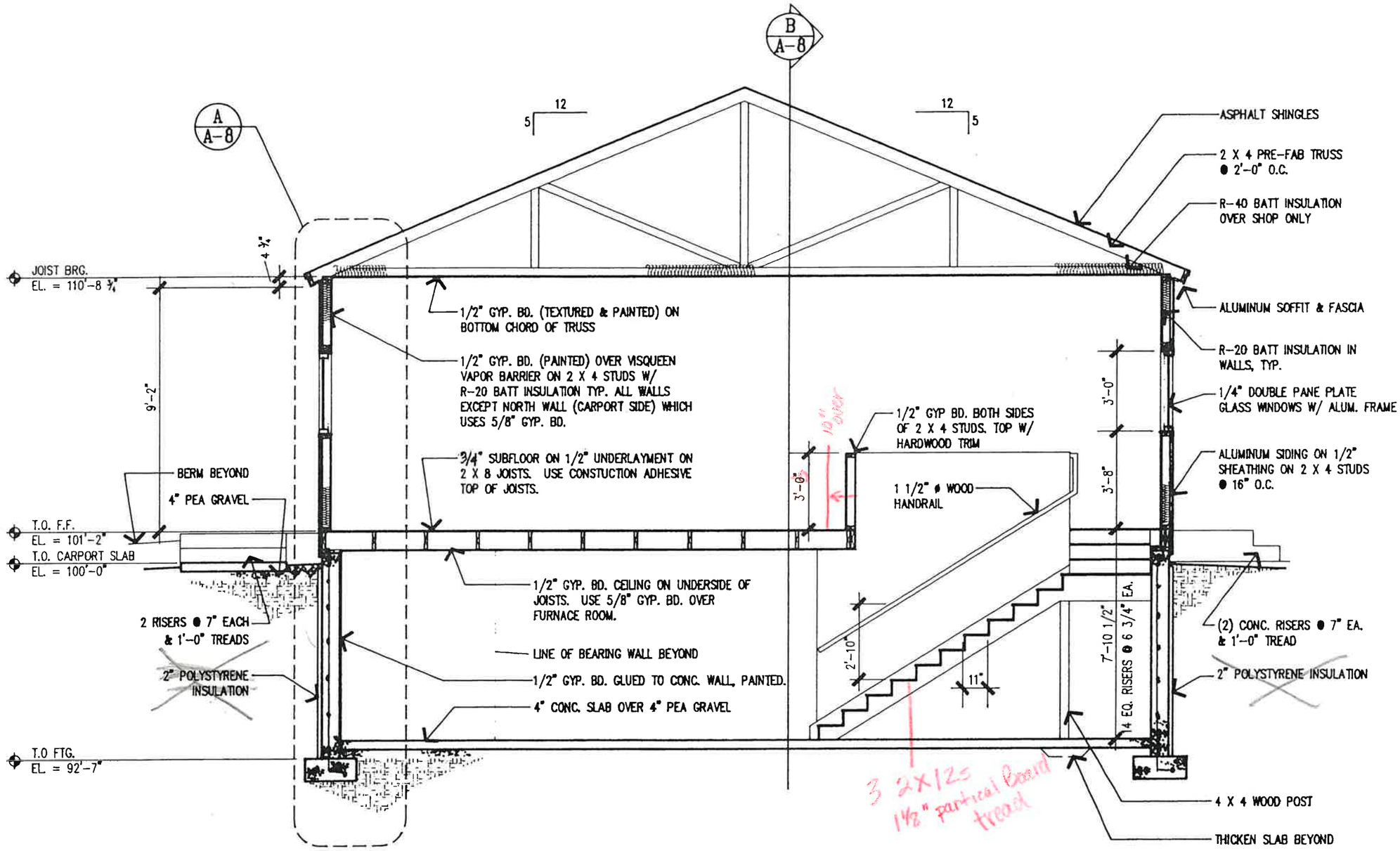
South Elevation

SCALE: 1/4" = 1'-0"

SALT LAKE COUNTY
BUILDING INSPECTION
NOV 1 6 1989
APPROVED
By

The Blunt Cut

A-6



Building Section

SCALE: 1/4" = 1'-0"

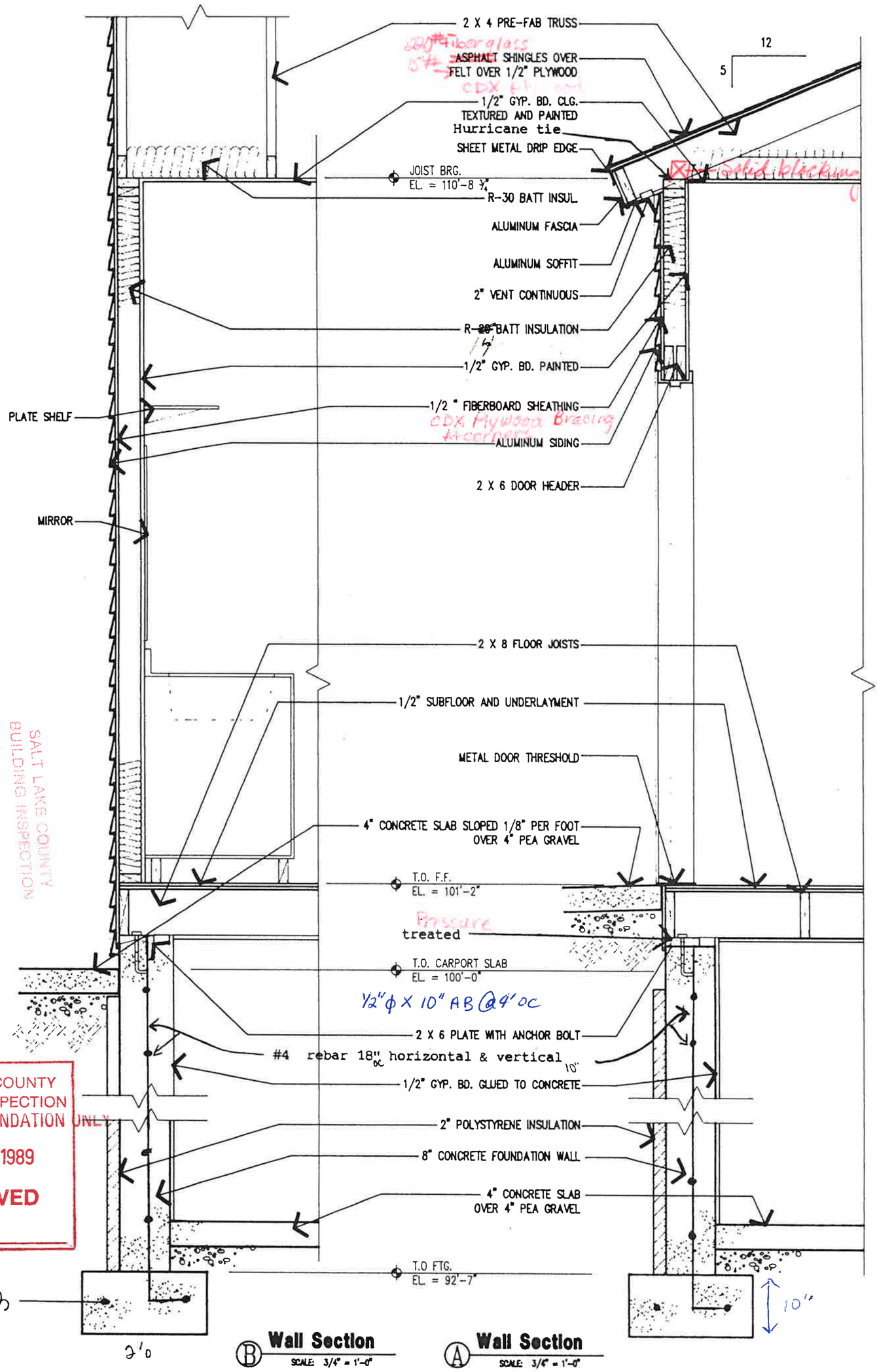
SALT LAKE COUNTY
BUILDING INSPECTION
NOV 16 1989
APPROVED
By

SALT LAKE COUNTY
BUILDING INSPECTION
NOV 16 1989
APPROVED
By

OCTOBER 6, 1989

The Blunt Cut

A-7



SALT LAKE COUNTY BUILDING INSPECTION
NOV 16 1989
APPROVED
By

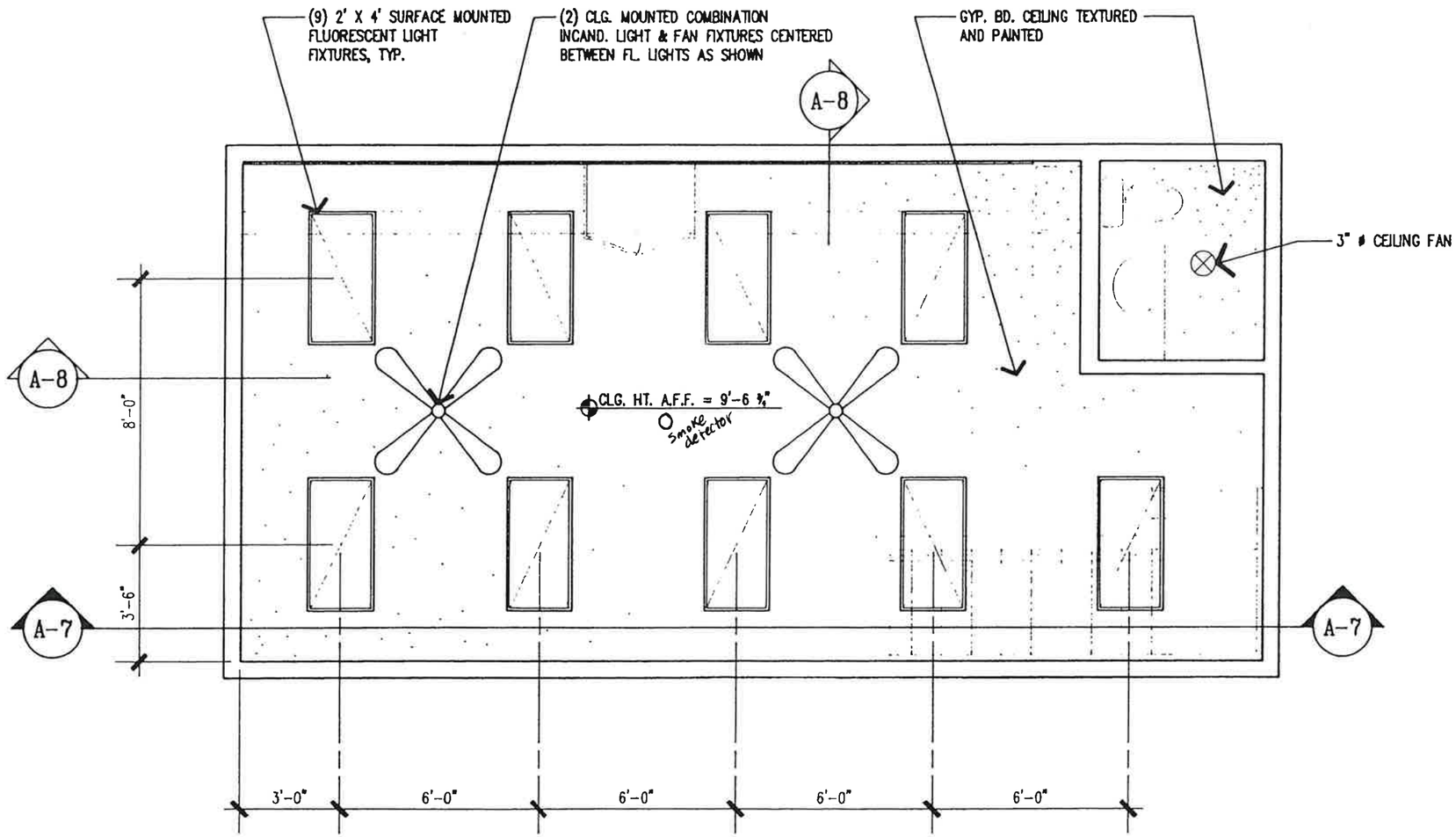
SALT LAKE COUNTY
BUILDING INSPECTION
FOOTINGS AND FOUNDATION ONLY
OCT 11 1989
APPROVED
By

A-8

The Blunt Cut

SALT LAKE CITY, UTAH

OCTOBER 9, 1989



Reflected Ceiling Plan

SCALE: 1/4" = 1'-0"

SALT LAKE COUNTY
BUILDING INSPECTION

NOV 1 6 1989

APPROVED

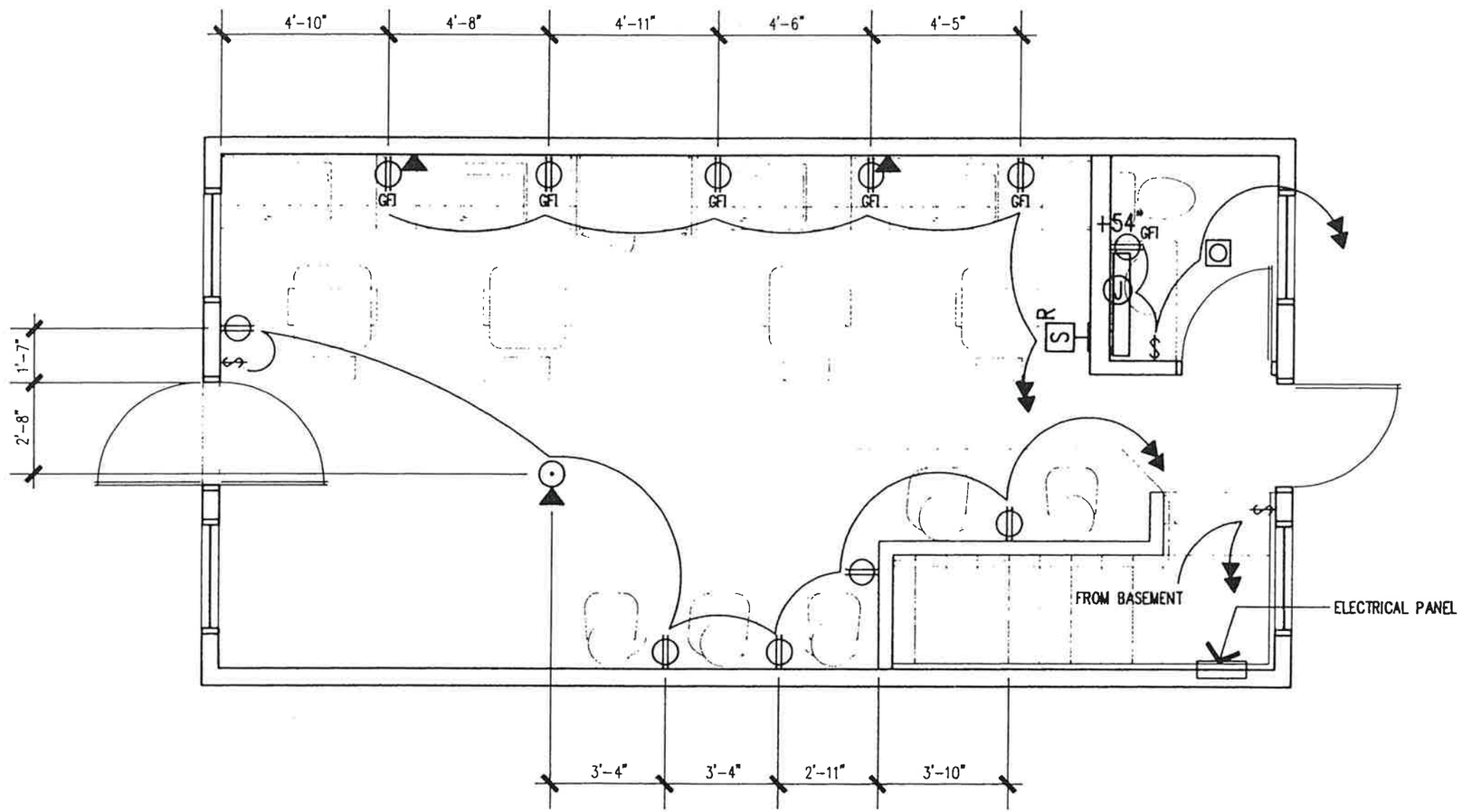
By _____

OCTOBER 9, 1989

The Blunt Cut

SALT LAKE CITY, UTAH

A-9



Main Floor Electrical Plan

SCALE: 1/4" = 1'-0"

SALT LAKE COUNTY
BUILDING INSPECTION

NOV 1 6 1989

APPROVED

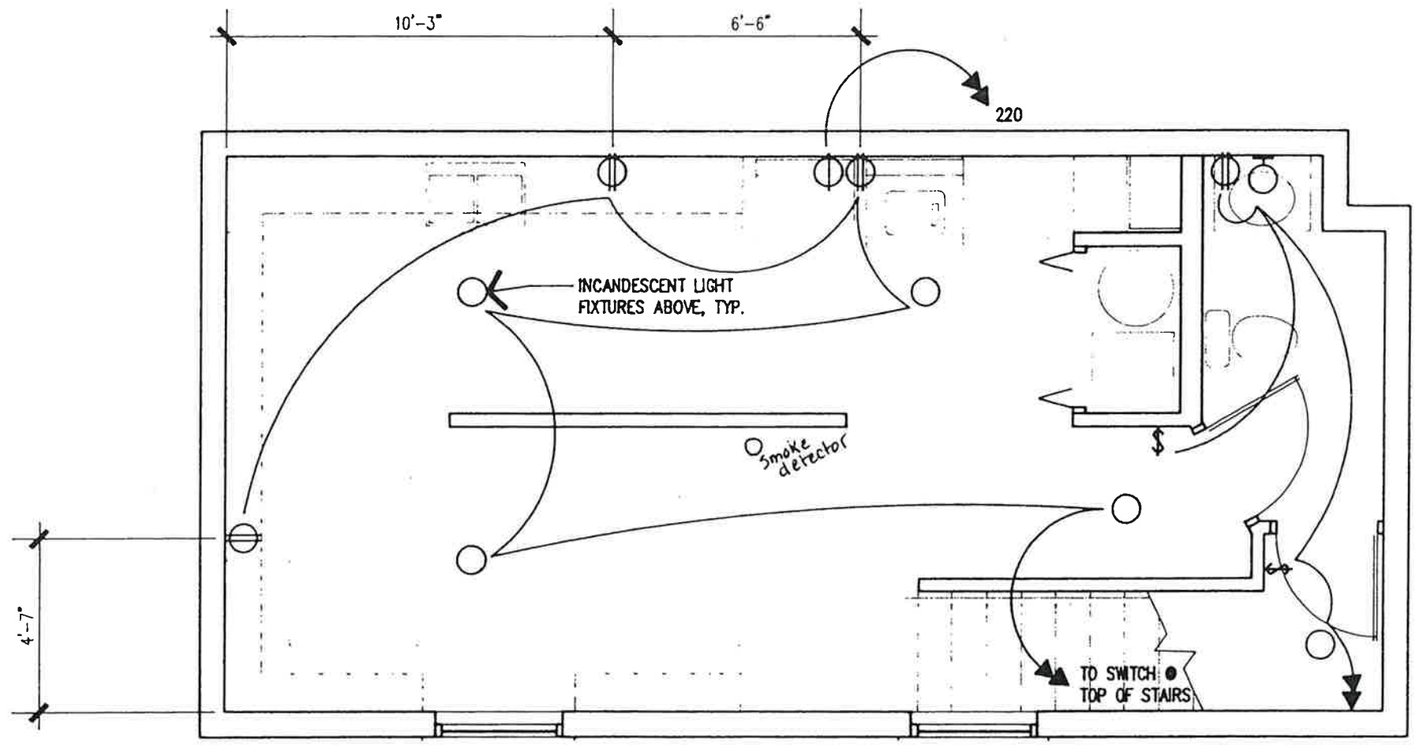
By_____

The Blunt Cut

SALT LAKE CITY, UTAH

OCTOBER 9, 1989

E-1



Basement Electrical Floor Plan

SCALE: 1/4" = 1'-0"

SALT LAKE COUNTY
BUILDING INSPECTION
NOV 16 1989
APPROVED
By

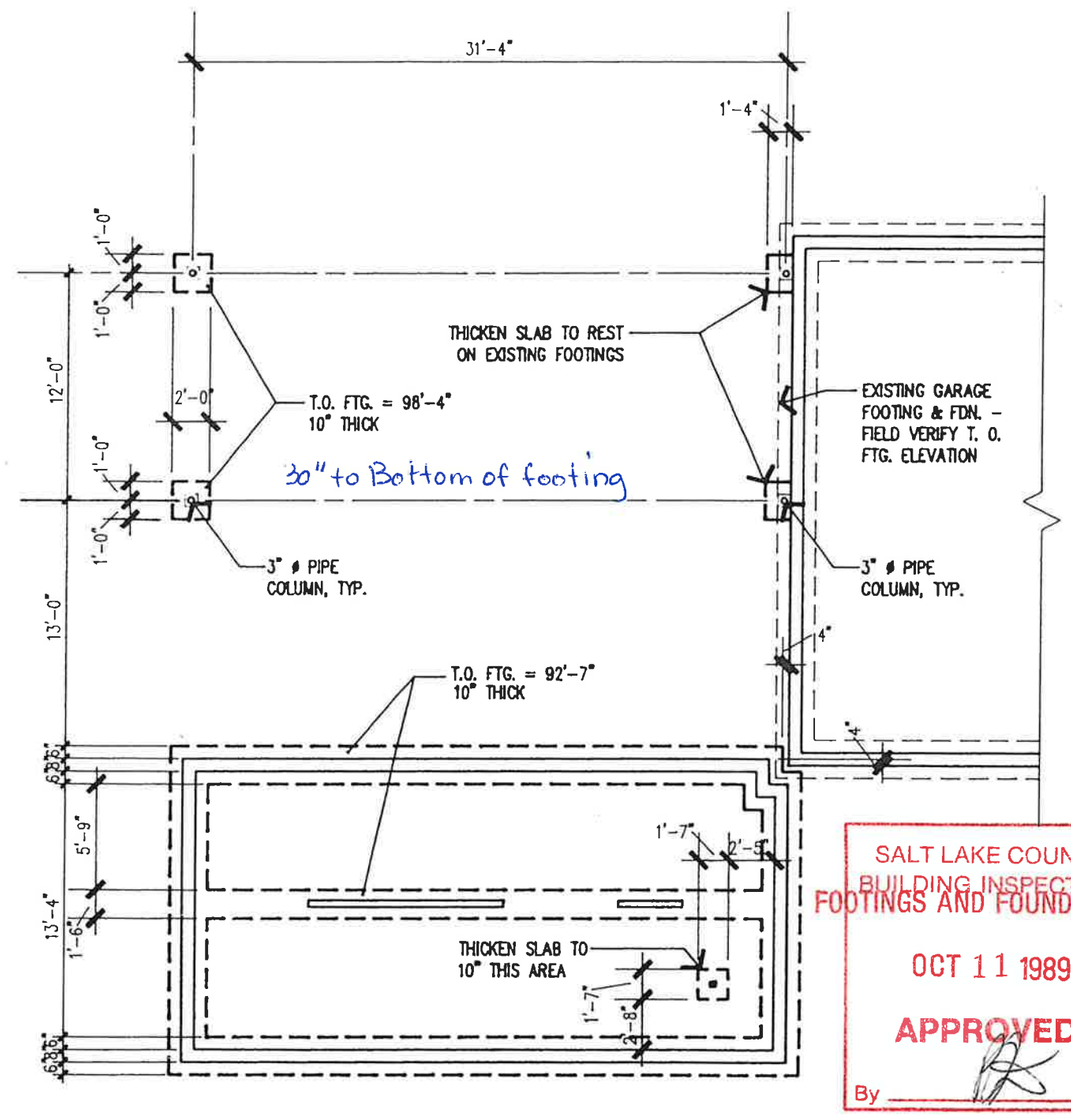
The Blunt Cut

SALT LAKE CITY, UTAH

OCTOBER 9, 1989

E-2

Can we bolt these polls or do we need to stak into concrete
1/2 plate



SALT LAKE COUNTY
BUILDING INSPECTION
FOOTINGS AND FOUNDATION ONLY
OCT 11 1989
APPROVED
By

Footing & Foundation Plan

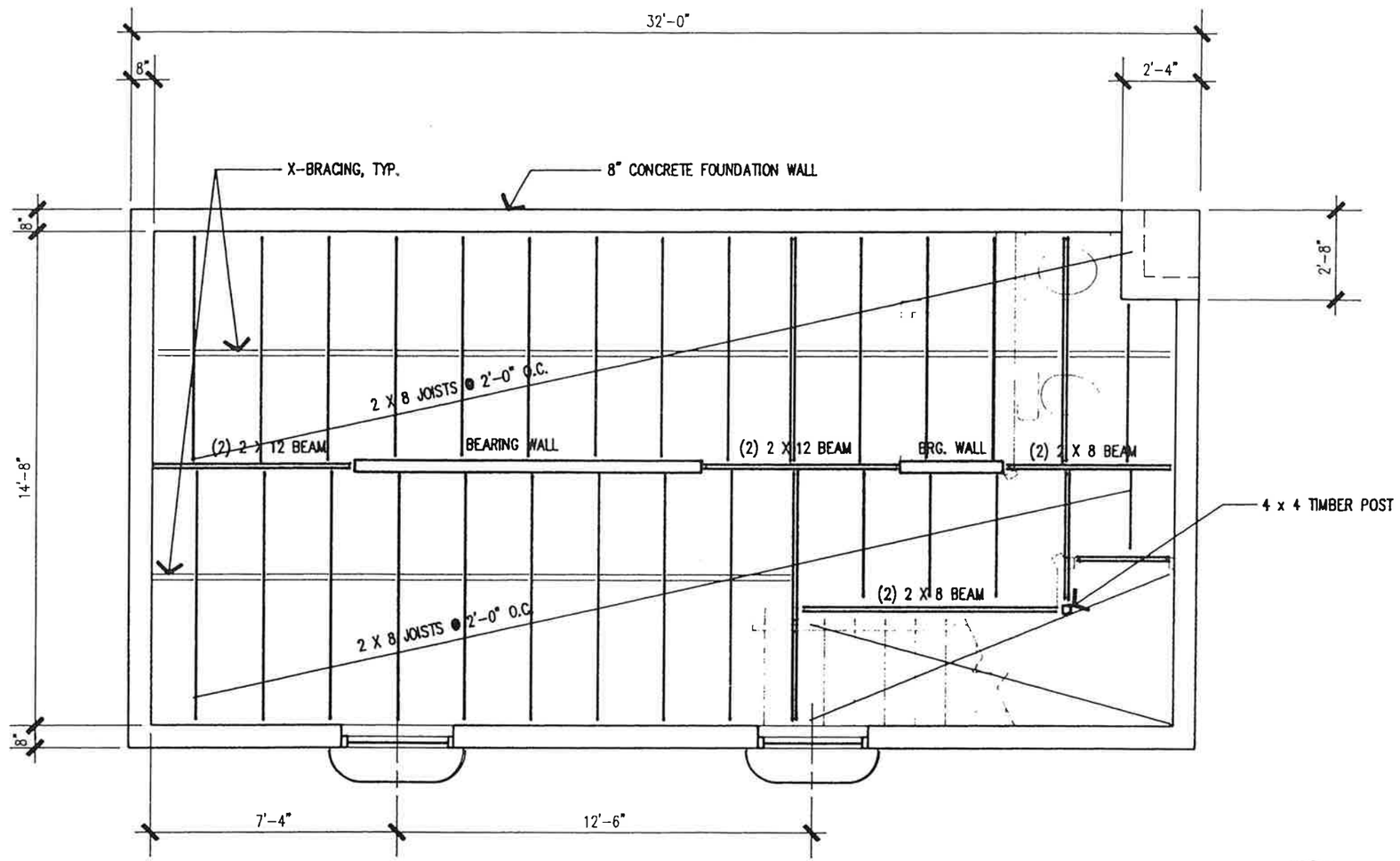
SCALE: 1/8" = 1'-0"

SALT LAKE COUNTY
BUILDING INSPECTION
NOV 16 1989
APPROVED
By

OCTOBER 6, 1989

The Blunt Cut
SALT LAKE CITY, UTAH

S-1



Floor Framing Plan

SCALE: 1/4" = 1'-0"

SALT LAKE COUNTY
BUILDING INSPECTION

NOV 1 6 1989

APPROVED

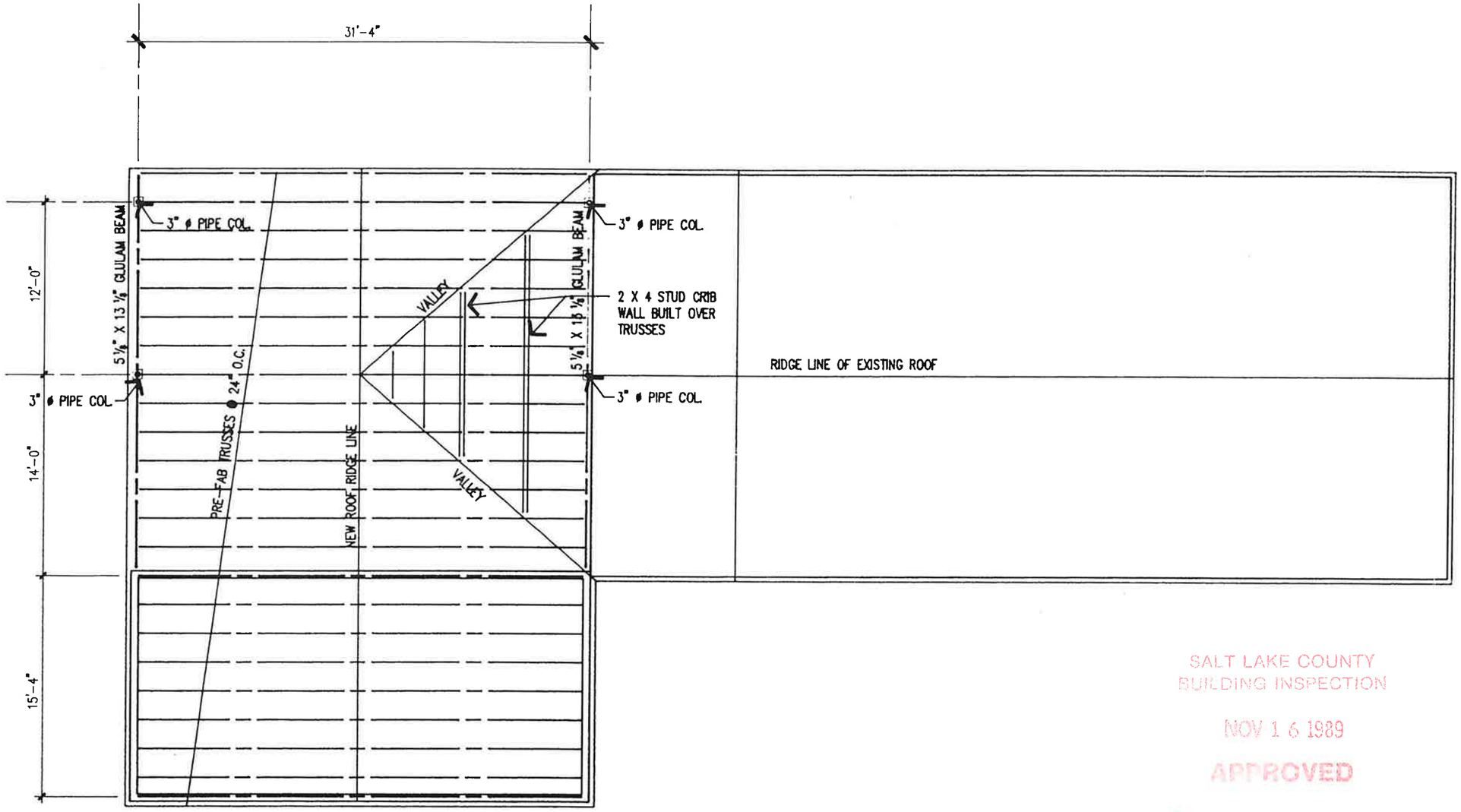
By _____

OCTOBER 9, 1989

The Blunt Cut

SALT LAKE CITY, UTAH

S-2



SALT LAKE COUNTY
BUILDING INSPECTION

NOV 1 6 1989

APPROVED

By _____

Roof Framing Plan

SCALE: 1/8" = 1'-0"

OCTOBER 9, 1989

The Blunt Cut

SALT LAKE CITY, UTAH

S-3

SALT LAKE COUNTY

Inspection Requests: 468-2163 Information: 468-2000

BUILDING AND INSPECTION SERVICES
2001 S State St #N3600 Salt Lake City, Utah 84190-4050

Title 58, Chapter 50, Section 12, Utah Code Annotated, requires that each political subdivision of the state which requires the issuance of a permit as a precondition to construction for which a contractors license is also required shall:

1. Require that each applicant for a permit file a signed statement that the applicant has a current contractor's license with the license number included in the application;
2. Require that any representation of exemption from the contractor's licensing law be included in the signed statement; and
3. Upon issuance of a permit affix the contractor's license number to that permit for public display.

Licensed Contractors Declaration

I hereby affirm that I am licensed under provisions of Chapter 1, 2, or 3 of the Contractor's License Law and that my license is in full force and effect.

License No. _____

License Class. _____

Expiration Date _____

Contractor _____ Date _____

Owner-Builder Declaration

I hereby affirm that I am exempt from the contractor's License Law because I am the sole owner of the property and I am building structures on it for my own personal use. Said structures shall not be rented or leased, nor used by the public, nor shall they be offered for sale for a period of at least one year after completion.

Owner Shannon Blunt Date _____

If a contractor has not been selected at the time of the application for this permit, the permit is issued only on the condition that a currently licensed contractor will be selected and that the license number of the contractor will be given to Salt Lake County and displayed on the permit. This permit becomes null and void if work or construction is not commenced within 180 days, or if work is suspended or abandoned for a period of 180 days at any time after work is commenced. Commencement or continuation of work is verified only by inspection reports from Salt Lake County inspectors. All required inspections shall be requested at least one working day before they are to be made.

I hereby certify that I have read and examined this application and that the information provided by me is true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction. I make this statement under penalty of perjury.

Shannon Blunt
Signature of applicant or agent

Date _____

JOB ADDRESS 918 E 3385 So.	COORDINATE	RECEIPT NO. 7473	DATE	PROJECT 136375	
USE OF PERMIT					
APPLICANT		SUBDIVISION NAME & #			
ADDRESS		APN	LOT#	ZONE	
CITY / STATE / ZIP CODE / PHONE		FSB / S-1 / S-2 / RSB		MODULE	
OWNER		CONDITIONAL USE			
CONTRACTOR		PERMITTED USE			
ADDRESS		BOARD OF ADJUSTMENT			
CITY / STATE / ZIP CODE / PHONE					
STATE CONT. LIC.# / BUSINESS LICENSE #					
ARCHITECT/ENGINEER					
ADDRESS					
CITY / STATE / ZIP CODE / PHONE		COUNTER APP.	CHK # 416	CASH	FEES:
TYPE OF PERMIT	OCCUPANCY	TYPE OF CONST.	OCC. LOAD	VALUATION	
CENSUS TRACT / TRAFFIC ZONE	NEW LAND USE CODE	PREVIOUS LAND USE			

Contractor _____ Date _____

SALT LAKE COUNTY COMPLIANCE INSPECTION REPORT

Tel. 468-2163 or 468-2000

2001 South State Street, Salt Lake City, UT 84190-4050

Property Address 918 E. 3385 So. Lot No. _____

Coordinates _____ Date 11-14-89

Project Number 136375 Time _____

INSPECTION TYPE	RESULT: Approved	Correction Required	Reinspection Required
OFFSITE			
Forms	☐	☐	☐
Subgrade	☐	☐	☐
Asphalt	☐	☐	☐
Storm Drain	☐	☐	☐
C, G, & SW	☐	☐	☐
Final	☐	☐	☐
Other _____			
Tests _____			
LAND USE			
Sideyards	☐	☐	☐
Setbacks	☐	☐	☐
CU req'm'ts	☐	☐	☐
Other _____			
Bonds $			
BUILDING			
Subrough:			
Footings	☐	☐	☐
Foundation	☐	☐	☐
Electrical	☐	☐	☐
Mechanical	☐	☐	☐
Plumbing BATHMT. HT.	☐	☐	☐
Rough:			
Building	☐	☐	☐
Electrical	☐	☐	☐
Mechanical	☐	☐	☐
Plumbing	☐	☐	☐
Bond Beam	☐	☐	☐
Insulation	☐	☐	☐
Chapter 70	☐	☐	☐
Other _____			
Power to Panel:			
Electrical	☐	☐	☐
# of meters _____			
Final			
Building	☐	☐	☐
Electrical	☐	☐	☐
Mechanical	☐	☐	☐
Plumbing	☐	☐	☐
Insulation	☐	☐	☐
Chapter 70	☐	☐	☐
Other _____			
PREINSPECTION _____			
COMPLAINT _____			
OTHER _____			

SPECIAL COMMENTS

- ☐ Reinspection Fee required
- ☐ Prior violations corrected
- ☐ Prior violations not corrected
- ☐ Corrections will be checked at next regular inspection
- ☐ Work Incomplete

UNABLE TO MAKE INSPECTION BECAUSE:

- ☐ Approved plans/permit not available
- ☐ Building not identified
- ☐ Building locked/inaccessible
- ☐ Cannot locate structure

☐ **STOP WORK** ☐ Penalty fee ☐ Permits req'd

This stop work order is issued pursuant to Section 202 of the Uniform Building Code. For instructions regarding compliance with or appeal of this order you must contact the Building Official at the above address or phone number within 10 days of the date hereof.

Signed SHW
INSPECTOR

Revised Jan. 1988

SALT LAKE COUNTY COMPLIANCE INSPECTION REPORT

Tel. 468-2163 or 468-2000
2001 South State Street, Salt Lake City, UT 84190-4050

Property Address 918 E 3385 S. Lot No. _____

Coordinates _____ Date 11-13-89

Project Number 136375 Time _____

INSPECTION TYPE	RESULT: Approved	Correction Required	Reinspection Required
OFFSITE			
Forms	☐	☐	☐
Subgrade	☐	☐	☐
Asphalt	☐	☐	☐
Storm Drain	☐	☐	☐
C, G, & SW	☐	☐	☐
Final	☐	☐	☐
Other _____			
Tests _____			
LAND USE			
Sideyards	☐	☐	☐
Setbacks	☐	☐	☐
CU req'm'ts	☐	☐	☐
Other _____			
Bonds $			
BUILDING			
Subrough:			
Footings	☐	☐	☐
Foundation	☐	☐	☐
Electrical	☐	☐	☐
Mechanical	☐	☐	☐
Plumbing	☑	☐	☐
Rough:			
Building	☐	☐	☐
Electrical	☐	☐	☐
Mechanical	☐	☐	☐
Plumbing	☐	☐	☐
Bond Beam	☐	☐	☐
Insulation	☐	☐	☐
Chapter 70	☐	☐	☐
Other _____			
Power to Panel:			
Electrical	☐	☐	☐
# of meters _____			
Final			
Building	☐	☐	☐
Electrical	☐	☐	☐
Mechanical	☐	☐	☐
Plumbing	☐	☐	☐
Insulation	☐	☐	☐
Chapter 70	☐	☐	☐
Other _____			
PREINSPECTION _____			
COMPLAINT _____			
OTHER _____			

SPECIAL COMMENTS

- ☐ Reinspection Fee required
- ☐ Prior violations corrected
- ☐ Prior violations not corrected
- ☐ Corrections will be checked at next regular inspection
- ☐ Work Incomplete

UNABLE TO MAKE INSPECTION BECAUSE:

- ☐ Approved plans/permit not available
- ☐ Building not identified
- ☐ Building locked/inaccessible
- ☐ Cannot locate structure

☐ **STOP WORK** ☐ Penalty fee ☐ Permits req'd

This stop work order is issued pursuant to Section 202 of the Uniform Building Code. For instructions regarding compliance with or appeal of this order you must contact the Building Official at the above address or phone number within 10 days of the date hereof.

Signed D Werner
INSPECTOR

OK TO Cover

Revised Jan. 1988

No. B - 015073

SALT LAKE COUNTY COMPLIANCE INSPECTION REPORT

Tel. 468-2163 or 468-2000
2001 South State Street, Salt Lake City, UT 84190-4050

Property Address 912 E. 3365 So. Lot No. _____

Coordinates _____ Date 11-6-89

Project Number 136375 Time _____

INSPECTION TYPE	RESULT: Approved	Correction Required	Reinspection Required
OFFSITE			
Forms	☐	☐	☐
Subgrade	☐	☐	☐
Asphalt	☐	☐	☐
Storm Drain	☐	☐	☐
C, G, & SW	☐	☐	☐
Final	☐	☐	☐
Other _____			
Tests _____			
LAND USE			
Sideyards	☐	☐	☐
Setbacks	☐	☐	☐
CU req'm'ts	☐	☐	☐
Other _____			
Bonds $			
BUILDING			
Subrough:			
Footings	☐	☐	☐
✓ Foundation	☑	☐	☐
Electrical	☐	☐	☐
Mechanical	☐	☐	☐
Plumbing	☐	☐	☐
Rough:			
Building	☐	☐	☐
Electrical	☐	☐	☐
Mechanical	☐	☐	☐
Plumbing	☐	☐	☐
Bond Beam	☐	☐	☐
Insulation	☐	☐	☐
Chapter 70	☐	☐	☐
Other _____			
Power to Panel:			
Electrical	☐	☐	☐
# of meters _____			
Final			
Building	☐	☐	☐
Electrical	☐	☐	☐
Mechanical	☐	☐	☐
Plumbing	☐	☐	☐
Insulation	☐	☐	☐
Chapter 70	☐	☐	☐
Other _____			
PREINSPECTION _____			
COMPLAINT _____			
OTHER _____			

SPECIAL COMMENTS

Can pact 3 Beauty Shop

- ☐ Reinspection Fee required
- ☐ Prior violations corrected
- ☐ Prior violations not corrected
- ☐ Corrections will be checked at next regular inspection
- ☐ Work Incomplete

UNABLE TO MAKE INSPECTION BECAUSE:

- ☐ Approved plans/permit not available
- ☐ Building not identified
- ☐ Building locked/inaccessible
- ☐ Cannot locate structure

☐ **STOP WORK** ☐ Penalty fee ☐ Permits req'd

This stop work order is issued pursuant to Section 202 of the Uniform Building Code. For instructions regarding compliance with or appeal of this order you must contact the Building Official at the above address or phone number within 10 days of the date hereof.

Signed Bob Van Wagoner
INSPECTOR

Revised Jan. 1988

No. B - 014816

SALT LAKE COUNTY COMPLIANCE INSPECTION REPORT

Tel. 468-2163 or 468-2000
2001 South State Street, Salt Lake City, UT 84190-4050

Property Address 4559 S. 1275 E. Lot No. _____

Coordinates _____ Date 11-1-89

Project Number 136378 Time _____

INSPECTION TYPE	RESULT: Approved	Correction Required	Reinspection Required
OFFSITE			
Forms	☐	☐	☐
Subgrade	☐	☐	☐
Asphalt	☐	☐	☐
Storm Drain	☐	☐	☐
C, G, & SW	☐	☐	☐
Final	☐	☐	☐
Other _____			
Tests _____			
LAND USE			
Sideyards	☐	☐	☐
Setbacks	☐	☐	☐
CU req'm'ts	☐	☐	☐
Other _____			
Bonds $			
BUILDING			
Subrough:			
Footings	☐	☐	☐
Foundation 1:30 PM	☐	☐	☐
Electrical	☐	☐	☐
Mechanical	☐	☐	☐
Plumbing	☐	☐	☐
Rough:			
Building	☐	☐	☐
Electrical	☐	☐	☐
Mechanical	☐	☐	☐
Plumbing	☐	☐	☐
Bond Beam	☐	☐	☐
Insulation	☐	☐	☐
Chapter 70	☐	☐	☐
Other _____			
Power to Panel:			
Electrical	☐	☐	☐
# of meters _____			
Final			
Building	☐	☐	☐
Electrical	☐	☐	☐
Mechanical	☐	☐	☐
Plumbing	☐	☐	☐
Insulation	☐	☐	☐
Chapter 70	☐	☐	☐
Other _____			
PREINSPECTION _____			
COMPLAINT _____			
OTHER _____			

SPECIAL COMMENTS

- ☐ Reinspection Fee required
- ☐ Prior violations corrected
- ☐ Prior violations not corrected
- ☐ Corrections will be checked at next regular inspection
- ☐ Work Incomplete

UNABLE TO MAKE INSPECTION BECAUSE:

- ☐ Approved plans/permit not available
- ☐ Building not identified
- ☐ Building locked/inaccessible
- ☐ Cannot locate structure

☐ **STOP WORK** ☐ Penalty fee ☐ Permits req'd

This stop work order is issued pursuant to Section 202 of the Uniform Building Code. For instructions regarding compliance with or appeal of this order you must contact the Building Official at the above address or phone number within 10 days of the date hereof.

Signed SHG
INSPECTOR

Revised Jan. 1988

No. B - 015761

Information about the property located at 918 E 3385 S

When was it established?

1959

How long has it been occupied?

Family owned: Marie Bishop Parry 1962-1972
David Torato 1972-1976
Sharron Peterson 1976-current

Is there electric, gas, or water service?

yes, all three.

Where does the resident and guests for the apartment park?

under carport in the north facing.

Can you show that it's been use for at least ten years?

yes, all billings have been sent to address since 1976
- internet, phone, utl., etc

Do you have any photos?

See attached page

U-HAUL

3330 South 1300 East
Millcreek, UT 84106
801-214-2700
millcreek.us

File # EX-20-001

Planning Commission Staff Report

Meeting Date:	**15 April 2020**
Applicant:	**Darin Bell on behalf of property owner.**
Property Address:	**3925 S Mount Olympus Wy**
Parcel ID:	**16364540310000**

Request:	**Applicant is a requesting a sidewalk exception for a new single-family home to be built at 3925 S Mount Olympus Wy. Subject to a deferral agreement.**
Zone:	**R-1-21/ZC (Zone Condition: Limit animals to household pets)**
Community Council:	**East Millcreek Community Council**
Prepared By:	**Erin O'Kelley, Planner**

SYNOPSIS AND SCOPE OF DECISION

Part 1 – Sidewalk exception request

The Millcreek Code requires "**All public and private curb ramp, ramp and sidewalk development located within the city subject to the jurisdiction of the city shall meet the requirements of this chapter**". Much of Millcreek's neighborhoods lack sidewalks and in some cases curb and gutter. When development is proposed to Millcreek staff, a review is conducted to determine as to whether these physical public improvements are necessary to serve the area in which the development is to occur. Such improvements are then bonded for to ensure the required improvements are completed and meet city standards. Although the Millcreek Code requires these improvements for all development, it is understood by Millcreek staff that the installation of all improvements at the time the development occurs is not necessary. In some cases, the installation of certain improvements and modifications can create adverse effects and drainage complications.

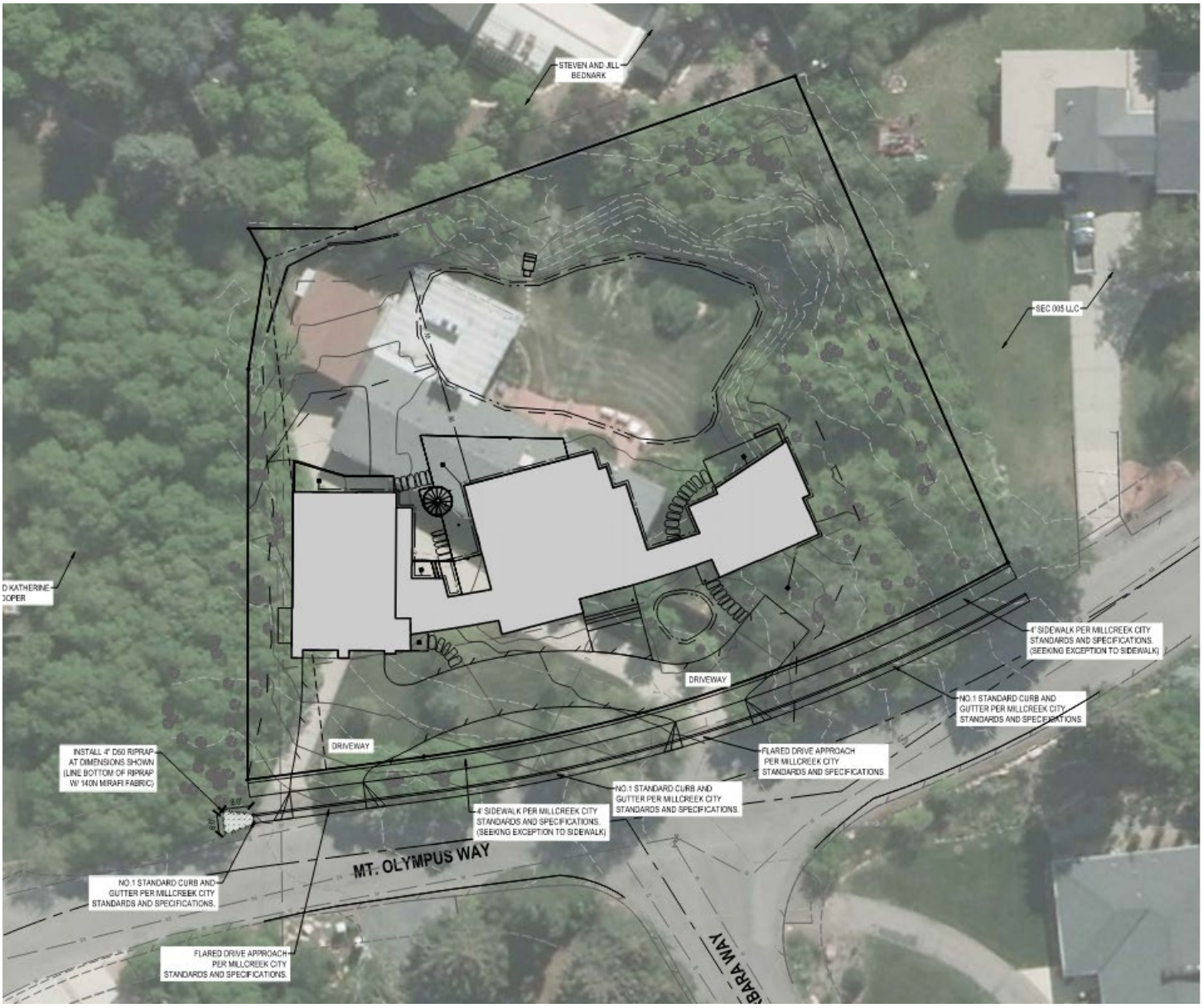
Nonetheless, residents do reserve the right to apply for an exception to the code in cases where unusual topographical, aesthetic, or other exceptional conditions or circumstances exist. Due to sidewalks being mostly absent from Mount Olympus Way and other streets within close proximity, a sidewalk exception request is being requested and is seeking a favorable recommendation from the Millcreek Planning Commission.

SITE VICINITY AND DESCRIPTION

Zoning Map 3925 South Mount Olympus Way

Google View

Site Plan


STEVEN AND JILL BEDNARK
SEC 005 LLC
D KATHERINE COPER
4' SIDEWALK PER MILLCREEK CITY STANDARDS AND SPECIFICATIONS. (SEEKING EXCEPTION TO SIDEWALK)
DRIVEWAY
NO.1 STANDARD CURB AND GUTTER PER MILLCREEK CITY STANDARDS AND SPECIFICATIONS.
INSTALL 4" D50 RIPRAP AT DIMENSIONS SHOWN (LINE BOTTOM OF RIPRAP W/ 140N MIRAFI FABRIC)
DRIVEWAY
FLARED DRIVE APPROACH PER MILLCREEK CITY STANDARDS AND SPECIFICATIONS.
NO.1 STANDARD CURB AND GUTTER PER MILLCREEK CITY STANDARDS AND SPECIFICATIONS.
4' SIDEWALK PER MILLCREEK CITY STANDARDS AND SPECIFICATIONS. (SEEKING EXCEPTION TO SIDEWALK)
MT. OLYMPUS WAY
NO.1 STANDARD CURB AND GUTTER PER MILLCREEK CITY STANDARDS AND SPECIFICATIONS.
FLARED DRIVE APPROACH PER MILLCREEK CITY STANDARDS AND SPECIFICATIONS.
BARA WAY

ISSUES OF CONCERN/PROPOSED MITIGATION

While staff finds that the applicant follows the City's development standards for building on residential lots.

Staff finds that although the addition of sidewalk is not necessary at this time of development, staff is recommending that a **deferral agreement** between Millcreek and the property owner be recorded and place against the subject property that runs with the land in perpetuity. The recorded deferral agreement places the responsibility on the property owner that when the installation of sidewalk becomes required, the owner of the property will be responsible for the costs of the sidewalk improvements and related costs.

NEIGHBORHOOD RESPONSE

Property owners within a 300' radius was sent notices. Staff has not received any questions or concerns from residents.

COMMUNITY COUNCIL RESPONSE

The Mt Olympus Community Council granted a positive recommendation to approve the sidewalk exception. See attached documents.

REVIEWING AGENCIES RESPONSE

Compliance with current building, construction, engineering, fire, health, landscape and safety standards will be verified prior to final approval. All technical review requirements associated with final approval must be met including any public improvements required by Millcreek Engineering.

Millcreek's Public Work director has already reviewed the proposal and offered a positive recommendation. See attached documents.

PLANNING STAFF ANALYSIS AND FINDINGS

Staff finds that the requested sidewalk exception is in harmony with the character of the surrounding neighborhood.

Staff recommends approval of the proposed sidewalk exception request based of the following findings:

1. Due to sidewalks being mostly absent from Mount Olympus Wy and other streets within close proximity. Millcreek Engineering has stated that there are no plans to enforce sidewalk for the subject lot at this time, but is likely to happen in the future and find that the improvements can be solidified

by a defferal agreement recorded to the property. By granting the proposed exception, the property owner can enjoy a similar substantial property right possessed by other property owners in the neighborhood.

2. Staff finds that by granting the sidewalk exception, the property owner will not be faced with installing improvements that may create adverse impacts not compatible with the neighborhood.

3. Staff finds that granting this exception does not create a substantial detriment to the public good, because the majority of the streets in the neighborhood do not have sidewalks.

4. Staff finds that granting this exception would not substantially impair the intent and purpose of the Title 19 code and R-1-10 Zone requirements can be met.

PLANNING STAFF RECOMMENDATION

Staff recommends approval, in the following motions:

A. Recommendation to approve the proposed sidewalk exception request accompanied with a recorded deferral agreement. The Planning Commission recommends to the Mayor approval of the sidewalk exception, based on the following findings:

1. Due to sidewalks being mostly absent from Millstream Avenue and other streets within close proximity. Millcreek Engineering has stated that there are no plans to enforce sidewalk for the subject lot at this time, but is likely to happen in the future and find that the improvements can be solidified by a defferal agreement recorded to the property. By granting the proposed exception, the property owner can enjoy a similar substantial property right possessed by other property owners in the neighborhood.
2. Staff finds that by granting the sidewalk exception, the property owner will not be faced with installing improvements that may create adverse impacts not compatible with the neighborhood.
3. Staff finds that granting this exception does not create a substantial detriment to the public good, because the majority of the streets in the neighborhood do not have sidewalks.
4. Staff finds that granting this exception would not substantially impair the intent and purpose of the subdivision code, because all other subdivision and R-1-10 Zone requirements can be met.

SUPPORTING DOCUMENTS

1. Letter
2. Proposed Plans
3. Public Works Director Recommendation
4. Community Council Recommendation

Millcreek City – Engineering Dept./Planning Dept.

3330 S. 1300 E.

Millcreek, Utah 84106

Re: sidewalk requirement 2-20-20

My wife and I are planning to build a new home at 3925 S. Mount Olympus Way. We feel the standard sidewalk that is typically required in the City of Millcreek would be out of place in our location. There are no other sidewalks for at least a quarter-mile radius in this neighborhood. A new sidewalk would not only detract from the neighborhood aesthetics, it would require intensive soil disturbance and removal of 12 native oaks. As both adjacent properties don't have sidewalks, a new sidewalk would lead to nowhere, serving no purpose and creating a safety risk at the dead-end.

We respectfully request exemption from the sidewalk requirement.

Sincerely,

Luigi Resta

Luigi Resta

Property Owner 3925 S. Mount Olympus Way, Millcreek, Utah

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

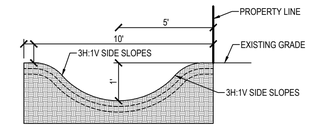
811 Know what's below. Call before you dig.

NOTES:

1. EXCAVATION MATERIALS ASSOCIATED WITH THIS AREA ARE CONSIDERED TO BE "COMMON" CUT AND FILL.
2. THE NUMBER OF STEPS SHOWN IS AN ENGINEER'S ESTIMATE AND IS FOR GRAPHICAL PURPOSES ONLY. IT MAY OR MAY NOT BE THE ACTUAL NUMBER OF STEPS REQUIRED.
3. CONTOURS ARE 1' INTERVALS.
4. BUILDING FOOTPRINTS SHOWN ON THESE PLANS REPRESENT DIMENSIONS AND LINE WORK FOR GENERAL REFERENCE ONLY. THE BUILDER IS RESPONSIBLE FOR THE CORRECT BUILDING FOOTPRINT DIMENSIONS AND LINE WORK AND IS TO ENSURE FOUNDATION CONSTRUCTION PLANS MATCH THIS LINE WORK.
5. IF NOT STATED ON THE PLANS, THE CONTRACTOR SHALL ESTABLISH FINISHED GRADE A MINIMUM OF 6-INCHES FROM T.O.F. AND A MINIMUM OF 6-INCHES DROP IN THE NEXT 10 FEET FROM THE FINISHED GRADE AT THE FOUNDATION WALL.
6. ALL STATED GRADES ARE MINIMUM GRADES.
7. USE SWALES PER DETAILS SHOWN BELOW AS NEEDED TO MAINTAIN DRAINAGE WITHIN PROPERTY BOUNDARY.
8. FINISH GRADES ELEVATIONS INCLUDES THE 4" OF TOPSOIL THAT WILL BE INSTALLED BY HOME OWNER FOR LANDSCAPING.
9. WINDOW WELLS TO BE INSTALLED A MINIMUM OF 3" ABOVE FINISHED GRADE.
10. ALL RAIN GUTTERS TO DRAIN FORWARD, WHERE POSSIBLE.
11. MINIMUM 5% SLOPE TO BE MAINTAINED AT LEAST 10' AWAY FROM STRUCTURE, WITH EXCEPTION OF CONCRETE PATIOS.
12. A FOUNDATION DRAIN IS REQUIRED FOR THIS LOT. THE FOUNDATION DRAIN SHALL CONSIST OF A 4" PERFORATED PIPE PLACED AT OR BELOW THE FOOTING ELEVATION COVERED WITH AT LEAST 12" OF FREE DRAINING GRAVEL AND SEPARATED FROM THE NATIVE SOIL WITH A MIRAFI 140N FILTER FABRIC.
13. ELEVATIONS HAVE BEEN TRUNCATED FOR CLARITY. XX.XX REPRESENTS AN ELEVATION OF 50XX.XX ON THESE PLANS.

ABBREVIATIONS:

BFF	BASEMENT FINISHED FLOOR	TOA	TOP OF ASPHALT
		TOC	TOP OF CONCRETE
BOS	BOTTOM OF STEPS	TOF	TOP OF FOUNDATION
BOW	BOTTOM OF WALL	TOS	TOP OF STEPS
FF	FINISHED FLOOR	TOW	TOP OF WALL
FG	FINISHED GRADE		
FL	FLOW LINE		
GFF	GARAGE FINISHED FLOOR		
PL	PROPERTY LINE		



1 SWALE SECTION DETAIL
SCALE: N.T.S.

STORM DRAIN DETENTION

ENSIGN

PROJECT TITLE: Resta Residence			PROJECT NUMBER: 9138A
LOCATION: Millcreek, Utah			DATE: 02/03/20
OWNER: Luigi Resta			SHEET: 1 OF 1
DESIGNED BY: A. Roberts	CHECKED BY: R. Ford	APPROVED BY: R. Ford	

AREA CALCULATION

HARDSCAPE AREA :	0.10	acres	runoff coeff. C :	0.90
Offsite				0.30
LANDSCAPE/NATIVE AREA :	0.43	acres	runoff coeff. C :	0.15
TOTAL AREA :	**0.53**	acres	WEIGHTED C :	**0.30**

RUNOFF CALCULATION

100 Year Design Storm			Allowable Runoff		0	cfs/ac
			Total allowable runoff		**0.000**	cfs
Time (min)	CA (Acres)	Precipitation (in/hr)	Time (sec)	Cumulative Runoff (ft^3)	Allowed Runoff (ft^3)	Storage (ft^3)
120	0.16	1.03	7,200	1,167	0	1,167
180	0.16	0.71	10,800	1,205	0	1,205
360	0.16	0.39	21,600	1,336	0	1,336
720	0.16	0.24	43,200	1,652	0	1,652
1440	0.16	0.14	86,400	1,944	0	**1,944**
				STORAGE REQUIRED :		**1,944**
				STORAGE PROVIDED :		**2,000**

HORIZONTAL GRAPHIC SCALE

20 0 10 20 40

(IN FEET)
HORZ: 1 inch = 20 ft.

ENSIGN
THE STANDARD IN ENGINEERING

SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT 84070
Phone: 801.255.0529

LAYTON
Phone: 801.547.1100

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
BABCOCK DESIGN
52 EXCHANGE PLACE
SALT LAKE CITY, UT 84111

CONTACT:
EDGAR POLGAR
PHONE: 801-433-4316

RESTA RESIDENCE

3925 MOUNT OLYMPUS WAY
MILLCREEK, UTAH 84124

PROFESSIONAL ENGINEER
No. 12809970-2202
RILEY FORD
2 / 6 / 20
STATE OF UTAH

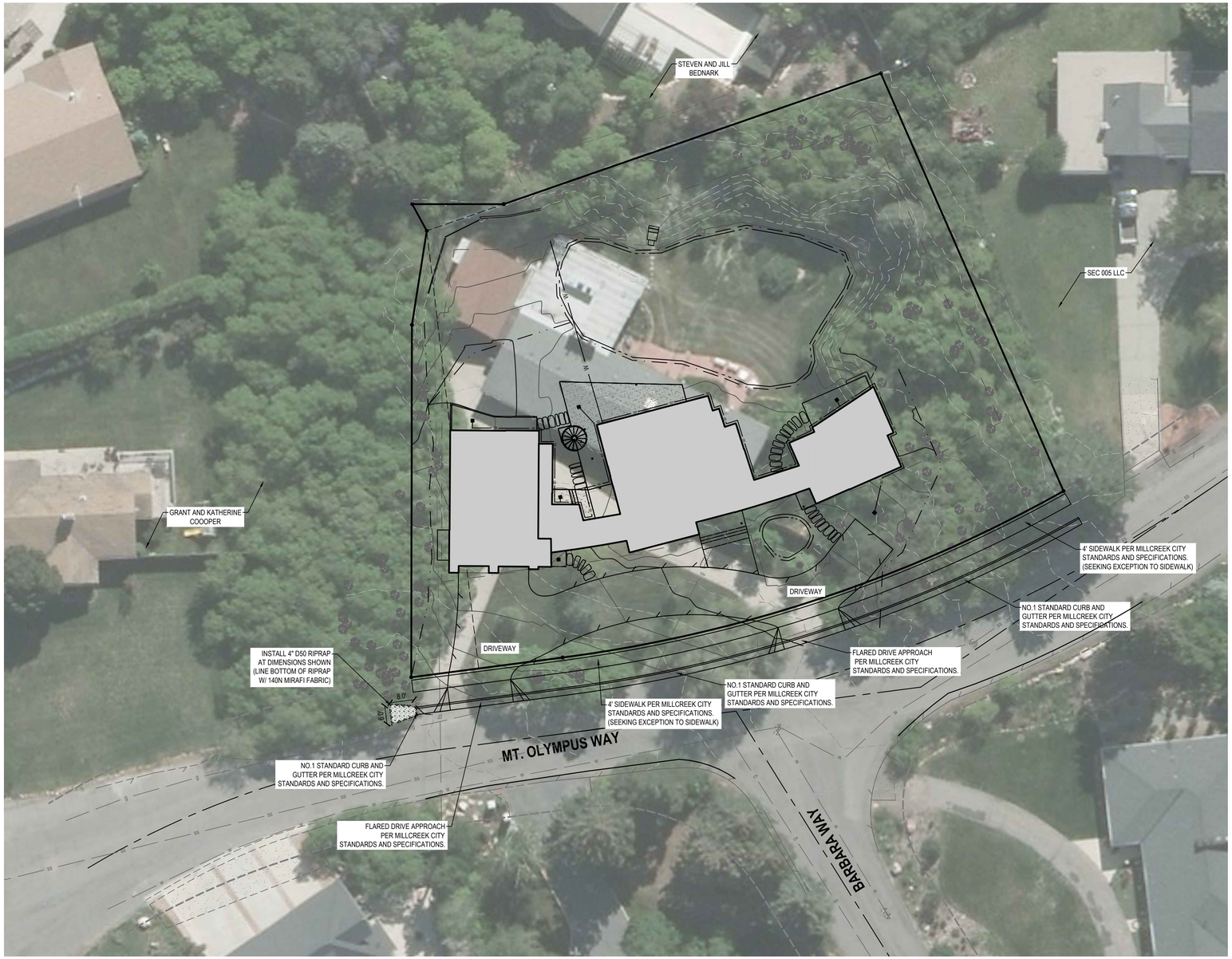
GRADING AND DRAINAGE PLAN

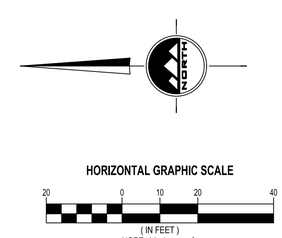
PROJECT NUMBER 9138	PRINT DATE 2/6/20
DRAWN BY	CHECKED BY
PROJECT MANAGER	

C-100

811 Know what's below. Call before you dig.

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





ENSIGN
THE STANDARD IN ENGINEERING

SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT 84070
Phone: 801.255.0529

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Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
BABCOCK DESIGN
52 EXCHANGE PLACE
SALT LAKE CITY, UT 84111

CONTACT:
EDGAR POLGAR
PHONE: 801-433-4316

RESTA RESIDENCE

3925 MOUNT OLYMPUS WAY
MILLCREEK, UTAH 84124

PROFESSIONAL ENGINEER
Riley Ford
No. 12809970-2202
RILEY FORD
2 / 6 / 20
STATE OF UTAH

SITE PLAN

PROJECT NUMBER	PRINT DATE
9138	2/6/20
DRAWN BY	CHECKED BY
PROJECT MANAGER	

EX-101

MT. OLYMPUS
Community Council

April 7, 2020

Erin O'Kelley, Planner
Millcreek City
3330 S. 1300 E.
Millcreek, UT 84106

The Mt. Olympus Community Council (MOCC) supports approval of the proposed sidewalk installation deferral request by Luigi Resta at 3925 South Mt. Olympus Way. The MOCC recommends this deferral be recorded against the title of the property and shall run with the land binding all successors and assigns holding title to the property. The Council's recommendation for approval is primarily based on the lack of sidewalks on both the immediately adjacent properties and the streets in that neighborhood in general. Please contact me if there are any additional questions or concerns you may have about this recommendation of the sidewalk installation deferral at this property.

Sincerely,

David Baird
Chair, Mt. Olympus Community Council

RE: 3925 S. Mount Olympus Way

John Miller <jmiller@millcreek.us>

Thu 2/6/2020 12:29 PM

To: Darin Bell <darin@babcockdesign.com>
Cc: Jacob Bruderer <jbruderer@millcreek.us>; Brandon LeRoy <brandon@jacksonandleroy.com>; Whitney Sansom <whitney@jacksonandleroy.com>; Edgar Polgar <edgar@babcockdesign.com>

That is correct – Thank you

John

John E. Miller, PE
Public Works Director
Office: 801.214.2719
Millcreek.us

From: Darin Bell <darin@babcockdesign.com>
Sent: Wednesday, February 5, 2020 12:41 PM
To: John Miller <jmiller@millcreek.us>
Cc: Jacob Bruderer <jbruderer@millcreek.us>; Brandon LeRoy <brandon@jacksonandleroy.com>; Whitney Sansom <whitney@jacksonandleroy.com>; Edgar Polgar <edgar@babcockdesign.com>
Subject: 3925 S. Mount Olympus Way

John,
Thank you for taking time to discuss curb, gutter and sidewalk requirement with me today. To summarize your recommendation: standard curb and gutter along the entire lot frontage on Mount Olympus Way will need to be installed. We will show this on the plans.

You have recommended an exemption for the sidewalk. The sidewalk will be shown on the plans, but we will also note: "seeking exemption for sidewalk" on the plans, and will proceed to make application to community council and planning commission for approval of this exemption.

Please let us know if what I have summarized is accurate.

Thank you,

DARIN BELL AIA
SENIOR PRINCIPAL

801.531.1144 OFFICE | 801.433.4142 DIRECT
52 EXCHANGE PLACE SALT LAKE CITY UT 84111

Babcock Design

WEBSITE | TWITTER | FACEBOOK | LINKED-IN

3330 South 1300 East
Millcreek, UT 84106
801-214-2700
millcreek.utah.gov

File # SD-20-005 / EX-20-005

Planning Commission Staff Report

Meeting Date: **April 15, 2020**
Applicant: **Whitney Sansom on behalf of property owner Ryan Snow.**
Property Address: **1801 Countryside Dr/ 1786 Millbrook Ave**

Parcel ID: **16332050300000, 16332050190000**

Request:	**Preliminary plat approval for a one-lot subdivision and request for a sidewalk exception via a deferral.**

Zone: **R-1-10**

Prepared By: **Erin O'Kelley, Planner**

SYNOPSIS AND SCOPE OF DECISION

Part 1 - Subdivision

The applicant is requesting preliminary plat approval for a subdivision to consolidate two existing lots, one of which (1786 Millbrook Avenue) is in the Millbrook Addition Subdivision, and the other is located at 1801 Countryside Drive, in the Millbrook Estates Subdivision. Their request includes a request for a sidewalk exception from Millcreek City to defer the required sidewalk along the property frontage located at 1801 Countryside Dr. The subject area consists of two parcels each with a single-family household. The applicant would like to consolidate the lots and demolish the single-family home at 1801 Countryside Dr. In order to successfully consolidate the lots in the R-1-10 Zone, the applicant must relocate an existing public utility easement and demonstrate compliance by meeting the minimum requirements per the R-1-10 Zone and Subdivision standards found in Title 18. Because the lot consolidation involves relocated an existing easement, a new subdivision plat is

required.. Staff also notes that the property on Countryside Drive, in the Millbrook Estates Subdivision, is subject to specific codes, covenants, and restrictions. The city does not enforce private covenants. However, private covenants run with the land and the covenants are not necessarily removed by recording a new subdivision plat.

18.18.020 Boundary Line Adjustments; Exempt From Platting Requirement
A subdivision plat is not required for any of the following:

A. A recorded agreement between owners of adjoining properties adjusting their mutual boundary if:
    1. No new lot is created; and
    2. The adjustment does not violate applicable zoning ordinances.
B. A recorded document, executed by the owner of record that:
    1. Revises the legal description of more than one contiguous unsubdivided parcel(s) of property into one legal description encompassing all such parcels of property; or
    2. Joins a subdivided parcel of property to an unsubdivided parcel of property and does not violate applicable zoning ordinances.
C. The consolidation of two or more subdivided lots for the purpose of developing them as one lot, provided:
    1. The consolidation does not affect an existing street, alley, walkway, or right- of-way; and
    2. No public utility, drainage, or trail easements exist along the mutual boundary of any two lots being consolidated.

Note: Because the consolidation of the subdivided lots involves a public utility easement along the mutual boundary of the lots, a new subdivision is required.

18.08.010 Procedure Generally
The planning commission shall be the land use authority for subdivisions. In order to assure that each subdivision fully complies with the provisions of this title, the director or director's designee shall administer formal application and review procedures for subdivisions. An application shall not be deemed complete until the full application, fees and all required materials have been submitted. The payment of a partial fee and submission of preliminary plans for a pre-submittal review does not constitute a complete application.

Utah Code 10-9a-603 (2)
Subject to Subsections (3), (5), and (6), if the plat conforms to the municipality's ordinances and this part and has been approved by the culinary water authority, the sanitary sewer authority, and the local health department, as defined in Section 26A-1-102, if the local health department and the municipality consider the local health department's approval necessary, **the municipality shall approve the plat.**

Part 2 – Sidewalk exception request

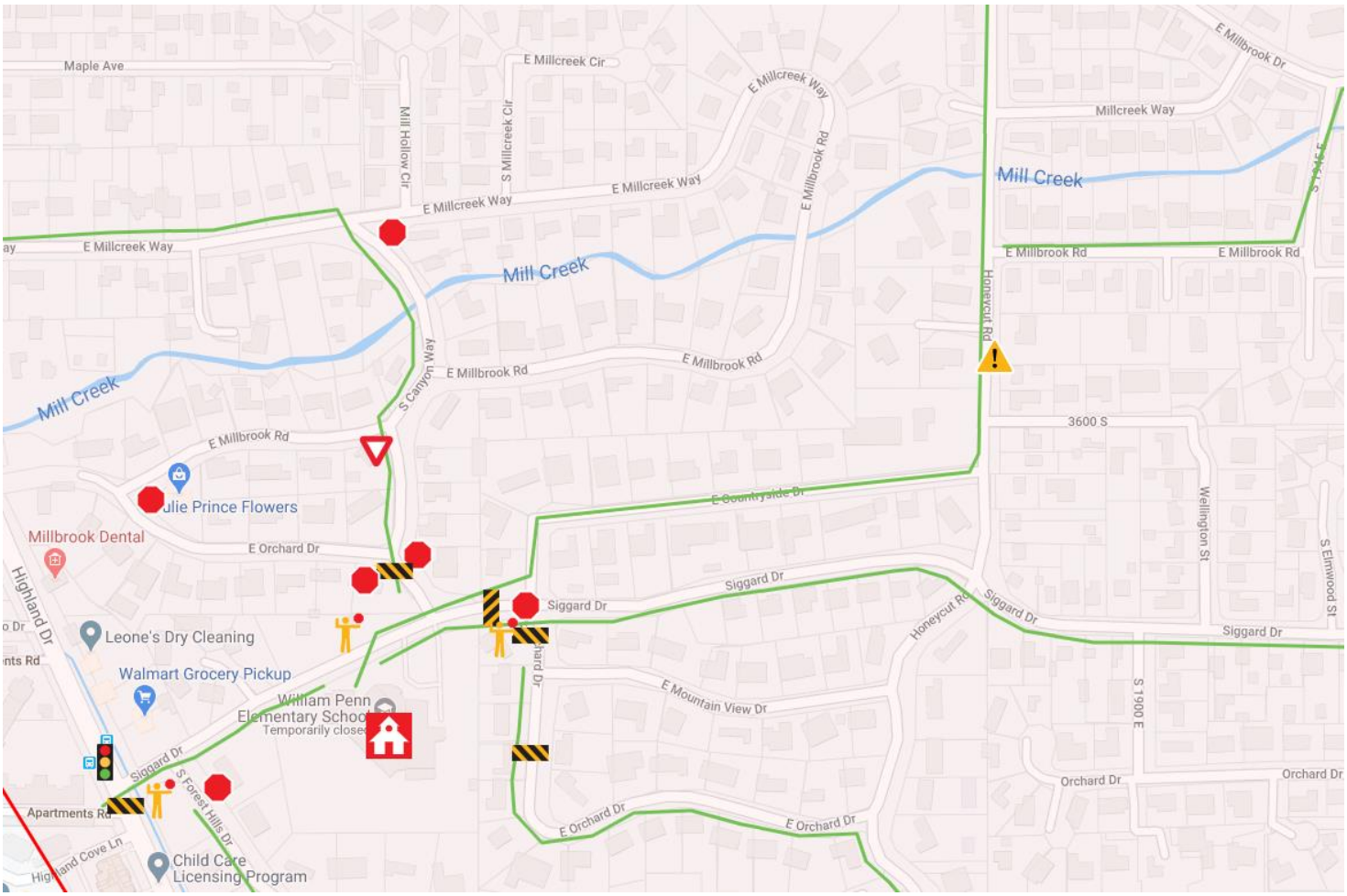
The Millcreek Code requires "**All public and private curb ramp, ramp and <u>sidewalk</u> development located within the city subject to the jurisdiction of the city shall meet the requirements of this chapter**". Much of Millcreek's neighborhoods lack sidewalks and in some cases curb and gutter. When development is proposed to Millcreek staff, a review is conducted to determine as to whether these physical public improvements are necessary to serve the area in which the development is to occur. Such improvements are then bonded for to ensure the required improvements are completed and meet city standards.

Nonetheless, residents do reserve the right to apply for an exception to the code in cases where unusual topographical, aesthetic, or other exceptional conditions or circumstances exist.

<u>14.12.150 Exceptions</u>

In cases where unusual topographical, aesthetic, or other exceptional conditions or circumstances exist, variations or exceptions to the requirements or this chapter may be approved by the mayor after receiving recommendations from the planning commission and the public works director; provided, that the variations or exceptions are not detrimental to the public safety or welfare.

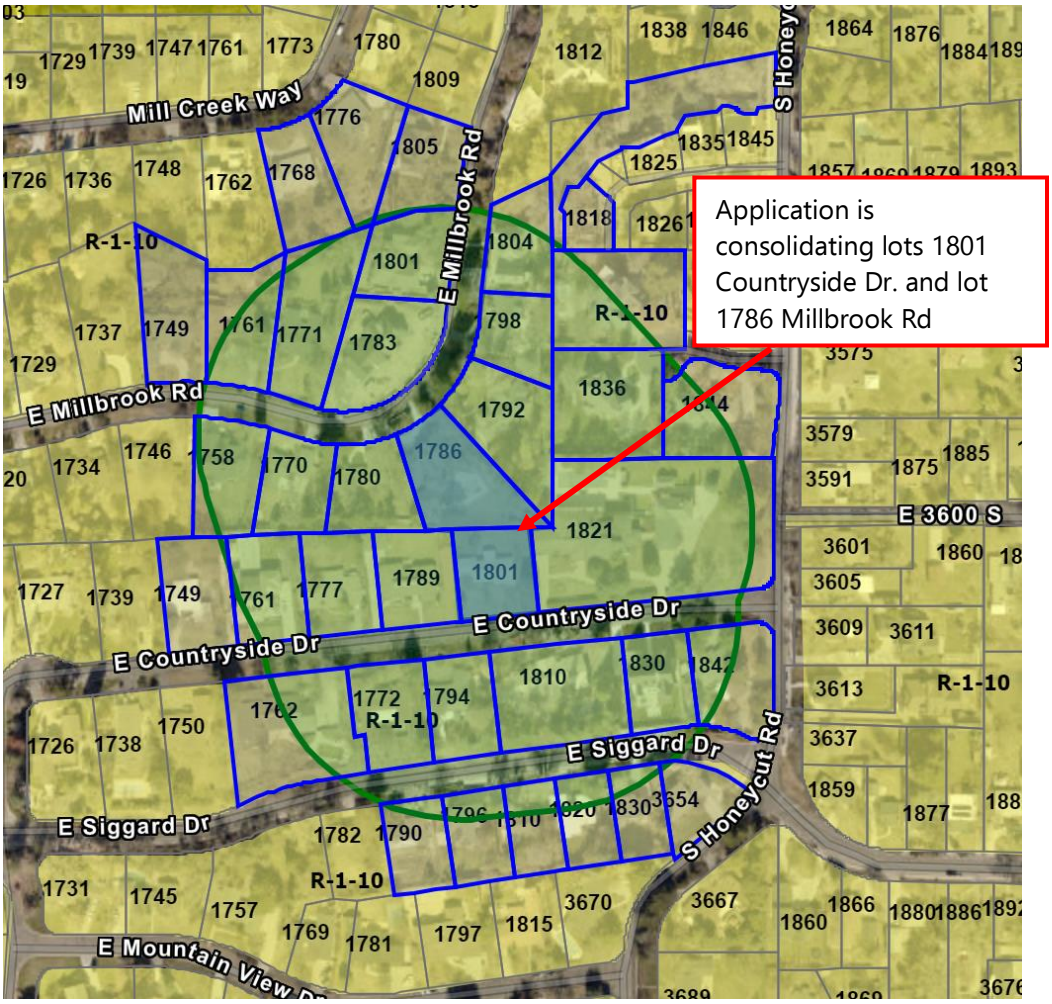
Currently, there is no consistent sidewalk along Countryside Drive, however Countryside Drive is listed as one of the 'safe routes to school' for nearby William Penn Elementary, as indicated by the green line on the official state Safe Routes map below:



https://www.saferoutesutahmap.com/map/school-maps/william-penn-elementary-301

Millcreek prioritizes resident requests for sidewalk installation projects based, in part, on the state's Safe Routes Map. Because Countryside Drive is a safe route for students attending William Penn Elementary, staff recommends that the sidewalk exception be denied.

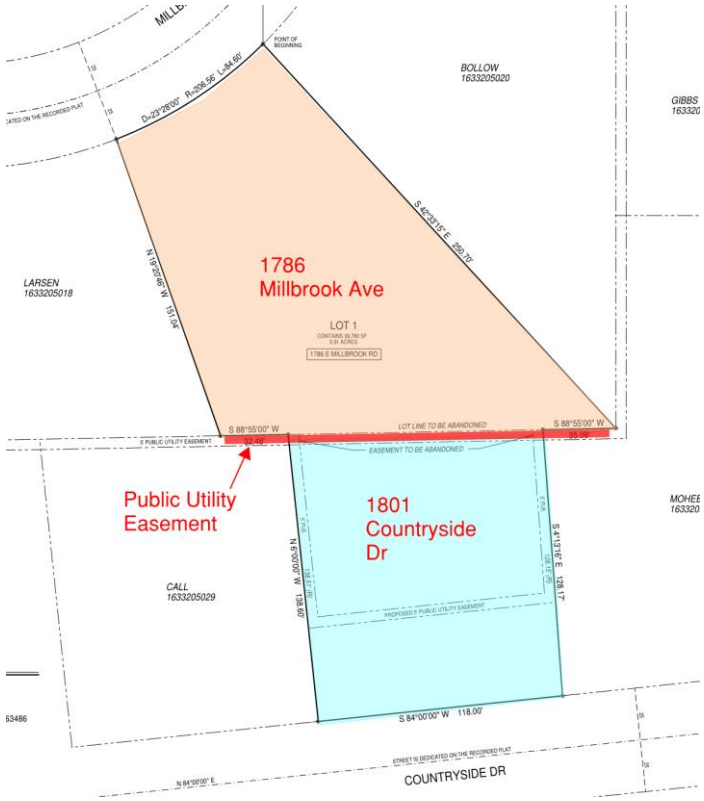
SITE VICINITY AND DESCRIPTION



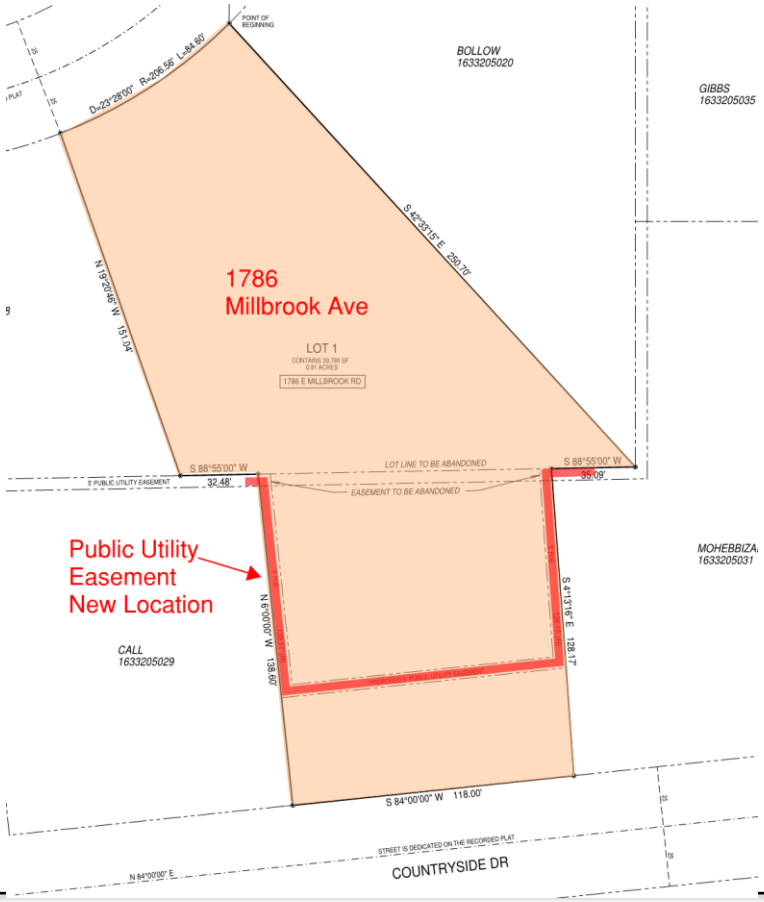
The subject parcels lie in the East Millcreek neighborhood that is primarily low-density housing ranging surrounded by R-1-10 zoning. Historically the majority of the area consisted of large open lots, but overtime has become platted subdivisions with sporadic meat and bounds description.

The sizing of the lots in this area varies by block. Although all the properties are zoned R-1-10 the lot sizes range from 10,000 square feet to 69,000 square feet. Some properties in the neighborhood abut two different roads and in some cases 3 different roads. Lots shape range from traditional square shape to deep and narrow. All of the lots on the south side of Countryside Drive rear upon a right-of-way, Siggard Drive.

PROJECT INFORMATION



- **The new parcel will comply with the minimum area, width and setback requirements of the R-1-10 Zone and adopted Flag Lot Policy**
- **Lot will be located in the Holladay Water Company District.**
- **Lot will be located in the Mt. Olympus Sewer District**
- **Lot is subject to the Residential Compatibility Overlay Zone**
- **Lot is <u>not</u> located in a designated floodplain area as illustrated in the NFIP Flood Rate Maps**
- **The proposed subdivision plat has completed a site plan identifying all easements**



- **The proposed subdivision plat has completed preliminary requirements that consist of a site plan, utility plan, and a grading and drainage plan that illustrates storm water runoff and retention.**
- **The proposed subdivision plat <u>will be required</u> to complete a final technical review that includes an engineering review to ensure that the final plat complies with all conditions of approval of the preliminary plat and to ensure that the final plat complies with the design standards, codes, and ordinances and with minimum engineering/surveying requirements**
- **The proposed plat <u>must obtain</u> Unified Fire and Salt Lake County Addressing approvals before recordation.**
- **The new lot will consist of one single-family dwelling.**

APPLICABLE ORDINANCES

***18.16.010 Required Information**

The final plat, which must be prepared by a licensed land surveyor not in the employ of the city or county on a sheet of approved reproducible Mylar and made with approved waterproof black india drawing ink, with text not less than one-tenth inch in size, shall be so drawn that the top of the sheet faces either north or east, whichever accommodates the drawing best, **shall contain all information required on the preliminary plat** (except contours), and shall comply with the following:

***18.08.010 Procedure Generally**

The planning commission shall be the land use authority for subdivisions. In order to assure that each subdivision fully complies with the provisions of this title, the director or director's designee shall administer formal application and review procedures for subdivisions. An application shall not be deemed complete until the full application, fees and all required materials have been submitted. The payment of a partial fee and submission of preliminary plans for a pre-submittal review does not constitute a complete application.

Each process shall include the following components:

1. An application procedure, which shall include:
    1. Submission of an application form, as designed by the director or director's designee to clearly indicate the type of application, property address, applicant information, and other pertinent information;
    2. Submission of supplementary materials, including a legal description, property plat, the required number of plans/preliminary plats, and mailing labels (if required) for notifications;
    3. Payment of fees, as required under MKC Title 3, Revenue and Finance.
2. A review procedure, which shall include:
    1. An on-site review by the director or director's designee on behalf of the city as provided by Utah Code 10-9a-303;
    2. Review of the submitted site plan/preliminary plat for compliance with city land use ordinances;
    3. Reference of the application and site plan/preliminary plat to any other government agency and/or affected entity which the director or director's designee deems necessary to protect the health, safety, and welfare of the public and to ensure the project's compliance with all applicable ordinances and codes;
    4. The processing of any exception requests that have been made in conjunction with the subdivision application.
3. A preliminary plat approval procedure, which shall include:
    1. Confirmation that all necessary agencies have responded to the requests for recommendation with a recommendation of approval or approval with conditions;
    2. Integration of the recommendations from the other government agencies and affected entities involved above into the preliminary plat;
    3. Receipt of a recommendation from the planning staff;
    4. Approval of the preliminary plat as outlined in MKC 18.12.030 and issuing a preliminary plat approval letter.
4. A final plat approval procedure, which shall include:

1. An engineering review to ensure that the final plat complies with all conditions of approval of the preliminary plat and to ensure that the final plat complies with the design standards, codes, and ordinances and with minimum engineering/surveying requirements;
2. A check of appropriate background information, such as: lot access, property title, record of survey, field boundary verification, etc.;
3. The collection of the necessary approval signatures (planning commission representative, director or director's designee on behalf of the city, health department, city attorney, mayor or his) on the final plat;
4. Payment of final fees and bond;

18.20.040 Lots

A. The lot arrangement and design shall be such that lots will provide satisfactory and desirable sites for buildings and be properly designed according to topography, the character of surrounding development, and to existing requirements.
B. All lots shown on the preliminary and final plats must conform to the minimum requirements of the zoning title, if any, for the zone in which the subdivision is located, and to the minimum requirements of the health department for water supply and sewage disposal.
C. Each lot shall abut on a street shown on the subdivision plat or on an existing publicly dedicated street which has become public by right of use and which is more than twenty-six feet wide, or have an approved access via private right-of-way to a public street shown on the plat. Double frontage lots shall be prohibited except where unusual conditions make other designs undesirable.
D. Side lines or lots shall be approximately at right angles, or radial to the street lines.
E. In general, all remnants of lots below minimum size must be added to adjacent lots, rather than allowed to remain as unusable parcels.

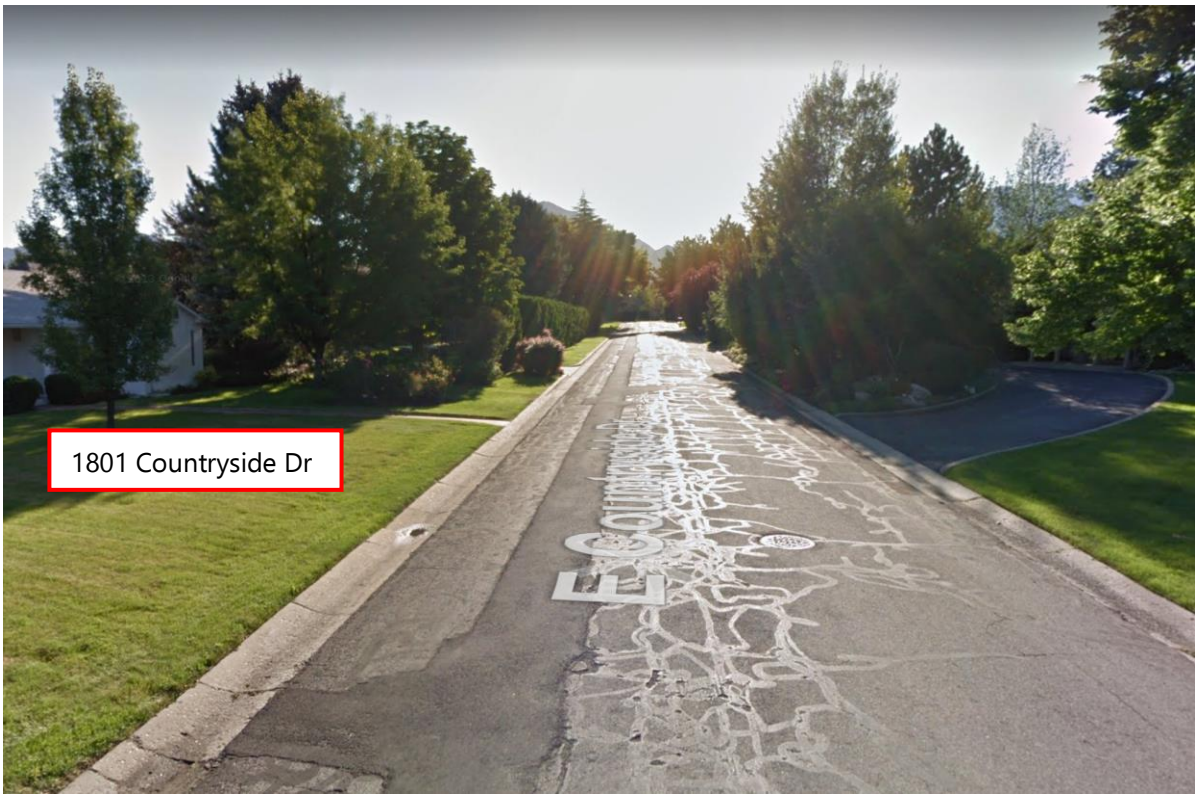
Note: while the Millcreek code prohibits lots with two frontages except in unusual circumstances, the subdivision code also has standards for lots that rear upon a street. Provided these standards are met, the proposed subdivision will not create a double-frontage lot.

ISSUES OF CONCERN/PROPOSED MITIGATION

While staff finds that the subdivision can meet preliminary and final plat requirements and is in compliance with the City's development standards, final plat approval will subject to the standards and regulations under Title 18 of the Millcreek Code and.

Although East Mill Creek Community Council as well as the recommendation of the Public Works Director oppose the request for a sidewalk exception, staff finds that at minimum, a sidewalk deferral agreement be executed in the event the sidewalk exception is granted.

Multiple residents objected to this application stating the proposal was incompatible with the surrounding neighborhood along Countryside Dr.


1801 Countryside Dr

1801 Countryside Dr

Countryside Dr. has a significant amount of tree canopy visible from the right of way. The scope of this application would require the removal of some mature trees in the neighborhood that contribute to the neighborhood's appearance. Staff is recommending that the applicant be required to replace any trees removed. The new trees must be compatible with the existing trees and must be present along Countryside Dr. to mitigate potential impact of loss of tree canopy. It is recommended that the applicant follow code outlined in 19.77 Landscaping Ordinance for tree preservation and replacement.

NEIGHBORHOOD RESPONSE

Many residents that live in the immediate area have shared their concern for the compatibility of the proposed lot. The following letters were submitted to multiple Millcreek Staff to be reviewed by the Community Council and Planning Commission. 5 residents contacted staff with concerns about the lot consolidation and subdivision amendment. 3 residents presented formal letters. Residents in the neighborhood also presented a petition to Millcreek City. See full petition in attached documents.

My wife Shauna an I live at 1830 Countryside Drive. We purchased our lot almost three years ago in 2017. We fell in love with the neighborhood because of the beauty of the street and the homes of our surrounding neighbors. We hired an architect to design an interior that would meet the needs of our forever changing family. On the exterior, we specifically asked that he design the home and grounds to bring bring beautification to the neighborhood. We wanted it to *fit the charm of the community. After 2 years of living here, we* hope we've added to the neighborhood and our good friends.

When we heard that Orin's home was purchased by an adjacent neighborhood who would be constructing a recreational center instead of a beautified home that would face and enhance our street, we were certainly disappointed. Now that we have recently obtained and reviewed a copy of the plans, we are greatly concerned. We met with the city council several months ago and they directed us to their planning commissioner. He told us we would need to take up this concern with the owner of the property. We would hope that you would seriously reconsider your master plan that literally would change the face of our street.

We have also been counseled that your proposed plans will have a negative impact on the value of the homes on our street. I am hopeful you would be sensitive to your neighbors and this type of action.

Best regards,

Ryan Snow and family:

I never enjoy writing these kind of notes without knowing the person I am writing it to....I will try and change that in the very near future and put a face to a name with a handshake.

My wife and I are joining all of my neighbors in the objection to your, or assigns, proposed plan to withdraw 1801 Countryside Drive and 1786 Millbrook Road from their respective Subdivisions to create a new "single lot subdivision". Honestly, there is nothing I "hate more", than someone poking their nose into my business or my family's business. So normally, I would look the other way. However, this proposal is too self-serving and effects too many of your neighbors. Millbrook and Countryside are established neighborhood streets with history, integrity, and a natural importance to this community. Your beautiful lot and home on Countryside should not be eliminated from its original purpose.

I ask you to re-think what you are proposing to do and use what land you already have to accomplish your dreams. There are hundreds of families that will purchase Orin's old place and remodel it or build a home that will fit in as it should.

I do look forward to a friendship as a neighbor and I hope you will respect our concerns.

Dear Mr. Snow:

My wife and I own the home located at 1794 Countryside Drive. Consequently, I am across the street from Orin Nelson's home which you purchased. I have reviewed your proposed plans regarding Orin's lot. I am writing to ask you to reconsider your plans. I have little doubt that if you lived on Countryside Drive and someone else did what you are proposing to do, you would not be pleased. Not only do your plans completely disrupt the aesthetics of Countryside Drive—to say nothing about the disruption that will be caused by what you characterize as a football field—which I fully expect will morph into something worse, your plans are contrary to the letter and spirit of the CC&R's that cover my neighborhood. I don't think you can argue in good faith that what you are proposing for the Nelson lot is what was envisioned by the CC&R's. I would be grateful if you would do the neighborly thing and reconsider your plans.

I have spoken with many of my neighbors and they are equally disappointed. I expect you will be hearing from them as well, but I did want to convey my personal views.

I am working from home due to COVID-19. I hope you and your family will stay safe.

Sincerely,

Geoffrey W. Mangum

COMMUNITY COUNCIL RESPONSE

As per Chapter 2.56.100 Community Councils; Planning and Zoning, subdivision plats and amendments are not required to be submitted for Community Council recommendation.

The East Millcreek Community Council **voted to recommend approval** of the proposed sidewalk exception.

REVIEWING AGENCIES RESPONSE

Compliance with current building, construction, engineering, fire, health, landscape and safety standards will be verified prior to final approval. All technical review requirements associated with final approval must be met **including any public improvements required by Millcreek Engineering**.

The Public Works Director **recommended denial of the sidewalk exception.** See attached documents.

PLANNING STAFF ANALYSIS AND FINDINGS

Staff as found that the proposed subdivision amendment and consolidation of two lots can meet the requirements of Title 18 of the Millcreek Subdivision Code.
Staff finds that the proposed subdivision amendment is in harmony with the General Plan and character of the immediate area. The immediate neighborhood has lots with rear yards that abut a public right of way and lots that have been consolidated since the original subdivision Millbrook Estates was platted.

18.24.145 Fencing Requirements

Where lots rear on a public street the developer shall install fencing along the street right-of-way which is:

1. Uniform in design and materials within the subdivision;
2. A solid visual barrier screening;
3. A minimum of six feet high from the top of curb or, if there is no curb, from the crown of the street;
4. Maintained by the abutting property owner;
5. Constructed with a sealant placed on any masonry fence to help with the removal of graffiti and to preserve the surface;
6. Constructed according to development standards adopted by the City;
7. Placed on the property line with the space between the fence and the sidewalk hard surfaced or planted with a perennial, climbing, groundcover and a sprinkling system.

Title 18 of the Millcreek Code has additional requirements for lots that rear on a public street. The applicant will be required to meet the standards as well as adding all required public improvements to the street. See attached site plan.

18.20.040 Lots

1. The lot arrangement and design shall be such that lots will provide satisfactory and desirable sites for buildings and be properly designed according to topography, the character of surrounding development, and to existing requirements.
2. All lots shown on the preliminary and final plats must conform to the minimum requirements of the zoning title, if any, for the zone in which the subdivision is located, and to the minimum requirements of the health department for water supply and sewage disposal.
3. Each lot shall abut on a street shown on the subdivision plat or on an existing publicly dedicated street which has become public by right of use and which is more than twenty-six feet wide, or have an approved access via private right-of-way to a public street shown on the plat. Double frontage lots shall be prohibited except where unusual conditions make other designs undesirable.
4. Side lines or lots shall be approximately at right angles, or radial to the street lines.
5. In general, all remnants of lots below minimum size must be added to adjacent lots, rather than allowed to remain as unusable parcels.

The applicant will be required to remove the drive approach along Countryside Dr. to prevent the possibility of creating a double frontage lot. Residential lots are only allowed one drive approach and one designated frontage, as described in 14.12.110 with the exception of corner lots.

Furthermore, the proposed subdivision does not create a zoning violation or conflict with the Residential Compatibility Overlay Zone standards.

PLANNING STAFF RECOMMENDATION (SD-20-005)

Staff recommends to the Millcreek Planning Commission **to approve the proposed flag lot subdivision SD-20-005 with the following staff conditions**:

1. The design of the site and buildings shall comply with all applicable development standards of the Millcreek Zoning Code and any site development standards required by the Millcreek Engineer and Building Official, and Unified Fire Authority.

2. Prior to receiving final plat approval, the applicant shall certify that existing utility services have the capacity to accommodate additional demand induced by the development, or that the services will be upgraded to meet the additional demand.

3. Accessory structures will require separate building permits and staff review for zoning/land use compliance.

4. Any modifications to these approved plans must be approved by the Planning Department, in writing, prior to the changes being implemented in the field.

5. The proposed subdivision plat must complete a final technical review that includes an engineering review to ensure that the final plat complies with all conditions of approval of the preliminary plat and to ensure

that the final plat complies with the design standards, codes, and ordinances and with minimum engineering/surveying requirements, including any bonding for possible future improvements.

6. All applicable zoning, building, health, fire and safety requirements must be met prior to receiving final approval of a building permit.

7. The applicant is required to conduct a tree preservation plan that inventories all significant trees and their replacement, caliper for caliper, prior to any excavation or demo permits being issued in addition to meeting all the requirements found in Chapter 19.77 Water Efficient Landscape Design and Development Standards of the Millcreek Code.

8. The applicant shall install fencing along Countryside Drive in a manner compliant with section 18.24.145 of the Millcreek Code.

9. The applicant will install all required improvements, or bond for all required improvements, prior to recording the final plat.

10. All items of the staff report.

PLANNING STAFF RECOMMENDATION & MODEL MOTION (EX-20-005)

Staff recommends to the Millcreek Planning Commission to grant preliminary approval of the proposed one-lot subdivision/amendment SD-20-005 to alter an existing public utility easement and consolidate two lots located at 1801 Countryside Dr. and 1786 E Millbrook Rd.

Staff recommends to the Millcreek Planning Commission **to deny the proposed sidewalk exception EX-20-005 based on the following findings**:

1. Public Work Director has recommended denial of the sidewalk exception.
2. Countryside Drive is listed as a safe route to William Penn Elementary School on the state Safe Routes Map.

SUPPORTING DOCUMENTS

1. Preliminary plat and civil plans.
2. Preliminary Architecture plans.
3. Existing Subdivision Plats – Millbrook Addition and Millbrook Estates
4. Salt Lake County Parcel Plat Map
5. Community Council Recommendation
6. Public Works Director Recommendation
7. Public Comments and Petition

MAIN LEVEL

1768 SF

8 4 0 8 16

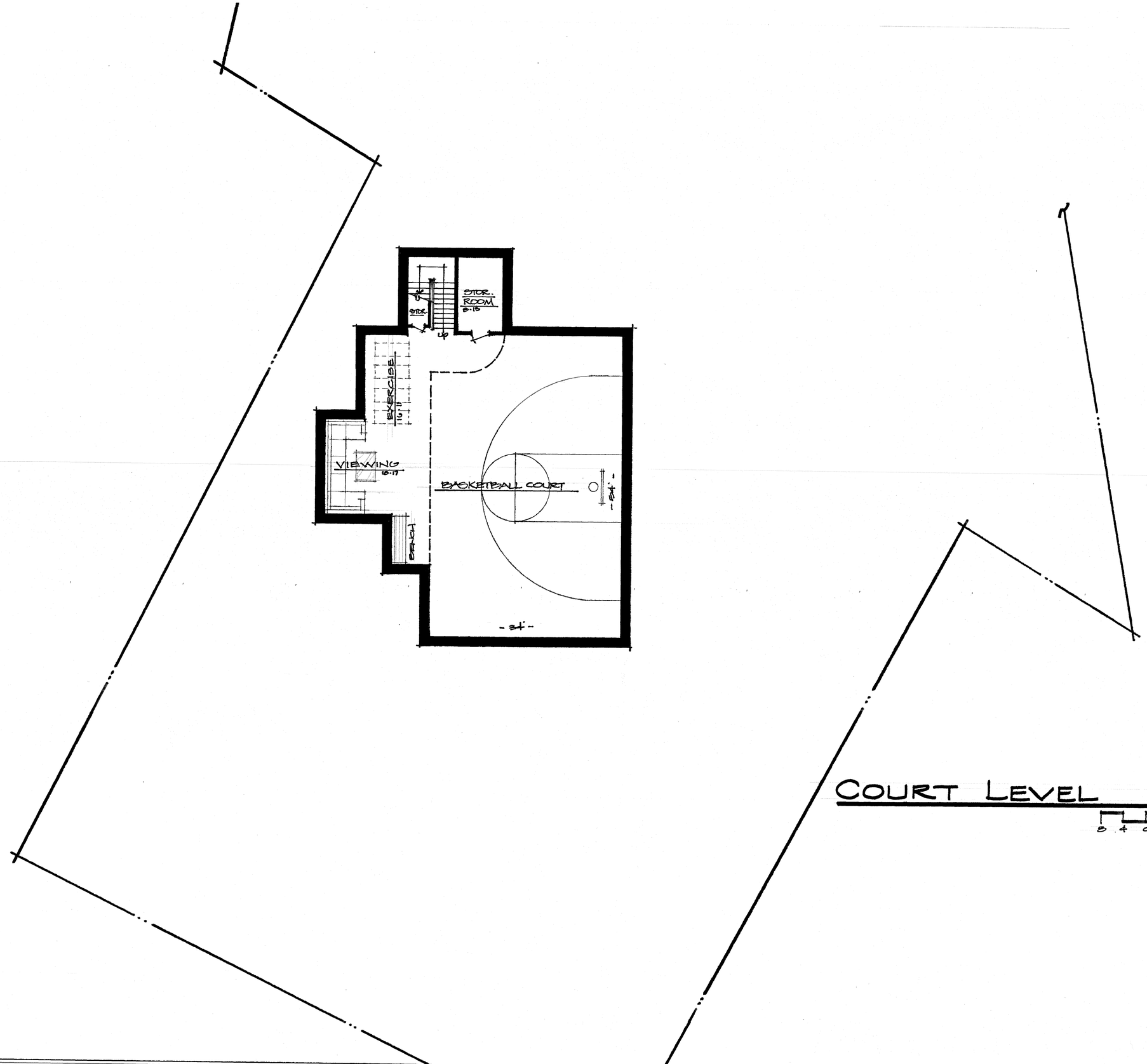
SNOW ADDITION

1786 MILLBROOK ROAD

EAST MILLCREEK, UTAH

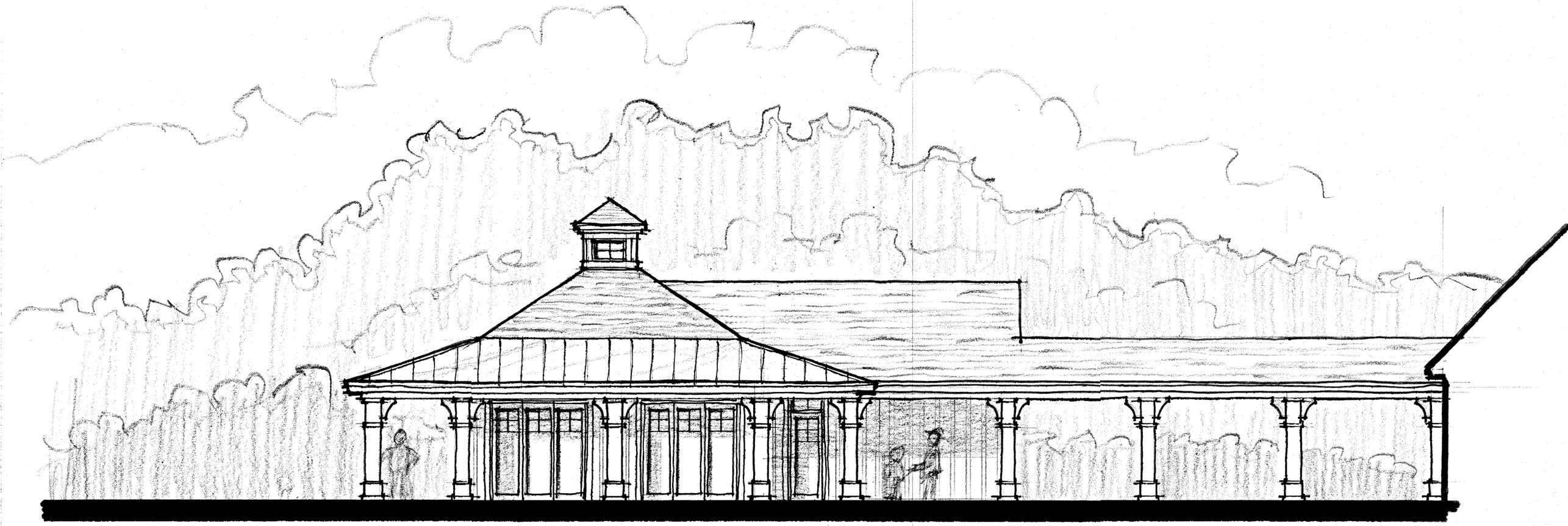
HIGHLAND GROUP
801.277.4433 ▪ highland-group.com
4471 Highland Drive ▪ Salt Lake City

MEZZANINE LEVEL 940 S.F.

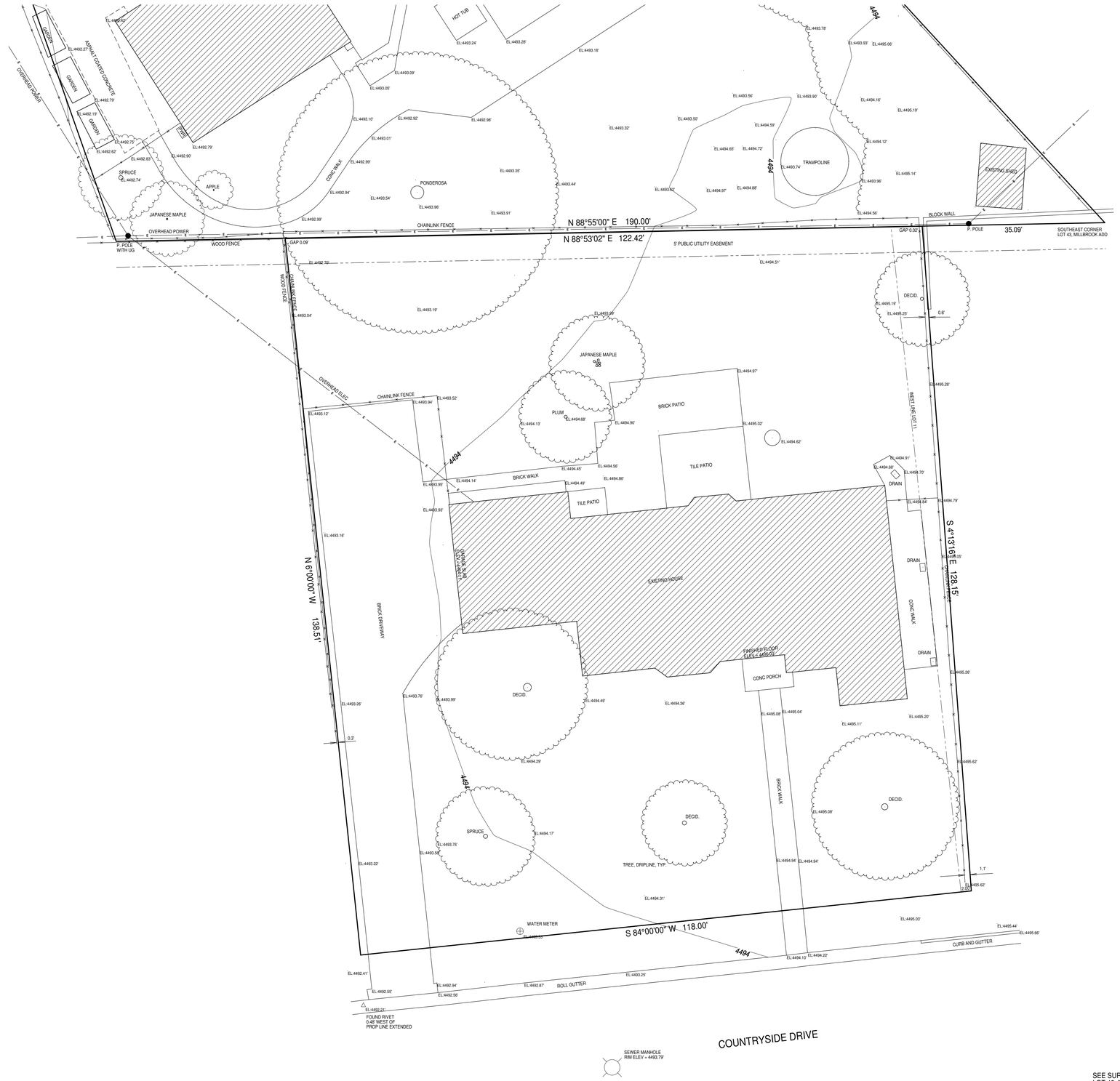


COURT LEVEL 3055 SF

8 4 0 8 16



CONCEPT ELEVATION · SNOW ADDITION ·



SURVEYORS CERTIFICATE

I, BYRON T. CURTIS, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 163486, AS PRESCRIBED BY UTAH STATE LAW. I FURTHER CERTIFY, THAT BY AUTHORITY OF THE OWNER, OR HIS REPRESENTATIVE, THAT I HAVE MADE A SURVEY ON THE GROUND OF THE PROPERTY SHOWN ON THIS PLAT FOR THE PURPOSE OF DETERMINATION OF BUILDING LOCATION AND HEIGHTS AND OTHER IMPROVEMENTS THAT MAY BE CONSTRUCTED ON THE PROPERTY.

NOVEMBER 3, 2019
DATE

PROFESSIONAL LAND SURVEYOR
BYRON T. CURTIS
163486
STATE OF UTAH

GRAPHIC SCALE
0 10 20
FEET

LEGEND

- SECTION, QUARTER SECTION, STREET OR OTHER SURVEY MONUMENT
- PROPERTY CORNER, NOT SET
- BOUNDARY OR PROPERTY LINE, WITH CORNER, FOUND OR SET
- RIGHT OF WAY LINE
- CENTERLINE
- FENCE LINE
- UTILITY LINE, TYPICAL
- SEWER, STORM DRAIN OR OTHER UTILITY MANHOLE
- 4261.15 SPOT ELEVATION
- 100 MAJOR ELEVATION CONTOUR
- MINOR ELEVATION CONTOUR
- EDGE OF PAVEMENT, ASPHALT OR GRAVEL
- TREE OR BRUSH LINE

SEE SURVEY MARCH 1, 2019 FOR LOT 43, MILLBROOK ADDITION
ADD UTILITY EASEMENT, 11-4-19

TITLE		
TOPOGRAPHIC AND EXISTING CONDITIONS SURVEY		
PREPARED FOR: RYAN AND ASHLEE SNOW		
LOCATION AND ADDRESS		
1801 E COUNTRYSIDE DRIVE, MILLCREEK, UTAH		
PART OF LOTS 10 & 11, MILLBROOK ESTATES SUBDIVISION		
DATE: NOVEMBER 3, 2019	SCALE: 1" = 10'	FILENAME: SNOW_ADD.PCS

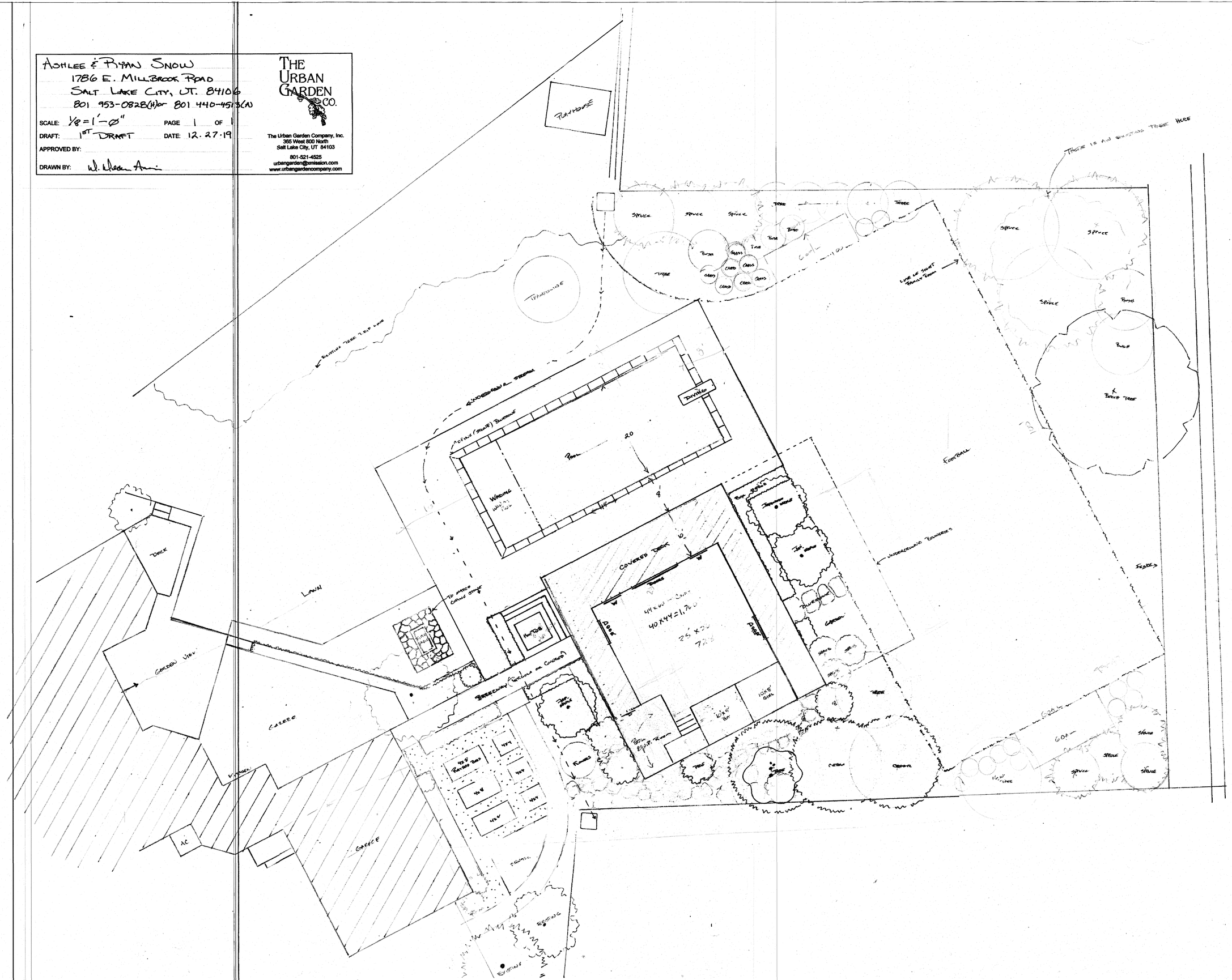
CURTIS & ASSOCIATES
LAND SURVEYORS
LAND PLANNING
768 E EMERSON AVE
SALT LAKE CITY, UTAH 84107
PHONE (801)915-6003

Ashlee & Ryan Snow
1786 E. Millbrook Road
Salt Lake City, UT. 84106
801 953-0828(H) or 801 440-4513(W)

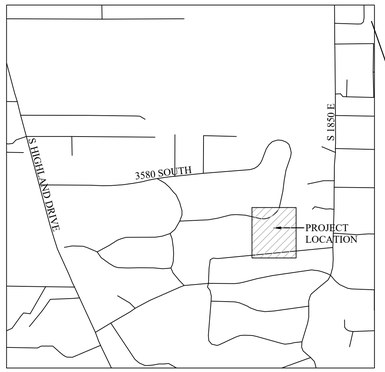
SCALE: 1/8 = 1'-0" PAGE 1 OF 1
DRAFT: 1ST DRAFT DATE: 12.27.19
APPROVED BY:
DRAWN BY: W. Weston Amin

THE URBAN GARDEN CO.

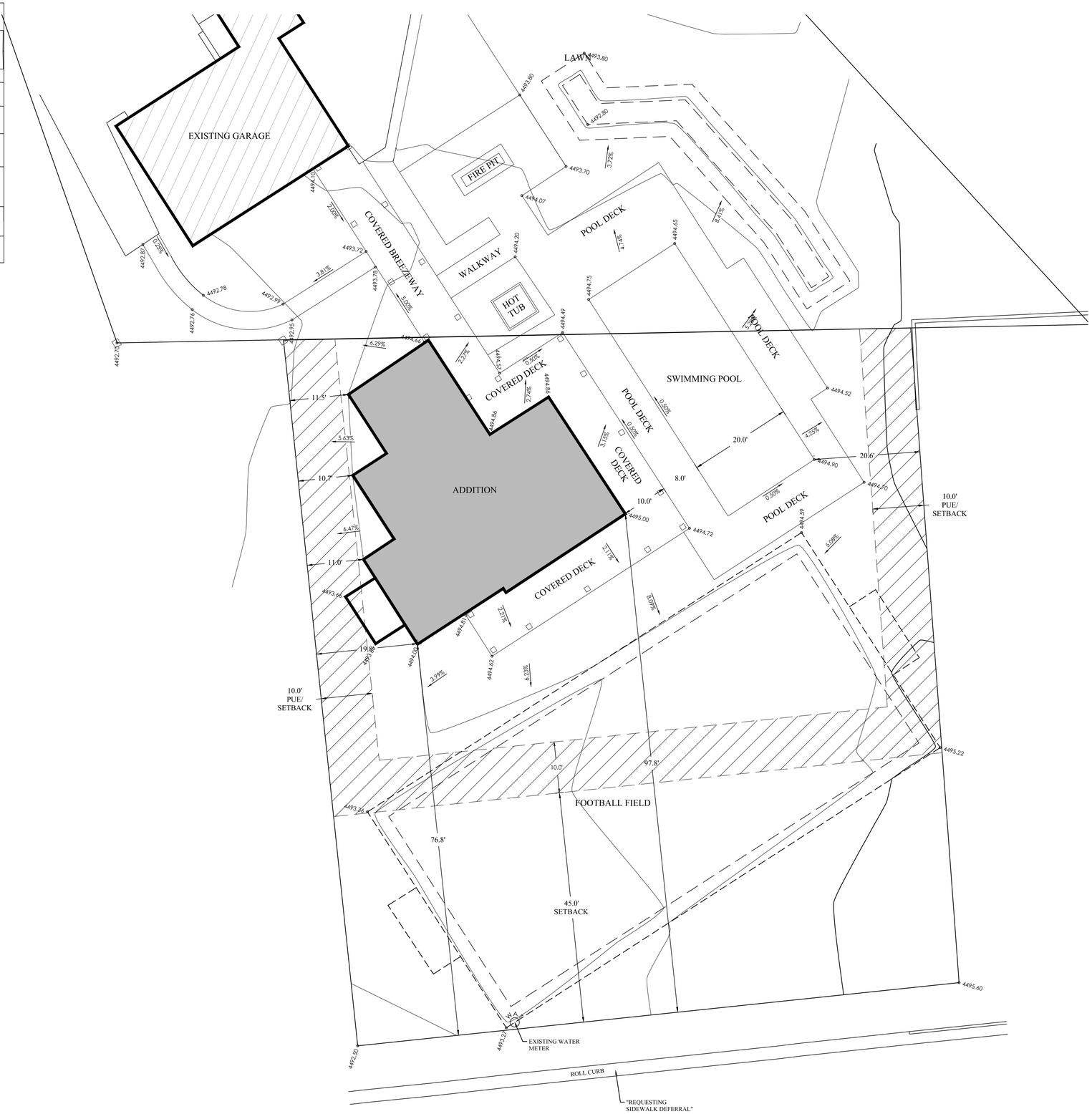
The Urban Garden Company, Inc.
365 West 800 North
Salt Lake City, UT 84103
801-521-4525
urbangarden@xmission.com
www.urbangardencompany.com



3-10-20



VICINITY MAP
NTS



GRAPHIC SCALE

(IN FEET)
1 inch = 10 ft.

NOTES:
1. DRAINAGE SWALES SHALL BE INSTALLED ALONG THE SIDE AND REAR PROPERTY LINES AS REQUIRED. SWALES SHALL REMAIN UNALTERED AND BE MAINTAINED BY THE PROPERTY OWNER.
2. ALL WINDOW WELLS TO BE 6" BELOW TOP OF FOUNDATION AND A MINIMUM OF 3" ABOVE FINISHED GRADE.
3. ALL CONSTRUCTION TO BE DONE ACCORDING TO CITY STANDARDS AND SPECIFICATIONS.
4. CONTRACTOR TO VERIFY ALL EXISTING CONDITIONS AND LOCATION OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION. INCLUDING THE ELEVATION OF THE SEWER LATERAL.
5. THE GRADE AWAY FROM FOUNDATION WALLS SHALL FALL A MINIMUM OF 6 INCHES WITHIN THE FIRST 10 FEET (5.0%). R401.3
6. ROOF DRAINAGE TO BE CONVEYED (AS MUCH AS POSSIBLE) TO THE FRONT OF THE HOUSE AND TO THE STREET.
7. PROVIDE LANDINGS ON BOTH SIDES OF ALL EXTERIOR DOORS. LANDINGS MUST BE 36" DEEP (MIN.) R311.6.2
8. A TRASH DUMPSTER AND PORTABLE CONSTRUCTION TOILET SHALL BE PROVIDED AT ALL NEW CONSTRUCTION SITES.
9. ANY WORK IN THE PUBLIC WAY SHALL CONFORM TO APWA 2017 STANDARD PLANS AND SPECIFICATIONS
10. IT IS NOT ANTICIPATED THAT ANY CONSTRUCTION IN THE PUBLIC WAY WILL BE REQUIRED FOR THE PROJECT.
11. NOTIFY BLUE STAKES (801) 208-2100 OR BLUESTAKES.ORG

LEGEND:
FF = FINISHED FLOOR
TOF = TOP OF FOUNDATION
TOP = TOP OF PORCH
GFF = GARAGE FLOOR
BFF = BASEMENT FINISHED FLOOR

CONTACTS

PROJECT TEAM MEMBERS
FOCUS ENGINEERING & SURVEYING, LLC
6949 S. HIGH TECH DRIVE SUITE 200
MIDVALE, UTAH 84047
(801) 352-0075
PROJECT MANAGER: TUI SILIVA

HIGHLAND GROUP
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801-277-4433
TIMFURNER@HIGHLAND-GROUP.COM

CURTIS & ASSOCIATES
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URBAN GARDENS
DEAN ANESI
801-521-4525
DDEANANESI@HOTMAIL.COM

OWNER/DEVELOPER
RYAN & ASHLEE SNOW
1786 E. MILLBROOK ROAD
MILLCREEK, UT
801-870-3398
RSNOW@WASATCHGLOBAL.COM

CALL BEFORE YOU DIG! IT'S THE LAW BLUE STAKES 1-800-662-4111

EXISTING SEWER MAN HOLE

FOCUS©
ENGINEERING AND SURVEYING, LLC
6949 S. HIGH TECH DRIVE SUITE 200
MIDVALE, UTAH 84047 PH: (801) 352-0075
www.focusutah.com

SNOW ADDITION
1786 E. MILLBROOK ROAD
SALT LAKE CITY, UTAH
SITE PLAN

REVISION BLOCK

#	DATE	DESCRIPTION
1	----	----
2	----	----
3	----	----
4	----	----
5	----	----
6	----	----

SITE PLAN

Scale:	1"=10'	Drawn:	TS
Date:	03/17/2020	Job #:	20-0118
Sheet:	SP-1		

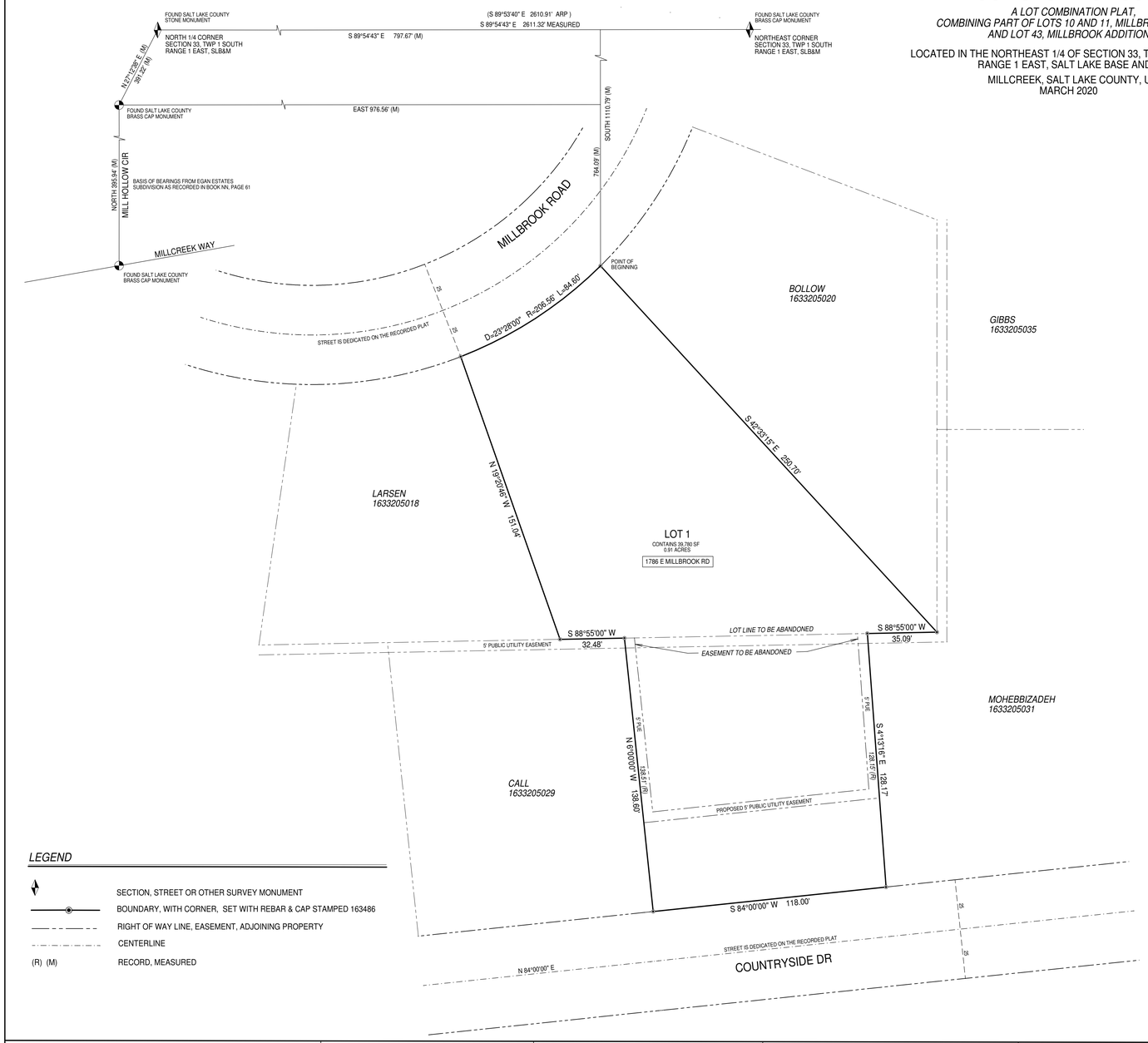
Z:_2020\20-0118 Snow Addition Site Plan\design 20-0118\dwg\sheets\20-0118 Snow Addition SP-1.dwg

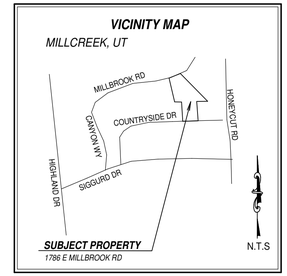
MILLBROOK SNOW LOT COMBINATION

A LOT COMBINATION PLAT,
COMBINING PART OF LOTS 10 AND 11, MILLBROOK ESTATES
AND LOT 43, MILLBROOK ADDITION

LOCATED IN THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 1 SOUTH,
RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN

MILLCREEK, SALT LAKE COUNTY, UTAH
MARCH 2020





NORTH

GRAPHIC SCALE
0 30 60
FEET

LEGEND

- SECTION, STREET OR OTHER SURVEY MONUMENT
- BOUNDARY, WITH CORNER, SET WITH REBAR & CAP STAMPED 163486
- RIGHT OF WAY LINE, EASEMENT, ADJOINING PROPERTY
- CENTERLINE
- (R) (M) RECORD, MEASURED

SURVEYORS CERTIFICATE

I, BYRON T. CURTIS, DO HEREBY CERTIY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 163486 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS HEREAFTER TO BE KNOWN AS

MILLBROOK SNOW LOT COMBINATION

AND THAT SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT. I FURTHER CERTIFY THAT ALL LOTS MEET FRONTAGE WIDTH AND AREA REQUIREMENTS OF THE APPLICABLE ZONING ORDINANCES.

MARCH 18, 2020
DATE

PROFESSIONAL LAND SURVEYOR
BYRON T. CURTIS
163486
STATE OF UTAH

BOUNDARY DESCRIPTION

A tract of land being described as Lot 43, Millbrook Addition and part of Lots 10 and 11, Millbrook Estates, combined into one parcel and being more particularly described as follows:

BEGINNING at the Northeast corner of Lot 43, Millbrook Addition, as recorded at Entry No. 994993 in Book J at Page 75, in the office of the Salt Lake County Recorder, said point being South 89°54'43" East , 797.67 feet and South 1110.79 feet from the North quarter corner of Section 33, Township 1 South, Range 1 East, Salt Lake Base and Meridian, (the basis of bearings being "North" between Salt Lake County monuments located in Mill Hollow Circle as shown on the recorded plat for Egan Estates Subdivision at Entry No. 2528385 in Book NN at Page 61, in the office of the Salt Lake County Recorder), thence South 42°33'15" East, 250.70 feet to the Southeast corner of said Lot 43, thence South 88°55'00" West, 35.09 feet; thence South 4°13'16" East, 128.17 feet; thence South 84°00'00" West, along the North line of Countryside Drive, as shown on the recorded plat of Millbrook Estates Subdivision, as recorded at Entry No. 1434722, in Book P at Page 51, in the office of the Salt Lake County Recorder, 118.00 feet; thence North 6°00'00" West, 138.60 feet; thence South 88°55'00" West, 32.48 feet; thence North 19°20'46" West, 151.04 feet to a point on a 206.56 foot radius curve to the left, thence easterly along the arc of said curve, through a central angle of 23°28'00" , a distance of 84.60 feet (chord bears North 56°59'58" East, 84.01 feet), to the POINT OF BEGINNING; said described tract containing 39,780 Square feet, or 0.91 Acres, more or less.

CONTAINING 1 LOT

OWNERS DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNER OF THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED SAME TO BE COMBINED INTO ONE LOT HEREAFTER KNOWN AS THE:

MILLBROOK SNOW LOT COMBINATION

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE,

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

RYAN B. SNOW

ASHLEE SNOW

ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF SALT LAKE } S.S.

ON THE _____ DAY OF _____ A.D. 20___, RYAN B. AND ASHLEE SNOW, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY OF SALT LAKE IN SAID STATE OF UTAH, THE SIGNERS OF THE ABOVE OWNER'S DEDICATION, IN NUMBER, WHO DULY ACKNOWLEDGED TO ME THAT THEY SIGNED IT FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES

NOTARY PUBLIC

PURPOSE OF AMENDMENT

The purpose of this plat amendment is to combine the two lots, abandon the public utility easement along the line between the two lots and create a new public utility easement.

PLAT NOTE

All other notes and easements shown on the original plat still apply.

PARCEL NO'S. 1633205030, 1633205019
1801 E COUNTRYSIDE DR AND 1786 E MILLBROOK RD, MILLCREEK, UTAH 84106
PREPARED AT THE REQUEST OF:
JACKSON & LEROY REMODELING ON BEHALF OF RYAN B AND ASHLEE SNOW
ZONING R-1-10

PUBLIC UTILITY APPROVAL

COMCAST _____ DATE_____
DOMINION ENERGY _____ DATE_____
CENTURY LINK _____ DATE_____
ROCKY MOUNTAIN POWER _____ DATE_____

ADDRESSING APPROVAL

ADDRESS APPROVED/ASSIGNED THIS _____
DAY OF _____, A.D. 20___ .

ADDRESSING DEPARTMENT

UNIFIED FIRE AUTHORITY

APPROVED THIS _____ DAY OF _____,
A.D. 20___ BY THE UNIFIED FIRE AUTHORITY

FIRE AUTHORITY

ZONING COMPLIANCE

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

SIGNATURE DATE

APPROVAL AS TO FORM

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

MILLCREEK ATTORNEY

COMMUNITY DEVELOPMENT

APPROVED THIS _____ DAY OF _____, A.D. 20__,
BY THE MILLCREEK COMMUNITY DEVELOPMENT DEPARTMENT

DIRECTOR

MILLBROOK SNOW LOT COMBINATION

A LOT COMBINATION PLAT,
COMBINING PART OF LOTS 10 AND 11, MILLBROOK ESTATES
AND LOT 43, MILLBROOK ADDITION

LOCATED IN THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 1 SOUTH,
RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN

MILLCREEK, SALT LAKE COUNTY, UTAH
MARCH 2020

CURTIS & ASSOCIATES
LAND SURVEYORS
LAND PLANNING

768 E EMERSON AVENUE
SALT LAKE CITY, UTAH 84105
PHONE (801) 915-6003

SALT LAKE COUNTY HEALTH DEPARTMENT

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

DIRECTOR, HEALTH DEPARTMENT

RECORD OF SURVEY

R.O.S NO. _____,

REVIEWER, SALT LAKE COUNTY SURVEYOR

PLANNING COMMISSION

APPROVED THIS _____ DAY OF _____,
A.D. 20__, BY THE MILLCREEK PLANNING COMMISSION.

CHAIR, MILLCREEK PLANNING COMMISSION

ENGINEERS CERTIFICATE

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

DATE CITY ENGINEER

MILLCREEK MAYOR

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

MAYOR ATTEST CITY RECORDER

RECORDED#

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

DATE_____ TIME_____ BOOK_____ PAGE_____

FEE SALT LAKE COUNTY RECORDER

$20.00

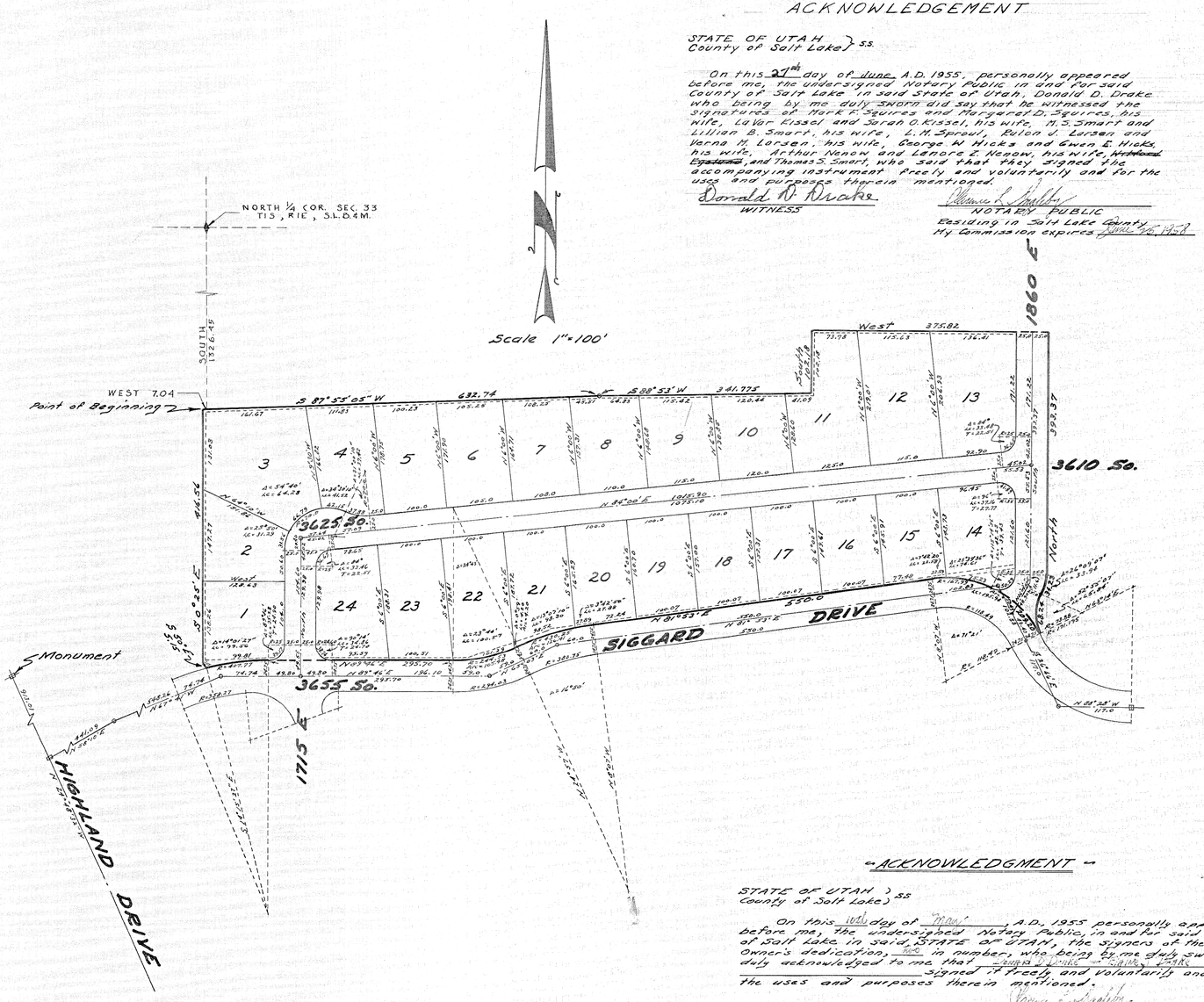
ACKNOWLEDGEMENT

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

On this 27th day of June A.D. 1955, personally appeared before me, the undersigned Notary Public in and for said County of Salt Lake in said State of Utah, Donald D. Drake who being by me duly sworn did say that he witnessed the signatures of Mark F. Squires and Margaret D. Squires, his wife, LaVar Kissel and Sarah O. Kissel, his wife, M. S. Smart and Lillian B. Smart, his wife, L. H. Sproul, Rulon J. Larsen and Verna M. Larsen, his wife, George W. Hicks and Gwen E. Hicks, his wife, Arthur Nanow and Lenore Z. Nanow, his wife, ~~Witnessed~~ ~~Witnessed~~, and Thomas S. Smart, who said that they signed the accompanying instrument freely and voluntarily and for the uses and purposes therein mentioned.

Donald D. Drake
WITNESS

Elaine J. Drake
NOTARY PUBLIC
Residing in Salt Lake County
My Commission expires June 16, 1958



ACKNOWLEDGEMENT

STATE OF UTAH }
County of Salt Lake } SS

On this 10th day of May, A.D. 1955 personally appeared before me, the undersigned Notary Public, in and for said County of Salt Lake in said STATE OF UTAH, the signers of the above Owner's dedication, two in number, who being by me duly sworn duly acknowledged to me that Donald D. Drake & Elaine J. Drake signed it freely and voluntarily and for the uses and purposes therein mentioned.

Notary Public
Residing in Salt Lake County
My Commission Expires June 16, 1958

SURVEYOR'S CERTIFICATE

I, Robert B. Jones, do hereby certify that I am a Registered Professional Engineer and/or Land Surveyor, and that I hold certificate No. 1525, as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as MILLBROOK ESTATES and that same has been correctly surveyed and staked on the ground as shown on this plat.

BOUNDARY DESCRIPTION

COURSE	DIST.	REMARKS
		Beginning at a point
South	1326.45	feet and
West	7.04	feet from the North ¼ Corner of Section 33,
		Township 1 South, Range 1 East, Salt Lake
		Base and Meridian, and running thence
S 0°25' E	446.56	feet; thence
S 50° E	5.15	feet to a point on a 407.77 feet radius curve
		to the right the center of which is S 14°15'27" E
		407.77 feet; thence
Northeasterly	99.81	feet along the arc of said curve to a point of
		tangency; thence
N 89°46' E	293.70	feet to a point of a 244.53 feet radius curve
		to the left; thence along the arc of said curve
Northeasterly	105.18	feet to a point of a 430.25 feet radius reverse
		curve to the right; thence along the arc of said curve
Northeasterly	126.41	feet to a point of tangency; thence
N 81°55' E	550.0	feet to a point of a 167.99 feet radius curve to the
		right; thence along the arc of said curve
Easterly	202.20	feet to a point of a 13.00 feet curve to the right
		the center of which is N 63°16' E 13.88 feet; thence
Northerly	62.24	feet along the arc of said curve to a point of a
		750 feet reverse curve to the left; thence
Northerly	34.23	feet along the arc of said curve to a point
		of tangency; thence
North	393.37	feet; thence
West	122.82	feet; thence
South	132.18	feet; thence
S 88°53' W	391.775	feet; thence
S 89°55'05" W	632.74	feet to the point of Beginning

DATE: May 6, 1955 Robert B. Jones

OWNER'S DEDICATION

Know all men by these presents that ___, the ___ undersigned owner ( ) of the above described tract of land, having caused same to be subdivided into lots and streets to be hereafter known as the

MILLBROOK ESTATES

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for Public use.

In wijness whereof we have hereunto set our hands this 29th day of April A.D., 1955

Donald D. Drake
Elaine J. Drake
Mark F. Squires
Margaret D. Squires
M. S. Smart
Lillian B. Smart
Thomas S. Smart
Rulon J. Larsen
Verna M. Larsen
A. B. Malouf
Mima A. Malouf
LaVar W. Kissel
Sarah O. Kissel
George W. Hicks
Gwen E. Hicks
Arthur Nanow
Lenore Z. Nanow
E. Clare Pierce
Myrle Pierce
Nelson S. Nanow
L. H. Sproul
Claire Sproul

ACKNOWLEDGMENT

STATE OF ~~UTAH~~ CALIFORNIA }
County of ~~Salt Lake~~ LOS ANGELES } S.S.

On the 29 day of April, AD, 1955, personally appeared before me, the undersigned Notary Public, in and for said County of ~~Salt Lake~~ LOS ANGELES in said State of ~~Utah~~ CALIF. the signer(we) of the above Owner's dedication, Two in number, who duly acknowledged to me that A.B. and MIMA A. MALOUF signed it freely and voluntarily and for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES: April 17, 1956

Ethel M. Fallon
NOTARY PUBLIC
RESIDING IN ~~SALT LAKE COUNTY~~ LOS ANGELES COUNTY

MILLBROOK ESTATES

A SUBDIVISION LOCATED IN THE NE ¼ OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN

B.&G. # 3852

COUNTY PLANNING COMMISSION APPROVAL

APPROVED THIS 26 DAY OF May A.D., 19 55 BY THE SALT LAKE COUNTY PLANNING COMMISSION.

A. R. Mickelsen
CHAIRMAN, SALT LAKE COUNTY PLANNING COMM.

COUNTY SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT, AND SAID TRACT, AS STAKED, EXAMINED BY THIS OFFICE, AND IT IS CORRECT AND IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

June 29-1955
DATE

John E. Mackay
SALT LAKE COUNTY SURVEYOR

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 1st DAY OF July A.D., 1955

Wallace F. Thurman
Chief Civ. Div.
SALT LAKE COUNTY ATTORNEY

COUNTY COMMISSION APPROVAL & ACCEPTANCE

PRESENTED TO THE BOARD OF SALT LAKE COUNTY COMMISSIONERS THIS 1st DAY OF July A.D., 19 55, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

ATTEST: Arvil Hoggan
SALT LAKE COUNTY CLERK

Fred E. Smith
CHAIRMAN, BD. OF SALT LAKE CO. COMM.

RECORDED # 1434722

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

DONALD D. DRAKE

DATE 7-2-55 TIME 9:52 AM BOOK "P" PLATS PAGE 51

$ 20.00 FEE $

Hazel Dugan Pace
SALT LAKE COUNTY RECORDER

P 51

"SALT LAKE BLUE" IMPERIAL

SURVEYOR'S CERTIFICATE

I, Edward T. Barton a Registered Professional Engineer & Land Surveyor, as prescribed by the laws of the State of Utah and holding Certificate No. 893, do hereby Certify that the tract of land shown on this plat and owned by Wixome Incorporated is described as Follows:

Commencing 198 ft. South and S.89°51'E., 533.5 ft. from the North quarter Cor. Sec. 33, T.1.S., R.1.E., S.L.B.&M.; thence S.89°51'E. 549.5 ft.; thence S.0°03'E. 468.64 ft.; thence S.80°31'30"W. 118.02 ft.; thence South 607.9 ft.; thence S.88°55'W. 341.775 ft.; thence S.87°55' 05"W. 632.74 ft.; thence S.0°25'E. 17.02 ft.; thence West 169.11 ft.; thence Northeasterly around a 202.1 ft radius Curve to the right 118.93 ft. to point where radial line bears N.55°30'W.; thence N.55°30'W. 50 ft.; thence Northerly around a 217.37 ft. radius Curve to the left 141.57 ft. to point of Compound Curve; thence Northerly around 254.95 ft. radius Curve to the left 48.84 ft. to point where radial line bears S.76°12'27"W.; thence S.51°30'W. 201.56 ft. to S.E. Cor. Amended Plat A, Mill Creek Park; thence N.0°30'W. 414.78 ft.; thence N.84°24'E., 842.923 ft.; thence easterly around a curve to the left having a radius of 114.2 ft. a distance of 6.5 ft.; thence N.0°02'15"E. 449.444 ft. to point of Commencement.

That I have by the Authority of Said owners subdivided Said land into lots and streets to be Known as Millbrook Addition, a Subdivision, that the Same has been correctly Surveyed and is as shown on this plat.

Edward T. Barton
SURVEYOR

OWNER'S DEDICATION

Know all men by these presents that The Wixome Incorporated, a corporation duly organized under the laws of the State of Utah, does hereby certify and declare "That it is the owner of the above described tract of land, having caused the same to be subdivided into Lots and Streets to be hereafter known as Millbrook Addition; that it does hereby dedicate for the perpetual use of the public all parcels of land designated in the Surveyor's Certificate and shown on this plat as intended for public uses.

In witness whereof I have hereunto set my hand and affix the Corporations Official Seal this 8 day of May A.D. 1941.

Bartell Nelson — TREASURER
M. R. Shaw — PRESIDENT

ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF SALT LAKE } S.S.

On this 8th day of May A.D. 1941 personally appeared before me, a Notary Public in and for said County of Salt Lake M. R. Shaw President and Bartell Nelson Treasurer of Wixome Incorporated, a Corporation who did say that they are the President and Treasurer of Said Corporation and that the accompanying instrument was signed in behalf of said Corporation by authority of the Board of Directors and M. R. Shaw and Bartell Nelson acknowledged to me that said Corporation executed the Same.

Residing in Salt Lake City, Utah.
My Commission Expires May 3, 1944
John [illegible]
NOTARY PUBLIC

COUNTY SURVEYOR'S CERTIFICATE

I hereby certify that I have examined this plat and the stakes on the ground and have found the same correct. June 2, 1941 A.D. 1941.

George M. Haley
COUNTY SURVEYOR

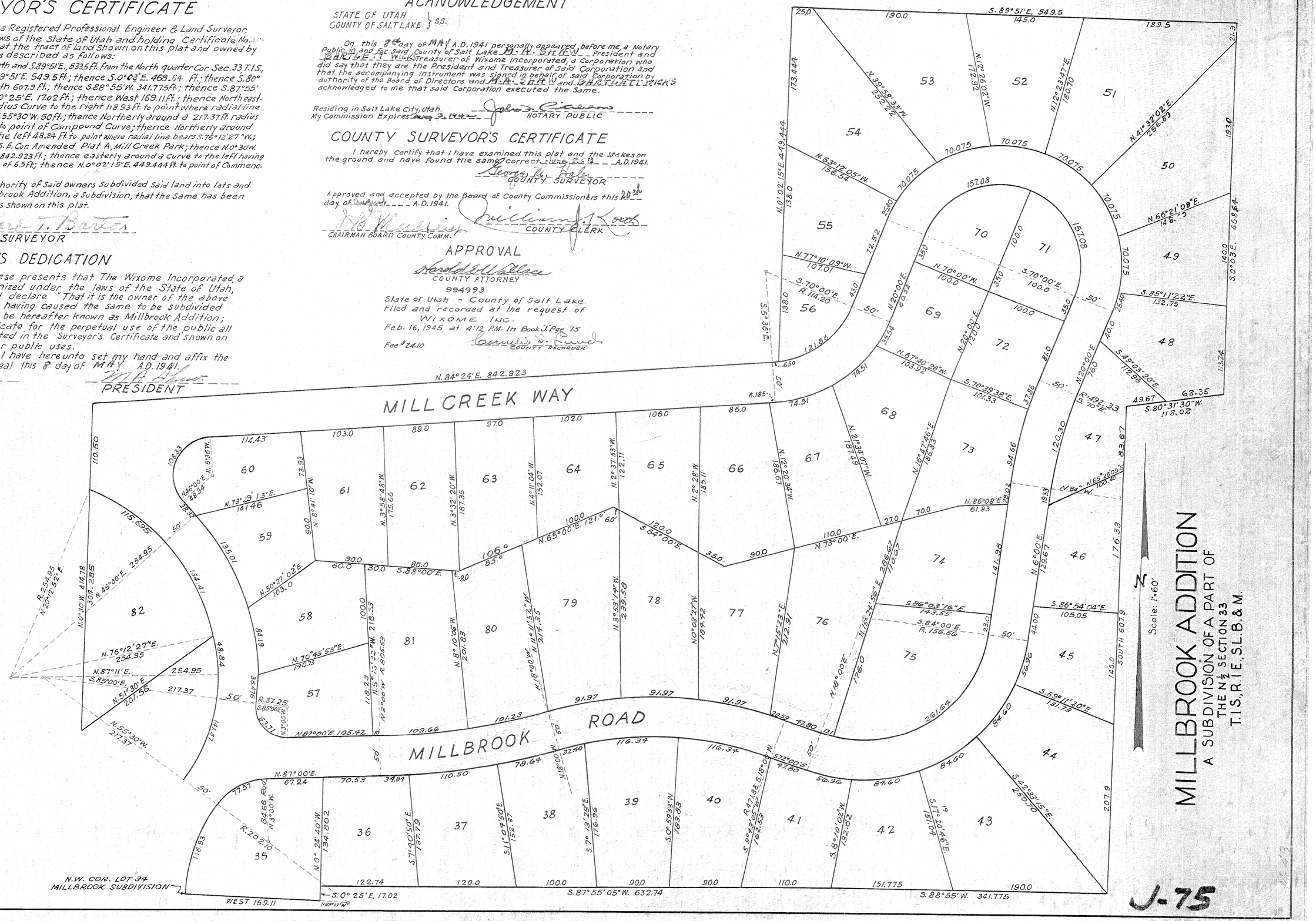
Approved and accepted by the Board of County Commissioners this 20th day of June A.D. 1941.

R. B. Wessing — CHAIRMAN BOARD COUNTY COMM.
William J. Korth — COUNTY CLERK

APPROVAL

Harold G. Allen
COUNTY ATTORNEY

994993
State of Utah - County of Salt Lake.
Filed and recorded at the request of
WIXOME INC.
Feb. 16, 1945 at 4:12 P.M. In Book J. Page 75
Fee $24.10
Bernice S. Lund
COUNTY RECORDER

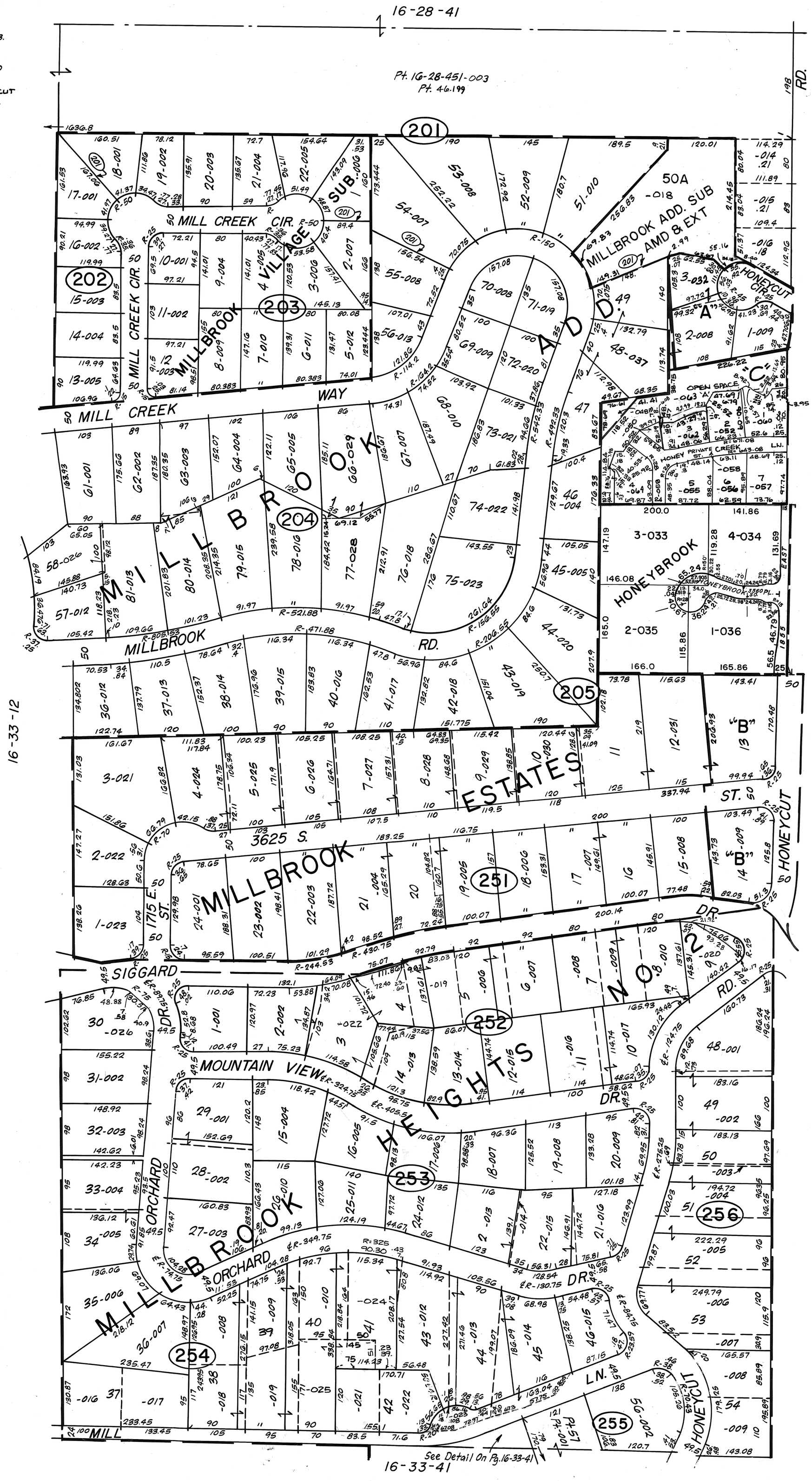


MILLBROOK ADDITION

A SUBDIVISION OF A PART OF
THE N½ SECTION 33
T.1.S., R.1.E., S.L.B.&M.

J-75

"A"
HONEYCUT CIRCLE SUB.
"B"
MILLBROOK ESTATES
AMENDED & EXTENDED
"C"
CREEKSIDE AT HONEYCUT
P.U.D. AMD.



SALT LAKE COUNTY Geographic Information System COPYRIGHT ©1996
PREPARED BY SALT LAKE COUNTY RECORDER

This map is not intended to represent actual physical property lines. In order to establish exact physical boundaries a survey of the property may be necessary.

PREPARED
THE SL
28W240 N
WEST CHICAGO
PHONE

SALT LAKE CO., UT

SCALE : 1" = 100'

16-33-21

SALT LAKE CO.

W. 1/2 N.E. 1/4 SEC. 33 T.1S. R.1E.

EAST MILL CREEK
Community Council

April 8, 2020

To: Erin O'Kelley, Planner
Millcreek City Planning Commission

Subject: EX-20-005 Sidewalk Exception

The EMCCC forwards a positive recommendation for a sidewalk exception per subject application. We further suggest that the monies that would have gone toward the sidewalk be put into a 'kitty' and used for future sidewalk construction.

//s//
Nancy Carlson-Gotts
Chair

From: John Miller
Sent: Tuesday, April 7, 2020 11:38 AM
To: Erin O'kelley
Subject: RE: Sidewalk Letter

Miss O'kelley,

Having reviewed the Snow's request for a sidewalk deferral, I respectfully recommend denial of the request.

Millcreek's typical 50' road section includes sidewalk. Several homes along this street are beginning to be redeveloped or remodeled. All homeowners could use the same reasoning that no one else has sidewalk until someone finally places it. Current Millcreek policy is for new construction or redevelopment to construct sidewalk as part of their project. Hence, this project should be required to place sidewalk.

Best Regards,

John

John E. Miller, PE
Public Works Director
Office: 801.214.2719
Millcreek.us

PETITION IN OPPOSITION TO APPLICATION OF RYAN SNOW TO CONSOLIDATE TWO LOTS LOCATED AT 1786 MILLBROOK ROAD (MILLBROOK ADDITION SUBDIVISION) AND 1801 COUNTRYSIDE DRIVE (MILLBROOK ESTATES SUBDIVISION) INTO A SINGLE LOT SUBDIVISION

The undersigned homeowners living on Countryside Drive, Millcreek, Utah, hereby object to the Application (the "Application") filed with Millcreek City on behalf of Ryan Snow (the "Applicant"), as set forth in the Staff Memorandum of Millcreek City Planning Commission, attached hereto as Exhibit "A," to consolidate a lot located at 1786 Millbrook Road, included in the recorded Millbrook Addition Subdivision, with a lot located at 1801 Countryside Drive, included in the Millbrook Estates Subdivision. Our objection is based upon the following facts and criteria:

1. Millbrook Addition Subdivision and Millbrook Estates Subdivision are two separate and distinct subdivisions recorded with Salt Lake County, Utah.

2. All homes located on Countryside Drive are included in the Millbrook Estates Subdivision. The Restrictive Covenants for the Millbrook Estates Subdivision, recorded on July 14, 1955, with the Salt Lake County Recorder (the "Millbrook Estates CC&R'S") limit the use of a lot in the Millbrook Estates Subdivision to a "detached single family dwelling."

3. The Millbrook Estates CC&R'S are covenants running with the land and were recorded to protect all lot owners on Countryside Drive.

4. The unilateral withdrawal of a lot in the Millbrook Estates Subdivision , in order to combine it with a lot in a separate and distinct recorded subdivision, followed by a new single lot subdivision, is not permissible and is a circumvention of the protection provided to homeowners on Countryside Drive pursuant to the Millbrook Estates CC&R'S.

5. The proposed plan of the Applicant is not only in violation of the Millbrook Estates CC&R'S, but will disrupt the aesthetics of Countryside Drive and adversely impacts said homeowners on Countryside Drive. The Application clearly demonstrates that the purpose of the proposed plan is to provide a backyard playground for the Applicant's home located at 1786 Millbrook Road, which violates the protected interests of the homeowners on Countryside Drive that the lot at 1801 Countryside Drive be used for a single-family residence.

6. It is contrary to public policy for Millcreek City to process an Application allowing for the unilateral withdrawal of a lot in a recorded subdivision in order to allow a use on the property in clear violation of the Millbrook Estates CC&R'S.

Name: Darren R. Call
Address: 1789 Countryside Drive
SLC, UT 84106

Name:
Address:

Name: Susan Call
Address: 1789 E. Countryside Dr.
SLC, UT 84106

Name:
Address:

Name: EDWARD B. MORETON
Address: 1810 COUNTRYSIDE DR.

Name:
Address:

Name: RAY G. MARTINEAU
Address: 1842 Countryside Drive
Salt Lake City, UT 84106

Name:
Address:

Name: SHIRLENE A. MARTINEAU
Address: 1842 Countryside Dr.
SLC, UT. 84106

Name:
Address:

Name: Daniel Hulbert
Address: 1749 Countryside Dr

Name:
Address:

Name: Caitlin Pehrson
Address: 1750 countryside Dr.

Name:
Address:

Name: Matt Pehrson
Address: 1750 E Countryside Dr

Name:
Address:

Name: R S ADAMS + SUSAN
Address: 1727 COUNTRYSIDE DR

Name: KIMBERLY GARDNER
Address: 1738 E. COUNTRYSIDE

Name: STEVEN SWINDLE
Address: 1721 COUNTRYSIDE DR.

Name: Ted Manani
Address: 1726 countryside dr 84106

Name: Cindy Strong
Address: 1761 Countryside Dr SLC Utah 84106

Name: Nancy R. Knight
Address: 1762 Countryside Dr Millcreek, UT

Name: BRENT WATTS
Address: 1830 COUNTRYSIDE SLC, UT 84106

Name: SHERRIE WATTS
Address: 1830 COUNTRYSIDE SLC, UT 84106

Name: YOLANDA MOHEBBIZADEH
Address: 1821 E COUNTRYSIDE DR

Name: Kiyan Mohebbizadeh
Address: 1821 E Countryside Dr.

Name: Forzad Mohebbizadeh
Address: 1821 E Countryside Dr SLC UT 84106

Name: Beth
Address: 3690 Countryside Dr 84100

Name:
Address:

Name:
Address:

Name:
Address:

Name:
Address:

Name: Geoffrey Manson
Address: 1794 Countryside

Name:
Address:

Date

Name: AMELIA SLUSSER
Address: 1772 Countryside Dr

Name:
Address:

Name: 1771 E. Countryside Dr
Address: MARLYN WALKER

Name:
Address:

Name: Christian Frazier
Address: 1777 E. Countryside D

Name:
Address:

Name: Eric G. Martin
Address: 1739 E. Countryside Dr.

Name:
Address:

Name: Blake Strong
Address: 1761 Countryside Dr.

Name:
Address:

Name:
Address:

Name:
Address:

Name:
Address:

Name:
Address:

EXHIBIT "A"

Staff Memorandum of Millcreek City Planning Commission

Millcreek City Planning and Community Development
3330 South 1300 East
Millcreek, Utah 84106
Phone: (801) 214-2750
Inspections: (385) 468-6690

STAFF MEMORANDUM

From:	**Erin O'Kelley, Planner**
To:	**East Mill Creek Community Council**
Meeting Date:	**April 2020**
RE:	**Request for a sidewalk exception for a lot consolidation and subdivision amendment.**
Parcel ID	**16332050300000, 16332050190000**
Applicant:	**Whitney Sansom on behalf of the property owner.**
File No.:	**EX-20-005, SD-20-005**

Request

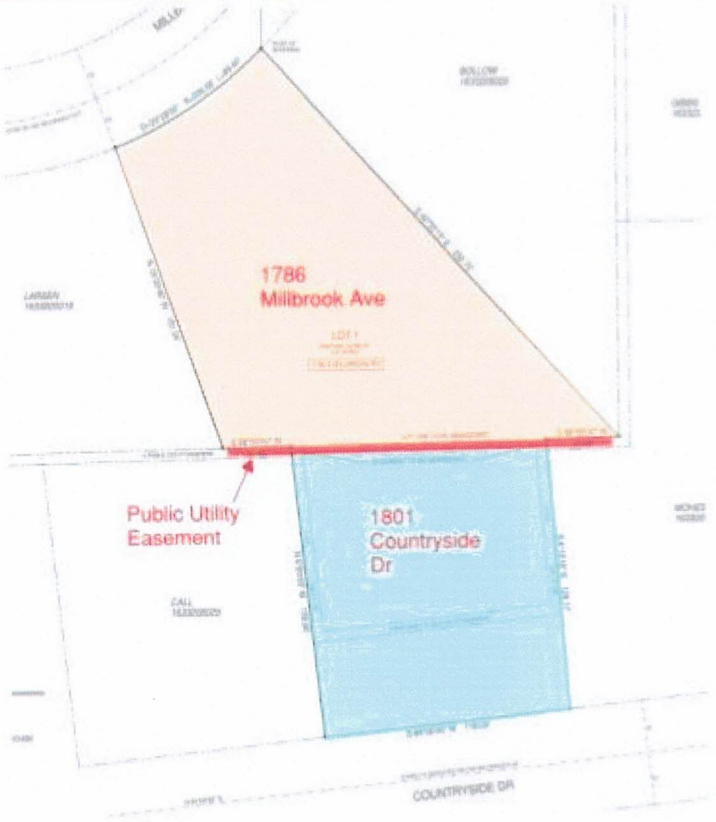
The property owner would like to consolidate two lots located at 1786 Millbrook Avenue and 1801 Countryside Dr. The intent of consolidating the lots is so the property owner can demolish the house located at 1801 Countryside Dr and build an accessory building for recreational use. All redevelopment of residential lots is required to follow all regulations of the Millcreek code. This includes adding all required public improvements to any public right of way. Countryside Drive is designated in the Millcreek Transportation Master Plan to be widened to a 50 foot right of way with sidewalk, curb, and gutter. Redevelopment applications are required to put in these improvements if they are not currently pleasant. However, the property owner is requesting that the Planning Commission grant the exception to not install sidewalk in the scope of this project. The Community Council is asked to specifically consider this request in their recommendation to the Planning Commission.

Lot consolidations typically do not require any Planning Commission or Community Council input, but in the scope of the work for this project the applicant will be required to move/alter a public utility easement that is recorded on the plat for the Millbrook Estates subdivision. The Millcreek Code requires that any alterations to a utility easement recorded on a plat must go through a subdivision amendment and must be reviewed by the Planning Commission.

Existing Land Use and Proposed Change

The existing parcels are two single-family residential lots each with one single-family house. The property owner would like to demolish the house located at 1801 Countryside Dr and consolidate the lots. Both lots are located in the R-1-10 zone and have rolled curb along the frontage of Countryside Dr and Millbrook Ave. Because the lot located at 1786 Millbrook Ave is not being demolished or redeveloped it is not required by code to have added sidewalk and will not undergo any modifications in the scope of this application. The house located at 1801 Countryside Dr is being demolished and redeveloped and as a result is required to install additional sidewalk along the frontage on Countryside Dr.

Millcreek City Planning and Community Development
3330 South 1300 East
Millcreek, Utah 84106
Phone: (801) 214-2750
Inspections: (385) 468-6690



Existing conditions with two separate lots and public utility easement.

Proposed lot consolidation and adjustment of the public utility easement.

Millcreek City Planning and Community Development
3330 South 1300 East
Millcreek, Utah 84106
Phone: (801) 214-2750
Inspections: (385) 468-6690

The propsoed site plan for 1801 Countryside Dr. will be a recreational building attached the main house via a breezeway. There is a proposed soccer field and pool that will be installed in the yard.

Community Council Action

The Community Council is asked to consider granting the exception of allowing the property owner to not install sidewalk in the scope of this application. The community council is not required to review subdivision applications if the property owner is not requesting an exception.

Preliminary approval is given by the Millcreek Planning Commission and immediately after the application will go through the technical review process to make sure that the subdivision amendment meets all state, county, and city regulations.

Attachments Applicant has provided:

- **Subdivision Plat**
- **Engineering Plans**

4840-8266-9241, v. 1

3330 South 1300 East
Millcreek, UT 84106
801-214-2700
millcreek.us

File # ZM-20-004 & GP-20-003

Planning Commission Staff Report

Meeting Date: **15 April 2020**
Applicant: **Washmore Laundry LLC**
Property Address: **4372 S 900 E, 4356-4358 S 900 E**
Parcel IDs: **22051770010000, 22051760090000, 22051760050000**

Request 1: Request to rezone three parcels from R-1-8, R-1-5, RM and C-2 to all C-2.

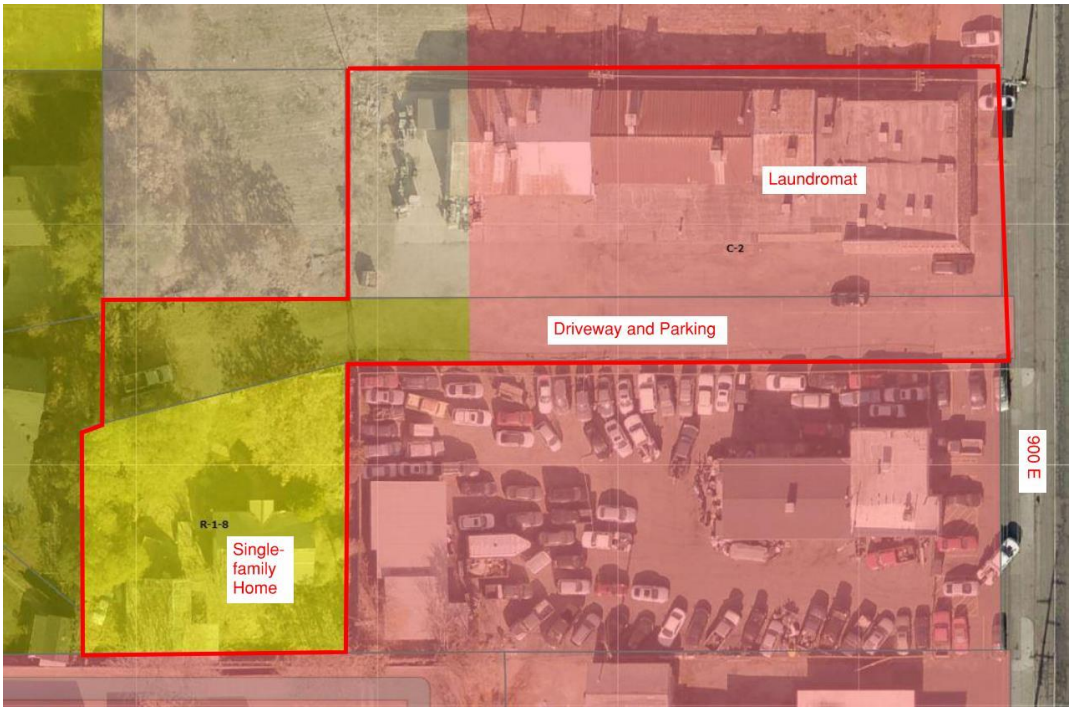
Request 2: Modification to the Millcreek General Plan Future Land Use Plan from Neighborhood to 1 to Retail/Office

Zone: RM, R-1-5, R-1-8, C-2
Community Council: Millcreek Community Council
Prepared By: Erin O'Kelley, Planner II

SYNOPSIS AND SCOPE OF DECISION

Existing Land Use and Proposed Change

The existing parcels for this rezone are three separate parcels. One is currently a laundromat. The second is a long driveway that is being use for parking and as access to the third parcel which is a single-family home. The three parcels collectively have four different zones RM, R-1-5, R-1-8, and C-2 but are all owned by the same property owner. The applicant would like to request a rezone for all 3 properties to be in the C-2 zone so that the single-family home on the lot can be used as

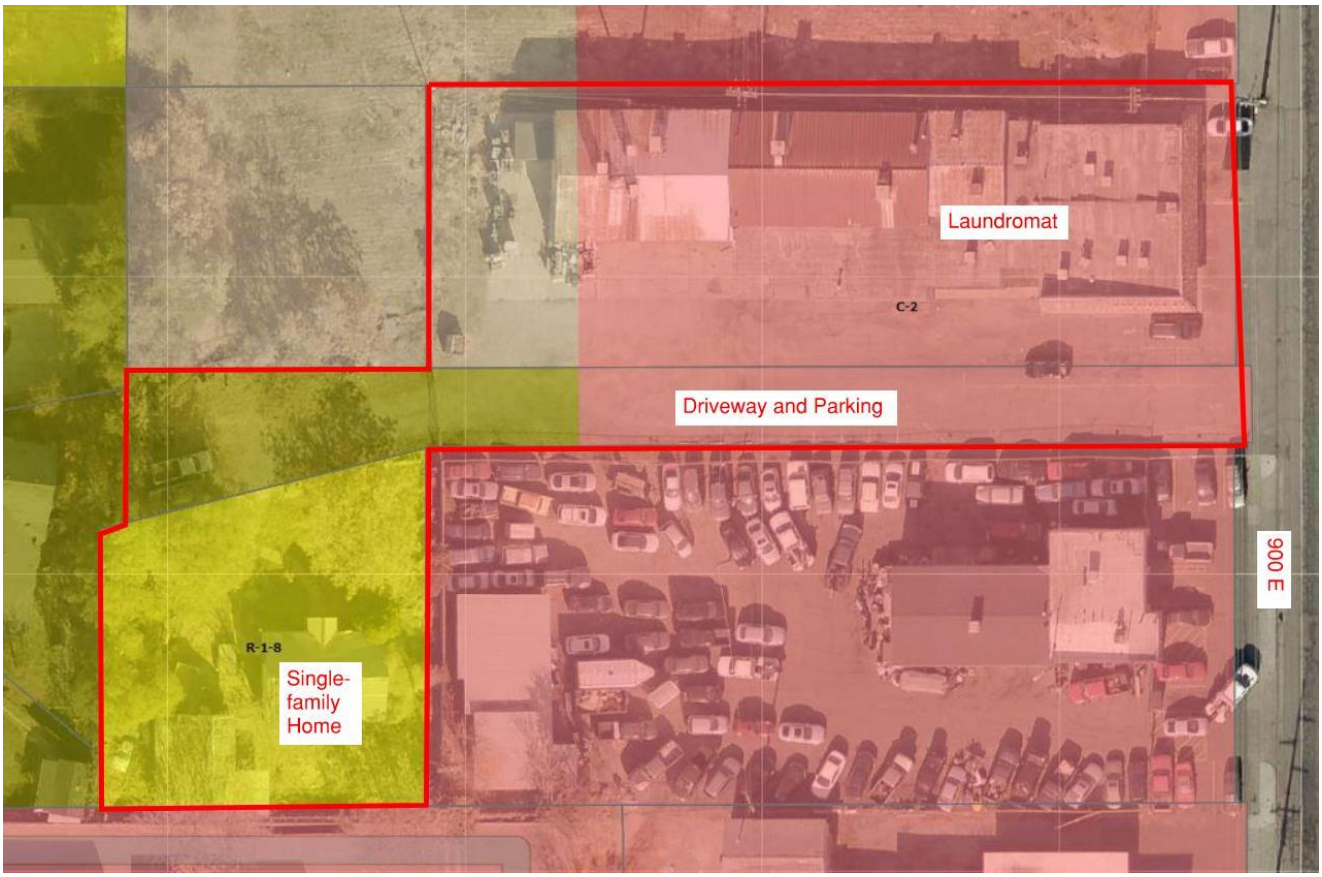


a business. The property owner does not have any intent to demolish the existing structures at this time and does not have any intent to modify the existing landscaping on the lots, except for one tree that was removed. The intent of requesting this rezone is only to change the uses allowed on the lot that has the single family home.

SITE & VICINITY DESCRIPTION

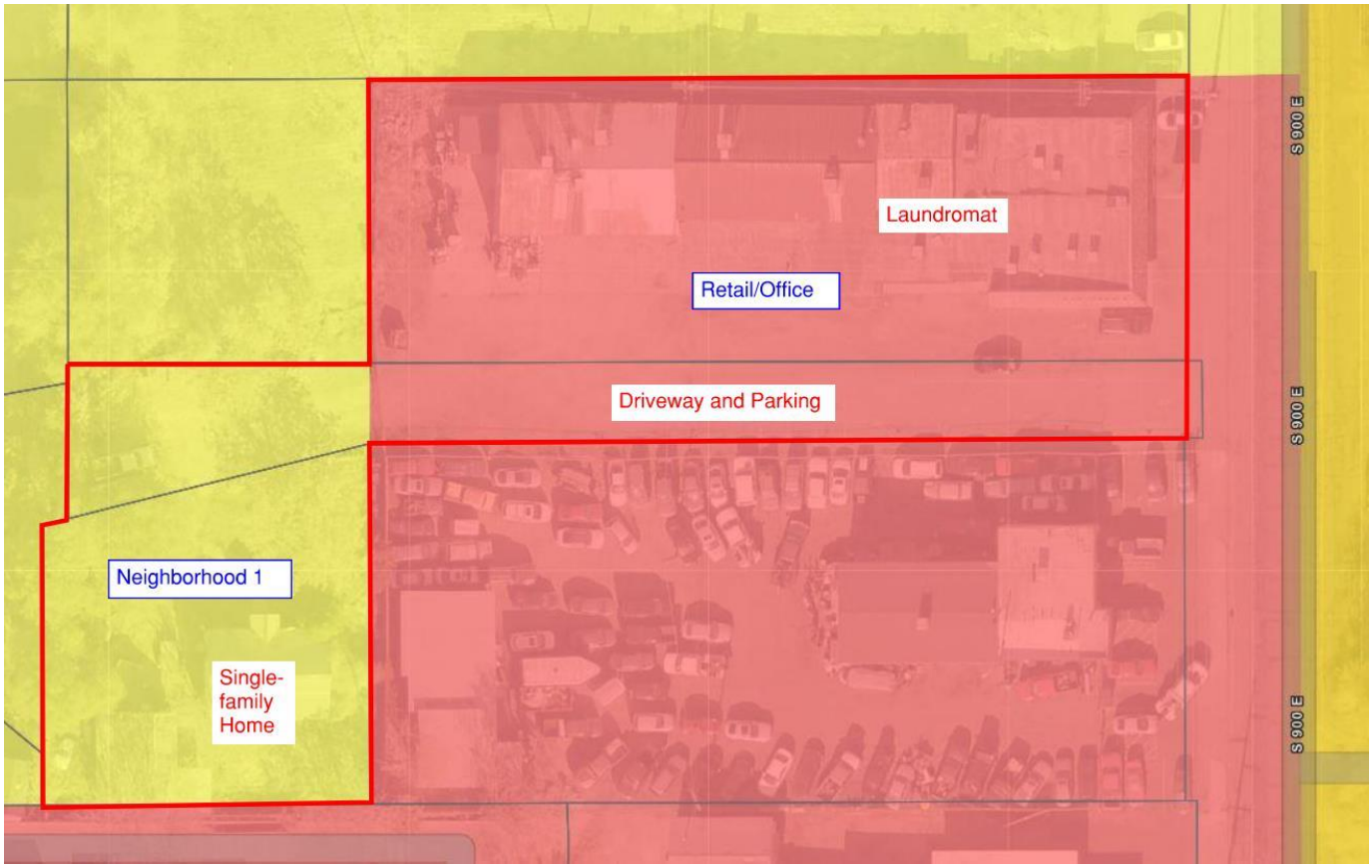
Figure 1: Street View looking West from 900 E

Figure 2: Zoning map



GENERAL PLAN CONSIDERATIONS

Figure 3. Future Land Use Map



This rezone request would also require the designations on the Millcreek Future Land Use Map to change. The current single-family home is designated as Neighborhood 1 on the future land use map. The laundromat, and part of the driveway are designated as retail/office. The single-family home has no other alternate routes of access to the West, South, Or North, and must use the commercial access off of 900 E.

RETAIL/OFFICE	***Primary:*** Small-scale retail and office services.	Development in Retail/Office areas will generally be 1 to 4 stories. Development abutting a lower-intensity, established residential neighborhoods should provide transitions in massing and height.

NEIGHBORHOOD RESPONSE

The applicant noticed adjacent properties within 600 feet and also referred residents to an email and phone number so they could remotely inquire about the scope of the application.

3 residents in total emailed with questions. After explaining the scope of the project and sending the staff memos to the residents they had no concerns.

One resident made a formal public comment via the City Website and inquired about trees and landscaping, see below.

Public Comments

First Name	Kenneth
Last Name	Shosted
Address	868 E 4315 S
City	Millcreek
State	UT
Zip Code	84107
Phone Number	*Field not completed.*
Email Address	*Field not completed.*
Public Meeting	Planning Commission
Meeting Date	4/2/2020
Comment Subject	Project Location 4372 & 4356-4378 S 900 E Project Number ZM-02-004, GP-20-003
Public Comment	I was wondering if the trees on the property will be cut down. If so, can approval be contingent upon trees being replaced in different areas on the property?
Supporting Documents	*Field not completed.*

The applicant does not plan to remove any trees at this time. But if new development were to occur on the property all development would be subject chapter 19.77 Water Efficient Landscaping Design and Development Standards. Which outlines the requirements for tree preservation and removal.

DEVELOPMENT AGREEMENT CONSIDERATIONS

Staff is not recommending a development agreement at this point.

COMMUNITY COUNCIL RESPONSE

At their meeting on April 8, 2020 the Millcreek Community Council recommended that:

Recommended the rezone ZM-20-004 be adopted as is.

Recommended the General Plan Amendment be approved as is.

PLANNING STAFF ANALYSIS AND FINDINGS

The applicant currently has no intention of new development on the property. The intent of this rezone request is to allow a change of use to occur on the single-family lot. The proposed business on the lot will be a landscaping business and will involve outdoor storage on the property. However if the applicant chooses to expand or alter the use proposed in this application staff is confident that the requirements outlined in Chapter 19.60 can adequately mititgate potential issues for residents.

> ***19.60.060 Commercial Development Standards***
> *Perimeter Fencing. Fencing is required for non-residential uses located adjacent to residential uses. Acceptable fencing materials include architecturally designed brick, stone, or block, or pre-cast concrete. Fencing with materials using composite products, wrought iron, wood, or vinyl may be allowed with a minimum two foot wide, six foot tall brick or stone pillars spaced every ten feet on center. Unless otherwise allowed by the Planning Commission, exterior fencing along a public right of way shall be limited to brick, stone, or block, or pre-cast concrete and be setback a minimum of 5 feet from the property line to allow for a landscaping buffer designed in accordance with MKZ 19.77 to soften long expanses of walls. Interior fencing shall comply with MKZ 19.78.030(11) (f)*

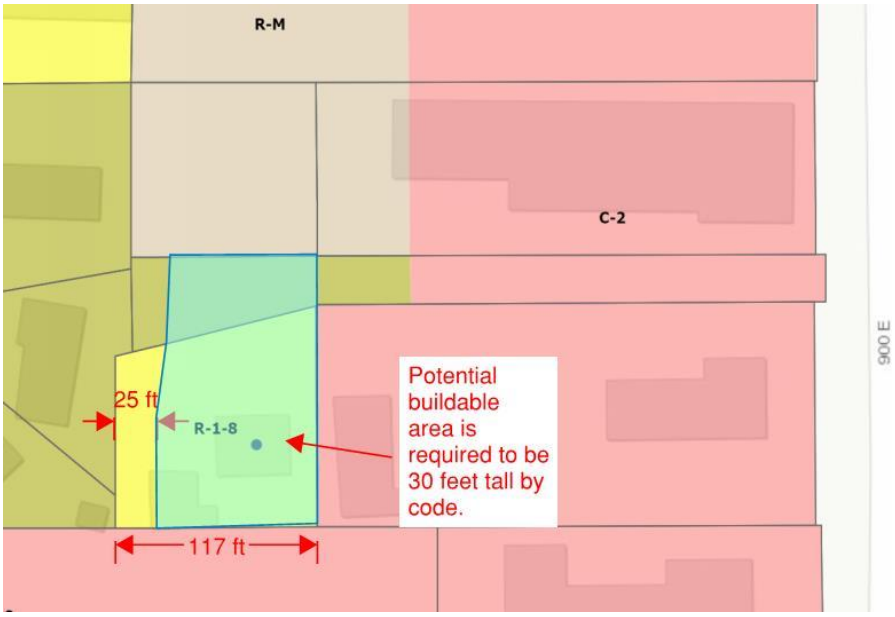
> ***19.60.060 Commercial Development Standards***
> *Business Uses and Conditions in the Commercial Zones shall be free from objectionable and unreasonable odor, dust, smoke, noise, vibration, or similar problems.*

The applicant will be required to maintain the existing fence between the commercial uses and single-family uses on the West side of the property. The Millcreek code covers the possibility of commercial uses causing unreasonable problems to adjacent properties and it is the property owner's responsibility to make sure any proposed use can mitigate potential issues to neighbors.

If the lot was redeveloped….

19.60 Commercial Development Standards
For any development adjacent to an R-1, R-2, R-4, A-1, or A-2 zone ("residential zone"), the maximum height for structures within 100 feet of a residential zone shall not exceed 30 feet.

Rear Yard Setback: Mixed use: 25', If located adjacent to residential zoning, 25 feet, otherwise non required



If the applicant chose to sell the single family lot once it have been granted a rezone the Millcreek Commercial Code Chapter 19.60 would require an increased rear yard setback of 25 feet and also require any new structures built to be 30 feet in height within 100 feet of the residential zone to the west. Staff is confident that this code will help mitigate and potential for development that would cause a detrimental effect to neighbors.

PLANNING STAFF RECOMMENDATION AND MODEL MOTION

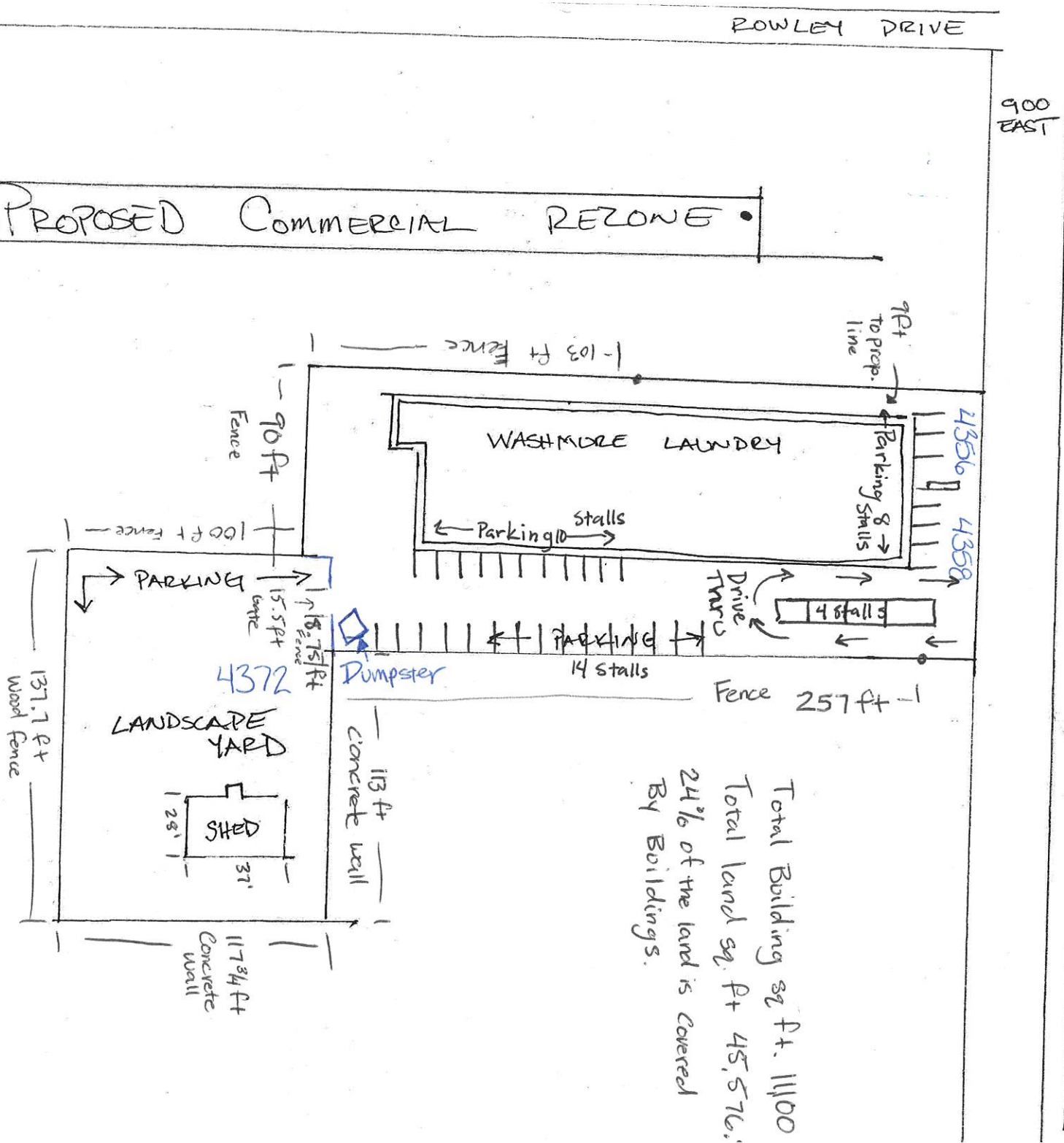
Motion to recommend approval for the Rezone Request ZM-20-004 to rezone property located at 4372 S 900 E, 4356-4358 S 900 E from RM, R-1-8, R-1-5, C-2 to only C-2.

Motion to recommend approval for the General Plan Amendment request GP-20-003 to the Future Land Use Map from Neighborhood 1 to Retail/Office at approx. 4372 S 900 E.

SUPPORTING DOCUMENTS

1. Site Plan

• PROPOSED COMMERCIAL REZONE •



Total Building sq ft. 11,100
Total land sq. ft 45,576.
24% of the land is Covered By Buildings.

WASHMORE LAUNDRY
4358 S. 900 E.
MILLCREEK, UT. 84124

N

100 ft

WASHMORE LAUNDRY

City & Community Leaders,

We are asking permission to rezone a parcel on our property - located at 4356, 4358, & 4372 S. 900 E. Millcreek, UT 84124.

It is currently spilt into 3 different zones, and our hope is to make it all one (C2).
This will make it easier for us to rent out our lot, for landscape equipment storage, and possibly a future sale.
It will also help fix current code violations.

Thank you in advance for your consideration.

Gratefully,

Jacob Elsmore (owner)
Travis Sevy (owner)

Minutes of the
Millcreek Planning Commission
March 18, 2020
5:00 p.m.
Regular Meeting

The Planning Commission of Millcreek, Utah, met in a regular public meeting on Wednesday, March 18, 2020 at City Hall, located at 3330 S. 1300 E., Millcreek, UT 84106. The meeting was conducted electronically per Millcreek State of Local Emergency Directive No. 2 of 2020 and live streamed via the City's website with an option for online public comment.

PRESENT:

Commissioners
Shawn LaMar, Chair
Russ Booth, Vice Chair (electronic, arrived at 5:23 p.m.)
David Allen (electronic)
Scott Claerhout (electronic)
Fred Healey (absent)
Mark Mumford (electronic)
Victoria Reid (electronic)
Skye Sieber (electronic)
Tom Stephens (electronic)

City Staff
John Brems, City Attorney (electronic)
Elyse Sullivan, City Recorder
Francis Lilly, Planning and Zoning Director
Robert May, Planner
Erin O'Kelley, Planner

Attendees: Mayor Jeff Silvestrini, Council Member Dwight Marchant, Pickrell, McKay Quinn (electronic), Justin Heppler (electronic), Micah Peters (electronic), and Tony Tippets (electronic).

REGULAR MEETING – 5:00 p.m.
TIME COMMENCED: 5:07 p.m.

Chair LaMar called the meeting to order and explained the instructions for the electronic meeting. Francis Lilly said items 1.1 and 1.2 would be continued per the applicants' request.

1. Public Hearings

1.1 Consideration of ZM-20-003, Rezoning Approx. 1.2 acres from R-1-10 to R-1-3 Location: 4524 S. 785 E. Applicant: Bryan Colemere Planner: Robert May

Chair LaMar opened the public hearing.

Francis Lilly read a written comment submitted online by the Millcreek Community Council.

"Millcreek Community Council response to ZM-20-003. I am Wayne Johnson representing the Millcreek Community Council. I live at 955 East Fairclough Dr (3565 South). The Millcreek Community Council met on 03 March 2020 and discussed ZM-20-003. I understand the developer requested a continuance. The council did not feel the requested zoning change would be appropriate for this neighborhood. It would allow development

which would not be fitting for the properties on this street. As this street does not connect to any other neighborhood, we only considered how the zoning change could affect this street without considering what nearby zoning may be. The council does not recommend the zoning change."

Chair LaMar closed the public hearing.

1.2 Consideration of SD-20-003, Preliminary Plat Approval for a 4-lot Subdivision in an R-1-8 Zone Location: 3035 S. Kenwood Street Applicant: Ivory Development Planner: Robert May

Chair LaMar opened the public hearing.

Francis Lilly said a written comment was submitted online from Marie White, 3055 S. 1800 E. who had provided an attachment that read:

"*March 18, 2020*
Proposed Kenwood Avenues Subdivision
Comments and concerns from existing homeowners on "1800 East" including:
Lee and Jacque White, 3015 South 1800 East, Millcreek
Jeff and Tara Plowgain, 3029 South 1800 East, Millcreek
Dave and Lisa Schofield, 3045 South 1800 East, Millcreek
Lyle and Marie White, 3055 South 1800 East, Millcreek
Joe and Nora Anderson, 3065 South 1800 East, Millcreek
Gordon and Lisa White, 3040 South 1800 East, Millcreek

As neighbors directly impacted by this subdivision, with existing homes on the East side of "1800 East", we want to begin by expressing our support for this property to become a public road, as currently, undeveloped property to the West has been unable to develop off this lane. Legal access to develop these properties has only been available off of Kenwood Avenue to the West, however this access creates deep lot subdivisions and eliminates building lots. It's in the City's best interest, in order to add additional housing, to approve this proposed subdivision provided the following conditions are addressed and satisfactory to those of us directly impacted by this proposal.

<u>Concerns from existing homeowners on "1800 East" North of 3080 South or Gregson, directly impacted by the Kenwood Avenues Subdivision.</u> These concerns have been sent to Millcreek City and Ivory Homes and are being reviewed by the Millcreek City Engineers, with the exception of 1 & 2 regarding utilities and legal access.

1.Salt Lake City Public Utilities should be contacted to evaluate if either the sewer or water lines need to be replaced as both are over 50 years old. It only makes sense to have this done prior to building the road.
2.Legal Access to the property needs to be granted by Lee White, current resident on the proposed road. As neighbors, we have worked hard to clear the legal issues surrounding this and eliminating the need, along with the costs, of Millcreek City to condemn the property for use as a public road.
3.The proposed plan by Ivory Homes for the Kenwood Avenues Subdivision road raises concerns:
a.<u>Drainage concerns and future road base erosion</u>: This is regarding the culinary, irrigation and/or rainwater drainage on the East side properties, which currently flow West and South across existing road. If a curb and gutter are placed 10 feet out on the existing asphalt, this would create a 5"-6" dam, which will stop water from flowing West and instead build up and seep down eroding the road base. As neighbors, we propose that curb and gutter requirements for the East side be

eliminated, thus allowing the water from our properties to continue to flow West and South and into the proposed gutter on the West side continuing onto storm drain on 3080 S. or Gregson Ave.
b.Asphalt removal and disposal: If curb and gutter are required on each side of road, there is no requirement for the developer to remove, dispose of and create a compacted base for the proposed "sidewalk" to be paid for by others.
c.Sidewalk to be paid for by "others". Please define who and what amount this may cost each homeowner. Require developer to pay for costs of removing trees in front of 3040 South home to make way for proposed road/sidewalk.
d.Landscaping Costs: Require developer to cover landscaping costs to proposed curb, gutter and sidewalk, on existing homeowner properties upon completion of road.
e.Sidewalk design and proposed elimination of park strip: If required, we request elimination of the park strip, with the sidewalk next to the curb. Current designs show a parking strip. This would match the existing sidewalk design at the local LDS Church building located across the Street on Gregson (3080 South) and Kenwood Ave.(1745 East).
f. Access to Driveways: Current markings don't appear to match existing driveways. We request access to driveways match existing driveways ranging from 20-40 feet.
g.Irrigation water drainage and unmarked items currently not addressed on plan i.e.
1.An irrigation pipe currently runs down the North side of the property between 3055 South and 3045 South.
2.An irrigation ditch currently runs down the West side of the proposed road property, with water actively used from White Ditch Water Company by JMP property on the West, and 3015 and 3065 South on the East side of the road, 3050 South on Melbourne utilizing the irrigation water within the past 10 years.
h.Require Develop to saw cut existing asphalt when expanding the road to required width, to ensure a straight edge to pour new asphalt against. This will help prevent premature breakup of the road, followed by a sealcoat to promote longevity.

4.Bond the developer and require a "not to exceed time line" or schedule for road construction to ensure project is completed and in a timely matter and/or signed agreement from the City that they would complete road project within 6 months of developer stopping road construction.

Thank you for time and consideration. If questions, please feel free to contact Marie White. Francis Lilly, Millcreek City Planner, has this contact information."

Elyse Sullivan said a comment was received online from Cathy Redd, 3003 Kenwood Street, asking to hear what the plan for SD-20-003 was and if it would include sidewalk in front of four homes. Francis Lilly said the item would be continued and information on the application would be heard at a later meeting.

Chair LaMar closed the public hearing.

Commissioner Mumford moved that ZM-20-003 be continued as per suggested and SD-20-003 for a continuance as well. Commissioner Allen seconded. Chair LaMar called for the vote. All Commissioners voted yes. The motion passed unanimously.

1.3 Consideration of CU-20-003, Conditional Use Permit for a Mixed-Use Building Consisting of 99 Residential Dwellings and Live/Work Space Location: 1395 E. Miller Avenue Applicant: PEG Development Planner: Erin O'Kelley

Erin O'Kelley said the applicant was seeking approval for a mixed-use project that would have 99 residential dwellings, five of the dwellings would be live-work units with commercial uses along the first floor on Miller Ave. The project was a mix of studio, 1-

bedroom, 2-bedroom, 3-bedroom, and townhome style units. The applicant was also requesting per Section 19.80 of the Millcreek Code a parking reduction of approximately 39 stalls using the parking study done by Hales Engineering in the staff report. She showed a site plan of the area and development summary. The access would be on the west side of the building. The proposed project would be 75 feet tall, 1,238 square feet per unit, have a 19-foot front yard setback, 10-foot side yard and rear yard setback, have a 195-foot lot width, 38,765 square feet in lot area, 20% open space, and have a pet wash, spa, and BBQ. The applicant was seeking an exception to the 193 stalls required by code via the results of the parking study. The applicant would provide 154 stalls that would include on-street parking allowed per code 19.73. The existing project area consisted of three parcels zoned C-3 but subject to the City Center Overlay Zone Neighborhood District conditions. The Millcreek Community Council recommended approval of the requested conditional use permit subject to the conditions recommended by staff and recommended denial of the request to reduce the parking requirements per the parking study. The Canyon Rim Citizens Association recommended approval of the conditional use permit subject to the conditions recommended by staff and to reduce the parking with the submitted parking study. They also recommended an additional condition that there be a security gate in the parking structure.

Commissioner LaMar asked about staff's recommendation on parking. O'Kelley said the code required the project to have approximately 193 parking stalls. Francis Lilly said the Planning Commission had previously approved parking ratios as low as 1.5 in the City Center. He said other applicants had agreed to certain traffic demand mitigation strategies as a result. Staff directed the traffic engineer for the traffic study to use and identify mid-market projects existing in Millcreek. Staff felt a 1.5 ratio was appropriate. Commissioner LaMar asked if on-street parking would be counted in the provided stalls. O'Kelley said the applicants were allowed to use 8 on-street stalls as part of the 154 provided stalls. Commissioner Reid asked about the security gate to separate commercial and residential parking and wondered if it negated the concept of shared parking. O'Kelley said since the applicant was requesting a reduction in stalls, the community council did not want residents of the property to lose stalls. The owners would have access to the live/work unit stalls. Commissioner Reid asked about the quarterly reports on parking to the City and what would be done if the parking was not adequate. Lilly said the parking requirements would be an ongoing commitment, and if parking exceeded the demand, the City could start a process to require more parking. The reports would give the City feedback on the appropriateness of the parking utilization.

Commissioner Reid asked about the landscaping plan and if what was proposed would meet the requirements of the City Center Plan on Highland Drive. Lilly said staff had not done a complete review of the landscaping plan to make sure it met the urban forestry plan which was still in draft format. The plan would include a boulevard appropriate tree and the developers would have to comply with the plan as a condition of approval. Commissioner Stephens mentioned the south facing façade lack of variation in the retail commercial store fronts, that the east side wall was unsightly and blank, and cautioned against allowing less than the 1.5 parking ratio. He said the City would encourage nighttime activities and the proposed shared parking ratio assumed that on-street parking would be used by tenants and not nighttime activity goers in the City Center. Lilly said there would be a time limit on parking stalls and on-street parking should be restricted by occupancy and enforced by signage. Commissioner Claerhout asked about the condition that the building permit not

being issued until it exceeded the energy code performance of at least 5%. Lilly said the energy code requirement was in code and would be verified in the plan review by the Building Department. Commissioner Mumford verified that there would be a single point of access from Miller Avenue to the development. O'Kelley confirmed. Lilly said the traffic study did not recommend a traffic light onto Miller Avenue. Commissioner Mumford expressed concern about left turns out of the development. Lilly said the development traffic could be accommodated per the study. Commissioner Booth asked if the applicant agreed to the recommended 1.5 parking ratio.

Applicant - McKay Quinn, PEG Development at 180 N. University Avenue in Provo, said the parking study concluded that 1.4 parking stalls was adequate for a mixed-use project of this size and he would be providing 1.52 stalls per unit. He said the east side wall backed right up to the neighboring Big O Tires which was why it lacked design.

Justin Heppler, AJC Architects (with PEG), said there was a grade change on the east side façade so some of the concrete wall would be covered. The south façade had a reverse column and the visual goal was to have four separate building masses and they would work on articulating that. The west façade could be articulated further if the Commission desired. Commissioner Mumford asked about the length of the buildings. The site was 266 feet along Miller Avenue and the building was about 195 feet in length. O'Kelley confirmed that within the City Center Overlay Zone, the building had to be less than 200 feet in length. Commissioner Stephens wondered about the east side blank wall above the existing roof line of Big O Tires.

Chair LaMar read the comments submitted online by the Millcreek Community Council.

"*Millcreek Community Council response to CU-20-003. I am Wayne Johnson representing the Millcreek Community Council. I live at 955 East Fairclough Dr (3565 South). The Millcreek Community Council met on 03 March 2020 and discussed CU-20-003. There was considerable discussion about this development. We had a difficult time reaching an agreement which was approved by a majority vote. Overall, we do like this development and how this fits in with the city's plans for the city center. It is something that would work well with other developments which are going to be built soon on the street to the north of this development. The one aspect of this development which was difficult for the council was the request to reduce the amount of parking to a number of parking stalls well below what is required by city ordinance. (code?) As with all developments, the council is very concerned about the amount of provided parking and how a lack of parking can, and does, impact a neighborhood. The council is very concerned that reducing parking will cause parking issues on Miller Avenue. The council wants to ensure that there is adequate parking and that this development does not become the cause for more cars being parked on Miller Avenue. After much discussion the recommendation from the council is in favor of this development but with a strong recommendation that all possible efforts are used to increase the number of parking stalls provided. There was one dissenting vote and one member abstained. The abstaining vote was because one member was not present for all of the discussion. I will again emphasize that that the council strongly recommends that all possible efforts are used to increase the number of parking stalls.*"

Francis Lilly said the City Attorney made a comment on the chat function of the electronic meeting pointing out that the east blank wall could be a potential graffiti magnet. Lilly added that there was no public comment at the community council meetings.

Chair LaMar opened the public hearing.

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There were no comments.

Chair LaMar closed the public hearing.

Justin Heppler said the east wall was no closer than 5 feet to the property line. He said they could open some of the parking garage wall up to add more character and add some windows along the townhome units on the east side.

Commissioner Allen said he was concerned about the lack of parking and would like to follow the code. Lilly said local data was proffered in the traffic study and it demonstrated that in a suburban context the ratio was within the 1.2-1.4 range. Commissioner Mumford did not see a justification for the reduction in parking and saw an issue with the ingress/egress. Commissioner Booth also expressed concern with parking and felt the 1.5 ratio was appropriate. Commissioner Claerhout echoed Booth's comments. Commissioner Sieber said blank walls were an opportunity for public art to enhance an area. She felt the parking would be adequate but wondered what the City could do once the City Center was built out if it was not adequate. Commissioner Stephens asked if the required code ratio was 1.5. Lilly said the code ratio was well over 2 parking stalls per unit. Commissioner Stephens said he would be in favor of a 1.5 ratio and hoped for the best. He asked about the single point of entry. Lilly said the only option of entry would be on the side, so it did not interfere with the retail on the front. Commissioner Stephens said he recommended that the applicant work with staff to provide east side variation to the elevation and parking garage. Commissioner Reid said she appreciated the approach by the architect on the east and west building sides. She said the 1.5 parking ratio could work but also liked the idea of subsidizing transit passes and having bike storage. She wanted the applicant to understand that the landscaping plan needed to be redone. Chair LaMar said the parking study was based on dwellings and the project was based on bedrooms. He said the parking reduction would be over 25% from 193 to 154 with the commercial parking removed. The other two projects on Villa Vista Avenue were less than a 15% reduction and he felt the proposed reduction was too much. Commissioner Claerhout asked about an adjusted parking ratio. Chair LaMar said including guest parking with residential it would be a 1.66 ratio. Commissioner Booth said the parking ratio should be higher.

Commissioner Allen said the Commission would like to see more parking and could craft a motion to require a higher ratio. Commissioner Claerhout said he was okay with the 1.5 ratio. Commissioner Reid agreed with Commissioner Claerhout, she wanted to encourage transit. Commissioner Allen said the City Center should attract residents and limiting cars on behalf of the project residents would not work. Lilly said the City was working on a public/private partnership on parking for the City Center. He felt the spill over parking would not be an issue. He would like to implement a neighborhood parking district in the area. Commissioner Claerhout said he appreciated looking at parking as a global issue and not just to this development. Chair LaMar said the percentage of reduction could be no more than 15%. Commissioner Stephens asked for clarification on parking. Chair LaMar said if the developers added 14 more stalls, they would only be about at a 15% reduction for residential parking with 158 residential stalls plus 10 stalls for commercial. Lilly asked for the applicant's input.

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McKay Quinn said the provided parking with 154 stalls would meet the demand of the 99 units and retail. The parking would only service the development and there would be an additional 12 stalls on the street for the public. He said the residents would get one stall and could pay for a second stall if needed. The site was less than 1 acre and they had maximized the space on the site. They would have 1 level of below-grade parking and 2 above grade. Justin Heppler said there would be 12 free parking stalls, only 8 were counted in the parking numbers. He pointed out that larger projects in the area were approved at the 1.5 ratio and he trusted staff's recommendation. Commissioner Allen said 99 units on 1 acre was too many. Chair LaMar agreed. He said the code was the starting place for parking ratios and the other projects had a different required ratio to work from. He was not in favor of more than a 15% reduction in parking. Commissioner Stephens said his conditions of approval for the conditional use permit would be: that the applicant work with staff to provide architectural variation to the garage and east facing walls, not allow less than a 15% reduction of parking stalls than what was required by code, and that the landscaping plan be refined to reflect the Planning Commission's concerns.

Commissioner Stephens, as respects to application CU-20-003, moved to approve the preliminary conditional use permit subject to planning staff conditions as stated in the staff report in addition to the following: no parking stalls less than 15% than that which is required by current code, the east side elevation have architectural variation with opening the garage and adding windows and other variations, and refine the landscaping plan to reflect the Planning Commission's concerns. Commissioner Allen seconded.

The conditions listed in the staff report included the following:

1. Prior to receiving final subdivision plat approval, applicant shall bond for all required street improvements, including curb, gutter, sidewalk, street trees and required irrigation, required setback landscaping, streetlights, and any other improvement required by the City.
2. A gate must be installed for access to the parking structure to prevent designated residential lots being used by commercial/retail.
3. The applicant shall dedicate property along public streets and shall recording public access easements in accordance with Millcreek Public Works standards and the Adopted Cross-Sections in the City Center Overlay Zone.
4. Applicant shall incorporate travel demand management strategies for the project, including but not limited to subsidizing the cost of transit passes for commercial and residential uses, providing safe, secure, and convenient bicycle storage beyond what is required by Millcreek code.
5. The applicant will ensure that every residential unit has at least one dedicated parking space.
6. Dedicated residential parking shall not be leased separately from unit leases.
7. Applicant shall provide service availability letters from all utility providers prior to receiving final conditional use approval.
8. Applicant shall verify that the building will exceed the current energy code (2015 IECC, ASHRAE 90.1-2013) performance by at least 5 percent, prior to being issued a building permit.
9. Applicant shall verify with engineering staff through appropriate studies as required by the City's Geological Hazards ordinance that the soils are suitable for development prior to receiving final conditional use approval.
10. The applicant shall construct the west vehicular access in a manner that it can function as a potential future laneway as identified in the City Center Master Plan.
11. Applicant shall install dark-sky compliant lighting, and submit a lighting plan, including for signage, for review by planning staff prior to receiving final conditional use approval.
12. Applicant shall comply with the materials palette presented in the application. No stucco or EIFS will be permitted on any building façade visible from the street.

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13. Within one year of receiving preliminary conditional use approval, applicant shall consolidate lots or amend the current condominium plat to adjust lot lines.
14. The applicant and its successors shall properly and continually maintain all required landscaping, fencing, buildings, and access driveways. Maintenance of trees shall be in accordance with the Millcreek City Center Urban Forestry Standards. The applicant shall initially set up a property maintenance company to maintain the premises.
15. The applicant shall obtain preliminary plan approval from the Fire Marshal prior to receiving final conditional use approval.
16. Applicant shall verify prior to receiving final conditional use approval that the residential uses have at least 5,531 square feet of shared open space, and that commercial uses have sufficient open space in addition to the residential requirement.
17. The applicant shall provide to the City daytime and evening peak time parking counts obtained at quarterly intervals at least once annually, from the date of issuance of the final certificate of occupancy, for at least three years.
18. Prior to receiving a certificate of occupancy, applicant shall apply an anti-graffiti material or coating on the north, west, and south building facades, and on any fencing the applicant installs on the project.
19. The design of the site and building shall comply with all applicable development standards, including but not limited to the City's Recreational Facility and Open Space Standards, Medium and High Density Residential Development Standards, and any site development standard required by the City Engineer and Fire Marshal.
20. Prior to receiving final conditional use approval, the applicant shall certify that existing utility services have the capacity to accommodate additional demand induced by the development, or that the services will be upgraded to meet the additional demand.
21. The applicant shall obtain final approval from the Millcreek City Engineer that all anticipated traffic impacts or concerns of the proposed development have been mitigated.
22. Signs and accessory structures will require separate building permits and staff review for zoning/land use compliance.
23. The applicant shall provide sufficient parking-lot light illumination. No light source (light bulb, fluorescent tube, or other direct source of light used to illuminate a parking area) shall be visible beyond the property line including the alley (ROW) of any off-street parking area as required by Section 19.80.030 of the zoning ordinance.
24. Any modifications to these approved plans must be approved by the Planning Department, in writing, prior to the changes being implemented in the field.
25. Landscaping shall be installed in compliance with Chapter 19.77 Water Efficient Landscape Design and Development Standards and as required by the City Center Overlay Zone. Any revisions to the landscape plan package shall be reviewed and approved in writing by the director or designee prior to commencement of construction. Re-certification of compliance with the requirements of the landscaping ordinance shall be provided by the qualified professionals who prepared and submitted the plan revisions.
26. The applicant will comply with all requirements established through the technical review process prior to receiving final conditional use approval.
27. All items of the staff report.

Commissioner Reid made a substitute motion to use the parking numbers as recommended in the staff report and but keep everything else the same in the original motion. Commissioner Claerhout seconded the substitute motion. Chair LaMar called for the vote. Commissioners Allen, Mumford, Booth, and LaMar voted no. Commissioners Claerhout, Sieber, Stephens, and Reid voted yes. The motion did not pass.

Lilly asked about the rationale for the additional parking stall ratio request. Commissioner Allen said it was not a request from the Commission, but them granting less of a reduction.

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Chair LaMar called for the vote on the original motion. All Commissioners voted yes. The motion passed unanimously.

The Commission took a break from 7:13-7:21 p.m.

1.4 Consideration of SD-20-004 & CU-20-002, Preliminary Conditional Use Permit and Preliminary Plat Approval for a Townhome Planned Unit Development Consisting of 150 Dwellings and 2,200 Square Feet of Commercial Space Location: 4186 S. Main Street Applicant: Clearwater Development Planner: Robert May

Robert May said the property was in the Meadowbrook area of Millcreek on Main Street and bordered Big Cottonwood Creek on the south with Murray City on the south side of the Creek. The new Front Climbing Gym directly to the east would share a property line and parking. This application was the second phase of the applicant's proposal following the successful approval of a development agreement by the City Council. The new development agreement would allow for up to 150 townhomes units with 2,200 square feet of commercial space, 50% of the townhomes would be platted as owner-occupied dwellings, and the applicant would provide a 1.15-acre park and a pedestrian bridge across Big Cottonwood Creek which would be dedicated to Millcreek. He showed the Commission a site plan and said the development would be platted in two phases. Each unit would have 2-car garages and there would be 14 parking stalls for park use. The applicant was proposing 139 units. He said the CC&R's would be regulated by the HOA. At their meeting on March 3, 2020, the Millcreek Community Council recommended the proposed preliminary conditional use permit and preliminary plat be approved. Staff found that the proposed project met the General Plan and would provide an improvement to the Meadowbrook area. Staff found that the project would be a powerful upgrade and improvement from the existing use and be a positive introduction to the area due to the developer providing a 1.15-acre park and a pedestrian bridge across Big Cottonwood Creek which would be dedicated Millcreek. Staff found that the proposal met the conditions of the approved development agreement. Staff recommended the following conditions:

1. The applicant must meet all requirements and conditions located in the Development Agreement.
2. The applicant is required to obtain the approval from the Salt Lake County Flood Control and signature on the recorded plat.
3. The applicant is required to obtain any approvals and permits required by the Utah State Water Rights Division and Army Corps of Engineers due to the bridge.
4. The applicant is required to obtain any approvals and permits required by any known irrigation ditch and canal owner.
5. The applicant will comply with all requirements established through the subdivision and conditional use technical review process prior to receiving final plat approval.
6. All requirements found in Title 18 (Millcreek Subdivision Code) shall be met, including all applicable fees and bonding, including addressing and surveying fees.
7. The applicant will comply with all requirements of the Unified Fire Code, subject to approval by the Fire Marshal.
8. The applicant shall obtain a complete review for an approved building permit and shall continually comply with the requirements of Millcreek City, Jordan Valley Water Conservancy District, and the Cottonwood Improvement District.
9. Any modifications to these approved plans must be approved by the Planning Department.
10. Applicant must meet Millcreek's MS4 permit requirements, including all requirements and standards of a Low Impact Development (LID) approach.
11. All items of the staff report.

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Lilly said the developer and City had to be resign the development agreement and participation agreement due to an entity name change. He would like that added as a condition of approval.

Commissioner Stephens asked about the distance between garages. May said it would be 26 feet. Commissioner Stephens asked about architectural variation with roofs. Lilly said he would let the applicant speak to that. Commissioner Reid said a minimum of units would be owner-occupied. May said it would be 50% of the units and the HOA could manage those rentals. Commissioner Mumford asked about the walkway between the property and the Creek. May said there had not been any safety measures considered. Commissioner Sieber asked about the secondary access going into the Front Climbing Gym parking lot and the smaller parking lot near it. May said the secondary access was granted to the developer to allow climbing gym spillover parking. Commissioner Booth asked about the PUD. May said the PUD was a subdivision and a conditional use, so the plat would be recorded as a subdivision and the conditional use permit would be focused on the detailed architecture.

Applicant - Micah Peters, said the parcel had unique challenges but they were able to get two points of access. He said the riverfront walkway and pedestrian bridge would be an amenity for the residents and public. The commercial would be a neighborhood market/deli. The building height would be 30 feet and they would not change roof pitch but would add architectural variation. The landscaping plan would be cutting edge. He was working to make the units electric to save over 1,000 tons of natural gas though he did not want that as part of the agreement. He asked for flexibility with the unit count depending on how phase one panned out. The intent was for all units to be for-sale with the opportunity for 50% for-rent to accommodate the economy. He said there was a decent setback from the residential porches and the river parkway to answer Commissioner Mumford's question. May said he could add a condition of approval for some sort of barrier between the two areas.

Chair LaMar read the Millcreek Community Council's comment that was submitted online.

> "*Millcreek Community Council response to CU-20-002-19, SD-20-004. I am Wayne Johnson representing the Millcreek Community Council. I live at 955 East Fairclough Dr (3565 South). The Millcreek Community Council met on 03 March 2020 and discussed CU-20-002-19, SD-20-004. As this development was presented to the council previously, we were familiar with this development. There was not a lot of discussion. The developer explained how the concerns from our prior meeting had been addressed and the development changed in response to these concerns. The council was satisfied that our concerns had been addressed. The Council supports the development as it was presented. At this time, I do not have access to the minutes of our meeting so I can't tell you what the vote was. I believe it was unanimous in favor."*

Chair LaMar opened the public hearing.

There were no comments.

Chair LaMar closed the public hearing.

Commissioner Mumford asked if the access would be from Main Street during construction. Commissioner Booth said he was pleased with the development. Commissioner Claerhout said the proposal was excellent. Commissioner Sieber said she was excited about the project and noted that there were parking problems at the other climbing gyms. Commissioner

Stephens offered no comment. Commissioner Reid said the development was good but could look less boxy. Peters said they would be using their primary access on Main Street during construction. Lilly said that the motion should include that the development agreement be signed and recorded, and that the applicant had asked for the capacity to build up to 150 dwellings subject to the development agreement and parking requirements. Commissioner Stephens brought up that the motion should also include added safety precautions to separate the project from Big Cottonwood Creek.

Commissioner Stephens, as respects to SD-20-004 & CU-20-002, moved to approve the applications subject to the conditions stated in the staff report, and in addition to those, that the development agreement be signed and recorded, the applicant will work with staff for some sort of safety barrier to separate the project from the general area by the Creek, and per the development agreement the approval is for a maximum of 150 residential units. Commissioner Mumford seconded. Chair LaMar called for the vote. All Commissioners voted yes. The motion passed unanimously.

1.5 Consideration of ZT-20-003, Amendments to Chapter 19.04 of Millcreek Code Pertaining to the Definition of Commercial Vehicles Planner: Francis Lilly

Francis Lilly said staff requested to amend the code. The City has two definitions for "commercial vehicle," one in Title 11 and one in Title 19. The goal was to change the Title 19 zoning ordinance definition (1-ton capacity truck) to the one found in Title 11 of the traffic and vehicles ordinance (3/4-ton capacity truck) in addition to adding a definition of a trailer and truck. Lilly said the City was not well served by having two conflicting definitions as far as code enforcement. The community councils unanimously recommended the change. Commissioner Mumford asked about the commercial vehicle definition only applying to trucks. Lilly said there were four categories; heavy equipment, pickup trucks over 1 ton, vehicles with more than two axles, and vehicles that exceeded 8 feet in height. Commissioner Mumford asked about commercial vans. Lilly said part of the definition was any "…motorized vehicle or trailer used for or intended for business use…" He said the City was not establishing a new definition, just aligning two definitions in the code. Commissioner Booth talked about the difference between a ¾-ton truck and a 1-ton truck. Commissioner Allen asked about personal trailers. Lilly said the definition focused on commercial vehicles intended for business use.

The Millcreek Community Council's comment submitted online was the following:

"*Millcreek Community Council response to ZT-20-003. I am Wayne Johnson representing the Millcreek Community Council. I live at 955 East Fairclough Dr (3565 South). The Millcreek Community Council met on 03 March 2020 and discussed ZT-20-003. There was some discussion about the definitions in the proposed change. The council wanted a clear understanding of the term 'commercial vehicle' before voting. The council voted to approve the update as presented.*"

Chair LaMar opened the public hearing.

There were no comments.

Chair LaMar closed the public hearing.

Commissioner Booth, for item ZT-20-003 amendments to Chapter 19.04 of Millcreek Code pertaining to the definition of commercial vehicles, moved that the item be passed from the Planning Commission to the City Council for approval. Commissioner Claerhout seconded. Commissioner Allen brought up modifying the trailer definition. **Commissioner Booth amended his motion to include that trailers used for business purposes be included in the definition not recreational use trailers. Commissioner Claerhout re-seconded the motion. Chair LaMar called for the vote. All Commissioners voted yes. The motion passed unanimously.**

1.6 Consideration of ZM-20-002, Amending the Zoning Map to Apply the C-3 Commercial Zone and the City Center Overlay Zone for Property to be Annexed into Millcreek, Between Miller and Woodland Avenues, and Highland Drive and Richmond Street Planner: Francis Lilly
1.7 Consideration of GP-20-002, Amending the Future Land Use Map to Apply the City Center Land Use Designation to Property to be Annexed into Millcreek, between Miller and Woodland Avenues, and Highland Drive and Richmond Street Planner: Francis Lilly

Francis Lilly said the applications dealt with land that will be incorporated into Millcreek per a boundary adjustment agreement with Salt Lake City that will take effect the first of July. The property currently in Salt Lake City was zoned CB, which is a mid-grade commercial zone, was surrounded by Millcreek's C-3 Zone on three sides and was in the City Center Overlay Zone. He showed the Commission an aerial map of the area and where it was located in the City Center. He said item 1.7 of the agenda was to designate that same property in the Future Lane Use Map in the General Plan as City Center. The goal was to change the General Plan to include the property and to establish the property in the C-3 Zone with the City Center Overlay Zone pursuant to the boundary adjustment agreement with Salt Lake City. The Millcreek Community Council and Canyon Rim Citizens Association unanimously recommended approval of the applications.

Chair LaMar read the Millcreek Community Council's comment submitted online. *"Millcreek Community Council response to GP-20-002, ZM-20-002. I am Wayne Johnson representing the Millcreek Community Council. I live at 955 East Fairclough Dr (3565 South). The Millcreek Community Council met on 03 March 2020 and discussed GP-20-002, ZM-20-002. There was not much discussion on this item. The council understands the need to amend the zoning map to apply the C-3 zone and city center overlay plan as well as amend the future land use map to apply the city center land use designation to the property annexed from Salt Lake City. The council unanimously recommends approval of the zoning and future land use map amendment."*

Chair LaMar opened the public hearing.

There was no comment.

Chair LaMar closed the public hearing.

Commissioner Allen moved to forward a positive recommendation for item ZM-20-002 and GP-20-002 to the City Council subject to the conditions outlined in the staff report. Commissioner Sieber seconded. Chair LaMar called for the vote. All Commissioners voted yes. The motion passed unanimously.

2. Continuing Business:

2.1 Consideration of SD-19-014, Preliminary Plat Approval for a Single-Family Residential Subdivision Consisting of 5 Lots Location: 3675 South Craig Circle Applicant: Tony Tippetts Planner: Robert May

Francis Lilly said there were representatives from the project on the electronic meeting platform that could answer questions. Robert May showed the Commission a map, the site proposal, and pictures of the site for the subdivision. He said the road would have a 50-foot right-of-way standard. He showed the Commission the buildable area of each lot and a comparison of surrounding lot widths. Staff recommended continuance of the application in December 2019 because of concerns of the subdivision proposal effecting the character of the surrounding neighborhood in relation to the General Plan, lot width, and topography. He said the Planning Commission moved to continue the item until staff had adequate time to report back to the Commission when ready for full consideration of the project. The following items were requested to be provided to the Planning Commission before preliminary plat approval could be granted: 1) a preliminary agreement in place with the East Millcreek Water Company; 2) geotechnical recommendations be included in the subdivision approval conditions; and 3) protocol or schedule for the construction process and construction staging plan be provided. Subsequent to the Planning Commission meeting, the applicant sought an advisory opinion from the State of Utah Office of the Property Rights Ombudsman on whether or not the City could use a design standard articulated in a staff analysis requiring subdivisions to be designed according to the character of the surrounding development to modify an express lot frontage requirement in the City's Municipal Code. In their opinion, the Ombudsman's Office said because the subdivision ordinance does not define "character," the City may not impose a requirement on that basis by internal policy or as part of a subdivision approval. Accordingly, staff recommended approval of the subdivision plat, with the following staff conditions:

1. The applicant is required to obtain the approval from the East Millcreek Water Company and signature on the recorded plat.
2. The applicant is required to obtain any approvals and permits required by the Utah State Water Rights Division and Army Corps of Engineers.
3. The applicant is required to conduct a tree preservation plan that inventories <u>all</u> significant trees and their replacement, caliper for caliper, prior to any excavation or demo permits being issued in addition to meeting all the requirements found in Chapter 19.77 Water Efficient Landscape Design and Development Standards of the Millcreek Code.
4. The applicant is required to plat buildable areas that meet the requirements of the Residential Compatibility Overlay Zone.
5. No light source (light bulb, fluorescent tube, or other direct source of light used to illuminate a parking area) shall be visible beyond the property line of any off-street parking area as required by Section 19.80.030 of the zoning ordinance.
6. The applicant will comply with all requirements established through the subdivision technical review process prior to receiving final plat approval.
7. All requirements found in Title 18 (Millcreek Subdivision Code) shall be met, including all applicable fees and bonding, including addressing and surveying fees.
8. The applicant will comply with all requirements of the Unified Fire Code, subject to approval by the Fire Marshal.
9. The applicant shall obtain a complete review for an approved building permit and shall continually comply with the requirements of Millcreek City, Salt Lake City Department of Public Utilities, and the S. L. City Suburban Sewer District.
10. Any modifications to these approved plans must be approved by the Planning Department.

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11. All standards and requirements of Title 14 of the Millcreek Code must be met, more specifically Chapter 14.12.020 and Chapter 14.12.025.
12. Applicant must meet Millcreek's MS4 permit requirements, including all requirements and standards of a Low Impact Development (LID) approach.
13. All requirements and recommendations within the Geotechnical report must be met.
14. All items of the staff report.

Commissioner Stephens asked about the inclusion of item 12. May said it needed to be added since it was not in the staff report. Commissioner Booth asked about access. May said lot 5 could not front on the abutting rear road. Commissioner Reid asked about the City allowing the creek to be degraded in any way and if it was an issue to look at. May said the water was not defined by the State as navigable waters, it was fed by a spring, and existed due to manmade improvements. The applicant must pipe the water through the property and let it flow onto the next property. Commissioner Mumford asked who was responsible for the 30,000 square foot preservation area. May said the preservation area was still owned by the lot owners. Commissioner Reid asked about tree preservation requirements or putting up a marker to not take trees down in the designated area. May said staff could explore that and said the tree preservation/storm water easement area could be notated on the recorded plat.

Applicant - Tony Tippetts said the gravel path and trees in the preservation area could be referenced in the surface agreement with owners.

Chair LaMar said he liked the tree preservation idea. He disagreed with the Property Rights Ombudsman's opinion on the term "character" and felt that reducing the lot count to fit the character of the neighborhood would have been appropriate. Commissioner Booth said the subdivision did not match the neighborhood. Chair LaMar read a comment from the City Attorney that was posted on the chat function of the electronic meeting asking if the applicant would be willing to comply with the Code standards of 19.12.100. Francis Lilly said the applicant was following it for the most part, but it referenced requirements of another zone. He suggested the applicant review Code 19.72.110 with staff during the technical review.

May asked Tippets to inform the Commission about the construction plan. Tippetts said he was considering installing the road then selling the individual lots. The demolition paperwork for the existing home on the property had been completed. He was looking to do the whole process as quickly as possible. May asked if Tippets would be willing to comply with code 19.12.100. Tippetts said he was not familiar with the code and did not want to agree to anything yet. Lilly said the application was subject to the landscaping ordinance for tree replacement and preservation, but there were more aggressive standards that could apply in code 19.72.110 in restoring disturbed vegetation. May said the current conditions were sufficient to accurately preserve the gully as the neighborhood wanted. He said the Commission could add a condition to explore options for tree demarcation or signage in the easement. Commissioner Stephens said the subdivision should be approved based on the current staff report. Commissioner Reid asked about working with staff on signage for tree preservation because she had concern for the long-term preservation. She suggested that there could be little signs in the ground that said, "natural preservation area." May said the Commission could approve the preliminary plat with the conditions in the staff report and amend the condition that required the applicant to meet all the requirements of the tree preservation code to also include demarcation signage options.

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Commissioner Stephens, as respects to SD-19-014 preliminary plat approval for a single-family residential subdivision consisting of 5 lots located at 3675 South Craig Circle, moved that the preliminary plat be approved subject to the conditions stated in the staff report in addition that the applicant work with staff to look at and provide demarcation options for the preservation of the natural areas. Commissioner Reid seconded. Chair LaMar called for the vote. Commissioners Allen, Mumford, Claerhout, Sieber, Stephens, and Reid voted yes. Commissioners Booth and LaMar voted no. The motion passed.

3. Business Meeting

3.1 Approval of February 19, 2020 Meeting Minutes

Commissioner Booth moved to adopt the minutes from February 19, 2020. Commissioner Reid seconded. Chair LaMar called for the vote. All Commissioners voted yes. The motion passed unanimously.

3.2 Updates from the Planning and Zoning Director

Francis Lilly thanked the Commission for participating in the electronic meeting.

4. Calendar of Upcoming Meetings

- City Council Mtg., 3/23/20, 5:00 p.m. at City Hall
- Canyon Rim Citizens Association Mtg., 4/1/20, 7:00 p.m. at 2375 E. 3300 S.
- East Mill Creek Community Council Mtg., 4/2/20, 6:30 p.m. at 2266 E. Evergreen Ave.
- Mt. Olympus Community Council Mtg., 4/7/20, 6:00 p.m. at 3450 E. Oakview Dr.
- Millcreek Community Council Mtg., 4/7/20, 6:30 p.m. at City Hall
- City Council Mtg., 4/13/20, 5:00 p.m. at City Hall
- Planning Commission Mtg., 4/15/20, 5:00 p.m. at City Hall

ADJOURNED: Commissioner Stephens moved to adjourn the meeting at 9:16 p.m. Commissioner Claerhout seconded. Chair LaMar called for the vote. All Commissioners voted yes. The motion passed unanimously.

APPROVED: _____ Date
Shawn LaMar, Chair

_____
Attest: Elyse Sullivan, City Recorder

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