1. Planning Commission Meeting (PDF)

Millcreek Planning Commission Meeting Agenda

Public Notice is hereby given that the Planning Commission of Millcreek will assemble in a regular public meeting on Wednesday, 18 February 2026 at City Hall, 1330 E. Chambers Avenue, Millcreek, Utah 84106, commencing at 5:00 p.m.

5:00 p.m. – Regular Meeting

1. Commission Business

1.1 Oath of Office; Jenny Burgess

1.2 How to Make Fair and Balanced Decisions Training by Justice Diana Hagen

2. Public Hearings

2.1 Consideration of CCOZ-25-003, Request to Rezone from the Commercial (C) Zone to the City Center Overlay – Development Agreement Zone (CCOZ-DA), with a Development Agreement, to Accommodate a Hotel, Commercial/Retail, and Residential Condominium Mixed-Use Development Location: 3232 S Highland Drive Applicants: Millcreek Staff, PEG Development, and Ensign Design Planner: Brad Sanderson

2.2 Consideration of ZM-26-001, Request to Rezone from the Commercial (C) Zone and the City Center Overlay Zone (CCOZ) to the City Center Overlay – Development Agreement Zone (CCOZ-DA), with a Development Agreement, to Accommodate a Residential Mixed-Use Development Location: 1312 E 3300 S Applicant: Tyler Morris, 3300 Cottonwood, LLC Planner: Carlos Estudillo

2.3 Consideration of ZM-26-002, Request for a Land Boundary Adjustment, Subdivision Amendment, and Rezone from R-1-6 to R-1-10 Location: 1575 E Millcreek Way Applicant: Jason Boal Planner: Carlos Estudillo

3. New Items

3.1 Consideration of CUP-26-001, Request for a Conditional Use Permit to Allow for a Massage Therapy and Personal Wellness Office Location: 3950 S 700 E Applicant: Spencer Clayton Planner: Zack Wendel

3.2 Consideration of SP-26-003/CUP-25-004, Request for a Conditional Use Permit Site Plan Approval and Subdivision to Accommodate an 18 Unit Townhome Residential Development Location: 1265-1276 E Villa Vista Avenue Applicant: Matt Wilcox Planner: Carlos Estudillo

4. Continuing Item

4.1 Consideration of ZM-25-006, Request to Remove a Zoning Condition in the RM Zone Limiting Age of Residents at a Facility Location: 777 E 3900 S Applicant: Preston Reading, on Behalf of Pacifica Companies Planner: Zack Wendel

5. Commission Business Continued

5.1 Approval of January 21, 2026 Regular Meeting Minutes

5.2 Housing Subcommittee Report

5.3 Updates from the Planning Director

6. Calendar of Upcoming Meetings

- City Council Mtg. 2/23/26, 7:00 p.m.
- City Council Mtg. 3/9/26, 7:00 p.m.
- Historic Preservation Commission Mtg. 3/12/26, 6:00 p.m.
- Planning Commission Mtg. 3/18/26, 5:00 p.m.

7. Adjournment

The Planning Commission public meeting is a public forum where the Planning Commission receives comment from applicants, the public, applicable agencies and staff regarding land use applications and other items on the Commission's agenda. In addition, it is where the Planning Commission takes action on these items. Actions may include: approval, approval with conditions, denial of legislative items, continuance, or recommendation to other bodies as applicable.

In accordance with the Americans with Disabilities Act, Millcreek will make reasonable accommodation for participation in the meeting. Individuals may request assistance by contacting the ADA Coordinator, 801-214-2751 or ADAINFO@MILLCREEKUT.GOV, at least 48 hours in advance of the meeting.

The meeting will be live streamed via the City's website at: HTTPS://WWW.MILLCREEKUT.GOV/373/MEETING-LIVE-STREAM. Public comment can be submitted before or during the meeting via the City's website at: HTTPS://WWW.MILLCREEKUT.GOV/FORMCENTER/CONTACT-US-5/PUBLIC-COMMENTS-61. The Commission may convene in an electronic meeting. Commissioners may participate from remote locations and may be connected to the electronic meeting by GoToMeeting, Zoom, or telephonic communications. The anchor location will be City Hall.

THE UNDERSIGNED DULY APPOINTED CITY RECORDER FOR THE MUNICIPALITY OF MILLCREEK HEREBY CERTIFIES THAT A COPY OF THE FOREGOING NOTICE WAS EMAILED OR POSTED TO:

City Hall City Website Utah Public Notice Website

Those Listed on the Agenda HTTPS://WWW.MILLCREEKUT.GOV/

HTTP://PMN.UTAH.GOV

DATE: February 11, 2026 CITY RECORDER: Elyse Sullivan

Documents:

PC 2-18-26 AGENDA.PDF
ZM-26-002 PC STAFF REPORT.PDF
CU-26-001 PC STAFF REPORT.PDF
CU-25-004-SD-26-001 PC STAFF REPORT.PDF
ZM-25-006 PC STAFF REPORT.PDF
PC 1-21-26 DRAFT MINUTES.PDF

Millcreek Planning Commission
Meeting Agenda

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City Hall	City Website	Utah Public Notice Website
Those Listed on the Agenda	https://www.millcreekut.gov/	http://pmn.utah.gov

DATE: February 11, 2026 CITY RECORDER: Elyse Sullivan

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

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

ZM-26-002

Planning Commission Staff Report

Meeting Date: **2/18/2026**
mi
Applicant: **Jason Boal**

Re: **Rezone**

Property Address: **1575 E Millcreek Way**

Zone: **From R-1-6 (Single-household Residential) to R-1-10 From R-1-6 (Single-household Residential**

Prepared By: **Carlos Estudillo, Planner ll**

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

REQUEST AND SYNOPSIS

The applicant, Jason Boal, is requesting to rezone 7606 SF of land from the R-1-6 to the R-1-10 (Single-Household Residential) zone. The land in question has been consolidated from neighboring properties, 1624 E Maple way (2022) and 1626 E Maple Way (2025), through a series of subdivision amendments.

Chapter 18.24 (Subdivisions) requires each lot to be contained entirely within a single zoning district. Consequently, as required by the Planning Director, The Applicant requests a rezone of the consolidated land from the R-1-6 (Single-Household Residential) to the R-1-10 (Single-Household Residential) zone to meet compliance with the requirements stipulated on Chapter 18.24 (Subdivisions) of the Millcreek code.

EXISTING CONDITIONS & FINDINGS:

- On April 2023, Millcreek Staff granted Final subdivision amendment approval to the owner of 1575 E Millcreek Way that consolidated 4004 SF of land from 1624 E Maple Way into 1575 E Millcreek Way. 1624 E Maple way's zone is R-1-6 (Single-Household Residential); Therefore, the underlying zone of the originally consolidated land was and has been R-1-6 (Single-Household Residential).

- On January 2026, the Millcreek Planning Director granted preliminary approval to subdivision

amendment (File No. SDA-25-005), an application to amend the Millcreek Park Plat "A" subdivision, specifically a property located at 1575 E Millcreek Way. This approved the consolidation of 3602 SF of Land from 1626 E Maple Way into 1575 E Millcreek Way. 1626 E Maple way's zone is R-1-6 (Single-Household Residential); Therefore, the underlying zone of the originally consolidated land was and has been R-1-6 (Single-Household Residential). To obtain final subdivision amendment approval, applicants must contain all consolidated land within the underlying zone of 1575 E Millcreek Way, which is R-1-10 (Single-Household Residential).

- The subject property (1575 E Millcreek Way) is comprised of approximately .55 acres (23,958 SF) in area. The lot is approximately 290 feet in length, and 90 feet in width. However, the consolidated land will increase the width of the rear yard from 77 feet to approximately 157 feet.

- The property located at 1626 E Maple Avenue is comprised of approximately .38 acres (16,553 SF) in area. The lot is approximately 182 feet in length, and 80 feet in width. The width of this parcel will remain relatively the same after consolidation.

- **Lot areas after consolidation**:

    - 1575 E Millcreek Way: 27,560 SF (R-1-10).

    - 1626 E Maple Avenue: Approximately 12,951 SF (R-1-6).

- **Land Use Designation.** The Subject Property is within the "Neighborhood One" designation under the General Plan:

    - The "Neighborhood One" land use designation envisions neighborhoods (of all ages) that are comprised of predominantly of single-family detached homes.

    - Both properties will remain under the "Neighborhood One" designation under the General Plan.

- **Surrounding Uses.** Properties surrounding the Subject Property consist of low-density residential housing.

- A Rocky Mountain Power easement will need to be re-drafted and approved by Rocky Mountain Power to satisfy the previously recorded easement found in 1626 E Maple Avenue. A plat may not be recorded unless this requirement is satisfied.

- All development will be required to meet the **minimum zoning and land use ordinances**.

CONCLUSIONS:

- **Planning Open House Meeting:** Residents within 600' radius of the property were noticed to participate in an open house meeting, that was held on February 3rd, 2026. Staff did not receive any comments in response to the application. However, clarifications were asked in regard to the rear-yard setbacks and their dimensions after the applicant's consolidation is done.

- **East Millcreek Community Council Comments:** At February 5th, 2026, East Millcreek Community Council Meeting, Members expressed curiosity as to the intent of the consolidation. Due to the odd shape and configuration of the resultant lot of the subject property, at least one member sought clarity as to the setback distance from the segment of property line running West to East which abuts the rear (north) property line of 1601 E Millcreek Way. Based on information contained in the Project Summary and provided by applicants and staff at the 2/3/26 Planning Open House, no development is part of the application at this time. Similarly, the EMCCC chooses to provide neither positive nor negative recommendations on the applicant's request at this time; however, the EMCCC notes that they have found no grounds on which to raise an objection.

- The zone change's intention is to clean up portions of land that are not consistent with their required underlying zone after a lot consolidation, as required by Chapter 18.24 (Subdivisions).

- The zone change will not create any nonconformities or increase the degree of nonconformity of any existing structure or use, as neither property's width nor length will decrease after consolidation.

- No detrimental effects have been identified by staff pertaining to this specific application and therefore no conditions of approval are determined to be necessary.

- 1575 E Millcreek Way, along with the consolidated land will follow the spatial requirements for the R-1-10 (Single-Household Residential) Zone.

- The proposal is compliant with all other applicable requirements of the Millcreek code and all other applicable regulations and requirements.

- The project is subject to further review and final approval.

RECOMMENDATIONS:

Staff Recommendation: Based on the findings and conclusions listed above, Staff recommend that the Planning Commission make public comments and recommend the City Council approve application file number ZM-26-002, as presented, unless during the hearing facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff.

I move that the Planning Commission recommends approval of application ZM-26-002, as presented.

SUPPORTING DOCUMENTS

Application package
Appendix: Community Council/Public comments

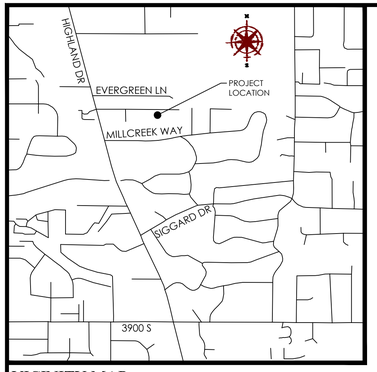

Maple Ave
Maple Cv
Single-Household Residential (R-1-6)
Single-Household Residential (R-1-10)
Millcreek Way

MILL CREEK PARK PLAT "A" THIRD AMENDMENT

(EXTENDING LOT 7, BLOCK 1 AND INCLUDES A PART OF PARCEL 16-33-128-008)

LOCATED IN THE NW1/4 OF SECTION 33, T1S, R1E, SALT LAKE BASE & MERIDIAN

1575 E MILLCREEK WY, MILLCREEK, SALT LAKE COUNTY, UTAH

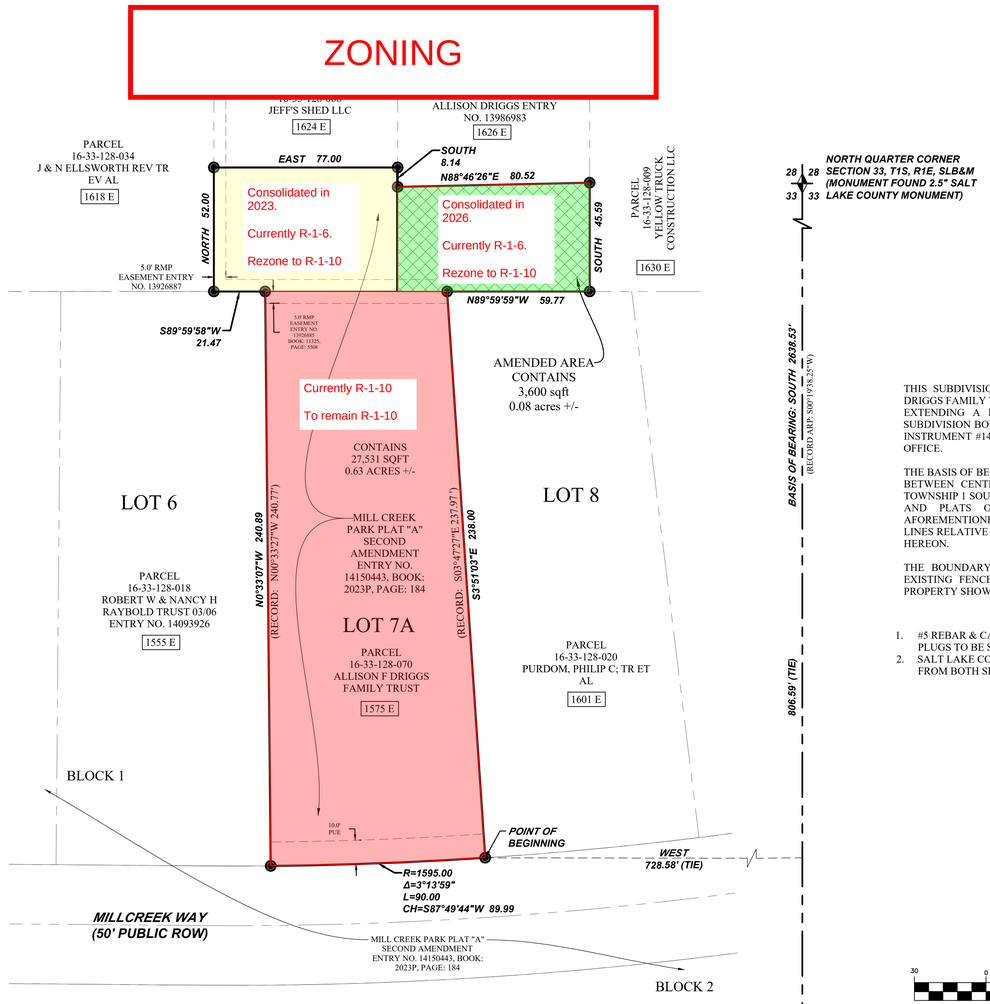


VICINITY MAP

LEGEND

- BOUNDARY
- SECTION LINE
- EASEMENT
- RIGHT-OF-WAY LINE
- CENTERLINE
- ADJACENT PARCEL
- SECTION MONUMENT (FOUND)
- BOUNDARY MARKERS
- AREA AMENDED

ZONING



28 28 NORTH QUARTER CORNER SECTION 33, T1S, R1E, SLB&M (MONUMENT FOUND 2.5" SALT LAKE COUNTY MONUMENT)

33 33 CENTER CORNER OF SECTION 33, T1S, R1E, SLB&M (FOUND 2.5" SALT LAKE COUNTY BRASS CAP MONUMENT)

BASIS OF BEARING: SOUTH 2638.53' (RECORD ARP: S00°19'38.57"W)

806.59' (TIE)

NARRATIVE

THIS SUBDIVISION PLAT WAS PREPARED AT THE REQUEST OF ALLISON F. DRIGGS FAMILY TRUST, A LANDOWNER, FOR THE PURPOSE OF AMENDING AND EXTENDING A LOT IN A SUBDIVISION TO CHANGE MILL CREEK PARK SUBDIVISION BOUNDARY TO INCLUDE A PORTION OF LAND AS DESCRIBED IN INSTRUMENT #14082459 RECORDED AT THE SALT LAKE COUNTY RECORDER'S OFFICE.

THE BASIS OF BEARING FOR THIS SURVEY IS SOUTH ALONG THE SECTION LINE BETWEEN CENTER QUARTER AND THE NORTH QUARTER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN. ALL DEEDS AND PLATS OF RECORD HAVE BEEN ROTATED TO MATCH THE AFOREMENTIONED BASIS OF BEARING, OR TO OTHER SECTIONAL/MONUMENT LINES RELATIVE TO SAID BASIS OF BEARING PER MEASURED LINES AS SHOWN HEREON.

THE BOUNDARY WAS ROTATED TO MATCH RECORDED VESTING DEEDS, EXISTING FENCE LINES AND CURB PINS ON AND AROUND THE SUBJECT PROPERTY SHOWN HEREON.

NOTES

1. #5 REBAR & CAP (FOCUS ENG) TO BE SET AT ALL LOT CORNERS, NAILS OR PLUGS TO BE SET IN TOP BACK OF CURB AT EXTENSION OF SIDE LOT LINES.
2. SALT LAKE COUNTY HEALTH DEPARTMENT REQUIRES WILL SERVE LETTERS FROM BOTH SEWER AND WATER AGENCIES.

N

S

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)

1 inch = 30 ft.

SHEET 1 OF 1

SURVEYOR'S CERTIFICATE

I, JUSTIN LUNDBERG, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NUMBER 12554439 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17, UTAH CODE, AND HAVE VERIFIED MEASUREMENTS SHOWN, AND AMENDED THE PROPERTY TO BE KNOWN AS MILL CREEK PARK PLAT "A" THIRD AMENDMENT AND THE SAME HAS BEEN SURVEYED AND MONUMENTS WILL BE PLACED ON THE GROUND AS SHOWN HEREON.

PROFESSIONAL LAND SURVEYOR 12/29/25 No. 12554439 JUSTIN LUNDBERG STATE OF UTAH

Justin Lundberg
Professional Land Surveyor
License No. 12554439

12/29/25
Date

BOUNDARY DESCRIPTION

A part of the Northwest Quarter of Section 33, Township 1 South, Range 1 East, Salt Lake Base and Meridian, located in Millcreek City, Salt Lake County, Utah, being more particularly described as follows:

Beginning at a point located on the northerly Right-of-Way of Millcreek Way being determined by said Mill Creek Park Plat "A" Second Amendment according to the official plat thereof recorded September 8, 2023 as Entry No. 14150443 in the Salt Lake County Recorder's Office; said point also being the Southeast Corner of Lot 7A of said plat, also being located South 806.59 feet along the Quarter Section Line and West 728.58 feet from the North Quarter Corner of Section 33, Township 1 South, Range 1 East, Salt Lake Base & Meridian; thence along said plat the following six (6) courses: (1) the arc of a curve to the right with a radius of 1,595.00 feet a distance of 90.00 feet through a central angle of 03°13'59" Chord: S87°49'44"W 89.99 feet; (2) thence N00°33'07"W 240.89 feet; (3) thence S89°59'58"W 21.47 feet; (4) thence North 52.00 feet; (5) thence East 77.00 feet; (6) thence South 8.14 feet; thence N88°46'26"E 80.52 feet to the easterly deed line of that Warranty Deed thereof recorded July 18, 2022 as Entry No. 13986983 in the Salt Lake County Recorder's Office; thence along said deed line the following two (2) courses: (1) South 45.59 feet; (2) thence N89°59'59"W 59.77 feet to the easterly line of Lot 7A of said plat S03°51'03"E 238.00 feet to the point of beginning.

Containing 27,531 square feet +/-

OWNER'S DEDICATION

KNOWN ALL BY THESE PRESENT THAT WE, THE UNDERSIGNED OWNERS OF THE ALLISON F. DRIGGS FAMILY TRUST DESCRIBED TRACT OF LAND ABOVE TO HEREAFTER BE KNOWN AS

MILL CREEK PARK PLAT "A" THIRD AMENDMENT
EXTENDING LOT 7, BLOCK 1 AND INCLUDES A PART OF PARCEL 16-33-128-008)

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

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

TRUSTEE TRUSTEE

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF)
:ss.
COUNTY OF _____)

ON THE ____ DAY OF _____, 20 __, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY OF _____ IN THE STATE OF _____, _____, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE/SHE IS THE _____ SIGNING THE FORGOING OWNER'S DEDICATION WHO DULY ACKNOWLEDGED BEFORE ME THAT HE/SHE DID EXECUTE THE SAME FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

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

MY COMMISSION NO._____ _____ PRINTED FULL NAME OF NOTARY

MILL CREEK PARK PLAT "A" THIRD AMENDMENT
EXTENDING LOT 7, BLOCK 1 AND INCLUDES A PART OF PARCEL 16-33-128-008)
LOCATED IN THE NW1/4 OF SECTION 33, T1S, R1E,
SALT LAKE BASE & MERIDIAN
1575 E MILLCREEK WY, MILLCREEK, SALT LAKE COUNTY, UTAH

ROCKY MOUNTAIN POWER

1. Pursuant to Utah Code Ann § 54-3-27 this plat conveys to the owner(s) or operators of utility facilities a public utility easement along with all the rights and duties described therein.
2. Pursuant to Utah Code Ann § 10-9a-603 Rocky Mountain Power accepts delivery of the PUE as described in this plat and approves this plat solely for the purpose of confirming that the plat contains public utility easements and approximates the location of the public utility easements, but does not warrant their precise location. Rocky Mountain Power may require other easements in order to serve this development. This approval does not affect any right that Rocky Mountain Power has under
   (1) A recorded easement or right-of-way
   (2) The law applicable to prescriptive rights
   (3) Title 54, Chapter 8a, Damage to Underground Utility Facilities, or
   (4) Any other provision of law

ROCKY MOUNTAIN POWER DATE

ENBRIDGE GAS UTAH

Questar Gas Company, dba Enbridge Gas Utah ("Enbridge"), approves this plat solely to approximate the location of Enbridge's right-of-way/easement(s) and existing underground facilities but does not warrant or verify their precise location. This approval does not (a) affect any right Enbridge has under Title 54, Chapter 8a, a recorded easement or right-of-way, prescriptive rights, or any provision of law: (b) constitute acceptance of any terms contained in any portion of the plat: and (c) guarantee any terms or waive Enbridge's right to require additional easements for gas service.

QUESTAR GAS COMPANY
dba ENBRIDGE GAS UTAH

Approved this ____ DAY OF _____ A.D. 20____

By:_____

Title:_____

MT. OLYMPUS IMPROVEMENT DISTRICT

APPROVED THIS ___ DAY OF _____ 20___,
BY MT. OLYMPUS IMPROVEMENT DISTRICT.

MT. OLYMPUS IMPROVEMENT DISTRICT

SALT LAKE COUNTY ADDRESSING APPROVAL

DATE SIGNATURE

OWNER/DEVELOPER
ALLISON F. DRIGGS
FAMILY TRUST

PUBLIC UTILITY APPROVAL

CENTURY LINK: _____ DATE:_____
COMCAST: _____ DATE:_____
DOMINION ENERGY:_____ DATE:_____
ROCKY MTN. POWER:_____ DATE:_____
OTHER: _____ DATE:_____

MILLCREEK ENGINEERING DEPARTMENT

APPROVED THIS _____ DAY OF_____ 20___
BY MILLCREEK ENGINEERING DEPARTMENT.

SIGNED DATE:

UNIFIED FIRE AUTHORITY

APPROVE THIS _____ DAY OF _____ 20_____
BY THE UNIFIED FIRE AUTHORITY.

UNIFIED FIRE AUTHORITY

RECORD OF SURVEY

R.O.S NO: _____

SIGNED DATE

MILLCREEK PLANNING COMMISSION

APPROVED THIS ____ DAY OF _____ 20____,
BY MILLCREEK PLANNING COMMISSION.

MILLCREEK PLANNING COMMISSION CHAIR DATE

PREPARED BY

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

SALT LAKE COUNTY HEALTH DEPARTMENT

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

DIRECTOR, HEALTH DEPARTMENT.

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____DAY OF _____ 20___.

MILLCREEK ATTORNEY

MILLCREEK PLANNING AND ZONING DEPARTMENT

APPROVED THIS ____ DAY OF _____ 20____,
BY MILLCREEK PLANNING AND DEVELOPMENT DEPARTMENT

MILLCREEK PLANNING AND ZONING DIRECTOR

MILLCREEK MAYOR

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

MAYOR ATTEST: CITY RECORDER

SALT LAKE COUNTY RECORDER

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

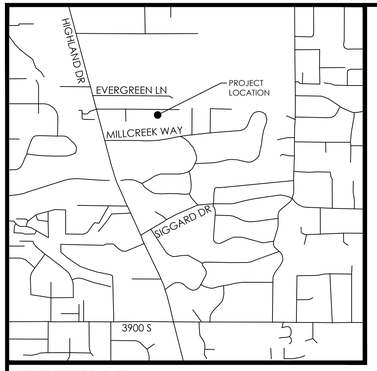
DATE:_____ TIME:_____ BOOK:_____ PAGE:_____

$_____ _____
FEE DEPUTY SALT LAKE COUNTY RECORDER

Z:_2021\21-0536 MAPLE AVE IVORY\DESIGN 21-0536\DWG\SHEETS\21-0536 AMENDED PLAT 092425.DWG

MILL CREEK PARK PLAT "A" SECOND AMENDMENT
(AMENDING AND EXTENDING LOT 7, BLOCK 1 AND INCLUDES A PART OF PARCEL 16-33-128-007)

2023 LOT CONSOLIDATION



VICINITY MAP

LEGEND

- BOUNDARY
- SECTION LINE
- EASEMENT
- RIGHT-OF-WAY LINE
- CENTERLINE
- BUILDING SETBACK
- EXISTING PROPERTY LINE
- SECTION MONUMENT (FOUND)
- BOUNDARY MARKERS

NARRITIVE

THIS SUBDIVISION PLAT WAS PREPARED AT THE REQUEST OF ALLISON F. DRIGGS FAMILY TRUST, A LANDOWNER. FOR THE PURPOSE OF AMENDING AND EXTENDING A LOT IN A SUBDIVISION TO CHANGE MILL CREEK PARK SUBDIVISION BOUNDARY TO INCLUDE A PORTION OF LAND AS DESCRIBED IN INSTRUMENT #14082459 RECORDED AT THE SALT LAKE COUNTY RECORDER'S OFFICE.

BASIS OF BEARING IS SOUTH ALONG THE QUARTER SECTION LINE BETWEEN THE NORTH QUARTER CORNER AND THE CENTER CORNER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 EAST, S.L.B&M. AS PER THAT RECORD OF SURVEY FILED AS S2017-09-0626 IN THE OFFICE OF THE SALT LAKE COUNTY SURVEYOR.

THE BOUNDARY WAS ROTATED TO MATCH RECORDED VESTING DEEDS, EXISTING FENCE LINES AND CURB PINS ON AND AROUND THE SUBJECT PROPERTY SHOWN HEREON.

NOTES

1. #5 REBAR & CAP (FOCUS ENG) TO BE SET AT ALL LOT CORNERS, NAILS OR PLUGS TO BE SET IN TOP BACK OF CURB AT EXTENSION OF SIDE LOT LINES.

ROCKY MOUNTAIN POWER

1. Pursuant to Utah Code Ann § 54-3-27 this plat conveys to the owner(s) or operators of utility facilities a public utility easement along with all the rights and duties described therein.
2. Pursuant to Utah Code Ann § 10-9a-603 Rocky Mountain Power accepts delivery of the PUE as described in this plat and approves this plat solely for the purpose of confirming that the plat contains public utility easements and approximates the location of the public utility easements, but does not warrant their precise location. Rocky Mountain Power may require other easements in order to serve this development. This approval does not affect any right that Rocky Mountain Power has under
   (1) A recorded easement or right-of-way
   (2) The law applicable to prescriptive rights
   (3) Title 54, Chapter 8a, Damage to Underground Utility Facilities, or
   (4) Any other provision of law

_____
ROCKY MOUNTAIN POWER DATE

DOMINION ENERGY UTAH

QUESTAR GAS COMPANY dba DOMINION ENERGY UTAH, HEREBY APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY UTAH MAY REQUIRE ADDITIONAL EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES INCLUDING PRESCRIPTIVE RIGHTS AND OTHER RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGEMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION OR THE NOTES, AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OR CONDITIONS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY UTAH'S RIGHT-OF-WAY DEPARTMENT AT 800-366-8532.

QUESTAR GAS COMPANY
dba DOMINION ENERGY UTAH

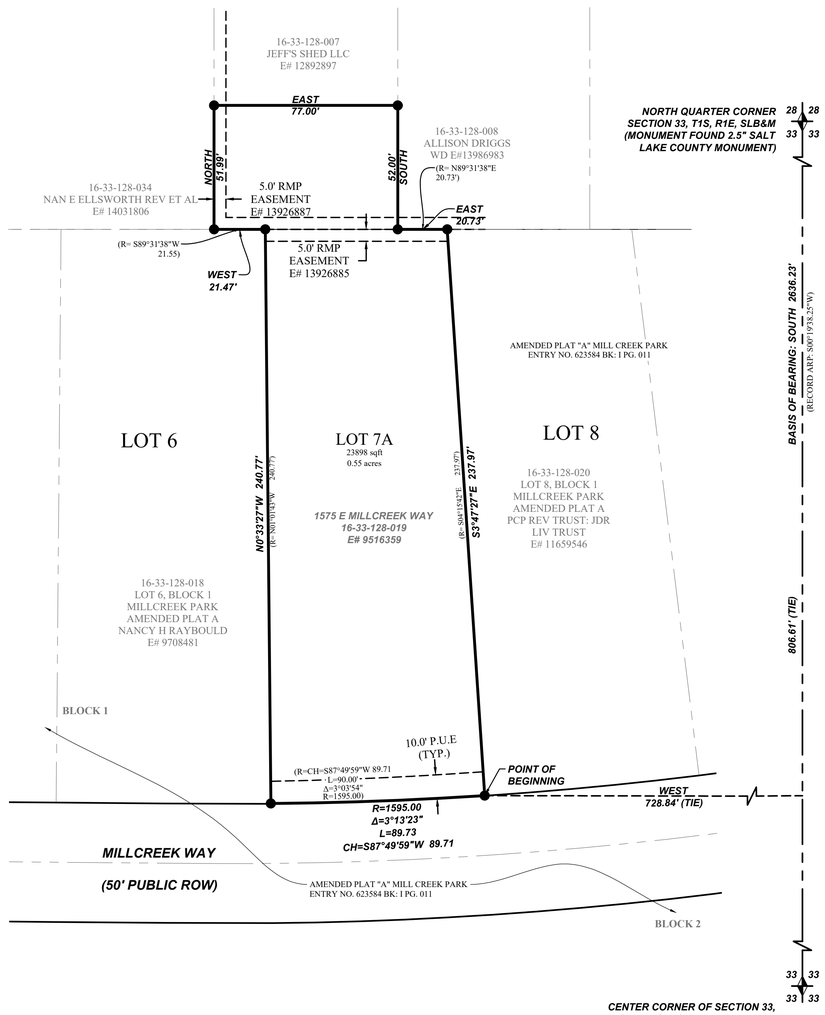
APPROVED THIS ____ DAY OF _____ A.D. 20__

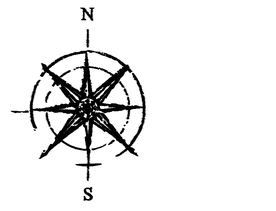
BY _____

TITLE _____

OWNER/DEVELOPER

Allison F. Driggs Family Trust





SURVEYOR'S CERTIFICATE

I, JUSTIN LUNDBERG, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NUMBER 12554439 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17, UTAH CODE, AND HAVE VERIFIED MEASUREMENTS SHOWN, AND AMENDED THE PROPERTY TO BE KNOWN AS MILL CREEK PARK PLAT "A" SECOND AMENDMENT AND THE SAME HAS BEEN SURVEYED AND MONUMENTS WILL BE PLACED ON THE GROUND AS SHOWN HEREON.

PROFESSIONAL LAND SURVEYOR 07/11/23 No. 12554439 JUSTIN LUNDBERG STATE OF UTAH

Justin Lundberg
Professional Land Surveyor
License No. 12554439

07/11/23
Date

BOUNDARY DESCRIPTION

An entire tract of land being all of Lot 7, Block 1 of the Amended Plat "A" of Mill Creek Park recorded as Entry No. 623584 in Book 1 at Page 011 and a parcel of land disclosed in that Warranty Deed recorded as Entry No. 14082459 in the office of the Salt Lake County Recorder. Said entire tract of land is a part of the Northwest quarter of Section 33, Township 1 South, Range 1 East, Salt Lake Base and Meridian, located in Millcreek, Salt Lake County, Utah, being more particularly described as follows:

Beginning at a point located on the Northerly Right of Way of Millcreek Way being determined by said AMENDED PLAT "A" MILL CREEK PARK SUBDIVISION, according to the official plat thereof, recorded in the office of the Salt Lake County Recorder, said point also being the Southeast Corner of Lot 7 Block 1 of said Subdivision, also being located South 806.61 feet along the Quarter Section Line and West 728.84 feet from the North 1/4 corner of Section 33, Township 1 South, Range 1 East, Salt Lake Base & Meridian; thence continue along said Right of Way Westerly along the arc of a non-tangent curve to the right having a radius of 1,595.00 feet (radius bears: N03°47'17"W) a distance of 89.72 feet through a central angle of 03°13'23" Chord: S87°53'28"W 89.71 feet to the front common Corner of Lots 6 & 7 of said Subdivision; thence along the common Lot line N00°33'27"W (Record = N01°00'43"W) 240.77 feet to the Northwesterly Corner of said Lot 7 at a point in the south boundary of a parcel disclosed in said Warranty Deed recorded as Entry No. 14082459 of the Official Records of the Salt Lake County Recorder; thence West 21.47 feet (Record = S89°31'38"W 21.55) feet along said South boundary; thence North 52.00 feet along the Westerly boundary of said parcel disclosed on said deed; thence East 77.00 feet to the Easterly boundary of said parcel disclosed in said deed; thence along said Easterly boundary South 52.00 feet to the Southeast Corner of said parcel at a point in the Northerly boundary of said Lot 7; thence East (Record = N89°31'38"E) 20.73 feet to the Northeasterly Corner of said Lot 7; thence continue along the Easterly edge of said Lot 7 S03°47'27"E (Record = S04°15'42"E) 237.97 feet to the point of beginning.

Area Contains: 0.55 acres+/-

OWNER'S DEDICATION

KNOWN ALL BY THESE PRESENT THAT WE, THE UNDERSIGNED OWNERS OF THE ALLISON F. DRIGGS FAMILY TRUST DESCRIBED TRACT OF LAND ABOVE TO HEREAFTER BE KNOWN AS

MILL CREEK PARK PLAT "A" SECOND AMENDMENT

(AMENDING AND EXTENDING LOT 7, BLOCK 1 AND INCLUDES A PART OF PARCEL 16-33-128-007)

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

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

_____ TRUSTEE

_____ TRUSTEE

TRUSTEE

STATE OF UTAH
S.S.
COUNTY OF _____

ON THE ____ DAY OF _____, 20 ___ BEFORE ME,_____ PERSONALLY APPEARED_____, AS TRUSTEE OF THE ALLISON F. DRIGGS FAMILY TRUST UNDER TRUST INSTRUMENT DATED_____, WHO ACKNOWLEDGE TO ME THAT HE OR SHE EXECUTED IT IN SUCH CAPACITY WITH AUTHORITY TO DO SO.

_____
A NOTARY SIGNATURE

MILLCREEK ENGINEERING

_____ SIGNED _____ DATE:

CHECKED FOR ZONING COMPLIANCE

ZONE:_____ LOT AREA:_____

LOT WIDTH:_____ FRONT YARD _____

SIDE YARD: _____ REAR YARD _____

_____ DATE _____ SIGNATURE

RECORD OF SURVEY

RSC NO.: S2023-02-0242

_____ DATE _____ SIGNATURE

ADDRESS FRONTAGE APPROVED

_____ DATE _____ SIGNATURE

UNIFIED FIRE AUTHORITY

_____ DATE _____ SIGNATURE

MILL CREEK PARK PLAT "A" SECOND AMENDMENT

(AMENDING AND EXTENDING LOT 7, BLOCK 1 AND INCLUDES A PART OF PARCEL 16-33-128-007)

LOCATED IN THE NW1/4 OF SECTION 33, T1S, R1E,
SALT LAKE BASE & MERIDIAN
MILLCREEK, SALT LAKE COUNTY, UTAH

PREPARED BY

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

SALT LAKE VALLEY HEALTH DEPARTMENT

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

_____ DIRECTOR, S. L. VALLEY HEALTH DEPT.

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____DAY OF _____ A.D. 20___.

_____ MILLCREEK ATTORNEY

MILLCREEK PLANNING AND ZONING DEPARTMENT

APPROVED THIS ____ DAY OF _____A.D. 20____, BY MILLCREEK PLANNING AND DEVELOPMENT DEPARTMENT

_____ MILLCREEK PLANNING AND ZONING DIRECTOR

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

MILLCREEK PLANNING COMMISSION

APPROVED THIS ____ DAY OF _____A.D. 20____, BY MILLCREEK PLANNING COMMISSION.

_____ MILLCREEK PLANNING COMMISSION CHAIR _____ DATE

SALT LAKE COUNTY RECORDER

RECORDED # _____

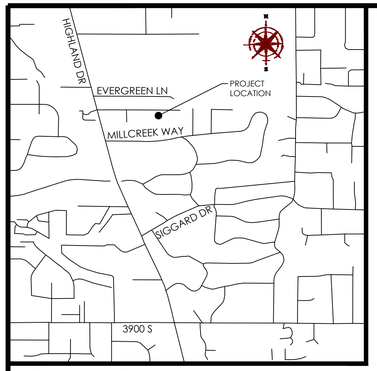
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF:

_____

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

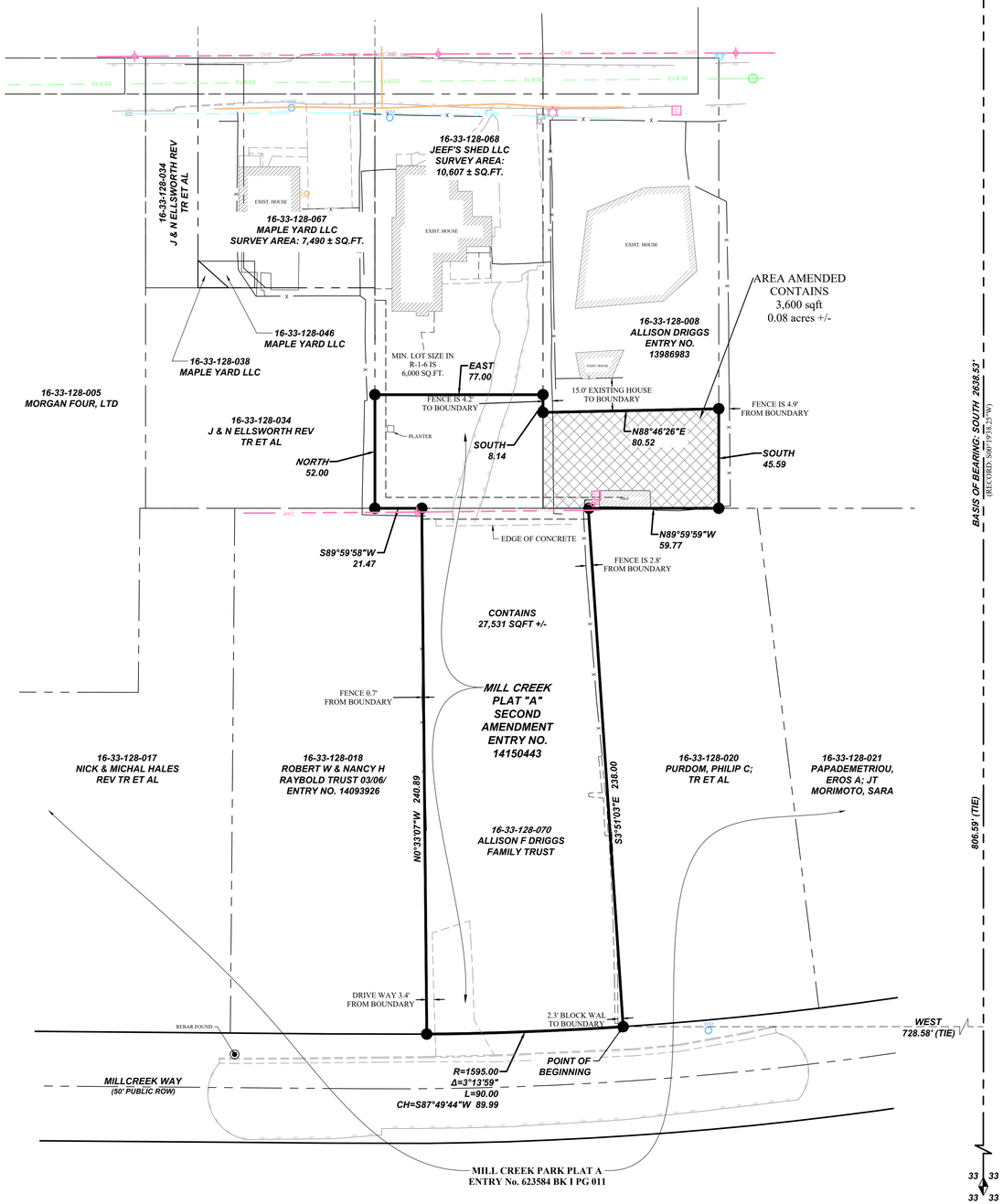
$_____ FEE _____ DEPUTY SALT LAKE COUNTY RECORDER

2:_2021\21-0536 MAPLE AVE IVORY\DESIGN 21-0536\DWG\SHEETS\21-0536 AMENDED PLAT.DWG



VICINITY MAP
N.T.S

2026 LOT CONSOLIDATION



28 28
33 33
NORTH QUARTER CORNER
SECTION 33, T1S, R1E, SLB&M
(MONUMENT FOUND)

BASIS OF BEARING: SOUTH 2638.53'
(RECORD: S00°19'28.22"W)

33 33
33 33
CENTER QUARTER CORNER
SECTION 33, T1S, R1E, SLB&M
(FOUND BRASS CAP)

LEGEND

- BOUNDARY LINE
- SECTION LINE
- EXIST. EASEMENT LINE
- EXIST. PROPERTY LINE
- EXIST. CONTOUR MAJOR
- EXIST. CONTOUR MINOR
- EXIST. SANITARY SEWER
- EXIST. IRRIGATION
- EXIST. OVERHEAD POWER
- EXIST. FENCE
- EXIST. CONCRETE, CURB & GUTTER, SIDEWALK
- EXIST. EDGE OF ASPHALT
- SECTION MONUMENT (FOUND)
- SECTION MONUMENT (NOT FOUND)
- BOUNDARY MARKER
- EXIST. SEWER MANHOLE
- EXIST. WATER VALVE & WATER METER
- EXIST. FIRE HYDRANT
- EXIST. IRRIGATION BOX
- EXIST. GAS VALVE & GAS METER
- EXIST. STREET LIGHT
- EXIST. POWER POLE
- AREA AMENDED

N

S

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

NARRATIVE/NOTES

The purpose of this Survey is to correctly represent the boundary lines and property corners of the surveyed parcel described and shown hereon, identified as Parcels 16-33-128-070, 16-33-128-068, and 16-33-128-008 in the Salt Lake County, Utah.

1. Salt Lake County, Utah.
2. No title report was provided to the Surveyor by the client, and no investigation or independent search for easement record, encumbrances, restrictive covenants, ownership, title evidence, or any other facts which an accurate and current title search may disclose.
3. Documents of record in the offices of the Salt Lake County Recorder and Surveyor were utilized in the preparation of this survey. Focus Engineering & Surveying, LLC is entitled to rely on the accuracy of these documents, and is not liable for errors and omissions based on their reliance thereof. Unless noted otherwise, all record parcels noted on this Survey are referenced from said documents.
4. The Basis of Bearing for this Survey is South along the Section line between Center Quarter and the North Quarter of Section 33, Township 1 South, Range 1 East, Salt Lake Base & Meridian. All deeds and plats of record have been rotated to match the aforementioned basis of bearing, or to other Sectional/monument lines relative to said basis of bearing per measured lines as shown hereon.
5. Vertical data (contour lines and/or spot elevations, etc.) is based on the NAVD 88 elevation published by the Salt Lake County Surveyor on the North Quarter of Section 33, Township 1 South, Ranger 1 East, Salt Lake Base & Meridian with an elevation of 4468.97.
6. #5 rebar & cap (FOCUS ENG) to be set at all boundary corners unless noted otherwise.
7. This drawing, its design and invention thereof, either electronic or hard copy, is the property of Focus Engineering & Surveying, LLC, and is submitted to, and is for the exclusive use of the client referenced on the Survey. Only signed and sealed copies authorized by the Surveyor and sent from Focus Engineering & Surveying, LLC, or certified copies obtained from the office of the County Surveyor may be used as the official work of the Surveyor.
8. Except as specifically stated or shown on this drawing, no attempt has been made as a part of this Survey to obtain or show data concerning existence, size, depth, condition, capacity, or location of any utility or municipal/public service facility. For information regarding these utilities or facilities, contact the appropriate agency.
9. Except as specifically stated or shown on this drawing, this Survey does not purport to reflect any of the following which may be applicable to the properties shown hereon: easements, encumbranees, building setback lines, restrictive covenants, subdivision restriction, zoning, or other land use restrictions. Underground utilities have been shown hereon based on observed evidence. Additional utilities, including, but not limited to: power, phone, cable TV, water, sewer, storm drainage, etc. may exist within the boundaries of this Survey and Blue Stakes should be contacted prior to digging. Engineers, Contractors, and others that rely on this information should be cautioned that the locations of the existing utilities may not be relied upon as being exact or complete. Additional exploration, verification and relocation of existing utilities will be the sole responsibility of any contractor prior to, or during construction of any additional improvements.
10. The following documents were reviewed and/or utilized in the preparation of this Survey:
    a. Amended Plat "A" Mill Creek Park Subdivision, recorded as Entry # 623584 in Book I Page 11, December 19, 1928.
    b. Mill Creek Park Plat "A" Second Amendment, recorded as Entry # 14150443 in Book 2023P Page 184, September 8, 2023.
    c. Quit Claim Deed, recorded as Entry # 14093926 in Book 11412, Page 8176, April 14, 2023.
    d. Warranty Deed, recorded as Entry # 13986983 in Book 11357, Page 5215, July 18, 2022.

OVERALL SURVEY DESCRIPTION

A part of the Northwest Quarter of Section 33, Township 1 South, Range 1 East, Salt Lake Base and Meridian, located in Millcreek City, Salt Lake County, Utah, being more particularly described as follows:

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Containing 27,531 square feet +/-

SURVEYOR'S CERTIFICATE

"I, Justin Lundberg, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 12554439 in accordance with Title 58, Chapter 22 of Utah State Code. I further certify by authority of the owners(s) that I have made a Survey of the lands shown on this Plan and that it correctly represents the existing conditions as shown. This Plan does not represent a certification to the title or ownership of the lands shown hereon."

10/15/25
Justin Lundberg Date
Professional Land Surveyor
License No. 12554439

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

PROFESSIONAL LAND SURVEYOR
10/15/25
No. 12554439
JUSTIN LUNDBERG
STATE OF UTAH

BOUNDARY SURVEY

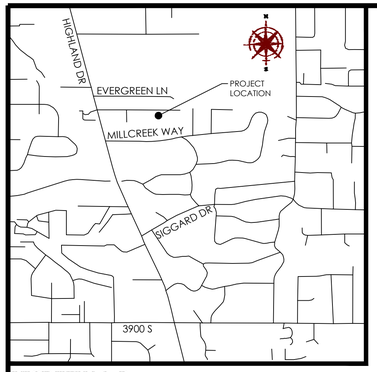
LOCATION: 1575 E MILLCREEK WY, MILLCREEK, SALT LAKE COUNTY, UTAH
THE NW 1/4 OF SECTION 33, T1S, R1E, SLB&M
PREPARED FOR: ALLISON F. DRIGGS FAMILY TRUST

REVISION BLOCK

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

Drawn: LH	Checked: JDL
Scale: 1"=30'	Job #: 21-0536
Date: 10/07/25	
Sheet: 1 OF 1	

Z:_2021\21-0536 Maple Ave Ivory\ROS\21-0536 ROS MAPLE AVE 092325.dwg



VICINITY MAP
N.T.S

SETBACKS

LEGEND

- BOUNDARY LINE
- SECTION LINE
- EXIST. EASEMENT LINE
- EXIST. PROPERTY LINE
- EXIST. CONTOUR MAJOR
- EXIST. CONTOUR MINOR
- EXIST. SANITARY SEWER
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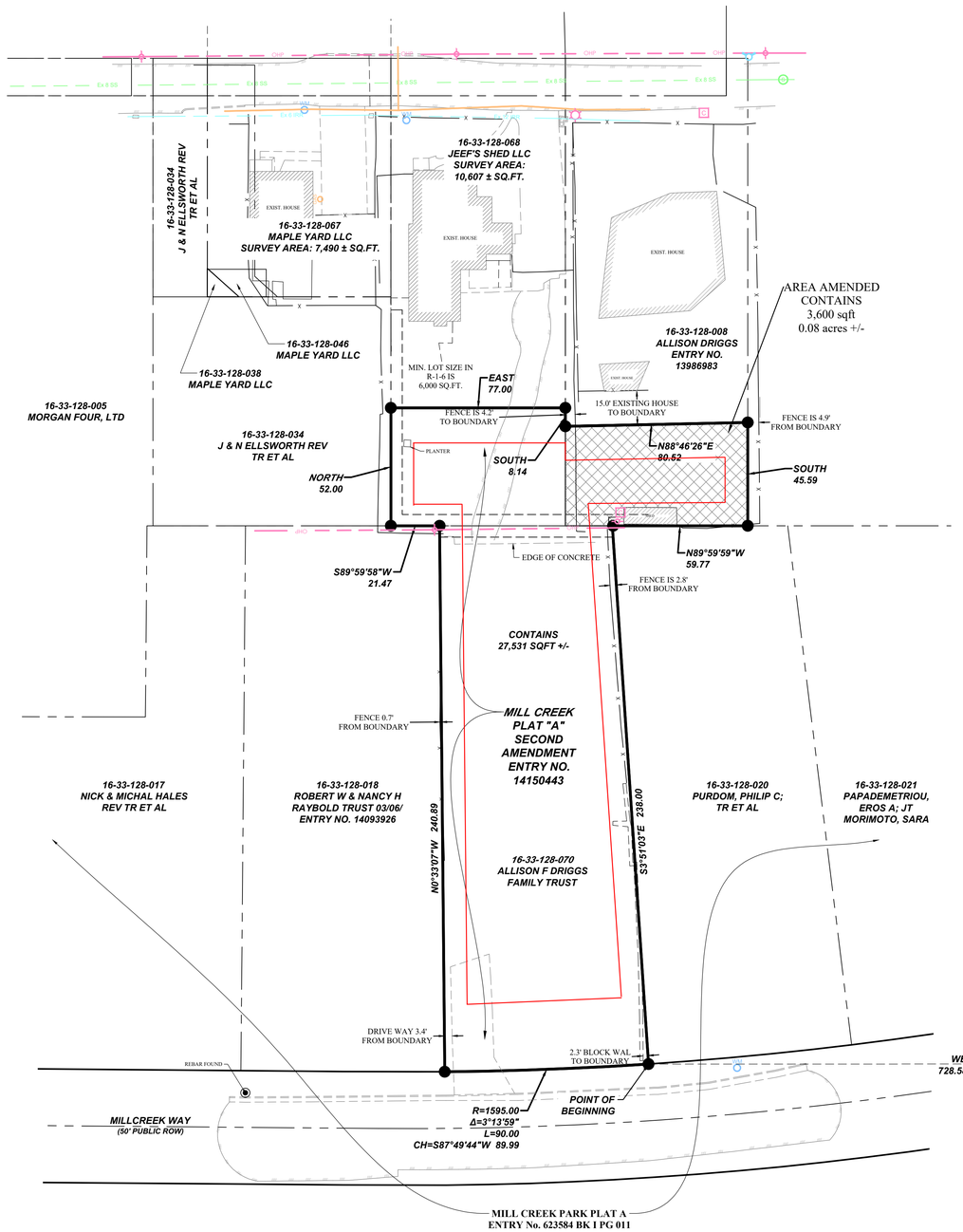

GRAPHIC SCALE

30 0 15 30 60 120

60 1 IN

(IN FEET)
1 inch = 30 ft.

28 28
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SECTION 33, T1S, R1E, SLB&M
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806.59' (TIE)

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10/15/25

Justin Lundberg — Date
Professional Land Surveyor
License No. 12554439

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10/15/25
No. 12554439
JUSTIN LUNDBERG
STATE OF UTAH

BOUNDARY SURVEY

LOCATION: 1575 E MILLCREEK WY, MILLCREEK, SALT LAKE COUNTY, UTAH
THE NW 1/4 OF SECTION 33, T1S, R1E, SLB&M
PREPARED FOR: ALLISON F. DRIGGS FAMILY TRUST

REVISION BLOCK

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

Drawn: LH	Checked: JDL
Scale: 1"=30'	Job #: 21-0536
Date: 10/07/25	
Sheet: 1 OF 1	

Z:_2021\21-0536 Maple Ave Ivory\ROS\21-0536 ROS MAPLE AVE 092325.dwg

APPENDIX

1. **East Millcreek Community Council Comments**

EAST MILL CREEK
Community Council

February 7, 2026

To: Milcreek Planning Commission
Millcreek Planning and Zoning

Subject: **ZM-26-002** Land Boundary Adjustment/Subdivision Amendment/ Rezone
1575 E Millcreek Way

At the February 5, 2026, East Mill Creek Community Council (EMCCC) meeting, members reviewed and discussed ZM-26-002, applicant Jason Boal's request consisting of a land boundary adjustment, Subdivision Amendment, and Rezone. See Staff Project Summary, dated 2/3/26, for the Request and Synopsis, Existing Conditions and Findings, and Supporting Documents. There was no public comment on this application. Eight members of the EMCCC were present.

In discussion, members expressed curiosity as to the intent of the consolidation. (As a side discussion, due to disparity of existing market conditions between portions of Maple Ave. and Millcreek Way, the potential vulnerability as to the existing character of those lower value portions [monetarily speaking] was noted.) Due to the odd shape and configuration of the resultant lot of the subject property, at least one member sought clarity as to the setback distance from the segment of property line running West to East which abuts the rear (north) property line of 1601 E Millcreek Way.

Based on information contained in the Project Summary and provided by applicant and staff at the 2/3/26 Planning Open House, no development is part of the application at this time. Similarly, the EMCCC chooses to provide neither positive nor negative recommendation on the applicant's request at this time; however, we note that we have found no grounds on which to raise an objection.

Sincerely,

/s/ Jamie Allyn
Vice Chair | Land Use
EMCCC

CC: Carlos Estudillo
Francis Lilly
EMCCC

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

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

CUP-26-001

Planning Commission Staff Report

Meeting Date:	2/18/2026
Applicant:	Spencer Clayton
Re:	Conditional Use Permit (CUP)
Property Address:	3950 South 700 East
Prepared By:	Zack Wendel, Planner 1
Scope of Decision:	**Administrative.** This is an administrative matter to be decided by the Millcreek Planning Commission. Your approval should be narrow in scope and primarily based on state statute and adopted local zoning, land use, and development codes.

REQUEST:

The applicant, Spencer Clayton, is seeking a conditional use permit (CUP) to allow for a massage therapy and personal wellness office located at 3950 South 700 East. This property is an existing office complex located within Millcreek's Residential Mixed (RM) Zone which requires all non-residential uses to obtain a conditional use permit prior to operating.

The use will consist of appointment based personal care and wellness services, including massage therapy and related personal wellness services provided by licensed practitioners in private treatment rooms.

This property is an existing office complex, with no new development proposed in conjunction with the conditional use permit application.

CONDITIONAL USE REVIEW:

Standards for Review:

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

Request: Conditional Use Permit **CUP-26-001**

MKZ 18.15.030.A Conditional Use Permit

Conditions of Approval: Unless otherwise specified in this Code or Utah Code Section 10-9a-507, Conditional Uses, the Planning Commission shall approve all conditional use applications with objective standards as set forth in the Land Use Code. In such cases, any conditions attached to approvals shall be directly related to the anticipated detrimental effects of the proposed use or development. No conditions of approval shall be less restrictive than the requirements of this Code, except where the Code allows flexibility. All conditional uses are presumed to be compatible with the zone and the General Plan's intent.

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

FINDINGS:

1. The subject property is located in Millcreek's Residential Mixed (RM) Zone. The purpose of the Residential Mixed (RM) Zone is primarily a residential zone intended to be a transitional zone between low density residential neighborhoods and commercial uses. It primarily accommodates medium to high density residential development/complexes including single-household dwellings, duplexes, three and four household dwellings, multiple household dwellings, and mixed use where a limited list of non-residential uses are allowed as conditional.
2. Legally existing commercial properties are allowed to continue, but new uses are subject to obtaining a Conditional Use Permit.
3. The property is an existing office complex that is approximately 2.61 acres and contains two structures, each about 36,000 square feet of office/commercial space.
4. The applicant will be located in the southern building that abuts 700 East. the applicant proposes to occupy about 6,286 square feet.
5. The structures on the property were initially built in 1982 as an office/commercial space. At the time, office and commercial uses were permitted in the RM zone.
6. Uses in the subject building has been a dental office, health care services, mental therapy office, an educational facility, and a corporate office.
7. Applicant is proposing a massage therapy and personal wellness office which falls under the Personal Service classification.
8. Personal Service means an establishment that primarily provides personal care services, including barber shops, beauty salons, piercing and tattoo studios, tanning salons, spas, licensed massage therapy studios, educational tutoring facilities, laundromats, and dry cleaners.
9. Properties surrounding the subject property consist of a commercial building to the west, Old Farm Condominium complex to the southwest, Old Farm Professional Plaza to the south, and Arctic Circle and the Western Governors University to the east across 700 E.
10. The applicant's massage studio will be appointment-based only, with typical appointments ranging from 60 to 105 minutes.
11. No amplified sounds, outdoor activities, alcohol services or overnight use is being proposed.
12. The site has parking access located on both 3900 S and 700 E with curb, gutter, and sidewalks.

13. According to Millcreek's Parking and Mobility Standards for Personal Service uses, 1 parking space per 300 square feet is required. Based on the occupied square footage, 21 parking spaces will be required.
14. The parking lot has approximately 290 parking stalls.
15. The applicant will have 3 to 8 employees at any given time on site for the near future.
16. The parking lot should be able to accommodate the proposed business and the employees and customers associated with the other businesses located at this site.
17. All landscaping is existing and/or otherwise appears to meet the current landscape standards.
18. The parking lot lighting has existing light poles. The city does have dark sky standards. It is unknown whether the site lighting complies with these standards. There have been no known complaints that would suggest the existing lighting is or has been a nuisance in the past. Since no new development is proposed as part of this application, the requirements of the City's Outdoor Lighting standards do not apply.
19. There is a vinyl fence along the neighboring properties.
20. The proposed use is interior only and will not involve any exterior modifications to the building and no site changes.
21. Building renovations, remodels, and new signage may require a new building or other planning permit to be obtained.

CONCLUSIONS:

1. The proposed business meets all the approval criteria for a Conditional Use Permit.
2. Based on the findings and information provided by the applicant, it is staff's opinion that the proposed massage therapy business will not create any detrimental effects.
3. The property is an existing office complex fronting onto 3900 S and 700 E, has 290 available parking spaces, and no site changes are being proposed in association with this application.

PLANNING STAFF RECOMMENDATIONS:

Staff Recommendation - Based on the findings and conclusions listed above, Staff recommends that the Planning Commission take public comments and approve the Conditional Use Permit application file number CU-26-001 located at 3950 S 700 E, as presented, unless during the hearing facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff:

MODEL MOTION:

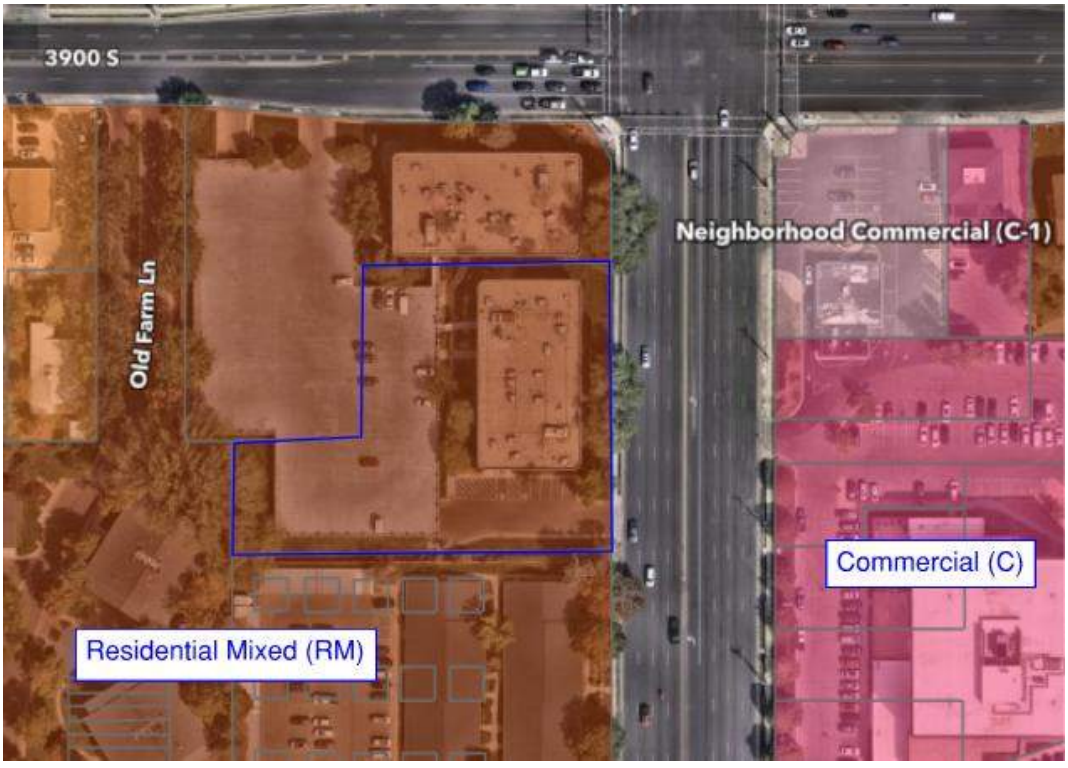
I move that the Planning Commission approve the Conditional Use Permit, file number CU-26-001 based on the findings and conclusions listed and presented by Staff.

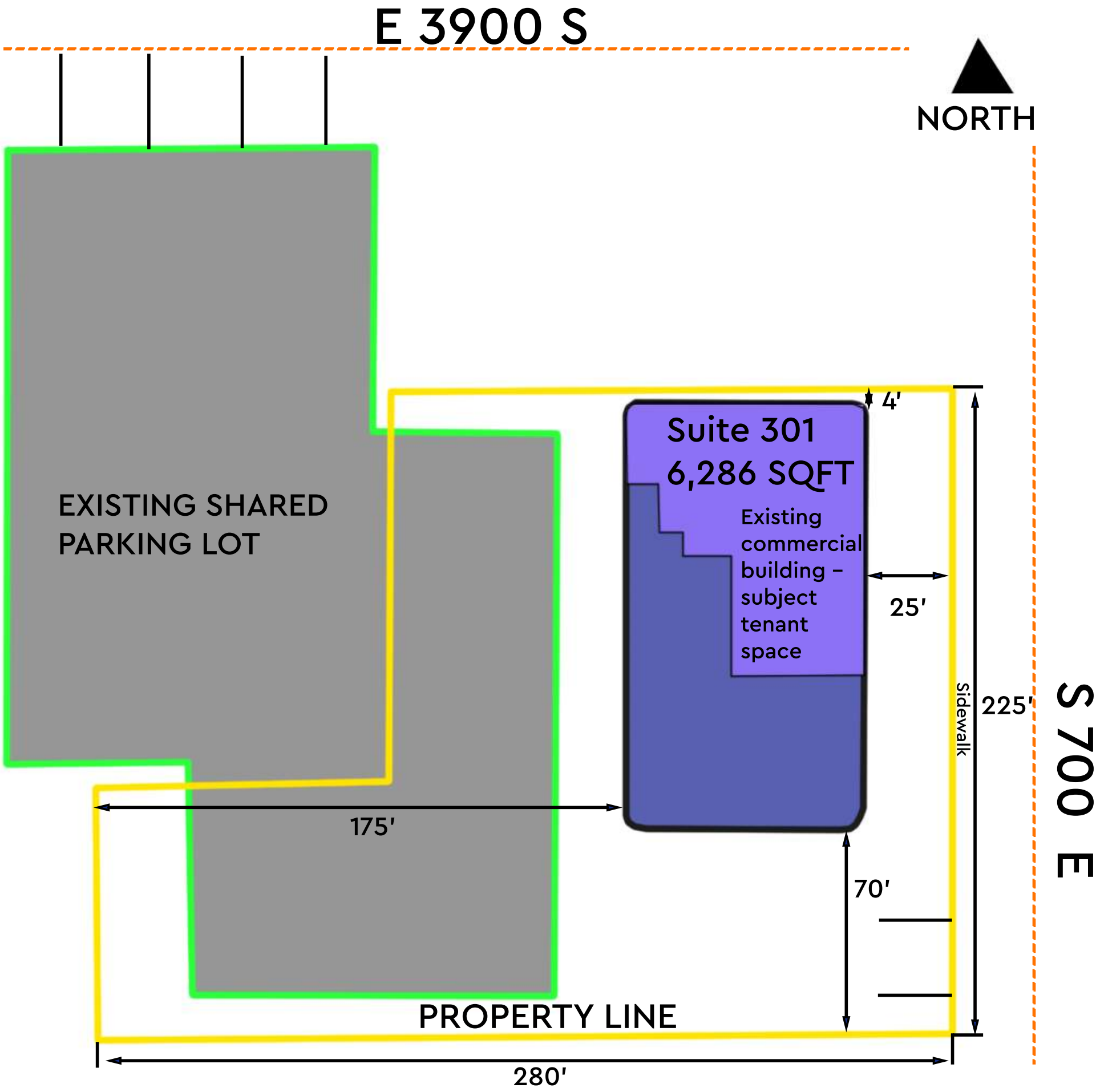
SUPPORTING DOCUMENTS:

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

Aerial Image

Zoning Map





NOTES:
This application is for an interior-only change of use within an existing commercial building.
No exterior modifications are proposed.
Parking, access, and circulation remain unchanged.
The use is appointment-based with staggered scheduling.
No amplified sound, outdoor activity, alcohol service, or overnight use is proposed.

Property Owner: M S C CORP
Address: 3950 S 700 E Ste 301 Millcreek, UT 84107
Contact: Spencer Clayton
Info: 801 987 5012
spencervclayton@gmail.com
Zone: RM

Dear Planning Staff and Members of the Development Review Committee,

This letter is submitted to formally describe the proposed business operations for Moonstone Massage Studio & Spa and to respond directly to the Conditional Use Permit approval criteria as requested by staff during the Development Review Committee meeting.

The applicant proposes to operate a massage therapy and personal wellness office within an existing commercial building located at 3950 S 700 E, Suite 301, Millcreek, UT 84107. The use will consist of appointment-based personal care and wellness services, including massage therapy and related personal wellness services, provided by licensed practitioners in private treatment rooms.

Operations will be conducted by appointment only, with staggered scheduling to minimize parking demand and traffic impacts. Typical appointments will range from 60 to 105 minutes. No amplified sound, outdoor activity, alcohol service, or overnight use is proposed.

The use is consistent with other low-impact personal service uses and is compatible with the surrounding area. The proposed business will generate minimal traffic and noise and will operate entirely within the existing building envelope.

The proposed use is interior-only and will not involve any exterior modifications to the building or site. No changes to parking, access, circulation, landscaping, signage, or building footprint are proposed.

1. Traffic, Street Service Levels, and Parking

The proposed use will not create detrimental impacts to street service levels or traffic patterns. Services are scheduled by appointment only, with staggered arrival and departure times that naturally limit traffic volume. No dedicated turn lanes, traffic control devices, street widening, or roadway modifications are required.
Ingress and egress will remain unchanged and will utilize existing approved access points. The site includes existing off-street parking that meets City standards for the proposed use. No loading docks or delivery infrastructure is required.

2. Utilities and Public Services

The use will not adversely impact the adequacy of existing utility systems, including water, sewer, solid waste, snow removal, or service delivery. The business operates at a low intensity and does not require increased utility capacity or infrastructure upgrades. Existing irrigation and utility systems will remain unchanged.
Solid waste generation will be minimal and managed through standard commercial waste services already serving the property.

3. Pedestrian and Bicycle Connectivity

The proposal does not negatively affect pedestrian or bicycle connectivity or safety. No changes to sidewalks, pathways, or access routes are proposed. Pedestrian access will continue to utilize existing, compliant walkways serving the commercial center.

4. Noise, Odors, and Environmental Impacts

The proposed use will not generate noise, odors, vibrations, light, or environmental impacts beyond what is typical for a quiet commercial service use. Massage services are conducted indoors in private treatment rooms and produce minimal sound.
There are no chemicals, toxins, fumes, smoke, or emissions associated with the operation.
Hours of operation will be reasonable and consistent with other neighborhood-serving commercial uses. The use does not create an attractive nuisance.

5. Health, Safety, and Environmental Risk

The proposed use does not increase the risk of contamination, damage to adjacent properties, or injury or illness to the public. No hazardous materials will be used or stored on site, and waste disposal will comply with applicable health and safety regulations.

The project involves no site grading, excavation, structural modification, or changes to storm drainage or flood control.

The tenant space will comply with all applicable fire and life-safety requirements, including the provision of portable fire extinguishers accessible within the required travel distance, exit signage where required, and maintaining required exit doors unlocked and available during business operations, in accordance with applicable code. Fire safety requirements will be met through compliance with applicable fire codes and required inspections.

7. Site Design and Architectural Compatibility

There are no proposed changes to the exterior of the building, including height, massing, setbacks, materials, colors, landscaping, fencing, signage, or architectural detailing. The use is compatible with the existing scale, character, and design of the surrounding area.
Interior improvements only are proposed and do not affect the external appearance of the building.

8. Emergency Access

The proposed use will not adversely affect emergency fire service or emergency vehicle access. Existing access routes, fire lanes, and building access points will remain unobstructed and compliant with applicable codes.
9. Open Space and Sensitive Lands

The project does not impact usable, functional, or accessible open space, nor does it affect any sensitive lands or environmentally protected areas.

10. Property Maintenance

The property and interior space will be maintained in perpetuity in compliance with City codes and standards. The owner/operator is committed to ongoing maintenance, cleanliness, and compliance with all applicable regulations.

11. Stormwater

The proposed interior-only use will not increase stormwater generation. No changes to impervious surfaces, drainage patterns, or runoff characteristics are proposed.
Conclusion

The proposed Moonstone Massage Studio & Spa is a low-impact, appointment-based, interior commercial use that is compatible with the surrounding area and existing infrastructure. The use meets the intent of the Conditional Use Permit criteria and will not create detrimental effects as outlined above.

Thank you for your consideration. Please let me know if any additional information is needed.
Sincerely,

Spencer V Clayton
Owner
Moonstone Massage Studio & Spa
(801) 987-5012
Spencervclayton@gmail.com

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

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

CU-25-004/SD-26-001

Staff Report (Planning Commission)

Meeting Date:	**02/03/2026**
Applicant:	**Matt Wilcox**
Re:	**Conditional Use Permit & Subdivision**
Property Address:	**1265 E Villa Vista Ave**
Zone:	**CCOZ-DA**
Prepared By:	**Carlos Estudillo, Planner**
Scope of Decision:	**Administrative**. This is an administrative matter, to be decided by the Millcreek Planning Commission upon receiving a recommendation from the Community Council(s). Your recommendation should be narrow in scope and should primarily be made on the basis of state statue and adopted local zoning land use development codes.

REQUEST AND SYNOPSIS

The applicant is seeking approval for a Conditional Use Permit and Subdivision in the City Center Overlay Zone at a property approximately located at 1265 E Villa Vista Ave, to accommodate an eighteen (18) unit townhome (rowhouse) residential project, with the intention of subdividing them for owner occupancy.

A development agreement is accompanying this application to ensure that the proposed site plan is executed as approved by the City Council.

CONDITIONAL USE REVIEW

Standards for Review:

The Planning Commission and staff, in their review capacity, may impose site plan modifications and conditions to mitigate the reasonably anticipated detrimental effects of conditional use. Mitigation is required of reasonably anticipated detrimental effects arising from the conditional use, per the standards of approval as listed under City Code Section 19.84.060.B.

The Planning Commission has the authority to approve or approve with conditions, based on standards, all

conditional use applications. Denial of an application shall only be considered if there are no conditions that can be imposed to mitigate the reasonably anticipated detrimental effects of the use. Further, under City Code Section 19.84.050, each conditional use application shall be:

1. Approved: if the proposed use, including the manner and design in which a property is proposed for development, complies with the standards for approval outlined in MKZ 19.84.060; or
2. Approved with conditions: if the anticipated detrimental effects of the use, including the manner and design in which the property is proposed for development, can be mitigated with the imposition of reasonable conditions to bring about compliance with the standards outlined in MKZ 19.84.060; or
3. Denied: if the anticipated detrimental effects of the proposed use cannot be mitigated with the imposition of reasonable conditions of approval to bring about compliance with the standards outlined in MKZ 19.84.060.

Final approval of a conditional use application shall be in the form of a letter to the applicant which, together with the approved site plan if required, shall constitute the conditional use permit. (MKZ 19.84.080.B.)

A conditional use permit may be revoked by the Planning Commission upon a finding of failure to comply with the terms and conditions of the original permit or for any violation of this title occurring on the site for which the permit was approved. Prior to taking action concerning the revocation of a conditional use permit, a hearing shall be held by the Planning Commission. Notice of the hearing and the grounds for consideration of revocation shall be mailed to the permittee at least ten days prior to the hearing. (MKZ 19.84.090)

EXISTING CONDITIONS & FINDINGS:

- **Zoning.** The Subject Property is currently within the City Center Overlay – Development Agreement – (CCOZ-DA). Properties within the vicinity surrounding the Subject Property are within the C (commercial zone) to the North, South, and East, as well as R-M (Residential Mixed) to the north and west.

- **Surrounding Uses.** Properties surrounding the Subject Property consist of large-scale multi-family housing, and first-floor commercial stock. The envisioned uses for the City Center Overlay Zone.

- **Densities.** The City Center Overlay zone allows a building height range from 2 to 6 stories. The project offers eighteen (18) units. For comparison, the building directly south (The Richmond) contains 330 units, whereas the nearby building to the East (Cottonwood Highland) contains 250 units

- **Proposal.**

    - The applicant is proposing eighteen (18) residential units that will consist of three buildings accessed through Villa Vista Avenue (only).

        - Building One: Six (6) units. Four Bedroom units with Elevator on each unit.

        - Building Two: Six (6) units. Four Bedroom units with Elevator on each unit.

        - Building Three: Six (6) units. Three Bedroom units without elevator.

- The proposed building heights and lengths are as follows:
    - Building One: 46 feet in height. 127.7' in length.
    - Building Two: 46 feet in height. 127.7' in length.
    - Building Three: 47 feet in height. 127.7' in length.
- Exterior materials of a durable and resilient nature such as brick, stone, architectural metal panel, composite materials, or other materials of similar quality, hardiness, and low maintenance characteristics are proposed in the design of the proposal. Nearly 61% of the fade is comprised of Brick (in different colors, hardy board and sliding).
- As per MKZ 18.47.070, the developer would be required to provide a 20-foot setback along the street-facing facade between the top of the first story and the top of the third and upper stories. In leu of this requirement, and as prescribed in the Development Agreement, the applicant has provided the following modifications:
    - All windows and doors to be indented into the façade, to prevent a flat street-facing façade.
    - A copper waterspout between each unit to give the allusion of separation of each unit at the façade.
    - Different color bricks to be applied in this façade to differentiate it from the rest of the proposal.
    - The top floor on building one (1) and two (2) to include a rooftop patio, breaking the front-facing façade, while adding a tower that is used to access the forementioned patio.
    - A break between the corner units on building one (1) and two (2) and the central four units to provide articulation at the final height of the building.
- As per MKZ 18.47.070, for any building over 40 feet in height, A five-foot (5') stepback along a façade facing the rear property line is required between the top of the first story and the top of the third story and upper stories. In leu of this requirement, and as prescribed in the Development Agreement, the applicant has provided the following modifications.
    - The top floor on building one (1) and two (2) to have a rooftop patio, breaking the front-facing façade, while adding a tower that is used to access the aforementioned patio.
- As per MKZ 18.47.070, a 10-foot stepback along a façade facing a side property line is required between the top of the first story and the top of the third story and upper stories. In leu of this requirement, and as prescribed in the Development Agreement, the applicant has provided the following modifications:
    - Cementitious fiber board bump-outs into building three (3) to not only provide with a

style of bay windows, but to provide articulation to the building that otherwise would require a stepback.

- Additionally, all windows and doors must be indented into the façade, to prevent a flat street-facing façade.

- Dormers at the fourth level to provide an architectural break on the at the top of the building.

- For street-facing building facades, exterior building materials used shall consist of a minimum of 75 percent brick or stone excluding windows. The applicant has provided 61% brick along the Villa vista street facing façade and 55% brick along Richmond Street-facing façade.

    - Due to articulation concerns, and lack of setbacks, the applicant managed creative solutions to articulate the building by adding features that required more flexible materials, such as hardy board paneling and siding. By meeting this requirement, the proposal loses flexibility in material use to mitigate any design concerns on articulation and stepbacks.

- Windows shall constitute at least 50 percent of first story street-facing facades, and windows shall be at least 50 percent transparent. The current proposal does not meet the glassing requirements set forth in MKZ 18.44.080, as this requirement may apply to first-floor commercial buildings, rather than rowhouse townhomes. In leu of this requirement, and as prescribed in the Development Agreement, the applicant has provided the following modifications:

    - Building 1 & 2: 20% of first story facades facing Villa Vista. 18% on façade facing Richmond St.

    - Building 3: 12% of first story façade facing Villa Vista.

- Landscaping to be subject to MKZ 18.64 (Landscape standards). Proposal currently meets the requirement of allocating, at least, 30% of the overall lot size as open space.

- Parking is subject to MKZ 18.63 (Parking and Mobility Standards).

    - The Project shall have at least thirty-six (36) parking stalls, which shall be contained within the eighteen individual two-car garages.

    - Additionally, as per the prescribed cross section for **neighborhood streets**, depicted in Figure 18.47.7 and in Table 18.47-8 within MKZ **18.47.060** (CCOZ Design Standards), the project will include seven (7) on street parking stalls and one (1) ADA parking stall, which will be dedicated to the City as part of the Right-of-way.

    - Millcreek will require five (5) guest parking spaces [18 (units) x 0.25 (spaces per unit for visitor parking) = 4.5 stalls, rounded to five. These stalls will be located within the forementioned on street stalls, which may be used as shared parking serving Villa Vista Ave. When striped public parking spaces are present along the street frontage of a site,

those spaces may contribute to the minimum parking requirement, subject to the following criteria:

- Striped on-street parking spaces must abut the frontage of a given site. Parking spaces on the opposite side of the street may not contribute to the required parking.
- Striped on-street spaces may contribute up to 50 percent of the parking minimum requirement.
- In the case that street parking is constructed as an improvement in conjunction with an approved site plan, the striped on-street spaces may contribute up to 75 percent of the parking minimum requirement.
- These spaces may not be used for community parking credits.

  - The Subject Property has one access from Villa Vista Ave to the site, measuring 25' in width, meeting the 2019 Transportation Master plan. Access has been reviewed and accepted by Unified Fire.

  - The CCOZ-DA zone does not require owner occupied housing; As agreed and prescribed in the development agreement, the applicant has submitted a subdivision plat for owner occupancy approval.

- Commercial Requirements: Live/Work Units shall consist of a ground story that is limited to commercial uses that are allowed in the City Center Overlay Zone. A commercial aspect has been proposed to meet the mixed-use requirements of the CCOZ.

- Right-of-way improvements. The Developer shall provide a ten-foot (10') wide public easement parallel to and abutting Villa Vista Avenue right-of-way. Additionally, The developer shall provide a five-foot (5') wide public easement parallel to and abutting Richmond St. The Developer shall also install frontage improvement to the abutting right of way (including but not limited to curb, gutter, sidewalk, landscaped park strip, asphalt, and utilities).

- Ditch Maintenance: Irrigation improvements shall meet the requirements of the Lower Millcreek Canal Company, in an effort to mitigate historic flooding in the neighborhood. The applicant has proposed the following:

  - The latest Villa Vista site plan identifies the North Hoagland (Fran's ditch) to stay in its original alignment with a portion of the ditch open to atmosphere. Millcreek has not seen the **final** site plans and currently does not have any details for wing walls, grates, turnouts, or cleanouts.

  - Millcreek has an approval letter dated January 13, 2026, on file, from Water Master Victor Wilden, for Lower Millcreek, stating the proposed Villa Vista improvements are acceptable and will convey the necessary volume of water as shown on the site plan. This letter of approval was required by Millcreek Engineering for the development; Lower Millcreek

irrigation company is also updating the easement agreement between the developer and Lower Millcreek for the North Hoagland (Fran's ditch).

- The North Hoagland (Fran's ditch) is owned and operated by Lower Millcreek Ditch company and its users. Millcreek City will not review, approve or direct utility improvements as it pertains to functionality. Millcreek City will review the final Engineer stamped plans for safety as needed. The safety issues Millcreek may review, or request are grates covering pipe openings, lids covering open boxes if in a common area of the developed site. Any improvement to the dilapidated Irrigation system is welcomed by Millcreek City as the current irrigation system is in poor condition.

CONCLUSIONS:

Based on the findings listed above:

- **Planning Open House Meeting:** Residents within 600' radius of the property were noticed to participate in an open house meeting, that was held on February 3rd, 2026. Staff did not receive any written comments in response to the application. However, during the meeting, close neighbors of the subjected property had the following comments:
  - A cleanout box marker should be put on the Survey and Plat. The ditch and where it runs, whether open or closed, should also be noted on both the survey and plat.
  - That the developer gives an additional 5 foot right of way, for a 10 foot in total, along Richmond St. so that a "Suicide Lane" can be created on Richmond St. between Villa Vista and Elgin Ave.
- **Millcreek Community Council:** On February 3rd, 2026, during the Millcreek Community Council meeting, members moved a proposal to include a covered clean out on the irrigation ditch. The Millcreek community council gave an Unanimous vote to "submit prior comments on ditch and suicide lane to the Planning Commission and have a letter sent and Linda present." A full, written comment is attached to the appendix of this staff report.
- The project meets the requirements of the CCOZ-DA Zone.
- Staff does not recommend any further conditions of approval, based on anticipated detrimental effects.
- The project is associated with and subject to a development agreement, which its requirements have been met.
- A subdivision plat will be reviewed and recorded prior to final approval.
- The project is subject to further review and final approval.

RECOMMENDATIONS:

Staff Recommendation: Based on the findings and conclusions listed above, Staff recommend that the Planning Commission approve application #CU-25-006/SD-26-001, as presented, unless during the hearing facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff.

I move that the Planning Commission recommends approval of application CU-25-006/SD-26-001, as presented.

SUPPORTING DOCUMENTS

- **Proposal**
- **Development Agreement**
- **Appendix – Community Council/Public Comments**

VILLA VISTA
SUBDIVISION
A PART OF THE NORTHEAST QUARTER OF SECTION 29,
TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN,
MILLCREEK, SALT LAKE COUNTY, UTAH

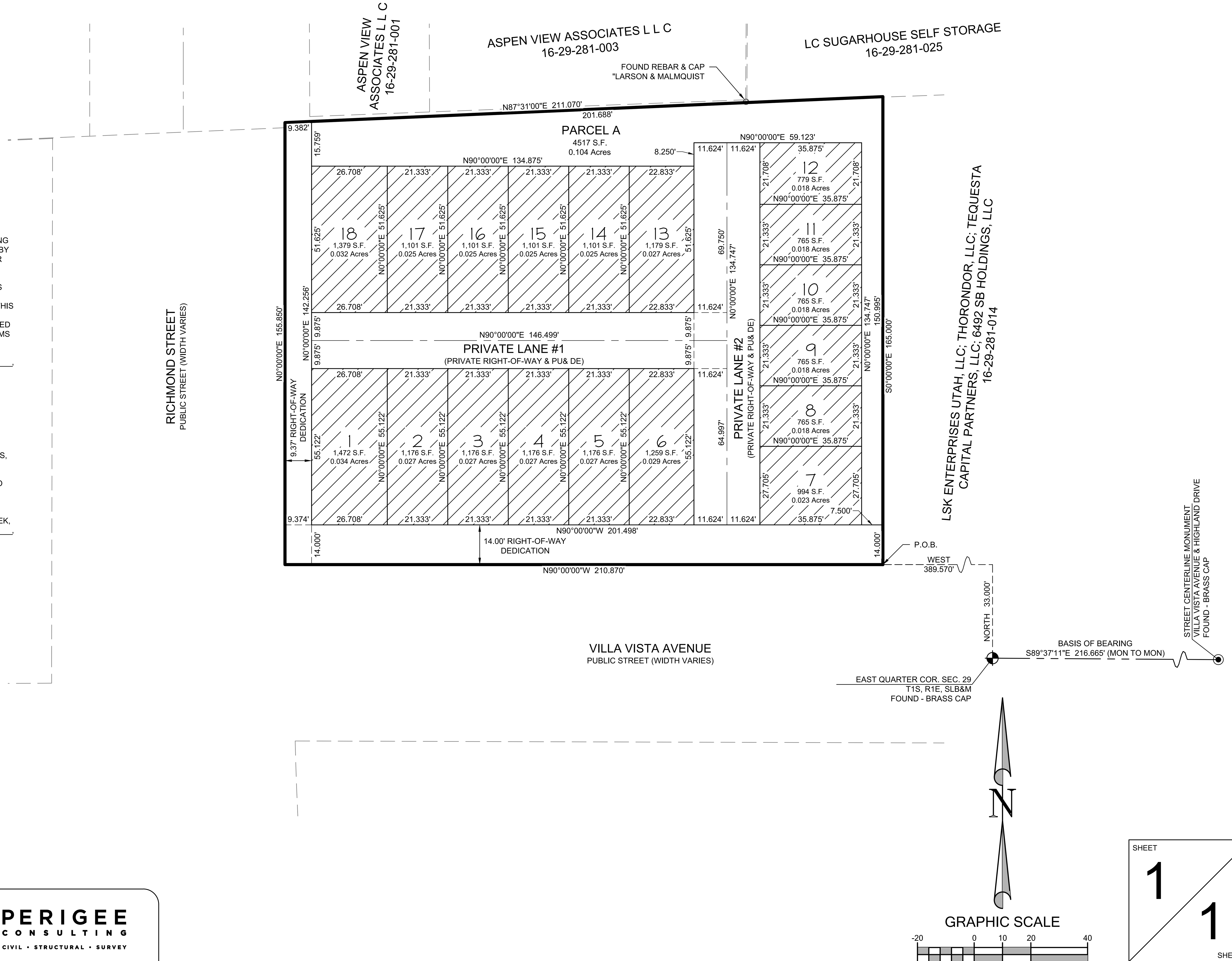
VICINITY MAP
N.T.S.

NOTES

1. MANY AREAS IN MILLCREEK HAVE GROUNDWATER PROBLEMS DUE TO A FLUCTUATING WATER TABLE. APPROVAL OF THIS PLAT DOES NOT CONSTITUTE REPRESENTATION BY THE CITY THAT BUILDING AT ANY SPECIFIED ELEVATION WILL SOLVE GROUNDWATER PROBLEMS, IF ANY.
2. OWNERS AND POTENTIAL PURCHASERS OF PROPERTY LEGALLY DESCRIBED BY THIS PLAT (THE "PROPERTY") SHOULD FAMILIARIZE THEMSELVES WITH ALL NOTES, LOT INFORMATION, EASEMENTS, AND OTHER PERTINENT INFORMATION CONTAINED ON THIS PLAT, IN ADDITION TO ANY AGREEMENTS, CONDITIONS, COVENANTS AND RESTRICTIONS (CC&R'S) DOCUMENTS CURRENTLY EXISTING AND AS MAY BE CHANGED OR AMENDED FROM TIME TO TIME. FAILURE TO COMPLY AND ADHERE TO THESE ITEMS COULD RESULT IN FINANCIAL LOSS OR CHANGES IN EXPECTED PROPERTY USE.
3. A GEOTECHNICAL REPORT HAS BEEN PREPARED BY ____________, AND DATED ____________. THIS INFORMATION IS ON FILE WITH MILLCREEK AND ALSO AT THE OFFICE OF ____________.
4. ALL COMMON AREAS AND STREETS OR DRIVES TO SERVE AS PUBLIC UTILITY EASEMENTS.
5. ALL AREAS ARE COMMON AREAS AND FACILITIES EXCEPT AS OTHERWISE SPECIFICALLY DESIGNATED.
6. THE INSTALLATION OF OF IMPROVEMENTS SHALL CONFORM TO ALL CITY STANDARDS, RESOLUTIONS AND ORDINANCES.
7. ALL BUILDING WALLS ARE PARALLEL WITH, PERPENDICULAR TO, OR AT 45° ANGLE TO REFERENCE BEARING SHOWN ON BUILDING.
8. THIS PLAT IS SUBJECT TO THOSE TERMS AND CONDITIONS OF A DEVELOPMENT AGREEMENT MADE BETWEEN ____________ AND MILLCREEK, RECORDED ON ____________, IN BOOK ____________, AS ENTRY NUMBER ____________, PAGE ____________, OF THE SALT LAKE COUNTY RECORDER'S OFFICE OF OFFICIAL RECORDS.

LEGEND

- FOUND SALT LAKE COUNTY SECTION CORNER
- EXISTING STREET MONUMENT
- BOUNDARY LINE
- MONUMENT LINE
- TIE LINE
- RIGHT-OF-WAY LINE
- CENTERLINE
- LOT LINE
- ADJOINING PROPERTY LINE
- LIMITS OF PRIVATE OWNERSHIP



SHEET 1 / 1 SHEETS

SURVEYOR'S CERTIFICATE

I, ERIC D. ROBINS, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD LICENSE NO. 5152671 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 AND FILED THE PLAT AS RECORD OF SURVEY No.____________, 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

VILLA VISTA

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.

SIGNED THIS ____ DAY OF ____________, 20___

Eric D. Robins, P.L.S. # 5152671

BOUNDARY DESCRIPTION

A PARCEL OF LAND LOCATED WITHIN THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, MILLCREEK CITY, SALT LAKE COUNTY, UTAH; SAID PARCEL OF LAND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF VILLA VISTA AVENUE (AKA GUNN AVENUE); SAID POINT BEING NORTH 33.00 FEET AND WEST 389.57 FEET FROM THE EAST QUARTER CORNER OF SECTION 29, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN;

THENCE WEST 210.87 FEET CONTIGUOUS WITH SAID NORTHERLY RIGHT OF WAY LINE TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF RICHMOND STREET; THENCE NORTH 155.85 FEET CONTIGUOUS WITH SAID EASTERLY RIGHT OF WAY LINE TO A POINT ON THE SOUTHERLY LINE OF THE ELGIN ORCHARD SUBDIVISION AS ON FILE AT THE SALT LAKE COUNTY RECORDERS AS BOOK G PAGE 22; THENCE NORTH 87°31'00" EAST 211.07 FEET CONTIGUOUS WITH SAID SOUTHERLY LINE OF ELGIN ORCHARD SUBDIVISION; THENCE SOUTH 165.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 33,829 SQ.FT. IN AREA OR 0.78 ACRES MORE OR LESS AND CONTAINS XX LOTS

OWNERS DEDICATION

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

VILLA VISTA

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

IN WITNESS WHEREOF, WE HAVE HERETO SET ASIDE OUR HANDS THIS ________ DAY OF ________, A.D. 20____.

(Authorized Representative)

(Authorized Representative)

LIMITED LIABILITY ACKNOWLEDGEMENT

LIMITED LIABILITY ACKNOWLEDGEMENT

STATE OF____________)
) SS.
COUNTY OF____________)

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

MY COMMISSION EXPIRES: ____________ A NOTARY PUBLIC COMMISSION IN UTAH RESIDING IN ________ COUNTY

MY COMMISSION NO. ____________ PRINTED FULL NAME OF NOTARY

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF____________)
) SS.
COUNTY OF____________)

ON THE ________DAY OF ________, 20______, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY OF ____________ IN THE STATE OF ____________, ____________, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE/SHE IS THE ____________ SIGNING THE FORGOING OWNER'S DEDICATION WHO DULY ACKNOWLEDGED BEFORE ME THAT HE/SHE DID EXECUTE THE SAME FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES: ____________ A NOTARY PUBLIC COMMISSION IN UTAH RESIDING IN ________ COUNTY

MY COMMISSION NO. ____________ PRINTED FULL NAME OF NOTARY

SALT LAKE COUNTY HEALTH DEPARTMENT

APPROVED THIS ______ DAY OF ______________ A.D., 20____ BY THE SALT LAKE COUNTY HEALTH DEPARTMENT.

DIRECTOR, HEALTH DEPARTMENT

PERIGEE CONSULTING
CIVIL · STRUCTURAL · SURVEY
9089 SOUTH 1300 WEST, SUITE 160 WEST JORDAN, UT 84088
801.893.2345 TEL 801.590.6611 FAX WWW.PERIGEECIVIL.COM

CONTACTS

ENGINEER & SURVEYOR
PERIGEE CONSULTING
9089 S. 1300 W. STE 160,
WEST JORDAN, UT
801-893-2345
PROJECT MANAGER: JED ATHERLEY
SURVEY MANAGER: ERIC D. ROBINS

OWNER/DEVELOPER
KENSINGTON HOMES
XX
XX
XX

CANAL/IRRIGATION COMPANY

APPROVED THIS ______ DAY OF ______________ A.D., 20____ BY WATER DEPARTMENT (SPECIFY SPECIFIC WATER AGENCY)

CANAL/IRRIGATION COMPANY

UNIFIED FIRE AUTHORITY

APPROVED THIS ______ DAY OF ______________ 20____ BY THE UNIFIED FIRE AUTHORITY.

UNIFIED FIRE AUTHORITY

SALT LAKE COUNTY ADDRESSING APPROVAL

SIGNED DATE

MILLCREEK ENGINEERING DEPARTMENT

APPROVED THIS ______ DAY OF ______________ 20____ BY MILLCREEK ENGINEERING DEPARTMENT.

MILLCREEK ENGINEER

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

VILLA VISTA
SUBDIVISION
A PART OF THE NORTHEAST QUARTER OF SECTION 29,
TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN,
MILLCREEK, SALT LAKE COUNTY, UTAH

UTILITY APPROVAL

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

SEWER DISTRICT/DEPARTMENT

APPROVED THIS ______ DAY OF ______________ 20____ BY SEWER DEPARTMENT (SPECIFY SPECIFIC SEWER AGENCY)

SEWER DEPARTMENT

MILLCREEK PLANNING COMMISSION

APPROVED THIS ______ DAY OF ______________ 20____ BY MILLCREEK PLANNING COMMISSION.

MILLCREEK PLANNING COMMISSION CHAIR

MILLCREEK PLANNING AND ZONING DEPARTMENT

APPROVED THIS ______ DAY OF ______________ 20____ BY MILLCREEK PLANNING DEPARTMENT.

MILLCREEK PLANNING AND ZONING DIRECTOR

APPROVAL AS TO FORM

APPROVED THIS ______ DAY OF ______________ 20____

MILLCREEK ATTORNEY

RECORD OF SURVEY

R.O.S. NO:____________

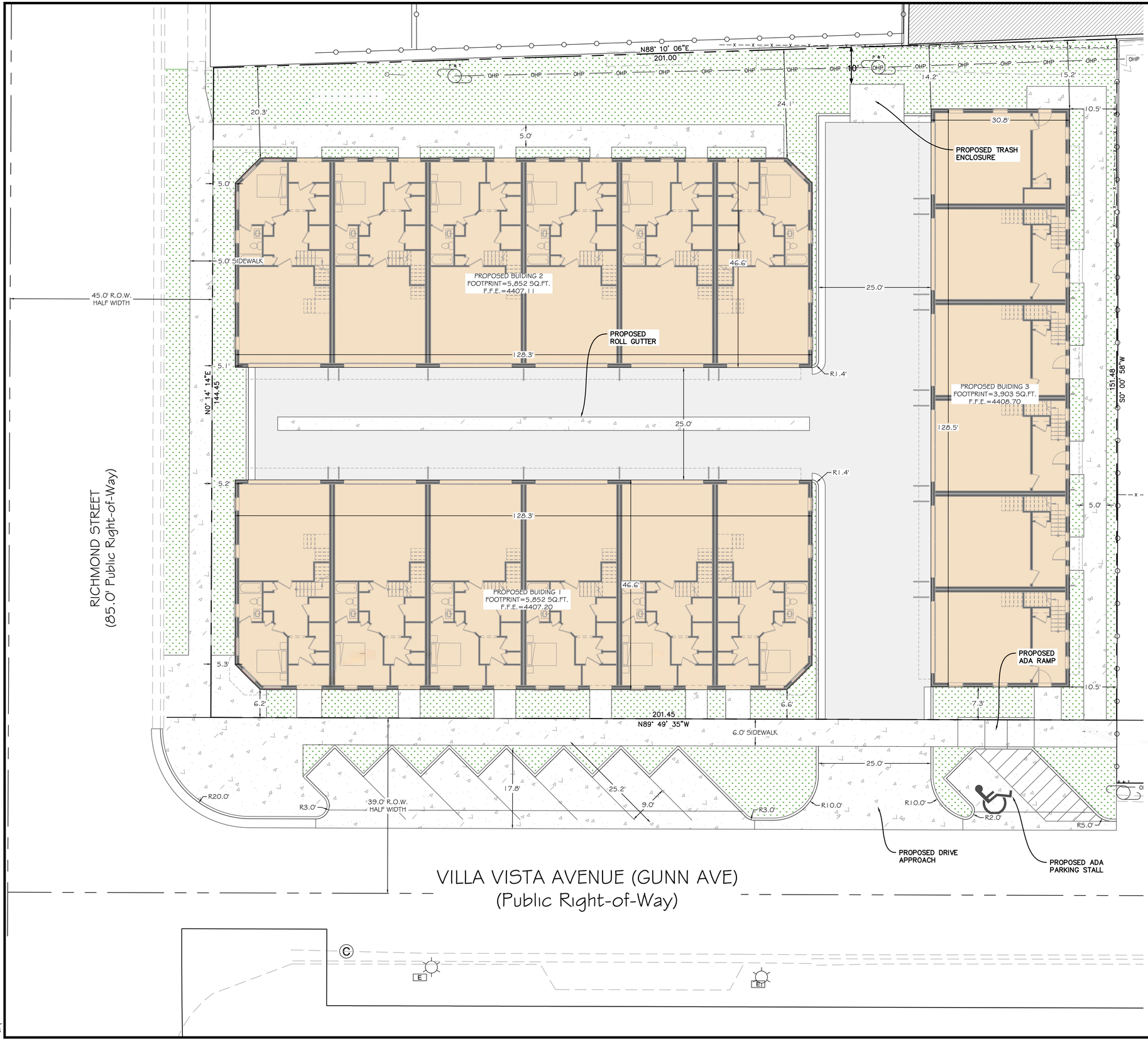
SIGNED DATE

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



N

0 10 20 30

Scale in Feet

SEE COVER SHEET FOR PROJECT LEGEND

LOT AREAS:

		SQ. FT.	/	ACRES.
	LOT	29,765	/	0.683
	BUILDING FOOTPRINT	15,863	/	0.364
	ASPHALT	5,912	/	0.136
	LANDSCAPING	5,268	/	0.121
	CONCRETE	2,722	/	0.062

LOT PARKING REQUIREMENTS:

	UNITS		CITY REQ'T
MULTI-HOUSEHOLD DWELLING	18	36	2 PER UNIT
VISITOR PARKING	18	5	0.25 PER UNIT
TOTAL REQUIRED	41		
TOTAL PROVIDED	44		
ACCESSIBLE SPACES	1	(1 REQ'D 1 TO 25)	
BICYCLE SPACES	10	2 SPACES PER 4 UNITS	

NO	REVISIONS	BY	DATE

DESIGNER: TLH PROJECT ENGINEER: TLH

CIR CIVIL ENGINEERING + SURVEYING
10718 SOUTH BECKSTEAD LANE, STE. 102
SOUTH JORDAN, UT 84095 - 801-949-6296

VILLA VISTA RESIDENTIAL

1265 EAST VILLA VISTA AVENUE, SALT LAKE CITY, UT 84106

SITE PLAN

PROFESSIONAL ENGINEER
No. 12072623
TREVOR L HODGSON
STATE OF UTAH

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

SHEET NO.	
C1.0	
PROJECT ID	DATE:
E25-073	10/08/25
FILE NAME: PRJ-MVV	SCALE: 1"=10'

EAST ELEVATION EXTERIOR MATERIAL LEGEND

- BRICK COLOR 1 | 1,161 SF (55%)
- HARDIE BOARD PANEL | 393 SF (19%)
- GLAZING | 384 SF (18%)
- HORIZONTAL SIDING PANEL | 195 SF (9%)

SOUTH ELEVATION EXTERIOR MATERIAL LEGEND

- BRICK COLOR 1 | 937 SF (19%)
- BRICK COLOR 2 | 2,106 SF (42%)
- Durable Composite Siding | 486 SF (10%)
- HORIZONTAL SIDING PANEL COLOR 1 | 472 SF (9%)
- GLAZING | 1,015 SF (20%)
- HORIZONTAL SIDING PANEL COLOR 2 | 472 SF (9%)

C1 A201A BUILDING 1 & 2 - EAST ELEVATION 3/16" = 1'-0"

C2 A201A BUILDING 1 & 2 - SOUTH ELEVATION 3/16" = 1'-0"

WEST ELEVATION EXTERIOR MATERIAL LEGEND

- BRICK COLOR 1 | 1,161 SF (54%)
- DURABLE COMPOSIT SIDING 393 SF (19%)
- GLAZING | 384 SF (18%)
- HORIZONTAL SIDING PANEL | 195 SF (9%)

NORTH ELEVATION EXTERIOR MATERIAL LEGEND

- BRICK COLOR 1 | 404 SF (9%)
- BRICK COLOR 2 | 331 SF (8%)
- Durable Composite Siding | 735 SF (17%)
- HARDIE BOARD PANEL COLOR 2 | 1,541 SF (35%)
- STANDING SEAM ROOF SYSTEM | 34 SF (1%)
- GLAZING | 495 SF (11%)
- HORIZONTAL SIDING PANEL COLOR 1 | 559 SF (13%)
- HORIZONTAL SIDING PANEL COLOR 2 | 266 SF (6%)

A1 A201A BUILDING 1 & 2 - WEST ELEVATION 3/16" = 1'-0"

A3 A201A BUILDING 1 & 2 - NORTH ELEVATION 3/16" = 1'-0"

MINT ARCHITECTURE
7565 S UNION PARK AVE., STE 100
SANDY, UT 84047
PHONE: 801.996.3646
www.buildwithmint.com

DRAWN BY: DC

REV. DATE	REV. DESCRIPTION

ISS. DATE	ISSUE DESCRIPTION

DEVELOPER APPROVAL — DATE — SIGNATURE

NOT FOR CONSTRUCTION

ISSUE DATE: 08.08.25

VILLA VISTA TOWNHOMES
1265 East Villa Vista Avenue
Millcreek, UT 84106

BUILDING 1 & 2 EXTERIOR ELEVATIONS

SHEET: A201A

PRINTED AT 8/19/2025 3:17:04 PM
C:\Users\User\Documents\VILLA VISTA_Building 1 & 2_R24_jdejarnett.L05ED.rvt

EAST ELEVATION EXTERIOR MATERIAL LEGEND

BRICK COLOR 1 | 857 SF (58%)	DURABLE COMPOSITE SIDING | 447 SF (30%)	GLAZING | 181 SF (12%)

SOUTH ELEVATION EXTERIOR MATERIAL LEGEND

BRICK COLOR 1 | 2,242 SF (38%)	DURABLE COMPOSITE SIDING | 1,307 SF (22%)	GLAZING | 1,059 SF (18%)
ROOFING | 1,325 SF (22%)		

C1 A201 BUILDING 3 SOUTH ELEVATION
3/16" = 1'-0"

C2 A201 BUILDING 3 EAST ELEVATION
3/16" = 1'-0"

WEST ELEVATION EXTERIOR MATERIAL LEGEND

BRICK COLOR 1 | 857 SF (58%)	HARDIE BOARD PANEL | 447 SF (30%)	GLAZING | 181 SF (12%)

NORTH ELEVATION EXTERIOR MATERIAL LEGEND

BRICK COLOR 1 | 591 SF (11%)	DURABLE COMPOSITE SIDING | 2,760 SF (53%)	GLAZING | 846 SF (26%)
ROOFING | 1,057 SF (20%)		

A1 A201 BUILDING 3 NORTH ELEVATION1
3/16" = 1'-0"

A2 A201 BUILDING 3 WEST ELEVATION
3/16" = 1'-0"

MINT ARCHITECTURE
7585 S UNION PARK AVE., STE 100
SANDY, UT 84047
PHONE: 801.996.3646
www.buildwithmint.com

DRAWN BY
DC

REV.	DATE	REV. DESCRIPTION

ISS.	DATE	ISSUE DESCRIPTION

DEVELOPER APPROVAL
DATE
SIGNATURE

NOT FOR CONSTRUCTION

ISSUE DATE
08.08.25

VILLA VISTA TOWNHOMES
1265 East Villa Vista Avenue
Millcreek, UT 84106

BUILDING 3 EXTERIOR ELEVATIONS

SHEET
A201

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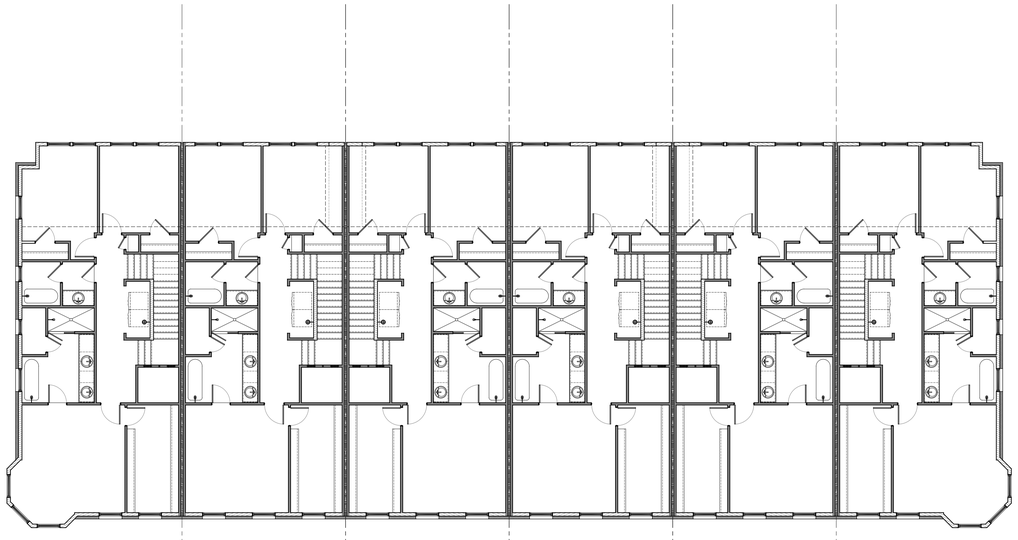
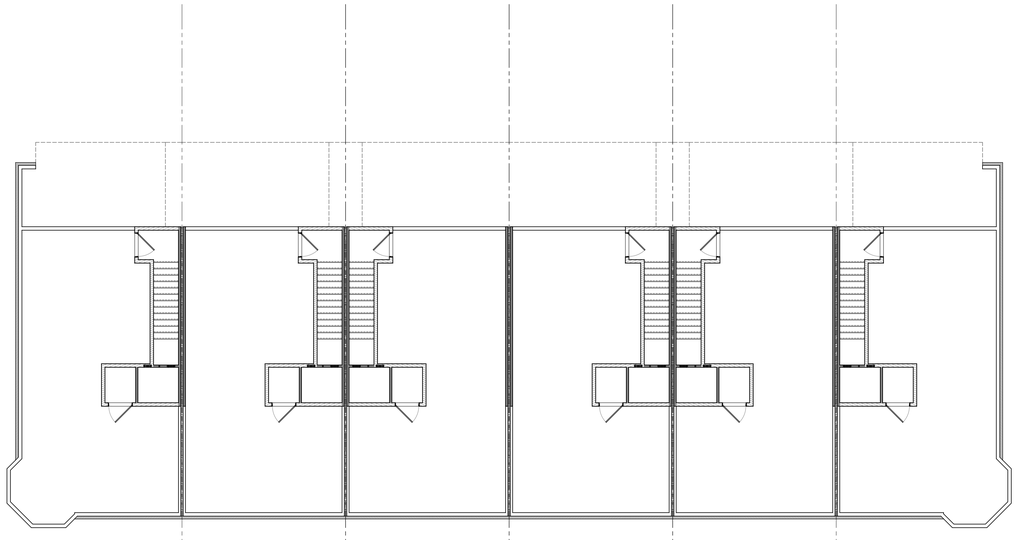
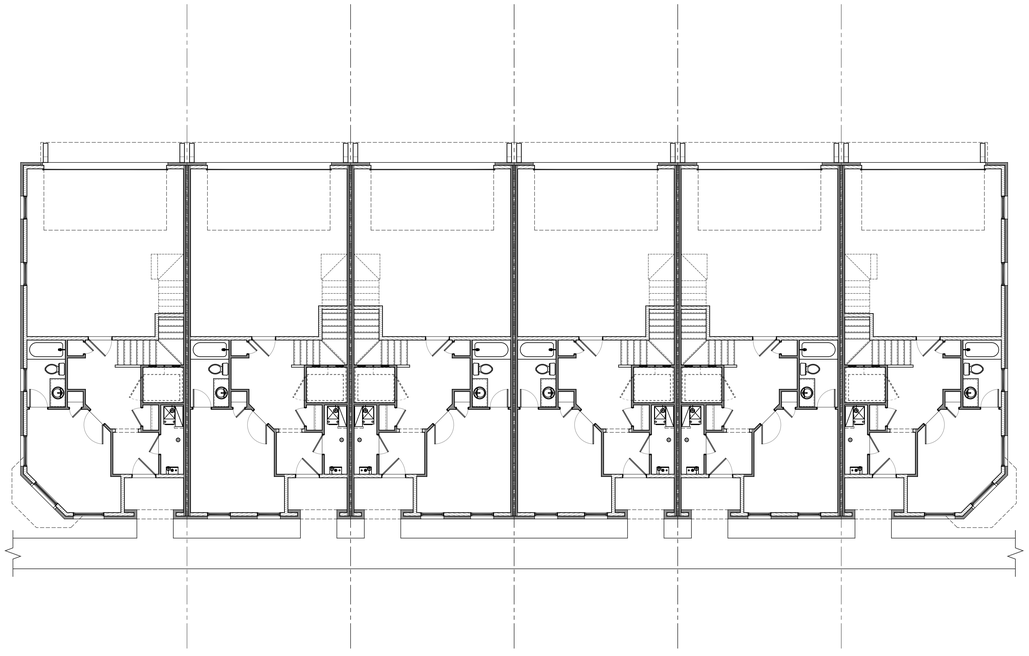
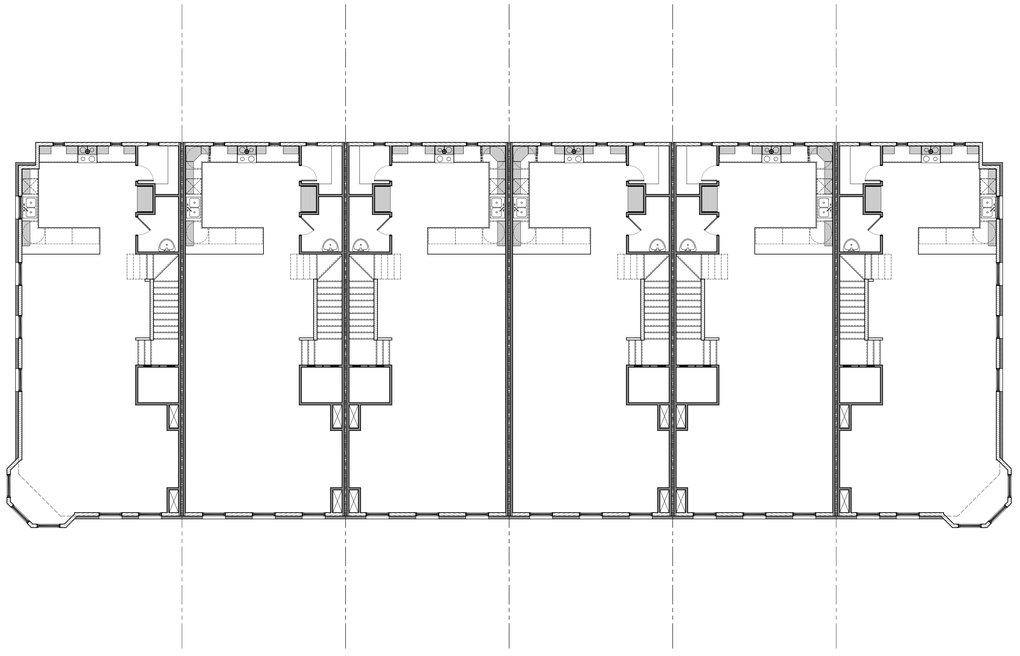
Buildings 1 and 2

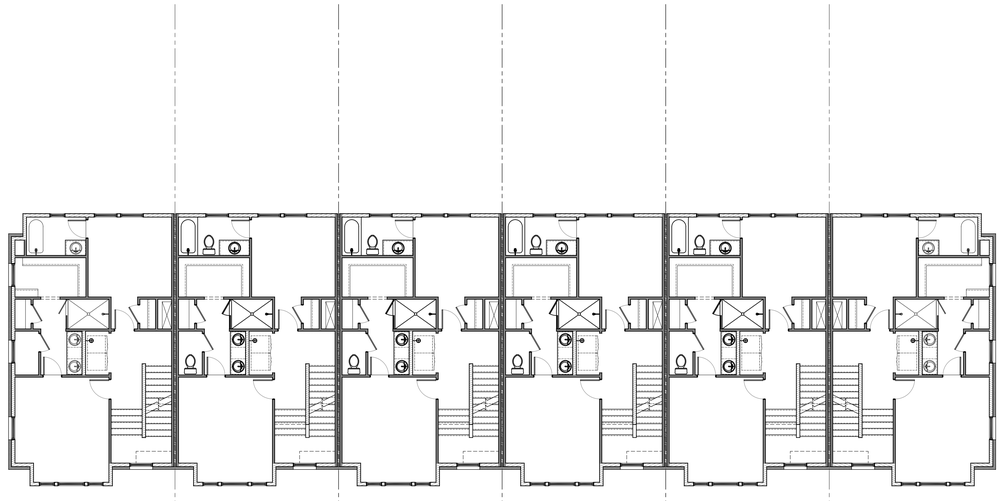


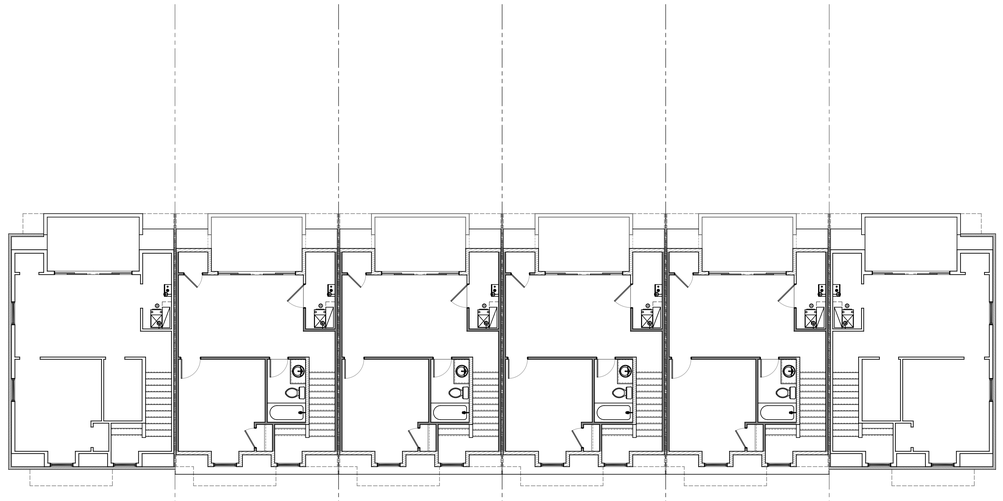


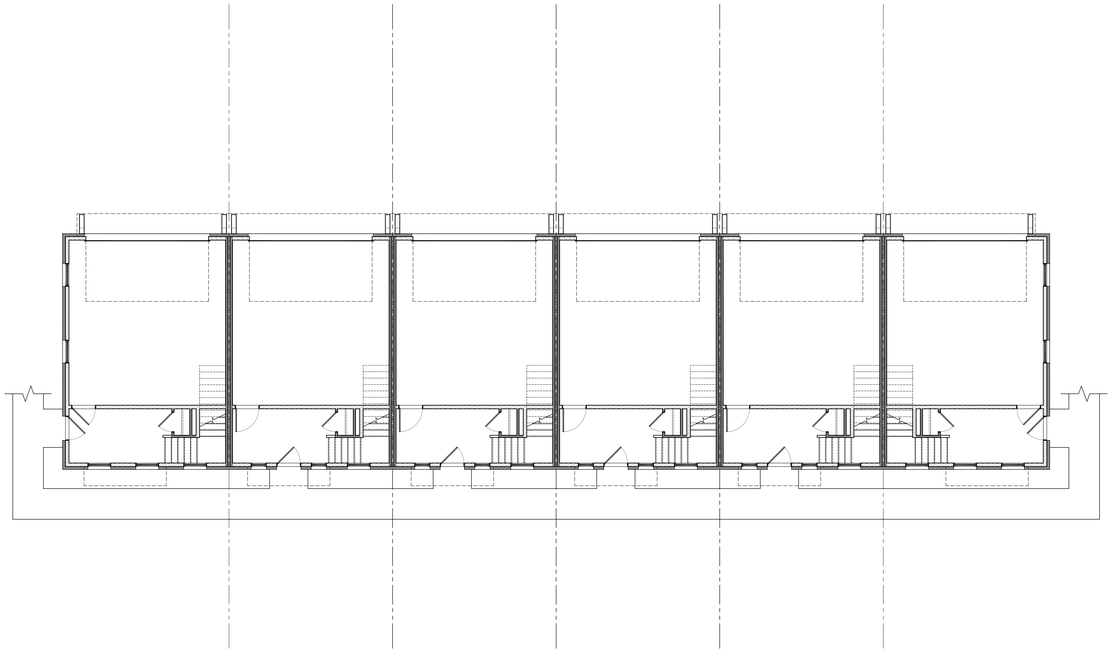


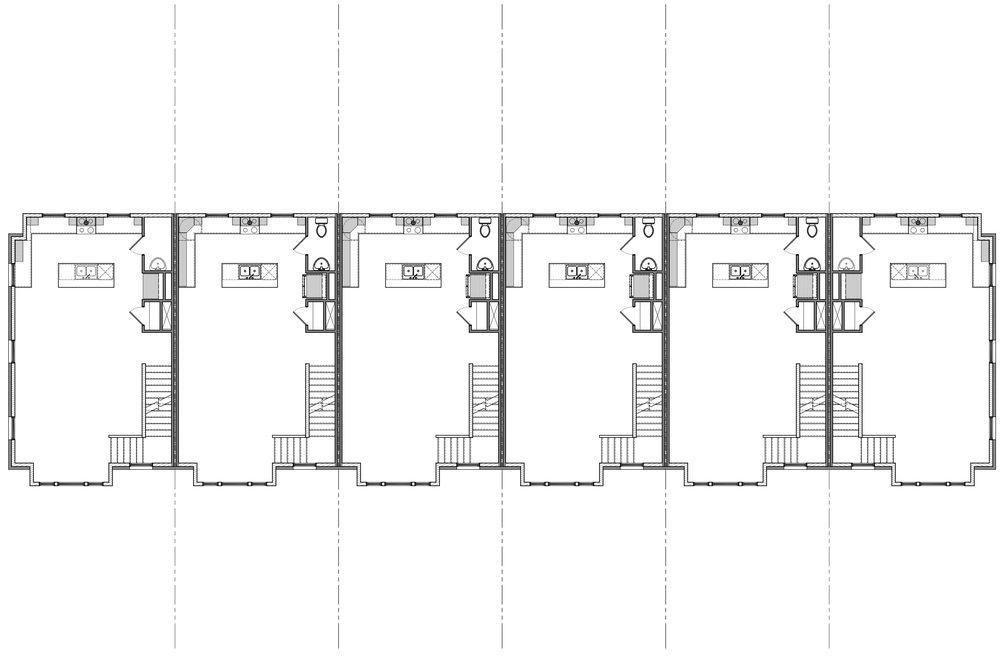


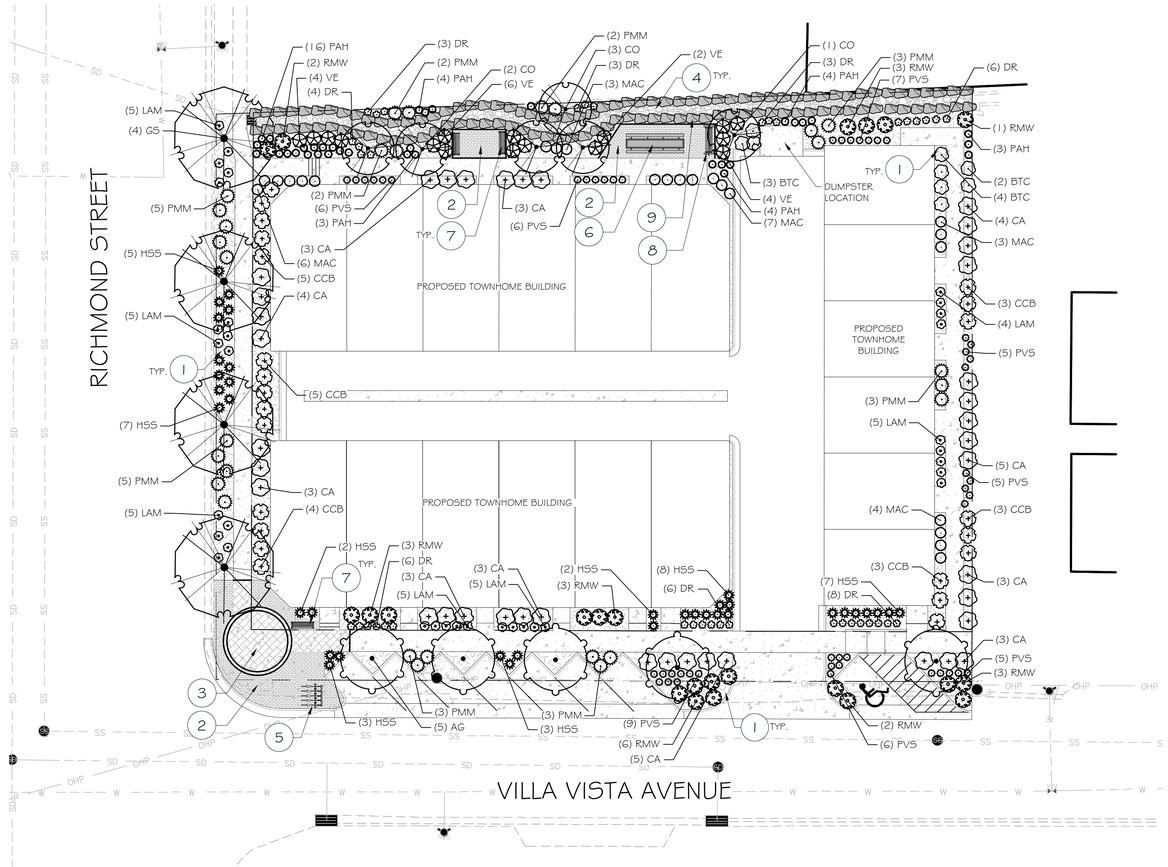
Building 3











LANDSCAPE TABLE

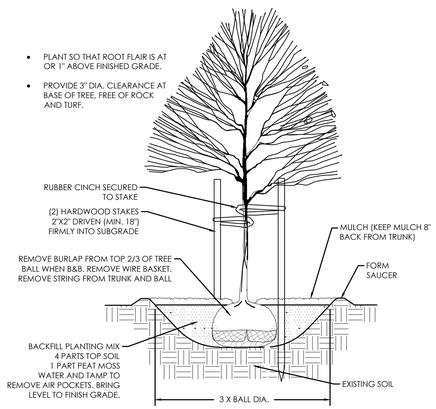
ITEM	AMOUNT	% PROVIDED
TOTAL LANDSCAPE & AMENITY AREA	7,801 SQ.FT.	
SHRUB PLANTING BEDS	5,358 SQ.FT.	100%
LAWN (TURF GRASS)	0 SQ.FT.	0%
NO MORE THAN 10% OF THE OVERALL PLANTS SHALL BE FROM HYDROZONE 3 OR 4		9%

LANDSCAPE NOTES

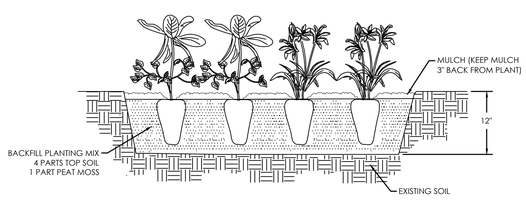
1. TOP DRESS ALL SHRUB BED AREAS AND OTHER AREAS LABELED ROCK MULCH WITH 4" DEEP OF ROCK TYPE(S) SPECIFIED IN THE REFERENCE NOTE SCHEDULE. PLACE ROCK OVER DEWITT PRO-5 WEED BARRIER FABRIC. FABRIC SHALL BE INSTALLED AFTER PRE-EMERGENT HAS BEEN APPLIED.
2. CONTRACTOR TO CONDUCT THEIR OWN QUANTITY TAKE-OFFS IN THE PLAN AND VERIFY ANY DISCREPANCIES WITH THE LANDSCAPE ARCHITECT.
3. CONTRACTOR SHALL VERIFY ALL UTILITIES SHOWN ON THE PLANS AS WELL AS HAVE THE SITE UTILITIES LOCATED ON THE GROUND PRIOR TO THE START OF CONSTRUCTION ACTIVITIES. IN THE EVENT THAT THE CONTRACTOR DISCOVERS AN UNDERGROUND UTILITY THAT IS NOT REPRESENTED WITHIN THE CONSTRUCTION DOCUMENTS OR AS MARKED ON THE SITE, HE SHALL IMMEDIATELY CONTACT THE OWNERS REPRESENTATIVE TO DETERMINE NEXT STEPS PRIOR TO ANY CONSTRUCTION ACTIVITIES WITHIN THE AREA OF THE NEWLY DISCOVERED UNDERGROUND UTILITY.
4. THE CONTRACTOR SHALL ENSURE POSITIVE DRAINAGE THROUGHOUT CONSTRUCTION ACTIVITIES FOR THE PROJECT. ACCUMULATION OF STANDING WATER WILL NOT BE PERMITTED.

MILLCREEK CITY NOTES

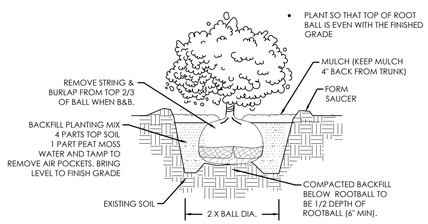
1. NO MORE THAN 10% OF THE TOTAL PLANT SPECIES MAY FALL UNDER ZONE 3 OR 4 WATERING FREQUENCY.
2. PLANT MATERIAL SHALL CONSIST OF NATIVE AND REGIONALLY ADAPTED SPECIES PER THE MILLCREEK PLANT SPECIES LIST.
3. SPECIES DIVERSITY- NO ONE SPECIES MAY MAKE UP MORE THAN 25% OF THE TOTAL NON-TURF PLANT MATERIAL WITHIN THE LANDSCAPED AREA.



A TREE PLANTING & STAKING
NOT TO SCALE



B PERENNIAL PLANTING
NOT TO SCALE



C SHRUB PLANTING
NOT TO SCALE

PLANT SCHEDULE

SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	SIZE	QTY	REMARKS
TREES						
	AG	Acer griseum	Paperbark Maple	2" Cal.	5	CITY STREET TREE PLAN
	CO	Cercis occidentalis	Western Redbud	2" Cal.	6	HYD. ZONE 2
	GS	Gleditsia triacanthos inermis `Shademaster'	Shademaster Honey Locust	2" Cal.	4	CITY STREET TREE PLAN
SHRUBS						
	BTC	Berberis thunbergii `Rose Glow'	Rose Glow Barberry	5 gal.	9	HYD. ZONE 3
	CCB	Caryoptens x clandonensis	Blue Mist Spirea	5 gal.	23	HYD. ZONE 2
	CA	Cotoneaster apiculata	Cranberry Cotoneaster	5 gal.	39	HYD. ZONE 2
	DR	Daphne cneorum 'Ruby Glow'	Ruby Glow Garland Daphne	5 gal.	39	HYD. ZONE 2
	MAC	Mahonia aquifolium `Compacta`	Compact Oregon Grape	5 gal.	23	HYD. ZONE 3
	PMM	Pinus mugo 'Mops'	Mops Mugo Pine	5 gal.	28	HYD. ZONE 2
	RMW	Rosa Meidiland `White`	White Meidiland Rose	5 gal.	23	HYD. ZONE 2
	VE	Viburnum burejaeticum 'P0175'	Mini Man™ Dwarf Viburnum	5 gal.	16	HYD. ZONE 2
ORNAMENTAL GRASSES						
	HSS	Helictotrichon sempervirens `Sapphire`	Sapphire Blue Oat Grass	1 gal.	37	HYD. ZONE 1
	PVS	Panicum virgatum `Shenandoah`	Shenandoah Switch Grass	1 gal.	49	HYD. ZONE 2
	PAH	Pennisetum alopecuroides `Hameln`	Hameln Fountain Grass	1 gal.	34	HYD. ZONE 2
PERENNIALS						
	LAM	Lavandula angustifolia 'Munstead'	Munstead English Lavender	1 gal.	34	HYD. ZONE 2

REFERENCE NOTES SCHEDULE

SYMBOL	CODE	DESCRIPTION	QTY
	1	WOOD MULCH	5,358 sf
	2	PAVERS	950 sf
	3	STAMPED COLORED CONCRETE	426 sf
	4	DECORATIVE COBBLE	1,067 sf
	5	BIKE RACK	1
	6	TABLE	1
	7	BENCH	3
	8	TWO PERSON COVERED SWING	1
	9	BOULDER	114

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

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

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

LICENSED LANDSCAPE ARCHITECT
No. 8028950-5301
THOMAS M. ROMNEY
01-14-2026
STATE OF UTAH

VILLA VISTA RESIDENTIAL
MILLCREEK CITY, UTAH
LANDSCAPE PLAN

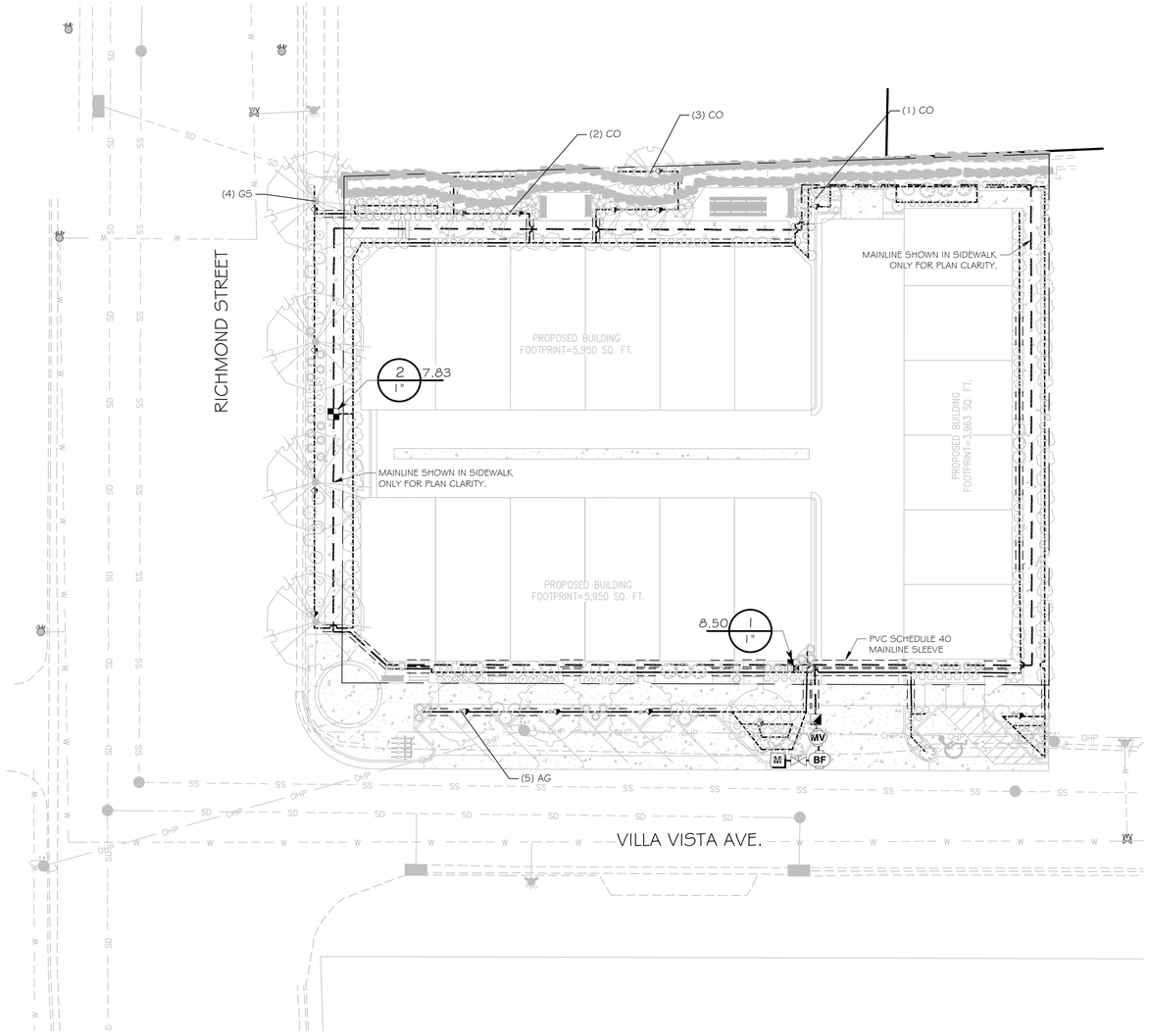
REVISION BLOCK

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

LANDSCAPE PLAN

Scale: 1"=20' | Drawn: SB
Date: 01/14/2026 | Job #: 25-0159
Sheet: L1.0

Z:_2025\25-0159 Villa Vista Residential\Udesign 25-0159.dwg\sheets\L1.0 LANDSCAPE PLAN.dwg



IRRIGATION SCHEDULE

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY
	Rain Bird XCZ-100-PRF 1" Medium Flow Drip Control Kit, 1" DV valve, 1" pressure regulating filter, 40psi pressure regulator. 3 GPM-15 GPM.	2
0.5 1.0 2.0	Rain Bird XB-G Six-Outlet, Pressure Compensating, Drip Emitter. Flow rates of 0.5 GPH=blue, 1.0 GPH=black, and 2.0 GPH=red, at each emitter outlet. Comes with Barb Inlet x Barb Outlet.	15
SYMBOL	**MANUFACTURER/MODEL/DESCRIPTION**	**QTY**
	Rain Bird 44-LRC 1" 1in. Brass Quick-Coupling Valve, with Corrosion-Resistant Stainless Steel Spring, Locking Thermoplastic Rubber Cover, and 2-Piece Body.	1
	STOP AND WASTE VALVE 1" MUELLER MARK II ORISEAL S4W VALVE MODEL H-10288	1
MV	Rain Bird PEB 1" 1in., 1-1/2in., 2in. Plastic Industrial Master Valves. Low Flow Operating Capability, Globe Configuration.	1
BF	Zurn 375 1" Reduced Pressure Principle Assembly. Sizes 1"	1
M	Water Meter 1"	1
	Irrigation Mainline: PVC Schedule 40	706.1 lf
	Pipe Sleeve: PVC Schedule 40	315.1 lf

Valve Callout
Valve Number
Valve Flow
#" Valve Size

RAINBIRD 3/4" XBS TUBING WITH 1/4" TUBING TO EMITTER

1" POLY PIPE CONNECTING DRIPLINE SECTIONS

3/4" MANUAL FLUSH VALVE IN 10" ROUND VALVE BOX

IRRIGATION NOTES

1. THIS SYSTEM IS BASED UPON AN AVAILABLE STATIC PRESSURE OF 50 PSI MINIMUM. PRIOR TO CONSTRUCTION, CONTRACTOR SHALL CONFIRM THE STATIC WATER PRESSURE AND THE SIZE OF THE POINT OF CONNECTION (POC).
2. COORDINATE AND LOCATE ALL EXISTING UTILITIES ON THE SITE PRIOR TO EXCAVATION.
3. THIS PLAN IS DIAGRAMMATIC. SOME EQUIPMENT MAY BE SHOWN IN PAVED AREAS AND BUILDINGS FOR PLAN CLARITY.
4. INSTALL PVC SCHEDULE 40 SLEEVES UNDER ALL PAVED SURFACES WHERE LINES AND CONTROL WIRES CROSS INCLUDING ALL SIDEWALKS. SLEEVE SIZE SHALL BE 2 TIMES LARGER THAN THE LINE. EXTEND 6" BEYOND THE PAVED SURFACE ON EACH SIDE. INSTALL A SEPARATE SLEEVE FOR THE CONTROL WIRES.
5. INSTALL MANUAL DRAIN VALVES AT ALL LOW POINTS ALONG IRRIGATION MAIN LINE AND EACH SIDE OF DRIVEWAY WHERE MAIN LINE CROSSES UNDER.
6. ALL PIPE FITTINGS SHALL BE SCHEDULE 80 ON MAIN LINE.
7. XBS TUBING SHALL BE INSTALLED UNDER BARK OR ROCK MULCH.
8. INSTALL 3/4" MANUAL FLUSH VALVE IN AN 10" ROUND VALVE BOX AT THE END OF ALL DRIP LINES.
9. DRIP EMITTERS SHALL BE RAINBIRD XB-20PC (2 GPH)XERI-BUG EMITTER, 1 EMITTER PER PLANT FOR PERENNIALS AND ORNAMENTAL GRASSES AND 2 EMITTERS PER PLANT FOR SHRUBS.
10. RAINBIRD MULTI-OUTLET XERI-BUG EMITTER XB-20-6 (12 GPH) SHALL BE USED ON TREES IN PLANTING BEDS WITH DIFFUSER BUG CAP AT ENDS OF TUBING. DISTRIBUTE EMITTERS AROUND ROOTBALL OF TREE.

N

S

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

Know what's below.
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LICENSED LANDSCAPE ARCHITECT
No. 8028950-5301
THOMAS M. ROMNEY
01-14-2026
STATE OF UTAH

VILLA VISTA RESIDENTIAL
MILLCREEK, UTAH
IRRIGATION PLAN

REVISION BLOCK

#	DATE	DESCRIPTION
1	----	----
2	----	----
3	----	----
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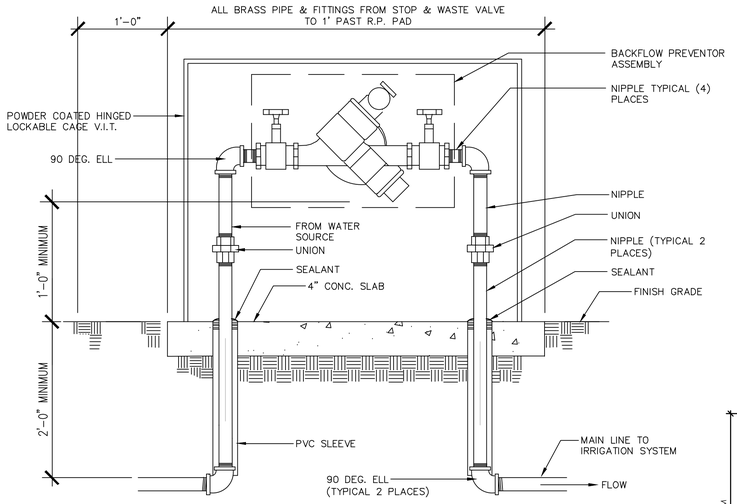
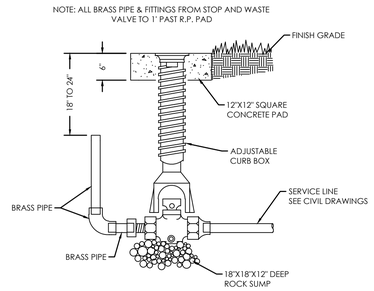
IRRIGATION PLAN

Scale:	1"=20'	Drawn:	MH
Date:	01/14/2026	Job #:	25-0159
Sheet:	L2.0		

Z:_2025\25-0159 Villa Vista Residential\design\25-0159\dwg\sheets\L2.0 IRRIGATION PLAN.dwg



A REDUCED PRESSURE BACK FLOW PRESSURE
NOT TO SCALE



B STOP & WASTE VALVE DETAIL
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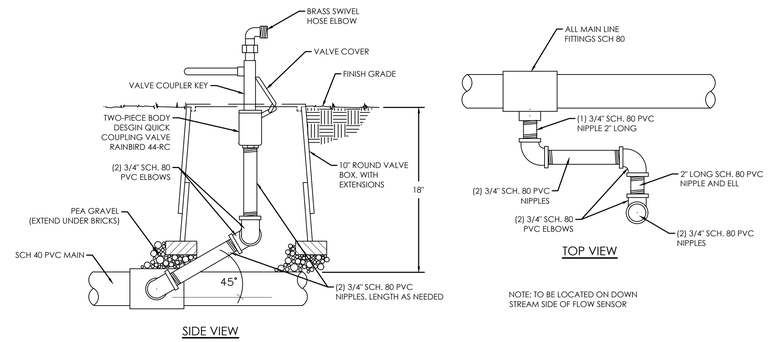

C QUICK COUPLING VALVE
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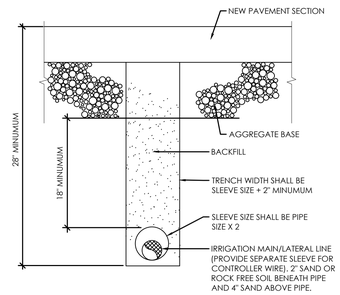
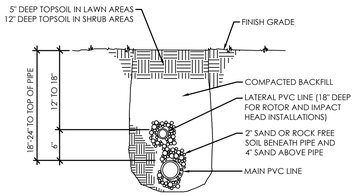


D PIPE TRENCH DETAIL (NEW PAVEMENT AREAS)
NOT TO SCALE



E TRENCH SECTION
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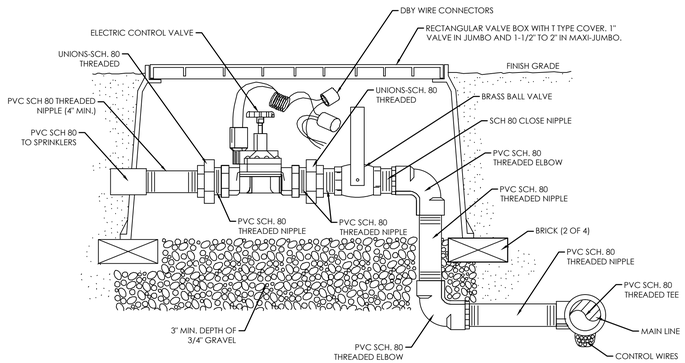

F ELECTRONIC CONTROL VALVE
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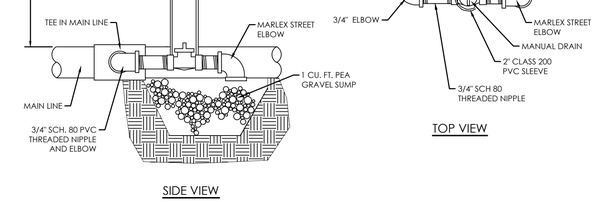
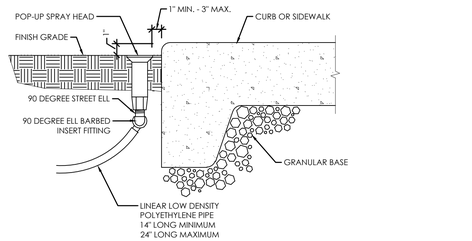
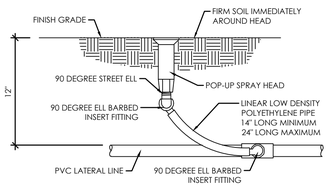


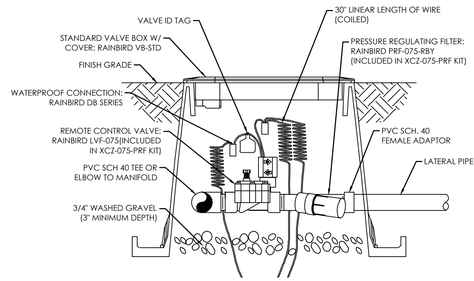
G MANUAL DRAIN VALVE
NOT TO SCALE



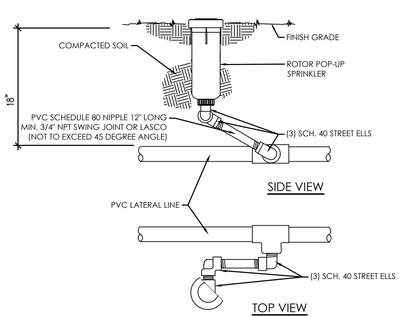
H SPRAY HEAD NEXT TO CURB OR WALK
NOT TO SCALE



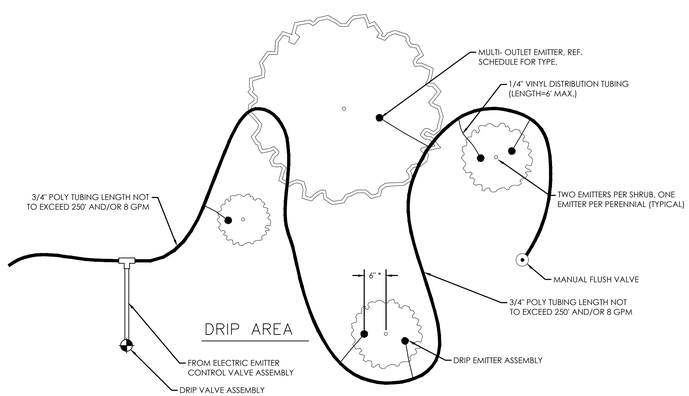
I SPRAY HEAD ASSEMBLY
NOT TO SCALE



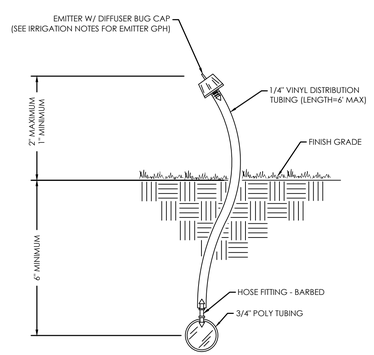
J CONTROL ZONE KIT
NOT TO SCALE



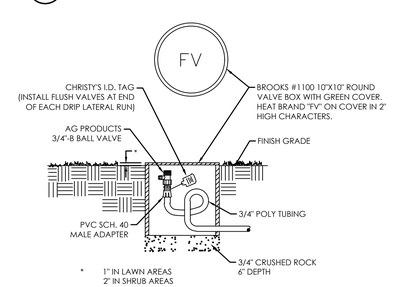
K ROTOR POP-UP HEAD
NOT TO SCALE



L TYPICAL DRIP EMITTER LAYOUT
NOT TO SCALE



M DRIP EMITTER ON VINYL TUBING RISER
NOT TO SCALE



N MANUAL FLUSH VALVE
NOT TO SCALE

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LICENSED LANDSCAPE ARCHITECT
No. 8028950-5301
THOMAS M. ROMNEY
01-14-2026
STATE OF UTAH

VILLA VISTA RESIDENTIAL
MILLCREEK, UTAH
IRRIGATION DETAILS

REVISION BLOCK

#	DATE	DESCRIPTION
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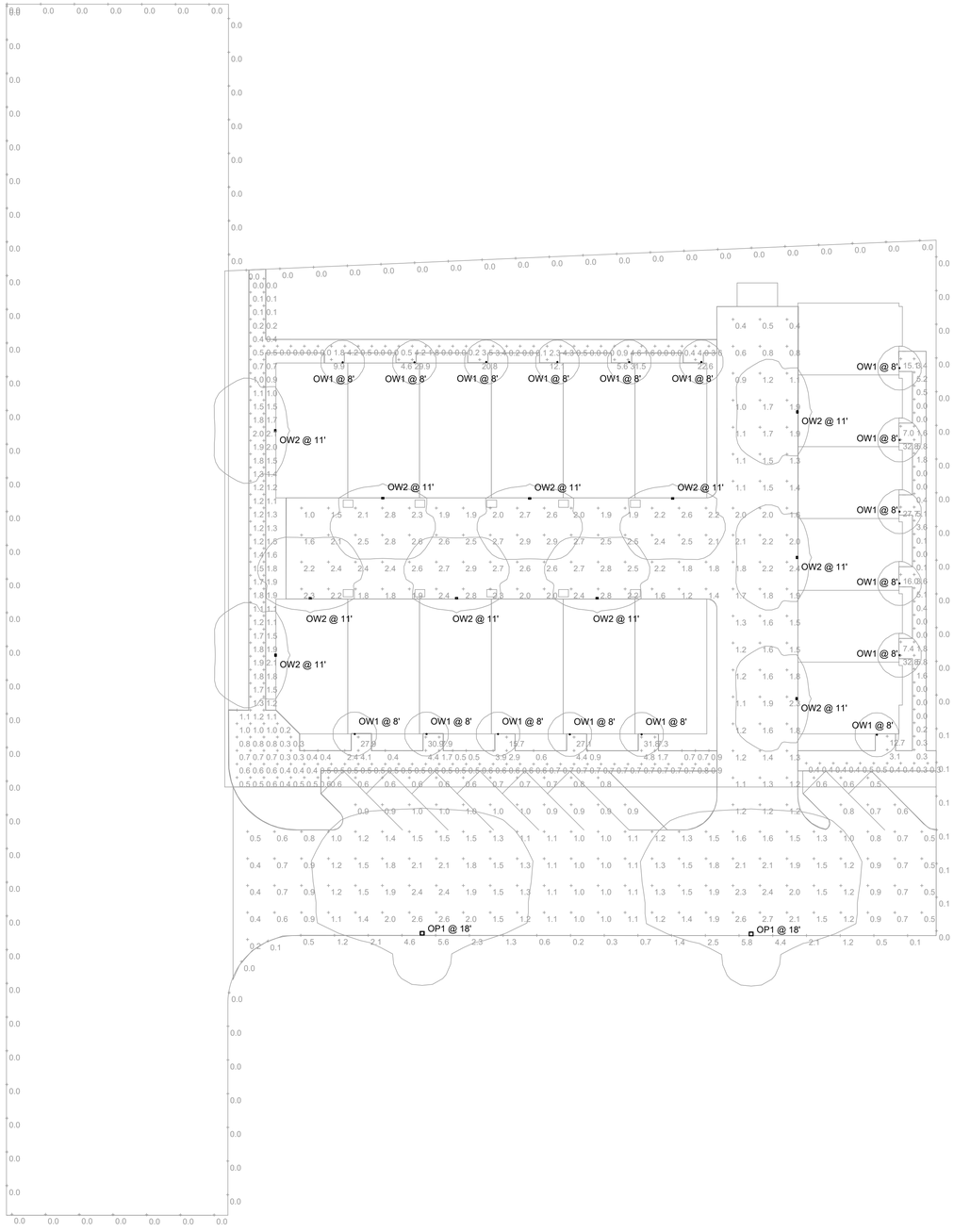
IRRIGATION DETAILS

Scale:
Drawn:
Date: 01/14/2026
Job #: 25-0159
Sheet: L2.1

Z:_2025\25-0159 Villa Vista Residential\design 25-0159\dwg\sheets\L2.0 IRRIGATION PLAN.dwg

Schedule								
Symbol	Label	QTY	Manufacturer	Catalog	Description	Number Lamps	Lamp Output	Input Power
	OP1	2	Lithonia Lighting	DSX1 LED P2 40K 80CRI T4M	D-Series Size 1 Area Luminaire P2 Performance Package 4000K CCT 80 CRI Type 4 Medium	1	9092	67.79
	OW2	11	Lithonia Lighting	WDGE2 LED P2 40K 70CRI T4M	WDGE2 LED WITH P2 - PERFORMANCE PACKAGE, 4000K, 70CRI, TYPE 4 MEDIUM OPTIC	1	2278	18.9815
	OW1	17	v2 Lighting Group, Inc. www.v2LightingGroup.com		AQUA 300, 40 degree reflector	1	1300	11.9

Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Property Line	+	0.3 fc	5.8 fc	0.0 fc	N/A	N/A
Walkway A	+	2.5 fc	31.8 fc	0.0 fc	N/A	N/A
Walkway B	+	4.2 fc	32.8 fc	0.0 fc	N/A	N/A
Parking Lot	+	1.5 fc	2.9 fc	0.2 fc	14.5:1	7.5:1



1 ES001 PHOTOMETRIC SITE PLAN

SCALE: 1" = 20'-0"

7565 S UNION PARK AVE., STE 100
SANDY, UT 84047
PHONE: 801.996.3646
www.buildwithmint.com

DRAWN BY

MS, NF / ES

MARK	ISSUE DESCRIPTION	ISS. DATE	#	REV. DESCRIPTION	REV. DATE

VILLA VISTA RESIDENTIAL

NOT FOR CONSTRUCTION

ISSUE DATE

PHOTOMETRIC SITE PLAN

SHEET

ES001

elemental
ELECTRICAL ENGINEERS
#25076

PRINTED AT

WDGE2 LED

Architectural Wall Sconce
Visual Comfort Optic

Catalog Number

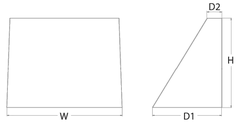
Notes

Type OW2

Hit the Tab key or mouse over the page to see all interactive elements.

Specifications

Depth (D1): 7"
Depth (D2): 1.5"
Height: 9"
Width: 11.5"
Weight: (without options) 13.5 lbs



Introduction

The WDGE LED family is designed to meet specifier's every wall-mounted lighting need in a widely accepted shape that blends with any architecture. The clean rectilinear design comes in four sizes with lumen packages ranging from 1,200 to 25,000 lumens, providing a true site-wide solution. Embedded with nLight® AIR wireless controls, the WDGE family provides additional energy savings and code compliance.

WDGE2 delivers up to 6,000 lumens with a soft, non-pixelated light source, creating a visually comfortable environment. When combined with multiple integrated emergency battery backup options, including an 18W cold temperature option, the WDGE2 becomes the ideal wall-mounted lighting solution for pedestrian scale applications in any environment.

design select Items marked by a shaded background qualify for the Design Select program and ship in 15 days or less. To learn more about Design Select, visit www.acuitybrands.com/designselect. *See ordering tree for details

WDGE LED Family Overview

Luminaire	Optics	Standard EM, 0°C	Cold EM, -20°C	Sensor	Approximate Lumens (4000K, 80CRI)						
					P0	P1	P2	P3	P4	P5	P6
WDGE1 LED	Visual Comfort	4W		--	750	1,200	2,000	--	--	--	--
WDGE2 LED	Visual Comfort	10W	18W	Standalone / nLight	--	1,200	2,000	3,000	4,500	6,000	--
WDGE2 LED	Precision Refractive	10W	18W	Standalone / nLight	700	1,200	2,000	3,200	4,200	--	--
WDGE3 LED	Precision Refractive	15W	18W	Standalone / nLight	6,000	7,500	8,500	10,000	12,000	--	--
WDGE4 LED	Precision Refractive			Standalone / nLight	--	12,000	16,000	18,000	20,000	22,000	25,000

Ordering Information

EXAMPLE: WDGE2 LED P3 40K 80CRI VF MVOLT SRM DDBXD

Series	Package	Color Temperature	CRI	Distribution	Voltage	Mounting
WDGE2 LED	P1[1] P15W P2[1] P25W P3[1] P35W P4[1] Door with small window (SW) is required to accommodate sensors. See page 2 for more details. P5[1]	27K 2700K 30K 3000K 35K 3500K 40K 4000K 50K[2] 5000K	80CRI 90CRI	VF Visual comfort forward throw VW Visual comfort wide	MVOLT 347[3] 480[3]	**Shipped included** SRM Surface mounting bracket ICW Indirect Canopy/Ceiling Washer bracket (dry/damp locations only)[4] **Shipped separately** AWS 3/8inch Architectural wall spacer[4] PBBW Surface-mounted back box (top, left, right conduit entry). Use when there is no junction box available.[5]

Options

E4WH	Emergency battery backup, Certified in CA Title 20 MAEDBS (4W, 0°C min)	**Standalone Sensors/Controls** (only available with P15W, P25W & P35W)	DDBXD Dark bronze
E10WH	Emergency battery backup, Certified in CA Title 20 MAEDBS (10W, 5°C min)	PIR Bi-level (100/359fc) motion sensor for 8-15' mounting heights. Intended for use on switched circuits with external dusk to dawn switching.	DBLXD Black
E20WC	Emergency battery backup, Certified in CA Title 20 MAEDBS (18W, -20°C min)	PIRH Bi-level (100/359fc) motion sensor for 15-30' mounting heights. Intended for use on switched circuits with external dusk to dawn switching	DNAXD Natural aluminum
PE	Photocell, Button Type[6]	PIR1FC3V Bi-level (100/359fc) motion sensor for 8-15' mounting heights with photocell pre-programmed for dusk to dawn operation.	DWHXD White
DS	Dual switching (comes with 2 drivers and 2 light engines; see page 3 for details)[7]	PIRH1FC3V Bi-level (100/359fc) motion sensor for 15-30' mounting heights with photocell pre-programmed for dusk to dawn operation.	DSSXD Sandstone
DMG	0-10V dimming wires pulled outside fixture (for use with an external control, ordered separately)[8]	**Networked Sensors/Controls** (only available with P15W, P25W & P35W)	DDBTXD Textured dark bronze
BCE	Bottom conduit entry for back box (PBBW). Total of 4 entry points.	NLTAIR2 PIR Embedded wireless controls by nLight with Passive Infrared Occ sensor and on/off photocell for 8-15' mounting heights.	DBLBXD Textured black
DSLE	Dual Switching (1 Driver, 2 Light Engines)	NLTAIR2 PIRH Embedded wireless controls by nLight with Passive Infrared Occ sensor and on/off photocell for 15-30' mounting heights.	DNATXD Textured natural aluminum
CCE	Coastal Construction[3]	NLTAIREM2 PIR Embedded wireless controls by nLight with UL924 listed emergency operation, Passive Infrared Occ sensor and on/off photocell for 8-15' mounting heights[9]	DWHGXD Textured white
		NLTAIREM2 PIRH Embedded wireless controls by nLight with UL924 listed emergency operation, Passive Infrared Occ sensor and on/off photocell for 15-30' mounting heights[9]	DSSTXD Textured sandstone

See page 4 for out of box functionality

AQUA 300 ROUND LX SCONCE

ALW

PROJECT

Job
Type OW1
Part #

Notes

SPECIFICATIONS

Source Xicato XTM LED module - up to 3000 source lumens
CCT 2700K, 3000K, 3500K or 4000K
Color Consistency 1x2 SDCM (MacAdam) along BBL, CCT +/- 40K to 70K, Duv +/- .001
CRI (Ra) 83 or 98
Driver / Location Integral / premium drivers must be remote mounted
Dimming 0-10V or phase to 10% standard; Ecosystem, DALI, DMX and 1% available
Input Voltage 100 to 277VAC (347VAC consult factory), phase dimmable versions are 120VAC only
Power Up to 35 watts max, depending on LED module / driver
Reflector 10°, 20°, 40°, 60° & optical accesories
Materials Tamper resistant design, stainless steel hardware, metal reflectors
Finish Powder coat - Exterior grade TGIC polyester, optional marine-grade finish
Weight 7.0 lb. [3.2 kg]
Location Listed for Wet location, tested to IP66 per IEC 60529
Approvals ETL Listed to UL 1598, 2108, 8750 and CSA C22.2# 9 & #250.0
L70 Life > 55,000 hours at 70% lumen maintenance, LM80 / TM-21, see pg 2
Warranty Lifetime Limited Warranty - see warranty for details
IES Files LM-79-08 IES files available
Modifications Any modification or customization is possible - consult factory

LED · INDOOR OUTDOOR · WET LOCATION · IP66 · DIMMABLE · LIGHTSOURCE BY XICATO® · TITLE 24 · ETL us Intertek

ORDERING LOGIC

Model -	Driver Location	Dimming	-	Output Direction	Output	CRI	CCT	Reflector	Optical Accessory	-	Shell Color
K3RL -			-							-	
K3RL	N=Integrated R=Remote	N=None P=Phase, 10% V=0-10V, 10%		D = Down U = Up * ** includes reflector cover*	07=700 lm 10=965 lm 13=1300 lm 20=2000 lm 30=3000 lm* **available in 83CRI only*	83=83 98=98	27=2700K 30=3000K 35=3500K 40=4000K	10=10°* 20=20° 40=40° 60=60° **1300 lm max*	NN=None DF=Diffuser Lens LS=Spread Lens WW=Wall Wash FT=Forward Throw HL=Hex Louver* **down direction only*		XX=v2 color *see pg 4* ZZ=Custom add +MF for Marine Finish

premium drivers (REMOTE location only):
Z1=eldoLED 0-10V, 0%
Z2=eldoLED DALI, 0%
Z3=eldoLED DMX, 0%
Z4=Lutron Hi-Lume™ LDE1, 0-10V, 0%
Z5=Lutron Hi-Lume™ LTEA, Phase, 1%
Z6=Lutron 5-Series™ LDE5, 0-10V, 5%

Example Part Number: **K3RL-NVD-30832720NN-L1**
K AQUA **30**0 **R**ound **LX** Sconce - **IN**tegrated Driver, 0-10**V** Dim - **D**own, **30**00lm, **83**CRI, **27**00K, **20°**, **NN** No Accessory - **L1** Gloss White

A 1035 22nd Avenue, Unit 1 · Oakland, CA 94606 **P** 510.489.2530 **E** TalkToUs@alwusa.com **W** alwusa.com

rev 191209

D-Series Size 1

LED Area Luminaire

Catalog Number

Notes

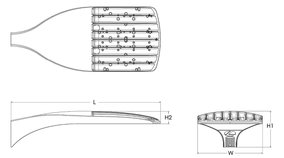
Type OP1

Hit the Tab key or mouse over the page to see all interactive elements.

d-series

Specifications

EPA: 0.69 ft² (0.06 m²)
Length: 32.71" (83.1 cm)
Width: 14.26" (36.2 cm)
Height H1: 7.88" (20.0 cm)
Height H2: 2.73" (6.9 cm)
Weight: 34 lbs (15.4 kg)



Introduction

The modern styling of the D-Series features a highly refined aesthetic that blends seamlessly with its environment. The D-Series offers the benefits of the latest in LED technology into a high performance, high efficacy, long-life luminaire.

The photometric performance results in sites with excellent uniformity, greater pole spacing and lower power density. D-Series outstanding photometry aids in reducing the number of poles required in area lighting applications with typical energy savings of 65% and expected service life of over 100,000 hours.

Ordering Information

EXAMPLE: DSX1 LED P7 40K 70CRI T3M MVOLT SPA NLTAIR2 PIRHN DDBXD

DSX1 LED

Series	LEDs	Color temperature[1]	Color Rendering Index[2]	Distribution		Voltage	Mounting
DSX1 LED	**Forward optics** P1 P6 P2 P7 P3 P8 P4 P9 P5 **Rotated optics** P10[1] P12[1] P11[1] P13[1]	(this section 70CRI only) 30K 3000K 40K 4000K 50K 5000K (this section 80CRI only, extended lead times apply) 27K 2700K 30K 3000K 35K 3500K 40K 4000K 50K 5000K	70CRI 70CRI 70CRI 80CRI 80CRI 80CRI 80CRI 80CRI	AFR Automotive front row T1S Type I short T2M Type II medium T3M Type III medium T3LG Type III low glare[3] T4M Type IV medium T4LG Type IV low glare[3] TFTM Forward throw medium T5M Type V medium T5LG Type V low glare T5W Type V wide BLC3 Type III backlight control[3] BLC4 Type IV backlight control[3] LCCO Left corner cutoff[3] RCCO Right corner cutoff[3]		MVOLT (120V-277V)[4] HVOLT (347V-480V)[5,6] XVOLT (277V - 480V)[7,8] 120[9,10] 208[9,10] 240[9,10] 277[9,10] 347[9,10] 480[9,10]	**Shipped included** SPA Square pole mounting (#8 drilling) RPA Round pole mounting (#8 drilling) SPA5 Square pole mounting #5 drilling[11] RPA5 Round pole mounting #5 drilling[11] SPA8N Square narrow pole mounting #8 drilling WBA Wall bracket[10] MA Mast arm adapter (mounts on 2 3/8" OD horizontal tenon)

Control options	Other options	Finish (required)
Shipped included NLTAIR2 PIRHN nLight AIR gen 2 enabled with bi-level motion / ambient sensor, 8-40' mounting height, ambient sensor enabled at 2fc[12,13,14,15,21] PIR High/low, motion/ambient sensor, 8-40' mounting height, ambient sensor enabled at 2fc[13,20,21] PER NEMA twist-lock receptacle only (controls ordered separately)[16] PERS Five-pin receptacle only (controls ordered separately)[14,21]	**Shipped included** SPD20KV 20KV surge protection HS Houseside shield (black finish standard)[22] L90 Left rotated optics[1] R90 Right rotated optics[1] CCE Coastal Construction[23] HA 50°C ambient operation[24] BAA Buy American(n) Act Compliant SF Single fuse (120, 277, 347V)[26] DF Double fuse (208, 240, 480V)[26] **Shipped separately** EGSR External Glare Shield (reversible, field install required, matches housing finish) BSDB Bird Spikes (field install required)	DDBXD Dark Bronze DBLXD Black DNAXD Natural Aluminum DWHXD White DDBTXD Textured dark bronze DBLBXD Textured black DNATXD Textured natural aluminum DWHGXD Textured white

PER7 Seven-pin receptacle only (controls ordered separately)[14,21]
FAO Field adjustable output[15,21]
BL30 Bi-level switched dimming, 30%[16,21]
BL50 Bi-level switched dimming, 50%[16,21]
DMG 0-10v dimming wires pulled outside fixture (for use with an external control, ordered separately)[17]
DS Dual switching[18,19,21]

7565 S UNION PARK AVE., STE 100
SANDY, UT 84047
PHONE: 801.996.3646
www.buildwithmint.com

DRAWN BY
MS, NF / ES

MARK	ISSUE DATE	#	REV. DESCRIPTION	REV. DATE

VILLA VISTA RESIDENTIAL

NOT FOR CONSTRUCTION

ISSUE DATE

PHOTOMETRIC DETAIL

SHEET ES002

elemental ELECTRICAL ENGINEERS #25076

PRINTED 11" x 17"

LOWER MILLCREEK IRRIGATION COMPANY - A MUTUAL WATER COMPANY

Victor Willden, Water Master
P. O. Box 520516
Salt Lake City, Utah 84152
Phone: 801.641.4578
Email: lowermillcreek@gmail.com

Millcreek City Planning Department
1330 East 3300 South
Millcreek, Utah 84106

January 13, 2026

Re: Approval of Plans for Hoagland Ditch – Villa Vista Townhomes Project

Dear Millcreek City Planner:

I am writing to you in my capacity as the Water Master for the Lower Millcreek Irrigation Company regarding the proposed townhome development at the subject property.

I have personally reviewed the submitted plans and technical specifications for the portion of the ditch that runs through the subject property. Based on this review, I have found the proposed improvements and handling of the water conveyance facility to be acceptable to the Company. These plans align with our goal to keep the Company's water system running smoothly and to ensure the system does not damage your property or the property of others.

Please be advised that the applicant and the Lower Millcreek Irrigation Company are currently working together to update the easement agreement. This update is intended to ensure that the legal easement aligns accurately with the slightly modified ditch alignment on the property as established in the reviewed plans.

The Company desires to be a good neighbor and will continue to take all reasonable actions to work collaboratively with property owners.

Sincerely,

Victor Willden

UNIFIED FIRE AUTHORITY

FIRE PREVENTION DIVISION

Fire Code Modification Request Application

FIRE CODE MODIFICATIONS

Modifications. Whenever there are practical difficulties involved in carrying out the provisions of this code, the *fire code official* shall have the authority to grant modifications for individual cases, provided the *fire code official* shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the files of the department of fire prevention. [2021 IFC 104.9]

Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. The *fire code official* is authorized to approve an alternative material or method of construction where the *fire code official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, *fire resistance*, durability and safety. [2021 IFC 104.10]

Fire Code modifications must be in compliance with the intent and purpose of the fire code so that any approved modification does not lessen health, life, and fire safety requirements. Fire Code Modifications are not a variance. Instead, a modification requires approval which will likely involve City or County Code Officials as well. Code modifications are only approved for where or when adherence to the strict letter of the International Fire Code is impractical in the opinion of the Code Officials.

PLEASE DO NOT ASSUME THAT A REQUEST FOR A CODE MODIFICATION WILL BE AUTOMATICALLY APPROVED!

Application for Fire Code Modification

I (we) Kensington Home Company are requesting that the

Please print the name of the property owners and person making this request.

Unified Fire Authority (Per IFC 104.9) grants the following fire code modification(s). This request is based upon the specific practical difficulties described herein and the fact of not being able to carry out the provisions of the fire code. It is understood that the fire code official has the authority to grant or deny this request. The fire code official must find that special individual reasons make the strict letter of the fire code impractical, and that this request is in compliance with the intent and purpose of the fire code. This modification shall not lessen health, life and/or fire safety requirements. If approved, (or not) these documents will be entered in the files of the fire department pertaining to the project described. A copy will be provided to the applicant.

Name: Matt Wilcox

Your Present Address: 650 S 500 W Suite #250 Salt Lake City, UT 84101

Phone: 3012720194, Cell 3012720194

Property Owner Name if Different than Above: CC Archer, LLC

Property Address: 3055-3061 S. Richmond ST, 1265 E Villa Vista Ave, Millcreek, UT 84601

Parcel Number if Applicable: 16-29-281-011, 16-29-281-012, and 16-29-281-013

City or County Reference Number if Applicable: _____

Instructions:

On the attached page, please describe the reasons why you are requesting a fire code modification. Note that the reason or reasons must comply with the information stated above. The Unified Fire Authority does not assume any liability for installation different that what is described or for the maintenance of the described fire code modification. The Unified Fire Authority does reserve the right to approve or deny this request and/or the continued maintenance thereof. Attach any additional pages or plans as necessary.

Code Modification Request:

We are requesting acceptance of the alternative means and methods detailed in the attached documents. Site constraints do not allow for fire apparatus access to the long side of all three townhome buildings in the proposed plan. There is no practical way to redesign the site to allow for apparatus access to all of the units. Also, keeping the townhome units limited to 30' parapet height is not practical for the price points that the subject site will demand. We believe that the combination of fire safety approaches designed into each of the three buildings provide multiple safe methods for access and providing emergency assistance.

Signature: _____ Date: July 18, 2025

Please submit additional material if needed. If you have questions contact the Unified Fire Authority Fire Prevention Bureau at 801-743-7230.

For Office Use Only

Date: July 22 2025, ***Building Official Signature***: _____

Approved: ☑ Denied: ☐ Notes: _____

Date: 07/23/2025, ***Fire Code Official Signature***: _____

Approved: ☑ Denied: ☐ Notes: Documents to be included with construction plans

[APPROVAL IS REQUIRED FROM BOTH THE BUILDING AND FIRE CODE OFFICIALS]

Exhibit 1

Alley Access with Multiple Mounting Points

Revised Approach for Row 2

The design for **Row 2** has been updated and is now proposed as a **three-story townhome building**, with a **rear parapet height of approximately 35 feet along the alley**, which exceeds the 30-foot threshold for standard ground ladder operations under IFC Section D105.1.

To address this, we propose introducing **two specifically designed access points along the alley side of Row 2**. Each access point will incorporate a section of roof that slopes down over the rear third of the unit, reducing the height to **30 feet**, thus accommodating the use of handheld ladders from the alley. Once firefighters ascend these ladders, they can mount an approximately **11-foot deep flat roof area without partitions**, allowing them to move laterally up **to reach adjacent units**. Additionally, Row 2 continues to have direct **short side apparatus access along Richmond Street**.

We believe this combined strategy fulfills the intent of IFC Section D105.3 by ensuring multiple practical roof access points despite the lack of direct aerial apparatus access along the alley.

Consistent Approach for Row 1

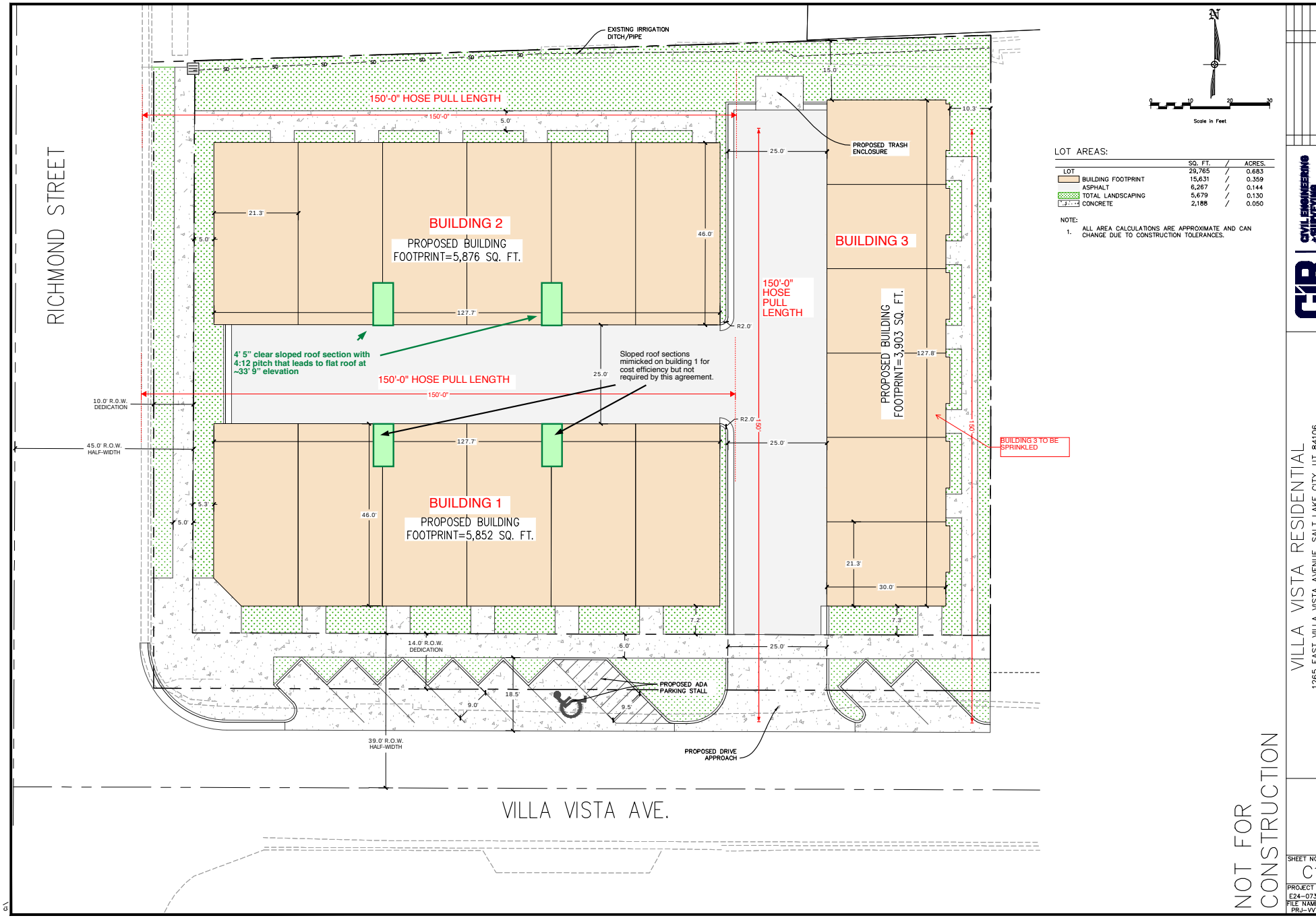
The **Row 1** townhomes exceed a parapet height of **35 feet**. However, these units provide apparatus access with direct **long side access along Villa Vista Avenue and short side access along Richmond Street**. We believe the current configuration fully supports effective fire department operations and satisfies the intent of the code without the need for further modification.

Consistent Approach for Row 3

For **Row 3**, we propose to maintain the strategy detailed in our original April 28, 2025 submittal, with the following clarifications:

- Aerial apparatus access will continue to be provided along the **short side on Villa Vista Avenue**.
- ~~A **single rooftop access hatch** will be installed in the **northern end unit**, providing a secure point of roof access for fire department personnel.~~ *
- The building will be protected by a **full NFPA 13 sprinkler system**, designed to a minimum discharge density of **0.10 gallons per minute**, exceeding the requirements typically set under NFPA 13R.

*See Exhibit 2



LOT AREAS:

		SQ. FT.	/	ACRES.
LOT		29,765	/	0.683
	BUILDING FOOTPRINT	15,631	/	0.359
	ASPHALT	6,267	/	0.144
	TOTAL LANDSCAPING	5,679	/	0.130
	CONCRETE	2,188	/	0.050

NOTE:
1. ALL AREA CALCULATIONS ARE APPROXIMATE AND CAN CHANGE DUE TO CONSTRUCTION TOLERANCES.

NOT FOR CONSTRUCTION

NO	REVISIONS	BY	DATE

DESIGNED: TLH PROJECT ENGINEER: TLH

CIVIL ENGINEERING + SURVEYING
10718 S BECKSTEAD LANE, SUITE 102
South Jordan, Utah - 801-949-8256

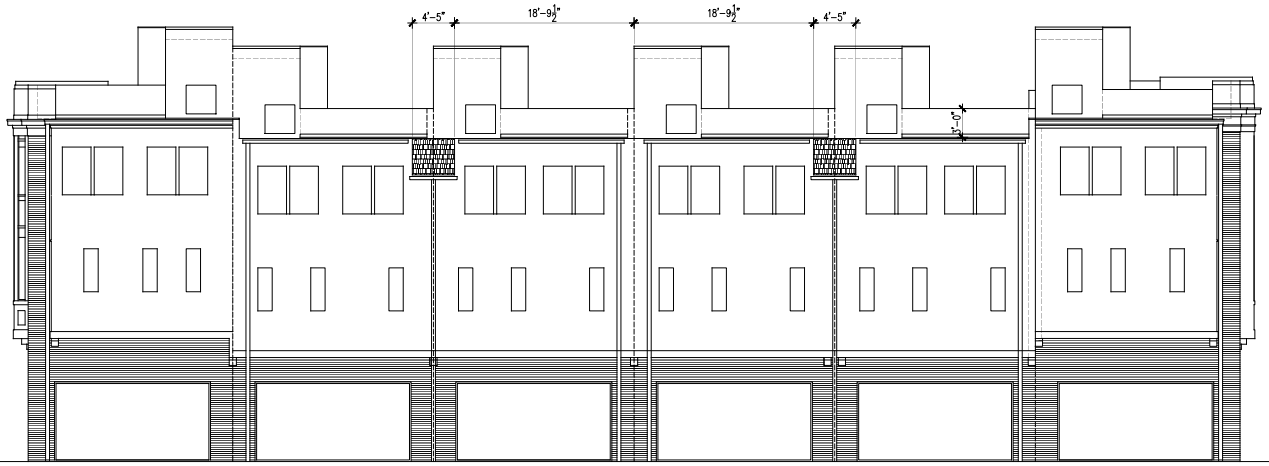
VILLA VISTA RESIDENTIAL

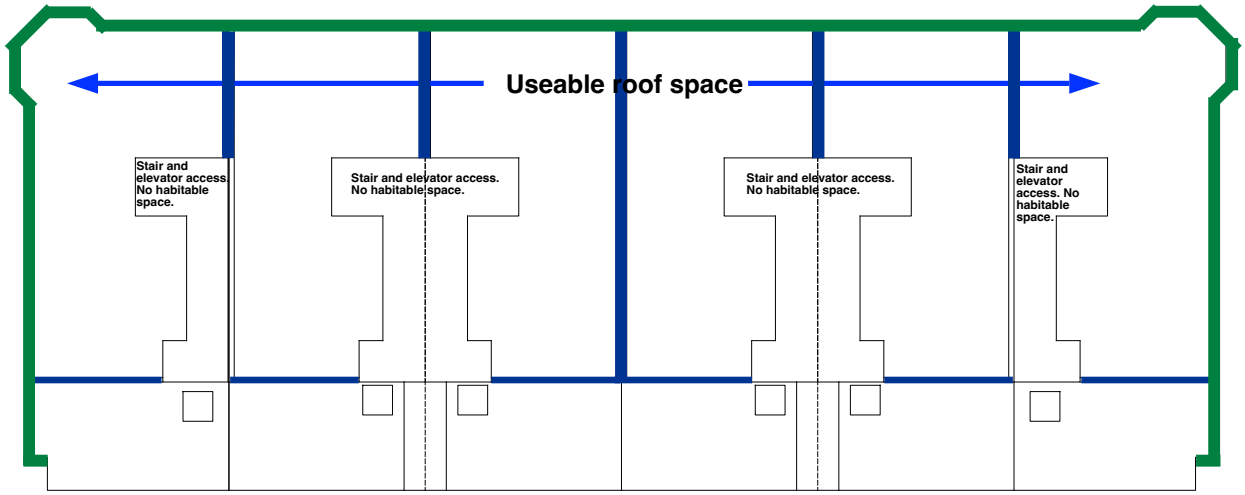
1265 EAST VILLA VISTA AVENUE, SALT LAKE CITY, UT 84106

CONCEPT SITE PLAN

SHEET NO. C1.0

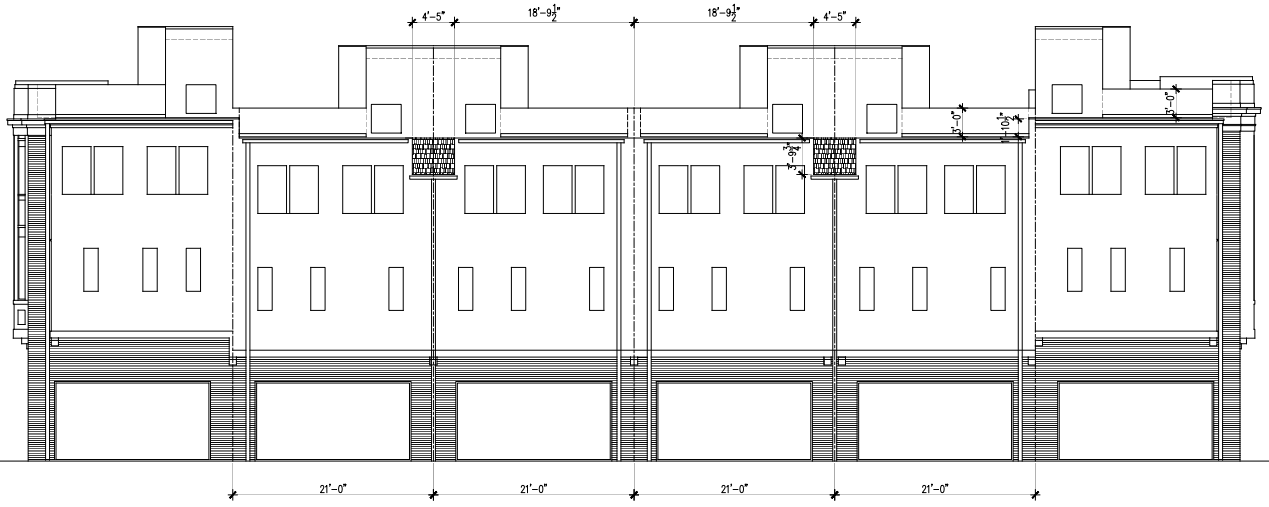
PROJECT ID	DATE:
E24-073	07/17/25
FILE NAME: PRJ-VVT	SCALE: 1"=10'





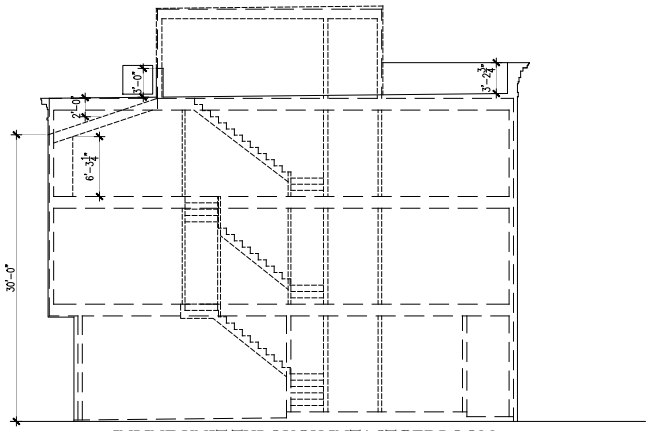
3' - 3'2" parapet noted with

3'6" parapet noted with

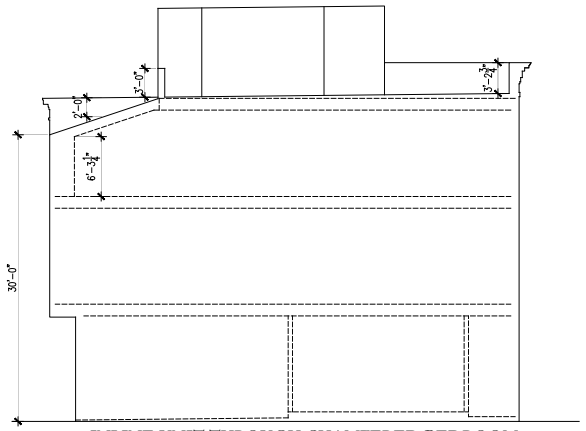


A-4 VILLA VISTA - BLDG. #1 & 2 REAR ELEVS. AND ROOF TOP OPTIONS

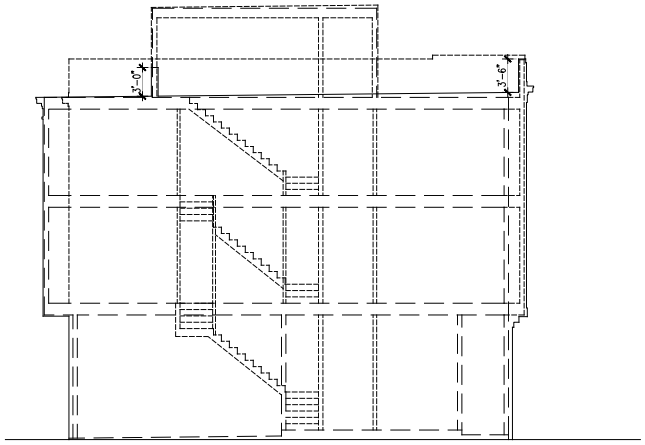
NOT TO SCALE MORALES ARCHITECTS DATE: 7-10-25



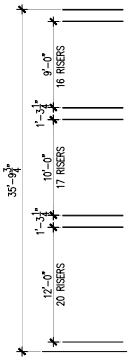
INLINE UNIT THROUGH INTACT BEDROOM



INLINE UNIT THROUGH CHAMFERED BEDROOM



CORNER UNIT BUILDING SECTION



A-3 VILLA VISTA - BLDG. #1 & 2 ELEVATIONS & BUILDING SECTIONS

NOT TO SCALE MORALES ARCHITECTS DATE: 7-10-25

Exhibit 2

Shirl White
to Stewart, me, Cody

Dec 24, 2025, 6:37 AM

Matt,

After looking at the two options for row 3(building 3) and a discussion with my Deputy Fire Marshal, it was determined that neither the hatch or exterior ladder would provide an appropriate benefit due to safety concerns. Please update the approach for row 3, in your overall request, without including either options and send that back. All other proposals for each row should be maintained as previously shown for acceptance.

It will be necessary to make sure the information is conveyed to the fire sprinkler designer, so that the NFPA 13 system will include the higher discharge density of 0.10 gallons per minute.

If you have questions feel free to contact me at your convenience.

Thank you.

Respectfully,

Shirl White
Fire Inspector
Unified Fire Authority
4965 South Redwood Rd.
Taylorsville, Utah 84123
Phone: 801-824-3717
swhite@unifiedfire.org

When recorded, return to:

Millcreek
Attn: Mayor
1330 E Chambers Ave
Millcreek, UT 84106

DEVELOPMENT AGREEMENT

This Development Agreement (this "Agreement") is entered into this ___ day of _____, 2025 (the "Effective Date"), by and between Gardner Alfandre Holdings, L.C., a Utah limited liability company (the "Developer") and Millcreek City, a municipal corporation of the State of Utah (the "City"). The Developer and the City are sometimes referred to as the "Parties."

RECITALS

WHEREAS, the Developer owns, or will own, approximately .68 acres of real property located at 1265 East Villa Vista in Millcreek, Utah, as more particularly described on Exhibit A attached hereto (the "Property"). The Parties desire that the Property be developed as eighteen (18) townhomes (the "Project") in a unified and consistent fashion pursuant to the terms and conditions of this Agreement; and

WHEREAS, the Property is located in the Commercial "C" Zone ("CCOZ"), and

WHEREAS, the Developer has requested that the Property be rezoned ("Rezone") from the CCOZ to the City Center Overlay Development Agreement Zone ("CCOZ-DA"); and

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

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

WHEREAS, Developer is willing to restrict the Property in a manner that is in harmony with the objectives of the City's General Plan and long-range development objectives, and which

addresses the more specific development issues set forth in this Agreement, and is willing to abide by the terms of this Agreement; and

WHEREAS, the City and Developer acknowledge and intend for the terms of this Agreement to be enforceable, and for the rights of the Developer to develop the Property only if the City Council, in its sole and absolute legislative discretion, approves the Rezone and this Agreement (as evidenced by the City's signature to this Agreement); and

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

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

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

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

3. **Vested Rights.** Anything in Section 2 notwithstanding, except as provided below, the Parties intend that this Agreement grants the Developer the vested right to develop the Project under the ordinances, policies, and standards of the City related to zoning, subdivisions, development, public improvements, and other similar or related matters that are in effect as of the Effective Date, as modified by the design criteria attached hereto as Exhibit B, the concept plan attached hereto as Exhibit C, and the provisions of this Agreement (the "Vested Laws").

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

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

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

3.1.3 Taxes. Taxes, or modifications thereto, so long as such taxes are lawfully imposed and charged uniformly by the City to all properties, applications, persons, and entities similarly situated;

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

3.1.5 Impact Fees. Impact Fees or modifications thereto which are adopted and

imposed by the City in accordance with applicable law; and

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

3.2 **Developer's Voluntary Submission to Future Laws**. If the Developer provides express written notice of its intent to abide by the City's future laws/ordinances that are in place at the time when the Developer submits a development application, then such future laws/ordinances shall apply to such development application, without waiving the Developer's right to submit future development applications under the Vested Laws.

3.3 **Timing and Rate of Development**. The City acknowledges that as of the Effective Date, the Developer cannot predict if, when, or at what rate the development of the Project will occur, which will depend upon numerous factors, including factors outside the control of the Developer, such as market orientation and demand, competition, availability of qualified laborers, and weather conditions. Nothing in this Agreement shall be construed to require the Developer to proceed with developing the Project or any portion thereof or any Phase, provided (a) once development has commenced, such development shall be in accordance with the terms of this Agreement; and (b) once vertical construction has commenced, such construction shall be completed in a commercially reasonable timeframe, subject to the provisions of Section 15 below.

3.4 **Acquisition of Property**. The rights and obligations of the Developer and the City

under this Agreement are conditioned on Developer acquiring the Property. If the Developer fails to acquire the Property, this Agreement shall automatically terminate.

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

5. **Specific Design Conditions**. The Project shall be developed and constructed as set forth in the specific design conditions/criteria set forth in Exhibit B.

6. **Agreement to Run With the Land**. This Agreement shall be recorded in the Office of the Salt Lake County Recorder following the acquisition of the Property by Developer, shall be deemed to run with the Property, and shall encumber the same; and, subject to the provisions of Section 14 below, shall be binding on and inure to the benefit of all successors and assigns of Developer in the ownership or development of any portion of the Property. This Agreement supersedes any and all development agreements that have been executed concerning the Property. No breach of this Agreement shall defeat, render invalid, diminish, or impair the lien of any mortgage made in good faith and for value, but all of the terms and conditions contained in this Agreement shall be binding upon and effective against any person that acquires title to the Property, or any portions thereof, by foreclosure, trustee's sale, deed in lieu of foreclosure or otherwise.

7. **Assignment.** This Agreement shall be binding upon any successors and assigns. Neither this Agreement nor any of the provisions, terms, or conditions hereof can be assigned to any other party, individual, or entity without the other party's consent; however, this restriction on assignment shall not prohibit or impede the sale by the Developer to any third party. Notwithstanding the foregoing, Developer may assign its rights and obligations under this Agreement, without the consent of the City but with notice to the City, to any person or entity that controls, is under common control with, or is controlling Developer. For purposes of this

paragraph, control exists in all cases in which the entity is a member of a controlled group of corporations as defined pursuant to section 1563 of the Internal Revenue Code.

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

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

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

TO DEVELOPER:

Kensington Home Company
Attn: Matt Wilcox
650 S 500 W Suite 295
Salt Lake City, UT 84101

TO CITY:

Millcreek
Cheri Jackson, Mayor
1330 E Chambers Ave
Millcreek, Utah 84106

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

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

filed in the Third District Court in Salt Lake City, Utah, or in the United States District Court for the District of Utah in Salt Lake City, Utah.

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

13. **Limitation on Recovery for Default – No Damages.** No party shall be entitled to any claim for any monetary damages as a result of any breach of this Agreement, and each Party waives any claims thereto. The sole remedy available to the Developer or assignee shall be specific performance. Notwithstanding such limitation, the City may withhold all further reviews, approvals, licenses, building permits, and/or other permits for the development of the Project in the case of a material default by Developer that remains uncured thirty (30) days after written notice of such default, unless Developer commences curing such default within such thirty (30) day period and diligently pursues such cure; provided, if the Council finds on the record in a public meeting that a default by the Developer materially impairs a compelling, countervailing interest of the City and that any delays in imposing a remedy to such a default would also impair a compelling, countervailing interest of the City, the City may immediately pursue the remedies after the public meeting which finds such material impairment of a compelling, countervailing interest of the City. The City shall give reasonable notice to the Developer of any public meeting at which an emergency default is to be considered, and the Developer shall be allowed to attend such meeting and address the Council regarding the claimed emergency default.

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

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

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

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

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

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

[SIGNATURES ON NEXT PAGE]

Millcreek

Cheri Jackson, Mayor

ATTEST:

Elyse Sullivan, MMC, City Recorder

CITY ACKNOWLEDGMENT

STATE OF UTAH)
: ss
COUNTY OF SALT LAKE)

On the _____ day of _____, 2025, personally appeared before me _____, who being by me duly sworn, did say that she is the Mayor of Millcreek, a political subdivision of the State of Utah, and that said instrument was signed on behalf of the City by authority of its City Council and said Mayor acknowledged to me that the City executed the same.

DEVELOPER

By: _____

Name: James Alfandre

Title: President

OWNER/DEVELOPER ACKNOWLEDGMENT

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

On the _____ day of _____, 2025, personally appeared before me James Alfandre, who being by me duly sworn, did say that he is the President of Gardner Alfandre Holdings, L.C., and that the foregoing instrument was duly authorized by the company at a lawful meeting held by authority of its bylaws and signed in behalf of said company.

Exhibit A
(legal description)

Legal Description

Parcel 1:

Beginning at a point 2 rods North and 539.5 feet West of the Southeast corner of the Northeast Quarter of Section 29, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running thence North 165 feet, more or less, to the North line of lands conveyed to Severn Nielsen by deed from Henry Johnson, dated July 24, 1878, and recorded .on said date in Book "M" of Deeds, at Pages 964-6; thence South 87 1/2Â° West 61 feet, more or less, to the East line of Richmond Street; thence South 165 feet, more or less, along the East line of said Richmond Street to the North line of Gunn Avenue; thence East along the North line of said Gunn A venue 61 feet, more or less, to the place of beginning.

Tax I.D. 16-29-281-011-0000

Parcel 2:

Commencing at a point 2 rods North and 464.5 feet West from the Southeast Corner of the Northeast Quarter of Section 29, Township 1 South, Range 1 East, Salt Lake Meridian; and running thence West 75 feet; thence North 10 rods, more or less, to the North line of lands conveyed to Severen Nielsen by Deed from Henry Johnson dated July 24, 1878 and recorded on said date in Book "M" of Deeds at Pages 964-6; thence along said line described in said Deed North 87 degrees 30 minutes East 75 feet to a point due North of beginning; thence South 10 rods, more or less, to the place of beginning.

Together with a right of way over the following:

Commencing at the Southwest corner of the Northwest Quarter of Section 28, Township 1 South, Range 1 East, Salt Lake Meridian; and running thence East 14 rods, more or less, to the center line of County Road; thence North 15 degrees 30 minutes West 33.3 feet to a point due East of the Southeast Comer of lands decreed to Niels C. Nielsen by Decree of Distribution In the Matter of the Estate of Severen Nielsen, deceased, in the Third Judicial District Court of the State of Utah; thence West 76 rods to Salt Lake City Canal; thence South 41 degrees East to the East and West Quarter Section Line; thence East 61.75 rods to the place of beginning.

Tax I.D 16-29-281-012-0000

Parcel 3:

Commencing at a point 33 feet North and 389.5 feet West of the Southeast Corner of the Northeast Quarter of Section 29, Township 1 South, Range 1 East, Salt Lake Meridian, and running thence West 75 feet; thence North 10 rods, more or less, to the North line of property conveyed to Severin Nielson by Deed from Henry Johnson, recorded in the Office of the County Recorder of Salt Lake County, Utah in Book "M" of Deeds, Pages 964-6; thence along said line described in said deed, North 87°30' East 75 feet, more or less, to a point due North of Beginning; thence South 10 rods, more or less to the place of beginning.

Tax I.D 16-29-"281-013-0000

Exhibit B
Design and Improvement Criteria

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

1) **Uses.** The project shall consist of eighteen (18) residential units within three (3) buildings, as depicted in Exhibit C.

    a) Building One (South Building): Six (6) units. Four (4) Bedroom Townhomes.

    b) Building Two (North Building): Six (6) units. Four (4) Bedroom Townhomes.

    c) Building Three (East Building): Six (6) units. Three (3) Bedroom Townhomes.

2) **Commercial Requirements**: The commercial use shall feature Live/Work Units inside Building One and Building Two. Live/Work Units shall consist of a ground story that is limited to commercial uses that are allowed in the City Center Overlay Zone. The location of the commercial uses shall be arranged as depicted in the floorplans of Buildings One and Two, Exhibit C.

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

    a) The Developer shall record a final subdivision plat within one year of the date of Site Plan/Conditional Use Permit approval to create individual lots for each of the eighteen (18) units.

    b) To ensure owner occupancy, the Developer agrees to, concurrent with recording of a subdivision plat, record in the office of the Salt Lake County Recorder a declaration/deed restriction ("Declaration") in the form attached hereto as Exhibit D on each of the eighteen (18) lots but shall release a Declaration on nine (9) of the lots upon notice as set forth in the Declaration.

4) **Height.** The height of the buildings shall be measured from the lowest elevation point of original grade (4,588 FT), as depicted in the attached ALTA/NSPS Land Title & Topography Survey, Exhibit C. Height shall be as depicted in Exhibit C.

    a) **Building 1 & 2:** No higher than 45 feet.

    b) **Building 3:** No higher than 47 feet.

5) **Setbacks.** The minimum building setbacks shall be according to the current City Center Overlay Zone (CCOZ), and as depicted in Exhibit C.

6) **Landscaping.** Landscaping shall comply with the requirements of MKZ 18.64 (Landscape standards) and the Millcreek City Center Urban Forestry Standard. Landscaping materials

shall include native or endemic groundcover. Turf grass is prohibited for use as a ground cover.

7) **Length:** All buildings shall not exceed 128 feet in length, as depicted in Exhibit C.

8) **Parking.** The Project shall have at least thirty-six (36) parking stalls, which shall be contained within the eighteen individual two-car garages (36). Additionally, as per the prescribed cross section for neighborhood streets, depicted in Figure 18.47.7 and in Table 18.47-8 within MKZ 18.47.060 (CCOZ Design Standards), the project will include seven (7) on street parking stalls and one (1) ADA parking stall, which will be dedicated to the City as part of the right-of-way.

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

10) **Right-of-way improvements.** The Developer shall provide a ten-foot (10') wide public easement parallel to and abutting Villa Vista Avenue right-of-way. Additionally, The developer shall provide a five-foot (5') wide public easement parallel to and abutting Richmond St. The Developer shall also install frontage improvement to the abutting right of way (including but not limited to curb, gutter, sidewalk, landscaped park strip, asphalt, and utilities).

11) **Streetscape and Dedication.** The streetscape along Villa Vista and Richmond shall be installed as depicted in Exhibit C, following the cross sections identified in Figure 18.47.7 and in Table 18.47-8 within MKZ 18.47.060 (CCOZ Design Standards).

12) **Ditch Agreement.** Irrigation improvements shall meet the requirements of the Lower Millcreek Canal Company.

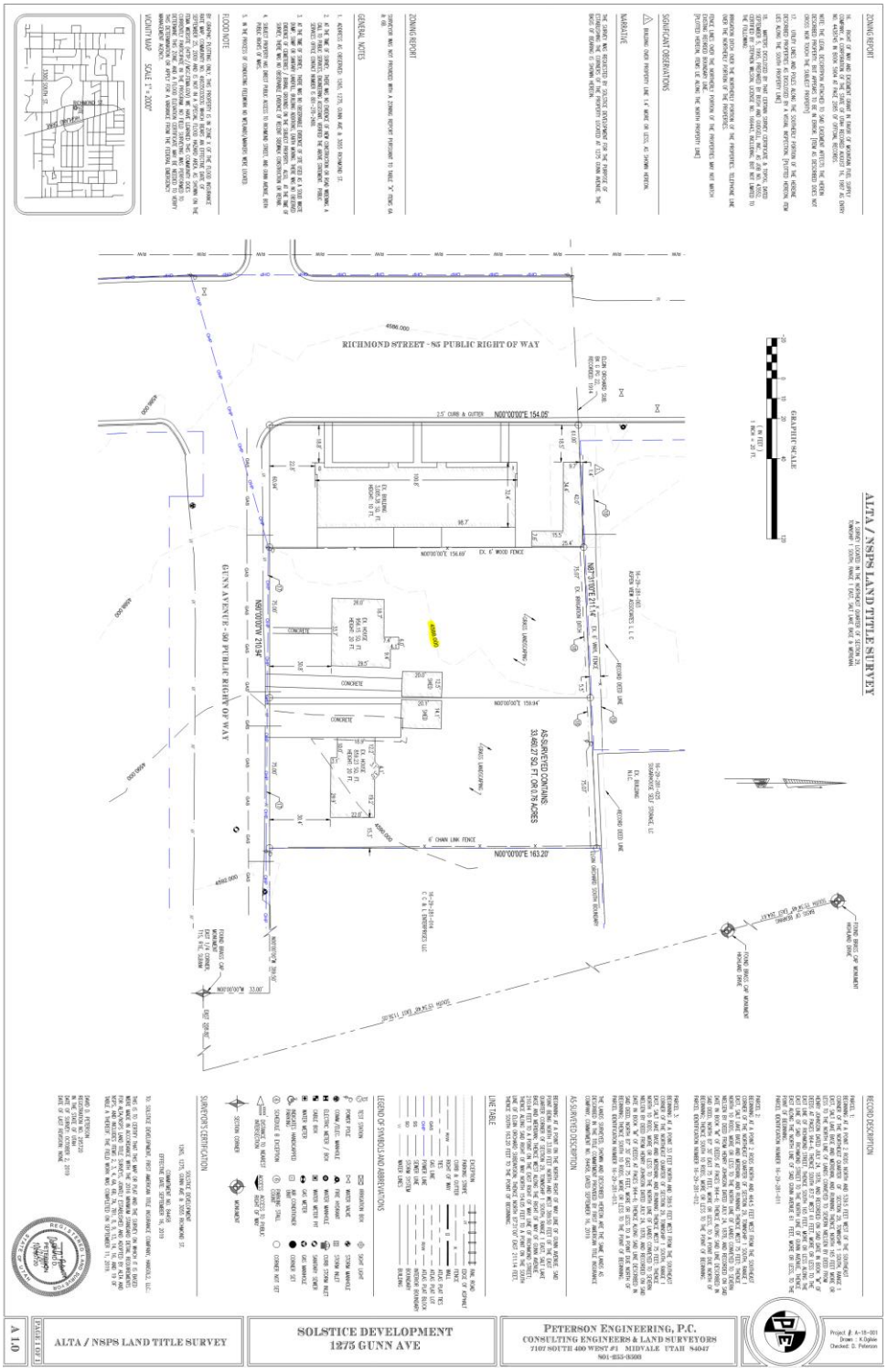
13) **Restrictive Use Agreement.** The Developer shall cause the following language to be included in a declarations of covenants, conditions, and restrictions (CC&Rs) recorded against the Property at the time of recording a subdivision plat:

    a) After the date upon which a unit is first sold to a consumer, such unit must be owner-occupied to the extent that the declaration/deed restriction requiring owner occupancy in favor of Millcreek City (the "Owner Occupancy Covenant") is in effect and applicable to that unit. Owner-occupied shall mean real estate that is both owned and is currently used as the then-current owner's primary residence. The then-current owner is not required to use the Property as its primary residence if:
        i) The owner has a bona fide, temporary absence for activities such as military service, temporary job assignments, sabbaticals, or voluntary service;
        ii) The owner is placed in a hospital, nursing home, assisted living facility, or similar facility that provides regular medical care, except retirement living facilities or communities, or dies;

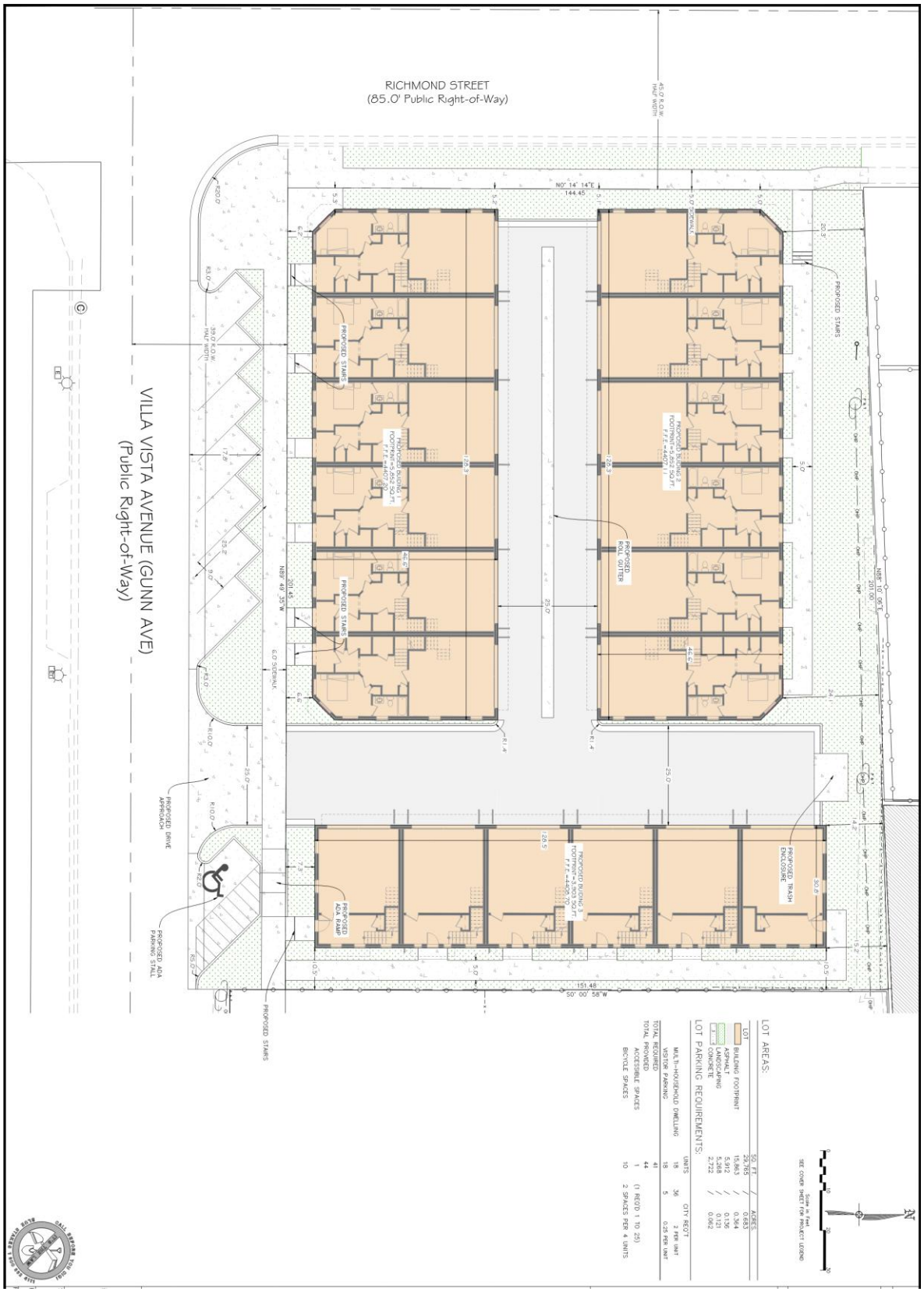
iii) The owner establishes a financial hardship, using clear and convincing evidence, that would prevent the owner from continuing to occupy the Property;
iv) The owner rents the Property to, or otherwise allows occupancy by, their children, stepchildren, parents, grandparents, or grandchildren;
v) The owner cannot sell the Property within one year for fair market value, which year shall begin upon listing of the Property in the Utah Multiple Listing Service ("MLS");
vi) The owner's employer has relocated the owner;
vii) The Property is occupied by an individual who has voting rights with respect to the entity that owns the Property and has at least 25% ownership of the entity; or
viii) The Property is owned by a trust or other entity created for estate planning purposes if the trust or other estate planning entity was created for the estate of (i) a current resident of the Property or (ii) the parent, child, or sibling of a current resident of the Property.

b) The foregoing owner occupancy restriction shall not apply to any unit that has been released from the Owner Occupancy Covenant, nor shall it apply after the expiration of the Owner Occupancy Covenant.

Exhibit C
(Site plan and Elevations)

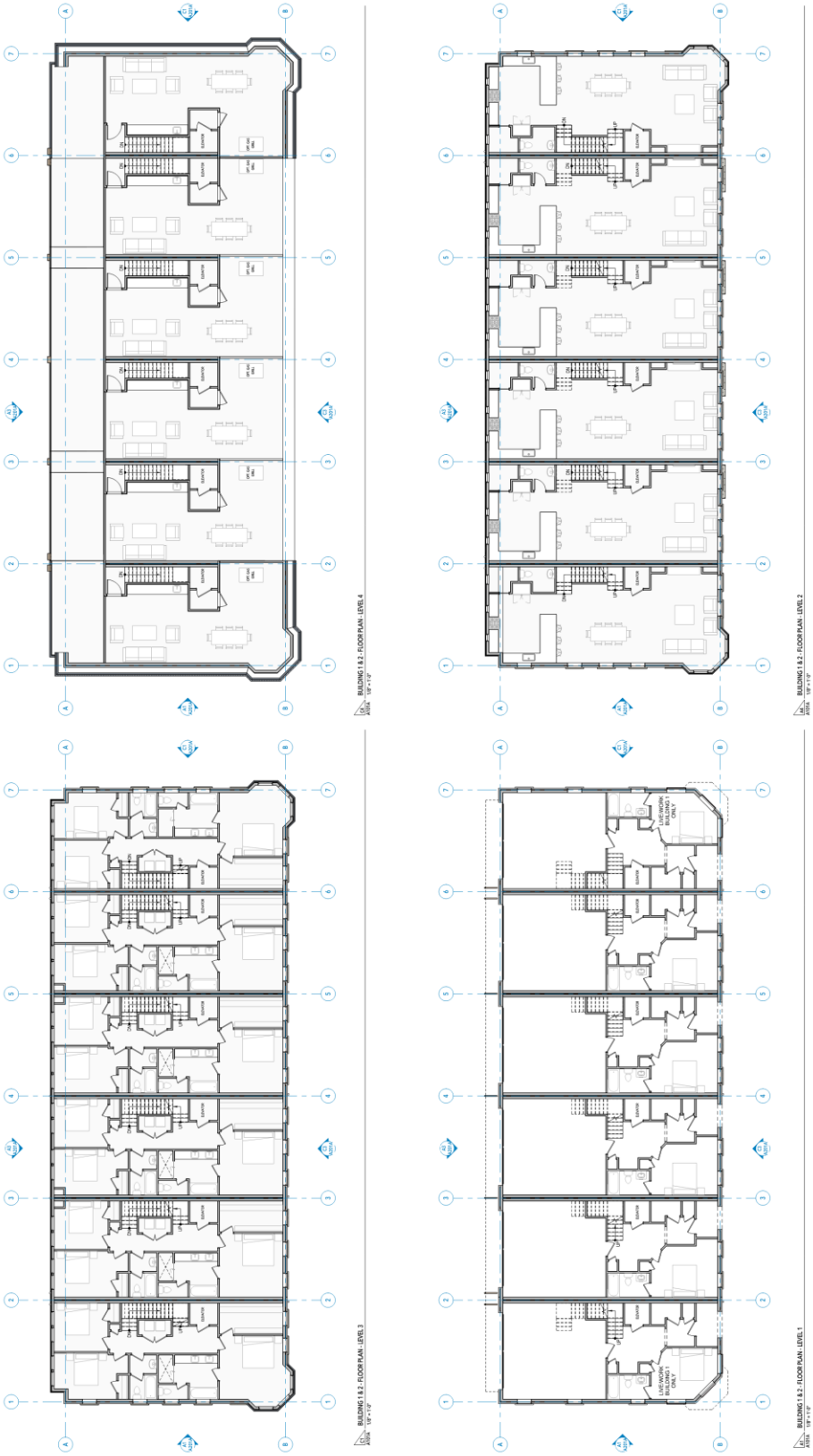


(ALTA/NSPS Land Title Survey)


RICHMOND STREET
(85.0' Public Right-of-Way)
VILLA VISTA AVENUE (GUNN AVE)
(Public Right-of-Way)
PROPOSED STAIRS
PROPOSED BUILDING 1
FOOTPRINT=5,852 SQ.FT.
F.F.E.=4407.11
PROPOSED BUILDING 2
FOOTPRINT=5,852 SQ.FT.
F.F.E.=4407.11
PROPOSED BUILDING 3
FOOTPRINT=3,393 SQ.FT.
F.F.E.=4407.70
PROPOSED ROLL GUTTER
PROPOSED TRASH ENCLOSURE
PROPOSED ADA RAMP
PROPOSED DRIVE APPROACH
PROPOSED ADA PARKING STALL
N89° 49' 35"W
201.45
N89° 10' 06"E
201.00
N0° 14' 14"E
144.45
S0° 00' 58"W
151.48
LOT AREAS:
LOT
BUILDING FOOTPRINT
ASPHALT
LANDSCAPING
CONCRETE
SQ. FT.
29,765
15,863
5,912
5,268
2,722
ACRES
0.683
0.364
0.136
0.121
0.062
LOT PARKING REQUIREMENTS:
MULTI-HOUSEHOLD DWELLING
VISITOR PARKING
UNITS
18
18
CITY REQ'T
36
5
2 PER UNIT
0.25 PER UNIT
TOTAL REQUIRED
TOTAL PROVIDED
ACCESSIBLE SPACES
BICYCLE SPACES
41
44
1
10
(1 REQ'D 1 TO 25)
2 SPACES PER 4 UNITS
SEE COVER SHEET FOR PROJECT LEGEND

(Site Plan)

(Building One & Two Elevations)

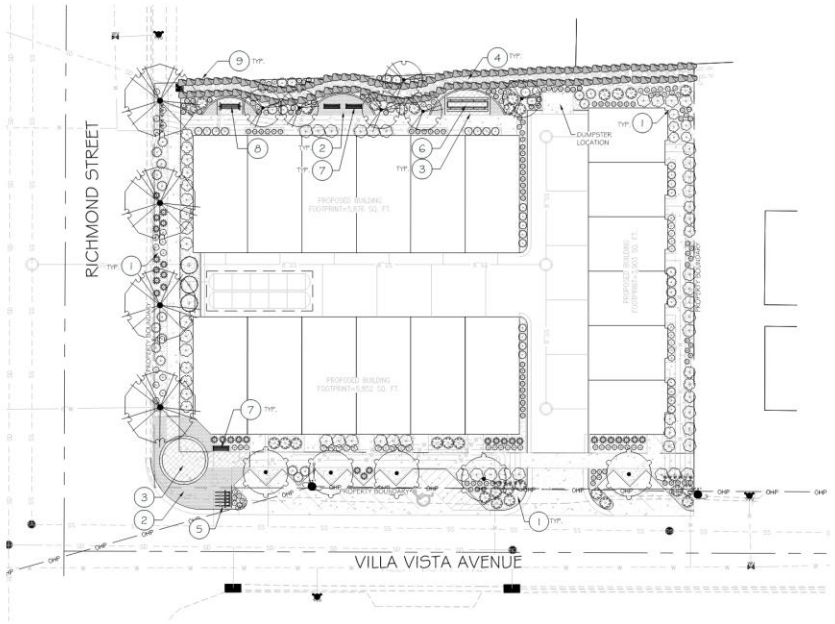


(Building One & Two Floor Plans)

(Building Three Elevations)

(Building Three Floor Plans)

(Landscape Plan)



PLANT SCHEDULE VILLA VISTA RESIDENTIAL

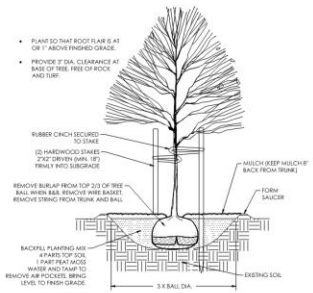
SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	SIZE	QTY
TREES					
	AG	Acer griseum	Paperbark Maple	1.5" Cal.	5
	CO	Cercis occidentalis	Western Redbud	1.5" Cal.	6
	GS	Gleditsia triacanthos inermis 'Skycole'	Skyline Honey Locust	1.5" Cal.	4
SHRUBS					
	BTC	Berberis thunbergii 'Rose Glow'	Rose Glow Barberry	5 gal.	5
	DR	Daphne cneorum 'Ruby Glow'	Ruby Glow Garland Daphne	2 gal.	54
	MAC	Mahonia aquifolium 'Compacta'	Compact Oregon Grape	5 gal.	25
	PMM	Pinus mugo 'Mops'	Mops Mugo Pine	5 gal.	30
	RMW	Rosa Meuiland 'White'	White Meuiland Rose	5 gal.	30
	SBA	Spiraea x bumalda 'Anthony Waterer'	Anthony Waterer Bumald Spiraea	5 gal.	18
	ST	Spiraea x vanhouttei	Bridal Wreath Spirea	5 gal.	3
	TD	Taxus x media 'Densiformis'	Dense Anglo-Japanese Yew	5 gal.	43
ORNAMENTAL GRASSES					
	HSS	Helictotrichon sempervirens 'Sapphire'	Sapphire Blue Oat Grass	1 gal.	32
	PVS	Panicum virgatum 'Shenandoah'	Shenandoah Switch Grass	1 gal.	54
	PAH	Pennisetum alopecuroides 'Hameln'	Hameln Fountain Grass	1 gal.	50
PERENNIALS					
	LAM	Lavandula angustifolia 'Munstead'	Munstead English Lavender	1 gal.	35

REFERENCE NOTES SCHEDULE VILLA VISTA RESIDENTIAL

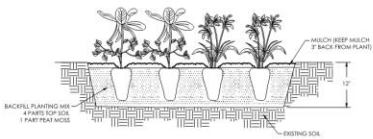
SYMBOL	CODE	DESCRIPTION	QTY
	1	WOOD MULCH	5,766 sf
	2	PAVERS	793 sf
	3	STAMPED COLORED CONCRETE	649 sf
	4	DECORATIVE COBBLE	1,081 sf
	5	BIKE RACK	1
	6	TABLE	1
	7	BENCH	3
	8	TWO PERSON COVERED SWING	1
	9	BOULDER	114

LANDSCAPE NOTES

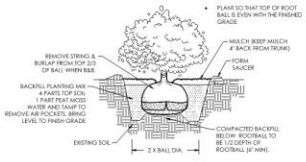
1. TOP DRESS ALL SHRUB BED AREAS AND OTHER AREAS LABELED ROCK MULCH WITH 4" DEEP OF ROCK TYPE(S) SPECIFIED IN THE REFERENCE NOTE SCHEDULE. PLACE ROCK OVER DEWITT PRO-5 WEED BARRIER FABRIC. FABRIC SHALL BE INSTALLED AFTER PRE-EMERGENT HAS BEEN APPLIED.
2. CONTRACTOR TO CONDUCT THEIR OWN QUANTITY TAKE-OFFS IN THE PLAN AND VERIFY ANY DISCREPANCIES WITH THE LANDSCAPE ARCHITECT.
3. CONTRACTOR SHALL VERIFY ALL UTILITIES SHOWN ON THE PLANS AS WELL AS HAVE THE SITE UTILITIES LOCATED ON THE GROUND PRIOR TO THE START OF CONSTRUCTION ACTIVITIES. IN THE EVENT THAT THE CONTRACTOR DISCOVERS AN UNDERGROUND UTILITY THAT IS NOT REPRESENTED WITHIN THE CONSTRUCTION DOCUMENTS OR AS MARKED ON THE SITE, HE SHALL IMMEDIATELY CONTACT THE OWNERS REPRESENTATIVE TO DETERMINE NEXT STEPS PRIOR TO ANY CONSTRUCTION ACTIVITIES WITHIN THE AREA OF THE NEWLY DISCOVERED UNDERGROUND UTILITY.
4. THE CONTRACTOR SHALL ENSURE POSITIVE DRAINAGE THROUGHOUT CONSTRUCTION ACTIVITIES FOR THE PROJECT. ACCUMULATION OF STANDING WATER WILL NOT BE PERMITTED.



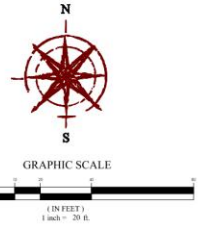
A TREE PLANTING & STAKING
NOT TO SCALE



B PERENNIAL PLANTING
NOT TO SCALE



C SHRUB PLANTING
NOT TO SCALE



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

Exhibit D
(Deed Restriction)

[SEE FOLLOWING PAGE]

WHEN RECORDED, RETURN TO:
Ari Bruening
Parr Brown Gee & Loveless
101 South 200 East, Suite 700
Salt Lake City, UT 84111

(Space above for Recorder's use only.)

NOTICE AND DECLARATION OF DEED RESTRICTIONS

This Notice and Declaration of Deed Restrictions ("Declaration/Deed Restriction") is made by Gardner Alfandre Holdings, L.C. ("Property Owner") for the benefit of Millcreek ("City" and collectively the "Parties"). This Declaration/Deed Restriction is based on the following facts:

A. Property Owner is the sole owner of record of that certain real property situated in the County of Salt Lake, State of Utah, located at 1265 E Villa Vista Avenue, that is more particularly described in the attached Exhibit "A." Such real property and all improvements, or any individual residence constructed thereon, are collectively called the "Property."

B. Property Owner applied to the City to obtain a City Center Overlay Zone Development Agreement zone at the property allowing more flexibility in terms of Design Standards. The City agreed to grant the development agreement zone and allow increased deviations from certain design standards in consideration of this Deed Restriction.

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

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

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

1. Following a sale of a residential unit constructed in a property to a third party, such residential unit must be owner-occupied. Owner-occupied shall mean real estate that is both owned and is currently used as the then-current owner's primary residence. The then-current owner is not required to use the Property as its primary residence if:

   a. The owner has a bona fide, temporary absence of three years or less for activities such as temporary job assignments, sabbaticals, or voluntary service;

   b. The owner has a bona fide, temporary absence for military service;

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

d. The owner establishes a financial hardship, using clear and convincing evidence, that would prevent the owner from continuing to occupy the Property;

e. The owner rents the Property to, or otherwise allows occupancy by, their children, stepchildren, parents, grandparents, or grandchildren;

f. The owner cannot sell the Property within one year for fair market value, which year shall begin upon listing of the Property in the Utah Multiple Listing Service ("MLS") with fair market value being determined by a disinterested appraiser that is mutually acceptable to the City and to the owner of the unit;

g. The owner's employer has relocated the owner;

h. The Property is occupied by an individual who has voting rights with respect to the entity that owns the Property and has at least 25% ownership of the entity; or

i. The Property is owned by a trust or other entity created for estate planning purposes if the trust or other estate planning entity was created for the estate of (i) a current resident of the Property or (ii) the parent, child, or sibling of a current resident of the Property.

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

2. A failure to comply with the owner-occupancy requirement by an owner of a unit of the Property shall constitute a breach of this Declaration/Deed Restriction and shall be enforceable by the City at its option against such owner.

3. In the event of a breach of the covenants set forth in Section 1 above, **the City shall have the right, until the termination date set forth below, to purchase from the applicable owner that is violating Section 1 such owner's unit as set forth in this paragraph. The City may exercise its option to purchase the applicable unit only if the applicable owner is in violation of Section 1, the City has provided written notice to such owner that it is in violation of such Section, and such owner markets the unit for sale on the MLS. At the time of listing on the MLS, the seller shall send a notice to the City of such listing. Upon listing of the unit on the MLS, the City may exercise its option to purchase the Property by sending a written notice of election to purchase (a "Purchase Election") within one (1) year of such listing. If the City does not send a Purchase Election within one (1) year, the City shall be deemed to have declined to exercise its option to purchase. If the City exercises its purchase option by timely sending a Purchase Election, the City shall purchase the listed unit for a price equal to the fair market value of the unit as determined by a disinterested appraiser that is mutually acceptable to the City and to the owner of the unit. This transaction shall be closed on a date scheduled by the City,**

not later than 20 business days following the sending of the Purchase Election. The closing will be held in the offices of a title company mutually acceptable to the City and to the owner of the unit. The owner of the unit will execute and deliver all documents required by the title company to convey the title to Property to the City free and clear of all monetary liens. The City's option to purchase a unit shall terminate once the unit has been made subject to an executed purchase and sale agreement, but shall be reinstated if the purchase and sale agreement is terminated without the transfer of the unit, until one (1) year has passed from the initial listing on the MLS. Notwithstanding the foregoing, the City's option to purchase shall not be triggered, and no notice need be given, when the Property Owner first lists a unit for sale to the first third-party purchaser. The City's option to purchase hereunder shall not apply to a foreclosure sale, delivery of a deed in lieu of foreclosure, or other similar enforcement action by a third party lender.

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

5. In the case of a violation of the owner-occupancy requirement that is finally determined to exist (including any final determination by a court having jurisdiction over the Property), all actual, reasonable out of pocket costs incurred to appropriately enforce these restrictions shall be paid by the then-current owner of the unit which has violated such owner-occupancy requirements.

6. Subject to the provisions of Section 7 below, this Declaration/Deed Restriction shall run with the land and be binding upon, and enforceable against, all heirs, assigns, future owners, and successors in interest to the Property. If the Property or any portions thereof is conveyed to any other person or entity, the instrument that conveys title or any interest in or to said Property, or any portion thereof, shall contain the owner-occupancy limitation pursuant to the terms of this Declaration/Deed Restriction. If at any time these restrictions are determined by a court of competent jurisdiction not to constitute a covenant running with the land, Declarant intends that these restrictions shall form an equitable servitude on the Property, be binding on Property Owner, to the extent Property Owner owns any portion of the Property, and successors in interest, and remain in effect during the term of this Declaration/Deed Restriction.

   Notwithstanding the foregoing, the City agrees and shall be obligated to execute and record a release of this Declaration/Deed Restriction at the request of Property Owner or its assigns for up to nine (9) total units within the Property. Such obligation shall be triggered by a request to release made by the Property Owner or its agent or assigns by providing written notice (email is sufficient) to each of the following:

   The City planning director
   The City attorney
   The City recorder

Such requests may be made for individual or multiple properties. After such request is delivered by email transmission, the City shall promptly prepare, execute, and record or deliver to the Property Owner a release of the Declaration/Deed Restriction no later than five (5) business days from delivery of the request. If after five (5) business days, the City has not delivered the release of the Declaration/Deed Restriction, this Declaration/Deed Restriction shall automatically terminate as to the property(ies) identified in the request to release and shall have no further force and effect, and the Property Owner may record a statement to such effect.

7. This Declaration/Deed Restriction shall encumber the Property for a period of five (5) years from the date this Deed Restriction is executed (the "Termination Date"). Upon the Termination Date, this Declaration/Deed Restriction shall automatically terminate without requiring any documentation, notice, or recording materials. The Parties shall promptly cooperate and sign the documents they deem necessary to terminate this Declaration/Deed Restriction.

8. The City and Property Owner do not by this Declaration/Deed Restriction in any way or for any purpose become partners or joint venturers.

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

    a. This Declaration/Deed Restriction shall be binding upon and shall inure to the benefit of the successors and assigns of the respective parties hereto.
    b. The provisions of this Declaration/Deed Restriction are severable, and should any provision hereof be void, voidable, unenforceable, or invalid, such void, voidable, unenforceable, or invalid provision shall not affect the other provisions of this Declaration/Deed Restriction.
    c. Any waiver by either party of any breach of any kind or character whatsoever by the other, whether direct or implied, shall not be construed as a continuing waiver of or consent to any subsequent breach of this Declaration/Deed Restriction.
    d. This Declaration/Deed Restriction may not be modified except by an instrument in writing signed by the parties hereto.
    e. This Declaration/Deed Restriction shall be interpreted, construed, and enforced according to the substantive laws of the state of Utah.
    f. If either party brings any action or proceedings regarding this Declaration/Deed Restriction, the prevailing party shall be entitled to recover its costs and reasonable attorneys' fees, whether such sums are expended with or without a suit, at trial, or on appeal.
    g. Time is the essence of this Declaration/Deed Restriction.

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

[signature pages follow]

Gardner Alfandre Holdings, L.C.:

By: _____

Name: James Alfandre

Title: President

Notary Acknowledgement

STATE OF UTAH)
: ss
COUNTY OF SALT LAKE)

On this _____ day of _____, in the year 2025, before me _____, a notary public, personally appeared _____, proved on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to in the foregoing Declaration/Deed Restriction and acknowledge he/she/they executed the same.

Commission Number _____
My Commission Expires _____

_____
Print Name: _____
A Notary Public Commissioned in Utah

MILLCREEK

By: _____
Signature

ATTEST:

_____
Elyse Sullivan, City Recorder

Notary Acknowledgement

STATE OF UTAH)
:ss
COUNTY OF SALT LAKE)

On this _____ day of _____, in the year 2025, before me _____, a notary public, personally appeared _____, proved on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to in the foregoing Declaration/Deed Restriction and acknowledge he/she/they executed the same.

Commission Number _____
My Commission Expires _____

_____
Print Name: _____
A Notary Public Commissioned in Utah

Exhibit A

LEGAL DESCRIPTION

Legal Description

Parcel 1:

Beginning at a point 2 rods North and 539.5 feet West of the Southeast corner of the Northeast Quarter of Section 29, Township 1 South, Range 1 East, Salt Lake Base and Meridian; and running thence North 165 feet, more or less, to the North line of lands conveyed to Severn Nielsen by deed from Henry Johnson, dated July 24, 1878, and recorded .on said date in Book "M" of Deeds, at Pages 964-6; thence South 87 1/2Â° West 61 feet, more or less, to the East line of Richmond Street; thence South 165 feet, more or less, along the East line of said Richmond Street to the North line of Gunn Avenue; thence East along the North line of said Gunn A venue 61 feet, more or less, to the place of beginning.

Tax I.D. 16-29-281-011-0000

Parcel 2:

Commencing at a point 2 rods North and 464.5 feet West from the Southeast Corner of the Northeast Quarter of Section 29, Township 1 South, Range 1 East, Salt Lake Meridian; and running thence West 75 feet; thence North 10 rods, more or less, to the North line of lands conveyed to Severen Nielsen by Deed from Henry Johnson dated July 24, 1878 and recorded on said date in Book "M" of Deeds at Pages 964-6; thence along said line described in said Deed North 87 degrees 30 minutes East 75 feet to a point due North of beginning; thence South 10 rods, more or less, to the place of beginning.

Together with a right of way over the following:

Commencing at the Southwest corner of the Northwest Quarter of Section 28, Township 1 South, Range 1 East, Salt Lake Meridian; and running thence East 14 rods, more or less, to the center line of County Road; thence North 15 degrees 30 minutes West 33.3 feet to a point due East of the Southeast Comer of lands decreed to Niels C. Nielsen by Decree of Distribution In the Matter of the Estate of Severen Nielsen, deceased, in the Third Judicial District Court of the State of Utah; thence West 76 rods to Salt Lake City Canal; thence South 41 degrees East to the East and West Quarter Section Line; thence East 61.75 rods to the place of beginning.

Tax I.D 16-29-281-012-0000

Parcel 3:

Commencing at a point 33 feet North and 389.5 feet West of the Southeast Corner of the Northeast Quarter of Section 29, Township 1 South, Range 1 East, Salt Lake Meridian, and running thence West 75 feet; thence North 10 rods, more or less, to the North line of property conveyed to Severin Nielson by Deed from Henry Johnson, recorded in the Office of the County Recorder of Salt Lake County, Utah in Book "M" of Deeds, Pages 964-6; thence along said line described in said deed, North 87°30' East 75 feet, more or less, to a point due North of Beginning; thence South 10 rods, more or less to the place of beginning.

Tax I.D 16-29-'281-013-0000

APPENDIX

1. Public comments
2. Millcreek Community Council Comments

Dear Planning Commision,

The Community Council, in the interest of justice, makes a recommendation to the Planning Commission and the City Council that the application SP-26-003 CUP-25-004 CCOZ 25-002 ZM-25-007 include in writing, in their Development Agreement, the conditional uses and their development;

1. Installation of one CLOSED Cleanout Box with a metal lid and a grate on the inside before the water enters the pipe on Richmond St, placed on the North east side of Richmond Street/ the North West side of 3055-3061 Richmond St. property. Where the current OPEN DITCH/Cleanout is located, in accordance with;
Utah Code 73-1-15.5, 73-1-8(2)(a)(b) & (3) Maintain water facility, 10-20-506 Conditional uses, 10-9a-603. Plat required when land is subdivided, 57-8-13. Condominium plat to be recorded, 10-9a-102. Purposes -- General land use authority, 10-9a-103 Definitions, 10-20-902 Applicant's entitlement to land use application approval, Millcreek Municipal code 18.15.030 Administrative Decisions - Other Land Use Decisions-Conditional Use Permit, Utah Constitution, Article I, Section 1. [Inherent and inalienable rights.], Article I, Section 7. [Due process of law.], Article I, Section 22. [Private property for public use.], Article I, Section 25. [Rights retained by people.], Article I, Section 27. [Fundamental rights.]
There are many more codes that are applicable, but there are none that say that Millcreek doesn't have the right to impose these on a development with a Conditional use and Development Agreement.

This will alleviate any debris from getting into the Richmond St. pipes and also any pipes further West of them, which has caused flooding to properties and the collapsing of Richmond St.

2. A cleanout box marker should be put on the Survey and Plat. The ditch and where it runs, whether open or closed, should also be noted on both the survey and plat.

3. The Survey recorded with the Surveyors Office in 2025 should be used. The Survey of 2019 was not recorded as required by law and has many inaccuracies on it.

4. That the developer gives an additional 5 foot right of way, for a10 foot in total, along Richmond St. so that a "Suicide Lane" can be created on Richmond St. between Villa Vista and Elgin Ave.
For some Reason this small amount of road on 1300 E/ Richmond St. has not had a

turn "Suicide Lane" here. The Developer is bringing his building closer to the road, adding an additional 18 units and should accommodate for it by giving an additional 5 foot right of way.

The ordinances above also apply to 2 through 4, with the exception of the first 2 ordinances.

Thank you so much for your consideration,
The Millcreek Community Council

Dear Planning Commision,
We are Jeffery Gibson and Lynda Bagley-Gibson, homeowners of the property across the street from this project. We have spent the last 10 years fighting with the irrigation company over their relentless abuse of the water, water rights, us and our property.

We as individuals also request the conditional use stated above. Richmond street pipe had to be replaced 3 times, twice in 2021 and once in 2022, for a total of 85,000 dollars to be paid by the taxpayers. The money we have had to pay out ourselves is well into the hundreds of thousands due to the flooding. It has affected our health, our mental state, and our income. All for a 2’ by 3’ open ditch that is not even on our property.

The irrigation company, Lower Mill Creek Irrigation Company, increased the scope of water by closing down ditches on Highland Drive that went North and sent all west down through our property.

The increase in traffic with all the residential development in the City Center makes it imperative that there be a turn lane (suicide lane) on Richmond Street from Villa Vista to Elgin Ave. Before this development this section of road was extremely hazardous , it's even more hazardous now.

The survey they have submitted was never recorded with the surveyors office and is incorrect. For instance they measured the street from the curb in front of the Peaks of Millcreek to their property line, making the street wider than it actually is. That area in front of the Peaks of Millcreek is a designated area for fire trucks and other emergency vehicles. It is assisted living with elderly and disabled individuals.

Your applying the conditional uses stated above will be greatly appreciated. If it’s not put into the paperwork now, according to Utah Code10-20-902 it can’t be done later.
Thank you so much for your help,
Jeff and Lynda

Millcreek Community Council Agenda

Tuesday, February 3, 6:30 PM

Adventure Hub, 1354 E. Chambers Ave. - Millcreek Common.

To join Zoom meeting click here

We acknowledge Hutch Jorgensen's dedicated service in managing the Zoom meetings, his time and expertise is greatly appreciated!

- **SP-26-003 & CUP-25004** Applicant is seeking approval of a Conditional Use Permit (Site plan approval) and Subdivision at a property located at approximately 1265 E Villa Vista Ave, to accommodate an eighteen (18) unit townhome (rowhouse) residential project, with the intention of subdividing them for owner occupancy with a development agreement. The application was granted a zone change from the C (Commercial) zone to the CCOZ-DA (City Center Overlay – Development Agreement zone) by the City Council in December, 2025. *Proposal to include a covered clean out on the irrigation ditch. Unanimous vote to submit prior comments on ditch and suicide lane to the Planning Commission and have a letter sent and Linda present.*

Note: Consideration of and council vote on Membership Resolution was suspended by the original requester.

- **Removal Resolution Letter** - Suspended by original submitter until MCC/City structure resolved.

Council Members (9):

Allen Sowards (Chair), Erin Hardy (1st vice-chair), Jaime Walker (2nd vice-chair) Vacant (Sec), Kristy Chambers (Treasurer), Todd Anderson, Lynda Bagley-Gibson, Erin Hardy, Eric Herschthal, Jamie Walker.

City Officials:
Mayor Cheri Jacksoni, Council members: Silvia Catten (1), Thom DeSirant (2), Nicole Handy (3)
Detective Detective Scott Green, UPD
Jon Wilde, Battalion Chief, UFA

Staff:
Rita Lund, Communications Director
Francis Lilly, Planning & Zoning Director
Robert May, Long Range Planning Manager
Brad Sanderson, Current Planning Manager
Carlos Estudillo, Planner | Sean Murray, Planner

* Process:

1. Discussion and debate of ideas is welcome and encouraged. Speakers will follow Robert's Rules and be recognized by the chair before speaking. Comments limited to 3 minutes per person.
2. Staff presents a brief statement of proposal. The acting chair will entertain questions and comments from citizens.
3. The acting chair will recognize comments from individual council members. It is expected that council members will familiarize themselves with proposals prior to the council meeting.
4. The council may propose a motion of support, conditional support, or denial.
5. Outcomes are recorded in the meeting minutes, and included in a formal letter sent to the city.

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

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

ZM-25-006

Planning Commission Staff Report

Meeting Date:	**2/18/2026**
Applicant:	**Preston Reading**
Re:	**Request to Remove Zoning Condition**
Property Address:	**777 East 3900 South**
Zone:	**Residential Mixed (RM)**
Prepared By:	**Zack Wendel**
Scope of Decision:	**Discretionary.** This is a legislative matter, to be decided by the Millcreek City Council upon receiving a recommendation from the Community Council(s) and the Millcreek Planning Commission. Your recommendation can be broad in scope, but should consider prior adopted policies, especially the Millcreek General Plan.

REQUEST AND SYNOPSIS

Preston Reading, on behalf of Pacifica Companies, is requesting to rezone the property located at 777 E 3900 S to remove a zoning condition that has been placed on the property. The property is currently zoned as Residential Mixed (RM) which allows multiple-household buildings. However, there is a zoning condition placed on this property that limits residents of the facility to 62 years or older.

The applicant is requesting the removal of the zoning condition, so there is no age restriction, and the property can be used as a 55+ senior living facility. The property will stay zoned as Residential Mixed (RM), with the existing building remaining.

The Planning Commission held a public hearing on the applicant's request on Wednesday, December 17th, 2025. At that meeting, the Planning Commission moved to continue the request, so that the parking requirements could be increased, that the applicant provide a plan to provide additional parking, and that the applicant provide additional information on unit occupancy, including documentation that 80% of the units are occupied by persons aged 55 and older.

On January 6, 2026, Planning Staff met with the applicant and provided them with information and responses to specific to return to staff in advance of a future Planning Commission meeting. That information included:

1. Provide data that answers the following:
    - Who is living there currently?
    - How many units are assisted living? How many are 55+?
    - Why are people parking on the street and the parking lot is partly empty?

2. Prepare a floor plan that shows the number of units you intend to have, and (if the rezone and CUP are approved) apply for appropriate building permits to reduce the number of units.

3. Certify that the applicants qualify for the fair housing act exemption, to demonstrate that 80% of the occupied units house people 55 or older. Explain the process to ensure continuous compliance with this requirement.

4. Parking needs to be included as part of the lease. Every unit should have at least one designated stall.

5. Release of the zone condition may be predicated on a commitment to limit rents to be affordable to households earning 50% of the county AMI.

6. Find a lot more parking. If you want to keep to 55+, then the Planning Commission will likely recommend a parking standard that is akin to a standard multifamily building, which is:
    - 1 space per studio or one bedroom unit
    - 1.5 spaces per two-bedroom unit
    - 2 spaces for units with 3 or more bedrooms.
    - 0.25 spaces per unit for visitor parking.

Staff also advised the applicant to also consider an alternative approach to operate within the current zoning condition.

As of the publication of this report, staff has yet to receive the information requested by the applicant.

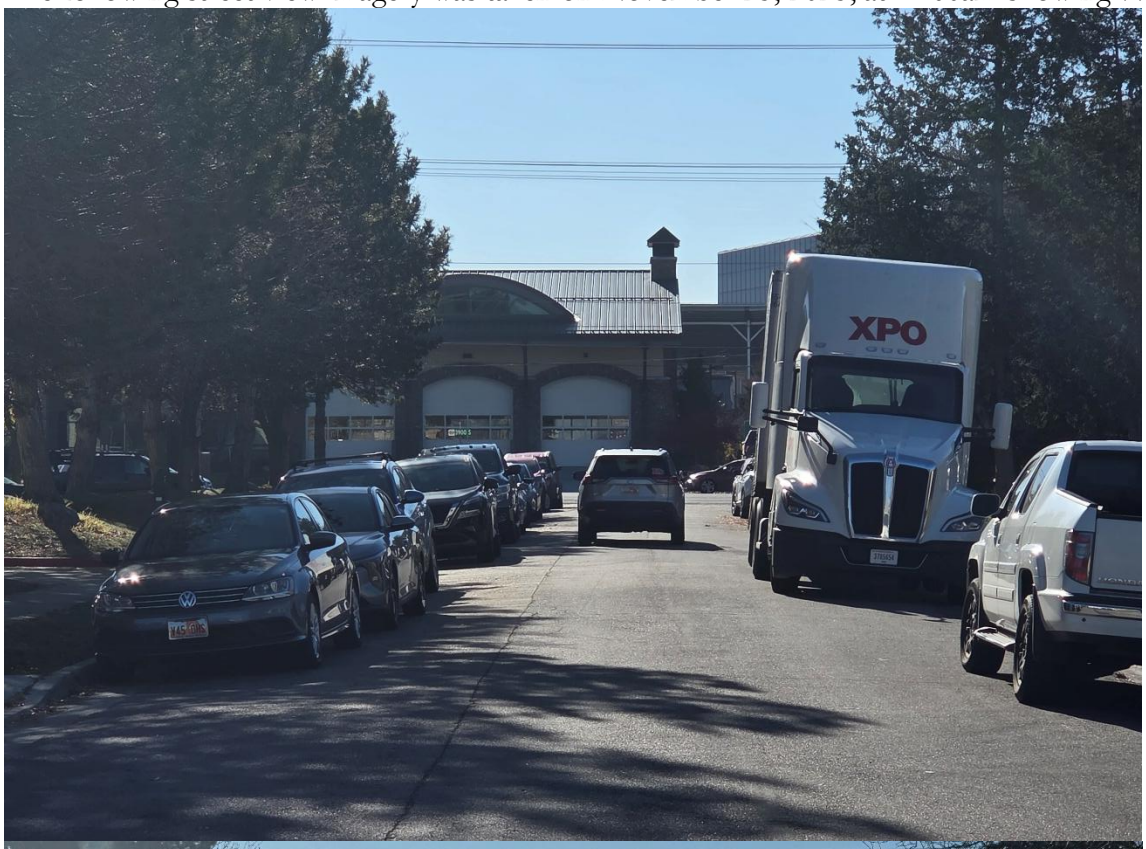
FINDINGS:

1. The adopted Future Land Use Map shows the future land use designation of the property as being Mixed Use 1.
2. The subject property is about 1.07 acres with one 3 story residential building.
3. Property was rezoned from the R-2-6.5 and R-2-10 Zone to the RM Zone in 1995.
4. Along with the rezone, the property received a Conditional Use Permit for a Residential Health Care Facility in 1995.
5. As part of the rezone approval, a zoning condition was placed on the property requiring residence of the facility to be 62 years of age or older.
6. The property and use met the requirements for the use and zone at the time of construction.
7. In the 1995 Zoning Ordinance, the parking ratio for a Residential Health Care Facility was 4 spaces plus 1 space per five beds. The facility was approved for 75 units, making the required parking at the time 19 parking spaces.
8. The proposed and approved preliminary plans had 38 parking spaces on site. While the final site plan approval for the conditional use only had 35 parking spaces.

9. Off-street parking is not readily available at this location. 3900 South is a five-lane arterial, with no shoulder along the property frontage. 775 E is a relatively narrow residential street, measured at 30 feet from curb to curb.
10. The property was operated as a residential care facility until 2023.
11. The property was converted to a 55+ apartment building in 2023, but no land use approval was sought, and no business license was applied for.
12. Under the current Millcreek Zoning Code, the Parking and Mobility Standards chapter requires 0.5 spaces per unit for senior (55+) housing. (MKZ 18.63.020.C)
13. The property owners reduced the units to bring the total down to 70 units from 75 units, which would require a minimum of 35 parking spaces to meet parking requirements.
14. The existing parking lot has 32 parking spaces; the applicant has proposed that by re-striping the parking lot they can achieve the required 35 parking spaces.
15. Multiple-household dwellings with more than 25 units are listed as a conditional use permit under MKZ 18.39.030.
16. Millcreek has received many complaints and concerns from the property owners and residents who live on 775 E regarding the tenants and employees of the facility parking along 775 E due to insufficient parking spaces onsite making access to their properties difficult for residents, mail, and garbage.
17. The Unified Fire Authority has expressed concerns about accessing both the subject property and all the properties located on 775 E due to the excessive parking in their lot and along 775 E making it difficult for their emergency vehicles to fit down the road.
18. As of the writing of this staff report, the applicant has not provided the information requested by Staff and the Planning Commission.
19. Staff is unable to make findings regarding adequate parking, that the property is functionally being used for seniors aged 55+, the number of units in the building, and the manner in which parking is assigned through tenant leases.

Street view imagery from July 2025 indicates the significant use of off-street parking along the property's 775 E frontage:

The following street view imagery was taken on November 25, 2025, at 11:00am showing 775 E:



The following image is of the subject property's parking lot taken at the same time as the previous street images:

CONCLUSIONS:

1. The proposed removal of the zoning condition will allow the property to be operated as a multiple-household dwelling rather than an assisted living facility.
2. The zoning condition removal would not change the adopted Future Land Use Map which shows the land use designation as Mixed Use 1.
3. The zoning condition removal would formally expand access to moderate income senior housing, a goal supported by the Millcreek General Plan.
4. The most recent site plan submitted to the Planning Department shows the property would meet the minimum parking space requirements by re-striping the existing parking lot.
5. There are access and mobility concerns along 775 E that have come about due to the overflow of parking from the subject property.
6. The applicant's proposal to restripe the parking lot is insufficient to meet the parking demand, given observed overflow parking on a narrow residential road. Additional off-street parking is warranted given the current occupancy.
7. The property owner has not provided the requested information and

PLANNING STAFF RECOMMENDATIONS

Millcreek Community Council:
On Dec 2nd, 2025, Millcreek Community Council held a meeting to review, discuss, and take public comment pertaining to the proposal and made a unanimous recommendation against the proposal to remove the zoning condition on the subject property. The Council was in agreement that at this time there was not a sufficient parking plan in place to address the parking issues that have been created due to the property being converted from an assisted living facility to a 55+ senior living facility.

Planning Commission Meeting (First Meeting):
The Planning Commission held a public hearing on the applicant's request on Wednesday, December 17th, 2025. At that meeting, the Planning Commission moved to continue the request, so that the parking requirements could be increased, that the applicant provide a plan to provide additional parking, and that the applicant provide additional information on unit occupancy, including documentation that 80% of the units are occupied by persons aged 55 and older.

In the absence of the additional information requested of the applicant, staff recommends that the Planning Commission recommend that the city council not approve the removal of the zoning condition on the property located at 777 E 3900 S and that the property be reverted back to an assisted living facility for the following reasons:

- The property was originally approved and developed as an assisted living facility by Salt Lake County and would be upheld by Millcreek's Planning and Zoning Department.
- The site currently does not meet the applicable standards and requirements for a senior 55+ facility.
- The property owner has not provided the information requested by Staff and the Planning Commission.

SUPPORTING DOCUMENTS

- **Aerial Map**
- **Zoning Map**
- **Land Use Map**
- **Letter of Intent**
- **Applicant's parking lot re-striping plan**
- **County Planning Commission meeting minutes from 1995**
- **Additional County approval documents from 1995**
- **Preliminary Site Plan**
- **Approved Site Plan**
- **Email from Shirl White, Unified Fire Marshal regarding parking and access concerns.**
- **Areial imagery over the last few years showing the street parking on 775 E.**

Zoning Map


Two-Household Residential (R-2-6.5)
Residential Mixed (RM/zc)
Two-Household Residential (R-2-10)
775 E
3900 S

Land Use Map

Jack Straw
Director of Planning and Entitlements
Pacifica Companies
jstraw@pacificacompanies.com
619-889-0583

Date: 6/16/2025

City of Millcreek
Planning and Zoning Department
3330 South 1300 East
Millcreek, UT 84106

Re: Letter of Intent for Zoning Condition Removal — 777 E 3900 S, Millcreek, UT (The Laurel)

Dear Millcreek City Planning Commission,

On behalf of Pacifica Companies, I am submitting this Letter of Intent in support of our application to remove the existing zoning condition tied to the property at 777 E 3900 S, Millcreek, currently zoned R-M/zc. The current condition restricts occupancy to individuals aged 62 and older.

We are requesting the removal of this condition to allow for a broader senior housing model. Following this change, we plan to seek a Conditional Use Permit to operate the project as a 55+ age-restricted community, consistent with the Housing for Older Persons Act (HOPA).

This adjustment will better align with market needs while preserving the original intent of providing quality housing for older adults. The Laurel will continue to enhance the neighborhood and contribute to Millcreek's goals for housing diversity and livability.

Thank you for your consideration. Please contact me with any questions or if additional information is needed.

Sincerely,
Preston Reading
Project Manager
Navigate CM & Development

preston@nvgte.com

801-574-4965

PARKING CALCULATION

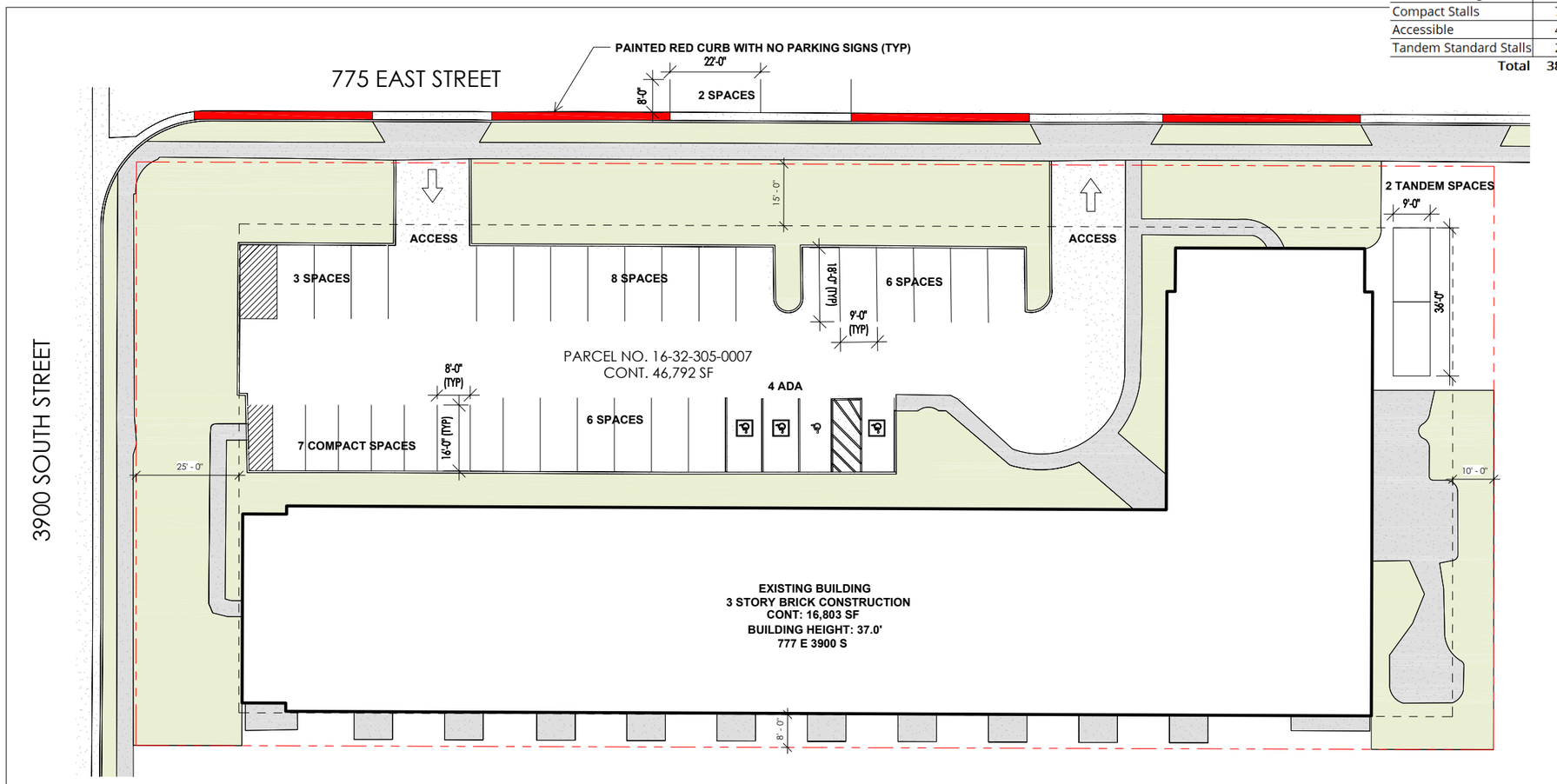
Required Parking

Residential Use	Min. Required	Total Units	Parking Req'd
Senior (55+ Housing)	0.5 spaces per unit	70 [1]	35

1 - The complex initially had 74 total units. However, one is a model with furniture that is not leased and three are used as administration and

Proposed Parking

Stall Type	QTY	Notes
Standard Stalls	23	9' x 18'
Off Site Parking	2	8' X 22'
Compact Stalls	7	8' x 16' (20% of total stalls required)
Accessible	4	Two standard and two van accessible
Tandem Standard Stalls	2	9' x 18'
Total	**38**	



1 EXISTING SITE PLAN
1/16" = 1'-0"

0' 8' 16' 32'
SCALE: 1/16" = 1'-0"

associated with the golf course are requested.

By motion seconded, the Planning Commission approved this application subject to staff recommendations.

GENERAL PLAN AMENDMENT - DECISION

PL-95-0004 - SALT LAKE COUNTY PLANNING COMMISSION - SIGMA CORPORATION - AMENDMENT TO THE MILLCREEK GENERAL PLAN TO SHOW PROPERTY LOCATED AT 777 E. 3900 S. AS HIGH DENSITY RESIDENTIAL

Tom Roach - The applicants request is to change the medium density designation on the adopted Millcreek Community Land Use Plan to a high density designation for the 1.07 acre property. The proposal is to construct a 75 unit elderly residential facility.

The General Plan text supports high density development at this location, if, the development design creates a compatible arrangement with the row of duplex dwellings that exist along 755 East.

With the information that has been presented and reviewed the staff is confident that a quality development will be constructed that is compatible with surrounding uses and creates a desirable transition that will protect the duplex subdivision along 777 East. Planning staff recommends approval of application PL-95-0004 amending the Millcreek Community General Plan to show properties at this location as high density residential. Staff also recommends approval of PL-95-4047, rezoning to R-M.

Catherine Platt - Planning Commission Vice Chairman - What is the difference between a change in the General Plan and the Master Plan?

Tom Roach - A General Plan is the current language that we are using. It is no longer considered a Master Plan.

Bill Marsh - They are both basically the same. The terminology that is used in the State law is the General Plan. So staff has started to use that terminology. There is no difference in the process.

Catherine Platt - Planning Commission Vice Chairman - If this is a process that is going to take place starting with our action today, should we rezone it right away?

Tom Roach - You will have your decision on the rezoning application today also.

Bill Marsh - When you get down to that application staff has recommended approval subject to the approval of the General Plan change.

David Brems - Planning Commission Chairman - That plan change will be finalized by the County Commission.

Bill Marsh - Yes, there is a hearing process that it has to go through. We normally try to take them to the County Commission at the same time.

Catherine Platt - Planning Commission Vice Chairman - So that is the point of having them all together.

John Young - It helps expedite the application.

By motion seconded, the Planning Commission approved this application as outlined by staff.

PL-95-4047 - SIGMA CORPORATION - 777 E. 3900 S. - FROM R-2-10 & R-2-6.5 TO R-M ZONE - 1.1 ACRES - MILLCREEK

The Planning Division staff recommends the application be approved as it is compatible with the master plan if amended.

Staff recommends approval subject to the master plan amendment being approved by the County Commission.

By motion seconded, the Planning Commission approved this application as outlined by staff. Thereby being subject to final approval by the County Commission of the General Plan change.

ZONING DECISION - NO ADDITIONAL TESTIMONY IS ALLOWED EXCEPT AS REQUESTED BY A PLANNING

4. Submit three copies of building elevations to the staff for review and final approval.
5. Install curb, gutter and sidewalk on all public streets.
6. No signs are approved with this request, they require separate approval.
7. Install a 6' high solid visual barrier wood fence or masonry wall around the periphery of the property excluding the front yard setback.
8. Review upon complaint.
9. Finalization of the rezoning (PL-95-4051) to C-2.

By motion seconded, the Planning Commission approved this application subject to staff recommendations.

PL-95-2141 - THE BEEHIVE HOUSE - 1142 & 1166 E. MURRAY-HOLLADAY RD. (4780 S.) - ELDERLY APARTMENTS (65 YEARS & OLDER) -R-M ZONE - SO COTT

John Young - This application was continued from the last meeting to allow the applicant time to meet with the Community Council. The site plan submitted with the application did not allow for the widening of Murray-Holladay Road. The applicant in the meeting indicated he has a new site plan, but has not submitted it to staff for review. The site plan in the file does not work.

Staff recommends the application be continued to 8/8/95, to allow time for the new site plan to be submitted.

NOTE: Staff has received a new site plan and hopes to have time to review it before the meeting. If it works, it could be approved subject to the following:

1. Meet with the staff for review and final approval of the site plan.
2. Receive and agree to the recommendations from other agencies, i.e.; Fire Department, City-County Health Dept., Urban Hydrology, Transportation Engineer, etc.
3. Dedication of 40' from center line of Murray-Holladay Road to Salt Lake County for street right-of-way.
4. Submit three copies of a planting and sprinkling plan showing types, sizes and placement of plant material to the staff for review and approval.
5. Submit three copies of building elevations to the staff for review and final approval.
6. Install curb, gutter and sidewalk on all public streets.
7. Install a 6' high solid visual barrier wood fence or masonry wall around the periphery of the property excluding the front yard setback.
8. Finalization of the rezoning.

Tracy Stocking - This falls between a traditional apartment building and a nursing home. There really is no defined use for this with a related parking requirement. Based on existing similar uses in Salt Lake City and County the ratio for parking seems to be one parking stall for every two apartments. That is also the ratio that H.U.D. uses for elderly housing. We feel like the 20 stalls we've asked for is appropriate and can accommodate the use of the building.

David Brems - Planning Commission Chairman - There is a new ordinance that is in progress right now which requires one parking space per unit in an elderly housing apartment complex such as this. Your are going to need to meet that requirement, wait for us to approve that or you are going to need to go to the Board of Adjustment. We can not waive that parking requirement for your here today.

Tom Halladay - Millcreek Community Council - Submitted a letter in support of this project based upon the parking issue being taken care of. There is also a home out in front. We are not sure what is going to happen to that, but the property line is 1' away from the wall.

By motion seconded, the Planning Commission approved this application subject to staff recommendations. Adding 9, that any reduction in the parking is subject to Board of Adjustment approval. Adding 10, residents must be 62 years and older as this has been proposed as an elderly housing project.

PL-95-2149 - SIGMA CORP. - 777 E. 3900 S. - RESIDENTIAL HEALTH CARE FACILITY - R-2-10 & R-2-6.5 ZONE - MILLCREEK

John Young - The applicant is proposing a residential health care facility with 75 apartments and 38 parking spaces. Access is by two driveways from 775 East. There is no access from the property to 3900 South. The building is a three story structure and has an 8' side yard on the east. The property to the north & west has been developed with duplexes on a 50' residential street. The proposed building will be very intense at this location.

Staff recommends the application be continued to 8/8/95, to allow the applicant time to submit a new site plan that increases the east side yard to at least 15', reduces at least a portion of the building to two stories and shows additional green space for the residents to use.

Hal Hansen - Sigma Corporation - We have redesigned the site plan in accordance with one of the requirements that Bill Marsh gave use a few weeks ago. Moving the ingress into the property back from 40' to 60' from the corner in accordance with the code. We were able to increase the green space by 300 sq.ft.

Steven Fetter - Representing the Lunds - They own four duplex units directly to the north of this property. We do not have any objections to the elevation of this project. We don't have any objections to either the height or the setbacks as stipulated by the applicant.

Steve Hansen - Sigma Corporation - Approximately 50% of the main level is dedicated to common area for dining and recreation. The majority of the dwelling units will be on the upper floors.

By motion seconded, the Planning Commission approved this application subject to staff recommendations. This approval is contingent upon the Board of Adjustment approval of regarding the parking, if required. The minimum age of the residents to be 62 years old.

PL-95-2152 - HORMAN CONSTRUCTION - 3673-3711 S. 900 E. - MULTI-FAMILY HOUSING - C-2 ZONE - MILLCREEK

The applicant proposes a high density residential project of 120 units in 10 buildings. The density is approximately 24.75 units per acre. The site plan shows no landscaping between the street and the parking areas and includes the public right-of-way within the boundary of the site. The density of this project should be reduced to approximately 20 units per acre and the plan redesigned to allow the buildings and open space to relate to each other rather than isolating the buildings from each other and from the green area.

Staff recommends the application be continued to 8/8/95, to allow the applicant time to submit a new site plan.

By motion seconded, the Planning Commission continued this application to the meeting of August 8, 1995.

PL-95-2153 - ALEXANDER C. & VANAE E. MORRIS - 7199 S. 2700 E. - PRIVATE EDUCATIONAL INSTITUTION (30 STUDENTS PER SESSION) R-1-8 ZONE - COTT HTS

David Brems - Planning Commission Chairman - Left the meeting before this item was concluded.

John Young - This application was continued from the last meeting to allow the applicant time to meet with the community to try to resolve the neighbor's concerns. This school is proposed to be operated in a non-standard method with students & staff arriving & leaving throughout the day. The applicant has met with the Traffic Engineer to resolve those issues. The number of students has been reduced from 60 to 30 and the applicant has agreed to transport at least 18 of those students.

If the Planning Commission determines this is an appropriate use, staff recommends the following conditions:

1. Meet with the staff for review and final approval of the site plan.
2. Receive and agree to the recommendations from other agencies, i.e.; Fire Department, City-County Health Dept., Urban Hydrology, Transportation Engineer, etc.
3. Submit three copies of a planting and sprinkling plan showing types, sizes and placement of plant material to the staff for review and approval.
4. No signs are approved with this request, they require separate approval.
5. Maximum number of students to be 30.
6. Transport by van at least 18 of the 30 students, more if possible.
7. **No parking allowed on 2700 East.**
8. Curb, gutter and sidewalk to be constructed on 2700 East.
9. Driveway to be designated "one way." The southernmost driveway to be for entry and the northernmost driveway to be for exit.
10. Comply with all roadway standards.
11. Install a 6' high solid visual barrier wood fence or masonry wall along the northeast & south property lines.

Vanae Morris - 7216 S. 2825 E. - We did meet with the neighbors. We answered their questions. We've talked with the agencies that have made recommendations to Development Services staff. All of which have recommended

Final Approval Letter

December 19, 1995

FILE COPY

HAL HANSEN
SIGMA CORPORATION
2090 E. RAINBOW POINTE, SUITE 200
SLC UT 84124-1721

RE PL-95-2149 - A RESIDENTIAL HEALTH CARE FACILITY (77 UNITS) AT 777 E. 3900 S.
APPROVAL DATE: AUGUST 22, 1995

THIS LETTER AND THE ENCLOSED APPROVED SITE PLAN CONSTITUTE THE CONDITIONAL USE PERMIT AND APPROVAL FOR YOUR APPLICATION. All improvements which are required by the Salt Lake County Zoning Ordinance or Planning Commission action must be installed or bonded for, prior to the final electrical inspection approval by the Building Inspector (power to panel), or if no electrical inspection is required, prior to the issuance of any Occupancy Permit for the land being developed, or commencement of the approved Conditional Use.

Following is a list of improvements and conditions required by this approval:

1. All areas not approved for structures, parking, access or other construction which occupies space on the land must be landscaped with live-plant material and sprinkler system. Landscaped areas shall be maintained.
2. Highback curb, gutter and sidewalk must be installed along the property lines which abut any public road or street, and are subject to approval by Engineering Services, 468-2448.
3. All parking areas and access drives must be hard surfaced with asphalt or concrete, and graded and drained to dispose of surface water as approved by Engineering Services.
4. Parking areas and/or access drives adjacent to residential uses or zones must be screened with a six-foot high solid visual masonry or wood barrier. Development Services may determine the type of visual barrier to be used.
5. Provisions must be made to prevent automobiles or other vehicles from coming into contact with fences or walls.
6. Any lighting on the property must be installed so as to deflect light away from residential uses.
7. The following additional conditions are required by the Planning Commission:
   - A. Agree to the recommendations from other agencies, i.e.; Fire Department, City-County Health Dept., Urban Hydrology, Transportation Engineer, etc.
   - B. Submit three copies of a planting and sprinkling plan showing types, sizes and placement of plant material to the staff for review and approval by February 1, 1996.
   - C. Residents must be 62 years of age or older.

Any business operating at these premises must obtain a business license.

Sincerely,

J. Warren Reynolds
Planner

JWR/jr

cc: Fire Department
Development Engineering
Business License
Urban Hydrology

SALT LAKE COUNTY

Salt Lake County Public Works Department

Development Services Division

Randy Horiuchi
Salt Lake County Commissioner

Lonnie L. Johnson
Director of Public Works

Ken Jones
Division Director

SALT LAKE COUNTY GOVERNMENT CENTER
2001 S. State Street
Suite N3600
Salt Lake City
Utah 84190-4050
Tel (801) 468-2000
TDD (801) 468-2877
Fax (801) 468-2169
Printed on Recycled Paper

Preliminary Approval Letter

July 26, 1995

HAL HANSEN
SIGMA CORPORATION
2090 E. RAINBOW POINTE, SUITE 200
SLC UT 84124-1721

RE: PL-95-2149 - A RESIDENTIAL HEALTH CARE FACILITY (72 UNITS) AT 777 EAST 3900 SOUTH

THIS IS NOT A CONDITIONAL USE PERMIT. Upon completion of the following conditions you will receive the conditional use permit which consists of a letter of final approval with an approved site plan.

On July 25, 1995, the Salt Lake County Planning Commission granted preliminary approval of your request, subject to the following conditions:

1. Meet with the staff for review and final approval of the site plan.
2. Receive and agree to the recommendations from other agencies, i.e.; Fire Department, City-County Health Dept., Urban Hydrology, Transportation Engineer, etc.
3. Any dedication that may be needed on 3900 South for street widening is subject to the County Transportation Engineer's recommendation.
4. Submit three copies of a planting and sprinkling plan showing types, sizes and placement of plant material to the staff for review and approval.
5. Submit three copies of building elevations to the staff for review and final approval.
6. Install curb, gutter and sidewalk on all public streets at the new and correct alignment.
7. Install a 6' high solid visual barrier wood fence or masonry wall along the north and east property lines.
8. Finalization of the rezoning and approval of the master plan amendment by the County Commission.
9. Board of Adjustment approval for parking if required. **Note**: (19 parking spaces are required. 38 have been provided. Board of Adjustment approval **is not required**.)
10 Residents must be 62 years of age or older.

Note: You must obtain the final conditional use and a building permit within 24 months of the date of the Planning Commission action or this approval will expire.

SALT LAKE COUNTY

Salt Lake County Public Works Department

Development Services Division

Randy Horiuchi
Salt Lake County Commissioner

Lonnie L. Johnson
Director of Public Works

Ken Jones
Division Director

SALT LAKE COUNTY GOVERNMENT CENTER
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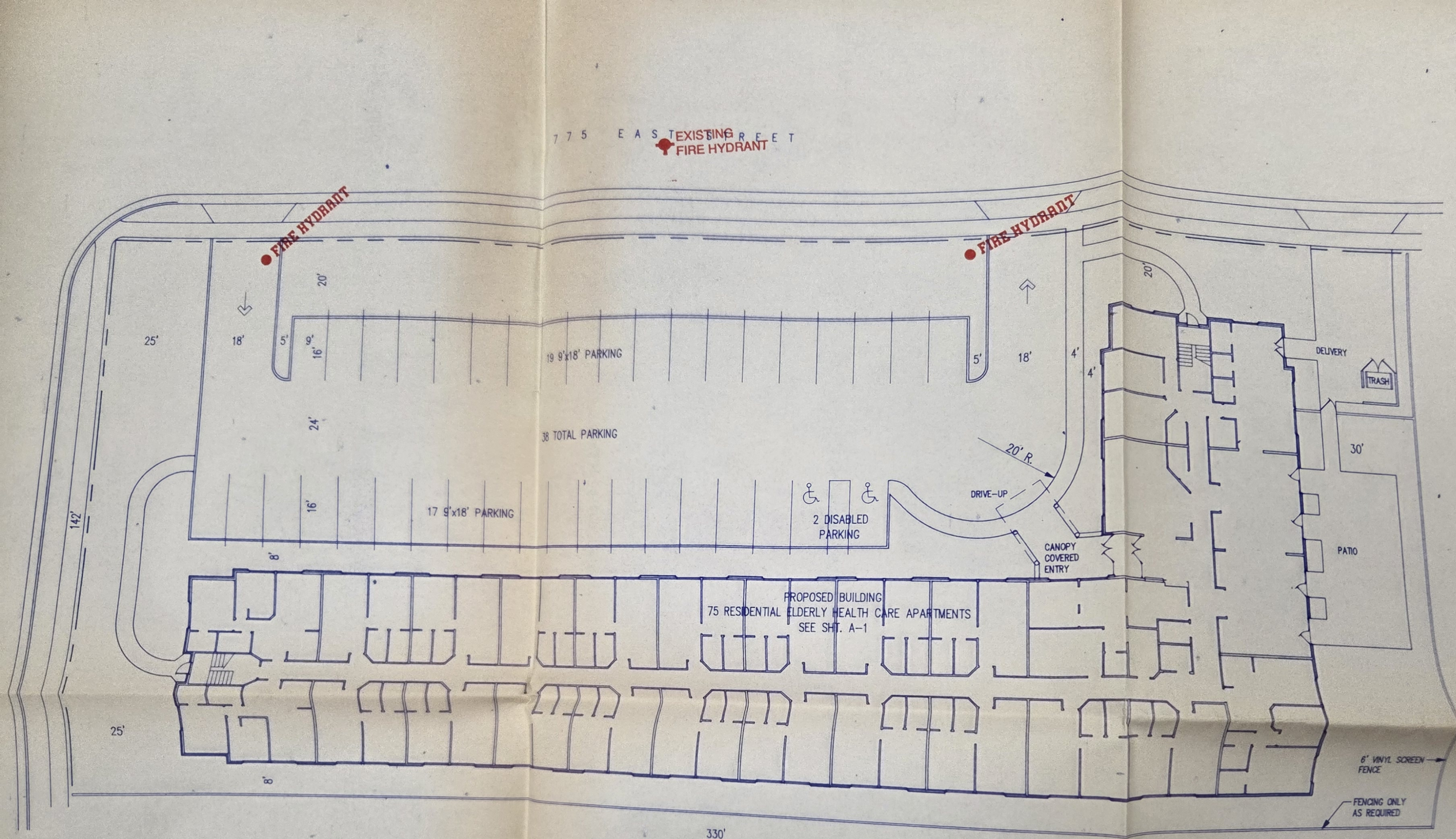


PRELIMINARY SITE PLAN

SCALE: 1/16" = 1'-0"

NORTH

APPROVED

WITH CONDITIONS STATED BELOW.

Two (2) hydrants required. Fire hydrants to be located as indicated on approved plans. Combustible construction will not be allowed until hydrants and water systems are installed and operational.
Timing of Installation. Fire Protection facilities are to be installed by the developer, such facilities including all surface access roads shall be installed and made serviceable prior to and during the time of construction. U.F.C. 10.301
NEEDED FIRE FLOW IS 3000 GPM.

SALT LAKE COUNTY FIRE DEPARTMENT
DON R. BERRY CHIEF

By: Capt. Bill Prokopis
Date: 6-19-1995

I acknowledge the above stated requirements.

SISHA Corp. By [illegible] 10-17-95
Signature

Shall give Fire Department an Engineering Analysis of the water system and verification of the fire flow and flow tests required previous to starting consturction.

KENNETH LYNN HANSEN
ARCHITECT

STATE OF U
#117145
KENNETH LY
HANSEN
LICENSED ARCH

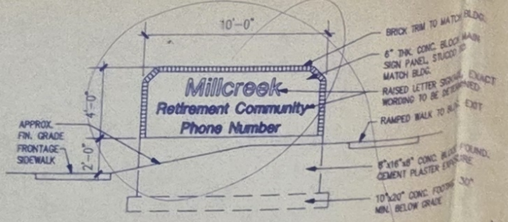
CONTRACTOR & SUBS TO VERIFY
THEY HAVE LATEST PLANS &
SPECS PRIOR TO CONSTRUCTION.

THESE DRAWINGS & DESIGNS ARE
THE PROPERTY OF KENNETH LYNN

PRELIMINAR SITE PLA

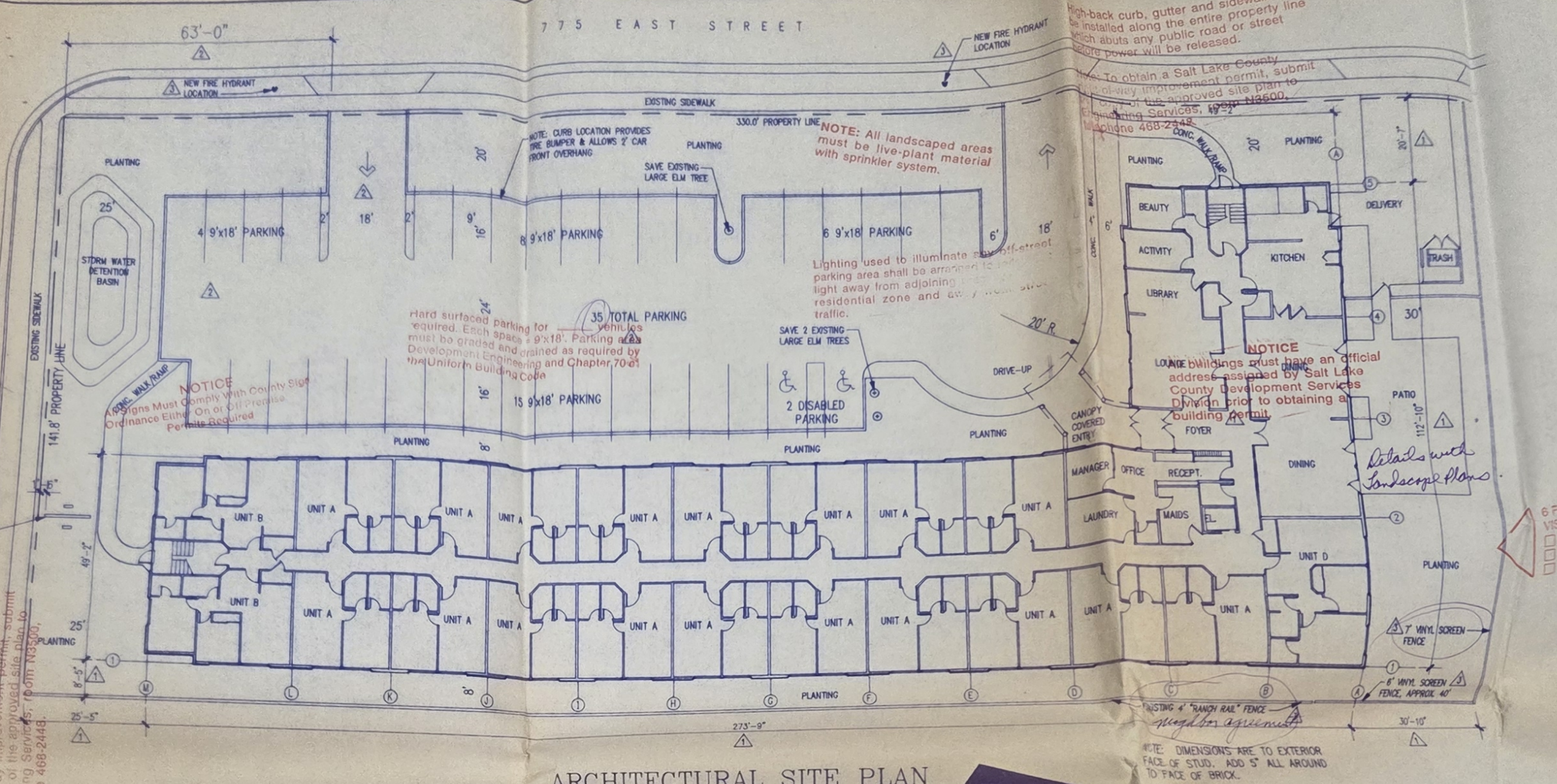
ELDERLY RESIDENTIA

REVISIONS:



SIGN DETAIL

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



ARCHITECTURAL SITE PLAN

SCALE: 1/16" = 1'-0"   21 UNITS THIS LEVEL   NORTH

SEE SHT. A-3 FOR PARTIAL 1/8" SCALE PLAN.

Millcreek Retirement Community

GENERAL NOTES:

1. ALL WORK SHALL COMPLY STRICTLY WITH THE UNIFORM BUILDING CODE, 1994 EDITION AND ALL STATE & LOCAL CODES & ORDINANCES.
2. ALL DIMENSIONS ARE TO FACE OF CONCRETE, MASONRY OR STUD FRAMING UNLESS NOTED OTHERWISE.
3. DRAWINGS ARE NOT TO BE SCALED. ANY DIMENSIONAL DISCREPANCIES SHALL BE CLARIFIED WITH THE ARCHITECT.
4. CONTRACTOR SHALL NOTIFY ARCHITECT IMMEDIATELY OF ANY UNUSUAL GEOLOGICAL CONDITIONS ENCOUNTERED DURING EXCAVATIONS.
5. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND SITE CONDITIONS AND SHALL REPORT ANY INCONSISTENCIES TO THE ARCHITECT PRIOR TO BEGINNING CONSTRUCTION. COMMENCEMENT OF WORK IMPLIES ACCEPTANCE OF SAID CONDITIONS.
6. CONTRACTOR SHALL VERIFY THE LOCATION AND SHALL PROVIDE PROTECTION FOR UTILITIES WITHIN THE WORK AREA, WHETHER OR NOT INDICATED IN THE DRAWINGS. CONTRACTOR SHALL NOTIFY UTILITY COMPANY IMMEDIATELY OF ANY PROBLEM OR POTENTIAL PROBLEM WITH UTILITIES.
7. CONTRACTOR & SUB-CONTRACTORS SHALL VERIFY THAT THEY HAVE THE LATEST EDITION OF THE PLANS BEFORE PROCEEDING WITH THEIR PORTION OF THE WORK.
8. MECHANICAL & ELECTRICAL SUB-CONTRACTS ARE TO BE ON A "DESIGN-BUILD" BASIS WITH THE LAYOUTS SHOWN ON THE ARCHITECTURAL PLANS AS REFERENCE.
9. DIMENSIONS SHOWN ON ARCHITECTURAL SITE PLAN ARE APPROXIMATE. SEE CIVIL ENGINEERING DRAWINGS FOR ACTUAL ACCURATE SITE & BUILDING LAYOUT.

BUILDING CODE INFORMATION:

BASED ON THE 1994 EDITION OF THE UNIFORM BUILDING CODE

OCCUPANCY GROUP – R-1, APARTMENT HOUSES

CONSTRUCTION TYPE: TYPE V, 1 HOUR RATED

ALLOWABLE SQUARE FOOTAGE:
10,500 SQ. FT. x 2 (FOR MULTI STORIES) = 21,000 SQ. FT.
INCREASE FOR SPRINKLING = 2 x 21,000 = 42,000 SQ. FT.
INCREASE FOR SEPARATION ON TWO SIDES = 1.25 % x 40' = 50 % = 21,000 SQ. FT. ADDITIONAL
TOTAL ALLOWABLE SQ. FT. = 42,000 + 21,000 = 63,000 SQ. FT.

ACTUAL SQUARE FOOTAGE:
13,460 SQ. FT. PER LEVEL x 3 LEVELS = 49,518 SQ. FT.

ALLOWABLE BUILDING HEIGHT: 3 STORIES

ACTUAL BUILDING HEIGHT: 3 STORIES

UNIT SEPARATION – ALL LIVING UNITS ARE SEPARATED FROM EACH OTHER BY ONE HOUR FIRE RESISTIVE PARTY WALL & FLOOR/CEILING ASSEMBLIES.

CORRIDORS ARE OF ONE HOUR RATED CONSTRUCTION WITH 20 MINUTE RATED OPENINGS.

STAIRWAYS & ELEVATOR SHAFT ARE OF ONE HOUR RATED CONSTRUCTION WITH 1 HOUR RATED OPENINGS.

DISABLED ACCESSIBILITY REQUIRED: PER THE 1994 EDITION OF THE UNIFORM BUILDING CODE 2 % OF THE LIVING UNITS AND ALL AMENITY AREAS MUST BE ACCESSIBLE. 2 % OF 77 = 2 ACCESSIBLE UNITS.

DISABLED ACCESSIBILITY PROVIDED: ALL AREAS OF THE BUILDING ARE ACCESSIBLE & 7 LIVING UNITS ARE ACCESSIBLE/ADAPTABLE.

BUILDING SQ. FT. & % DATA:

LIVING UNITS:

UNIT A – 475 SQ. FT., ONE BEDROOM, ONE BATH	– 58 UNITS =	27,550 SQ. FT.
UNIT B – 652 SQ. FT., TWO BEDROOM, ONE BATH	– 10 UNITS =	6,520 SQ. FT.
UNIT C – 510 SQ. FT., ONE BEDROOM, ONE BATH	– 4 UNITS =	2,040 SQ. FT.
UNIT D – 704 SQ. FT., TWO BEDROOM, ONE BATH	– 3 UNITS =	2,112 SQ. FT.
UNIT E – 315 SQ. FT., STUDIO, ONE BATH	– 2 UNITS =	630 SQ. FT.
78.46 % OF BUILDING SQ. FT.	TOTAL – 77 UNITS =	38,852 SQ. FT.
COMMON ACTIVITY & MANAGEMENT AREA – 8.54 % OF BUILDING	=	4,228 SQ. FT.
CORRIDORS, STAIRS & ELEVATOR AREA – 13.00 % OF BUILDING	=	6,438 SQ. FT.
TOTAL BUILDING AREA	=	49,518 SQ. FT.

FIRE INSPECTION FEE DUE $ 25

FILE COPY

GEOTECHNICAL AND SOILS REPORTS
Approval based on compliance with the recommendations contained in the geotechnical and soil reports.

Pursuant to Chapter 19 Salt Lake County Code of Ordinances
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 list.
Date
Conditions of this approval are in addition to requirements of other Salt Lake County Ordinances.
92-2149

NOTICE – VERY IMPORTANT
All improvements required by ordinance or Planning Commission action must be installed (or a bond submitted to the County to assure installation at a later time) prior to release of power-to-panel, occupancy of any building, or commencement of approved uses.

INDEX OF DRAWINGS

KENNETH LYNN HANSEN
ARCHITECT
7180 SOUTH 2300 EAST, SALT LAKE CITY, UTAH 84121 (801) 944-9833

STATE OF UTAH – 117145 – KENNETH LYNN HANSEN – LICENSED ARCHITECT

CONTRACTOR & SUBS TO VERIFY THEY HAVE LATEST PLANS & SPECS PRIOR TO CONSTRUCTION.

SITE PLAN & TITLE SHEET

MILLCREEK RETIREMENT COMMUNITY
777 EAST 3900 SOUTH, SALT LAKE COUNTY, UTAH
AN ELDERLY RESIDENTIAL CARE FACILITY BY THE SIGMA CORPORATION

REVISIONS:
1. 12-6-95 UPDATE PER CO. PLAN CHECK & OWNER CHANGES
2. 12-14-95 PARKING PER CO. PLANNING STAFF
3. 12-19-95 UPDATE PER CO. PLANNING STAFF

DATE: OCTOBER 5, 1995

FILE: KEN C:\TEMP\MRSP1

SHEET NUMBER: SP-1

Outlook

RE: [Ext] ZT-25-004 - The Laurel - 777 E 3900 S

From Shirl White <swhite@unifiedfireut.gov>
Date Tue 11/25/2025 8:33 AM
To Zackery Wendel <zwendel@millcreekut.gov>

Thanks Zack,

Yes, the problem that has been created with the change to apartments has been excessive parking in their lot and on the street. This creates access problems in both areas. The street (775 East) is not wide enough for the parking that has taken place. Additional parking should be acquired in another location rather than in these areas.

Thank you… much appreciated.

Shirl White
Fire Inspector
Unified Fire Authority
4965 South Redwood Rd.
Taylorsville, Utah 84123
Phone: 801-824-3717
swhite@unifiedfire.org

From: Zackery Wendel <zwendel@millcreekut.gov>
Sent: Monday, November 24, 2025 4:07 PM
To: Shirl White <swhite@unifiedfireut.gov>
Cc: Trudi Hawes <thawes@millcreekut.gov>
Subject: Re: ZT-25-004 - The Laurel - 777 E 3900 S

Hey Shirl,

I am currently writing my staff report for the Laurel and wanted to know what concerns and issues you have for the property. I know that in the past there were discussions on the parking situation at the Laurel that made it difficult for emergency services.

Let me know what you think and if there is anything you would like me to add to the report.

Outlook

RE: [Ext] Access and Egress Issues The Laurel at Millcreek

From Stephen Rowbottom <srowbottom@millcreekut.gov>

Date Tue 12/9/2025 11:30 AM

To Shirl White <swhite@unifiedfire.org>; banderton@unifiedfireut.gov <banderton@unifiedfireut.gov>; kmillard@unifiedfireut.gov <kmillard@unifiedfireut.gov>; Wwatkins@unifiedfireut.gov <Wwatkins@unifiedfireut.gov>; SGray@unifiedfireut.gov <SGray@unifiedfireut.gov>; Zackery Wendel <zwendel@millcreekut.gov>; Planner <planner@millcreekut.gov>; Francis Lilly <flilly@millcreekut.gov>

Cc Chance Peck <cpeck@millcreekut.gov>; Dustin Eberspacher <deberspacher@millcreekut.gov>; Thom Desirant <tdesirant@millcreekut.gov>

Hi Shirl,

I am including Millcreek Planning and Zoning Department on this email. They are currently working with The Laurel on a revised parking plan and zoning issues. The Laurel is scheduled for a Planning Commission meeting on December 17th and a City Council meeting on January 12th. Planning is compiling their staff report for the meetings. If you have specific requests, comments, or items that you would like to add please respond to everyone in this email.

Thanks

Steve Rowbottom
Business License Inspector
Office: 801-214-2716
Cell: 801-688-8602
Millcreekut.gov

From: Shirl White <swhite@unifiedfireut.gov>
Sent: Tuesday, December 9, 2025 6:13 AM
To: Dustin Eberspacher <deberspacher@millcreekut.gov>
Cc: Brian Anderton <banderton@unifiedfireut.gov>; Kelly Millard <kmillard@unifiedfireut.gov>; Wade T. Watkins <Wwatkins@unifiedfireut.gov>; Stewart Gray <SGray@unifiedfireut.gov>
Subject: RE: [Ext] Access and Egress Issues

Good Morning Dustin,

The email below was sent by UFA Captain Millard. It is my understanding that the Laurel has submitted a parking plan to the City that hopefully addresses the issues long term. In the meantime is there anything that can be done now to help resolve fire access concerns for our emergency responders at this location.

Thank you.

Respectfully,

Shirl White
Fire Inspector
Unified Fire Authority
4965 South Redwood Rd.
Taylorsville, Utah 84123
Phone: 801-824-3717
swhite@unifiedfire.org

From: Kelly Millard <kmillard@unifiedfireut.gov>
Sent: Friday, December 5, 2025 6:34 PM
To: Shirl White <swhite@unifiedfireut.gov>
Cc: Brian Anderton <banderton@unifiedfireut.gov>
Subject: Access and Egress Issues

Shirl,

We respond to 777 East 3900 South (The Laurel at Millcreek Apartments) complex often. We are having issues getting our Engine in and out of the complex due to the parking on 775 East. Vehciles are parked close to the corner of 3900 South and on the corners of the two entrances to the complex. There are times we have to park on 775 East and just block the whole road while we are on a call. is there anything we can to in this area to make sure there is enough clearance to get in and out of the complex? Let me know if I can do anything to help get this accomplished.

Thanks,

Kelly Millard, Captain

Unified Fire Authority

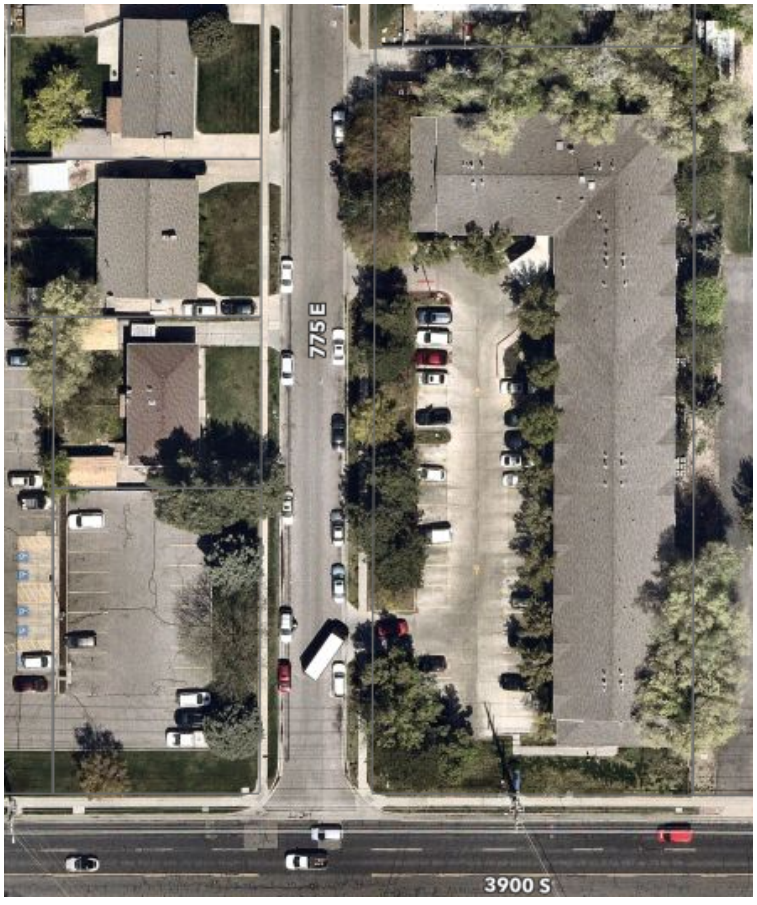
Station 101C

kmillard@unifiedfireut.gov

801-554-4839

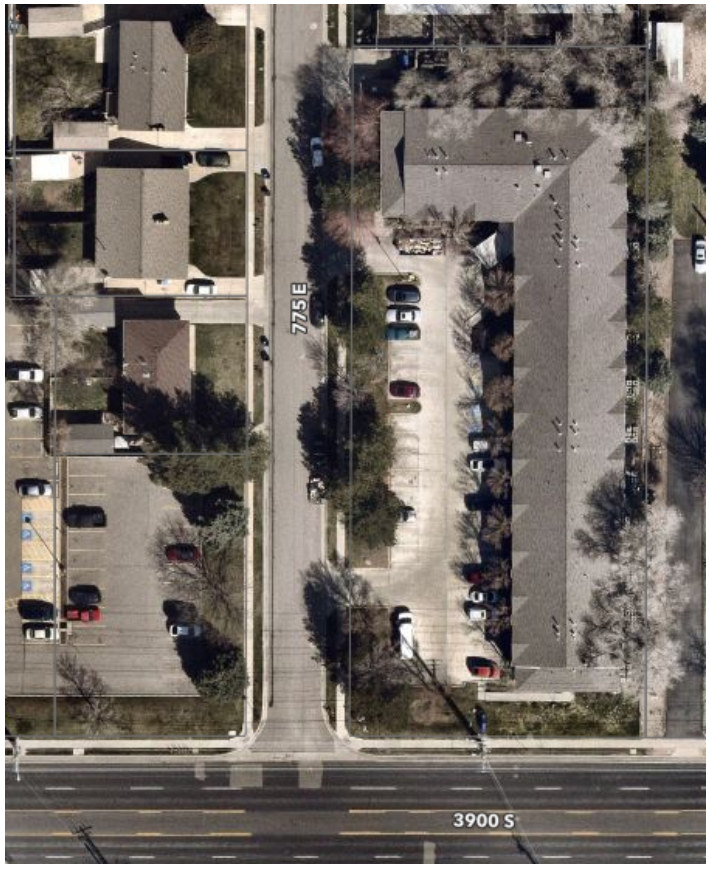
Wed Sept 3rd, 2025

Tue April 22nd, 2025



Wed Aug 7th, 2024

Fri Mar 22nd, 2024



Minutes of the
Millcreek Planning Commission
January 21, 2026
5:00 p.m.
Regular Meeting

The Planning Commission of Millcreek, Utah, met in a regular public meeting on Wednesday, January 21, 2026, at City Hall, located at 1330 E. Chambers Avenue, Millcreek, Utah 84106. The meeting was conducted electronically and live streamed via the City's website with an option for online public comment.

PRESENT:

Commissioners
Shawn LaMar, Chair
Christian Larsen, Vice Chair
Steven Anderson (excused)
Nils Per Lofgren (excused)
Jacob Richardson
Victoria Reid
Diane Soule
Ian Wright

City Staff
Elyse Sullivan, City Recorder
Francis Lilly, Planning & Zoning Director
Sean Murray, Planner
John Brems, City Attorney

Attendees: Council Member Nicole Handy

REGULAR MEETING – 5:00 p.m.
TIME COMMENCED – 5:09 p.m.

Commissioner LaMar called the meeting to order.

1. Commission Business
1.1 Election of Chair and Vice Chair for 2026

Commissioner Reid moved to nominate Christian Larsen as the Vice Chair. Commissioner LaMar seconded. Commissioner LaMar called for the vote. Commissioner LaMar voted yes, Commissioner Larsen voted yes, Commissioner Reid voted yes, Commissioner Richardson voted yes, and Commissioner Wright voted yes. The motion passed unanimously.

Commissioner Larsen moved to nominate Shawn LaMar as Chair. Commissioner Richardson seconded. Commissioner LaMar called for the vote. Commissioner LaMar voted yes, Commissioner Larsen voted yes, Commissioner Reid voted yes, Commissioner Richardson voted yes, and Commissioner Wright voted yes. The motion passed unanimously.

2. Public Hearing

2.1 Consideration of ZT-25-005, Request to Repeal Community Council Provisions in Title 18 of the Millcreek Code Planner: Francis Lilly

Francis Lilly explained that in August 2024 the city requested and received an informal opinion from the Utah Property Rights Ombudsman concluding that Millcreek's community councils were subject to the Utah Open and Public Meetings Act, which ultimately led to the City Council's recent decision to repeal Chapter 2.56 of the city code and related provisions in Title 18. While the repeal did not eliminate community councils, which remain private organizations, it removed special authorities they had inherited from Salt Lake County, including volunteer status with the city, prescribed election procedures, and a formal role in providing planning and zoning recommendations. Staff acknowledged that community councils historically provided valuable early engagement by facilitating productive discussions among applicants, residents, and staff prior to Planning Commission hearings, often resolving concerns in advance; however, Chapter 2.56 also created significant legal, procedural, and operational challenges. In response, staff proposed a pilot program to replace this engagement framework with a publicly noticed open house held before each Planning Commission meeting, intended to solicit early feedback, allow written comments to be included in staff reports as part of the public record, and provide community councils and other stakeholders an independent forum to participate. Staff also plans to develop a project-specific website to improve public access to basic application information. Accordingly, staff recommends that the Planning Commission consider and forward a recommendation to approve the proposed Title 18 amendments, consistent with the City Council's repeal of Chapter 2.56, and support continued exploration of innovative methods for obtaining meaningful public input prior to Planning Commission meetings.

Commissioner Reid asked if each application would be at the open house. Lilly said yes, the applications would not be presented but there would be designated areas of the room for each applicant to discuss their proposal. Commissioner Wright asked if staff or members of community councils would relay feedback from the open house to the commission. Lilly said both, all comments would be included in the staff report. He said the open house would be on a trial basis and codification of a community process would take place later depending on what worked. Commissioner Reid asked if the city would encourage the community councils to have a broader focus than land use items. Lilly said the mayor wrote a letter to the community councils stating that independence from the city provided opportunities for them to do different things. The city was willing to help fund some of their ventures or administrative items upon performing a 10-8-2 study as required by state code.

Chair LaMar opened the public hearing.

There were no comments.

Chair LaMar closed the public hearing.

Commissioner Richardson asked if the community councils would revert back to what they were for the city incorporated. Lilly confirmed.

Commissioner Larsen moved that the planning commission transmit a recommendation of approval of the proposed changes to Title 18 in consideration of the City Council's decision to repeal chapter 2.56 of the Millcreek code of ordinances, along with recommendation the

staff continue to seek out innovative methods of obtaining quality public comment on applications, particularly prior to a Planning Commission public meeting. Commissioner Richardson seconded. Chair LaMar called for the vote. Chair LaMar voted yes, Commissioner Larsen voted yes, Commissioner Reid voted yes, Commissioner Richardson voted yes, and Commissioner Wright voted yes. The motion passed unanimously.

1. Commission Business Continued

1.2 Open and Public Meetings Act Annual Training; John Brems, City Attorney

John Brems explained that the presentation constituted the Planning Commission's annual Open and Public Meetings Act training, which Utah law requires the presiding officer to ensure is completed each year. He reviewed the Act's underlying public policy that governmental actions and deliberations must be conducted openly. He clarified the statutory definition of a "meeting," emphasizing that it involves a quorum convened by authorized leadership to receive public comment, deliberate, or take action on matters within the Commission's authority, and highlighted recent legislative amendments addressing chance or social meetings and prohibiting concerted efforts outside a public meeting to predetermine decisions. He also discussed special local rules applicable to the Planning Commission, including prohibitions on ex parte communications regarding administrative or rezoning land use applications, explaining that such communications are intended to ensure fairness, equal participation, and the integrity of the decision-making process. Brems further addressed statutory provisions governing electronic communications, recordkeeping requirements that designate written minutes as the official record, and the limited and specific circumstances under which closed meetings may be held, noting that such situations are unlikely to apply to the Planning Commission. He outlined the requirements for recording and protecting closed meeting records and the affidavit obligations of the chair when closed sessions are held. Brems concluded by running through hypothetical situations wherein a commissioner might find themselves talking to applicants or the public and the recommended course of action per state code or city rules.

Commissioner Reid asked about the genesis of the ex parte rules. Brems said he has seen other cities use it, and he felt it had a valid purpose when he created the Commission's rules of order and procedure. The rules differ for the City Council because they are a legislative branch and can make decisions from public clamor. The Planning Commission is more of an administrative branch. Chair LaMar brought up the vagueness of "interested parties" and "affected persons" with ex parte rules. Brems said vagueness was intentional, but he would look into clearer definitions.

1.3 Approval of December 17, 2025 Regular Meeting Minutes

Commissioner Larsen requested an amendment to the first motion in the minutes on page 5 from " a specified date" to "an unspecified date."

Commissioner Larsen moved, with the amendment, to approve the minutes for December 17. Commissioner Wright seconded. Chair LaMar called for the vote. Chair LaMar voted yes, Commissioner Larsen voted yes, Commissioner Reid voted yes, Commissioner Richardson voted yes, and Commissioner Wright voted yes. The motion passed unanimously.

1.4 Housing Subcommittee Report

Commissioner Richardson reported that the Housing Subcommittee met prior to the Planning Commission meeting and discussed "expanding housing choices" policies, including those adopted in Durham, North Carolina in 2019 and Salt Lake City's similar initiative, along with associated benefits, challenges, public noticing, and levels of public support. As a result of that discussion, staff agreed to evaluate Millcreek's current zoning code in light of recent amendments and compare it to Salt Lake City's approach, particularly regarding the potential citywide allowance of small-lot dwellings and duplexes or triplexes. Commissioner Richardson also shared outreach efforts with community and education stakeholders, including an initial meeting with the lead organizer of SOS Eastwood, who expressed preliminary support and willingness to share future publicly available materials with her network. Additional planned meetings include discussions with the Granite Education Association regarding the impacts of school closures on teachers and the role expanded housing options could play in enabling educators to live in the communities where they work, as well as engagement with the Millcreek Youth Council to explore how housing policy and school enrollment issues intersect with the Council's education-focused mission.

1.5 Updates from the Planning Director

Francis Lilly provided several updates for the Commission, beginning with The Laurel at Millcreek rezone application, noting that the applicant may pursue an alternative path to compliance rather than returning to the Planning Commission, potentially reverting to the previous use due to business and parking constraints. The property remains subject to an ongoing code enforcement case related to licensing and parking requirements, and the situation is complicated by the presence of vulnerable residents, requiring a compassionate approach as the City works toward compliance; staff will continue to keep the Commission informed on the application's status. Lilly also advised that the February Planning Commission agenda may be particularly heavy and asked commissioners to consider the possibility of a second meeting. Additionally, he reported that the mayor intends to nominate Jenny Burgess to fill the vacant seat previously held by Commissioner Vance. Finally, Lilly highlighted recent progress on public art initiatives, including a call for artists for City Hall and adjacent wall installations that received 126 submissions, as well as strong interest in developing an arts and culture master plan to help establish policies and frameworks to support and promote arts in Millcreek.

2. Calendar of Upcoming Meetings

- City Council Mtg. 1/26/26, 7:00 p.m.
- City Council Mtg. 2/9/26, 7:00 p.m.
- Historic Preservation Commission Mtg. 2/12/26, 6:00 p.m.
- Planning Commission Mtg. 2/18/26, 5:00 p.m.

ADJOURNED: Commissioner Larsen moved to adjourn the meeting at 6:07 p.m. Commissioner Reid seconded. Chair LaMar called for the vote. Chair LaMar voted yes, Commissioner Larsen voted yes, Commissioner Reid voted yes, Commissioner Richardson voted yes, and Commissioner Wright voted yes. The motion passed unanimously.

APPROVED: _____ **Date**
Shawn LaMar, Chair

_____
Attest: Elyse Sullivan, Recorder