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WHEN RECORDED MAIL TO:

DRAPER CITY
Attn: Community Development Department
1020 East Pioneer Road
Draper, Utah 84020

14039416 B: 11384 P: 1712 Total Pages: 8
11/07/2022 02:20 PM By: tball Fees: \$0.00
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: DRAPER CITY
1020 E PIONEER RDDRAPER, UT 84020



Parcel No: 28-29-377-040

NOTICE OF USE RESTRICTION

NOTICE IS HEREBY GIVEN that on the 25th day of February, 2021, the Draper City Planning Commission approved a site plan for the following described property:

Parcel: 28-29-377-040
LOT 1, KIMBALL HOME SUBDIVISION

The approved site plan is available for inspection in the Community Development Office of Draper City located at 1020 E. Pioneer Rd, Draper, Utah.

The approved site plan included an open air courtyard which was designed to feature title in sand flooring, exposed brick walls, and iron railings. The property owner has enclosed the courtyard with windows and provided a concrete floor and painted gypsum board walls in order to create an enclosed sunroom courtyard ("Courtyard") that can be utilized year round.

The approved building plans show 2,866 square feet of office space which requires at least 10-13 parking spaces per Draper City Municipal Code (DCMC) Section 9-25-100, Table 9-25-1 (See Exhibit A attached hereto). The approved site plan has 10 parking spaces. If the Courtyard were to be utilized as office space that would add an additional 682 square feet of building floor area. The parking required would then be 13-16 stalls.

The approved site plan does not contain enough parking to convert the Courtyard to building floor area. The undersigned, as the property owner(s) of record of the above-described property, hereby expressly acknowledge the parking restrictions of the Draper City Municipal Code and agree(s) the Courtyard shall not be used as gross leasable floor area, including, but not limited to, office space, conference room, or an outdoor seating area expressly used as part of a business, such as a restaurant outdoor dining area.

The Courtyard is intended to be an amenity space as listed in DCMC Section 9-11-090(D)(1)(e) (See Exhibit B attached hereto) and used as a place for resting and relaxing. **Using or converting the Courtyard to building floor area is prohibited until and**

unless additional parking spaces are added to the property in a number required for the type of use added (See Exhibit A attached hereto).

The property owner(s) hereby consent(s) to the recording of this notice with the Salt Lake County Recorder. This Notice of Use Restriction shall bind the current property owner(s) and any future owner(s) until withdrawn by Draper City upon compliance with Draper City's parking requirements.

Dated: 11-2-22

[Signature]
Property Owner of Record
Greg Kimball
Printed Name

ACKNOWLEDGEMENT

STATE OF Utah
COUNTY OF Salt Lake

:ss.

On the 2nd day of November, 20 22, personally appeared before me Gregory Kimball, who being duly sworn, did say that (s)he is the signer of the foregoing instrument, who duly acknowledged to me that (s)he executed the same.

[Signature]
Notary Public
Residing at:

My Commission Expires:

01/03/2024

Salt Lake County

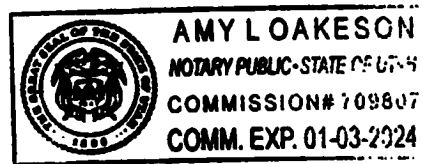


Exhibit A

**9-25-100: TABLES AND FIGURES:
TABLE 9-25-1
PARKING REQUIREMENT FORMULAS**

Land Uses	Parking Calculation Standards
Agricultural uses:	
Agricultural business	1 space for each person employed on highest employment shift
Agricultural industry	1 space for each person employed on highest employment shift
Agricultural processing	1 space for each person employed on highest employment shift
Agricultural sales and service	2 spaces per 10,000 square feet gross building floor area
Animal specialties	1 space for each person employed on highest employment shift
Residential uses:	
Boarding house	1 space per 3 boarding tenants
Dwelling, multi-family:	
Studio and 1 bedroom units	2 spaces per unit
2 bedroom units	2 spaces per unit
3 or more bedroom units	2 spaces per unit
Visitor parking	1 space for every 4 units
Dwelling, single-family:	
No accessory dwelling	2 spaces
With accessory dwelling	3 spaces
Guesthouse	1 space per guesthouse
Residential facilities for elderly persons or persons with a disability, convalescent care facility	1 space per 2 residential units
Public and civic uses:	
Auditorium or stadium	1 space per 4 people based on maximum occupancy

Bus terminal and transit stops	15 spaces per 100 daily boardings
Cemetery	4 spaces per acre
Church or place of worship	6 spaces per 1,000 square feet gross building floor area
Club or service organization	
College, university, or higher education facility	1 space per 3 students based on maximum occupancy
Cultural service	2.5 spaces per 1,000 square feet gross building floor area
Funeral home	4 spaces per 1,000 square feet gross building floor area
Golf course	5 spaces per hole plus restaurant parking
Government service and Municipal use	4 spaces per 1,000 square feet gross building floor area
Hospital	4 spaces per 1,000 square feet gross building floor area
Park	12 spaces per acre
Riding academy or stable	1 space per stable stall or unit
School:	
Elementary school	1 space per 4 students based on maximum student population
Middle school	1 space per 4 students based on maximum student population
High school	1 space per 1.25 students based on maximum student population
Trade or vocational school	1 space per 1.25 students based on maximum occupancy
Commercial uses:	
Auto, truck, RV and equipment:	
Storage	
Rental or sale	2.5 spaces per 1,000 square feet gross building floor area in addition to stock parking
Repair	4 spaces per service bay
Bank or financial institution, bail bond service, cashing service, pawnbroker, pawnshop	2.5 spaces per 1,000 square feet gross building floor area

Bar establishment	5 spaces per 1,000 square feet gross building floor area
Car wash:	
Full service	5 spaces plus queuing spaces per lane per subsection <u>9-25-060D</u> of this chapter
Self-service	Queuing spaces per lane per subsection <u>9-25-060D</u> of this chapter
Construction sales and service	2.5 spaces per 1,000 square feet gross building floor area
Convenience store:	
With gasoline sales	4 spaces per 1,000 square feet gross building floor area plus queuing spaces per gasoline pump
Without gasoline sales	4 spaces per 1,000 square feet gross building floor area
Daycare, preschool:	
General	1 space per 4 students based on maximum occupancy
Limited	Per chapter 34 of this title
Farmers' market, produce stand	Per title 6, chapter 16 of this Code
Gas and fuel, storage and sales	1 space per 1,000 square feet gross building floor area
Grooming service, kennel	1 space per 4 animals based on maximum occupancy
Hotel, motel, motor lodge, bed and breakfast inn	1 space per room
Laundry or dry cleaning	2 spaces per 1,000 square feet gross building floor area
Media service	2 spaces per 1,000 square feet gross building floor area
Medical or dental laboratory, medical service, research service	3 spaces per 1,000 square feet gross building floor area
Nursery, garden center	10 spaces per acre
Office:	
Call center	6 spaces per 1,000 square feet gross building floor area
General	4 spaces per 1,000 square feet gross building

	floor area
Limited	Per chapter 34 of this title
Medical, dental, veterinary	4 spaces per 1,000 square feet gross building floor area
Personal care or instruction service, tattoo establishment:	
General	5 spaces per 1,000 square feet gross building floor area
Limited	Per chapter 34 of this title
Printing and copying:	
General	2 spaces per 1,000 square feet gross building floor area
Limited	3 spaces per 1,000 square feet gross building floor area
Reception center	4 spaces per 1,000 square feet gross building floor area
Recreation and entertainment, indoor/outdoor	3 spaces per 1,000 square feet gross building floor area
Recycling collection station	3 spaces
Repair service	2 spaces per 1,000 square feet gross building floor area
Restaurant:	
Fast food	10 spaces per 1,000 square feet gross building floor area
General	8 spaces per 1,000 square feet gross building floor area
Retail	2.5 spaces per 1,000 square feet gross building floor area
Secondhand or thrift store:	
Large, no outside storage or drop off	2.5 spaces per 1,000 square feet gross building floor area
Large, with outside storage or drop off	2.5 spaces per 1,000 square feet gross building floor area
Small	2.5 spaces per 1,000 square feet gross building floor area
Transportation service	1 space per employee plus company vehicle stock parking

Warehouse, self-service storage	2 spaces per 100 units, but not less than 2 spaces total
Industrial uses:	
Automobile wrecking yard, junk or salvage yard	4 spaces per acre, but not less than 4 spaces total
Freight terminal	6 spaces per acre, but not less than 6 spaces total
Manufacturing	1 space per 1,000 square feet gross building floor area
Mineral extraction	1 space per acre, but not less than 10 spaces total
Wholesale and warehousing	0.5 space per 1,000 square feet gross building floor area

Exhibit B

9-11-090: (TC) TOWN CENTER ZONE:

D. Standards: The following property development standards shall apply to all land and buildings in the Town Center Zone:

1. Site Requirements:

e. Courtyards: Commercial sites within the TC Zone are encouraged to be designed to incorporate plaza or courtyard areas which are designed to encourage use of the area as a resting or relaxing place. Such areas shall be allowed on all sides of a building. These areas are characterized as being well landscaped areas which include benches, shade features, and certain other amenities, such as water features or a pedestrian scale tower clock.

**FIGURE 6
COURTYARD EXAMPLES**

