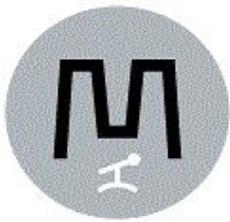




**MURRAY**  
CITY COUNCIL

**Council Meeting  
October 15, 2024**



# Murray City Municipal Council

## City Council Meeting Notice

### October 15, 2024

**PUBLIC NOTICE IS HEREBY GIVEN** that the Murray City Municipal Council will hold a City Council meeting beginning at 6:30 p.m. on Tuesday, October 15, 2024 in the Murray City Council Chambers located at Murray City Hall, 10 East 4800 South, Murray, Utah.

The public may view the Council Meeting via the live stream at [www.murraycitylive.com](http://www.murraycitylive.com) or <https://www.facebook.com/Murraycityutah/>. Those wishing to have their comments read into the record may send an email by 5:00 p.m. the day prior to the meeting date to [city.council@murray.utah.gov](mailto:city.council@murray.utah.gov). Comments are limited to less than three minutes (approximately 300 words for emails) and must include your name and address.

#### **Meeting Agenda**

**6:30 p.m.**      **Council Meeting** – Council Chambers  
Rosalba Dominguez conducting.

#### **Opening Ceremonies**

Call to Order  
Pledge of Allegiance

#### **Approval of Minutes**

Council Meeting – September 10, 2024  
Council Meeting – September 17, 2024

#### **Special Recognition**

1. Murray City Employee of the Month, Lori Edmunds, Parks and Recreation Cultural Arts Director – Rosalba Dominguez, Brett Hales and Kim Sorensen presenting.

#### **Citizen Comments**

Comments will be limited to three minutes, step to the microphone, state your name and city of residence, and fill out the required form.

#### **Consent Agenda**

None scheduled.

#### **Public Hearings**

Staff, sponsor presentations and public comment will be given prior to Council action on the following matters.

1. Consider an ordinance relating to land use; amends the Zoning Map from R-1-8 (Single Family Low Density) to R-N-B (Residential Neighborhood Business) for the property located at 323 E Winchester Street, Murray City. David Rodgers presenting.

2. Consider an ordinance relating to land use; amends the Zoning Map from R-1-6 (Single Family Medium Density Residential) to R-M-15 (Multiple Family Medium-Density Residential) for the property located at 4734 South Hanauer Street, Murray City. Zachary Smallwood presenting.
3. Consider a resolution approving the city's application for a grant from the Edward Byrne Justice Assistance Grant Program (JAG). Brian Wright and Kristin Reardon presenting.

### **Business Items**

1. Consider a resolution accepting for further consideration of a Petition for Annexation known as Van Winkle related to property located approximately between 900 East and Van Winkle Expressway and between approximately 4800 South and the boundary of Murray City at approximately 4840-4890 South in unincorporated Salt Lake County. Brooke Smith presenting.

### **Mayor's Report and Questions**

### **Adjournment**

#### **NOTICE**

Supporting materials are available for inspection on the Murray City website at [www.murray.utah.gov](http://www.murray.utah.gov).

Special accommodations for the hearing or visually impaired will be made upon a request to the office of the Murray City Recorder (801-264-2663). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.

Council Members may participate in the meeting via telephonic communication. If a Council Member does participate via telephonic communication, the Council Member will be on speaker phone. The speaker phone will be amplified so that the other Council Members and all other persons present in the Council Chambers will be able to hear all discussions.

On Friday, October 11, 2024, at 9:00 a.m., a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Murray City Center, Murray, Utah. Copies of this notice were provided for the news media in the Office of the City Recorder. A copy of this notice was posted on Murray City's internet website [www.murray.utah.gov](http://www.murray.utah.gov), and the state noticing website at <http://pmn.utah.gov>.



Jennifer Kennedy  
Council Executive Director  
Murray City Municipal Council



**MURRAY**  
CITY COUNCIL

# Call to Order

# Pledge of Allegiance



MURRAY  
CITY COUNCIL

# Council Meeting Minutes

**MURRAY CITY MUNICIPAL COUNCIL  
COUNCIL MEETING**

Minutes of Tuesday, September 10, 2024

Murray City Hall, 10 East 4800 South, Council Chambers, Murray, Utah 84107

**Attendance:**

Council Members:

Paul Pickett	District #1
Pam Cotter	District #2 – Council Chair
Rosalba Dominguez	District #3
Diane Turner	District #4
Adam Hock	District #5 – Council Vice-Chair

Others:

Brett Hales	Mayor	Jennifer Kennedy	City Council Executive Director
Doug Hill	Chief Administrative Officer	Pattie Johnson	Council Administration
G.L. Critchfield	City Attorney	Rob White	IT Director
Brenda Moore	Finance Director	Greg Bellon	Power Director
Craig Burnette	Police Chief	Margaret Horton	History Board
Camron Kollman	IT	Phil Markham	Community and Economic Dev. Director
David Rodgers	Senior Planner	Zac Smallwood	Planning Manager
Lori Edmunds	Cultural Arts Director	Citizens	

**Call to Order:** 6: 30 p.m. – Council Member Pam Cotter

**Approval of Minutes:** Council Meeting, July 23, 2024 and Council Meeting August 6, 2024.

**MOTION:** Mr. Hock moved to approve, and Ms. Turner SECONDED the motion.

Voice vote taken, all "Ayes." Approved 5-0

**Special Presentation:**

**Presentation of the 2024 Jim and Jean Hendrickson Beautification Awards.** Forestry Supervisor Matt Erkelens introduced new Shade Tree Commission Members who assisted in Murray City's 40<sup>th</sup> Annual Beautification Awards Program. Landscaping photos were displayed and each category winner was recognized and came forward to receive a special award.

**Special Recognition:**

**Consider a Joint Resolution of the Mayor and Municipal Council of Murray City, Utah, declaring September 2024 as National Senior Center Month.** Mayor Hales shared the resolution and praised the Murray Senior Center as a phenomenal place that provides wonderful programs for seniors of all ages. He also highlighted volunteers who contribute many hours of service.

**MOTION:** Ms. Turner moved to approve the joint resolution. Mr. Pickett SECONDED the motion.

**Council Roll Call Vote:**

Ms. Dominguez	Aye
Ms. Turner	Aye
Mr. Hock	Aye
Mr. Pickett	Aye
Ms. Cotter	Aye
Motion passed:	5-0

**Citizen Comments:**

Kathryn Lichfield – Murray Resident

Ms. Lichfield said she respected the process that goes into amending City Code. She expressed a desire to add standards to a future proposed Fence Code Amendment and appreciated the planning process for locating sidewalks within the current Fence Code. She believed 80% of the City's sidewalks are non-conforming, many fences are non-conforming and not in uniform and fences are not held to the same standard because she has seen fencing located next to both six- and three-foot-wide sidewalks. She wanted to participate in the City process but did not want to see the City prosecute a homeowner for being out of code, due to a neighbor complaint. She asked that Code language reflect that only the City would direct fencing violations and matters, and not neighbors.

Michael Tanner – Murray Resident

Mr. Tanner shared about the shortage of affordable housing in the City and encouraged Council Members to make a good decision by banning STR (short-term rentals) to increase long-term housing availability. He felt doing so would preserve neighborhood character and prevent transient people from moving in and out of neighborhoods who do not get to know neighbors, do not attend neighborhood churches, or attend city council meetings. He felt banning STRs would reduce noise and congestion, increase economic stability for local residents and focus on sustainable tourism. Noting the Council would not address the matter in this meeting, He said by banning STRs the City would maintain integrity of Murray communities, noting how cities like Barcelona and New York City have successfully preserved residential character through similar restrictions. By banning STRs Murray can ensure that housing is available to community members who want to be homeowners.

**Consent Agenda:**

**Consider confirmation of the Mayor's appointment of Margaret Horton to the History Advisory Board for a partial term beginning August 2024 through August 2026.** Mayor Hales introduced Ms. Horton and expressed excitement about having her serve the City on History Advisory Board.

**MOTION:** Mr. Pickett moved to approve the Consent Agenda. Ms. Turner SECONDED the motion.

Council Roll Call Vote:

Ms. Dominguez	Aye
Ms. Turner	Aye
Mr. Hock	Aye
Mr. Pickett	Aye
Ms. Cotter	Aye
Motion passed:	5-0

**Public Hearings:**

1. Consider an ordinance relating to land use; amends the General Plan from Office to Low Density Residential and amends the Zoning Map from G-O (General Office) to R-1-8 (Low Density Single Family) for the property located at 5172 South 935 East, Murray City. Planning Manager Zac Smallwood said property owner Yubaraj Sapkota requested the rezone. Mr. Smallwood displayed an aerial map of the 0.20-acre parcel located east of 900 East and confirmed that the request was in line with the Future Land Use map. Noting that the property owner would like to construct a single-family home on the property, Mr. Smallwood reviewed existing zone standards, compared differences between the existing GO zone and the proposed R-1-8 and shared findings to confirm that staff supported the request. The Planning Commission also recommended approval on June 6, 2024 voting 6-0.

The public hearing was open for public comments. No comments were given, and the public hearing was closed.

**MOTION:** Ms. Turner moved to approve the ordinance. Ms. Cotter SECONDED the motion.

**Council Roll Call Vote:**

Ms. Dominguez Aye  
Ms. Turner Aye  
Mr. Hock Aye  
Mr. Pickett Aye  
Ms. Cotter Aye  
Motion passed: 5-0

2. **Consider an ordinance relating to Land Use; amends the Zoning Map from A-1 (Agricultural) to R-1-8 (Single Family Low Density) for the property located at 5712 South 800 West, Murray City.** Senior Planner David Rodgers said property owners Brent and Lucinda Milne requested the rezone for the 1.07-acre site. Mr. Rodgers displayed an aerial photo to show that currently the lot line runs through a tennis court. The Future Land Use Map was studied to explain that the rezone was needed prior to a lot-line adjustment and potential infill development for a flag lot in the future. The rezone would ensure that none of the surrounding parcels do not cross boundaries. Standards for the existing zone were compared to the proposed R-1-8 zone and shared the findings to confirm why staff and the Planning Commission recommended approval to the City Council.

The public hearing was open for public comments. No comments were given, and the public hearing was closed.

**MOTION:** Ms. Dominguez moved to approve the ordinance. Mr. Hock SECONDED the motion.

**Council Roll Call Vote:**

Ms. Dominguez Aye  
Ms. Turner Aye  
Mr. Hock Aye  
Mr. Pickett Aye  
Ms. Cotter Aye  
Motion passed: 5-0

**Business Item:**

**Consider a resolution amending the Murray City Council Policies and Procedures.** Council Member Pickett said the request was intended to remove the requirement to read every email comment that is submitted to Council Members, as a public comment during a council meeting. The resolution removes the requirement to read every single email.

**MOTION:** Ms. Dominguez moved to amend the resolution based on Mr. Hock's suggestion to keep the existing language about forwarding comments to Council Members prior to a Council meeting. Mr. Hock SECONDED the motion.

**Council Roll Call Vote:**

Ms. Dominguez Aye  
Ms. Turner Aye  
Mr. Hock Aye  
Mr. Pickett Aye  
Ms. Cotter Aye  
Motion passed: 5-0

**MOTION:** Ms. Dominguez moved to approve the resolution as amended. Mr. Hock SECONDED the motion.

**Council Roll Call Vote:**

Ms. Dominguez Aye  
Ms. Turner Aye  
Mr. Hock Aye  
Mr. Pickett Aye  
Ms. Cotter Aye  
Motion passed: 5-0

**Mayor's Report and Questions:** Mayor Hales introduced Murray Fire Chief Mittelman who provided information about Murray Firefighters who assisted in their fifth two-week deployment to assist in battling wildfires near Fish Creek in West Yellowstone National Park, which also served as a training opportunity. Mayor Hales also announced that Murray's Public Power Celebration would take place on Thursday, September 12, 2024 from 4:00-6:30 p.m.

**Adjournment:** 7:22 p.m.

**Pattie Johnson**  
**Council Office Administrator III**

**MURRAY CITY MUNICIPAL COUNCIL  
COUNCIL MEETING**

Minutes of Tuesday, September 17, 2024

Murray City Hall, 10 East 4800 South, Council Chambers, Murray, Utah 84107

**Attendance:**

Council Members:

Pam Cotter	District #2 – Council Chair
Rosalba Dominguez	District #3
Diane Turner	District #4
Adam Hock	District #5 – Council Vice-Chair

Excused: Paul Pickett – District #1

Others:

Brett Hales	Mayor	Jennifer Kennedy	City Council Executive Director
Doug Hill	Chief Administrative Officer	Pattie Johnson	Council Administration
Mark Richardson	City Attorney	Brenda Moore	Finance Director
Rob White	IT Director	Brooke Smith	City Recorder
David Rodgers	Senior Planner	Joey Mittelman	Fire Chief
Greg Bellon	Power Director	Russ Kakala	Public Works Director
Deneiva Knight	Comcast NBC Universal	Kim Sorensen	Parks and Recreation Director
Ryan Herath	Murray Rotary Club	Maria Vauhler Fleyden	Murray Rotary Club
Darlene Duffin	Kids Read Volunteer	Jennifer Covington	Murray School District – Superintendent
Linda Brown	Kids Read	Jeormaine Tharlouse	Kids Read
Allysa Sullivan	Miss Murray	Gene Davis	State Senator - Retired
Camron Kollman	IT	Citizens	

**Call to Order:** 6: 45 p.m. – Council Member Cotter

**Approval of Minutes:** Council Meeting, August 13, 2024.

**MOTION:** Ms. Dominguez moved to approve, and Ms. Turner SECONDED the motion.

Voice vote taken, all “Ayes.” Approved 4-0

**Special Recognition:**

- Murray City Employee of the Month, Randy Hallam, Fire Department Captain** – Mayor Hales and Fire Chief Mittelman presented Randy Hallam with a certificate and a \$50 gift card. Captain Hallam was commended for his loyalty and dedicated service as Fire Captain of the Murray Fire Department.
- Consider a Joint Resolution of the Mayor and Municipal Council of Murray City declaring Tuesday, September 17, 2024 as “Brighter Futures Through Reading” Day.** Mayor Hales introduced Lynda Brown, President of Kids Read, expressed appreciation for all she has done for children in the Murray community and read the joint resolution.

**MOTION:** Ms. Dominguez moved to approve the joint resolution. Mr. Hock SECONDED the motion.

**Council Roll Call Vote:**

Ms. Dominguez Aye

Ms. Turner Aye

Mr. Hock Aye

Ms. Cotter Aye

Motion passed: 4-0

**Citizen Comments:**

Hal Luke - Murray Resident and Murray Senior Recreation Center Advisory Board Member

Mr. Luke expressed appreciation to Council Members for supporting the Senior Center. He thanked City staff for maintaining a clean and enjoyable facility and for assisting with activities and programs. He reported that the billiard room had been converted into an exercise studio and conference room, as there had been a decline in pool playing by visitors over the years. Spinner bikes were added to the northern part of the room and the other part of the room can be used for Chakra meditation, Chari Yoga and other future exercise classes.

DeLynn Barney – Murray Resident

Mr. Barney congratulated Captain Hallam for being recognized as Employee of the Month. He expressed gratitude for Murray police officers, fire fighters and lifeguards who learn lifesaving skills to help and rescue those who are in trouble or injured.

**Public Hearing:**

**Consider an ordinance amending the city's Fiscal Year 2024-2025 Budget.** Finance Director Brenda Moore said the budget opening would reallocate previous fiscal year balances to the current fiscal year. The transactions involve rolling forward CIP funding, allocating various grant funding, adjusting health benefits due to insurance enrollment changes, and funding a new 2025 CIP project.

In addition, grant funding would be allocated to various budgets in the GF (General Fund); Form Base Code would be funded from GF reserves for the Murray City Center District. Last year's funding for ongoing Class C Road projects would be rolled forward into the current budget for Class C Road projects.

Ms. Moore said regarding expenditures for Enterprise Funds, the Water Fund would spend \$495,000, Wastewater \$1.8 million, Murray Golf Course \$70,000, Storm Water \$265,000 and the Power Fund \$4,953,700. In the CIP Fund, transactions totaling \$14,515,594 involve rolling money forward for active projects and to fund future projects. Ms. Moore clarified that \$3.7 million of that amount would fund street and road projects.

Ms. Moore confirmed funding the new project required purchasing property on Vine Street, which would require a \$1 million transfer from CIP reserves.

The public hearing was open for public comments. No comments were given, and the public hearing was closed.

**MOTION:** Ms. Turner moved to approve the ordinance. Ms. Dominguez SECONDED the motion.

Council Roll Call Vote:

Ms. Dominguez Aye

Ms. Turner Aye

Mr. Hock Aye

Ms. Cotter Aye

Motion passed: 4-0

**Business Item:**

**Consider a resolution of the Municipal Council (The “Council”) of Murray City, Utah (The “City”), declaring the City's intention to reimburse itself for expenditures incurred in connection with financing all or a portion of capital improvements to the electrical systems of the City, and related improvements, with proceeds of bonds that the City intends to issue, and related matters.** Ms. Moore said the proposed resolution did not commit the City to bonding, but clarifies that once the resolution was approved, any future bond money could

be used to cover past power project expenses.

She explained that payments on two power transformers would begin even though the City would not receive them for 3 more years and the downpayment of \$1.3 million for both of them must be paid soon. She favored the resolution because expenses like the downpayment on two transformers and paying for other projects would come from reserves. If bonding was necessary, she would be able to repay Power Fund reserves with bond proceeds and keep power reserves at an appropriate level.

Ms. Moore said that while the resolution permits the City to issue bonds for up to \$25 million, bonding may not be required, but it does remain a possibility. She and staff will be working to prioritize power projects, determine the cost for each one which is unknown at this time. They will keep the Council informed. She noted the total cost for the two transformers was \$7.5 million so bond proceeds could be used to reimburse the City.

Ms. Moore said Power Fund reserves are currently between \$12 million and \$15 million so it is likely that the City would be bonding in the future. She reiterated that the proposed resolution was intended only to allow reimbursement if the City should bond. If and when bonding becomes necessary for power projects, she will return to the City Council for approval and to discuss the related details.

Mr. Hock said future bonding would not include a new facility for the Power Department. Ms. Moore agreed that CIP project would not take place, but a bond would provide for the construction of a new Power Department warehouse that could shelter costly vehicles, transformers and wiring inside, as well as, pay for smaller electrical projects needed throughout the Murray electrical system.

**MOTION:** Mr. Hock moved to approve the resolution. Ms. Turner **SECONDED** the motion.

**Council Roll Call Vote:**

Ms. Dominguez	Aye
Ms. Turner	Aye
Mr. Hock	Aye
Ms. Cotter	Aye
Motion passed:	4-0

**Mayor's Report and Questions:** Mayor Hales encouraged attendance for two upcoming events, a concert held at the Murray Amphitheater and the Dine and Dance social event held at the City Hall Plaza.

**Adjournment:** 7:27 p.m.

**Pattie Johnson**  
**Council Office Administrator III**



**MURRAY**  
CITY COUNCIL

# Special Recognition



**MURRAY**

# **City Council/Mayor**

## **Employee of the Month - Lori Edmunds**

### **Council Action Request**

#### **Council Meeting**

Meeting Date: October 15, 2024

<b>Department Director</b> Jennifer Kennedy	<b>Purpose of Proposal</b> Employee of the Month recognition
<b>Phone #</b> 801-264-2622	<b>Action Requested</b> Informational only
<b>Presenters</b> Rossalba Dominguez Brett Hales Kim Sorensen	<b>Attachments</b> Recognition Form
<b>Budget Impact</b>	<b>Description of this Item</b> None
<b>Required Time for Presentation</b>	See Employee of the Month Recognition Form
<b>Is This Time Sensitive</b> No	
<b>Mayor's Approval</b>	
<b>Date</b> October 1, 2024	

## EMPLOYEE OF THE MONTH RECOGNITION

DEPARTMENT:

DATE:

Parks and Recreation

September 30, 2024

NAME of person to be recognized:

Submitted by:

Lori Edmunds

Kim Sorensen

DIVISION AND JOB TITLE:

Cultural Arts Director

YEARS OF SERVICE:

8

REASON FOR RECOGNITION:

I am nominating Lori Edmunds for Employee of the Month due to her extraordinary effort in scheduling and arranging the new September concert series at the Murray Amphitheater. In her role as the Cultural Arts Director, Lori oversees the entire cultural arts division for Murray City, and her dedication to bringing fresh, engaging programming to our community is commendable. This year, Lori organized four exceptional events as part of the concert series, which included performances by ADBACADABRA (an ABBA tribute band), DSB (a Journey tribute band), Toast (a Bread experience), and Fleetwood Visions (a Fleetwood Mac tribute band). These concerts were not only incredibly well-received but also enjoyed by all those in attendance. Remarkably, three of the four concerts sold out, which is a testament to Lori's ability to select programming that resonates with our community. While the time and effort Lori dedicates to developing such high-quality programming often goes unnoticed, the impact of her work is substantial. She is a true asset to Murray City, and her commitment to enhancing the cultural life of our community deserves recognition.

COUNCIL USE:

MONTH/YEAR HONORED



**MURRAY**  
CITY COUNCIL

# Citizen Comments

Limited to three minutes, unless otherwise approved by Council



**MURRAY**  
CITY COUNCIL

# Public Hearings



**MURRAY**  
CITY COUNCIL

# Public Hearing #1



**MURRAY**

## **Council Action Request**

# **Community and Economic Development**

**Andrew Allman**  
**323 E. Winchester Street**

### **Council Meeting**

Meeting Date: October 15, 2024

<b>Department Director</b> Phil Markham	<b>Purpose of Proposal</b> Amend Zone Map. Zoning: R-1-8 to R-N-B
<b>Phone #</b> 801-270-2427	<b>Action Requested</b> Zone Map Amendment
<b>Presenters</b> David Rodgers	<b>Attachments</b> Slides
<b>Required Time for Presentation</b> 10 minutes	<b>Budget Impact</b> None Anticipated
<b>Is This Time Sensitive</b> No	<b>Description of this Item</b> Andrew Allman is requesting a zone map amendment of a parcel with a single-family home from the R-1-8 Zone to the R-N-B Zone. This zone change is to facilitate future development at the site that allows for land uses that are comparable to several other adjacent parcels in the surrounding area. The reason for the zone change is to bring the parcel's zoning in line with several surrounding properties and to match the future land use map from the 2017 Murray City General Plan.
<b>Mayor's Approval</b>	The Planning Commission conducted a public hearing on July 18th, 2024 and voted 4-0 recommending that City Council approve the requested changes.
<b>Date</b> September 18, 2024	

# Murray City Corporation

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 15<sup>th</sup> day of October, 2024, at the hour of 6:30 p.m. in the Council Chambers of the Murray City Hall, 10 East 4800 South, Murray, Utah, the Murray City Municipal Council will hold and conduct a hearing on and pertaining to amending the Zoning Map from the R-1-8 (Single Family Low-Density) zoning district to the R-N-B (Residential Neighborhood Business) zoning district for the property located at 323 East Winchester Street, Murray, Utah.

The purpose of this hearing is to receive public comment concerning the proposed amendment to the Zoning Map as described above.

DATED this 12<sup>th</sup> day of September 2024.



MURRAY CITY CORPORATION

A handwritten signature in blue ink that reads "Brooke Smith".

Brooke Smith  
City Recorder

DATE OF PUBLICATION: October 4, 2024  
PH24-35

UCA §10-9a-205(2)

### LOCATIONS OF POSTING – AT LEAST 10 CALENDAR DAYS BEFORE THE PUBLIC HEARING:

1. Mailed to Each Affected Entity
2. Utah Public Notice Website
3. City's Official Website
4. City Hall - Public Location Reasonably Likely to be Seen By Residents
5. Mailed to each property owner within 300 feet (*Murray City Code 17-04-140*)

ORDINANCE NO. 24-\_\_\_\_\_

AN ORDINANCE RELATING TO LAND USE; AMENDS THE ZONING MAP FROM R-1-8 (SINGLE FAMILY LOW-DENSITY) TO R-N-B (RESIDENTIAL NEIGHBORHOOD BUSINESS) FOR THE PROPERTY LOCATED AT 323 EAST WINCHESTER STREET, MURRAY CITY

BE IT ENACTED BY THE MURRAY CITY MUNICIPAL COUNCIL AS FOLLOWS:

WHEREAS, the owner of the real property located at 323 East Winchester Street, Murray, Utah, has requested a proposed amendment to the Zoning Map to designate the property in a R-N-B (Residential Neighborhood Business) zone district; and

WHEREAS, it appearing that said matter has been given full and complete consideration by the City Planning and Zoning Commission; and

WHEREAS, it appearing to be in the best interest of the City and the inhabitants thereof that the proposed amendment of the Zoning Map be approved.

NOW, THEREFORE, BE IT ENACTED:

*Section 1.* That the Zoning Map and the zone district designation for the described property located at 323 East Winchester Street, Murray, Utah be amended from the R-1-8 (Single Family Low-Density) zone district to the R-N-B (Residential Neighborhood Business) zone district:

**Legal Description**

*Commencing at a point which is 29.3 rods North and South 84°45'00" East 158.31 feet from the center of Section 19, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence South 84°45'00" East 64.25 feet; thence North 258.49 feet; thence West 55.72; thence South 01°58'00" West 252.75 to the point of Beginning.*

*Section 2.* This Ordinance shall take effect upon the first publication and filing of copy thereof in the office of the City Recorder.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this 15<sup>TH</sup> day of October, 2024.

MURRAY CITY MUNICIPAL COUNCIL

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Pam Cotter, Chair

ATTEST:

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Brooke Smith, City Recorder

Transmitted to the Office of the Mayor of Murray City on this \_\_\_\_\_ day of  
\_\_\_\_\_, 2024.

MAYOR'S ACTION: Approved

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

---

Brett A. Hales, Mayor

ATTEST:

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Brooke Smith, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance was published according to law on the \_\_\_\_\_  
day of \_\_\_\_\_, 2024.

---

Brooke Smith, City Recorder

~DRAFT~

Minutes of the Planning Commission meeting held on Thursday, July 18, 2024, at 6:30 p.m. in the Murray City Council Chambers, 10 East 4800 South, Murray, Utah.

A recording of this meeting is available for viewing at <http://www.murray.utah.gov> or in the Community and Economic Development office located at 10 East 4800 South, Suite 260.

The public was able to view the meeting via the live stream at <http://www.murraycitylive.com> or <https://www.facebook.com/Murraycityutah/>. Anyone who wanted to make a comment on an agenda item was able to submit comments via email at [planningcommission@murray.utah.gov](mailto:planningcommission@murray.utah.gov).

Present: Ned Hacker, Vice Chair  
Lisa Milkavich  
Jake Pehrson  
Michael Henrie  
Zachary Smallwood, Planning Division Manager  
David Rodgers, Senior Planner  
Mustafa Al Janabi, Planner I  
Mark Richardson, Deputy Attorney  
Members of the Public (per sign-in sheet)

Excused: Maren Patterson, Chair  
Michael Richards  
Pete Hristou

The Staff Review meeting was held from 6:00 p.m. to 6:30 p.m. The Planning Commission members briefly reviewed the applications on the agenda. An audio recording is available at the Murray City Community and Economic Development Department Office.

**CALL MEETING TO ORDER**

Vice Chair Hacker called the meeting to order at 6:34 p.m.

**BUSINESS ITEMS**

**APPROVAL OF MINUTES**

Commissioner Milkavich made a motion to approve the minutes for June 6<sup>th</sup>, 2024.

Seconded by Commissioner Henrie. A voice vote was made with all in favor.

**CONFLICT(S) OF INTEREST**

There were no conflicts of interest for this meeting.

**FINDINGS OF FACT**

Commissioner Pehrson made a motion that Planning Commission approve the findings of fact and conclusions for RC Automotive and Erekson State Farm.

Seconded by Commissioner Henrie. A voice vote was taken, with all in favor.

#### CONDITIONAL USE PERMIT(S) - ADMINISTRATIVE ACTION

##### NA Auto - 4195 South 500 West #18 - Auto Sales Business - Project # 24-074

Hala Abdulhadi was present to represent this request. Mustafa Al Janabi presented the application for a conditional use permit for an automotive sales business in the M-G zone. He showed the site plan with pictures of the lot. He provided details regarding the lot size. He discussed the layout of the shop. He said that the parking provided by the application exceeds the requirements. Staff recommends approval of this application.

Hala Abdulhadi approached the podium. Vice Chair Hacker asked if she had read and could comply with the conditions. She said yes.

Commissioner Milkavich asked for clarification on which unit was included in the business. The applicant said it's units 17 and 18.

Staff and commissioners had a discussion regarding the ADA parking space. There is currently no ADA parking space designated. A condition will be added stating that the property owner will need to work with staff to locate a dedicated ADA space for the building.

Vice Chair Hacker opened the public comment period for this agenda item. Seeing none, the public comment period was closed.

Commissioner Pehrson made a motion that the Planning Commission approve a conditional use permit to allow an auto sales business at the property addressed 4195 South 500 West Unit #18, subject to the following conditions, with an additional condition that the applicant and property owner will work with staff to determine and appropriate location for an ADA space:

1. The applicant shall obtain a Murray City Business License prior to beginning operations at this location.
2. The project shall comply with all applicable building and fire code standards.
3. The applicant shall obtain permits for any new attached or detached signs proposed for the business.
4. The applicant shall maintain clear, appropriate vehicular access to the overhead doors on the building at all times. The applicant shall maintain a Utah Motor Vehicle

Seconded by Commissioner Henrie. Roll call vote:

A Hacker  
A Milkavich  
A Henrie  
A Pehrson

Motion passes: 4-0

Secured Auto - 4285 South State Street - Auto Services Building and Use - Project # 24-051

Eli and Joe Watson, and Barr Carlisle were present to represent the request. Mustafa Al Janabi presented the application for site plan review and a conditional use permit to construct a building for an auto service business in the C-D zone. He presented the site plan showing the floor plan of the shop. He described the size and layout of the business, including the location of bays and restrooms. He showed the access areas on a map, as well as the location of parking spaces. He indicated that the business exceeds the requirement for parking spaces. He said that the applicant has exceeded the landscaping requirements. He described the details of the floor plan and shared access with other tenants. Staff recommends the approval of this application.

Commissioner Milkavich asked for clarification on the number of bays. Mr. Al Janabi said there are eight.

Joe Watson approached the podium. He asked for clarification on the condition related to the dumpsters. Mr. Smallwood said, if there are going to be shared dumpsters, they need to make sure that they provide the details of that arrangement they have with other business and that they'll comply, as part of the conditions.

Mr. Watson asked about the fence. He said they've been collaborating with an adjacent neighbor about the fence. Mr. Watson would like to request a six-foot concrete retaining wall, with a six-foot chain link fence on top of that, due to the slope on that side of the property.

Mr. Watson and the commissioners had a discussion regarding his fencing request. The commissioners expressed concerns that the chain link fence would not provide enough privacy for the neighbors below. Mr. Watson said the fence would have privacy panels.

Mr. Smallwood said that the Planning Commission does not have the authority to alter the fence requirements. The code requires a six-foot solid masonry wall. The commission could grant two additional feet as an exception. The applicant would need to request a variance to do what they've suggested. He said he can address this with Mr. Watson outside of this meeting.

Mr. Smallwood and the commissioners discussed the fence in more detail. The condition for the allowance of an eight-foot masonry fence can still be included for approval, because it is not a requirement but if the applicant wants to add the additional height they may do so.

Vice Chair Hacker asked Mr. Watson if he's read and can comply with the condition. He said he has read them and he can comply.

Vice Chair Hacker opened the public comment period for this agenda item. Seeing none, the public comment period was closed.

Commissioner Henrie made a motion that the planning commission approve the site plan and conditional use permit to allow the construction and operation of an automobile repair and service business at the property addressed 4339 South State Street, subject to the following conditions:

1. The applicant shall meet all requirements of the Engineering Department including:

- a) Meet City storm drainage and LID requirements, on-site detention / retention is required – City Code Chapter 13.52.050. Provide a site drainage and LID report.
- b) Maintain all drainage on site.
- c) Provide water quality treatment and cleanout for stormwater discharge to the retention system – City Code 13.52.050.
- d) Obtain a City building permit for the proposed retaining wall along the east property line to address the 10-foot grade difference between properties – City Code 17.04.080. Coordinate any fence and tree removals along the property line with adjacent property owners.
- e) Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning site construction work - City Code Chapter 13.52.030.
- f) Obtain a City Excavation Permit for work in the City right-of-way City - Code Chapter 12.16.020.

2. The applicant shall meet all requirements of the Murray City Power Department.
3. The applicant shall meet all Murray City Fire Department requirements.
4. The applicant shall meet all Murray City Water requirements.
5. The applicant shall obtain approval from Cottonwood Improvement District as stated in Murray wastewater review.
6. The applicant shall meet all requirements of the C-D Commercial Development, Section 17.160.
7. The applicant shall meet all landscaping requirements in Section 17.68.
8. At building permit submittal, the applicant shall provide details on the dumpster enclosure, ensuring it meets the standards in Section 17.76.170.
9. The applicant shall construct a minimum of six foot (6') and up to a maximum of eight foot (8') high solid masonry fence along the east property line.
10. The applicant shall obtain a Murray City Business License prior to beginning operations at this location.
11. The applicant shall apply for applicable building permits for the building and any proposed signage.

Seconded by Commissioner Pehrson. Roll call vote:

A Hacker  
A Milkavich  
A Henrie  
A Pehrson

Motion passes: 4-0

#### GENERAL PLAN / ZONE MAP AMENDMENT

Andrew Allman Rezone - Zone Map Amendment from R-1-8, Low Density Single Family to R-N-B, Residential Neighborhood Business - Project # 24-064

Andrew Allman was present to represent the request. David Rodgers presented this application. The applicant is requesting a zone map amendment of a parcel that currently has a single-family home from the R-1-8 low-density residential zone to the R-N-B residential neighborhood business zone. This zone change is to facilitate future development at the site that allows for land uses that are comparable to several other adjacent parcels in the area. Along with that, this zone change will bring

the parcel zoning in line with the Future Land Use map from the Murray City General Plan. He showed a map of the current zoning, as well as the Future Land Use map. He outlined the differences and similarities between the two zones. He said that notices were sent out to residents and afflicted entities within 300 feet of the property. Staff received two phone calls and an email. One of the calls was to ask clarifying questions about the zone change, and the other was to voice opposition to this change. He stated the staff findings and ways to manage the impacts of the zone change. Staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the requested zone map amendment.

Vice Chair Hacker opened the public comment period for this agenda item.

Karen Thorne approached the podium and asked for clarification on what was being proposed. Vice Chair Hacker said staff would do so after public comments.

Mr. Rodgers read the email that Ms. Thorne sent. She said she doesn't want a parking lot at the entrance to our neighborhood. She's upset that they already have a power plant within view and a parking lot would further reduce the aesthetic. She doesn't not want to see the old growth trees removed to put this parking lot in and doesn't feel this is in keeping with the Murray motto of "Tree City." She wants to know where the green space will be and what is the landscaping plan.

Vice Chair Hacker closed the public comment period. He asked planning staff to address the land uses for this zone.

Mr. Rodgers discussed what was being proposed and provided details on the difference between the zones. He showed the two zones on the map. He discussed the General Plan and the Future Land Use map. He said the proposed change would bring the zone into harmony with the city's General Plan. He discussed the permitted and conditional uses each zone. He discussed features such as aesthetics, setbacks, buffering and the types of businesses that would be permitted.

The commissioners and Mr. Smallwood had a discussion regarding tree buffers. Mr. Smallwood said that a requirement for this property to have a tree buffer can be decided at a later date. He said this request is only to address the zoning and not for a specific application.

Ms. Thorne asked what the space will be used for. Vice Chair Hacker said this request is for a zone change and does not address a specific use at this point.

Commissioner Pehrson made a motion that the Planning Commission forward a recommendation of approval to the City Council for the requested amendment to the Zoning Map designation of the property located at 323 East Winchester from R-1-8, Single Family Low Density to R-N-B, Residential Neighborhood Business as described in the Staff Report.

Seconded by Commissioner Milkavich. Roll call vote:

A Hacker  
A Milkavich  
A Henrie  
A Pehrson

Motion passes: 4-0

### LAND USE TEXT ORDINANCE AMENDMENT(S)

#### Chapter 17.78 Accessory Dwelling Units Amendments 1 of 2 - Staff Sponsored Text Amendment Regarding Detached ADUs - Project # 24-076

Zachary Smallwood presented this agenda item. Planning Division Staff propose amendments to the language in the ADU ordinance, chapter 17.78 Accessory Dwelling Units(ADUs). The request addresses changes to the detached accessory dwelling unit standards. He outlined the portions of the ordinance that are proposed for changes.

The commissioners and Mr. Smallwood had a discussion about the proposed changes to language regarding the setbacks and lot sizes. They decided that, if the Planning Commission moves forward with a recommendation to the City Council, staff will add the language for a requirement to meet the corner side setback of 20 feet.

The commissioners and Mr. Smallwood discussed the requirement of ADU's to match the architectural style, materials, and colors. They felt that requirement was prohibitive. They agreed the language could be changed to require the materials to be compatible, but that don't need to match. The commissioners expressed concerns regarding the type of structure that would be built. They wanted to make sure that the language ensures a viable structure is built. Mr. Smallwood said that the ADU still has to meet city building codes.

Vice Chair Hacker and Mr. Smallwood had a discussion about the language regarding short-term rentals. Mr. Smallwood said that the issue of short-term rentals is up for a vote with the City Council in the near future. They agreed to keep the language regarding 30-day rentals for the time being.

Commissioner Henrie made a motion to table this agenda item until the language was revised. Seeing no second, the motion failed.

Vice Chair Hacker opened up the agenda item for public comment period. Seeing none, the public comment period was closed.

The commissioners had a discussion on whether to make the changes at the meeting or have staff bring back the item with their direction. It was discussed that it would be a good opportunity for the remaining commissioners to have input on the item as well.

Commissioner Henrie made a motion to table the agenda item until staff modifies the language in the ordinance for side yard setbacks and short-term rentals.

Seconded by Commissioner Milkavich. Roll call vote:

A Hacker  
A Milkavich  
A Henrie  
N Pehrson

Motion passes: 3-1

### DISCUSSION ITEM(S)

#### Form Based Code Discussion

Zachary Smallwood presented this agenda item. He introduced Mark Morris from VODA Landscape and Design, the firm who will be consulting on the form-based code.

Mr. Morris said he's been working with planning staff and a small committee in the process of developing a form-based code for the city center area. He described his previous experience with developing form-based codes for other cities. He said he'd introduce the project and address some frequently asked questions. He described the differences between form-base code and traditional land use code. He discussed the benefits of form-based code for property owners. He provided a brief history of form-based code. He addressed the focus and intent of form-based code. He described in detail what a form-based code is, and isn't, as well as how it's applied. He showed illustrations of form-based codes that had been implemented in other cities. He discussed how the form-based code applied to Murray's city center and how the code supports the goals of the strategic plan.

Commissioner Henrie and Mr. Smallwood discussed that form-based code does not inform architectural style. Commissioner Henrie expressed concern for the aesthetic of the city center.

Mr. Morris explained that a function of form-based code is to create cohesiveness through the use of consistent features.

Mr. Pehrson asked if the form-based code is meant to replace most of the existing MCCD zone. Mr. Morris said that's correct. Mr. Smallwood said there would be small boundary adjustments. They will look at the key initiatives of the General Plan and make sure that the code supports those. Mr. Morris showed a map of the proposed city center district boundaries. He defined zone districts and said that the city center district will have subdistricts. The code will include new development that complements the existing historic structures. He discussed the use of prototypes to demonstrate how the code would be implemented. He defined various terminology that applies to form-based code. He discussed appropriate land use for form-based code.

Commissioner Henrie and Mr. Smallwood had discussion about how form-based code would affect the concept of permitted, conditional and prohibited uses. The form-based code aims to streamline those concepts.

Commissioner Pehrson asked why the Arlington is not included in the form-based code. Mr. Rodgers said that the development agreement was already in place before these discussions began and that it would be prohibitive to require them to adhere to it at this point. The Arlington may end up remaining in the MCCD until it's entitled and then change it to a different zone. A recommendation will be presented to the Planning Commission at a later date.

Mr. Smallwood said he picked commissioners and board members randomly to participate in the form-based code steering committee. Commissioner Richards and Council Members Hock and Turner from The City Council have been selected to be a part of that process.

**ANNOUNCEMENTS AND QUESTIONS**

The next scheduled meeting will be held on Thursday, August 1<sup>st</sup>, 2024, at 6:30 p.m. MST in the Murray City Council Chambers, 10 East 4800 South, Murray, Utah.

**ADJOURNMENT**

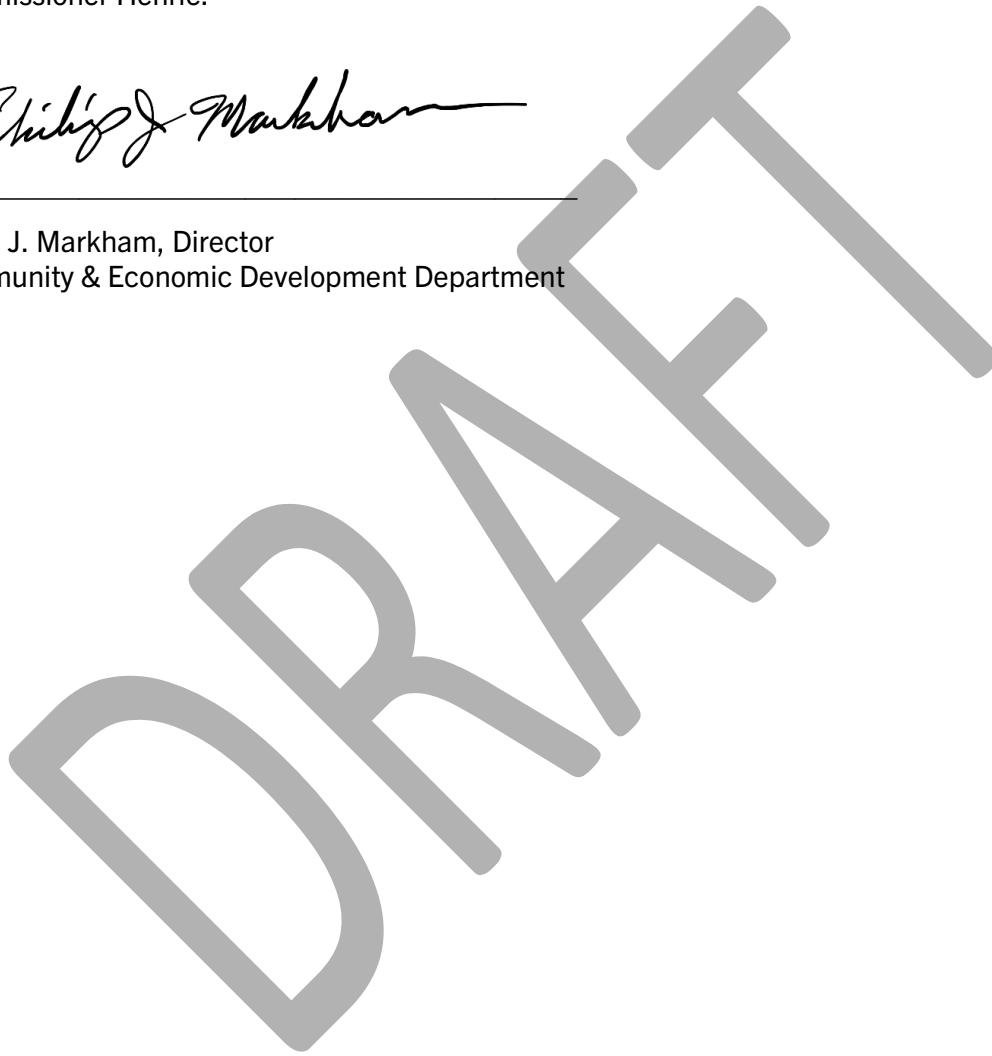
Commissioner Pehrson made a motion to adjourn the meeting at 8:48 p.m. Seconded by Commissioner Henrie.



A handwritten signature in black ink that reads "Philip J. Markham".

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Philip J. Markham, Director  
Community & Economic Development Department



A large, semi-transparent watermark in a bold, sans-serif font that reads "DRAFT". The text is oriented diagonally, sloping upwards from the bottom-left towards the top-right.



## AGENDA ITEMS # 06 - Allman Zone Amendment

ITEM TYPE:	Zone Map Amendment		
ADDRESS:	323 E. Winchester	MEETING DATE:	July 18 <sup>th</sup> , 2024
APPLICANT:	Andrew Allman	STAFF:	David Rodgers, Senior Planner
PARCEL ID:	22-19-254-013	PROJECT NUMBER:	24-064
CURRENT ZONE:	R-1-8, Single Family Low Density	PROPOSED ZONES:	R-N-B, Residential Neighborhood Business
LAND USE DESIGNATION	Residential Business	PROPOSED DESIGNATION	N/A
SIZE:	.34 acres		
REQUEST:	The applicant would like to amend the zoning of the subject property to fit in with the general plan and several surrounding properties.		

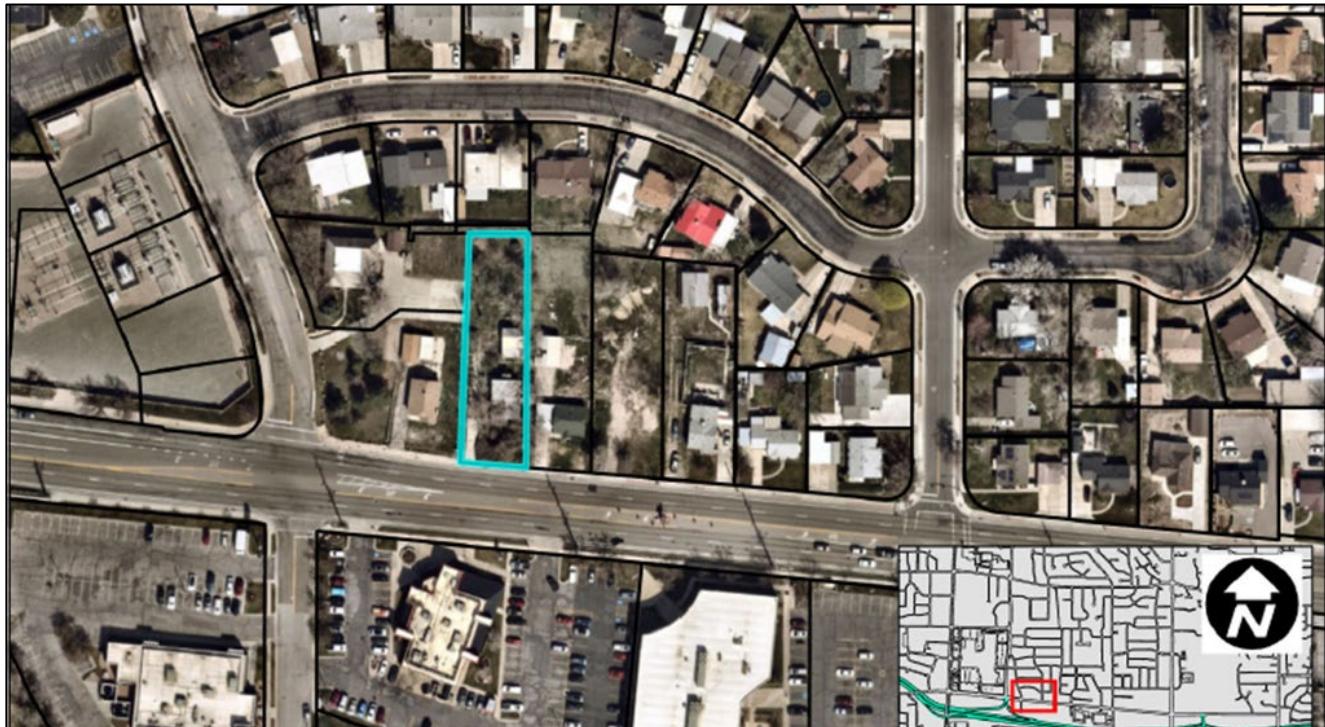


Figure 1: Ariel View of Parcel

## I. BACKGROUND

Andrew Allman is requesting a zone map amendment of a parcel with a single-family home from the R-1-8 Zone to the R-N-B Zone. This zone change is to facilitate future development at the site that allows for land uses that are comparable to several other adjacent parcels in the surrounding area. The reason for the zone change is to bring the parcel's zoning in line with several surrounding properties and to match the Future Land Use Map from the 2017 Murray City General Plan.

The subject property consists of one parcel that is .34 acres in the R-1-8, Low Density Single-Family Residential Zone east of 300 East and on the north side of Winchester Street. Surrounding properties on the North and East are located within the R-1-8 Zone, while the property to the West is in the R-N-B Zone. The property across Winchester Street is the Red Robin restaurant located in the G-O Zone.

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Single Family Residential	R-1-8
South	Office	G-O
East	Single Family Residential	R-1-8
West	Residential Business	R-N-B

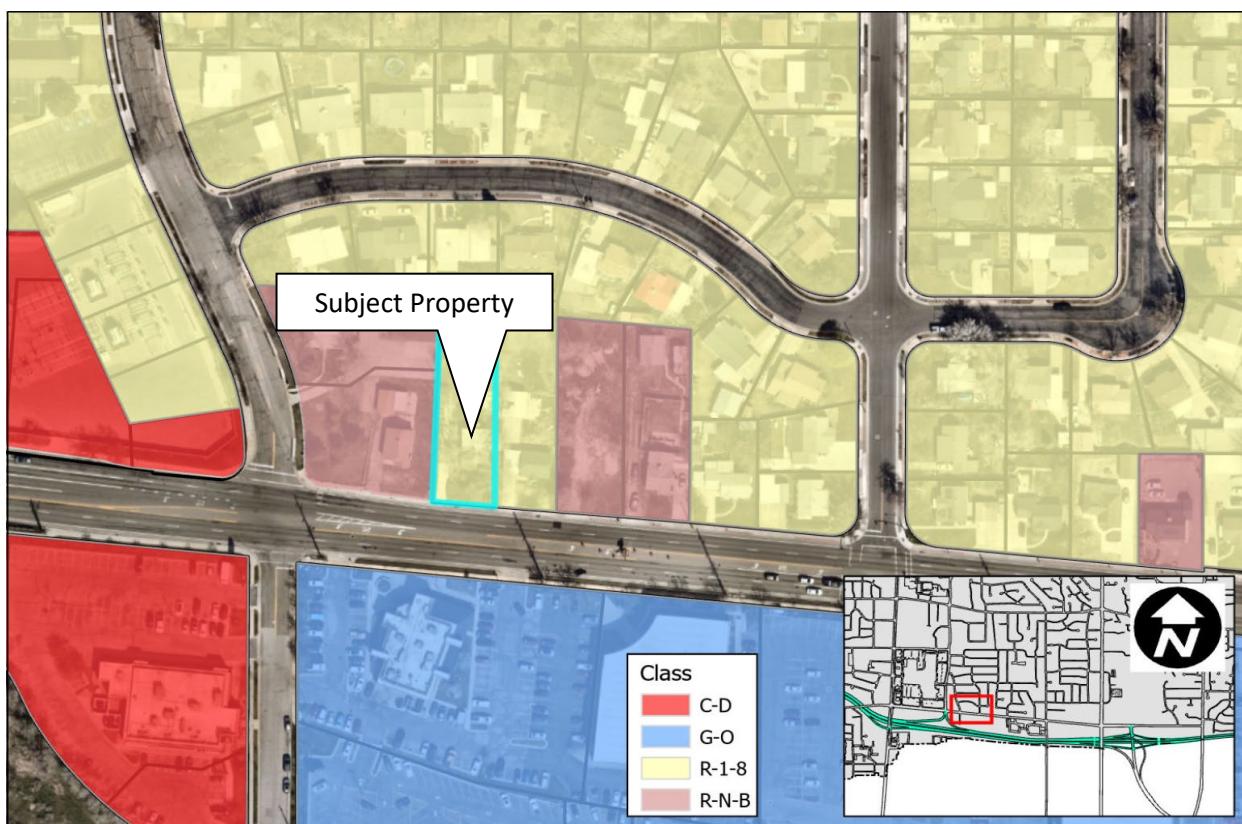


Figure 2: Zoning Map segment

## II. ANALYSIS

### Zoning Considerations

The subject property is in the R-1-8, Single-Family Low-Density Zoning District. The surroundings properties are either in the R-N-B or the R-1-8 zones, except for the property located across Winchester, which is zoned G-O. This area is developing into a buffer between the businesses on Winchester and the single-family neighborhood to the north. Staff supports rezoning the property to R-N-B as this matches the city's long-term goals, as stated in the General Plan, for the area and allows the property owner to redevelop in a way that matches several surrounding uses.

### Allowed Land Uses

Changing the zone from R-1-8 to R-N-B changes the land use from Low-Density Residential to Residential Neighborhood Business. This will allow the parcel to be used as a buffer between single-family housing and heavier commercial uses on Winchester. Several of the nearby parcels are already in this zone and are being redeveloped into office uses.

- **Existing R-1-8, Single Family Low Density Residential Zone:**  
Permitted Uses in the proposed R-1-8 include single-family detached dwellings on 8,000 ft<sup>2</sup> lots, utilities, charter schools, and residential childcare facilities.

Conditional Uses in the proposed R-1-8 include attached single-family dwellings (in Planned Unit Developments, or PUDs) telephone stations and relay towers, radio and television transmitting stations, parks, schools and churches, utilities, cemeteries, libraries, and group instruction in single-family dwellings.

- **Proposed R-N-B, Residential Neighborhood Business Zone:**  
Permitted Uses in the proposed R-N-B zone include single-family detached dwellings that must meet the requirements of the R-M-10 zone, twin homes, two-family dwellings (duplex) that must meet the requirements of the R-M-10 zone, residential disability care facilities, residential elderly care facilities, utilities, travel agencies, florists, optical goods, insurance offices, real estate offices, portrait photography, beauty and barber services, physician's offices, dental offices, other medical services, legal services, engineering firms, accounting and tax services, art and design studios, business consulting services, art, drama, and music schools, and dancing schools.

Conditional Uses in the proposed R-N-B include bed and breakfasts, delicatessen and lunch facilities without drive-throughs, health food facilities without drive-throughs, antiques, books and hobby supplies, gift shops and boutiques, banking and credit union services, tanning/sauna/message salon, dental laboratory services, protective functions, K-12 Schools, residential childcare facilities, denominational and sectarian

schools, churches, business associations, professional membership organizations, political and civic organizations and non-profit organizations.

### Zoning Regulations

The more directly comparable regulations for setbacks, height, and parking between the existing A-1 and proposed R-1-8 zones are summarized in the table below.

	<b>R-1-8 (existing)</b>	<b>R-N-B</b>
Height	35'	20' (30' with CUP)
Front yard setback	25'	20'
Rear Yard setback	25'	20'
Side Yard setbacks	8' minimum, total of 20'	8'
Corner Yard setback	20'	20'
Parking Required	2 spaces per dwelling	Based on Use

*Figure 3: Compared Regulations in existing and proposed zones.*

### General Plan Considerations

The purpose of the General Plan is to provide overall goal and policy guidance related to growth and planning issues in the community. The General Plan provides for flexibility in the implementation of the goals and policies depending on individual situations and characteristics of a particular site. Map 5.7 of the Murray City General Plan (the Future Land Use Map) identifies future land use designations for all properties in Murray City. The designation of a property is tied to corresponding purpose statements and zones. These “Future Land Use Designations” are intended to help guide decisions about the zoning designation of properties.

The subject property is designated as Residential Business on the Future Land Use Map. This designation states that it is intended for areas where urban public services are available or planned. Areas within this designation are generally small nodes or individual buildings along corridors rather than large centers or complexes. Non-residential or multi-dwelling development will follow a similar development pattern of front setback/yard/landscaping as the surrounding residential context. Staff finds that the request is in harmony with the General Plan.

### General Plan Objectives

There are several goals and objectives taken from various chapters of the General Plan that would be supported by development of the subject property under the R-N-B Zone. The overall goal of Chapter 5, Land Use & Urban Design element is to “provide and promote a mix

of land uses and development patterns that support a healthy community comprised of livable neighborhoods, vibrant economic districts, and appealing open spaces”.

Objective 10 of the Land Use & Urban Design element is shown below (from pg. 5-20 of the General Plan)

**OBJECTIVE 10: PROMOTE A TRANSITION OF DEVELOPMENT PATTERNS BETWEEN COMMERCIAL AREAS AND STABLE RESIDENTIAL NEIGHBORHOODS.**

**Strategy:** Support transitions with form-based development and design guidelines.

**Strategy:** Review zoning to ensure that parcels have the appropriate designation to allow for a transition of uses.

**Strategy:** Adopt more detailed and specific landscape and tree requirements for buffers between commercial and residential areas. Trees must be used as a buffering mechanism; walls alone are not an accepted buffering mechanism.

The applicant’s proposed zone amendment, which is supported by the current land use designation, will allow for future development that provides for a transition between established residential neighborhoods and the commercial area located on Winchester. The overall density will be consistent with the surrounding area and will not have unmanageable impacts.

### III. CITY DEPARTMENT REVIEW

The applications have been made available for review and comment by City Staff from various departments including the Engineering, Water, Wastewater, and Building Divisions and the Fire, Police, and Power Departments. All departments indicated that there are no concerns with the proposed request to change the Zoning Map, with comments provided by the Power and Wastewater Departments shown below:

**Power:**

- Proper safety clearance to remain for future transformer placement.
- Access to the transformer for maintenance, by truck, shall remain in place at all times.
- There is only single phase 120/240V readily available to the site.
- Request to change zoning is not an issue for the Power Department.

**Wastewater:**

- Approve of the zone amendment from R-1-8 to R-N-B
- Include all applicable sewer details directly from the Murray Wastewater Specification book.

- <https://www.murray.utah.gov/DocumentCenter/View/14929/Revised-Wastewater-Spec-Book-2023>
- Include note on Utility sheet C-400 all sewer work must meet Murray City Standards.

These comments are provided as information to the applicant and not conditions of approval. As this is a Zone Map Amendment, there are no conditions required for approval.

#### **IV. PUBLIC COMMENTS**

Twenty-Four (24) notices of the public hearing for the requested amendment to the Zoning Map were sent to all property owners within 300' of the subject property and to affected entities. As of the time of writing this report, staff has received two phone calls and an email for this project. One call was asking clarifying questions about the rezone process and the other voiced opposition to the zoning change. The email has been included in this packet.

#### **V. FINDINGS**

1. The General Plan provides for flexibility in the implementation and execution of the goals and policies based on individual circumstances.
2. The proposed Zone Map Amendment from R-1-8 to R-N-B has been considered based on the characteristics of the site and surrounding area. The potential impacts of the change can be managed within the densities and uses allowed by the proposed R-N-B Zone.
3. The proposed Zone Map Amendment from R-1-8 to R-N-B conforms to important goals and objectives of the 2017 Murray City General Plan and will permit the appropriate use of the subject property.

#### **VI. STAFF RECOMMENDATION**

Based on the background, analysis, and findings within this report, Staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the requested amendment to the Zoning Map designation of the property located at 323 East Winchester from R-1-8, Single Family Low Density to R-N-B, Residential Neighborhood Business as described in the Staff Report.



# MURRAY CITY COUNCIL

October 1<sup>st</sup>, 2024



# Andrew Allman

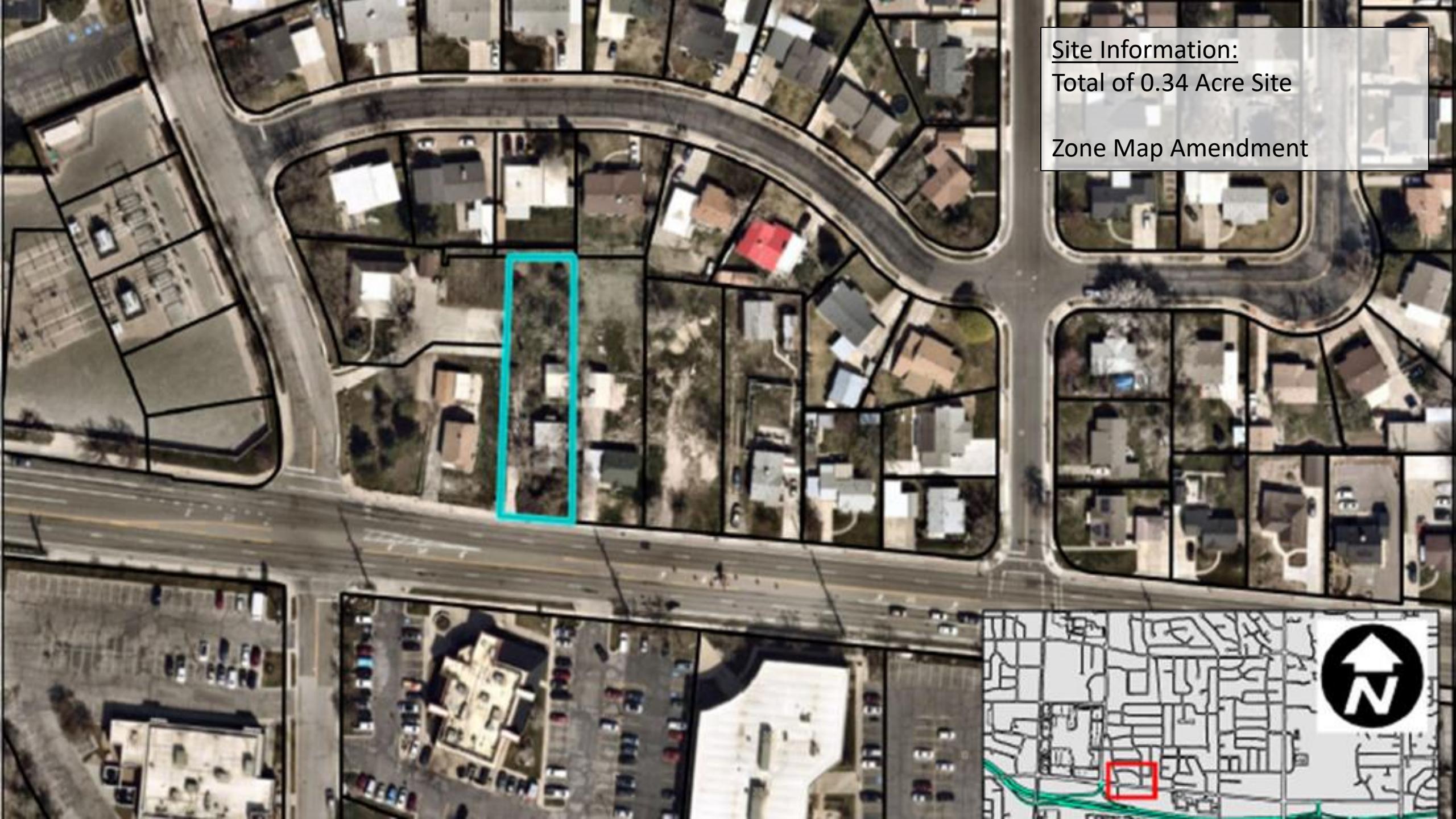
Zone Map Amendment from R-1-8 to R-N-B  
at 323 East Winchester Street



Site Information:

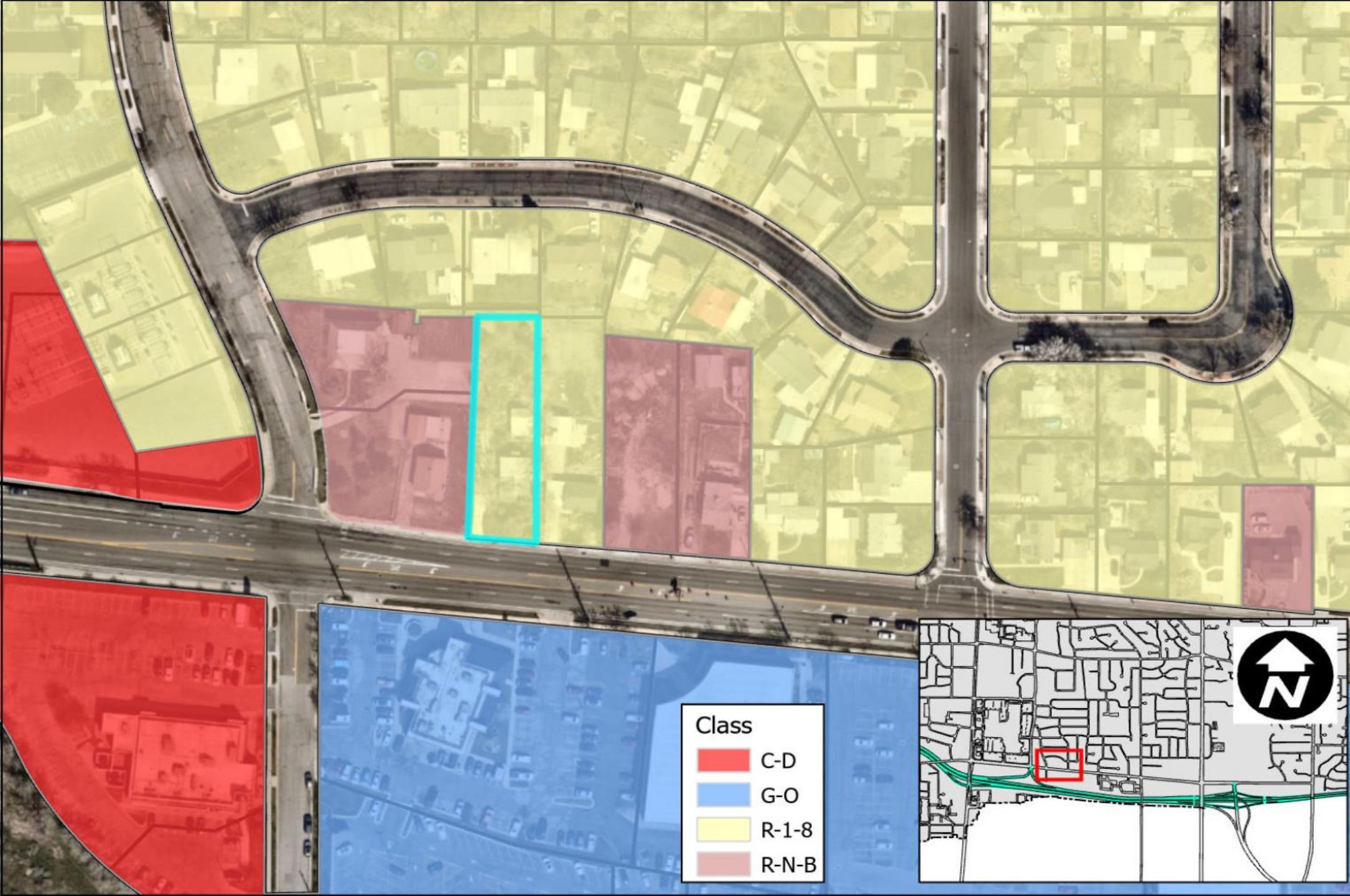
Total of 0.34 Acre Site

Zone Map Amendment



Site Information:  
Total of 0.34  
Acre Site

Zone Map  
Amendment



# General Plan Future Land Use Map



	<b>R-1-8</b>	<b>R-N-B</b>
Residential Density	8,000 sq ft min lot size	8,000 sq ft min lot size for single family/10,000 sq ft min lot size for duplex
Height	35' and 2.5 Stories	20' (30' with PC approval)
Front yard setback	25'	20'
Rear Yard setback	25'	20'
Side Yard setbacks	Minimum 8' total of 20'	8'
Corner Yard setback	20'	20'
Parking Required	2 parking spaces for each single-family dwelling unit	2 parking spaces for each single-family dwelling unit/ 4 stalls per 1,000 sq. ft. of net usable building area for commercial

# Findings

1. The General Plan provides for flexibility in the implementation and execution of the goals and policies based on individual circumstances.
2. The proposed Zone Map Amendment from R-1-8 to R-N-B has been considered based on the characteristics of the site and surrounding area. The potential impacts of the change can be managed within the densities and uses allowed by the proposed R-N-B Zone.
3. The proposed Zone Map Amendment from R-1-8 to R-N-B conforms to important goals and objectives of the 2017 Murray City General Plan and will permit the appropriate use of the subject property.
4. The Planning Commission held a public hearing on July 18<sup>th</sup>, 2024, and voted 4-0 to forward a positive recommendation to the City Council.

# Staff Recommendation

Staff and the Planning Commission recommend that the City Council **APPROVE** the requested amendment to the Zoning Map designation of the property located at 323 East Winchester from R-1-8, Single Family Low Density Residential to R-N-B, Residential Neighborhood Business.



# THANK YOU!





**MURRAY**  
CITY COUNCIL

# Public Hearing #2



**MURRAY**

**Council Action Request**

# **Community and Economic Development**

**Diamond Ridge - Mark Hardy**  
**4734 South Hanauer Street**

**Council Meeting**

Meeting Date: October 15, 2024

<b>Department Director</b> Phil Markham	<b>Purpose of Proposal</b> Amend Zone Map. R-1-6 to R-M-15, Multiple Family Medium Density.
<b>Phone #</b> 801-270-2427	<b>Action Requested</b> Zone Map Amendment
<b>Presenters</b> Zachary Smallwood	<b>Attachments</b> Slides
<b>Required Time for Presentation</b> 10 Minutes	<b>Budget Impact</b> None Anticipated
<b>Is This Time Sensitive</b> No	<b>Description of this Item</b> Diamond Ridge Development Group is requesting a zone map amendment of a parcel with a single-family home from the R-1-6, Single Family Medium Density Zone, to the R-M-15, Multiple Family Medium Density Zone. This zone change is to facilitate future development at the site that would allow for additional housing in the surrounding area.  The subject property consists of one parcel that is .27 acres in the R-1-6, Medium Density Single-Family Residential Zone west of State Street and on the south side of Regal Street. In addition to single-family homes, there are two multi-family developments to the north east and west of the property.  The Planning Commission voted 6-0 to recommend approval of the plan on August 1st, 2024.
<b>Mayor's Approval</b>	
<b>Date</b>	

# Murray City Corporation

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 15<sup>th</sup> day of October, 2024, at the hour of 6:30 p.m. in the Council Chambers of the Murray City Hall, 10 East 4800 South, Murray, Utah, the Murray City Municipal Council will hold and conduct a hearing on and pertaining to amending the Zoning Map from the R-1-6 (Single Family Medium-Density Residential) zoning district to the R-M-15 (Multiple Family Medium-Density Residential) zoning district for the property located at 4734 South Hanauer Street, Murray, Utah.

The purpose of this hearing is to receive public comment concerning the proposed amendment to the Zoning Map as described above.

DATED this 12<sup>th</sup> day of September 2024.



MURRAY CITY CORPORATION

A handwritten signature in black ink.

Brooke Smith  
City Recorder

DATE OF PUBLICATION: October 4, 2024  
PH24-36

UCA §10-9a-205(2)

### LOCATIONS OF POSTING – AT LEAST 10 CALENDAR DAYS BEFORE THE PUBLIC HEARING:

1. Mailed to Each Affected Entity
2. Utah Public Notice Website
3. City's Official Website
4. City Hall - Public Location Reasonably Likely to be Seen By Residents
5. Mailed to each property owner within 300 feet (*Murray City Code 17-04-140*)

ORDINANCE NO. 24-\_\_\_\_\_

AN ORDINANCE RELATING TO LAND USE; AMENDS THE ZONING MAP FROM R-1-6 (SINGLE FAMILY MEDIUM-DENSITY RESIDENTIAL) TO R-M-15 (MULTIPLE FAMILY MEDIUM-DENSITY RESIDENTIAL) FOR THE PROPERTY LOCATED AT 4734 SOUTH HANAUER STREET, MURRAY CITY

BE IT ENACTED BY THE MURRAY CITY MUNICIPAL COUNCIL AS FOLLOWS:

WHEREAS, the owner of the real property located at 4734 South Hanauer Street, Murray, Utah, has requested a proposed amendment to the Zoning Map to designate the property in a R-M-15 (Multiple Family Medium-Density Residential) zone district; and

WHEREAS, it appearing that said matter has been given full and complete consideration by the City Planning and Zoning Commission; and

WHEREAS, it appearing to be in the best interest of the City and the inhabitants thereof that the proposed amendment of the Zoning Map be approved.

NOW, THEREFORE, BE IT ENACTED:

*Section 1.* That the Zoning Map and the zone district designation for the described property located at 4734 South Hanauer Street, Murray, Utah be amended from the R-1-6 (Single Family Medium-Density) zone district to the R-M-15 (Multiple Family Medium-Density Residential) zone district:

**Legal Description**

A PARCEL OF LAND SITUATE IN THE BAMBERGER ADDITION SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED SEPTEMBER 08, 1891 AS ENTRY NO. 43060 IN BOOK C ON PAGE 127, IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER, ALSO LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, IN MURRAY CITY, SALT LAKE COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 3, BLOCK 2, OF SAID BAMBERGER ADDITION SUBDIVISION, WHICH CORNER IS NORTH 07°02'15" EAST 314.32 FEET TO THE CALCULATED SOUTHWEST CORNER OF SAID SECTION 6 AND NORTH 17°51'53" EAST 384.28 FEET FROM THE WITNESS CORNER MONUMENT OF THE SOUTHWEST CORNER OF SAID SECTION 6, SAID WITNESS CORNER MONUMENT IS ALSO LOCATED SOUTH 87°53'15" WEST 873.23 FEET ALONG THE MONUMENT LINE FROM THE FOUND SALT LAKE COUNTY BRASS CAP AT THE INTERSECTION OF

*4800 SOUTH STREET AND STATE STREET, AND RUNNING; THENCE NORTH 00°02'15" EAST 75.35 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF REGAL STREET; THENCE NORTH 89°51'54" EAST 160.75 FEET ALONG SAID SOUTHERLY RIGHT OF WAY LINE TO THE WESTERLY RIGHT OF WAY LINE OF HANAUER STREET; THENCE SOUTH 00°21'15" WEST 75.83 FEET ALONG SAID WESTERLY RIGHT OF WAY LINE TO THE SOUTHEAST CORNER OF SAID LOT 3; THENCE NORTH 89°57'45" WEST 160.75 FEET ALONG THE SOUTHERLY BOUNDARY LINE OF SAID LOT TO THE POINT OF BEGINNING. PARCEL CONTAINS 11,950 SQUARE FEET OR 0.27 ACRES.*

**Section 2.** This Ordinance shall take effect upon the first publication and filing of copy thereof in the office of the City Recorder.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this 15<sup>TH</sup> day of October, 2024.

MURRAY CITY MUNICIPAL COUNCIL

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Pam Cotter, Chair

ATTEST:

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Brooke Smith, City Recorder

Transmitted to the Office of the Mayor of Murray City on this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

MAYOR'S ACTION: Approved

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

---

Brett A. Hales, Mayor

ATTEST:

---

Brooke Smith, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance was published according to law on the \_\_\_\_\_  
day of \_\_\_\_\_, 2024.

---

Brooke Smith, City Recorder

Motion passes: 6-0

### GENERAL PLAN / ZONE MAP AMENDMENT

#### Diamond Ridge Development - 4734 South Hanaper Street - Zone Map Amendment from R-1-6, - Medium Density Single Family to R-M-15, Medium Density Multiple Family - Project # 24-081

Mark Hardy, of Diamond Ridge Development Group, was present to represent this request. Zachary Smallwood presented the request to amend the zoning of the subject property to facilitate redevelopment of the property. Mr. Smallwood pointed out the property location on the map. He discussed the characteristics of the property, such as size and density. He reviewed the differences between the R-1-6 and R-M-15 zones. He said that, in the current zone, the applicant could have a maximum of three units, due to height restrictions. The Planning Commission could approve a height increase in the R-M-15 zone. He discussed the setbacks and that they could be increased in the R-M-15 zone. He said the parking requirements would also be increased in the R-M-15 zone. Staff sent out notices to property owners within 300 feet. No comments were received from the public. Staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the requested zoning and map amendment.

Commissioner Pehrson and Mr. Smallwood discussed what could be built on this property with current zoning. Mr. Smallwood they could only build one single-family home. The applicant intends to build three homes.

The commissioners and Mr. Smallwood discussed the zoning requirements. He stated that there is a property currently that is a nonconforming fourplex that was legal when it was built but would not meet current zone requirements.

Mark Hardy approached the podium. Chair Patterson asked why he is requesting the zone change. He said that it would increase the property value. He feels that the request matches the area.

The commissioners discussed this being a request for a zoning change, not for a specific project. Mr. Henrie asked if the applicant made the right kind of request for this type of zone. Mr. Smallwood said that he did. He said he can talk with the applicant about the number of units he wishes to put on the property to ensure that it fits with the acreage available. He said that the current request is for zone change, not the number of units.

The commissioners and Mr. Smallwood had a discussion regarding the buffering in the zone. Commissioner Milkavich wondered if the buffering provided by the property was sufficient for this zone.

Chair Patterson opened the agenda item up for public comment. Seeing none, the public comment period was closed.

Commissioner Pehrson made a motion that the Planning Commission forward a recommendation of approval to the City Council for the requested amendment to the Zoning Map designation of the property located at 4734 South Hanauer Street from R-1-6, Single Family Medium Density, to R-M-15, Multiple Family Medium Density Residential, as described in the Staff Report.

Seconded by Commissioner Richards. Roll call vote:

- A Patterson
- A Milkovich
- A Henrie
- A Pehrson
- A Hristou
- A Richards

Motion passes: 6-0

#### ANNOUNCEMENTS AND QUESTIONS

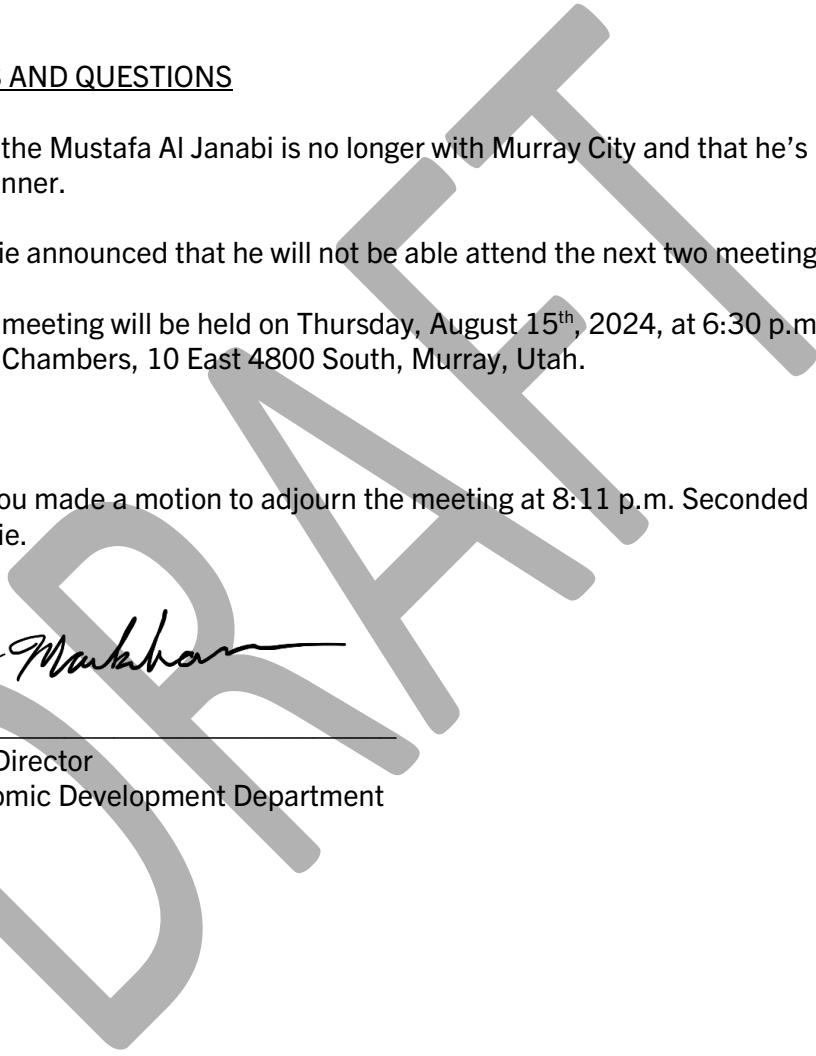
Mr. Smallwood said the Mustafa Al Janabi is no longer with Murray City and that he's in the process of hiring another planner.

Commissioner Henrie announced that he will not be able attend the next two meetings.

The next scheduled meeting will be held on Thursday, August 15<sup>th</sup>, 2024, at 6:30 p.m. MST in the Murray City Council Chambers, 10 East 4800 South, Murray, Utah.

#### ADJOURNMENT

Commissioner Hristou made a motion to adjourn the meeting at 8:11 p.m. Seconded by Commissioner Henrie.

  
Philip J. Markham

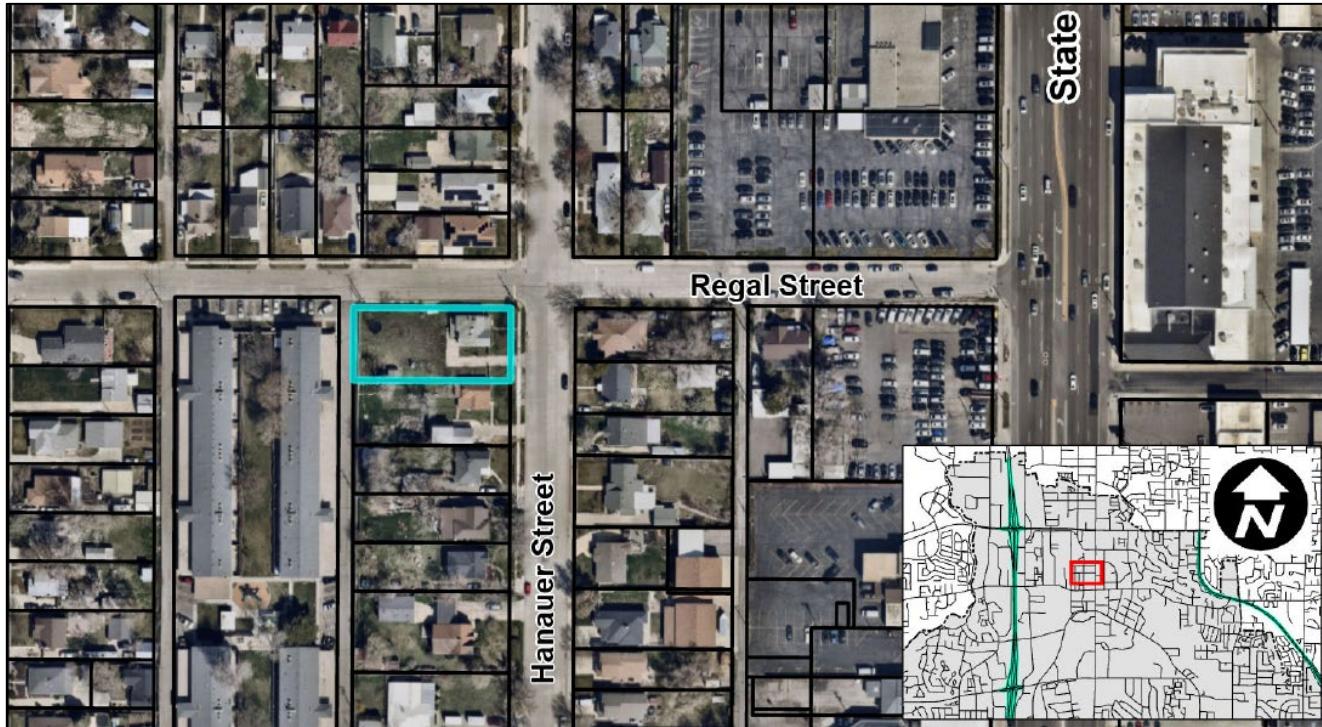
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Philip J. Markham, Director  
Community & Economic Development Department



## AGENDA ITEM # 05 - Diamond Ridge Development Group

ITEM TYPE:	Zone Map Amendment		
ADDRESS:	4734 South Hanauer Street	MEETING DATE:	August 1, 2024
APPLICANT:	Mark Hardy, Diamond Ridge Development Group	STAFF:	Zachary Smallwood, Planning Manager
PARCEL ID:	22-06-357-010	PROJECT NUMBER:	24-081
CURRENT ZONE:	R-1-6, Single Family Medium Density Residential	PROPOSED ZONES:	R-M-15, Multiple Family Medium Density Residential
LAND USE DESIGNATION	Medium Density Residential	PROPOSED DESIGNATION	No Change
SIZE:	0.27 acres   11,761 ft <sup>2</sup>		
REQUEST:	The applicant would like to amend the zoning of the subject property to facilitate redevelopment of the property.		



## I. BACKGROUND

Diamond Ridge Development Group is requesting a zone map amendment of a parcel with a single-family home from the R-1-6, Single Family Medium Density Zone, to the R-M-15, Multiple Family Medium Density Zone. This zone change is to facilitate future development at the site that would allow for additional housing in the surrounding area. Staff supports the requested change in zoning because of neighboring non-conforming uses in the area and that the potential developable area does not significantly impact the neighborhood as a whole.

The subject property consists of one parcel that is .27 acres in the R-1-6, Medium Density Single-Family Residential Zone west of State Street and on the south side of Regal Street. In addition to single-family homes, there are two multi-family developments to the north east and west of the property.

### Surrounding Land Uses & Zoning

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Single Family Residential	R-1-6
South	Single Family Residential	R-1-6
East	Single Family Residential	R-1-6
West	Multi-Family Residential	R-1-6

## II. ANALYSIS

### Zoning Considerations

The subject property is in the R-1-6, Medium Density Single-Family Zoning District. The surrounding properties are also located in the R-1-6 zoning district. This area is a mix of single-family dwellings and non-conforming multifamily dwellings. Immediately to the west of the subject property is an apartment complex with sixty-four (64) units on 2.28 acres (~28 units per acre). There is also a small four (4) unit apartment complex across the street from this property to the northeast on .17 acres (~24 units per acre). Staff supports rezoning the property to R-M-15 as this matches the city's long-term goals, as stated in the General Plan, for the area and allows the property owner to redevelop in a way that matches several surrounding uses.

### Allowed Land Uses

Changing the zone from R-1-6 to R-M-15 does very little to impact the surrounding neighborhood and allows one of the larger properties in the area to redevelop into a housing product that more closely aligns with the currently built environment. Below is a review of the current and proposed permitted and conditional uses.

- **Existing R-1-6, Medium Density Single Family Residential Zone:**

Permitted Uses in the existing R-1-6 zone include single-family detached dwellings on 6,000 ft<sup>2</sup> lots, utilities, charter schools, and residential childcare facilities.

Conditional Uses in the existing R-1-6 zone include attached single-family dwellings (in Planned Unit Developments, or PUDs), telephone stations and relay towers, radio and television transmitting stations, parks, schools and churches, utilities, cemeteries, libraries, and group instruction in single-family dwellings.

- **Proposed R-M-15**, Multiple-Family Medium Density Residential Zone:  
Permitted uses in the proposed R-M-15 include single-family detached dwellings on 8,000 ft<sup>2</sup> lots, two-family dwellings on 10,000 ft<sup>2</sup> lots, utilities, charter schools, and residential childcare as permitted uses.

Conditional uses in the R-M-15 Zone include attached single-family dwellings, multi-family dwellings (12 units per acre), bed and breakfasts, retirement homes, cemeteries, radio and television transmitting stations, parks, schools and churches, utilities, cemeteries, libraries, and retirement homes.

### Zoning Regulations

The more directly comparable regulations for setbacks, height, and parking between the existing R-1-6 and proposed R-M-15 zones are summarized in the table below.

	<b>R-1-6 (existing)</b>	<b>R-M-15</b>
Single Family Lot Size and/or Multi-family Density	6,000 ft <sup>2</sup> per lot	8,000 ft <sup>2</sup> min per lot 12 units per acre
Height	30'	Up to 40' as approved by the Planning Commission
Front yard setback	20'	25'
Rear Yard setback	25'	25'
Side Yard setbacks	5'	8' (total of 20')
Corner Yard setback	20'	20'
Parking Required	2 spaces per dwelling	2.5 spaces per unit

*Figure 3: Compared Regulations in existing and proposed zones.*

### General Plan Considerations

The purpose of the General Plan is to provide overall goal and policy guidance related to growth and planning issues in the community. The General Plan provides for flexibility in the implementation of the goals and policies depending on individual situations and characteristics of a particular site. Map 5.7 of the Murray City General Plan (the Future Land Use Map) identifies future land use designations for all properties in Murray City. The designation of a property is tied to corresponding purpose statements and zones. These “Future Land Use Designations” are intended to help guide decisions about the zoning designation of properties.

The subject property is designated as Medium Density Residential on the Future Land Use Map. The Medium Density Residential categories assumes that areas within this designation “generally have few or very minor development constraints (such as infrastructure or sensitive lands).” Staff finds that the impacts of the change to the R-M-15 zone can be adequately overcome through conditional use permit review combined with stabilizing the existing single-family development around the subject property. The illustration below is from pg. 5-13 of the 2017 General Plan.

#### MEDIUM DENSITY RESIDENTIAL

This designation allows a mix of housing types that are single-dwelling in character or smaller multi-family structures, primarily on individual parcels. This designation is intended for areas near, in, and along centers and corridors, near transit station areas, where urban public services, generally including complete local street networks and access frequent transit, are available or planned. Areas within this designation generally do not have development constraints (such as infrastructure or sensitive lands). This designation can serve as a transition between mixed-use or multi-dwelling designations and lower density single-dwelling designations.

Density range is between 6 and 15 DU/AC.

Corresponding zone(s):

- R-1-6, Low/Medium density single family
- R-M-10, Medium density multiple family
- R-M-15, Medium density multiple family



#### General Plan Objectives

There are several goals and objectives taken from elements of the General Plan that would be supported by development of the subject property under the R-M-15 Zone. The primary goal of the Land Use & Urban Design element is to “provide and promote a mix of land uses and development patterns that support a healthy community comprised of livable neighborhoods, vibrant economic districts, and appealing open spaces”.

Objective 1 states “Preserve and protect the quality of life for a range of viable residential neighborhoods.” Staff finds that in changing the zone of this property the city would allow for context sensitive redevelopment that would not have a significant impact to the surrounding area. This change would further stabilize the neighborhood from the more intense developments of the Fireclay area to the north and the City Center to the south. The neighborhood that this parcel is a part of has become isolated from other residential neighborhoods by development along State Street, 4500 South and 4800 South as these areas continue to redevelop it is

important to preserve the character of the area and allowing a small infill product would further solidify this mixed housing neighborhood.

Objective 9 states “Provide a mix of housing options and residential zones to meet a diverse range of needs related to lifestyle and demographics, including age, household size, and income. Staff finds that the application is consistent with this objective by allowing for smaller scale multifamily projects in districts that already include multi-family directly adjacent to this property.

The overall goal of Chapter 8 Neighborhoods & Housing is to “provide a diversity of housing through a range of types and development patterns to expand the options available to existing and future residents.

Objective 1: Preserve and Stabilize Current Neighborhoods has the strategy to implement transition housing types that would integrate well with surrounding single-family dwellings and create a physical and visual transition from commercial developments. Staff finds that this strategy is furthered because of the transition along Regal and Hanauer moving towards the heavier uses on State Street. Staff also finds that because of the neighboring multi-family developments that this would fit within its specific context.

The applicant’s proposed zone amendment, which is supported by the current land use designation, will allow for future development that provides for a transition between established residential neighborhoods and the commercial area located on State Street. The overall density will be consistent with the surrounding area and will not have unmanageable impacts.

### **III. CITY DEPARTMENT REVIEW**

The application was made available for review and comment by City Staff from various departments and provided their comments below:

- Murray City Engineering:
- Power Department:
  - The developer will need to meet with The Power Department to plan out their permanent power for the proposed building.
  - The developer must meet all Murray City Power Department requirements and the current NESC/NEC code and provide the required easement/ safety clearance(s) for equipment and Power lines.
- Building Division:
  - Obtain proper building permits for all construction.
- Fire Department:
  - Refer to International Fire Code (IFC) 2021 for code referencing standards.

Other reviewing departments did not provide any comments on the proposed rezone application. These comments are provided as information to the applicant and not conditions of approval. As this is a Zone Map Amendment, there are no conditions required for approval.

#### **IV. PUBLIC COMMENTS**

Seventy (70) notices of the public hearing for the requested amendment to the Zoning Map were sent to all property owners within 300' of the subject property and to affected entities. As of the time of writing this report, staff has not received any comments regarding this application.

#### **V. FINDINGS**

1. The General Plan provides for flexibility in the implementation and execution of the goals and policies based on individual circumstances.
2. The proposed Zone Map Amendment from R-1-6 to R-M-15 has been considered based on the characteristics of the site and surrounding area. Any potential impacts of the change can be managed within the densities and uses allowed by the proposed R-M-15 Zone.
3. The proposed Zone Map Amendment from R-1-6 to R-M-15 conforms to important goals and objectives of the 2017 Murray City General Plan and will permit the appropriate use of the subject property.

#### **VI. STAFF RECOMMENDATION**

Based on the background, analysis, and findings within this report, staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the requested amendment to the Zoning Map designation of the property located at 4734 South Hanauer Street from R-1-6, Single Family Medium Density, to R-M-15, Multiple Family Medium Density Residential, as described in the Staff Report.

# ZONING AMENDMENT APPLICATION

Type of Application(check one): Text Amendment: \_\_\_\_\_ Map Amendment:

## Applicant Information

Name: Diamond Ridge Development Group LLC

Mailing Address: 635 west 5300 south City: Murray State: UT ZIP: 84123

Phone #: 801-891-5927 Fax #: \_\_\_\_\_ Email Address: mark@diamondridgedg.com

## Property Owner's Information (If different)

Name: Red Rock Residential LLC

Mailing Address: 2970 South Main St City: South Salt Lake State: UT ZIP: 84115

Phone #: 801-664-8154 Fax #: \_\_\_\_\_ Email Address: \_\_\_\_\_

## Application Information

For Map Amendments:

Property Address: 4734 S Hanauer St, Murray, UT 84107

Parcel Identification (Sidwell) Number: 22063570100000

Parcel Area(acres): 0.27 Existing Zone: R-1-6 Proposed: R-M-1S

Request Complies with General Plan: Yes: ✓ No: \_\_\_\_\_

For Text Amendments:

Describe the request in detail (use additional pages, or attach narrative if necessary):

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Authorized Signature: Mr. T Date: 4-3-24

## **For Office Use Only**

Project Number: PZ-24-081

Date Accepted: 6/26/24

Planner Assigned: \_\_\_\_\_

### Property Owners Affidavit

I (we) Red Rock Residential LLC, being first duly sworn, depose and say that I (we) am (are) the current owner of the property involved in this application: that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.



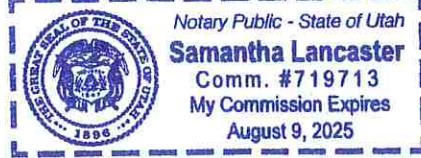
Owner's Signature

State of Utah

§

County of Salt Lake

Owner's Signature (co-owner if any)



Subscribed and sworn to before me this 16 day of April, 20 24.



Notary Public

Residing in Salt Lake City

My commission expires: 8-9-25

### Agent Authorization

I (we), Red Rock Residential LLC, the owner(s) of the real property located at 4734 South Hanauer St, Murray, UT 84104, in Murray City, Utah, do hereby appoint **Diamond Ridge Development Group LLC**, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize **Joseph Kingston or Mark Hardy** to appear on my (our) behalf before any City board or commission considering this application.



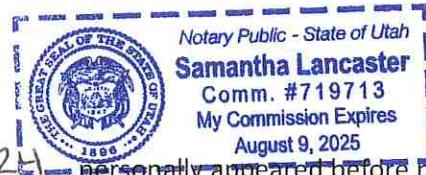
Owner's Signature

Owner's Signature (co-owner if any)

State of Utah

§

County of Salt Lake



On the 16 day of April, 20 24, personally appeared before me Michael Kingston the signer(s) of the above Agent Authorization who duly acknowledge to me that they executed the same.



Notary public

Residing in Salt Lake City

My commission expires: 8-9-25



## NOTICE OF PUBLIC HEARING

August 1<sup>st</sup>, 2024, 6:30 PM

The Murray City Planning Commission will hold a public hearing on Thursday, August 1<sup>st</sup>, 2024, at 6:30 p.m. in the Murray City Council Chambers, located at 10 East 4800 South to receive comment on an application submitted by **Representatives of Diamond Ridge Development Group** for the property located at **4734 South Hanauer Street**.

The applicant is requesting a Zone Map Amendment from R-1-6, Medium Density Single Family to R-M-15, Medium Density Multiple Family. The request conforms with the Future Land Use Map of the General Plan.

The meeting will also be streamed online, at [www.murraycitylive.com](http://www.murraycitylive.com) or [www.facebook.com/MurrayCityUtah/](http://www.facebook.com/MurrayCityUtah/).

Comments are limited to 3 minutes or less, written comments will be read into the meeting record.



This notice is being sent to you because you own property within 300 feet of the subject property. Comments concerning this proposal, will be accepted by calling the Murray City Planning Division at 801-270-2430, e-mail to [planningcommission@murray.utah.gov](mailto:planningcommission@murray.utah.gov) or in person at the meeting.

Special accommodations for the hearing or visually impaired will be upon a request to the office of the Murray City Recorder (801-264-2660). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.

Public Notice Dated | July 18th, 2024

Murray City Hall | 10 East 4800 South | Murray | Utah | 84107

## Zachary Smallwood

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**From:** Mark Hardy <mark@diamondridgedg.com>  
**Sent:** Thursday, June 20, 2024 10:10 AM  
**To:** Zachary Smallwood  
**Subject:** [EXTERNAL]Re: Application for Rezone at 4734 S Hanauer  
**Attachments:** N-2 DEDO 6 Hanauer St ALTA.pdf

A PARCEL OF LAND SITUATE IN THE BAMBERGER ADDITION SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED SEPTEMBER 08, 1891 AS ENTRY NO. 43060 IN BOOK C ON PAGE 127, IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER, ALSO LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, IN MURRAY CITY, SALT LAKE COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 3, BLOCK 2, OF SAID BAMBERGER ADDITION SUBDIVISION, WHICH CORNER IS NORTH 07°02'15" EAST 314.32 FEET TO THE CALCULATED SOUTHWEST CORNER OF SAID SECTION 6 AND NORTH 17°51'53" EAST 384.28 FEET FROM THE WITNESS CORNER MONUMENT OF THE SOUTHWEST CORNER OF SAID SECTION 6, SAID WITNESS CORNER MONUMENT IS ALSO LOCATED SOUTH 87°53'15" WEST 873.23 FEET ALONG THE MONUMENT LINE FROM THE FOUND SALT LAKE COUNTY BRASS CAP AT THE INTERSECTION OF 4800 SOUTH STREET AND STATE STREET, AND RUNNING; THENCE NORTH 00°02'15" EAST 75.35 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF REGAL STREET; THENCE NORTH 89°51'54" EAST 160.75 FEET ALONG SAID SOUTHERLY RIGHT OF WAY LINE TO THE WESTERLY RIGHT OF WAY LINE OF HANAUER STREET; THENCE SOUTH 00°21'15" WEST 75.83 FEET ALONG SAID WESTERLY RIGHT OF WAY LINE TO THE SOUTHEAST CORNER OF SAID LOT 3; THENCE NORTH 89°57'45" WEST 160.75 FEET ALONG THE SOUTHERLY BOUNDARY LINE OF SAID LOT TO THE POINT OF BEGINNING. PARCEL CONTAINS 11,950 SQUARE FEET OR 0.27 ACRES.

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**From:** Zachary Smallwood <zsmallwood@murray.utah.gov>  
**Sent:** Wednesday, June 19, 2024 1:19 PM  
**To:** Mark Hardy <mark@diamondridgedg.com>  
**Cc:** David Rodgers <drodgers@murray.utah.gov>; Mustafa Al Janabi <maljanabi@murray.utah.gov>  
**Subject:** Application for Rezone at 4734 S Hanauer

Hello,

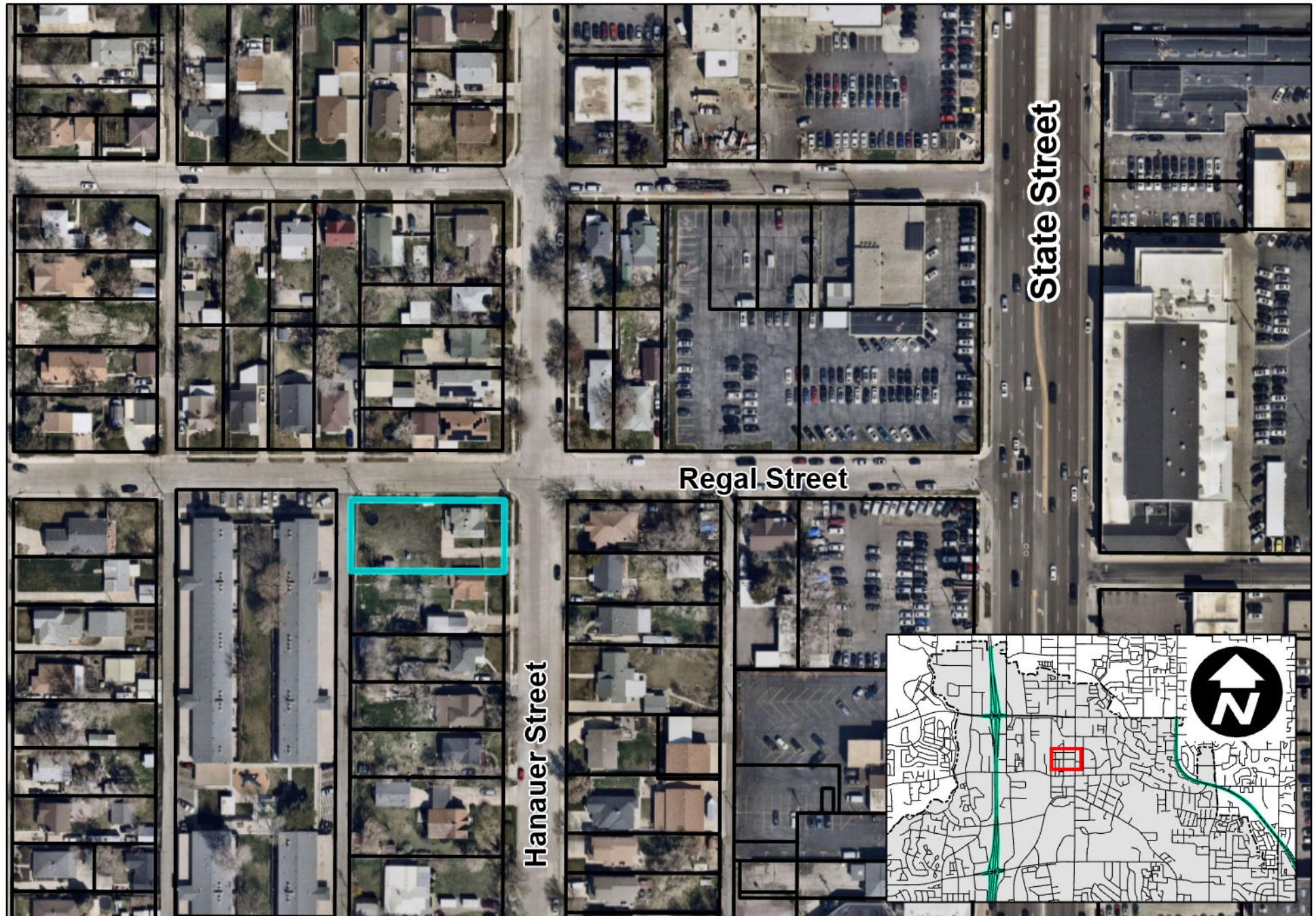
I'm reaching out to let you know that we are still awaiting a legal description of the property to move forward with your application. We have had this application since April 3<sup>rd</sup>, if we do not receive the legal description by 5pm on Tuesday June 25<sup>th</sup>, 2024. We will be returning your application materials to you. If you have any questions please feel free to reach out.

Thanks,

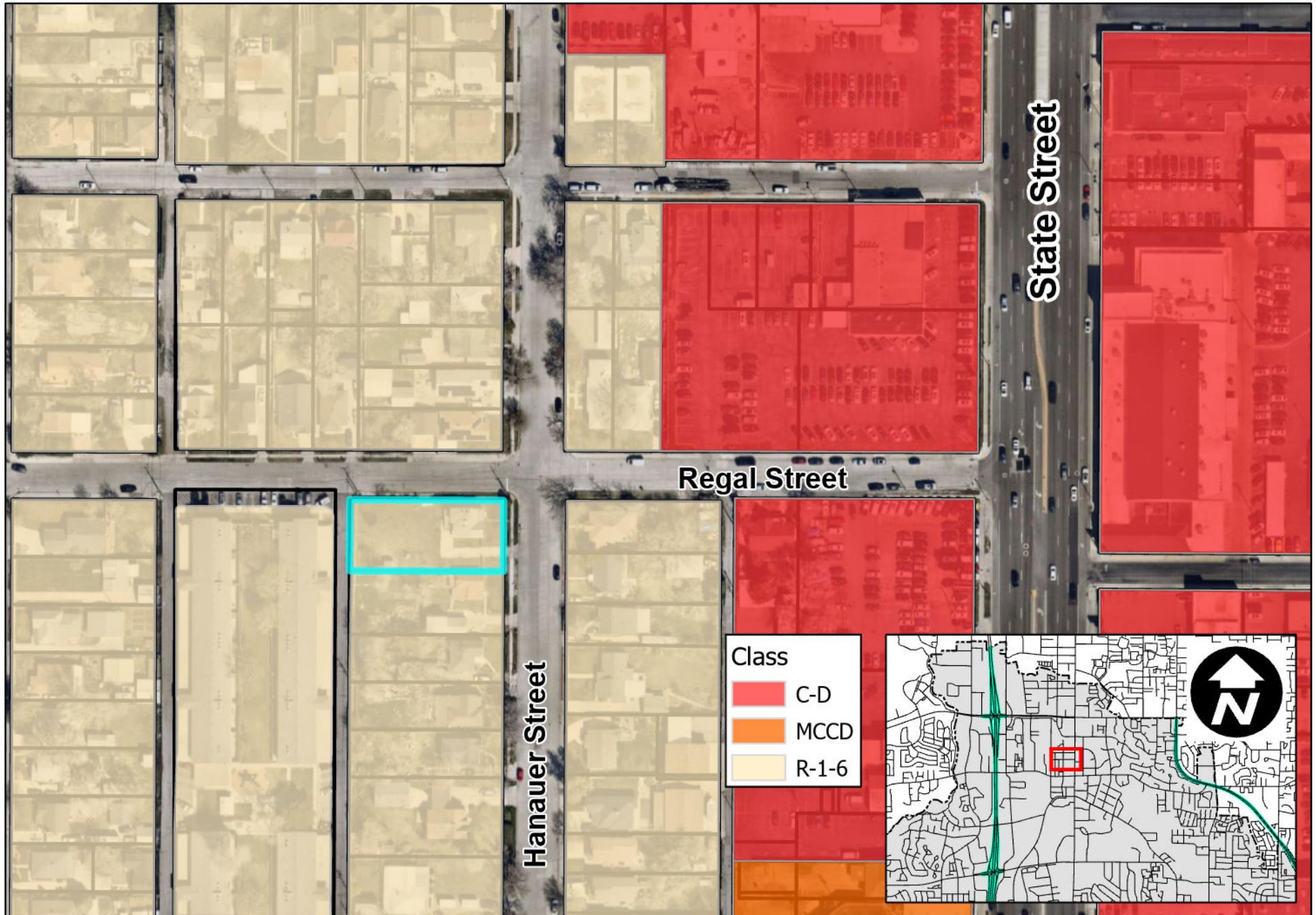
### Zachary Smallwood

Planning Division Manager | Murray City Planning Division  
10 East 4800 South, Suite 260 | Murray UT 84107  
Phone: (801) 270-2430 | Direct: (801) 270-2407  
[zsmallwood@murray.utah.gov](mailto:zsmallwood@murray.utah.gov)

# 4734 South Hanauer Street



# 4734 South Hanauer Street





# MURRAY CITY PLANNING COMMISSION

August 1st, 2024



# Agenda Item # 5

## Diamond Ridge Development

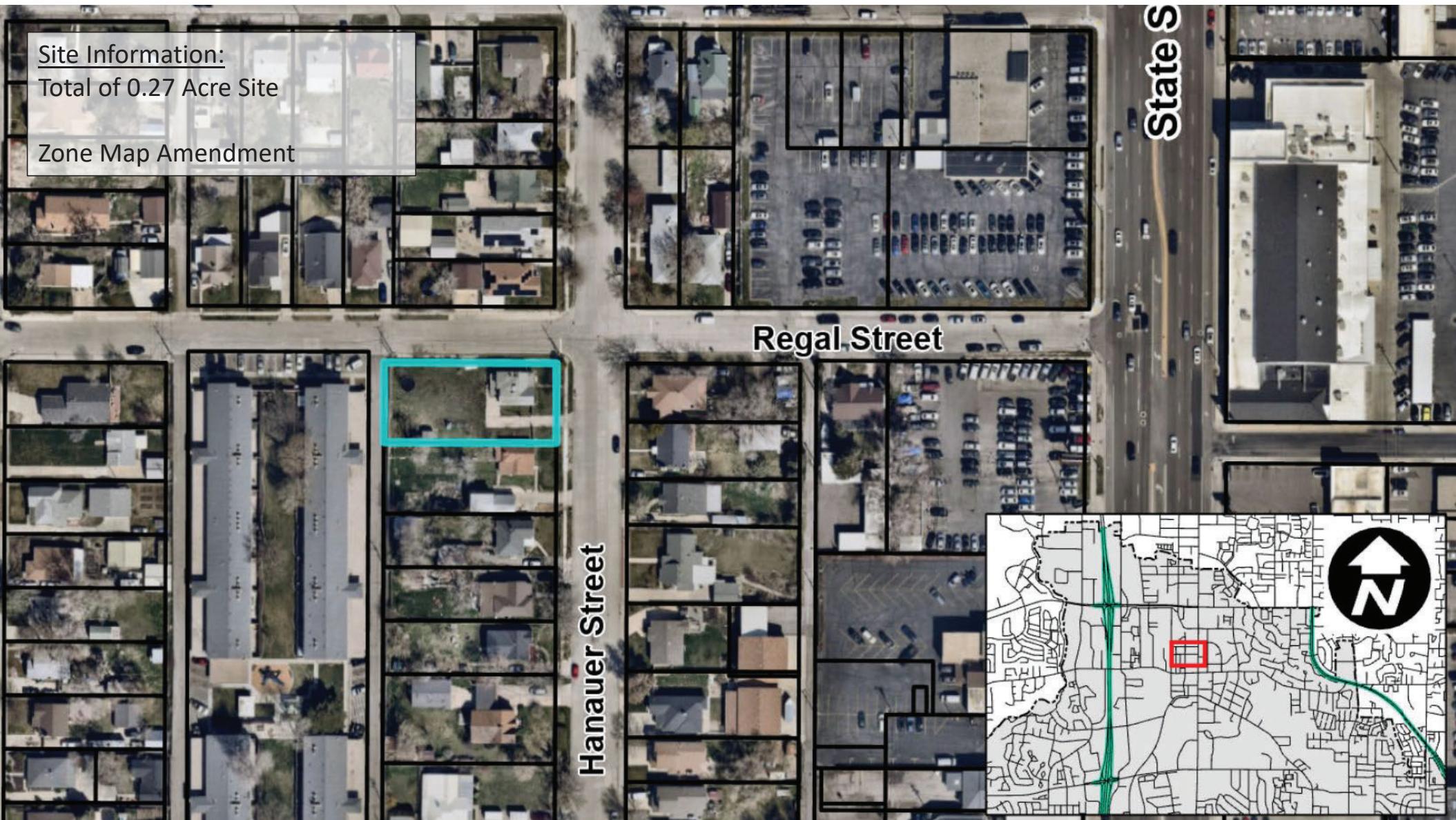
4734 South Hanauer Street  
Zone Map Amendment from  
R-1-6, Medium Density Single Family to  
R-M-15, Medium Density Multiple Family



Site Information:

Total of 0.27 Acre Site

Zone Map Amendment



Site Information:

Total of 0.27 Acre Site

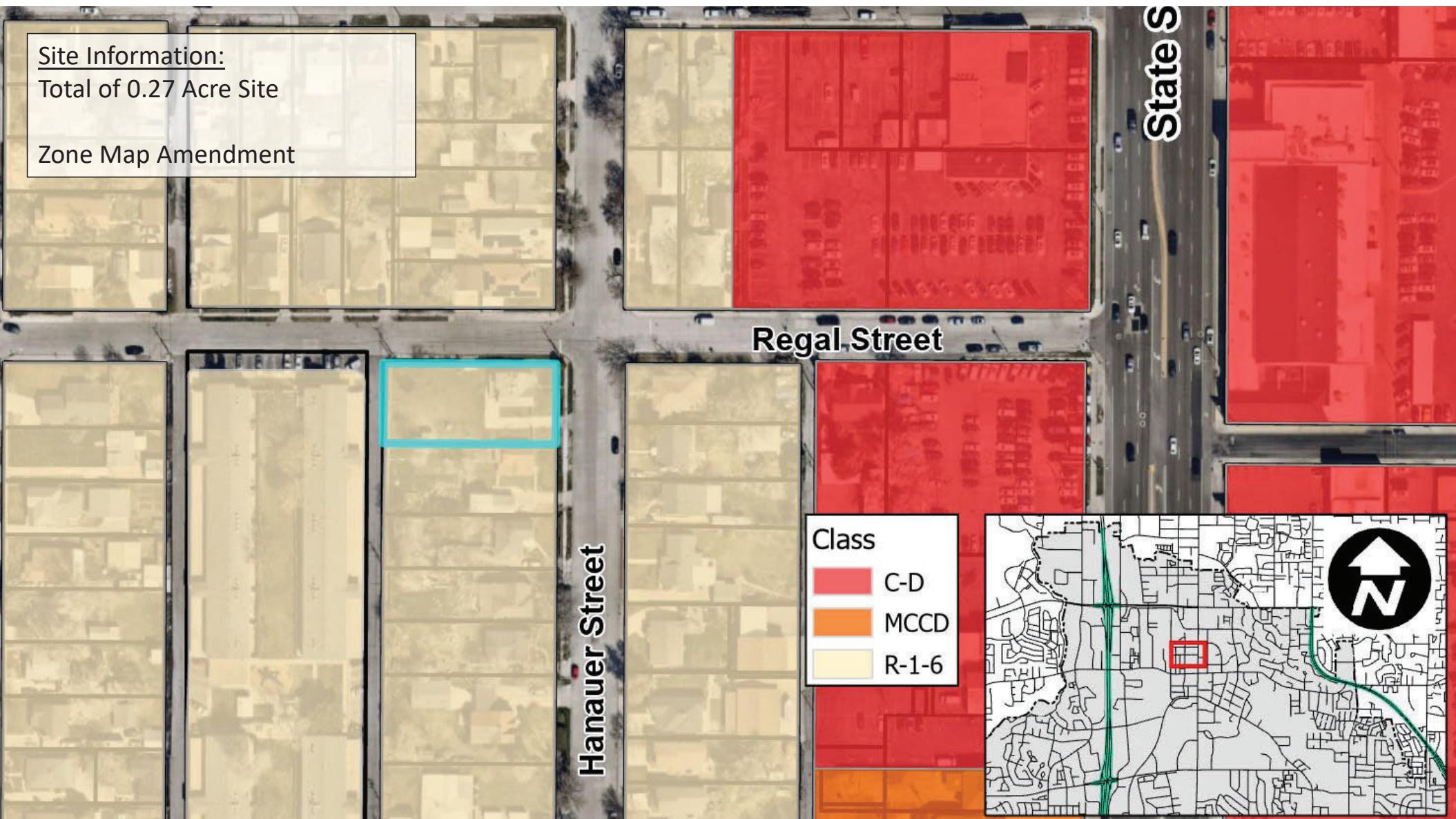
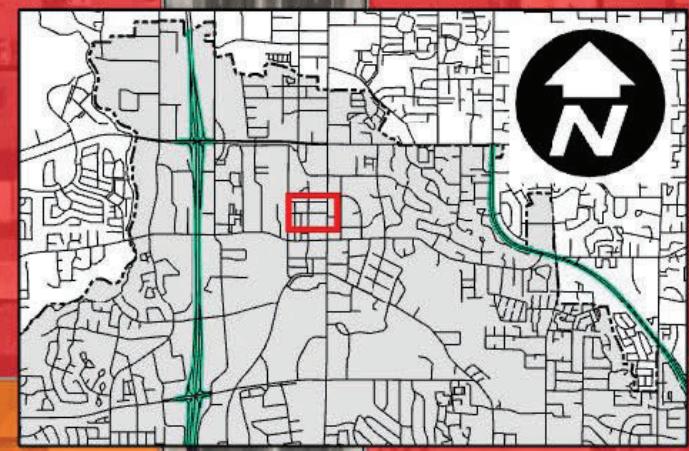
Zone Map Amendment

State S

Regal Street

Hanauer Street

Class  
C-D  
MCCD  
R-1-6



# General Plan Future Land Use Map



	<b>R-1-6 (existing)</b>	<b>R-M-15</b>
Residential Density	6,000 ft <sup>2</sup> min per lot	8,000 sq ft min per lot 12 dwelling units per acre
Height	30'	Up to 40' max as approved by the Planning Commission
Front yard setback	20'	25'
Rear Yard setback	25'	25'
Side Yard setbacks	5'	Minimum 8' total of 20'
Corner Yard setback	20'	20'
Parking Required	2 spaces per dwelling	2.5 off-street spaces per unit

## Notice

Seventy (70) notices of the public hearing for the requested amendment to the Zoning Map were sent to all property owners within 300' of the subject property and to affected entities.

Staff has not received any inquiries or comments regarding this application.

## Findings

1. The General Plan provides for flexibility in the implementation and execution of the goals and policies based on individual circumstances.
2. The proposed Zone Map Amendment from R-1-6 to R-M-15 has been considered based on the characteristics of the site and surrounding area. Any potential impacts of the change can be managed within the densities and uses allowed by the proposed R-M-15 Zone.
3. The proposed Zone Map Amendment from R-1-6 to R-M-15 conforms to important goals and objectives of the 2017 Murray City General Plan and will permit the appropriate use of the subject property.
4. The Planning Commission held a Public Hearing on August 1<sup>st</sup>, 2024 and voted 6-0 to forward a recommendation of approval to the city council.

## Staff Recommendation

The Murray City Planning Commission and staff recommends that the City Council **APPROVE** the requested amendment to the Zoning Map designation of the property located at 4734 South Hanauer Street from R-1-6, Single Family Medium Density, to R-M-15, Multiple Family Medium Density Residential.



THANK YOU!





**MURRAY**  
CITY COUNCIL

# Public Hearing #3



**MURRAY**

# Police Department

## JAG Grant Approval and Resolution

### Council Action Request

#### Council Meeting

Meeting Date: October 15, 2024

<b>Department Director</b> Craig Burnett	<b>Purpose of Proposal</b> Official notification of the Department's intent and acceptance of the 2023 Edward Byrne Memorial Justice Grant
<b>Phone #</b> 801-264-2613	<b>Action Requested</b> Public hearing, consideration of resolution.
<b>Presenters</b> Wright, Brian Reardon, Kristin	<b>Attachments</b> Resolution, program narrative/public notice.
<b>Required Time for Presentation</b> 10 Minutes	<b>Budget Impact</b> Federal Grant
<b>Is This Time Sensitive</b> Yes	<b>Description of this Item</b> Requesting City Council approval of grant application and approval to purchase equipment for patrol, detectives and Forensics. Items such as: Pepperball launcher and supplies, Ballistic Shield with viewport, Fixed License Plate Readers, Glock Training Pistols with Head Protection and Alternate Light Sources is the inventory of what is the intended
<b>Mayor's Approval</b>   <b>Date</b> September 24, 2024	

# Murray City Corporation

## PUBLIC NOTICE OF GRANT SOLICITATION AND NOTICE OF PUBLIC HEARING

### REGARDING THE CITY'S INTENT TO APPLY FOR A GRANT FROM THE EDWARD BYRNE JUSTICE ASSISTANCE GRANT ("JAG") PROGRAM

NOTICE IS HEREBY GIVEN that on the October 15, 2024, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Hall, 10 East 4800 South, Murray, Utah, the Murray City Municipal Council will hold and conduct a hearing on and pertaining to the City's intent to apply for a grant from the Edward Byrne Justice Assistance Grant Program (JAG).

The purpose of this hearing is to receive public comment concerning the proposed grant application. The JAG grant program allows states, tribes, and local governments to support a broad range of activities to prevent and control crime based on their own local needs and conditions. JAG funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice.

The Murray City Police Department is seeking financial assistance for the purchase of patrol, detective, and evidence storage equipment. The Murray City Police Department will utilize FY 2024 JAG funds for the following:

- 1) *Alternate light source, ballistic shield, PepperBall launchers and supplies, license plate readers, and training pistols.*

The amount allocated to the City of Murray for this grant is \$25,894.00. The JAG grant program narrative may be viewed online at <http://www.murray.utah.gov/939/Grants>.

Public comments can be made in person during the meeting on October 15, 2024. Emailed public comments should be submitted to: [city.council@murray.utah.gov](mailto:city.council@murray.utah.gov) and should include your name and contact information.

DATED this 2<sup>nd</sup> day of October 2024.



MURRAY CITY CORPORATION



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Brooke Smith  
City Recorder

PH24-40

1. Utah Public Notice Website
2. Murray City Website
3. Posted at Murray City Hall

**Edward Byrne Memorial Justice Assistance Grant (JAG) Program  
FY 2024 Local Solicitation**

**PROGRAM NARRATIVE**

***Description of the Issues***

The mission of the Murray Police Department is to provide a safe and peaceful environment for people to live and work. Providing police services that are of the highest quality and that are responsive to the needs of the community. We will work to develop community partnerships enabling us to jointly solve problems and enhance the quality of life in our City. We are committed to the prevention of crime and the protection of life and property, the preservation of peace, order and safety, the enforcement of laws and ordinances and the safeguarding of constitutional guarantees. To fulfill our mission, the Murray City Police Department is dedicated to providing a quality work environment and career development for the employees through effective training and leadership.

Like many jurisdictions in the nation, Murray City faces tough budget decisions every year and is unable to fund every important project. The JAG program is an invaluable support and helps the police department implement many projects that otherwise would not be possible. The police department will attempt to address issues related to equipment deficiencies within the patrol, detective, and forensic services divisions with its FY 2024 JAG program. The department is focusing on the BJA areas of emphasis: reduction in violent crime, improvement in community safety, and support for public safety officers as well as the additional uses of the JAG funds: improve the functioning of the criminal justice system by providing additional equipment. Upon notification of an award, Murray City will submit the award to its governing body for the required local budget amendment process.

### ***Project Design and Implementation***

The Murray City planning process includes gathering priorities and needs from each division of the police department. The police department also meets regularly with community stakeholder groups to guide and determine our priorities. We then identify the projects that will best enhance the police departments mission to provide police services that are of the highest quality and respond to the needs of the community. Upon identifying the priorities, public notice is made and an opportunity for public comment is provided during a City Council meeting. Upon approval, the city then utilizes JAG funds to supplement local, state and other related justice funds for the identified needs and priorities.

### ***Capabilities and Competencies***

Through this grant, Murray City has been able to fund many important projects. In the past, the funds have been used to successfully equip all patrol vehicle with dash cameras as well as purchase license plate readers, and public order equipment. Each grant awarded to Murray City has had successful, compliant closeouts. The department trusts that previous purchases through this grant have and will continue to result in a reduction in violent crime, improvement in community safety, and support for public safety officers in our city.

### ***Plan for Collecting the Data Required for this Solicitation's Performance Measures***

Murray City's plan for collecting the data required for this solicitation's performance measures will include the tracking of all purchases and coordinating with the appropriate staff to collect usage data of the equipment purchased. The information will be collected to ensure all data is available for the PMT programmatic reports and uploaded to JustGrants as required.

***Requested Equipment:***

***PepperBall Launchers and Supplies***

The police department is working to equip its officers with reliable intermediate/long-range less-lethal options. Pepperball launchers will provide officers with a longer range de-escalation tool. This will allow officers to control situations faster, safer, and in a more efficient manner than currently possible. The launchers are designed to empower officer to maintain control and resolve conflicts without the need for deadly force, safeguarding both themselves and the individuals they interact with. The department anticipates the less-lethal option will result in a reduction in lethal force encounters and they will provide an accurate and effective less-lethal option at increased ranges.

Total estimated budget (launcher): \$1,250/unit x 3 units=\$3,750

Total estimated budget (supplies): \$865 x 5 units=\$4,325

***Ballistic Shield with Viewport***

The patrol division is requesting funds to equip officers with level III ballistic handheld shields with viewport. These protective devices are designed to stop or deflect high-powered rifle rounds and other projectiles fired at their carrier. They can also protect against threats involving knives and less serious threats such as thrown objects. Currently, the patrol division does not have a sufficient number of shields. The department anticipates that the purchase of this item will better protect officers as well as improve community safety.

Total estimated budget: \$900/unit x 1 units=\$900

### ***Fixed License Plate Readers***

The detective division is requesting funds to purchase automated license plate readers. The world's largest passenger vehicle market resides in the United States with over 250 million vehicles on roadways, each with a unique license plate. The automated license plate reader technology captures images of license plates and will allow our agency to identify and compare plates against those of cars driven by people suspected of being involved in illegal activities. The department anticipates that the readers will enhance crime prevention and improve community safety. The plate readers will only be used in accordance with state law which only allows its usage for law enforcement agencies as part of an active criminal investigation; to apprehend an individual with an outstanding warrant; to locate a missing or endangered person; or to locate a stolen vehicle.

Total estimated budget: \$6,000/unit x 2 units=\$12,000

### ***Glock Training Pistols (Simmunition) with Head Protection***

The training division is requesting training pistols which use Simmunition rounds. These items will allow us to use more reality/scenario-based use of force training. Trainings will incorporate use of firearms under stressful but safe conditions, develop decision making skills, and help officers learn how to de-escalate potentially violent situations. The purchase of these items will allow the training division to create scenarios where more officers can participate at one time making the training more effective.

Total estimated budget (pistol): \$511/unit x 4 units=\$2,044

Total estimated budget (head protection): \$236/unit x 3 units=\$708

### ***Alternate Light Source***

The UltraLite alternate light source is a portable, versatile, and efficient solution for evidence detection and collection. The centerpiece is its' innovative BMT light, a versatile device that allows you to scan the scene or evidence just once with a single filter, thereby completing 99.5% of evidence detection, collection, and documentation work. This feature not only enhances efficiency but also ensures a thorough and meticulous examination of the scene. The item will increase efficiency and solvability of difficult cases.

Total estimated budget: \$2,300/unit x 1 units=\$2,300

Due to budget constraints, our department is unable to purchase the patrol, forensics, and detective equipment being requested. Therefore, the Murray City Police Department is seeking financial assistance to purchase these items.

No other JAG or related justice funds will be utilized for this program.

Submitted by:  
Lieutenant Brian Wright  
Murray City Police Department  
10 East 4800 South  
Murray, Utah 84107  
801-264-2673 (main)  
801-264-2566 (desk)



**MURRAY**  
CITY COUNCIL

# Business Item



**MURRAY**

# Finance/Admin

## Annexation Request - Van Winkle

### Council Action Request

#### Council Meeting

Meeting Date: October 15, 2024

<b>Department</b> Director Brenda Moore	<b>Purpose of Proposal</b> To decide on the acceptance or denial of the updated annexation petition as mandated by State Code 10-2-4.
<b>Phone #</b> 2513	<b>Action Requested</b> State Code requires the Council to "Accept" or "Deny" the annexation within 14 days.
<b>Presenters</b> GL Critchfield Brooke Smith	<b>Attachments</b> Resolution
<b>Required Time for Presentation</b> 5 Minutes	<b>Budget Impact</b> The total taxable value is \$26,620,020. Property Tax at the 2023 rate of .00513 for the city would be \$40,276. For the Library it would be \$8,811.00
<b>Is This Time Sensitive</b> Yes	<b>Description of this Item</b> May 21, 2024 - Annexation Request was presented during CC. Councilmembers voted to "Accept" the Annexation Request and have the petitioner proceed with additional requirements. June 18, 2024 - An Update of the Annexation Request was presented during CofW. (Petitioner was missing a Map) June 20, 2024 - A certified letter was sent to Marv Hendrickson notifying him that the Annexation was Rejected, pending an Accurate and Recordable Map (Utah Code 10-2-403(3)(c)(i)). July 2, 2024 - Marv came in and Brooke gave him a copy of the rejection letter. The Certified letter was returned as undeliverable on 7/29 since it required a signature and no one was home when delivery attempts were made(6/24, 6/29, 7/9.) July 29, 2024 - Marv turned in an Accurate and Recordable Map.
<b>Mayor's Approval</b>	
<b>Date</b> October 1, 2024	

## **Continued from Page 1:**

August 5, 2024 - I sent a 2nd rejection letter for failing to notify "each affected entity" as required by Utah Code 10-2-403(2)(1)(B).

On September 17, 2024, Marv turned in a letter certifying he mailed out a notice to each affected entity.

On September 25, 2024, Murray City received a copy of the letter that Marv sent to affected entities

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Step-by-Step process:

Utah Code 10-2-405(3)(b) says, "If a petition is refiled under Subsection (3)(a) after having been rejected by the city recorder..., the refiled petition shall be treated as a newly filed petition under Subsection 10-2-403(1).

Subsection 10-2-403(1) says, the person intending to file a petition shall file a Notice of Intent, property owners need to be notified, signatures need to be gathered, and an accurate and recordable map needs to be prepared. The petitioner has fulfilled all of these requirements.

Subsection 10-2-405 says, "A municipal legislative body may: (A)...Deny; or (B) Accept the petition for further consideration under this part. This has to be done within 14 days.

\*\*\*This is the decision you will be making on October 15, 2024.

If Accepted, the City Attorney and City Recorder have 30 days to verify all the information turned in is correct. They will send a letter notifying the municipal legislative body, sponsor, and county legislative body of their decision.

Subsection 10-2-406 says, that if the decision is accepted the city then needs to send out a Notice to each affected entity and homes within a 300-foot boundary. This notice will also state a deadline for filing a written protest.

Subsection 10-2-407(7) says, "Before approving an annexation petition...the municipal legislative body shall hold a public hearing..." During this hearing, citizens and affected entities can express their views and concerns. If no valid protests are received, or if they are resolved, the city council can make a final decision on the annexation. If approved, the city files the annexation ordinance and map with the County Recorder and the annexed area officially becomes part of the city.

RESOLUTION NO. R24-59

A RESOLUTION ACCEPTING FOR FURTHER CONSIDERATION OF A PETITION FOR ANNEXATION KNOWN AS VAN WINKLE RELATED TO PROPERTY LOCATED APPROXIMATELY BETWEEN 900 EAST AND VAN WINKLE EXPRESSWAY AND BETWEEN APPROXIMATELY 4800 SOUTH AND THE BOUNDARY OF MURRAY CITY AT APPROXIMATELY 4840-4890 SOUTH IN UNINCORPORATED SALT LAKE COUNTY.

WHEREAS, Murray City ("City") is a municipal corporation duly organized and existing under the laws of the State of Utah; and

WHEREAS, pursuant to Utah Code Ann. §10-2-403, the process to annex an unincorporated area to a municipality is initiated by a petition; and

WHEREAS, on May 14, 2024, various owners of real property in unincorporated Salt Lake County but contiguous to the present boundary of Murray City filed a Petition for Annexation ("Petition") known as Van Winkle for real property located approximately between 900 East and Van Winkle Expressway and between approximately 4800 South and the boundary of Murray City at approximately 4840-4890 South; and

WHEREAS, Utah Code Ann. §10-2-405 provides that within 14 days of the filing of the Petition, the municipal legislative body may deny the Petition or accept the Petition for further consideration; and

WHEREAS, on May 21, 2024, the City Council reviewed the Petition and accepted the Petition for further consideration; and

WHEREAS, the City Recorder, within 30 days after the acceptance of the Petition for further consideration, determined that the Petition did not meet all of the requirements because the Petition was not accompanied by an accurate and recordable map, prepared by a licensed surveyor, of the area proposed for annexation; and

WHEREAS, the City Recorder rejected the Petition and mailed or delivered written notification of the rejection and the reason for the rejection to the City Council, the Contact Sponsor, and the County Council; and

WHEREAS, on July 29, 2024, the Contact Sponsor refiled the Petition by filing an accurate and recordable map, prepared by a licensed surveyor, of the area proposed for annexation; and

WHEREAS, the City Recorder determined that the Petition did not meet all of the requirements because the Petition was not accompanied by a copy of the notice sent to affected entities and a list of the affected entities to which notice was sent; and

WHEREAS, the City Recorder rejected the Petition and mailed or delivered written notification of the rejection and the reason for the rejection to the City Council, the Contact Sponsor, and the County Council; and

WHEREAS, on September 17, 2024, the Contact Sponsor refiled the Petition by filing a copy of the notice sent to affected entities and a list of the affected entities to which notice was sent; and

WHEREAS, the refiled Petition shall be treated as a newly filed Petition.

NOW, THEREFORE BE IT RESOLVED, by the Murray City Municipal Council that:

1. The Council does hereby accept the Petition for further consideration, pursuant to the provisions of Utah Code Ann. §10-2-405.
2. The City Recorder, and all other appropriate City personnel are hereby authorized and directed to take all actions required or advisable to be taken in preparation for formal action by the Council on the proposed annexation.
3. This Resolution shall become effective immediately upon its execution.

PASSED, APPROVED AND ADOPTED by the Municipal City Municipal Council this 15<sup>th</sup> day of October, 2024.

MURRAY CITY COUNCIL

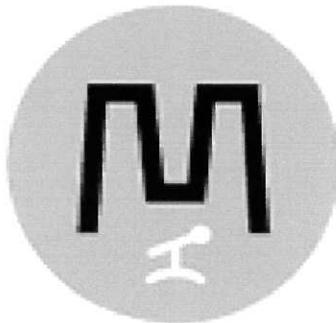
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Pam Cotter, Chair

ATTEST:

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Brooke Smith, City Recorder



MURRAY  
CITY COUNCIL

# Mayor's Report And Questions



**MURRAY**  
CITY COUNCIL

# Adjournment