MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT

Building Division 801-270-2400
Planning Division 801-270-2430

Murray City Planning Commission Meeting
Notice of Meeting and Agenda

Thursday, September 5th, 2024, 6:30 p.m.
Murray City Hall, 10 East 4800 South, Council Chambers

The public may view the Murray Planning Commission meeting via live stream at www.murraycitylive.com or https://www.facebook.com/Murraycityutah/. You may submit comments via email at planningcommission@murray.utah.gov. Comments are limited to 3 minutes or less, and written comments will be read into the meeting record. Please include your name and contact information.

Supporting materials are available at https://www.murray.utah.gov/779/Agendas-Attachment.

CALL MEETING TO ORDER

BUSINESS ITEMS:

1. Approval of Minutes
   a. July 18, 2024
   b. August 1, 2024
2. Conflict of Interest
3. Approval of Findings of Fact
   a. None

CONDITIONAL USE PERMIT(S) – ADMINISTRATIVE ACTION

4. Fuji Townhomes & Applegate Condominium Subdivision Amended Project # 24-095 & 096
   770 West Applegate Drive
   Amending Conditions of Approval for a Conditional Use Permit and Subdivision Approval

5. Erekson State Farm Project # 24-084
   313 East Winchester Street
   Construction of a New Building in the R-N-B Zoning District

6. Olympus Tents and Events Project #24-090
   5963 South State Street
   Events and Reception Center in the C-D Zoning District

7. Rookery Auto Sales Project #24-089
   4205 South Commerce Drive #2
   Auto Sales Business in the M-G Zoning District

MCCD DESIGN REVIEW – ADMINISTRATIVE ACTION

8. The Noah/Stax Project #24-078
   149, 155-157, 163 East Vine Street
   Forty (40) Multifamily Dwellings & 2,846ft^2 Commercial Mixed Use Project

GENERAL PLAN FUTURE LAND USE MAP AND ZONING MAP AMENDMENT – PUBLIC HEARINGS

9. and 10. Lotus Development Project #24-092 & 093
   787 & 825-865 East 4800 South
   Amend the Future Land Use Map from Low Density Residential and Office to High Density Residential and the Zoning Map from R-1-8, Single-Family Low Density Residential and G-O, General Office to R-M-25, Multiple Family High Density Residential

ANNOUNCEMENTS AND QUESTIONS
ADJOURNMENT

The next scheduled meeting will be held on Thursday, September 19, 2024, at 6:30 p.m. MST in the Murray City Council Chambers, 10 East 4800 South, Murray, Utah.

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 planningcommission@murray.utah.gov. Comments are limited to three minutes or less (approximately 300 words for emails) and must include your name and address.

Special Accommodations for the hearing or visually impaired will be made upon a request to the office of Murray City Recorder (801-264-2662). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.

Committee members may participate in the meeting via telephonic communication. If a Committee member does participate via telephonic communication, the Committee member will be on speakerphone. The speakerphone will be amplified so that the other Committee members and all other persons present will be able to hear all discussions.

No agenda item will begin after 10:00 p.m. without a unanimous vote of the Commission.

At least 24 hours prior to the meeting, a copy of the foregoing notice was sent to the City Recorder to post in conspicuous view in the front foyer of the Murray City Center, Murray, Utah. A copy of this notice was also posted on Murray City's internet website www.murray.utah.gov and the state noticing website at http://pmn.utah.gov.

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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.

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 6th, 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.

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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

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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:

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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

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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

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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

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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.

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ANNOUNCEMENTS AND QUESTIONS

The next scheduled meeting will be held on Thursday, August 1st, 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.

Philip J. Markham, Director
Community & Economic Development Department

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Minutes of the Planning Commission meeting held on Thursday, August 1, 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.

Present: Maren Patterson, Chair
Lisa Milkavich
Jake Pehrson
Michael Henrie
Michael Richards
Pete Hristou
Zachary Smallwood, Planning Division Manager
Mark Richardson, Deputy Attorney
Members of the Public (per sign-in sheet)

Excused: Ned Hacker, Vice Chair

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

Chair Patterson called the meeting to order at 6:31 p.m.

BUSINESS ITEMS

APPROVAL OF MINUTES

Commissioner Henrie made a motion to approve the minutes for June 20th, 2024.

Seconded by Commissioner Richards. 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 Henrie made a motion to approve the findings of facts and conclusions for NA Auto project # 24-074 and Secured Auto project # 24-074. Seconded by Commissioner Hristou. A voice vote was made with all in favor.

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MASTER SITE PLAN & DESIGN REVIEW - ADMINISTRATIVE ACTION

Cottonwood Galleria - 4998 South Galleria Drive - Mixed Use Project with 639 Multi-family Residential and 18,900 sq ft of Commercial - Project # 24-083

Tyler Morris, of Cottonwood Residential, was present to represent this request. Zachary Smallwood presented the request for Design and Master Site Plan Review approval to allow the development of a mixed-use project, located in the MCMU zone. He showed a map of the property location and provided a history of the property ownership and uses. He described the uses and requirements of the MCMU zone. He discussed the location and details within the site plan. He described the design of the proposed development and number of units and the required commercial use component.

Mr. Smallwood discussed the criteria used to calculate the required amount of commercial space, stating that the parking provided will exceed the requirements. He stated that the Planning Commission's responsibility is to review application for its conformance to the Site Plan/Master Site Plan requirements of the zone. He indicated that staff have verified that the application does meet those requirements.

Mr. Smallwood reminded the commissioners that in order to approve the application they must verify that the application meets four specific criteria. He described how the applicant meets these criteria. He spoke to the information contained in the traffic impact study. The firm who performed the study made recommendations to mitigate the impacts to the area. He indicated that each department within the city said that they can accommodate the potential impacts of this project. He said that each department made specific comments to assist the applicant in moving forward. Murray School District was notified of the project. They said they don't expect an impact from the potential increase in students.

Mr. Smallwood reviewed the elevations, building heights and materials. He spoke about a requirement to break up the building at 300 feet with publicly available access. The applicants addressed this by placing a walkway through the podium building.

Mr. Smallwood stated that notices were sent to property owners within 500 feet of the proposed project.

Staff finds that the proposed mixed-use development is consistent with the goals and objectives of the Murray City General Plan Land Use, the number of housing units are permitted in the MCMU zone, and horizontal mixed-use developments are allowed, subject to the master site plan approval by the planning commission. He said, with the conditions, the proposed development complies with the requirements of the MCMU zone. Staff recommends that the Planning Commission approve the request for Master Site Plan and Design Review for the Cottonwood Galleria and mixed-use project subject to the conditions.

Commissioner Henrie asked Mr. Smallwood asked about the E level traffic concern and the application conditions that were reevaluated once the engineer made changes to the flow of traffic. He was concerned the traffic issues are just being diverted to another location. Mr. Smallwood said that the city engineer reviewed it and would have made changes to the conditions if needed.

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Tyler Morris approached the podium. Chair Patterson asked if he could comply with the conditions. He said that he could.

Commissioner Pehrson asked Mr. Morris about including the Little Cottonwood Creek Trail as part of phase one. He said they're open to the idea, in phase one or phase two.

Chair Patterson opened this agenda item up for public comment.

Sergio Cardenas spoke. He described the increased rate of crime that has occurred over the ten years he and his wife have lived in the neighborhood. He also described how bad the traffic has gotten in the neighborhood and anticipates that it will only get worse with this development. He said that there are increasing issues with the homeless population in the area as well. He asked what will be done about the increase crime and traffic. He expressed concern for the safety of the neighborhood children, especially walking to and from school.

Diane Lopez spoke. She expressed her strong dissatisfaction with this project. She said that she's very upset about the increased crime in Murray. She feels that a new housing project will lead to much more crime. She also expressed her concern about the increased traffic. She feels that the citizens are the ones who lose when developers decided to put in new housing.

Michael Todd spoke. He's the owner of the Desert Star Playhouse. He pointed out on the map where his property was in reference to the proposed project. He said he intended to use this land to expand the Desert Star, but what he wants to accomplish does not fit into the zone's permitted uses. He feels that, having the project developed, will make his property become a vacant piece of land. He wants to work with the applicant to have his land incorporated into this project. He's concerned because his property is the frontage of the project and is doesn't want it to become an eyesore.

Mr. Smallwood read an email received from Kristen Egelhoff. She expressed her concern regarding the viability in building this size of project. She feels the neighborhood's infrastructure can't support a development of this size, especially in terms of traffic, noise, and pollution – during and after construction. She foresees an increase in utility costs and taxes. She is also concerned for the impact on the Jordan River Parkway. She implored the Planning Commission to build single family homes or a park instead.

Mr. Smallwood read an email from Emma Tanner with Clyde Snow Attorneys at Law. She said that her firm has been retained by Hunters Woods SPE LLC. She wrote regarding their objection to the Cottonwood Residential mixed-use development design and Master Site Plan Review Approval. She said the Hunters Woods presently owns and operates an apartment complex adjacent to the proposed development. She states that, given the proposed size and limited amount of time available to review the proposed project, she is notifying the city of her client's concerns. Their concerns include the increased density in the area. They take issue with a 2023 decision to deny Hunter Woods to engage in a minor expansion, stating discriminatory treatment against them. They anticipate overflow parking of the new development onto adjacent streets and neighborhood spaces. They state that Murray City is failing to acknowledge the traffic issues that will result in high density living, this includes the impact on school pick-up and drop-off. They are concerned that the private water line on their property will need to be utilized to provide utilities to the development. Hunters Woods desires to obtain independent traffic and other studies so that it can adequately consider the ramifications of the development. They feel that Murray City did not publish any

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substantive information about what may very well be one of the largest developments in state history until late Friday, July 26th, leaving residents with five calendar days to process and analyze a 140-page staff report. This letter represents only those concerns Hunters Woods has identified over the last five and may not be a comprehensive list of every concern or problem that should be addressed prior to the city's approval of the development. Should the city permit the development to proceed, Hunters Woods intends to continue with its own research and analysis and is prepared to invoke the law and any available resources if and where necessary to ensure the development is approved and finalized in an appropriate manner.

Carmen Cardenas spoke. She says that she no longer feels safe to walk in the neighborhood. She feels this project will increase the crime in her neighborhood. She wishes there could be single-family homes instead. She knows that Utah is growing but feels this isn't the right kind of growth. She feels that Murray should provide places for families to own, not rent. She feels this is not a positive change for the community or for the schools.

Chair Patterson close the public comment period for this agenda item.

Mr. Smallwood addressed the topics of crime and homelessness in the area, stating that there is statistically more crime and homelessness in areas with open vacant land that isn't being actively used. He said that a development in the area should lead to a reduction in crime, due to more eyes on the street and residents being more active and engaged in the community. He said that, just like those who commented during this meeting, new residents moving into the development want what current residents want – to call that their home and to feel safe.

Mr. Smallwood addressed the letter from Clyde Snow. He said that it was never stated that there would be a four-lane road on Murray Boulevard. He also said that there is no stated intention to tie into private utilities. The property has its own large utility lines. He also stated that the city wouldn't allow them to tie into Hunters Woods' private lines. He addressed the concerns about the impact on the schools. He said that staff, City Council and the mayor have met with the school superintendent and the school board. He cited that the city has a letter, signed by the superintendent of Murray School District, stating that they can accommodate the anticipated students. He stated that UTA is supportive of the housing project and will be adding bus stops to accommodate the increase in residents. UTA will also be installing rapid transit stations.

Commissioner Henrie asked if the increased UTA stops will cause traffic congestions. Mr. Smallwood said that the stops will have pull-offs to reduce the impact.

Commissioner Henrie asked about the concerns of more residents parking along the street. Mr. Smallwood said that the proposed development exceeds the parking requirements of the zone and should have ample parking.

Chair Patterson asked Mr. Smallwood to elaborate on how the project will be meeting all the code requirements.

Mr. Smallwood provided detailed history of the property, including zoning uses. He said that in 2021, the city put in a moratorium on all mixed-use development in the city and went through an exhaustive review with the city departments. He talked about amendments to the zone based on that review. He said that those amendments would have been brought before the Planning

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Commission and the City Council at the time. This would have included notices sent out to property owners. He said that this is a private property rights issue, and that the owner of the property is allowed to do what they'd like on their land, if it meets the zoning requirements. He isn't asking for anything outside of the code. They have met all the concessions requested. He said that the Planning Commission's role is to ensure that the applicant is meeting the zone requirements.

Chair Patterson said that she was on the commission when the moratorium and review of the mixed-use zones occurred and recalled that the process was exhaustive and comprehensive. She pointed out that they created two MCMU zones, east and west, due to the restrictions of this property and that the requirements are very specific. She said that a few things have changed since that time which have led to rezoning and rewriting the MCMU west zone.

Commissioner Pehrson said that in 2021, the city created a comprehensive transportation plan that addressed transit issues in this area. He said that it's not up to the Planning Commission to tell the developer how to develop their land if it meets zoning requirements.

Commissioner Milkavich encouraged residents to take their concerns to the City Council and be involved in the zoning processes.

Mr. Smallwood addressed Mr. Todd's comments by indicating that Mr. Todd could sell his property, develop it, or leave it vacant. Mr. Smallwood stated that the city cannot force the applicant to work with Mr. Todd.

The commissioners discussed adding the trail amenity to the first phase. They agreed that it was called out as a central feature and will create connectivity in the community. They would prefer to see it added to the first phase.

Commissioner Pehrson made a motion that the Planning Commission grant Master Site Plan and Design Review approval for the Cottonwood Galleria Mixed-Use Project on the property located at 4998 South Galleria Drive, subject to the following conditions, with the additional condition that the central feature of the Little Cottonwood Creek Trail be included as part of phase one.

1. The project shall meet Murray City Engineering requirements including the following:
    a) Meet current City storm drainage requirements. On-site retention of the 80th percentile storm, detention, water quality treatment and Low Impact Development (LID) practices are required.
    b) Provide a site drainage and LID report.
    c) Stormwater discharge and work in the floodway will require a Murray Floodplain Development Permit, Salt Lake County Flood Control Permit, and a Stream Alteration Permit from the State of Utah.
    d) The project frontages to Vine Street, Galleria and Murray Blvd. need to include 8' park strips and 7' wide sidewalks – ROW dedications for sidewalk and park strip will be required.
    e) Westbound left turns will be restricted at the south Galleria connection to Murray Boulevard due to the proximity to the signalized intersection.
    f) Add pedestrian access near future BRT stop to access.
    g) Bike path should have crosswalks as well to ensure safe crossing near Galleria Drive entrance.
    h) Implement all Traffic Impact Study (TIS) recommendations.

DRAFT

i) Increase crosswalk spacing on Galleria Drive to 300'. Ensure all crosswalks are visible and have adequate sight distance.
j) Identify Galleria Drive as a public street.
k) The dog park cannot drain to the stormwater system or Creek.
l) Relocate all utilities, including storm drains outside of building footprints.
m) The existing 24" storm drain line at the southwest corner of the site must be relocated.
n) The trail crossing at Murray Boulevard will need to align with the trail access on the west side of Murray Boulevard.
o) Much of the northwest side of the property was filled over many years. Provide a copy of the site Geotechnical Study and implement recommendations. The site geotechnical study should include seismicity, liquefaction assessments, ground water, and infiltration rates at retention locations.
p) Development will require City Land Disturbance Permit/SWPPP and Maintenance Agreement.
q) A City Excavation Permit is required for all work in the public right of way.
r) Developer will need to repair/replace and damaged, substandard, or broken curb and sidewalk in public ways.

2. The applicant shall meet all Murray City Water division requirements.
3. The project shall meet all Murray City Wastewater requirements.
4. The applicant shall meet all Murray City Power Department requirements and meet with power department staff to plan power service to the new building.
5. The applicant shall meet all Murray City Fire Department requirements as stated in the staff report.
6. The project shall meet all requirements of the Murray City Land Use Ordinance and the Master Site Plan.
7. The applicant shall enter into a development agreement with Murray City that reflects the requirements as stated in the land use ordinance.
8. The applicant shall provide updated plans that shows the correct park strip and sidewalk improvements along Murray Boulevard and Vine Street.
9. The applicant shall draft a conservation easement for the proposed Little Cottonwood Creek Trail in favor of Murray City.
10. The applicant shall obtain appropriate permits for any new signage on the property.
11. The applicant shall ensure any new businesses going into the commercial units obtain a business license prior to conducting operations.
12. The applicant shall incorporate the little cottonwood creek trail into phase 1 of the development.

Seconded by Commissioner Milkavich. Roll call vote:

A Patterson
A Milkavich
A Henrie
A Pehrson
A Hristou
A Richards

Commissioner Henrie added to the record that he has lost confidence in Murray City Traffic Engineering.

DRAFT

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.

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Seconded by Commissioner Richards. Roll call vote:

A Patterson
A Milkavich
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 15th, 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, Director
Community & Economic Development Department

DRAFT

MURRAY CITY CORPORATION
CITY ATTORNEY'S OFFICE

TEL 801-264-2640

30 August 2024

Murray City Planning Commission
Subject Property: 770 West Applegate Drive

RE: ***Conditional Use Permit and Subdivision Amendments for Fuji Townhomes***

Dear Commissioners,

Background

On June 15, 2023, the Planning Commission heard a request from Applegate HOA (the "Property Owner") for a proposed 42-unit townhouse project (the "Project"). The proposed Project is adjacent to existing residential neighborhoods and the Applegate Condominium project. In connection with the proposed Project, Property Owner applied for:

1. Preliminary and final subdivision plat approval to amend the existing Applegate Condominiums subdivision, and
2. A conditional use permit

At that time, the Planning Commission approved the Project subject to multiple conditions, including a condition that the Property Owner *"[p]rovide emergency only access gate meeting Fire Department requirements at Fuji connection to Spring Clover Drive."* This condition required that the new roadway between the proposed Fiji connection and the existing Spring Clover Drive be blocked by an emergency-only gate so that only fire and emergency vehicles could use that access point.

The Property Owner appealed the Planning Commission's approval, and the appeal was heard by the Hearing Officer in September 2023. The Hearing Officer determined that, among other things, there was substantial evidence supporting the Planning Commission's condition requiring the emergency-only access gate.

The Property Owner objected to several of the conditions imposed by the Planning Commission. Through the appeal process, all other objected-to conditions were resolved, leaving only the issue of the emergency access gate in question. The Property Owner requested an advisory opinion from the Office of the Property Rights Ombudsman on whether the remaining condition could be imposed by the City.

Office of the Property Rights Ombudsman

The Office of the Property Rights Ombudsman ("OPRO") is an independent, neutral office in the Utah Department of Commerce that assists citizens and government agencies in understanding and complying with property rights laws, resolves disputes, and advocates fairness

and balance when private rights conflict with public needs. If any party to an issue involving a land use application desires an official review by the OPRO, an advisory opinion may be requested. Upon receiving a request for an advisory opinion, the OPRO will review the issue, gather information from both parties, and do a legal analysis of the issue in a formal written opinion which becomes part of the public record.

While an advisory opinion from the OPRO is non-binding, if the matter continues to litigation and a court ultimately makes a decision that is consistent with the OPRO's opinion, the prevailing party may collect reasonable attorney fees and court costs. The fees collected would be those which accrued regarding that particular cause of action from the date of the OPRO opinion until the date of the court's ruling.

OPRO Advisory Opinion

The OPRO issued its Advisory Opinion related to this Project on July 23, 2024. After a review of the record and the information provided by both parties, the OPRO's Advisory Opinion determined that the City may not require that an emergency access gate be installed as a condition of approval for either the subdivision or the conditional use permit because the City Code does not expressly require the gate and the condition is not supported by substantial evidence in the record.

The OPRO indicated that the Traffic Impact Study prepared by the Property Owner's engineer ("Traffic Study"), specifically stated that the proposed development would have no significant impact on existing traffic. The advisory opinion found that the conclusions in the Traffic Study were the only "substantial evidence" that was presented to the Planning Commission upon which a decision could be made and that the other opinions that were provided were "mere speculation and conjecture". In addition, the OPRO stated that there are no City ordinances requiring that an emergency-only access gate be installed under the proposed conditions.

City Recommendation

While the OPRO's opinion is considered advisory and is not binding, the arguments included in the opinion would carry significant weight in any litigation proceeding and would likely weigh heavily in the Property Owner's favor by the courts. After a thorough review of the Advisory Opinion and discussions with City Planning and Engineering staff, the City is recommending that the Planning Commission amend its approval dated June 15, 2023, and remove conditions 1(o) from the Subdivision Application and condition 1(i) from the Conditional Use Permit relating to the emergency-only access gate.

Finally, to clarify for the record, it is the City's position that all deadlines resulting from approval of the original subdivision plat and conditional use permit will be calculated based off of the date of these recommended amendments.

Suggested Motions

Subdivision Amendment: *I move that the Planning Commission approve the proposed amendment to the Applegate Condominiums Amended Subdivision removing condition 1.(o) "Provide emergency only access gate meeting Fire Department requirements at Fuji connection to Spring Clover Drive."*

Conditional Use Permit: *I move that the Planning Commission approve the proposed amendment to the Fuji Townhomes Conditional Use Permit removing condition 1.(i) "Provide emergency only access gate meeting Fire Department requirements at Fuji connection to Spring Clover Drive."*

Signed

Mark S. Richardson
Deputy City Attorney

SPENCER J. COX
Governor

DEIDRE M. HENDERSON
Lieutenant Governor

UTAH DEPARTMENT OF COMMERCE
Office of the Property Rights Ombudsman

MARGARET W. BUSSE
Executive Director

JORDAN S. CULLIMORE
Division Director, Office of the Property Rights Ombudsman

ADVISORY OPINION

Advisory Opinion Requested by:	Jake Christensen
Local Government Entity:	Murray City
Property Owner:	Applegate LLC
Type of Property:	Residential
Date of this Advisory Opinion:	July 23, 2024
Opinion Authored By:	Marcie M. Jones, Attorney Office of the Property Rights Ombudsman

Issues

1. May a city require the installation of an emergency-only access gate where a proposed 42-townhome project connects with an existing street?

2. May the developer further subdivide the proposed multi-family townhome blocks into individually sold single-family homes? The townhomes abut a private street and city code requires that single-family homes abut a public street.

Summary of Advisory Opinion

The property owner is proposing to develop a 42-unit townhome project. The townhomes are developed in blocks with multiple townhome units on each individual subdivision lot similar to typical apartment buildings.

As required by city ordinance, the property owner submitted an amended subdivision plat application as well as a conditional use permit in connection with the project. As a condition of approval of both applications, the city is requiring an emergency-only access gate be installed across the roadway connection between the proposed project and an existing street to mitigate potential traffic impacts on an adjoining neighborhood. The condition to install the gate is not supported by substantial evidence nor intended to mitigate an established anticipated detrimental effect. Therefore, the city may not lawfully impose this as a condition of approval.

The property owner next asks whether the developer may lawfully further subdivide the proposed multifamily townhome apartment blocks into individually sold single-family homes. The city code requires that single-family lots must abut a *public* street. The lots in this subdivision abut a *private*

street, and therefore the multi-family townhome blocks may not be further subdivided into single-family homes and sold individually.

Evidence

The following documents and information with relevance to the issue involved in this Advisory Opinion were reviewed prior to its completion:

1. Request for an Advisory Opinion submitted by Jake Christensen on behalf of Applegate LLC, received on August 18, 2023.
2. Documents provided by email from City Attorney Mark Richardson, dated November 17, 2023.
3. Email response from attorney Ryan Wallace, on behalf of Applegate LLC, dated November 20, 2023.
4. Additional question for advisory opinion and linked documents from Ryan Wallace, dated November 27, 2023.
5. Murray City's memorandum response to additional issues, submitted by Mark Richardson, dated December 13, 2023.
6. Email response from Ryan Wallace, dated December 20, 2023.
7. Email reply from Mark S. Richardson, dated December 29, 2023.
8. Email surresponse and attachments from Ryan Wallace, dated January 3, 2024.
9. Email reply from Mark S. Richardson, dated January 16, 2024.
10. Email from Ryan Wallace, dated January 18, 2024.

Background

In connection with a proposed 42-unit townhouse project, the property owner (Property Owner) applied for (1) preliminary and final subdivision plat approval to amend the existing Applegate Condominiums subdivision, and (2) a conditional use permit to Murray City (City). The project is infill development and adjacent to existing residential neighborhoods and the Applegate Condominium project.

The Murray City Planning Commission approved the project subject to multiple conditions. The Property Owner objected to several of the required conditions, however, through the appeal process, all but one of the objected-to conditions were resolved.

The Property Owner asks whether the remaining objected-to condition may be imposed. Specifically, the City is requiring that the new roadway connection between the proposed Fiji Avenue and existing Spring Clover Drive be blocked by an emergency-only gate so that only fire and emergency vehicles can use the access point. Neighbors have expressed concern over the potential traffic impacts of the project.

The Traffic Impact Study prepared by the Property Owner's engineer indicated that the proposed development would have no significant impact on existing traffic. Furthermore, there are no City

ordinances requiring that an emergency only access gate be installed under the proposed conditions. The Property Owner therefore asks whether this condition is arbitrary and capricious because it is not supported by substantial evidence or otherwise illegal because the requirement is not included in city ordinances.

Additionally, the Property Owner questions the City's interpretation of City Code restricting the apartment townhome blocks from being further subdivided and sold as individual single-family homes. As currently proposed, multiple townhomes sit on each lot and will have a common owner and be rented individually.

City code requires that all lots serving single-family homes or duplexes abut a *public* street. Each lot in the proposed subdivision is directly served by a *private* street. The Property Owner maintains that the lots may be sold individually because common area (the private street) abuts the public street, arguably meeting the requirements of the Code. The City maintains that this does not meet the definition of "abut" and therefore the blocks of townhomes may not be further subdivided into single-family homes and individually sold.

The Property Owner has requested this Advisory Opinion to answer whether the City (1) may lawfully require installation of an emergency-only access gate as a condition of approval for the amended subdivision plat and conditional use permit and whether (2) the blocks of townhomes may be further subdivided into single-family homes and individually sold.

Analysis

I. The City may not require that an emergency access gate be installed as a condition of approval for the amended subdivision plat because the Code does not expressly require the gate and the condition is not supported by substantial evidence in the record.

We first acknowledge that in contrast to other administrative decisions, the land use authority possesses an added level of discretion on whether to approve an *amended* subdivision plat application. Utah Code Section 10-9a-609(1) reads "the land use authority may approve the vacation or amendment of a plat . . . if the land use authority finds that: . . . there is good cause for the vacation or amendment."[1] In this case, the City may deny the plat outright if it finds there was not "good cause" for approving the amendment. *See, e.g.,* Six Blue Bison LLC v. Alpine City, 2023 UT App 89, 536 P.3d 77 (supporting the city council's decision in not finding "good cause" for approval of a plat amendment because the proposed project road was not explicitly included in the general plan). Regardless, and as will be explained below, the City's authority to outright deny for lack of "good cause" does not include discretion to approve the proposal with unlawful conditions.

Initially, we analyze whether the City may lawfully require that an emergency access gate be installed as a condition of approval of the amended subdivision plat.

[1] Of note, it appears the Planning Commission already found good cause to approve the subdivision it its July 20, 2023 Findings of Fact, which states that "[t]he proposed subdivision creates an opportunity for further residential development which is encouraged and supported by the 2017 Murray City General Plan in this area." Therefore, the inquiry here focuses on whether the City has otherwise lawfully approved the subdivision with conditions.

When reviewing the City's decision to attach conditions to a development approval, the first step is to determine whether applicable law authorizes the City to impose conditions on the approval, and under what circumstances. If applicable law permits the City to impose conditions, we then determine if the City supported its decision to impose the condition with substantial evidence in the record. If a land use authority exercises discretion to impose a condition in a manner that is unsupported by substantial evidence, then the decision is arbitrary and capricious and therefore unlawful. *See* Utah Code UTAH CODE § 10-9a-801(3)(b).

Utah state statute mandates that a municipality may only impose conditions of approval when state law, the municipal code, or municipal standards authorize it to do so. Utah Code Section 10-9a-509(f) states that "a municipality may not impose on an applicant who has submitted a complete application a requirement that is not expressed in: (i) this chapter; (ii) a municipal ordinance in effect on the date that the applicant submits a complete application . . .; or (iii) a municipal specification for public improvements applicable to a subdivision or development . . ."

Furthermore, land use applications are "entitled to approval if the application conforms to the requirements of the applicable land use regulations, land use decisions, and development standards in effect when the applicant submits a complete application and pays the application fees." UTAH CODE § 10-9a-509(1)(a)(ii). In plain English, if the subdivision plat meets the rules and standards[2] outlined in the state law, the municipal code and adopted municipal standards for public improvements, it must be approved.

In this case, for the city to lawfully impose the condition that an emergency-only access gate be installed as a condition of approval, applicable law must clearly authorize the municipality to impose the condition, otherwise, the condition conflicts with state law.

According to the information the parties have submitted, and upon review of the Murray City Code, the following applies:

> B. This title is designed to inform the subdivision developer and the public of the requirements for obtaining subdivision plat approval. Because each parcel of real property has unique site/situation characteristics, there may be some aspects of subdivision development that cannot easily be articulated. For this reason, it is not possible to cover every possible contingency. Therefore, the City Engineer, Planning Commission, and Community and Economic Development Director have the authority to impose reasonable conditions upon a subdivider in addition to those expressly required, provided that:
>
> 1. The conditions are not arbitrary or capricious;
>
> 2. The conditions do not conflict with any applicable law.

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[2] For a detailed explanation regarding the legal distinction between a rule and a standard, see Chapter 17. *Rules and Standards*, in *The Legal Analyst: A Tool Kit for Thinking about the Law*. In short, "[t]he general difference between a rule and a standard [is]: the consequences of a rule are triggered once we settle the facts; a standard requires a judgment about the facts before it kicks in." *Ward Farnsworth, The Legal Analyst: A Tool Kit for Thinking about the Law*, at 164 (2007).

Murray City Code § 16.04.010.

This provision generally authorizes the City to impose reasonable conditions on a subdivision approval to the extent that the condition does not conflict with some other applicable law and to the extent the condition is not arbitrary and capricious because it is supported by substantial evidence in the record. *See* Utah Code UTAH CODE § 10-9a-801(3)(b).

But there must be more than just a general grant of discretion to impose conditions not expressly articulated in the Code. Where discretion is given to impose conditions, the discretion must be guided by some "intelligible principle" or standard of decision making. S*ee J. W. Hampton, Jr. & Co. v. United States*, 276 U.S. 394 (1928) (standing for the proposition that a legislative grant of discretion must include some "intelligible principle" to which the person or body authorized to act is directed to conform), *see also State Tax Comm'n v. Katsis*, 90 Utah 406 (Utah 1936) ("Where judgment and discretion are required of municipal officers they cannot be delegated without express legislative authority."), *and* Bradley v. Payson City Corp., 2003 UT 16 n.2 (noting that administrative decisions are governed by city ordinances that "expressly limit[] the city's discretion over [the approval]").

Broad discretion to impose any condition, without articulated criteria for the decisionmaker to follow, will be considered an unlawful delegation of legislative authority, which is illegal. *See State Tax Comm'n v. Katsis*, 90 Utah 406 (Utah 1936) ("[w]here judgment and discretion are required of municipal officers they cannot be delegated without express legislative authority.") The City Code must provide guidelines or decision-making criteria for the land use authority to look to and follow when imposing a condition.

Here, the express rule governing access to the development is found in Murray City Code § 16.16.170. The section is titled "Relation of New Streets to Adjoining Street System; Access Streets." Subsection (B)(2) states the following:

> Multiple-Family Dwellings: Any residential subdivision development of more than one hundred (100) multiple-family dwellings shall have access to and from at least two (2) existing or proposed streets.

This section requires access to and from at least two existing or proposed streets where the development will contain more than one hundred multi-family dwellings, as is the case here since the road will serve the existing condos and the newly proposed townhomes. The applicant proposes to meet the requirement by completing the Fuji Avenue connection to Spring Clover Drive.

For the land use authority to have authority to impose an additional condition on the applicant's proposed connection, such as the installation of a crash gate to limit access, it must identify a provision in the Code that would authorize it to impose the condition. The only language we can find to guide the city's decision making in limiting access via a gate is in Murray City Code § 16.16.170(C) (emphasis added):

> Design Standards: Every development proposal shall demonstrate to the satisfaction of the city engineer, city fire marshal and planning commission that the overall street system design and subdivision layout incorporates design features conducive to efficient travel, public safety, and the protection of property and the community residents therein. The basis for the required improvements shall be in accordance with the street design and fire suppression standards adopted by the city. *Required improvements shall bear a proportionate, rational nexus to the impact of the proposed development on the local roadway system.*

By including the Fuji to Spring Clover drive connection in accordance with the requirement for two access points, the applicant has met its burden for approval. For the City's condition that the connection include a crash gate to be lawful, it must support its requirement with substantial evidence that the "required improvement" bears a proportionate, rational nexus to the impact of the proposed development on the local roadway system. We conclude that the City, in this case, has failed to meet this burden because no evidence has been presented that the crash gate is necessary to address the impact of the proposed development.

The only traffic study submitted for our review provides the following conclusion (emphasis added):

> The addition of an unrestricted connection between Applegate Drive and Spring Clover Drive could result in a potential extra 60-121 daily, 4-7 AM peak hour, and 6-11 PM peak hour trips dispersed throughout the neighborhood to the west of Applegate. Fehr & Peers was not able to find publicly available data on current traffic volumes and operations of the neighborhood streets such as Halcyon Drive and Clover Meadow Drive, *but this number of additional trips is not expected to cause significant traffic issues to these neighborhood streets* unless they are already operating at or near capacity. The neighborhood roadways are not likely near capacity given the number of homes in the neighborhood and the lack of connectivity to other areas that would increase traffic. Furthermore, *the additional connection could provide traffic benefits to the wider Murray area by providing redundant routes and access and potentially dispersing traffic in case where nearby intersections are impacted by incidents.*

Fehr & Peers Traffic Study Memorandum dated June 14, 2023.

This conclusion is the only substantial evidence that has been presented upon which a decision could be made. Other opinions provided for our review do not appear to be supported by evidence or data, but consist of mere speculation and conjecture, which are inappropriate bases for imposing a condition. Accordingly, we conclude that the City, in exercising its discretion to impose a condition to address the impact of the proposed development has failed to support its decision with substantial evidence in the record, and that the condition is therefore unlawful.

We next analyze whether the City may lawfully require that an emergency access gate be installed as a condition of approval of the conditional use permit.

II. The City may not require that an emergency access gate be installed as a condition of approval of the conditional use permit because there are no reasonably anticipated negative traffic effects to mitigate.

In reviewing the City's decision to conditionally approve the conditional use permit we "shall presume that a final land use decision of a land use authority or an appeal authority is valid unless the land use decision is . . . (1) arbitrary and capricious; or . . . (2) illegal." UTAH CODE § 10-9a-801(3)(b) (emphasis added).

We again first analyze whether imposing the condition on the conditional use permit was legal. Illegality refers to a determination that the decision violates a statute, ordinance, or existing law. UTAH CODE §10-9a-801(3)(c)(ii).

According to state law, "A municipality may not impose a requirement or standard on a conditional use that conflicts with a provision of this chapter or other state or federal law." UTAH CODE § 10-9a-507(1)(b). Furthermore, "A land use authority shall approve a conditional use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards." UTAH CODE § 10-9a-507(2)(a)(i).

In plain English, the City may impose conditions to *mitigate* the *reasonably anticipated detrimental effects* of the townhome project. The City may require the installation of the emergency-only access gate if it mitigates anticipated detrimental traffic effects.

In the case at hand, the Property Owner maintains that the City Engineer failed to identify any detrimental impacts that the minimal traffic generated by the new development via the Spring Clover Drive access. The traffic impact study prepared by engineering consultants for the Property Owner indicates that the traffic generated by the proposed project will not adversely impact access, level of service, nor the surrounding neighborhood roads. *Traffic Study*, Fehr Peers, May 29, 2019, and supplemented on June 20, 2022, December 28, 2022, and June 14, 2023.

The City Engineer recommends an emergency-only access while acknowledging that based on the accepted Traffic Study the traffic impacts generated by the proposed project will not detrimentally impact the level of service on neighboring roads. While the Code contemplates mitigating detrimental traffic impacts,[3] the City cannot lawfully impose a condition to mitigate traffic impacts which the Traffic Impact Study indicates will not exist.

As indicated above, the applicant has provided the Fehr & Peers Traffic Study. This study concluded that the proposed access point would not create any reasonably anticipated detrimental

[3] Murray City Code § 17.56.060(C) provides that "[t]he applicant may be required to provide…reports and studies which will provide information relating to…traffic impacts…."

impacts, therefore, it would be unlawful for the city to impose a condition to install a crash gate, where detrimental impacts for the gate to mitigate there are not anticipated.

In summary, requiring that an emergency-only access gate be installed as a condition of approval of the conditional use permit is unlawful because there are no reasonably anticipated detrimental traffic effects to mitigate.

III. The townhome lots do not directly abut a public street as required by City Code to be sold as single-family homes on individual lots.

We next address whether the plain language of the City Code prevents the apartment-style townhome blocks from being further subdivided and sold as single-family homes. As currently proposed, the project will have multiple townhomes on each subdivided lot. Each block of townhomes therefore will be under common ownership and be rented rather than owner-occupied. The project has been planned with all 42 townhomes being accessed via a private street.

The Property Owner designed the project with private streets which do not meet the more rigorous improvement standards of public streets. By designating the roadways as private the Property Owner eliminates the option to further subdivide each townhome into an individual lot to be sold as a single-family home. This is according to the requirements of City Code 16.16.090: entitled "Access to Public Streets" which reads "(A) All lots or parcels created by the subdivision of land, for single-family or two-family dwellings, . . . shall abut a public street which is improved to standards established according to this chapter."

The term *abut* is not defined in City Code or Utah Code. Merriam Webster defines *abut* as "to border on: to touch along an edge" and "to cause to touch or lean for support." *Merriam Webster Dictionary,* online edition, accessed May 23, 2024.

The Property Owner argues that the private street is common area and therefore part of the development, and as the development abuts the public roadway, the overall project meets the criteria and further subdividing should be allowed. However, the City Code language does not support this interpretation.

In interpreting city code, we must "apply the *plain language* of land use regulations." Utah Code § 10-9a-306(1). In this case, the City Code is clear. "All lots or parcels created by the subdivision of land, for single-family or two-family dwellings . . . shall abut a public street. . ." Because each of the 42 townhomes abut a *private* roadway, they cannot be further subdivided into single-family units and sold individually. To hold otherwise would make the distinction between what may be built on private vs. public streets irrelevant.

To summarize, City Code requires that single-family lots must abut a *public* street. The lots in this subdivision abut a *private* street, and therefore the multi-family townhome blocks may not be further subdivided into single-family homes and sold individually.

Conclusion

State law restricts municipalities from imposing conditions of approval which are not authorized by applicable law. Because the condition to require emergency-only access at the connection point between Fuji Avenue and Spring Clover Drive is not supported by substantial evidence the city may not lawfully impose such as a condition of approval of the subdivision plat amendment. Additionally, state law allows only those conditions to be imposed on conditional use permits which mitigate a reasonably anticipated detrimental effect. Because the traffic study indicated the townhomes will not adversely impact traffic level of service in the area, there are no anticipated detrimental effects, and a condition to mitigate the same is therefore unlawful.

As to the final issue, City Code requires that single-family lots must abut a *public* street. The lots in this subdivision abut a *private* street, and therefore the multi-family townhome blocks may not be further subdivided into single-family homes and sold individually.

Jordan S. Cullimore

Jordan S. Cullimore, Lead Attorney
Office of the Property Rights Ombudsman

NOTE:

This is an advisory opinion as defined in § 13-43-205 of the Utah Code. It does not constitute legal advice, and is not to be construed as reflecting the opinions or policy of the State of Utah or the Department of Commerce. The opinions expressed are arrived at based on a summary review of the factual situation involved in this specific matter, and may or may not reflect the opinion that might be expressed in another matter where the facts and circumstances are different or where the relevant law may have changed.

While the author is an attorney and has prepared this opinion in light of his understanding of the relevant law, he does not represent anyone involved in this matter. Anyone with an interest in these issues who must protect that interest should seek the advice of his or her own legal counsel and not rely on this document as a definitive statement of how to protect or advance his interest.

An advisory opinion issued by the Office of the Property Rights Ombudsman is not binding on any party to a dispute involving land use law. If the same issue that is the subject of an advisory opinion is listed as a cause of action in litigation, and that cause of action is litigated on the same facts and circumstances and is resolved consistent with the advisory opinion, the substantially prevailing party on that cause of action may collect reasonable attorney fees and court costs pertaining to the development of that cause of action from the date of the delivery of the advisory opinion to the date of the court's resolution. Additionally, a civil penalty may also be available if the court finds that the opposing party—if either a land use applicant or a government entity—knowingly and intentionally violated the law governing that cause of action.

Evidence of a review by the Office of the Property Rights Ombudsman and the opinions, writings, findings, and determinations of the Office of the Property Rights Ombudsman are not admissible as evidence in a judicial action, except in small claims court, a judicial review of arbitration, or in determining costs and legal fees as explained above.

The Advisory Opinion process is an alternative dispute resolution process. Advisory Opinions are intended to assist parties to resolve disputes and avoid litigation. All of the statutory procedures in place for Advisory Opinions, as well as the internal policies of the Office of the Property Rights Ombudsman, are designed to maximize the opportunity to resolve disputes in a friendly and mutually beneficial manner. The Advisory Opinion attorney fees and civil penalty provisions, found in § 13-43-206 of the Utah Code, are also designed to encourage dispute resolution. By statute they are awarded in very narrow circumstances, and even if those circumstances are met, the judge maintains discretion regarding whether to award them.

MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT

Building Division 801-270-2400
Planning Division 801-270-2420

AGENDA ITEM #05 – Erekson State Farm			
ITEM TYPE:	Conditional Use Permit		
ADDRESS:	313 E. Winchester Street	MEETING DATE:	September 5th, 2024
APPLICANT:	Mike & Monica Erekson	STAFF:	David Rodgers, Senior Planner
PARCEL ID:	21-19-23-024	PROJECT NUMBER:	24-084
ZONE:	R-N-B, Residential Neighborhood Business		
SIZE:	.36-acre site | 3,801 ft^2 proposed building		
REQUEST:	The applicant is requesting Conditional Use Permit approval to allow the construction and operation of a new insurance office on the subject property.		

I. LAND USE ORDINANCE

Land Use Ordinance Section 17.140.040 allows construction of commercial structures within the R-N-B Zoning District subject to Conditional Use Permit approval.

II. BACKGROUND

Project Location

The subject property is located on the north side of Winchester Street, across 300 E. from the Murray Power Substation.

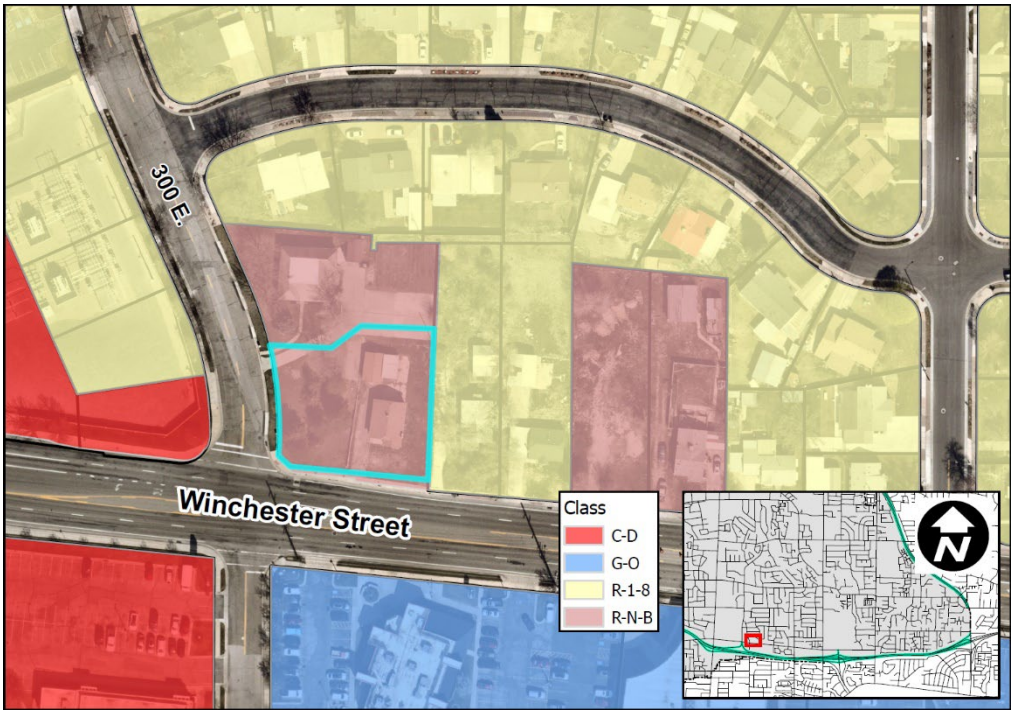


Figure 1: Zoning Map of 313 East Winchester Street

Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Commercial	R-N-B
South	Commercial/Retail	G-O
East	Single-Family Residential	R-1-8
West	Single-Family Residential/Commercial	R-1-8/C-D

Project Description

The applicant proposes to construct a 3,801 ft^2 building for the Erekson State Farm Insurance Murray office with a parking lot. The subject property is currently occupied by two structures

that would be torn down to make way for the new office building.

Building Design & Materials

The purpose statement of the R-N-B Zone states that "The zone should share design characteristics with nearby residential uses, provide a good neighborhood 'fit' and exude a distinct residential character." The proposed insurance office is 3,801 ft^2 with an entrance on the west side of the building. Everything proposed by the applicant is applicable within the zone and staff has no concerns with the building being constructed as proposed. The applicant included a letter discussing the design of the building and explaining decisions made regarding design and architecture, which has been attached to this report for the Planning Commission to review. Staff encourages the planning commission to read through the attached document and have a discussion regarding the proposal and use discretion to determine if it meets the intent of the zoning code.

Height

The maximum height allowed for commercial buildings in the R-N-B Zone is twenty feet (20'), and the Planning Commission can allow up to thirty feet (30') with the Conditional Use Permit. The proposed height of the building is twenty-two feet (22'). The additional proposed height is to accommodate the design features proposed by the applicant to make the building more similar to other nearby structures.

Floor Plans

The proposed building is a one-story office building. The floor plan consists of a shared entrance with tenant space, a conference room, and restrooms.

The entrance to the building is on the west side facing the parking lot. There is a sidewalk that extends the length of the parking lot on the west side of the building down to Winchester Street which will allow for pedestrian access. It is expected that most of the foot traffic will come directly from the parking lot. The consists of a shared space that allows access to the office space and restrooms. The proposed floor plans are attached to this report for review.

Hours of Operation

Section 17.140.050 limits the hours of operation for commercial buildings in the R-N-B Zone to between 7:00 a.m. and 10:00 p.m. The applicant has indicated that their office is not open before 7:00 a.m. and will not be open after 10:00 p.m.

Setbacks

The proposed building is compared to the required setbacks of the R-N-B Zone for commercial buildings in the table below:

	R-N-B Required	**Proposed**
Front	20’	20’-10”
Rear	20’	20’
Side	8’ (interior) 20’ (corner)	10’ (interior) 20’ (corner)

The proposed ten foot (10’) interior setback is required when adjacent to residential to allow for additional buffering. This is reviewed further in the next section. Staff does not have any concerns with the proposed setbacks.

Landscaping & Residential Buffering

New development in the R-N-B Zone is required to provide a minimum of 15% of the site in landscaping. The landscaping plan has been attached to this report for your review. Murray Land Use Ordinance Chapter 17.68 requires a minimum of 3 trees, 5 five-gallon shrubs, and 10 one-gallon shrubs for every 100’ of linear frontage on a public right-of-way not including any accesses. The subject property has required landscaping setbacks on Winchester Street and 300 East that must meet these standards. The proposed landscape plan satisfies the standards, as represented in the table below.

	Required	**Proposed**
Winchester Street: 125.11’ frontage 300 East: 86.35’ frontage Total frontage: 205’	7 trees 10 five-gallon shrubs 24 one-gallon shrubs	7 trees 41 five-gallon 24 one gallon

- Buffering – A minimum 10’ wide landscape buffer and solid fence or wall is required wherever the property is adjacent to residential zoning. The subject property meets the requirements for residential buffering.

- Parking Lot Landscaping – The landscape plan includes landscaped buffers between the parking lot and the property lines on both the south and the west of the property. These landscaped buffers meet the 5’ landscaped setback required in all commercial zones for parking areas adjacent to property lines.

Access & Traffic Circulation

The proposed site plan indicates a single, twenty-five foot (25’) wide access from 300 East. This access is shared with the property to the north and is the only point of vehicular

ingress/egress: all traffic will circulate from 300 East into the parking area, where the primary lot is located to the west of the building and an additional spot located on the north side.

Commercial accesses must be a minimum of twenty-five feet (25') wide where they meet the public right-of-way. The proposed access is adequate to meet this requirement.

Parking

An insurance office like the one proposed requires four parking spaces for each 1,000 ft^2 of net usable building area. Based on the square footage amounts on the submitted site plan, the building needs to have sixteen (16) parking stalls. The proposed site plan provides eighteen (18) spaces, including the required ADA accessible space and a motorcycle stall. This application meets all parking requirements set out by code.

Trash Enclosure

The trash enclosure description on the plan does not specify the height of the surrounding barrier. The requirement to have a six foot (6') solid barrier fence surrounding the dumpster is included as a condition of approval.

Grading, Drainage, and Utilities

The subject property is fairly level, and grading in order to construct the proposed building will be minimal. Engineering and Public Works staff have reviewed the proposed plans for storm drainage and utilities and have no serious concerns. Comments and requirements from those departments have been included.

III. LAND USE ORDINANCE STANDARDS REVIEW

Murray City Code Section 17.56.060 outlines the following standards for review for conditional uses.

A. That the proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well- being of the community and the neighborhood.

With compliance to city regulations, the proposed use will provide a service that will contribute to the general well-being of the community and neighborhood by providing a new business and increasing the desirability of the area.

B. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of person residing or working in the vicinity, or injurious to property or improvements in the vicinity.

With conditions, the proposed use will not be detrimental to the health, safety or general welfare of people in the vicinity.

C. That the proposed use will stress quality development with emphasis towards adequate buffering, landscaping, proper parking and traffic circulation, use of appropriate gradation of building height away from single family districts and density to create privacy and compatibility with surrounding uses, use of building materials which are in harmony with the area, impact on schools, utilities and streets.

The proposed use will contribute to the overall quality of the development by providing an active tenant contributing to the maintenance of the site. The proposed use for an insurance office is in harmony with the allowed uses in this zoning district and others found in the area.

D. That the applicant may be required to provide such reports and studies which will provide information relating to adequate utilities, traffic impacts, school impacts, soil and water target studies, engineering reports, financing availability, market considerations, neighborhood support and any other information which may be needed in order to render a proper decision.

The applicant has submitted sufficient information for the review of this Conditional Use Permit application by Murray City Staff and the Murray City Planning Commission.

IV. CITY DEPARTMENT REVIEW

A Planning Review Meeting was held on August 20th, 2024, where the proposed insurance office building was reviewed and discussed by Murray City department staff. The following comments have been provided by the departments that were in attendance:

- The Murray City Engineer recommends approval with the following conditions:
    - Meet City storm drainage requirements, on-site detention retention is required – City Code Chapter 13.52.050
    - Provide water quality treatment for stormwater discharge to the detention system – City Code 13.52.050
    - Replace any damaged curb and gutter and sidewalk along property frontage to 300 East and Winchester Street – City Code Chapter 12.12.050
    - Install new sidewalk along the property frontage to 300 East – City Code Chapter 12.12.050
    - Develop a site erosion control plan and implement BMP's prior to beginning demolition and construction work - City Code Chapter 13.52.030.
    - Obtain a City Excavation Permit for work in the City right-of-way City - Code Chapter 12.16.020.
    - Monument sign location cannot impede line of sight for vehicle turning movements from 300 East onto Winchester Street. Meet AASHTO sight distance requirements.

- The Murray City Building Official recommends approval with the condition that the applicant obtain all proper building permits for the project.
- The Murray City Fire Department recommends approval with a reminder to please use

IFC 2021 code for requirements of any updates.

- The Murray City Water Division recommends approval with no additional comments.
- The Murray City Wastewater Division recommends approval with no additional comments.
- The Murray City Power Department recommends approval with no concerns regarding the change to a single level building. The Power Department is currently working with the developer on providing future electrical service to the proposed structure.

The preceding comments are addressed as conditions of approval in the final section of this report.

V. PUBLIC INPUT

Twenty-Five (25) notices of the public meeting were sent to all property owners for parcels located within 300 feet of the subject property. As of the date of this report, Staff has received one comment in favor of the proposal.

VI. FINDINGS

Based on the analysis of the Conditional Use Permit application for construction of a new Insurance Office building and a survey of the surrounding area, staff concludes the following:

1. The proposed use of the new building is for Insurance Services (LU #6140), which is allowed as a permitted use in the R-N-B zoning district.
2. With conditions outlined in the staff report, the proposed use and property will comply with the standards of the Murray City Land Use Ordinance.
3. The proposed use is in harmony with the goals and objectives of the Murray City General Plan in this area.

VII. CONCLUSION/RECOMMENDATION

Based on the information presented in this report, application materials submitted and a site review, staff recommends that the **Planning Commission APPROVE a Conditional Use Permit to allow the construction of a new Insurance Office at the property located at 313 E. Winchester Street** subject to the following conditions:

1. The project shall meet the requirements of the City Engineer, including but not limited to the following:
    a) Meet City storm drainage requirements, on-site detention retention is required – City Code Chapter 13.52.050

b) Provide water quality treatment for stormwater discharge to the detention system – City Code 13.52.050
c) Replace any damaged curb and gutter and sidewalk along property frontage to 300 East and Winchester Street – City Code Chapter 12.12.050
d) Install new sidewalk along the property frontage to 300 East – City Code Chapter 12.12.050
e) Develop a site erosion control plan and implement BMP's prior to beginning demolition and 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.
g) Monument sign location cannot impede line of sight for vehicle turning movements from 300 East onto Winchester Street. Meet AASHTO sight distance requirements.

2. The project shall comply with all applicable building and fire code standards.
3. The applicant shall obtain all proper building permits.
4. The project shall meet the requirements of the Water & Sewer Division.
5. The applicant shall provide details of the proposed refuse container and ensure that the enclosure meets the standards in Section 17.76.170 of the Land Use Ordinance.
6. The applicant shall obtain permits for any new attached or detached signs proposed for the business.
7. The hours of operation shall be limited to no earlier than 7:00 a.m. and no later than 10:00 p.m.
8. The building shall be constructed using the architectural styles and materials proposed as reviewed in the Staff Report.
9. Landscaping shall be installed on the site to meet the standards and requirements of Section 17.68 of the Murray Land Use Ordinance and according to the landscape plan proposed and reviewed in the Staff Report. Landscaping shall be irrigated and maintained in good condition.
10. The applicant shall obtain a Murray City Business License prior to beginning operations at this location.

Project # P2-24-084

CONDITIONAL USE PERMIT APPLICATION

Type of Application (check all that apply):

☒ **New Construction** ☐ **Land use change** ☐ **Remodel** ☐ **Addition**
☐ **CUP Amendment**

Subject Property Address: 313 E Winchester Street, Murray UT 84107

Parcel Identification (Sidwell) Number: 22-19-253-024-0000

Parcel Area: .36 acres Current Use: RNB Residential

Floor Area: 916 sqft Zoning Classification: RNB LU#

Applicant Name: Mike & Monica Erekson, MIMOBCK LLC

Mailing Address: 8650 S State Street

City, State, ZIP: Sandy, UT 84070

Daytime Phone #: 435-630-1277 Fax #:

Email Address: monicaerekson@gmail.com

Business or Project Name : Mike Erekson State Farm Insurance Murray

Property Owner's Name (If different):

Property Owner's Mailing Address:

City, State, Zip:

Daytime Phone #: Fax #:

Email address:

Describe your request in detail (use additional page if necessary):

We would like to demolish existing structures and build a new insurance office with tenant space.

Project #_____

Authorized Signature: Monica Erekson Date: 7/19/2024

Property Owners Affidavit

I (we) Mike & Monica Erekson, 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.

Monica Erekson _____
Owner's Signature

_____
Owner's Signature (co-owner if any)

State of Utah §
County of Salt Lake

CARRIE BURGESS
Notary Public State of Utah
My Commission Expires on:
February 06, 2028
Comm. Number: 735504

Subscribed and sworn to before me this 19th day of July, 2024.

Carrie Burgess
Notary Public

Residing in SALT Lake County My commission expires: 02/06/28

Agent Authorization

I (we), _____, the owner(s) of the real property located at

_____, in Murray City, Utah, do hereby appoint

_____, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize

_____ 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 _____ day of _____, 20 _____, personally appeared before me _____ the signer(s) of the above *Agent Authorization* who duly acknowledge to me that they executed the same.

_____
Notary public

MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT

Building Division 801-270-2400
Planning Division 801-270-2430

NOTICE OF PUBLIC HEARING

September 5th, 2024, 6:30 PM

The Murray City Planning Commission will hold a public hearing on Thursday, September 5th, at 6:30 p.m. in the Murray City Council Chambers, located at 10 East 4800 South to receive public comment on an application submitted by **Mike and Monica Erekson** for the property located at 313 E. Winchester Street. The applicant is requesting Conditional Use Permit approval to construct a new building and operate it as an Insurance Office. The meeting is open and the public is welcome to attend in person or you may submit comments via email at planningcommission@murray.utah.gov. If you would like to view the meeting online, you may watch via livestream at www.murraycitylive.com or www.facebook.com/MurrayCityUtah/.

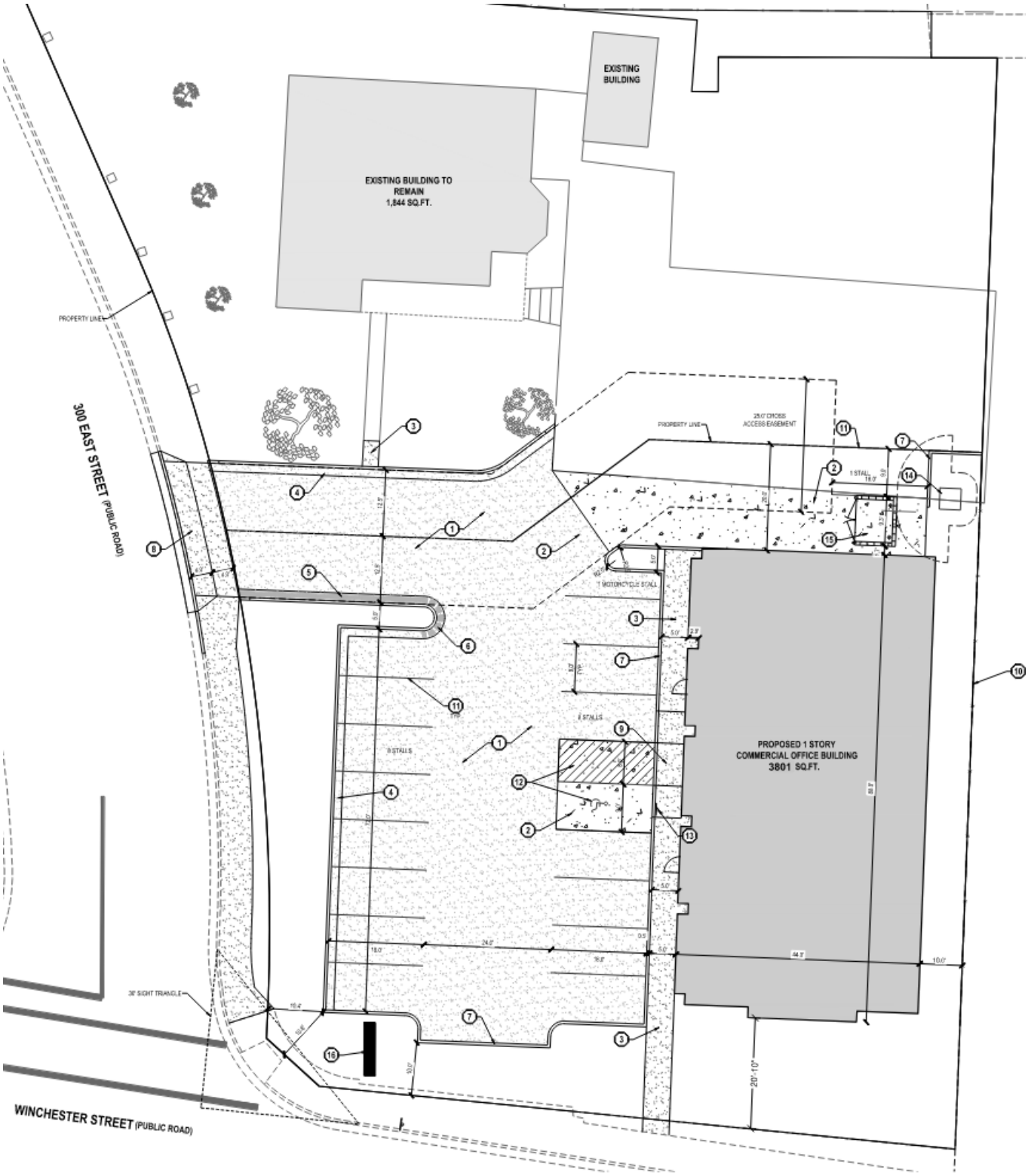
Comments are limited to 3 minutes or less, written comments will be read into the meeting record.

This notice is being sent to you because you own property within 300 feet of the subject property. If you have questions or comments concerning this proposal, please call the Murray City Planning Division at 801-270-2430, or e-mail to planningcommission@murray.utah.gov.

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.

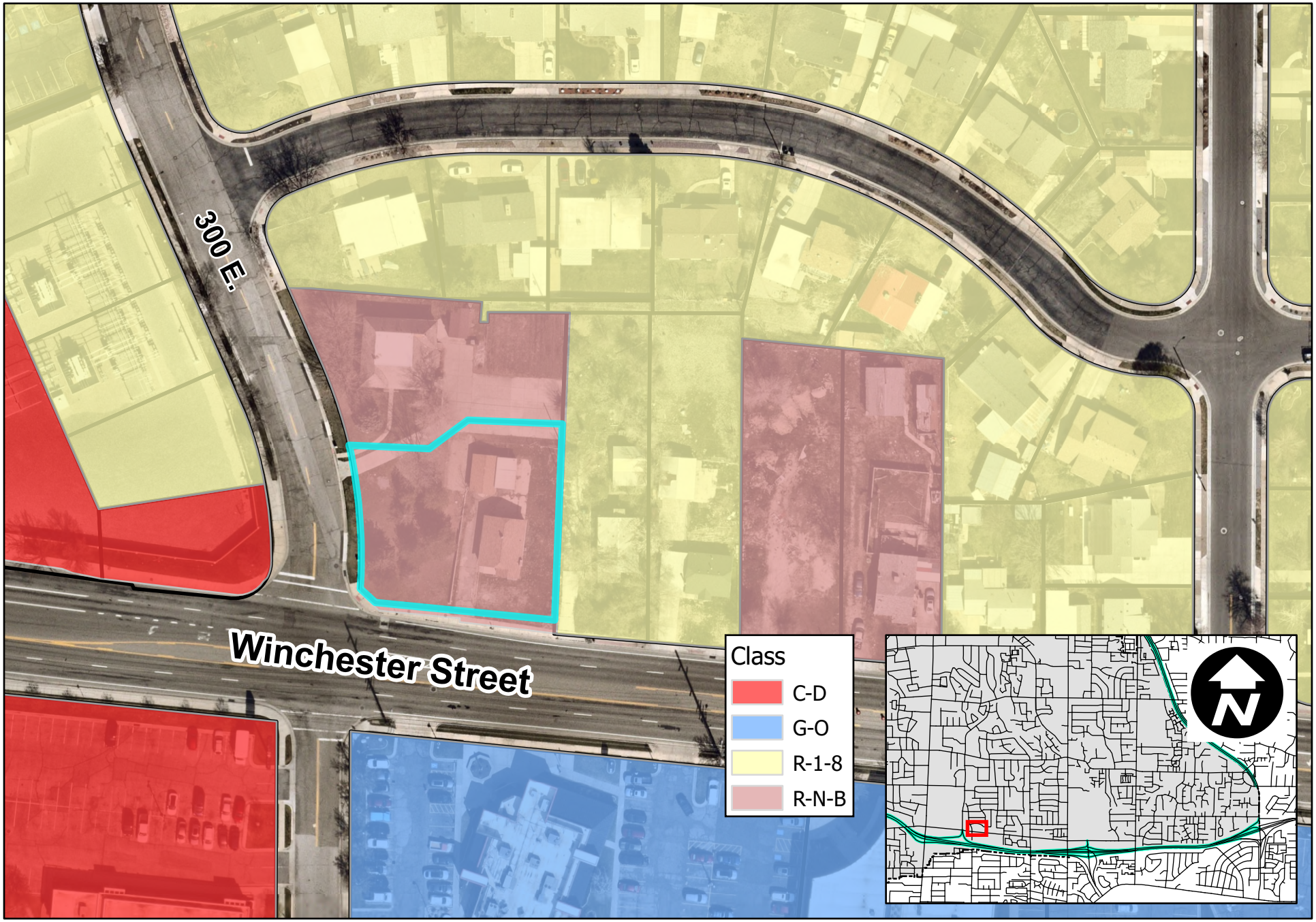
Public Notice Dated | August 22nd, 2024

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


EXISTING BUILDING
EXISTING BUILDING TO REMAIN
1,844 SQ.FT.
PROPERTY LINE
300 EAST STREET (PUBLIC ROAD)
25.0' CROSS ACCESS EASEMENT
PROPERTY LINE
1 STALL
1 MOTORCYCLE STALL
8 STALLS
8 STALLS
PROPOSED 1 STORY
COMMERCIAL OFFICE BUILDING
3801 SQ.FT.
30' SIGHT TRIANGLE
WINCHESTER STREET (PUBLIC ROAD)

313 E. Winchester Street

313 E. Winchester Street



Mike & Monica Erekson
313 E Winchester Street

CUP Application

On June 20th we met with the planning commission and we were approved for a two story new construction insurance office at 313 E Winchester Street. Since then, we have had to reevaluate budgets and reduce our building size down to one story. We are back to present our one story plans. We have the same building style that you previously approved, just a smaller version.

Structural Design:

For both our approved two story design and the new one story design, most of our structural inspiration came from our pediatrician's office in South Jordan. We like some of their structural elements, including the pop out sections and the raised entry roof. We really like this architectural style but we don't love the finish materials used on this building.

*PHOTO 1 - South Jordan Pediatrician

Exterior Materials:

After looking at other business offices in our same zone, we found one color scheme that we really liked. The address is RNB 6232 S 900 E.

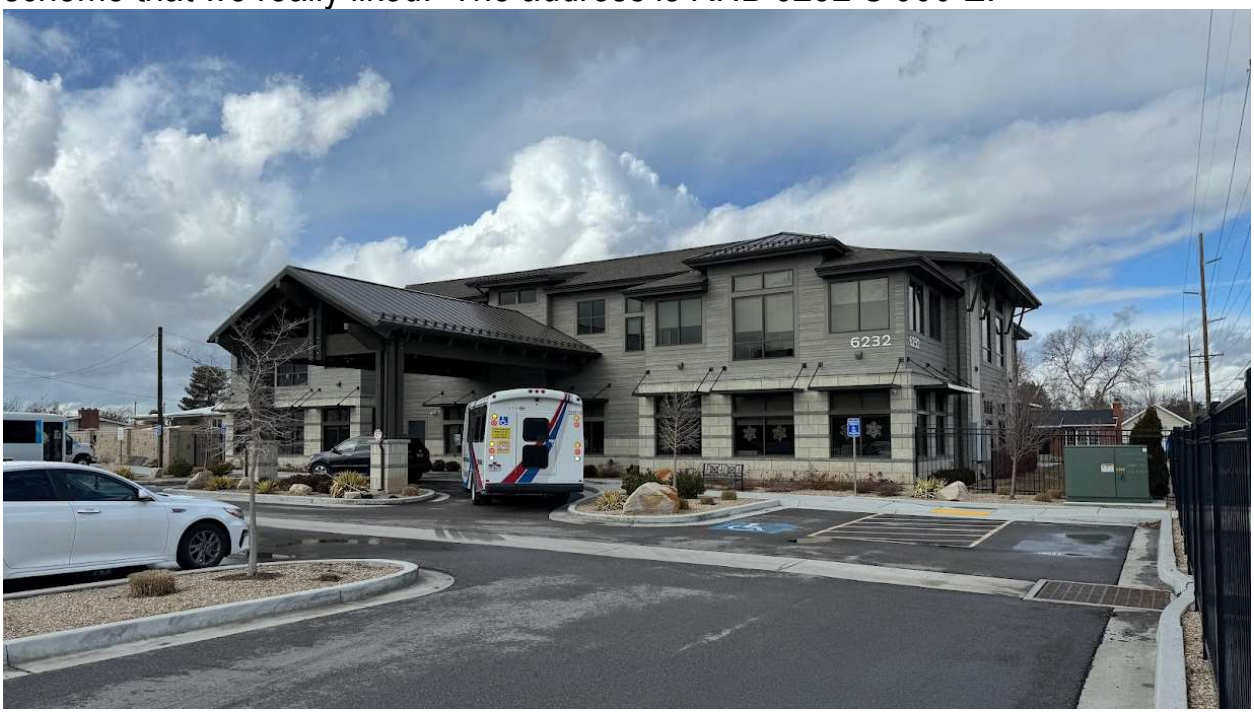


*PHOTO 2 - RNB 6232 S 900 E Dark Metal

We love the dark metal accents used on this building but we prefer a little more variation in color, with some lighter elements. We plan to use the same light stucco and charcoal limestone exactly like we had on our two story plans. With two entrances, we felt like we needed to add a third material to add some variety to the building's overall appearance. We decided to use a gray metal siding on both entrances to help the entrances stand out.

*PHOTO 3 - West Elevation

We have chosen a neutral residential coloring with modern style. These colors and materials were inspired by a new residential home in South Jordan at 2918 W Reta Court.

*PHOTO 4 - Residential Inspiration Color 1

*PHOTO 5 - Residential Inspiration Color 2

Here are the exact materials we plan to use from the 2918 W Reta Court home:

Metal Panels - SW 7019 Gauntlet Gray
Stone - Charcoal Limestone
Stucco - Moonlight #612, sandblast style

*PHOTO 6 - Full Chart with Stucco, Stone, and Metal

Our stone and stucco are unchanged from our approved two story plan. We kept the light colored warm tan/gray stucco, and the charcoal limestone that has both tans and grays. We feel the gauntlet gray metal offers a beautiful contrast for the entrance. Lighting can really change the look of these colors. We have driven by this home several times and love the colors in full sunlight and even in the early evening and night.

*PHOTO 7 - Residential Inspiration Color Evening

*PHOTO 8 - Residential Inspiration Color Night

Exterior Style:

We would like to explain why our modern style fits the area and our property. There are numerous modern residential homes being built throughout Utah. We prefer modern and recently built a home that we love, with a modern style. Modern can absolutely exude residential character, depending on your preference/style. There is a very modern (even contemporary) RNB structure that was approved/built 10 years ago at 6344 S 900 E.

*PHOTO 9 - RNB 6344 S 900 E Modern Slant Roof

This building is next to A-1 agricultural, and across the street from Wheeler Farm, which is zoned as Open Space. If you look at the zoning map, our location has more commercial proximity than this building located on 6344 S 900 E. Our property has RNB to our North (6345 S 300 E), commercial G-O space to the south (Red Robin), commercial C-D kittie corner (Red Lobster), and a power substation C-D to the west. We are one block away from Fashion Place Mall and State Street. There is also a 2-15 freeway onramp/offramp 450 feet from us. It is our understanding that the RNB zone was made to create a buffer between commercial and residential and our small insurance office will do just that. We have worked hard to blend well with the area while using a style we love.

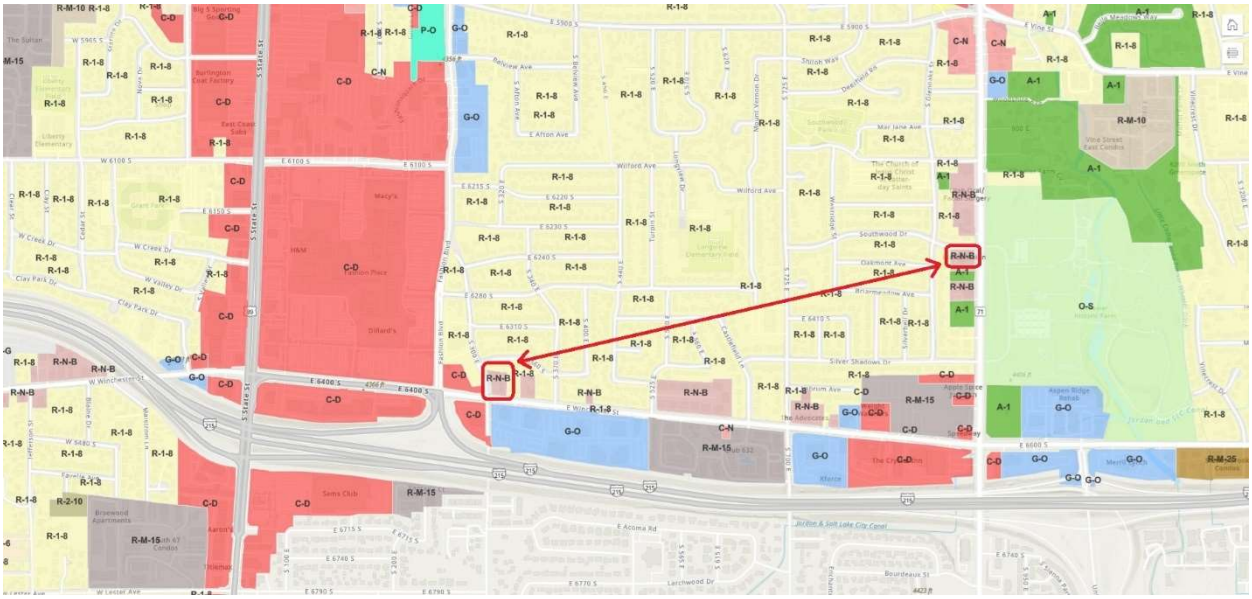


*PHOTO 10 - Murray City Zoning Map

We also understand our building needs to compliment the neighboring homes. The neighborhood to the north of our property was built in the 1960s and actually has many modern homes. We want to add to the neighboring aesthetic while incorporating twentieth century style. We have copied nearby elements with our stone, siding/panels, and the slanted entry roofs. These materials fit well with the more modern homes on the two streets just north of us. We have attached a map and photos of these homes.

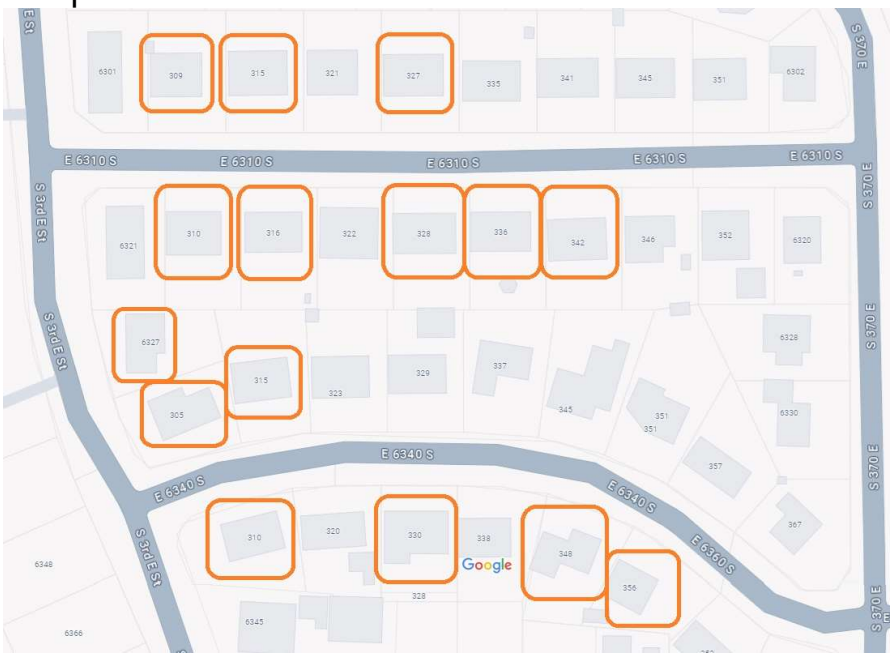


*PHOTO 11 - Residential Homes Nearby Map

*PHOTO 12 - Residential Homes Nearby Photos

Residential 6327 S 300 E Modern Slant Roof
Residential 342 E 6310 S Modern Slant Roof
Residential 316 E 6310 S Modern Slant Roof
Residential 310 E 6310 S Modern Slant Roof
Residential 330 E 6340 S Modern Slant Roof
Residential 336 E 6310 S Modern Slant Roof
Residential 327 E 6310 S Modern Slant Roof
Residential 310 E 6340 S Modern Slant Roof
Residential 315 E 6310 S Modern Slant Roof
Residential 315 E 6340 S Modern Slant Roof
Residential 309 E 6310 S Modern Slant Roof
Residential 328 E 6310 S Modern Slant Roof
Residential 348 E 6340 S Flat Roof
Residential 356 E 6340 S Flat Roof
Residential 305 E 6340 S Flat Roof

We want to thank you for the time you took on our behalf at the June 20th planning commission meeting and we really appreciate your level of concern for the future of Murray City. We know your approval is required for us to move forward and we hope this information helps you see the vision we have for our Winchester property. We opened our first State Farm Insurance office in 2011 and we are very excited to expand our business. We are thrilled to make Murray the home of our second location. We truly believe that our new insurance office will be the perfect fit for the area and for this property.

Thank you for your consideration,

Mike & Monica Erekson

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

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

BENCHMARK

NORTH WEST QUARTER OF SECTION 19, TOWNSHIP 2 SOUTH, RANGE 1 EAST SALT LAKE BASE AND MERIDIAN

ELEV = 4372.40'

MIMOBCK OFFICE BUILDING

6345 SOUTH 300 EAST
MURRAY, UTAH 84107

FOR REVIEW
NOT FOR CONSTRUCTION

DATE PRINTED
July 18, 2024

INDEX OF DRAWINGS

C-001	GENERAL NOTES
C-100	DEMOLITION PLAN
C-200	SITE PLAN
C-300	GRADING AND DRAINAGE PLAN
C-400	UTILITY PLAN
C-500	EROSION CONTROL PLAN
C-600	DETAILS
C-601	DETAILS
L-100	LANDSCAPE PLAN
L-200	IRRIGATION PLAN
L-300	LANDSCAPE DETAILS

NOTICE TO CONTRACTOR

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

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

NOTICE TO DEVELOPER/CONTRACTOR

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

UTILITY DISCLAIMER

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

VICINITY MAP

NO SCALE

GENERAL NOTES

1. ALL WORK SHALL CONFORM TO MURRAY CITY STANDARDS & SPECIFICATIONS.
2. CALL BLUE STAKES AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES.
3. BENCHMARK ELEVATION = , BRASS CAP MONUMENT, ELEV. = 4372.40'.

ENSIGN
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CEDAR CITY
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CONTACT:
MONICA EREKSON
PHONE: 435.630.1277

MIMOBCK OFFICE BUILDING
6345 SOUTH 300 EAST
MURRAY, UTAH 84107

REGISTERED PROFESSIONAL ENGINEER
07/01/2024
#5936
DAVID A. JENKINS
STATE OF UTAH

NO.	DATE	REVISION
1	2024/07/18	REVISED BLDG

COVER SHEET

PROJECT NUMBER 12778
PRINT DATE 2024-07-18
PROJECT MANAGER D. JENKINS
DESIGNED BY M. MEDINA

C-000

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

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

BENCHMARK

NORTH WEST QUARTER OF SECTION 19, TOWNSHIP 2 SOUTH, RANGE 1 EAST SALT LAKE BASE AND MERIDIAN

ELEV = 4372.40'

EXISTING BUILDING

EXISTING BUILDING TO REMAIN
1,844 SQ.FT.

PROPERTY LINE

END REMOVAL

START REMOVAL

PROPERTY LINE

300 EAST STREET (PUBLIC ROAD)

WINCHESTER STREET (PUBLIC ROAD)

SEE CUTOUT VIEWPORT

SEE CUTOUT VIEWPORT

SEE MAIN VIEWPORT

SEE MAIN VIEWPORT

HORIZONTAL GRAPHIC SCALE

10 0 5 10 20

(IN FEET)
HORZ: 1 inch = 10 ft.

GENERAL NOTES

1. ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
2. EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.
3. ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SOD, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
4. ALL CONSTRUCTION SIGNAGE, BARRICADES, TRAFFIC CONTROL DEVICES, ETC. SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. THE CONTRACTOR WILL MAINTAIN SUCH SO THAT THEY ARE PROPERLY PLACED AND VISIBLE AT ALL TIMES.
5. SIDEWALKS AND CURBS DESIGNATED TO BE DEMOLISHED SHALL BE DEMOLISHED TO THE NEAREST EXPANSION JOINT, MATCHING THESE PLANS AS CLOSELY AS POSSIBLE.
6. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.

SCOPE OF WORK:

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

1. REMOVE AND PROPERLY DISPOSE OF EXISTING ASPHALT PAVEMENT.
2. SAWCUT, REMOVE, AND PROPERLY DISPOSE OF EXISTING CONCRETE SIDEWALK.
3. REMOVE AND PROPERLY DISPOSE OF EXISTING STORM DRAIN PIPE.
4. REMOVE AND PROPERLY DISPOSE OF EXISTING SANITARY SEWER SERVICE LATERAL.
5. REMOVE AND PROPERLY DISPOSE OF EXISTING WATER LINE SERVICE LATERAL.
6. REMOVE AND PROPERLY DISPOSE OF EXISTING FENCE.
7. REMOVE AND PROPERLY DISPOSE OF EXISTING STRUCTURES, CONCRETE SLABS, STAIRS, ETC., INCLUDING ALL ELECTRICAL APPURTENANCES, IN THIS AREA WHETHER OR NOT IDENTIFIED ON PLANS. CONTRACTOR TO FILL IN ALL HOLES CREATED DURING DEMOLITION WITH STRUCTURAL FILL TO PROPER SUBGRADE ELEVATION.
8. REMOVE AND RELOCATE EXISTING OVERHEAD POWER LINES. COORDINATE WITH LOCAL POWER COMPANY.
9. LIMIT OF DISTURBANCE.
10. PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, SIGNS, ETC. (TYPICAL UNLESS OTHERWISE NOTED).
11. REMOVE AND PROPERLY DISPOSE OF EXISTING MASONRY WALL.

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6345 SOUTH 300 EAST
MURRAY, UTAH 84107

REGISTERED PROFESSIONAL ENGINEER
STATE OF UTAH
08/01/2024
#5936
DAVID A. JENKINS

NO.	DATE	REVISION
1	2024/07/18	REVISED BLDG

DEMOLITION PLAN

PROJECT NUMBER	PRINT DATE
12778	2024-07-18
PROJECT MANAGER	DESIGNED BY
D. JENKINS	M. MEDINA

C-100

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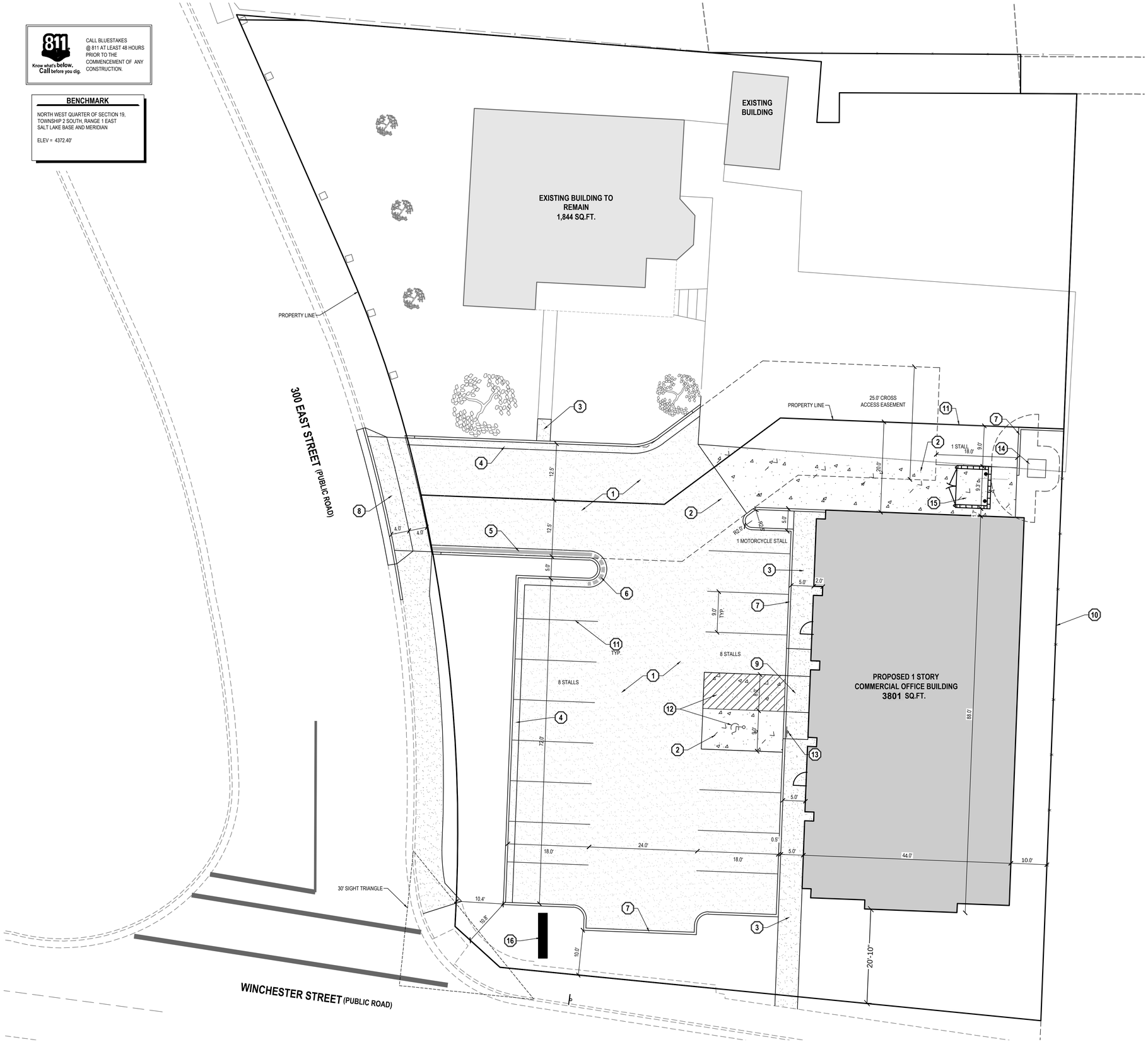
BENCHMARK

NORTH WEST QUARTER OF SECTION 19, TOWNSHIP 2 SOUTH, RANGE 1 EAST SALT LAKE BASE AND MERIDIAN

ELEV = 4372.40'



GENERAL NOTES

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

SCOPE OF WORK:

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

1. ASPHALT PAVEMENT PER DETAIL 1/C-500.
2. CONCRETE PAVEMENT PER AND DETAIL 2/C-500.
3. 4" THICK CONCRETE SIDEWALK PER APWA STANDARD PLAN NO. 231.
4. 24" COLLECTION CURB AND GUTTER PER DETAIL 3/C-500.
5. 24" REVERSE PAN CURB AND GUTTER PER DETAIL 4/C-500.
6. TRANSITION BETWEEN COLLECTION CURB AND GUTTER AND REVERSE PAN CURB AND GUTTER.
7. 6" TYPE "P" CURB WALL PER APWA STANDARD PLAN NO. 209.
8. OPEN DRIVEWAY APPROACH PER APWA STANDARD PLAN NO. 221.
9. HANDICAP ACCESS RAMP PER APWA STANDARD PLAN NO. 236.3 WITH DETECTABLE WARNING SURFACE PER APWA STANDARD PLAN NO. 238.
10. FENCE.
11. 4" WIDE SOLID WHITE PAVEMENT MARKING PER M.U.T.C.D. STANDARD PLANS.
12. PAINTED ADA SYMBOL AND ASSOCIATED HATCHING PER M.U.T.C.D. STANDARD PLANS.
13. "HANDICAP PARKING" SIGN PER M.U.T.C.D. STANDARD PLANS.
14. CONCRETE PAD FOR ELECTRICAL EQUIPMENT. SEE ELECTRICAL PLANS FOR ADDITIONAL INFORMATION.
15. TRASH ENCLOSURE WITH 6" THICK CONCRETE APRON WITH #4 REBAR @ 24" O.C. E.W. ON 6" GRAVEL BASE.
16. MONUMENT SIGN.

STATE FARM:
1,681 USABLE SQFT

TENANT
2,292 USABLE SQFT

1,681 + 2,292 = 3,973 SQFT

TOTAL STALLS NEEDED: 16

PARKING DATA TABLE - SOUTH LOT	
REQUIRED PARKING STALLS	16
STANDARD STALLS	16
ADA - ACCESSIBLE STALLS	1
MOTORCYCLE STALL	1
TOTAL STALLS	18

HORIZONTAL GRAPHIC SCALE

10 0 5 10 20

(IN FEET)

HORZ: 1 inch = 10 ft.

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6345 SOUTH 300 EAST
MURRAY, UTAH 84107

REGISTERED PROFESSIONAL ENGINEER
08/01/2024
#5936
DAVID A. JENKINS
STATE OF UTAH

NO.	DATE	REVISION
1	2024/07/18	REVISED BLDG

SITE PLAN

PROJECT NUMBER 12778
PRINT DATE 2024-07-18
PROJECT MANAGER D. JENKINS
DESIGNED BY M. MEDINA

C-200

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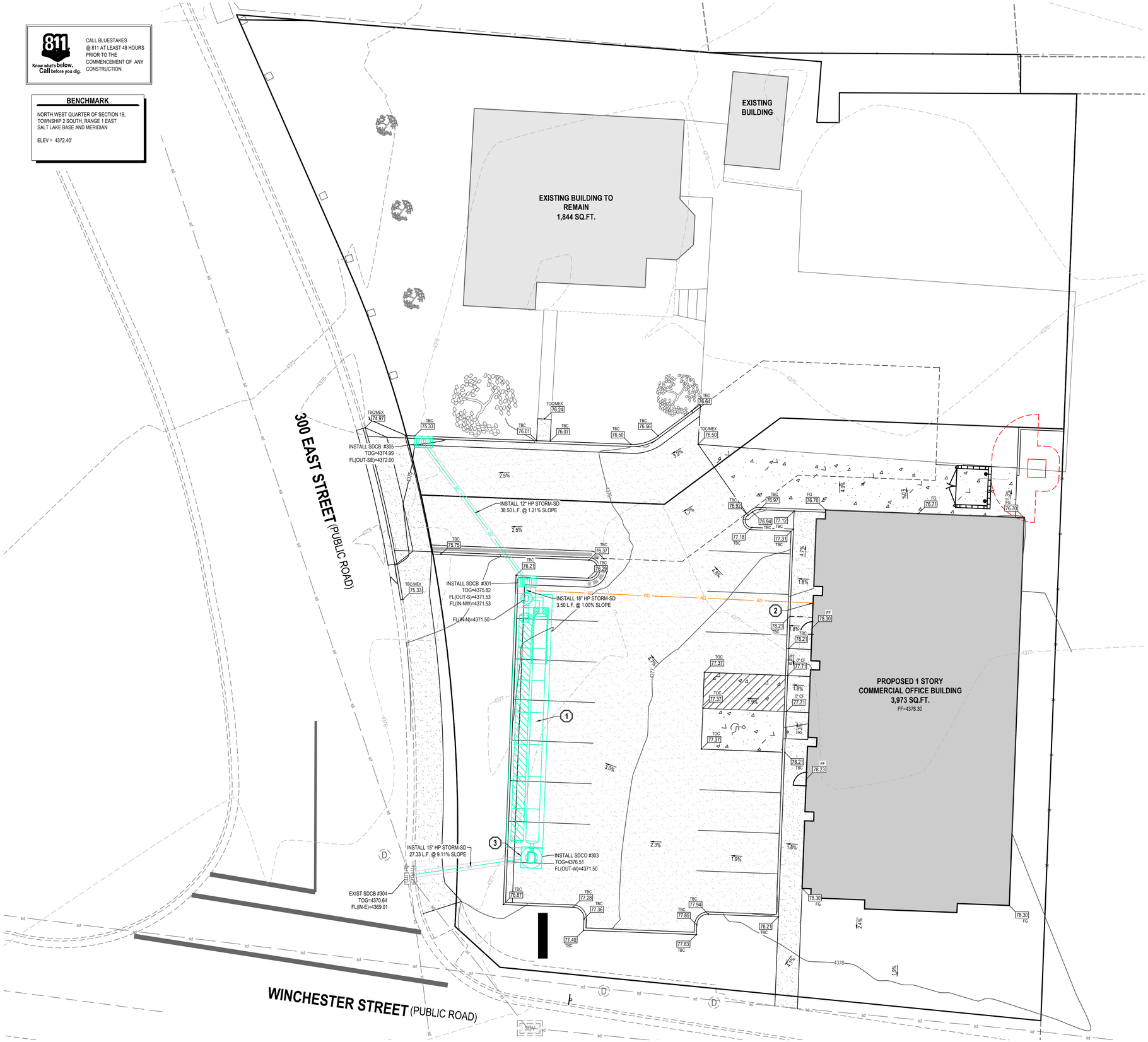
CALL BLUESTAKES @ 811 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

BENCHMARK

NORTH WEST QUARTER OF SECTION 19, TOWNSHIP 2 SOUTH, RANGE 1 EAST SALT LAKE BASE AND MERIDIAN

ELEV = 4372.40'



GENERAL NOTES

1. ALL WORK TO COMPLY WITH THE MURRAY CITY'S STANDARDS AND SPECIFICATIONS.
2. ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
3. ALL WORK SHALL COMPLY WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER POSSIBLY INCLUDING, BUT NOT LIMITED TO, REMOVAL OF UNCONSOLIDATED FILL, ORGANICS, AND DEBRIS, PLACEMENT OF SUBSURFACE DRAIN LINES AND GEOTEXTILE, AND OVEREXCAVATION OF UNSUITABLE BEARING MATERIALS AND PLACEMENT OF ACCEPTABLE FILL MATERIAL.
4. THE CONTRACTOR SHALL BECOME FAMILIAR WITH THE EXISTING SOIL CONDITIONS.
5. ELEVATIONS HAVE BEEN TRUNCATED FOR CLARITY. XX.XX REPRESENTS AN ELEVATION OF 43XX.XX ON THESE PLANS.
6. LANDSCAPED AREAS REQUIRE SUBGRADE TO BE MAINTAINED AT A SPECIFIC ELEVATION BELOW FINISHED GRADE AND REQUIRE SUBGRADE TO BE PROPERLY PREPARED AND SCARIFIED. SEE LANDSCAPE PLANS FOR ADDITIONAL INFORMATION.
7. SLOPE ALL LANDSCAPED AREAS AWAY FROM BUILDING FOUNDATIONS TOWARD CURB AND GUTTER OR STORM DRAIN INLETS.
8. EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.
9. ALL STORM DRAIN INFRASTRUCTURE TO BE INSTALLED PER MURRAY CITY OR APWA STANDARD PLANS AND SPECIFICATIONS.
10. ENSURE MINIMUM COVER OVER ALL STORM DRAIN PIPES PER MANUFACTURER'S RECOMMENDATIONS. NOTIFY ENGINEER IF MINIMUM COVER CANNOT BE ATTAINED.
11. ALL FACILITIES WITH DOWNSPOUTS/ROOF DRAINS SHALL BE CONNECTED TO THE STORM DRAIN SYSTEM. SEE PLUMBING PLANS FOR DOWNSPOUT/ROOF DRAIN LOCATIONS AND SIZES. ALL ROOF DRAINS TO HAVE MINIMUM 1% SLOPE.
12. THE CONTRACTOR SHALL ADJUST TO GRADE ALL EXISTING UTILITIES AS NEEDED PER LOCAL GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
13. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE, ASPHALT, OR STORM DRAIN STRUCTURES OR PIPES.
14. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.

SCOPE OF WORK:

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

(1) **DETENTION SYSTEM**

STORMTECH MC-310 CHAMBERS. SEE SHEET C-600 FOR DETAILS.
NUMBER OF CHAMBERS = 14
LID RETENTION VOLUME REQUIRED = 365 CU.FT.
LID RETENTION VOLUME PROVIDED = 368 CU.FT.
TOTAL STORAGE REQUIRED = 540 CU.FT.
TOTAL STORAGE PROVIDED = 553 CU.FT.
BOTTOM OF GRAVEL = 4369.50
BOTTOM OF CHAMBER = 4371.50
TOP OF CHAMBER = 4372.83
TOP OF GRAVEL = 4373.33

(2) 6" N12 HDPE ROOF DRAIN CONNECTION

(3) SDCO W/2.0' SUMP AND 1.2" ORIFICE ON WEST OUTLET. SEE DETAIL 5/C-500.

HORIZONTAL GRAPHIC SCALE

10 0 5 10 20

(IN FEET)
HORZ: 1 inch = 10 ft.

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CONTACT:
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MIMOBCK OFFICE BUILDING

6345 SOUTH 300 EAST
MURRAY, UTAH 84107

REGISTERED PROFESSIONAL ENGINEER
08/01/2024
#5936
DAVID A. JENKINS
STATE OF UTAH

NO.	DATE	REVISION
1	2024/07/18	REVISED BLDG

GRADING AND DRAINAGE PLAN

PROJECT NUMBER	PRINT DATE
12778	2024-07-18
PROJECT MANAGER	DESIGNED BY
D. JENKINS	M. MEDINA

C-300

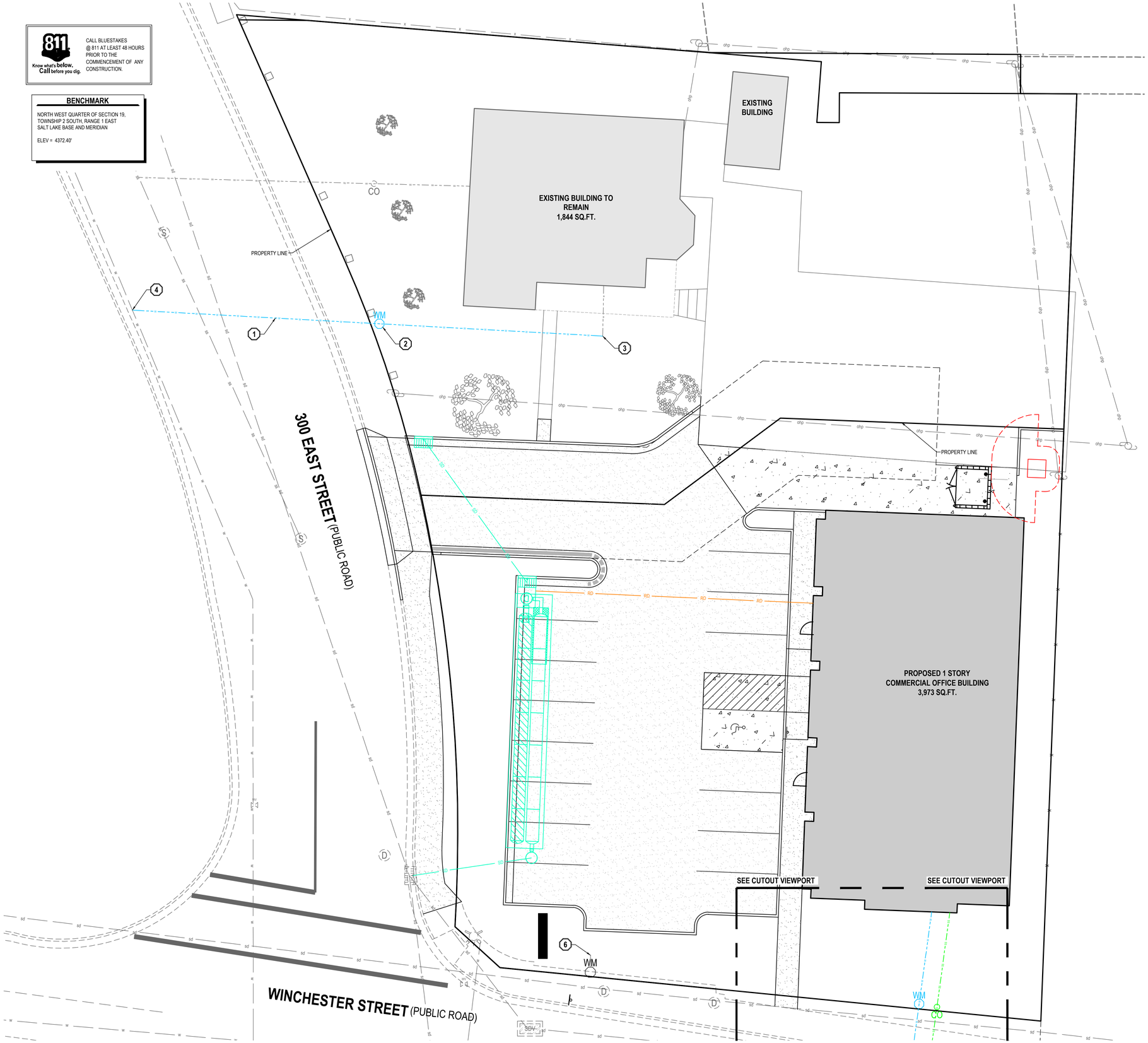
811 Know what's below. Call before you dig.

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

BENCHMARK

NORTH WEST QUARTER OF SECTION 19, TOWNSHIP 2 SOUTH, RANGE 1 EAST SALT LAKE BASE AND MERIDIAN

ELEV = 4372.40'



GENERAL NOTES

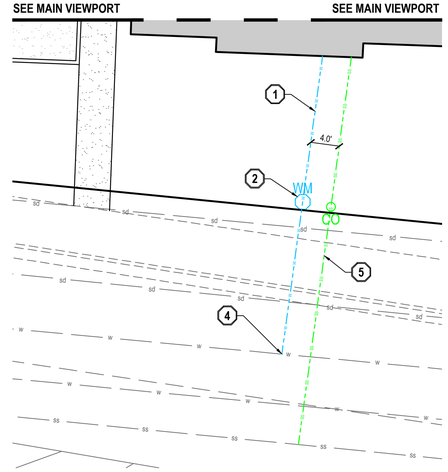
1. ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
2. EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD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

SCOPE OF WORK:

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

1. 1" C-900 DR-18 PVC WATER SERVICE LATERAL
2. 1" WATER METER AND BOX PER APWA STANDARD PLAN NO. 521.
3. CONNECT TO EXISTING CULINARY WATER SERVICE LATERAL.
4. HOT TAP TO EXISTING WATER LINE PER MURRAY CITY STANDARDS AND SPECIFICATIONS.
5. 6" SDR-35 PVC SANITARY SEWER LATERAL, INCLUDING CLEANOUTS AT MAXIMUM 100-FOOT SPACING, PER MURRAY CITY STANDARDS AND SPECIFICATIONS. LENGTH AND SLOPE PER PLAN.
6. CONNECT TO EXISTING IRRIGATION LINE.

SEE MAIN VIEWPORT SEE MAIN VIEWPORT



NORTH

HORIZONTAL GRAPHIC SCALE

10 0 5 10 20

(IN FEET)

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6345 SOUTH 300 EAST
MURRAY, UTAH 84107

REGISTERED PROFESSIONAL ENGINEER
08/01/2024
#5936
DAVID A. JENKINS
STATE OF UTAH

NO.	DATE	REVISION
1	2024/07/18	REVISED BLDG

UTILITY PLAN

PROJECT NUMBER	PRINT DATE
12778	2024-07-18
PROJECT MANAGER	DESIGNED BY
D. JENKINS	M. MEDINA

C-400

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

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BENCHMARK

NORTH WEST QUARTER OF SECTION 19, TOWNSHIP 2 SOUTH, RANGE 1 EAST SALT LAKE BASE AND MERIDIAN

ELEV = 4372.40'

EXISTING BUILDING

EXISTING BUILDING TO REMAIN
1,844 SQ.FT.

PROPOSED 1 STORY COMMERCIAL OFFICE BUILDING
3,973 SQ.FT.

300 EAST STREET (PUBLIC ROAD)

WINCHESTER STREET (PUBLIC ROAD)

GENERAL NOTES

1. THIS PLAN IS DESIGNED AS A FIRST APPRAISAL OF NECESSARY MEANS TO PROTECT THE WATERS OF THE STATE FROM POTENTIAL POLLUTION. IT IS THE RESPONSIBILITY OF THE OWNER/OPERATOR TO ADD WARRANTED BEST MANAGEMENT PRACTICES (BMP'S) AS NECESSARY, MODIFY THOSE SHOWN AS APPROPRIATE, AND DELETE FROM THE PROJECT THOSE FOUND TO BE UNNECESSARY. FEDERAL AND STATE LAW ALLOWS THESE UPDATES TO BE MADE BY THE OWNER/OPERATOR ONSITE AND RECORDED BY THE OWNER/OPERATOR ON THE COPY OF THE SWPPP KEPT ONSITE.
2. DISTURBED LAND SHALL BE KEPT TO A MINIMUM. STABILIZATION MEASURES SHALL BE INITIATED AS SOON AS PRACTICABLE IN PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED, BUT IN NO CASE MORE THAN 14 DAYS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS TEMPORARILY OR PERMANENTLY CEASED. HOWEVER, WHERE CONSTRUCTION ACTIVITY ON A PORTION OF THE SITE IS TEMPORARILY CEASED, AND EARTH DISTURBING ACTIVITIES WILL BE RESUMED WITHIN 21 DAYS, TEMPORARY STABILIZATION MEASURES DO NOT HAVE TO BE INITIATED ON THAT PORTION OF THE SITE.
3. RESEED DISTURBED LAND WITH NATIVE GRASS MIXTURE WITHIN 14 CALENDAR DAYS OF ACHIEVEMENT OF FINISH GRADE TO STABILIZE SOILS IF LAND IS NOT TO BE RE-WORKED WITHIN 14 CALENDAR DAYS OF THE CESSATION OF CONSTRUCTION ACTIVITIES AT THAT LOCATION.
4. DETAILS SHOWN ARE TO BE EMPLOYED TO PROTECT RUNOFF AS APPROPRIATE DURING CONSTRUCTION. NOT ALL DETAILS ARE NECESSARY AT ALL PHASES OF THE PROJECT. IT SHALL BE THE RESPONSIBILITY OF THE OWNER/OPERATOR TO USE APPROPRIATE BEST MANAGEMENT PRACTICES AT THE APPROPRIATE PHASE OF CONSTRUCTION. SEE SWPPP FOR BMP IMPLEMENTATION SCHEDULE.
5. VARIOUS BEST MANAGEMENT PRACTICES HAVE BEEN SHOWN ON THE PLANS AT SUGGESTED LOCATIONS. THE CONTRACTOR MAY MOVE AND RECONFIGURE THESE BMP'S TO OTHER LOCATIONS IF PREFERRED, PROVIDED THE INTENT OF THE DESIGN IS PRESERVED.
6. NOT ALL POSSIBLE BMP'S HAVE BEEN SHOWN. THE CONTRACTOR IS RESPONSIBLE TO APPLY CORRECT MEASURES TO PREVENT THE POLLUTION OF STORM WATER PER PROJECT SWPPP.
7. A UPDES (UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM) PERMIT IS REQUIRED FOR ALL CONSTRUCTION ACTIVITIES 1 ACRE OR MORE.

SCOPE OF WORK:

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

1. INLET PROTECTION PER DETAIL 5/C-600.
2. SILT FENCE PER DETAIL 6/C-600.
3. PORTABLE TOILET PER DETAIL 7/C-600.
4. VEHICLE WASHDOWN AND STABILIZED CONSTRUCTION ENTRANCE PER DETAIL 8/C-600.
5. SUGGESTED TEMPORARY CONSTRUCTION SITE PARKING, STAGING, DUMPSTER, AND MATERIAL STORAGE AREA.
6. SUGGESTED STOCKPILE AREA.

HORIZONTAL GRAPHIC SCALE

10 0 5 10 20

(IN FEET)
HORZ: 1 inch = 10 ft.

ENSIGN
THE STANDARD IN ENGINEERING

SANDY
45 W 10000 S, Suite 500
Sandy, UT 84070
Phone: 801.255.0529

LAYTON
Phone: 801.547.1100

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
MIMOBCX LLC
8653 SOUTH STATE STREET
SANDY, UTAH 84095

CONTACT:
MONICA ERIKSON
PHONE: 435.630.1277

MIMOBCK OFFICE BUILDING

6345 SOUTH 300 EAST
MURRAY, UTAH 84107

REGISTERED PROFESSIONAL ENGINEER
08/01/2024
#5936
DAVID A. JENKINS
STATE OF UTAH

NO.	DATE	REVISION
1	2024/07/18	REVISED BLDG

EROSION CONTROL PLAN

PROJECT NUMBER	PRINT DATE
12778	2024-07-18
PROJECT MANAGER	DESIGNED BY
D. JENKINS	M. MEDINA

C-500

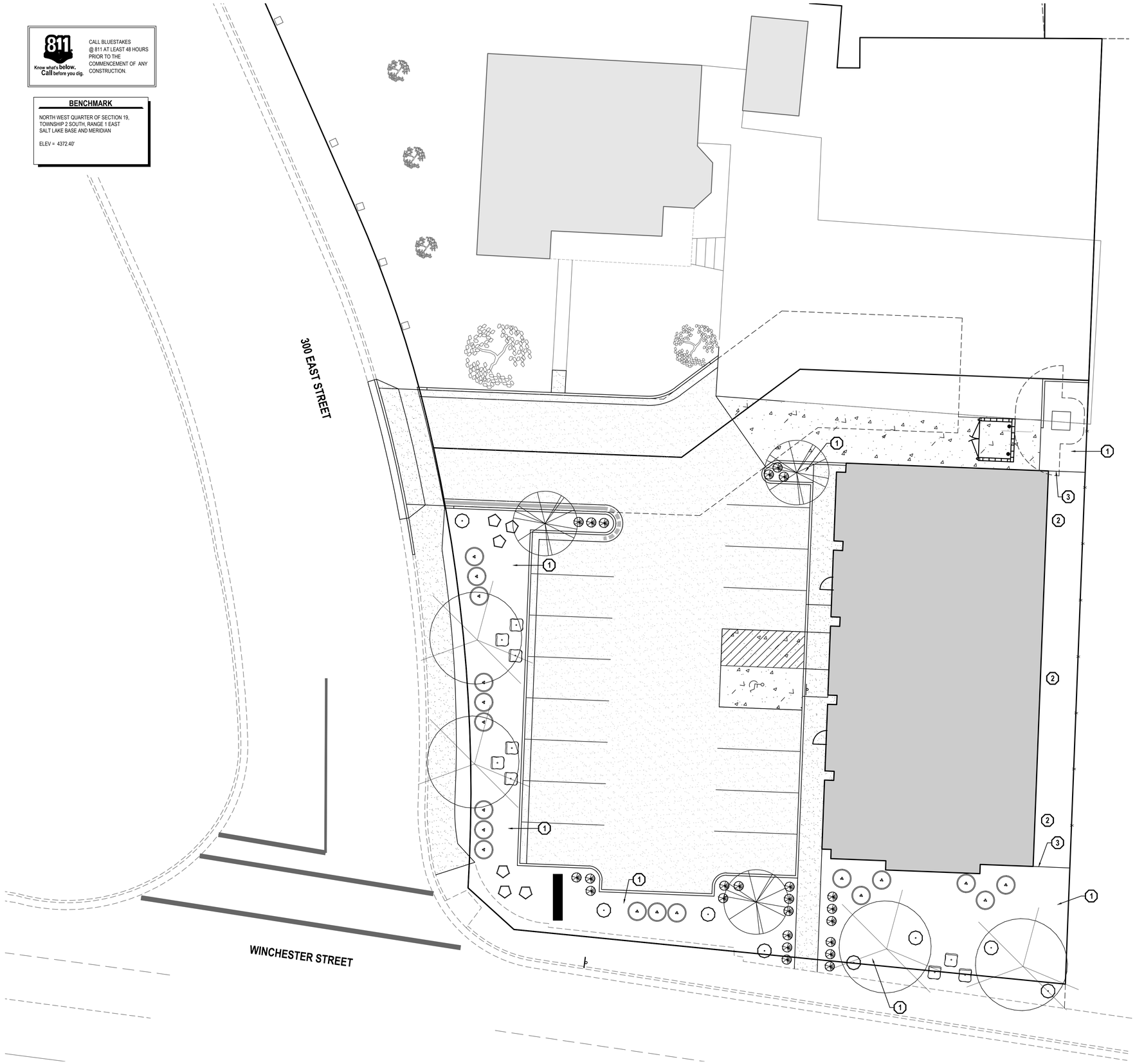
811 Know what's below. Call before you dig.

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

BENCHMARK

NORTH WEST QUARTER OF SECTION 19, TOWNSHIP 2 SOUTH, RANGE 1 EAST SALT LAKE BASE AND MERIDIAN

ELEV = 4372.40'



Landscape

Trees

Qty	Symbol	Common Name	Botanical Name	Plant Size
3		Bigtooth Maple	Acer grandidentatum	2" Cal.
4		Eastern Redbud	Cercis canadensis	2" Cal.

Shrubs and Grasses

Qty	Symbol	Common Name	Botanical Name	Plant Size
8		Barberry, 'Crimson Pygmy'	Berberis thunbergii atropurpurea nana	5 Gallon
9		Boxwood, Littleleaf	Buxus microphylla	5 Gallon
6		Cinquefoil	Potentilla fruticosa 'Abbotswood'	5 Gallon
18		Winged Euonymus	Euonymus alatus 'Grove's Compactus'	5 Gallon
24		Fountain Grass	Pennisetum setaceum	1 Gallon

1. In all planter bed areas, install 4" deep 2"-3" dia. Nephi Rock & Gravel color 'Southtown' or equiv. decorative rock over weed barrier, typ.
2. Install artificial turf
3. Install 4" metal edging

NORTH

HORIZONTAL GRAPHIC SCALE

10 0 5 10 20

(IN FEET)

HORZ: 1 inch = 10 ft.

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FOR:
MIMOBCK LLC
8650 SOUTH STATE STREET
SANDY, UTAH 84095

CONTACT:
MONICA EREKSON
PHONE: 435.630.1277

MIMOBCK OFFICE BUILDING

6345 SOUTH 300 EAST
MURRAY, UTAH 84107

REGISTERED PROFESSIONAL ENGINEER
08/01/2024
#5936
DAVID A. JENKINS
STATE OF UTAH

NO.	DATE	REVISION
1	2024/07/18	REVISED BLDG

LANDSCAPED PLAN

PROJECT NUMBER 12778
PRINT DATE 2024-07-18
PROJECT MANAGER D. JENKINS
DESIGNED BY M. MEDINA

L-100

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

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BENCHMARK

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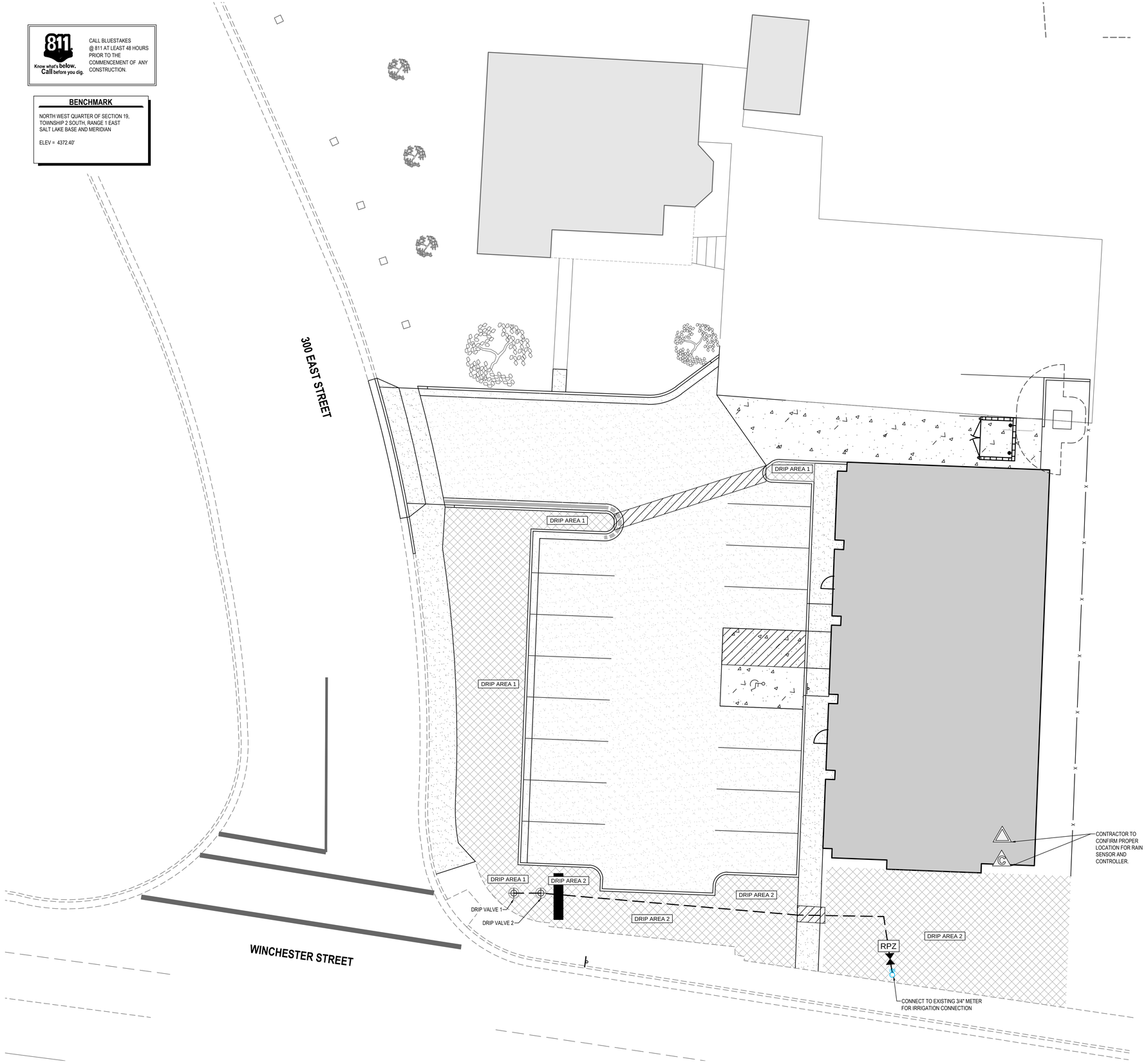
ELEV = 4372.40'



Irrigation

Qty	Symbol	Description
2		Rain Bird XCZ-100 COM
		Pipe Sleeve - 2x Pipe Diameter
		Mainline - 3/4" Schedule 40 PVC
1		Rain Bird RSD-BEx Rain Sensor
1		Rain Bird ESP-LX Plus Controller
1		Mueller 3/4" Brass Stop and Waste
1	RPZ	RPZ Backflow Prevention Device
	DRIP AREA	Rain Bird XBS Black Stripe Tubing with Rain Bird XB-10 Emitters*

*Install 2 emitters per shrub, 4 emitters per tree

** NOTES **
THIS IRRIGATION SYSTEM WAS DESIGNED AT AND 60 (WORKING) PSI AT THE POINT OF CONNECTION. IF THESE MINIMUM REQUIREMENTS CAN NOT BE MET, PLEASE CONTACT THE DESIGNER. **THIS PLAN WAS DRAWN FOR GRAPHIC CLARITY ONLY.** PLEASE PLACE ALL MAINLINE AND LATERAL LINES IN ADJACENT LANDSCAPE AREAS. SOME FIELD MODIFICATIONS MAY BE NEEDED TO AVOID ON SITE OBSTRUCTIONS.

COORDINATE IRRIGATION CONTROLLER WITH OWNERS'S FACILITY OPERATION DEPARTMENT.

NORTH

HORIZONTAL GRAPHIC SCALE

10 0 5 10 20

(IN FEET)
HORZ: 1 inch = 10 ft.

ENSIGN
THE STANDARD IN ENGINEERING

SANDY
45 W 10000 S, Suite 500
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Phone: 435.896.2983

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FOR:
MIMOBCK LLC
8650 SOUTH STATE STREET
SANDY, UTAH 84095

CONTACT:
MONICA EREKSON
PHONE: 435.630.1277

MIMOBCK OFFICE BUILDING

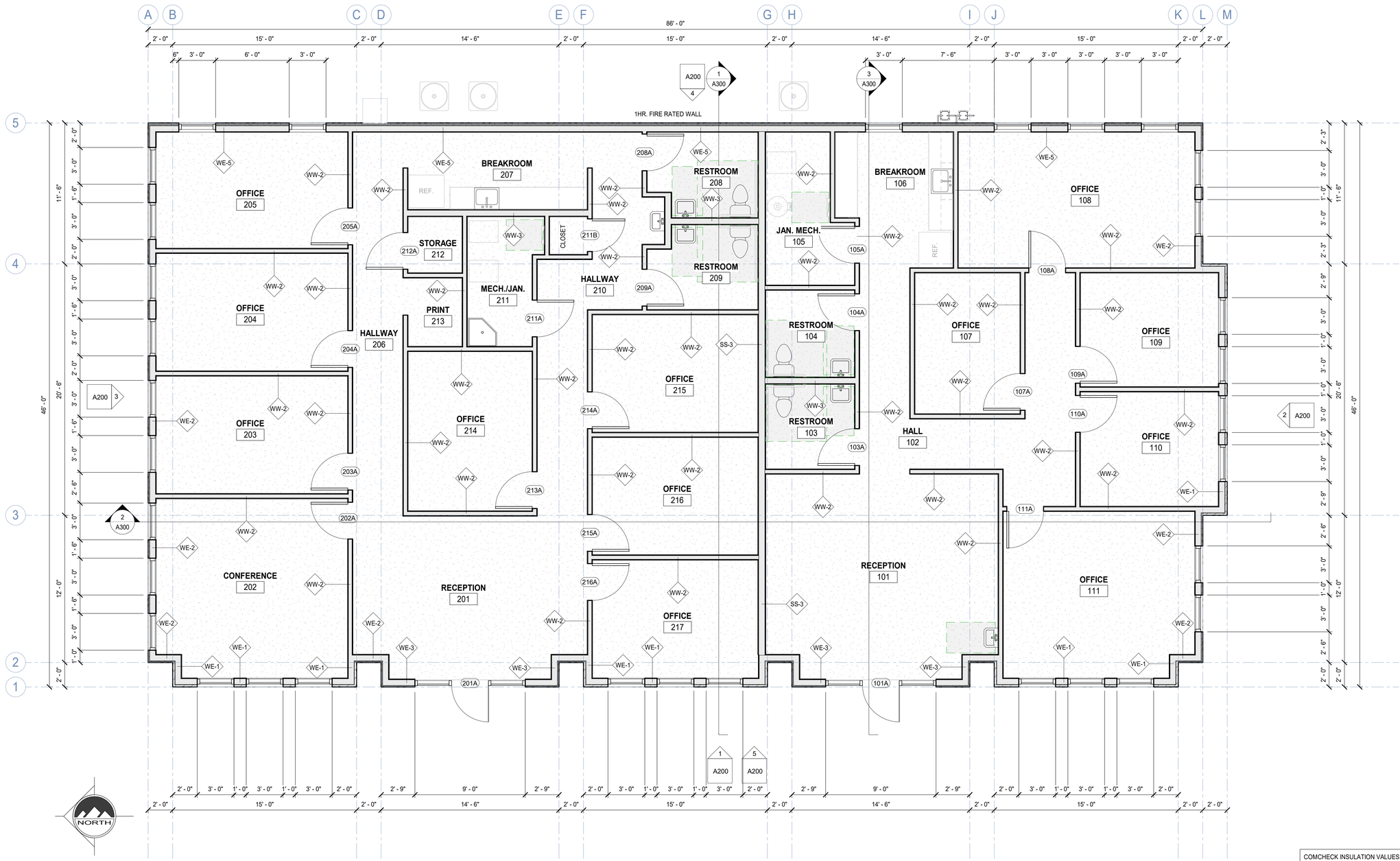
6345 SOUTH 300 EAST
MURRAY, UTAH 84107

NO.	DATE	REVISION
1	2024/07/18	REVISED BLDG

IRRIGATION PLAN

PROJECT NUMBER 12778
PRINT DATE 2024-07-18
PROJECT MANAGER D. JENKINS
DESIGNED BY M. MEDINA

L-200



1 FLOOR PLAN - 3,974 SF

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

COMCHECK INSULATION VALUES:
ROOF INSULATION = R-32
WALL INSULATION = R-26
FOUNDATION INSULATION = R-10 RIGID
WINDOW U FACTOR = .320 MIN.

ENSIGN
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FOR:
MONICA EREKSON
6345 SOUTH 300 EAST
MURRAY, UTAH 84107
(435) 830-1277
MONICAEREKSON@GMAIL.COM

MIMOBCK OFFICE BUILDING

313 EAST WINCHESTER
MURRAY, UTAH 84107

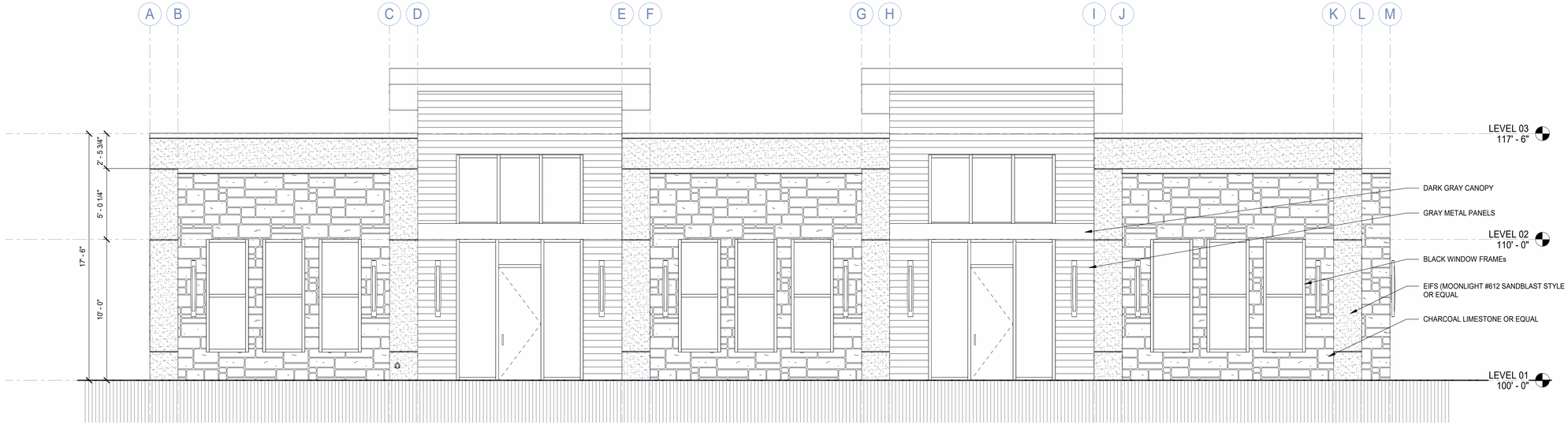
PRELIM 7/23/24

NO.	DATE	REVISION

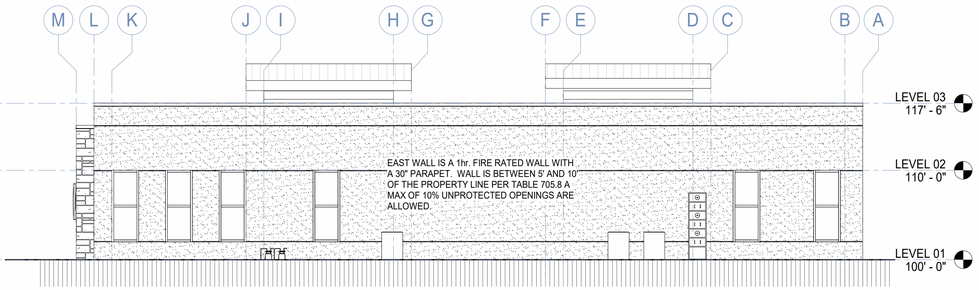
FLOOR PLAN

PROJECT NUMBER 12778A
DATE 04-01-24
PROJECT MANAGER DJ
DESIGNED BY CD

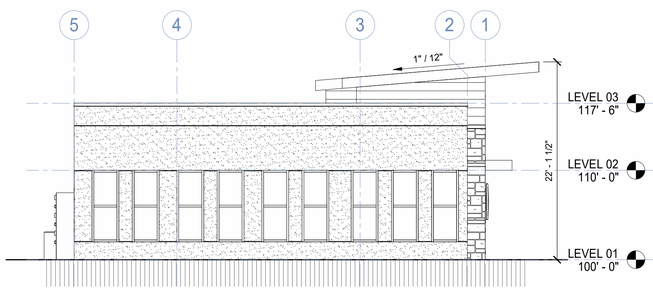
A100



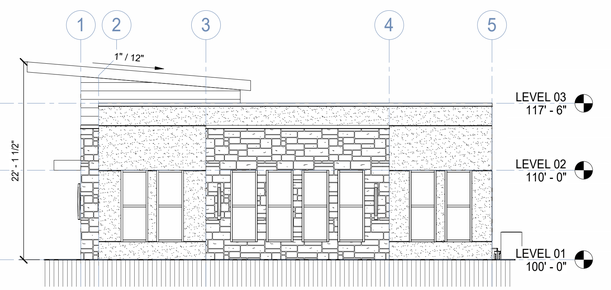
1 WEST ELEVATION
SCALE: 1/4" = 1'-0"



4 EAST ELEVATION
SCALE: 1/8" = 1'-0"



3 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



2 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

GAUNTLET GRAY

CHARCOAL LIMESTONE

Dryvit Moonlight

5 WEST ELEVATION
SCALE: 1/4" = 1'-0"

ENSIGN
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6345 SOUTH 300 EAST
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(435) 630-1277
MONICAEREKSON@GMAIL.COM

MIMOBCK
OFFICE BUILDING
313 EAST WINCHESTER
MURRAY, UTAH 84107

PRELIM 7/23/24

NO. DATE REVISION

EXTERIOR ELEVATIONS

PROJECT NUMBER 12778A
DATE 04-01-24
PROJECT MANAGER DJ
DESIGNED BY CD

A200

Zachary Smallwood

From: Ryan Stock <rrstock92@gmail.com>
Sent: Thursday, August 29, 2024 9:39 AM
To: Zachary Smallwood
Cc: Planning Commission Comments
Subject: [EXTERNAL]Re: [EXTERNAL]Comments for 10 E 4800 S

Hi Zachary,

My apologies, I didn't include the correct address. This is for the project at 313 E Winchester Street by Mike and Monica Erekson.

On Thu, Aug 29, 2024 at 7:52 AM Zachary Smallwood <zsmallwood@murray.utah.gov> wrote:

> Good Morning Ryan,
>
> Thank you for sending this over. We appreciate when someone takes the time to make a comment on an application. To make sure this gets attached to the correct application, could you let me know which project this is for? We have a number of notices we sent out for the upcoming meeting and I do not want to make an assumption.
>
> 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
>
> ---
>
> **From:** Ryan Stock <rrstock92@gmail.com>
> **Sent:** Wednesday, August 28, 2024 7:41 PM
> **To:** Planning Commission Comments <planningcommission@murray.utah.gov>
> **Subject:** [EXTERNAL]Comments for 10 E 4800 S
>
> Hi,

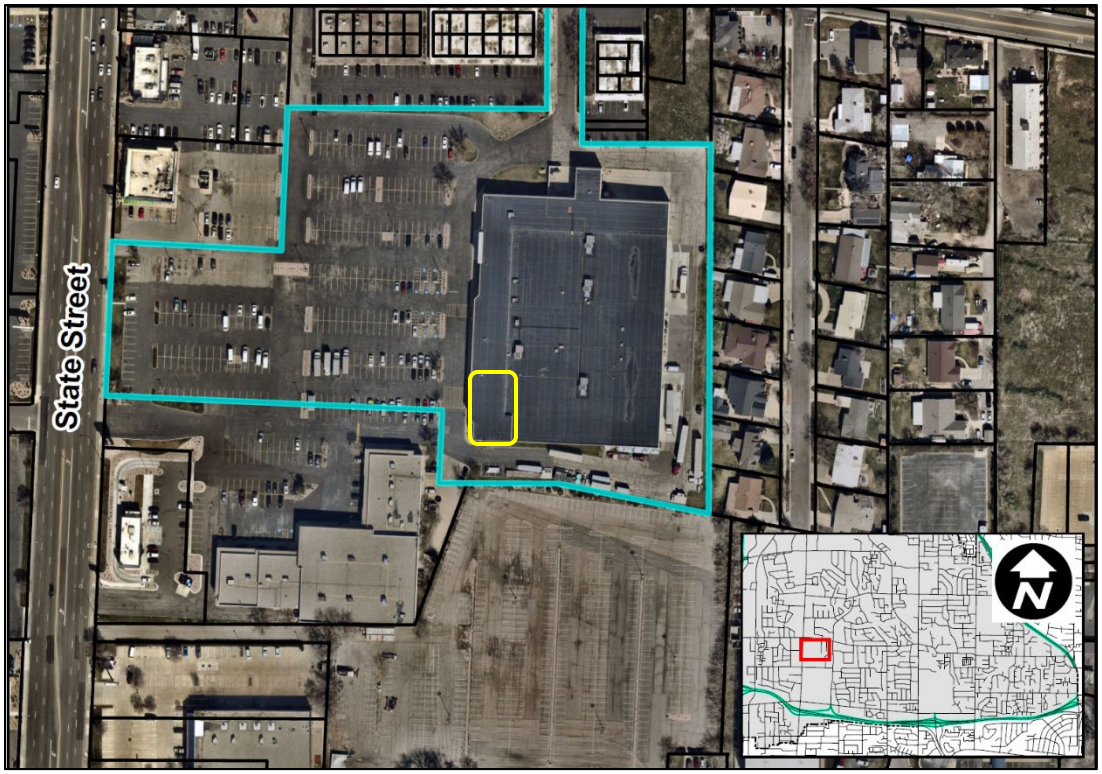
We received the mailer for the proposed change and wanted to email in our comments.

This property is right next to other commercial properties and has been an eye sore for quite some time. We have no objection to this change.

Thanks,

Ryan

AGENDA ITEM #06 – Olympus Tents and Events			
ITEM TYPE:	Conditional Use Permit to allow event venue business.		
ADDRESS:	5963 S. State Street	**MEETING DATE:**	September 5th, 2024
APPLICANT:	Olympus Tents and Events, LLC	**STAFF:**	David Rodgers, Senior Planner
PARCEL ID:	22-18-353-025	**PROJECT NUMBER:**	PZ-24-090
ZONE:	C-D, Commercial Development		
SIZE:	8.27-acre site | 5,731 sq ft floor area		
REQUEST:	The applicant is requesting Conditional Use Permit approval to allow an event reception business within the C-D Zone on the property located at 5963 South State Street.		



I. LAND USE ORDINANCE

Section 17.160.030. of the Murray City Land Use Ordinance allows public assembly (including reception centers) (LU #7230) within the C-D zoning district subject to Conditional Use Permit approval.

II. BACKGROUND

Project Location

The subject property is in an established retail center east of State Street and south of 5900 South. The applicant currently occupies the 5,731 square foot area directly south of Modern Display that they wish to convert to the proposed use.

Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Commercial	C-D/C-N
South	Commercial	C-D
East	Residential	R-1-8
West	Commercial	C-D

Project Description

The applicant is requesting a Conditional Use Permit to allow for an event and reception center use in the existing retail space. The applicant is planning on holding various assembly activities, including gatherings, wedding receptions, and corporate events.

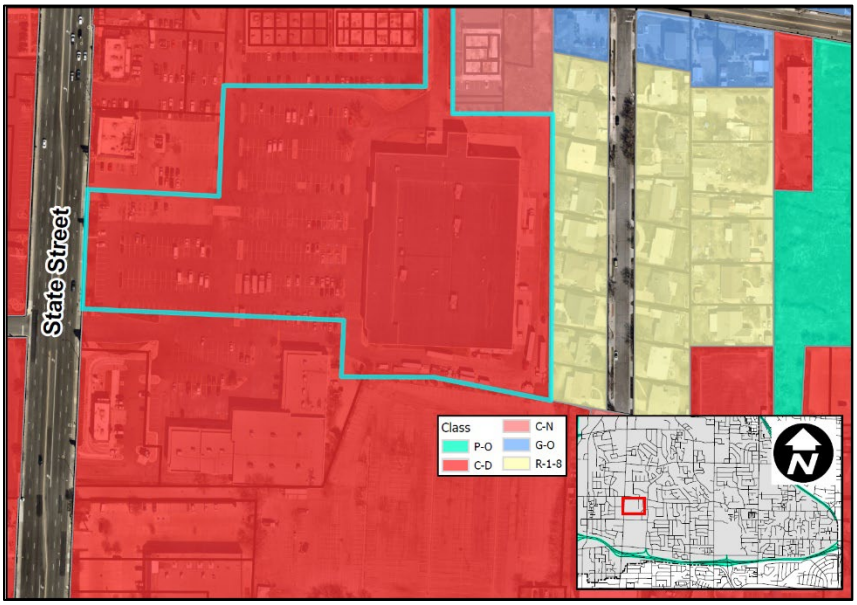


Figure 1: Zoning Map of 5963 S. State Street

Access

The site already includes multiple points of access from both State Street and 5900 South. Circulation through the parcel is well established and was previously reviewed for Site Plan approval for Modern Display. It harmonizes well with the neighboring properties. Staff does not see any concerns with the proposal.

Parking

Parking for retail uses is calculated at a rate of one (1) parking space for every 200 ft^2 of net floor area. The net floor area of the proposed event center is calculated to be 5,731 ft^2. This results in a parking need of 29 parking spaces. The overall parking plan for the entire site shows approximately four hundred and twenty-nine (429) parking spaces with eleven (11) of those spaces being ADA stalls. Staff does not have any concerns with the parking as proposed as this parking has been reviewed a number of times for compliance with Murray City standards. No further action is required.

Landscaping

Chapter 17.68 of the Land Use Ordinance provides the requirements for landscaping on commercial properties. Within the front setback area, a minimum of five (5) trees, five (5) five-gallon shrubs, and ten (10) one-gallon shrubs are required for every 100 linear feet of frontage on a public street, minus any access drives. The site has approximately 200 feet along State Street. The table below outlines the need and provided landscaping for this frontage.

Frontage	Trees (provided)	5-gallon (provided)	1-gallon (provided)
State Street (200')	6 (8)	10 (11)	20 (20)

Within the interior of the site, parking areas are required to space with landscape islands such that every parking space is located within seventy-five feet (75') of landscaping. Staff has worked with the applicant to install all required landscaping when the site was redeveloped into Modern Display, and the landscaping requirements have been maintained. Staff has no concerns with the landscaping as is currently in place on the site.

III. LAND USE ORDINANCE STANDARDS REVIEW

Murray City Code Section 17.56.060 outlines the following standards of review for conditional uses.

A. That the proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well- being of the community and the neighborhood.

With compliance to city regulations, the proposed use will provide a service that will contribute to the operations of a successful shopping center and will be a benefit to the larger

neighborhood by ensuring that center's continued success.

B. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of person residing or working in the vicinity, or injurious to property or improvements in the vicinity.

The proposed use will not be detrimental to the health, safety, or general welfare of persons working in the vicinity.

C. That the proposed use will stress quality development with emphasis towards adequate buffering, landscaping, proper parking, and traffic circulation, use of appropriate gradation of building height away from single family districts and density to create privacy and compatibility with surrounding uses, use of building materials which are in harmony with the area, impact on schools, utilities, and streets.

With conditions, the proposed use will integrate well into the area. This is an excellent example of an adaptive reuse of an existing structure that will encourage greater use of the property and lessen the impact that a new building may cause.

D. That the applicant may be required to provide such reports and studies which will provide information relating to adequate utilities, traffic impacts, school impacts, soil and water target studies, engineering reports, financing availability, market considerations, neighborhood support and any other information which may be needed in order to render a proper decision.

The applicant has submitted sufficient information for the review of this Conditional Use Permit application by Murray City Staff and the Murray City Planning Commission.

IV. CITY DEPARTMENT REVIEW

A Planning Review Meeting was held on August 20th, 2024, where the proposed event and reception center was reviewed and discussed by Murray City department staff. The following comments have been provided by the departments that were in attendance:

- The Murray City Engineer recommends approval with no additional comments.
- The Murray City Building Official recommends approval with the condition that the applicant needs to complete their Change of Use application.
- The Murray City Fire Department recommends approval with the condition that a Fire Sprinkler and alarm plan submittal is required, please use IFC 2021, NFPA 13, 72 for references.
- The Murray City Water Division recommends approval with no additional comments.
- The Murray City Wastewater Division recommends approval with no additional

comments.

- The Murray City Power Department recommends approval with the comment that if they are planning on using the parking lot for future tents and events, they need to be aware that there are several underground primary power lines running through the area that will need to be protected.

The preceding comments are addressed as conditions of approval in the final section of this report.

V. PUBLIC INPUT

Seventy-Two (72) notices of the public meeting were sent to all property owners for parcels located within 400 feet of the subject property. As of the date of this report, Staff has not received any public comments.

VI. FINDINGS

Based on the analysis of the Conditional Use Permit application to allow an events and reception center, staff concludes the following:

1. The proposed use for public assembly (including reception centers) (LU #7230), is allowed in the C-D Zoning District subject to Conditional Use Permit approval.
2. With conditions as outlined in the staff report, the proposed use and property will comply with the standards of the Murray City Land Use Ordinance.
3. The proposed use is not contrary to the goals and objectives of the Murray City General Plan in this area.

VII. CONCLUSION/RECOMMENDATION

Based on the information presented in this report, application materials submitted and a site review, staff recommends that the **Planning Commission APPROVE a Conditional Use Permit to allow an events and reception center at the property addressed 5963 South State Street,** subject to the following conditions:

1. The project shall comply with all applicable building and fire code standards.
2. The applicant shall obtain all proper building permits.
3. The project shall meet the requirements of the Water & Wastewater Divisions.
4. The project shall meet the requirements of the Power Department.
5. The applicant shall obtain permits for any new attached or detached signs proposed for the business.

6. The applicant shall obtain a Murray City Business License prior to beginning operations at this location.

CONDITIONAL USE PERMIT APPLICATION

Type of Application(check one): ☐ New Construction ☐ Remodel ☑ Amendment to existing CUP

☐ Land Use Change ☐ Addition

Application Information

Project Name: Olympus Tents and Events

Project Address: 5963 so. State St. Murray UT 84107

Parcel Identification (Sidwell) Number: 22183530250000

Parcel Area(acres): 8.27 Current Use: Retail Proposed: Retail + Assembly

Floor Area(square feet): 5731 Zoning District: _____ Land Use Code: _____

Applicant Information

Name: Olympus Tents and Events, LLC

Mailing Address: 5963 so. State St. City: Murray State: UT ZIP: 84107

623-261-3509 - aaron

Phone #: 801-616-0404 Shanna Fax #: _____ Email Address: shanna@olympustentsandevents.com

Property Owner's Information (If different)

Name: Liljenquist Salt Lake Company, LLC

Mailing Address: 6995 Union Park Ctr. Ste. 440 City: Midvale State: UT ZIP: 84047

Phone #: 801.864.1131 Fax #: _____ Email Address: chad@liljenquistutah.com

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

Additional use of existing retail space to accommodate assembly within the Premises, such as gatherings (indoding those that are catered), receptions (including wedding receptions), corporate events, etc.

Authorized Signature: _____ Date: 7/30/2024

For Office Use Only

Project Number: PZ-24090 Date Accepted: 8/7/2024

Planner Assigned: _____

Property Owners Affidavit

I (we) Michael Liljenquist, as Manager, 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.

Liljenquist Salt Lake Company, LLC,
by: Fourels Investment Co., LLC, its Manager
by: Michael Liljenquist, its Manager

Owner's Signature

Michael D. Liljenquist

Owner's Signature (co-owner if any)

State of Utah

§

County of Salt Lake

Subscribed and sworn to before me this 26th day of July, 2024.

Sandra Kay Mackintosh

Notary Public

Residing in Midvale, Utah

My commission expires: January 16, 2027

SANDRA KAY MACKINTOSH
Notary Public, State of Utah
Commission # 728613
My Commission Expires
January 16, 2027

Agent Authorization

5963 S. State Street, Murray, Utah 84107
(Olympus Tents and Events suite only)

I (we), Michael Liljenquist, the owner(s) of the real property located at _____, in Murray City, Utah, do hereby appoint Olympus Tents and Events, LLC, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize Aaron Tyrrell and/or Shanna Tyrell to appear on my (our) behalf before any City board or commission considering this application.

Liljenquist Salt Lake Company, LLC,
by: Fourels Investment Co., LLC, its Manager
by: Michael Liljenquist, its Manager

Michael D. Liljenquist

Owner's Signature (co-owner if any)

State of Utah

§

County of Salt Lake

On the 26th day of July, 2024, personally appeared before me Michael Liljenquist the signer(s) of the above *Agent Authorization* who duly acknowledge to me that they executed the same.

Sandra Kay Mackintosh

Notary public

Residing in: Midvale, Utah

My commission expires: 1/16/2027

SANDRA KAY MACKINTOSH
Notary Public, State of Utah
Commission # 728613
My Commission Expires
January 16, 2027

MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT

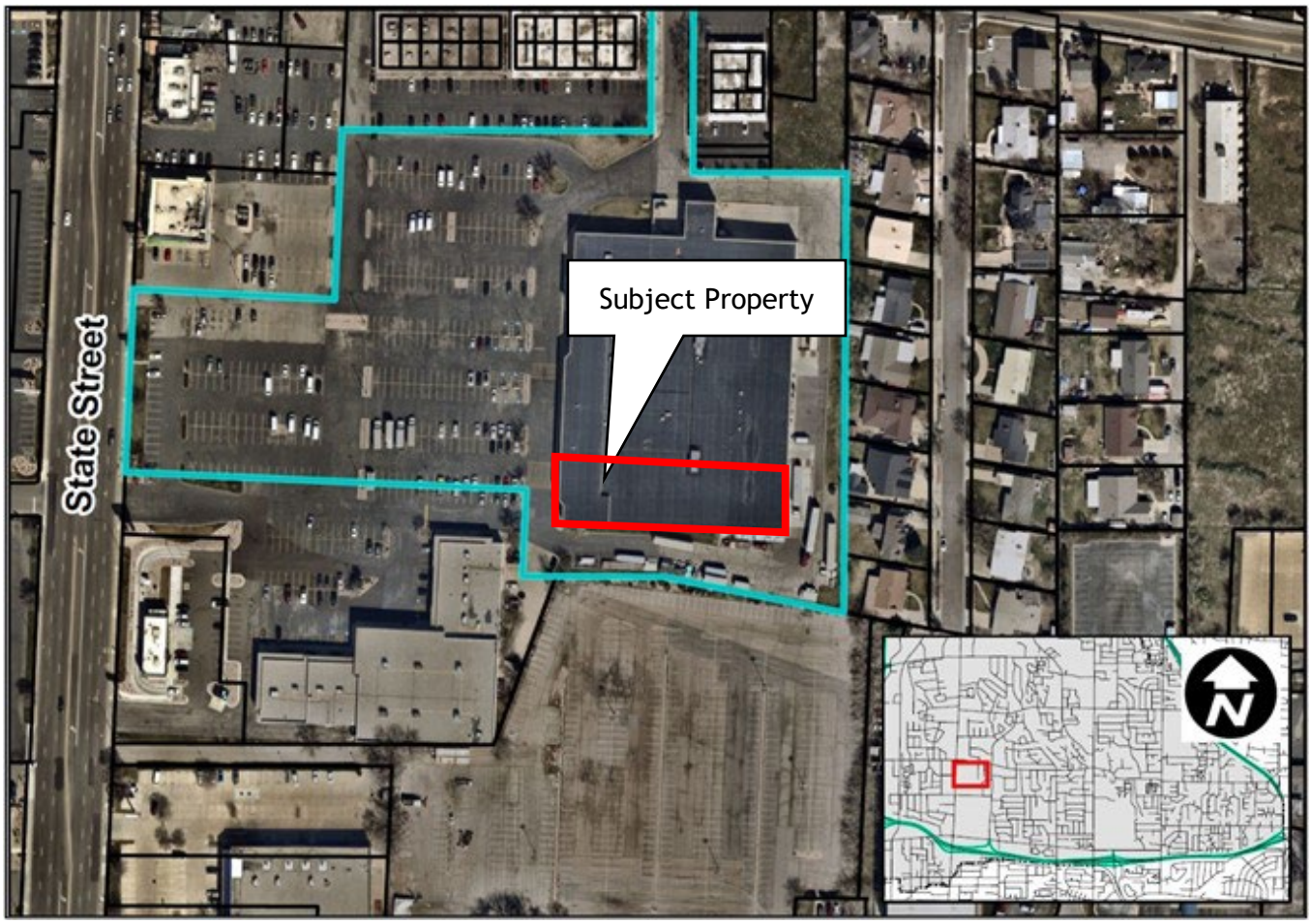
Building Division 801-270-2400
Planning Division 801-270-2430

NOTICE OF PUBLIC HEARING

September 5th, 2024, 6:30 PM

The Murray City Planning Commission will hold a public hearing on Thursday, September 5th, at 6:30 p.m. in the Murray City Council Chambers, located at 10 East 4800 South to receive public comment on an application submitted by **Olympus Tents and Events, LLC** for the property located at 5963 South State Street. The applicant is requesting Conditional Use Permit approval to allow for an event and reception center in existing retail space. The meeting is open and the public is welcome to attend in person or you may submit comments via email at planningcommission@murray.utah.gov. If you would like to view the meeting online, you may watch via livestream at www.murraycitylive.com or www.facebook.com/MurrayCityUtah/.

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

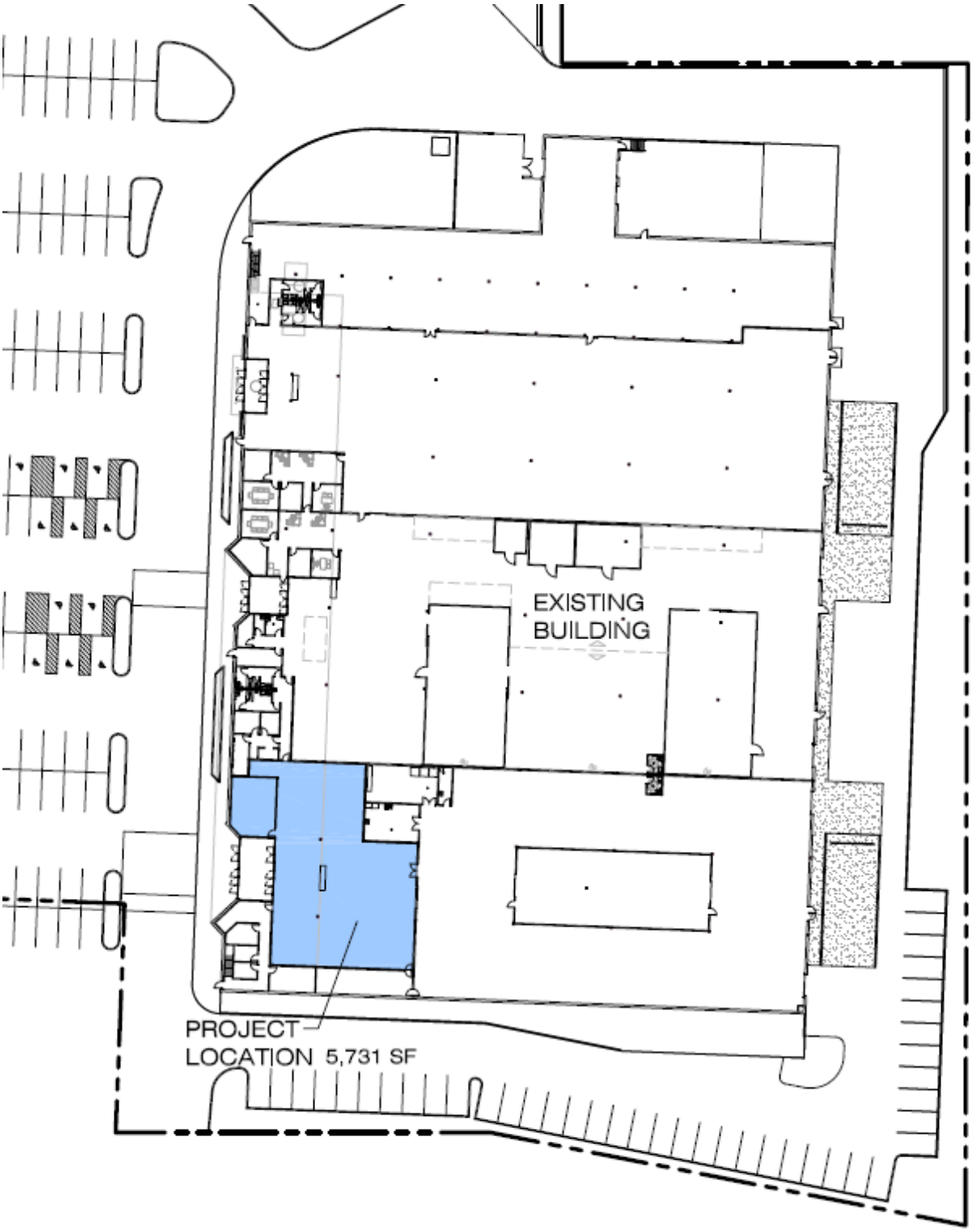


This notice is being sent to you because you own property within 300 feet of the subject property. If you have questions or comments concerning this proposal, please call the Murray City Planning Division at 801-270-2430, or e-mail to planningcommission@murray.utah.gov.

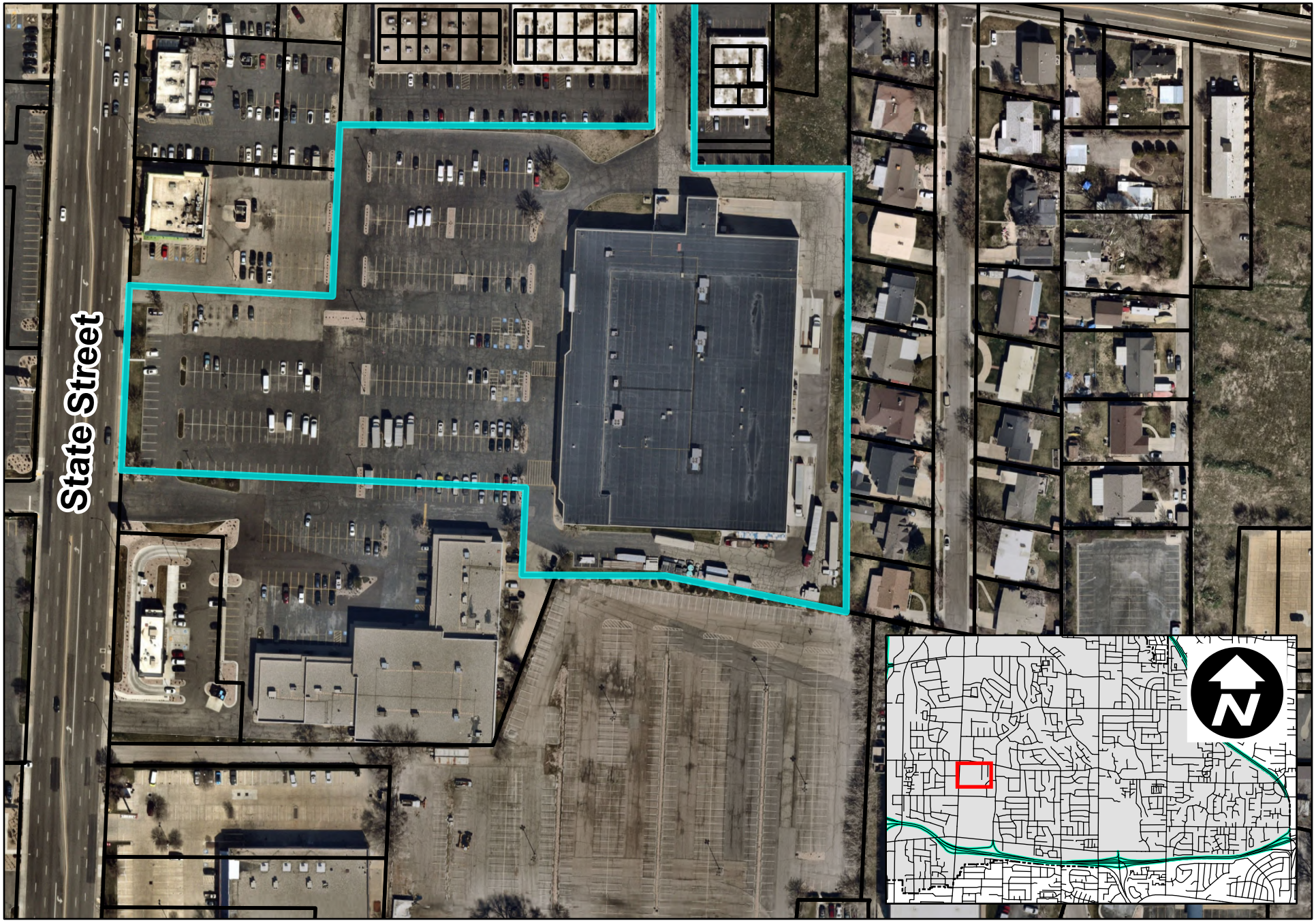
Special accommodations for the hearing or visually impaired will be upon a request to the office of the Murray City Recorder (801-264-2660). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.

Public Notice Dated | August 22nd, 2024

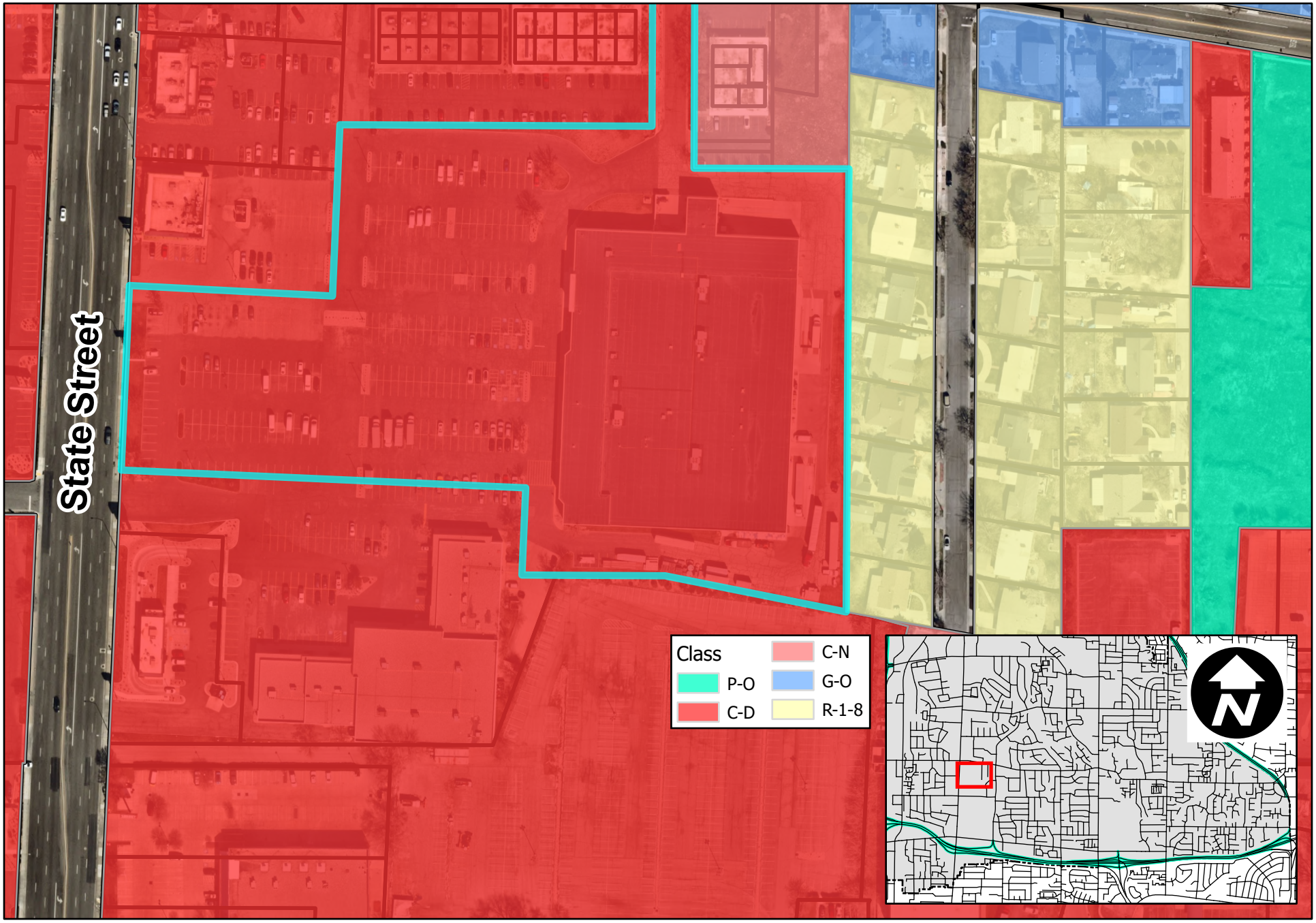
Murray City Hall | 10 East 4800 South | Murray | Utah | 84107


EXISTING
BUILDING
PROJECT
LOCATION 5,731 SF

5963 S. State Street

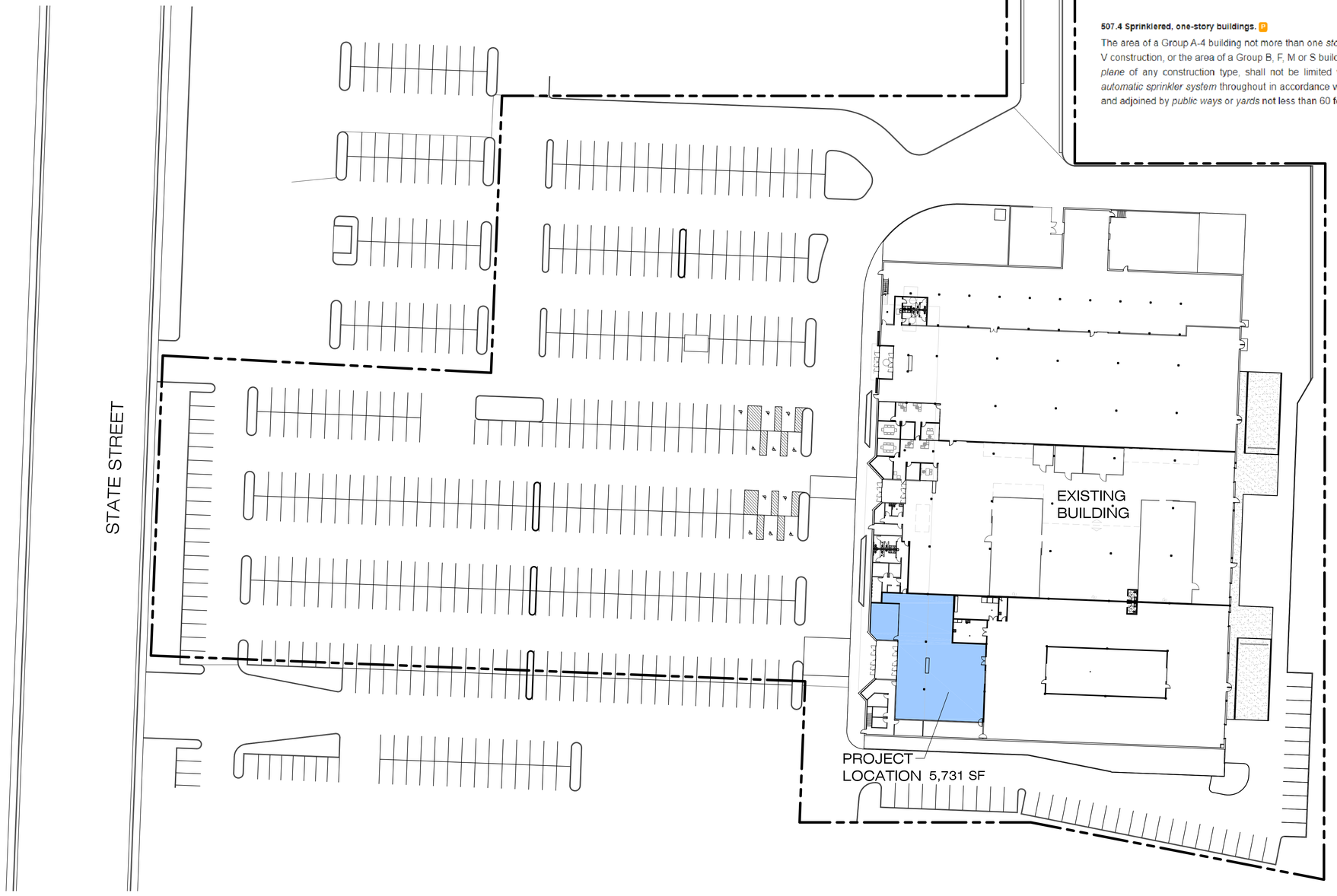


5963 S. State Street



NOTE:
OWNER TO OBTAIN A SEPARATE SIGN PERMIT FROM MURRAY CITY ZONING FOR ALL PROPOSED SIGNS. ALL SIGNAGE SHALL MEET THE REQUIREMENTS OF MURRAY CITY. SIGNAGE TO BE REVIEWED UNDER SEPARATE SUBMITTAL.

NOTE:
SIGNAGE SHALL BE REVIEWED UNDER A SEPARATE SIGN PERMIT APPLICATION.



CODE DATA	
TYPE OF CONSTRUCTION	TYPE II-B
FIRE SPRINKLERS	YES

507.4 Sprinklered, one-story buildings. P

The area of a Group A-4 building not more than one *story above grade plane* of other than Type V construction, or the area of a Group B, F, M or S building no more than one *story above grade plane* of any construction type, shall not be limited where the building is provided with an *automatic sprinkler system* throughout in accordance with Section 903.3.1.1 and is surrounded and adjoined by *public ways* or *yards* not less than 60 feet (18 288 mm) in width.

NORTH

sba

SAMUEL J. BRADY

ARCHITECTS

200 E. South Temple
Suite 160
Salt Lake City, Utah 84111
(801) 595-1752
www.sambrady.com

5963 SOUTH
STATE STREET

MURRAY, UTAH

OLYMPUS TENTS AND EVENTS

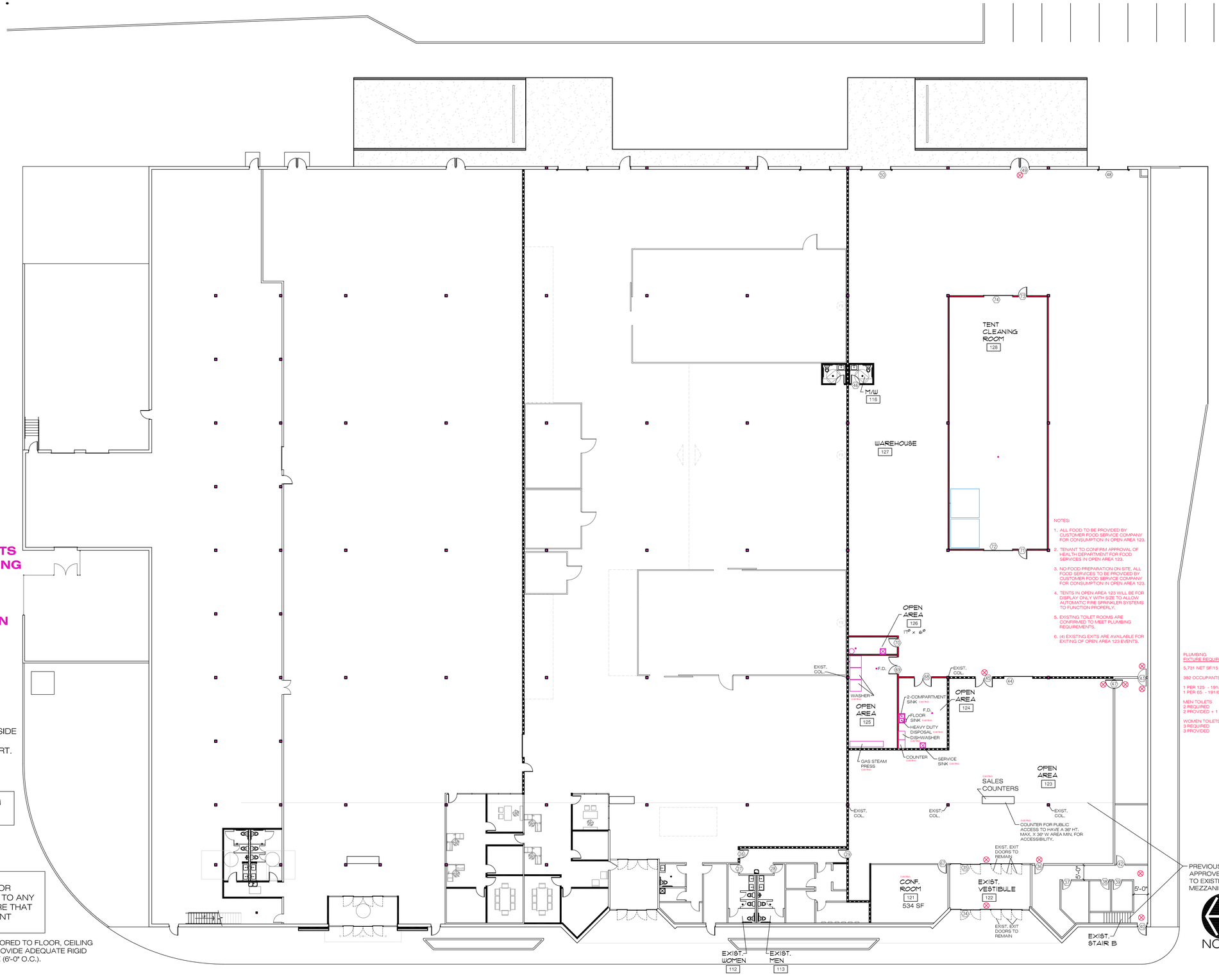
SITE PLAN

PAPER SIZE (11X17)
SCALE: 1" = 80'-0"

PAPER SIZE (24X36)
SCALE: 1" = 40'-0"

MAY 16, 2024
2480301SA.dwg

AS.1



NOTE:
TENT COMPANY RENTS OUT TENTS AND EATING UTENSILS. UPON RETURN TENTS + UTENSILS ARE CLEANED/ WASHED IN DISHWASHER FOR RENTAL REUSE.

NOTE:
ALL EXITS ARE TO BE READILY OPENABLE FROM THE EGRESS SIDE WITHOUT THE USE OF A KEY OR SPECIAL KNOWLEDGE OR EFFORT. PER IBC 2021 1010.1.9

SEE DRAWING A0.9 FOR WALL TYPES.

GENERAL CONTRACTOR SHALL CHALK-LINE ALL NEW WALLS FOR ARCHITECT'S APPROVAL, PRIOR TO ANY NEW CONSTRUCTION, TO INSURE THAT SPACE BUILD-OUT MEETS TENANT REQUIREMENTS.

NEW WALL SYSTEM SHALL BE ANCHORED TO FLOOR, CEILING AND EXISTING ADJACENT WALLS. PROVIDE ADEQUATE RIGID BRACING OF WALLS TO DECK ABOVE (6'-0" O.C.).

NOTES:

1. ALL FOOD TO BE PROVIDED BY CUSTOMER FOOD SERVICE COMPANY FOR CONSUMPTION IN OPEN AREA 123.
2. TENANT TO CONFIRM APPROVAL OF HEALTH DEPARTMENT FOR FOOD SERVICES IN OPEN AREA 123.
3. NO FOOD PREPARATION ON SITE. ALL FOOD SERVICES TO BE PROVIDED BY CUSTOMER FOOD SERVICE COMPANY FOR CONSUMPTION IN OPEN AREA 123.
4. TENTS IN OPEN AREA 123 WILL BE FOR DISPLAY ONLY WITH SIZE TO ALLOW AUTOMATIC FIRE SPRINKLER SYSTEMS TO FUNCTION PROPERLY.
5. EXISTING TOILET ROOMS ARE CONFIRMED TO MEET PLUMBING REQUIREMENTS.
6. (4) EXISTING EXITS ARE AVAILABLE FOR EXITING OF OPEN AREA 123 EVENTS.

PLUMBING FIXTURE REQUIREMENTS

5,731 NET SF/15 = 382

382 OCCUPANTS / 2 = 191

1 PER 125 - 191/125= 1.528
1 PER 65 - 191/65 = 2.369

MEN TOILETS
2 REQUIRED
2 PROVIDED + 1 URINALS

WOMEN TOILETS
3 REQUIRED
3 PROVIDED

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MURRAY, UTAH

OLYMPUS TENTS AND EVENTS

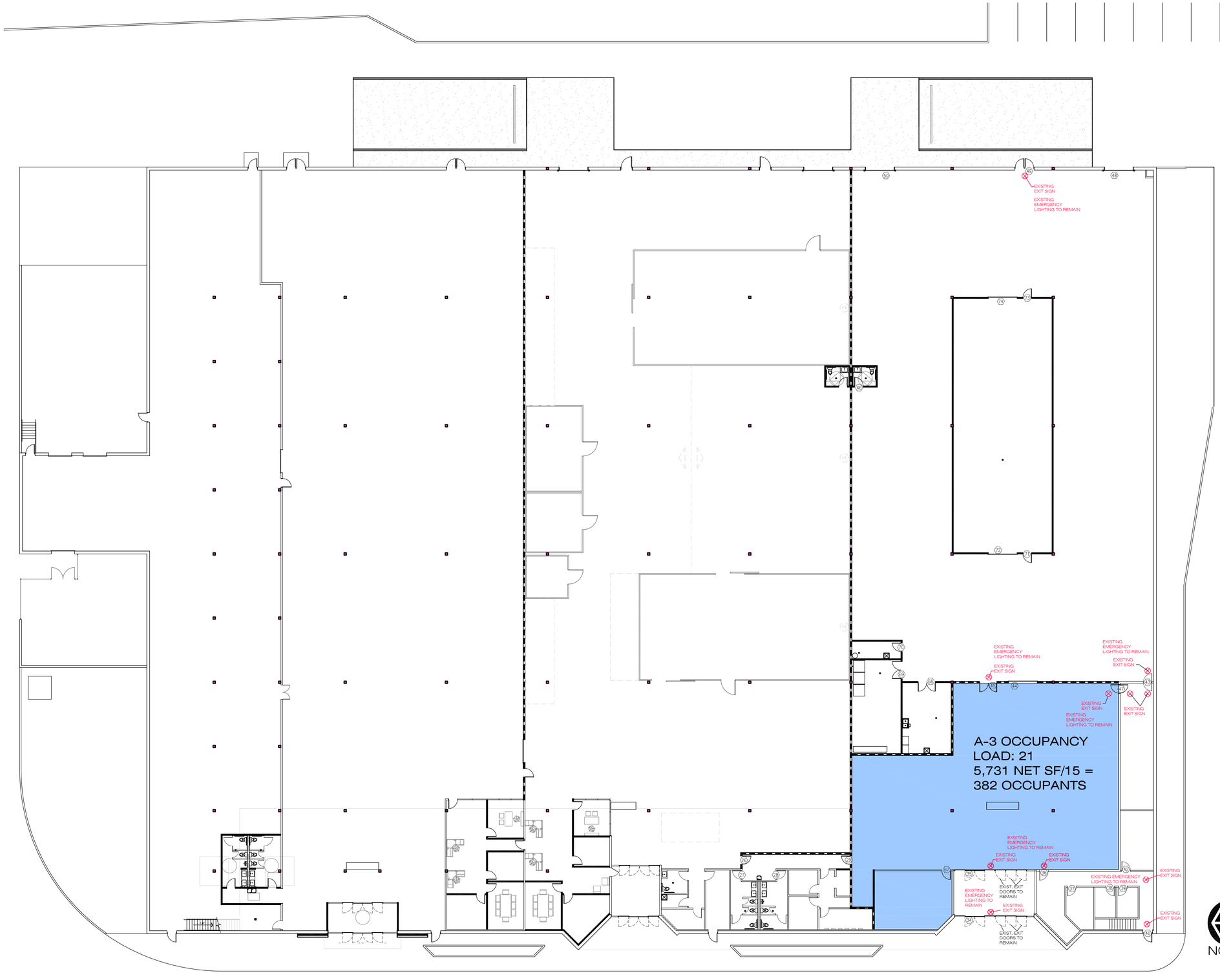
FLOOR PLAN

PAPER SIZE (11X17)
SCALE: 1/32" = 1'-0"

PAPER SIZE (24X36)
SCALE: 1/16" = 1'-0"

MAY 16, 2024
2480301S2.dwg

A1.1



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5963 SOUTH
STATE STREET

MURRAY, UTAH

OLYMPUS TENTS AND EVENTS

CODE DATA

MAY 16, 2024
248030102.dwg

NORTH

A0.2

EXIT TRAVEL LEGEND

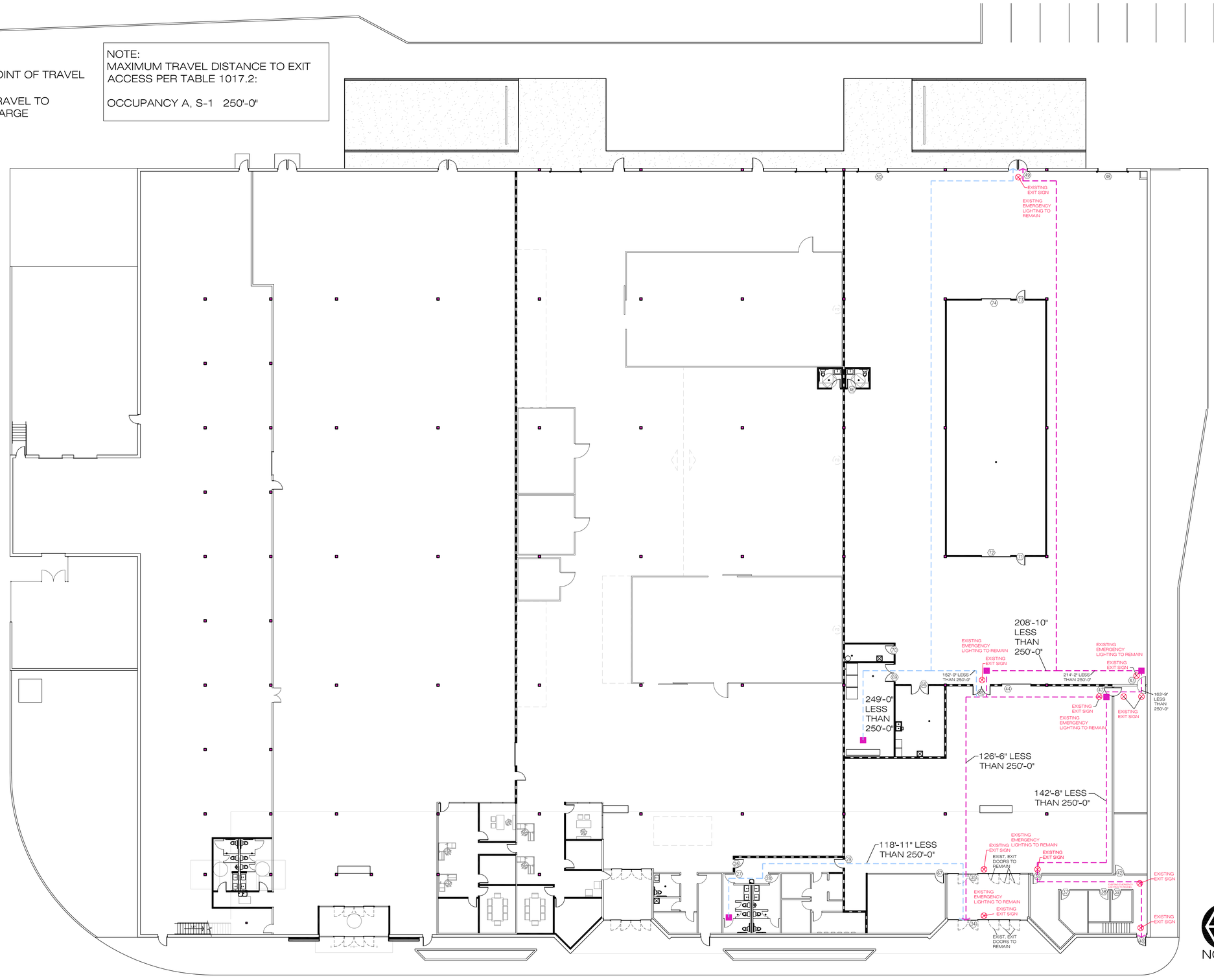
REMOTE POINT OF TRAVEL

PATH OF TRAVEL TO EXIT DISCHARGE

XX'-X" TRAVEL DISTANCE

NOTE:
MAXIMUM TRAVEL DISTANCE TO EXIT ACCESS PER TABLE 1017.2:

OCCUPANCY A, S-1 250'-0"



NORTH

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5963 SOUTH
STATE STREET

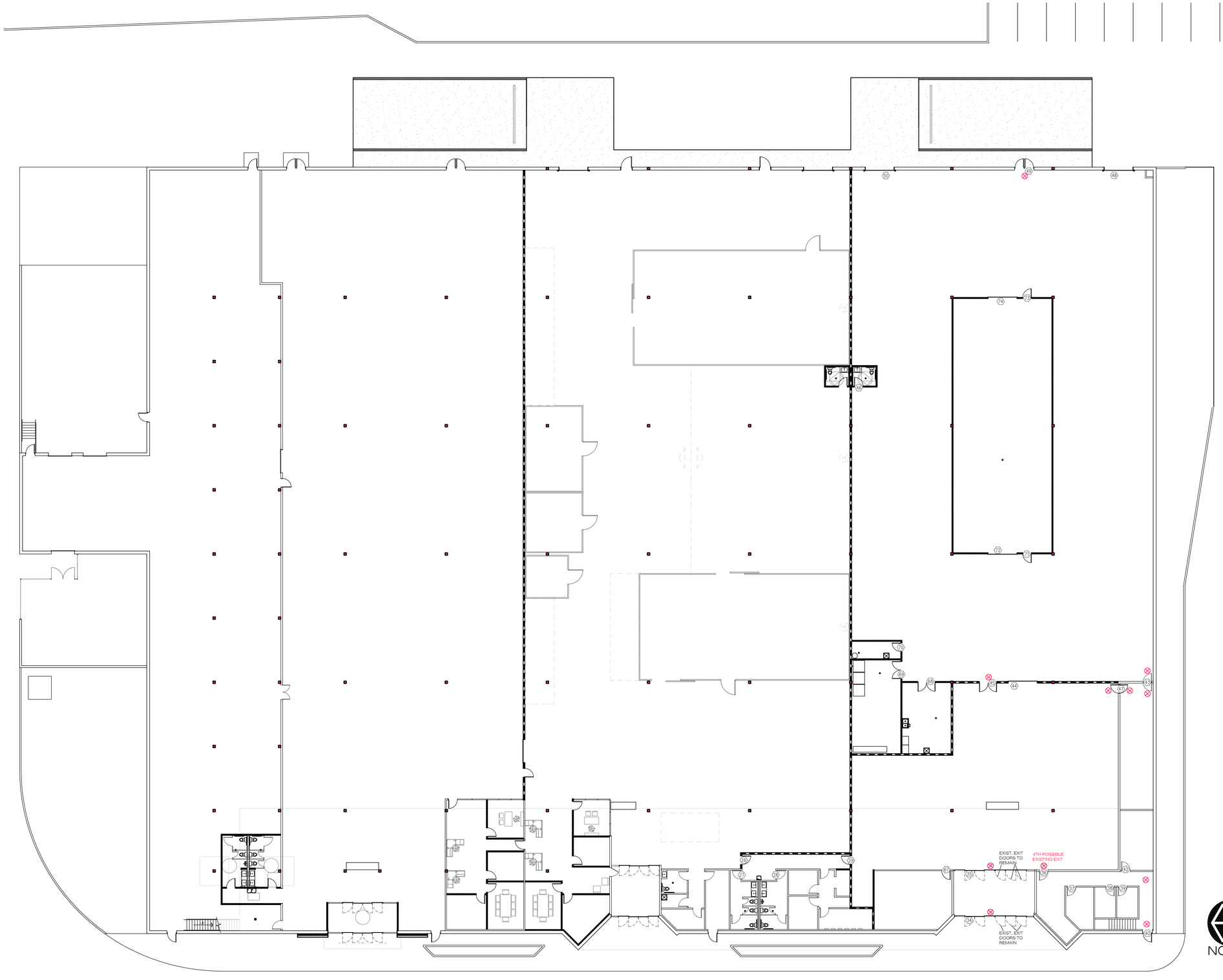
MURRAY, UTAH

OLYMPUS TENTS AND EVENTS

EGRESS PLAN

MAY 16, 2024
248030104A.dwg

A0.4



sba

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5963 SOUTH
STATE STREET

MURRAY, UTAH

OLYMPUS TENTS AND EVENTS

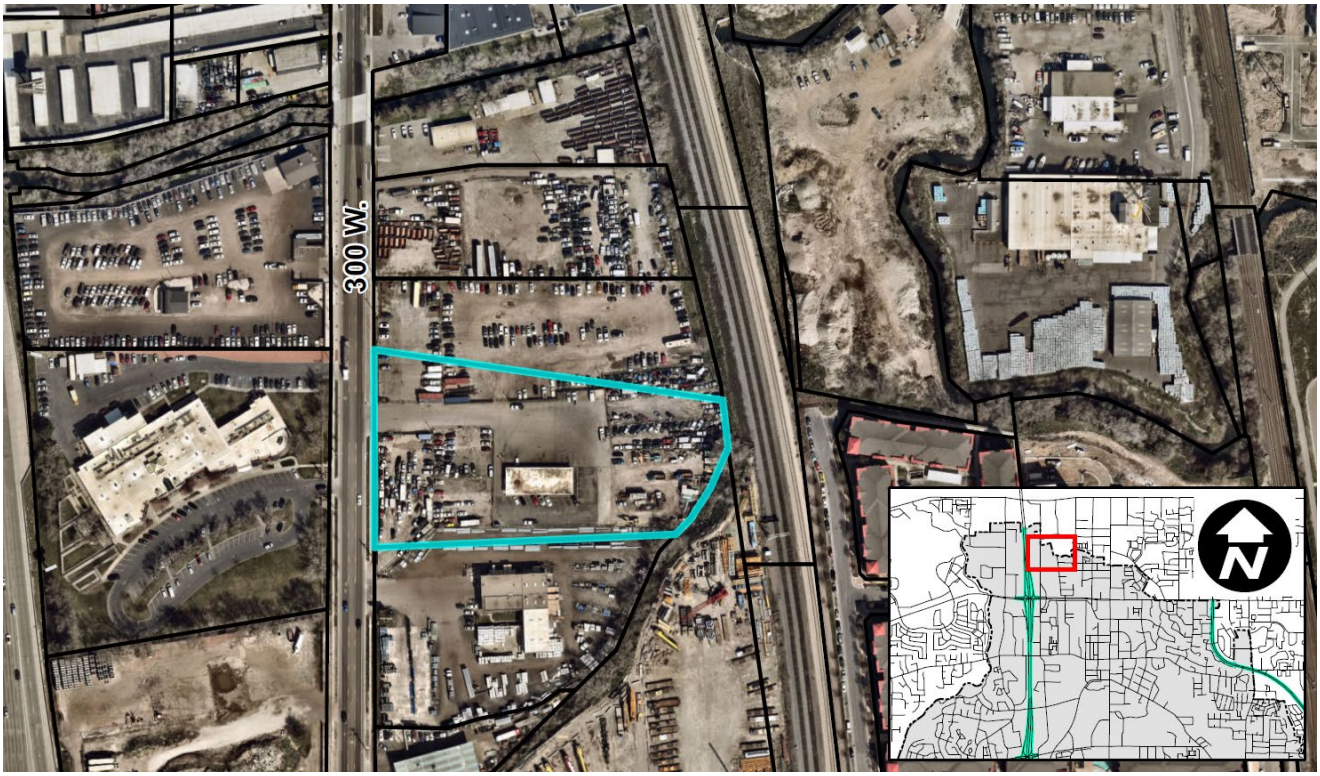
EGRESS PLAN

MAY 16, 2024
248030105.dwg

NORTH

A0.5

AGENDA ITEM # 7 – Rookery Auto Sales			
ITEM TYPE:	Conditional Use Permit to allow an auto sales business.		
ADDRESS:	4205 South Commerce Drive #2	**MEETING DATE:**	September 5, 2024
APPLICANT:	Julio Cesar Solis	**STAFF:**	Zachary Smallwood, Planning Manager
PARCEL ID:	21-01-205-010	**PROJECT NUMBER:**	PZ-24-089
ZONE:	M-G, Manufacturing General		
SIZE:	3.36 acre site | 3,600 ft2 building | 192 ft2 office		
REQUEST:	The applicant is requesting a Conditional Use Permit to allow for an auto sales business to be located on the property.		



I. LAND USE ORDINANCE

Section 17.152.030. of the Murray City Land Use Ordinance allows auto sales businesses (LU #5511) within the M-G zoning district subject to Conditional Use Permit approval.

II. BACKGROUND

Project Location

The subject property is located on the east side of Commerce Drive, across the street from the Humane Society of Utah.

Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Industrial	M-G
South	Industrial	M-G
East	Industrial	M-G
West	Professional Services	M-G

Project Description

The applicant proposes to operate an auto sales business out of Unit #2 in the Industrial Park located at 4205 South Commerce Drive. The space is approximately 192 square feet open office. The provided building floorplan shows a shared breakroom and restroom facilities. No changes to the existing floor plan are proposed. The applicant states that as part of the lease agreement the business will have access to five (5) total parking spaces.

This property has multiple businesses operating out of the building. According to the floorplan submitted to staff at least six (6) businesses (including Salt Lake Auto) are located within the building. Additionally, there are multiple towing companies that use this property as a storage lot for vehicles.

The applicant states that this a sales only lot. No body work or painting will be conducted at this location.

Access

The subject property has a single forty-eight foot (48') point of access. The access is exclusive to this building and its tenants. It also allows access to the multiple storage yards on the property that are used by multiple towing companies.

Parking

Parking requirements for industrial uses are four (4) spaces per 1,000 ft^2 of net usable office space and one (1) space for each 750 square feet of net usable warehouse area, or one (1) space per person employed on the highest shift, whichever is greater. Staff has calculated

required parking based on the usable office space as the applicant is the only employee.

Based on the requirement above a total of one (1) space is required for this use, it will need to be ADA van accessible. According to the site plan that was submitted with the application the proposed auto sales business will have three (3) dedicated "display" spaces, labeled as stalls 19, 20, and 21. The applicant will also have access to an additional four (4) guest spaces labeled as customer parking. There is an ADA van accessible space, on the east side of the building that would be available to anyone using the site. No additional parking spaces are required at this time.

All for sale vehicles will need to be located in a striped parking space. No double or stacked parking will be allowed in this location.

Landscaping

Exclusive of the access driveway, the property has approximately 271 feet of frontage along Commerce Drive. Section 17.68 of the Murray City Land Use Ordinance requires landscaping in the front setback area for commercial properties. This must include at a minimum: three (3) trees, five (5) 5-gallon shrubs, and ten (10) 1-gallon shrubs for every one-hundred (100) linear feet of property frontage. Based upon this requirement the front setback landscaping for this property must include a minimum of:

300 West / Commerce Drive	*Existing*	*Required*
Trees	0	8
5-Gallon Shrubs	0	14
1-Gallon Shrubs	0	27

The property owner will be required to work with City Staff to provide a landscape plan and install the necessary landscape upgrades as a condition of approval.

III. LAND USE ORDINANCE STANDARDS REVIEW

Murray City Code Section 17.56.060 outlines the following standards of review for conditional uses.

A. That the proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well- being of the community and the neighborhood.

With compliance to city regulations, the proposed use will provide a service that will contribute to the general well-being of the area by providing a new business and increasing the desirability of the property.

B. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of person residing or working in the vicinity, or injurious to property or improvements in the vicinity.

With conditions, the proposed use will not be detrimental to the health, safety or general welfare of people in the vicinity.

C. That the proposed use will stress quality development with emphasis towards adequate buffering, landscaping, proper parking, and traffic circulation, use of appropriate gradation of building height away from single family districts and density to create privacy and compatibility with surrounding uses, use of building materials which are in harmony with the area, impact on schools, utilities, and streets.

With conditions, the proposed use will integrate well into the area. Staff does not anticipate a significant impact on the surrounding area and businesses because the area is currently used as a tow yard and impound lot by various other businesses.

D. That the applicant may be required to provide such reports and studies which will provide information relating to adequate utilities, traffic impacts, school impacts, soil and water target studies, engineering reports, financing availability, market considerations, neighborhood support and any other information which may be needed in order to render a proper decision.

The applicant has submitted sufficient information for the review of this Conditional Use Permit application by Murray City Staff and the Murray City Planning Commission.

IV. CITY DEPARTMENT REVIEW

The application materials for the proposed conditional use permit were made available to Murray City department staff for review and comment on August 20th, 2024. Reviewing staff included the Engineering Division, Water, Sewer, Power, and Fire Departments. All reviewing departments recommended approval without conditions or concerns.

V. PUBLIC INPUT

Fifteen (15) notices of the public meeting were sent to all property owners for parcels located within 300 feet of the subject property. As of the date of this report, staff has not received any public comments.

VI. FINDINGS

Based on the analysis of the Conditional Use Permit application to allow an auto sales business, staff concludes the following:

1. The proposed use for an auto sales business (LU #5511), is allowed in the M-G Manufacturing General Zoning District subject to Conditional Use Permit approval.
2. With conditions as outlined in the staff report, the proposed use and property will comply with the standards of the Murray City Land Use Ordinance.
3. The proposed use is not contrary to the goals and objectives of the Murray City General Plan in this area.

VII. CONCLUSION/RECOMMENDATION

Based on the information presented in this report, application materials submitted and a site review, staff recommends that the **Planning Commission APPROVE a Conditional Use Permit to allow an auto sales business at the property addressed 4205 South Commerce Drive Unit #2,** subject to the following conditions:

1. The applicant shall obtain a Murray City Business License prior to beginning operations at this location.
2. The applicant shall maintain three (3) parking spaces as display space for vehicles.
3. The applicant shall comply with all applicable zoning standards as adopted in Title 17, Zoning.
4. The project shall comply with all applicable building and fire code standards.
5. The applicant shall obtain permits for any new attached or detached signs proposed for the business.
6. The property owner shall work with Community and Economic Development staff to bring the Commerce Drive frontage landscaping into compliance with Chapter 17.68 Landscape Requirements.

CONDITIONAL USE PERMIT APPLICATION

Type of Application(check one): ☐ New Construction ☐ Remodel ☐ Amendment to existing CUP

☐ Land Use Change ☐ Addition

Application Information

Project Name: Rookery Auto Sales LLC

Project Address: 4205 south Commerce Drive #2

Parcel Identification (Sidwell) Number: _____

Parcel Area(acres): 3.36 Current Use: _____ Proposed: Auto Sales

Floor Area(square feet): 192 Zoning District: MG Land Use Code: _____

Applicant Information

Name: Julio Cesar Solis

Mailing Address: 1120 E horse rider Dr City: Eagle Mountain State: UT ZIP: 84005

Phone #: 7203630386 Fax #: _____ Email Address: RookeryAutoSales@gmail.com
pines.c57@Yahoo.com

Property Owner's Information (If different)

Name: Amy Hurley

Mailing Address: 4205 S. Commerce Dr City: Murray State: UT ZIP: 8407

Phone #: _____ Fax #: _____ Email Address: _____

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

Auto Sales

Authorized Signature: Julio C Solis Date: 08/01/2024

For Office Use Only

Project Number: PZ-24-089 Date Accepted: 8/7/24

Planner Assigned: _____

For Property Owner

Property Owners Affidavit

I (we) Amy Sexton Hurley, 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.

Amy Sexton Hurley
Owner's Signature

Owner's Signature (co-owner if any)

State of Utah
§
County of Salt Lake

Subscribed and sworn to before me this 31st day of July, 2024.

Notary Public

Residing in Murray

My commission expires: 03/14/2027

NOTARY PUBLIC
Jacob Davis
COMM. # 729921
My Commission Expires
03/14/2027
STATE OF UTAH

Agent Authorization

I (we), _____, the owner(s) of the real property located at _____, in Murray City, Utah, do hereby appoint _____, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize _____ 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 _____ day of _____, 20 _____, personally appeared before me _____ the signer(s) of the above *Agent Authorization* who duly acknowledge to me that they executed the same.

Notary public

Residing in: _____

My commission expires: _____

For Property Owner

OWNERS CERTIFICATION FORM
(To Be Complete and Signed by Property Owner)

Property Owner Name: Amy Hurley Phone: 801-833-7164

Property Address: 4205 S. Commerce Dr. Murray, UT 84107

Name of Organization/Business: Arrowhead Plaza LLC

Contact Person: Amy Hurley Phone: 801-833-7164

Address: 4205 S. Commerce Dr. #4 City: Murray UT Zip 84107

Email address: mysxtn@yahoo.com

Project Description: Rental of Office Space

Additional information or comments:

Per City Code Section 17.76.180: Multi Warehouse Facilities:

A. Owners Certification: Upon application for planning and zoning commission or community development division approval for each tenant of a multiuse warehouse facility, the owner's affidavit must reflect in addition to other required information:

1. Certification that the Owners property complies in all respects to all applicable zoning ordinances; and

2. Where applicable, further certification that the Owner's property will comply with any further conditions imposed as a result of each tenant's application for approval.

B. Parking Stalls: Each tenant shall have designated parking stalls meeting all city, state and federal requirements, including signage clearly assigning the required number of stalls to each tenant's business.

As owner of the property being considered for site plan review/conditional use permit, I will comply with Section 17.76.180 as specified above.

Signature: Amy Hurley Date: 7/31/24

Murray City Corporation
Community & Economic Development
10 East 4800 South, Suite 260
Murray, UT 84107
(801) 270-2430

MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT

Building Division 801-270-2400
Planning Division 801-270-2430

NOTICE OF PUBLIC HEARING

September 5th, 2024, 6:30 PM

The Murray City Planning Commission will hold a public hearing on Thursday, September 5th, at 6:30 p.m. in the Murray City Council Chambers, located at 10 East 4800 South to receive public comment on an application submitted by **Julio Cesar Solis** for the property located at **4205 South Commerce Drive #2**. The applicant is requesting Conditional Use Permit approval to host an auto sales business on the property. The meeting is open and the public is welcome to attend in person or you may submit comments via email at planningcommission@murray.utah.gov. If you would like to view the meeting online, you may watch via livestream at www.murraycitylive.com or www.facebook.com/MurrayCityUtah/.

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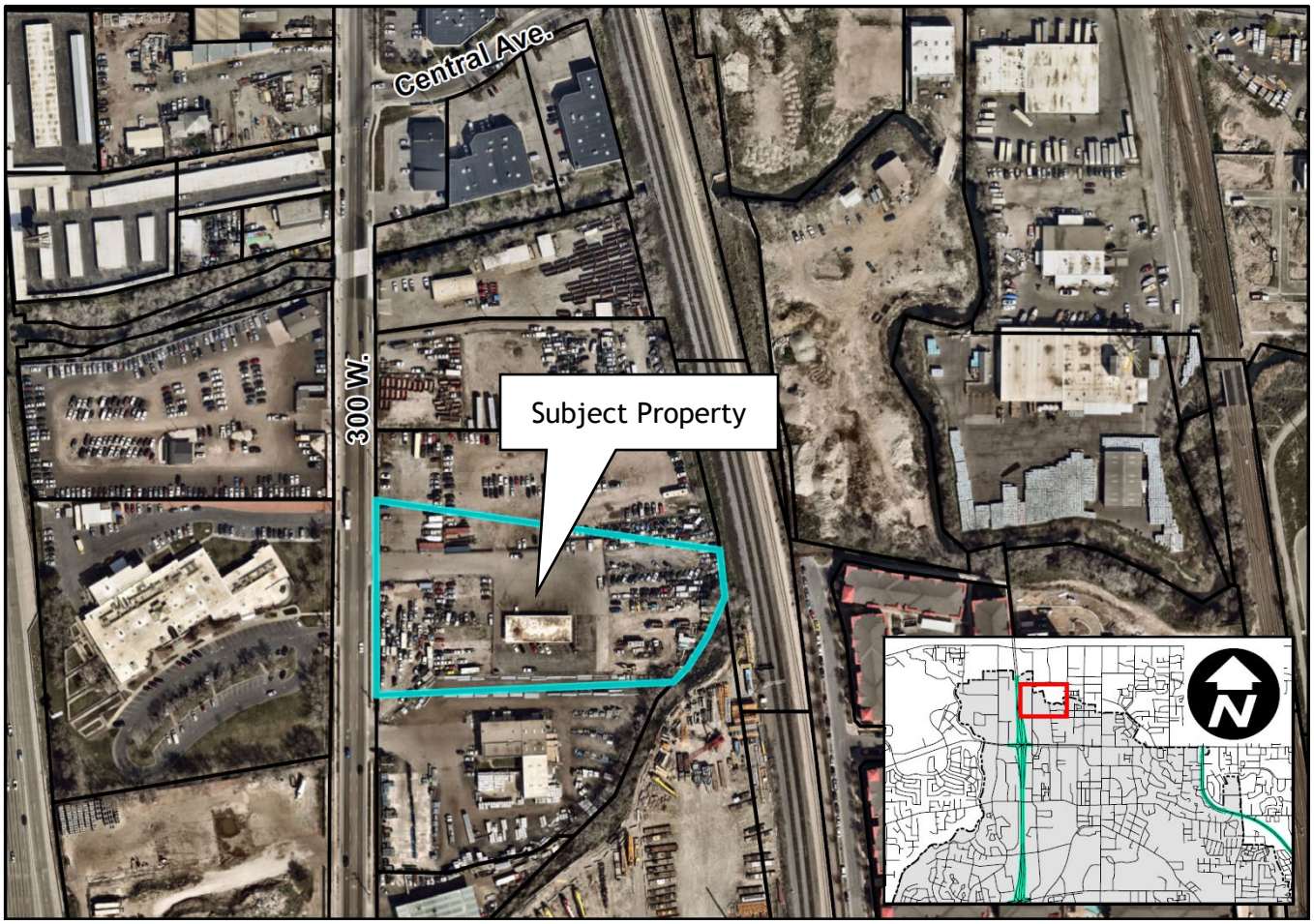

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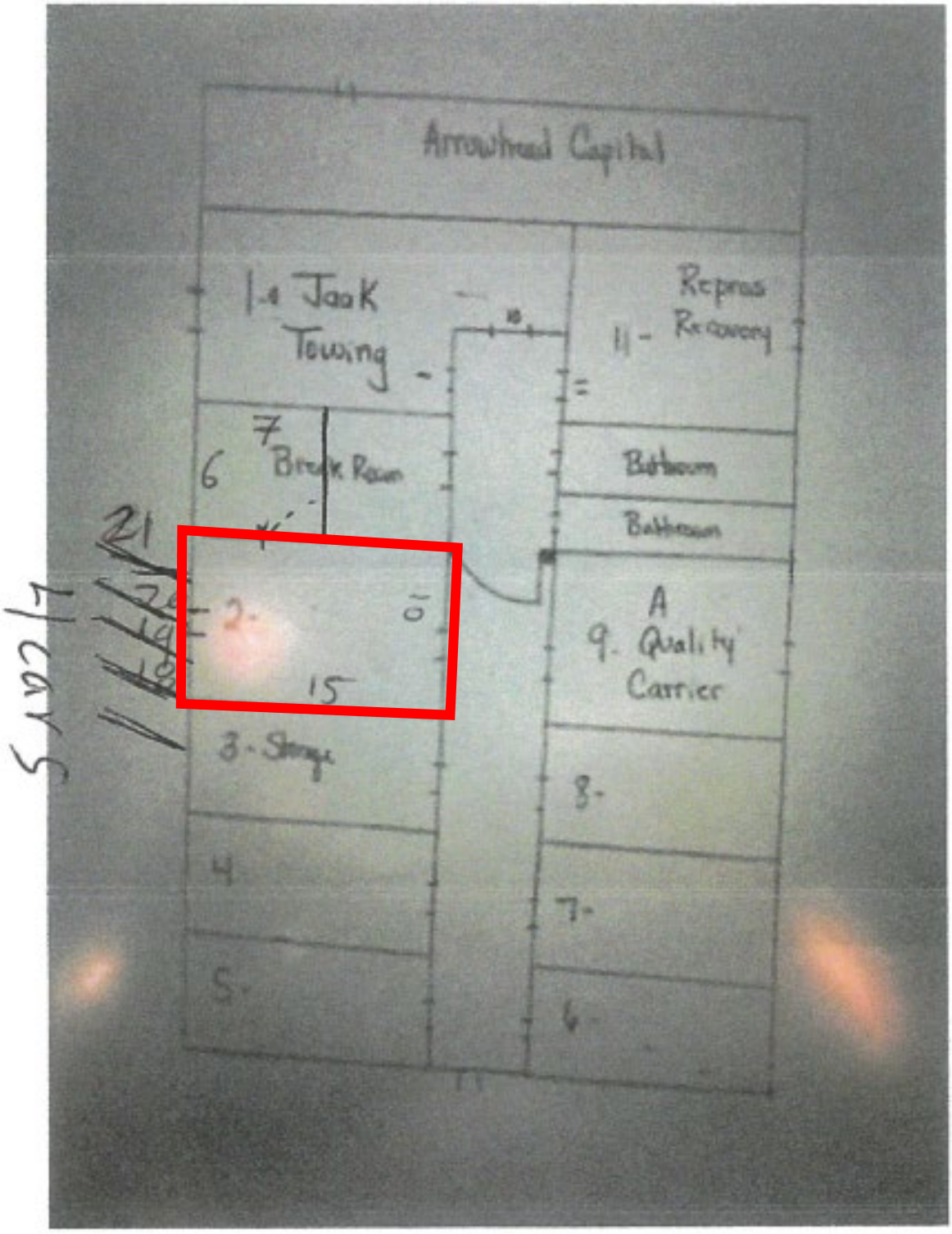
Special accommodations for the hearing or visually impaired will be upon a request to the office of the Murray City Recorder (801-264-2660). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.

Public Notice Dated | August 22nd, 2024

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


Arrowhead Capital
1- Jack Towing
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9. Quality Carrier
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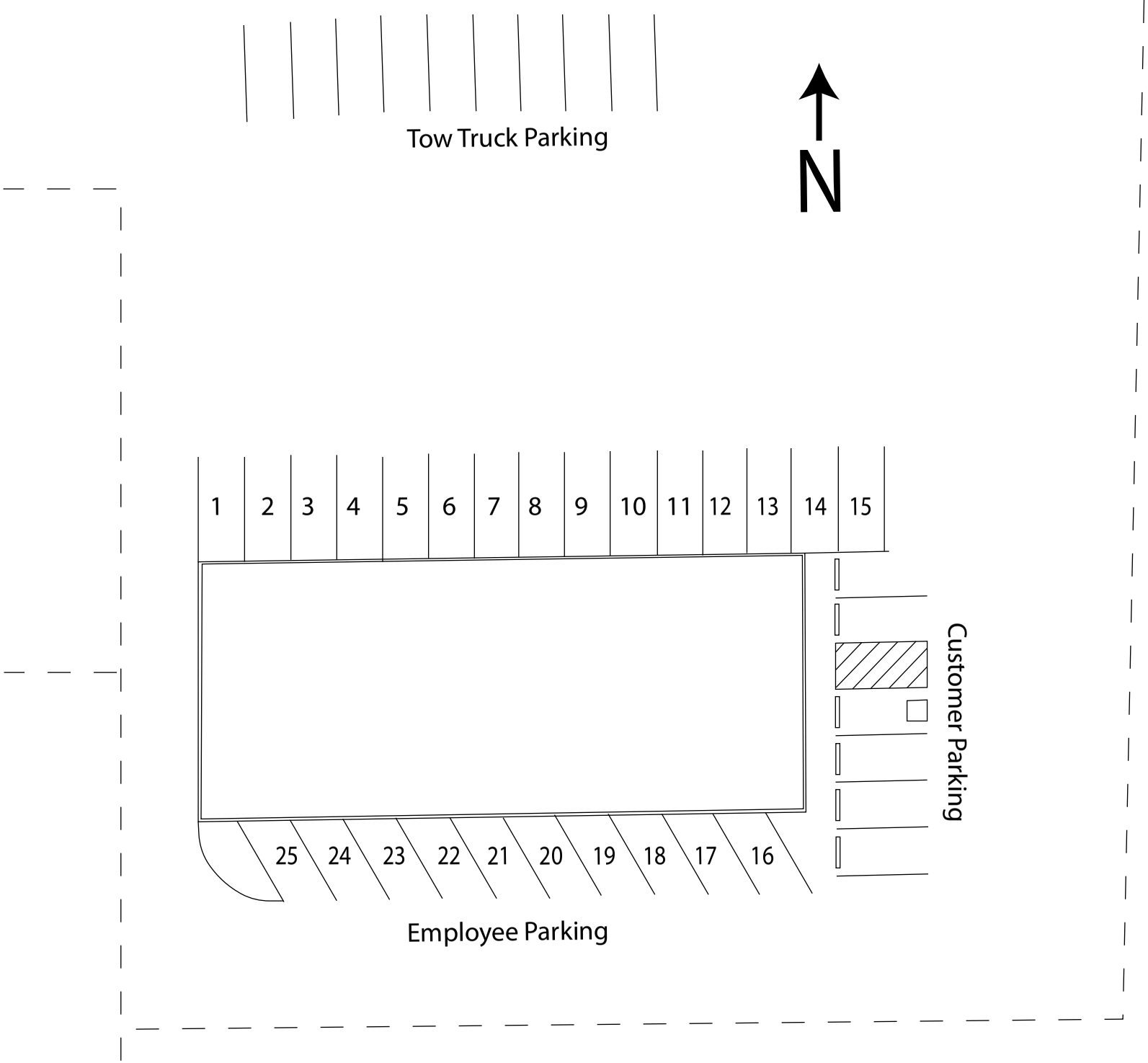
Tow Truck Parking
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Customer Parking
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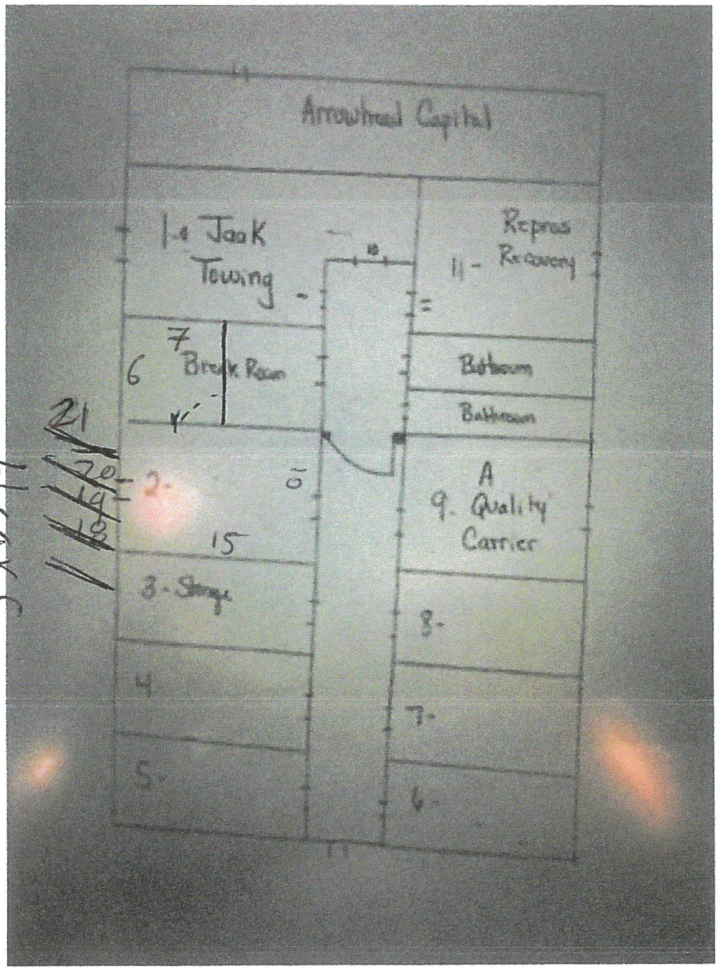
Employee Parking


Arrowhead Capital
1- Jack Towing
11- Repress Recovery
7
6
Break Room
Bathroom
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9- Quality Carrier
3- Storage
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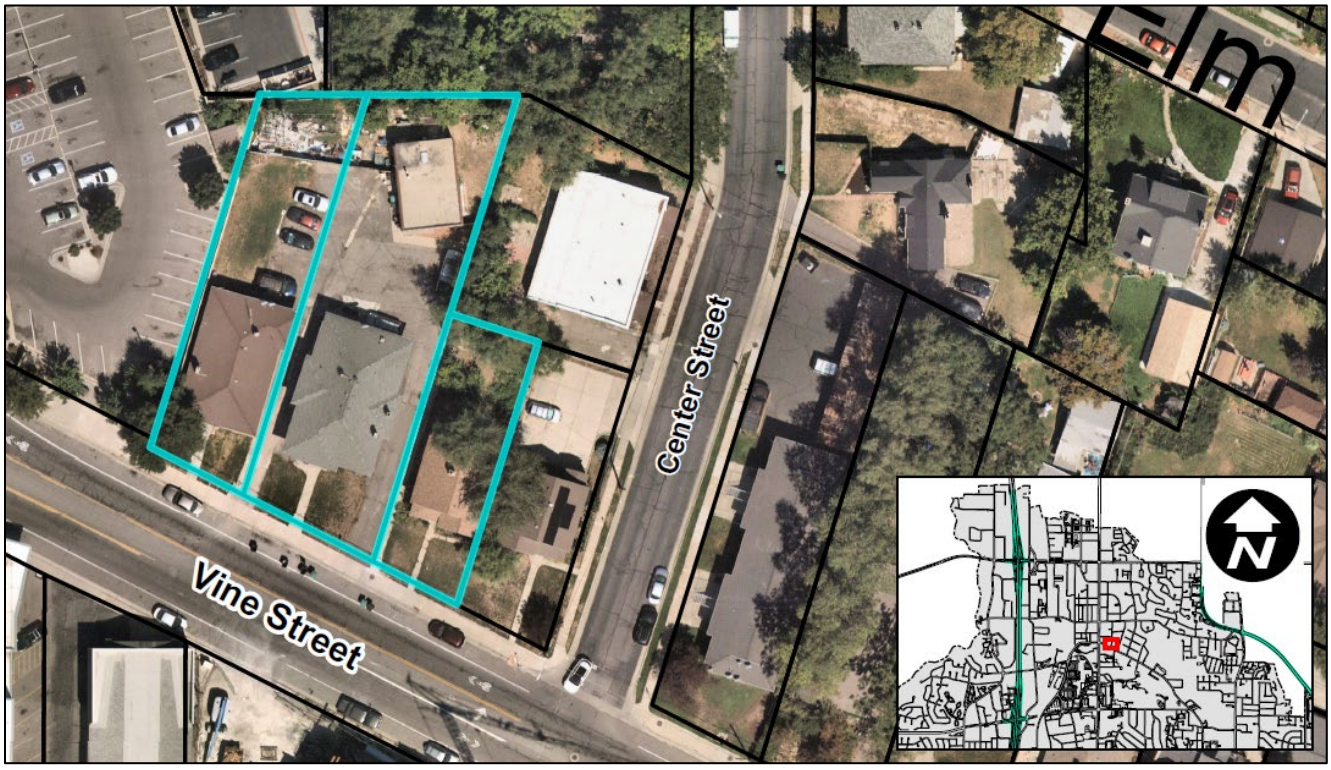
5/22/17

MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT

Building Division 801-270-2400
Planning Division 801-270-2430

AGENDA ITEM # 8 – The NOAH/Stax			
ITEM TYPE:	Design Review		
ADDRESS:	149, 155-157, 163 East Vine Street	**MEETING DATE:**	September 5th, 2024
APPLICANT:	Adrian Brewer, Fairway Development Group	**STAFF:**	Zachary Smallwood, Planning Manager
PARCEL ID:	22-07-111-014, 013, and 016	**PROJECT NUMBER:**	24-078
ZONE:	MCCD, Murray City Center District		
SIZE:	.55 Acre Site | 73,391 ft^2 mixed-use building (40 condominiums / 2,846 Commercial)		
REQUEST:	The applicant is requesting Design Review to allow the construction of mixed-use building.		



I. LAND USE ORDINANCE

Section 17.170.040 of the Land Use Ordinance outlines the process for review of applications located within the Murray City Center District (MCCD). New construction within the zone requires Design Review approval by the Planning Commission after obtaining a recommendation from the MCCD Review Committee.

II. BACKGROUND & MCCD STANDARDS REVIEW

Project Location

The subject properties are located on the north side of Vine Street directly east of the Home2Suites Hotel. There are currently three (3) single family dwellings and a commercial building on the properties. The applicant proposes to demolish these buildings and construct a new mixed-use building containing 40 multi-family homes and 2,846 ft2 of commercial.

Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Multi Family Residential	MCCD
South	Mixed-Use	MCCD
East	Commercial	MCCD
West	Commercial	MCCD

Project Description

The applicant is proposing a seven (7) story building that contains commercial and parking on the ground floor, residential, small office space, and amenity spaces on the upper floors. The applicant states their intention to build forty (40) for-sale condominium units.

Area, Width, Frontage and Yard Regulations

Section 17.170.050 of the Land Use Ordinance states that main entries to a building should provide a strong connection to the street. Building setbacks in the MCCD Zone are measured from the back of curb and are required to be between 12' and 25'. The result is an effective setback from property line between 0' and 13'. The setbacks are measured in this way to reinforce the importance of the public pedestrian improvements and the necessity of the building's proximity in creating that environment.

New developments must be designed to have fifty percent (50%) of the building façade be within twelve to eighteen feet (12'-18') from the back of curb. The mixed-use building is approximately sixty-six feet (66') wide and has fifty feet (50') within the allowable setback space on the ground floor which equates to approximately seventy-five percent (75%). The upper floors increase to a maximum of eighty-seven percent (87%) within the setback area.

Public Improvements and Street Character

Curbside Management Plans

The applicant has addressed the requirements for a curbside management plan. The applicant has indicated "red-curbing" on the front area of the building to not allow for public parking. The applicant has indicated a temporary parking space on the site plan to be used for public transit, ridesharing, micro-transit, and accommodation for residential and commercial delivery vehicles.

Public Right of Way Improvements

The site plan shows installation of the MCCD requirements of five feet (5') of park strip and seven feet (7') of pedestrian sidewalk. At the request of the Planning Division to create a cohesive streetscape, the applicants have agreed to follow the improvements that are installed to the west where Home2Suites is located. This falls in line with "The Vine" mixed-use building on the south side of Vine Street as well.

Building Design, Scaling and Density

Primary Entrances

The land use ordinance requires that the primary entrance to the building be "clearly identifiable and must be oriented to the street, plaza, or pedestrian way". There are two proposed entries to the mixed-use building. The first entry faces the public street provides access to the retail space. The second entry is pushed further back and faces the access way for the building. This provides a delineation between the publicly available retail area and the private residential area above.

Maintenance buildings, storage, and service areas

The applicant has proposed placing all service-related elements of the project to the rear of the property on the accessway. Staff does not have any concerns at this time.

Blank Walls and Openings

The ordinance requires that blank walls not occupy more than 50% of the principal frontage (Vine Street). Staff has no concerns on this requirement.

Commercial Component

All buildings that front on to a principal street (Vine Street) are required to have a certain amount of commercial included within the project. Section 17.170.110(P) requires that a minimum square footage equal to the width of the ground floor at a depth of forty feet (40'). As stated earlier the width of the building is approximately sixty-six feet (66'). This requires a total of 2,660 ft^2 of commercial space. The applicant has proposed three (3) commercial spaces, two (2) on the ground floor that equate to 1,840 ft^2 and an office space on the second level facing Vine Street at 1,006 ft^2. The applicant has provided a total of 2,846 ft^2 of

commercial space and meets the required commercial component.

Residential Density

The maximum residential density for projects located east of State Street are limited to eighty (80) units per acre. The applicant has proposed forty (40) units on .55 acres that equates to approximately seventy-three (73) units per acre. Staff does not have any concerns with the number of dwellings for this project.

Height Regulations

Section 17.170.120 prescribes height requirements for the MCCD Zone. For buildings that are located within sixty feet (60') of a residential district height is limited to fifty feet (50'). The applicant is outside the sixty-foot height restriction. The proposed mixed-use building is approximately eighty-seven feet (87') tall and has seven (7) floors. Staff does not have any concerns with the proposed building height and feels that the combination of the materials and undulation of the building present a pleasant and different product that is traditionally seen.

Parking Regulations

Residential parking is calculated based on the number of bedrooms that a home has. Commercial parking is required at one (1) space for every 500 ft^2 of **net usable** square footage. The table below shows the minimum required for the proposed project.

Use Type	Required	Units/Square Feet	Required	Provided
2-bedroom	1.5	39	59	
1-bedroom	1.05	1	1	
Commercial	1 per 500 ft^2	2,846 ft^2	5	
Total			**65**	**65**

Based on the parking need shown in the table above, staff finds that the applicant is able to provide the required parking. The applicant states that there are fifty-two (52) spaces within the building as stacked parking and two (2) ADA accessible spaces within the building. The remaining parking is provided on-site via an eleven (11) space surface lot replacing the previously proposed commercial building. Staff finds that the applicant meets the requirements for parking and recommends the planning commission require that the surface parking spaces be signed as dedicated to visitor (guest and commercial) parking. Requiring this as a condition allows for easier access by the commercial users and guests of the dwellings as using a stacked parking system is not feasible.

Within the MCCD Zone there is a bike parking requirement of 5% of the total number of spaces be provided for bicycles. This results in two (2) required spaces. Staff encourages the applicant to provide additional bicycle parking within the structure to facilitate a more bike

and pedestrian friendly atmosphere.

Open Space & Landscaping

Section 17.170.160(A) requires that there be a system of pedestrian walkways and sidewalks that provide access to building entrances. The buildings face Vine Street and have great access to that street. There is side access on the east side of the mixed-use building that provides access to the rear of the property for additional pedestrian access.

Landscaping and amenity space is required at 15% of the total site area. The applicants show the total lot square footage of 23,958 ft^2. This requires 3,594 ft^2 of open and amenity space. The applicant has provided a golf putting green to the rear of the property that equates to approximately 1,536 ft^2 (6 %). Another 1,500 ft^2 of landscaping is used to buffer the neighboring business to the east. There is a rooftop amenity space consisting of an open patio, game room and social room equaling 3,277 ft^2. The applicant meets the minimum requirement for this element.

Signage

The applicant has shown preliminary signage for the project. Staff does not have any concerns with the size of the signage at this time. Signage is considered a “minor alteration” in the MCCD Zone and will need to go through the administrative design review process prior to submittal for a building permit.

Building Materials and Colors

The applicant has proposed a mix of stucco and brick elements on the building to ensure that there is visual interest to the building. Staff has reviewed the design guidelines in the following section. The applicant also met with various residents near the subject property to receive input on the design and they have responded to that by adding additional brick to the façade.

Public Utilities

Utility plans are included as an attachment to this staff report. Public utilities are available generally and can adequately serve the proposed subdivision working with the utility providers. Comments and requirements from City Staff regarding utilities are included in the recommended conditions of the approval and can be reviewed in the City Department Review section of the staff report.

MCCD Review Committee Action

The MCCD Review Committee met on July 25, 2024, to discuss the item. They reviewed the project to ensure that the adopted Design Guidelines were followed. They reviewed the

project and discussed the need for parking management. This was addressed earlier in the staff report as being completed. The Review Committee voted to forward a positive recommendation to the Planning Commission for this project. The applicant has made impressive strides to provide all the required information to keep the project moving. The following section reviews the project with regards to the Design Guidelines.

IV. MURRAY CITY CENTER DISTRICT DESIGN GUIDELINES REVIEW

According to the purpose statement for the Murray City Center District "...The regulations and design guidelines of the MCCD are intended to promote mixed-use development, encourage pedestrian oriented design, promote development opportunities, and increase residential and commercial densities. The anticipated development model promotes sustainable, compact, mixed-use, transit-oriented uses with neighborhood oriented commercial, restaurant, civic, cultural, and residential spaces to promote street life and activity".

The Design Guidelines have been adopted to be used by the MCCD Review Committee to consult during the review of proposed developments in order to provide guidance, direction, and options which will further the purposes of the MCCD. Where practical, development should adhere to the objectives and principles of the Design Guidelines.

Shared Values (principles)

Authentic:
The applicant's proposal, which is located east of State Street, is in a unique area close to a lot of change that is occurring in the city. There has been a mix of development types in this area. The applicant has worked with local interest groups and neighbors to provide a project that would truly be unique to this valley. It provides an aesthetic that is not often found in new development. With some additional changes as outlined below, the proposed project can fit into the area nicely.

Active:
Additional housing in the area contributes to a more active district as a whole. With the addition of commercial components, it will add more activity on the street.

Inclusive:
This proposal is unique in that they intend for them to be for-sale units. This project would be the first of its kind in the downtown area. Allowing for condominium ownership in the downtown would provide a different type of resident, and increase the mix of housing types in the area.

Multi-Modal:
The requirement for bicycle parking within the downtown area provides greater opportunities for alternative modes of transportation. This project is developed at a scale that lends itself to walking and biking for the residents both in and around the neighborhood.

Connected:
With plenty of openings in the front façade to allow for neighborly connections, this project has the potential to grow the downtown in unique ways with the smaller scale, and for-sale nature.

Design Guidelines (objectives)

The following section provides opportunities for discussion and improvement of the proposed project. Staff recommends that the Review Committee use this review as a jumping off point to begin discussions on this proposal.

Walkability:
Largely, this project provides pedestrian comfort with street trees and physical separation from vehicular traffic on Vine Street.

Sustainability:
The applicant has expressed a desire to place solar panels on the top of the building. Staff supports that goal and encourages the applicants to work towards that end. The utility plans that need to be provided can include plans for the solar panels.

Streetscape:
Staff feels that the requested restriction for no on-street parking is warranted, especially on Vine Street. This street is relatively small and will need the space to maintain bike lanes in the future. Utilizing the same treatments that other projects have done will help with a cohesive street along Vine.

Public Space:
Staff does not have any comments regarding public space for this application.

Open Space:
The amenity space that is provided for future residents allows for it to be private without the perception of it being open to the public.

Parking:
The use of stacked mechanical parking is unique in this project. It allows the parking area to be smaller than what would normally be required in the zone. This is a unique feature and allows for a more compact development.

A bike rack is required on-site; staff recommends placing it near the entrance to the building for ease of use.

Neighbor Awareness:

The building utilizes balconies to modulate the façade. There are multiple floors with differing balcony types which gives the building a much softer look. The applicant has also brought the building up close to the street with open space in the rear of the property. This allows for more distance from established residential next door.

Light:
Lighting of the building has been included as part of the submittal with all proposed lighting meeting the intent and requirements of the design guidelines and code.

Connection to the ground:
This proposed project has a material distinction connecting it to the ground with large windows that further enhance the connection. This allows for the community to see what is happening on the street, and entices passersby to enter the retail portions of the properties.

Connection to the Sky:
The proposal does a great job of creating a termination of the building with architectural banding across both buildings. Staff does not have any concerns.

Fenestration and Porosity:
The applicant has provided balconies for all units to allow for natural light and air to flow into the homes and commercial spaces. Staff does not have any concerns here.

Express a Clear Organizing Idea:
The applicant has proposed the building that indicates a very clear idea of what they are proposing. The applicant has consulted with local residents and provided a design that is cohesive and well thought out.

Private Space:
The applicant has provided private balconies and operable windows across the project. No concerns from staff.

Materiality:
The applicant has provided a clear idea of what they are expressing for this building, they have slimmed down the use of materials which gives the projects a much more streamlined look without being a “box”.

V. DESIGN REVIEW STANDARDS REVIEW

Section 17.170.040(2)(c) outlines the following standards for review for Design Review Approval.

A. The project is in general conformance with the current Murray City General Plan.

With compliance to city regulations, the proposed use is desirable and will be in conformance with the current Murray City General Plan.

B. The project is in general conformance with the specific area plan, if any, adopted for the area.

There are no specific area plans in effect for the subject property.

C. The project conforms to the requirements of the applicable sections of the Land Use Ordinance.

The applicants have been communicating with staff consistently prior to the MCCD Review Committee and after and have been working on making sure the project meets the code. Staff's opinion is that except for minor alterations as stated in the staff report this project conforms to the requirements of the Land Use Ordinance.

D. The project does not jeopardize the health, safety, or welfare of the public.

With conditions the proposed building will not jeopardize the health, safety, or welfare of the public.

E. The Project is in harmony with the purpose of the MCCD zone and adheres to the principles of the design guidelines.

With minor alterations and conditions, staff believes that this project will be in harmony with the purpose of the MCCD Zone and will adhere to the principles of the design guidelines.

VI. CITY DEPARTMENT REVIEW

Planning Division Staff circulated the proposed subdivision plans to multiple Murray City Departments for review on August 20th, 2024. The following comments have been provided by the departments:

The Murray City Engineer recommends approval subject to the following conditions:

- 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.
- Provide a site geotechnical study; the study needs to include an infiltration rate at the proposed retention location.
- Relocate the existing irrigation ditch as per ditch company requirements. Provide written approval from the irrigation company – City Code Chapter 16.16.300.
- Dedicate right-of-way along Vine Street and install MCCD street improvements (sidewalk & park strip) – City Code Chapter 17.76.120.
- New sidewalk along Vine Street must be installed to City standards with a maximum cross slope of 2% and a minimum cross slope of 1%.
- Provide adequate line of sight at site access to ensure visibility of pedestrians and vehicular access onto Vine Street. Meet AASHTO sight distance requirements.
- On-street parking will be restricted on both sides of the drive access to ensure adequate line of sight for vehicular ingress and egress.

- Recommendation - Provide a Traffic Impact Study and implement recommendations. The study should include both the Noah and Wyatt buildings.
- Must avoid using Vine Street for construction staging, dumpster service, emergency service vehicles, delivery vehicles, and moving trucks – City Code 12.04.060.
- Building footings should not extend into the City right-of-way – City Code Chapter 12.04.130.
- Vine Street will be resurfaced summer 2024. Any utility cuts into new pavement will need to be restored to new condition and must meet the City's moratorium standards.
- Develop a site erosion control plan and implement BMP's prior to beginning site construction work - City Code Chapter 13.52.030.
- Obtain a City Excavation Permit for work in the City right-of-way City - Code Chapter 12.16.020.

The Murray City Fire Department recommends approval subject to the following conditions:

- Clearly show fire lane to safely place apparatus and not put first responders in unnecessary risk.
- Cutout a fire lane 15' width, length minimum 30' engine 18' ambulance.
- Approved fire apparatus access roads shall be provided for every facility, shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus.
- Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet, and unobstructed vertical clearance not less than 13ft 6 in.
- One or more of the required access routes meeting this condition shall be located not less than 15 feet and not greater than 30 feet from the building and shall be positioned parallel to one entire side of the building.
- Please use IFC 2021, NFPA 13, 14, 72 for references.

The Murray City Water Division recommends approval subject to the following conditions:

- All water utility work must follow Murray City Water Specification and Requirements https://murray.utah.gov/DocumentCenter/View/13884/Spec-Book-2023-Updated-4142023?bidId=
- Attach our 3" & 4" meter sectional on your plans (Page 18 of our Spec Book)
- Attach our 1 ½" & 2" meter sectional to you plans (Page 17 of our Spec Book)
- Describe the purpose for the 2" service and meter in the parking lot. It appears to be an extra service. We would insist on the irrigation meter being in the landscaped area (Like you already show)
- The proposed 3" meters lid must be in a landscaped area. It cannot be installed in a hardscape (Concrete)
- *Note – We will be requiring Composite/Polymer meter lids because we will be installing an AMI system. Our Spec Book does not show this new requirement yet.

- All current service laterals must be abandoned at the city main, prior to the water utility providing a meter to serving the development.

The Murray City Wastewater Division recommends approval subject to the following conditions:

- Need to see plumbing calculations and plans in order to due full review of the plan. 6" lateral that is shown seems undersized to serve the commercial units and 40 apartment units.
- Sanitary line and grease line should tie into the sampling manhole per Murray Wastewater specification.
- Include the grease trap and sampling manhole directly from the Murray Wastewater specification book. https://www.murray.utah.gov/DocumentCenter/View/14929/Revised-Wastewater-Spec-Book-2023
- Please be aware only one of the commercial units can tie into the proposed grease trap. Commercial units may not share a grease trap.
- Overall sewer plan needs some adjustment but nothing that will hold prohibit them from proceeding to planning commission.

The Murray City Power Departments recommends approval subject to the following conditions:

- The developer must give us proper safety clearance for all equipment. With large developments such as this we have seen that they haven't planned out the space for all required equipment and placement of primary underground power to feed the new building.

- When the time comes to build the new building(s), we will want to have an on-site meet to plan the new electrical service(s). 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. Please contact John Galanis 801-264-2723 for meter placement on the building.

The Murray City Building Division recommends approval and states that the applicant might want to show an accessible unit type; the plans only show 2 unit types. It might affect the design it will be asked for on plan review.

The preceding comments have been included as conditions of approval where applicable.

VII. PUBLIC COMMENTS

Eighty-six (86) notices of the public meeting were sent to all property owners for parcels located within 500 feet of the subject property. As of the date of this report, Staff has received two emails regarding this project which are included as attachments to this staff report.

VIII. FINDINGS

Based on the analysis for a Design Review application and a survey of the surrounding area, staff finds the following:

1. The proposed mixed-use building is allowed in the Murray City Center District (MCCD) Zone subject to design review by the MCCD Review Committee and Planning Commission.
2. With conditions as outlined in the staff report, the proposed development will comply with the standards of the Murray City Land Use Ordinance and the MCCD Zone and contribute to an active, thriving downtown.
3. The proposed development is in harmony with the purpose and intent of the Murray City General Plan, providing additional opportunities for a variety of appropriate mixed-use development in the area.
4. The Murray City Center District Review Committee forwarded a recommendation of approval for the proposed project.

VI. CONCLUSION & RECOMMENDATION

Based on the review of the requirements of the MCCD Zoning Ordinance, staff recommends that the MCCD Review Committee forward a recommendation of approval to the Planning Commission for the Master Site Plan application for the NOAH located at 149, 155-157, 163 East Vine Street, subject to the following:

1. The applicant shall meet all requirements of the Murray City Engineer, including the following:
    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. Provide a site geotechnical study; the study needs to include an infiltration rate at the proposed retention location.
    c. Relocate the existing irrigation ditch as per ditch company requirements. Provide written approval from the irrigation company – City Code Chapter 16.16.300.
    d. Dedicate right-of-way along Vine Street and install MCCD street improvements (sidewalk & park strip) – City Code Chapter 17.76.120.
    e. New sidewalk along Vine Street must be installed to City standards with a maximum cross slope of 2% and a minimum cross slope of 1%.
    f. Provide adequate line of sight at site access to ensure visibility of pedestrians and vehicular access onto Vine Street. Meet AASHTO sight distance requirements.
    g. On-street parking will be restricted on both sides of the drive access to ensure adequate line of sight for vehicular ingress and egress.
    h. Must avoid using Vine Street for construction staging, dumpster service, emergency service vehicles, delivery vehicles, and moving trucks – City Code 12.04.060.

i. Building footings should not extend into the City right-of-way – City Code Chapter 12.04.130.
j. Vine Street will be resurfaced summer 2024. Any utility cuts into new pavement will need to be restored to new condition and must meet the City's moratorium standards.
k. Develop a site erosion control plan and implement BMP's prior to beginning site construction work - City Code Chapter 13.52.030.
l. 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 Fire Department.
3. The applicant shall meet all requirements of the Murray City Water and Wastewater Divisions.
4. The applicant shall meet all requirements of the Murray City Power Department.
5. The applicant shall meet all applicable standards of Chapter 17.170, Murray City Center District, within the Title 17, Zoning Ordinance.
6. The applicant shall obtain sign permits for any proposed signage.
7. The applicant shall sign the surface parking area as exclusively for guests and commercial users.
8. The applicant shall ensure that the commercial units obtain proper business licenses.

DESIGN REVIEW APPLICATION

Project Information

Type of Application(check one): ☑ MCCD Major ☐ MCCD Minor ☐ MCMU ☐ CMU / VMU

Project Name: The Noah

Project Address: 149 E. Vine St.

Parcel Identification (Sidwell) Number: # 22-07-111-013, # 22-07-111-014, # 22-07-111-016

Parcel Area(acres): 0.54 Current Use: Single family Proposed: Condos

Floor Area(square feet): 23,522 Master Site Plan Required: ☐ Yes ☐ No

Applicant Information

Name: Adrian Brewer

Mailing Address: 13958 newburg dr. City: ~~WES~~ Herriman State: UT ZIP: 84096

Phone #: 8014030897 Fax #: _____ Email Address: adrian@fairwaydevelopmentgroup.com

Property Owner's Information (If different)

Name: Jonathan Daniel Oliver

Mailing Address: 163 E Vine St. City: Murray State: UT ZIP: 84107

Phone #: 801-458-4111 Fax #: _____ Email Address: jonathandanieloliver@gmail.com

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

Authorized Signature: _____ Date: 6/26/2024

For Office Use Only

Project Number: _____ Date Accepted: _____

Planner Assigned: _____

Property Owners Affidavit

I (we) Jonathan Daniel Oliver, 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

Owner's Signature (co-owner if any)

State of Utah

§

County of Salt Lake

Subscribed and sworn to before me this 26 day of June, 2024.

Notary Public

Residing in Draper, UT

My commission expires: 03/09/2027

MARGUERITE MCKELL
Notary Public - State of Utah
Comm. No. 729850
My Commission Expires on
Mar 9, 2027

Agent Authorization

I (we), Jonathan Daniel Oliver, the owner(s) of the real property located at 149-151 & 163 E Vine St. Murray, UT 84107 in Murray City, Utah, do hereby appoint Adrian Brewer, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize Adrian Brewer 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 26 day of June, 2024, personally appeared before me Marguerite McKell the signer(s) of the above *Agent Authorization* who duly acknowledge to me that they executed the same.

Notary public

Residing in: Draper, UT

My commission expires: 03/09/2027

MARGUERITE MCKELL
Notary Public - State of Utah
Comm. No. 729850
My Commission Expires on
Mar 9, 2027

MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT

Building Division 801-270-2400
Planning Division 801-270-2430

NOTICE OF PUBLIC HEARING

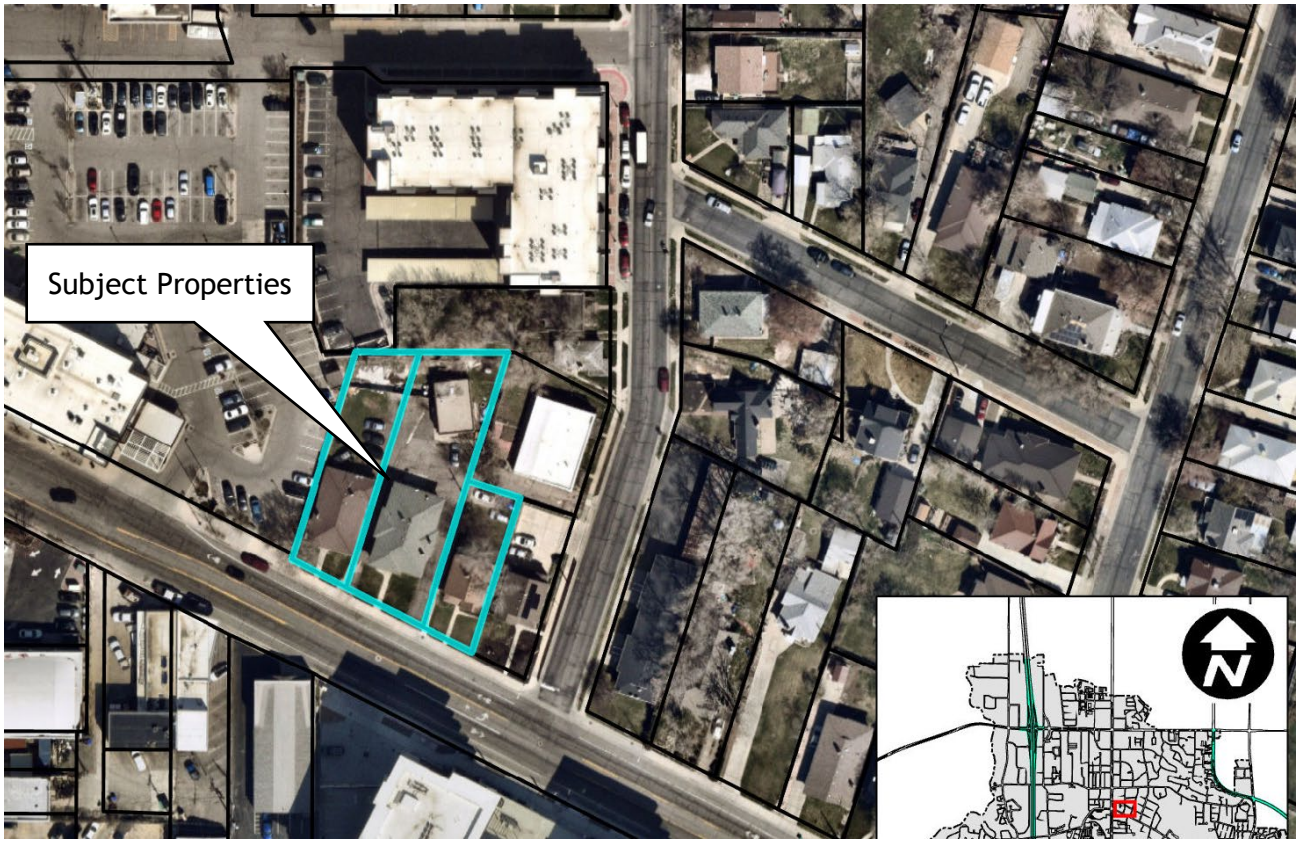
September 5th, 2024, 6:30 PM

The Murray City Planning Commission will hold a public meeting on Thursday, September 5th, 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 **Fairway Development Group** for the properties located at **149, 155-157, and 163 East Vine Street**.

The applicant is requesting Design Review approval to construct a mixed-use building consisting of forty (40) dwelling units, sixty-five (65) parking spaces, and 2,846 square feet of commercial space.

The meeting will be streamed online, at www.murraycitylive.com or 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 500 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 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.

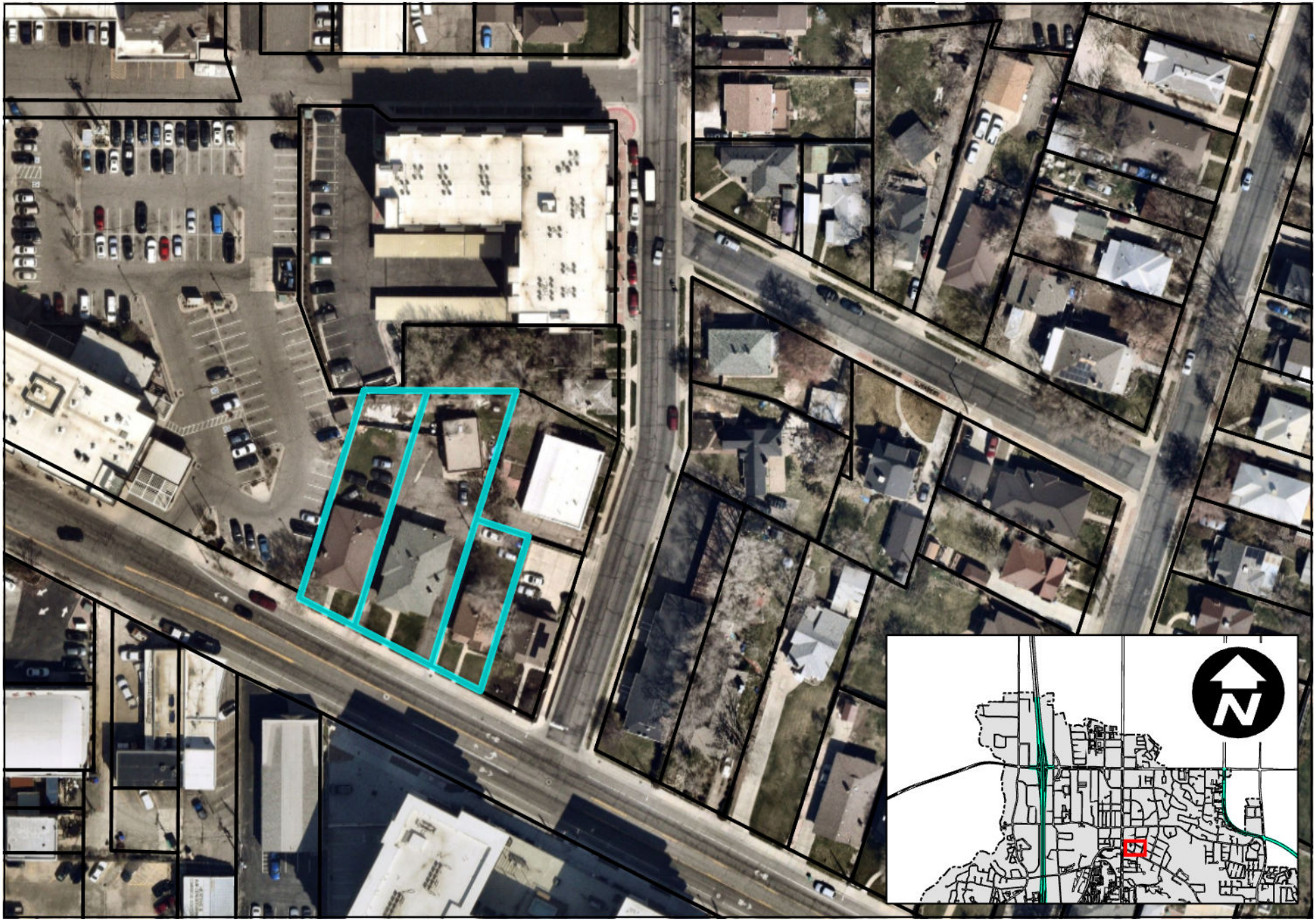
Public Notice Dated | August 22nd, 2024

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

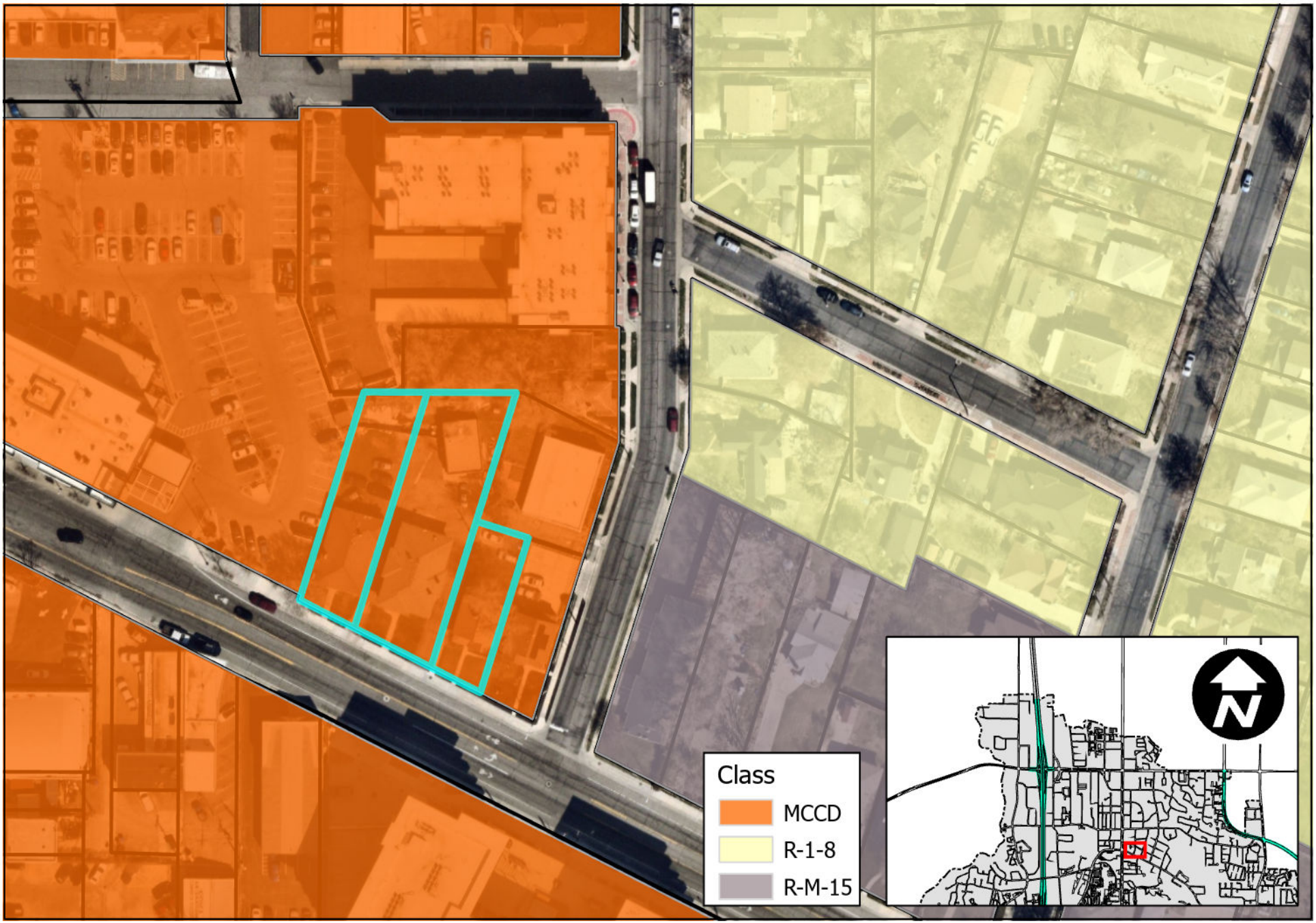
NOAH

SEATING
SEATING
GOLF PUTTING GREEN
NOAH
LIGHT
PWR
PWR
VINE STREET
S. CENTER STREET

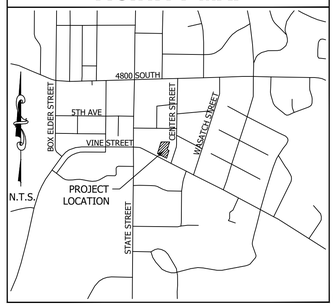
163, 155, 157 East Vine Street

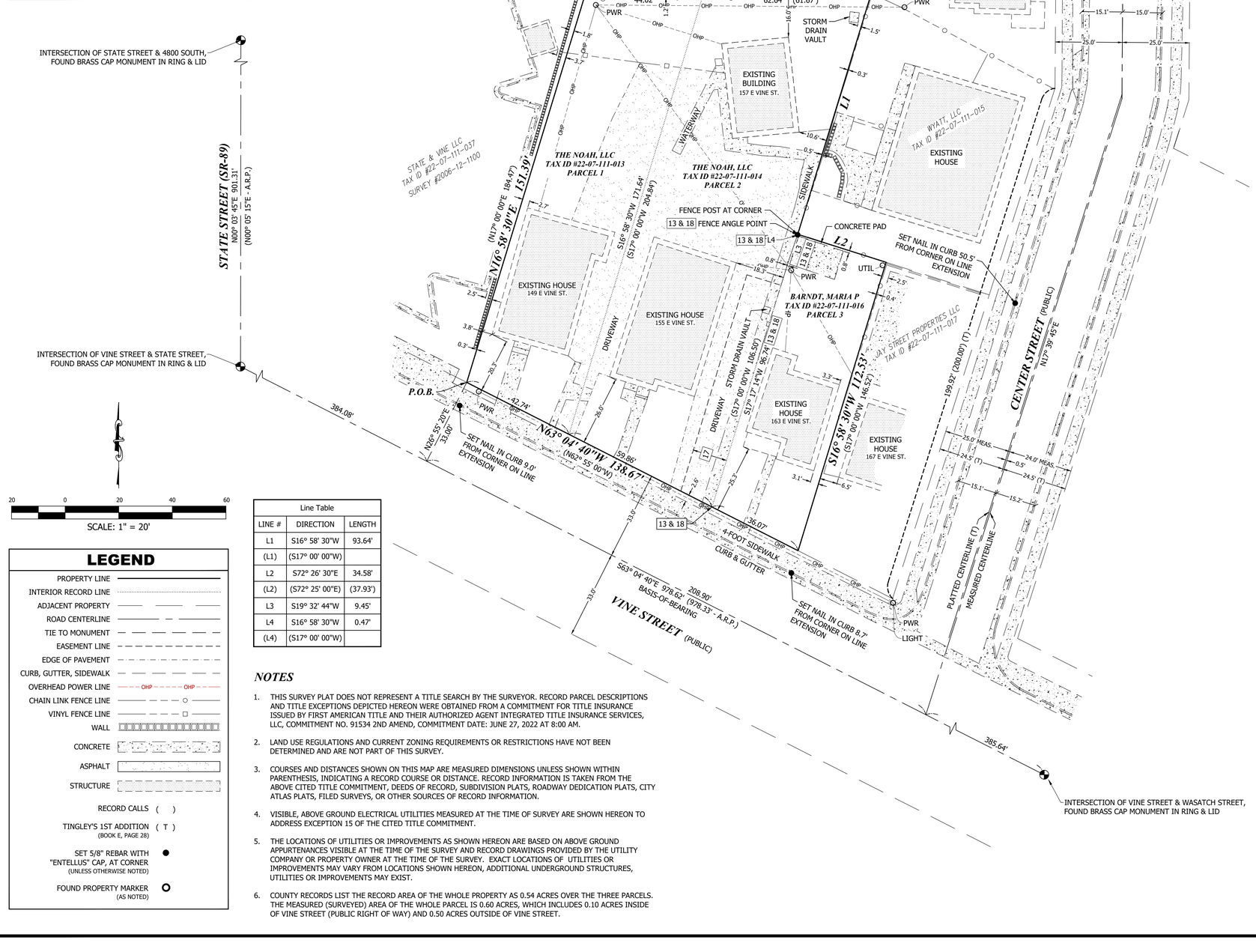


163, 155, 157 East Vine Street



VICINITY MAP





Line Table		
LINE #	DIRECTION	LENGTH
L1	S16° 58' 30"W	93.64'
(L1)	(S17° 00' 00"W)	
L2	S72° 26' 30"E	34.58'
(L2)	(S72° 25' 00"E)	(37.93')
L3	S19° 32' 44"W	9.45'
L4	S16° 58' 30"W	0.47'
(L4)	(S17° 00' 00"W)	

LEGEND

- PROPERTY LINE
- INTERIOR RECORD LINE
- ADJACENT PROPERTY
- ROAD CENTERLINE
- TIE TO MONUMENT
- EASEMENT LINE
- EDGE OF PAVEMENT
- CURB, GUTTER, SIDEWALK
- OVERHEAD POWER LINE — OHP — OHP —
- CHAIN LINK FENCE LINE
- VINYL FENCE LINE
- WALL
- CONCRETE
- ASPHALT
- STRUCTURE
- RECORD CALLS ( )
- TINGLEY'S 1ST ADDITION (T) (BOOK E, PAGE 28)
- SET 5/8" REBAR WITH "ENTELLUS" CAP, AT CORNER (UNLESS OTHERWISE NOTED)
- FOUND PROPERTY MARKER (AS NOTED)

NOTES

1. THIS SURVEY PLAT DOES NOT REPRESENT A TITLE SEARCH BY THE SURVEYOR. RECORD PARCEL DESCRIPTIONS AND TITLE EXCEPTIONS DEPICTED HEREON WERE OBTAINED FROM A COMMITMENT FOR TITLE INSURANCE ISSUED BY FIRST AMERICAN TITLE AND THEIR AUTHORIZED AGENT INTEGRATED TITLE INSURANCE SERVICES, LLC, COMMITMENT NO. 91534 2ND AMEND, COMMITMENT DATE: JUNE 27, 2022 AT 8:00 AM.
2. LAND USE REGULATIONS AND CURRENT ZONING REQUIREMENTS OR RESTRICTIONS HAVE NOT BEEN DETERMINED AND ARE NOT PART OF THIS SURVEY.
3. COURSES AND DISTANCES SHOWN ON THIS MAP ARE MEASURED DIMENSIONS UNLESS SHOWN WITHIN PARENTHESIS, INDICATING A RECORD COURSE OR DISTANCE. RECORD INFORMATION IS TAKEN FROM THE ABOVE CITED TITLE COMMITMENT, DEEDS OF RECORD, SUBDIVISION PLATS, ROADWAY DEDICATION PLATS, CITY ATLAS PLATS, FILED SURVEYS, OR OTHER SOURCES OF RECORD INFORMATION.
4. VISIBLE, ABOVE GROUND ELECTRICAL UTILITIES MEASURED AT THE TIME OF SURVEY ARE SHOWN HEREON TO ADDRESS EXCEPTION 15 OF THE CITED TITLE COMMITMENT.
5. THE LOCATIONS OF UTILITIES OR IMPROVEMENTS AS SHOWN HEREON ARE BASED ON ABOVE GROUND APPURTENANCES VISIBLE AT THE TIME OF THE SURVEY AND RECORD DRAWINGS PROVIDED BY THE UTILITY COMPANY OR PROPERTY OWNER AT THE TIME OF THE SURVEY. EXACT LOCATIONS OF UTILITIES OR IMPROVEMENTS MAY VARY FROM LOCATIONS SHOWN HEREON, ADDITIONAL UNDERGROUND STRUCTURES, UTILITIES OR IMPROVEMENTS MAY EXIST.
6. COUNTY RECORDS LIST THE RECORD AREA OF THE WHOLE PROPERTY AS 0.54 ACRES OVER THE THREE PARCELS. THE MEASURED (SURVEYED) AREA OF THE WHOLE PARCEL IS 0.60 ACRES, WHICH INCLUDES 0.10 ACRES INSIDE OF VINE STREET (PUBLIC RIGHT OF WAY) AND 0.50 ACRES OUTSIDE OF VINE STREET.

ALTA/NSPS LAND TITLE SURVEY CERTIFICATE

TO THE NOAH, LLC, FIRST AMERICAN TITLE INSURANCE COMPANY, INTEGRATED TITLE INSURANCE SERVICES, LLC, OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY AND RICHLAND TITLE INSURANCE AGENCY, INC., :

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 8, 13, & 16 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON 05/24/2022.
DATE OF PLAT OR MAP: 07/28/2022

AARON INABNIT, P.L.S.
STATE OF UTAH LICENSE NO. 9897117-2201

REVIEW COPY

RECORD SCHEDULE "A" DESCRIPTIONS

FROM A COMMITMENT FOR TITLE INSURANCE ISSUED BY FIRST AMERICAN TITLE, COMMITMENT NO. 91534 2ND AMEND, COMMITMENT DATE: JUNE 27, 2022 AT 8:00 AM.

PARCEL 1:

BEGINNING 83.76 FEET WEST AND SOUTH 17° WEST 62.84 FEET FROM THE SOUTHEAST CORNER OF LOT 1, SECTION 7, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE MERIDIAN; AND RUNNING THENCE NORTH 62°55' WEST 42.76 FEET; THENCE NORTH 17° EAST 184.47 FEET; THENCE EAST 44.02 FEET; THENCE SOUTH 17° WEST 204.84 FEET TO BEGINNING.

PARCEL 2:

BEGINNING 22 FEET WEST AND SOUTH 17° WEST 91.4 FEET FROM THE SOUTHEAST CORNER OF LOT 1, SECTION 7, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE MERIDIAN; AND RUNNING THENCE NORTH 62°55' WEST 60 FEET; THENCE NORTH 17° EAST 204.84 FEET; THENCE EAST 61.67 FEET; THENCE SOUTH 17° WEST 233.4 FEET TO BEGINNING.

FROM A COMMITMENT FOR TITLE INSURANCE ISSUED BY RICHLAND TITLE INSURANCE AGENCY, INC., FILE NO. 2209031W, COMMITMENT DATE: SEPTEMBER 07, 2022 AT 8:00 AM.

(LABELED AS PARCEL 3 ON THIS SURVEY)

BEGINNING 1.70 CHAINS SOUTH AND NORTH 63° WEST 18.71 FEET FROM THE SOUTHEAST CORNER LOT 1, SECTION 7, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 17° EAST 146.52 FEET; THENCE NORTH 72° 25' WEST 37.925 FEET; THENCE SOUTH 17° WEST 106.50 FEET; THENCE SOUTH 20° EAST 0.77 CHAINS; THENCE SOUTH 63° EAST 4.39 FEET TO THE POINT OF BEGINNING.

EXCEPTIONS

FROM A COMMITMENT FOR TITLE INSURANCE ISSUED BY FIRST AMERICAN TITLE, COMMITMENT NO. 91534 2ND AMEND, COMMITMENT DATE: JUNE 27, 2022 AT 8:00 AM.

15. UTILITY LINES AND POLES OVER AND ACROSS THE NORTHERLY AND SOUTHERLY PORTIONS OF THE HEREIN DESCRIBED PROPERTY AS DISCLOSED BY A VISUAL INSPECTION. (VISIBLE, ABOVE GROUND ELECTRICAL UTILITIES ARE SHOWN ON PLAT)

16. RIGHTS OF AMERICAN SMELTING AND REFINERY COMPANY, ITS SUCCESSORS AND ASSIGNS TO DISCHARGE OVER AND UPON LANDS, THROUGH THE MEDIUM OF THE AIR, SMOKE, DUST, FUMES, CINDERS AND OTHER MATTER (SMOKE EASEMENTS) BY VARIOUS INSTRUMENTS OF RECORD. (THIS EASEMENT HAS AN UNDEFINED NON-PLOTTABLE LOCATION)

17. A RIGHT OF WAY GRANT BY M. SCOTT WATKINS, AS GRANTOR AND BRENT WINGET, CARSON WINGET AND TODD J. NIELSON AS GRANTEE, RECORDED NOVEMBER 26, 2008 AS ENTRY NO. 10569057, IN BOOK 9661, AT PAGE 4652, OF OFFICIAL RECORDS. (SHOWN ON PLAT)

18. BOUNDARY LINE AGREEMENT BY AND BETWEEN JOAN WEAVER, AS THE SUCCESSOR TRUSTEE OF THE JAMES HARREL SMITH INTER VIVOS TRUST, DATED OCTOBER 11, 2005 AND TODD J. NIELSON, BRENT WINGET AND CARSON WINGET, RECORDED DECEMBER 1, 2008, AS ENTRY NO. 10570335, IN BOOK 9662, AT PAGE 751, OF OFFICIAL RECORDS. (SHOWN ON PLAT)

19. EASEMENT AGREEMENT RECORDED MARCH 5, 2009, AS ENTRY NO. 10639730, IN BOOK 9694, AT PAGE 2891, OF OFFICIAL RECORDS. (NOT SHOWN. THIS EASEMENT IS LOCATED WITHIN THE RIGHT-OF-WAY LIMITS OF VINE STREET.)

FROM A COMMITMENT FOR TITLE INSURANCE ISSUED BY RICHLAND TITLE INSURANCE AGENCY, INC., FILE NO. 2209031W, COMMITMENT DATE: SEPTEMBER 07, 2022 AT 8:00 AM.

13. BOUNDARY LINE AGREEMENT BY AND BETWEEN JOAN WEAVER, AS THE SUCCESSOR TRUSTEE OF THE JAMES HARREL SMITH INTER VIVOS TRUST, DATED OCTOBER 11, 2005 AND TODD J. NIELSON, BRENT WINGET AND CARSON WINGET, RECORDED DECEMBER 1, 2008, AS ENTRY NO. 10570335, IN BOOK 9662, AT PAGE 751, OF OFFICIAL RECORDS. (SHOWN ON PLAT)

NARRATIVE

THIS ALTA/NSPS SURVEY WAS PROVIDED TO THE CLIENT FOR THE PURPOSE OF IDENTIFYING AND DEPICTING THE BOUNDARY LINES OF THE SURVEYED PARCELS ("PARCELS"). THE BASIS-OF-BEARING FOR THIS SURVEY WAS ESTABLISHED BETWEEN FOUND BRASS CAP MONUMENTS IN VINE STREET AT THE INTERSECTIONS OF STATE STREET AND WASATCH STREET, AS SHOWN HEREON. WE HELD TO THE RECORD BEARING OF SOUTH 63°04'40" EAST FOR THESE MONUMENTS PER THE SALT LAKE COUNTY AREA REFERENCE PLAT (A.R.P.) FOR THE SOUTH HALF OF SECTION 6 AND SECTION 7, TOWNSHIP 2 SOUTH, RANGE 1 EAST.

RECORD BEARINGS AND DISTANCES WERE OBTAINED FROM A COMMITMENT FOR TITLE INSURANCE ISSUED BY FIRST AMERICAN TITLE, COMMITMENT NUMBER 91534, COMMITMENT DATE: JUNE 27, 2022 AT 08:00 AM. WE ROTATED THE RECORD DESCRIPTIONS OF THE PARCELS 00°01'30" COUNTER-CLOCKWISE TO CORRESPOND WITH OUR MEASURED LINE BETWEEN FOUND MONUMENTS IN STATE STREET IN THE INTERSECTIONS OF VINE STREET AND 4800 SOUTH STREET, SHOWN HEREON AS NORTH 00°03'45" EAST (NORTH 00°05'15" EAST, A.R.P.).

THE WESTERLY LINE OF PARCEL 1 IS CONTIGUOUS WITH A 2006 ALTA/ACSM SURVEY PERFORMED BY PATRICK HARRIS (ENSIGN ENGINEERING AND LAND SURVEYING), FILED AS SURVEY S2006-12-1100 IN THE OFFICE OF THE SALT LAKE COUNTY SURVEYOR (S.L.C.S.).

THE NORTHERLY LINES OF THE PARCELS ARE BOUNDED BY A SOUTHERLY LINE OF CENTER COURT APARTMENTS (ENTRY #11720713, SALT LAKE COUNTY RECORDER), AND ITS EXTENSION THEREOF. WE IDENTIFIED THE LOCATION OF THIS SUBDIVISION BY ITS DEPICTED COURSES AND DISTANCES FROM THE FOUND MONUMENTS IN STATE STREET. THE PLATTED SUBDIVISION CORNERS MATCHED WELL WITH FOUND REBAR AND CAPS AT A SOUTHWEST CORNER AND THE SOUTHEAST CORNER OF THE SUBDIVISION.

PART OF THE EAST LINE OF PARCEL 2 IS ESTABLISHED BY A BOUNDARY LINE AGREEMENT RECORDED AS ENTRY #10570335 (S.L.C.R.). THIS BOUNDARY LINE AGREEMENT CONFORMS WELL WITH AN EXISTING FENCE.

THE SOUTHERLY LINES OF THE PARCELS ARE CONTIGUOUS WITH THE NORTHERLY RIGHT-OF-WAY LINE OF VINE STREET (66-FOOT RIGHT-OF-WAY, 33-FOOT HALF-WIDTHS). AS PART OF THIS SURVEY, WE DETERMINED THE CENTERLINE AND LIMITS OF CENTER STREET BY MEASUREMENTS TO IMPROVEMENTS (CURB, GUTTER, SIDEWALK) ALONG THE ROADWAY AND BY REFERENCE TO THE RECORD COURSES AND DISTANCES OF TINGLEY'S 1ST ADDITION TO MURRAY CITY (BOOK E, PAGE 28, SALT LAKE COUNTY RECORDER). FOR FURTHER INFORMATION REGARDING OUR CENTER STREET DETERMINATIONS, REFER TO OUR SURVEY FILED AS #S2022-09-0661 IN THE OFFICE OF THE SALT LAKE COUNTY SURVEYOR.

1470 South 600 West
Woods Cross, UT 84010
Phone 801.298.2236
www.Entellus.com
Entellus™

PRELIMINARY NOT FOR CONSTRUCTION

ALTA/NSPS LAND TITLE SURVEY PREPARED FOR:
JONATHAN OLIVER

149, 155, 157 & 163 EAST VINE STREET
PARCELS #22-07-111-013 & #22-07-111-014 & #22-07-111-016
LOCATED IN NORTHWEST 1/4 OF SECTION 7, T.2S., R.1E., S.L.B.&M.
MURRAY CITY, SALT LAKE COUNTY, UTAH

REV: 1 BY: JRC DATE:06-20-2024
ADDED AREA CALCULATIONS TO NOTE 6

DRAWN: DEW	07/20/2022
APPROVED: ALI	08/05/2022
PROJECT #:	2065002
ALTA 2065002.dwg	

V210-N
ALTA SURVEY

THE NOAH

ALW ARCHITECTS AND DESIGNERS, LLC
380 N. 200 W. – SUITE 107
BOUNTIFUL, UTAH 84010
(801) 292-6263

6/25/2024 12:36:36 PM

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NOAH WEST ELEVATION

SCALE: 1" = 10'-0"

NOAH SOUTH ELEVATION

SCALE: 1" = 10'-0"

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(801) 292-6263

NOAH WEST ELEVATION

SCALE: 1" = 10'-0"

NOAH NORTH ELEVATION

SCALE: 1" = 10'-0"

NOAH EAST ELEVATION

SCALE: 1" = 10'-0"

NOAH SOUTH ELEVATION

SCALE: 1" = 10'-0"

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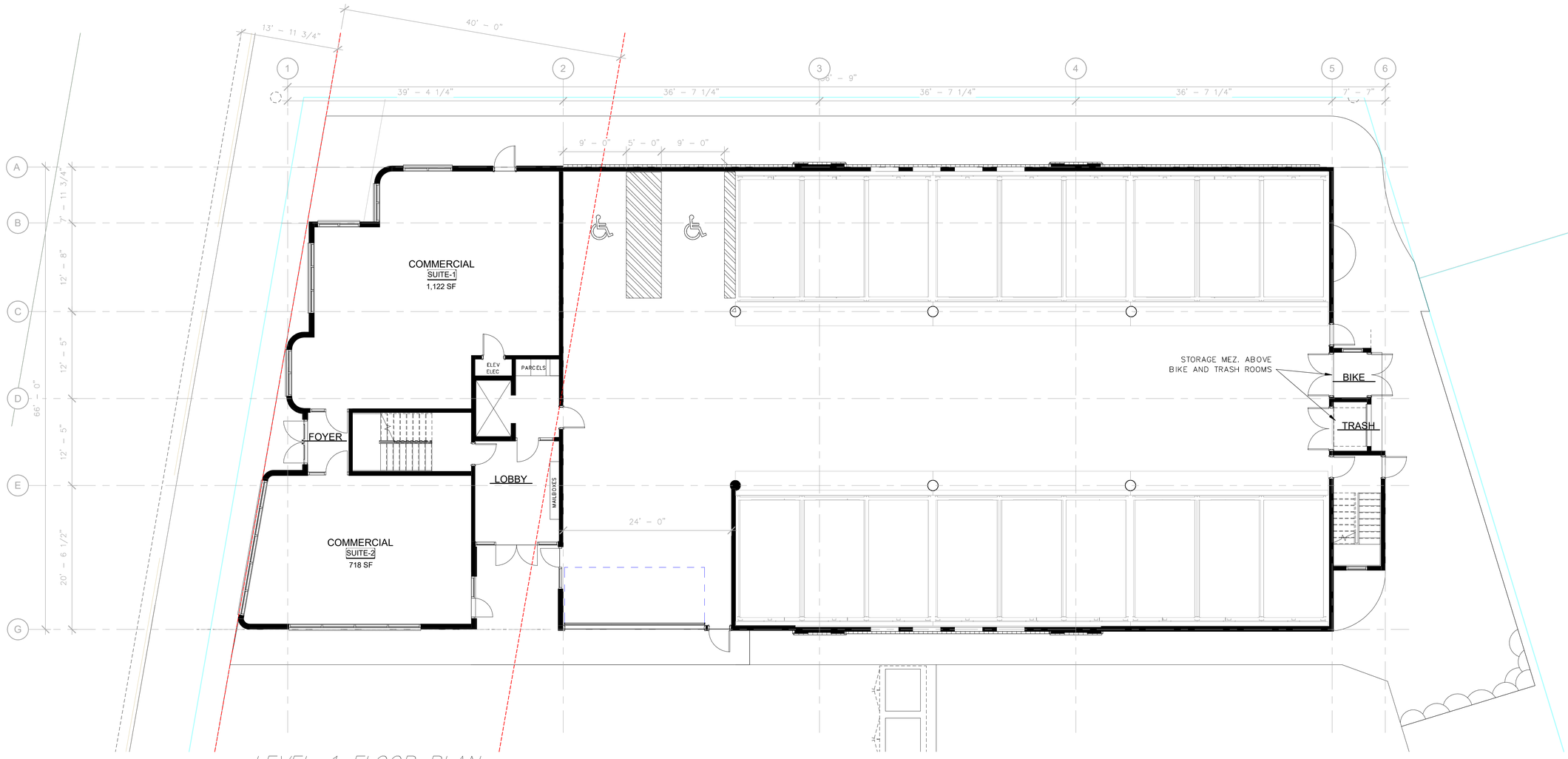

LEVEL – 1 FLOOR PLAN

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

UNIT COUNT:
(39) 2 BEDROOM UNITS
(1) 1-BEDROOM UNIT
40 TOTAL UNIT COUNT

(1) 1- OPTIONAL ADDITIONAL 1-BEDROOM UNIT PENDING FURTHER SITE DEVELOPMENT AND COORINDATION WITH UTILITY COMPANIES

PARKING COUNT:

(52)	PARKING STACKER UNITS
(2)	IN GARAGE ADA STALLS
(11)	SURFACE STALLS ON SITE
65 TOTAL STALL COUNT	

PARKING REQUIREMENTS:

2-BED	39 UNITS X 1.5/UNIT	=	58.5 STALLS
1-BED	1 UNIT X 1/UNIT	=	1 STALL
COMM	2,846 SF /500	=	6 STALLS*
TOTAL STALLS REQUIRED:			65 STALLS

* STALLS SHOWN IS ON GROSS COMMERCIAL SF. CITY CALCULATIONS ARE ON NET SF WHICH WILL BE DEVELOPED AT A FUTURE DATE. THUS THE TOTAL OF 65.5 IS BEING ROUNDED DOWN TO 65

COMMERCIAL SPACE:
1,122 SF SUITE-1 (LEVEL-1)
718 SF SUITE-2 (LEVEL-1)
1,006 SF SUITE-3 (LEVEL-2)
2,846 SF TOTAL COMMERCIAL SPACE

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6/25/2024 12:41:31 PM

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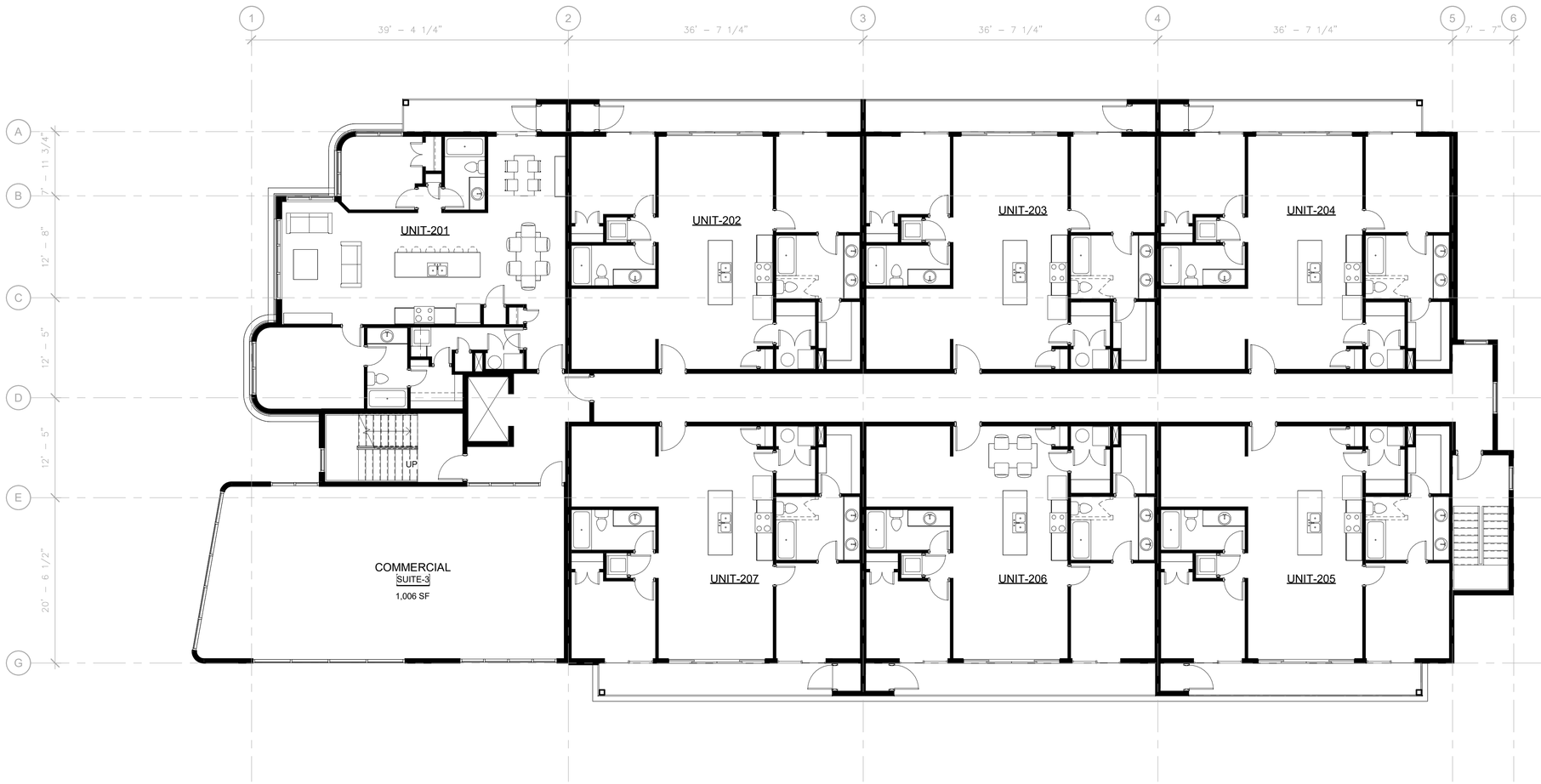

LEVEL – 2 PLAN

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

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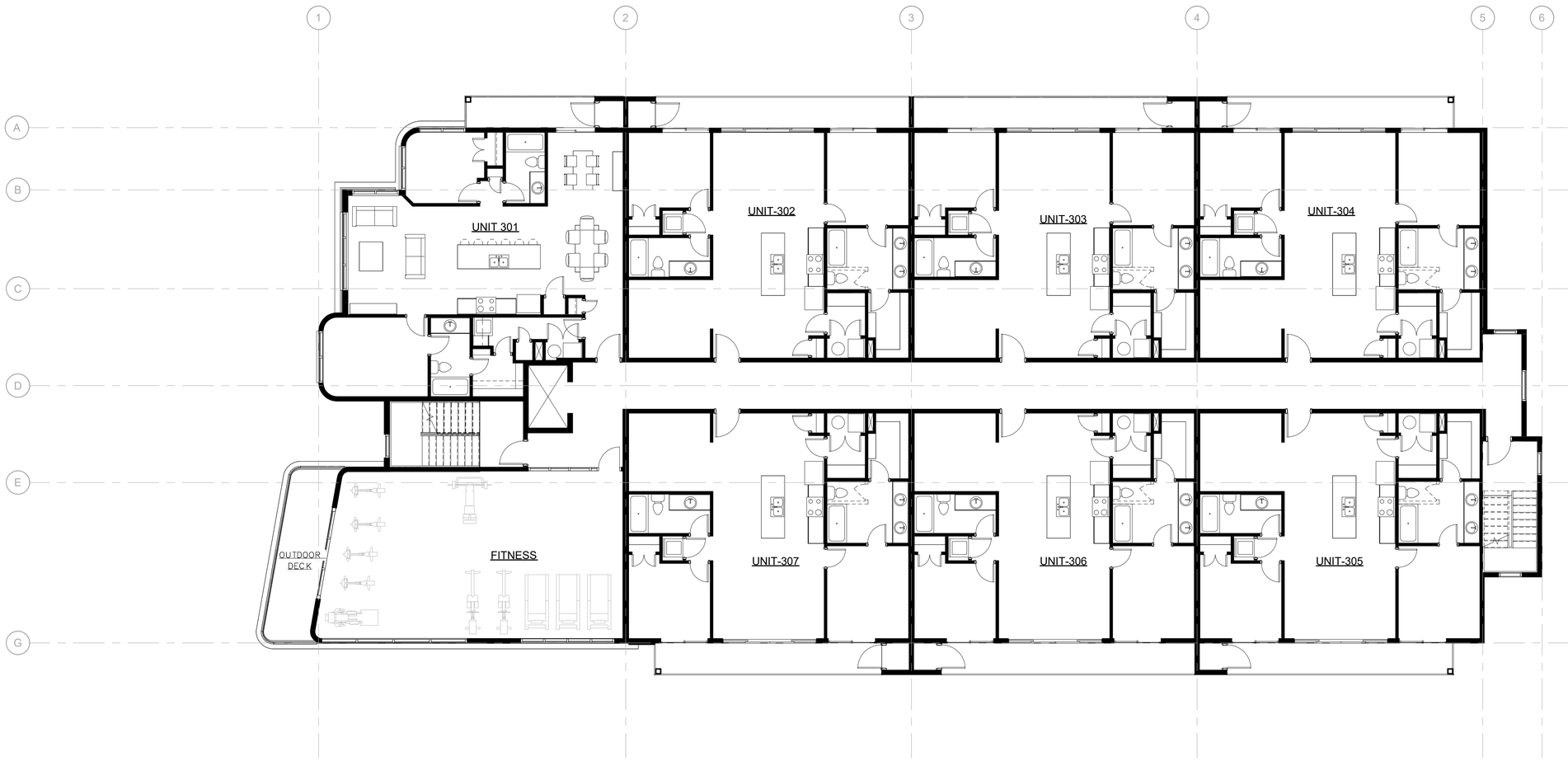

LEVEL-3 FLOOR PLAN

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

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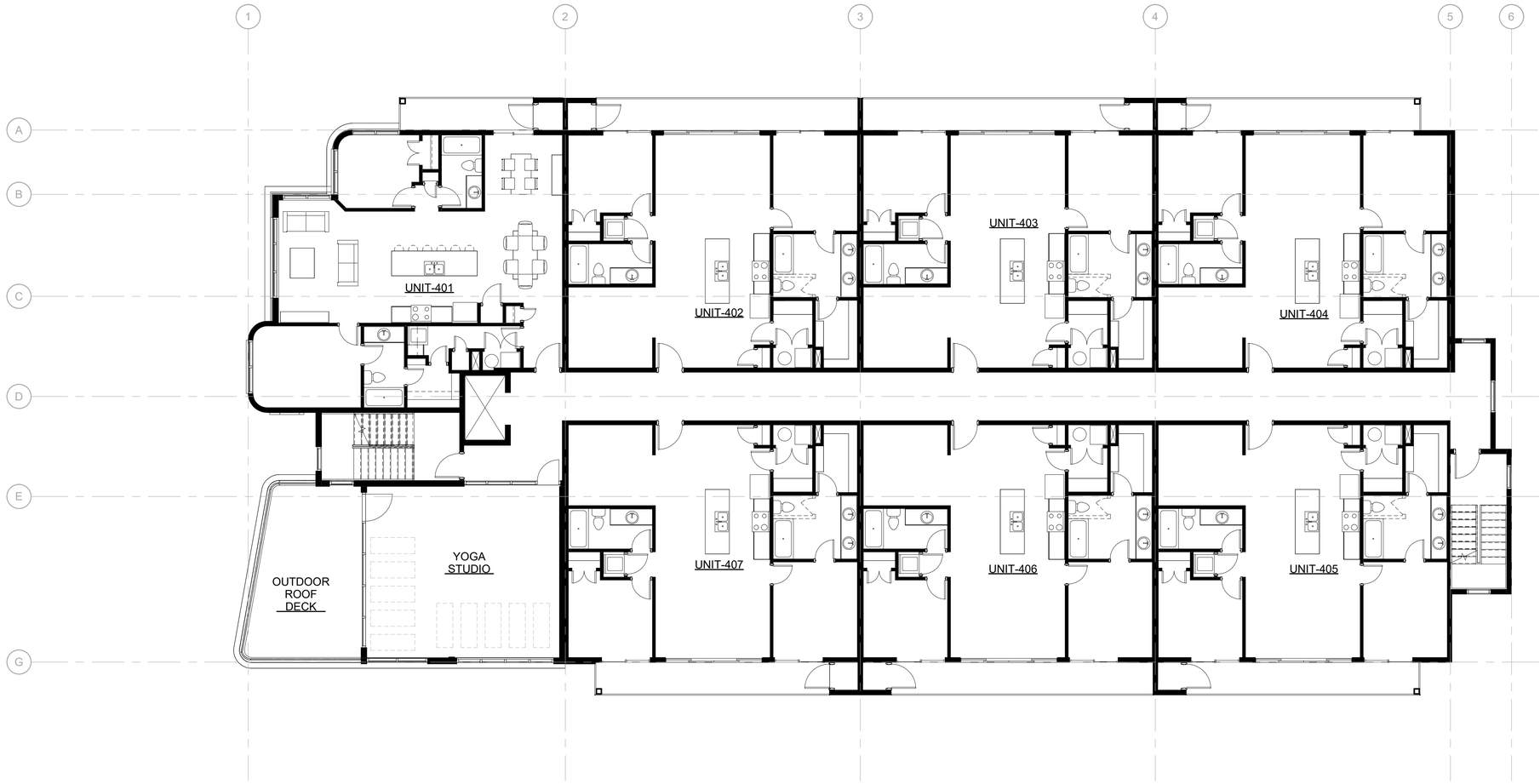

LEVEL-4 FLOOR PLAN

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

6/25/2024 12:41:35 PM

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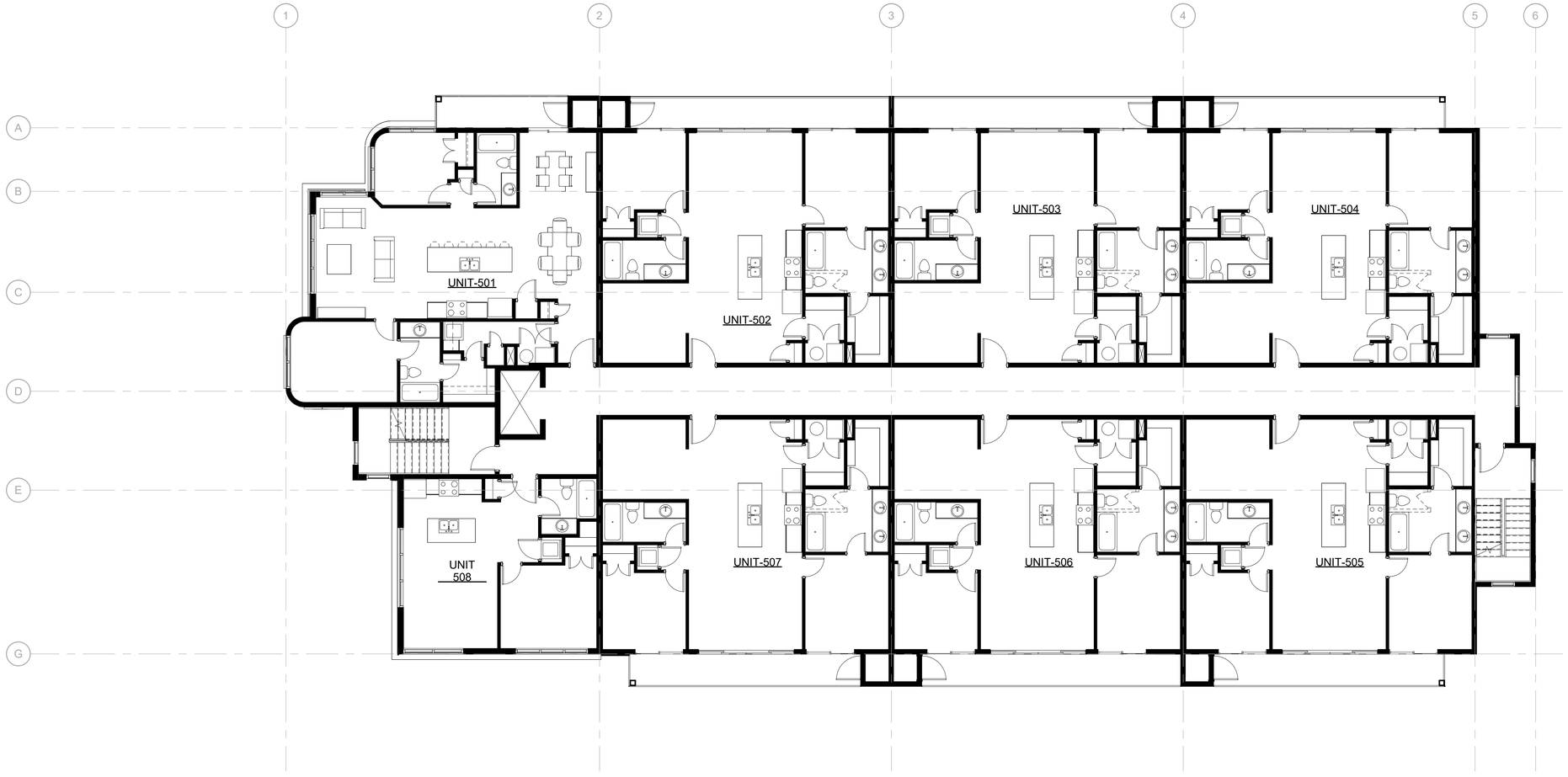

LEVEL-5 FLOOR PLAN

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

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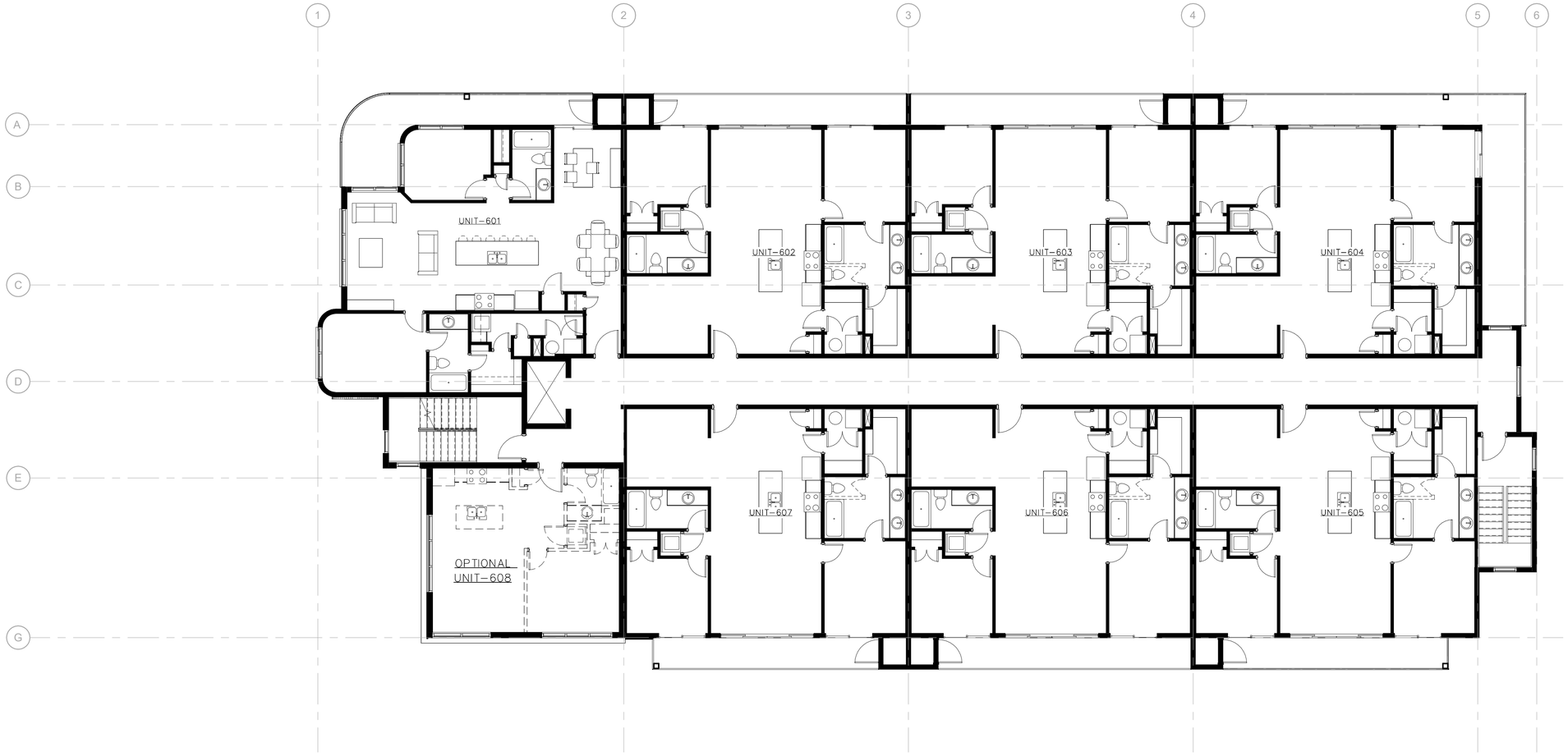

LEVEL – 6

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

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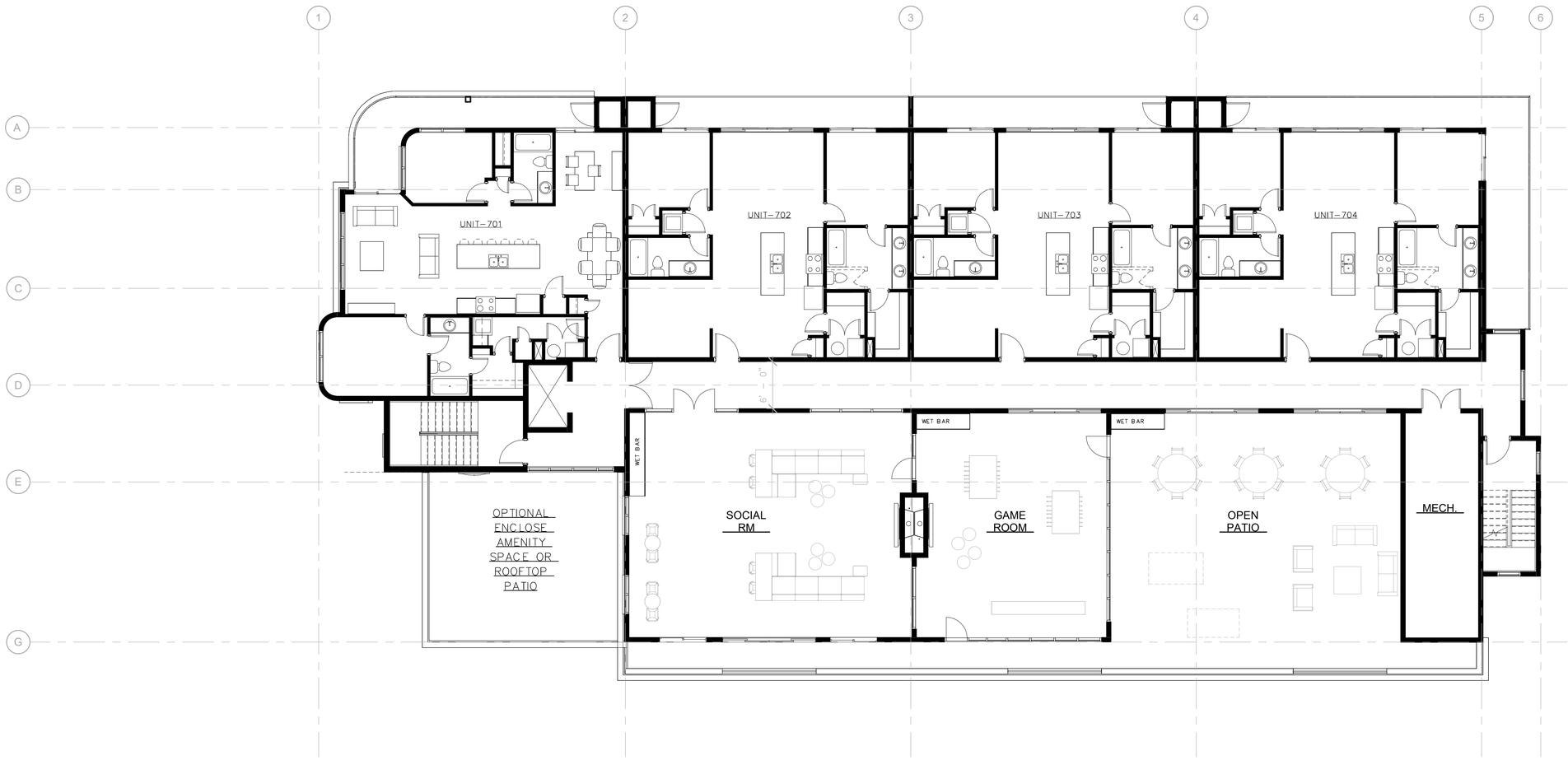

LEVEL–7 FLOOR PLAN

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

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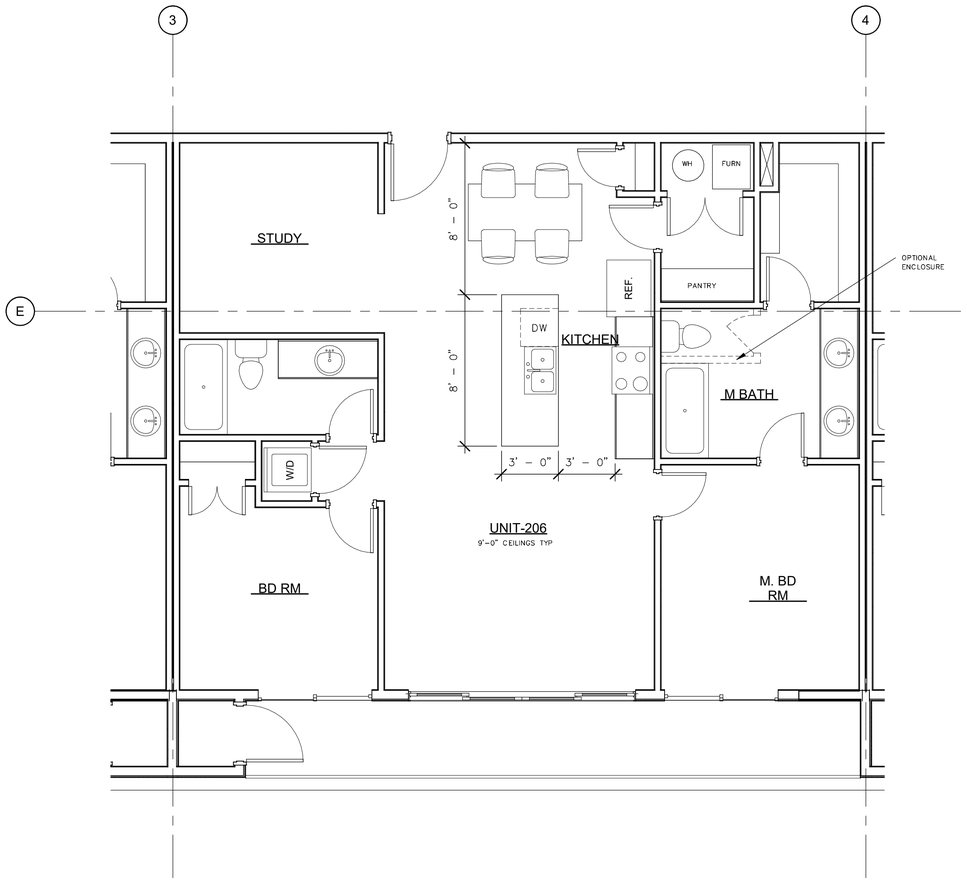
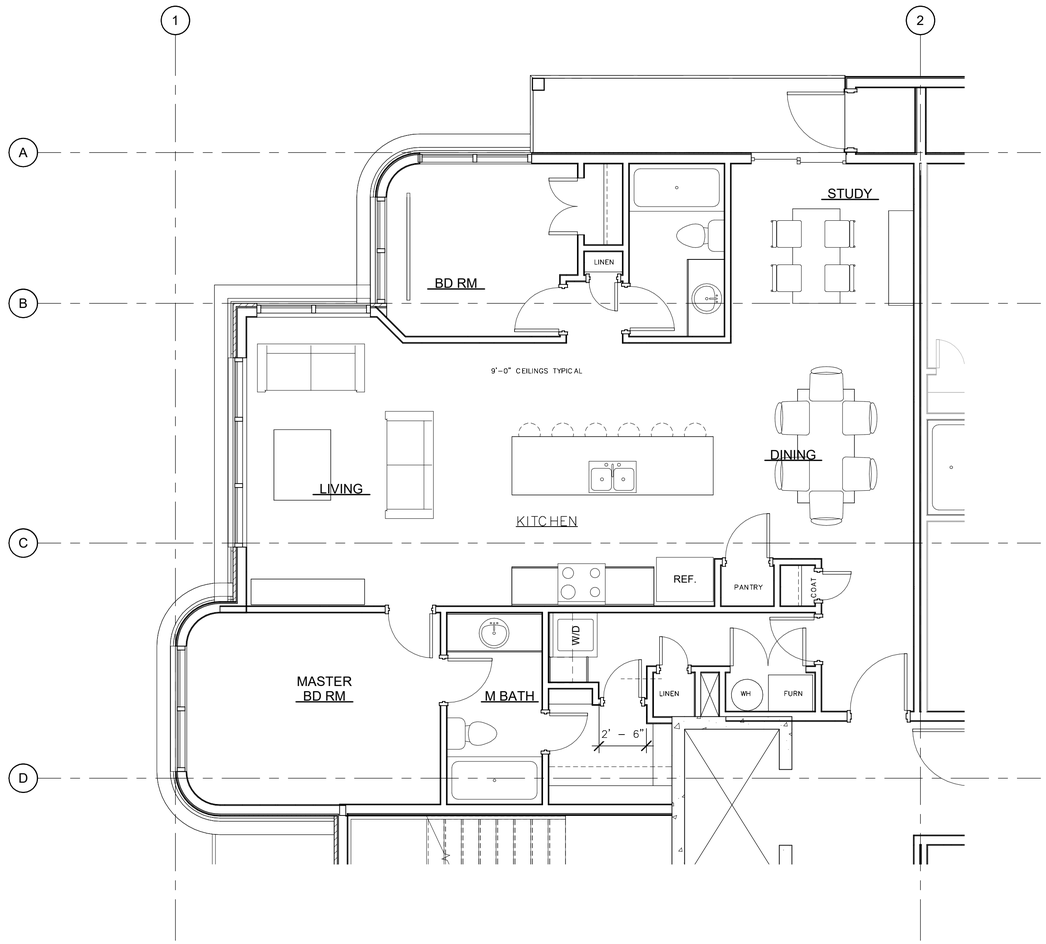


UNIT TYPE-1

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



UNIT TYPE-2

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

6/25/2024 12:41:38 PM

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ALW ARCHITECTS AND DESIGNERS, LLC

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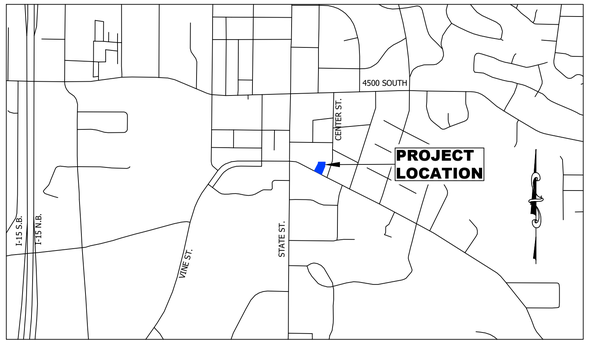
(801) 292-6263

THE NOAH

149 EAST VINE STREET
LOCATED IN THE SE 1/4 OF SECTION 7, T.2S., R.1E., S.L.B.&M.
MURRAY CITY, SALT LAKE COUNTY, UTAH

VICINITY MAP



SCALE: 1"=1000'

CIVIL DEAWING INDEX

SHEET	TITLE
C100	COVER
C101	NOTES & LEGEND
V200	TOPOGRAPHIC SURVEY
C300	DEMOLITION PLAN
C400	SITE PLAN
C401	CITY DEDICATION
C500	GRADING PLAN
C600	UTILITY PLAN
C690	EROSION CONTROL
C691	BMP'S
C800	CONNECTIVITY PLAN
C900	SITE DETAILS
C910	UTILITY DETAILS
C921	STORMTECH DETAILS

GENERAL NOTES

1) ALL WORK WITHIN A PUBLIC RIGHT-OF-WAY SHALL CONFORM TO THE RIGHT-OF-WAY OWNER'S STANDARDS & SPECIFICATIONS.

2) ALL UTILITY WORK SHALL CONFORM TO THE UTILITY OWNER'S STANDARDS & SPECIFICATIONS.

3) THESE PLANS DO NOT INCLUDE DESIGN OF DRY UTILITIES. THESE PLANS MAY CALL FOR RELOCATION, AND/OR REMOVAL AND/OR CONSTRUCTION OF DRY UTILITIES, BUT ARE NOT OFFICIAL DRAWINGS FOR SUCH. DESIGN AND COORDINATION OF DRY UTILITIES IS BY OTHERS.

4) THE CONTRACTOR SHALL COORDINATE AND OBTAIN ANY PERMITS REQUIRED FOR THE WORK SHOWN HEREON.

5) THE LOCATION AND ELEVATIONS OF UNDERGROUND UTILITIES SHOWN ON THESE PLANS IS A BEST ESTIMATE BASED ON UTILITY COMPANY RECORDS, BLUESTAKES, AND FIELD MEASUREMENTS OF READILY OBSERVABLE ABOVE-GROUND FEATURES. AS SUCH, THIS INFORMATION MAY NOT BE COMPLETE, UP-TO-DATE, OR ACCURATE. IT IS THE CONTRACTOR'S RESPONSIBILITY TO STOP WORK AND NOTIFY THE ENGINEER IF CONFLICTING INFORMATION IS FOUND IN THE FIELD.

6) THE CONTRACTOR IS TO FIELD VERIFY THE LOCATION AND ELEVATIONS OF EXISTING MANHOLES AND OTHER UTILITIES PRIOR TO STAKING AND CONSTRUCTION.

7) CALL BLUESTAKES AT LEAST 48 HOURS PRIOR TO DIGGING. DO NOT PROCEED UNTIL BLUESTAKES ARE MARKED.

8) IT SHALL BE THE CONTRACTOR'S AND SUBCONTRACTOR'S RESPONSIBILITY TO MEET ALL APPLICABLE HEALTH AND SAFETY REGULATIONS, AND THEY SHALL ASSUME SOLE RESPONSIBILITY FOR JOB-SITE CONDITIONS DURING CONSTRUCTION OF THIS PROJECT, SO THAT ALL EMPLOYEES ARE PROVIDED A SAFE PLACE TO WORK, AND THE PUBLIC IS PROTECTED.

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

BLUE STAKES OF UTAH
UTILITY NOTIFICATION CENTER, INC.
www.bluestakes.org
1-800-662-4111

BENCHMARK POINT DESCRIPTION
ELEVATION POINT ELEVATION

1470 South 600 West
Woods Cross, UT 84010
Phone 801.298.2236
www.Entellus.com
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DEVELOPER

NEW DEVELOPMENT CONSULTING
Contact: JONATHAN OLIVER
1400 MORNING VISTA ROAD R187
Lehi, UT 84043
Phone: 801-458-4111
jonathan@newdevelopmentconsulting.com

THE NOAH

149 EAST VINE STREET
LOCATED IN THE SE 1/4 OF SECTION 7, T.2S., R.1E., S.L.B.&M.
MURRAY CITY, SALT LAKE COUNTY, UTAH

REVISIONS

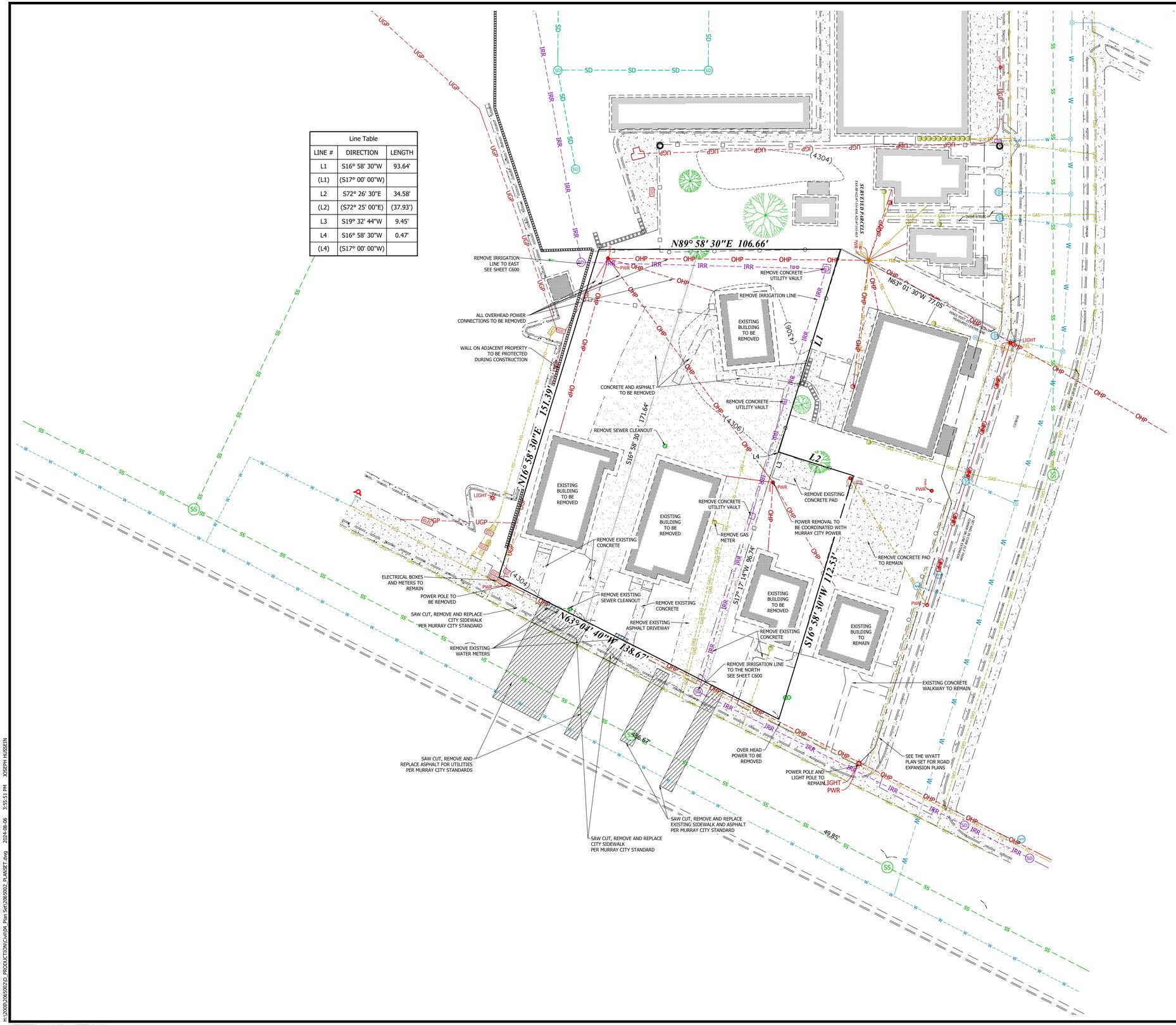
1	INITIAL SUBMITTAL	9/27/2022

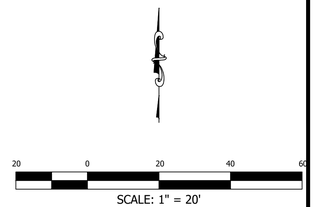
DRAWN: JBC	2024-08-06
APPROVED: CC	2024-08-06
PROJECT #:	2065002
2065002_PLANSET.dwg	

C100
COVER

H:\2000\2065002\D_PRODUCTION\Civil\04_Plan Set\2065002_PLANSET.dwg 2024-08-06 3:55:39 PM JOSEPH HUSSEIN

Line Table		
LINE #	DIRECTION	LENGTH
L1	S16° 58' 30"W	93.64'
(L1)	(S17° 00' 00"W)	
L2	S72° 26' 30"E	34.58'
(L2)	(S72° 25' 00"E)	(37.93')
L3	S19° 32' 44"W	9.45'
L4	S16° 58' 30"W	0.47'
(L4)	(S17° 00' 00"W)	





NOTE:
ALL GAS AND ELECTRICAL UTILITY REMOVAL OR RELOCATION IS TO BE COORDINATED BY OWNER/CONTRACTOR PRIOR TO STARTING WORK ON SITE.

DEMOLITION LEGEND

- ASPHALT TO BE REMOVED
- CONCRETE TO BE REMOVED
- STRUCTURE TO BE REMOVED
- CLEAR AND GRUB
- TREES TO BE REMOVED

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jonathan@newdevelopmentconsulting.com

THE NOAH

149 EAST VINE STREET
LOCATED IN THE SE 1/4 OF SECTION 7, T.2S., R.1E., S.L.B.&M.
MURRAY CITY, SALT LAKE COUNTY, UTAH

REVISIONS

1	INITIAL SUBMITTAL	9/27/2022

DRAWN: JBC	2024-08-06
APPROVED: CC	2024-08-06
PROJECT #:	2065002
2065002_PLANSET.dwg	

C300
DEMOLITION PLAN

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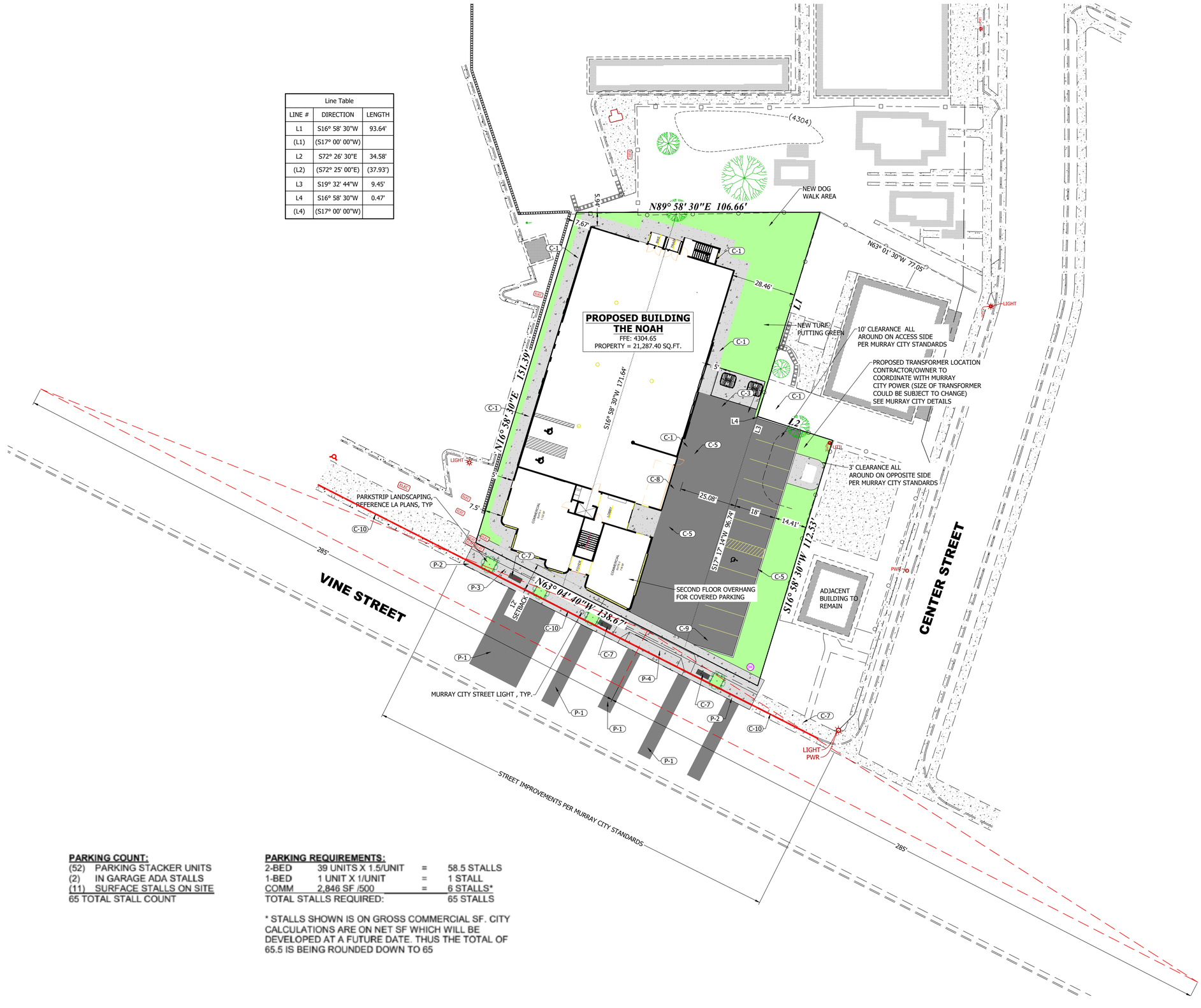
Line Table		
LINE #	DIRECTION	LENGTH
L1	S16° 58' 30"W	93.64'
(L1)	(S17° 00' 00"W)	
L2	S72° 26' 30"E	34.58'
(L2)	(S72° 25' 00"E)	(37.93')
L3	S19° 32' 44"W	9.45'
L4	S16° 58' 30"W	0.47'
(L4)	(S17° 00' 00"W)	



20 0 20 40 60

SCALE: 1" = 20'

NOTES:
1. THE PROPOSED BUILDING TO MEET ALL CITY SUBDIVISION AND CONDOMINIUM REQUIREMENTS.
2. A LOT LINE ADJUSTMENT WILL BE REQUIRED PRIOR TO CONSTRUCTION TO ACCOMMODATE THE SIZE OF THE PROPOSED BUILDING.
3. MUST AVOID USING VINE STREET FOR CONSTRUCTION STAGING DUMPSTER SERVICE, EMERGENCY SERVICE VEHICLE, DELIVERY VEHICLES AND MOVING TRUCKS
4. BUILDING FOOTINGS SHOULD NOT EXTEND INTO CITY RIGHT OF WAY.

SYMBOL LEGEND

- C-1 PRIVATE CONCRETE SIDEWALK PER DETAIL, SHEET C900
- C-2 PRIVATE ASPHALT DRIVE PER DETAIL, SHEET C900
- C-3 PRIVATE DUMPSTER PER DETAIL, SHEET C900
- C-4 PRIVATE BIKE RACK PER DETAIL, SHEET C900
- C-5 PRIVATE THICKENED EDGE SIDEWALK PER DETAIL, SHEET C900
- C-6 30 MINUTE PARKING FOR DELIVERY/MOVING TRUCKS AND EMERGENCY VEHICLE PARKING
- C-7 METAL PARK BENCH PER MURRAY CITY STANDARDS
- C-8 PRIVATE ROLL CURB AT PARKING ENTRANCE PER DETAIL SHEET C900
- C-9 TEMPORARY PARKING FOR RESIDENTIAL DELIVERY, RIDE SHARE AND OTHER TEMPORARY USES
- C-10 NO PARKING -CURB SIDE PAINTED RED
- P-1 REMOVE AND REPLACE CITY ASPHALT PER DETAIL SHEET C900
- P-2 REMOVE AND REPLACE CITY CURB & GUTTER PER DETAIL SHEET C900
- P-3 REMOVE AND REPLACE CITY SIDEWALK PER DETAIL SHEET C900
- P-4 CITY STANDARD DRIVE APPROACH PER DETAIL SHEET C900

ALL IMPROVEMENTS WITHIN THE PUBLIC RIGHT-OF-WAY SHALL CONFORM TO THE RIGHT-OF-WAY OWNER'S STANDARDS AND SPECIFICATIONS.

PARKING COUNT:

(52)	PARKING STACKER UNITS	
(2)	IN GARAGE ADA STALLS	
(11)	SURFACE STALLS ON SITE	
65	TOTAL STALL COUNT	

PARKING REQUIREMENTS:

2-BED	39 UNITS X 1.5/UNIT	=	58.5 STALLS
1-BED	1 UNIT X 1/UNIT	=	1 STALL
COMM	2,846 SF /500	=	6 STALLS*
TOTAL STALLS REQUIRED:			65 STALLS

* STALLS SHOWN IS ON GROSS COMMERCIAL SF. CITY CALCULATIONS ARE ON NET SF WHICH WILL BE DEVELOPED AT A FUTURE DATE. THUS THE TOTAL OF 65.5 IS BEING ROUNDED DOWN TO 65

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THE NOAH

149 EAST VINE STREET
LOCATED IN THE SE 1/4 OF SECTION 7, T.2S., R.1E., S.L.B.&M.
MURRAY CITY, SALT LAKE COUNTY, UTAH

REVISIONS

1	INITIAL SUBMITTAL	9/27/2022

DRAWN: JBC	2024-08-06
APPROVED: CC	2024-08-06
PROJECT #:	2065002
2065002_PLANSET.dwg	

C400
SITE PLAN

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NOTES:
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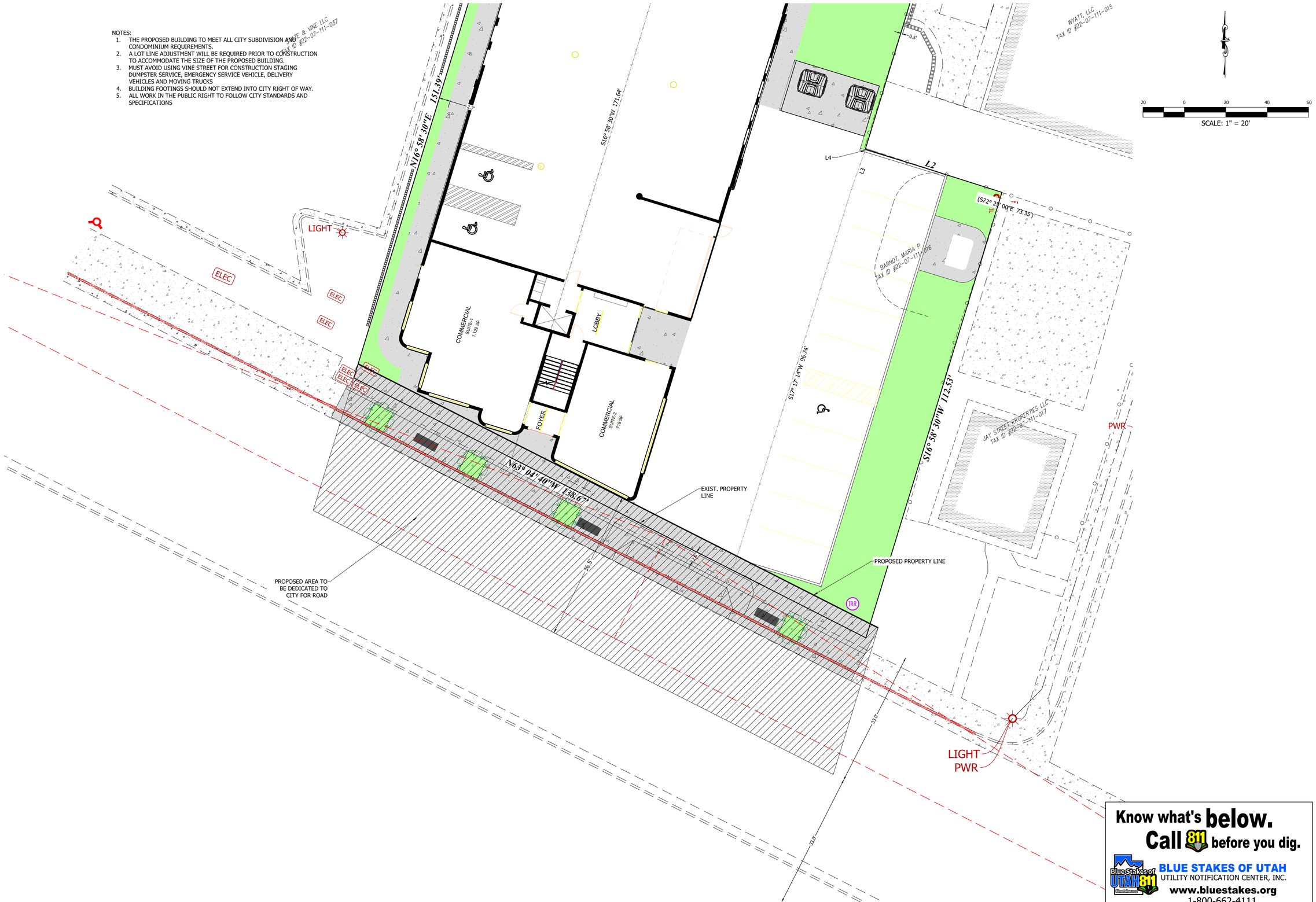
4. BUILDING FOOTINGS SHOULD NOT EXTEND INTO CITY RIGHT OF WAY.
5. ALL WORK IN THE PUBLIC RIGHT TO FOLLOW CITY STANDARDS AND SPECIFICATIONS



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C401
CITY DEDICATION

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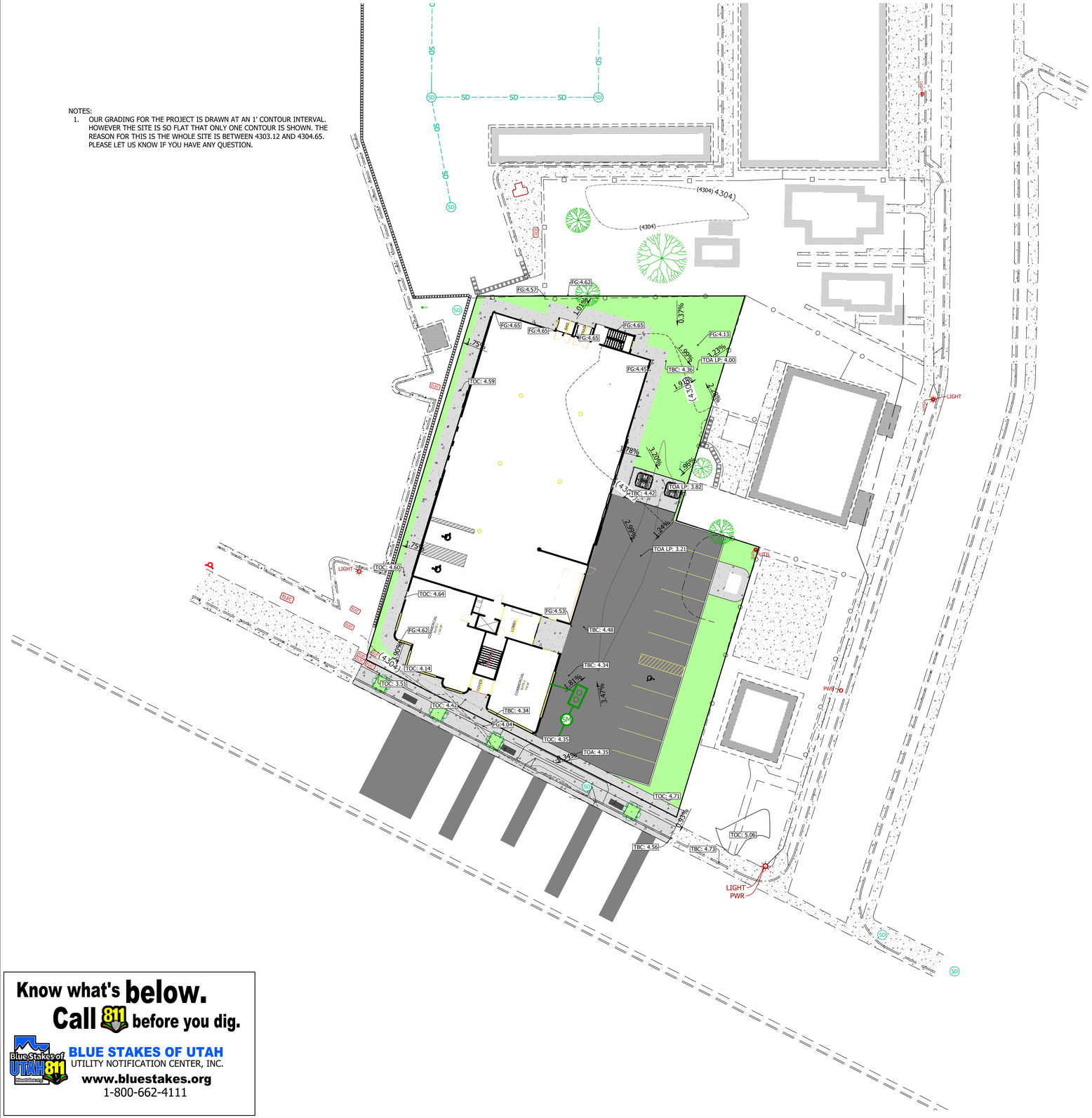
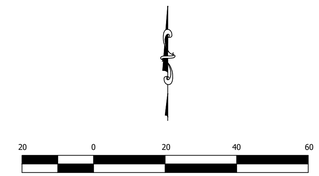
NOTES:
1. OUR GRADING FOR THE PROJECT IS DRAWN AT AN 1' CONTOUR INTERVAL. HOWEVER THE SITE IS SO FLAT THAT ONLY ONE CONTOUR IS SHOWN. THE REASON FOR THIS IS THE WHOLE SITE IS BETWEEN 4303.12 AND 4304.65. PLEASE LET US KNOW IF YOU HAVE ANY QUESTION.





ACCESSIBLE AREA CONSTRAINTS

ALL ACCESSIBLE AREAS ARE TO MAINTAIN THE FOLLOWING MAXIMUM SLOPES AND TOLERANCES:

ACCESSIBLE PARKING:
MAXIMUM SLOPE OF 1:48 (2%) THROUGHOUT.

ACCESSIBLE ROUTE:
MINIMUM WIDTH OF 48". MAXIMUM SLOPE OF 1:20 (5%) ALONG THE ROUTE, MAXIMUM CROSS-SLOPE OF 1:48 (2%).

ACCESS ROUTE TURNAROUNDS:
A CLEAR 60" TURNING DIAMETER. MAXIMUM SLOPE OF 1:48 (2%) IN ANY DIRECTION.

LEVEL LANDING / EXTERIOR DOOR LANDING:
MINIMUM SIZE OF 60"X60". MAXIMUM SLOPE OF 1:48 (2%) IN ANY DIRECTION.

ACCESSIBLE EGRESS TO PUBLIC WAY:
MAXIMUM SLOPE OF 1:20 (5%) ALONG THE ROUTE, MAXIMUM CROSS-SLOPE OF 1:48 (2%).

ADA ACCESS RAMPS:
MAXIMUM SLOPE OF 1:12 (8.33%), WITH A MAXIMUM CROSS-SLOPE OF 2%. THE TRANSITION BETWEEN ASPHALT AND CONCRETE IS NOT TO EXCEED 1/2" VERTICAL (1/4" IF BEVELED).

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THE NOAH

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REVISIONS

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PROJECT #:	2065002
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C500
GRADING PLAN

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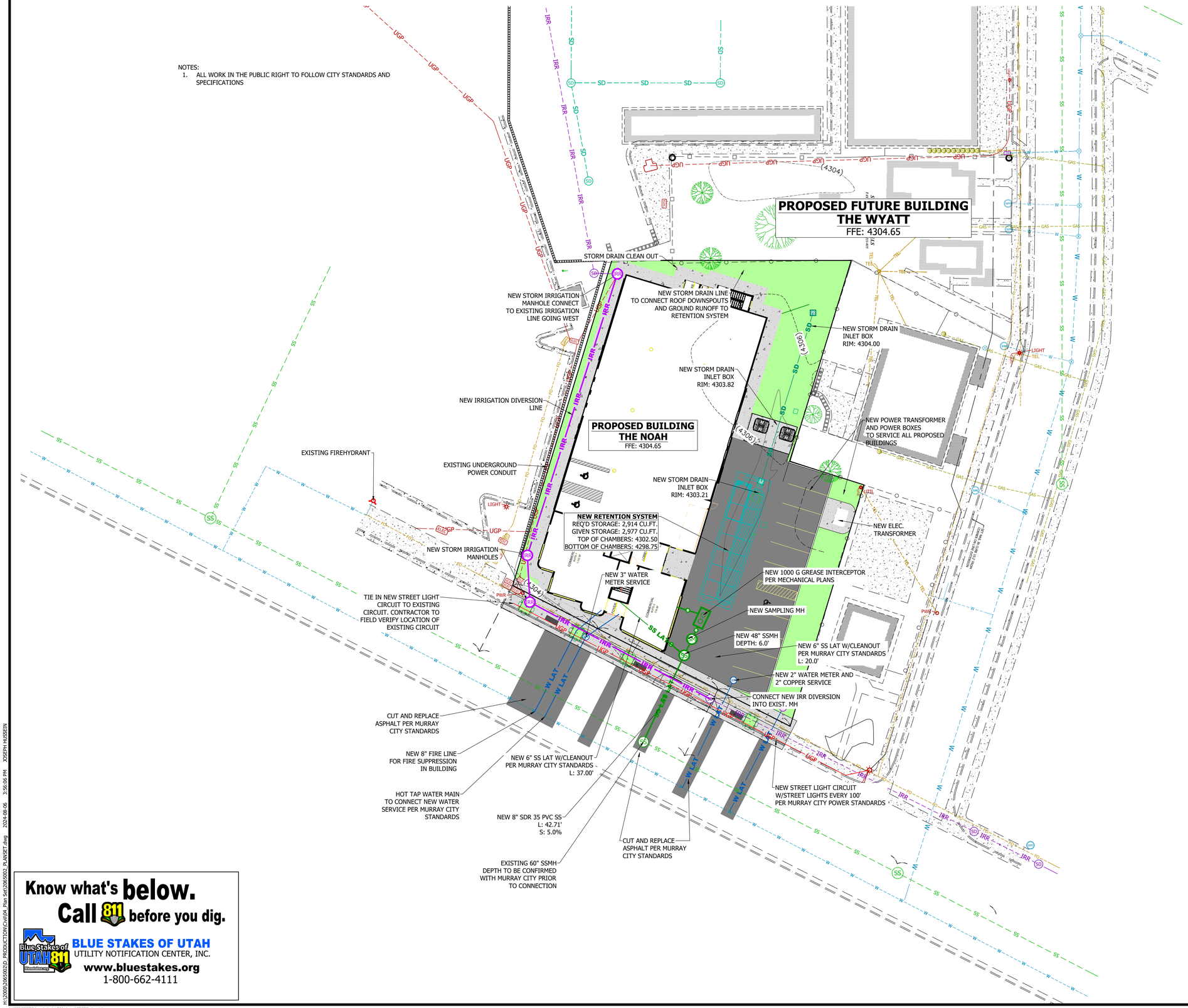
NOTES:
1. ALL WORK IN THE PUBLIC RIGHT TO FOLLOW CITY STANDARDS AND SPECIFICATIONS



20 0 20 40 60
SCALE: 1" = 20'

DRAINAGE CALCULATIONS

6-Aug-24

Pre-Development Area Analysis

Area	sq.ft.	Acres	C
Building	5,113	0.12	0.85
Improvements	7,534	0.17	0.90
Landscape	9,078	0.21	0.15
Total	21,725	0.50	0.57

Post-Development Area Analysis

Area	sq.ft.	Acres	C
Building	7,143	0.16	0.85
Improvements	10,343	0.24	0.90
Landscape	4,239	0.10	0.15
Total	21,725	0.50	0.74

100 Year Storage Analysis

NOAA Precipitation Frequency Data Server

Latitude: 40.6641° **Longitude: -111.8867°**

Allowable Runoff 0.01 cfs/acre

Time (min.)	I in./hr	Runoff ft³	Allowable Runoff ft³		Storage ft³	
5	6.500	717	1		715	
10	4.960	1,094	3		1,091	
15	4.090	1,353	4		1,349	
30	2.760	1,827	9		1,818	
60	1.710	2,263	18		2,245	
120	0.926	2,451	36		2,415	
180	0.625	2,482	54		2,428	
360	0.337	2,676	108		2,569	
720	0.197	3,129	215	>	2,914	<
1440	0.104	3,304	431		2,873	

Required Detention **2,914**

80th Percentile Retention Analysis

P_{new} EQ. A	*Rnew = 0.225(Imp)-.05 when Imp<55%*	
P_{new} EQ. B	*Rnew = 1.14(Imp)-.371 when Imp>55%*	
WQRV EQ.	*WQRV = ($P_{80\%}$ *R $_{(new}$ *A)/12*	
Retention	*Retention = WQRV*43560*	
$P_{80\%}$		0.46 (in.)
Imp_{pre}		0.58
Imp_{new}		80%
A		0.50 (acre)
R_{pre}		0.29
R_{new}		0.55
WQRV		0.005 ac-ft
Retention		211 cu.ft.

Combined Storage

Retention	**211** cu.ft.
Detention	**2702** cu.ft.
Combined Storage	2,914 cu.ft.

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THE NOAH
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MURRAY CITY, SALT LAKE COUNTY, UTAH

REVISIONS

1	INITIAL SUBMITTAL	9/27/2022

DRAWN: JBC 2024-08-06
APPROVED: CC 2024-08-06
PROJECT #: 2065002
2065002_PLANSET.dwg

C600
UTILITY PLAN

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PLANT SCHEDULE TOTAL PROJECT

M / R	MM	M			
	Gleditsia tracanthos inermis `Shademaster` TM / Shademaster Locust	B & B	1.5"	6

M / R	MM	M		
	Berbens thunbergii `Bagatelle` / Bagatelle Red Barberry	2 gal		12
	Calamagrostis x acutiflora `Karl Foerster` / Feather Reed Grass	2 gal		6
	Hemerocallis x `Stella de Oro` / Stella de Oro Daylily	1 gal		12
	Ilex crenata `Sky Pencil` / Sky Pencil Japanese Holly	5 gal		15
	Juniperus horizontalis `Bar Harbor` / Bar Harbor Creeping Juniper	5 gal		9
	Miscanthus sinensis `Gracillimus` / Maiden Grass	5 gal		6
	Pennisetum alopecuroides `Little Bunny` / Little Bunny Fountain Grass	2 gal		32
	Perovskia atriplicifolia `Blue Spires` / Russian Sage	2 gal		9
	Rhus aromatica `Gro-Low` / Gro-Low Fragrant Sumac	5 gal		6
	Schizachyrum scoparium / Little Bluestem Grass	2 gal		27

MULCHES / ROCK		TOTAL
	4" MINIMUM DEPTH OF COLORED CRUSHED ROCK (GRAYS) OVER DEWITT PRO 5 WEED BARRIER. ROCK TO MATCH HOME2 SUITES BY HILTON BUILDING TO THE WEST OF THIS SITE.	2,424 S.F.
	PUTTING GREEN - ARTIFICIAL TURF DESIGNED FOR GOLF PUTTING GREENS	990 S.F.

NOTES:
1. SEE SHEET L-2 FOR NOTES AND DETAILS.
2. LANDSCAPE MATERIAL SQUARE FOOTAGES INCLUDE AREAS WITHIN THE PUBLIC RIGHT-OF-WAY.
3. TREE REMOVAL OR TREE PLANTING IN THE PUBLIC RIGHT-OF-WAY REQUIRES APPROVAL FROM MURRAY CITY URBAN FORESTRY OR SUBMIT PLANS CONTAINING AN URBAN FORESTER APPROVAL SIGNATURE.
4. ALL WORK DONE WITHIN THE PUBLIC WAY SHALL BE DONE BY A LICENSED, BONDED AND INSURED CONTRACTOR WHO SHALL FIRST OBTAIN A PUBLIC WAY PERMIT.
5. IRRIGATION SYSTEM IS EQUIPPED WITH A SMART ET BASED CONTROLLER AND RAIN SENSOR AS PART OF THE SPRINKLER SYSTEM.
6. PLANS ARE DIAGRAMMATIC DUE TO SCALE, THEREFORE, IT IS THE CONTRACTORS RESPONSIBILITY TO VERITY QUANTITIES.
7. SPRINKLER AUDITS ARE TO BE CONDUCTED AND REPORTS SUBMITTED TO THE CITY PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
8. BACKFLOW PREVENTION DEVICE NEEDS TO BE TESTED AND SUBMITTED TO THE CITY.
9. ROCK MULCHES AND BOULDERS TO COMPLIMENT & BLEND WITH ARCHITECTURAL MATERIALS AND COLORS. CONTRACTOR TO SUBMIT SAMPLES TO OWNER'S REPRESENTATIVE FOR APPROVAL PRIOR TO DELIVERY.
10. CONTRACTOR TO REFER TO THE CIVIL GRADING PLAN AND NOTIFY LANDSCAPE ARCHITECT IF ANY LANDSCAPE AREAS CONSIST OF GRADES STEEPER THAN 2H:1V SLOPE. MAXIMUM SLOPE IN ALL LANDSCAPE AREAS IS 2H:1V (H=HORIZONTAL & V=VERTICAL)
11. TREE CALIPER SIZE TO BE MEASURED 18 INCHES ABOVE GRADE PER CITY REQUIREMENT.
12. EVERGREEN TREES TO BE 6 FOOT MINIMUM HEIGHT ABOVE GRADE PER CITY REQUIREMENT.
13. NO TREES SHALL BE PLANTED IN PUBLIC PARK STRIPS LESS THAN 8 FEET WIDE. CENTERLINE OF TREES SHALL BE PLANTED MINIMUM OF 4 FEET AWAY FROM BACK OF CURB AND EITHER SIDE OF SIDEWALK.
14. REFER TO SHEET L-2 FOR ADDITIONAL LANDSCAPE AND IRRIGATION REQUIREMENTS.

NORTH

0 10 20 30 feet

SCALE: 1" = 10'

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NO.	REVISIONS	BY	DATE

PROJECT PROFESSIONAL: DCM DESIGNER: DCM

Foresite Design Group, L.C.
PLANNING, LANDSCAPE ARCHITECTURE & SITE DESIGN SERVICES
13892 ARROW CREEK DRIVE
DRAPER, UTAH 84020
PHONE: 801.641.7464
www.foresitedesigngroup.com

NOAH
PRELIMINARY LANDSCAPE PLAN
149 EAST VINE STREET MURRAY, UTAH

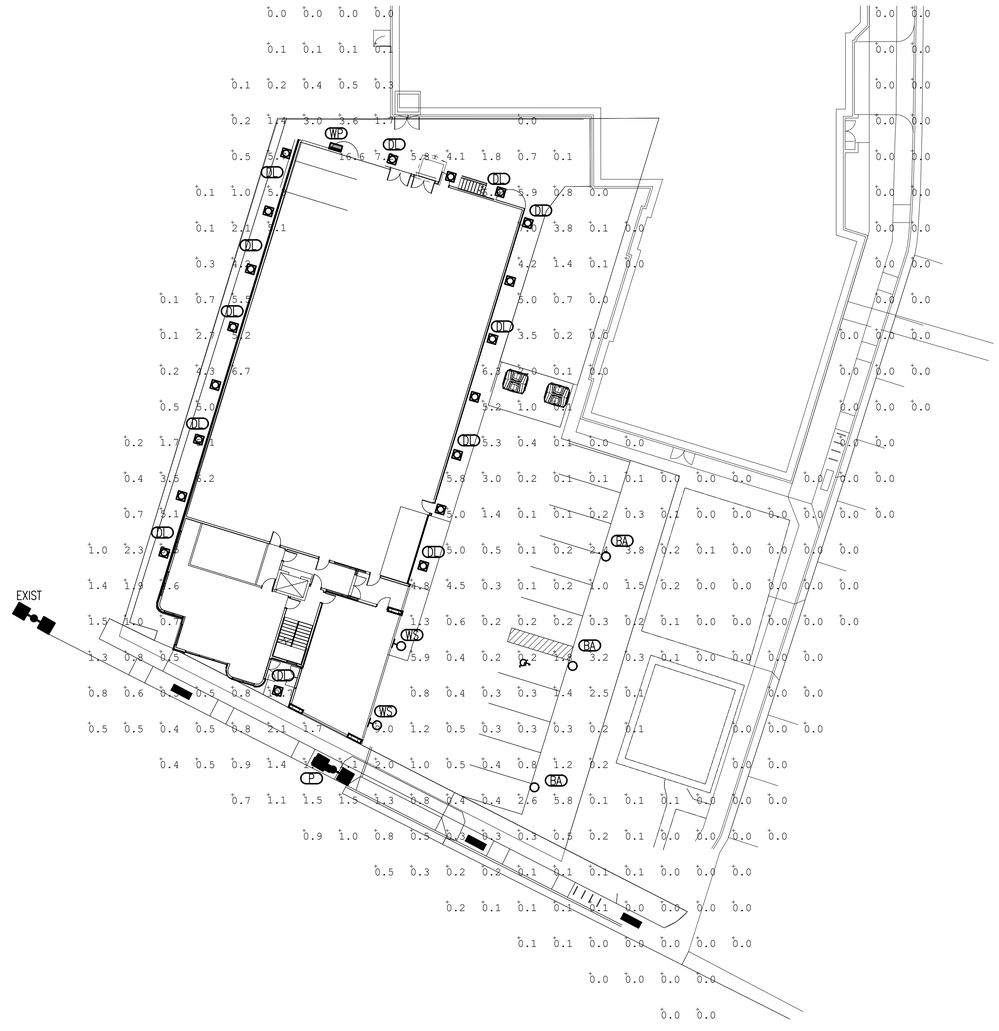
LICENSED LANDSCAPE ARCHITECT DAN C. MATTA No. 106248 6/10/24

SHEET: L-1

FILE NAME: FDG-283 | SCALE: 1" = 10'

REFERENCE NOTES

1. PROPOSED LOCATION OF MAIN METERING CENTER IN GARAGE. SEE SHEET E1.1. VERIFY LOCATION WITH POWER COMPANY.
2. EXISTING POWER POLE. VERIFY USE OF POLE OR PADMOUNTED MOUNTED TRANSFORMER. VERIFY PRIMARY ELECTRICAL SERVICE WITH POWER COMPANY.
3. TELEPHONE BOARD. VERIFY LOCATION.
4. VERIFY COMMUNICATION SERVICE LOCATION WITH SERVICE PROVIDER.
5. COMPLY WITH NEC 300.5 FOR BURIAL DEPTH OF UNDERGROUND RACEWAYS.
6. PROTECT ALL ELECTRICAL EQUIPMENT SUBJECT TO DAMAGE WITH BOLLARDS.



NORTH

SITE LIGHTING PHOTOMETRIC CALCULATION

SCALE: 1"=20'-0"

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Phone - 801-913-3111
suss@fellexeng.com

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No.	revision	date	by
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2			
3			
4			
5			
6			
7			
8			
9			

project name:
THE NOAH
149 EAST VINE STREET
MURRAY CITY, UTAH

sheet title:
SITE LIGHTING PHOTOMETRIC CALCULATION

file: THE NOAH

project #: KA-2303

sheet:
E1.0B

date: 06-04-24

FWPC™

PacLights

CCT selectable full-cut off
LED Wall Mount

cULus LISTED · DLC PREMIUM · DIMMING · ADJUSTABLE · EMERGENCY OPTION

*available on selected models

PROJECT:

DATE:

TYPE: WP

PREPARED BY:

5 YEAR WARRANTY

KEY FEATURES
100,000-Hour LED lifespan
1-10V dimming standard on all models
Selected models **3000K/4000K/5000K field-selectable**
Optional **photocell and motion control**
Emergency backup option provided

TECHNICAL SPECIFICATIONS

COMPLIANCE

UL Listed
Suitable for wet locations

IESNA LM79 & LM-80 Testing
PacLights LED luminaires have been tested by an independent laboratory in accordance with IESNA LM-79 and LM-80.

DLC Qualification
Selected models of this product are on the Design Lights Consortium (DLC) Qualified Products List and are eligible for rebates from DLC Member Utilities. To view our DLC qualified products, please consult the DLC Qualified Products List at www.design-lights.org/qpl

LED CHARACTERISTICS

LEDS
Long-life, high-efficacy, surface-mount LEDs

Lifespan
100,000-hour LED lifespan based on IES LM-80 results and TM-21 calculations

Color Rendering Index
>80

Beam Angel & BUG
100° beam; B2-U0-G1

Field-selectable Color Temperature
On selected models (3CCT), 3000K/4000K/5000K, selectable by a dip switch

Color Uniformity
PacLights' range of Correlated Color Temperature follows the guidelines of the American National Standard for Specications for the Chromaticity of Solid State Lighting (SSL) Products, ANSI C78.377-2017

ELECTRICAL

Drivers
1-10V Dimmable
Input Voltage: 120-277V, 50-60 Hz
Power Factor: > 0.9; THD <20%
Surge Protection 6kA

CONSTRUCTION

IP Rating
IP 65 Rated

Ambient Temperature
Suitable for up to 50° C (122° F) ambient temperature

Cold Weather Starting
The minimum starting temperature is -40 F°/-40° C

Housing
Die-cast aluminum housing

Gaskets
Silicon Gaskets

Finish
Our environmentally friendly polyester powder coatings are formulated for high-durability and long-lasting color, and contain no VOC or toxic heavy metals.

Mounting Methods
Surface mount

Green Technology
Mercury and UV free, and RoHS compliant. Polyester powder coat finish formulated without the use of VOC or toxic heavy metals.

Lens
Polycarbonate

OTHER

5-Year Limited Warranty**
The PacLights 5-year, limited warranty covers light output, driver performance and paint finish.
**PacLights's warranty is subject to all terms and conditions found at paclights.com/warranty

Need help? Tech help line: (800) 988-6386 Email: cs@PacLights.com Website: www.PacLights.com
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WCED-3D

120/277VAC, 3" Wall Mount Cylinder Down Light

WCED-3UD

120/277VAC, 3" Wall Mount Cylinder Up and Down Light

DOB Driver on Board **AC Direct Module**

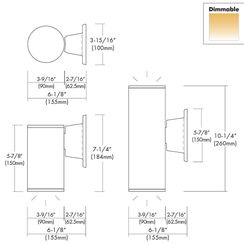
Catalog #		Type WS
Project		Date
Prepared by		

3" LED Cylinder

Dimmable

[WCED-3D : DOWN TYPE]

[WCED-3UD : UP/DOWN TYPE]



[WCED-3D : DOWN TYPE] [WCED-3UD : UP/DOWN TYPE]

DESCRIPTION

The WCED 3" Cylinders are Wet Location and IP65 rated for outdoor use. These wall mount cylinders come in two versions : down light and up & down light. The fixtures are offered in15W and 20W LED, DoB modules with a customized IC, highbred circuit on board with dimming down to 5% with most Triac and ELV dimmers or 0-10V dimming. DOB, 120/277VAC Direct technology has low heat, great reliability and has been designed for these fixtures to operate environments between -22° F to 104° F (-30° C to 40° C). Optional Photo Cell is available for Dusk to Dawn operation and EM drivers for emergency lighting.

DESIGN FEATURES

Features

- All aluminum construction, powder coat painted in white, black or silver finish for harsh, weatherproof applications.
- DOB, 120/277VAC Direct technology in 15W or 20W modules with integrated circuit, customized chips on board.
- 80 or 90 CRI with color temperatures in 3000K, 3500K or 4000K.
- Wet Location, IP65 Rated.
- Dimming with most Triac and ELV dimmers or 0-10V dimmers.
- Optional Photo Cell and Emergency Drivers are available.

Mounting

- Mount completely assembled fixture directly on the wall surface using appropriate anchor bolts or screws (supplied by others).

Limited Warranty

- LED Module: 5 years/50K hours
- Product: 3 years

Listing

- cCSA-us Wet Location

SPECIFICATION	
Input Voltage	120/277VAC
Wattage (+/-5%)@2*	15W / 20W
Lumen (+/-5%)	1,160 lm / 1,375 lm
Efficacy (LPW)	77.3 lm/W / 68.8 lm/W
Beam Angle	39° / 62°
CRI (Typical)	80, 90
CCT (Color+/-5%)	3000K, 3500K, 4000K
Dimming	Triac, ELV or 0-10V
LED Module	5 yr/50K hr
Environment	Wet Location

*Double wattage for Up/Down Type

☼ 120V Approved Dimmers

* Lutron: Skylark S-600
: MRF2-6DN-120
: MACL-153M
: DVLV-600P
: SELV-300P
: CTCL-153P
: DVELV-303P
: DVCL-153P
* Leviton: D600R, Acenti: Ava06, Trimatron #705W
* Cooper Devine incandescent dimmer 600W
* PassAseymour harmony incandescent 600W
For 0-10V Driver**
* Lutron: Nova 0-10V : NTFTV
Diva 0-10V : DVTV
* Leviton: Decora 0-10V : IP710DL

*Consult tech. service or factory for additional dimmers
**Consult with factory if you are not using the approved dimmers
**** WARNING: DO NOT USE 0-10V Relay Systems like Acuity nPP16 EFP or Crestron GLXP-ZUMIVX-LP units with Lum-Tech DoB fixtures**

09/17/2020

TEL: 856-234-2211 FAX: 856-234-0881 www.lum-tech.com

LUM-TECH LIGHTING

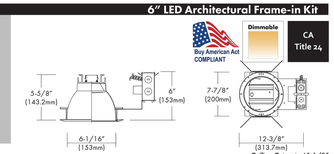
LEDH-AFK6-G2

120V-277VAC LED 6", Non-IC, Architectural Frame-in Kit
Down Light with interchangeable Reflector Trims

Catalog #		Type DL
Project		Date
Prepared by		

6" LED Architectural Frame-in Kit

Buy American Act COMPLIANT · Dimmable · CA Title 24



Ceiling Cut-out : 6"-1/2"

DESCRIPTION

The LEDH-AFK6-G2 is a 6" LED Architectural frame-in Kit and is available with multiple Trim styles. Designed for use in non-insulated ceilings, Insulation material must be kept a minimum of 3" from fixture. Available with a 10W, 14W, 22W, 32W or 44W high efficacy LED engine and universal, dimmable drivers. The special optical diffuser produces high lumen transmission and even illumination. Suitable for Wet Locations.

DESIGN FEATURES

Mounting Ring
- 20-gauge CRS mounting ring, painted black. The 1-5/8" deep collar may be used with various ceiling material thicknesses.

LED Module & Trim
- Painted, extruded aluminum heat sink designed to facilitate efficient heat dissipation for superior thermal management and reliability.
- LED engine includes LED, heat sink and lens assembly.
- Heavy gauge aluminum reflector anodized in clear haze or white paint finishes. Multiple trim styles and finishes are available.

LED Driver
- Universal, 120~277V input, high efficacy drivers with dimming capability by ① a Triac 120V low voltage electronic dimmer switches or ② 0-10V, Triac & ELV dimmer switches.
- Drivers feature power factor > 90, THD <20% with integral thermal protection to sense over temperature or electrical issues.
- Driver mounts externally to the module to allow future replacement or upgrading if desired.
- Optional Lutron Hi-lume A-Series, LED drivers and EcoSystem 5-Series LED drivers are available. Lutron drivers provide flicker-free, smooth, continuous dimming down to 1% for Hi-lume and 5% for EcoSystem. (Contact factory for dimming system requirements)

Mounting Channel Bracket
- Commercial mounting kit provides up to 5" vertical adjustment and accommodates 1/2" EMT conduit. Optional HBC-24 bar hanger for T-bar grid or concealed spline ceiling are also available.

Junction Box
- Listed for through branch circuit wiring. (Max 8 No 12 AWG 90°C branch circuit conductors; 4 in, 4 out)
- (5) 1/2" knockouts with pry-out slots and (4) knockouts with Romex cable clamps.
- Ground wire provided on J-box.

Options
- Emergency battery back-up : Available in mounted to fixture or remote adjacent to luminaire (consult with factory for space requirements).

Limited Warranty
- LED Module: 5 years/50K hours
- Product/Driver: 3 years

Listing
- California Title 24
- cCSAus

SPECIFICATION					
Input Voltage	120-277VAC				
Wattage (+/-5%)	10W	14W	22W	32W	44W
Lumen (+/-5%)	1,000 lm	1,400 lm	2,200 lm	3,200 lm	4,400 lm
Efficacy (LPW)	100 lm/W	100 lm/W	100 lm/W	100 lm/W	100 lm/W
Beam Angle	67.7°	75°	75.5°	77°	77°
CRI (Typical)	80, 90				
CCT (Color+/-5%)	2700K, 3000K, 3500K, 4000K				
Available Dimming	Triac/ ELV/ 0-10V/ Lutron				
LED Module	5 yr/50K hr				
Environment	Damp & Wet Location				

☼ Triac Approved Dimmers

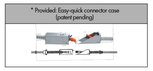
* Lutron: NovaT (NTelV 300&600)
Diva (DVelv-300P&303P)
* Leviton: Acenti: Ava06-1Lw
* Leviton Trimatron #705W (incandescent)

☼ 0-10V Approved Dimmers

* Lutron: Nova® 0-10V : NTFTV
Diva® 0-10V : DVTV
* Leviton: Decora 0-10V : IP710DL

Consult tech. service or factory for additional dimmers

* Provided: Easy-quick connector case (patent pending)



01/31/2024

TEL: 856-234-2211 FAX: 856-234-0881 www.lum-tech.com

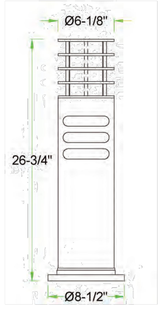
LUM-TECH LIGHTING

HCI LIGHTING
HERITAGE CASTING & IRONWORKS LTD.

TYPE BL

1280 Fewster Drive
Mississauga, ON L4W 1A4 Canada

Dimensions



Product Ordering Number

PRODUCT	LUMENS	CCT	VOLTAGE	SOCKET	OPTIONS
B807	Max 4400 LMS with LED strip	2700K 3000K 4000K 5000K 6000K =10% Variance	120V-277V	E26(4KV) E39(5KV) Only applicable for Bulb	LED strips LED bulbs

DIFFUSER TYPE
FAC Frosted acrylic

Color
Standard RAL
6005 Green
7012 Grey
8019 Bronze
9011 Black/Txt
9016 White
Custom RAL

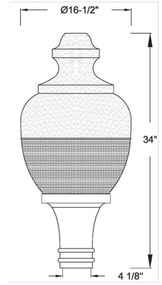
LED Light · cULus LISTED · 7 YEAR WARRANTY · ETL LISTED · MADE IN CANADA

HCI LIGHTING
HERITAGE CASTING & IRONWORKS LTD.

TYPE P

1280 Fewster Drive
Mississauga, ON L4W 1A4 Canada

Dimensions



Product Ordering Number

PRODUCT	LUMENS	CCT	VOLTAGE	OPTICS	OPTIONS	FITTER	FINIALS
F107	Max 15,750 LUMENS	3000K 4000K 5000K 6000K =10% Variance	120v-277v Step down transformer 347V 480V	IES TYPE II (2) III (3) IV (4) V (5)	**DIM** Dimming control **PCB** Button type photocell **HSS** House side shield **TWL** Twist lock system	A, B C, D E, F G, H I, J K, L M, Q R, T U	FA FB FC FD FE FF FG FH FI FJ

DIFFUSER TYPE
TOP
CACX Clear acrylic frosted
BOTTOM
EAC External prismatic acrylic
EPC External prismatic polycarb

Color
Standard RAL
6005 Green
7012 Grey
8019 Bronze
9011 Black/Txt
9016 White
Custom RAL

LED Light · cULus LISTED · 7 YEAR WARRANTY · ETL LISTED · MADE IN CANADA

FELLEX ENGINEERING
PO BOX 1152, EDEN, UTAH 84310
Phone – 801-913-3111
susie@fellexeng.com

FELLEX ENGINEERING

No.	revision	date	by
9			
8			
7			
6			
5			
4			
3			
2			
1			

project name: THE NOAH
149 EAST VINE STREET
MURRAY CITY, UTAH

sheet title: SITE LIGHTING LIGHT FIXTURES

file: THE NOAH

project #: KA-2303

sheet: E1.0C

date: 06-04-24

Zachary Smallwood

From: Jess Cleeves <jess@jesscleeves.com>
Sent: Tuesday, August 27, 2024 8:50 AM
To: Planning Commission Comments
Subject: [EXTERNAL]Comment for Public Hearing Sept 5th re: Fairway/Vine development

Greetings, Commissioners -

Thank you for the opportunity to submit written comment regarding the Fairway Development Group's plans for 149, 155-157, and 163 East Vine Street in advance of the public hearing scheduled for September 5th.

I own Core Counseling, and work as a therapist in 167 E Vine, the parcel neighboring the proposed development to the east. 167 E Vine is used by several therapists. We see clients Sunday-Friday (the only non-client day is Saturday).

I am grateful for the City's consideration of the project's impacts to the neighborhood. As a therapist, my work relies on a predictable, quiet, peaceful environment. I am concerned about how unmitigated noise and traffic disruption will impact our clients negatively (and, therefore, will negatively impact our ability to do business).

My request at this time is that the developers work diligently with the city and contractors to minimize disruption, specifically by **minimizing noise and traffic impacts in any way possible as this project is constructed**.

Thank you for your time and consideration.

Be well,

Jess Cleeves (she/her), MAT, LCSW
167 E. Vine Street, Murray, UT 84107
This email and its attachments may contain confidential information intended only for the intended recipient.
Email is intended for non-clinical communication. Clinical session cancellations via email or app received 24hrs (for individual clients) or 48 hrs (relationship clients) before the scheduled appointment will not incur a late cancellation fee.
For immediate crisis support, call:
HMHI Crisis Line: 801-587-3000
Suicide and Crisis Lifeline: 988

Zachary Smallwood

From: Tim & Jess - Jay Street Properties <jaystreetpropertiesllc@gmail.com>
Sent: Thursday, August 29, 2024 5:48 PM
To: Planning Commission Comments
Subject: [EXTERNAL]Public Hearing Comment - Sept 5th re: Fairway/Vine development

Follow Up Flag: Follow up
Flag Status: Flagged

Planning Commission -

Thank you for the opportunity to contribute to the conversation regarding the development of the parcels at 149, 155-157, and 163 East Vine Street.

After our experience dealing with the previous owner of these tracts, we are thrilled to see that these current plans have respected our property boundaries.

As we have maintained through this entire process, we support any private land holder to do whatever they wish on their property, as long as it abides by City code. We look forward to a positive, respectful relationship with current owners and tenants.

We appreciate the oversight the Planning Commission has offered this project, and are pleased by the final aesthetic of the building as planned.

Thank you for your hard work and diligent attention to detail.

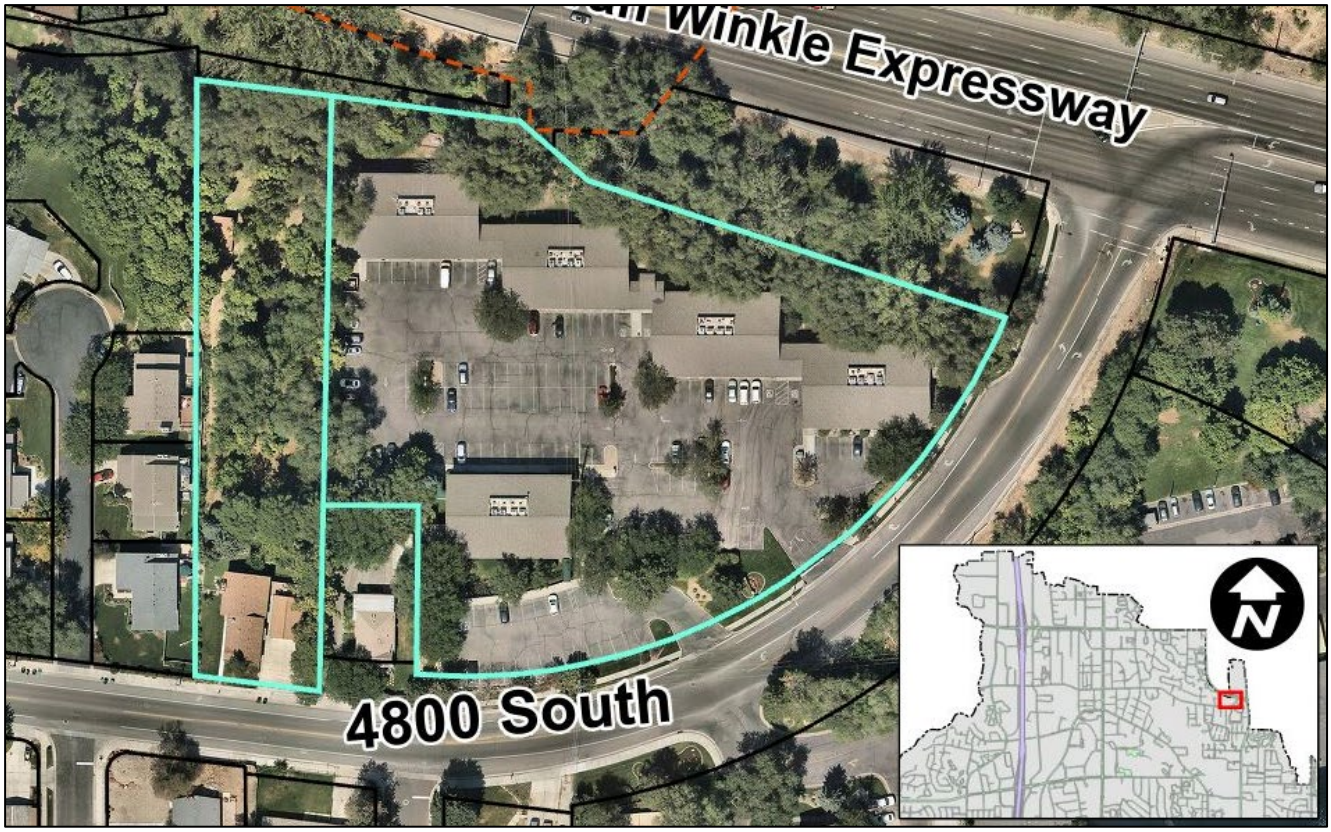
Best,
Tim and Jess

Jay Street Properties, LLC
J mobile 801.597.9121
T mobile 435.590.0841

MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT

Building Division 801-270-2400
Planning Division 801-270-2420

AGENDA ITEM # 9 & 10 Lotus Development			
ITEM TYPE:	General Plan & Zone Map Amendments		
ADDRESS:	787 & 825-865 East 4800 South	**MEETING DATE:**	September 5, 2024
APPLICANT:	Lotus Company	**STAFF:**	Zachary Smallwood, Planning Division Manager
PARCEL ID:	22-08-108-016 22-08-108-022	**PROJECT NUMBER:**	24-092 & 093
CURRENT ZONE:	R-1-8, Residential Single Family & G-O, General Office	**PROPOSED ZONES:**	R-M-25, Multiple Family High Density Residential
Land Use Designation	Low Density Residential & Office	**PROPOSED DESIGNATION**	High Density Residential
SIZE:	3.93 acres		
REQUEST:	The applicant would like to amend the Future Land Use Map designation and Zoning Map for the subject properties to facilitate a residential development.		



I. BACKGROUND & REVIEW

The owner of the subject properties are requesting to amend the General Plan's Future Land Use Map and the Zone Map to allow for redevelopment of the properties. The applicants state that the existing office uses are no longer viable and are in a state of disrepair that it is not economically viable for them to continue. They propose that changing the zoning to residential would allow for a more compatible and cohesive neighborhood.

Surrounding Land Uses & Zoning

The subject property is comprised of two parcels totaling 3.93 acres in the R-1-8, Single Family Residential (1 acre) & G-O, General Office (2.93 acres) Zones located on the north side of 4800 South as it bends to connect to the Van Winkle Expressway. There is a large apartment complex to the southeast and a mix of single-family residential to the southwest. The staff report will focus on review and comparison of the differences between the existing and proposed Future Land Use and Zoning Map designations of the 3.93-acre subject property.

Direction	Land Use	Zoning
North	Right of Way	N/A
South	Multi & Single-Family Residential	R-M-10 & R-1-8
East	Multi-Family Residential	R-M-10
West	Single-Family Residential	R-1-8

Zoning Considerations

The subject properties are in the R-1-8, Single Family Residential and G-O, General Office Zones. The properties surrounding the subject properties, both immediately adjacent and in the larger area, are in a mix of zoning districts. There are a mix of apartments, townhouses, and single-family residential adjacent to the subject properties. Staff supports the proposed zone map amendments noting that the potential development into a multi-family project would help to stabilize the adjacent single-family neighborhood, and that there is precedent for a multi-family use in the immediate area. Comparisons of land uses and other zoning regulations in the existing and proposed zones follow.

Allowed Land Uses

The existing G-O Zone largely allows for commercial uses and is flexible on the types of uses. Properties that are built in this zone are of a smaller scale of office buildings. The existing zone does not allow for any residential other than retirement/assisted living establishments. The R-M-25 Zone allows for multi-family housing at a base density of twenty-two (22) units per acre. This is a medium density, multi-family zone.

- **Existing G-O,** General Office Zone

Permitted Uses in the G-O Zone include various office uses, massage therapy and beauty services, financial, real estate businesses, banking, and other professional level businesses.

Conditional Uses in the G-O Zone include retirement homes, body art studios, commercial child care, dry cleaning, restaurants, and other service oriented businesses.

- **Existing R-1-8,** Residential Single-Family Zone:
  Permitted Uses in the R-1-8 Zone include single family residential development and accessory uses associated with them and requires minimum lot sizes of 8,000 square feet. Maximum height for main dwellings is 35 feet.

  Conditional Uses in the R-1-8 Zone include public and quasi-public uses such as schools, libraries, churches, and utilities.

- **Proposed R-M-25**, Multi-Family Medium Density Residential Zone:
  Permitted uses in the proposed R-M-25 include single-family detached dwellings on 8,000 ft^2 lots, two-family dwellings on 10,000 ft^2 lots, utilities, charter schools, and residential childcare as permitted uses.

  Conditional uses in the R-M-25 Zone include attached single-family dwellings, multi-family dwellings (22 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 G-O, R-1-8, and proposed R-M-25 zones are summarized in the table below.

	G-O(existing)	**R-1-8 (existing)**	**R-M-25**
Single-Family Lot Size and/or Multi-Family Density	Residential is not allowed except for assisted/retirement living facilities.	8,000 ft^2 min per lot	8,000 ft^2 min per lot 22 units per acre
Height	30’ with additional height with additional setback.	35’	Up to 40’ max as approved by the Planning Commission
Front yard setback	20’	25’	25’
Rear Yard setback	None (20’ next to residential)	25’	25’

Side Yard setbacks	10’ (20’ next to residential)	8’ (total of 20’)	8’ (total of 20’)
Corner Yard setback	20’	20’	20’
Parking Required	Between 4 and 5 spaces for every 1000 square feet	2 spaces per lot	2.5 spaces per unit

Figure 1: Compared Regulations in existing and proposed zones

General Plan Considerations

In order to support the Zone Map amendment to R-M-25, the applicant has also made an application for a General Plan amendment, specifically to amend the Future Land Use designations of the subject properties from Office and Low Density Residential to High Density Residential. General Plans are not intended to be static documents. Significant evaluations and revisions are common every five to ten years, in growing and complex communities like Murray it is reasonable to expect that additional adjustments may be appropriate and should be considered individually.

Future Land Use Map Designations

Map 5.7 of the Murray City General Plan (the Future Land Use Map) identifies future land use designations for 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 designations of properties. The subject properties are currently designated Office and Low Density Residential. The applicant proposes to amend the Future Land Use designations described above to “Medium Density Residential”.

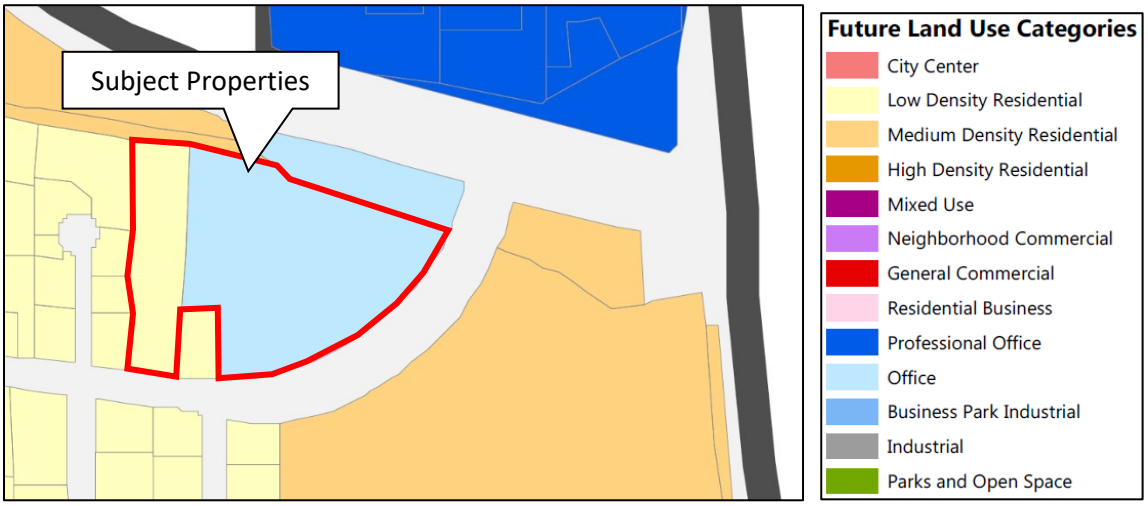


Figure 2: Future Land Use Map segment

- Existing: The existing properties are currently designated as “Office” and “Low Density Residential”. The office category is intended to be used for “a wide range of office uses in an environment that is compatible with adjacent residential neighborhoods” Figure 4 is an illustration below from page 5-17 of the General Plan. The Low Density Residential designation is intended for established and planned neighborhoods” and is the most common of the land use designations, see Figure 5 for a more detailed description.

- Proposed: The applicants propose to amend the Future Land Use Map designations of the subject property to “High Density Residential.” The High Density Residential designation allows a mix of housing types that primarily include multi-dwelling structures. The designation is intended for areas near or along centers and corridors. Densities should range between 10 and 25 units per acre. Corresponding Zones are:
    - R-M-20, Medium Density Multiple Family
    - R-M-25, Medium Density Multiple Family

  The High Density Residential categories assume 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 High Density Residential can be adequately overcome through conditional use permit review combined with stabilizing the existing neighborhoods around the subject properties. Figure 6 below is from pg. 5-13 of the 2017 General Plan.

OFFICE

This designation allows for a wide range of office uses is an environment that is compatible with adjacent residential neighborhoods. Development patterns should enhance the livability of surrounding residential neighborhoods while contributing to the success of nearby business areas. Development will generally be individual buildings or small clusters that are scaled similar to adjacent residential areas.

Corresponding zone(s):

- G-O, General Office
- R-N-B, Residential Neighborhood Business

Figure 3: p. 5-17, Murray City General Plan 2017

LOW DENSITY RESIDENTIAL

This designation is intended for residential uses in established/planned neighborhoods, as well as low density residential on former agricultural lands. The designation is Murray's most common pattern of single-dwelling development. It is intended for areas where urban public services, generally including complete local street networks and access to frequent transit, are available or planned. Areas within this designation generally have few or very minor development constraints (such as infrastructure or sensitive lands). Primary lands/use types include single-dwelling (detached or attached) residential.

Density range is between 1 and 8 DU/AC.

Corresponding zone(s):

- A-1, Agricultural
- R-1-12, Low density single family
- R-1-10, Low density single family
- R-1-8, Low density single family
- R-1-6, Low/Medium density single family
- R-2-10, Low density two family

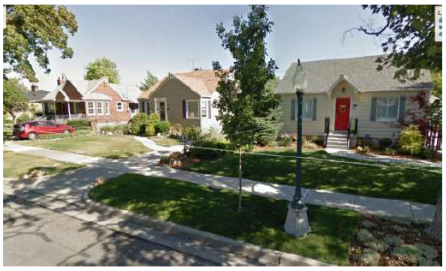


Figure 5: p. 5-12, Murray City General Plan 2017

HIGHER DENSITY RESIDENTIAL

This designation allows a mix of housing types, primarily multi-dwelling structures. Single-dwelling types may be mixed in, but at a denser scale than the other residential designations. This designation is intended for areas that are near, in, and along centers and corridors, and transit station areas, where urban public services, generally including complete local street networks and access to frequent transit, are available or planned. Areas are designed to be transit-supportive. Areas within this designation generally do not have development constraints (such as infrastructure or sensitive lands).

Density range is between 10 and 25 DU/AC.

Corresponding zone(s):

- R-M-20, High density multiple family
- R-M-25, High density multiple family

Figure 6: p. 5-13, Murray City General Plan 2017

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-25 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".

There are a number of strategies in this section of the General Plan that would support the change, including the first objective to "Preserve and protect the quality of life for a range of viable residential neighborhoods". A strategy under this objective is to "prioritize infill and redevelopment for commercial development over expansion into residential neighborhoods". Allowing higher-density residential development of the subject properties would allow for a redevelopment of the property and contributing to more cohesive mix of residential. The higher-density residential development may encourage re-investment by neighboring property owners.

Within the Neighborhoods & Housing element, objective 3 (below), states that the city should "support a range of housing types, including townhomes, row-homes, and duplexes, which appeal to younger and older individuals as well as a variety of population demographics."

> *OBJECTIVE 3: ENCOURAGE HOUSING OPTIONS FOR A VARIETY OF AGE, FAMILY SIZE AND FINANCIAL LEVELS.*
>
> **Strategy:** Support a range of housing types, including townhomes, row-homes, and duplexes, which appeal to younger and older individuals as well as a variety of population demographics.

The strategy and objective above are one of many intended to support the overall goal of the element, which 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 9 of the Land Use & Urban Design element is shown below (from pg. 5-20 of the General Plan)

> *OBJECTIVE 9: 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.*
>
> **Strategy:** Ensure residential zoning designations offer the opportunity for a spectrum of housing types.
>
> **Strategy:** Simplify the residential zoning district designations.

The applicant's proposed zone amendment, which is supported by the amended land use designation, will result in a development that helps to solidify the surrounding communities, including the apartments, and the single-family neighborhood with a mix of housing types and

densities. The overall density will be consistent with the surrounding area and will not have unmanageable impacts, especially given the specific context of this subject property.

II. CITY DEPARTMENT REVIEW

The applications have been made available for review and comment by City Staff from various departments including the Engineering Division, Fire Department, Power Department, Water Division, and Sewer Division. Staff has compiled their comments below:

- Murray City Engineering:
    - Site access locations need to be carefully evaluated to maintain traffic flow and ensure safe turning movements – some turning movements may need to be restricted.
- Murray City Power:
    - No concerns about the proposed re-zoning. The future developer will need to be aware of the existing overhead and underground power lines throughout this area. The power lines will need to be protected in place, or re-located at the contractors expense.
- Murray City Wastewater:
    - Sewer for the property is serviced by Cottonwood Improvement District. All future sewer infrastructure work for potential redevelopment will have to be approved by Cottonwood Improvement District.
    - No major obstacles with Cottonwood's infrastructure with moving this project forward.
    - Approve of the Rezone from G-O/R-1-8 to R-M 25.
- Murray City Water:
    - Murray water has the capacity in the area to serve the proposed development with the below exception.
        - This development could require a looped water system design to ensure fire protection and the extra demand throughout. Hydraulic modeling might be required.
    - All water utility work must follow Murray City Water Specification and Requirements: https://murray.utah.gov/DocumentCenter/View/13884/Spec-Book-2023-Updated-4142023?bidId=

These comments are provided for the benefit of the applicant; as this application is not for a specific project, they are provided to make the applicant aware of potential issues if/when they receive the General Plan and Zone Map Amendment.

III. PUBLIC COMMENTS

Eighty-seven (87) notices of the public hearing for the requested amendments to the Future Land Use Map and Zone Map were sent to all property owners within 400' of the subject

property and to affected entities. As of the date of this report no comments have been received.

IV. FINDINGS

1. The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.
2. Amending the Future Land Use Map of the General Plan will allow for cohesion with neighboring residential uses.
3. The proposed Zone Map Amendment from R-1-8 and G-O to R-M-25 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-M-25 Zone.
4. The proposed Zone Map Amendment from R-1-8 and G-O to R-M-25 conforms to important goals and objectives of the 2017 Murray City General Plan and will allow an appropriate development of the subject property.

V. STAFF RECOMMENDATION

The requests have been reviewed together in the Staff Report and the findings and conclusions apply to both recommendations from Staff, but the Planning Commission must take actions individually. The two separate recommendations from Staff are provided below:

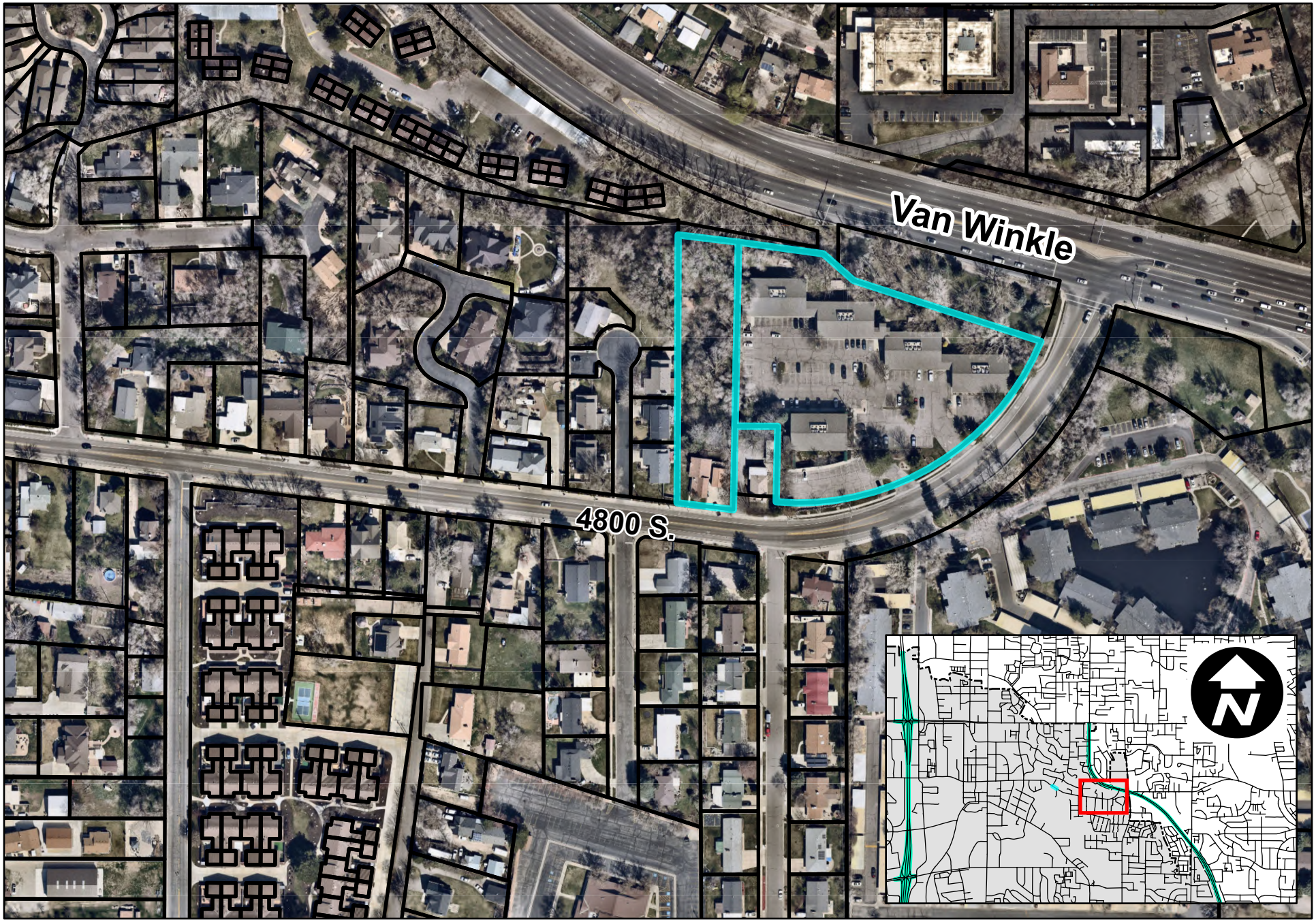
REQUEST TO AMEND THE MURRAY CITY GENERAL PLAN

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 Future Land Use Map, re-designating the properties located at 787 and 825 East 4800 South from Low Density Residential and Office to High Density Residential.**

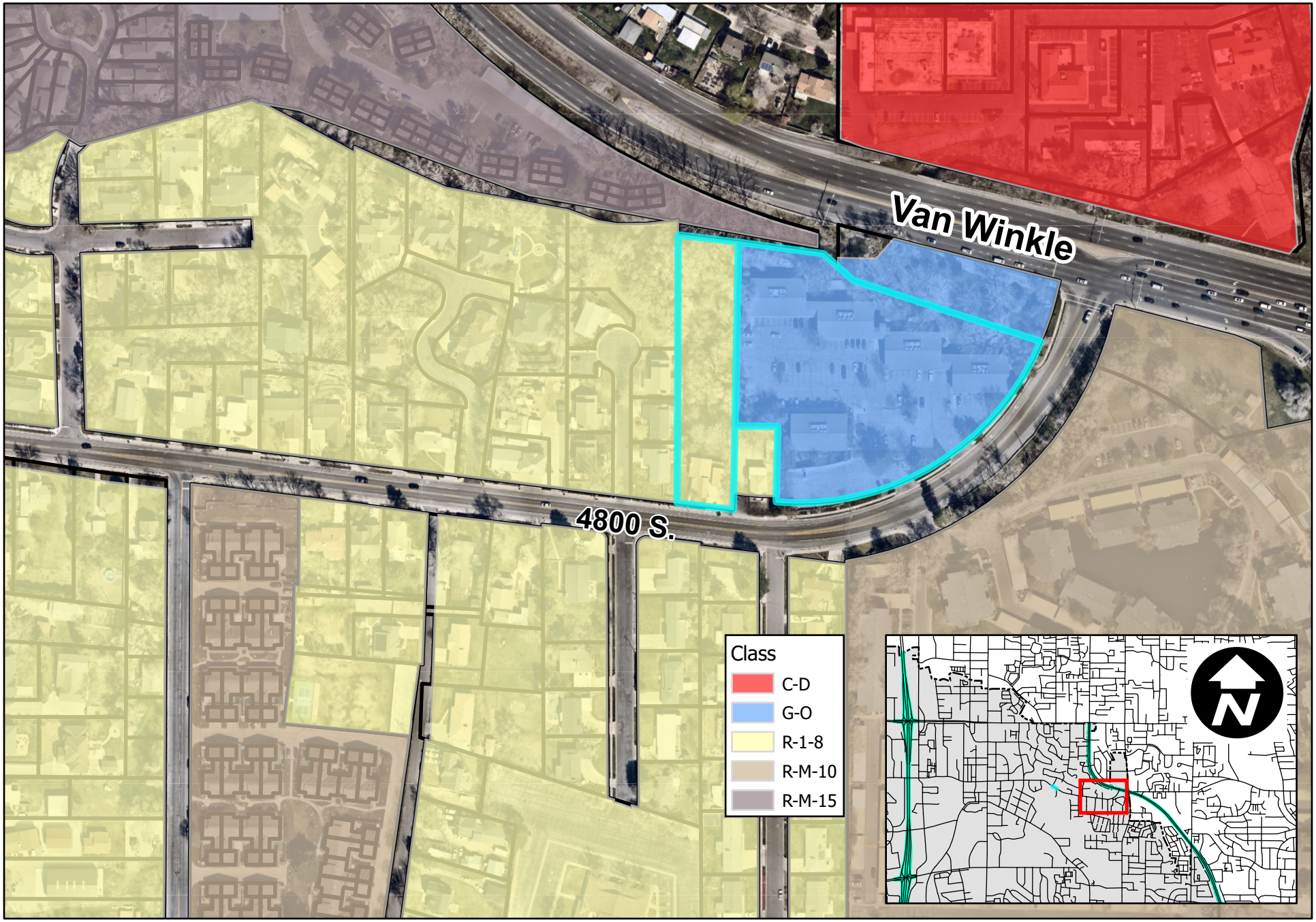
REQUEST TO AMEND THE MURRAY CITY ZONING MAP

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 properties located at 787 and 825 East 4800 South from R-1-8, Low Density Single Family and G-O, General Office to R-M-12, Multiple Family High Density Residential as described in the Staff Report.**

825-865 E. 4800 S. / 787 E. 4800 S.



825-865 E. 4800 S. / 787 E. 4800 S.



MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT

Building Division 801-270-2400
Planning Division 801-270-2430

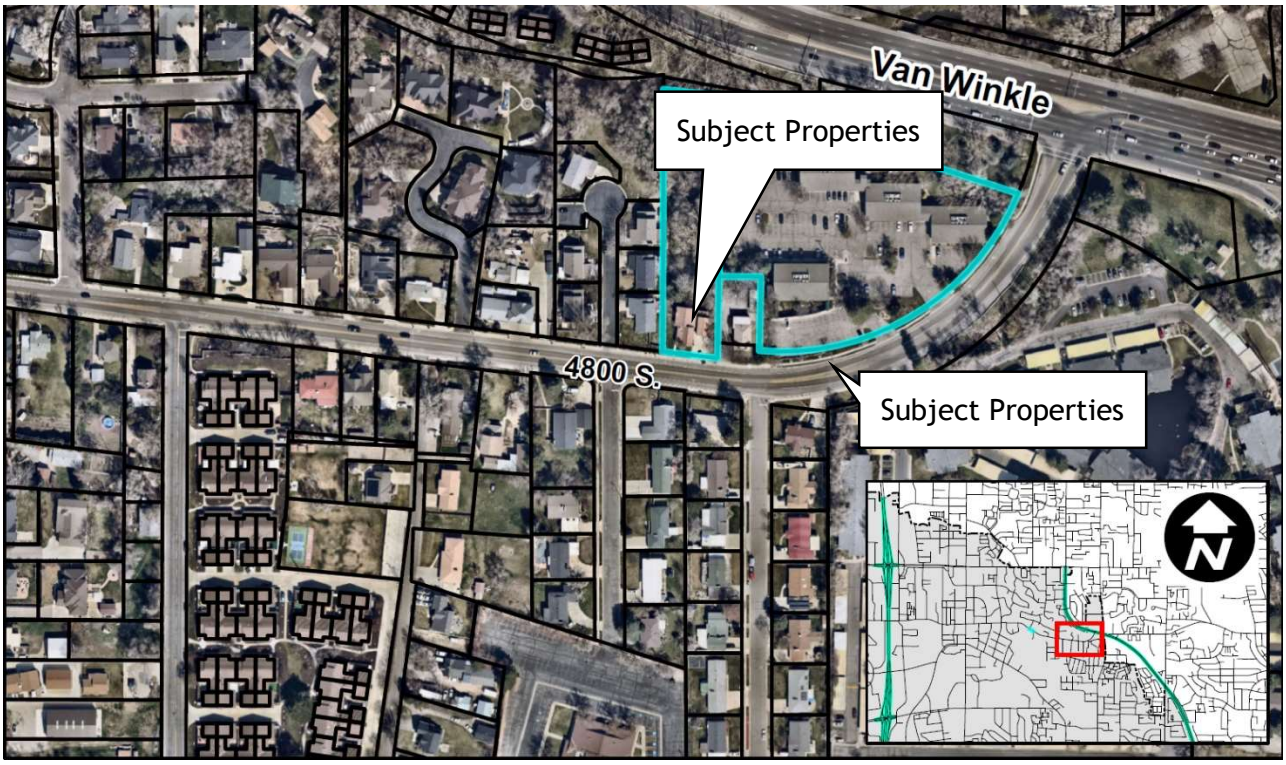
NOTICE OF PUBLIC HEARING

September 5th, 2024, 6:30 PM

The Murray City Planning Commission will hold a public hearing on Thursday, September 5th, at 6:30 p.m. in the Murray City Council Chambers, located at 10 East 4800 South to receive public comment on an application submitted by **Representatives of Lotus Development** for the properties located at **825-865 East and 787 East 4800 South**. The applicant is requesting a Future Land Use Map Amendment from Low Density Residential and Office to High Density Residential and a Zoning Map Amendment from R-1-8, Low Density Single Family and G-O, General Office to R-M-25, High Density Multi-family Zone. The requirements of the zone are located on our website at www.murray.utah.gov.

The meeting will be streamed online, at www.murraycitylive.com or www.facebook.com/MurrayCityUtah/.

Comments are limited to 3 minutes or less, written comments will be read into the meeting record and provided to the Planning Commission and City Council.



This notice is being sent to you because you own property within 300 feet of the subject property. If you have questions or comments concerning this proposal, please call the Murray City Planning Division at 801-270-2430, or e-mail to planningcommission@murray.utah.gov.

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 | August 22nd, 2024

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

GENERAL PLAN AMENDEMENT APPLICATION

Type of Application(check one): Text Amendment: _____ Map Amendment: ___X___

Applicant Information

Name: Nefi Vazquez

Mailing Address: 338 E S Temple Suite B City: Salt Lake City State: UT ZIP: 84111

Phone #: 480-238-9971 Fax #: N/A Email Address: nefi@lotuscompany.com

Property Owner's Information (If different)

Name: LOTUS PG LLC ET AL / LOTUS 787 EAST LLC

Mailing Address: 338 E S Temple Suite B City: Salt Lake City State: UT ZIP: 84111

Phone #: 801-834-0456 Fax #: N/A Email Address: nefi@lotuscompany.com

Application Information

For Map Amendments:

Property Address: 825-865 E 4800 S / 787 E 4800 S Murray, UT 84107

Parcel Identification (Sidwell) Number: 22081080220000 / 220810801600000

Parcel Area(acres): 4.1 Land Use Designation: Low Density Residential & Office Proposed: High Density Residential

For Text Amendments:

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

Lotus Development owns the Spring Pines Offices (825-865 E 4800 S) along with a residential house (787 E 4800 S) in Murray. We intend to demolish the existing property to construct 77 for sale townhomes. The current zoning is G-O (General Office), and we are requesting a zoning change to R-M-25. Please refer to the attached for more details.

Authorized Signature: _____ Date: _____

For Office Use Only

Project Number: _____ Date Accepted: _____

Planner Assigned: _____

ZONING AMENDEMENT APPLICATION

Type of Application(check one): Text Amendment: _____ Map Amendment: X

Applicant Information

Name: Nefi Vazquez

Mailing Address: 338 E S Temple Suite B City: Salt Lake City State: UT ZIP: 84111

Phone #: 480-238-9971 Fax #: N/A Email Address: nefi@lotuscompany.com

Property Owner's Information (If different)

Name: LOTUS PG LLC ET AL / LOTUS 787 EAST LLC

Mailing Address: 338 E S Temple Suite B City: Salt Lake City State: UT ZIP: 84111

Phone #: 801-834-0456 Fax #: N/A Email Address: nefi@lotuscompany.com

Application Information

For Map Amendments:

Property Address: 825-865 E 4800 S / 787 E 4800 S Murray, UT 84107

Parcel Identification (Sidwell) Number: 22081080220000 / 220810801600000

Parcel Area(acres): 4.1 Existing Zone: G-O / R-1-8 Proposed: R-M-25

Request Complies with General Plan: Yes: _____ No: X

For Text Amendments:

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

Lotus Development owns the Spring Pines Offices (825-865 E 4800 S) along with a residential house (787 E 4800 S) in Murray. We intend to demolish the existing property to construct 77 for sale townhomes. The current zoning is G-O (General Office), and we are requesting a zoning change to R-M-25. Please refer to the attached for more details.

Authorized Signature: _____ Date: 8/12/2024

For Office Use Only

Project Number: _____ **Date Accepted:** _____

Planner Assigned: _____

Property Owners Affidavit

I (we) Bryan Wrigley, 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

Owner's Signature (co-owner if any)

State of Utah §
County of Salt Lake

Subscribed and sworn to before me this 9th day of August, 2024.

Notary Public

Residing in Salt Lake, UT

My commission expires: 9/24/2025

LINDSEY FORBES
NOTARY PUBLIC - STATE OF UTAH
My Comm. Exp. 09/24/2025
Commission # 720599

Agent Authorization

I (we), _____, the owner(s) of the real property located at _____, in Murray City, Utah, do hereby appoint _____, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize _____ 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 _____day of _____, 20 _____, personally appeared before me _____ the signer(s) of the above *Agent Authorization* who duly acknowledge to me that they executed the same.

Notary public

Residing in: _____

My commission expires: _____

LOTUS™

2024.06.25 – LOTUS | MURRAY CITY | SPRING PINES REDEVELOPMENT

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Summary

- Spring Pines is a Class C office park constructed in the 1980's that has reached the end of its useful life and is facing physical and economic obsolescence.
- The "motel" style construction results hallways, stairways, and an elevator that is exposed to the elements which results in higher operating and maintenance costs as opposed to an enclosed office product of similar size.
- Poor location characteristics make it unsuitable as a job or commercial center now or in the future.
- The inferior product is on the lowest end of lease rates in the market, insufficient to warrant reinvestment in the property, eventually resulting in deteriorating physical appearance and blight.

Location

- The location of the office park is not a suitable job center and lacks complementary commercial uses nearby. Office uses are better suited along employment corridors such as State Street and areas such as the City Center that are amenitized and designed to support employment growth.
- Salt Lake City Parks and Recreation owns the property fronting Van Winkle Parkway and the office park is not visible due to the mature trees throughout the riparian environment.
- Poor visibility along Van Winkle and low traffic counts along 4800 S prohibit commercial development.
- The property is surrounded by residential uses and a non-commercial use would be more suitable and complementary to the existing built environment.
- The areas highlighted in blue are included in the contemplated project area being just under 4 acres.

Occupancy

- Due to the buildings age and physical obsolescence the property has historically had a large proportion of its tenancy on short term leases of between 1 and 3 years as opposed to standard office leases of 5 to 7 years.
- Due to this lease structure, the property was heavily affected by the COVID-19 public health crisis as tenants chose not to renew their leases during the pandemic, leasing was anemic, and vacancy increased to over 30%.
- Lease rates have decreased at the property over the last few years and leases are all on a month-to-month tenancy in order to incentivize occupancy.
- The lower revenue combined with the higher vacancy has resulted in economics that do not support reinvestment in the property.

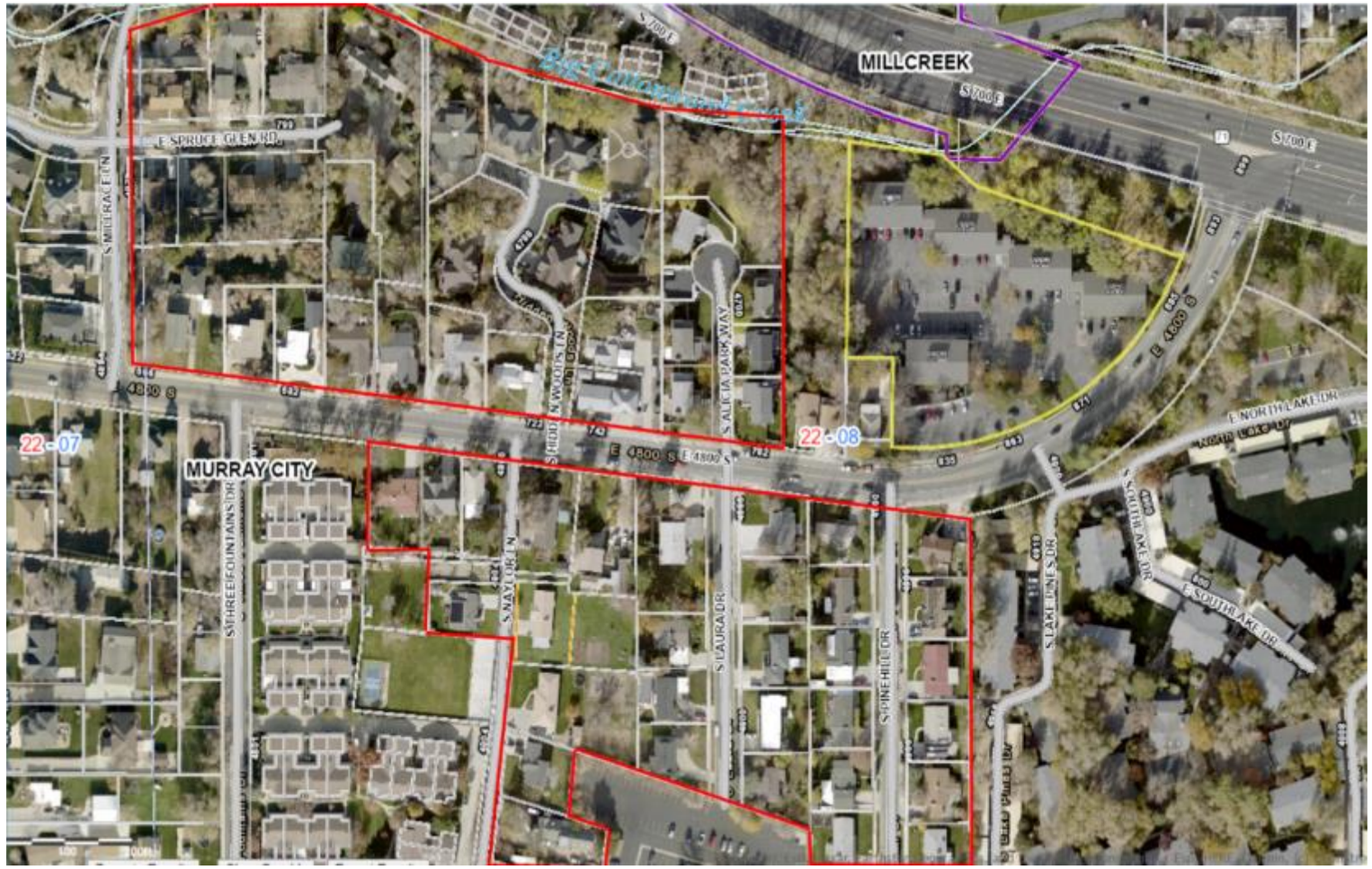
Environmental Factors

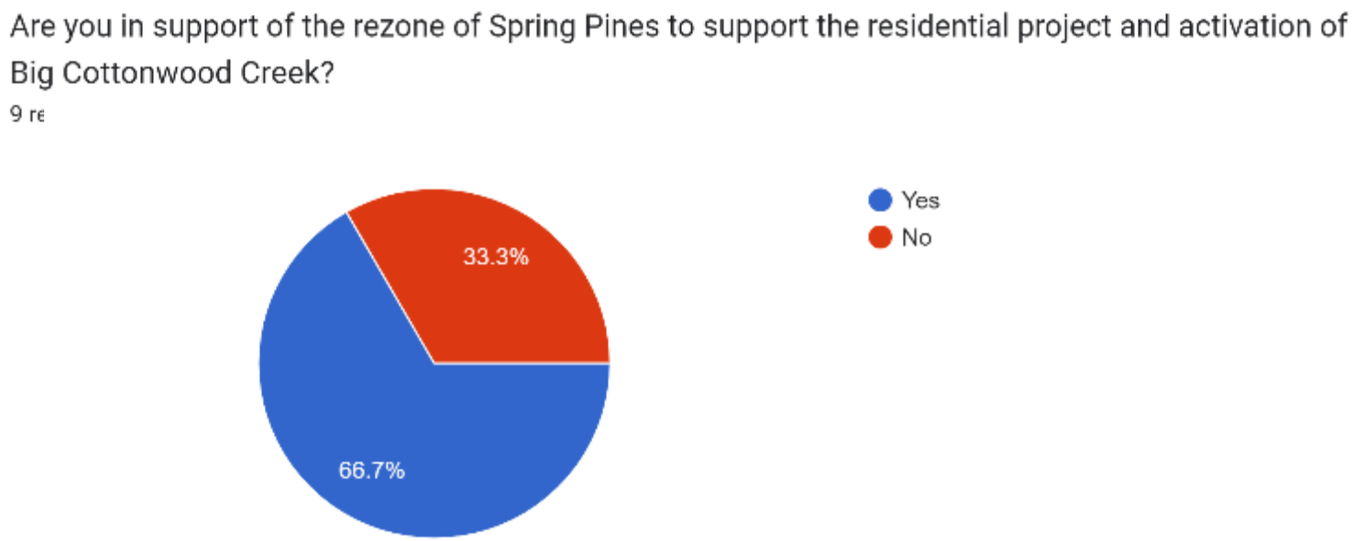
- Inappropriate siting of buildings constructed too close to naturally occurring springs are weakening foundations and causing drainage issues.
- The “motel style” construction leaves corridors, stairways, and the elevator exposed to the elements. Proximity to water causes higher humidity and the exposed metal supports along the corridors and stairwells causes excessive rusting, resulting in higher repair costs.

Redevelopment

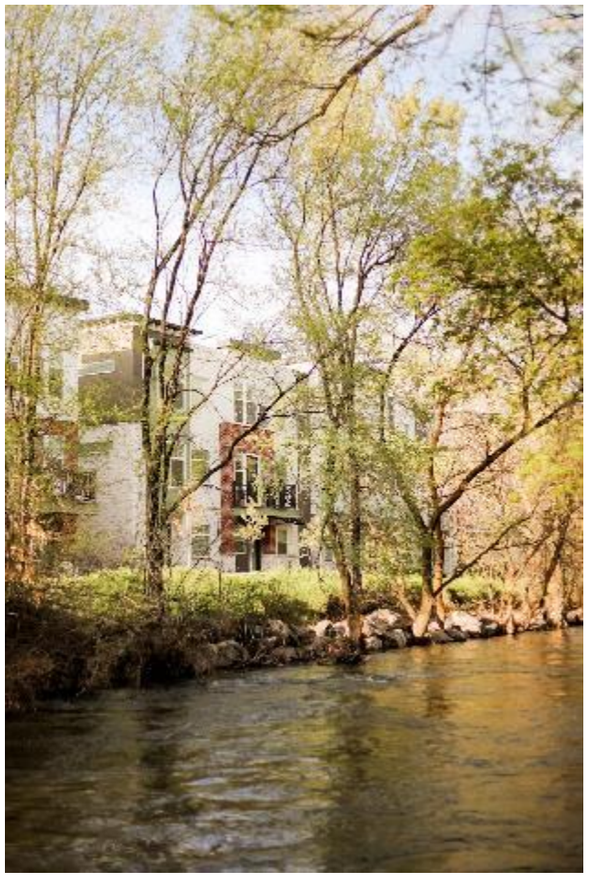
- Redeveloping the property would allow for appropriate building types that are complementary to surrounding residential uses and would be designed and constructed appropriately to account for proximity to water sources – eliminating high repair and maintenance costs currently being experienced by the existing structures.
- Constructing new uses that demonstrate adequate market support will eliminate the potential for blight should the office park remain

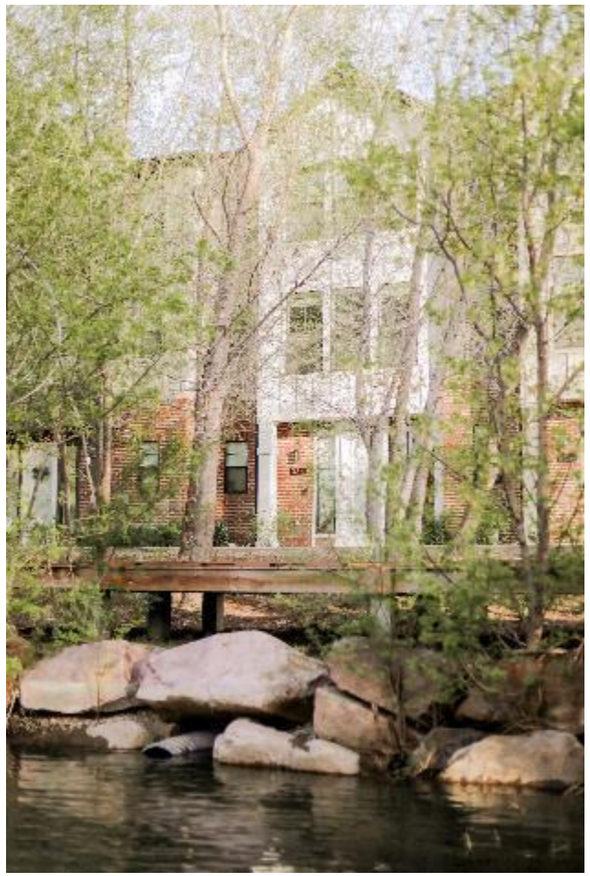
- On June 21st, 2024, members of the Lotus Team engaged in door-to-door introductions and visits with the surrounding neighbors (the areas outlined in red), as well as the broader community within a ¼ mile radius of the site (approximately 50 homes), to discuss the project and hear their concerns to gauge their level of support for the project.
- During this community outreach, we established a mailing list to keep the community informed of our community engagement efforts, transparency, and project status.
- On June 7th, 2024, we sent out postal mailers to each address within the ¼ mile radius to invite them to attend a Zoom call on June 13th, 2024.
- On June 13th, 2024, we hosted the Zoom call to discuss the project and hear residents' feedback regarding the proposed project.





- The majority of respondents were in support of the redevelopment of this property with a residential component.
- 66.7% of the members of the community surveyed were in support of the redevelopment as presented.
- 33.3% that were not in support of the redevelopment, had the following concerns:
  - Less supportive of a rental product
  - The removal of trees along the west property line
  - Traffic concerns due to low visibility along 4800 S





- We are partnering with 7 Canyons Trust to activate the Big Cottonwood Creek running through the property to be used as a community and neighborhood amenity. During community outreach, we informed members of the community of our intent to set up a creek side clean up with 7 Canyons Trust. Many neighbors were interested in participating.
- Responsible site planning will create permeability between the built and riparian environments to more fully leverage the natural amenities within the project area, protect wildlife, and create a desirable neighborhood for residents that would contribute to the fabric of the Murray community similar to what Lotus has done with the Current Townhomes development along the Ogden River above.

Developer Request

- Approval of a rezone for the redevelopment to R-M-25 to obtain density of 22 units per acre for 77 townhome units.

Rick Watson
CFO

Rick's accomplished career includes 27+ years of experience in accounting, financial management and analysis, private investor and banking relations, and property acquisition and management in a wide variety of industries. This experience has cultivated a unique breadth and depth of technical knowledge that has resulted in remarkable achievements. During his time in these industries, Rick has grown a construction and development company from $10 million in revenue and 25 employees to $250 million in revenue and 180 employees His ability to create value and bring results make him an invaluable member of the Lotus team.

Bryan Wrigley
Founder and CEO

Prior to founding Lotus Company, Bryan held executive, project management, partnership, and acquisition advisory roles in a range of organizations including a regional investment development company, a New York City boutique developer, and an NYSE-traded REIT, obtaining pivotal experience and knowledge to guide his business ventures through over $1.4 billion of acquisitions, dispositions, and financings. Bryan holds a Bachelor Degree in Economics from the University of Utah, a Master Degree in Real Estate Development from Columbia University, and has completed graduate Japanese language studies at Cornell University. During his time at the U, he was a member of the Honors College and the Gamma Beta chapter of the Beta Theta Pi fraternity. He has also completed a research fellowship in city planning in Japan.

Bryan Wroten
President of Construction

Bryan graduated from Utah Valley University with a Bachelor Degree in Business Management. Since then, he has continuously built on his education with an impressive 22 years in the construction management industry, including a great amount of time on site directing operations personally. He has previously held the titles of project manager, division manager, and operations manager as he thoughtfully developed an expertise in overseeing all aspects of construction. In his role as the President of Construction at Lotus, Bryan employs an intentional results-based ownership style of management to build relationships, lead teams, and conduct day-to-day construction operations.

Chandler Leetzow
VP of Capital Strategies

Chandler possesses a wealth of knowledge and experience in the strategy and analysis of financial management. He has effectively served in a variety of roles within that field, acting as CFO and Controller for companies ranging from $2 million to $100 million in annual revenue, as well as an advisor at his own firm. He has earned a Bachelor Degree in Accounting and Finance from the University of Utah and became a Certified Financial Planner, and he has continued to build on that knowledge through practical experience. Chandler's dedication to thoughtful strategies, productive use of resources, and functional business structures and processes is clear in everything he does.

Adam Hughes
VP of Operations

Adam brings an unmatched expertise in economic development, real estate brokerage, and advisory services from his wealth of experiences with both public and private clients. He holds a deep passion for community revitalization opportunities and the cultivation of collaborative relationships. His educational background features a Bachelor Degree in Accounting and a Master Degree in Business Administration at Brigham Young University and is also recognized as a Certified Economic Developer. Adam's years of experience in economic development provide Lotus with the capacity to employ relationships and strategy in efficiently creating meaningful projects that add value to communities.

ISSUE #1

Spring Pines Development Update

7/30/2024

Here's what has happened in the last month and what's to come!

Dear Residents and Community Members,

We hope this message finds you well. As part of our ongoing commitment to transparency and community involvement, we're pleased to update you on the latest developments regarding the Spring Pines Project.

Community Outreach Concluded:

Firstly, we want to extend our sincere gratitude to all who participated in our recent community outreach efforts. Your feedback and insights have been invaluable in shaping the future of the Spring Pines development. In June we were able to go door to door to get the community members' opinions, concerns, and comments on the Spring Pines Development. We also held a Zoom meeting for those of you who were not home when canvassing. We took your concerns and comments to your Councilmembers to discuss the next steps in rezoning. We deeply appreciate the time and thoughtfulness you've shared with us.

Discussions with Council Members:

Recently, our team engaged with Council Member Rosalba Dominguez to discuss the outcomes of our community outreach initiatives. These conversations were crucial as we worked together to ensure that the Spring Pines Project aligns with the aspirations and needs of our community.

The key points discussed were:

- We've decided to pursue a for-sale product rather than rental units.
- We plan to replace the deteriorated fence between us and the existing neighbors with a new one during construction.
- We will plan for a walkway between the new development and the existing homes to the east.
- We will contact the city engineer to gather their opinion on traffic concerns at our site.
- We'll also be reaching out to the other council members to gather their feedback.

Next Steps:

We understand the importance of keeping you informed every step of the way. As we continue these discussions and finalize our plans, we will provide you with further updates on the progress of the project. Your ongoing support and involvement are vital to us, and we remain committed to fostering open communication throughout this process.

Warm regards,
The Lotus Company

Want to join our email list? Please contact us at springpines@lotuscompany.com.

BEGINNING AT A POINT COMMENCING AT A POINT THAT IS 14.54 CHAINS SOUTH AND SOUTH 83 DEGREES 20 MINUTES EAST 13.90 CHAINS FROM THE NORTHWEST CORNER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 83 DEGREES 20 MINUTES EAST 92.48 FEET; THENCE NORTH 0 DEGREES 50 MINUTES EAST 468.5 FEET; THENCE NORTH 82 DEGREES 30 MINUTES WEST 98.1 FEET; THENCE SOUTH 7.25 CHAINS TO THE POINT OF BEGINNING; CONTAINING ONE ACRE, AS RECORDED IN DOCUMENTS 5431-0167, 5518-1021, 6848-0281, AND 07455-1344.

BEGINNING AT A POINT AT THE CENTER OF A COUNTY ROAD AT THE INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE EAST LINE OF ALEXIS PARK P.U.D. AS RECORDED IN THE OFFICE, AS RECORDED IN BOOK 94-12P OF PLATS AT PAGE 377 IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER, SAID POINT BEING NORTH 4°54’30” WEST ALONG THE MONUMENT LINE OF 900 EAST STREET 1110.14 FEET TO A BRASS CAP MONUMENT AT THE INTERSECTION WITH VAN WINKLE EXPRESS WAY AND NORTH 76°29’41” WEST ALONG THE MONUMENT LINE OF SAID EXPRESS WAY 97.76 FEET TO A FOUND BRASS CAP MONUMENT AND NORTH 75°56’31” WEST 357.54 FEET TO THE INTERSECTION WITH THE CENTERLINE OF 4800 SOUTH STREET AND ALONG THE CENTERLINE OF SAID 4800 SOUTH STREET THE FOLLOWING FOUR COURSES: 1) SOUTH 14°04’29” WEST 103.68 FEET TO A POINT OF CURVATURE, 2) SOUTHWESTERLY ALONG THE ARC OF A 476.83 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 82°41’47” A DISTANCE OF 688.32 FEET, CHORD BEARS SOUTH 55°25’23” WEST 630.02 FEET, 3) SOUTH 6°34’56” WEST 3.01 FEET, 4) NORTH 83°14’30” WEST 143.67 FEET FROM A FOUND BRASS CAP MONUMENT LOCATED AT 4905 SOUTH 900 EAST STREET, SAID POINT BEING SOUTH 948.30 FEET (959.64 FEET OR 14.54 CHAINS BY DEED) AND SOUTH 83°14’30” EAST ALONG SAID CENTER 917.40 FEET (SOUTH 83°20’00” EAST BY DEED) FROM THE NORTHWEST CORNER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH ALONG SAID EAST LINE AND ITS SOUTHERLY EXTENSION 483.91 FEET (478.50 FEET OR 7.25 CHANINS BY DEED), MORE OR LESS TO THE CENTER OF BIG COTTONWOOD CREEK; THENCE SOUTH 86°36’58” EAST ALONG SAID CENTER 99.44 FEET (NORTH 82°30’00” WEST 98.10 FEET BY DEED); THENCE SOUTH 0°50’45” WEST 29.69 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID BIG COTTONWOOD CREEK; THENCE ALONG SAID SOUTHERLY LINE THE FOLLOWING THREE COURSES: 1) SOUTH 82°29’15” EAST 139.50 FEET (SOUTH 82°30’00” EAST BY DEED), 2) SOUTH 48°59’15” EAST 66.00 FEET (SOUTH 49°00’00” EAST BY DEED), 3) SOUTH 72°11’45” EAST 318.96 FEET (SOUTH 72°11’45” EAST BY DEED) TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF 7800 SOUTH STREET, SAID POINT ALSO BEING ON THE ARC OF A 426.83 FOOT NON TANGENT CURVE TO THE RIGHT; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING TWO COURSES: 1) SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 42°05’18” A DISTANCE OF 313.54 FEET, CHORD BEARS SOUTH 44°33’40” WEST 306.54 FEET TO A POINT ON THE ARC OF A 340.00 FOOT NON TANGENT RADIUS CURVE TO THE RIGHT, 2) SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 37°54’56” A DISTANCE OF 224.99 FEET, CHORD BEARS SOUTH 75°11’21” WEST 220.91 FEET; THENCE NORTH 0°50’45” EAST 133.80 FEET (NORTH 0°50’00” EAST BY DEED); THENCE NORTH 89°59’15” WEST 69.53 FEET (WEST BY DEED); THENCE SOUTH 0°50’45” WEST 169.73 FEET TO A POINT ON THE SAID CENTER OF THE COUNTY ROAD; THENCE NORTH 83°14’30” WEST FEET TO THE POINT OF BEGINNING,