



Murray City Planning Commission Meeting
Notice of Meeting and Agenda

Thursday, August 7th, 2025

Pre-Meeting: 6:00 p.m. (Poplar Room #151, Public Welcome)

The pre-meeting is to briefly review the agenda items and ask any questions to staff.

Meeting Time: 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 pc@murray.utah.gov. Comments are limited to 3 minutes or less, and written comments will be entered 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
July 3rd, 2025
2. Conflict(s) of Interest
3. Approval of Findings of Fact
 - a. Legacy Materials – Conditional Use Permit Revocation
 - b. Automotive Addiction Museum – Conditional Use Permit
 - c. 1151 East Subdivision – Subdivision

CONDITIONAL USE PERMIT(S) – ADMINISTRATIVE ACTION

4. Automotive Addiction Museum
158 East 4500 South
Amended Conditional Use Permit to allow auto sales on the subject property.
5. AJ HVAC & Property Services
1512 East Greenfield Avenue
Request for approval for a Major Home Occupation to establish an office for an HVAC and property services business.

Project #25-082

Project #25-081

GENERAL PLAN & ZONING MAP AMENDMENT(S) – LEGISLATIVE ACTION

6. Ville Property Management
975 East 6600 South
Zone Map Amendment from G-O, General Office to VMU, Village Mixed Use and Future Land Use Map from Office to Village & Centers Mixed Use in conjunction with a development agreement.

ANNOUNCEMENTS AND QUESTIONS

ADJOURNMENT

The next scheduled meeting will be held on Thursday, August 21st, 2025, 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 pc@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>.



MURRAY CITY PLANNING COMMISSION

MEETING MINUTES

July 3, 2025

6:30 P.M. MDT

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

CALL MEETING TO ORDER

MEMBERS PRESENT

Present: Michael Richards, Chair
Pete Hristou, Vice Chair
Ned Hacker
Aaron Hildreth
Peter Klinge
Katie Rogers
Mark Richardson, Deputy Attorney
Chad Wilkinson, CED Director
Zachary Smallwood, Planning Division Manager
David Rodgers, Senior Planner
Ruth Ruach, Planner I
Members of the Public (per sign-in sheet)

Excused: Jake Pehrson

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

STAFF REVIEW MEETING

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.

BUSINESS ITEM(S)

APPROVAL OF MINUTES

Commissioner Hacker made a motion to approve the minutes for June 5, 2025, with one administrative change. Seconded by Commissioner Rogers. A voice vote was made, with all in favor.

CONFLICT(S) OF INTEREST

There were no conflicts of interest for this meeting.

APPROVAL OF FINDINGS OF FACT

There were no findings of fact approved for this meeting.

CONDITIONAL USE PERMIT(S) – ADMINISTRATIVE ACTION

Seyed Auto - Project # 25-057 - 525 West 5300 South, Suite 125 - Auto sales business in the C-D Commercial Development Zone

Seyed Amir Adabkhah was present to represent the request. David Rodgers presented the application for conditional use permit approval to allow an auto sales business within the C-D Zone. Mr. Rodgers showed the site and floor plan for the business. He showed the suite where the auto sales business will be located. He discussed the parking and access, stating that the applicant will provide five parking stalls. The applicant will work with staff to fulfill landscaping requirements. Public notices were sent to affected property owners, with no comments being received. Staff recommends the Planning Commission approve a conditional use permit to allow an auto sales business.

Seyed Amir Adabkhah approached the podium. Chair Richards asked if he had read and could comply with the conditions. He said that he could.

Commissioner Klinge and Mr. Adabkhah had a discussion about the logistics of physical cars for sale at the business. Mr. Adabkhah said they will purchase cars and fix them offsite. He said they'll only have a few cars to show for sale by appointment at the business.

Chair Richards opened the agenda item for public comment. Seeing no comments, the public comment period was closed.

Commissioner Klinge made a motion that the Planning Commission approve a Conditional Use Permit to allow an auto sales business at the property addressed 525 West 5300 South Suite #125, subject to the following conditions:

1. The applicant shall obtain a Murray City Business License prior to beginning operations at this location.
2. Prior to business license approval, the applicant and the property owner shall install additional landscaping along 5300 South so that the property is in compliance with Chapter 17.68 Landscape Requirements.

3. The applicant shall obtain a building permit prior to any remodeling that may occur.
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.

Seconded by Vice Chair Hristou. Roll call vote:

A Hacker
A Hildreth
A Hristou
A Klinge
A Richards
A Rogers

Motion passes: 6-0

La Rana Auto Sales - Project # 25-062 - 4195 South 500 West, #30 - Auto sales business in the M-G, Manufacturing General Zone

Jose Rojas was present to represent the request. David Rodgers presented the application for conditional use permit approval to allow an auto sales business within the M-G Zone. Mr. Rodgers showed the site plan and floor plan for the business. He said there are no concerns regarding parking or landscaping requirements. Public notices were sent to affected property owners, with no comments being received. Staff recommends the Planning Commission approve a conditional use permit to allow an auto sales business.

Jose Rojas approached the podium. Chair Richards asked if he had read and could comply with the conditions. He said that he could.

Commissioner Hacker asked if Mr. Rojas will be doing repairs onsite. Mr. Rojas said he will only do minor mechanical repairs.

Chair Richards opened the agenda item for public comment. Seeing no comments, the public comment period was closed.

Vice Chair Hristou 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 #30, 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 obtain a building permit prior to any remodeling that may occur.
3. Prior to approval of the business license, the applicant and/or property owner must stripe parking.
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.

Seconded by Commissioner Rogers. Roll call vote:

A Hacker
A Hildreth
A Hristou
A Klinge
A Richards
A Rogers

Motion passes: 6-0

SITE PLAN REVIEW(S) – ADMINISTRATIVE ACTION

Holy Protection Orthodox Church - Project #25-050 - Site plan approval for construction of a new church building in the G-O, General Office Zone

Jesse Allen, with GSBS Architects, was present to represent the request. David Rodgers presented the application for a site plan approval for construction of a new 8,076 sq. ft. church building in the G-O zone. Mr. Rodgers showed the site plan, floor plan and parking stalls for the church. He described the layout and elevations. He said there were no concerns with the landscaping requirements. Mr. Rodgers said there is a condition of approval that the applicant must install a six-foot masonry wall between their project and the adjacent residential neighbors before a building permit will be issued. He discussed parking and access. He said that the fire and engineering departments have made a requirement that there must be twenty feet of asphalt or pavement for the lane to allow for two-way access before the building permit can be approved. Mr. Rodgers said they will need to work with UDOT (Utah Department of Transportation) for this requirement. He said that all parking must be on site and must not spill over to surrounding roads. Notices were mailed to property owners and affected entities. Staff had in-person discussions with three residents and a phone call with one resident. Staff recommends the Planning Commission grant site plan approval for the proposed Holy Protection Orthodox Church. Mr. Rodgers called out specific requirements to ensure that the applicant is fully aware of what needs to be completed.

Jesse Allen approached the podium. Chair Richards asked if he had read and could comply with the conditions. He said that they could, including the requirements to modify the site plan to include the additional twenty-foot drive access and the six-foot masonry wall. Mr. Allen added that this church is for a small group of approximately thirty members and will not grow much in size over time.

Commissioner Hacker asked what kind of activities will the church engage in. Mr. Allen said it will mostly be a place of weekly worship, not festivals. Ceremonies will take place in accordance with the Greek Orthodox calendar.

Commissioner Klinge asked what the maximum capacity is for main room. Mr. Allen said it's eighty people.

Chair Richards opened the agenda item for public comment.

David Rodgers read an email received from Tracy Foster. Mr. Foster expressed concerns about the impact this project would have on the neighborhood, particularly in terms of safety, accessibility and infrastructure. This includes concerns about the width of private lane that would be used for

church access. He expressed concern regarding the lack of parking, especially during special events like weddings. He is concerned about the additional congestion that extra cars will cause and the impact that will have on safety along 900 East, especially for pedestrians. He urged the Planning Commission to consider an alternate access to the church.

Paul Taggart spoke. He expressed concerns regarding the twenty additional feet required on the private lane. He said the extra feet needed from the church's property isn't indicated on the site plan. He also said they still need to get permission from UDOT. He is also concerned about the property line and the fence, as well as the access.

Brett Davies said he's generally supportive of the project but has some concerns. He's concerned about the parking. He owns the building next to Wheeler Farm and said that he has issues with people using his lot on Sunday's. He doesn't feel the number of spaces the church plans to have will be adequate. He feels the project should be paused until that's addressed.

Linda Miller said she feels this area is inappropriate for a church due to the fact that its access is on a private lane. She feels the access for those living in the neighborhood is already challenging enough. She said she's concerned for the safety of neighborhood children getting to school. She said there's no way for public services to access the street. She also asked how long the church will take to build.

Dan Brett said that he feels the bus stop in front of the property adds another complication to the situation. He said it's the same place that residents on the street have to put their trash cans.

Emily Hilton said her property buts up against the church. Overall she is supportive of the project. She suggests they flip the parking lot to be at the front of the building. She believes it will benefit her and solve the access issues. She expressed concern regarding the masonry wall. She is worried that trees will have to be removed to put in the wall. She is also concerned about additional traffic.

Chair Richards closed the public comment period.

Mr. Rodgers addressed public comments regarding parking. He provided details regarding the code for church parking, stating that churches can choose among three options to fulfill the parking requirement. He said the applicant will meet the code requirements.

Commissioner Klinge asked what would happen with parking if the church had an event and potentially had as many as eighty attendees. Mr. Smallwood elaborated on the code as it applies to that scenario. He said that, per fire code, eighty people would not be permitted in that space. Commissioner Klinge and staff discussed the calculation for the expected congregation and the number of stalls provided. Mr. Rodgers said that the calculation for this application is based on the number of pews.

Mr. Rodgers addressed the public comments regarding the private lane access. He said that staff have talked with the city engineer and legal department. The engineer said the apron is sufficient for an expansion of the pavement. Mr. Rodgers said that deeds provided by the applicant show that they have legal access to the private lane.

Commissioner Hacker asked if the applicant needs approval from UDOT to expand the apron. Mr. Rodgers said they do not need approval for the private lane. Commissioner Hacker asked about work on the approach on 900 East. Mr. Rodgers said they would need to get permission for that.

Chair Richards said it sounds like there is some disagreement on whether the area is wide enough for the expanded apron. Chad Wilkinson said that because it is a private lane, it is subject to private easement. If there is disagreement about the width of the access, that will have to be resolved through private civil action. The Planning Commission has what's needed to move forward with the application.

Chair Richards asked Mr. Rodgers to discuss the issues with the blind spot on 900 East. Mr. Rodgers said that Murray doesn't have authority to put no parking signs on the street. He said they could work with UDOT to get permission to post signs. Staff feel this will help address the safety issues on Sunday mornings.

Chair Richards asked Mr. Allen to approach the podium and discuss the apron expansion requirement. He said that were recently informed of the requirement but will make any necessary modifications to meet the requirement.

Commissioner Klinge asked Mr. Allen what will happen with the trees when installing the masonry wall. Mr. Allen said their intention is to protect the trees. He said they'd like to look into the option of a different kind of wall that would be less destructive to the trees. He said they have to dig down in the parking lot to accommodate the water detention and retention requirement, then they will have a better idea how the tree line will be impacted.

Commissioner Klinge asked Mr. Allen if the parking will be enough to meet their needs. Mr. Allen said it's clear that the congregation needs to park within the parking lot. He will ensure that the client understands.

Chair Richards asked Mr. Allen if they had considered flipping around the parking lot. Mr. Allen The owner wants to have the church located closer to the street for the presence on the street and in the neighborhood. He said that most cities don't like to have parking lots facing the street. That request will not align with the goals of the project.

Mr. Allen asked if it's possible to make the required wall to be another material than masonry. Mr. Smallwood said that, although the code says masonry, the city has allowed post-and-panel type.

Chair Richards asked how long this project will take. Mr. Allen said they estimate around twelve months.

Chair Richards asked if the bus stop and the trash cans could be relocated. Mr. Smallwood said they can work with UTA. He said that they would have to work with the waste company to see what accommodations can be made.

Commissioner Rogers asked if the neighbors could put up a sign on the private lane indicating that it's not church property. Mr. Smallwood said they can work with Murray City to do this.

Chair Richards opened the agenda item for public comment a second time.

Lori Brett spoke. She said there's a business near the church with a driveway and ample parking. She wondered if the church could get permission to use those resources.

Dan Brett expressed concern regarding the proposed expansion of the lane. He isn't sure why they are doing that and feels it will reduce the amount of available parking needlessly.

Emily Hilton said that the neighborhood's water lines run under the church's parking lot is concerned about the digging they'll be doing in the lot and wants to ensure it will be done without damage to the lines.

Commissioner Hacker said the city utilities have to be identified before any construction begins.

Paul Taggart spoke regarding the apron. He said that the city does not have adequate access on 900 East. He said there is a dispute regarding the property line and the church doesn't have legal access to the right-of-way. He doesn't feel The Planning Commission should approve the request until these issues are addressed.

Lana Miller said that the church does not have the right to use the private lane. She's concerned about construction vehicles using the lane as well and blocking in residents. She said there have been many issues with past construction projects using the private lane.

Chair Richards closed the public comment period for this agenda item. He acknowledged the comments. He said that staff will address as many issues as they can. He reminded everyone that this isn't the final step in the process.

Mr. Smallwood said that the engineer's survey indicates that the church does have access to use the right-of-way.

Mr. Rodgers confirmed that the engineering and fire department reviewed the project. They agreed that the twenty-foot access is the smallest they would allow for two-way access, while ensuring safety.

A discussion was had regarding the fact that there are still several issues and valid concerns to be addressed by the applicant before this project can be started. Staff and commissioners reiterated that the project will not move forward without each city department reviewing and approving of the applicant's building permit. Nothing will be approved to move forward without all conditions being met.

Commissioner Hacker proposed to residents that they talk with staff regarding some of the suggestions for the private lane, such as a "no parking" sign.

Commissioner Klinge made a motion that the Planning Commission grant Site Plan approval for the proposed Holy Protection Orthodox Church for the property addressed 6109 South 900 East subject to the following conditions:

1. The applicant shall meet all Murray City Engineering requirements.
2. The applicant shall meet all Fire Department requirements.
3. The applicant shall meet all Water Division requirements.
4. The applicant shall meet all Wastewater Division requirements.

5. The applicant shall obtain a building permit prior to any construction occurring on the site.
6. The applicant shall work with Murray City staff to locate a twenty-foot (20') paved access drive.
7. The applicant must show a six-foot masonry wall on the property line that is adjacent to the residential zone prior to the issuance of the building permit.
8. The applicant shall meet all landscaping requirements of Chapter 17.68 of the Murray City Land Use Ordinance including the additional street frontage landscaping prior to Planning approval of a building permit.
9. Meet all parking requirements of Chapter 17.72, including ADA stall regulations.
10. The applicant shall meet all sign requirements of Chapter 17.48 and obtain separate building permits for all signage.

Seconded by Vice Chair Hristou. Roll call vote:

<u>A</u>	Hacker
<u>A</u>	Hildreth
<u>A</u>	Hristou
<u>A</u>	Klinge
<u>A</u>	Richards
<u>A</u>	Rogers

Motion passes: 6-0

Murray Tower Plaza - Project # 25-015 - Design review and Master Site Plan approval for the development of a mixed-use project

Jim Allred, of Triumph Group, was present to represent the request. Zachary Smallwood presented the application for Design and Master Site Plan Review approval to allow the development of a mixed-use project in the (former) MCCD zone. He noted that this project is vested under the MCCD zone requirements. He said that this is a three-phase project. He showed each phase on a map and described what will be included in each phase of development. He also showed a site plan and discussed the elevations, parking, residential density, setbacks and commercial requirements. Mr. Smallwood said that the code requires the applicant to have functional entrances on the public streets. The applicant will need to modify their plans to accommodate that. He said this applies to all types of development on the public streets, such as medical or restaurants.

A discussion was had regarding parking on State Street. Mr. Smallwood said that parking is allowed on State Street, but it does not count towards the project's parking requirement.

Mr. Smallwood went through each of the application requirements, detailing items that the applicant will need to address to move forward. He recommended that they work with staff to complete what's needed. Public notices were mailed to property owners, with no responses received. Staff recommends the Planning Commission grant the Master Site Plan and Design Review Approval.

Commissioner Hacker asked if the medical development is for medical administration only or if there will be medical procedures performed there. Mr. Smallwood said their will be outpatient procedures performed.

Commissioner Klinge asked if a traffic study has been done to determine the impact the development will have on State Street and adjacent streets. Mr. Smallwood said the applicant was required to provide an impact study as part of the application. The city engineer's office has reviewed the study and will provide recommendations to the applicant, which will then need to be approved by UDOT (Utah Department of Transportation).

A discussion was had regarding the potential for a sky bridge over State Street. Mr. Smallwood said that RDA (Redevelopment Agency) staff are actively working on pedestrian connections across State Street, but the information is not public at this time.

A discussion was had regarding parking inside the plaza. Jim Allred said they had, at one time, considered that as an option but felt that it detracted from the plaza as a gathering space. Mr. Allred feels the use of parking structures would be more beneficial. He said he is open to working out a deal for parking with Murray Theatre.

Mr. Allred acknowledged the requirements for public entrances, setbacks, parking, open space and landscaping that must be met for the project to proceed.

Commissioner Hacker asked Mr. Allred if all the buildings have access from all levels of the parking structure. Mr. Allred said they do through use of the stairwells and elevators.

Commissioner Klinge said that the downtown area has had issues with parking, which has impacted the business growth in the area. He asked Mr. Allred about the materials used for the parking structure and his willingness to enter into agreements with the city for parking access. Mr. Allred said he's willing to work with the city regarding parking arrangements. He said they are trying to utilize some of the historical materials from old buildings in the city.

Commissioner Klinge asked if the residential will be rentals. Mr. Allred said they will be for purchase.

Commissioner Hildreth said he didn't see a lot of street activation along State Street. Mr. Allred showed a rendering with landscaping, a bus stop, benches, signs, stairway entrances to provide street activation.

Commissioner Hildreth asked about the accessibility for residents to such things as the restaurants and medical. Mr. Allred said they will be able to cut across the parking lot using a sidewalk.

Chair Richards asked if Mr. Allred had read and could comply with the conditions. Mr. Allred said, yes.

Chair Richards opened the agenda item for public comment.

Joyce Crocker expressed concern about the traffic. She said it's already dangerous. She asked if they'll be installing traffic lights on the streets around the development. She said that parking is a big issue on her street, with the front of her property being overrun with parking. She feels like things have already been decided before even coming to these meetings.

Ben Peck said that the purpose of the MCCC is to create a vibrant downtown with street activation. He looks forward to being able to walk downtown and patronize businesses in the area. He

expressed concern with the design and wants to ensure good street activation and access to businesses.

Leanne Parker Reed said that she wanted to see more independent senior living in the area. She expressed concern about traffic in the area and throughout the city. She detailed the various areas that are experiencing an influx of traffic. She said that she wants to see something done with the tower.

Chair Richards closed the public comment period for this agenda item.

Zachary Smallwood addressed public comments. He said that when the MCCD was developed many years ago, as part of that, public meetings and engagement opportunities have been provided over the years to hash out the code for the district, which includes densities. He said that by the time a project reaches this stage, there have already been multiple opportunities for public input. He said the project already meets much of the code requirements. Mr. Smallwood said traffic may not directly improve in this area, but there are features to improve walkability, which will reduce reliance on vehicle use.

Commissioner Klinge said he would encourage the city to look more in depth at how to improve traffic. Mr. Smallwood said that isn't something a city this size has much control over. Murray is surrounded by multiple municipalities that also play a role in the impact on traffic.

Chad Wilkinson spoke regarding the subject of traffic. He said by making the area more walkable, this is addressing the traffic issue. He said, over time, people will be more willing to use transit to get downtown and walk while there. He said that the city doesn't have the ability to create lanes on State Street because it is managed by UDOT. He said there are some things from the traffic study that will be implemented that will help reduce traffic.

Chair Richards said he wished that the city could get more help from UDOT with traffic issues.

Commissioner Rogers made a motion that the Planning Commission grant Master Site Plan and Design Review approval for the Murray Tower Plaza Mixed-Use Project on the properties located at 5025 South State Street and 147 East Myrtle Avenue, subject to the following conditions:

1. The project shall meet Murray City Engineering requirements.
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.
6. The project shall meet all requirements of the Murray City Land Use Ordinance and the Master Site Plan.
7. The applicant shall work with staff to add street facing entrances for the State Street medical office building and restaurant buildings as required by code.
8. The applicant shall work with staff to increase the amount of landscaping and open space.
9. The applicant shall obtain appropriate permits for any new signage on the property.
10. The applicant shall obtain proper building permits prior to any construction and meet all building division requirements.

11. The applicant shall ensure any new businesses going into the commercial units obtain a business license prior to conducting operations.

Seconded by Vice Chair Hristou. Roll call vote:

A Hacker
A Hildreth
A Hristou
A Klinge
A Richards
A Rogers

Motion passes: 6-0

LAND USE ORDINANCE TEXT AMENDMENT(S) – LEGISLATIVE ACTION

Chapter 17.24.050 Major Home Occupation & all chapters pertaining to Residential zoning districts. Project # 25-031 - Amendment to the Murray City Land Use Ordinance to increase the amount of children allowed in residential daycare facilities from twelve (12) to sixteen (16)

Amy Blackwell was present to represent the request. David Rodgers presented the application requesting an amendment to the Major Home Occupation Ordinance to allow up to sixteen children at an in-home childcare. Mr. Rodgers said the State of Utah changed their rules regarding the number of children allowed at an in-home childcare to be from twelve to sixteen. He reviewed codes in surrounding cities to assist in creating the proposed code for Murray City. He indicated that the Planning Commissioners had the text for the code in their packets for review. Notices were sent to affected entities and property owners, with no comments being received. He noted that several emails were received in support of the project. Staff recommends the Planning Commission forward a recommendation of approval to the City Council for the proposed amendment to section 17.24.050, adding Subsection C.

Amy Blackwell approached the podium for questions.

Commissioner Hacker asked how many children Ms. Blackwell will have now. She said she will have sixteen children.

Chair Richards opened the agenda item for public comment.

Leanne Parker Reed spoke. She wanted to make sure that there will be enough staff for the increased number of children. She also wanted to make sure the children with disabilities are accommodated properly.

Chair Richards closed the public comment period for this agenda item.

Lauren Jenkins (coapplicant) spoke regarding Ms. Reeds comments. She said the daycare is in full compliance with Utah Childcare Licensing requirements. She said they are very strict regarding the number of caregivers per child. The State of Utah inspects their daycare to ensure compliance. This includes regulations for the care of children with disabilities. This includes proper staff training for caring for children with disabilities.

Commissioner Rogers asked if the amendment applies to preschools. Mr. Smallwood said it does not.

Commissioner Klinge made a motion that the Planning Commission forward a recommendation of approval to the City Council for the proposed amendment to Section 17.24.050 adding subsection C and amending the Residential Zones to change the number of children permitted at an in-home childcare as reviewed in the Staff Report.

Seconded by Commissioner Rogers. Roll call vote:

<u>A</u>	Hacker
<u>A</u>	Hildreth
<u>A</u>	Hristou
<u>A</u>	Klinge
<u>A</u>	Richards
<u>A</u>	Rogers

Motion passes: 6-0

ANNOUNCEMENTS AND QUESTIONS

The next scheduled meeting will be held on July 17, 2025, at 6:30 p.m. MDT in the Murray City Council Chambers, 10 East 4800 South, Murray, Utah.

ADJOURNMENT

Chair Richards adjourned the meeting at 9:11 p.m. MDT.

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.

Zachary Smallwood, Planning Division Manager
Community & Economic Development Department

MURRAY CITY PLANNING COMMISSION FINDINGS OF FACT AND CONCLUSIONS

PROJECT NAME: Legacy Materials

PROJECT NUMBER: 25-023

APPLICANT: Murray City Staff

APPLICATION TYPE: Conditional Use Permit

I. REQUEST:

Murray City (hereafter Staff) is requesting to revoke a Conditional Use Permit for a Concrete Retaining Block Production and Storage business located at 4300 South Commerce Drive.

II. MUNICIPAL CODE AUTHORITY:

Section 17.56.090 provides for several options for the Planning Commission in considering a revocation of a conditional use permit. The Commission may: (a) continue the item; (b) modify or rescind any condition or requirement of the conditional use permit; (c) revoke the conditional use permit; or (d) take no action.

III. APPEAL PROCEDURE:

Municipal Code Section 17.16.030 provides details for requesting an appeal of the Planning Commission's decision on a land use application that is heard by the Hearing Officer. An application for appeal must be presented within 10 calendar days after the approval of these findings of fact.

IV. SUMMARY OF EVIDENCE:

- A.** The basic facts and criteria regarding this application are contained in the staff report, which is attached as **Exhibit A** and is incorporated herein.
- B.** The minutes of the public meeting held by the Planning Commission on July 3, 2025 which are attached as **Exhibit B** summarize the oral testimony presented and are hereby incorporated herein.

V. FINDINGS OF FACT:

Based upon the information presented and oral testimony given the planning commission found that the request meets the standards contained in Section 17.56.060 based on the findings below:

1. Legacy Materials has been operating their business in violation of their Conditional Use Permit Approval.

2. Legacy Materials has been operating their business without a Murray City Business License.
3. Staff has reached out on several occasions to inform and work with Legacy Materials to help them come into compliance with little or no response from the business.
4. Murray City Code Enforcement has issued citations and made Legacy Materials aware that they are operating illegally.
5. There has been no progress made toward complying with the conditions of approval since the item was heard by the Commission on April 17, 2025.

VI. DECISION AND SUMMARY

The Planning Commission **APPROVED** the request for Revocation of the Conditional Use Permit on the property. The vote was 5-0 with Commissioners Hristou, Hildreth, Hacker, Pehrson, and Klinge in favor and none opposed. The approval is contingent on the following conditions:

No conditions are needed

FINDINGS OF FACT APPROVED BY THE MURRAY PLANNING COMMISSION
THIS 7th DAY OF August, 2025.

Michael Richards, Chair
Murray City Planning Commission

MURRAY CITY PLANNING COMMISSION FINDINGS OF FACT AND CONCLUSIONS

PROJECT NAME: 1151 East Subdivision

PROJECT NUMBER: 25-061

APPLICANT: Kenneth & Jean Kitt

APPLICATION TYPE: Subdivision

I. REQUEST:

The applicant is requesting Preliminary and Final Subdivision approval for the 1151 East Subdivision.

II. MUNICIPAL CODE AUTHORITY:

Murray City Code Title 16, Subdivision Ordinance, Section 16.04.040(F) requires the applications for subdivision of property to be reviewed and approved by the Murray City Planning Commission as the land use authority. Title 16, Subdivision Ordinance, outlines the requirements for subdivision review. Utah State Code (10-9a-604) states that a subdivision plat may not be recorded until approved by the land use authority of the City.

III. APPEAL PROCEDURE:

Municipal Code Section 17.16.030 provides details for requesting an appeal of the Planning Commission's decision on a land use application that is heard by the Hearing Officer. An application for appeal must be presented within 10 calendar days after the approval of these findings of fact.

IV. SUMMARY OF EVIDENCE:

- A.** The basic facts and criteria regarding this application are contained in the staff report, which is attached as **Exhibit A** and is incorporated herein.
- B.** The minutes of the public meeting held by the Planning Commission on July 17, 2025 which are attached as **Exhibit B** summarize the oral testimony presented and are hereby incorporated herein.

V. FINDINGS OF FACT:

Based upon the information presented and oral testimony given the planning commission found that the request meets the standards contained in Section 17.56.060 based on the findings below:

1. With conditions, the proposed subdivision complies with the standards of the Murray City Subdivision Ordinance.

2. The proposed lots comply with the development standards for a twin-home development located within the R-2-10 Zone of the Murray City Land Use Ordinance.
3. The proposed subdivision is in harmony with the purpose and intent of the Murray City General Plan, providing additional opportunities for appropriate residential opportunity within Murray City.

VI. DECISION AND SUMMARY

The Planning Commission **APPROVED** the request for a preliminary subdivision on the property. The vote was 5-0 with Commissioners Hacker, Hristou, Pehrson, Hildreth, and Klinge in favor and none opposed. The approval is contingent on the following conditions:

1. The applicant shall meet all requirements of the City Engineer including:
 - a. Meet City subdivision requirements and standards – City Code Title 16.
 - b. Address all engineering and survey review comments prior to printing the plat to mylar.
 - c. Obtain UDOT approval and record required documents to vacate the existing access easement across lot 3.
 - d. Provide any required public utility easements (PUE's) and easements for utility services. Add a 10' PUE along Lot 5 frontage to State Street.
2. The applicant shall meet all relevant Power, Water, Sewer, and Fire Department requirements.
3. The properties shall meet all requirements of Chapter 17.100 of the Murray Land Use Ordinance for the C-D Zone.

**FINDINGS OF FACT APPROVED BY THE MURRAY PLANNING COMMISSION
THIS 7th DAY OF August, 2025.**

Michael Richards, Chair
Murray City Planning Commission

MURRAY CITY PLANNING COMMISSION FINDINGS OF FACT AND CONCLUSIONS

PROJECT NAME: Automotive Addiction

PROJECT NUMBER: #25-069

APPLICANT: Automotive Addiction LLC

APPLICATION TYPE: Conditional Use Permit

I. REQUEST:

The applicant is requesting Conditional Use Permit approval to allow an automotive storage facility and museum within the C-D Zone on the property located at 158 East 4500 South

II. MUNICIPAL CODE AUTHORITY:

Section 17.160.030 of the Murray City Land Use Ordinance allows an automotive storage facility and museum (LU#7110) within the C-D zoning district subject to Conditional Use Permit approval.

III. APPEAL PROCEDURE:

Municipal Code Section 17.16.030 provides details for requesting an appeal of the Planning Commission's decision on a land use application that is heard by the Hearing Officer. An application for appeal must be presented within 10 calendar days after the approval of these findings of fact.

IV. SUMMARY OF EVIDENCE:

- A.** The basic facts and criteria regarding this application are contained in the staff report, which is attached as **Exhibit A** and is incorporated herein.
- B.** The minutes of the public meeting held by the Planning Commission on July 17, 2025 which are attached as **Exhibit B** summarize the oral testimony presented and are hereby incorporated herein.

V. FINDINGS OF FACT:

Based upon the information presented and oral testimony given the planning commission found that the request meets the standards contained in Section 17.56.060 based on the findings below:

1. The proposed use for an automotive storage facility and museum (LU #7110), is allowed in the C-D Commercial Development 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.

VI. DECISION AND SUMMARY

The Planning Commission **APPROVED** the request for Conditional Use Permit approval on the property. The vote was 5-0 with Commissioners Hristou, Hacker, Pehrson, Klinge, and Hildreth in favor and none opposed. The approval is contingent on the following conditions:

1. The applicant shall obtain a Murray City Business License prior to beginning operations at this location.
2. Prior to business license approval, the applicant and/or property owner shall install additional landscaping along 4500 South so that the property is in compliance with Chapter 17.68 Landscape Requirements.
3. The applicant shall obtain a building permit prior to any remodeling that may occur.
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. Prior to approval of the business license, the applicant and/or property owner must stripe parking and ensure the required number of parking stalls are installed as specified in the staff report.

FINDINGS OF FACT APPROVED BY THE MURRAY PLANNING COMMISSION
THIS 7th DAY OF August, 2025.

Michael Richards, Chair
Murray City Planning Commission



AGENDA ITEM #04 – Automotive Addiction Museum			
ITEM TYPE:	Conditional Use Permit Amendment		
ADDRESS:	158 East 4500 South	MEETING DATE:	August 7 th , 2025
APPLICANT:	Automotive Addiction LLC	STAFF:	Ruth Ruach, Planner 1
PARCEL ID:	22-06-305-046	PROJECT NUMBER:	#25-069 & #25-082
ZONE:	C-D, Commercial Development		
SIZE:	2.13-acre site 23,600 ft ² unit		
REQUEST:	The applicant is requesting a Conditional Use Permit Amendment to allow auto sales on the subject property.		

I. LAND USE ORDINANCE

Section 17.160.030 of the Murray City Land Use Ordinance allows an automotive storage facility and museum (LU#7110) and allows for auto sales (LU#5511) within the C-D, Commercial Development zoning district subject to Conditional Use Permit approval.

II. BACKGROUND

On July 17th, 2025, the Planning Commission approved a Conditional Use Permit (CUP) for Automotive Addiction LLC to operate an automotive storage facility and museum at 158 East 4500 South. The applicant is now requesting an amendment to this CUP to allow for the additional use of auto sales on the subject property.

III. PROPOSED AMENDMENT

The applicant proposes to incorporate auto sales as an ancillary use to the previously approved automotive storage facility and museum. This would involve the sale of vehicles primarily from the existing collection or those brought in for consignment.

IV. LAND USE ORINANCE REVIEW – AMENDMENT CONSIDERATIONS

Considerations for this amendment revolve around the compatibility of auto sales with the existing approved uses and the C-D, Commercial Development zoning district.

- A. Land Use Ordinance (LU#5511, Auto Sales):**
 - 1. Auto sales are conditionally permitted within the C-D zone after review of the nature and scale of the use.
 - 2. The proposed auto sales will occur within the existing building of the automotive storage facility and museum.
- B. Parking:**
 - 1. The initial CUP approval for the storage facility/museum use required thirty (30) parking stalls, with fifty-six (56) stalls indicated on the site plan.
 - 2. Staff believes that the addition of auto sales will not alter the parking demand. Given the ample parking already existing on the site and that the scale of auto sales will be limited, additional parking stalls will not be required.
- C. Access & Traffic Circulation:**
 - 1. Access to the site is already established from 4500 South and 4600 South.
 - 2. Staff believes that the addition of auto sales will not increase traffic beyond what was already considered for the approved storage facility/museum use.
- D. Detrimental Impact:**
 - 1. After reviewing the requirements of the C-D zone, Staff does not anticipate the addition of auto sales to be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements.

VI. FINDINGS

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

- 1. The proposed ancillary use of auto sales is permitted within the C-D Commercial Development 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 amendment 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 Amendment to allow auto sales at 158 East 4500 South**, subject to the following conditions:

1. The applicant shall comply with all previously approved conditions from the original Conditional Use Permit for the automotive storage facility and museum (Project #25-069).
2. The applicant shall obtain a Murray City Business License that includes auto sales prior to beginning operations.
3. The applicant shall comply with all applicable city ordinances, building codes, and fire codes related to the operation of auto sales.



NOTICE OF PUBLIC HEARING

August 7th, 2025, 6:30 PM

The Murray City Planning Commission will hold a public meeting in the Murray City Council Chambers, located at 10 East 4800 South to receive public comment on an application submitted by **Bill Van Sickle** for the property located at **158 East 4500 South**. The applicant is requesting **AMEND** a Conditional Use Permit adding an auto sales use on the subject property.

To make comments regarding this application, the public may speak at the meeting, call the Murray City Planning Division at (801) 270-2430, or email pc@murray.utah.gov. You have received this notice because you own property within 300 feet of the subject property.

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

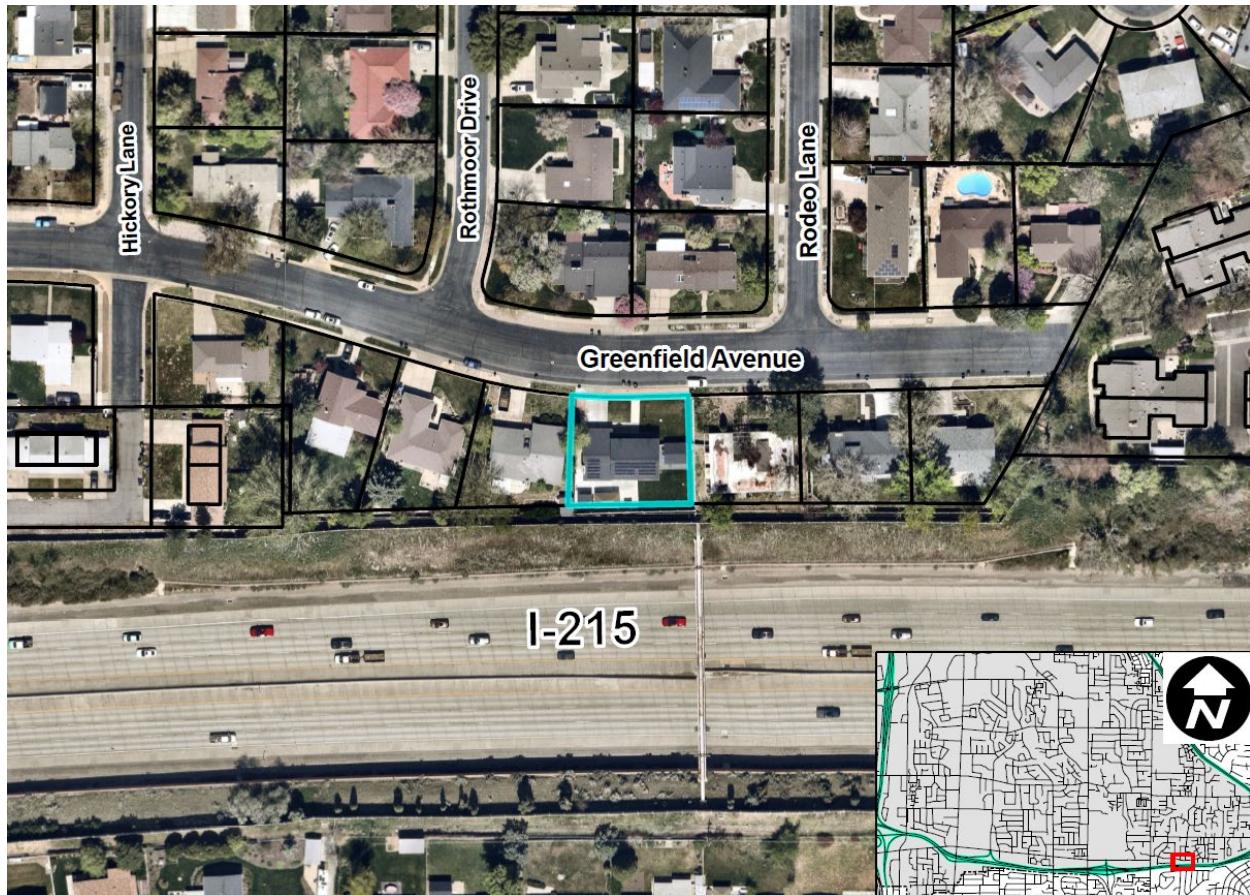


Special accommodations for the hearing or visually impaired will be upon a request to the office of the Murray City Recorder (801-264-2660). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.



AGENDA ITEM #05 – AJ HVAC & Property Services

ITEM TYPE:	Major Home Occupation		
ADDRESS:	1512 East Greenfield Avenue	MEETING DATE:	August 7 th , 2025
APPLICANT:	Adrian Jimenez	STAFF:	Ruth Ruach, Planner 1
PARCEL ID:	22-21-158-006	PROJECT NUMBER:	#25-081
ZONE:	R-1-8, Single Family Residential		
SIZE:	0.20 acres		
REQUEST:	The applicant is requesting approval to conduct office activities related to heating, ventilation, and air conditioning (HVAC) and property services at their place of residence as a major home occupation business.		



I. LAND USE ORDINANCE

Chapter 17.24 of the Murray City Land Use Ordinance allows some business activities to be conducted from homes in residential zones. These in-home businesses are referred to in the ordinance as “home occupations”. Section 17.24.050 of the Murray City Land Use Ordinance identifies and provides regulations for in-home businesses labeled as “Major Home Occupations”. Major Home Occupations include those businesses that either require a client to come to the location, or that have other potential negative impacts that could affect the nature of residential neighborhoods if not properly managed. Major Home Occupations must meet the standards of Chapter 17.24 to mitigate potential adverse impacts of the proposed business use on the surrounding residential neighborhood.

II. BACKGROUND

Project Location

The subject property is a single-family dwelling located along Greenfield Avenue, adjacent to I-215 in the southeast corner of Murray City.

Surrounding Land Use and Zoning

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Residential	R-1-8
South	Residential	Cottonwood Heights, R-1-8
East	Residential	R-1-8
West	Residential	R-1-8

Project Description

The applicant is requesting approval of a Major Home Occupation to practice administrative actions for clients of their HVAC and property services business. Clients will not visit their home.

Access & Parking

The driveway that provides the two (2) required parking spaces is accessed via Greenfield Avenue which will only be utilized by the applicant.

Major Home Occupation Process

The definition of a Major Home Occupation is a "... *business where the combined off-site impact of the home occupation business and the primary residential use materially exceeds the off-site impact of the primary residential use alone.*"

Major Home Occupations must be approved by the Planning Commission. The Land Use

Ordinance allows a shortened process wherein the applicant may be approved for Major Home Occupations administratively if they can obtain signatures from all adjacent property owners. The applicant was able to obtain signatures from all abutting properties except one, and has decided to appear before the Planning Commission for approval.

Home Occupation Standards Generally

This application has been reviewed in accordance with the Home Occupation requirements outlined in sections 17.24.040 through 17.24.050, which are attached for the Commission's review.

Considerations for Major Home Occupations

17.24.050(B) lists additional conditions for consideration when reviewing Major Home Occupations, including but not limited to:

- *Limits on Hours of Operation* - The applicant states that business hours will be Monday through Saturday between 8:00 a.m. and 6:00 p.m.
- *Limits on Numbers of Clients per Day/Hour* – No clients or employees will visit the home. Services separate from office activities will occur at another location.
- *Provision of Adequate Off-Street Parking* – The site has adequate parking.
- *Other Conditions to Mitigate Adverse Impacts* – The applicant will be required to apply for a Murray City Business License and be in compliance with the Home Occupation regulations.

III. CITY DEPARTMENT REVIEW

A Planning Review Meeting was held on July 22nd, 2025, where the proposed Major Home Occupation application was reviewed by Murray City Department Staff. All reviewing departments recommended approval without conditions or concerns.

IV. PUBLIC INPUT

Four (4) notices were sent to property owners of abutting properties and properties directly across from the applicant's residence. As of the writing of this report, staff has not received any comments.

V. FINDINGS

Based on the analysis of the application for a Major Home Occupation to allow office activites for HVAC and property services on the subject property and a survey of the surrounding area, staff concludes the following:

1. The proposed use is allowed as a Major Home Occupation business in the R-1-8 Zone.
2. With conditions as outlined in the staff report, the proposed business will not significantly impact the surrounding neighbors.
3. With conditions, the proposed use as a Major Home Occupation will not be contrary to the goals and objectives of the Murray City General Plan in this area.

VI. CONCLUSION/RECOMMENDATION

Based on the information presented in this report, application materials submitted and a site review, staff recommends that the **Planning Commission APPROVE the request for a Major Home Occupation to allow office activites for an HVAC and property services business from the residential property addressed 1512 East Greenfield Avenue,** as reviewed in the staff report and subject to the following conditions:

1. The applicant shall not have clients at the residence after 6:00 p.m.
2. All materials shall be located within the primary dwelling, no accessory structures may be used.
3. The applicant shall work with Planning Staff to ensure that the area for the home occupation is less than 25% of the main dwelling area.
4. The applicant shall comply with all requirements of Fire and Building Codes, and all State and County Health Department requirements.
5. The business shall, at all times, be conducted in accordance with all applicable requirements of Chapter 17.24, Major Home Occupations.
6. The applicant shall obtain the necessary home occupation business license.



NOTICE OF PUBLIC HEARING

August 7th, 2025, 6:30 PM

The Murray City Planning Commission will hold a public hearing in the Murray City Municipal Council Chambers, located at 10 East 4800 South to receive public comment on an application for a major home occupation submitted by **AJ HVAC & Property Services LLC** to allow an office for HVAC services, at the property located at **1512 East Greenfield Avenue**.

To make comments regarding this application, the public may speak at the meeting, call the Murray City Planning Division at (801) 270-2430, or email pc@murray.utah.gov. You have received this notice because you own property within adjacent to the subject property.

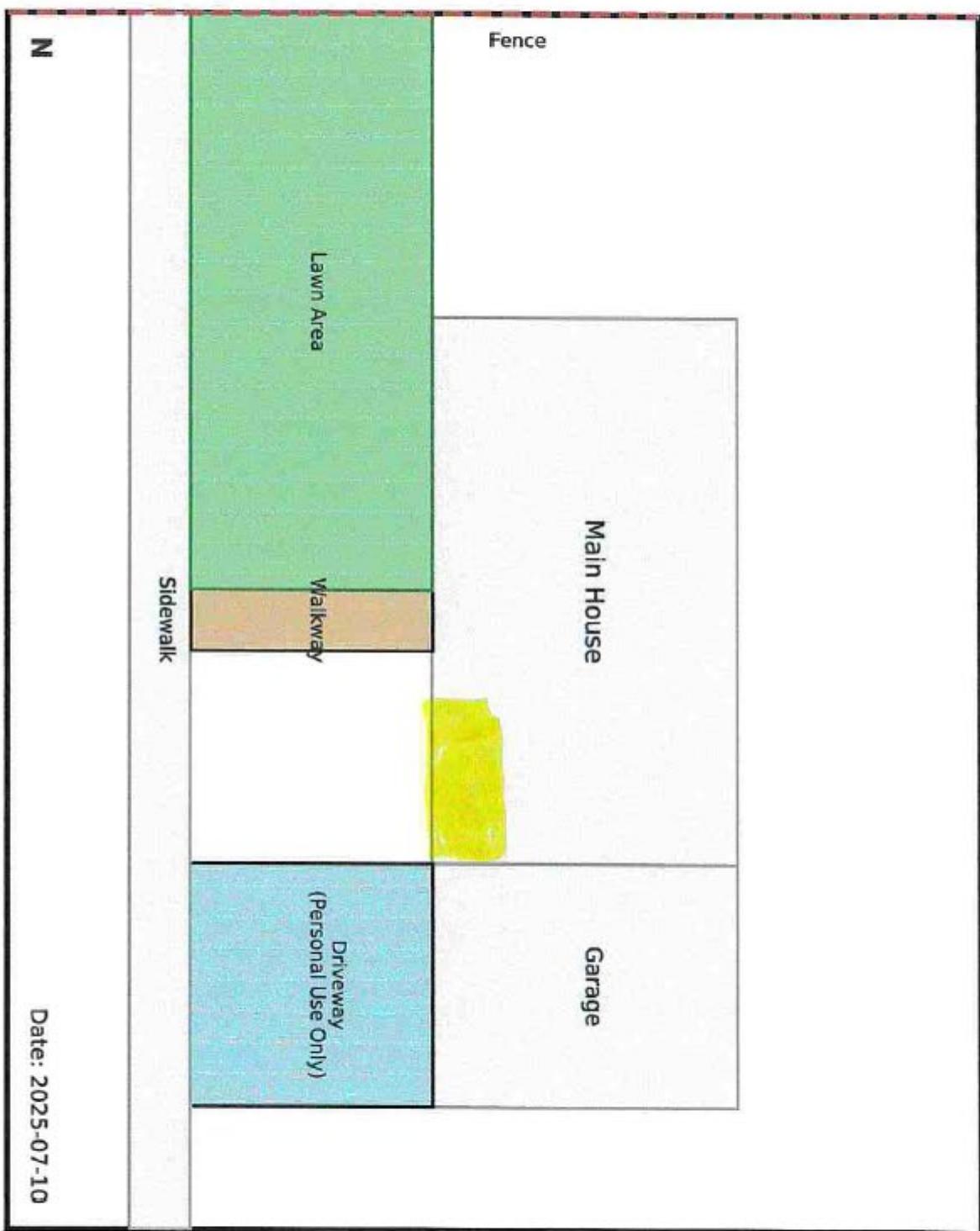
The meeting will be streamed online at www.murraycitylive.com or www.facebook.com/MurrayCityUtah/.

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



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.

AJ HVAC & Property Services - 1512 E Greenfield Ave



No off-street parking for employees or clients (admin use only)

Business Narrative – AJ HVAC & Property Services LLC

Property Address: 1512 E Greenfield Ave, Murray, UT 84121

Owner/Applicant: Adrian Jimenez & Perla Lee Polendo

A. Location of any storage:

No tools, equipment, or materials will be stored at the residence or garage. All necessary items are kept in work vehicles or brought directly to customer sites.

B. Where the business will be operating within the dwelling:

The administrative side of the business (**phone calls, scheduling, and invoicing**) will be handled within the living space of the home.

C. Expected hours of operation:

Administrative work will be conducted Monday through Saturday, 8:00 AM to 6:00 PM. All field work (HVAC, Landscaping, and Roofing) is performed off-site at customer locations.

D. Expected number of clients per hour/day:

Clients do not visit the home. All services are provided at customer residences or businesses.

E. Number of employees, volunteers, or anyone engaged in the business that will be coming to the dwelling:

There are **no employees, contractors, or customers** visiting the home. Only the business owner will be conducting administrative work from the residence.

Adrian Jimenez & Perla Lee polendo
1512 E Greenfield Ave
Murray, UT 84121
[REDACTED]
[REDACTED]

To Whom It May Concern:

I'm submitting an application for a Major Home Occupation business license at my residence located at 1512 E Greenfield Ave. I have obtained 3 out of the 4 required adjacent neighbor signatures. However, I have been unable to contact the fourth neighbor [REDACTED]

[REDACTED] and I do not have access to any contact information for him. Despite multiple efforts, I have not been able to reach him to request his signature on the neighbor consent form.

I am happy to provide any additional documentation or attend a Planning Commission hearing if necessary.

Thank you for your time and consideration.

Sincerely,
Adrian Jimenez
AJ HVAC & Property Services
[REDACTED]

17.24.040: REGULATIONS GENERALLY:

Major home occupation businesses are subject to the requirements of title 5 applicable to home occupation businesses. Both major and minor home occupations are accessory uses to the primary residential use, and are subject to the following regulations.

A. Business To Be Conducted Within Main Dwelling: The home occupation business use must be conducted entirely within the main dwelling, except that the outside yard areas may be used for group instruction, residential daycare facilities and group education uses.

B. Bona Fide Resident: The home occupation business may be conducted only by persons who are bona fide residents of the dwelling unit, and the dwelling unit must be established as the primary residence.

C. On-Site Employees: Up to one person not residing in the residence may work, volunteer or otherwise assist with the business on-site at the dwelling,. The owner of the business must reside in the residence. The planning commission may approve more than one non-resident employee if it finds (1) that the additional employee will not be employed as a driver of a work vehicle kept at the residence, and (2) that the employee's presence in the premises will not otherwise violate the intent of this chapter. Only one non-resident employee or volunteer, or such additional non-resident employees or volunteers as approved by the planning commission through approval of a major home occupation, is allowed to work on-site per residence at any one time, regardless of the number of home occupation licenses held by persons residing in the residence.

D. Off-Site Employees: Any home occupation business licensed under this chapter may utilize persons to work, volunteers or assist with the business off-site. The off-site employee, volunteer or any other person assisting with the business shall not come to the home for purposes related to the home occupation business, nor shall they park at the home or on the street near the home.

E. Accessory Use On The Property: The business use must be clearly incidental and secondary to the residential use of the dwelling and may not change the residential character of the dwelling. No more than twenty five percent (25%) of the total main or upper floor area, or, in the alternative, no more than fifty percent (50%) of the total floor area of a basement, may be used to conduct a home occupation. Interior alterations to accommodate a home occupation are prohibited if the kitchen, the dining area, all bathrooms, the living room, or a majority of the bedrooms is eliminated. Signs related to the home occupation are prohibited unless otherwise provided in this title. Exterior alterations are prohibited if the alterations change the residential appearance of the dwelling. Home occupation businesses shall not involve the use of any accessory building or yard space for storage, sale, rental or display of supplies or inventory used in the home occupation.

F. Commodities And Display For Sale: Commodities may be produced on the premises in accordance with law. Sale of commodities from shelves or similar display on the premises is not allowed.

G. Group Instruction/Childcare: Group education, group instruction, childcare, and instruction of children, other than those residing in the dwelling, are allowed as a home occupation accessory use or as a conditional use only to the extent as allowed in this title.

H. Multiple Businesses At Residence: More than one home occupation business license per dwelling unit is allowed; provided, however, that the cumulative effect of such businesses shall not violate the provisions and the intent of this chapter. By way of illustration and not limitation, the conduct of multiple home occupations may not violate the prohibitions against excessive traffic, and the limit on the number of non-resident employees and motor vehicles allowed at a residence. Any or all of the home occupation licenses issued at a residence are subject to suspension or revocation if the cumulative effect of the conduct of those businesses violates this chapter.

I. Conformity With Safety Codes: Home occupation licensees shall comply with all State and local laws, including fire, building, and similar life safety and health codes.

J. Subject To Inspections: The premises of a home occupation may be inspected during reasonable business hours to determine compliance with the provisions of this title.

K. Term Of License: A home occupation business license shall be valid for twelve (12) months from the application date and may be renewed annually unless the license, or the privilege of renewing that license, has been revoked or suspended due to violations of this title or other laws applicable to the home occupation license. Home occupation business licenses are personal to the applicant, non-transferable and do not run with the land.

L. Vehicles: One business vehicle used by the licensee in connection with the home occupation may be parked at the premises, subject to the restrictions in this chapter. Other motor vehicles and equipment, and trailers used to transport the same, which are used in connection with the home occupation may not be stored or parked on the premises of the licensee or in any street adjacent to the licensed premises. Under no circumstances may motor vehicles having a gross vehicle weight rating of more than twelve thousand (12,000) pounds and which are used in connection with the home occupation be stored or parked on the premises of a home occupation or any street adjacent to those premises. By way of illustration and not limitation, this subsection is intended to prohibit the storage or parking of business fleet vehicles, such as limousines; service or work vehicles (snowplow/landscape maintenance trucks) and similar vehicles; delivery vehicles; and contractor's equipment and trailers used to transport the same. As provided in subsection B of this section, a non-resident employee may not be allowed to drive any business vehicle parked at the premises as permitted by this subsection as part of that employee's regular work assignment.

M. Trailers: Notwithstanding anything contrary in this chapter, one trailer may be used in association with the home occupation. Trailers allowed in conjunction with a home occupation business are as follows:

1. An open or enclosed trailer with a body length of twenty feet (20') or less, excluding the tongue.
2. Materials/equipment shall not be stored outside of the trailer.
3. The trailer may be placed in the side or rear yard behind a fence or garaged on private property and not within the front yard of any residential zone except on established driveways. A trailer must maintain a minimum setback of five feet (5') from the front property line so as to provide adequate visibility. If the home is located on a corner lot, the trailer shall not be stored on the street side of the house unless it is out of the required front yard setback. If the topography of the lot prohibits the parking of the trailer on the side, rear, or front yard, the trailer must be stored off-site.
4. The trailer must be well maintained and must not present negative impacts for adjacent neighbors including, but not limited to odors, dust, or parking location.
5. All areas utilized for the parking of trailers shall be paved with a hard surface, e.g., concrete, asphalt, brick or other water impenetrable surface. This includes the side, rear, and front yard of the home. It is prohibited to park upon areas that have been landscaped or are reserved for future landscaping.
6. A site plan shall be included with all business license applications indicating where the trailer will be stored.

N. Traffic: The traffic generated by a home occupation may not exceed that which would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street according to city regulations. All business-related vehicles which park at the location of the home occupation business, including on-site employees, customers, clients, or business-related visitor vehicles, must use off-street parking. This provision excludes stops made by delivery vehicles. The home occupation shall not involve the use of commercial vehicles

having a gross vehicle weight rating of more than twelve thousand (12,000) pounds for delivery of materials to or from the premises.

O. Approval Authority: Except as otherwise provided in this title, the community and economic development department is authorized to approve home occupation applications in accordance with this title.

P. Neighborhood Disruptions Not Permitted: The home occupation business may not interfere or disrupt the peace, quiet, and domestic tranquility of the neighborhood. The home occupation business shall not create, be associated with, or produce noises or vibrations, noxious odors, fumes, glare, dust, heat, excessive traffic, interferences with radio and television reception or any other adverse effects that may be discernible beyond the premises.

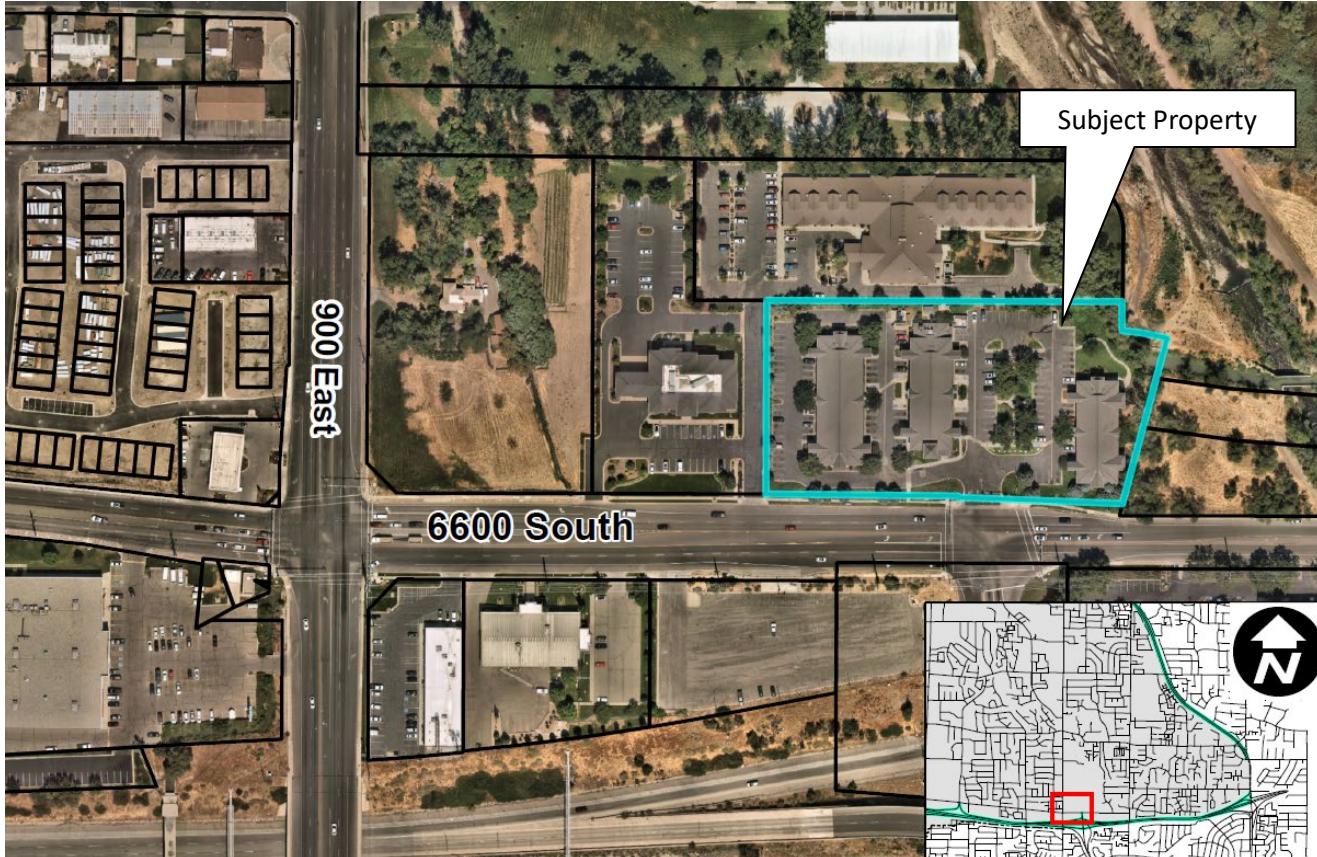
Q. Storage Of Dangerous Materials: The storage or use of flammable, explosive, or other dangerous materials is prohibited.

(Ord. 20-14)



AGENDA ITEM #06 – Ville Property Management

ITEM TYPE:	General Plan & Zone Map Amendments		
ADDRESS:	975 East 6600 South	MEETING DATE:	August 7 th , 2025
APPLICANT:	Ville Property Management	STAFF:	Zachary Smallwood, Planning Manager
PARCEL ID:	22-20-178-008	PROJECT NUMBER:	#25-027 & #25-028
CURRENT ZONE:	G-O, General Office	PROPOSED ZONE:	VMU, Village Mixed Use
LAND USE DESIGNATION	Office	PROPOSED DESIGNATION	Village & Centers Mixed Use
SIZE:	3.20-acre site		
REQUEST:	Future Land Use Map and Zoning Map amendment in conjunction with a development agreement to facilitate a deeply affordable housing project.		



I. BACKGROUND & REVIEW

Surrounding Land Uses & Zoning

The subject property is 3.20 acres in the G-O, General Office zone located on the north side of 6600 South adjacent to Wheeler Farm. There are existing office uses to the north, south, and west of the site.

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Skilled Nursing Facility	G-O
South	Office Building	G-O
East	Open Space (Wheeler Farm)	O-S
West	Office Building	G-O

Background Information

The applicant, Keith Warburton, is requesting to amend the General Plan's Future Land Use Map and the Zoning Map to allow for a deeply affordable housing mixed-use development on the site. The applicant proposes retrofitting the current long term stay hotel into residential uses and converting approximately four of the hotel rooms into commercial spaces that would support the residential.

Mr. Warburton is under contract to purchase the subject property located in the G-O, General Office zoning district. The applicant has been working with staff in ways that he could convert the existing extended stay hotel into a deeply affordable housing development. After discussion with the City Attorney's Office staff has determined that a development agreement should be considered in order to support a General Plan and Zone Map Amendment for the densities and parking reductions that would be allowed in the zoning district.

Murray City has traditionally not required a development agreement when considering General Plan and Zone Map amendments. There are circumstances pertaining to this property where the City feels the use of a development agreement is appropriate in this case. The City has seen an uptick in crime at this property since losing its branding as a Studio 6 motel. The city has received complaints from surrounding property owners that they do not feel safe and have observed suspicious activity near the office buildings. When Keith Warburton approached the city to convert this property to affordable housing last year staff was reluctant to support such a large increase in density and change from office designation to mixed use without assurances that the commercial component of the project would be built. The applicant expressed a willingness to enter into a development agreement to ensure the commercial is constructed as part of this project. Proposed site and parking plans have been provided as exhibits to the development agreement.

Because the proposed change would depart from the current General Plan designation and allow for residential use in an area currently not contemplated in the plan, a development agreement has been included to ensure that the applicant will build the project as proposed. The development agreement includes exhibits dictating how the applicant proposes to utilize the property and the number of allowed units. The development agreement does not grant the

applicant the site plan review approvals and this project would come before the Planning Commission again after full plans have been developed.

Staff is aware that this is not a typical request for review by both the Planning Commission and City Council. Because of the unusual nature of the request CED has determined that this is a special case that involves a more thorough review and guardrails to ensure the city is not reasonably aware of the impacts from the proposed project. Because of this, the Planning Commission would be considering a project in its review of the requested amendments.

Staff Review

General Plan

This application includes a request to amend the General Plan's Future Land Use Map from Office to Village & Centers Mixed Use. The only other property with this designation is the Pointe at 53rd (Former Best Buy Site). This designation was created in 2021 in response to multiple applications being received to rezone property to the previous M-U, Mixed Use zoning district. The purpose of the Village & Mixed Use designation is to allow for "... measured, context sensitive addition of residential housing to existing commercial properties and developments along major transportation corridors".

The General Plan provides for flexibility in the implementation of the goals and policies depending on individual situations and characteristics of a particular site. Staff finds that the circumstances of this site specifically does warrant a reevaluation of this office designation.

The Village Mixed Use allows a wide variety of uses that are typical to a mixed use development including retail and service uses. This will allow the lot to be available for various uses while integrating into the currently existing neighborhood feel and character. The applicant's narrative describes potential businesses they would be seeking to fill the commercial spaces.

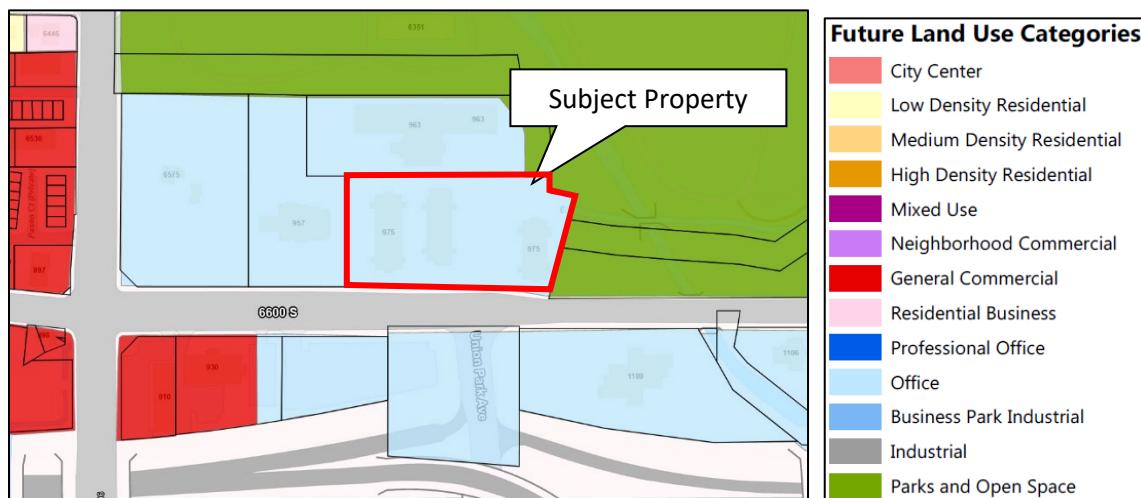


Figure 2: Future Land Use Map segment.

Zoning

The VMU, Village Mixed Use zoning district lists the allowable permitted and conditional uses in sections 17.164.040 and 050 respectively. Multifamily dwellings are a permitted use in this zone as well as retail and service uses. All uses shall be subject to comply with the Land Use Ordinance requirements and should the zone map amendment be approved limitations and will be reviewed by the Planning Commission at a future date during site plan approval of the project.

The applicant proposes the adaptive reuse of the property rather than a complete redevelopment of the site. While the existing hotel/motel use is considered to be a commercial use in the standard land use code, the characteristics of the existing development are similar to a residential development with individual units divided for rent. The applicant has requested this change because the units can be reasonably converted to long-term affordable rentals without significant costs associated with new development allowing for an affordable rental product to be created. The requested change also allows for a reduced parking standard available to mixed use developments.

However, it is also appropriate to consider whether this site is appropriate for conversion from a strictly commercial designation to mixed use. The Commission and Council have broad discretion to determine whether the change to the General Plan and Zoning Map designations are appropriate in this particular location.

II. CITY DEPARTMENT REVIEW

The applications have been made available for review and comment by City staff from various departments including the Engineering Division, Building Division, Police Department, Fire Department, Power Department, Water Division, and Wastewater Division. All reviewing departments had no comments on this application.

III. PUBLIC COMMENTS

Thirty-nine (39) 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 500' of the subject property and to affected entities. As of the date of this report two emails were received; one in opposition to the request and the other from Salt Lake City Public Utilities indicating that there is an easement across the property for a canal. The emails have been included for the commission's review.

IV. FINDINGS

Section 17.164.030 states that “the Village Mixed Use (VMU) Zone should only be considered where Murray City officials find that mixed-use zoning will result in land use patterns and development that will meet a minimum of five (5) of the following goals.

- A. Result in high-quality redevelopment of commercial properties.
- B. Retain and/or rehabilitate the commercial use of a significant portion of the property area.
- C. Facilitate the adaptive re-use of existing commercial structures.

- D. Increase local access to commercial services for in-project residents as well as for the residents of the immediately surrounding and nearby neighborhoods.
- E. Promote a greater variety of housing options within Murray neighborhoods.
- F. Promote opportunities for life-cycle housing, and housing for moderate income households.
- G. Provide increased walkability on the project site and result in walkable connections to the surrounding residential neighborhoods.
- H. Create and contribute to a sense of place and community.
- I. Result in improved conditions for buffering and transition between the project site and adjacent residential uses.

The applicant has provided a narrative addressing each of the findings and how they apply to his request. Staff has reviewed the applicant's narrative and concur that he is able to meet letters A., C., E., F., and H. Staff recommends that, with approval of a development agreement to ensure that the development proposed is constructed, the application can be found to meet the minimum of five (5) goals required by the zoning ordinance.

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 property located at 975 East 6600 South from Office to Village & Centers Mixed Use subject to approval of a development agreement.

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 975 East 6600 South from G-O, General Office to VMU, Village Mixed Use subject to approval of a development agreement.



NOTICE OF PUBLIC HEARING

August 7th, 2025, 6:30 PM

The Murray City Planning Commission will hold a public hearing in the Murray City Council Chambers, located at 10 East 4800 South to receive public comment on the following application:

Representatives of Ville Property Management have applied for review of general plan & zone map amendment, and a development agreement for the property located at **975 East 6600 South**. The applicant is requesting a Future Land Use Map Amendment from Office to Village and Centers Mixed Use and a Zone Map Amendment from G-O, General Office to VMU, Village Mixed Use. The requirements of the zone are located on our website at www.murray.utah.gov. **The Planning Commission will be making a recommendation to the City Council for this item. The City Council will conduct another Public Hearing to make a decision regarding this application at a later date.**

To make comments regarding this proposal the public may attend the meeting, call Murray City Planning Division at (801) 270-2430, or email pc@murray.utah.gov. You have received this notice because you own property within 500 feet of the subject property.

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



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

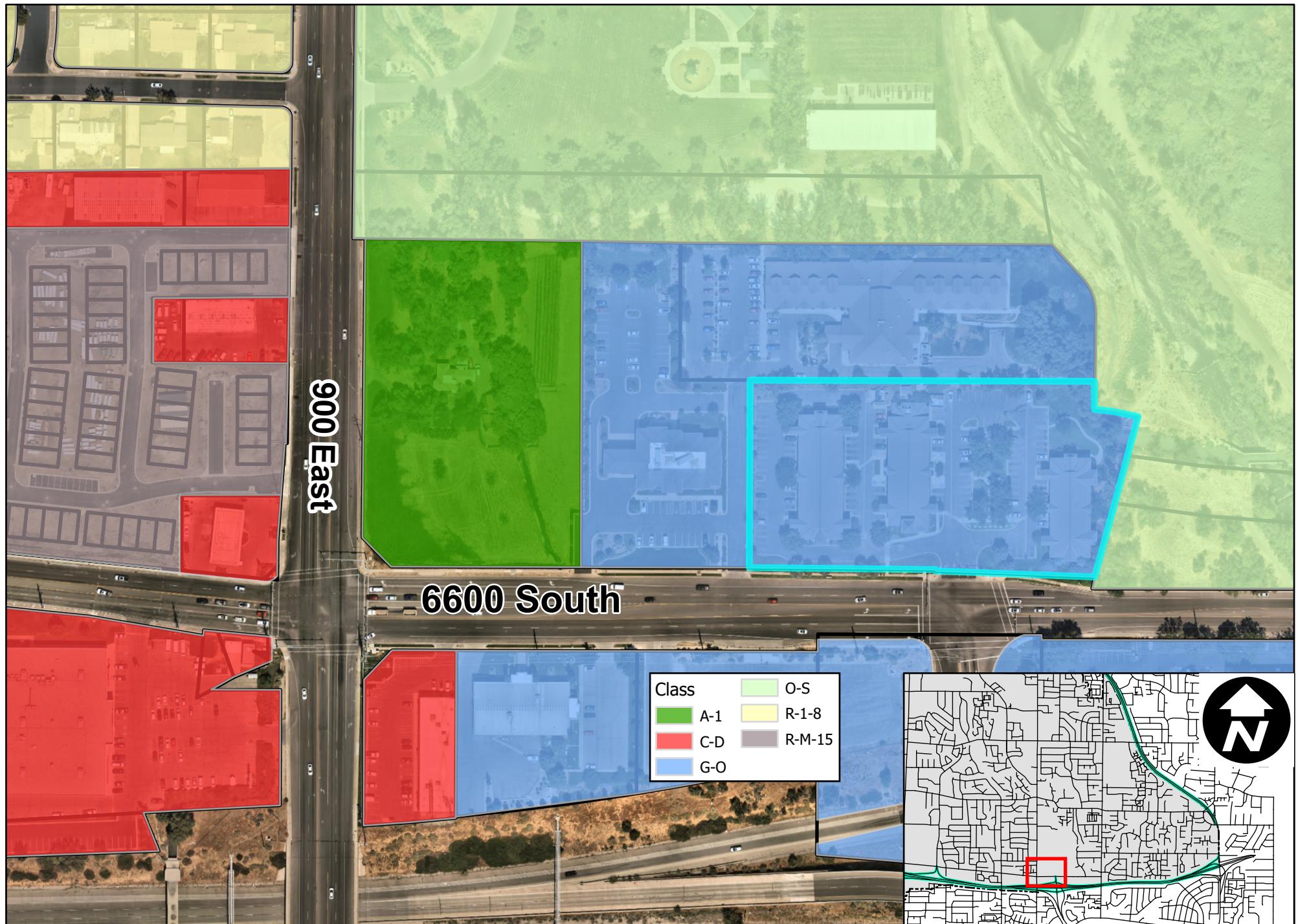
Public Notice Dated | July 23rd, 2025

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

975 East 600 South



975 East 600 South



LEGAL DESCRIPTION

PARCEL 1:

Part of the North half of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point which is 2237.39 feet South 00°10'45" West and 279.49 feet North 89°49'06" West from the monument location referenced by the Salt Lake County Surveyor and marking the North quarter corner of said Section 20, said point also being 632.50 feet South 89°49'06" East along the monument line of 6600 South Street and 328.33 feet North 00°10'54" East from the Salt Lake County street monument found marking the intersection of 900 East Street and 6600 South Street; and running thence South 89°49'06" East 492.72 feet to the Westerly line of that parcel of land described in Entry No. [4285448](#) in Book 5795 at Page 2416 in the office of the Salt Lake County Recorder; thence South 00°14'56" West 40.04 feet along said line to the Southerly line of said parcel of land; thence South 83°04'05" East 26.19 feet along said line; thence South 78°44'07" East 29.30 feet to the old center line of Little Cottonwood Creek (location established by the Salt Lake County Surveyor); thence South 13°44'23" West 235.95 feet along said line to the Northerly right of way line of 6600 South Street, said point being North 13°44'23" East 14.16 feet from the rebar and cap marked "SLCO Surveyor" set as a monument marking the old center line of Little Cottonwood Creek; thence North 87°51'15" West 227.57 feet along said right of way line; thence North 04°26'37" East 2.00 feet along said line; thence North 89°49'06" West 264.83 feet along said line; thence leaving said right-of-way line North 00°10'54" East 268.33 feet to the point of beginning.

PARCEL 1A:

A non-exclusive right of way as disclosed by that certain Special Warranty Deed recorded August 29, 1996 as Entry No. [6442919](#) in Book 7477 at Page 1869, over the following described tract to-wit:

Part of the North half of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point which is 2237.39 feet South 00°10'45" West and 279.49 feet North 89°49'06" West from the monument location referenced by the Salt Lake County Surveyor and marking the North quarter corner of said Section 20, said point also being 632.50 feet South 89°49'06" East along the monument line of 6600 South Street

DEVELOPMENT AGREEMENT
FOR THE VILLE 66 MIXED-USE DEVELOPMENT PROJECT
MURRAY CITY, SALT LAKE COUNTY, UTAH

This Development Agreement is entered into as of this _____ day of _____, 2025, by and between Ville 1990, LLC ("Developer") as the developer of certain real property located in Murray City, Salt Lake County, Utah, on which Developer proposes the development of a mixed-use development project known as the Ville 66 Project, and Murray City Corporation, a municipality and political subdivision of the State of Utah (the "City").

RECITALS

- A. WHEREAS, Developer intends to convert the existing Studio 6 hotel located at 975 East 6600 South, Murray, Utah 84123 into a mixed-use development consisting of 102 studio apartments and 5,000 square feet of commercial space as shown in the proposed floor plan and site plans attached hereto as Exhibit A and incorporated by this reference, and the Project shall be known as the Ville 66 Project (the "Project"); and
- B. WHEREAS, the Parties desire to enter into this Development Agreement to provide for the development and construction of the Project in a manner consistent with the City's General Plan and the intent reflected in that Plan; and
- C. WHEREAS, Developer has voluntarily represented to City that it will enter into this binding Development Agreement and is willing to design, develop, and construct the Project in a manner that is in harmony with the objectives of the City's General Plan and long-range development objectives and is willing to abide by the terms of this Development Agreement; and
- D. WHEREAS, the City, acting pursuant to its authority under Utah Code Annotated Section 10-9-101, et seq. and its ordinances, resolutions, and regulations and in furtherance of its land use policies, has made certain determinations with respect to the proposed Project, and, in the exercise of its legislative discretion, has elected to approve this Development Agreement.

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

AGREEMENT

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

2. **Approval of Zoning.** As a condition precedent to the obligations of the Parties hereunder, this Development Agreement is contingent upon and will only become effective at such time, and in the event, that the Murray City Municipal Council (the “City Council”), in the independent exercise of its legislative discretion, elects to approve a general plan amendment from Office to Mixed Use and a rezoning of the Project Property from the General Office (“GO”) Zone to the Village Mixed Use (“VMU”) Zone, following all necessary public hearings required for the approval of such rezoning and this Development Agreement. Any zoning amendment shall occur upon a finding by the City Council that it is in the best interest of the health, safety, and welfare of the citizens of Murray City to make such a change. This Development Agreement is not intended to and does not bind the City Council in the independent exercise of its legislative discretion with respect to any proposed amendments to the general plan or rezoning of the Project Property and Developer acknowledges that the City Council’s decision on the proposed general plan amendment and/or rezone is not guaranteed and Developer hereby holds the City harmless for any Council decision on any proposed general plan amendment or rezone.
3. **Concept Plan Approval.** This Development Agreement shall create vested rights in Developer with respect to the use, density and general configuration of the Project as reflected in Exhibit A and as provided in this Development Agreement. The density and number of units shall not exceed what is set forth in this Development Agreement and in Exhibit A. The final configuration shall be subject to approval by the Planning Commission and City Council as provided by the City Ordinances. Subject to the provisions of this Development Agreement, Developer shall have the right to submit preliminary and final plats and site plans for approval by the City and to develop and construct the Project in accordance with the use and density as further provided in this Development Agreement. The terms of this Development Agreement shall run with the land following the date of its adoption by the City.
4. **Project Description and Details.** The construction and development of the Project shall be consistent with the plans shown in Exhibit A and shall be limited to one hundred and two (102) studio apartment rentals and 5,000 Square Feet of commercial space. All commercial space in the Project shall be open to the general public.
5. **Reserved Legislative Powers.** Nothing in this Development Agreement shall limit the future exercise of the police power by the City in enacting zoning, subdivision, development, transportation, environmental, open space and related land use plans, policies, ordinances and regulations after the date of this Development Agreement provided that the adoption and exercise of such power shall not restrict Developer’s vested rights to develop the Project as provided herein.
6. **Compliance with City Design and Construction Standards.** Developer acknowledges and agrees that nothing in this Development Agreement shall be deemed to relieve it from the obligation to comply with all applicable laws and requirements of the City necessary for

development of the Project, including the payment of fees and compliance with the City's design and construction standards. All permits and site plan reviews and approvals shall be made pursuant to City ordinances. Nothing herein shall be construed as a waiver of the required reviews and approvals required by City ordinances.

7. **Issuance of Permits.** Developer shall have the sole responsibility for obtaining all necessary building permits in connection with the Project and shall make application for such permits directly to the City's Community and Economic Development ("CED") Department and other appropriate departments and agencies having authority to issue such permits in connection with Developer's development and construction of the Project. The City shall not unreasonably withhold or delay the issuance of its permits.
8. **Specific Design Conditions.** The development and construction of the Project shall be generally consistent with those specific design conditions set forth in Exhibit A. Exhibit A includes general renderings which do not preclude changes which may be required through the normal planning process.
9. **CED Approvals.** Minor modifications or amendments to this Development Agreement (including modifications to the proposed floor and site plans as shown in Exhibit A) may be approved by the CED Director. The CED Director shall have the discretion to determine what constitutes a minor or major modification or amendment and may elect to seek approval of the Planning Commission and/or the City Council, as applicable, in his or her discretion. Any decision of the CED Director approving or denying a request for a minor modification to this Development Agreement, or a decision as to whether a proposed modification is a minor or major modification or amendment that requires Planning Commission or City Council approval, as applicable, is a land use decision that may be appealed under Chapter 17.16 of the Murray City Municipal Code.
10. **Subdivision Plat Approval and Compliance with Murray City Design and Construction Standards.** Developer expressly acknowledges and agrees that nothing in this Development Agreement shall be deemed to relieve it from the obligation to comply with all applicable requirements of Murray City necessary for approval and recordation of subdivision plats for the Project, including the payment of fees and compliance with all other applicable ordinances, resolutions, regulations, policies and procedures of Murray City.
11. **Agreement to Run With the Land.** This Development Agreement shall be recorded against the Project Property as described in Exhibit "B" hereto and shall be deemed to run with the land and shall be binding on all successors and assigns of Developer in the ownership or development of any portion of the Project Property.
12. **Not Considered Approvals.** Nothing in this Development Agreement shall be construed as approvals as any required approval process must be completed independent of this Development Agreement.

13. **Conflicts.** Any conflict between the provisions of this Development Agreement and the City's standards for developments and improvements shall be resolved in favor of the stricter requirements.
14. **Access to Project Property.** For the purposes of assuring compliance with this Development Agreement, representatives of the City shall have the right to access the Project Property without charges or fees during Developer's development and construction of the Project. City shall indemnify, defend, and hold Developer harmless from and against all liability, loss, damages, costs, or expenses (including attorney's fees and court costs) arising from or as a result of the death of a person or any accident, injury, loss, or damages caused to any person, property, or improvements on the Project Property arising from the negligence or omissions of City, its agents or employees, in connection with City's exercise of its right to access the Project Property.
15. **Assignment.** Neither this Development Agreement nor any of the provisions, terms or conditions hereof can be assigned to any other party, individual or entity without assigning the rights as well as the responsibilities under this Development Agreement and without the prior written consent of the City, which shall not be unreasonably withheld.
16. **No Joint Venture, Partnership or Third-Party Rights.** This Development Agreement does not create any joint venture, partnership, undertaking or business arrangements between the parties hereto, nor any rights or benefits to third parties.
17. **Integration and Precedence.** This Development Agreement contains the entire agreement with respect to the subject matter hereof and integrates all prior conversations, discussions or understandings of whatever kind or nature and may only be modified by a subsequent writing duly executed by the parties hereto. This Development Agreement shall take precedence over any contrary provisions of any City Staff memorandums, communications, or representations.
18. **Severability.** If any part or provision of this Development Agreement shall be determined to be unconstitutional, invalid or unenforceable by a court of competent jurisdiction, then such a decision shall not affect any other part or provision of this Development Agreement except that specific provision determined to be unconstitutional, invalid or unenforceable. If any condition, covenant or other provision of this Development Agreement shall be deemed invalid due to its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by law.
19. **Court Costs.** In the event of any litigation between the parties arising out of or related to this Development Agreement, the prevailing party shall be entitled to an award of reasonable court costs, including reasonable attorney fees.
20. **Remedies for Breach.** In the event of any default or breach of this Development Agreement or any of its terms or conditions, the defaulting Party or any permitted successor to such

Party shall, upon written notice from the other, proceed immediately to cure or remedy such default or breach, and in any event cure or remedy the breach within thirty (30) days after receipt of such notice. In the event that such default or breach cannot reasonably be cured within said 30-day period, the Party receiving such notice shall, within such 30-day period, take reasonable steps to commence the cure or remedy of such default or breach, and shall continue diligently thereafter to cure or remedy such default or breach in a timely manner. In case such action is not taken or diligently pursued, the aggrieved Party may institute such proceedings as may be necessary or desirable in its opinion to cure or remedy such default or breach, including, but not limited to, proceedings to compel specific performance by the Party in default or breach of its obligations.

21. **Enforced Delay Beyond Parties Control (Force Majeure).** Neither City nor Developer, nor any successor in interest, shall be considered in breach or default of its obligations pursuant to this Development Agreement in the event the delay in the performance of such obligations is due to unforeseeable causes beyond its fault or negligence, including, but not restricted to, acts of God or of the public enemy, acts of the government, acts of the other Party, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes or unusually severe weather, or delays of contractors or subcontractors due to such causes or defaults of contractors or subcontractors. Unforeseeable causes shall not include the financial inability of the Parties to perform under the terms of this Development Agreement.
22. **Extensions.** Either Party may extend, in writing, the time for the other Party's performance of any term, covenant, or condition of this Development Agreement or permit the curing of any default or breach upon such terms and conditions as may be mutually agreeable to the Parties; provided, however, that any such extension or permissive curing of any particular default shall not eliminate any other obligations and shall not constitute a waiver with respect to any other term, covenant, or condition of this Development Agreement nor any other default or breach of this Development Agreement.
23. **Rights of Developer.** In the event of a default by Developer's assignee, Developer may elect, in its discretion, to cure the default of such assignee, provided, Developer's cure period shall be extended by thirty (30) days.
24. **Exhibits Incorporated.** Each Exhibit attached to and referred to in this Development Agreement is hereby incorporated by reference as though set forth in full where referred to herein.

(Signature Page to Follow)

DATED as of the day and year first written above.

MURRAY CITY CORPORATION

Brett A. Hales, Mayor

VILLE 1990, LLC

(Signature)

(Print Name and Title)

ATTEST:

City Recorder

APPROVED AS TO FORM:

City Attorney's Office

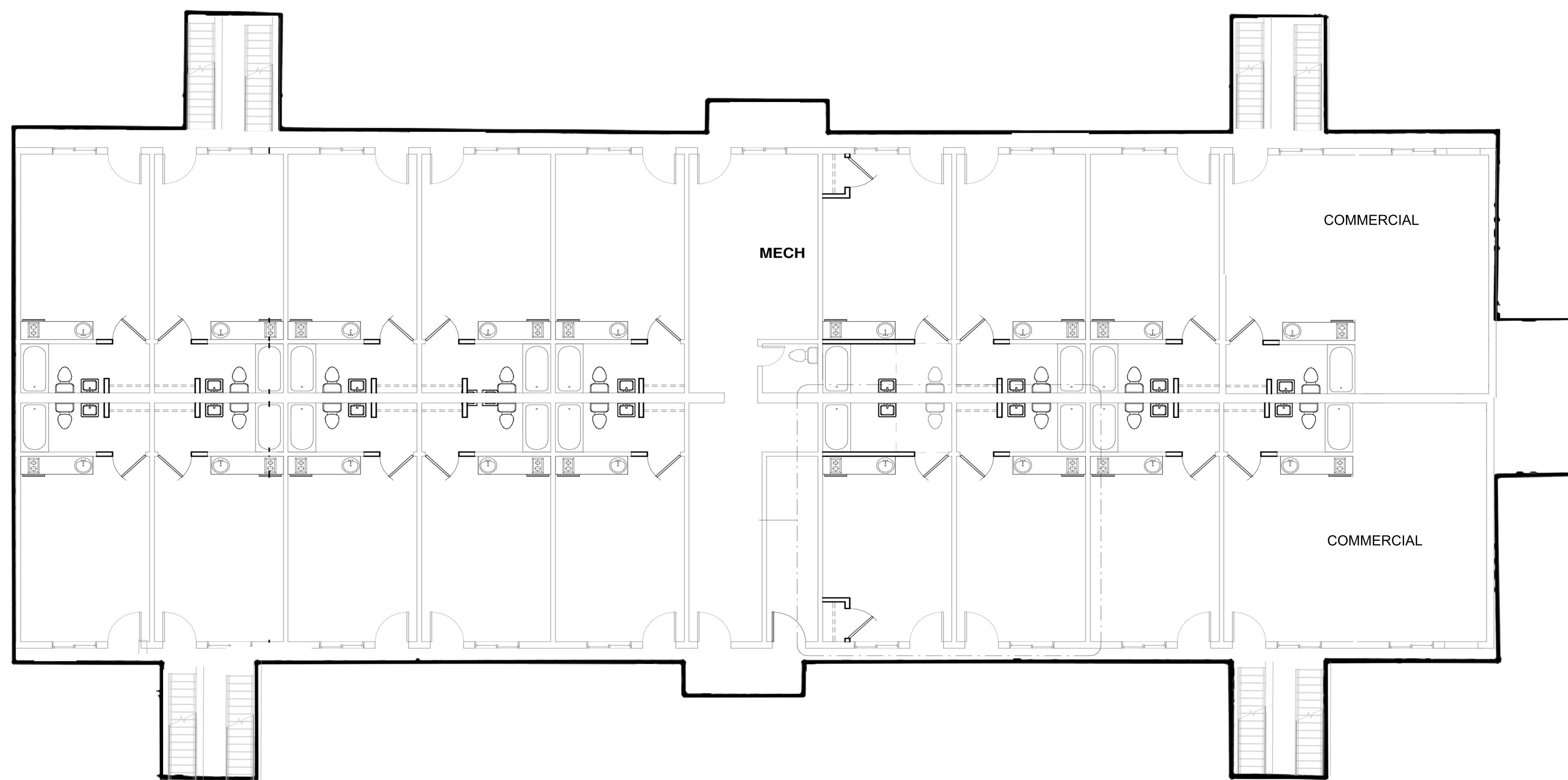
DRAFT

EXHIBIT A

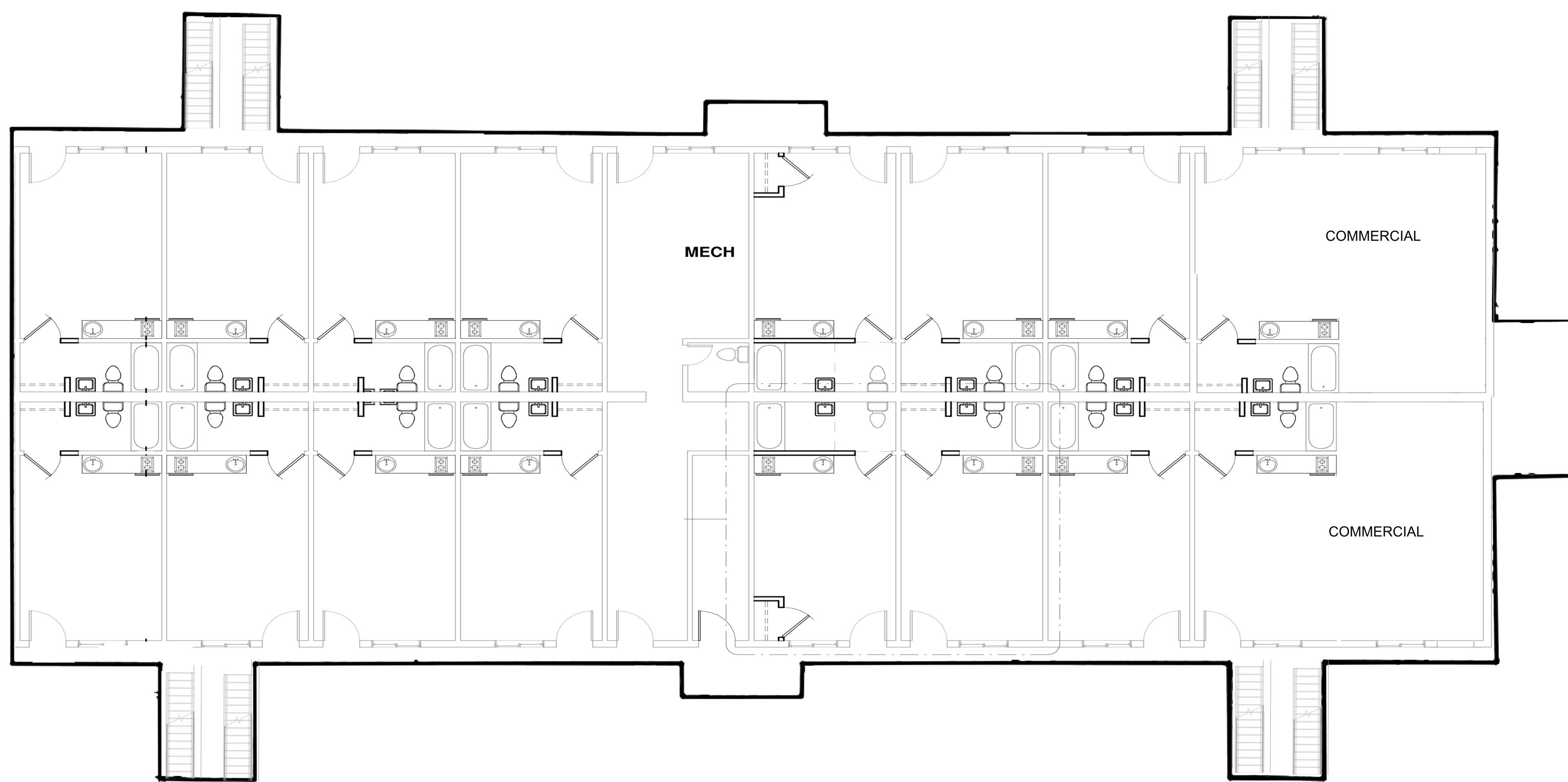
PROPOSED PLANS FOR VILLE 66 PROJECT

DRAFT

REVISIONS
DATE



NEW BUILDING A SECOND FLOOR PLAN



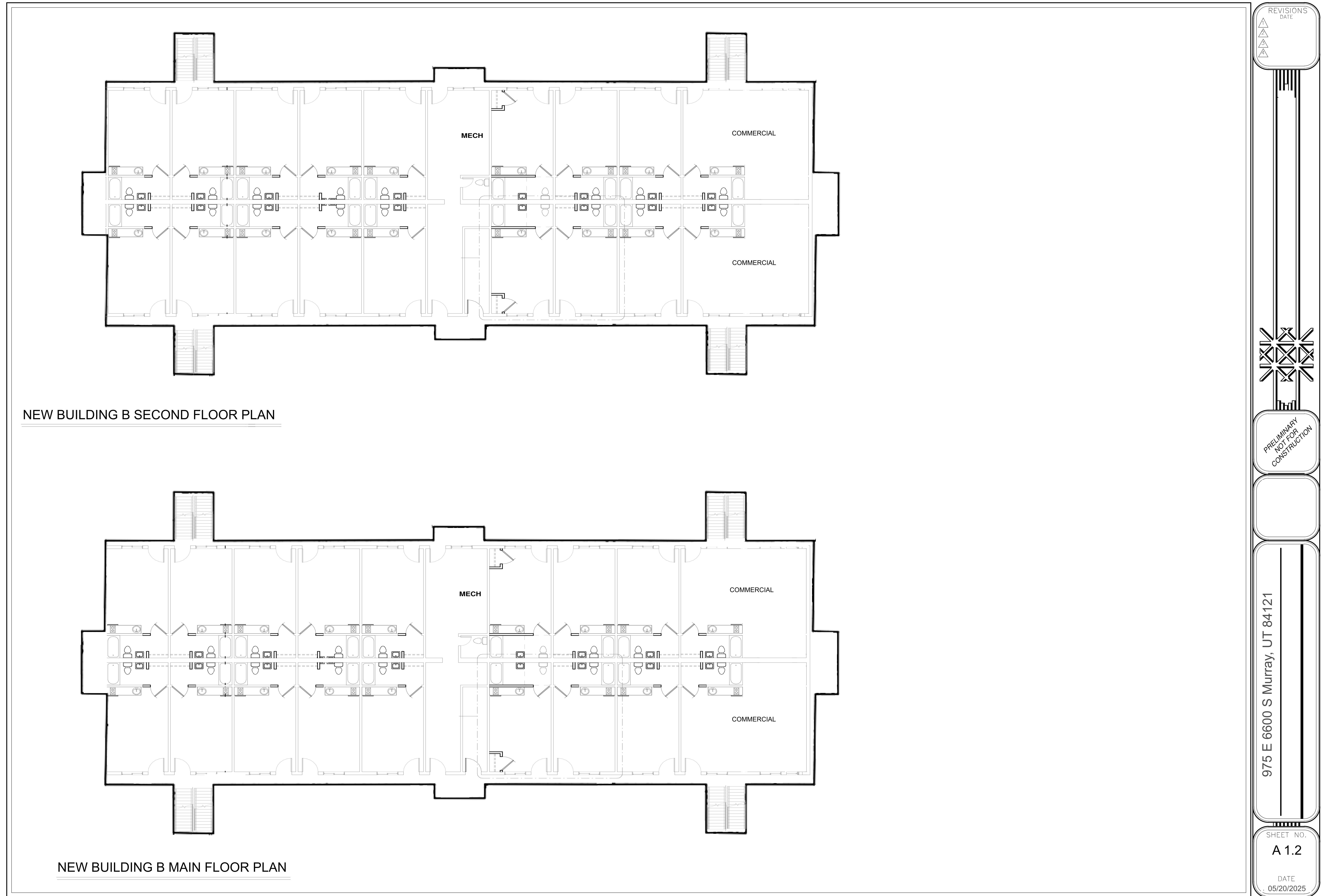
NEW BUILDING A MAIN FLOOR PLAN

PRELIMINARY
NO FOR
CONSTRUCTION

975 E 6600 S Murray, UT 84121

SHEET NO.
A 1.1

DATE



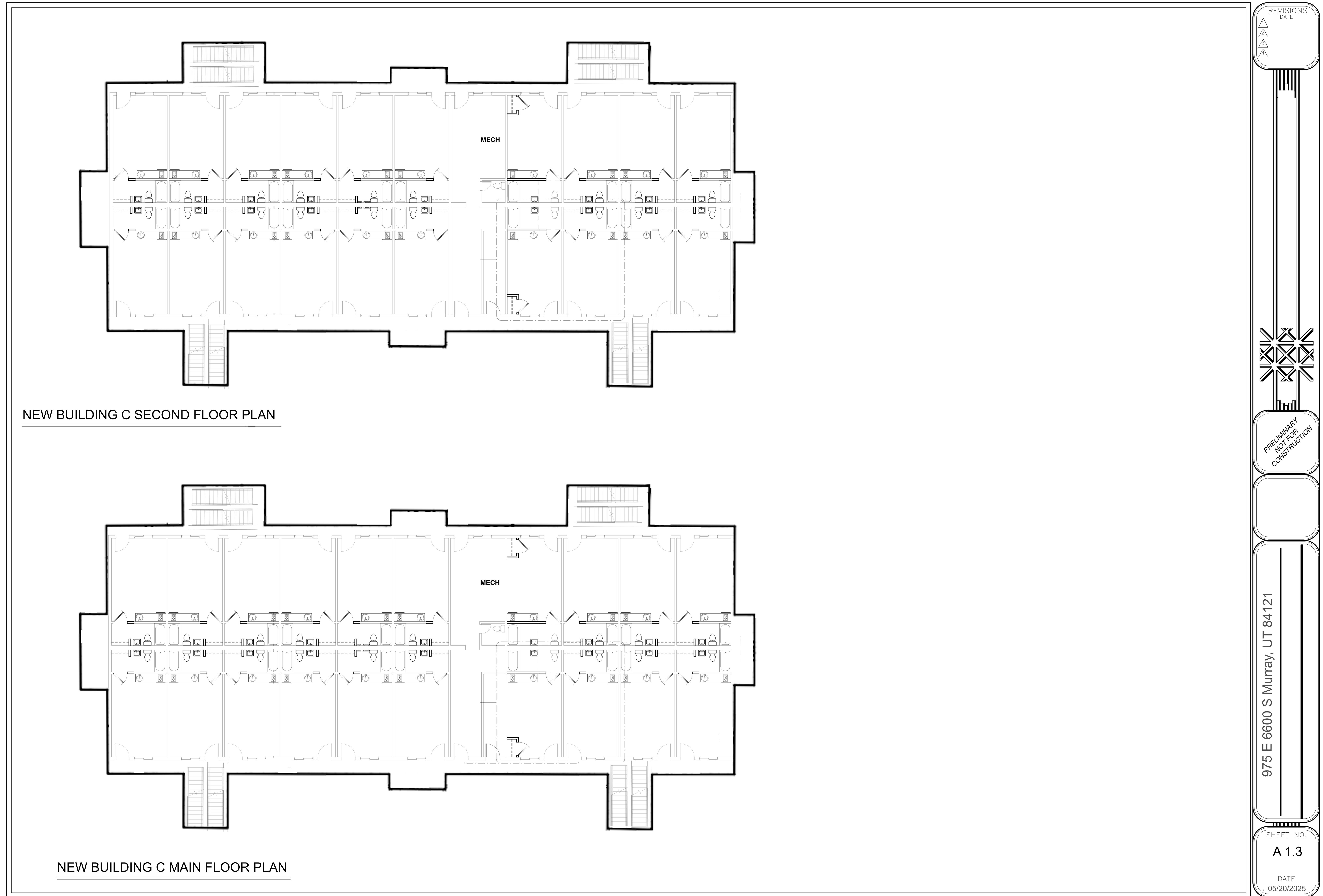


EXHIBIT B

PROJECT AREA
(LEGAL DESCRIPTION)

DRAFT

LEGAL DESCRIPTION

PARCEL 1:

Part of the North half of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point which is 2237.39 feet South 00°10'45" West and 279.49 feet North 89°49'06" West from the monument location referenced by the Salt Lake County Surveyor and marking the North quarter corner of said Section 20, said point also being 632.50 feet South 89°49'06" East along the monument line of 6600 South Street and 328.33 feet North 00°10'54" East from the Salt Lake County street monument found marking the intersection of 900 East Street and 6600 South Street; and running thence South 89°49'06" East 492.72 feet to the Westerly line of that parcel of land described in Entry No. [4285448](#) in Book 5795 at Page 2416 in the office of the Salt Lake County Recorder; thence South 00°14'56" West 40.04 feet along said line to the Southerly line of said parcel of land; thence South 83°04'05" East 26.19 feet along said line; thence South 78°44'07" East 29.30 feet to the old center line of Little Cottonwood Creek (location established by the Salt Lake County Surveyor); thence South 13°44'23" West 235.95 feet along said line to the Northerly right of way line of 6600 South Street, said point being North 13°44'23" East 14.16 feet from the rebar and cap marked "SLCO Surveyor" set as a monument marking the old center line of Little Cottonwood Creek; thence North 87°51'15" West 227.57 feet along said right of way line; thence North 04°26'37" East 2.00 feet along said line; thence North 89°49'06" West 264.83 feet along said line; thence leaving said right-of-way line North 00°10'54" East 268.33 feet to the point of beginning.

PARCEL 1A:

A non-exclusive right of way as disclosed by that certain Special Warranty Deed recorded August 29, 1996 as Entry No. [6442919](#) in Book 7477 at Page 1869, over the following described tract to-wit:

Part of the North half of Section 20, Township 2 South, Range 1 East, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point which is 2237.39 feet South 00°10'45" West and 279.49 feet North 89°49'06" West from the monument location referenced by the Salt Lake County Surveyor and marking the North quarter corner of said Section 20, said point also being 632.50 feet South 89°49'06" East along the monument line of 6600 South Street

Parking Demand at Ville Properties

- ◆ We currently have 132 total parking spots, to be divided as 16 commercial spots and 116 residential spots.
- ◆ Attached is a letter from one of our partners, Housing Connector, a nonprofit that helps individuals find affordable housing opportunities such as our Ville Properties in order to promote self-sufficiency and neighborhood revitalization. We have signed a contract with Housing Connector - Colorado for our property, Ville 4735 in Wheat Ridge, and their clientele is a good representation of the residents who will be living in our properties. In their attached statement, Housing Connector estimates that a small percentage of the people they serve (5% to 10%) have a vehicle, and the majority rely on public transportation.
- ◆ Below is a table showing the demand for parking at our properties.

Table 1: Parking Supply and Demand in Ville Properties Affordable Housing

Comparative Property	Address	# of Units	# of Parking Spaces	# of Residents With A Car	Ratio of Parking Spaces to Units	Ratio of Cars to Units
Ville 9	1025 N 900 W Salt Lake City, UT 84116	30	23	5	0.76	0.16
Ville 21	1123 W 2150 S West Haven, UT	34	47	19	1.38	0.55
Ville 364	364 Main St Logan, UT 84321	64	55	24	0.85	0.37
Ville 35	8076 W 3500 S Magna, UT 84044	32	74	10	2.3	0.31



04/03/2025

Housing Connector
1301 5th Ave, Suite 1500
Seattle, WA, 98101

Dear Ville Property Management,

I would guess a small percentage of clients (5-10%) for both Haven and Access have a car. I believe, the majority of them rely on public transportation.

Please let me know if you have any questions or concerns.

Thank you,

Erin Steffen

Erin Steffen
Housing Partnership Navigator
[Housing Connector](#)

NEARBY PUBLIC TRANSPORTATION

- ◆ Bus Stops

- ◆ 0.2 mi away from the Route 209 bus (Fashion Place West Station)
- ◆ 0.5 mi away from the Route 213 bus (Midvale Center Station)
- ◆ 0.8 mi away from the Route 72 bus (Midvale Fort Union Station)

FINDINGS FROM PAST PARKING STUDIES

In April 2019, Orem City in Utah conducted a parking study to provide recommendations for new parking requirements. Key findings from the study include:

- ◆ "When projects are built with too much parking, lots are underutilized, wasting valuable land and development costs, which raises the price of housing, goods, and services for everyone. With changing trends, the demand for higher density development is increasing. Responding to this demand, it is important that the parking requirements be updated to reflect fair and uniform standards. Parking is expensive to provide, especially with the recent increases in land values and construction costs. Recent estimates suggest that surface parking costs between \$5,000 and \$10,000 per stall, while structured parking costs between \$15,000 and \$25,000 per stall (source: Carl Walker (2016), Mean Construction Costs, Carl Walker Consulting (www.carlwalker.com)). When parking requirements are too high, they can represent a significant portion of a project's costs and inhibit development altogether. This is especially concerning when it impacts residential projects, given that we are currently experiencing a housing affordability crisis due primarily to a lack of supply. This study recognizes the high cost of parking and recommends decreasing the parking requirements for land uses where an oversupply can be demonstrated."
- ◆ "Adults need a car to live, study, and work in Orem, and current trends demonstrate that the number of bedrooms in a complex correlate strongly with the number of adults renting...This study recommends that Orem adopt a standard from a low of 0.75 parking spaces per bedroom or 2 per unit, whichever is lower, to a high of 1 parking spaces per bedroom plus 0.25 visitor parking spaces per unit for multifamily developments."
- ◆ According to their recommendations, 0.75 parking spaces per bedroom would be sufficient. Our property will contain **102 residential units** (all studios). This would mean $102 \text{ bedrooms} \times 0.75$, for a total of 77 parking spots. We currently exceed this minimum requirement with 116 residential parking spots.

Land Use	Recommended (Min.)	Recommended (Max.)
Single-family Attached		2 per unit
Multifamily	0.75 per bedroom or 2 per unit, whichever is lower	1 per bedroom or 2 per unit, whichever is lower + 0.25 per unit for guest parking
Retail / Office	2 per 1,000 sq. ft. GLFA	3 per 1,000 sq. ft. GLFA
Mixed Use (MXD) with shared parking		Either commercial or residential minimum, whichever is larger
Transit-Oriented Development (TOD)	50% reduction from MXD	25% reduction from MXD

Source: Orem City Parking Study (https://orem.gov/wp-content/uploads/2025/01/Parking-Study_Final-Report.pdf)

CONCLUSION

Based on our experience with our other affordable housing properties, our clientele's preference for public transportation over car ownership, the proximity to public transportation, and the data from other parking studies, we believe that 116 residential parking spots for 102 residential units is sufficient to meet the needs of our renters.



[EXTERNAL]Notice of Public Hearing - August 7, 2025 - 975 E 6600 S

From Leopardo, Isabella <Isabella.Leopardo@slc.gov>

Date Tue 7/29/2025 2:09 PM

To Planning Commission Comments <planningcommission@murray.utah.gov>

Cc PU Property <PUProperty@slc.gov>

1 attachment (920 KB)

Notice of Public Hearing - 08-07-2025 - Murray City.pdf;

To whom it may concern,

Salt Lake City Public Utilities has received the attached notice, and I am writing to inform you that we have an easement on this property for the Jordan & Salt Lake City Canal, which runs piped beneath the property. Any future plans will need to be reviewed by our office. Plans can be submitted through our public access portal at <https://slccityworkspxy.slcgov.com/SLCDPU-Permits/login>.

Please let me know if you have any questions.

Thank you,



BELLA LEOPARDO | (She/Her)

Water Rights and Property Agent

DEPARTMENT of PUBLIC UTILITIES | SALT LAKE CITY CORPORATION

1530 South West Temple, Salt Lake City, Utah 84115

Direct: (801) 483-6891 Office: (801) 483-6727

Email: Isabella.Leopardo@slc.gov

WWW.SLC.GOV/UTILITIES/DEVSERV WWW.SLC.GOV



[EXTERNAL]Keith Warburton possible purchase of Econolodge on Winchester

From Sherry Bleazard <sdbleazard@comcast.net>

Date Thu 7/31/2025 11:01 AM

To Murray Mayor <mayor@murray.utah.gov>; paul.pickett@murray.utah.gov <paul.pickett@murray.utah.gov>; pam.cotter@murray.utah.gov <pam.cotter@murray.utah.gov>; scott.goodman@murray.utah.gov <scott.goodman@murray.utah.gov>; Diane Turner <dturner@murray.utah.gov>; adam.hock@murray.utah.gov <adam.hock@murray.utah.gov>; Planning Division <planning@murray.utah.gov>

Dear Murray Mayor, Council and Zoning Committee,

I have heard (possibly a rumor, but the source seems well informed and very grounded) that Keith Warburton is attempting to purchase the Econo-Lodge Motel (formerly known as Studio 6 Extended Stay Motel) on Winchester and about 10th East (right adjacent to Wheeler Farm) to make it a deep affordable housing facility. I have done some research on Mr. Warburton and his ETNA properties and found much unfavorable information on his failed attempts to do the same thing on two properties in Salt Lake City which I would like to share with Murray City.

Below are excerpts from the information I have found on him. Each of the articles are found in Utah Stories, and I have included the website of the articles for you to go to if you are so inclined.

<https://utahstories.com/2023/10/did-mayor-mendenhall-lie-about-permanent-supportive-housing-numbers/>

Local developer Keith Warburton was awarded a \$2 million grant from the city's [Homeless Housing Grant Funding Recommendations](#) to convert the Ramada into housing. This plan was similar to how Carol Hollowell had converted the [Airport Inn into permanent supportive housing](#) under her non-profit Switchpoint. Mayor Mendenhall and the City Council determined to [provide the developer \(Keith Warburton\) the funds on the basis that he would develop the property into permanent supportive housing with a deed restriction](#).

According to [a story by the Salt Lake Tribune](#), even after securing another \$1.8 million loan from the RDA, the project stalled for months. On the Utah Stories Podcast, Markosian inquired, "If indeed permanent supportive housing for the homeless is Mayor Mendenhall's top priority, **then why would you not follow up and see that the nearly \$4 million offered to the developer (Warburton) is actually moving forward and used to provide housing?**"

It turns out that Mayor Mendenhall did follow up to an extent. According to one of the tenants at the Ramada, Mayor Mendenhall attended a BBQ event in July that Warburton also attended where two out of 200 units were completed and shown to the Mayor.

When Warburton was awarded the grant in September of 2022, the timeline was for half the units to be completed by April 2023, so that the homeless residing in the winter overflow shelter in Millcreek could transition into the facility rather than go back out onto the streets.

“City officials learned over the summer the developer (Warburton) had not secured the primary construction loan (the City funding is considered gap financing) and had been working without a building permit. **City officials continued to work with the developer (Warburton) until early fall, when it became evident work was not progressing and the developer ceased to respond to communications with the City’s Building Services Division.”**

Rina Rogers is the Director of Mental Health America of Utah, (MHAU) was renting the front portion of the Ramada facility for the past year. Rogers told Utah Stories, that **Warburton’s efforts never appeared to come even close to aligning with the massive effort that would have been required to be on track.**

According to Rogers, Keith Warburton blamed the former tenant who he says never paid the water and garbage bills. The prior tenant was the [Road Home](#), who managed the winter overflow shelter. **It became clear to the tenants in August that Warburton was not making sincere efforts to renovate the building.**

After eleven months it was clear that the project never got off the ground and “cease and desist” orders were being posted around the building.

Utah Stories attempted to contact Keith Warburton of ETNA Properties. Currently, their website is down. **The question we would have for the Mayor’s office is: Did the city or the RDA conduct any sort of vetting of Warburton or ETNA Properties before choosing his company to develop the Ramada properties? ETNA’s Facebook page only indicates that they flip residential properties. ETNA also owns the City Inn, and another property in Tooele, which leases somewhat affordable housing to low-income individuals. Why would Mendenhall and the City Council choose this developer, with little to no experience in redeveloping large motels with such an important function?**

<https://utahstories.com/2024/04/who-is-getting-rich-from-failed-homeless-housing-in-utah/>

Salt Lake City set aside \$6 million in grants to be awarded to three developers to build or convert existing properties into more (much needed) permanent supportive housing. **Developer Keith Warburton was awarded both the Ramada land-use as well as a \$3.85 million grant**, a total of \$5.85 million to convert the motel units into housing units offering those with permanent-supportive housing vouchers market-rate rents. This type of housing isn’t “deeply-affordable” housing, but it is “permanent supportive” housing for market-rate rents. **This type of housing is heavily subsidized, mostly for tenants and landlords who would traditionally not want to rent due to their criminal background, drug usage, mental illness or other disabilities.**

(Keith Warburton has experience operating several housing units like this including the Salt City Inn, requiring each unit to be upgraded to include small kitchens or kitchenettes.) What happened next is still a mystery. Keith Warburton was then supposed to submit his plans to the Salt Lake City Planning Commission and get them approved so that he could move forward with construction. This never happened.

In their account, the [Salt Lake Tribune reported](#) that Warburton decided to “find other opportunities elsewhere.”

[Tammy Hunsaker](#), Deputy Director with the city’s Department of Community and Neighborhoods, said issues with the terms of Warburton’s ground lease prevented the city from attaining legal assurances that the property would be used for permanent supportive housing for decades. Those legal snags, she said, delayed the issuance of the grant.

For this reason, while Warburton was never given access to the \$2 million and he was unable to begin using the money to develop the property. **What happened to the additional \$3.85 million grant awarded to Warburton is uncertain.**

Were there legitimate legal issues? If so, why did Mayor Mendenhall apparently only learn about these issues after reading Hunsaker’s comments in the Tribune?

Certainly the Mayor knew that the Ramada ([Ville 1649](#)) was not progressing,

in examining these projects we find that the cost per unit is incredibly high, making it extremely difficult without heavy incremental tax subsidies for these units to be anywhere near “deeply-affordable” if relying on current housing conditions.

Despite all of the unanswered questions, The Salt Lake Tribune never inquired exactly how or why the project failed? Why didn’t the city pick up the pieces and reinitiate the project?

Questions remain unanswered, such as: **Where did Warburton’s nearly \$6 million in grant funding end up?**

Who is Keith Warburton?

Keith Warburton operates a business called [ETNA Properties](#). This business buys “distressed properties and develops them into affordable housing.” Warburton owns and operates several permanent supportive housing facilities including [Ville 647](#) in Richfield, Utah which was destroyed in a fire in 2022. Warburton has received affordable housing grants for Ville 647. The Salt City Inn at 1025 North 900 West, also owned by Warburton, is in downtown Salt Lake City. It is designated as “permanent supportive housing.” We visited this facility and it is currently undergoing a new “deeply-affordable” housing project called [Ville 9](#), but construction has been stalled. [Area business owners are complaining that the residents are trafficking and using drugs. Warburton also owns the Elko Inn, in Elko, Nevada. On March 6, 2024, that hotel was raided by a SWAT team for drug trafficking violations.](#)

It is my humble opinion after researching Mr. Warburton and his failed attempts at developing properties for affordable housing projects, that he is definitely NOT the most trustworthy person to be entrusted with such a large amount of grant money.

Also, my opinion, is that the types of tenants attracted to this type of housing is not a good fit for a facility located right next to a highly-used county park such as Wheeler Farm. There has already been documented problems with squatters camping in the shaded beauty of the park along Cottonwood Creek. The county tore out many trees and shrubs to help make the property less enticing for squatters to live.

As a citizen of Murray, I respectfully request that you do not award Keith Warburton and his company ETNA Properties any projects within Murray City.

Thank you,

Sherry Bleazard

Murray Resident of Council #5