



MURRAY CITY PLANNING COMMISSION

MEETING MINUTES

December 4, 2025

6:30 P.M. MDT

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

MEMBERS PRESENT

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

Excused: Peter Klinge
Mark Richardson

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.

CALL MEETING TO ORDER

Chair Richards called the meeting to order at 6:32 p.m.

BUSINESS ITEM(S)

APPROVAL OF MINUTES

Commissioner Rogers made a motion to approve the minutes for November 6, 2025. Seconded by Commissioner Hacker. 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

Commissioner Hacker made a motion to approve the findings of facts for Beyond Creation Institute conditional use permit. Seconded by Vice Chair Hristou. A voice vote was made, with all in favor.

CONDITIONAL USE PERMIT(S) – ADMINISTRATIVE ACTION

The Blindman - Project #25-111 - 4714 South Commerce Drive, #1 - Request for an Electronic Message Center (EMC) sign

Kennie Alton was present to represent the request. David Rodgers presented the application requesting conditional use permit approval to place an electronic message center (EMC) sign on the property at 4714 South Commerce Drive #1 in the M-G zone. Mr. Rodgers shared the site plan. He provided details of the sign. He discussed the requirements for electronic signs in this zone and said the sign meets the size requirements for the zone. Mr. Rodgers said that, as part of review for the conditional use permit, staff performs a review of the existing property conditions. It was noted that a sign exists on a trailer on the property that is not part of the current approval process. He said it isn't permitted in the code. The applicant will need to remove it. Notices were sent to affected properties. One call was received with questions regarding the application. Staff recommend approval of the application.

Kennie Alton approached the podium. Chair Richards asked if he had read and could comply with the conditions. He said, yes.

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

Vice Chair Hristou made a motion that the Planning Commission approve a conditional use permit to allow an electronic message center sign at the property addressed 4714 South Commerce Drive #1, subject to the following conditions:

1. The applicant shall follow all size restrictions listed for signs in the M-G zone in Chapter 17.48.200.
2. The sign shall meet all EMC regulations per Section 17.48.280.
3. The sign shall be set to dim and reduce sign intensity after dark.
4. The sign shall be oriented in a way that is not a traffic hazard or a nuisance to the surrounding properties.
5. The applicant shall submit a building permit application for the sign.

6. The applicant shall provide documentation demonstrating that the sign will not emit light brighter than 0.3-foot candles before passing inspection.
7. Any display on the electronic sign must remain lighted for at least 2 seconds.
8. A minimum of five percent (5%) of the time that the sign is in use shall be devoted to public service messages.
9. Advertising for businesses that are located off-premises is prohibited.
10. The project shall comply with all applicable building and fire code standards.
11. The applicant shall obtain a building permit for the proposed signage.

Seconded by Commissioner Rogers. Roll call vote:

A Hacker
A Hildreth
A Hristou
A Pehrson
A Richards
A Rogers

Motion passes: 6-0

Ubert Auto Sales - Project #25-110 - 4195 South 500 West, #81 - Request for an auto sales business within the M-G Zone

Edwin Garduno 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 on the property located at 4195 South 500 West, #81. Mr. Rodgers shared the floor plan and parking plan for the business. He said they meet requirements. He said that parking in front of the bay door is prohibited and that all sales vehicles must be stored within the unit itself. He discussed outside parking stalls, stating that there are conditions of approval for them. Public notices were sent to affected properties, with no comments being received. Staff recommends the Planning Commission approve a conditional use permit to allow an auto sales business.

Mr. Garduno approached the podium. Chair Richards asked if he had read and could comply with the conditions. He said, yes.

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

Commissioner Hacker 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 #81, 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 applicant must meet all parking requirements.
5. All for sale vehicles must be located within the unit.

6. The project shall comply with all applicable building and fire code standards.
7. The applicant shall obtain permits for any new attached or detached signs proposed for the business.

Seconded by Commissioner Pehrson. Roll call vote:

A Hacker
A Hildreth
A Hristou
A Pehrson
A Richards
A Rogers

Motion passes: 6-0

SITE PLAN REVIEW(S) – ADMINISTRATIVE ACTION

D.L. Evans Bank - Project #25-112 - 6150 South State Street - Request for site plan approval for building modifications within the C-D zone

Jason Smith was present to represent the request. Ruth Ruach presented the application requesting site plan approval for modifications to an existing building which includes constructing a drive through for a new banking business in the C-D zone. Ms. Ruach described the intended modifications for the building. She showed renderings and a floor plan. She discussed site access. She noted that landscaping requirements will need to be met to obtain a building permit. Notices were mailed to affected properties, with no comments being received. Staff recommends the Planning Commission grant site plan approval for the proposed building modifications for a banking business.

Mr. Smith approached the podium. Chair Richards asked if he had reviewed and could comply with the conditions. He said, yes.

Commissioner Hildreth asked how many cars the drive-thru can accommodate and how many they expect during peak hours. Mr. Smith said there are two lanes for use. He described how the lanes will be used. He said the bank will have no more than three or four cars at a time. He felt there's plenty of room to accommodate that.

Commissioner Hacker asked if Mr. Smith had talked to UDOT about the access. Mr. Smith said he had not because they aren't changing it from the existing access. Mr. Hacker asked if the right-in/right-out going to be an issue. Mr. Smith said it's not an issue.

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

Commissioner Hildreth made a motion that the Planning Commission grant site plan approval for the proposed building modifications for a banking business at the property addressed 6150 South State Street, 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 meet all landscaping requirements of Chapter 17.68 of the Murray City Land Use Ordinance prior to the Planning Division's approval of a building permit.
7. The applicant shall obtain a Murray City Business License prior to beginning operations at this location.
8. The applicant shall comply with all applicable zoning standards as adopted in Title 17, Zoning.
9. The applicant shall apply for building permits for all signs and adhere to all sign requirements as described in Chapter 17.48 of the Murray City Code.

Seconded by Commissioner Rogers. Roll call vote:

A Hacker
A Hildreth
A Hristou
A Pehrson
A Richards
A Rogers

Motion passes: 6-0

PARKING AGREEMENT(S) – ADMINISTRATIVE ACTION

Chick-fil-A Review and approval of a shared parking agreement between Chick-fil-A and Howland Partners

Devon Emans was present to represent the request. Zachary Smallwood presented the application for a shared parking agreement between Chick-fil-A and Howland Partners, located in the C-D zone. Mr. Smallwood provided a history of the parking situation. He showed the site plan from 2012. He explained the original parking agreement entered into by the Point at 53rd and Chick-fil-A. He described changes that have been made since the original agreement. He said some of the changes resulted in them being outside the required amount of parking stalls. In 2024, Chick-fil A submitted a site plan review to add an escape lane. Howland Partners told staff the agreement needed to be reviewed by the Planning Commission. That agreement is being reviewed at this meeting. Mr. Smallwood said they are deficient by eleven parking spaces. He explained how the total number of parking spaces at the shopping center can accommodate the needed spaces. Staff are recommending that the Planning Commission approve the shared parking based on the following findings: 1) that the applicant has provided a signed parking agreement that provides access to parking on the adjacent property, and 2) the adjacent property has adequate parking to meet the requirements of city code and excess parking sufficient to provide the required parking spaces for Chick-fil-A.

Mr. Smallwood reiterated the role of the Planning Commission in approving this application. He said their task is to verify that there is a parking agreement and that it's signed by both parties. He said that the task is not to interpret the language of the agreement, just to review the code. He informed the applicant that they have the right to appeal the decision of the Planning Commission to the hearing officer if they wish.

Commissioner Hacker asked if they are violating code because this agreement is retroactive. Mr. Smallwood said the application was in violation, not the Planning Commission.

Commissioner Hildreth asked what would happen if the property owner redeveloped the shopping center and removed some of the parking stalls. Mr. Smallwood said that plans presented by the property owner would need to be reviewed by staff to ensure they aren't breaking the agreement.

Devon Emans approached the podium for questions. He said that this approval is meant to acknowledge the existing agreement.

Commissioner Hildreth asked why the agreement hadn't been brought before the Planning Commission previously. Mr. Emans said it was an oversight due to quickly accommodating emergency protocols during the pandemic. He said they acknowledge the proper steps weren't taken at the time. They are here to correct that.

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

Commissioner Pehrson made a motion that the Planning Commission approve the proposed shared parking based on the two findings.

Seconded by Vice Chair Hristou. Roll call vote:

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

Motion passes: 6-0

The Planning Commission took a short recess and reconvened in Poplar Room #151 for the next agenda item.

DISCUSSION

CUP Text Amendments - Draft Text Amendments regarding Conditional Use Permit approval processes

Ruth Ruach presented the discussion item regarding the conditional use permit (CUP) approval process. She said the purpose of the discussion is to gather feedback from the Planning Commission on the process to draft text amendments. She provided some background and goals for the discussion. She said the current conditional use permit process has created challenges that must be resolved by amending the code. Ms. Ruach said the goals are to improve clarity for applicants and streamline the process for applicants and staff. She explained that the current process is time-consuming.

A discussion was had about the idea of applicants having their lease agreements contingent upon property owner's compliance with conditions of site improvements. This would reduce staff time spent in the application process.

Ms. Ruach proposed removing the step of the public meeting in the application process. A discussion was had regarding the requirement of giving public notice. The Planning Commissioners said that it's an opportunity for the public to provide comments and ask questions regarding an application. Staff said that public comment can be submitted via email. Some commissioners felt that it might be important for applicants to attest in person that they will comply with conditions. Ms. Ruach said they must comply with conditions before their business license can be issued.

A discussion was had regarding certain types of conditional use permits still being required to come before the Planning Commission and what would be appropriate criteria. Mr. Wilkinson said residential adjacency is an example of a criterion.

A discussion was had regarding the calculation of fees for CUP's. Mr. Wilkinson said they are based on staff's time and that includes all city staff involved, not just planning staff.

Ms. Ruach addressed a section of code to be removed relating to supervised youth group homes. She proposed removing the section that requires them to report their compliance to the city each year. She said compliance can be monitored through business license approval/renewal.

Another section of the code that's proposed for removal relates to conditional zone. These zones don't exist any longer. Conditionally approved zone changes are administered through development agreements per the State of Utah.

Ms. Ruach addressed a landscaping code that requires CUP's and site plan review applications to be submitted with a formal landscaping plan. She said staff has changed that to be for CUP applications with new structures. She noted that landscaping itself is still required when deficient, but a formal plan for the landscaping will not be required.

A discussion was had regarding how to move forward with voting on code changes. Some commissioners wondered if it would be best to vote on smaller sections at a time or wait until all of the suggested changes are ready to be voted on. The concern was what would be best for City Council.

Ms. Ruach addressed proposed changes to code regarding public notices. State law requires staff to provide public notices of meetings. City code requires the applicant to place signs on properties where zone changes are being proposed. She said the process needs to be defined better. A discussion was had regarding the current process and some suggestions for improving the process and signage posting. Some staff and commissioners were in favor of posting a physical sign to inform residents. They also discussed reviewing what should and should not require a public notice.

Ms. Ruach discussed a proposed code change to allow staff administrative approval for specific types of CUP's that don't warrant a public meeting or Planning Commission approval. She presented a list of scenarios that would be appropriate for staff approval. Some of these included minor building expansions, conditional use relocations, EMC signage approval (when not adjacent to a residential zone).

A discussion was had about the pros and cons of each scenario. The commissioners generally supported the suggestions. Staff acknowledge that these changes would give them a lot of authority. The opinion was expressed that they should still retain more oversight, but also that some things shouldn't be conditional uses at all, that they should just be permitted uses instead.

The Planning Commission was generally supportive of the proposed changes. They want to start looking at these suggestions for each zone, then have them presented to the City Council. They discussed the logistics of the process that would trigger Planning Commission approval versus staff approval.

A discussion was had regarding revoking conditional uses after they've expired. Some of the conditions are sometimes already in the code and don't need to be conditional. It was decided that review of conditional uses would be helpful.

ANNOUNCEMENTS AND QUESTIONS

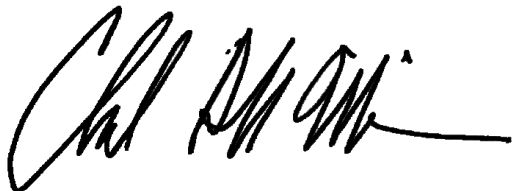
The meeting for December 18, 2025 has been cancelled.

ADJOURNMENT

Commissioner Rogers adjourned the meeting at 8:23 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.

A handwritten signature in black ink, appearing to read 'Zach Smallwood', with a horizontal line extending from the end of the signature.

Zachary Smallwood, Planning Division Manager
Community & Economic Development Department