MURRAY CITY PLANNING COMMISSION

NOTICE OF MEETING AND AGENDA

January 05, 2023

06:30 PM

5025 S State Street

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

CALL MEETING TO ORDER

BUSINESS ITEM(S)

1. Approval of Minutes

   From November 17, 2022

   Attachments

   1. PC 11.17.22 mtg.pdf
2. Conflict(s) of Interest
3. Findings of Fact

   None for this agenda

CONDITIONAL USE PERMIT(S) - ADMINISTRATIVE ACTION

4. BMW of Murray - 4615 South State Street

   #22-165

   Electronic Message Center Sign

   Attachments

   1. Packet - BMW - CUP.pdf
5. Studio 56 - 170 West Winchester Street

   #22-004

   Amend the Conditional Use Permit to allow a dumpster enclosure within the front setback area

   Attachments

   1. Packet - Studio 56 CUPA.pdf
6. Emanuel Collision Center - 4642 South 160 West

   #23-008

   Auto Sales

   Attachments

   1. Packet, Emanuel Collision.pdf

MAJOR HOME OCCUPATION REVIEW - ADMINISTRATIVE ACTION

7. Dogs Delight Mobile Grooming - 844 West Cherry Oak Circle

   #23-003

Mobile Dog Grooming Services and request to have 3 Employees

Attachments

1. Packet, Dogs Delight - MHO.pdf

SUBDIVISION REVIEW(S) - ADMINISTRATIVE ACTION

8. The Pointe at 53rd Office Condominiums - 5217 South State Street

   23-005

   Preliminary Subdivision Review for 16 Office Condominiums

   Attachments

   1. Packet, Pointe at 53rd Office Condos.pdf

DISCUSSION ITEM(S)

9. Land Use Text Amendment - Amending the R-M Multi-Family Zones

   A request to amend Murray City Code Chapters 17.116, R-M-10, 17.120. R-M-15, 17.124.R-M-20, 17.128. R- M-25, Multiple modifications regarding property line definitions, setback definitions, second access requirement, private roads, etc. within Multi Family Residential Zones.

ANNOUNCEMENTS AND QUESTIONS

ADJOURNEMENT

The next scheduled meeting will be held on **Thursday, January 19, 2023, at 6:30 p.m. MST in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.**

Those wishing to have their comments read into the record may send an email by 5:00 p.m. the day prior to the meeting date to planningcommission@murray.utah.gov. Comments are limited to three minutes or less (approximately 300 words for emails) and must include your name and address.

Supporting materials are available on Murray City's website at www.murray.utah.gov.

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

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

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

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

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Minutes of the Planning Commission meeting held on Thursday, November 17, 2022, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

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 may submit comments via email at planningcommission@murray.utah.gov.

Present: Jake Pehrson, Vice Chair
Travis Nay
Ned Hacker
Michael Richards
Maren Patterson
Lisa Milkavich
Jared Hall, Community Development Director
Zac Smallwood, Senior Planner

Excused: Jeremy Lowry, Chair

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

APPROVAL OF MINUTES

Mr. Hacker moved to approve the minutes from the October 20, 2022, Planning Commission meeting as published. Seconded by Ms. Milkavich. A voice vote was made, motion passed 6-0.

CONFLICT OF INTEREST

There were no conflicts of interest identified.

APPROVAL OF FINDINGS OF FACT

Mr. Hacker motioned to approve the findings of fact for Gold Star Auto Sales and Triangle Auto Sales. Seconded by Mr. Richards. A voice vote was made, motion passed 6-0.

ALDERATIONS LLC – 388 EAST 4800 SOUTH - MAJOR HOME OCCUPATION

Zachary Smallwood presented the application for requesting Major Home Occupation approval to at 388 East 4800 South located within the R-M-10 Zone. Homebased businesses are allowed in the zone. Major Home Occupations are usually handled administratively. They can get approval from planning commission, if unable to obtain the needed signatures. One vehicle and one trailer may be parked on a cement pad, to support home and business. The applicant has indicated he will not have any employees. Hours of operation are Monday through Friday 8 a.m. to 6 p.m. No clients or subcontractors will be coming to the home business. Neighborhood impact – one work truck and one 6' x 10' trailer.

Mr. Pehrson asked Mr. Alder if he read the conditions of the permit. Matthew Alder stated he has read the conditions of approval and will comply with the conditions.

The meeting was open for public comment.

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Steve Clayton, representing Dawndi Reichman, neighbor at 398 East 4800 South and 415 East 4800 South. Mr. Clayton talked about the fact that when people purchase residential property they don't anticipate commercial use adjoining. With the number of vehicles projected to be there (five) and size of cement pad, along with limited parked in front of Mr. Alder's property, that it may become an issue for the neighborhood. He stated that this proposal may diminish potential sell or purchase of surrounding properties. He asked if the applicant will be able to refrain from performing work at home or storing materials at home and that work at home can be interruptive intrusive to neighbors.

Mr. Hall read the formal letter: "Dawndi Reichman formerly owned the property at 388 East 4800 South, which she sold to Mr. Alder. She discussed Murray City code 17.24.10. Had she known that the property would be used for commercial use, she would not have sold Mr. Alder the property, because of the detrimental effects such a business would have on the neighborhood and her two properties. Ms. Reichman's properties are adjacent to Mr. Alder's. The use of the property must be compatible with, and not detrimental to, the residential character of the neighborhood and so long as it does not change the appearance or condition of the residence. The use of heavy equipment and tools mobilized by large trucks is not compatible with this neighborhood. He intends to expand the concrete pad and reduce the amount of green space. This type of business would increase the amount of noise and noxious odors and toxic debris emitted in the neighborhood. This type of business would be known as a major home occupation. Also, that this is a historic area, which makes it an even worse fit for this neighborhood."

Zac Smallwood explained that the only vehicles the owner has currently are what he is allowed for personal vehicles. The owner will not have customers coming to the business, so there will be no street parking for that. It was assumed by Ms. Reichman that the majority of work would be done at the residence, which is not the case. The true intent is that no work will be done onsite. Ms. Milkavich indicated that if noise becomes an issue, that is why city has noise ordinances that can be enforced, if needed. Mr. Alder's business appears to be able to comply with the stated conditions.

Mr. Nay made the motion to approve the request for a major home occupation for Alderations LLC subject to the following conditions:

1. Hours of operation are limited to between 8 a.m. to 6 p.m. Monday through Friday.
2. No employees or subcontractors are allowed to operate from the property.
3. The storage or use of flammable, explosive, or other dangerous materials is prohibited.
4. The applicant shall park the work truck and trailer to the rear of the dwelling on the concrete driveway. Parking any work truck or trailer on the public street (4800 South) is not allowed. No large trucks or equipment allowed on the site other than one work truck, weighing less than 12,000 pounds, and one trailer.
5. Storing tools in the detached garage will not be allowed per Section 17.24.040.(E). The applicant may store the tools in the trailer.
6. The applicant shall comply with all requirements of Fire and Building Codes, and all State and County Health Department requirements.
7. The business shall at all times be conducted in accordance with all applicable requirements of Section 17.24 of the Murray City Land Use Ordinance for Major Home Occupation businesses.

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Seconded by Ms. Patterson. Roll Call Vote:

A Milkavich
A Pehrson
A Nay
A Patterson
A Hacker
A Richards

Motion passed 6-0

MOFFAT FARMS - 6190, 6270, 6288, 6294, 6304, and 6334 South Moffat Farm Lane - Preliminary & Final Subdivision Approval

Mr. Smallwood presented the application for preliminary and final subdivision approval. The existing properties are located immediately east of Wheeler Farm, along a private street (Moffat Farm Lane) that is accessed off of Vine Street. The properties are owned by Claudia Luttrel and her family. Ms. Luttrel would like to do some clean-up of these property lines and make it more streamlined. Current property lines cut through homes/lots.

The proposal is a single-family residential subdivision with a total of seven (7) lots along a private street. The current area is comprised of nine (9) parcels that vary in size between 0.03 acres to 5.42 acres. The applicant would like to clean up the property lines that they own and would consolidate the properties. The new seven (7) lot subdivision is purely a clean-up project; no new development is proposed with the changes. The new lots will conform with the requirements of the A-1 zoning district where the existing lots did not.

The application before the Planning Commission is for Preliminary & Final Subdivision approval. If the Planning Commission approves the subdivision the applicant will work with the Engineering Division to prepare a Final Plat. Once the Final Plat has been accepted by the City Engineer, it will be circulated for signatures of approval which will allow the recordation of the plat at the Salt Lake County Recorder's Office.

Both the Engineering and Planning Divisions have determined that because there is no possible way to provide a public street or an ability to develop additional property at this location, we feel confident in recommending that the exception be applied to this application. These properties are not in a platted subdivision currently and could have been addressed as a boundary line adjustment; however, because of the complexity of the changes to be cleaned up staff determined it would be better and cleaner to take the changes through the subdivision process by applying this exception. This will allow for the properties to come into conformance with existing codes and clean up property lines that have been subdivided prior to incorporation into Murray City.

It is important to note that this exception is not lightly invoked and applied by staff in this or any other case. With this collection of existing homes, no public road can be created for access and there are additional constraints to the property that would exclude further development. We are confident that this exception could and would not be applied in any other manner on this property.

The applicant approached the podium and was asked if she read and could comply with conditions. She stated that she could.

The application was opened for public comment. Mr. Hall read an email from John & Chris Wehmann. They stated that if the request is a zoning change that more information is needed by the neighbors. If it is just property line changes then they have no additional concerns.

Ms. Patterson's concern is that, although right now, no one is trying to build on those newly created lots, but what about in the future. She says that the newly created lots are buildable lots if they can meet requirements. Mr. Pehrson says there are already lots with no buildings on them. Mr. Smallwood spoke to these concerns. Even right now, there are lots that could have a house built on them. Ms. Milkavich pointed out that this zone is A-1, so the requirement is they need one acre. They can't be subdivided additional due to water and sewer. The owners of the private lane would also need to agree. Ms. Patterson is concerned that a developer might try to develop in the future. Ms. Patterson is concerned there is no protection against it. She knows that they need to move forward, but felt uncomfortable. Ms. Milkavich wanted to know what the benefit is to cleaning up property lines. The applicant stated that it was Murray City that required her to have the one acre lots. Any boundary line adjustment must end in a one-acre lot.

Mr. Richards made the motion to grant Preliminary & Final Subdivision approval for the Moffat Farm Subdivision on the properties addressed 6190, 6270, 6288, 6294, 6304, and 6334 South Moffat Farm Lane, subject to the following conditions:

1. The applicant shall meet all requirements of the Murray City Engineering division and all City plot requirements for amending property lines.
2. All lots within the subdivision shall comply with the requirements of the A-1 Zone as outlined in Chapter 17.92 of the Murray City Land Use Ordinance.
3. The applicant shall prepare a Final Subdivision Plat which complies with all requirements of Title 16, Murray City Subdivision Ordinance.
4. The subdivision plat shall be recorded within one year of the final approval by the Planning Commission or the subdivision plat approval shall be null and void.

Seconded by Mr. Hacker. Roll Call Vote:

A Richards
A Milkavich
A Nay
A Hacker
A Patterson
A Pehrson

Motion passes 6-0

TRIPP LANE SUBDIVISION - 871 West Tripp Lane - Preliminary Subdivision Approval

Zac Smallwood presented the proposal for a single-family residential subdivision with a total of twelve (12) new lots and a new dedicated public roadway extending Tripp Lane on the north and terminating in a cul-de-sac. The subject property is a vacant, 2.78 acre parcel located to the

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west of Riverview Junior High School, between Tripp Lane (5755 South) and Willow Grove Lane at approximately 5840 South. The application before the Planning Commission is for Preliminary Subdivision approval. Staff will recommend conditions to be met as the applicant works with the Engineering Division to prepare the Final Subdivision Plat for review and approval by the Planning Commission. Once a Final Plat has been approved by the Planning Commission and accepted by the City Engineer, it will be circulated for signatures of approval which will allow the recordation of the Plat at the Salt Lake County Recorder's Office.

Mr. Richards asked if there is pedestrian access to the cul-de-sac. Mr. Smallwood said that there will be an access required. This would eliminate need for children to cross private property to the school. Another concern, from the public, was maintenance of parcel A. NeighborWorks of Salt Lake could maintain or the city could maintain. That will be decided before final approval. Ms. Milkavich asked what happens if a non-profit maintains it. Mr. Hall indicated that NeighborWorks land are held in trust and will be controlled. Lot A must stay as a detention base.

Mr. David Foster of NeighborWorks confirmed that NeighborWorks has reviewed the conditions and will meet all twelve conditions. He expressed a strong interest in the project and wanting to create affordable housing.

The application was opened for public comment. Elizabeth Larsen spoke. She wanted to go on record as being in favor of a cul-de-sac going the other direction or a through street from Tripp Lane to Willow Grove. She is concerned about the traffic flow issues with school traffic and recreational events around 800 West and Tripp Lane. She wants to know how to get traffic problems solved. She proposed widening Tripp Lane.

Rachael Palmer, resident, expressed her concern for traffic. She has issues getting out of her own neighborhood due to junior high traffic. Her commute is very complicated. She pointed out her observations of children's safety. She asked to not approve this review until the traffic concerns are addressed.

Brenda Hales, resident, stated the current state of Tripp Lane is not a favorable environment. She suggested connecting Tripp Lane and Willow Grove Lane to facilitate better school pick-up and recreational events. She stated that emergency vehicles can't access the area, as needed. She wants to know why eminent domain can't be used in this case to acquire the needed land to widen the street.

Mr. Hall read an email from Brenda Green indicating that she isn't against the housing, just against the added traffic. Tripp Lane is not wide enough. She cited that two children have been hit by cars over the past few years. She asks the commission to come and see how bad the traffic is. She asks to delay this housing project until a solution can be found.

Mr. Hall then read an email from Brent Milne. He indicated that the cul-de-sac go the opposite direction to solve the problem. It needs to come from the Willow Grove side, not Tripp Lane. It would allow for better and safer access. He proposes a delay on the project. He proses using eminent domain to acquire the property needed.

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Brenda Hales read a comment from Parker Hales. He cited city code regarding cul-de-sacs, curbs, and gutters. She stated she does not feel this project meets those requirements and that Willow Grove Lane should connect to Tripp Lane.

Mr. Richards commented that he agrees with the public comments. Everything the neighbors said is accurate. He feels this should go back to City Council. He asked if it can and Mr. Smallwood stated that the neighbors would have to get a petition from the Tripp Lane property owner for the City Council. Staff for the city and the planning commission have the role of simply processing the application. This part of the process is an administrative action to determine if the applicant meets the requirements, then the planning commission is legally required to approve applications. The issues brought up by the public need to be addressed in a different forum, such as City Council.

Mr. Pehrson asked if the applicant wanted to change the project after approved, could they do that. Mr. Smallwood said that they could. Mr. Hall said this is not a case of the applicant not wanting to buy the needed property. The applicant is not able to perform that action. None of the current parties involved have the ability to make that happen. That property is not for sale and the City Council would have to exercise eminent domain. Instead, the City Council chose not to act. They almost never used eminent domain. The commission and staff stated that are not opposed to a road going through. Mr. Smallwood suggested the public contact City Council, school district, and the traffic safety committee to address traffic concerns. NeighborWorks has done its best to design the project, based on the constraints. Mr. Hacker encouraged community members to tell council members and the school board that Tripp Lane is a safety hazard. Mr. Richards stated that 800 West also needs to be fixed.

Mr. Nay made the motion to approve the application, based on the information presented in this report, application materials submitted and a site review, staff recommends that the Planning Commission grant preliminary subdivision approval for the Tripp Lane Subdivision on the property addressed 871 West Tripp Lane subject to the following conditions:

1. The applicant shall meet Murray City Engineering requirements including the following:
    a) Meet City subdivision requirements.
    b) Meet City utility standards, provide standard front rear and side yard PUE's on lots and Parcel A – window wells cannot extend into PUE.
    c) Obtain written approval from Murray City for acceptance and maintenance of Parcel A.
    d) Obtain easement for water line crossing of the Livingston property.
    e) Vacate any unused easements within the subdivision boundary.
    f) Extend the subdivision curb and gutter and sidewalk to the paved ball field access on the east side of the subdivision.
    g) Meet City storm drainage requirements, on-site retention of the 80th percentile storm is required. Detention and reduced release are also required. Implement Low Impact Development (LID) practices.
    h) Maintain rear lot drainage on individual lots – do not convey drainage from lot to lot.
    i) All sewer manholes need to be accessible from a roadway.
    j) Provide removable bollards and end on street markers at the end of Willow Grove Lane.
    k) Provide a site geotechnical study based on proposed site grading, LID and building plans. The study should include parameters for the proposed LID, including percolation rate and saturation zone. Subsurface infiltration systems should be located 25' from basements or as directed by the Geotechnical Engineer.

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l) Provide Street lighting, type and locations need to be coordinated with Murray City Power.
m) Provide a subdivision improvement bond prior to recording the plat.
n) Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning any site grading and construction work.
o) Obtain a City Excavation Permit for work within City roadways.

2. The applicant shall meet all requirements of the Murray City Water Division including:

a) All water services need to be 1".
b) On north end they need locking gaskets for first 3 joints after new valve on Tripp Lane so the city has the option to leave the line live for any future pipe replacement on Tripp Lane.
c) The water line on Tripp Lane is 6" cast and on Willow Grove Lane is 8" ductile.
d) All hydrants must be set on property line with concrete pads.
e) Meter pits may not be located in driveways.
f) A ten foot (10') minimum separation between water and sewer mains must be maintained.
g) Follow Murray Water material and construction specs.

3. The applicant shall meet all Murray City Fire Department requirements and follow all International Fire Codes.
4. The applicant shall meet all Murray City Wastewater Division requirements and follow all Murray Water Specifications.
5. The applicant shall provide perimeter project fencing in the form of 6' solid fencing along the north and east project boundaries, and along the south and west boundaries where such fencing does not already exist or needs repair.
6. The subdivision shall include the installation of street lighting in accordance with Murray City Power Department standards and meet all Murray City Power Department requirements.
7. The subdivision improvements shall include the installation of street trees as required by Murray City Code.
8. All lots within the subdivision shall comply with the requirements of the R-1-6 Zone as outlined in Chapter 17.100 of the Murray City Land Use Ordinance.
9. The project shall follow International Fire Code (IFC) regulations for fire access and hydrant locations.
10. The applicant shall amend the width of the proposed public right-of-way to include the city standard of forty-nine feet (49'). Prior to being placed on an agenda for final subdivision approval.
11. The applicant shall amend lot 7 to meet the lot width requirement of sixty feet (60') at the twenty-foot (20') setback line prior to being placed on an agenda for final subdivision approval.
12. The applicant shall prepare a Final Subdivision Plat which complies with all requirements of Title 16, Murray City Subdivision Ordinance.

Seconded from Mr. Hacker. Roll call vote:

A Milkavich
A Pehrson
A Nay
A Patterson
A Hacker

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_N_ Richards

Motion Passes 5-1.

LAND USE ORDINANCE TEXT AMENDMENT - Section 17.78.050.J Detached ADU's

Mr. Smallwood presented (on behalf of Susan Nixon). Peggy Imai is requesting an update to Chapter 17.78.050(J), changing the minimum lot area of 12, 000 square feet (.275 acre) to 10,000 square feet (.23 acre) required for Detached Accessory Dwelling Units. Section 17.78.050(J) states: "*The minimum lot size required for construction of a detached ADU in all single-family residential zones shall be twelve thousand (12,000) square feet."* The request is to reduce the minimum area required from 12,000 square feet to 10,000 square feet. Staff has been considering other amendments for detached ADUs such as setbacks and maximum square footage for a detached ADU but has not fully researched these other changes and any potential impacts. Therefore, staff is not recommending other changes at this time.

The proposed request will potentially allow more property owners the ability to have detached ADU's. The Planning Division does not anticipate adverse impacts to the community as a result of the proposed change. The proposed amended ordinance will continue to regulate accessory dwelling units and potentially allow additional properties the ability to have a detached dwelling unit.

Based on the background, staff review, and the findings in this report, Staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the request to amend the text of Chapter 17.78.050(J), Detached Accessory Dwelling Units, to state: *The minimum lot size required for construction of a detached ADU in all single-family residential zones shall be ten thousand (10,000) square feet.*

Ms. Imai stated she recently purchased the property at 451 East Vine Street and would like to build a single-family dwelling with detached accessory dwelling unit. Her property is just shy of the 12,000 sq.ft. minimum area requirement.

Mr. Pehrson opened for public comment. None came forward. The public comment for this item was closed.

Ms. Patterson made the motion to send a positive recommendation to the city council for the Land Use Text Amendment to Section 17.78.050.J. reducing the minimum area requirement for detached accessory dwelling units from 12,000 sq.ft. to 10,000 sq.ft. Seconded by Mr. Richards.

Roll call vote:

_A_ Milkavich
_A_ Pehrson
_A_ Nay
_A_ Patterson
_A_ Hacker
_A_ Richards

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Motion Passes 6-0

OTHER BUSINESS

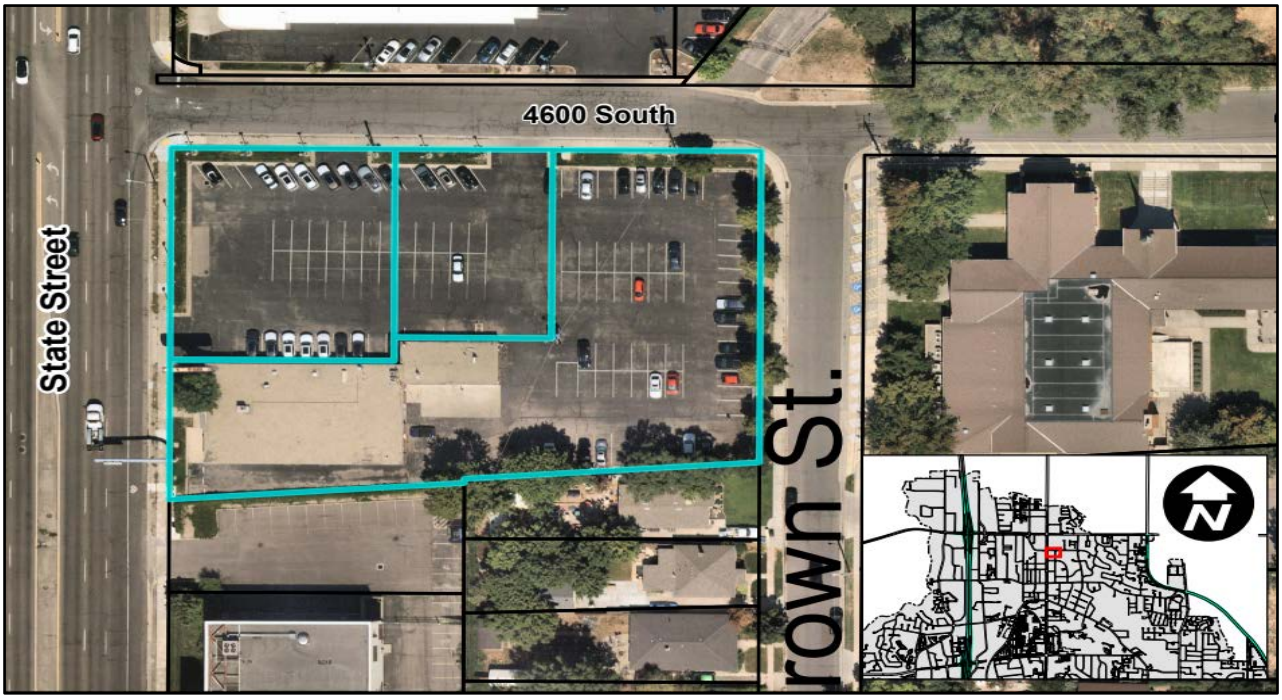
December 1st meeting is canceled. Mr. Hall mentioned two new hires. New planner Mustafa Al Janabi and Economic Development Specialist Abigail Jacobsen.

Mr. Hacker moved to adjourn tonight's meeting at 8:37 p.m. Seconded by Mr. Nay. A voice vote was made, motion passed 6-0.

Jared Hall, Community & Economic Development Director

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AGENDA ITEM #4 - BMW of Murray			
ITEM TYPE:	Conditional Use Permit to allow an Electronic Message Center Sign		
ADDRESS:	4615 South State Street	**MEETING DATE:**	January 5, 2023
APPLICANT:	BMW of Murray & Young Electric Sign Company	**STAFF:**	Susan Nixon, Senior Planner
PARCEL ID:	22-06-353-003; 22-06-353-002 22-06-353-001	**PROJECT NUMBER:**	22-165
ZONE:	C-D, Commercial Development		
SIZE:	1.40-acre site (59,400 ft^2) | 210 ft^2 EMC sign		
REQUEST:	The applicant is requesting Conditional Use Permit approval to allow the construction of an Electronic Message Center (EMC) sign on the subject property.		



I. LAND USE ORDINANCE

Section 17.48.280 of the Murray City Land Use Ordinance allows Electronic Message Center Signs within the C-D zoning district subject to Conditional Use Permit approval.

II. BACKGROUND & REVIEW

Project Location

The subject property is a vehicle sales lot located at the southeast corner of State Street and 4600 South Street. The applicant intends to refurbish the existing sign located approximately 125 feet south from the corner of State and 4600 South Street with an Electronic Message Center (EMC) sign.

Typically, when reviewing a request for a CUP, if the project is comprised of different parcels, it is planning staffs' preference to have the properties combined by way of a lot or parcel consolidation. In this case, the building is located on parcel #22-06-353-003. The parking lot on the corner is parcel #22-06-353-001. The smaller parking lot is parcel #22-06-353-002. The Planning Commission may want to discuss the requirement of combining two of the three parcels (22-06-353-003 and 22-06-353-001) which are in the same taxing district, 21L. The third parcel (22-06-353-002) is in a different taxing district, 21, and cannot be combined with the other two. According to Salt Lake County assessors, properties in different taxing districts cannot be combined.



Surrounding Land Use and Zoning

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

Project Description

The applicant would like to refurbish an existing pole sign into an electronic message center. Section 17.48.200.7. states: *"Pole signs are only allowed in the Commercial and Manufacturing Zones for parcels or developments that are directly adjacent to or abutting either Interstate 15 or Interstate 215 and must be freeway oriented*." The existing pole sign is "legal nonconforming" to the current sign regulations. Section 17.48.090: Nonconforming Signs, states the following: "*B. Maintenance: Excluding normal maintenance, repair, or removal, a nonconforming sign shall not be moved, altered (including face and structural changes), or enlarged unless it is brought into complete compliance with the current Sign Code. The following alterations are exempt from this provision: 1. Content changes to a previously approved sign."* This provision allows the sign to be modified to an EMC sign provided a Conditional Use Permit approval is granted by the Planning Commission.

Electronic Message Center (EMC) Signs are signs that utilizes computer- generated messages or some other electronic means of changing copy (read: information and/or messages). These signs include displays using incandescent lamps, LEDs, LCDs, or a flipper matrix.

Electronic Message Center Sign Standards

Section 17.48.280 of the Murray City Land Use Ordinance outlines six (6) standards that are required for EMC signs. The applicant has included an email that indicates compliance to these standards which has been included for the Planning Commission's review. Staff analysis of the application's response to the standards follows:

1. All EMCs must have an automatic dimmer to reduce sign intensity after dark.

The applicant states that the software has a built-in programmable dimming feature and a sensor for light and dark and can control the brightness from 1%-100% depending on the time of day and criteria set.

2. EMCs shall be carefully oriented so that light emitted from a sign is not a traffic hazard, obtrusive, or a nuisance to adjacent properties.

The applicant states that the EMC is part of the refurbishment of the existing sign, and that sign orientation is not changing. Staff agrees and does not anticipate that the addition of this EMC will negatively impact traffic or cause the sign to become obtrusive.

3. Persons installing or manufacturing an EMC sign which has an LED, LCD, or flipper matrix must demonstrate that the brightness of such sign will not exceed 0.3 foot-candles over ambient lighting conditions as measured at a point perpendicular to the electronic sign face. Such signs must also be equipped with a dimmer switch to change the intensity of light emitted from the sign to meet the 0.3 foot-candle brightness if needed after installation.

The applicant states in their letter that the EMC will not exceed 0.3-foot candles above ambient light. Additionally, the software that accompanies this EMC sign allows for adjustments after the sign is installed if some issues were to present itself.

4. Any display on the EMC must remain lighted for at least two (2) seconds.

The applicant states that they will comply with this requirement.

5. An EMC located within three hundred feet (300') of a residential use, or as otherwise determined by the Planning Commission, may not operate between the hours of ten o'clock (10:00) P.M. and six o'clock (6:00) A.M. of the following day, or shall hold static on a single image and shall not cause illuminance in excess of three tenths (0.3) foot-candles over ambient lighting conditions as measured at a point perpendicular to the electronic sign face at a distance in feet calculated as follows:

a. Measurement Distance = $\sqrt{Area\ of\ Sign\ Ft^2\ x\ 100}$

Staff measured the existing sign and found it to be approximately 240' from the nearest single-family residence on Brown Street. The proximity would require the application of the standard outlined above to the proposed EMC sign. The applicants have stated that that they will comply.

6. A minimum of five percent (5%) of the time the sign is in use the message shall be devoted to public service messages.

The applicants have stated that they do not have an issue with this requirement and will be able to comply with the standard.

Commercial Zone Sign Standards

Section 17.48.200 of the Land Use Ordinance regulates signage in Commercial Zones. Staff has provided a review of the regulations for information only (see below). The sign as it currently exists and its proposed refurbishment are allowed by right within the Murray City Land Use Ordinance.

- *One detached on premises sign for each developed parcel not exceeding one and one-half (1 1/2) square feet of sign area for each linear foot of street frontage. No sign may exceed a total sign area of two hundred (200) square feet per side. A maximum of two (2) sides are allowed.*

The site has a combined frontage on State Street of 214 feet allowing up to 200 ft^2 of sign area. The existing pole sign area is nonconforming with 215 ft^2. According to the plans provided by the applicant the entire sign would be an Electronic Message Center totaling 210 ft^2. The proposed sign meets the regulations for refurbishing an existing legal nonconforming sign.

- *The maximum sign height is thirty-five feet (35') above pavement grade or ground level. On properties adjacent to freeways, where the sign is freeway oriented, maximum sign height may be determined from freeway grade;*

  The proposed sign will remain the same height at approximately 35'2". This meets the nonconforming standards in the Land Use Ordinance.

- *Minimum sign clearance from grade to the bottom of the sign cabinet is eight feet (8').*

  The applicant's proposal shows that the clearance of the sign is approximately 24'10". Staff has no concerns with the clearance.

- *Minimum sign setback from all property lines is two feet (2').*

  The applicants site plan shows that the sign is setback two feet (2') from the edge of the sign along the State Street frontage and 125' from 4600 South Street frontage. Staff measured the approximate location and found that this meets the requirement.

III. LAND USE ORDINANCE STANDARDS REVIEW

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

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

With compliance to city regulations, the proposed sign will enhance the local business and increase the desirability of the area. The proposed sign will contribute to the operations of a successful business and will be a benefit to the larger area by ensuring that business' continued success and good property maintenance.

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

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

C. That the proposed use will stress quality development with emphasis towards adequate buffering, landscaping, proper parking and traffic circulation, use of appropriate

gradation of building height away from single family districts and density to create privacy and compatibility with surrounding uses, use of building materials which are in harmony with the area, impact on schools, utilities and streets.

The proposed use will contribute to the overall quality of the site by enhancing the operations of a successful and active tenant, ensuring the continued maintenance of the site. The proposed sign is in harmony with the existing signs in this zoning district.

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

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

IV. CITY DEPARTMENT REVIEW

A Planning Review Meeting was held on November 14, 2022, where the EMC sign was reviewed and discussed by Murray City department staff. The following comments have been provided by the departments that reviewed the proposal.

- The Murray City Engineer recommends approval as requested.
- The Murray Power Department did not have any concerns.
- The Murray Water Department did not have any concerns.
- The Murray Wastewater Department did not have any concerns.
- The Murray Fire Department did not have any concerns.

Other reviewing staff recommended approval without specific conditions or comments.

V. PUBLIC INPUT

Twenty-four (24) notices of the public meeting were sent to all property owners for parcels located within 300 feet of the subject property. As of the date of this report, Staff has not received any public comment.

VI. FINDINGS

Based on the analysis of the Conditional Use Permit application to allow an Electronic Message Center Sign and a survey of the surrounding area, staff concludes the following:

1. The proposed electronic message sign is allowed in the C-D Zoning District subject to conditional use permit approval.
2. With conditions as outlined in the Staff Report, the proposed use and property will comply with the standards of the Murray City Land Use Ordinance.

3. The proposed sign is not contrary to the goals and objectives of the Murray City General Plan in this area.

VII. CONCLUSION/RECOMMENDATION

Based on the findings, information presented in this report, application materials submitted, and a site review, staff recommends that the **Planning Commission APPROVE a Conditional Use Permit to allow the construction and operation of an Electronic Message Center sign at the property addressed 4615 South State Street,** subject to the following conditions:

1. The applicant shall obtain a sign permit from the Murray City Building Division.
2. The sign shall comply with all applicable building and fire code standards.
3. The applicant shall comply with all standards for signs as outlined in Section 17.48, Sign Code, of the Murray City Land Use Ordinance. The EMC may not operate between the hours of ten o'clock (10:00) P.M. and six o'clock (6:00) A.M. of the following day, or shall hold static on a single image and shall not cause illuminance in excess of three tenths (0.3) foot-candles over ambient lighting conditions as measured at a point perpendicular to the electronic sign face.
4. The EMC sign may not enlarge or expand in anyway as to make the sign cabinet out of compliance with the nonconforming status.

   Potential additional condition of approval:

5. Two of the three parcels (22-06-353-003 and 22-06-353-001) should be combined to bring the property and use into better conformance. The third parcel (22-06-353-002) is in a different taxing district and cannot be combined with the other two.

MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT

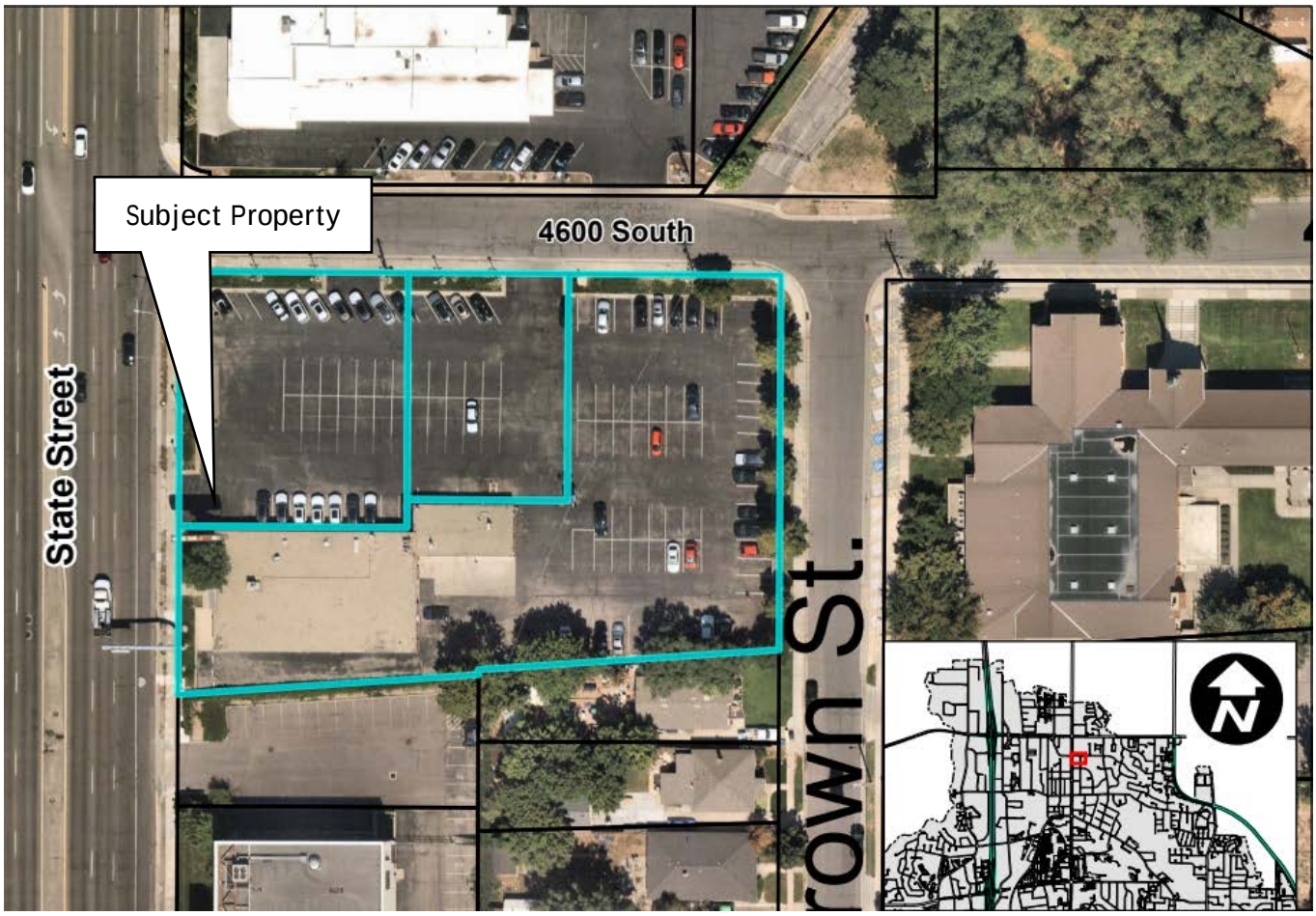
Building Division 801-270-2400
Planning Division 801-270-2430

NOTICE OF PUBLIC MEETING

December 15, 2022, 6:30 PM

The Murray City Planning Commission will hold a public hearing on Thursday, December 15, 2022 at 6:30 p.m. in the Murray City Municipal Council Chambers, located at 5025 S. State Street to receive public comment on an application submitted by representatives of **BMW of Murray Dealership** for Conditional Use Permit Approval to convert the existing pole sign into an Electronic Message Center Sign at the property addressed **4615 South State Street**. Please see the attached plans. The meeting is open and the public is welcome to attend in person or you may submit comments via email at planningcommission@murray.utah.gov. If you would like to view the meeting online, you may watch via livestream at www.murraycitylive.com or www.facebook.com/MurrayCityUtah/.

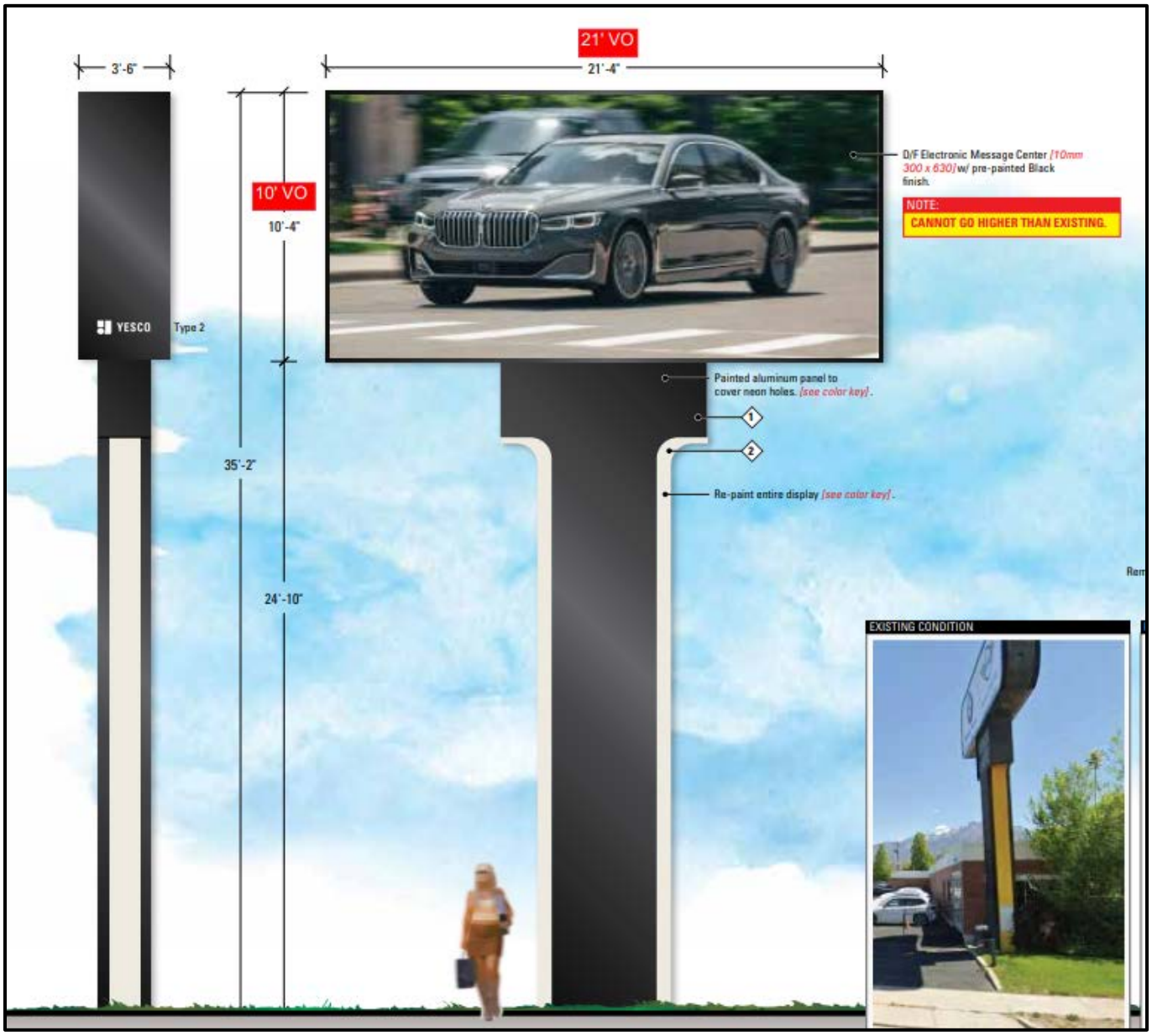
Comments are limited to 3 minutes or less, written comments will be read into the meeting record.



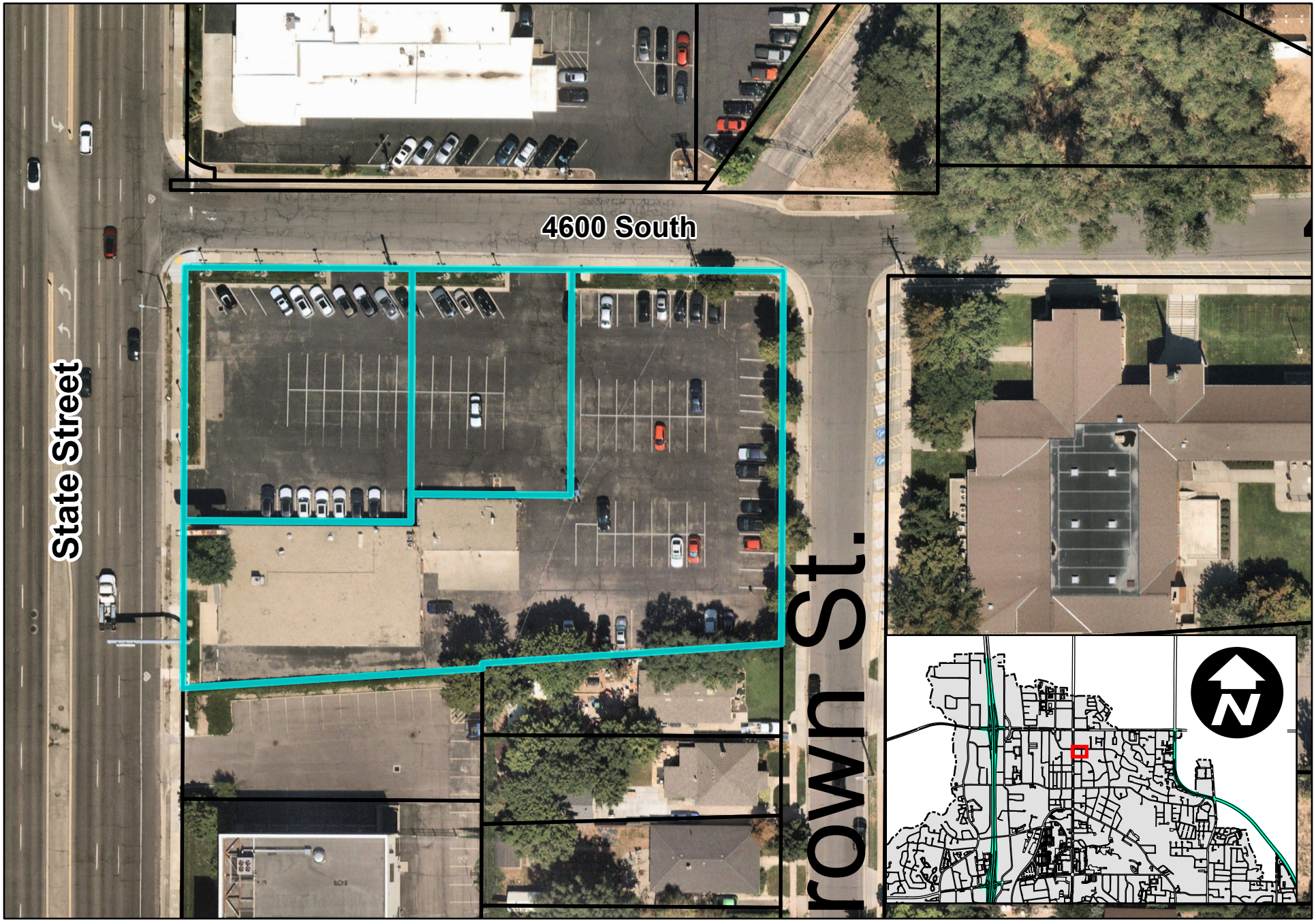
This notice is being sent to you because you own property within 300 feet of the subject properties. If you have questions or comments concerning this proposal, please call Susan Nixon at the Murray City Planning Division at 801-270-2430, or e-mail to snixon@murray.utah.gov.

Public Notice Dated |November 30, 2022

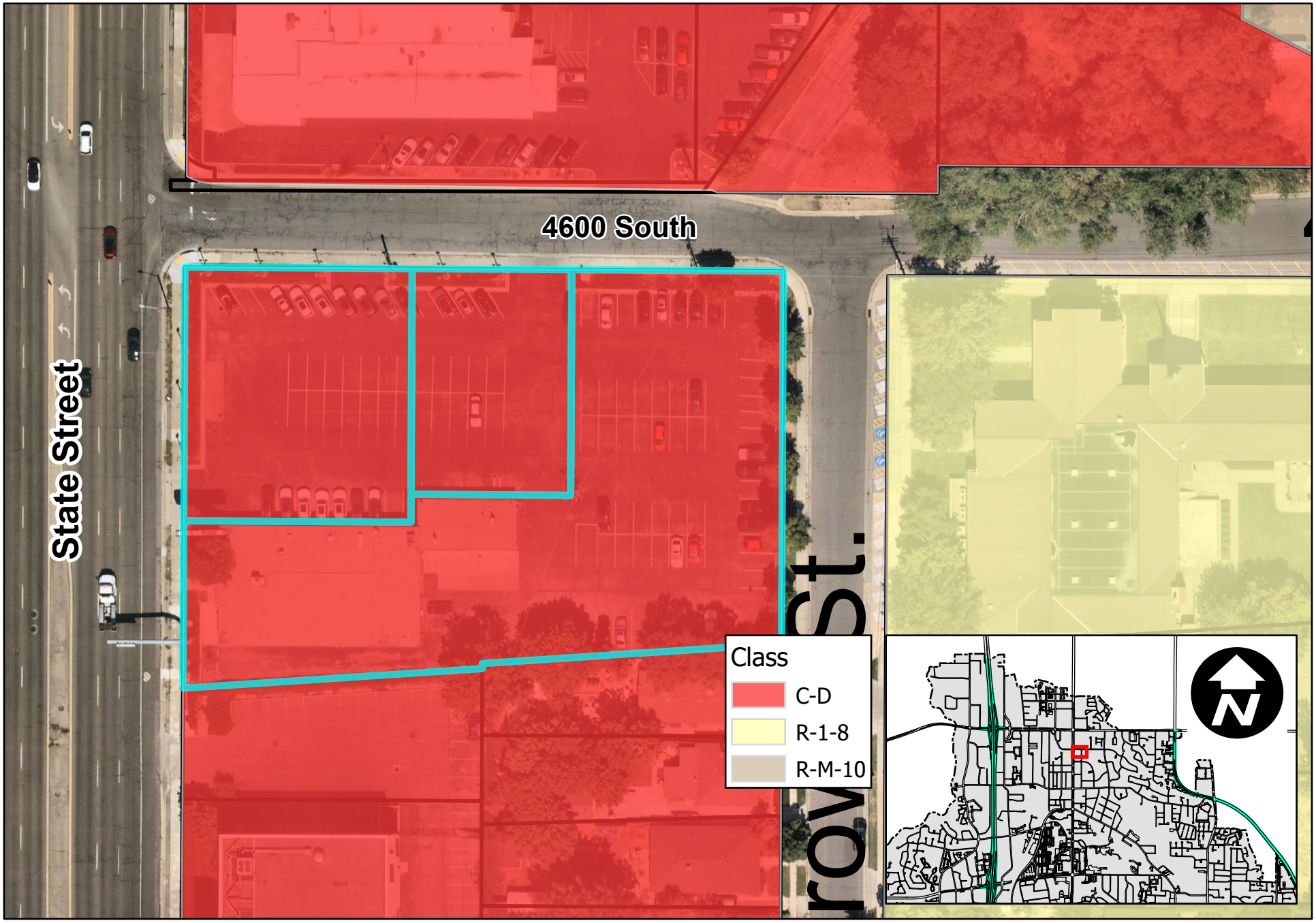
Special accommodations for the hearing or visually impaired will be upon a request to the office of the Murray City Recorder (801-264-2660). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.



4615 South State Street



4615 South State Street



Project #_____

CONDITIONAL USE PERMIT APPLICATION

Type of Application (check all that apply):

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

Subject Property Address: 4615 S State Street, Murray

Parcel Identification (Sidwell) Number: 22-06-353-003-0000

Parcel Area: _____ Current Use: Commercial

Floor Area: _____ Zoning Classification: CDC LU# _____

Applicant Name: Shauna Gappmayer

Mailing Address: 1605 Gramercy Road

City, State, ZIP: Salt Lake City, UT 84104

Daytime Phone #: 801-464-6467 Fax #: _____

Email Address: sgappmayer@yesco.com

Business or Project Name : BMW of Murray

Property Owner's Name (If different): Firmage Group INC

Property Owner's Mailing Address: 4735 South State Street

City, State, Zip: Murray, UT 84107

Daytime Phone #: 801-716-4621 Fax #: _____

Email address: todd.hawkins@bmwofmurray.com

Describe your request in detail (use additional page if necessary): _____
Refurbish existing pole sign:
Remove upper ID cabinet and retrofit with new digital display.

Authorized Signature: _____ Date: 11/9/22

Project #_____

Property Owners Affidavit

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

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

State of Utah

County of Salt Lake §

VICKIE A. RAEL
NOTARY PUBLIC - STATE OF UTAH
My Comm. Exp. 10/12/2024
Commission # 714496

Subscribed and sworn to before me this 8 day of Nov, 2022.

Vickie A Rael
Notary Public

Residing in SLC UT My commission expires: 10/12/2024

Agent Authorization

I (we), John Firmage, the owner(s) of the real property located at 4645 So. State, in Murray City, Utah, do hereby appoint YESCO LLC / Shauna Gappmayer, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize YESCO LLC / Shauna Gappmayer to appear on my (our) behalf before any City board or commission considering this application.

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

State of Utah

County of Salt Lake §

VICKIE A. RAEL
NOTARY PUBLIC - STATE OF UTAH
My Comm. Exp. 10/12/2024
Commission # 714496

On the 8 day of Nov, 2022, personally appeared before me John Firmage the signer(s) of the above *Agent Authorization* who duly acknowledge to me that they executed the same.

Vickie A Rael
Notary public

Residing in SLC UT My commission expires: 10/12/2024

Project #_____

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

Property Owner Name: FIZMAGE GROUP, INC. Phone: 801-268-2100

Property Address: 4735 S. STATE ST. Murray, UT 84107

Name of Organization/Business: THE FIZMAGE GROUP, INC.

Contact Person: JOHN FIZMAGE Phone: 801-268-2100

Email address: JOHN@FIZMCO.COM

Address: 4700 S. STATE City: Murray UT Zip 84107

Project Description: _____

Additional information or comments:

_____

_____

_____

Per City Code Section 17.76.180: Multi Warehouse Facilities:

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

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

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

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

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

Signature: _____ Date: 11/8/22

Murray City Corporation
Community & Economic Development Division
4646 South 500 West
Murray UT 84123
(801) 270-2420

IF THIS COPY IS VISIBLE ON PHYSICAL PRINTS IT MAY INDICATED THAT ARTWORK HAS BEEN SCALED TO FIT AND MAY NOT BE PRINTED AT 1:1 SCALE.

Presented By

YESCO

Salt Lake Region

Salt Lake Office
1605 South Gramercy Road
Salt Lake City, UT 84104
801-487-8481

Version:

OPY 44160-R0 / 2021.11.30

Table of Contents:

COVER
ART0.1 - SITE MAP
ART1.0 - NEW EMC

Property Owner:

John H. Firmage, Inc dba BMW of Murray
4735 S State St
Murray UT 84107-3817

Business Address:

BMW of Murray
4615 S State St
Murray UT 84107

TYPOGRAPHY NOTE

All vertical typography dimensions specified in this package are based upon the measurement from the baseline to the cap-line of an uppercase letter 'i'. The height of descenders and ascenders, below and above the baseline and cap-line respectively, are not included in the measurements unless specifically noted.

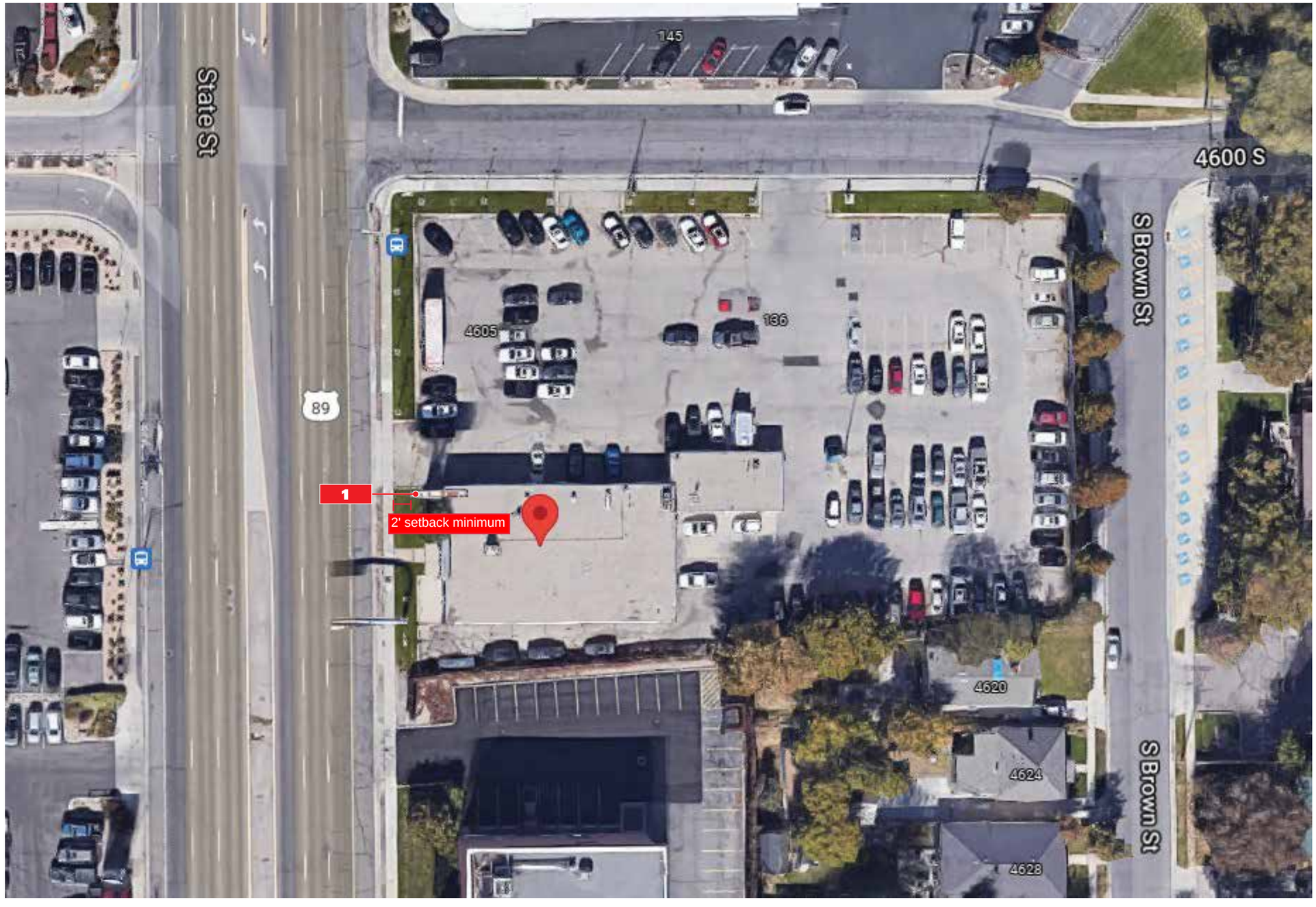


COLOR MATCHING NOTE

Colors specified in this package are to match vendor supplied physical samples. Colors chosen based upon how they appear on a computer monitor or printed media are not guaranteed to match.

PRODUCTION NOTE

The PDF format of this package may contain graphics which have been down-sampled for proofing purposes and should not be used for production purposes. Source files for this package are available upon request for production purposes.



1 NEW D/F EMC / REPAINT DISPLAY

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

This design does not constitute production ready artwork and is to be used exclusively for proofing and review purposes only.

YESCO

DESIGN

1605 South Gramercy Rd.
Salt Lake City, UT 84104
801.487.8481

www.yesco.com

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The colors shown are only approximated on any computer monitor, inkjet or laser print. The final product may vary slightly in color from your computer monitor or print.

This sign is installed in accordance with the requirements of Article 600 of the National Electrical Code and / or other applicable local codes. This includes proper grounding and bonding of the sign.

Revisions

No.	Date / Description
1	---

Approval

A/E Sign / Date

Client Sign / Date

Landlord Sign / Date

BMW of Murray

4615 S State St
Murray UT 84107

Acct. Exec: Ben Olson
Designer: Larry Cohen

Orig: 11.29.2021

OPY_44160 R0

scale: as noted

ART 0.1



1 SIDE VIEW

1 NEW D/F EMC - RE-PAINT DISPLAY

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

NOTE:
CANNOT GO HIGHER THAN EXISTING.

SCOPE OF WORK:

MANUFACTURE & INSTALL *ONE [1]* D/F 16MM EMC. REPAINT ENTIRE DISPLAY. REMOVE EXISTING TOP CABINET & *TWO [2]* SETS OF "OPEN NOW" NEON & DISCARD.

PERMITTING	SIGN AREA: 210 ft²
FINAL ELECTRICAL CONNECTION BY:	YESCO TO CONNECT SIGN TO CUSTOMER PROVIDED PRIMARY POWER TO SIGN LOCATION.

COLOR KEY

1	Paint	Sherwin Williams # YESCO "Black"
2	Paint	Sherwin Williams # 7008 "Alabaster"

NOTE: UNLESS OTHERWISE NOTED, THE COLORS DEPICTED ON THIS RENDERING MAY NOT MATCH ACTUAL COLORS ON FINISHED DISPLAY. PLEASE REFER TO COLOR-CALLOUTS AND THEIR APPROPRIATE VENDOR SPECIFIED SAMPLES FOR APPROVED COLOR SPECIFICATIONS.

FIELD SURVEY REQUIRED
VERIFY ALL EXISTING DIMENSIONS PRIOR TO FABRICATION

MEASUREMENTS & INFORMATION NEEDED
-WIDTH OF ALL EXISTING ELEMENTS.

Existing sign = 215 sq. ft.

New sign = 210 sq. ft.

Remove existing cabinet & discard.

Remove existing neon & discard.

EXISTING CONDITION



EXISTING CONDITION



YESCO
DESIGN
1605 South Gramercy Rd.
Salt Lake City, UT 84104
801.487.8481
www.yesco.com
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⚠	---

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Client Sign / Date

Landlord Sign / Date

BMW of Murray
4615 S State St
Murray UT 84107

Acct. Exec: Ben Olson
Designer: Larry Cohen

Orig: 11.29.2021

OPY_44160 R0

scale: as noted

ART 1.0

This design does not constitute production ready artwork and is to be used exclusively for proofing and review purposes only.

AGENDA ITEM #5 – Studio 56			
ITEM TYPE:	Amend Conditional Use Permit to allow a dumpster enclosure within the front setback area		
ADDRESS:	170 West Winchester Street	MEETING DATE:	January 5, 2023
APPLICANT:	Studio 56	STAFF:	Susan Nixon, Senior Planner
PARCEL ID:	21-24-253-013	PROJECT NUMBER:	23-004
ZONE:	R-N-B, Residential Neighborhood Business		
SIZE:	.64-acre site - 27,950 ft^2 | 9,124 ft^2 total building | 72 ft^2 dumpster enclosure		
REQUEST:	The applicant is requesting to amend the Conditional Use Permit to allow a dumpster enclosure within the front setback area.		



I. LAND USE ORDINANCE

Land Use Ordinance Section 17.76.170.F. states "*that no refuse collection areas shall be permitted between the street and the front building line except as allowed by the Planning Commission*." Additionally, Section 17.76.170.C. states "*that all containers shall be kept at a location easily accessible by collection vehicles and refuse producers."*

II. BACKGROUND

Project Location

The subject property is located on the north side of Winchester Street, east of the park and ride lot at the Fashion Place West TRAX station.

Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	UTA Trax Parking	M-G
South	Single-Family Residential	R-1-8 & R-N-B
East	Single-Family Residential	R-N-B
West	Single-Family Residential	R-N-B

Project Description

In November of 2012 Site Plan approval was granted to convert an existing 50' X 50' garage into a dance studio. On April 7, 2022, the Planning Commission granted a Conditional Use Permit for an expansion of the existing dance studio. The applicant is now proposing to amend the CUP to allow a dumpster enclosure to be located in front of the dance studio. The applicant proposes to construct a 9' wide X 12' length dumpster enclosure (72 ft^2) in the front of the dance studio parking lot area. The proposed location will eliminate two (2) parking stalls.

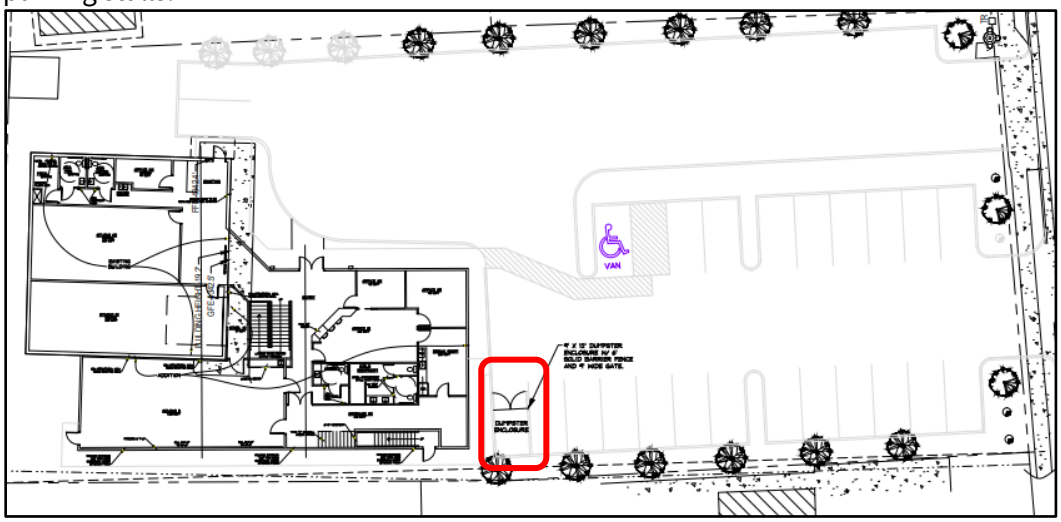


Exhibit 1: Proposed Dumpster location

Parking

The approval for the CUP was based on dance studios requiring 1 stall per 280 ft^2 of dance studio area, and 1 stall per 250 ft^2 office space for a total of 21 spaces including one ADA stall. With the proposed dumpster location reducing 2 stalls, the net total will be 21 parking stalls. Staff has no concerns with this parking.

Building Design & Materials

The purpose statement of the R-N-B Zone states that *"The zone should share design characteristics with nearby residential uses, provide a good neighborhood 'fit' and exude a distinct residential character."*

The facades of the building are a combination of stucco, vertical seam metal siding and horizontal siding. The dumpster enclosure is proposed to be a 6'6" solid "Trex" Winchester grey wood plastic composite. With a 9' wide gate. The Staff finds that the proposed building and material meets the intent and purpose of the R-N-B Zone. Elevations and a pencil sketch indicating colors and materials have been attached to this report for review.



FRONT ELEVATION

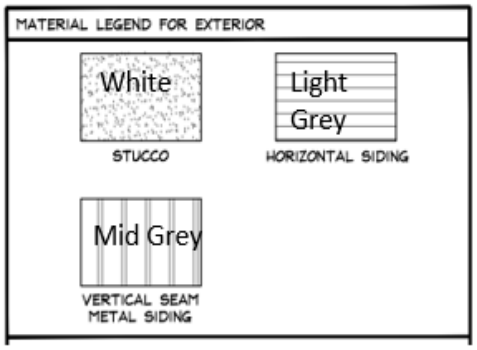


Exhibit 2: Building Front Elevation

Material Types/Colors

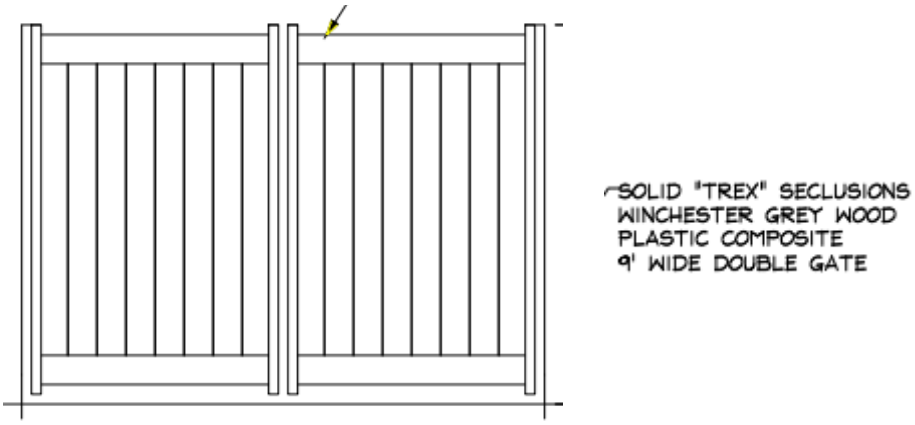


Exhibit 3: Dumpster Front Elevation with Gate. Solid "Trex" Winchester grey wood plastic composite

Landscaping

There will be no changes to the landscaping.

III. CITY DEPARTMENT REVIEW

The application materials for the proposed conditional use permit amendment were made available to Murray City department staff for review and comment on December 20, 2022. Reviewing personnel included the Engineering Division, Water, Sewer, and Fire Departments. The only comment was from the Power Department:

- The underground power service to the building is located close to the proposed location of the dumpster enclosure. We do not want the enclosure to be directly on top of the underground service, 3' minimum is required clearance.

IV. PUBLIC INPUT

Thirty-two (32) notices were sent to property owners within 300 feet of the subject property. As of the date of this report, Staff has not received any public comments.

V. FINDINGS

Based on the analysis to Amend the Conditional Use Permit to allow a dumpster enclosure between the street and the front building line, staff concludes the following:

1. The proposed use for a dumpster enclosure is allowed in the R-N-B zoning district.
2. With conditions outlined in the staff report, the proposed use and property will comply with the standards of the Murray City Land Use Ordinance.
3. The proposed use is in harmony with the goals and objectives of the Murray City General Plan in this area.

VII. CONCLUSION/RECOMMENDATION

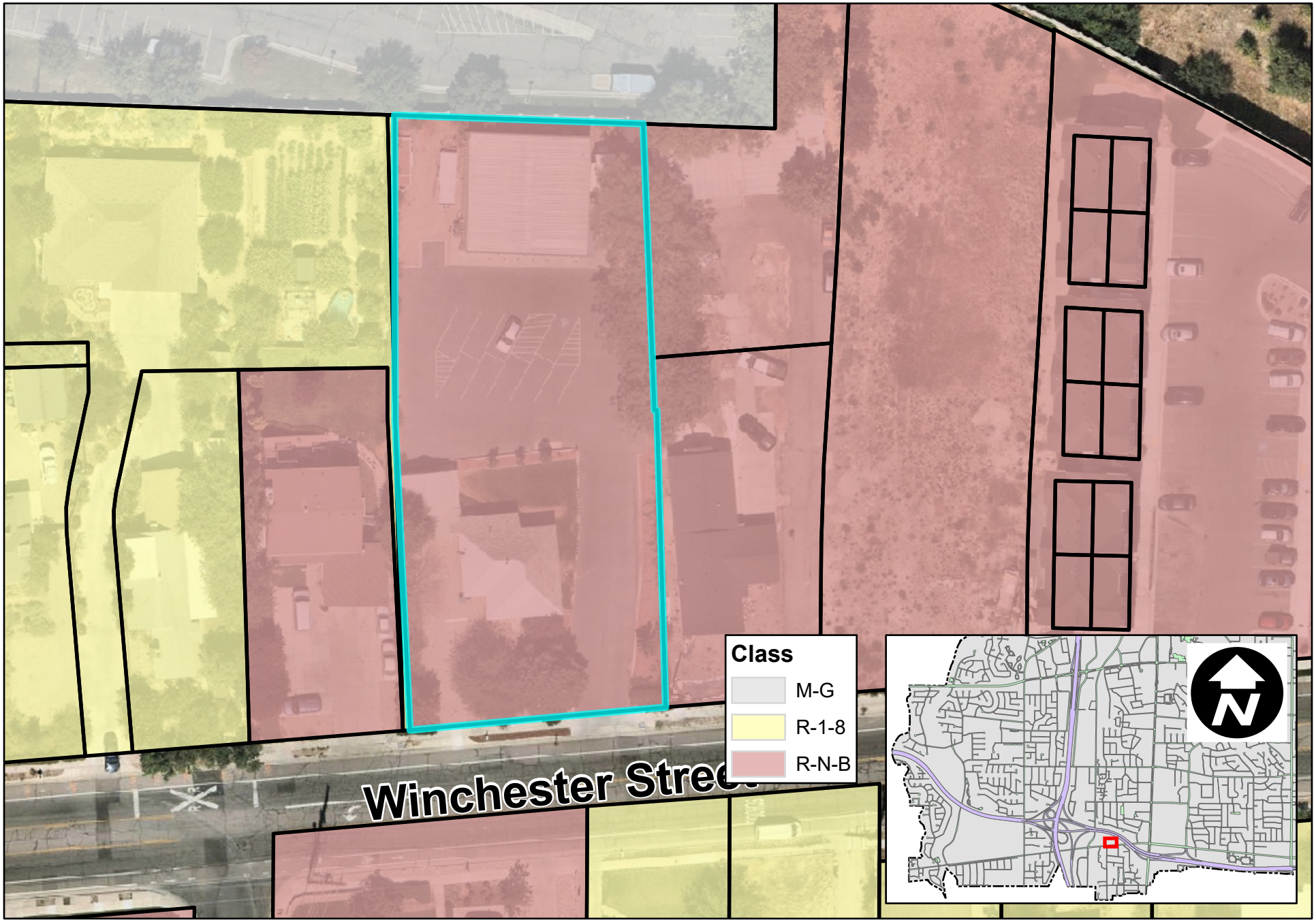
Based on the information presented in this report, application materials submitted and a site review, staff recommends that the **Planning Commission APPROVE an Amendment to Conditional Use Permit #22-046 to allow a dumpster enclosure between the street and the front building line for Studio 56 addressed 170 West Winchester Street,** subject to the following conditions:

1. The project shall comply with all applicable building and fire code standards, including meet the IFC 2018 Fire and Building Codes.
2. The applicant shall obtain a building permit.
3. The applicant must meet all Murray City Power Department requirements and provide required easements for equipment and Power lines.
4. Meet the original conditions of approval for the Conditional Use Permit (#22-046) granted on April 7, 2022.

170 West Winchester Street



170 West Winchester Street



MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT

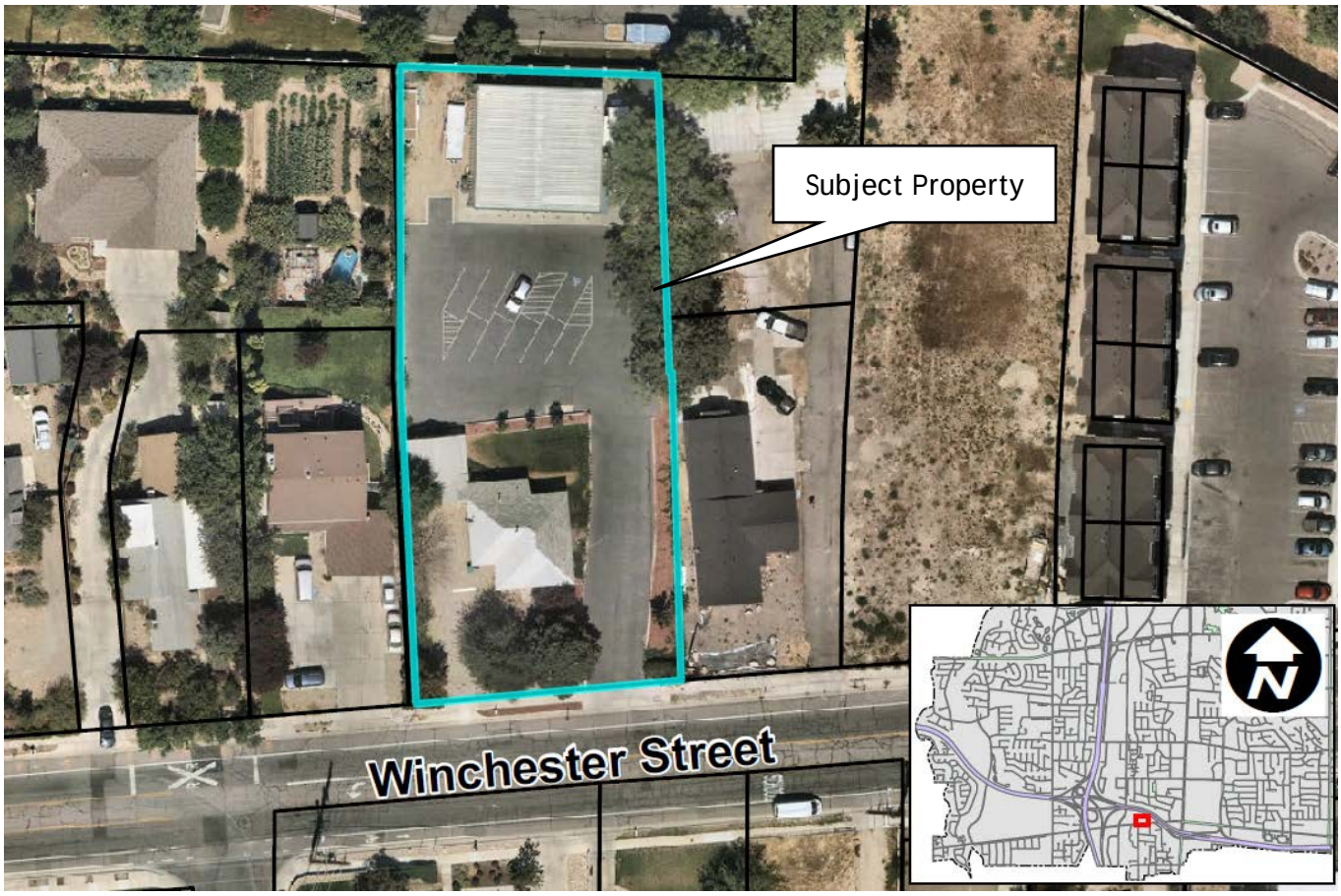
Building Division 801-270-2400
Planning Division 801-270-2430

NOTICE OF PUBLIC MEETING

January 5, 2023, 6:30 PM

The Murray City Planning Commission will hold a public meeting on Thursday, January 5, 2023 at 6:30 p.m. in the Murray City Municipal Council Chambers, located at 5025 S. State Street to receive public comment on an application submitted by representatives of **Studio 56** to amend their conditional use permit to allow a dumpster enclosure in the front yard area at the property located at **170 West Winchester Street**. Please see the attached plans. The meeting is open and the public is welcome to attend in person or you may submit comments via email at planningcommission@murray.utah.gov. If you would like to view the meeting online, you may watch via livestream at www.murraycitylive.com or www.facebook.com/MurrayCityUtah/.

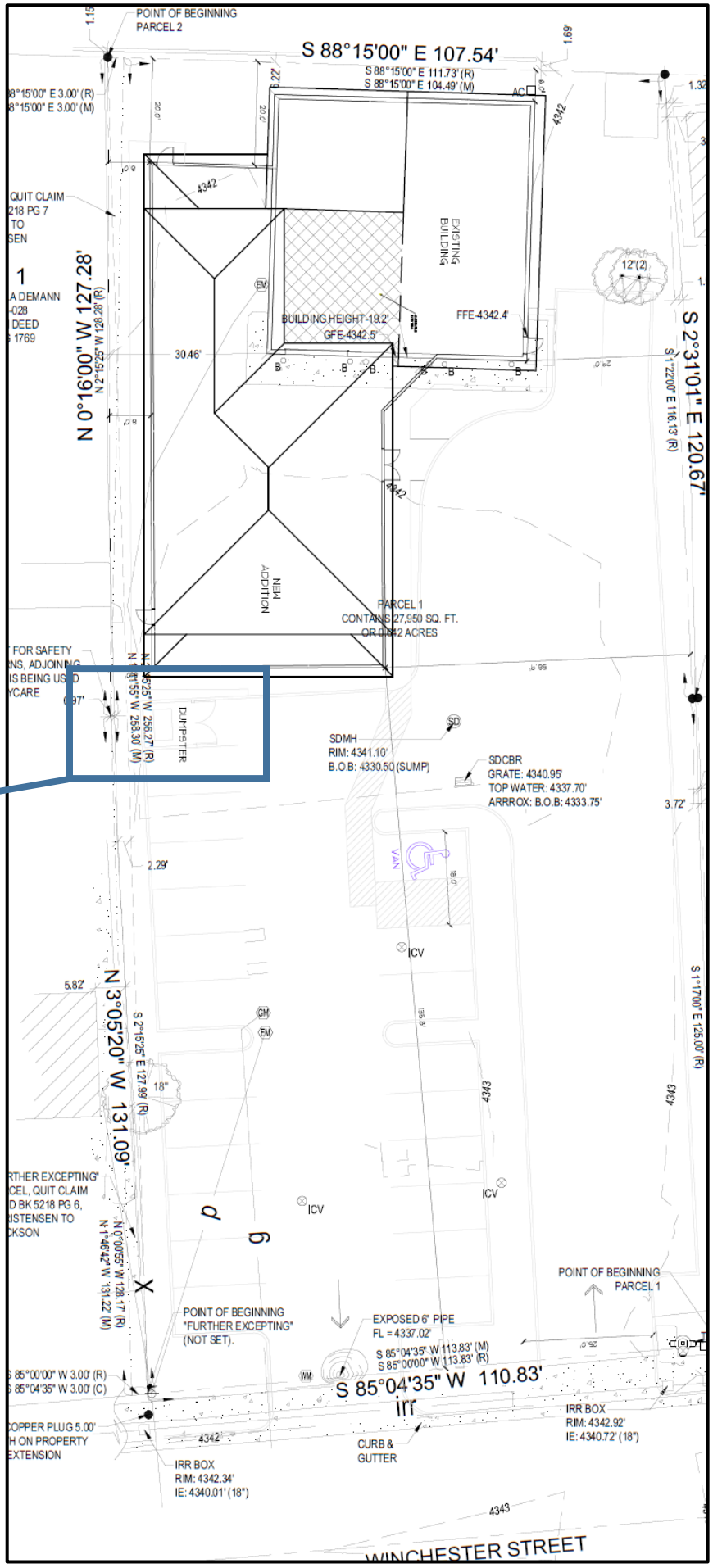
Comments are limited to 3 minutes or less, written comments will be read into the meeting record.



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

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

Public Notice Dated |December 22, 2022



Proposed Dumpster

Project # 23-004

CONDITIONAL USE PERMIT APPLICATION

Type of Application (check all that apply):

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

Subject Property Address: 170 W Winchester St Murray Ut 84107

Parcel Identification (Sidwell) Number: _____

Parcel Area: _____ Current Use: Dance Studio

Floor Area: _____ Zoning Classification: RNB LU# _____

Applicant Name: Amy & Dusten Moore

Mailing Address: 700 E 5600 S

City, State, ZIP: Murray UT 84107

Daytime Phone #: 8012017773 Fax #: _____

Email Address: amy@studio56dance.com

Business or Project Name : Studio 56 Dance Center

Property Owner's Name (If different): Amy & Dusten Moore

Property Owner's Mailing Address: 700 E 5600 S

City, State, Zip: Murray Ut 84107

Daytime Phone #: 8012017773 Fax #: _____

Email address: amy@studio56dance.com

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

_____

_____

Authorized Signature: Amy Moore Date: _____

We are submitting a conditional use permit regarding the placement of our garbage surround at our property at 170 W Winchester St. We have reviewed Murray's guidelines and ask that you consider our proposed placement for our garbage surround.

Currently, on the northeast side of our property, we have a storage shed, a 40ft trailer, and 2 stalls for staff parking. The shed houses gardening supplies as well as our four-wheeler we use for snow removal. Placing our garbage surround towards the rear of our property creates a challenge with accessing our shed year-round.

We are proposing that the garbage surround be placed on the southwest side of our building addition. If this is not a suitable option, I would like to propose that we are allowed to have multiple garbage toters that can be kept behind our building and pulled to the street weekly.

Project #_____

Property Owners Affidavit

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

Amy Moore
Owner's Signature

Dustan Moore
Owner's Signature (co-owner if any)

State of Utah
§
County of Salt Lake

JESSE D MARTINEZ
Notary Public State of Utah
My Commission Expires on:
May 18, 2026
Comm. Number: 724808

Subscribed and sworn to before me this 14th day of Dec, 2022.

Notary Public

Residing in 3K12 S 900 E Murray UT, 84117 My commission expires: May 18, 2026

Agent Authorization

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

_____, in Murray City, Utah, do hereby appoint

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

_____ to appear on my (our) behalf before any City board or commission considering this application.

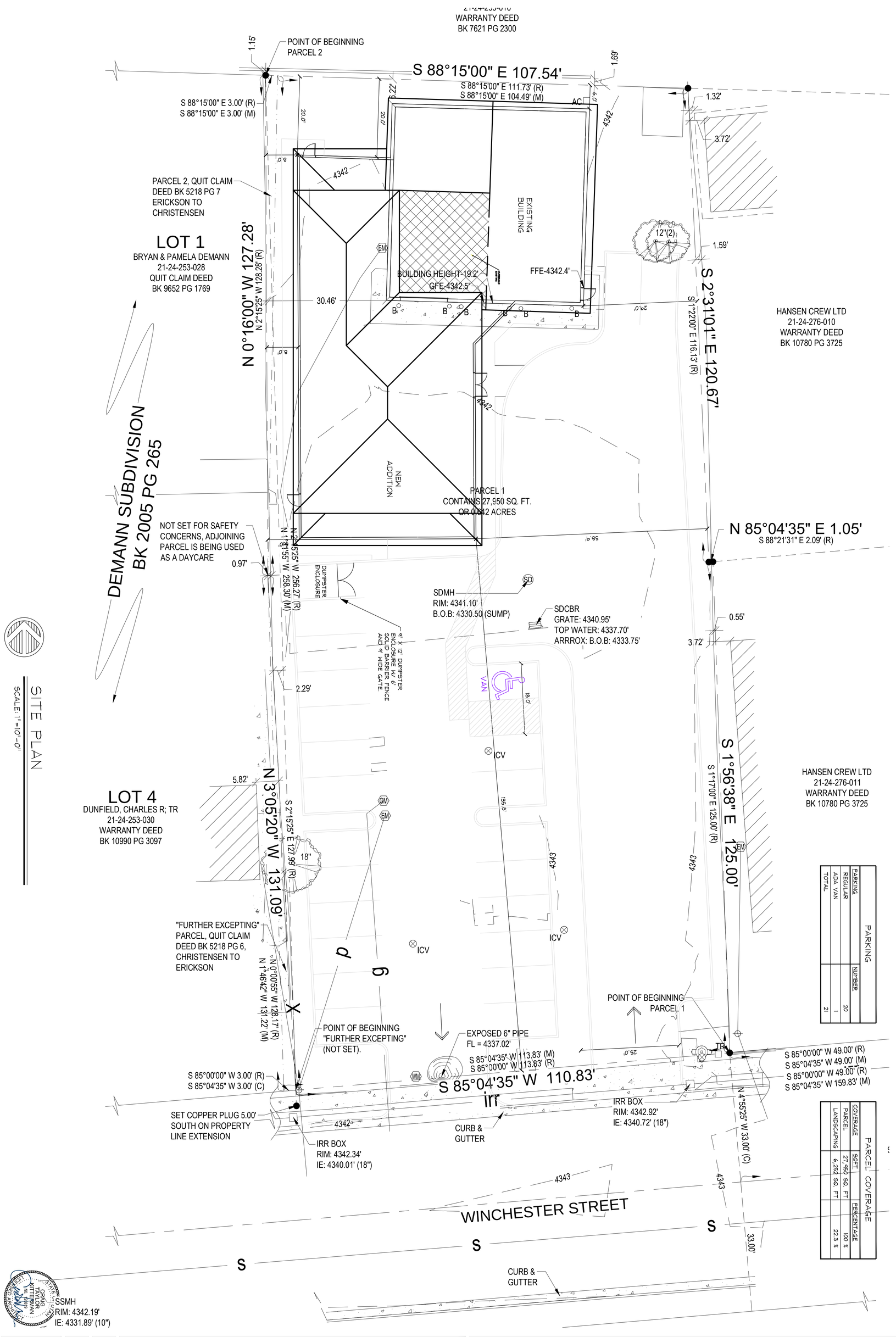
_____ _____
Owner's Signature Owner's Signature (co-owner if any)

State of Utah
§
County of Salt Lake

On the _____day of _____, 20 _____, personally appeared

before me_____ the signer(s) of the above *Agent Authorization* who duly acknowledge to me that they executed the same.

_____
Notary public
Residing in _____ My commission expires: _____



SITE PLAN

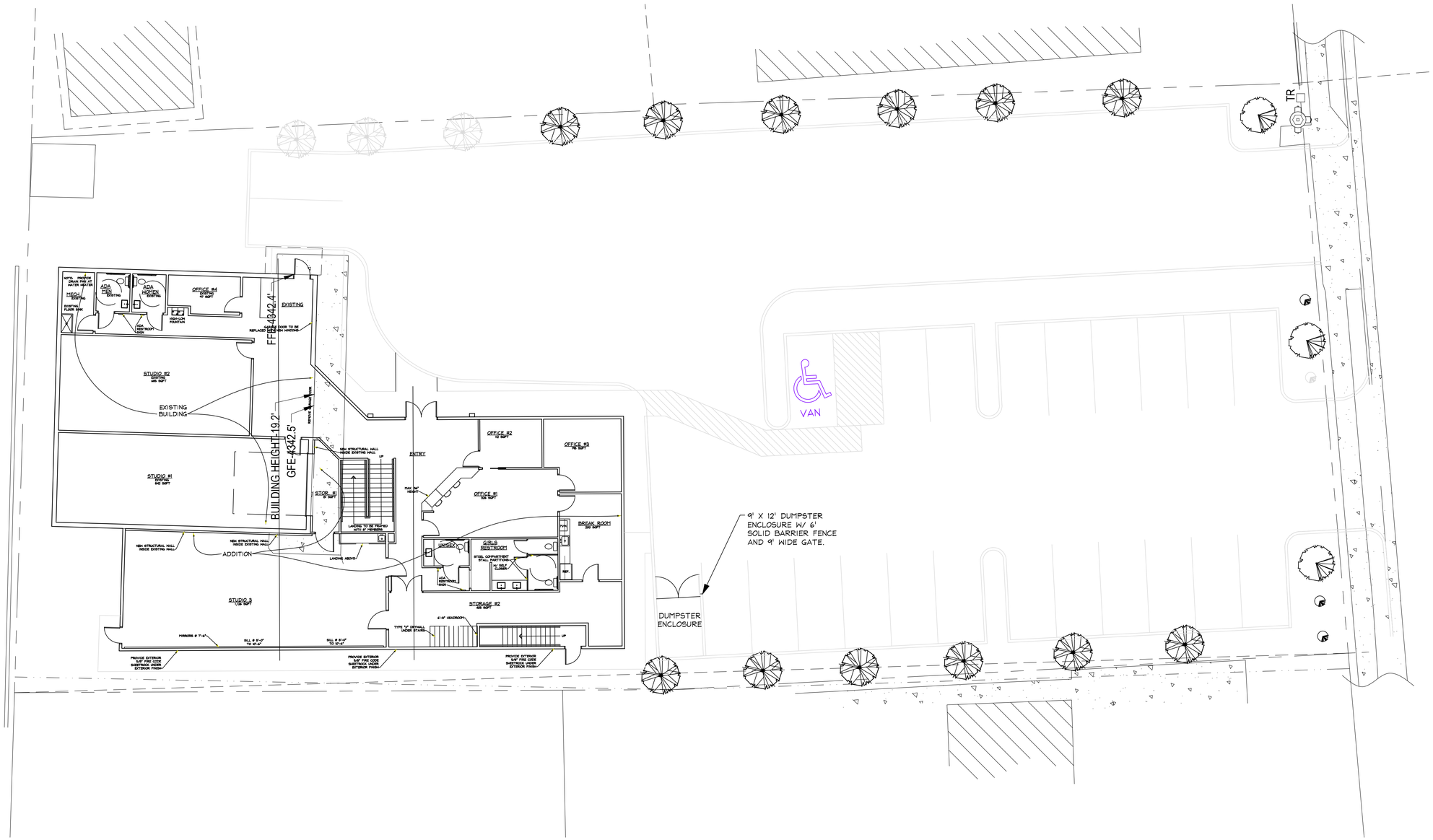
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A 1	DATE PRINTED 12/12/2022	PROJECT # 21-15	Craig Kitterman & Associates Architects 1079 E. Murray-Holladay Road Holladay, Utah 84117 Office: 801-270-8606

STUDIO 56
170 WEST WINCHESTER STREET, MURRAY, UTAH

LANDSCAPING	
TYPE	QUANTITY
CAPITAL PEAR OR FRANZ FONTAIN HORNBEAM	15
SPRING SNOW CRABAPPLE	3
GROUND COVER, ICE PLANT OR THYME	5 FLATS
BOXWOOD SHRUBS IN PARKING STRIP	4
SHRUBS, CARYOPTERIS OR KARL FORRESTER GRASS	17

PARCEL COVERAGE		
COVERAGE	SQFT	PERCENTAGE
PARCEL	27,950 SQ. FT	100 %
LANDSCAPING	6,252 SQ. FT	22.3 %



LANDSCAPE PLAN

SCALE: 1"=10'-0"

STUDIO 56

PROJECT ADDRESS, CITY, STATE, ZIP

Craig Kitterman & Associates Architects

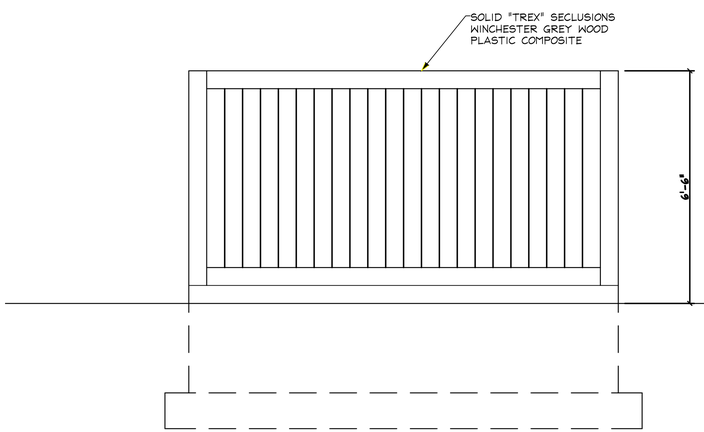
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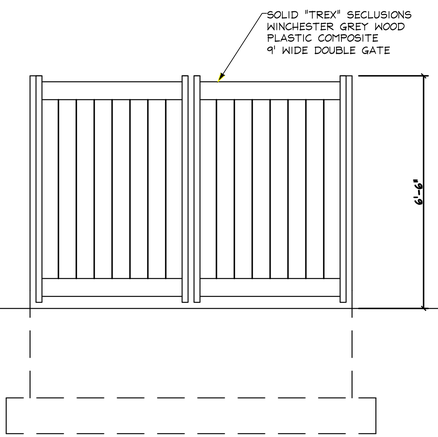
L 1

STATE OF UTAH CRAIG TAYLOR KITTERMAN No. 6989 REGISTERED ARCHITECT



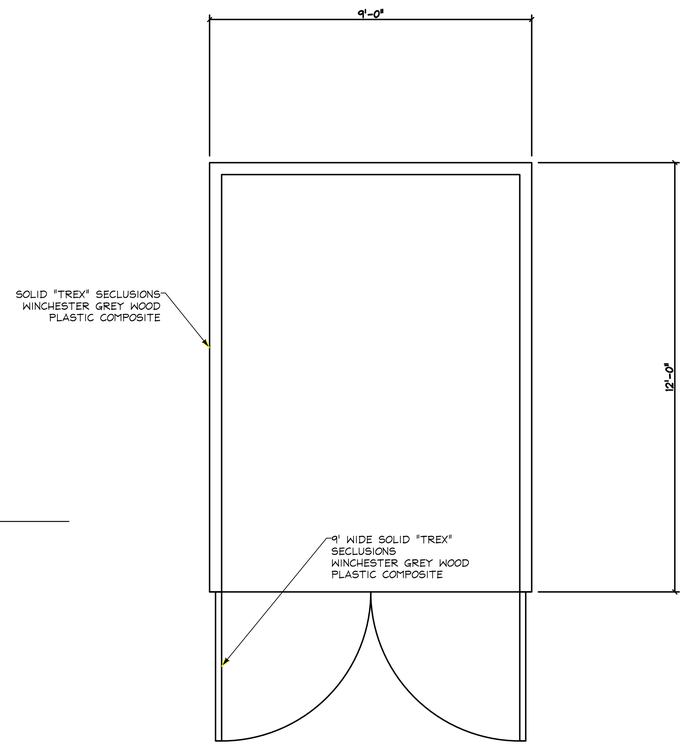
DUMPSTER ENCLOSURE
LEFT ELEVATION

SCALE: 1/2"=1'-0"



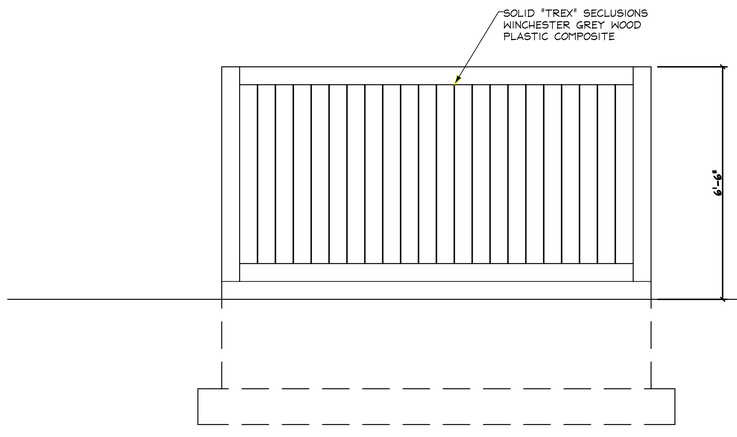
DUMPSTER ENCLOSURE
FRONT ELEVATION

SCALE: 1/2"=1'-0"



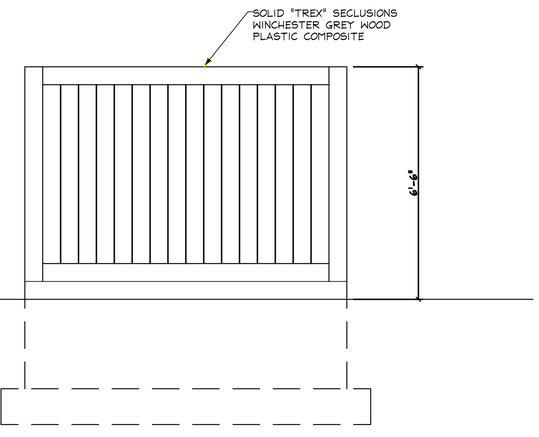
DUMPSTER ENCLOSURE
FLOOR PLAN

SCALE: 1/2"=1'-0"



DUMPSTER ENCLOSURE
RIGHT ELEVATION

SCALE: 1/2"=1'-0"



DUMPSTER ENCLOSURE
REAR ELEVATION

SCALE: 1/2"=1'-0"

SEE SHEET #A-2 FOR ADD. NOTES

PRELIMINARY DRAWINGS ONLY
NOT RELEASED FOR CONSTRUCTION

STUDIO 56
170 WEST WINCHESTER STREET, MURRAY, UTAH

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PROJECT # 21-15

DATE PRINTED 12/14/2022

DUMP 1



FRONT ELEVATION

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



RIGHT ELEVATION

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

MATERIAL LEGEND FOR EXTERIOR

STUCCO

HORIZONTAL SIDING

VERTICAL SEAM METAL SIDING

NOTE:

WINDOW SCHEDULE

SYM	SIZE	TYPE	COMMENTS
A	6'-0" x 8'-6"	(2) CASEMENTS (2) FIXED	
B	6'-0" x 6'-0"	(2) FIXED	
C	12'-0" x 7'-6"	(2) CASEMENTS (4) FIXED	
D	6'-0" x 2'-6"	(2) FIXED	
E	3'-0" x 2'-6"	FIXED	
F	18'-4" x 7'-0"	FIXED	
G	6'-0" x 3'-0"	(2) FIXED	

NOTES: * WINDOW SUPPLIER TO VERIFY ALL WINDOW TYPES, SIZES, QUANTITIES, AND LOCATIONS WITH OWNER PRIOR TO ORDERING.
** NOTE: ALL WINDOW SIZES ARE MEASURED TO OUTSIDE OF FRAME
*** NOTE: WINDOWS TO HAVE A U-FACTOR OF 0.32 TYPICAL OR BETTER
**** NOTE: NFRC CERTIFICATE FOR THE SITE-BUILT GLAZING WILL BE REQUIRED PRIOR TO OR AT FINAL INSPECTION. IECC #303.1.3

DOOR SCHEDULE

SYM	SIZE	TYPE	LOCATION
1	18'-4" x 10'-0"	6'-0" X 8'-0" W/ SIDELITES (TEMP)	EXTERIOR
2	3'-0" x 8'-0"	GLASS (TEMP)	EXTERIOR
3	3'-0" x 8'-0"	GLASS (TEMP)	INTERIOR
4	3'-0" x 8'-0"	SOLID	INTERIOR
5	2'-6" x 8'-0"	SOLID	INTERIOR
6	6'-0" x 8'-0"	DBL. SOLID	INTERIOR
7	3'-0" x 8'-0"	POCKET GLASS (TEMP)	INTERIOR
8	9'-0" x 8'-0"	3'-6" W/ (2) SIDELITES (TEMP)	INTERIOR
9	5'-0" x 8'-0"	DBL. SOLID	INTERIOR
10	4'-6" x 8'-0"	3'-6" W/ SIDELITE (TEMP)	INTERIOR
11	12'-10" x 8'-0"	3'-6" W/ (3) SIDELITES (TEMP)	INTERIOR
12	9'-4" x 8'-0"	3'-0" W/ (2) SIDELITES (TEMP)	INTERIOR
13	2'-6" x 6'-0"	STEEL PARTITION DOOR	INTERIOR
14	2'-8" x 6'-0"	STEEL PARTITION DOOR	INTERIOR

NOTES:
1- DOOR SUPPLIER TO VERIFY ALL DOOR TYPES & SIZES WITH OWNER PRIOR TO ORDERING
2- ALL DOOR SIZES ARE MEASURED TO INSIDE OF FRAME
3- ALL DOORS TO HAVE TEMPERED GLASS W/ U-FACTOR OF 0.35 TYPICAL OR BETTER
4- ALL EXTERIOR MAN-DOORS TO HAVE A SIGN THAT READS "THIS DOOR TO REMAIN UNLOCKED DURING BUSINESS HOURS".
5- IBC 1008.1.9 DOOR OPERATIONS. EXCEPT AS SPECIFICALLY PERMITTED BY THIS SECTION EGRESS DOORS SHALL BE READILY OPENABLE FROM THE EGRESS SIDE WITHOUT THE USE OF A KEY OR SPECIAL KNOWLEDGE OR EFFORT.
6- IBC 1008.1.9.1 HARDWARE. DOOR HANDLES, PULLS, LATCHES, LOCKS AND OTHER OPERATING DEVICES ON DOORS SHALL NOT REQUIRE TIGHT GRASPING, TIGHT PINCHING OR TWISTING OF THE WRIST TO OPERATE.

STUDIO 56
170 WEST WINCHESTER STREET, MURRAY, UTAH

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PROJECT # 21-15

DATE PRINTED 11/07/2022

STATE OF UTAH
CRAIG TAYLOR KITTERMAN
NO. 338819
LICENSED ARCHITECT

A 4

GENERAL SAFETY GLAZING NOTES IBC

SECTION 2406 SAFETY GLAZING

2406.1 HUMAN IMPACT LOADS
INDIVIDUAL GLAZED AREAS, INCLUDING GLASS MIRRORS, IN HAZARDOUS LOCATIONS AS DEFINED IN SECTION 2406.4 SHALL COMPLY WITH SECTIONS 2406.1.1 THROUGH 2406.1.4.

EXCEPTION: MIRRORS AND OTHER GLASS PANELS MOUNTED OR HUNG ON A SURFACE THAT PROVIDES A CONTINUOUS BACKING SUPPORT.

2406.1.1 IMPACT TEST
EXCEPT AS PROVIDED IN SECTIONS 2406.1.2 THROUGH 2406.1.4, ALL GLAZING SHALL PASS THE IMPACT TEST REQUIREMENTS OF SECTION 2406.2.

2406.3 IDENTIFICATION OF SAFETY GLAZING
EXCEPT AS INDICATED IN SECTION 2406.3.1, EACH PANE OF SAFETY GLAZING INSTALLED IN HAZARDOUS LOCATIONS SHALL BE IDENTIFIED BY A MANUFACTURER'S DESIGNATION SPECIFYING WHO APPLIED THE DESIGNATION, THE MANUFACTURER OR INSTALLER AND THE SAFETY GLAZING STANDARD WITH WHICH IT COMPLIES, AS WELL AS THE INFORMATION SPECIFIED IN SECTION 2403.1. THE DESIGNATION SHALL BE ACID ETCHED, SAND BLASTED, CERAMIC FIRED, LASER ETCHED, EMBOSSED OR OF A TYPE THAT ONCE APPLIED, CANNOT BE REMOVED WITHOUT BEING DESTROYED. A LABEL MEETING THE REQUIREMENTS OF THIS SECTION SHALL BE PERMITTED IN LIEU OF THE MANUFACTURER'S DESIGNATION.

EXCEPTIONS:
1. FOR OTHER THAN TEMPERED GLASS, MANUFACTURER'S DESIGNATIONS ARE NOT REQUIRED, PROVIDED THAT THE BUILDING OFFICIAL APPROVES THE USE OF A CERTIFICATE, AFFIDAVIT OR OTHER EVIDENCE CONFIRMING COMPLIANCE WITH THIS CODE.
2. TEMPERED SPANDREL GLASS IS PERMITTED TO BE IDENTIFIED BY THE MANUFACTURER WITH A REMOVABLE PAPER DESIGNATION.

2406.3.1 MULTIPANE ASSEMBLIES
MULTIPANE GLAZED ASSEMBLIES HAVING INDIVIDUAL PANES NOT EXCEEDING 1 SQUARE FOOT (0.09 M2) IN EXPOSED AREAS SHALL HAVE ONE PANE OR MORE IN THE ASSEMBLY MARKED AS INDICATED IN SECTION 2406.3. OTHER PANES IN THE ASSEMBLY SHALL BE MARKED "CPSC 16 CFR PART 1201" OR "ANSI Z97.1," AS APPROPRIATE.

2406.4 HAZARDOUS LOCATIONS
THE LOCATIONS SPECIFIED IN SECTIONS 2406.4.1 THROUGH 2406.4.7 SHALL BE CONSIDERED TO BE SPECIFIC HAZARDOUS LOCATIONS REQUIRING SAFETY GLAZING MATERIALS.
UPCODES DIAGRAMS

2406.4.1 GLAZING IN DOORS
GLAZING IN ALL FIXED AND OPERABLE PANELS OF SWINGING, SLIDING AND BIFOLD DOORS SHALL BE CONSIDERED TO BE A HAZARDOUS LOCATION.

EXCEPTIONS:
1. GLAZED OPENINGS OF A SIZE THROUGH WHICH A 3-INCH-DIAMETER (76 MM) SPHERE IS UNABLE TO PASS.
2. DECORATIVE GLAZING.
3. GLAZING MATERIALS USED AS CURVED GLAZED PANELS IN REVOLVING DOORS.
4. COMMERCIAL REFRIGERATED CABINET GLAZED DOORS

2406.4.2 GLAZING ADJACENT TO DOORS
GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL ADJACENT TO A DOOR WHERE THE NEAREST VERTICAL EDGE OF THE GLAZING IS WITHIN A 24-INCH (610 MM) ARC OF EITHER VERTICAL EDGE OF THE DOOR IN A CLOSED POSITION AND WHERE THE BOTTOM EXPOSED EDGE OF THE GLAZING IS LESS THAN 60 INCHES (1524 MM) ABOVE THE WALKING SURFACE SHALL BE CONSIDERED TO BE A HAZARDOUS LOCATION.

EXCEPTIONS:
1. DECORATIVE GLAZING.
2. WHERE THERE IS AN INTERVENING WALL OR OTHER PERMANENT BARRIER BETWEEN THE DOOR AND GLAZING.
3. WHERE ACCESS THROUGH THE DOOR IS TO A CLOSET OR STORAGE AREA 3 FEET (914 MM) OR LESS IN DEPTH. GLAZING IN THIS APPLICATION SHALL COMPLY WITH SECTION 2406.4.3.
4. GLAZING IN WALLS ON THE LATCH SIDE OF AND PERPENDICULAR TO THE PLANE OF THE DOOR IN A CLOSED POSITION IN ONE- AND TWO-FAMILY DWELLINGS OR WITHIN DWELLING UNITS IN GROUP R-2.

2406.4.3 GLAZING IN WINDOWS
GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL THAT MEETS ALL OF THE FOLLOWING CONDITIONS SHALL BE CONSIDERED TO BE A HAZARDOUS LOCATION:
1. THE EXPOSED AREA OF AN INDIVIDUAL PANE IS GREATER THAN 9 SQUARE FEET (0.84 M2).
2. THE BOTTOM EDGE OF THE GLAZING IS LESS THAN 18 INCHES (457 MM) ABOVE THE FLOOR.
3. THE TOP EDGE OF THE GLAZING IS GREATER THAN 36 INCHES (914 MM) ABOVE THE FLOOR.
4. ONE OR MORE WALKING SURFACE(S) ARE WITHIN 36 INCHES (914 MM), MEASURED HORIZONTALLY AND IN A STRAIGHT LINE, OF THE PLANE OF THE GLAZING.

EXCEPTIONS:
1. DECORATIVE GLAZING.
2. WHERE A HORIZONTAL RAIL IS INSTALLED ON THE ACCESSIBLE SIDE(S) OF THE GLAZING 34 TO 38 INCHES (864 TO 965 MM) ABOVE THE WALKING SURFACE. THE RAIL SHALL BE CAPABLE OF WITHSTANDING A HORIZONTAL LOAD OF 50 POUNDS PER LINEAR FOOT (730 N/M) WITHOUT CONTACTING THE GLASS AND BE NOT LESS THAN 11/2 INCHES (38 MM) IN CROSS-SECTIONAL HEIGHT.
3. OUTBOARD PANES IN INSULATING GLASS UNITS OR MULTIPLE GLAZING WHERE THE BOTTOM EXPOSED EDGE OF THE GLASS IS 25 FEET (7620 MM) OR MORE ABOVE ANY GRADE, ROOF, WALKING SURFACE OR OTHER HORIZONTAL OR SLOPED (WITHIN 45 DEGREES OF HORIZONTAL) ((0.79 RAD) SURFACE ADJACENT TO THE GLASS EXTERIOR.

2406.4.4 GLAZING IN GUARDS AND RAILINGS
GLAZING IN GUARDS AND RAILINGS, INCLUDING STRUCTURAL BALUSTER PANELS AND NONSTRUCTURAL IN-FILL PANELS, REGARDLESS OF AREA OR HEIGHT ABOVE A WALKING SURFACE SHALL BE CONSIDERED TO BE A HAZARDOUS LOCATION.

2406.4.5 GLAZING AND WET SURFACES
GLAZING IN WALLS, ENCLOSURES OR FENCES CONTAINING OR FACING HOT TUBS, SPAS, WHIRLPOOLS, SAUNAS, STEAM ROOMS, BATHTUBS, SHOWERS AND INDOOR OR OUTDOOR SWIMMING POOLS WHERE THE BOTTOM EXPOSED EDGE OF THE GLAZING IS LESS THAN 60 INCHES (1524 MM) MEASURED VERTICALLY ABOVE ANY STANDING OR WALKING SURFACE SHALL BE CONSIDERED TO BE A HAZARDOUS LOCATION. THIS SHALL APPLY TO SINGLE GLAZING AND ALL PANES IN MULTIPLE GLAZING.

EXCEPTION: GLAZING THAT IS MORE THAN 60 INCHES (1524 MM), MEASURED HORIZONTALLY AND IN A STRAIGHT LINE, FROM THE WATER'S EDGE OF A BATHTUB, HOT TUB, SPA, WHIRLPOOL OR SWIMMING POOL.

2406.4.6 GLAZING ADJACENT TO STAIRWAYS AND RAMPS
GLAZING WHERE THE BOTTOM EXPOSED EDGE OF THE GLAZING IS LESS THAN 60 INCHES (1524 MM) ABOVE THE PLANE OF THE ADJACENT WALKING SURFACE OF STAIRWAYS, LANDINGS BETWEEN FLIGHTS OF STAIRS AND RAMPS SHALL BE CONSIDERED TO BE A HAZARDOUS LOCATION.

EXCEPTIONS:
1. THE SIDE OF A STAIRWAY, LANDING OR RAMP THAT HAS A GUARD COMPLYING WITH THE PROVISIONS OF SECTIONS 1015 AND 1607.8, AND THE PLANE OF THE GLASS IS GREATER THAN 18 INCHES (457 MM) FROM THE RAILING.
2. GLAZING 36 INCHES (914 MM) OR MORE MEASURED HORIZONTALLY FROM THE WALKING SURFACE.

2406.4.7 GLAZING ADJACENT TO THE BOTTOM STAIRWAY LANDING
GLAZING ADJACENT TO THE LANDING AT THE BOTTOM OF A STAIRWAY WHERE THE GLAZING IS LESS THAN 60 INCHES (1524 MM) ABOVE THE LANDING AND WITHIN A 60-INCH (1524 MM) HORIZONTAL ARC THAT IS LESS THAN 180 DEGREES (3.14 RAD) FROM THE BOTTOM TREAD NOSING SHALL BE CONSIDERED TO BE A HAZARDOUS LOCATION.

EXCEPTION: GLAZING THAT IS PROTECTED BY A GUARD COMPLYING WITH SECTIONS 1015 AND 1607.8 WHERE THE PLANE OF THE GLASS IS GREATER THAN 18 INCHES (457 MM) FROM THE GUARD.

2406.5 FIRE DEPARTMENT ACCESS PANELS
FIRE DEPARTMENT GLASS ACCESS PANELS SHALL BE OF TEMPERED GLASS. FOR INSULATING GLASS UNITS, ALL PANES SHALL BE TEMPERED GLASS.

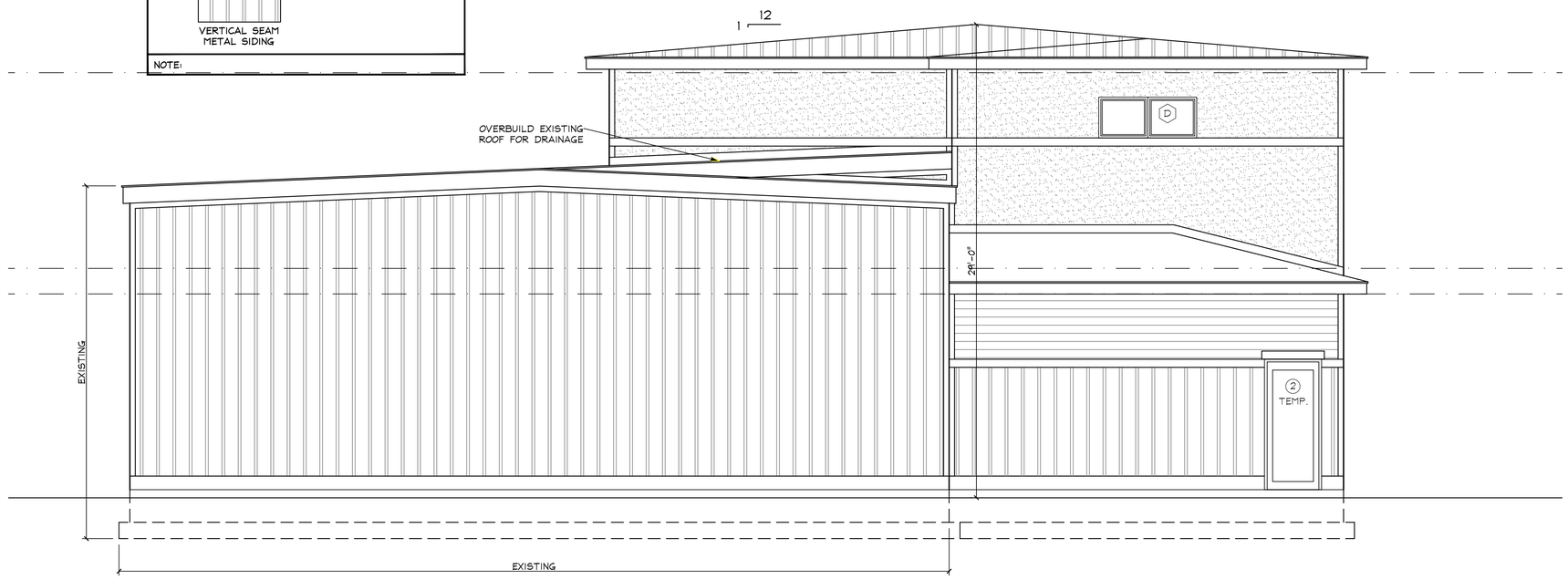
MATERIAL LEGEND FOR EXTERIOR

STUCCO

HORIZONTAL SIDING

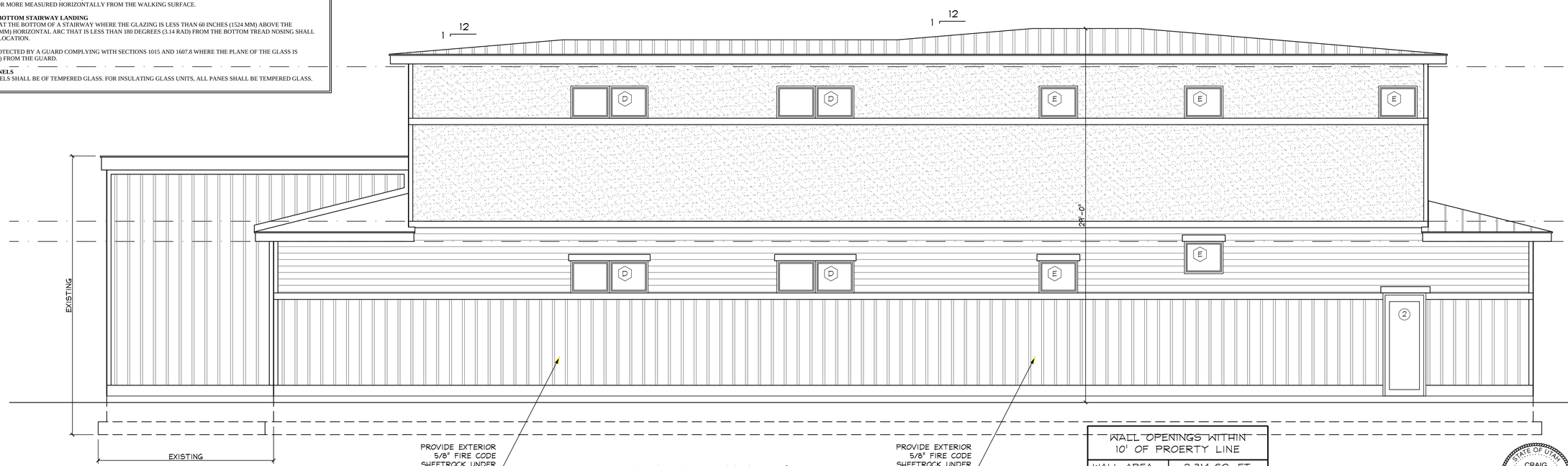
VERTICAL SEAM METAL SIDING

NOTE:



REAR ELEVATION

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



LEFT ELEVATION

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

WALL OPENINGS WITHIN 10' OF PROERTY LINE	
WALL AREA	2,314 SQ. FT.
OPENINGS	124 SQ. FT.
PERCENTAGE	5.3 %

STATE OF UTAH
CRAIG TAYLOR KITTERMAN
NO. 10915
LICENSED ARCHITECT

STUDIO 56
170 WEST WINCHESTER STREET, MURRAY, UTAH

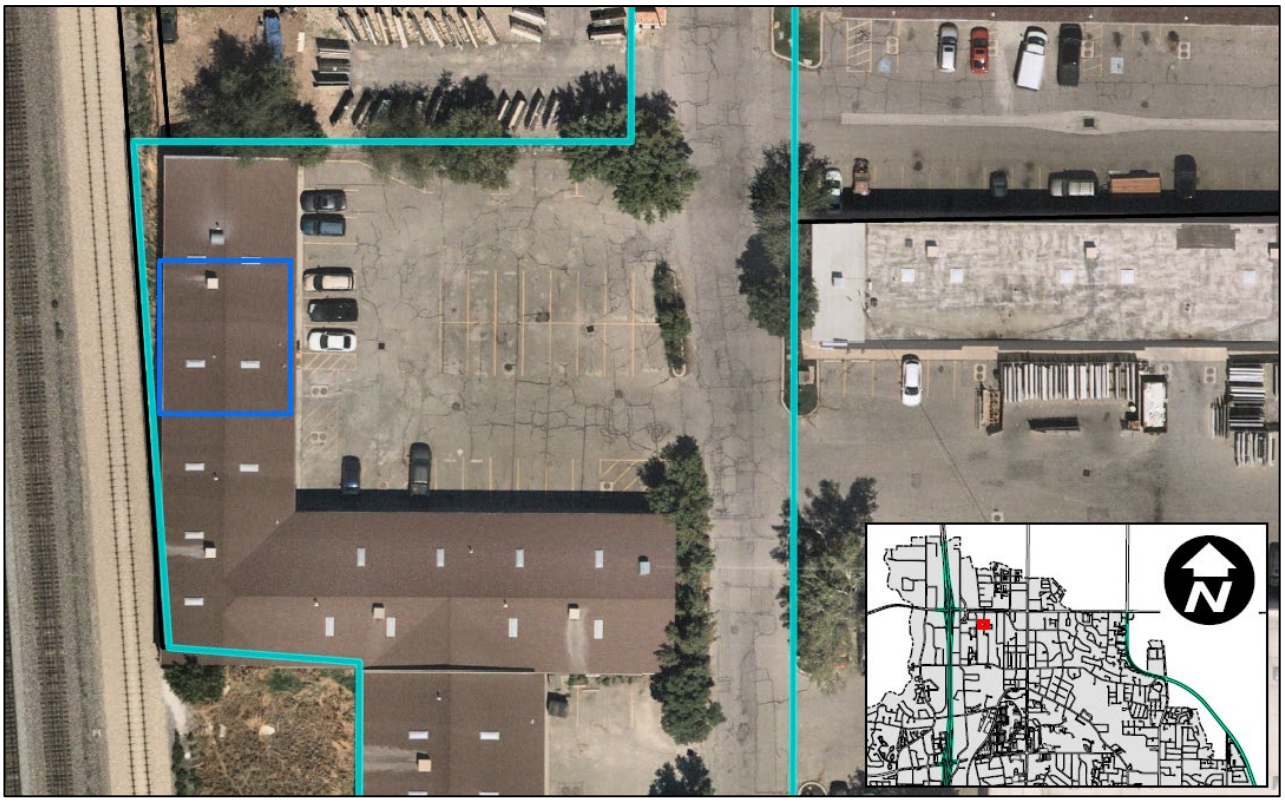
Craig Kitterman & Associates Architects
1079 E. Murray-Holladay Road Holladay, Utah 84117 Office: 801-270-8606

PROJECT # 21-15

DATE PRINTED 11/07/2022

A 5

AGENDA ITEM # 6 – Emanuel Collision Center			
ITEM TYPE:	Conditional Use Permit to allow an auto sales business.		
ADDRESS:	4642 South 160 West	**MEETING DATE:**	January 5, 2023
APPLICANT:	Emanuel and Reyna Soto	**STAFF:**	Zachary Smallwood, Senior Planner
PARCEL ID:	21-01-427-027	**PROJECT NUMBER:**	PZ-23-008
ZONE:	M-G, Manufacturing General		
SIZE:	0.78-acre site | 17,965 sq ft building | 4,484 sq ft unit		
REQUEST:	The applicant is requesting Conditional Use Permit approval to allow an auto sales business on the subject property.		



I. LAND USE ORDINANCE

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

II. BACKGROUND

Project Location

The subject property is in an industrial area on 160 West. The applicant proposes to occupy a unit in an existing building which is shared by multiple auto repair and other industrial uses.

Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Stone Yard	M-G
South	Industrial	M-G
East	Industrial	M-G
West	Frontrunner	M-G

Project Description

The applicant is requesting a Conditional Use Permit to allow auto sales at the existing auto repair business. The applicants state that they occasionally get vehicles that they would like to sell which requires a dealer's license. Because of this, they are required to go through the conditional use permit process.

Operations

The applicant maintains an active auto repair business license with the city and currently has a paint booth in the shop already. The applicants state that they do not have any employees and use the shop mostly for auto repair. They would like to expand to sell vehicles but their primary business is auto repair.

Access

The property is accessed by 160 West, a private street that runs through numerous industrial sites. The subject building has two twenty-five foot (25') drives that provide access off of 160 West into a private parking area where patrons may park at the businesses located there.

Parking

According to chapter 17.152.090 of the Murray City Land Ordinance, 4 parking stalls need to be provided for every 1,000 square feet of office space, and 1 stall needs to be provided for every 750 square feet of warehouse space. The Department of Motor Vehicles also requires car dealerships to have a minimum of three spaces to display vehicles outside of the business. This requires the applicant to provide six (6) total parking stalls (1 for the office, 2 for the

warehouse storage, and 3 for vehicle display). The applicant has shown they have 10 designated spaces, meeting this requirement. Staff does not have any concerns with regards to parking at this time.

Landscaping

Section 17.68 requires "landscaping in the front setback area for commercial properties". The subject property (the building addressed 364 West 6100 South) has no direct frontage on any public or private streets where landscaped setbacks and other improvements would be required by the Land Use Ordinance. Staff does not recommend any changes or additional landscaping.

III. LAND USE ORDINANCE STANDARDS REVIEW

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

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

With compliance to city regulations, the proposed use will provide a service that will contribute to the operations of a successful industrial complex and will benefit the larger area by ensuring that business' continued success.

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

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

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

With conditions, the proposed use will integrate well into the area. Staff does not anticipate a significant impact on the surrounding area and businesses because the area currently has auto repair and sales businesses nearby.

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

The applicant has submitted sufficient information for the review of this Conditional Use

Permit application by Murray City Staff and the Murray City Planning Commission.

IV. CITY DEPARTMENT REVIEW

The application materials for the proposed conditional use permit were made available to Murray City department staff for review and comment on December 20, 2022. Reviewing personnel included the Engineering Division, Water, Sewer, Power, and Fire Departments. All reviewing departments recommended approval without conditions or concerns.

V. PUBLIC INPUT

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

VI. FINDINGS

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

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

VII. CONCLUSION/RECOMMENDATION

Based on the information presented in this report, application materials submitted and a site review, staff recommends that the **Planning Commission APPROVE a Conditional Use Permit to allow an auto sales business at the property addressed 4642 South 160 West,** subject to the following conditions:

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

MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT

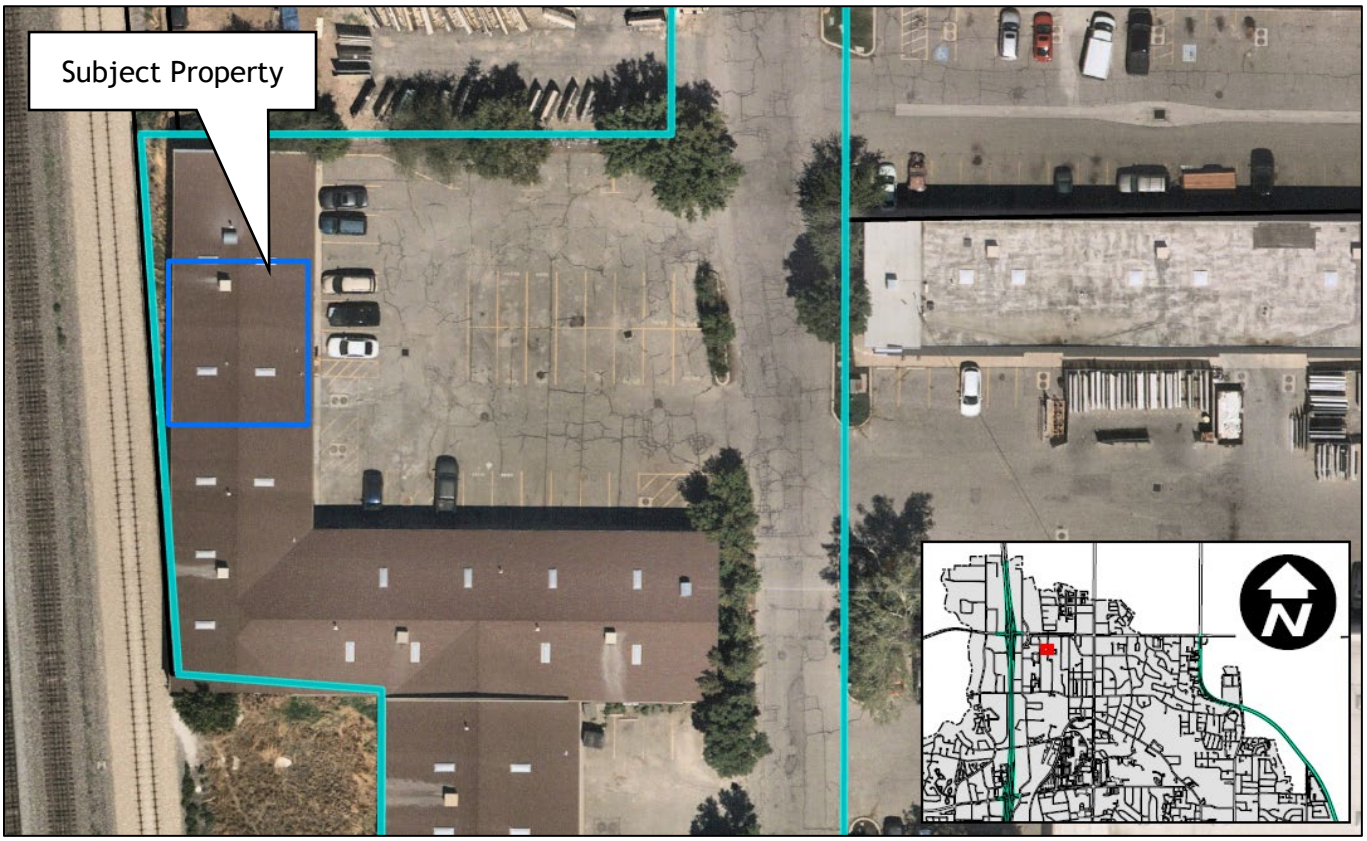
Building Division 801-270-2400
Planning Division 801-270-2430

NOTICE OF PUBLIC MEETING

January 5, 2023, 6:30 PM

The Murray City Planning Commission will hold a public meeting on Thursday, January 5, 2023 at 6:30 p.m. in the Murray City Municipal Council Chambers, located at 5025 S. State Street to receive public comment on an application for a conditional use permit submitted by representatives of **Emanuel Collision Center** to allow auto sales at the property located at **4642 South 160 West**. Please see the attached plans. The meeting is open and the public is welcome to attend in person or you may submit comments via email at planningcommission@murray.utah.gov. If you would like to view the meeting online, you may watch via livestream at www.murraycitylive.com or www.facebook.com/MurrayCityUtah/.

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



This notice is being sent to you because you own property within 400 feet of the subject properties. If you have questions or comments concerning this proposal, please call the Murray City Planning Division at 801-270-2430, or e-mail to planningcommission@murray.utah.gov.

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

Public Notice Dated |December 22, 2022

Parking space
Parking
Parking
Employees Door
Bathroom
3½ X 7½
Garage Door
41
53
Material Elevation
Water Meter
N64 S 160 W
Spray Root
36
14
13
8

Project # 23-008

CONDITIONAL USE PERMIT APPLICATION

Type of Application (check all that apply):

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

Subject Property Address: 4642 S 160 W Murray Ut 84107

Parcel Identification (Sidwell) Number: 21-01-427-027

Parcel Area: 1.98 acres Current Use: Industrial

Floor Area: _____ Zoning Classification: M-G LU# _____

Applicant Name: Reyner Soto

Mailing Address: 417 S 1080 W

City, State, ZIP: American fork ut 84003

Daytime Phone #: (801) 745-7213 Fax #: _____

Email Address: Emanuelautocollision@gmail.com

Business or Project Name : Emanuel Collision Center

Property Owner's Name (If different): _____

Property Owner's Mailing Address: 4642 S 160 W

City, State, Zip: Murray ut 84107

Daytime Phone #: (801) 905-1945 Fax #: _____

Email address: Emanuelautocollision@gmail.com

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

Auto sales and Autobody

Authorized Signature: _____ Date: 11/14/2022

Project #_____

Property Owners Affidavit

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

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

State of Utah
§
County of Salt Lake

NOTARY PUBLIC
ARELI B SANDOVAL
709524
COMMISSION EXPIRES
DECEMBER 09, 2023
STATE OF UTAH

Subscribed and sworn to before me this 4th day of November, 2022.

Sandoval
Notary Public

Residing in Salt lake My commission expires: 12/9/23

Agent Authorization

I (we), Mark Gordon, the owner(s) of the real property located at 4642 S 160 W, in Murray City, Utah, do hereby appoint _____, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize _____ to appear on my (our) behalf before any City board or commission considering this application.

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

State of Utah
§
County of Salt Lake

NOTARY PUBLIC
ARELI B SANDOVAL
709524
COMMISSION EXPIRES
DECEMBER 09, 2023
STATE OF UTAH

On the 4th day of November, 20 22, personally appeared before me Mark Gordon the signer(s) of the above *Agent Authorization* who duly acknowledge to me that they executed the same.

Sandoval
Notary public

Residing in Salt lake My commission expires: 12/9/23

Project #_____

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

Property Owner Name: Mark Gordon Phone: 801-633-7082

Property Address: 4642 S 160 W Murray, UT 84107

Name of Organization/Business: Emanuel Collision Center

Contact Person: _____ Phone: _____

Email address: markcgordon801@Gmail.com

Address: 10959 So Temple Dr. City: So Jordan UT Zip 84095

Project Description: _____

Additional information or comments:

_____

_____

_____

Per City Code Section 17.76.180: Multi Warehouse Facilities:

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

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

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

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

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

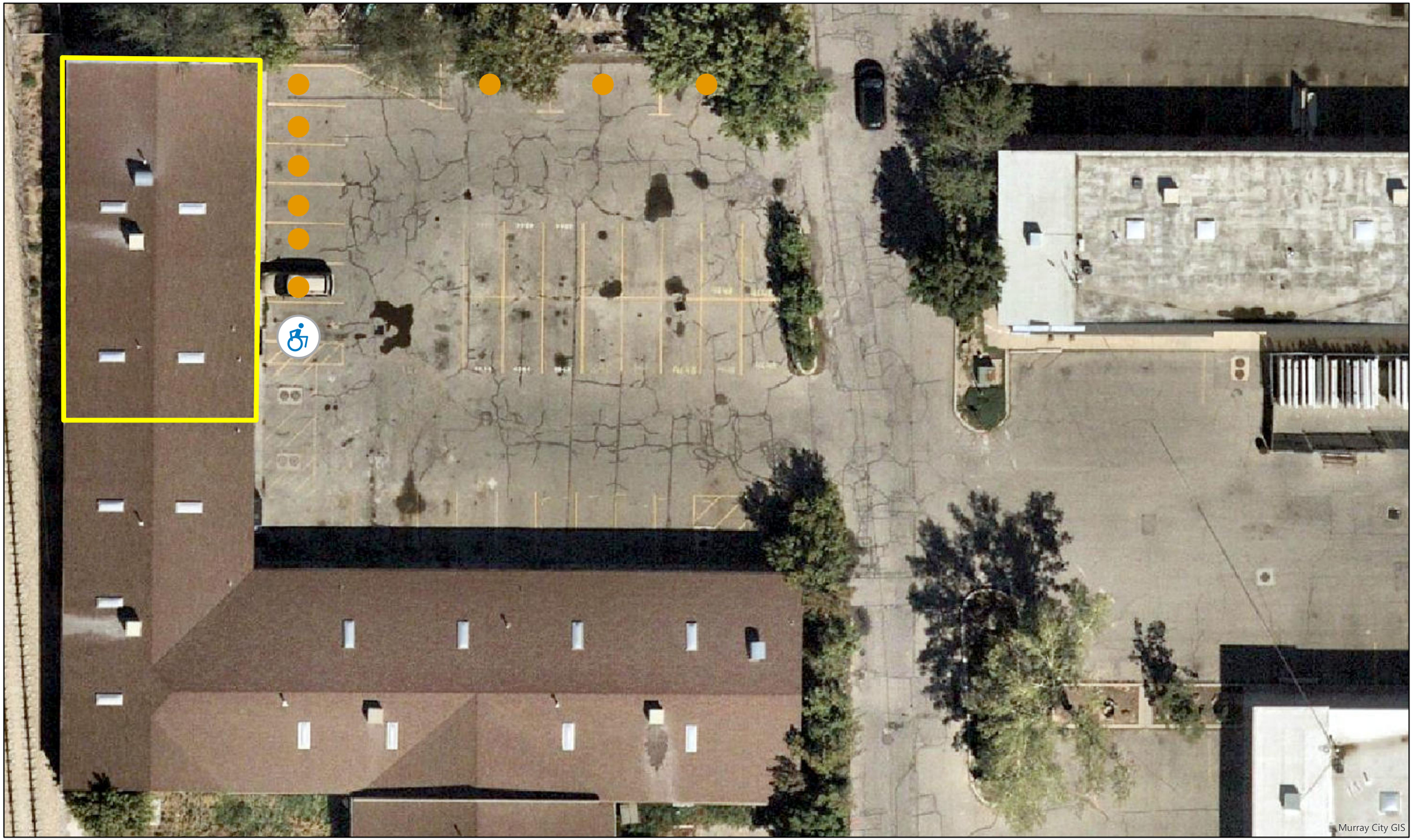
Signature: Mark Gordon Date: 11/1/2022

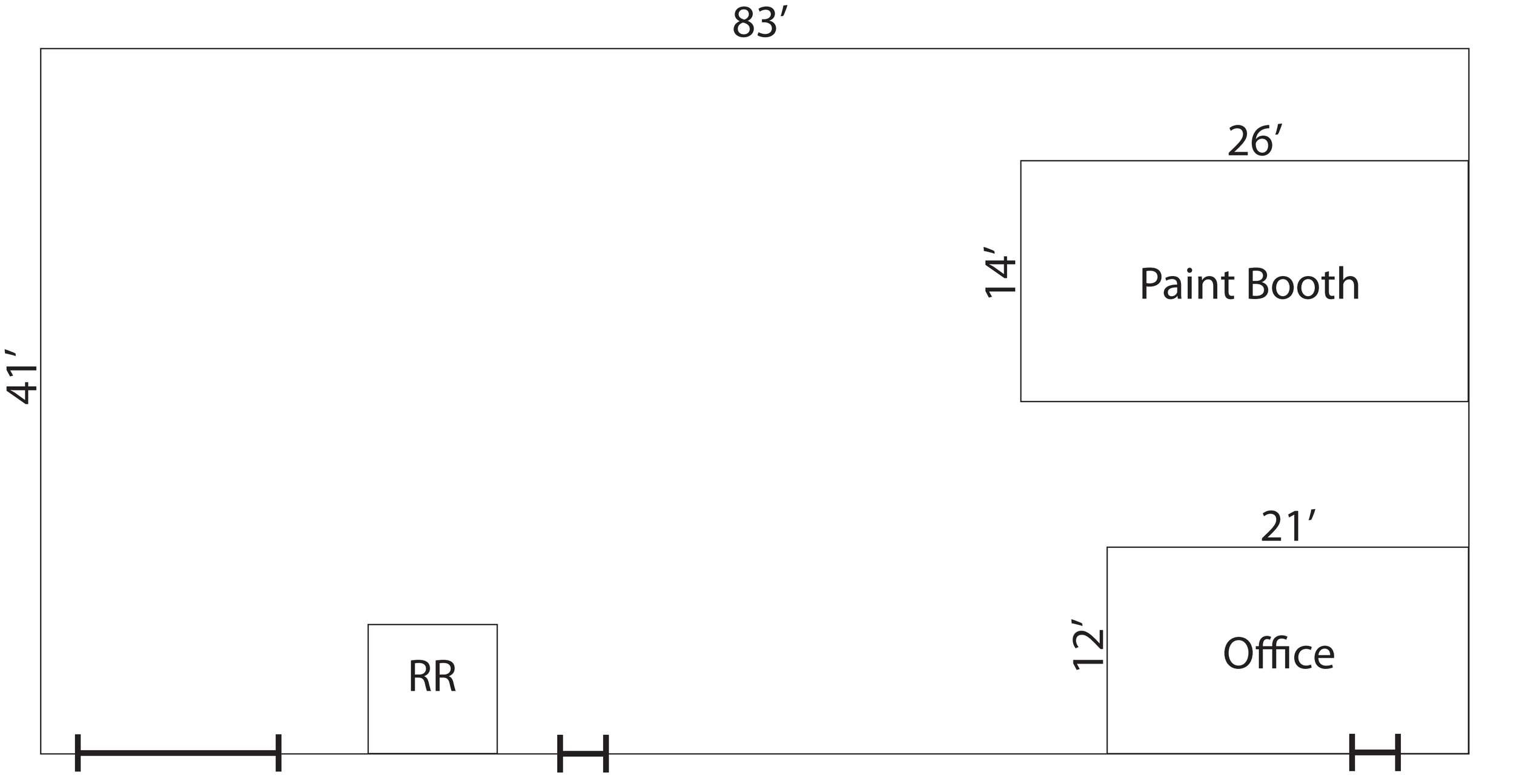
Murray City Corporation
Community & Economic Development Division
4646 South 500 West
Murray UT 84123
(801) 270-2420

owner

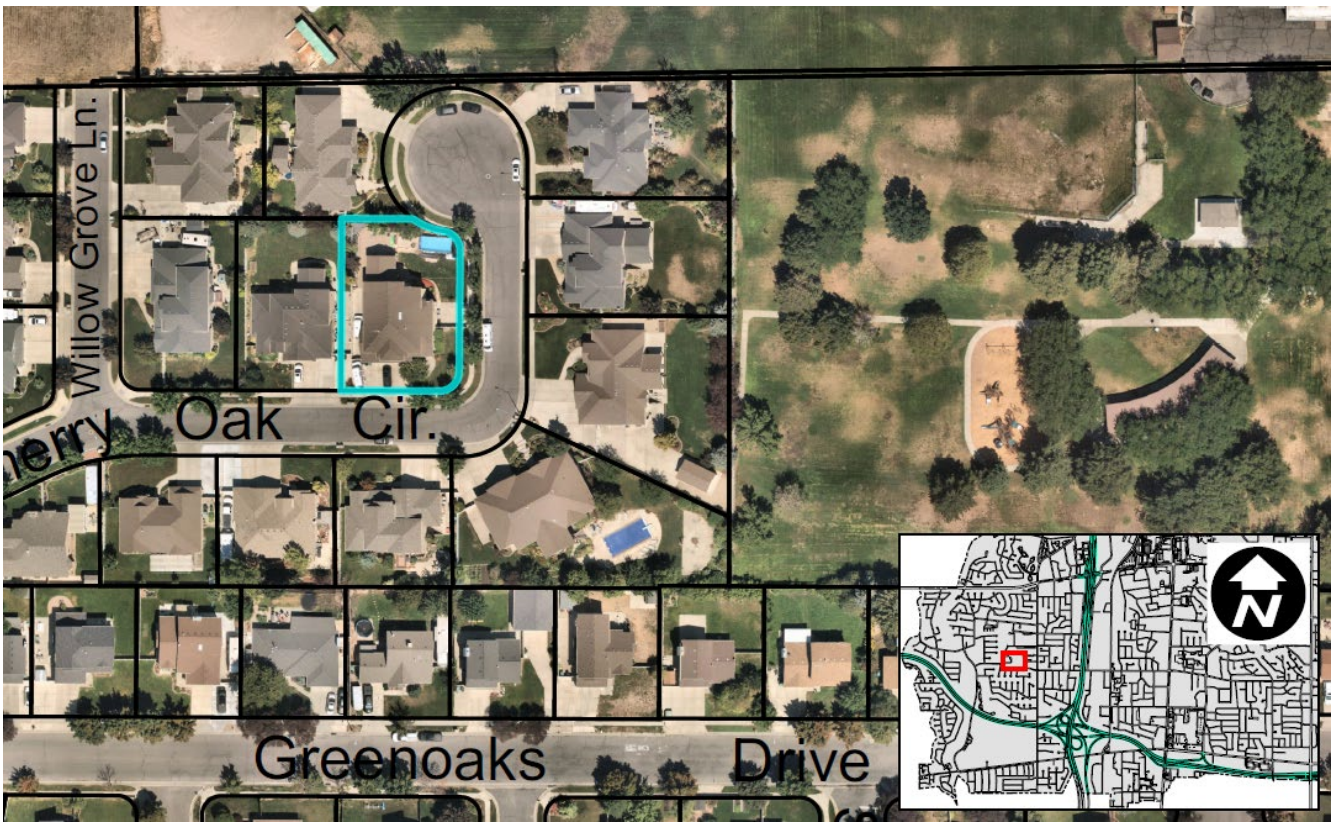
Parking space
Parking
Parking
Spray Booth
26
21
+ 21
+ 21
Employee Door
Bathroom
7½ x 7½
Garage Door
+ 14
Emanuel Collision Center
4642 S 160 W
53

83 (F)
Spray Booth
Office
12+2
14x26
Emanuel Collision
46425160 W
7½ (F)
7½x7½
Batt
41 (E)
UPDATED AUTO
MECHANIC


Murray City GIS


83’
26’
14’
Paint Booth
41’
21’
12’
Office
RR

AGENDA ITEM # 7 – Dogs Delight Mobile Grooming			
ITEM TYPE:	Major Home Occupation		
ADDRESS:	844 West Cherry Oak Circle	**MEETING DATE:**	January 5, 2023
APPLICANT:	Kevin & Stephanie O'Brien	**STAFF:**	Zachary Smallwood, Senior Planner
PARCEL ID:	21-14-426-024	**PROJECT NUMBER:**	23-003
ZONE:	R-1-8		
SIZE:	0.26 acres		
REQUEST:	The applicant is requesting approval to have more than one on site employee for their Major Home Occupation as a mobile dog grooming 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 some in-home businesses as "Major Home Occupations". Major Home Occupations include those businesses that either require a client to come to the residential location, or that have other potential impacts if they are not properly managed. Mobile Dog Grooming services is identified as a Major Home Occupation. Major Home Occupations must meet the standards of Chapter 17.24 generally and must also be considered for conditions to mitigate potential adverse impacts of the proposed business use on the surrounding residential neighborhood.

Chapter 17.24.040 limits the number of employees to one (1) unless approval is granted by the Planning Commission for additional employees.

II. BACKGROUND

Project Location

The subject property is a single-family dwelling located within a cul-de-sac west of 700 West.

Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Residential	R-1-8
South	Residential	R-1-8
East	Residential	R-1-8
West	Residential	R-1-8

Major Home Occupation Process

The definition of a Major Home Occupation is *"A home occupation 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 can be approved for Major Home Occupations administratively if they can obtain signatures of approval from all adjacent property owners. The applicant WAS able to collect all the needed signatures for their major home occupation.

Applicants' Request

The applicants would like to obtain approval to have more than the one (1) allowed on-site

employee. During the Business License Application review it was determined that they anticipate three (3) additional employees that come to the home for a total of four (4). The applicant states that these employees come to the home to obtain supplies, submit timesheets, and pick up paychecks. No dog grooming is being conducted at the home.

The applicant had a current Murray City Home Occupation license until May of 2020, when city code changed to not license home occupations unless the business is a major home occupation or the applicant requests to "opts in" to have a business license.

Home Occupation Standards Generally

Requirements for Home Occupations generally that would apply to this application are summarized and reviewed in the following:

Bona Fide Resident

Home occupation businesses can only be conducted by residents of the dwelling. The applicant lives in the subject property as a primary residence.

Accessory Use on the Property

Home occupation businesses shall not use any accessory building or yard space for storage, sale, rental or display of supplies or inventory used in the home occupation. The applicant has indicated that all supplies are located within the dwelling. No outdoor storage is allowed.

On-Site Employees

Home occupation businesses are limited to one (1) person not residing in the residence to work for the business at the dwelling. 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.

The applicants state that they would like to have up to a total of four (4) on-site employees. The on-site employees will only come to the home for supply pickup, timesheet turn in, and to receive their paycheck. Any vehicles related to the business will be stored off-site. The applicants have applied for a business license to store their vehicles in a commercial location. Planning Division Staff does not anticipate any significant impact caused by the additional employees as they are only at the dwelling for a short time.

Vehicles

One business vehicle used by the licensee in connection with the home occupation may be parked at the premises. 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.

Staff has reviewed the requirement with the applicants and they have stated that they will be able to comply with this regulation. As was stated above, the applicants have applied for a business license to store the vehicles associated with this business on a commercial storage lot.

Traffic Impacts

Traffic generated by the home occupation cannot exceed that which would normally be expected in a residential neighborhood, and any need for parking must be met off-street.

Staff does not anticipate the additional trips as a result of the additional three (3) on-site employees to significantly impact the residential neighborhood. The applicants have received signatures by all the neighboring property owners in as part of this request for Major Home Occupation approval.

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* - Because this business does not primarily conduct business at the home, staff does not propose any limits on the hours of operation outside of normal quiet hours dictated by other city ordinances.

- *Limits on Numbers of Clients per Day/Hour* – Staff recommends that the Planning Commission condition that no customers are allowed to come to the home.

- *Provision of Adequate Off-Street Parking* – Based on the applicants site plan, there appears to be adequate parking at the rear and side of the property for both personal and work vehicle(s).

- *Other Conditions to Mitigate Adverse Impacts – Staff is unaware of any adverse impacts this proposal will have on surrounding residents.* Staff recommends the applicant apply for a Murray City Home Occupation Business License and be in compliance with the Home Occupation regulations.

III. CITY DEPARTMENT REVIEW

A Planning Review Meeting was held on December 20, 2022, where the proposed Major Home Occupation application was reviewed by Murray City Department Staff. Each of the reviewing departments did not have any concerns with the proposal.

IV. PUBLIC INPUT

Notices were sent to each individual adjacent property owner. As of the date of this report, Staff has not received any phone calls or emails regarding the application.

V. FINDINGS

Based on the analysis of the application for a Major Home Occupation to allow the addition of three (3), for a total of four (4), on-site employees on the subject property and a survey of the surrounding area, staff concludes the following:

1. The proposed use for a mobile dog grooming business is allowed in as a Home Occupation business in the R-1-8 Zone.
2. With conditions as outlined in the staff report and the applicants narrative, the proposed additional on-site employees 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 three (3) additional on-site employees for business from the residential property addressed 844 West Cherry Oak Circle,** as reviewed in the staff report and subject to the following conditions:

1. Customers shall not be allowed to come to the property.
2. The four (4) total on-site employees shall only be allowed at the dwelling to pick up supplies, turn in timesheets or receive their paychecks. No grooming, or other business activity shall be allowed.
3. The applicant shall park any business related vehicle to the rear of the dwelling on the concrete driveway. Parking any business related vehicles or trailers on the public street is not allowed. No large trucks or equipment allowed on the site other than one work truck, weighing less than 12,000 pounds, and one trailer.
4. All materials shall be located within the dwelling, no accessory structures may be used.
5. The applicant shall comply with all requirements of Fire and Building Codes, and all State and County Health Department requirements.

6. The business shall at all times be conducted in accordance with all applicable requirements of Section 17.24 of the Murray City Land Use Ordinance for Major Home Occupation businesses.
7. The applicant shall provide documentation that storage of the business related vehicles has been approved by the local municipality.

MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT

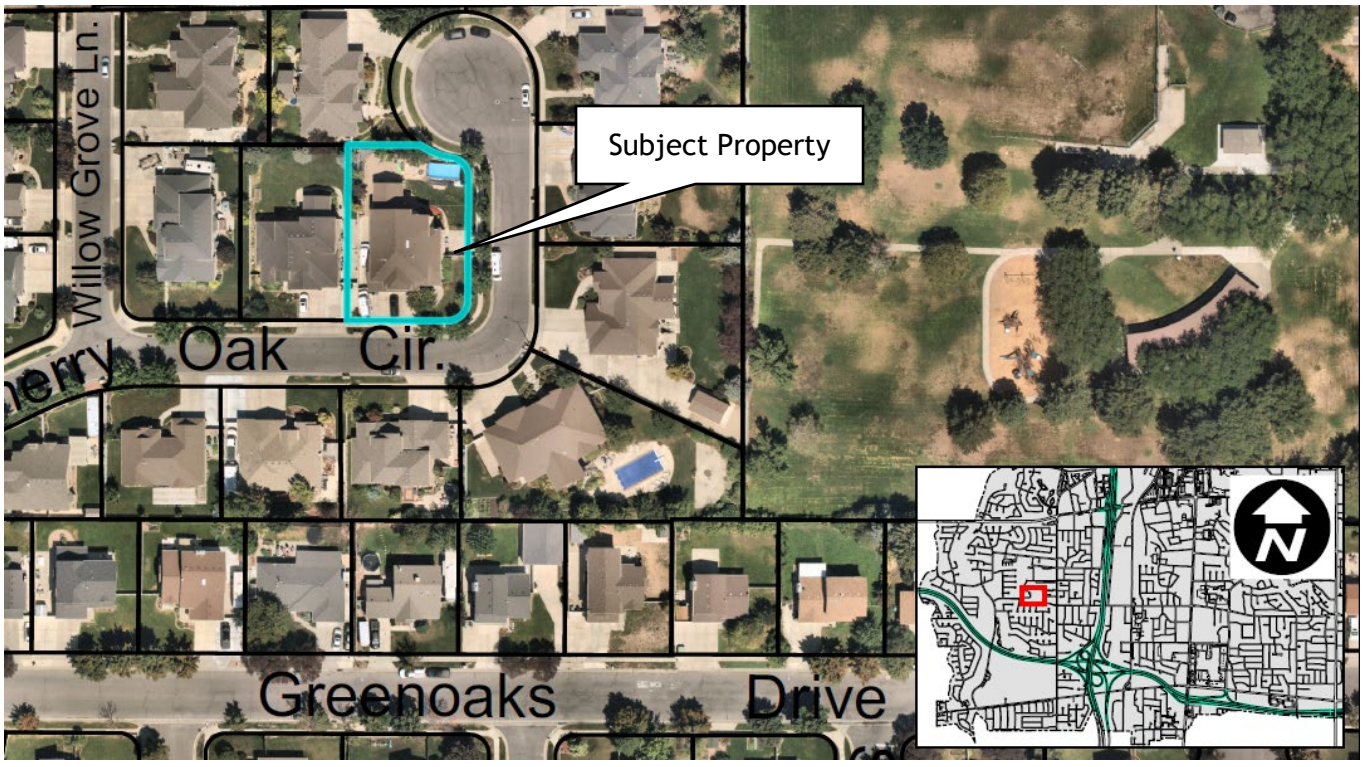
Building Division 801-270-2400
Planning Division 801-270-2430

NOTICE OF PUBLIC MEETING

January 5, 2023, 6:30 PM

The Murray City Planning Commission will hold a public meeting on Thursday, January 5, 2023 at 6:30 p.m. in the Murray City Municipal Council Chambers, located at 5025 S. State Street to receive public comment on an application submitted by representatives of **Dogs Delight Mobile Grooming** for a Major Home Occupation Approval to allow additional employees (3) to come to the home located at **844 West Cherry Oak Circle**. Please see the attached plans. The meeting is open and the public is welcome to attend in person or you may submit comments via email at planningcommission@murray.utah.gov. If you would like to view the meeting online, you may watch via livestream at www.murraycitylive.com or www.facebook.com/MurrayCityUtah/.

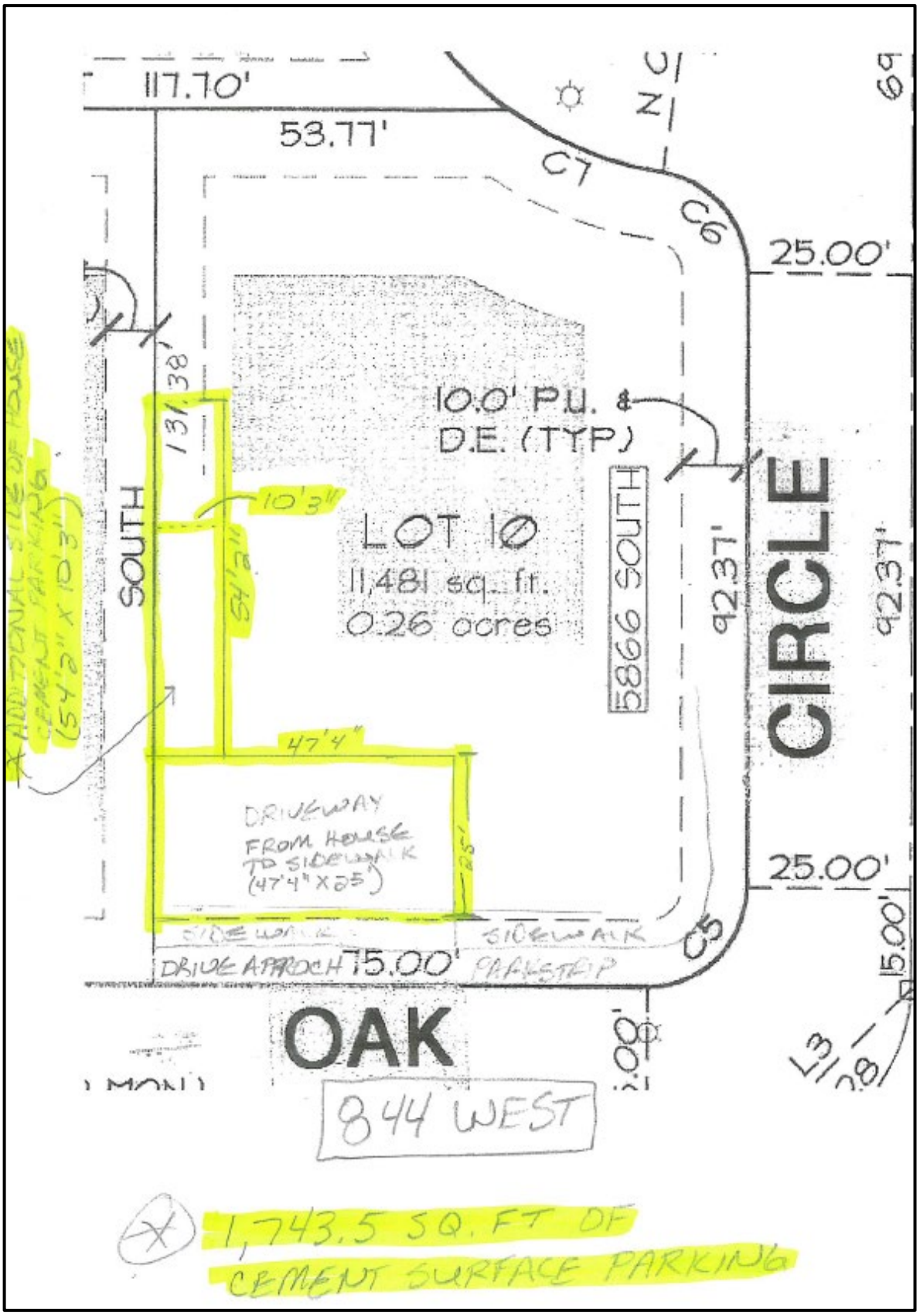
Comments are limited to 3 minutes or less, written comments will be read into the meeting record.



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

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

Public Notice Dated |December 22, 2022


117.70'
53.77'
C7
C6
C5
C1
25.00'
10.0' P.U. & D.E. (TYP)
LOT 10
11,481 sq. ft.
0.26 acres
SOUTH
131.38'
10'3"
54'2"
47'4"
DRIVEWAY FROM HOUSE TO SIDEWALK (47'4" X 25')
25'
ADDITIONAL SIZE OF HOUSE CEMENT PARKING (54'2" X 10'3")
5866 SOUTH
92.37'
CIRCLE
25.00'
15.00'
SIDEWALK
DRIVE APPROACH
75.00'
PARKSTRIP
OAK
844 WEST
L3
28.00'
1,743.5 SQ. FT OF CEMENT SURFACE PARKING

MURRAY CITY CORPORATION
Community &
Economic Development

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

MAJOR HOME OCCUPATION APPLICATION

Name of Business: DBA: DOGS DELIGHT MOBILE GROOMING

Business Address: 844 W. CHERRY OAK CIR. MURRAY UT. 84123

Parcel Identification (Sidwell) Number: 21-11-426-024

Parcel Area: 0.26 acres Current Use: Residence

Floor Area: _____ Zoning Classification: R-1-8

Name of Business Owner: KEVIN & STEPHANIE O'BRIEN

Address of Business Owner: 844 W. CHERRY OAK CIR.

City, State, ZIP: MURRAY, UTAH 84123

Daytime Phone #: 801-505-3300 Fax #: _____

Email Address: INFO@DOGSDELIGHTUTAH.COM

Detailed description of business and impact on residential use:

OFFSITE MOBILE PET GROOMING. MINIMAL IMPACT ON RESIDENTIAL USE OTHER THAN THE REQUESTED APPROVAL FROM THE PLANNING COMMITTION FOR UP TO 4 EMPLOYEES TO COME TO THE HOME ON OCCASION TO PICK UP PAY CHECK, TIME SHEETS & SUPPLIES AT DIFFERENT TIMES.

Authorized Signature: [signature] Date: 12/4/22

Property Owners Affidavit

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

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

State of Utah

County of Salt Lake §

Subscribed and sworn to before me this 5th day of december, 2022.

Notary Public
Joel Olivares Sulca
721224
My Commission Expires
11/02/2025
State of Utah

Notary Public
Residing in Salt Lake
My commission expires: 11-02-2025

Agent Authorization

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

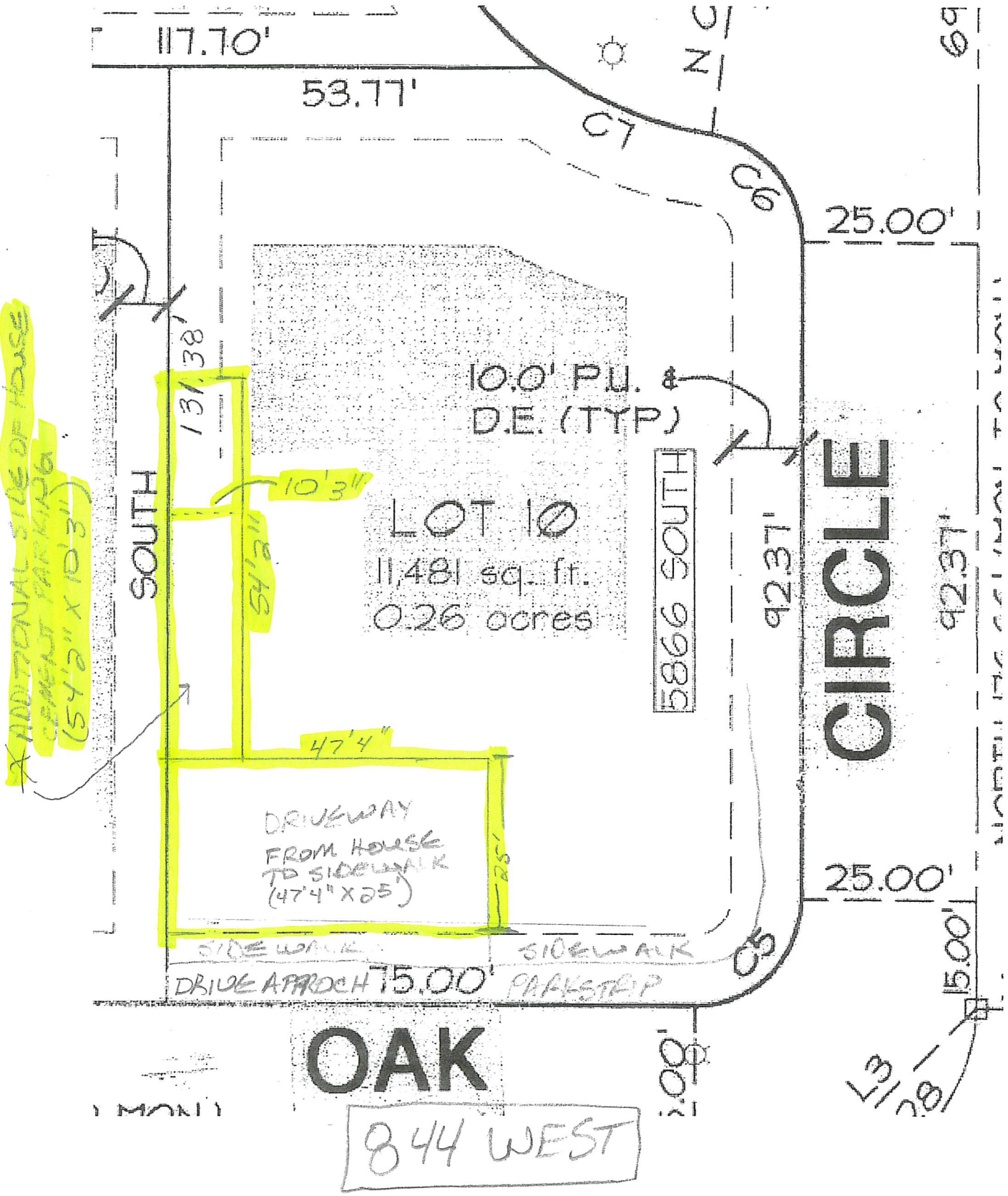
Owner's Signature Owner's Signature (co-owner if any)

State of Utah

County of Salt Lake §

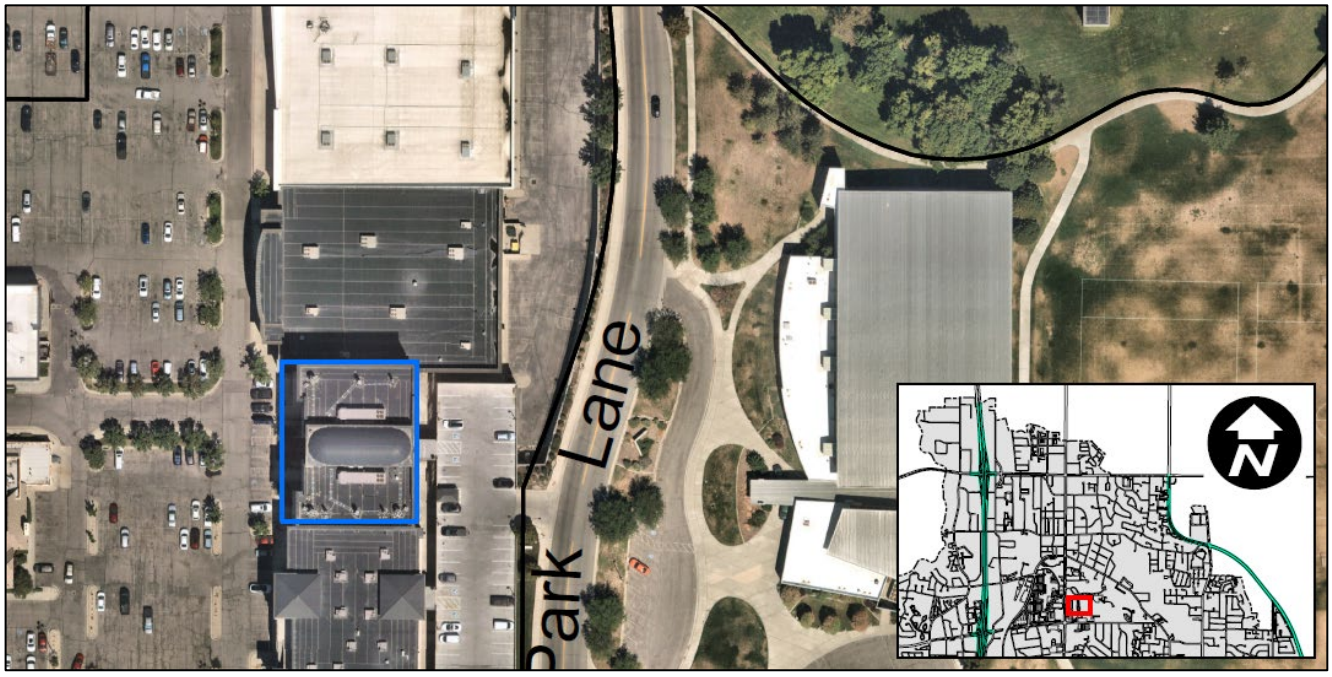
On the _____ day of _____, 20 _____, personally appeared before me _____ the signer(s) of the above *Agent Authorization* who duly acknowledge to me that they executed the same.

Notary public
Residing in _____
My commission expires: _____



(X) 1,743.5 SQ. FT OF CEMENT SURFACE PARKING

AGENDA ITEM # 8 The Pointe @ 53rd Office Condominiums			
ITEM TYPE:	Subdivision Amendment Review		
ADDRESS:	5217 South State Street	**MEETING DATE:**	January 5, 2023
APPLICANT:	Chris Johnson, Howland Partners, Inc	**STAFF:**	Zachary Smallwood, Senior Planner
PARCEL ID:	TBD	**PROJECT NUMBER:**	23-005
ZONE:	CMU		
SIZE:	0.29 acre site | 16 proposed office condos		
REQUEST:	The applicant is requesting preliminary subdivision approval to subdivide Lot 1B of the Pointe @ 53rd Subdivision and create 16 office condos.		



I. LAND USE ORDINANCE

Title 16, Subdivision Ordinance, Section 16.04.30(F) requires the subdivision of property to be reviewed and approved by Murray City Planning Commission as the Land Use Authority.

Chapter 17.62 of the Land Use Ordinance outlines the purpose, standards, and approvals required for creating a condominium subdivision. This application specifically falls under section 17.62.050: Condominium Conversion of Existing Structures. This process requires additional review by City departments.

II. BACKGROUND

On October 6, 2022, the Planning Commission granted preliminary and final subdivision amendment approval to create a new lot that encompasses the office building located with the Pointe @53rd commercial development. The applicant has been working towards recording the amended subdivision plat and would like to move forward with a preliminary approval for the proposed sixteen (16) office condos as part of the newly created Lot 1B.

Project Location

The subject property is located on the corner of 5300 South and State Street. The larger commercial site, for which this office building is a part of, includes multiple large big-box retail locations and a number of retail pad sites.

Process

The application before the Planning Commission is for Preliminary Subdivision approval. If the Planning Commission approves the preliminary subdivision the applicant will work with city staff to prepare a Final Plat to be reviewed and approved by the Planning Commission. After Final Subdivision approval is granted, the applicant will continue any additional items that need addressed and be reviewed, approved, and accepted by the City Engineer. The plat will then be circulated for signatures of approval which will allow the recordation of the plat at the Salt Lake County Recorder's Office.

Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Murray Park	O-S
South	Commercial	C-D
East	County Ice Center & Murray Park	O-S
West	Commercial	C-D

Project Description & Review

The proposal is part of an on-going effort to modernize the commercial complex. The intent is to create sixteen (16) new condo units. Twelve (12) of which will be office units that could be sold, four (4) are the ground floor retail units, these could in theory be sold as well, but the applicant has not stated their intention to do so. The CMU Zone does not have a minimum

square footage for a commercial use. Each unit ranges between 1700 and 2089 square feet.

Condominium Development Standards

Section 17.62.040 of the Land Use Ordinance outlines standards for condominium development. There are fifteen (15) development standards that are outlined for condominium approval; nine (9) of these standards either do not apply because it is not a residential condominium or are already met through the existence of the commercial center. The remaining six (6) are reviewed in more detail through the rest of this report.



Figure 1: Building to be subdivided

Subdivision Design (Development Standard A)

The subdivision plat has been designed by Focus Engineering and Surveying LLC a licensed engineering firm. The firm has provided all the necessary documentation to review the conversion of the existing office building to condominium units.

Ownership and Preservation/Maintenance (Development Standard D & L)

Subsection D states that the development of office condos is governed by one development entity. Howland Partners, LLC are the development entity and will be the responsible for preparing the building for selling of individual units and will be a part of the condominium owners association (COA). Subsection L states that the preservation, maintenance, and ownership of common spaces are to be governed by a COA. The applicants have provided the preliminary CC&R's that have been reviewed by Engineering and Planning staff and do not see any concerns at this time.

Parking (Development Standard E)

The proposed condo subdivision requires parking to be provided for the office building. It was previously stated in the subdivision amendment that the applicant will need to provide parking agreements on the larger development parcel that includes the additional office and retail space. Staff reviewed each floor for parking requirements and have provided the minimum requirements below based on the Centers Mixed Use Zone.

	Unit 1	Unit 2	Unit 3	Unit 4	Total
Floor 1 (retail)	7	6	6	7	26
Floor 2 (office)	5	6	6	5	22
Floor 3 (office)	5	6	6	5	22
Floor 4 (office)	5	6	6	5	22
Total					**92**

The applicants have included an appendix in their CC&R's to outline the parking that is required and allotted for each unit. The applicants stated that they wanted to wait to fill in the information until the Planning Commission has reviewed the parking requirements. The applicants are prepared to accommodate the requirements in the code. Staff will require the appendix be filled in prior to the Final Subdivision review.

Utility Metering (Development Standard F)

This requirement in the code states that each unit shall be separately metered for gas, electricity, and water. During the development review committee meeting it was stated that the water department will require a single meter and not allowed separate meters. The Power Department in its review stated that it may need to have the units convert to separate meters. These will be reviewed during the conversion process and is conditioned in staff's recommendation.

Landscaping (Development Standard N)

The proposed condominium subdivision does not have any direct frontage on any public street or any public improvements. The current lot this building is on was created as wholly incorporating the building while the rest of the commercial development is left untouched. This standard does not have any requirements that need to be reviewed and is provided as informational to the Planning Commission.

Condominium Conversion of Existing Structures

Section 17.62.050 of the Land Use Ordinance outlines requirements to be met before an existing building (residential or commercial) may be converted to condominium units. The applicant shall prepare and include in its application a Report Of Property Condition to be reviewed by the Building Official. The applicant provided the required reports, and they are currently being reviewed by the Building Official, as a condition of approval the applicant will need to comply with any concerns raised as a result of the review.

III. STATE AND MUNICIPAL CODE REVIEW STANDARDS

Title 16, Subdivision Ordinance of the Murray City Code 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. The Planning Commission's role as the Land Use Authority is to ensure that a proposed subdivision is consistent with established ordinances, policies and planning practices of the City. The Planning Commission makes investigations, reports and recommendations on proposed subdivisions as to their conformance to the General Plan, Title 17 of City Code, and other pertinent documents as it deems necessary. After completing its review of the preliminary plat, the Planning Commission shall review and approve or disapprove the final plat in accordance with Section 16.12.070 of City Code.

IV. CITY DEPARTMENT REVIEW

The application and materials were distributed to various departments for their review and comments on December 20, 2022. The following comments have been provided in response. Where appropriate, the comments are addressed as conditions of approval:

Engineering Division

1. Must complete and record the Point @ 53rd Amended plat.
2. Meet City subdivision and condominium platting requirements.

Murray City Power Department

1. The existing building may require individual electrical meters or other changes to metering/service depending on electrical upgrade(s) or not.
2. The developer will need to meet with Murray City Power to discuss planning the new power service(s) and future equipment placement to the building(s) with additional line extension costs to provide electrical service.
3. Developer must meet all Murray City Power Department requirements and current NESC code and provide required easement/clearance(s) for equipment and Power lines.

V. PUBLIC INPUT

Six (6) notices were mailed to property owners within a 300' radius. As of the writing of this staff report, there has been no comments.

VI. FINDINGS

Based on the analysis and review of the proposed condominium subdivision and a survey of the subject property, staff concludes the following:

1. The subdivision of land is allowed by Utah State Code Section 10-9a-608, and with conditions this preliminary condominium subdivision will meet the requirements therein.
2. The proposed condominium subdivision complies with the CMU Zoning regulations.
3. The proposed condominium subdivision complies with the regulations of Title 16, Subdivision Ordinance, Chapter 17.62, Condominium Ordinance, and with the applicable standards of the Chapter 17.162, of the Murray Land Use Ordinance.

VII. CONCLUSION/RECOMMENDATION

Based on the information presented in this report, application materials submitted and a site review, staff recommends that the **Planning Commission grant preliminary condominium subdivision approval for the Pointe at 53rd Office Building Condo Conversion on the property located at 5217 South State Street,** subject to the following conditions:

1. The project shall meet Murray City Engineering requirements including the following:
   a. Must complete and record the Point @ 53rd Amended plat.
   b. Meet City subdivision and condominium platting requirements.
2. The applicant shall meet all Wastewater Division requirements.
3. The applicant shall meet all Water Division requirements.
4. The applicant shall meet all Power Department requirements including:
   a. Review whether individual electrical meters or other changes to metering/service are required by the Power Department.
   b. Meet with Murray City Power to discuss planning any new power service(s) and future equipment placement to the building(s) with additional line extension costs to provide electrical service.
   c. Developer shall meet current NESC code and provide required easement/clearance(s) for equipment and Power lines.
5. The project shall meet all requirements of the Murray City Land Use Ordinance, including the Centers Mixed Use and Condominium chapters.
6. The applicant shall provide the city with a copy of the shared parking agreement that outlines that the office condominiums have access to approximately ninety-two (92) parking spaces.
7. The applicant shall prepare a Final Subdivision Plat which complies with all requirements of Title 16, Murray City Subdivision Ordinance.
8. The applicant shall meet all Building Division requirements that arise from the review of the Report of Property Condition.
9. The subdivision plat shall be recorded within one year of the final approval by the Planning Commission or the subdivision plat approval shall be null and void.

MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT

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

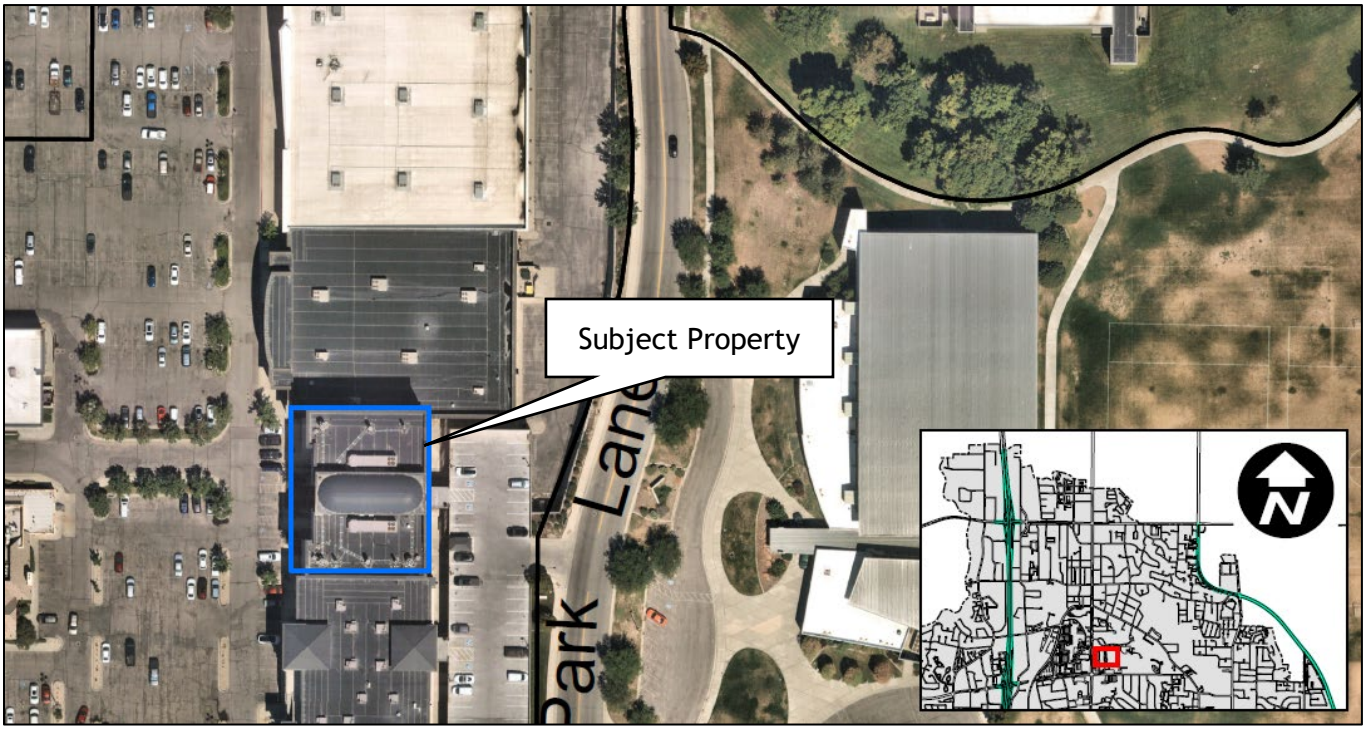
NOTICE OF PUBLIC MEETING

January 5, 2023, 6:30 PM

The Murray City Planning Commission will hold a public meeting on Thursday, January 5, 2023 at 6:30 p.m. in the Murray City Municipal Council Chambers, located at 5025 S. State Street to receive public comment on an application for preliminary subdivision approval submitted by representatives of **Howland Partners, LLC** to allow the conversion of an office building into office condominiums at the property located at **5217 South State Street**. Please see the attached plans.

The meeting is open and the public is welcome to attend in person or you may submit comments via email at planningcommission@murray.utah.gov. If you would like to view the meeting online, you may watch via livestream at www.murraycitylive.com or www.facebook.com/MurrayCityUtah/.

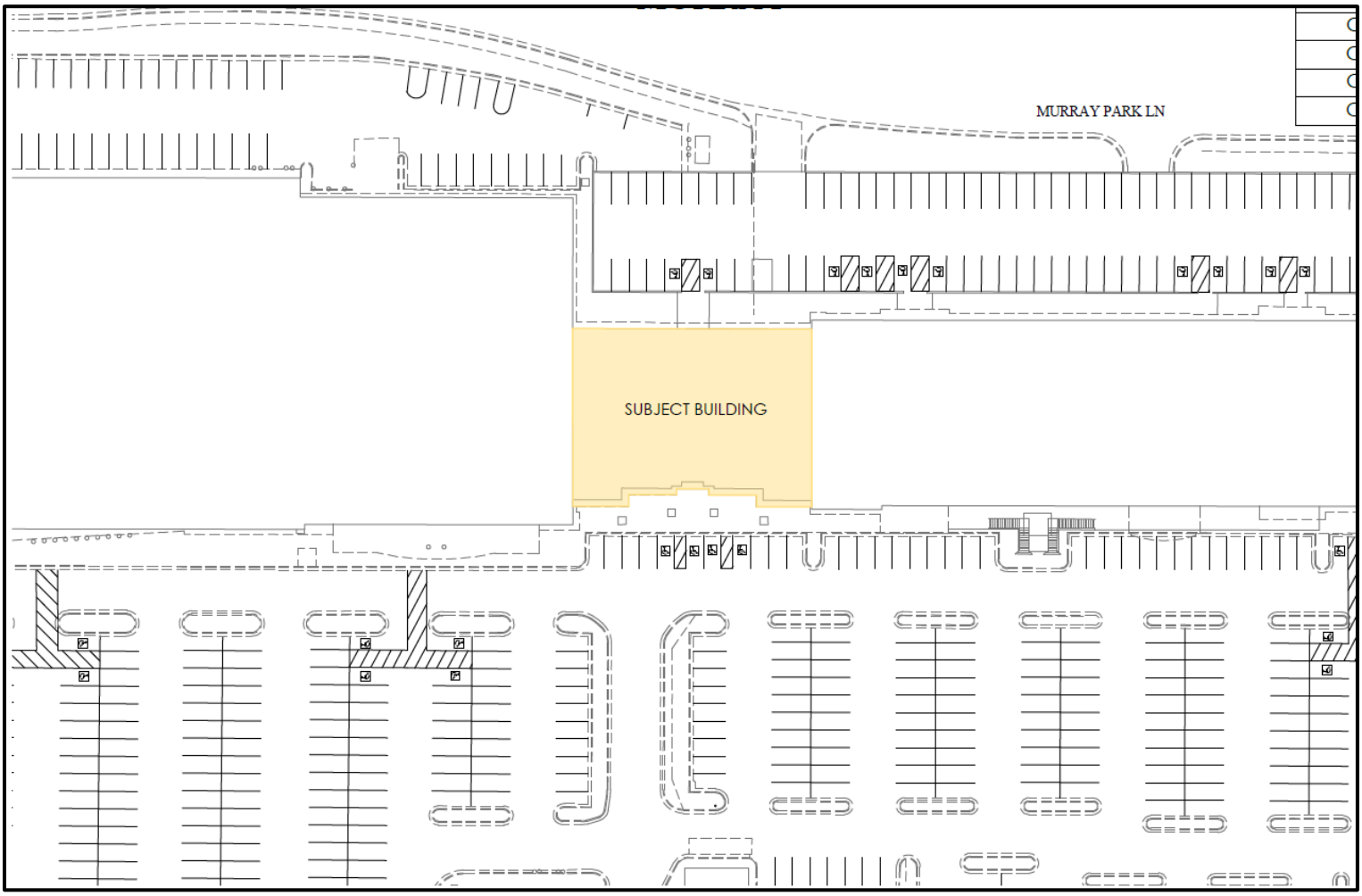
Comments are limited to 3 minutes or less, written comments will be read into the meeting record.

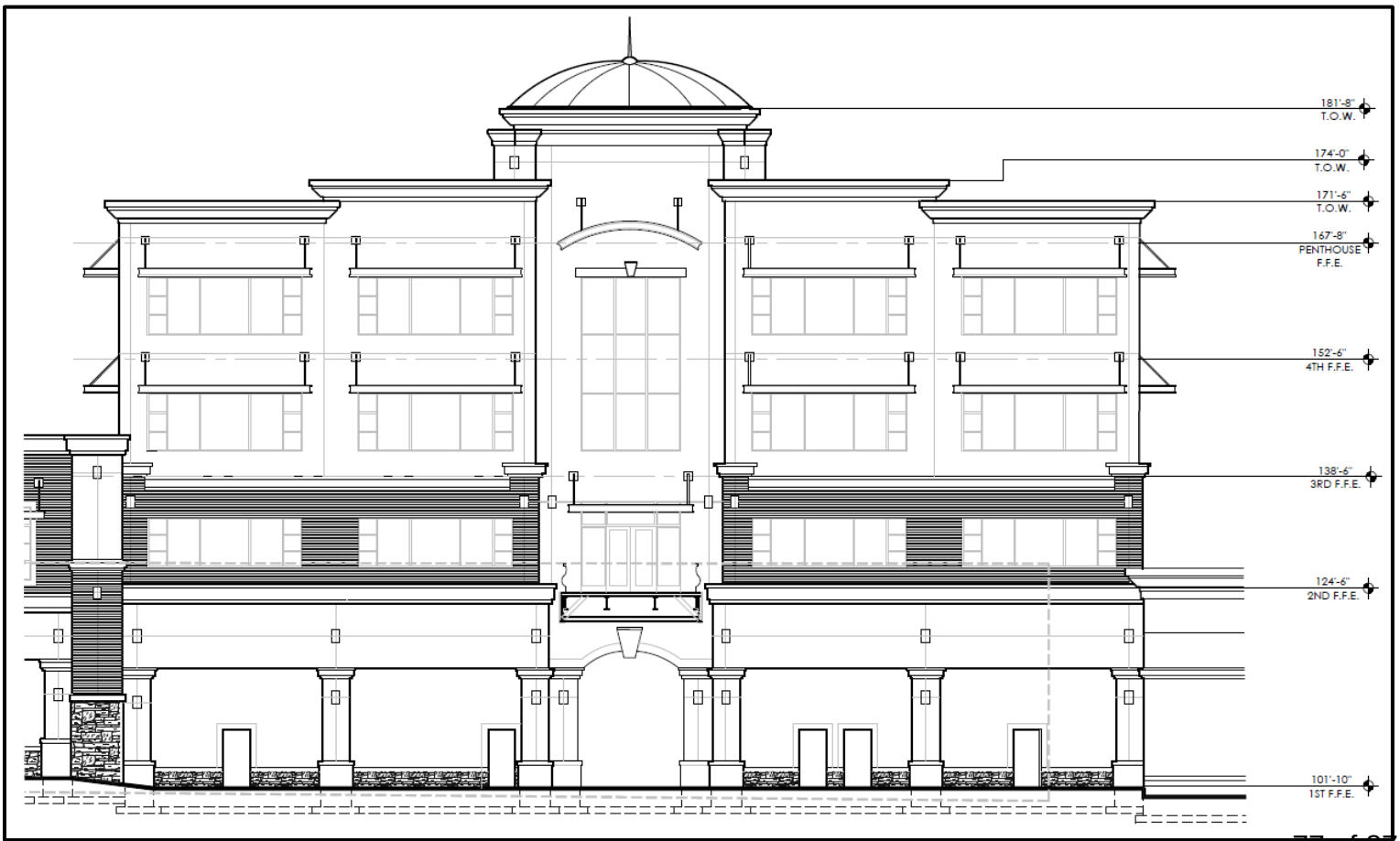


This notice is being sent to you because you own property within 300 feet of the subject properties. If you have questions or comments concerning this proposal, please call the Murray City Planning Division at 801-270-2430, or e-mail to planningcommission@murray.utah.gov.

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

Public Notice Dated |December 22, 2022


MURRAY PARK LN
SUBJECT BUILDING


181'-8"
T.O.W.
174'-0"
T.O.W.
171'-6"
T.O.W.
167'-8"
PENTHOUSE F.F.E.
152'-6"
4TH F.F.E.
138'-6"
3RD F.F.E.
124'-6"
2ND F.F.E.
101'-10"
1ST F.F.E.

SUBDIVISION & FLAG LOT APPLICATION

Project #_____

Type of Application (check all that apply):

X **Preliminary Subdivision** ☐ **Final Subdivision** ☐ **Subdivision Amendment**

Subdivision Name: THE POINTE AT 53RD OFFICE CONDOMINIUMS

Subject Property Address: 5217 South State Street, Murray, Utah 84107

Parcel Identification (Sidwell) Number: 22-07-304-028

Parcel Area: 0.29 Acres Current Use: Commercial Office/Retail

Zoning Classification: CMU

Applicant Name: Howland Partners, Inc. / Gary Howland

Mailing Address: 9450 S. Redwood Road

City, State, ZIP: South Jordan, Utah 84095

Daytime Phone #: (801) 253-8950 Fax #: (801) 253-8951

Email Address: gary@howlandinc.com

Business Name (If applicable): Howland Partners, Inc.

Property Owner's Name (If different): The Pointe @ 53rd, L.C. (Howland Partners, Inc.)

Property Owner's Mailing Address: 9450 S. Redwood Road

City, State, Zip: South Jordan, Utah 84095

Daytime Phone #: (801) 253-8950 Fax #: (801) 253-8951

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

To convert the existing Office Tower located at the above address (in The Pointe @ 53rd) into commercial office/retail condominiums

Authorized Signature: _____ Date: 12/14/22

Property Owners Affidavit

I (we) The Pointe 53rd LLC, being first duly sworn, depose and say that I (we) am (are) the current owner of the property involved in this application: that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.

The Pointe @ 53rd, L.C. by Howland Partners, Inc. (Its Manager)
Owner's Signature

Owner's Signature (co-owner if any)

Subscribed and sworn to before me this 14th day of December, 2022.

State of Utah

§

County of Salt Lake

Maritina Trujillo-Franco
Notary Public

Residing in: Salt Lake City, Utah

My commission expires: August 31, 2023

Notary Public - State of Utah
Maritina Trujillo-Franco
Comm. #707957
My Commission Expires
August 31, 2023

Agent Authorization

I (we), The Pointe @ 53rd, L.C., the owner(s) of the real property located at 5217 South State Street, in Murray City, Utah, do hereby appoint Howland Partners, Inc., as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize Gary Howland to appear on my (our) behalf before any City board or commission considering this application.

The Pointe @ 53rd, L.C. by Howland Partners, Inc. (Its Manager)
Owner's Signature

Owner's Signature (co-owner if any)

On the 14th day of December, 2022, personally appeared before me Gary Howland the signer(s) of the above *Agent Authorization* who duly acknowledge to me that they executed the same.

State of Utah

§

County of Salt Lake

Maritina Trujillo-Franco
Notary Public

Residing in: Salt Lake City, Utah

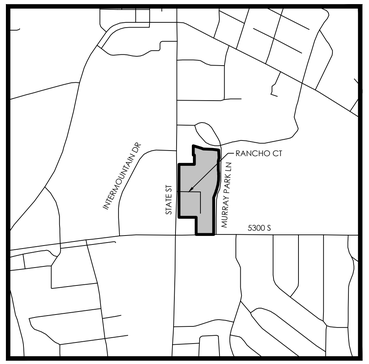
My commission expires: August 31, 2023

Notary Public - State of Utah
Maritina Trujillo-Franco
Comm. #707957
My Commission Expires
August 31, 2023

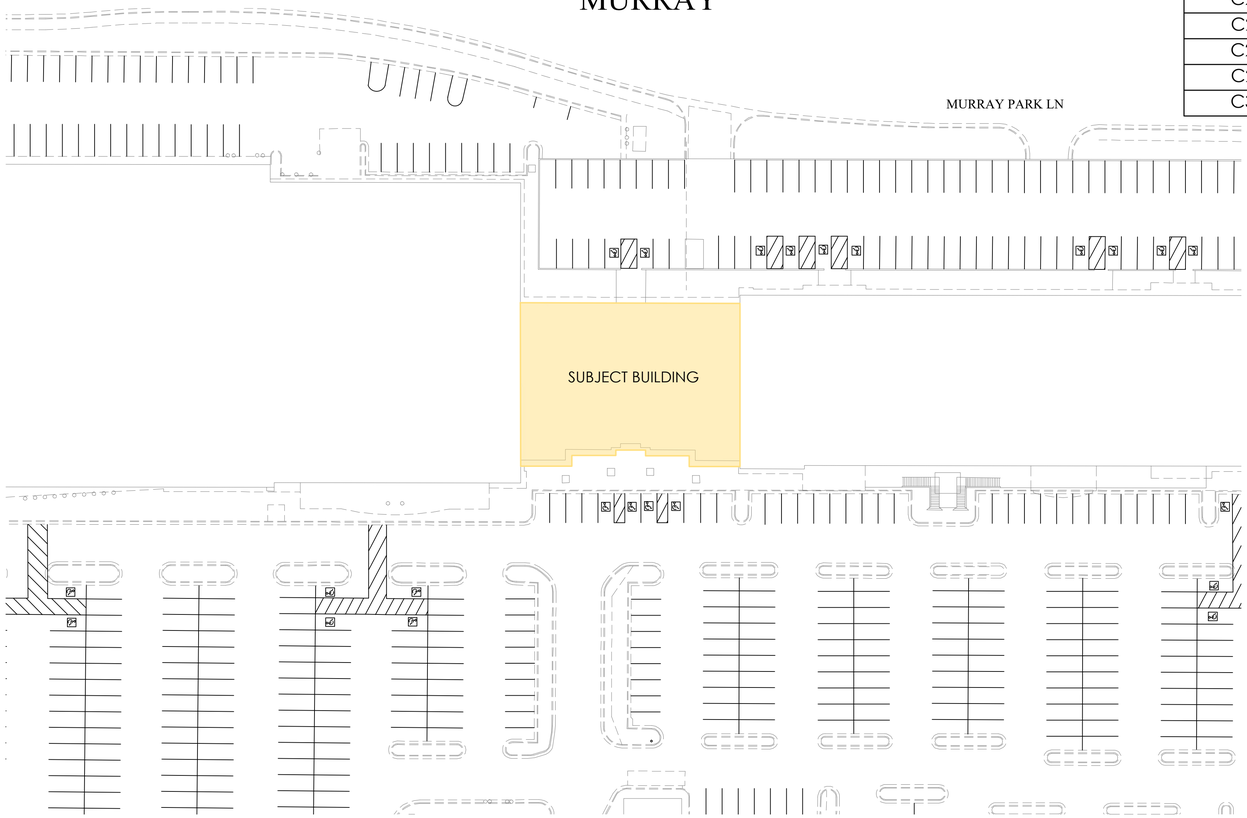
THE POINTE AT 53RD OFFICE BUILDING CONDO CONVERSION

PREPARED FOR:
HOWLAND PARTNERS, INC.
LOCATED IN:
MURRAY

Sheet List Table	
Sheet Number	Sheet Title
C1.0	COVER
C2.0	PRELIMINARY CONDO PLAT
C2.1	PRELIMINARY CONDO PLAT - 1ST FLOOR
C2.2	PRELIMINARY CONDO PLAT - 2ND FLOOR
C2.3	PRELIMINARY CONDO PLAT - 3RD FLOOR
C2.4	PRELIMINARY CONDO PLAT - 4TH FLOOR
C2.5	PRELIMINARY CONDO PLAT - ELEVATION
C3.0	SITE PLAN



VICINITY MAP
NTS



SITE MAP

GENERAL NOTES

1. CONTRACTOR TO FIELD VERIFY HORIZONTAL AND VERTICAL LOCATIONS OF ALL EXISTING UTILITIES PRIOR TO COMMENCEMENT OF CONSTRUCTION, AND REPORT ANY DISCREPANCIES TO THE ENGINEER.

2. ANY AND ALL DISCREPANCIES IN THESE PLANS ARE TO BE BROUGHT TO THE ENGINEER'S ATTENTION PRIOR TO COMMENCEMENT OF CONSTRUCTION.

3. ALL CONSTRUCTION SHALL ADHERE TO XXXX STANDARD PLANS AND SPECIFICATIONS.

4. ALL UTILITIES AND ROAD IMPROVEMENTS SHOWN ON THE PLANS HEREIN SHALL BE CONSTRUCTED USING REFERENCE TO SURVEY CONSTRUCTION STAKES PLACED UNDER THE SUPERVISION OF A PROFESSIONAL LICENSED SURVEYOR WITH A CURRENT LICENSE ISSUED BY THE STATE OF UTAH. ANY IMPROVEMENTS INSTALLED BY ANY OTHER VERTICAL OR HORIZONTAL REFERENCE WILL NOT BE ACCEPTED OR CERTIFIED BY THE ENGINEER OF RECORD.

5. THIS DRAWING SET IS SCALED TO BE PRINTED ON A 24" X 36" SIZE OF PAPER (ARCH. D). IF PRINTED ON A SMALLER PAPER SIZE, THE DRAWING WILL NOT BE TO SCALE AND SHOULD NOT BE USED TO SCALE MEASUREMENTS FROM THE PAPER DRAWING. ALSO USE CAUTION, AS THERE MAY BE TEXT OR DETAIL THAT MAY BE OVERLOOKED DUE TO THE SMALL SIZE OF THE DRAWING.

NOTICE

BEFORE PROCEEDING WITH THIS WORK, THE CONTRACTOR SHALL CAREFULLY CHECK AND VERIFY ALL CONDITIONS, QUANTITIES, DIMENSIONS, AND GRADE ELEVATIONS, AND SHALL REPORT ALL DISCREPANCIES TO THE ENGINEER.

ENGINEER'S NOTES TO CONTRACTOR

1. THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITY PIPES, CONDUITS OR STRUCTURES SHOWN ON THESE PLANS WERE OBTAINED BY A SEARCH OF THE AVAILABLE RECORDS, TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO EXISTING UTILITIES EXCEPT AS SHOWN ON THESE PLANS. THE CONTRACTOR IS REQUIRED TO TAKE DUE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN ON THESE DRAWINGS. THE CONTRACTOR FURTHER ASSUMES ALL LIABILITY AND RESPONSIBILITY FOR THE UTILITY PIPES, CONDUITS OR STRUCTURES SHOWN OR NOT SHOWN ON THESE DRAWINGS. IF UTILITY LINES ARE ENCOUNTERED DURING CONSTRUCTION THAT ARE NOT IDENTIFIED BY THESE PLANS, CONTRACTOR SHALL NOTIFY ENGINEER IMMEDIATELY.

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

3. UNAUTHORIZED CHANGES & USES: THE ENGINEER PREPARING THESE PLANS WILL NOT BE RESPONSIBLE FOR, OR LIABLE FOR, UNAUTHORIZED CHANGES TO OR USES OF THESE PLANS. ALL CHANGES TO THE PLANS MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARER OF THESE PLANS.

4. ALL CONTOUR LINES SHOWN ON THE PLANS ARE AN INTERPRETATION BY CAD SOFTWARE OF FIELD SURVEY WORK PERFORMED BY A LICENSED SURVEYOR. DUE TO THE POTENTIAL DIFFERENCES IN INTERPRETATION OF CONTOURS BY VARIOUS TYPES OF GRADING SOFTWARE BY OTHER ENGINEERS OR CONTRACTORS, FOCUS DOES NOT GUARANTEE OR WARRANTY THE ACCURACY OF SUCH LINEWORK. FOR THIS REASON, FOCUS WILL NOT PROVIDE ANY GRADING CONTOURS IN CAD FOR ANY TYPE OF USE BY THE CONTRACTOR. SPOT ELEVATIONS AND PROFILE ELEVATIONS SHOWN IN THE DESIGN DRAWINGS GOVERN ALL DESIGN INFORMATION ILLUSTRATED ON THE APPROVED CONSTRUCTION SET. CONSTRUCTION EXPERTISE AND JUDGMENT BY THE CONTRACTOR IS ANTICIPATED BY THE ENGINEER TO COMPLETE BUILD-OUT OF THE INTENDED IMPROVEMENTS.

CONTACTS

ENGINEER & SURVEYOR
FOCUS ENGINEERING & SURVEYING, LLC
6949 S. HIGH TECH DRIVE SUITE 200
MIDVALE, UTAH 84047
(801) 352-0075
PROJECT MANAGER: TRAVIS BENSON
SURVEY MANAGER: MATT MERRILL

OWNER/DEVELOPER
HOWLAND PARTNERS, INC.
9450 S REDWOOD ROAD, SOUTH JORDAN, UTAH 84095
GARY HOWLAND
810-253-8950

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

GRAPHIC SCALE
40 0 20 40 80 160
(IN FEET)
1 inch = 40 ft.

FOCUS©
ENGINEERING AND SURVEYING, LLC
6949 S. HIGH TECH DRIVE SUITE 200
MIDVALE, UTAH 84047 PH: (801) 352-0075
www.focusutah.com

FOR REVIEW ONLY

THE POINTE AT 5300 SOUTH
OFFICE SPACE CONDO CONVERSION
COVER

REVISION BLOCK

#	DATE	DESCRIPTION
1	----	----
2	----	----
3	----	----
4	----	----
5	----	----
6	----	----

COVER

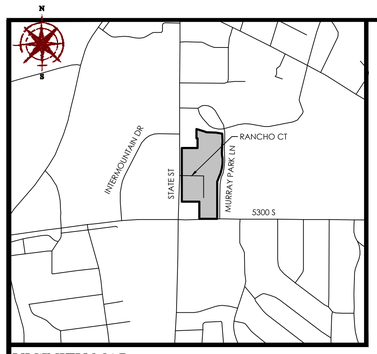
Scale:	1"=40'	Drawn:	TMB
Date:	11/23/22	Job #:	22-0272
Sheet:	C1.0		

Z:_2022\22-0272 5300 South\design 22-0272\dwg\sheets\C1.0 Cover.dwg

The Pointe @ 53rd

OFFICE CONDOMINIUMS
Amending Lot 1B THE POINTE @ 53RD AMENDED SUBDIVISION
PRELIMINARY PLAT
LOCATED IN THE SW1/4 OF SECTION 7, T2S, R1E,
SALT LAKE BASE & MERIDIAN
MURRAY CITY, SALT LAKE COUNTY, UTAH

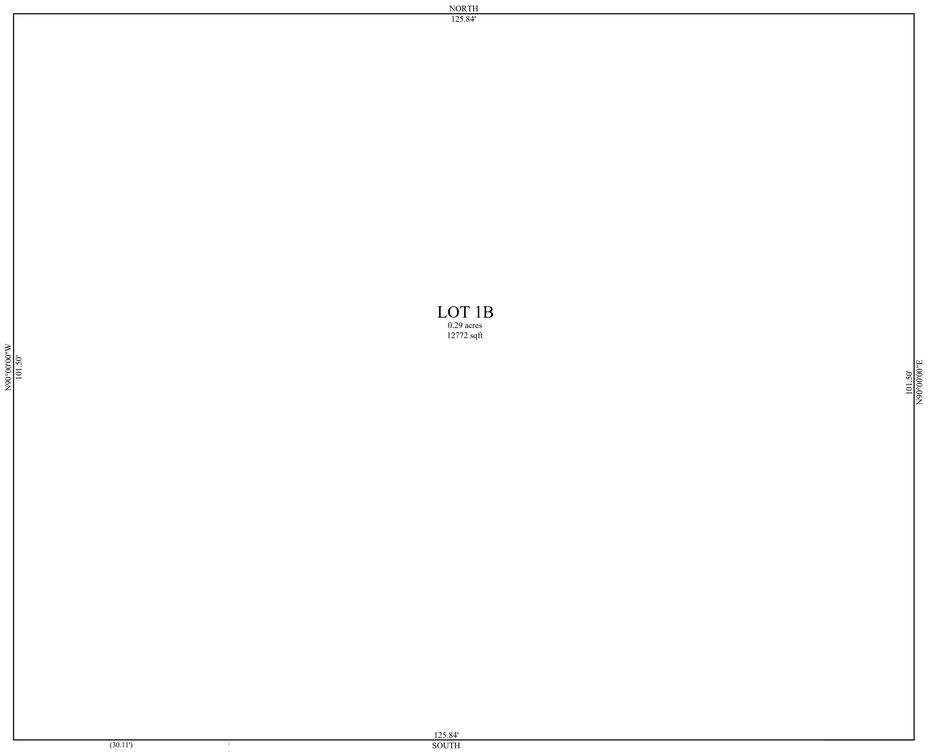
GRAPHIC SCALE
10 0 5 10 20 40
(IN FEET)
1 inch = 10 ft.



VICINITY MAP

LEGEND

- BOUNDARY
- SECTION LINE
- EASEMENT
- RIGHT-OF-WAY LINE
- CENTERLINE
- BUILDING SETBACK
- EXISTING PROPERTY LINE
- LOT LINE
- SECTION MONUMENT (CALCULATED)
- STREET MONUMENT (TO BE SET)
- BOUNDARY MARKERS



TABULATIONS:

TOTAL AREA:	0.29 ACRES
UNITS:	16
OPEN SPACE:	0.00 ACRES
ROADWAY AREA:	0.00 ACRES
ROADWAY LENGTH:	0.00 FEET
DEVELOPMENT TYPE:	COMMERCIAL CONDOMINIUM

SHEET 1 of 6

OWNER/DEVELOPER
HOWLAND PARTNERS, INC.
9450 S Redwood Rd
South Jordan, UT 84095
Phone: (801) 253-8950

RECORD OF SURVEY

R.O.S #

COUNTY SURVEYOR REVIEWER DATE

MURRAY CITY PLANNING COMMISSION

APPROVED THIS___DAY OF _____ A.D. 20__ BY THE MURRAY CITY PLANNING COMMISSION

CHAIR, PLANNING COMMISSION

MURRAY GIS

APPROVED THIS _____ DAY OF _____ A.D. 20__

BY:

MURRAY CITY FIRE DEPARTMENT

APPROVED THIS _____ DAY OF _____ A.D. 20__

BY:

MURRAY SEWER DIST.

APPROVED THIS _____ DAY OF _____ A.D. 20__

BY:

MURRAY WATER

APPROVED THIS _____ DAY OF _____ A.D. 20__

BY:

MURRAY POWER

APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20__

BY:

MURRAY CITY ENGINEER

I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED BY THIS OFFICE AND IT IS CORRECT AND IN ACCORDANCE WITH INFORMATION ON FILE AND IS HEREBY APPROVED

MURRAY CITY ENGINEER DATE

MURRAY CITY MAYOR

PRESENTED TO MURRAY CITY THIS_____ DAY OF _____ A.D.20___ AT WHICH THIS SUBDIVISION WAS APPROVED AND ACCEPTED

ATTEST: MURRAY CITY MAYOR

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20__

MURRAY CITY ATTORNEY

SALT LAKE COUNTY HEALTH DEPT.

APPROVED THIS _____ DAY OF _____ A.D. 20__

COUNTY HEALTH DEPT.

EASEMENT APPROVAL

CENTURYLINK DATE

UTOPIA DATE

COMCAST DATE

FOCUS ©
ENGINEERING AND SURVEYING, LLC
6949 S. HIGH TECH DRIVE SUITE 200
MIDVALE, UTAH 84047 PH: (801) 352-0075
www.focusutah.com

SURVEYOR'S CERTIFICATE

I, JUSTIN LUNDBERG, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 12554439 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT AT THE REQUEST OF THE OWNERS, I HAVE PERFORMED A SURVEY OF THE LAND DESCRIBED ON THIS CONDOMINIUM PLAT OF THE POINTE @ 53RD OFFICE CONDOMINIUMS, AND THAT THE DESCRIPTION BELOW CORRECTLY DESCRIBES THE LAND SURFACE UPON WHICH IT WILL BE CONSTRUCTED, AND THIS RECORD OF SURVEY MAP, CONSISTING OF SIX (6) PAGES IS ACCURATE. AND COMPLIES WITH THE PROVISIONS OF SECTION 57-8-13 (1) OF THE UTAH CONDOMINIUM OWNERSHIP ACT. I FURTHER CERTIFY THAT THE REFERENCE MARKERS SHOWN ON THIS PLAT ARE LOCATED AS SHOWN AND ARE SUFFICIENT TO READILY RETRACE OR RE-ESTABLISH THIS SURVEY.

FOR REVIEW ONLY

Justin Lundberg
Professional Land Surveyor
License No. 12554439

Date

All of Lot 1B, THE POINTE @ 53RD AMENDED, as recorded in the Salt Lake County Recorder's Office as Entry No. _____.

Contains: 12,772 sq.ft. or 0.29 acres+/-
Contains 16 Units

OWNER'S CERTIFICATE, CONSENT TO RECORD, CONVEYANCE OF UTILITY EASEMENTS AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, DO HEREBY:

1. CERTIFY (A) THAT WE ARE THE SOLE OWNERS OF FEE SIMPLE TITLE TO THE LAND SHOWN ON THIS RECORD OF SURVEY MAP, (B) THAT WE HAVE CAUSED A SURVEY OF THIS LAND DESCRIBED HEREON TO BE MADE AND THIS RECORD OF SURVEY MAP, CONSISTING OF SIX (6) PAGES, TO BE PREPARED;
2. CONSENT TO THE RECORDATION HEREOF WITH THE INTENTION THAT UPON SUCH RECORDATION, AND THE CONCURRENT RECORDATION OF THAT CERTAIN CONDOMINIUM DECLARATION FOR

THE POINTE @ 53RD
OFFICE CONDOMINIUMS

THE PROVISIONS OF THE UTAH CONDOMINIUM OWNERSHIP ACT SHALL APPLY TO THE PROPERTY DESCRIBED HEREON;

3. CONVEY UNTO THE RESPECTIVE PRIVATE UTILITY COMPANIES AND PUBLIC UTILITY AGENCIES PROVIDING THE UTILITY SERVICES IN QUESTION, THEIR SUCCESSORS AND ASSIGNS A PERPETUAL NON-EXCLUSIVE EASEMENT IN, THROUGH, ALONG AND UNDER ALL COMMON AREAS SHOWN HEREON WHICH ARE NOT COVERED BY BUILDINGS, FOR THE CONSTRUCTION AND MAINTENANCE OF SUBTERRANEAN ELECTRICAL, TELEPHONE, NATURAL GAS, CABLE TELEVISION, SEWER AND WATER LINES AND APPURTENANCES THERETO SERVING THE PROJECT, TOGETHER WITH THE RIGHT TO ACCESS THERETO ALL IN ACCORDANCE WITH, AND AS MORE SPECIFICALLY SET FORTH IN THE DECLARATION OF CONDOMINIUM.

IN WITNESS WHEREOF _____, _____ HAS HEREUNTO SET HIS HAND THIS ____ DAY OF _____ A.D. 20____.

PRINTED NAME OF OWNER AUTHORIZED SIGNATURE(S)

OWNER(S): _____

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH
S.S.
COUNTY OF _____

ON THE ____ DAY OF _____ A.D. 20____ PERSONALLY APPEARED BEFORE ME , THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE CUNTY OF _____, IN SAID STATE OF UTAH, _____, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE _____ OF _____ A UTAH INC. AND THAT HE SIGNED THE OWNERS DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID COMPANY FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES:_____

A NOTARY PUBLIC COMMISSIONED IN UTAH RESIDING IN _____

COUNTY

MY COMMISSION No._____

PRINTED FULL NAME OF NOTARY

The Pointe @ 53rd
OFFICE CONDOMINIUMS
Amending Lot 1B THE POINTE @ 53RD AMENDED SUBDIVISION
PRELIMINARY PLAT
LOCATED IN THE SW1/4 OF SECTION 7, T2S, R1E,
SALT LAKE BASE & MERIDIAN
MURRAY CITY, SALT LAKE COUNTY, UTAH

SALT LAKE COUNTY RECORDER

RECORDED # _____
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF:

DATE:_____ TIME:_____ BOOK:_____ PAGE:_____

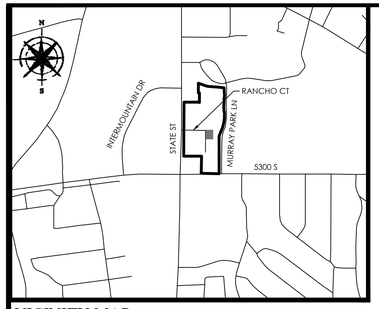
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DEPUTY, SALT LAKE COUNTY RECORDER

The Pointe @ 53rd

OFFICE CONDOMINIUMS
Amending Lot 1B THE POINTE @ 53RD AMENDED SUBDIVISION
PRELIMINARY PLAT
LOCATED IN THE SW1/4 OF SECTION 7, T2S, R1E,
SALT LAKE BASE & MERIDIAN
MURRAY CITY, SALT LAKE COUNTY, UTAH

GRAPHIC SCALE
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(IN FEET)
1 inch = 10 ft.

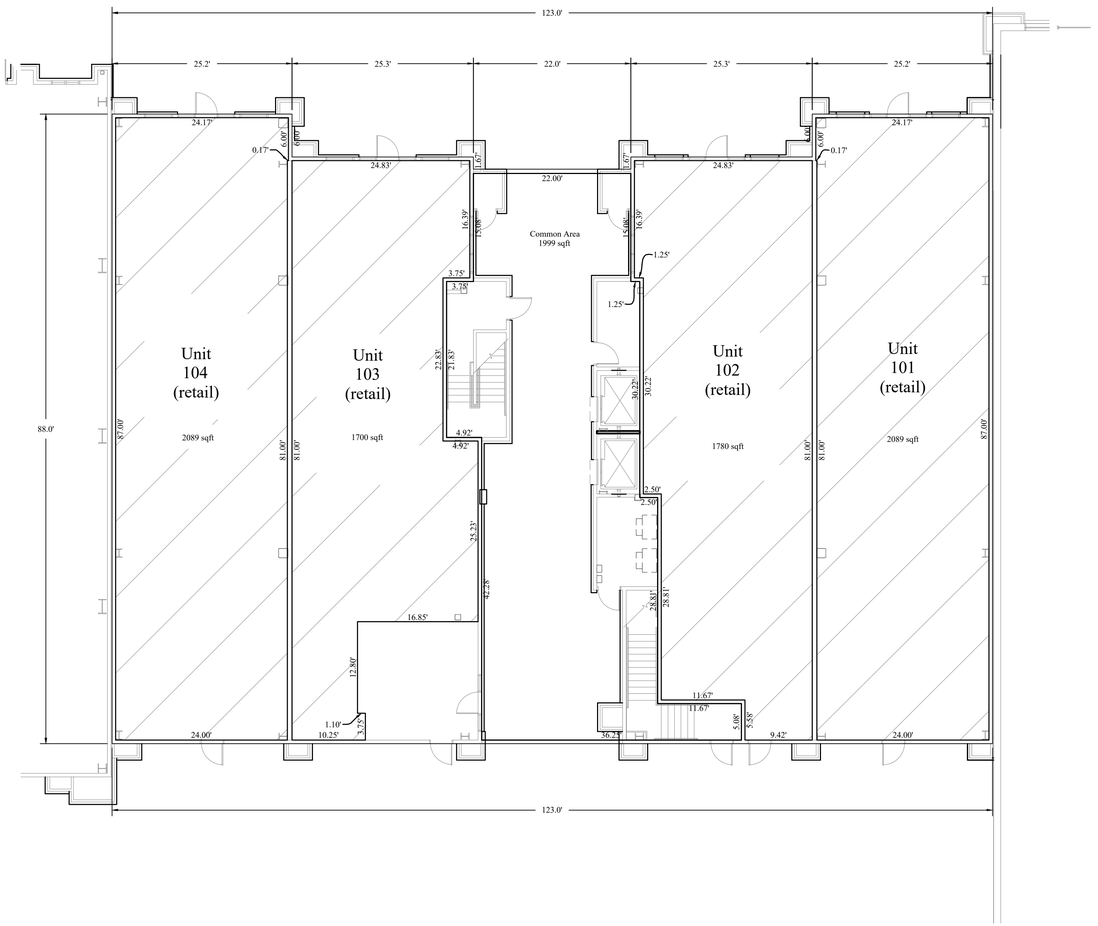


VICINITY MAP
N.T.S

LIMITS OF COMMON AREA & PUE

LIMITS OF PRIVATE OWNERSHIP

1ST FLOOR



NOTES

1. ALL BUILDING WALLS ARE PARALLEL AND PERPENDICULAR TO REFERENCE BEARING SHOWN ON BUILDING.

2. ALL AREAS ARE COMMON AREAS AND FACILITIES EXCEPT AS OTHERWISE SPECIFICALLY DESIGNATED.

FIRST FLOOR TABULATIONS:

UNITS:	4
TOTAL AREA:	10,351 SQFT.
PRIVATE OWNERSHIP:	7,658 SQFT.
COMMON AREA:	1,999 SQFT.
VERTICAL COMMON AREA:	694 SQFT.
PARKING STALLS REQ.	39 STALLS
DEVELOPMENT TYPE:	RETAIL

SHEET 2 of 6

OWNER/DEVELOPER
HOWLAND PARTNERS, INC.
9450 S Redwood Rd
South Jordan, UT 84095
Phone: (801) 253-8950

FOCUS ©
ENGINEERING AND SURVEYING, LLC
6949 S. HIGH TECH DRIVE SUITE 200
MIDVALE, UTAH 84047 PH: (801) 352-0075
www.focusutah.com

The Pointe @ 53rd
OFFICE CONDOMINIUMS
Amending Lot 1B THE POINTE @ 53RD AMENDED SUBDIVISION
PRELIMINARY PLAT
LOCATED IN THE SW1/4 OF SECTION 7, T2S, R1E,
SALT LAKE BASE & MERIDIAN
MURRAY CITY, SALT LAKE COUNTY, UTAH

SALT LAKE COUNTY RECORDER

RECORDED # _____
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF:

DATE:_____ TIME:_____ BOOK:_____ PAGE:_____

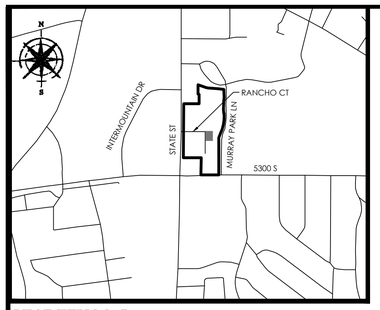
$_____ _____
FEE DEPUTY, SALT LAKE COUNTY RECORDER

The Pointe @ 53rd

OFFICE CONDOMINIUMS
Amending Lot 1B THE POINTE @ 53RD AMENDED SUBDIVISION
PRELIMINARY PLAT
LOCATED IN THE SW1/4 OF SECTION 7, T2S, R1E,
SALT LAKE BASE & MERIDIAN
MURRAY CITY, SALT LAKE COUNTY, UTAH

GRAPHIC SCALE

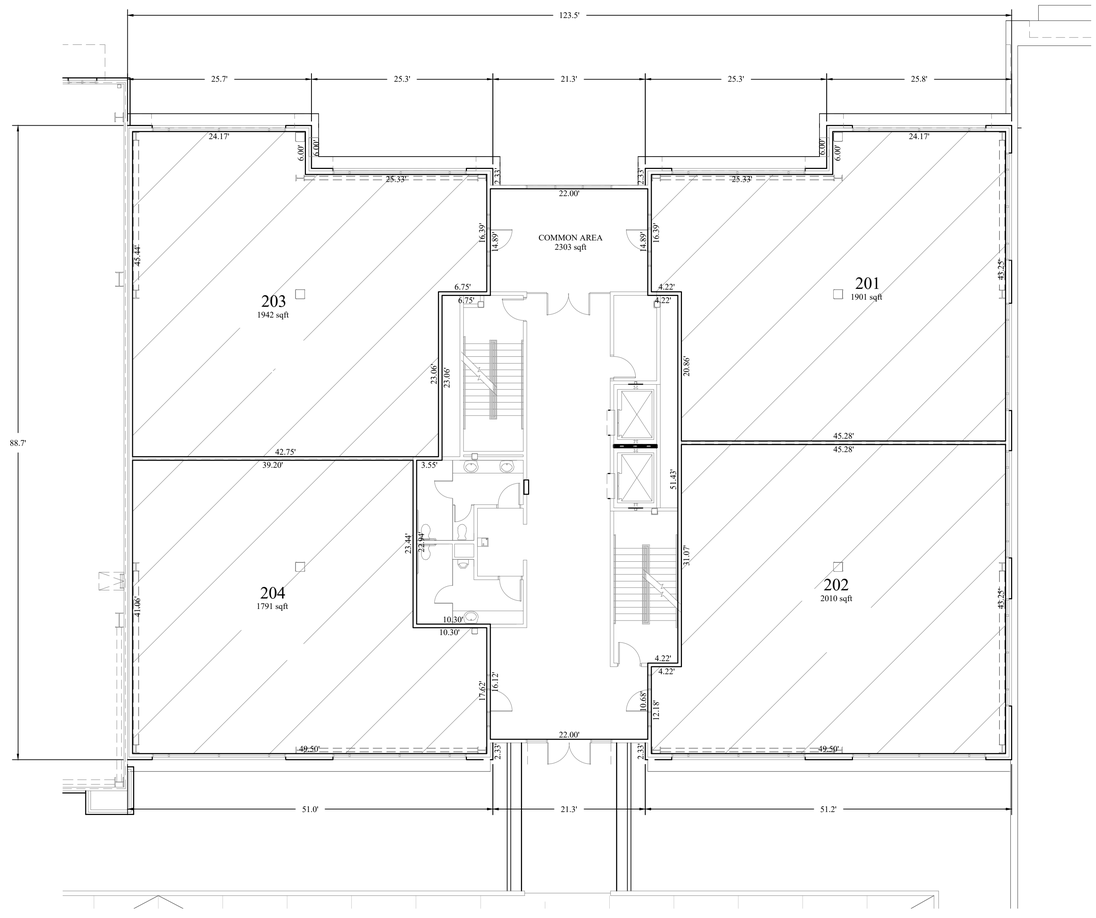
10 0 5 10 20 40
(IN FEET)
1 inch = 10 ft.



VICINITY MAP
N.T.S

LIMITS OF COMMON AREA & PUE

LIMITS OF PRIVATE OWNERSHIP



2ND FLOOR

NOTES

1. ALL BUILDING WALLS ARE PARALLEL AND PERPENDICULAR TO REFERENCE BEARING SHOWN ON BUILDING.

2. ALL AREAS ARE COMMON AREAS AND FACILITIES EXCEPT AS OTHERWISE SPECIFICALLY DESIGNATED.

SECOND FLOOR TABULATIONS:

UNITS:	4
TOTAL AREA:	10,418 SQFT.
PRIVATE OWNERSHIP:	7,644 SQFT.
COMMON AREA:	2,303 SQFT.
VERTICAL COMMON AREA:	471 SQFT.
PARKING STALLS REQ.	38 STALLS
DEVELOPMENT TYPE:	COMMERCIAL

SHEET 3 of 6

OWNER/DEVELOPER
HOWLAND PARTNERS, INC.
9450 S Redwood Rd
South Jordan, UT 84095
Phone: (801) 253-8950

FOCUS©
ENGINEERING AND SURVEYING, LLC
6949 S. HIGH TECH DRIVE SUITE 200
MIDVALE, UTAH 84047 PH: (801) 352-0075
www.focusutah.com

The Pointe @ 53rd
OFFICE CONDOMINIUMS
Amending Lot 1B THE POINTE @ 53RD AMENDED SUBDIVISION
PRELIMINARY PLAT
LOCATED IN THE SW1/4 OF SECTION 7, T2S, R1E,
SALT LAKE BASE & MERIDIAN
MURRAY CITY, SALT LAKE COUNTY, UTAH

SALT LAKE COUNTY RECORDER

RECORDED # _____
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF:

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DATE:_____ TIME:_____ BOOK:_____ PAGE:_____

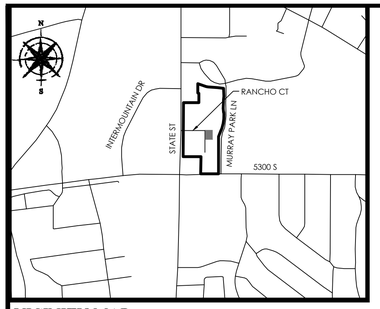
$_____ _____
FEE DEPUTY, SALT LAKE COUNTY RECORDER

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MURRAY CITY, SALT LAKE COUNTY, UTAH

GRAPHIC SCALE

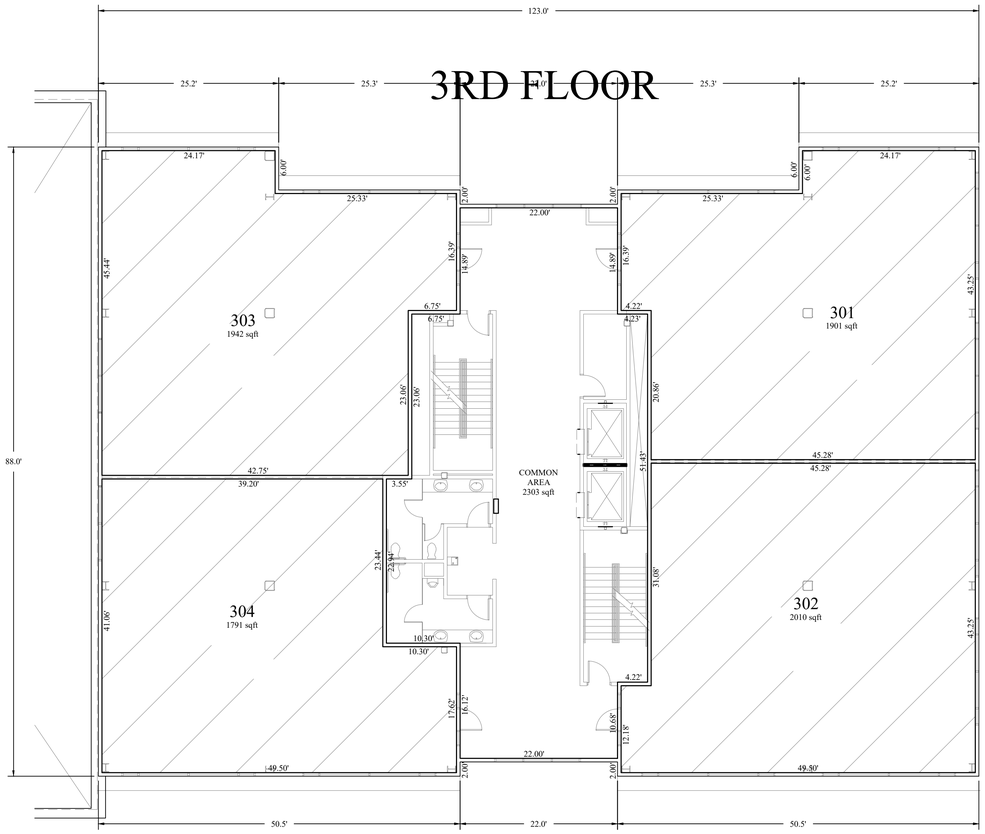
10 0 5 10 20 40
(IN FEET)
1 inch = 10 ft.



VICINITY MAP
N.T.S

LIMITS OF COMMON AREA & PUE

LIMITS OF PRIVATE OWNERSHIP



NOTES

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THIRD FLOOR TABULATIONS:

UNITS:	4
TOTAL AREA:	10,300 SQFT.
PRIVATE OWNERSHIP:	7,644 SQFT.
COMMON AREA:	2,303 SQFT.
VERTICAL COMMON AREA:	353 SQFT.
PARKING STALLS REQ.	38 STALLS
DEVELOPMENT TYPE:	COMMERCIAL

SHEET 4 of 6

OWNER/DEVELOPER
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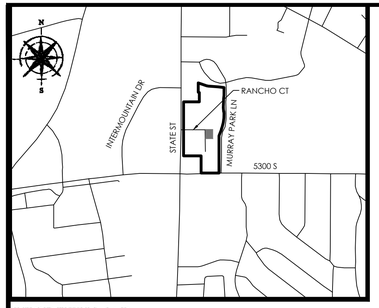
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MURRAY CITY, SALT LAKE COUNTY, UTAH

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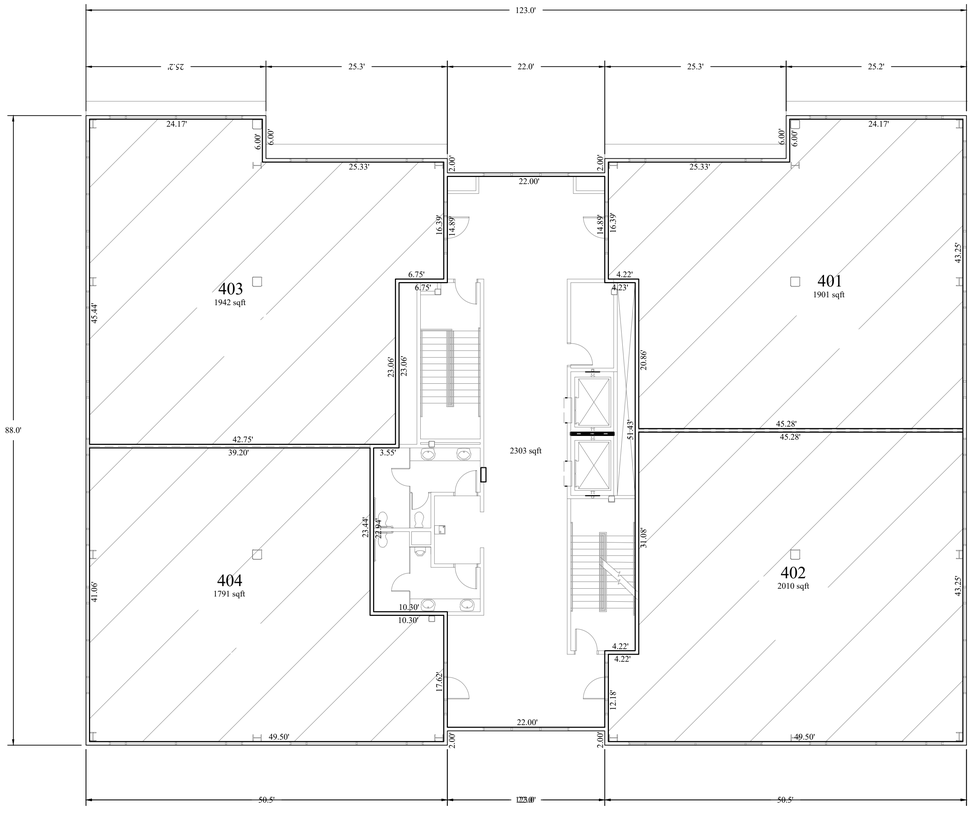
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(IN FEET)
1 inch = 10 ft.



VICINITY MAP
N.T.S

LIMITS OF COMMON AREA & PUE

LIMITS OF PRIVATE OWNERSHIP



4TH FLOOR

NOTES

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FOURTH FLOOR TABULATIONS:

UNITS:	4
TOTAL AREA:	10,300 SQFT.
PRIVATE OWNERSHIP:	7,644 SQFT.
COMMON AREA:	2,303 SQFT.
VERTICAL COMMON AREA:	353 SQFT.
PARKING STALLS REQ.	38 STALLS
DEVELOPMENT TYPE:	COMMERCIAL

SHEET 5 of 6

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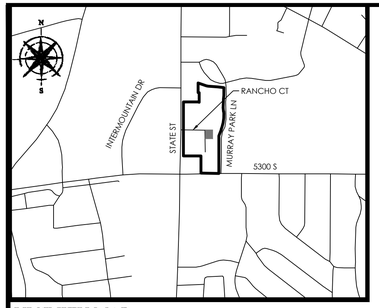
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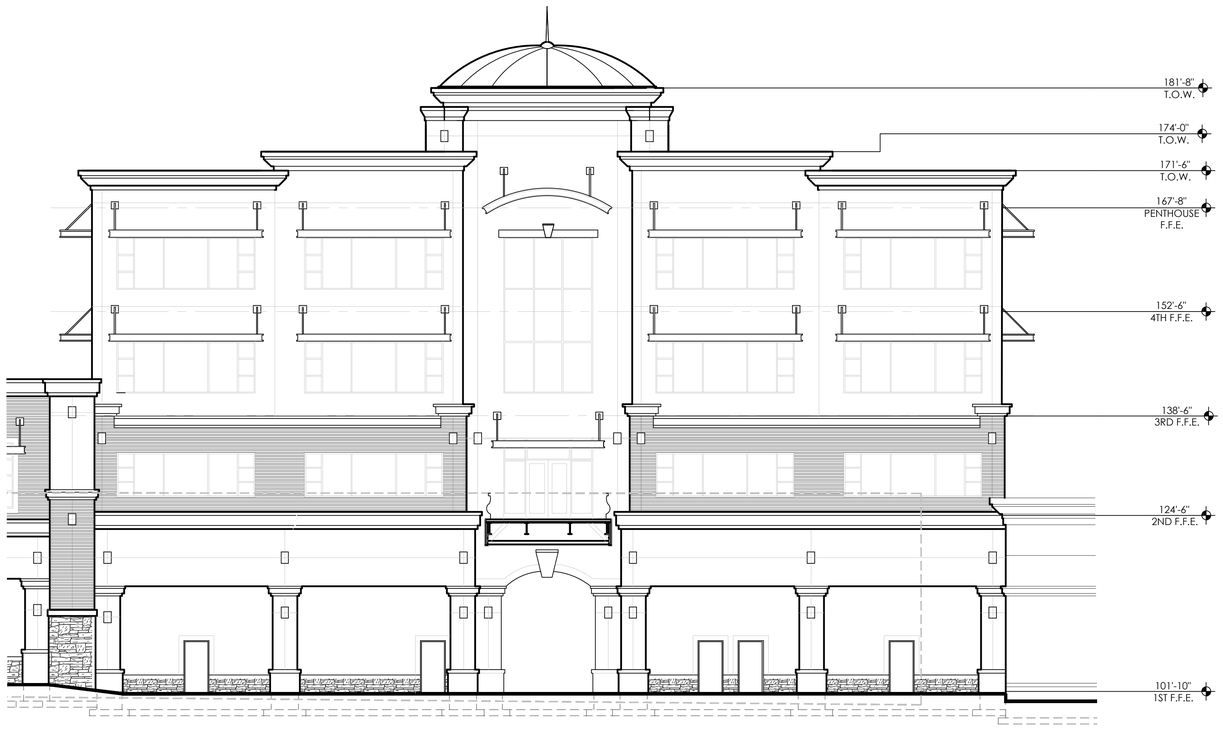


VICINITY MAP
N.T.S

LIMITS OF COMMON AREA & PUE

LIMITS OF PRIVATE OWNERSHIP

NOT TO SCALE



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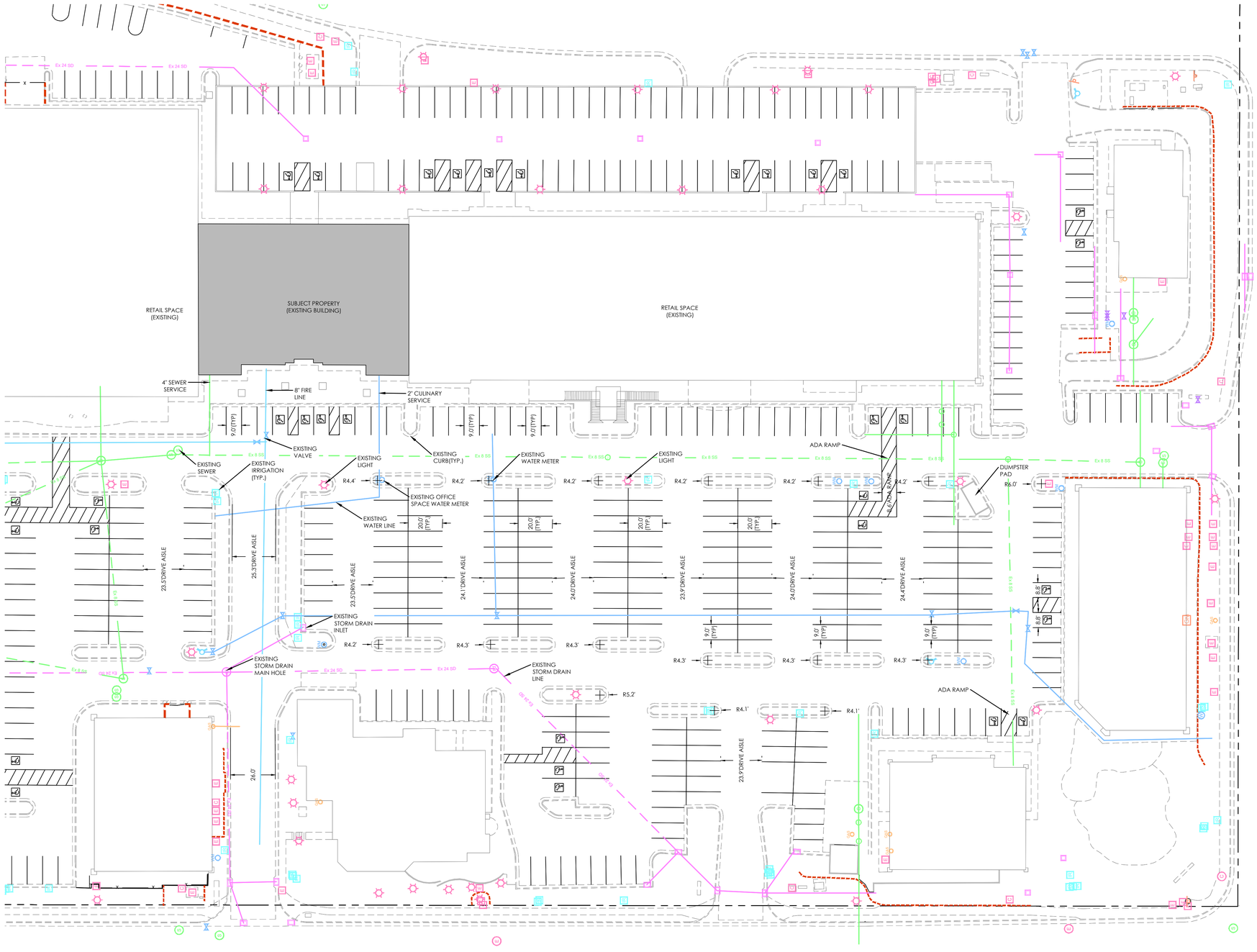
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LEGEND

- BOUNDARY
- ROW
- CENTERLINE
- LOT LINE
- EASEMENT
- 15" STORM DRAIN
- 8" SANITARY SEWER
- 8" CULINARY WATER
- 8" SECONDARY WATER
- CONTOUR MAJOR
- CONTOUR MINOR
- EXIST. STORM DRAIN
- EXIST. SANITARY SEWER
- EXIST. CULINARY WATER
- EXIST. FENCE
- EXIST. CONTOUR MAJOR
- EXIST. CONTOUR MINOR
- SIGN
- STREET LIGHT
- SD MH, INLET, AND COMBO
- SEWER MANHOLE
- CULINARY VALVE, TEE & BEND
- SECONDARY VALVE, TEE & BEND
- WATER BLOW-OFF
- FIRE HYDRANT
- STREET MONUMENT (TO BE SET)
- EXIST. STREET MONUMENT
- EXIST. SD INLET & MH
- EXIST. SEWER MH
- EXIST. VALVE, TEE, & BEND
- EXIST. FIRE HYDRANT
- SPOT ELEVATION

NOTE:
ALL IMPROVEMENTS SHOWN AND LABELED ON THIS DRAWING ARE EXISTING.

N

S

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 30 ft.

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

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www.focusutah.com

FOR REVIEW ONLY

THE POINTE AT 5300 SOUTH

MURRAY

OFFICE SPACE CONDO CONVERSION-SITE PLAN

REVISION BLOCK

#	DATE	DESCRIPTION
1	----	----
2	----	----
3	----	----
4	----	----
5	----	----
6	----	----

SITE PLAN

Scale:	1"=30'	Drawn:	TMB
Date:	11/23/22	Job #:	22-0272
Sheet:	C3.0		

Z:_2022\22-0272 5300 South\Design 22-0272\dwg\sheets\C3.0 Site Plan.dwg