



MURRAY CITY PLANNING COMMISSION

NOTICE OF MEETING AND AGENDA

July 20, 2023

6:30 p.m.

Murray City Hall, 10 East 4800 South, Council Chambers

The public may view the Murray City Planning Commission 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

None

2. Conflict(s) of Interest

3. Findings of Fact

Mercantile Towns PUD
Mercantile Towns Preliminary Subdivision
Premier Strand Heating & Air
Stubler Subdivision
Berger Station Subdivision
Applegate Condominiums
Fuji Townhomes

Attachments

1. Combined Findings of Fact.pdf

SUBDIVISION REVIEW(S) - ADMINISTRATIVE ACTION

4. Hoggan Haven - 17 East 6150 South

Project #22-072
Final Subdivision Approval One-Year Time Extension

Attachments

1. Packet - Hoggan Haven - 1 yr extension.pdf

5. Mercantile Towns - 861 East Winchester Street & 6520, 6550, 6580 South 900 East

Project #23-038 & 23-039
Final PUD Subdivision Review

Attachments

1. Packet, Mercantile Towns Final.pdf

GENERAL PLAN / ZONE MAP AMENDMENT

6. Justin Lang - 770 & 780 West 5300 South and 845 West Clover Meadow Drive

Project #23-070

General Plan Amendment from Low Density Residential to Medium Density Residential

Attachments

1. Packet, Justin Lang GP & ZMAP.pdf

7. Justin Lang - 770 & 780 West 5300 South and 845 West Clover Meadow Drive

Project #23-071

Zone Map Amendment from R-1-8 to R-M-15

Packet Attachment is Included in Agenda Item #6

ANNOUNCEMENTS AND QUESTIONS

ADJOURNMENT

The next scheduled meeting will be held on **Thursday, August 3, 2023, at 6:30 p.m. MST in the Murray City Council Chambers, 10 East 4800 South, Murray, Utah.**

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

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>.

MURRAY CITY PLANNING COMMISSION FINDINGS OF FACT AND CONCLUSIONS

PROJECT NAME: Mercantile Towns PUD

PROJECT NUMBER: 23-038

ADDRESS: 861 East Winchester Street, 6520, 6550, 6580 South 900 East

APPLICANT: The Boyer Company

APPLICATION TYPE: Conditional Use Permit

I. REQUEST:

The applicant is requesting approval to develop the subject property into 109 townhomes.

II. MUNICIPAL CODE AUTHORITY:

Section 17.60.020 of the Murray City Land Use Ordinance states that Planned Unit Developments may be allowed in all zoning districts subject to obtaining a conditional use permit.

III. APPEAL PROCEDURE:

Municipal Code Section 17.16.30 provides details for requesting an appeal of the Planning Commission's decision on a land use application that is heard by the Hearing Officer. An application for appeal must be presented within 10 calendar days after the approval of these Findings of Fact.

IV. SUMMARY OF EVIDENCE:

- A.** The basic facts and criteria regarding this application are contained in the staff report, which is attached as **Exhibit A** and is incorporated herein.
- B.** The minutes of the public meeting held by the Planning Commission on April 20, 2023 which are attached as **Exhibit B** summarizes the oral testimony presented and are hereby incorporated herein.

V. FINDINGS OF FACT:

Based on the analyses of the Conditional Use Permit of the new multi-family leasing units for Fuji Townhomes and a survey of the surrounding area, staff concludes the following:

1. With conditions, the proposed subdivision complies with the standards of the Murray City Subdivision and Planned Unit Development ordinances.
2. The proposed lots comply with the development standards for properties found in

Chapters 17.120 and 17.60 of the Murray City Land Use Ordinance.

3. The proposed subdivision and planned unit development is in harmony with the purposes of the R-M-15 Zone, representing appropriate residential development.
4. The proposed subdivision and planned unit development is in harmony with the purpose and intent of the Murray City General Plan, providing additional opportunities for appropriate residential development in the area.

VI. DECISION AND SUMMARY

The Planning Commission **APPROVED** the request for a Conditional Use Permit to allow the proposed Mercantile Towns PUD located at approximately 861 East Winchester Street, 6520, 6550, 6580 South 900 East subject to the following conditions. The vote was 6-0 with Commissioners Pehrson, Nay, Patterson, Hacker, Milkavich, and Richards in favor and none opposed. The approval is contingent on the following conditions:

1. The applicant shall meet all requirements of the Murray City Engineer, including the following:
 - a. Meet City subdivision and PUD requirements. The plat should include street names, unit addresses, PUE's, and common areas.
 - b. Vacate the existing sewer easement that is located on the west end of property and provide sewer easement for the proposed alignment.
 - c. Relocate or accommodate the existing 20 foot right-of-way along the north boundary with 9th East Management LLC.
 - d. Obtain a UDOT site access review and permit for 900 East access.
 - e. Obtain a UDOT approval and City agreement for emergency access to 900 East.
 - f. Provide a UDOT Level 2 Traffic Impact Study and implement recommendations.
 - g. Provide a site geotechnical study and implement recommendations.
 - h. Provide utility and street plan and profile drawings.
 - i. Meet City storm drain requirements. On-site detention with reduced release rate and water quality treatment is required.
 - j. Meet City well protection zone requirements.
 - k. Provide street lighting.
 - l. Replace any damaged curb and gutter and sidewalk along property frontages to both Winchester and 900 East.
 - m. Sidewalks, pedestrian ramps, and crosswalks must meet current ADA Standards.
 - n. Provide stop signs, coordinate markers at all street intersections and no parking signs along the proposed streets.
 - o. Meet AASHTO site distance requirements for accesses onto Winchester Street and 900 East.
 - p. Provide a subdivision improvement bond prior to recording the plat (dedicated improvements only).
 - q. Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning any site grading and construction work.
 - r. Obtain a City Excavation Permit for work within City roadways.
2. The subdivision shall meet the requirements of the Murray City Fire Department including the width of the access drives.
3. The developer shall meet all Murray City Water Division requirements.
4. The developer shall meet all Murray City Wastewater Division requirements.

5. The developer shall meet all Murray City Power Department requirements and meet to discuss planning the new power service.
6. The applicant shall provide detailed elevations of proposed structures prior to final subdivision review.
7. The applicant shall ensure that all buildings are thirty feet (30') or less in height.
8. The applicant shall provide a copy of the proposed CC&Rs to the Planning Division prior to final subdivision review.
9. All units within the subdivision shall comply with the requirements of the R-M-15 Zone as outlined in Chapter 17.120 and Planned Unit Development as outlined in Chapter 17.60 of the Murray City Land Use Ordinance.
10. Application for a Final Subdivision Review must be made within a one-year time period from Preliminary Subdivision, or the preliminary approval will be null and void. 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.
11. The applicant shall work with staff to propose a masonry fence up to eight feet on the remaining property perimeter.
12. The applicant shall install an eight-foot fence along the residential properties on the north and west.
13. The applicant shall reduce the Winchester & 900 East setbacks to allow a six-foot sidewalk and two-foot park strip.

**VII. FINDINGS OF FACT APPROVED BY THE MURRAY PLANNING COMMISSION
THIS 20th DAY OF July, 2023.**

_____, Chair
Murray Planning Commission

MURRAY CITY PLANNING COMMISSION FINDINGS OF FACT AND CONCLUSIONS

PROJECT NAME: Mercantile Towns

PROJECT NUMBER: 23-039

ADDRESS: 861 East Winchester Street, 6520, 6550, 6580 South 900 East

APPLICANT: The Boyer Company

APPLICATION TYPE: Preliminary PUD Subdivision

I. REQUEST:

The applicant is requesting approval to develop the subject property into 109 townhomes.

II. MUNICIPAL CODE AUTHORITY:

Section 16.04.040(F) and 16.12.070 of the Murray City Land Use Ordinance require the subdivision of property to be reviewed and approved by the Murray City Planning Commission as the Land Use Authority.

III. APPEAL PROCEDURE:

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

IV. SUMMARY OF EVIDENCE:

- A.** The basic facts and criteria regarding this application are contained in the staff report, which is attached as **Exhibit A** and is incorporated herein.
- B.** The minutes of the public meeting held by the Planning Commission on April 20, 2023 which are attached as **Exhibit B** summarizes the oral testimony presented and are hereby incorporated herein.

V. FINDINGS OF FACT:

Based on the analysis of the proposed subdivision, review of the applicable land use and subdivision requirements, and a survey of the surrounding area staff concludes the following:

1. With conditions, the proposed subdivision complies with the standards of the Murray City Subdivision and Planned Unit Development ordinances.

2. The proposed lots comply with the development standards for properties found in Chapters 17.120 and 17.60 of the Murray City Land Use Ordinance.
3. The proposed subdivision and planned unit development is in harmony with the purposes of the R-M-15 Zone, representing appropriate residential development.
4. The proposed subdivision and planned unit development is in harmony with the purpose and intent of the Murray City General Plan, providing additional opportunities for appropriate residential development in the area.

VI. CONCLUSION/RECOMMENDATION - SUBDIVISION AMENDMENT

The Planning Commission **APPROVED** the request for Preliminary Subdivision approval for the Mercantile Towns PUD Subdivision located at approximately 861 East Winchester Street, 6520, 6550, 6580 South 900 East subject to the following conditions. The vote was 6-0 with Commissioners Lowry, Nay, Patterson, Milkavich, Hacker, and Richards in favor and none opposed. The approval is contingent on the following conditions:

1. The applicant shall meet all requirements of the Murray City Engineer, including the following:
 - a. Meet City subdivision and PUD requirements. The plat should include street names, unit addresses, PUE's, and common areas.
 - b. Vacate the existing sewer easement that is located on the west end of property and provide sewer easement for the proposed alignment.
 - c. Relocate or accommodate the existing 20 foot right-of-way along the north boundary with 9th East Management LLC.
 - d. Obtain a UDOT site access review and permit for 900 East access.
 - e. Obtain a UDOT approval and City agreement for emergency access to 900 East.
 - f. Provide a UDOT Level 2 Traffic Impact Study and implement recommendations.
 - g. Provide a site geotechnical study and implement recommendations.
 - h. Provide utility and street plan and profile drawings.
 - i. Meet City storm drain requirements. On-site detention with reduced release rate and water quality treatment is required.
 - j. Meet City well protection zone requirements.
 - k. Provide street lighting.
 - l. Replace any damaged curb and gutter and sidewalk along property frontages to both Winchester and 900 East.
 - m. Sidewalks, pedestrian ramps, and crosswalks must meet current ADA Standards.
 - n. Provide stop signs, coordinate markers at all street intersections and no parking signs along the proposed streets.
 - o. Meet AASHTO site distance requirements for accesses onto Winchester Street and 900 East.
 - p. Provide a subdivision improvement bond prior to recording the plat (dedicated improvements only).
 - q. Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning any site grading and construction work.
 - r. Obtain a City Excavation Permit for work within City roadways.
2. The subdivision shall meet the requirements of the Murray City Fire Department including the width of the access drives.
3. The developer shall meet all Murray City Water Division requirements.

4. The developer shall meet all Murray City Wastewater Division requirements.
5. The developer shall meet all Murray City Power Department requirements and meet to discuss planning the new power service.
6. The applicant shall provide detailed elevations of proposed structures prior to final subdivision review.
7. The applicant shall ensure that all buildings are thirty feet (30') or less in height.
8. The applicant shall provide a copy of the proposed CC&Rs to the Planning Division prior to final subdivision review.
9. All units within the subdivision shall comply with the requirements of the R-M-15 Zone as outlined in Chapter 17.120 and Planned Unit Development as outlined in Chapter 17.60 of the Murray City Land Use Ordinance.
10. Application for a Final Subdivision Review must be made within a one-year time period from Preliminary Subdivision, or the preliminary approval will be null and void. 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.
11. The applicant shall work with staff to propose a masonry fence up to eight feet on the remaining property perimeter.
12. The applicant shall install an eight-foot fence along the residential properties on the north and west.
13. The applicant shall reduce the Winchester & 900 East setbacks to allow a six-foot sidewalk and two-foot park strip.

**VII. FINDINGS OF FACT APPROVED BY THE MURRAY PLANNING COMMISSION
THIS 20th DAY of July, 2023.**

_____, Chair
Murray Planning Commission

MURRAY CITY PLANNING COMMISSION FINDINGS OF FACT AND CONCLUSIONS

PROJECT NAME: Premier Strand Heating and Air

PROJECT NUMBER: 23-065

APPLICANT: Premier Strand Heating and Air

APPLICATION TYPE: Conditional Use Permit

I. REQUEST:

Applicant would like to conduct metal fabrication (LU #3490) and construction contracting (LU #6600) at the subject property.

II. MUNICIPAL CODE AUTHORITY:

Section 17.152.030. of the Murray City Land Use Ordinance allows fabricated metal products (LU#3490) and construction contractor (LU #6600) the M-G district subject to Conditional Use Permit Approval.

III. APPEAL PROCEDURE:

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

IV. SUMMARY OF EVIDENCE:

- A.** The basic facts and criteria regarding this application are contained in the staff report, which is attached as **Exhibit A** and is incorporated herein.
- B.** The minutes of the public meeting held by the Planning Commission on June 15, 2023 which are attached as **Exhibit B** summarize the oral testimony presented and are hereby incorporated herein.

V. FINDINGS OF FACT:

Based upon the information presented and oral testimony given, the planning commission found that the request meets the standards contained in Section 17.152.030 based on the findings below:

1. The proposed use for fabricated metal products (#3490) and construction contractor (#6600), is allowed in the M-G General Manufacturing Zoning District subject to Conditional Use Permit approval.
2. With conditions as outlined in the staff report, the proposed use and property will comply with the standards of the Murray City Land Use Ordinance.

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

VI. DECISION AND SUMMARY

The Planning Commission **APPROVED** the request for a Conditional Use Permit allowing a construction contractor and fabricated metal production on the property. The vote was 5-0 with Commissioners Patterson, Pehrson, Nay, Richards, and Hacker in favor and none opposed. The approval is contingent on the following conditions:

1. The project shall comply with all applicable building and fire code standards.
2. The applicant shall provide the allotted parking spaces confirmation from the owner and would commit to the spaces provided by staff. The parking requirements of Four (4) spaces for each 1000 square feet of net office.
3. The applicants shall obtain sign permits prior to the installation of any new attached or detached signage.
4. The applicant shall schedule a hazard assessment with Murray City Water Division.
5. The applicant shall meet the requirements of the wastewater department.
6. The property shall maintain the existing landscaping for this building as reviewed in the staff report.
7. The applicants shall obtain a Murray City Business License and pay applicable fees.

VII. FINDINGS OF FACT APPROVED BY THE MURRAY PLANNING COMMISSION THIS 20th DAY OF July, 2023.

_____, Chair
Murray Planning Commission

MURRAY CITY PLANNING COMMISSION FINDINGS OF FACT AND CONCLUSIONS

PROJECT NAME: Stubler Subdivison
PROJECT NUMBER: 23-050
APPLICANT: Shane Hofhine
APPLICATION TYPE: Flag Lot Subdivision

I. REQUEST:

The applicant is requesting preliminary and final subdivision approval to create a flag lot subdivision.

II. MUNICIPAL CODE AUTHORITY:

Section 16.04.040 of the Subdivision Ordinance requires that the Planning Commission acting as the Land Use Authority approve applications for the subdivision of land. It shall make investigations, reports and recommendations on proposed subdivisions as to their conformance to the General Plan, Title 17 of the Murray City Municipal Code, and other pertinent documents as it deems necessary. After completing its review of the final plat, the Planning Commission shall approve or disapprove the final plat in accordance with section 16.12.070 of the Code.

III. APPEAL PROCEDURE:

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

IV. SUMMARY OF EVIDENCE:

- A.** The basic facts and criteria regarding this application are contained in the staff report, which is attached as **Exhibit A** and is incorporated herein.
- B.** The minutes of the public meeting held by the Planning Commission on June 15, 2023 which are attached as **Exhibit B** summarize the oral testimony presented and are hereby incorporated herein.

V. FINDINGS OF FACT:

Based upon the information presented and oral testimony given, the planning commission found that the request meets the standards contained in Title 16, Subdivision Ordinance and Section 17.76.140 based on the findings below:

1. The proposed flag lot subdivision meets the requirements of Section 17.100 of the Murray City Land Use Ordinance.

2. The proposed flag lot subdivision meets the requirements of the applicable sections of the Murray City Subdivision Ordinance, Title 16 of the City Code for the subdivision of land.
3. Section 17.76.140 (Flag Lots) allows flag lot subdivisions under conditions which are present in this application. The proposed subdivision adheres to the specific requirements for flag lot subdivisions in Section 17.76.140 of the Murray City Land Use Ordinance.
4. The proposed subdivision allows for an efficient use of land, which furthers the goals of the Murray City General Plan regarding stabilization of residential areas and providing increased housing options.

VI. DECISION AND SUMMARY

The Planning Commission **APPROVED** the request for Preliminary and Final Subdivision for a Flag Lot Subdivision on the property. The vote was 5-0 with Commissioners Patterson, Pehrson, Nay, Richards, and Hacker in favor and none opposed. The approval is contingent on the following conditions:

1. The applicant shall meet all requirements of the City Engineer, including the following:
 - a. Meet City subdivision requirements – Murray City Ordinance Title 16.
 - b. Provide grading, drainage and utility plan.
 - c. Develop and implement a site erosion control plan prior to beginning site work.
 - d. Obtain a City Excavation Permit for work within City roadways.
2. The applicant shall meet the requirements of the Fire Department, including the following:
 - a. Maintain a twenty-foot (20') width on the access road.
 - b. Roads in excess 150' require turn around and shall extend to within 150' of all portions of facility and all portions exterior walls.
 - c. Use IFC 2018 and applicable NFPA codes for reference.
3. The applicant shall meet all the requirements of the Murray City Wastewater Division, including the following:
 - a. This lot will tie into Mid Valley Improvement District sewer system.
 - b. All work must meet Mid Valley Improvement specifications.
 - c. Plans currently label everything as Murray Sewer, change plans to reflect Mid Valley Improvement District.
4. The applicant shall meet all the requirements of the City Power Department, including the following:
 - a. Power for the new home will need to be fed underground from pole #21247100, which is in the Northwest corner of the lot.
 - b. The existing pole mount transformer will need to be upgraded to handle the additional load of the new home.
 - c. 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).
 - d. The developer must meet all Murray City Power Department requirements and the current NESC/NEC code and provide the required easement/clearance(s) for equipment and Power lines.

- e. Please contact John Galanis 801-264-2723 for meter placement on the building(s) and proper metering equipment requirements before construction begins.
- 5. The applicant shall adhere to all setback requirements of the R-1-8 zone for both parcels.
- 6. The applicant shall provide four feet (4') of landscaping on each side of the twenty-foot (20') driveway.
- 7. The applicant shall prepare a Final Subdivision Plat which complies with all requirements of Title 16, Murray City Subdivision Ordinance.
- 8. The Final Plat shall adhere to the requirements for Flag Lot Subdivisions contained in Section 17.76.140 of the Murray City Land Use Ordinance and as outlined in the Staff Report.
- 9. The subdivision plat shall be recorded within one year of the final approval by the Planning Commission or the final plat shall be null and void.
- 10. All detached structures located on proposed Lot #2 shall be removed prior to recordation.

**VII. FINDINGS OF FACT APPROVED BY THE MURRAY PLANNING COMMISSION
THIS 20th DAY OF July, 2023.**

_____, Chair
Murray Planning Commission

MURRAY CITY PLANNING COMMISSION FINDINGS OF FACT AND CONCLUSIONS

PROJECT NAME: Berger Station Subdivision & Berger Place Condominiums

PROJECT NUMBER: 23-062

ADDRESS: 171, 173, 175, 177, 179, 237, 257, 261, 273, 277 West Berger Lane

APPLICANT: Jared Shupe

APPLICATION TYPE: Vacate Berger Place Condominiums and Preliminary & Final Subdivision Approval for Berger Station Subdivision

I. REQUEST:

The application is a request to vacate Berger Place Condominiums and preliminary and final subdivision approval for Berger Station Subdivision, a two-lot subdivision.

II. MUNICIPAL CODE AUTHORITY:

Utah State Code 10-9a-609 & 10-9a-608 requires Land Use Authority approval for vacation of or amendment to a plat. 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

III. APPEAL PROCEDURE:

Municipal Code Section 17.16.30 provides details for requesting an appeal of the Planning Commission's decision on a land use application that is heard by the Hearing Officer. An application for appeal must be presented within 10 calendar days after the approval of these Findings of Fact.

IV. SUMMARY OF EVIDENCE:

- A.** The basic facts and criteria regarding this application are contained in the staff report, which is attached as **Exhibit A** and is incorporated herein.
- B.** The minutes of the public meeting held by the Planning Commission on June 15, 2023 which are attached as **Exhibit B** summarizes the oral testimony presented and are hereby incorporated herein.

V. FINDINGS OF FACT:

Based on the analysis and review of the proposed subdivision vacation and proposed subdivision of the subject properties, staff concludes the following:

1. The subdivision of land is allowed by Utah State Code Section 10-9a-608, and 10-9a-609 with conditions this proposed subdivision amendment will meet the requirements

- therein.
2. There is good cause for the vacation or amendment, and no public street or municipal utility easement has been vacated or amended.
 3. The proposed subdivision complies with the MCMU Zoning regulations.
 4. The proposed subdivision amendment complies with the regulations of Title 16, the Subdivision Ordinance, and with the applicable standards of Chapter 17.146, of the Murray Land Use Ordinance.

VI. DECISION AND SUMMARY

The Planning Commission **APPROVED** the request to vacate Berger Place Condominiums and Preliminary & Final Subdivision for Berger Station Subdivision on the property. The vote was 5-0 with Commissioners Patterson, Pehrson, Richards, Nay and Hacker in favor and none opposed. The approval is contingent on the following conditions:

1. The project shall meet Murray City Engineering requirements including the following:
 - a. Meet City Subdivision requirements and standards – City Code Title 16.
2. Meet all Wastewater Division requirements including the following:
 - a. Plat sheet must show the existing utility easement as well as the new utility easement that will be in place for the project.
3. Meet all Water Division requirements including the following:
 - a. Plat sheet must show the existing utility easement as well as the new utility easement that will be in place for the project
 - b. All water work must be done to Murray City Water's Specification and Requirements.
4. Meet all Power Department requirements including the following:
 - a. 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.
 - b. The developer must meet all Murray City Power Department requirements and the current NESC/NEC code and provide the required easement/clearance(s) for equipment and Power lines.
 - c. Please contact John Galanis 801-264-2723 for meter placement on the building(s) and proper metering equipment requirements before construction begins.
5. Meet all Fire Department requirements.
6. The project shall meet all requirements of the Murray City Land Use Ordinance.
7. The applicant shall prepare the Subdivision plat which complies with all requirements of Title 16, Murray City Subdivision Ordinance.
8. 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.

**VII. FINDINGS OF FACT APPROVED BY THE MURRAY PLANNING COMMISSION
THIS 20th DAY OF July, 2023.**

_____, Chair
Murray Planning Commission

MURRAY CITY PLANNING COMMISSION FINDINGS OF FACT AND CONCLUSIONS

PROJECT NAME: Applegate Condominium Amended

PROJECT NUMBER: 23-052

ADDRESS: 770 West Applegate Drive (apx)

APPLICANT: Applegate LLC

APPLICATION TYPE: Condominium Amendment

I. REQUEST:

The application is requesting an amendment to the Applegate Condominiums to split out a 5.11-acre portion of land.

II. MUNICIPAL CODE AUTHORITY:

Section 16.04.040(F) and 16.12.070 of the Murray City Land Use Ordinance require the subdivision of property to be reviewed and approved by the Murray City Planning Commission as the Land Use Authority.

III. APPEAL PROCEDURE:

Municipal Code Section 17.16.30 provides details for requesting an appeal of the Planning Commission's decision on a land use application that is heard by the Hearing Officer. An application for appeal must be presented within 10 calendar days after the approval of these Findings of Fact.

IV. SUMMARY OF EVIDENCE:

- A.** The basic facts and criteria regarding this application are contained in the staff report, which is attached as **Exhibit A** and is incorporated herein.
- B.** The minutes of the public meeting held by the Planning Commission on June 15, 2023 which are attached as **Exhibit B** summarizes the oral testimony presented and are hereby incorporated herein.

V. FINDINGS OF FACT - SUBDIVISION AMENDMENT:

Based on the analysis of the proposed subdivision, review of the applicable land use and subdivision requirements, and a survey of the surrounding area staff concludes the following:

1. With conditions, the proposed subdivision can comply with the standards of the

- Murray City Subdivision Ordinance.
2. With conditions, the proposed subdivision will allow for the sale of property which will provide for needed improvements to be made to the existing condominium units and property.
 3. The proposed subdivision creates an opportunity for further residential development which is encouraged and supported by the 2017 Murray City General Plan in this area.

VI. CONCLUSION/RECOMMENDATION - SUBDIVISION AMENDMENT

The Planning Commission **APPROVED** the request for Preliminary and Final Subdivision approval for the Applegate Condominiums Amended Subdivision located at approximately 770 West Applegate Drive subject to the following conditions. The vote was 5-0 with Commissioners Pehrson, Nay, Patterson, Hacker and Richards in favor and none opposed. The approval is contingent on the following conditions:

1. The project shall meet all requirement of the Murray City Engineer, including the following:
 - a) Meet City Subdivision requirements – City Code Title 16.
 - b) Meet Salt Lake County’s requirements for plat recording – reviews by Salt Lake County Surveyor’s Office and Recorder’s Office are required.
 - c) Meet Salt Lake County addressing requirements for street name and unit addressing – Fuji Avenue needs to be changed to Fuji Way or Fuji Drive.
 - d) Delineate and designate with dimensions, boundaries, courses, and address coordinates the proposed street. Suggest showing this on a 2nd sheet with a 1” = 40’ or larger scale so that it’s legible.
 - e) Dedicate the triangular piece of property that extends into Spring Clover Drive to Murray City.
 - f) Dedicate the strip or property south of Applegate Drive that extends into Murray Blvd.
 - g) Recommendation – work with the property owners at 5313 South Majestic Village Cir. and 839 West Spring Clover Dr. to clean up the property line discrepancies.
 - h) Show drainage easements in locations that have drainage facilities.
 - i) Meet City storm drain requirements, on-site detention and retention of the 80th percentile storm is required. Implement Low Impact Development (LID) practices.
 - j) Provide an LID and drainage summary report.
 - k) Sidewalks, pedestrian ramps, and crosswalks must meet current City and ADA Standards.
 - l) Meet city street standards – street grades should not be less than 0.5% and no greater than 10%. Tapers or smooth transitions should be provided street connections and curves should not impede line of site.
 - m) Meet City utility requirements and provide PUE’s within and along the proposed street for proposed gas, electric and communication lines.
 - n) Provide full plan and profile drawings of the proposed street and utilities.
 - o) Provide emergency only access gate meeting Fire Department requirements at Fuji connection to Spring Clover Drive.
 - p) Provide new water, sewer and storm drain in Fuji.
 - q) Based on the proposed street geometry, provide a design speed and speed limit signs.
 - r) Provide stop signs, coordinate markers at all street intersections and no parking signs

along the proposed street.

- s) Provide street lighting – show locations and type on site plan.
- t) Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning site construction work.
- u) Obtain a City Excavation Permit for work in the City right-of-way.

2. The existing cell tower shall be relocated prior to recordation of the amended plat and prior to issuance of any building permits.

3. The applicant shall meet all International Fire Code (IFC) 2018.2021 along with National Fire Protection Association (NFPA) codes. Meet all standards including the number and placement of hydrants, adequate fire flow, and appropriate emergency service access and gates. See Department Comments for further details.

4. The applicant shall install and enforce "No parking" signage on Fuji Avenue for adequate fire safety access.

5. The project shall meet all Water, Wastewater and Power Department requirements.

6. The applicant shall install an 8-foot-high solid wall adjacent to any single-family dwellings and must be installed prior to construction of any new dwellings.

7. The sidewalk shall be extended to the property line on Gravenstein Park.

8. The applicant shall provide amended Declarations for both the Applegate Condominiums and the Fuji Townhomes that demonstrate the clear shared use, maintenance, and improvement of the existing clubhouse and pool, and that demonstrate the necessary shared access and parking agreements will continue in perpetuity. A copy of the recorded Declarations is required to be provided to the Planning Division.

9. The applicant shall prepare a Final Amended Subdivision Plat with complies with all requirements of the Murray City Land Use Ordinance and with Title 16, Murray City Subdivision Ordinance and meet Salt Lake County Recorder's requirements.

10. The amended 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.

**VII. FINDINGS OF FACT APPROVED BY THE MURRAY PLANNING COMMISSION
THIS 20th DAY of July, 2023.**

_____, Chair
Murray Planning Commission

MURRAY CITY PLANNING COMMISSION FINDINGS OF FACT AND CONCLUSIONS

PROJECT NAME: Fuji Townhomes
PROJECT NUMBER: 23-054
ADDRESS: 770 West Applegate Drive (apx)
APPLICANT: Applegate LLC
APPLICATION TYPE: Conditional Use Permit

I. REQUEST:

The application is requesting a conditional use permit for a 42-Unit Multi-Family Rental Townhouse project.

II. MUNICIPAL CODE AUTHORITY:

Section 17.120.030 of the Murray City Land Use Ordinance requires conditional use permit approval for Multiple-Family Dwelling (LU#1131) developments by the Planning Commission.

III. APPEAL PROCEDURE:

Municipal Code Section 17.16.30 provides details for requesting an appeal of the Planning Commission's decision on a land use application that is heard by the Hearing Officer. An application for appeal must be presented within 10 calendar days after the approval of these Findings of Fact.

IV. SUMMARY OF EVIDENCE:

- A.** The basic facts and criteria regarding this application are contained in the staff report, which is attached as **Exhibit A** and is incorporated herein.
- B.** The minutes of the public meeting held by the Planning Commission on June 15, 2023 which are attached as **Exhibit B** summarizes the oral testimony presented and are hereby incorporated herein.

V. FINDINGS OF FACT:

Based on the analyses of the Conditional Use Permit of the new multi-family leasing units for Fuji Townhomes and a survey of the surrounding area, staff concludes the following:

1. With conditions, the proposed multi-family project will comply with the standards of the Murray City Land Use Ordinance.
2. The proposed multi-family townhome units provide new and needed residential housing opportunities at appropriate density for the area, while providing improvements to

existing housing and needed infrastructure.

3. The proposed multi-family project is in harmony with the Future Land Use Map and the objectives and goals of the Murray City General Plan.

VI. DECISION AND SUMMARY

The Planning Commission **APPROVED** the request for a Conditional Use Permit to allow the proposed Fuji Townhomes located at approximately 770 West Applegate Drive subject to the following conditions. The vote was 5-0 with Commissioners Pehrson, Nay, Patterson, Hacker and Richards in favor and none opposed. The approval is contingent on the following conditions:

1. The project shall meet Murray City Engineering requirements including the following:
 - a) Meet City subdivision requirements and standards – City Code Title 16.
 - b) Meet City storm drain requirements, on-site detention and retention of the 80th percentile storm is required. Implement Low Impact Development (LID) practices.
 - c) Provide an LID and drainage summary report.
 - d) Storm drain detention and retention areas should not be used as dog parks.
 - e) Sidewalks, pedestrian ramps, and crosswalks must meet current City and ADA Standards.
 - f) Meet City street standards – street grades should not be less than 0.5% and no greater than 10%. Tapers or smooth transitions should be provided at street connections and curves should not impede line of site.
 - g) Meet City utility requirements and provide PUE's within and along the proposed street.
 - h) Provide plan and profile drawings of the proposed street and utilities.
 - i) Provide emergency only access gate meeting Fire Department requirements at Fuji connection to Spring Clover Drive.
 - j) Provide new water, sewer and storm drain in street and reconnect existing utilities to the new utility lines.
 - k) Maintain access and utility connections for the existing Applegate community.
 - l) Based on the proposed street geometry, provide a design speed and speed limit signs.
 - m) Provide stop signs and coordinate markers at all street intersections and no parking signs along the proposed street.
 - n) Provide street lighting.
 - o) Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning site construction work.
 - p) Obtain a City Excavation Permit for work in the City right-of-way.
2. The existing cellular tower shall be relocated off the subject property prior to recordation of the Amended Applegate Subdivision and prior to issuance of any building permits.
3. The project shall meet all applicable Fire Code standards including number and placement of hydrants, adequate fire flow, and appropriate emergency service access.
4. The applicant shall install "No Parking" signage and be enforced on Fuji Avenue for adequate fire safety access.
5. The project shall meet all Water, Wastewater and Power Department requirements.
6. The applicant shall work with the Murray City Water Division to correct the design issues identified in this report.

7. The applicant shall install an eight-foot (8') solid masonry wall adjacent to all single-family dwellings.
8. The creation of the new parcel/lot on a private accessway prohibits any future potential subdivision for individual ownership (townhomes) per Section 16.16.090.
9. The applicant shall remove the dog park from the detention basin area.
10. The applicant shall provide an updated formal landscaping plan prepared and stamped by a licensed Utah Landscape Architect for all landscaping improvements on or associated with the project, meeting all requirements of Section 17.68 of the Murray City Land Use Ordinance prior to the first building permit submittal.
11. The applicant shall provide amended Declarations for both the Applegate Condominiums and the Fuji Townhomes that demonstrate the clear shared use, maintenance, and improvement of the existing clubhouse and pool, and that demonstrate the necessary shared access and parking agreements will continue in perpetuity. A copy of the recorded Declarations shall be provided to the Planning Division.
12. The applicant shall provide a copy of the recorded Reciprocal Easement Agreement to the Planning Division.
13. All new dwellings shall meet the maximum height of the R-M-15 Zone (Section 17.120).
14. The applicant shall provide complete plans, calculations, and soils reports for building permit submittals and to meet all Building Code requirements.
15. The applicant shall meet all of the R-M-15 Zone (Section 17.120) requirements.
16. The applicant/property owner shall obtain a business license for the rental units.
17. The sidewalk on the proposed (lot/parcel) shall be extended on at least one side of the private access on Gravenstein Park Drive.

**VII. FINDINGS OF FACT APPROVED BY THE MURRAY PLANNING COMMISSION
THIS 20th DAY OF July, 2023.**

_____, Chair
Murray Planning Commission



AGENDA ITEM #4- Hoggan Haven

ITEM TYPE:	One-Year Time Extension for Final Subdivision Plat Approval		
ADDRESS:	17 East 6150 South	MEETING DATE:	July 20, 2023
APPLICANT:	Suzanne Hoggan	STAFF:	Susan Nixon, Senior Planner
PARCEL ID:	22-19-101-006	PROJECT NUMBER:	22-072
ZONE:	R-1-8, Single Family Low-Density Residential		
SIZE:	.65-Acre Site 28,405 ft ²		
REQUEST:	The applicant is requesting a one-year time extension for Final Subdivision approval for the Hoggan Haven Flag Lot Subdivision granted by the Planning Commission on July 21, 2022 (see attached letter).		



I. LAND USE ORDINANCE

Murray Subdivision Code Section 16.12.090 allows the Planning Commission to grant a one-year time extension for final subdivision approval:

Section 16.12.090: RECORDATION WITH COUNTY:

B. The subdivision plat shall be recorded within one year of the final approval by the Planning Commission or the final plat shall be null and void. The applicant may request a one-time extension of up to twelve (12) months for special circumstances. The extension must be requested prior to final plat expiration.

If the planning commission grants the one-year time extension request, the subdivision plat must be recorded prior to July 20, 2024, or the final plat shall be null and void.

II. CONCLUSION/RECOMMENDATION

Based on the Subdivision Code, staff recommends that the **Planning Commission grant a one-year time extension for Final Subdivision Approval for the Hoggan Haven Flag Lot Subdivision on the property at 17 East 6150 South** subject to the original final subdivision approval as outlined below:

1. The applicant shall meet all requirements of the City Engineer, including the following:
 - a. Meet City subdivision requirements.
 - b. Provide grading, drainage and utility plan.
 - c. Meet City storm drainage requirements, on-site retention of lot and driveway area are required.
 - d. Meet City utility standards, provide standard front rear and side yard PUE's on the lot.
 - e. Obtain a City Excavation Permit for work within City roadways.
2. The applicant shall meet the requirements of the Fire Department, including the following:
 - a. Maintain a twenty-foot (20') width on the access road.
 - b. Avoid having a setback greater than one hundred and fifty feet (150') from the road without consulting the Fire Marshal. Use IFC 2018 and applicable NFPA codes for reference.
3. The applicant shall meet all the requirements of the Murray City Wastewater Division, including the following:
 - a. Proposed location is acceptable where the lateral will only be under the drive approach and driveway for a short length. Keep in mind that clean-outs are required every 75 feet so multiple clean-outs will be required, I measured the lateral at approximately 160 feet

- a. Plat map needs to have separate signature boxes for both Murray water and sewer.
 - b. Sewer injection pumps are typically located inside the home not outside. What is the reasoning for outside? Should be located inside with a 6" lateral ran to the home foundation.
 - c. New manhole does not have to be installed on 6150 South for the connection. A 6" tap can be done on the sewer line in place of the manhole.
4. The applicant shall meet all the requirements of the City Power Department, including the following:
 - a. Proper clearance is to be maintained between the new home and the existing overhead power line located on the North side of the property. Any existing easement for said line is to remain intact as well.
 - b. 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.
 - c. Developer must meet all Murray City Power Department requirements and current NESC code and provide required easements for equipment and Power lines.
5. Meet all the requirements of the Water Division including the following:
 - a. This is in Zone 2 Water Source Protection.
 - b. All sewer lines will need to be fused pipe joints, 6" water main in the street.
6. The applicant shall adhere to all setback requirements of the R-1-8 zone for both parcels.
7. The applicant will provide four feet (4') of landscaping on each side of the twenty-foot (20') driveway with the exception of the landscaping variance on the east side for a length of thirty feet (30').
8. The applicant shall prepare a Final Subdivision Plat which complies with all requirements of Title 16, Murray City Subdivision Ordinance.
9. The Final Plat shall adhere to the requirements for Flag Lot Subdivisions contained in Section 17.76.140 of the Murray City Land Use Ordinance and as outlined in the Staff Report.
10. The subdivision plat shall be recorded within one year of the final approval by the Planning Commission or the final plat shall be null and void.
11. That the detached structures on Lot #2 be removed prior to recordation.

June 1, 2023

Murray City Planning Commission
Murray City Hall
10 East 4800 South
Murray UT 84107
RE: Hoggan Haven Flag Lot
Project #22-072

Dear Commissioners,

I am writing to you concerning the final plat approval for Hoggan Haven Flag Lot Subdivision located at 17 East 6150 South. I am requesting a one-year time extension of my subdivision approval. The market has changed drastically since this property was approved. The market slowdown has created some uncertainties for development. I respectfully request that you extend the final plat approval for one year.

Thank you for your consideration.

Sincerely,

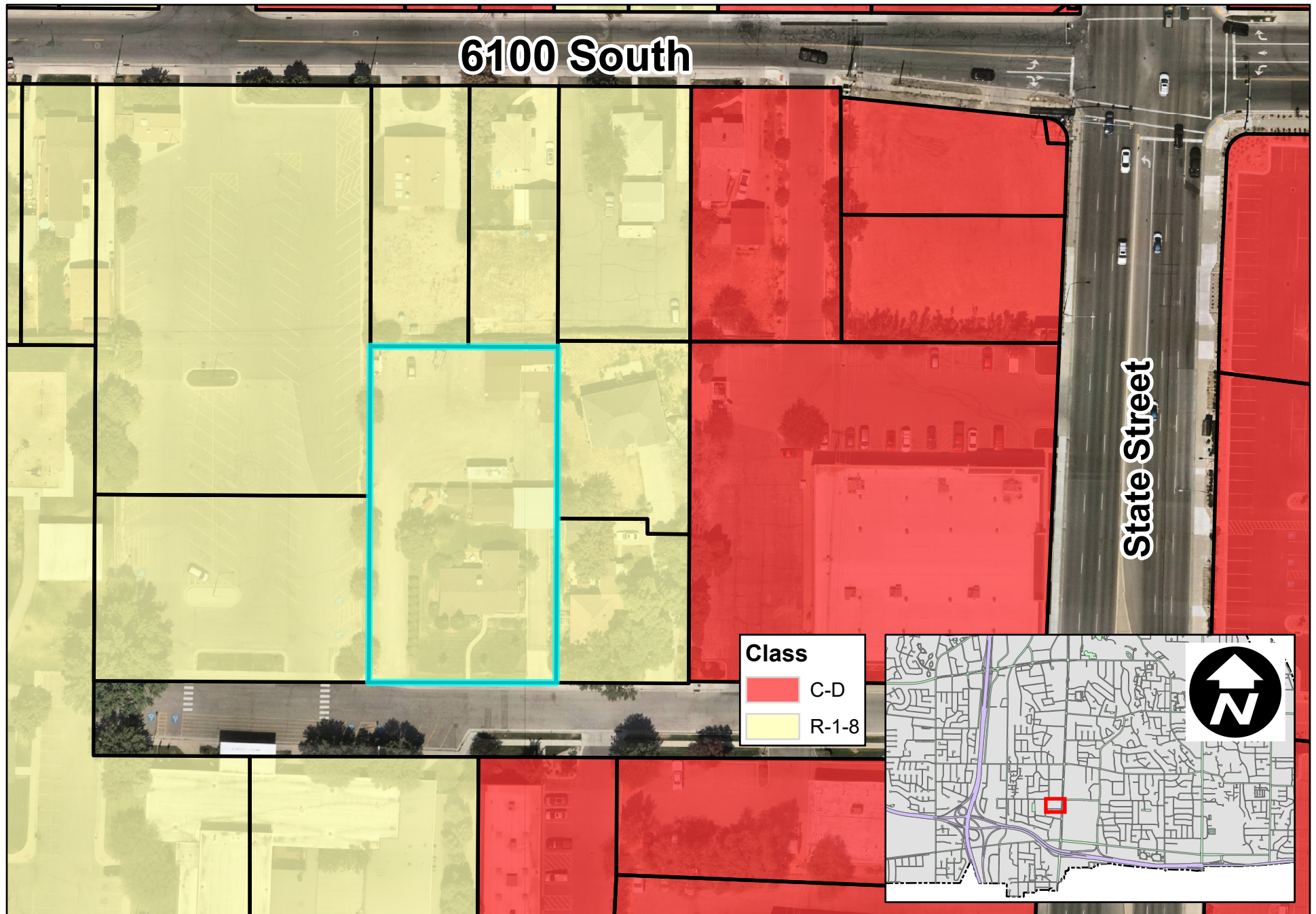
A handwritten signature in black ink that reads "Suzanne Hoggan". The signature is written in a cursive, flowing style.

Suzanne Hoggan
17 East 6150 South
Murray UT 84107
801-633-2882

17 East 6150 South



17 East 6150 South



HOGGAN SUBDIVISION
LOCATED IN THE NORTHWEST QUARTER OF
SECTION 19, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN

NORTHWEST CORNER
SECTION 19, T2S, R1W, S.L.B. & M.
FOUND S.L.C.O. MONUMENT

N00°01'23"W
258.07'

N90°00'00"E 77.32'

POINT OF BEGINNING
SET 5/8" X 30" REBAR W/ PLASTIC
CAP MARKED "TATE 334552"
TYP. TWO REAR CORNERS

MURRAY CITY CORP.
22-19-101-001

TARASCO PROPERTIES LLC
22-19-101-002

N90°00'00"E 126.30'

10'

**LOT 2
SUBJECT PARCEL**
22-19-101-006
14,828 SQ.FT. OR 0.34 ACRES

25'

224.90'

S 00°00'00"E

MURRAY CITY CORP.
21-24-228-007

S00°01'37"E
2639.92'

N00°00'00"E

138.12'

SETBACK LINE (TYP.)

**LOT 1
SUBJECT PARCEL**
22-19-101-006
13,577 SQ.FT. OR 0.31 ACRES

S 00°00'00"E

10'

25'

N 90°00'00"E 28.00'

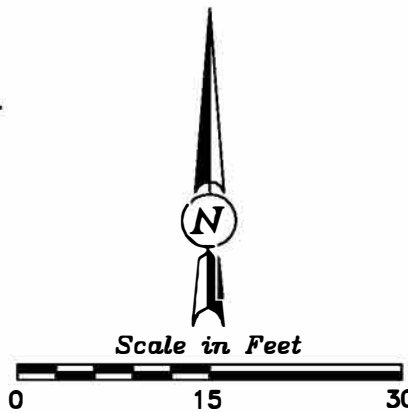
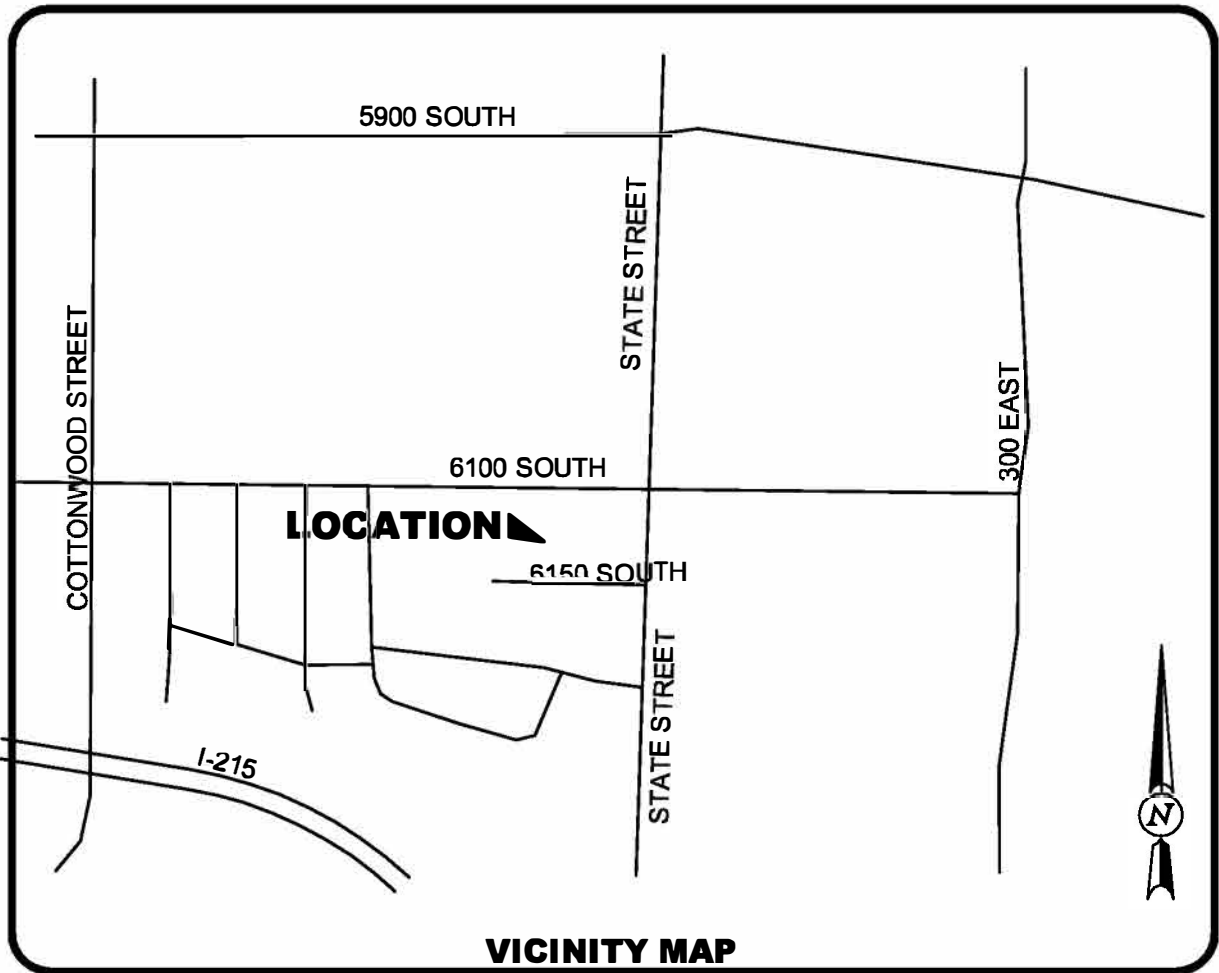
N90°00'00"W 126.30'

N 90°00'00"E 98.30'

HARVEY
22-19-101-014

TOWERS
22-19-101-015

SET BRASS PLUG IN CURB
MARKED "334552"
TYP. TWO FRONT CORNERS



UTILITY NOTE:

PUBLIC UTILITIES, INCLUDING ELECTRIC, NATURAL GAS, CABLE T.V., WATER METER(S), AND TELEPHONE SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE UTILITY EASEMENTS AND LOT AREA IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE EASEMENT. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE EASEMENT OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE EASEMENT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE EASEMENTS.

CONTAINED WITHIN THE EASEMENTS AND LOT AREA ARE PRIVATE SANITARY SEWER, STORM SEWER AND WATER FACILITIES. THE INSTALLATION, OPERATION, MAINTENANCE, AND/OR REPLACEMENT OF PRIVATE SANITARY SEWER, STORM SEWER AND WATER FACILITIES SHALL BE THE SOLE RESPONSIBILITY OF THE OWNERS. SUCH FACILITIES ARE NOT OFFERED TO, NOR ARE THEY ACCEPTED FOR DEDICATION BY, MURRAY CITY.

SURVEYOR'S CERTIFICATION

I, RICHARD K. TATE, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF UTAH, DO HEREBY CERTIFY THAT THE SURVEY REPRESENTED BY THIS SURVEY PLAT WAS CONDUCTED BY ME, OR UNDER MY DIRECT SUPERVISION, THAT THE RESULTS OF SUCH SURVEY ARE CORRECTLY DEPICTED HEREON, AND THAT THE SURVEY WAS COMPLETED IN ACCORDANCE WITH THE STANDARDS FOR LAND BOUNDARY SURVEYS SET FORTH BY UTAH STATE LAW.



BOUNDARY DESCRIPTION

BEGINNING 258 FEET SOUTH AND 77.32 FEET EAST FROM THE NORTHWEST CORNER OF SECTION 19, T2S, R1W, S.L.B. & M.

THENCE EAST 126.3 FEET; THENCE SOUTH 224.9 FEET;
THENCE WEST 126.3 FEET; THENCE NORTH 224.9 FEET TO THE POINT OF BEGINNING.
CONTAINS 0.65 ACRES.

OWNERS DEDICATION

KNOW ALL ME BY THESE PRESENTS THAT _____ THE
UNDERSIGNED OWNER OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING
CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS TO BE HEREAFTER KNOWN AS

HOGGAN SUBDIVISION

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF
LAND AND EASEMENTS AS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.
IN WITNESS WHEREOF _____ HAVE HEREUNTO SET

THIS _____ DAY OF _____ A.D. 20____

CORPORATE ACKNOWLEDGEMENT

STATE OF UTAH } S.S.
COUNTY OF SALT LAKE

ON THE _____ DAY OF _____ A.D. 20____ PERSONALLY APPEARED BEFORE ME,
_____, WHO BEING DULY SWORN OR AFFIRMED,
DID SAY THAT HE/SHE IS THE _____ OF _____
AND THAT THE WITHIN OWNER'S DEDICATION WAS SIGNED BY HIM/HER IN
BEHALF OF THE SAID CORPORATION BY AUTHORITY OF ITS BYLAWS,
OR BOARD OF DIRECTORS, AND THAT SAID CORPORATION EXECUTED THE SAME.

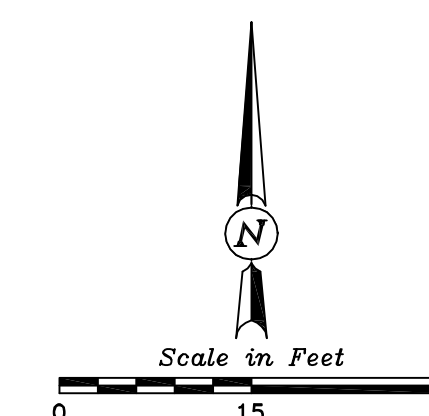
COMMISSION NUMBER _____ MY COMMISSION EXPIRES _____

NAME OF NOTARY PUBLIC COMMISSIONED IN UTAH _____

HOGGAN SUBDIVISION

LOCATED IN THE NORTHWEST QUARTER OF
SECTION 19 TOWNSHIP 2 SOUTH RANGE 1 WEST
SALT LAKE BASE & MERIDIAN

MURRAY CITY PLANNING COMMISSION APPROVED THIS _____ DAY OF _____ A.D. 20____ BY THE MURRAY CITY PLANNING COMMISSION. CHAIR, MURRAY PLANNING COMMISSION	MURRAY POWER APPROVED THIS _____ DAY OF _____ A.D. 20____ BY: _____	MURRAY GIS APPROVED THIS _____ DAY OF _____ A.D. 20____ BY: _____	SALT LAKE COUNTY BOARD OF HEALTH APPROVED THIS _____ DAY OF _____ A.D. 20____ BY: _____	MURRAY CITY ENGINEER I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE. DATE _____ MURRAY CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20____ MURRAY CITY ATTORNEY	MURRAY CITY MAYOR PRESENTED TO MURRAY CITY THIS _____ DAY OF _____ A.D. 20____ AT WHICH THIS SUBDIVISION WAS APPROVED AND ACCEPTED. MAYOR _____ ATTEST _____	RECORDED # STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF: _____ DATE _____ TIME _____ BOOK _____ PAGE _____ FEES \$ _____ SALT LAKE COUNTY RECORDER
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AGENDA ITEMS # 6 & 7 - Justin Lang

ITEM TYPE:	General Plan & Zone Map Amendments		
ADDRESS:	770 & 780 West 5300 South 845 West Clover Meadow Drive	MEETING DATE:	July 20, 2023
APPLICANT:	Justin Lang	STAFF:	Zachary Smallwood, Senior Planner
PARCEL ID:	21-11-481-010, 011, and 012	PROJECT NUMBER:	23-070 & 23-071
CURRENT ZONE:	R-1-8, Low Density Single Family	PROPOSED ZONES:	R-M-15, Multi-Family Residential, Medium Density
Land Use Designation	Low Density Residential	PROPOSED DESIGNATION	Medium Density Residential
SIZE:	2.9 acres		
REQUEST:	The applicant would like to amend the Future Land Use Map designation and Zoning of the subject properties to facilitate a residential development		



I. BACKGROUND

On June 27, 2023, Mr. Justin Lang filed an application to amend the General Plan's Future Land Use designation of the properties from Low Density Residential to Medium Density Residential in order to support the second application to amend the zoning map from the R-1-8 to R-M-15 Zone on the subject properties. The intent is to develop a townhome project on the site.

Surrounding Land Uses & Zoning

The subject property is comprised of three parcels totaling 2.9 acres in the R-1-8 zoning district located on the north side of 5300 South, west side of 700 West. There is a parcel of property that is owned by Murray City directly adjacent to the subject properties and single family homes just north of that property. Directly to the west and east of the proposal are townhome projects on the east side is Applegate Townhomes and on the west is Chestnut Place. To the south of the proposal is 5300 South and a mix of single-family dwellings and the new townhome subdivision is currently under construction. Staff measured between 200 to 300 feet of right-of-way between the south property line and the nearest single family dwelling property line that borders 5300 South.

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Single Family Residential	R-1-8
South	Single & Multi Family Residential	R-1-8 and R-M-15
East	Multi Family Residential	R-M-15
West	Multi Family Residential	R-1-8

IV. ANALYSIS

Zoning Considerations

The subject properties are in the R-1-8, Single Family Low Density Residential Zoning District. There is a mix of townhomes and single-family dwellings surrounding the area to the north east, and west. Staff supports the proposed general plan and zone map amendments noting that the potential development into a townhome project would help clean up the property which has been used as a single-family home with limited access to public utilities and unmaintained vacant land and that there is precedent for this type of use in the immediate area.

Allowed Land Uses

The existing R-1-8 Zone only allows for single-family dwelling uses and with limited conditional uses. Murray's subdivision ordinance does not allow for subdividing on private streets and requires a forty-nine foot (49') right-of-way which limits the potential for these properties to be developed as a single-family subdivision. The R-M-15 Zone allows for multi-family housing at a base density of twelve units per acre. This is a medium density, multi-

family zone.

- **Existing R-1-8, Commercial Neighborhood Zone:**
Permitted Uses in the R-1-8 Zone include single-family dwellings, group homes, home-based childcare and senior care facilities.

Conditional Uses in the R-1-8 Zone include attached single-family dwellings, schools, churches, and cemeteries.

- **Proposed R-M-15, Multi-Family Medium Density Residential Zone:**
Permitted uses in the proposed R-M-15 include single-family detached dwellings on 8,000 ft² lots, two-family dwellings on 10,000 ft² lots, utilities, charter schools, and residential childcare as permitted uses.

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

Zoning Regulations

The more directly comparable regulations for setbacks, height, and parking between the existing R-1-8 and proposed R-M-15 zones are summarized in the table below.

	R-1-8 (existing)	R-M-15
Single-Family Lot Size and/or Multi-Family Density	8,000 square feet per lot	8,000 ft ² min per lot 12 units per acre
Height	35'	Up to 40' max as approved by the Planning Commission
Front yard setback	25'	25'
Rear Yard setback	25'	25'
Side Yard setbacks	8' (total of 20')	8' (total of 20')
Corner Yard setback	20'	20'
Parking Required	2 spaces per dwelling	2.5 spaces per unit

Figure 1: Compared Regulations in existing and proposed zones

General Plan Considerations

In order to support the Zone Map amendment to R-M-15, the applicant has also made an application for General Plan amendment to amend the Future Land Use designations of the subject properties from Low Density Residential to Medium Density Residential. General Plans are not intended to be static documents and are intended to be reviewed as changes in attitudes, market conditions, and individual property circumstances occur. Significant

evaluations and revisions are common every five to ten years, and in growing and complex communities like Murray, it is reasonable to expect that additional adjustments may be appropriate and should be considered individually.

Future Land Use Map Designations

Map 5.7 of the Murray City General Plan (the Future Land Use Map) identifies future land use designations for properties in Murray City. The designation of a property is tied to corresponding purpose statements and zones. These “Future Land Use” designations are intended to help guide decisions about the zoning designations of properties. The subject properties are currently designated Low Density Residential. The applicant proposes to amend the Future Land Use designations described above to “Medium Density Residential”.

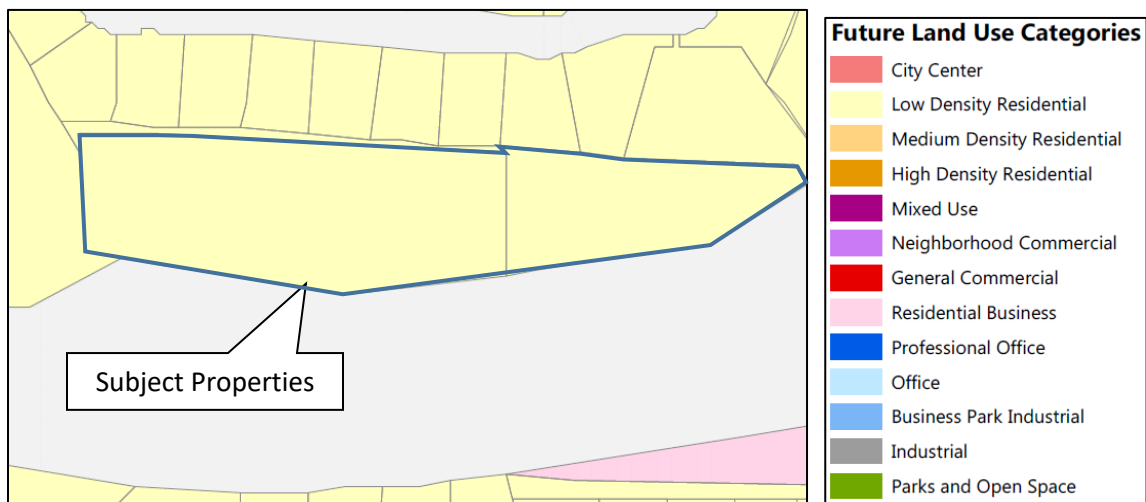


Figure 2: Future Land Use Map segment

- Existing: The existing properties are currently designated as “Low Density Residential”. This category is intended for residential uses in established or planned neighborhoods and former agricultural lands. Figure 4 is an illustration below from page 5-12 of the General Plan.

LOW DENSITY RESIDENTIAL

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

Density range is between 1 and 8 DU/AC.

Corresponding zone(s):

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



Figure 3: p. 5-12, Murray City General Plan 2017

- Proposed: The applicants propose to amend the Future Land Use Map designations of the subject property to “Medium Density Residential.” The Medium Density Residential designation allows a mix of housing types that are smaller multi-family structures. The designation is intended for areas near or along centers and corridors. Densities should range between 6 and 15 units per acre. Corresponding Zones are:
 - R-1-6, Low/Medium Density Single Family
 - R-M-10, Medium Density Multiple Family
 - R-M-15, Medium Density Multiple Family

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

MEDIUM DENSITY RESIDENTIAL

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

Density range is between 6 and 15 DU/AC.

Corresponding zone(s):

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



Figure 4: p. 5-13, Murray City General Plan 2017

General Plan Objectives

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

There are a number of strategies in this section of the General Plan that would support the change, including the first objective to “Preserve and protect the quality of life for a range of viable residential neighborhoods”. A strategy under this objective is to “prioritize infill and redevelopment for commercial development over expansion into residential neighborhoods”. Allowing medium-density residential development of the subject properties can help to stabilize the single-family residential neighborhood to the east, which is smaller, and has become isolated from other residential neighborhoods by office and commercial development. The medium-density residential development may encourage re-investment by property owners and at the very least can prevent further isolation of the neighborhood that would result from the commercial development of the subject property.

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

OBJECTIVE 3: ENCOURAGE HOUSING OPTIONS FOR A VARIETY OF AGE, FAMILY SIZE AND FINANCIAL LEVELS.

Strategy: Support a range of housing types, including townhomes, row-homes, and duplexes, which appeal to younger and older individuals as well as a variety of population demographics.

The strategy and objective above are one of many intended to support the overall goal of the element, which is to “Provide a diversity of housing through a range of types and development patterns to expand the options available to existing and future residents.”

Objective 9 of the Land Use & Urban Design element is shown below (from pg. 5-20 of the General Plan)

OBJECTIVE 9: PROVIDE A MIX OF HOUSING OPTIONS AND RESIDENTIAL ZONES TO MEET A DIVERSE RANGE OF NEEDS RELATED TO LIFESTYLE AND DEMOGRAPHICS, INCLUDING AGE, HOUSEHOLD SIZE, AND INCOME.

Strategy: Ensure residential zoning designations offer the opportunity for a spectrum of housing types.

Strategy: Simplify the residential zoning district designations.

The applicant’s proposed zone amendment, which is supported by the amended land use designation, will result in a development that helps to stabilize the surrounding communities, including the apartments, existing condominiums, and the single-family neighborhood with a mix of housing types and densities. The overall density will be consistent with the surrounding area and will not have unmanageable impacts, especially given the specific context of this subject property.

The proposed amendments best support objectives in Chapter 9 of the General Plan, the Moderate Income Housing element.

9.3 MODERATE INCOME HOUSING GOAL, OBJECTIVES & STRATEGIES

MODERATE INCOME HOUSING OVERALL GOAL

Provide a diversity of housing through a range of types and development patterns to expand the moderate income housing options available to existing and future residents.

MODERATE INCOME HOUSING OBJECTIVES & STRATEGIES

OBJECTIVE 1: ENSURE HOUSING AFFORDABILITY TARGETS ARE ACHIEVABLE USING A RANGE OF STRATEGIES.

Strategy: Promote affordable housing options that address the needs of low to moderate income households and individuals and offer options for a range of demographics and lifestyles.

Strategy: Ensure zoning of residential areas does not prohibit compatible types of housing.

Strategy: Continue to support ADUs (Accessory Dwelling Units) in all residential zones.

Strategy: Continue to support the use of density bonuses for constructing affordable housing options.

OBJECTIVE 2: PROVIDE THE OPPORTUNITY FOR AFFORDABLE HOME OWNERSHIP BY OFFERING A RANGE OF HOUSING TYPES FOR PURCHASE, INCLUDING ATTACHED DWELLINGS.

Strategy: Support a range of housing types, including townhomes, row-homes, and duplexes, which appeal to younger and older individuals as well as a variety of population demographics.

Strategy: Review zoning ordinances and make modifications where necessary to allowable housing types, lot size, setbacks and other factors that limit types of housing in a zone.

II. CITY DEPARTMENT REVIEW

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

- Murray City Fire:
 - Advised about the maximum 150' fire department access and required turn arounds, minimum width of twenty-six feet (26').
- Murray City Power:
 - The developer will need to meet with Murray City Power to discuss planning the new power service(s) and equipment placement to the building(s) when the time comes, with additional line extension costs to provide electrical service. Developer must meet all Murray City Power Department requirements and provide required easements for equipment and Power lines.
- Murray City Sewer:
 - Sewer service could be a challenge for the property. Depth of sewer on the west end of Clover Meadow drive is approximately 7 FT deep. Depth on the east end of

Clover Meadow is 9.5 FT. Sewer easement will have to be established in order to obtain sewer service for the property.

- Property currently has septic system that would have to be permanently removed during demo of the property.
- Murray City Water:
 - This property is only served by a 6” cast iron water main, may need to be upsized to 8” from Murray Boulevard to meet required fire flows.

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

III. PUBLIC COMMENTS

158 notices of the public hearing for the requested amendments to the Future Land Use Map and Zone Map were sent to all property owners within 400’ of the subject property and to affected entities. Staff received two phone calls as a result of the notices, both were concerned that this was an extension of Applegate condominiums. One of the phone calls wanted to be aware of the potential heights. Staff advised of the code allowances.

V. FINDINGS

1. The General Plan provides for flexibility in the implementation and execution of the goals and policies based on individual circumstances.
2. The proposed Zone Map Amendment from R-1-8 to R-M-15 has been considered based on the characteristics of the site and surrounding area. The potential impacts of the change can be managed within the densities and uses allowed by the proposed R-M-15 Zones.
3. The proposed Zone Map Amendment from R-1-8 to R-M-15 conforms to important goals and objectives of the 2017 Murray City General Plan and will allow appropriate development of the subject property.

VI. STAFF RECOMMENDATION

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

REQUEST TO AMEND THE MURRAY CITY GENERAL PLAN

Based on the background, analysis, and findings within this report, Staff recommends that the Planning Commission **forward a recommendation of APPROVAL to the City Council for the requested amendment to the Future Land Use Map, re-designating the properties**

located at 770 & 780 West 5300 South and 845 West Clover Meadow Drive from Low Density Residential to Medium Density Residential.

REQUEST TO AMEND THE MURRAY CITY ZONING MAP

Based on the background, analysis, and findings within this report, Staff recommends that the Planning Commission **forward a recommendation of APPROVAL to the City Council for the requested amendment to the Zoning Map designation of the properties located at 770 & 780 West 5300 South and 845 West Clover Meadow Drive from R-1-8, Single Family Low Density Residential to R-M-15, Multi-Family Medium Density Residential as described in the Staff Report.**



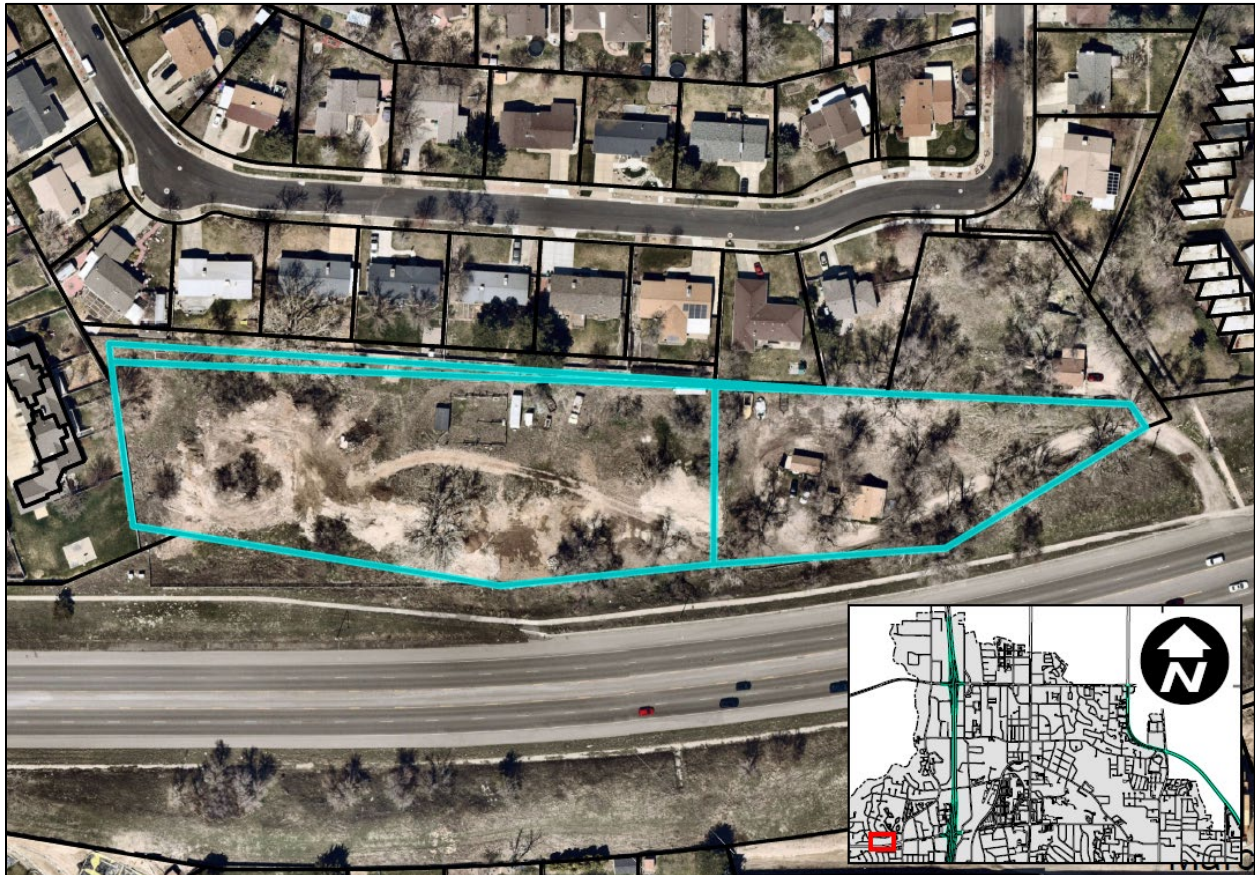
NOTICE OF PUBLIC MEETING

July 20, 2023, 6:30 PM

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

Justin Lang is requesting a Future Land Use Map and Zoning Map amendment on the properties addressed 770, 780 West 5300 South, and 845 West Clover Meadow Drive. The request is to change the Future Land Use Map from Low Density Residential to Medium Density Residential and amend the Zoning Map from R-1-8 to R-M-15. Please the attached plan.

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 included in the meeting record.

This notice is being sent to you because you own property within 400 feet of the subject property. If you have questions or comments concerning this proposal, please contact Zachary Smallwood in the Murray City Planning Division at 801-270-2407, or e-mail zsmallwood@murray.utah.gov.

GENERAL PLAN AMENDMENT APPLICATION

Type of Application (check all that apply):

Project # _____

☒ Text Amendment

☒ Map Amendment

Subject Property Address: 770 + 780 W 5300 S MURRAY UT 84123

Parcel Identification (Sidwell) Number: 21-11-481-012, 21-11-481-011, 21-11-481-010

Parcel Area: 2.12 Current Use: VACANT / SMALL HOUSE

Land Use Designation: LOW DENSITY RES Proposed Designation: MEDIUM DENSITY RES

Applicant Name: JUSTIN LANG

Mailing Address: 811 CLOVER MEADOW DR

City, State, ZIP: MURRAY UT 84123

Daytime Phone #: 801-891-8062 Fax #: _____

Email Address: JUSTIN-LANG@HOTMAIL.COM

Business Name (If applicable): _____

Property Owner=s Name (If different): PHILLIP BAUM

Property Owner=s Mailing Address: 821 W CLOVER MEADOW

City, State, Zip: MURRAY UT 84123

Daytime Phone #: 801-664-8994 Fax #: _____ Email: _____

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

INCREASE THE ALLOWED DENSITY IN THIS RESEIDENTIAL ZONE

Authorized Signature: _____

Date: 6/19/23

PROPERTY OWNER - MICHAEL HATCH

ADDRESS 5824 S WALDEN RIDGE DR MURRAY UT 84123

801-809-3302 MICHAEL P HATCH @ GMAIL.COM

ZONING AMENDMENT APPLICATION

Type of Application (check all that apply):

Project # _____

- ☐ Zoning Map Amendment
☐ Text Amendment
☐ Complies with General Plan
☐ Yes ☐ No

Subject Property Address: 770 + 780 W 5300 S MURRAY UT 84123

Parcel Identification (Sidwell) Number: 21-11-481-012, 21-11-481-011, 21-11-481-010

Parcel Area: 2.12 ACRE Current Use: ~~R-1~~ VACANT + SMALL HOUSE

Existing Zone: R-1-B Proposed Zone: R-M-15

Applicant

Name: JUSTIN LANG

Business or Project Name : _____

Mailing Address: 811 CLOVER MEADOW

City, State, ZIP: MURRAY UT 84123

Daytime Phone #: 801-891-8062 Fax #: _____

Email address: JUSTIN-LANG@HOTMAIL.COM

Property Owner's Name (If different): PHILLIP BAUM / MICHAEL HATCH

Property Owner's Mailing Address: 821 W CLOVER MEADOW / 5824 S WALDEN RIDGE

City, State, Zip: MURRAY UT 84123 801-809-3302

Daytime Phone #: 801-664-8994 Fax #: _____ Email: _____

Describe your reasons for a zone change (use additional page if necessary):

LAND IS ACCESSED FROM 5300 SOUTH AND SITUATED BETWEEN TWO HIGHER

DENSITY HOUSING PARCELS, THIS ZONE CHANGE WILL CREATE CONTINUOUS STRIP OF UNIFORM
ZONE

Authorized Signature:  Date: 6/19/23

Property Owners Affidavit

I (we) Michael Hatch, 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.

[Signature]
Owner's Signature

Co- Owner's Signature (if any)

State of Utah

§

County of Salt Lake



Subscribed and sworn to before me this 16th day of June, 2023.

[Signature]
Notary Public

Residing in SLC, UT

My commission expires: 4/19/26

Agent Authorization

I (we), Michael Hatch, the owner(s) of the real property located at
770W 5300 S, in Murray City, Utah, do hereby appoint

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

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

[Signature]
Owner's Signature

Co-Owner's Signature (if any)

State of Utah

§

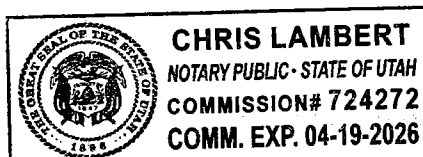
County of Salt Lake

On the 16 day of June, 2023, personally appeared before me

Michael Hatch the signer(s) of the above Agent Authorization who duly acknowledge to me that they executed the same.

[Signature]
Notary Public
Residing in SLC, UT

My commission expires: 4/19/26



Property Owners Affidavit

I (we) Phillip Baum, 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.

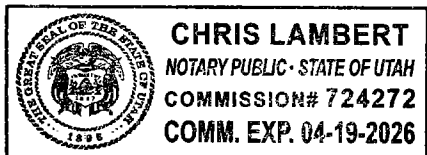
Phillip Baum
Owner's Signature

Co- Owner's Signature (if any)

State of Utah

§

County of Salt Lake



Subscribed and sworn to before me this 20 day of June, 2023.

[Signature]
Notary Public
Residing in SLC, UT

My commission expires: 4/19/2026

Agent Authorization

I (we), Phillip Baum, the owner(s) of the real property located at 780w 5300 s, in Murray City, Utah, do hereby appoint

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

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

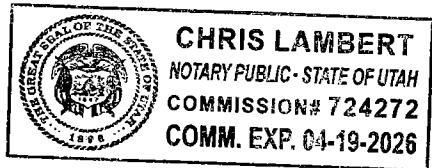
Phillip Baum
Owner's Signature

Co-Owner's Signature (if any)

State of Utah

§

County of Salt Lake



On the 20 day of June, 2023, personally appeared before me

Phillip Baum the signer(s) of the above Agent Authorization who duly acknowledge to me that they executed the same.

[Signature]
Notary Public
Residing in SLC, UT

My commission expires: 4/19/26

Parcel 1:

Commencing 198 feet North and 504.9 feet West and North 34° West 24.47 feet and North 88° West 354.845 feet from the Southeast corner of Section 11, Township 2 South, Range 1

West, Salt Lake Base and Meridian, thence South 154.621 feet; thence Easterly 140 feet, more or less; thence Northeasterly 150 feet, more or less; thence North 34° West 0.37 chains;

thence North 88° West 364.845 feet to the point of beginning.

Tax Parcel Number: 21-11-481-012

Parcel 3:

BEGINNING AT A POINT NORTH 198.00 FEET AND WEST 504.90 FEET AND NORTH 34 DEGREES WEST 24.47 FEET AND NORTH 88 DEGREES WEST

354.845 FEET FROM THE SOUTHEAST CORNER OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE, SOUTH 154.621 FEET TO THE NORTH RIGHT OF WAY LINE OF HIGHWAY U.S. 0132-5, SAID POINT BEING ON THE ARC OF A 2764.8 FOOT RADIUS CURVE THE CENTER OF WHICH BEARS NORTH 7 DEGREES 36 MINUTES 28 SECONDS WEST; THENCE WESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT 190.65 FEET THROUGH A CENTRAL ANGLE OF

3 DEGREES 57 MINUTES 03 SECONDS TO A FENCE LINE; THENCE NORTH 81 DEGREES WEST 326.036 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF THAT CERTAIN PROPERTY DEEDED TO JESS A. WISSLER AND ALICE L. WISSLER IN THAT CERTAIN WARRANTY DEED, DATED JANUARY 2, 1969, AS ENTRY NO. 1969988, IN BOOK 2139, AT PAGE 358, OF OFFICIAL RECORDS; THENCE NORTH 8 DEGREES 30 MINUTES WEST 154 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF SAID JESS A. WISSLER AND ALICE L. WISSLER PROPERTY; THENCE SOUTH 88 DEGREES EAST

528.755 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

TOGETHER WITH A 16 FOOT RIGHT OF WAY, THE SOUTH LINE BEING DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT NORTH 198.0 FEET; THENCE WEST 504.90 FEET; THENCE NORTH 34 DEGREES WEST 24.42 FEET; THENCE NORTH 86

DEGREES 49 MINUTES 33 SECONDS WEST ALONG A FENCE 222.310 FEET: THENCE NORTH 87 DEGREES 12 MINUTES 02 SECONDS WEST ALONG A FENCE LINE 136.535 FEET: THENCE SOUTH 154.621 FEET TO THE NORTH RIGHT OF WAY LINE OF HIGHWAY U.S. 0132-5, FROM THE SOUTHEAST CORNER OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTHEASTERLY ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID HIGHWAY TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF AN EXISTING COUNTY ROAD.

LESS AND EXCEPTING THE FOLLOWING 2 TRACTS OF LAND NOTED AS PARCELS A AND B: A. BEGINNING AT THE SOUTHEAST CORNER OF LOT 309, MAJESTIC VILLAGE SUBDIVISION, PLAT "C", ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SALT LAKE COUNTY RECORDER'S OFFICE, THENCE SOUTH 3 DEGREES 21 MINUTES 44 SECONDS WEST 15.857 FEET; THENCE NORTH 86 DEGREES 38 MINUTES

16 SECONDS WEST 531.73 FEET, MORE OR LESS, THENCE SOUTH 6 DEGREES 36 MINUTES 02 SECONDS EAST 50 FEET: THENCE NORTH 29

DEGREES WEST 66.81 FEET, MORE OR LESS; THENCE SOUTH 86 DEGREES 38 MINUTES 18 SECONDS EAST 558.773 FEET TO THE POINT OF BEGINNING.

Tax Parcel Number: 21-11-481-011

Parcel 4:

BEGINNING NORTH 109.131 FEET AND NORTH 1401.761 FEET AND NORTH 8 DEGREES 30 MINUTES WEST 120.66 FEET FROM SOUTHEAST CORNER SECTION 11, TOWNSHIP 2. SOUTH, RANGE 1 WEST. SALT LAKE MERIDIAN, NORTH 6 DEGREES 36 MINUTES 02 SECONDS WEST 50 FEET;

SOUTH 86 DEGREES 38 MINUTES 16 SECONDS EAST 669.4 FEET; NORTH 88 DEGREES WEST 666 FEET; SOUTHEASTERLY 33.79 FEET, MORE OR LESS, TO BEGINNING.

Tax Parcel Number: 21-11-481-010