

Minutes of the Planning Commission meeting held on Thursday, December 4, 2014, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Scot Woodbury, Chair
Phil Markham, Vice-Chair
Karen Daniels
Tim Taylor
Vicki Mackay
Buck Swaney
Gary Dansie
Jared Hall, Community and Economic Development Manager
Brad McIlrath, Assistant Planner
G.L. Critchfield, Deputy City Attorney
Citizens

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

Scot Woodbury opened the meeting and welcomed those present. He reviewed the public meeting rules and procedures.

APPROVAL OF MINUTES

Ms. Daniels made a motion to approve the minutes of November 20, 2014 as written. Ms. Mackay seconded the motion.

A voice vote was made. Motion passed, 7-0

CONFLICT OF INTEREST

There were no conflicts of interest for this agenda.

APPROVAL OF FINDINGS OF FACT

Mr. Taylor made a motion to approve the Findings of Fact for Dream Gymnastics and Utah Injury Clinic. Seconded by Ms. Daniels.

A voice vote was made. Motion passed, 7-0

COPPER EXCLUSIVE – 79 West 4500 South #6 – Project #14-187

Christina Ovari was the applicant present to represent this request. Brad McIlrath reviewed the location and request for Conditional Use Permit approval for a metal roofing fabrication business for the property addressed 79 West 4500 South #6. Municipal Code Ordinance 17.152 allows fabricated metal products (LU #3490) within the M-G-C zoning district subject to Conditional Use Permit approval. The applicant proposes to use a 3,760 square foot office and warehouse space for the fabrication of metal roofs and related materials. The warehouse space is approximately 2,550 square feet in size and the office space occupies approximately 1,200 square feet. According to the submitted floor plans for this unit, a reception area and office are located on the main floor with the second floor consisting of two offices and a multi-

purpose area. The remaining floor plan is open for warehouse space. The applicant has indicated that the roofs and materials are fabricated at this location and then shipped worldwide to various customers. The business model does not include the installation of the roofs at this location. Chapter 17.72 of the Murray Municipal Code requires four (4) parking spaces for each 1,000 square feet of net office space and one (1) parking space for each 750 square feet of net warehouse space. According to this standard a total of seven (7) parking spaces are required for this business. The site plan indicates a total of twelve (12) parking spaces reserved for this unit with three (3) directly in front of the unit and the remaining nine (9) located to the east of the business park access lane. Based upon this information, sufficient parking is provided for this use. Chapter 17.72 of the Murray Municipal Code also includes standards for disabled parking and site accessibility. According to the standards of that chapter, one (1) in every twenty-five (25) total parking spaces shall be reserved as an ADA parking space. According to a site visit by Staff, there is no existing ADA parking space provided for this business or the adjacent units of the building. As required by this standard, one (1) ADA van accessible parking space shall be provided at this location. The existing building complies with the minimum setback and height requirements of the M-G-C zoning district. The existing landscaping at this property meets the minimum requirements for commercial properties. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval of a Conditional Use Permit to allow the metal roof fabrication use at the property addressed 79 West 4500 South #6, subject to conditions.

Christina Ovari, 79 West 4500 South, #6, Murray. Mr. Woodbury asked for clarification of the applicants last name. Applicant stated that she goes by Ms. Lauritzen and Ms Ovari. Ms. Lauritzen stated that the company has won a multitude International awards from Mexico to Canada. Ms. Lauritzen brought in a prototype of one of the many systems that they produce. Mr. Woodbury asked where the company had been located prior to the requested location. Ms. Lauritzen stated that they have had offices in Orem and Midvale. Ms. Lauritzen stated she has reviewed the staff recommendations and will comply.

The meeting was open for public comment. No comments were made and the public comment portion of the meeting was closed.

Ms. Daniels made a motion to grant Conditional Use Permit approval for copper exclusive, a metal roofing fabrication business, for the property addressed 79 West 4500 South #6 subject to the following conditions:

1. The business shall meet all applicable building and fire code standards.
2. The business shall meet all requirements of the Murray City Water and Sewer Department and requirements outlined by the Central Valley Water Reclamation Facility.
3. One (1) van accessible ADA parking stall shall be striped and provided with the appropriate signage as outlined in Section 17.72.070 of the Murray Municipal Code. The stall shall be located in the parking area which is shared for units 5 and

6 of the Crestone Business Park.

4. The applicant shall obtain a Murray City Business License and comply with the standards of that licensure.

Seconded by Mr. Taylor.

Call vote recorded by Brad McIlrath.

A Vicki Mackay
A Gary Dansie
A Karen Daniels
A Tim Taylor
A Phil Markham
A Buck Swaney
A Scot Woodbury

Motion passed, 7-0.

NASSER SHOTORBANI – 4677 South Cherry Street – Project #14-190

Nasser Shotorbani was the applicant present to represent this request. Brad McIlrath reviewed the location and request for Conditional Use Permit approval for auto sales to be located at the property addressed 4677 South Cherry Street. Municipal Code Ordinance 17.152 allows motor vehicle sales (LU #5510) within the M-G-C zoning district subject to Conditional Use Permit approval. The applicant proposes to conduct a motor vehicle sales business at this office/warehouse location with an approximate unit size of 2,420 square feet. The office occupies approximately 1,026 square feet and the warehouse is approximately 1,374 square feet in size. The main office of the business is located at the southeast corner of the building. The warehouse space is adjacent to the office space and includes a large bay door for access located at the east side of the warehouse space. The applicant proposes to have three (3) indoor parking spaces in the warehouse space for the display and storage of the motor vehicles for sale. The applicant has indicated that the business will consist primarily of wholesale functions which will take place at auto auctions and that he does not anticipate using the three (3) indoor parking spaces for vehicle sales. It is however a requirement of the Utah State Motor Vehicle Division that a minimum of three (3) parking spaces are provided at the business address for the potential storage and display of vehicles for sale. In order to be approved for his state license the applicant is required to obtain all local permits and licenses along with providing a minimum of three (3) display vehicle parking spaces. Chapter 17.72 of the Murray Municipal Code requires four (4) parking spaces for each 1,000 square feet of net office space and one (1) parking space for each 750 square feet of net warehouse space. According to this standard a total of six (6) parking spaces are required for this business use. The submitted site plan shows a total of twenty-four (24) off street parking spaces provided at this site. The parking arrangement at this property is shared parking for the businesses located at this property. Based upon this information, sufficient parking is provided for this use. Based on the total required number of parking stalls, one (1) striped and signed ADA parking space is required

and is provided at this site. The striped off street parking at this site is faded and should be restriped with a van accessible access aisle added to the ADA parking space. The existing building complies with the minimum setback and height requirements of the M-G-C zoning district. According to the submitted site plan and a site visit by staff the existing landscaping includes lawn and trees within the front setback area and within the interior landscape areas. In order for this section of the front setback landscaping to match the front setback landscaping to the north, staff recommends that two (2) trees be added along the Cherry Street frontage. The front setback landscaping to the north includes trees which are spread out at intervals of approximately seventy-five feet (75). With the addition of two (2) trees the front setback landscaping will be uniform for the entire frontage and will more closely comply with the current landscape standards found in Chapter 17.68 of the ordinance. Staff determines that the recommended landscaping improvements are roughly proportional to the impact of the proposed business use. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval of a Conditional Use Permit for motor vehicle auto sales at the property addressed 4677 South Cherry Street subject to conditions.

Nasser Shotorbani, 4677 South Cherry Street, stated he will plant a tree in the spring rather than in the fall. Mr. Shotorbani stated he has reviewed the staff recommendations and will comply.

The meeting was open for public comment. No comments were made and the public comment portion of the meeting was closed.

Mr. Markham made a motion to grant Conditional Use Permit approval for Nasser Shotorbani auto sales located at the property addressed 4677 South Cherry Street subject to the following conditions:

1. The project shall meet all applicable building and fire code standards.
2. The parking shall be restriped and the ADA parking space shall have the access aisle increased to eight feet (8') in width in order to comply with the standards for van accessible ADA parking spaces as outlined in Chapter 17.72 of the Murray Municipal Code.
3. The applicant shall upgrade the existing landscaping in the front setback area with the addition of two (2) trees. This condition is in order to provide a uniform landscape design throughout the entire frontage area and for the property to become more compliant with the existing requirements outlined in Chapter 17.68 of the Murray Municipal Code.
4. The applicant shall obtain a Murray City Business License for the proposed business use prior to the commencement of business operations.

Seconded by Mr. Taylor.

Call vote recorded by Brad McIlrath.

A ___ Vicki Mackay
A ___ Gary Dansie
A ___ Karen Daniels
A ___ Tim Taylor
A ___ Phil Markham
A ___ Buck Swaney
A ___ Scot Woodbury

Motion passed, 7-0.

MORRIS BROTHERS, INC – 6528 South State Street – Project #14-192

Chad Morris was the applicant present to represent this request. Jared Hall reviewed the location and request for Conditional Use Permit approval to allow a vintage auto repair and restoration business for the property addressed 6528 South State Street. Municipal Code Ordinance 17.160.030 allows an auto repair business (LU# 6411, Automobile Repair) within the C-D-C zoning district subject to Conditional Use Permit approval. The applicants have proposed to use this property as an auto repair business, specializing in the restoration of vintage cars, specifically Porsches from the 1950s and 1960s. The applicants have submitted a narrative description of their business activity. The business is automobile repair, but on an extremely low-volume, high value scale. The building is 5,690 square feet, with overhead and man-doors leading to repair bays on both the north and east facades. The interior space is used by the two repair bays, three offices, a restroom and a large storage area between the bays. Parts and vehicles awaiting repair can be stored there. There are no other structures located on this property, and a single enclosed dumpster is situated between this building and the buildings to the north, for use by the several buildings. Though the property is part of a larger complex, there are 12 parking stalls directly pertaining to this lot. Parking regulations in section 17.72.070 indicate a requirement for automobile repair of 3 stalls per repair bay. Based on the floor plans provided by the applicant, the building will have two repair bays, generating a parking requirement of no less than 6 stalls. Staff has no concerns with the parking situation related to this proposal. The property is part of a larger complex of buildings, and lacks direct frontage on the public right of way (State Street in this case). However, the building maintains a 10 foot landscaped buffered setbacks to the south and west property lines (which are shared at least partially with residential zones) and 15 feet and 63 feet to the north and east respectively, which are property lines shared with other buildings within the complex. Landscaping on the property is in generally good condition, and staff has no concerns at this point. Because the business is very low-volume due to the rarity of the vehicles and specialized nature of the repair, staff anticipates that impacts to traffic both on the site and from State Street will be negligible. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval of the Conditional Use Permit to allow a vintage auto repair and restoration business on the property located at 6825 South State Street, subject to conditions.

Chad Morris, 3976 Birch Drive, Salt Lake City, stated that he would be working with his brother Jack Morris. Mr. Swaney stated that the proposed business would provide mostly mechanical services and asked for clarification on what exactly they do with

the vehicles. Mr. Morris explained that the vehicles would be operable but need a restoration. They would do all the disassembly and send it off to another company that would do the paint and body work, which is returned to the Morris Brothers as a shell. He stated they will do all the mechanical work, engine rebuild, performance modifications, and assembly.

Mr. Woodbury asked how many cars a year they typically do. Mr. Morris replied that they shipped out two cars last month, and they are on track to finish two more this month. Mr. Morris does not anticipate operating at a faster pace due to the attention the customers demand.

The meeting was open for public comment. No comments were made and the public comment portion of the meeting was closed.

Mr. Taylor made a motion to grant Conditional Use Permit approval for Morris Brothers, a vintage auto repair and restoration business, located at the property addressed 6528 South State Street subject to the following conditions:

1. The project shall meet all applicable building code standards, and obtain appropriate building permits for any modifications to the structure.
2. The project shall meet all current fire codes.
3. The applicants shall meet all requirements of the Murray City Water and Sewer Department
4. The applicants shall obtain a Murray City business license, and comply with the standards of that license.

Seconded by Ms. Daniels.

Call vote recorded by Brad McIlrath.

A ___ Vicki Mackay
A ___ Gary Dansie
A ___ Karen Daniels
A ___ Tim Taylor
A ___ Phil Markham
A ___ Buck Swaney
A ___ Scot Woodbury

Motion passed, 7-0.

HAMLET DEVELOPMENT – 6687 South 1300 West – Project #14-188 & 14-189

Clinton Michaelson was the applicant present to represent this request. Jared Hall reviewed the location and request for a Murray General Plan Map amendment from residential single family low density to residential medium density multi-family in conjunction with a request to amend the zoning on the same properties from R-1-10 to R-M-15 at the properties addressed 6687 South 1300 West. Since submittal of this

application date, Hamlet Development has requested that the Planning Commission table any decision on their application at this time, and continue the hearing to the February 5, 2015 meeting date. Mailings have been sent to the surrounding property owners indicating the public hearing for these two requests on December 4th, 2014. Under Utah State code, the hearing can be continued to a specific date. If property owners attend the hearing on December 4th, they can then be advised that no decisions will be made until February 5th, 2015, at which time the hearing can be re-opened. Staff has not prepared a formal recommendation at this time due to the request to continue this hearing until February 5th. If any property owners attending wish to comment on the applications that would be appropriate. Staff will plan to re-notice the same property owners in advance of the February 5th continued hearing, to assure that there is no question of proper notice. Based on the request from the applicant, staff recommends that the Planning Commission continue the public hearings for the proposed General Plan amendment the proposed Zoning Map amendment for the properties located at 6687 South 1300 West to the regularly scheduled planning commission meeting on February 5th, 2015.

Mr. Taylor made a motion to continue the public hearings for the proposed General Plan amendment from residential single family low density to residential multi-family medium density for the properties located at 6687 South 1300 West to the regularly scheduled meeting on February 5th, 2015.

Seconded by Ms. Daniels.

Call vote recorded by Brad McIlrath.

A ___ Vicki Mackay
A ___ Gary Dansie
A ___ Karen Daniels
A ___ Tim Taylor
A ___ Phil Markham
A ___ Buck Swaney
A ___ Scot Woodbury

Motion passed, 7-0

Mr. Taylor made a motion to continue the public hearings for the proposed Zoning Map amendment from R-1-10 to R-M-15 for the properties located at 6687 South 1300 West to the regularly scheduled meeting on February 5th, 2015.

Seconded by Ms. Daniels.

Call vote recorded by Brad McIlrath.

A ___ Vicki Mackay
A ___ Gary Dansie
A ___ Karen Daniels
A ___ Tim Taylor
A ___ Phil Markham
A ___ Buck Swaney

A _____ Scot Woodbury

Motion passed, 7-0

LAND USE ORDINANCE TEXT AMENDMENT – Condominium Ordinance, Chapter 17.62- Project #14-191

Jared Hall reviewed this proposal for a new Condominium Ordinance, Chapter 17.62, which will replace the existing outdated ordinances which were mainly directed to condominium conversions with existing residential properties and apartments changing to owner occupied housing. The new Condominium Ordinance will apply to both new condominiums and condominium conversions from existing housing and to existing and new commercial business condominiums. Based upon the above description and recommendation, staff recommends that the Planning Commission reschedule the Condominium Ordinance amendment hearing to the January 15, 2015 meeting schedule to allow for additional information and amendments to the Land Use Ordinance to be completed.

Mr. Woodbury stated, as discussed, we will continue this Public Hearing to the meeting on January 15th, 2015. Mr. Woodbury called for motion.

Mr. Swaney made a motion to table the Condominium Ordinance Text Amendment and to continue it until the Planning Commission meeting on January 15th, 2015. Seconded by Mr. Markham.

Call vote recorded by Brad McIlrath.

A _____ Vicki Mackay

A _____ Gary Dansie

A _____ Karen Daniels

A _____ Tim Taylor

A _____ Phil Markham

A _____ Buck Swaney

A _____ Scot Woodbury

Motion passed, 7-0

Other Business

Mr. Hall stated that the Planning Staff has starting working on updating the General Plan and have already held an Open House and a Steering Committee meeting. There will be another public open house probably in April of 2015. He stated within the next few months there will be focus groups (consisting of 8 to 10 members) meetings which may involve some of the planning commission members, if they would like to participate. The focus groups are transit, bikes and trails; economic development; TOD & downtown development, and thriving neighborhoods. There are ready-made groups in the city that are already functioning that we are going to utilize as part of these focus groups. We are going to work with them over the next few months to get some input before we do another public open house. If any of the planning commission members would like to serve on a focus group they are certainly

welcome to do so. The plan is to have a web site for the general plan update, up and running by the end of the year. We would like to have posters, book marks and fliers out in the community informing the citizens of the update. Mr. Hall stated that the best way to get this out is word of mouth, talk to your neighbors and peddle your influence out there in the community. We want to get as many individual people as possible. This process will be done over the whole course of 2015 and into 2016.

Mr. Markham asked that if someone wanted to get involved, how will they know what focus groups are available that they would volunteer for. Mr. Hall responded that anyone interested could contact the planning office.

Mr. Woodbury asked if the city has reached out to certain groups that have tried to lobby for changes. Mr. Swaney suggested that we reach out to a couple of people in the community by the Winchester transit stop and have them involved in the TOD group. He suggested also using social media.

Ms. Mackay stated that social media is a great approach for the younger people and perhaps the younger people should be involved in the open space and trails committee.

Mr. Hall mentioned the cancellation for the December 18th meeting and the next Planning Commission meeting will be on January 15, 2015. At the January 15th meeting will be elections for the new chair and vice chair for 2015.

Meeting adjourned at 7:20 p.m.



Jared Hall, Manager
Community and Economic Development