

Minutes of the Planning Commission meeting held on Thursday, January 15, 2015, 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
Tim Taylor
Karen Daniels
Travis Nay
Jared Hall, Community and Economic Development Manager
Ray Christensen, Senior Planner
G.L. Critchfield, Deputy City Attorney
Citizens

Excused: Buck Swaney
Gary Dansie

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

Mrs. Daniels made a motion to approve the minutes from December 4, 2014 as submitted. Seconded by Mr. Markham.

A voice vote was made. Motion passed, 5-0.

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 Copper Exclusive, Nasser Shotorbani, and Morris Brothers. Seconded by Mrs. Daniels.

A voice vote was made. Motion passed, 5-0

SECURED CAR BROKERS – 4339 South State Street- Project #15-02

Joe Watson was the applicant present to represent this request. Jared Hall reviewed the location and request for approval of a Conditional Use Permit for a new motor vehicle sales building for the property addressed 4339 S. State Street. Municipal Code Ordinance 17.160 allows motor vehicle sales (LU #5510) within the C-D-C zoning district subject to Conditional Use Permit approval. The applicants propose to construct a new auto sales and service building at this property with modifications to the parking layout and site landscaping. The total square footage of the proposed building is 8,185 square feet with 4,858 square feet designed as office/ sales space and 3,600 square feet designed as shop space. The office/sales space includes

offices on the main and second floor with mechanical rooms located on the second floor and restrooms located on the first floor. The shop space includes one office, a customer service area, parts and tools storage, a restroom/sanitation area and two bay doors. The applicant has indicated that the shop space is designed for a maximum of three (3) automobiles to be serviced at one time. Secured Auto Brokers is an existing business at this location which intends to continue business operations from the existing auto sales building during the construction of the new building. The applicant will be able to do so because the new building will be constructed on the property to the east of the existing building. The submitted site plan shows a total of forty-two (42) parking spaces proposed for this site. Twenty (20) of the total proposed stalls will be designated for the display of vehicles for sale. The remaining twenty-two (22) parking spaces are intended for the sales and service areas of the business. Three (3) of the five (5) parking stalls located at the southeast corner of the property may not count towards the minimum spaces required for this business because there is not a minimum aisle width of twenty-four (24') between each stall and the property line. Although there is an existing access agreement with the property to the south, the agreement cannot be used to provide space for the access aisle. Although those spaces may be functional, only nineteen (19) of the remaining twenty-two (22) parking spaces provided comply with the ordinance standards previously mentioned, and may be counted towards the minimum required for this business. Chapter 17.72 of the Murray Municipal Code outlines minimum parking standards for an auto sales business and for automobile service stations. Along with minimum parking requirements for each proposed use, commercial properties are required to provide sufficient disabled (ADA) parking spaces. For every one (1) to twenty-five (25) total parking spaces provided, one (1) space must be reserved as an ADA parking space. The submitted site plan shows that two (2) ADA parking stalls will be provided for this business which complies with the minimum standard. After review of the parking plan and the minimum ordinance standards, Staff's analysis is that parking will be provided for this business and use.

The applicants have submitted a proposed landscape plan utilizing rocks and various plant materials in a xeriscape design. This project has an estimated ninety-two feet (92') of frontage. According to Section 17.68.040.A of the landscape ordinance, the front setback is therefore required to include a minimum of three (3) trees, five (5) 5-gallon shrubs and nine (9) 1-gallon shrubs. The submitted plan complies with the minimum requirement of shrubs but will need to be modified to include three (3) trees. With a mix of rocks and plant materials, it is important that all the landscape areas meet the minimum requirement of fifty percent (50%) landscape bed coverage at time of planting as required by Sections 17.68.040.A.f and 17.68.040.B.c of the landscape ordinance. The submitted landscape plan indicates that the total landscape area square footage for the site is 7,913 square feet. Upon building permit application the plan must be modified to not only include the total landscaping square footage, but also the bed coverage percentage of each landscaped area. The plan must also be prepared and sealed by a Utah licensed landscape architect and comply with all other landscape standards for the C-D-C zone and as outlined in Chapter 17.168 of the Murray Municipal Code. Access to this property is provided from State Street and by way of two shared access easements at the north and south ends of the property. According to the submitted plans, the proposed structure will comply with the minimum setback and height requirements of the C-D-C zoning district.

Based on the information presented in this report, application materials submitted and the site review, staff recommends approval of the Conditional Use Permit for an automobile sales business and building located at the property addressed 4339 S. State Street subject to conditions.

Brandon Lundeen, 6236 South Turpin Street, stated he is with Diversified Design Services and is representing Secured Auto Brokers for this project. Mr. Lundeen stated that the applicants are currently using a mobile office on the site and would like to move into a formal building. He indicated that 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. Taylor made a motion to grant Conditional Use Permit approval for a new motor vehicle sales building for the property addressed 4339 South State Street subject to the following conditions:

1. The project shall meet all applicable building code standards.
2. The project shall meet all current fire codes.
3. The project shall comply with all Murray City Engineer requirements listed below:
 - (a) The project shall comply with all Murray City Storm Drainage requirements and provide a site drainage plan along with retention/detention calculations.
 - i. On-site retention should be designed for a 100 year storm.
 - ii. Detention should be designed for a 10 year, 24 hour storm.
 - iii. Connection to the neighboring storm drain pipe will require a drainage easement or agreement.
 - (b) The applicants shall obtain a UDOT site access review for the State Street accesses.
 - (c) The abandoned approach along the State Street frontage shall be removed and replaced with curb, gutter and sidewalk.
 - (d) Any damaged sidewalk along the State Street frontage shall be repaired or replaced.
4. The project shall comply with all setback and height requirements of the C-D-C zoning district.
5. A formal landscaping plan meeting the requirements of Chapter 17.68 of the Murray Municipal Code shall be submitted with building plans and approved by Community Development Staff and installed as approved prior to occupancy.
6. The trash container shall be screened as required by Section 17.76.170.

Seconded by Mrs. Daniels.

Call vote recorded by Ray Christensen.

A_____Karen Daniels

A_____Tim Taylor

A_____Phil Markham

A_____Scot Woodbury

A_____Travis Nay

Motion passed, 5-0.

NPL CONSTRUCTION COMPANY – 4055 South 500 West – Project #15-05

Dave Folker was the applicant present to represent this request. Ray Christensen reviewed the location and request for Conditional Use Permit approval for a pipe contract construction business located at 4055 South 500 West. Representatives of NPL Construction are requesting a Conditional Use Permit for a contract construction pipe installation business for the property addressed 4055 South 500 West. Municipal Code Ordinance 17.152 allows Contract Construction Services (LU #6600) within the M-G-C zoning district subject to Conditional Use Permit approval. The applicant is proposing a partial remodel of the existing building which was previously used by Scotts Machinery which was an equipment sales business. The information provided indicates the building contains about 30, 000 sq. ft. with about 9,400 sq. ft. in office space and the balance in storage shop areas. Besides the office areas, the shop/warehouse areas will be used for working on pipe and storage. Exterior areas on the site will be used for equipment storage and container pipe storage. The site plan shows 60 paved and striped parking stalls including 3 disabled stalls. Information provided by the applicant indicates there may be about 80-90 employees parking on the site maximum, but many of the employees may work at other sites and drive equipment to the job sites. The zoning regulations requires one paved and striped parking stall per employee at the highest work shift. It is recommended there be additional striped parking stalls to comply with the minimums required by the ordinance. There appears to be adequate paved area on the site to comply with the ordinance standards of Chapter 17.72 of the Murray Municipal Code. All existing buildings meet the minimum setback requirements of the M-G-C zoning district. Landscaping had been installed for this property several years ago, but may not be compliant to the current code. Additional plans may be needed with the building permit for compliance to Chapter 17.68. Based on the information presented in this report, application materials submitted and the site review, staff recommends Conditional Use Permit approval subject to conditions.

Dave Folker, 3110 West Directors Row, had no additional comments. Mr. Folker indicated that he has reviewed the staff recommendations and will comply.

Mr. Markham brought up condition #4 and how costly it can become to install site improvements. He wanted to make sure that Mr. Folker was aware of the cost. Mr. Folker indicated that he was prepared for building or site improvement costs.

Mr. Nay mentioned the hours of operation and that the application states that Mr. Folker will have 177 employees, but plans on having only 80 to 90 employees on site. Mr. Folker stated that most of their work takes place out in the field with Questar Gas and that they replace the old gas lines with new gas lines. The 90 employees are Questar employees and office staff.

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 NPL Construction, a contract construction pipe installation business, for the property addressed 4055 South 500 West subject to the following conditions:

1. The project shall meet all applicable building code standards. The applicant shall provide plans stamped and sealed by appropriate design professionals and shall include code analysis and egress plan.
2. The project shall meet all current fire codes.
3. The project shall meet all Murray City Engineering requirements including to upgrade the site drainage to meet current City standards for any new (additional) site paving.
4. If the building or site improvement costs exceed \$5000, damaged curb, gutter and sidewalk along 500 West street frontage shall be repaired or replaced.
5. Trash containers shall be screened as required by Section 17.76.170.
6. The site shall comply with the landscaping regulations in Municipal Code 17.68.
7. Adequate parking stalls are paved and striped, including disabled stalls, on the site including one parking stall per employee at the highest employment shift to comply with Chapter 17.72.

Seconded by Mrs. Daniels.

Call vote recorded by Ray Christensen.

A Karen Daniels

A Tim Taylor

A Phil Markham

A Scot Woodbury

A Travis Nay

Motion passed, 5-0.

L & A AUTO, INC. – 139 West 4500 South #11, 12 & 13 – Project #15-06

Amber Dominguez was the applicant present to represent this request. Jared Hall reviewed the location and request for Conditional Use Permit approval for auto sales and auto body repair. The applicant is requesting Conditional Use Permit approval for an auto sales & auto body shop business for the property addressed 139 West 4500 South #11, 12 & 13. 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 applicants currently operate an auto body repair business at this location and would like to add auto sales as part of their business model. The auto sales portion of the business will occur by appointment only and would be for the sales of used vehicles. The applicants have already obtained a Utah State Motor Vehicles Sales license; the validity of that license is contingent upon the business obtaining all local municipal permits and licenses. This business occupies units 11, 12, and 13 of this building with a 120 square foot office space and a 2,045 square foot warehouse space. The warehouse space includes one paint booth, a frame machine and other equipment used for auto body work. According to Chapter 17.72 of the Murray Municipal Code automobile service and repair centers are required to provide, “3 exterior parking spaces for each stall, service bay, or workstation.” With three service bay doors and according to the above standard, a minimum of nine (9) parking spaces must be provided for the auto body repair portion of the business. Auto sales uses require that a one (1) parking space be provided for each 750 square feet of the business. The total square footage of the office and warehouse space is 2,165 square feet which requires that a minimum of three (3) parking spaces be provided for the automobile sales portion of the business. Chapter 17.72 also includes standards for disabled persons (ADA) parking and access which states that for every 1-25 total parking spaces provided, one (1) of those spaces must be reserved as an ADA parking space.

The submitted site plan indicates that there are a total of fourteen (14) parking spaces designated for this business with one (1) of those spaces reserved as an ADA parking space. Based upon review of the site plan and a site visit performed by Staff, the site includes sufficient parking for this business use. Modifications to the ADA parking stall will need to be completed in order to comply with minimum standards required by ordinance. Such modifications should include the striping of a van accessible access aisle of eight feet (8') to the east of the ADA stall and the installation of a five foot (5') tall handicap parking sign at the front of the stall. With these required access aisle, the total amount of spaces provided will be reduced from fourteen (14) to thirteen (13), however that amount of parking spaces will still comply with the minimum number required for the business uses. The existing building complies with the minimum setback and height requirements of the M-G-C zoning district. This section of the building is located within the interior area of the property and does not include any portion of property frontage which requires frontage landscaping. These business units are also located in an area that does not include interior landscaping with the nearest landscaping located to the west of these units. Although there is no landscaping immediately adjacent to the business units, there is existing frontage and interior landscaping which staff feels is sufficient for the area. Access to this business is provided by three shared access driveways used by the two industrial buildings located in this area. Two of the shared driveways provide access from 160

West Street with the other providing access from the 4500 South Frontage Road. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval of a Conditional Use Permit for a motor vehicle sales and auto body business at the property addressed 139 West 4500 South #11-13 subject to conditions.

Mrs. Daniels asked for clarification that the applicants will be meeting all the building codes with the paint stalls. Mr. Hall stated that they are currently meeting those building codes and we want to make sure that none of those change by adding the vehicles sales to the use.

Amber Dominguez, 139 West 4500 South, had no additional comments. She indicated that she has reviewed the staff recommendations and will comply.

Mr. Markham asked Ms. Dominguez how many cars she has at her business at one time including the vehicles for sale and repair, and will the vehicle be stored inside or outside. Ms. Dominguez stated that there are approximately 10 cars; that some cars are stored outside as well. Ms. Dominguez indicated that 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.

Mrs. Daniels suggested that the email they received ought to be read for the record. Mr. Markham stated that an email was received from Sharon Collard, 4568 South Box Elder Street, stating the area is being encroached upon with all the auto dealerships and because of that she would like this application is denied.

Mrs. Daniels made a motion to grant Conditional Use Permit approval for an auto sales & body shop business for the property addressed 139 West 4500 South #11, 12 & 13 subject to the following conditions:

1. The project shall meet all applicable building & fire code standards.
2. The trash container shall be screened as required by Section 17.76.170.
3. The disabled persons parking stall (ADA) shall have an eight foot (8') wide access aisle striped and added to the east side of the stall along with a five foot (5') high sign added to the front of the stall.

Seconded by Mr. Markham.

Call vote recorded by Ray Christensen.

A _____ Karen Daniels

A _____ Tim Taylor

A _____ Phil Markham

A _____ Scot Woodbury

A _____ Travis Nay

Motion passed, 5-0.

PARRIS R V, INC. – 67 East Edison Street – Project #15-07

Brett Parris and Dori Parris were the applicants present to represent this request. Ray Christensen reviewed the location and request for Conditional Use Permit approval for a new RV service building located at 67 East Edison Street. The applicants are requesting a Conditional Use Permit for a new RV service/repair building for the property addressed 67 East Edison Street. The main RV sales buildings are located to the south fronting State Street. The proposed building will contain 8,367 sq. ft. There is a second-story office and storage area at the south end of the building. The plans show there are six RV service bays and two wash bays. There are currently four parcels of property which will need to be combined into one parcel so that the building does not cross over property boundaries. The plans show there is about 1,000 sq. ft. of office space and about 500 sq. ft. in parts storage area which requires 5 parking stalls. The applicant indicated there will be about 10-12 employees working at this location. The new building is located at the south west area of the properties and the parking stalls are located at the north and east side of the new building. The site plans show there are 24 parking stalls, including one disabled stall, for customers and employees which is adequate parking stalls on site for the proposed use. The proposed building will need to comply with a 20 ft. minimum front yard setback from the front property line. The Murray City Engineer is requiring sidewalk and street improvements on the street frontages. Formal landscaping/irrigation plans will need to be submitted with the building permit to comply with Municipal Code 17.68. Access to the property is from Edison Street and Fireclay Avenue. Based on the information presented in this report, application materials submitted and the site review, staff recommends the Planning Commission approve a Conditional Use Permit for RV service/repairs, subject to conditions.

Brett Paris, 4360 South State Street, stated this is just on another piece of property that is on the north side of where they are selling RVs. He stated they are looking to construct a service facility so they can work on trailers easier, and make it nicer. He indicated that he has reviewed the staff recommendations and will comply.

The meeting was open for public comment. Preston Miller, 62 & 72 East Edison, wanted to know what the 12 conditions are. A copy of the 12 conditions were given to Mr. Miller to read over. Mr. Miller asked if the building is metal and if the front of the building faces south. Mr. Markham stated that the plans show that it is metal with stone veneer and that the building does face south.

No additional 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 a new RV service building located at 67 East Edison Street subject to the following conditions:

1. The applicant shall combine the parcels of property prior to application for a building permit with approval of the Murray City Engineer.

2. The project shall meet all applicable building and fire code standards. Provide plans stamped and sealed by appropriate design professionals to include code analysis and egress plan.
3. The project shall comply with Murray Water and Sewer Department requirements.
4. Any trash containers shall be screened as required by Section 17.76.
5. The parking stalls shall be paved and striped to comply with Municipal Code 17.72 including one disabled stall to comply with ADA regulations.
6. The project shall comply with Murray Fire Department requirements.
7. Formal landscaping/sprinkler plans meeting the requirements of 17.68 of the Murray Municipal Code shall be submitted with the building permit.
8. Meet City storm drain requirements. Provide a site drainage plan with drainage calculations.
9. Install curb, gutter, and sidewalk along Edison frontage. Provide a right-of-way dedication along Edison from the property line to the back of sidewalk.
10. Install curb, gutter and sidewalk along Fireclay frontage or complete a deferral agreements for the sidewalk.
11. The project shall comply with Murray Power Department requirements, including clearance from existing power lines to meet the National Electrical Safety Code plus 25%.
12. The west driveway off Fireclay will need to be designated for one-way traffic flow with signs posted on the site.

Seconded by Mrs. Daniels.

Call vote recorded by Ray Christensen.

A Karen Daniels

A Tim Taylor

A Phil Markham

A Scot Woodbury

A Travis Nay

Motion passed, 5-0.

LAND USE ORDINANCE AMEMDMENT – Condominium Ordinance – Project #14-191

Ray Christensen reviewed this proposal. Mr. Christensen made a recommendation that this be delayed until the February 5th, 2015 Planning Commission meeting.

Mr. Woodbury mentioned section 17.62.060 Tenant Notice of Conversion, there is requirements and number three states “Relocation information for the tenants specifying available alternative housing...” he stated that it seems unreasonable and questioned if that condition needs to be there. Mr. Christensen stated that it’s something we could eliminate and that it is in there as more of a courtesy.

Mr. Taylor made a motion to continue the Condominium Ordinance Review until February 5th, 2015 Planning Commission meeting.

Seconded by Mr. Markham

Call vote recorded by Ray Christensen.

- A _____ Karen Daniels
- A _____ Tim Taylor
- A _____ Phil Markham
- A _____ Scot Woodbury
- A _____ Travis Nay

Motion passed, 5-0.

ELECTION OF CHAIR AND VICE-CHAIR FOR 2015

Mrs. Daniels made a motion to nominate Phil Markham as Chair and Buck Swaney as Vice Chair for 2015

Seconded by Mr. Taylor

Call vote recorded by Ray Christensen.

- A _____ Karen Daniels
- A _____ Tim Taylor
- A _____ Phil Markham
- A _____ Scot Woodbury
- A _____ Travis Nay

Motion passed, 5-0.

Meeting adjourned at 7: 26 p.m.