

Minutes of the Planning Commission meeting held on Thursday, March 3, 2016, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Travis Nay, Chair  
Maren Patterson, Vice Chair  
Phil Markham  
Scot Woodbury  
Tim Tingey, Administrative and Development Services Director  
Jared Hall, Community & Economic Development Manager  
Brad McIlrath, Assistant Planner  
G. L. Critchfield, Deputy City Attorney  
Citizens

Excused: Gary Dansie  
Buck Swaney

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.

Travis Nay opened the meeting and welcomed those present. He reviewed the public meeting rules and procedures.

#### APPROVAL OF MINUTES

Mr. Woodbury made a motion to approve the minutes from February 18, 2016. Seconded by Mr. Markham.

A voice vote was made, motion passes 4-0

#### CONFLICT OF INTEREST

There were no conflicts of interest for this agenda.

#### APPROVAL OF FINDINGS OF FACT

There were no items needing approval of Findings of Facts for this agenda.

#### SHARKS AUTO SALES – 4195 South 500 West #41 & 42 – Project #16-15

Roberto Jimenez was the applicant present to represent this request. Brad McIlrath reviewed the location and request for a Conditional Use Permit to conduct auto sales in Units #41 and #42 for the property addressed 4195 South 500 West. Municipal Code Ordinance 17.152 allows motor vehicle sales (LU #5510) within the M-G Zoning District subject to Conditional Use Permit approval. The applicant proposes to operate an auto sales business from this location at the units 41 & 42. The applicant's lease spaces consist of two units with 2,700 sq. ft. total warehouse area and about 300 sq. ft. total office space. The applicant has indicated that he is currently licensed for auto repair in these two units, but will be closing the business licenses for auto repair so that he can sell automobiles from the two units 41 and 42. The applicant plans to park about three sales vehicles inside each of the units and to use two exterior stalls for

sales as well. There are two parking stalls in front of each of the units and two stalls to the west of the units. One exterior 16 ft. wide disabled stall is required for ADA compliance. Parking for this use at this location is calculated at the rate of 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. Based upon the square footage calculations of this unit, a total of four (4) exterior parking spaces must be provided for this use for customers and employees. The submitted plans indicate that six (6) exterior parking spaces are provided for the two units. There currently is no handicap (ADA) parking space provided for this use, but one disabled stall can be provided at the front west side of Unit 41 to comply with Chapter 17.72 of the Murray Municipal Code. The existing building complies with the minimum setback and height requirements of the M-G Zoning District. Landscaping for this development was previously approved and installed. 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 sales at the property addressed 4195 South 500 West Units #41 & #42 subject to conditions.

Roberto Jimenez, 4195 South 500 West #41 & 42, stated he had no additional comments. Mr. Jimenez indicated he has reviewed the staff recommendations and will comply.

Mr. Woodbury asked if Mr. Jimenez would be doing light auto repair. Mr. Jimenez stated that yes he would be doing light auto repair and no heavy repair on the vehicles and the vehicles will be taken to the car wash to be cleaned. Mr. Woodbury clarified that Mr. Jimenez would be doing light auto repair such as changing windshield wipers and lights. Washing of the vehicles will be conducted off-site.

The meeting was opened for public comment. No comments were made and the public comment portion for this item was closed.

Mr. Markham made a motion to approve a Conditional Use Permit to conduct auto sales in Units #41 and #42 for the property addressed 4195 South 500 West, subject to the following conditions:

1. The applicant shall close the active Murray business licenses for auto repair in units #41 & 42 prior to operating the auto sales business.
2. The applicant shall comply with Murray Power Department requirements.
3. The project shall meet all applicable building code standards. A building permit shall be obtained for any construction.
4. The project shall meet all current fire codes.
5. The parking stalls shall be striped, including one (1) van accessible ADA parking space (16 ft. wide) at the front west side of the building, and shall provide the minimum signage and as required by Chapter 17.72 of the Murray Municipal Code.
6. No more than two exterior parking space shall be used for vehicles for sale in

front of the building in order to ensure that the minimum four (4) parking spaces required for this use are available for customers and employees, including a 16 ft. wide disabled stall.

7. The applicant shall obtain a Murray City Business License for auto sales prior to the commencement of business operations.

Seconded by Mr. Woodbury.

Call vote recorded by Mr. Hall.

A \_\_\_\_\_ Phil Markham  
A \_\_\_\_\_ Maren Patterson  
A \_\_\_\_\_ Travis Nay  
A \_\_\_\_\_ Scot Woodbury

Motion passed, 4-0.

DAVIES SUBDIVISION – 5639 South Riley Lane – Project #16-16

Phillip Davies was the applicant present to represent this request. Jared Hall reviewed the location and request for a preliminary and final subdivision plat approval for a proposed two lot subdivision of the property located at 5639 South Riley Lane. Municipal Code Ordinance 16.04.050 requires the subdivision of property to be approved by Murray City Officials with recommendation from the Planning Commission. The subject property is an existing 2.24 acre parcel located at the south terminus of Riley Lane. The property is partially improved with a parking lot and a commercial building. The proposed subdivision divides the existing acreage into two lots. Although the property is zoned M-G, it is bounded on the east and south by single-family zones and uses. It is important to note that although this subdivision request is related to a possible future new building, site plan reviews are necessary for actual development and staff has not received any applications for further development at this time; only the subdivision is being considered with this application. The south end of the property (proposed Lot 2) will contain 1.63 acres and include the existing parking lot improvements and building. No changes to the existing building or improvements are being proposed in conjunction with the subdivision. The undeveloped north portion of the property (proposed Lot 1) will contain .61 acres. The applicant has indicated that a new building could be proposed for Lot 1. A new building would require site plan reviews and approvals by the city. The proposed subdivision and lots created would be in keeping with the existing M-G zoning designation of the property. Both proposed lots would meet basic requirements and the existing building would still meet appropriate setbacks, etc. Access to the subject property is from the south end of Riley Lane. Currently, Riley Lane ends as a stub street. The City Engineer has indicated that a cul-de-sac will be required and has recommended that the land necessary to provide a portion of that cul-de-sac improvement be dedicated with this subdivision plat. The access may remain for some time before the installation of the fully improved cul-de-sac is required, but the required land should be dedicated on the recorded subdivision plat.

Staff is recommending a requirement for cross access and parking easements

between the two proposed lots because of the proximity of existing parking stalls on proposed Lot 2 and the south boundary of proposed Lot 1 as well as shared accesses from the terminus of Riley Lane. Murray City Code Title 16 outlines the requirements for subdivision review. The Murray Planning Commission is required by State Code (10-9a-207) to conduct a public hearing and review all subdivisions of property within the City. The Planning Commission's role is to ensure that a proposed subdivision is consistent with established ordinances, policies and planning practices of the City. The Planning Commission acts as an advisory body to the Mayor and shall make investigations, reports and recommendation on proposed subdivisions as to their conformance to the general plan, zoning code and other pertinent documents as it deems necessary. Following the Commission's review and recommendation of a subdivision application, it will be forwarded to the Mayor for final approval. The plat is then forwarded to the Salt Lake County Recorder's office for review and recording. Based on the information presented in this report, application materials submitted and the site review, staff recommends the Planning Commission forward a recommendation of preliminary and final subdivision approval to the Mayor for the proposed Davies Subdivision located at 5639 South Riley Lane with the conditions.

Mr. Markham asked Mr. Hall if the dedication of property for the cul-de-sac involves more than one property owner, the potential exists if there are problems with the other property owners that could not be resolved then this could not move forward, if that was correct. Mr. Hall stated that yes that is correct.

Phillip Davies, 5639 South Riley Lane, stated he had no additional comments. Mr. Davies indicated he has reviewed the staff recommendations and will comply.

Judith Shell, 5693 South 150 West, stated that she lives right behind Mr. Davies business and Mrs. Shell feels the property is a mess, it's dirty and Mrs. Shell stated that she has skunks, mice and raccoons because of the junk that is on Mr. Davies property.

Jeff Bogaard, 5630 South Magic Drive, wanted to know what is involved in making a cul-de-sac and wanted to know if the zoning changes or if the zoning stays the same.

Mr. Nay stated that the applicant has not submitted an application to change the zoning in that area.

Kent Redding, 5668 Magic Drive, Mr. Redding asked if the request changes the fencing requirements for the existing parcel. Mr. Nay stated that a simple subdivision does not require it, until the property is developed there is no requirement to do any improvement to the fencing.

Mr. Hall addressed the questions about the cul-de-sac and Mrs. Shell's concerns.

Mr. Markham stated that one other concern, that this is one terminal road where it's one entrance into this entire parcel. Riley Lane is a long deep street that ends and you have to turn around and go back out the same way that you came in. Mr. Markham doesn't feel that those are desirable, however this is a grandfathered situation and Mr. Markham does feel it is something that has to be considered as further development or redevelopment takes place. Mr. Markham doesn't feel that it is

wise to completely build out these things to maximum occupancy with that type of accessing egress involved. Mr. Markham stated that it is something for engineering, police and fire department to decide.

Mr. Woodbury made a motion to forward a recommendation to forward a preliminary and final subdivision approval to the Mayor for the proposed Davies Subdivision located at 5639 South Riley Lane with the conditions.

1. The applicant shall meet all requirements of the Murray City Engineer for the recording of the plat at the Salt Lake County Recorder's Office.
2. The applicant shall comply with the subdivision ordinance regulations for the provision of utility easements.
3. The plat shall provide standard public utility easements on each lot.
4. The plat shall include the dedication of public right-of-way for a future Riley Lane cul-de-sac as required by the City Engineer.
5. The applicant shall comply with all applicable building and fire codes.
6. The applicant shall comply with all requirements of the Murray Power Department.
7. The applicant shall comply with Murray Water & Sewer Department requirements.
8. The applicant shall provide a cross access easement agreement for parking stalls and drive approaches to be reviewed and approved by city staff prior to the recording of the subdivision plat.

Seconded by Mrs. Patterson.

Call vote recorded by Mr. Christensen.

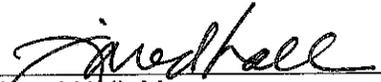
A \_\_\_\_\_ Phil Markham  
A \_\_\_\_\_ Maren Patterson  
A \_\_\_\_\_ Travis Nay  
A \_\_\_\_\_ Scot Woodbury

Motion passed, 4-0.

OTHER BUSINESS

Mr. Hall reminded everyone that the March 17<sup>th</sup>, 2016 Planning Commission meeting has been canceled.

Meeting adjourned at 6:53 p.m.

  
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Jared Hall, Manager  
Community and Economic Development