

Minutes of the Planning Commission meeting held on Thursday, April 21, 2016, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Travis Nay, Chair
Phil Markham
Buck Swaney
Gary Dansie
Sue Wilson
Tim Tingey, Administrative and Development Services Director
Jared Hall, Community & Economic Development Manager
Ray Christensen, Senior Planner
Brad McIlrath, Assistant Planner
G. L. Critchfield, Deputy City Attorney
Citizens

Excused: Scot Woodbury
Maren Patterson, Vice-Chair

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. He acknowledged the newest planning commission member, Sue Wilson.

APPROVAL OF MINUTES

Mr. Markham made a motion to approve the minutes from April 7, 2016 as corrected by Mr. Swaney. Seconded by Buck Swaney.

A voice vote was made, motion passes 5-0

CONFLICT OF INTEREST

There were no conflicts of interest for this agenda.

APPROVAL OF FINDINGS OF FACT

Mr. Swaney made a motion to approve the Findings of Fact for Les Schwab Tire, Millennium Investments, Maverik, Inc., and a Certificate of Appropriateness for Adam Day Violins. Mr. Dansie seconded the motion.

A voice vote was made, motion passes 5-0.

SHARKS AUTO – 4195 South 500 West #42 & 43 – Project #16-33

Roberto Jaimez was the applicant present to represent this request. Ray Christensen reviewed the location and request for Conditional Use Permit to conduct auto sales within Units #42 and #43 located at 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 is

requesting a Conditional Use Permit to conduct auto sales in Units #42 and #43. The applicant also does auto body repair in unit number #41. The applicant had previously applied for Conditional Use Permit for auto sales from units 41 and 42, but has now requested approval for the auto sales business to be located within units #42 and 43. The applicant plans to do auto body repair in unit 41, which is a permitted use in the M-G zone. The two unit's #42 and 43 contain 2,700 sq. ft. total warehouse area and about 300 sq. ft. total office space. The applicant indicated that he will be closing the business licenses for auto body repair in units 42 and 43 in order to sell automobiles from the two units. The applicant plans to park about six vehicles for sale inside units #42 and #43. There are two parking stalls in front of each of the units for customers and employees.

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 four (4) exterior parking spaces are provided for the two units. Vehicles for sale will need to be parked inside the warehouse units. 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. Access to this property is provided from 500 West and multiple shared access driveways. There are currently dismantled or inoperable vehicles on the site that are in violation of the code and will need to be removed. 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 #42 & #43 subject to conditions.

Mr. Nay asked about the vehicles parked along 500 West and the owners of the vehicles. Mr. Christensen responded he was unsure and deferred this question to the applicant. He stated there are other auto repair businesses operating in other units on this development.

Roberto Jaimez, 4195 South 500 West #43, stated he has reviewed the conditions of approval and especially condition #2 & #7 indicating that parked vehicles for sale cannot be left outside the facility that are in need of repair. He indicated that he will comply with these recommended conditions of approval. He stated that some of the existing parked vehicles on the site are not his vehicles.

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

Mr. Markham commented that he would like city staff to do a follow up inspection in a couple of weeks to ensure that the parking requirements are being adhered to. He stated there is a lot of congestion in this development, and it is not just this business, but there are numerous vehicles parked in this area. Mr. Swaney concurred and stated that this requirement is a matter of orderly growth and development in the city and the same conditions are required for other similar approvals, but some applicants or property owners comply with those conditions and some do not.

Mr. Markham made a motion to grant a Conditional Use Permit for auto sales located at 4195 South 500 West #42 & 43 subject to the following conditions:

1. The applicant shall close the active Murray business license for auto sales in unit #41 prior to operating auto sales in units #42 & #43. Auto body repair will only be conducted in unit 41.
2. The applicant shall comply with Murray Power Department requirements.
3. The project shall meet all applicable building code standards.
4. The project shall meet all current fire codes.
5. The parking stalls shall be striped to comply with Chapter 17.72 of the Murray Municipal Code.
6. Vehicles for sale must be parked inside the warehouse building area. A minimum of four (4) exterior parking spaces are required for customers and employees.
7. The applicant shall obtain a Murray City Business License for auto sales prior to commencement of business operations.
8. Parking of vehicles on 500 West Street for repair and sale is prohibited. Parking in front of the units is limited to parking for customers and employees.

Seconded by Mr. Swaney.

Call vote recorded by Mr. McIlrath.

A ___ Buck Swaney
A ___ Phil Markham
A ___ Sue Wilson
A ___ Gary Dansie
A ___ Travis Nay

Motion passed, 5-0

JEFFREY CHILD – 6458 South Castlefield Lane – Project #16-34

Jeff and Kari Child were the applicants present to represent this request. Brad McIlrath reviewed the location and request for Conditional Use Permit approval for an Accessory Dwelling Unit for the property addressed 6459 S. Castlefield Lane. Municipal Code Ordinance 17.78 allows Accessory Dwelling Units within single family zoning districts subject to Conditional Use Permit approval. The applicant is requesting approval to use a portion of the basement in his home for an Accessory Dwelling Unit. The area to be used for the ADU will be approximately 964 square feet. The proposed ADU would include one bedroom, one bath, a large kitchen, dining and living room space and four closets. The remaining 664 square feet of basement area would not be included as part of the lease area for the ADU and would closed off

for access by the tenants of the ADU. A separate entrance to the ADU is located on the north side of the home and is accessed by a shared walkway.

As required by the ADU ordinance, the owner of the property must live in either the main dwelling or the accessory dwelling as their primary residence. The applicant plans to continue to live in the main dwelling as his primary residence. Evidence of that occupancy must be submitted and maintained with Murray City and is addressed in the conditions of approval. This evidence is required to be submitted to Murray City staff as the Accessory Dwelling Unit – Owner Occupancy Affidavit. The purpose of this provision is to ensure that the subject property is maintained and that potential impacts to neighbors can be quickly addressed by the property owner. The affidavit is to be recorded with the Salt Lake County Recorder's office in order for any future property owners to be notified of the status of the accessory unit. All future property owners are required to reauthorize the unit in order to continue to use the ADU. If future owners, or the current owners choose to discontinue the use of the ADU, but wish to keep the second kitchen, the owners must record the Second Kitchen Covenant (which may be obtained with the Community Development Division), and return a copy of that covenant to Murray City Staff. According to Section 17.78.040 of the Murray Land Use Ordinance, "two (2) additional off street parking spaces shall be provided" in addition to the required spaces for the main dwelling. Based upon this standard, a total of four (4) off street parking spaces must be provided for dwelling units at this property. Based upon the submitted site plan, and a site visit performed by staff, sufficient parking is provided for the primary and accessory dwelling units. All on street parking must only be used for visitors and sufficient off street parking must be provided for additional occupant vehicles that exceed the minimum of two (2) required by ordinance. According to Salt Lake County Assessor's data, this single family residence was constructed in 1983 and complies with the minimum setback and height standards of the R-1-8 Zoning District. Access for this property is provided from Castefield Lane with a driveway large enough to accommodate parking for both the primary and accessory dwelling units. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval a Conditional Use Permit to allow an Accessory Dwelling Unit for the property addressed 6459 S. Castlefield Lane subject to conditions.

Mr. Nay asked if the Owners Affidavit is a one-time requirement. Mr. McIlrath indicated that the owner would be required to have the Owners Affidavit signed and recorded and the County Recorder's office and any subsequent new owners would need to do likewise.

Jeff Child, 6459 South Castlefield Lane, stated he has reviewed the staff recommendation and will comply.

Mr. Markham stated that block off the hallway is not a requirement at this time. Mr. Nay expressed concern if the building code would require that it be isolated units. Mr. McIlrath responded that the commission may impose the requirement to block off the hallway to meet the code and that the Building Official had reviewed these plans.

Ms. Wilson expressed concern regarding the need to install a door separating the rental unit (ADU) with the main dwelling area. She stated the costs are minimal to install a door but would move the location and would allow more privacy.

Mr. Nay stated that the commission receive a letter from Paul Simmons expressing that he is generally in favor of the proposed Accessory Dwelling Unit.

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

Mr. Swaney stated he would like to add the condition that the applicants close off the hallway with a door. The reasoning for that is because the code has tight requirements which are intended to ensure that we don't turn whole single family neighborhoods into neighborhoods of defacto duplexes. Keeping tight on those requirements seems to matter and would like to see the door closed. This would help maintain the maximum area allowed for an ADU of 1,000 sq.ft.

Mr. Child confirmed that they would need to install a door to meet this additional requirement and he will comply with this requirement.

Mr. Swaney made a motion to grant Conditional Use Permit approval for an Accessory Dwelling Unit for the property addressed 6459 South Castlefield Lane, subject to the following conditions:

1. The project shall meet all applicable building code standards. Plans shall be provided for review and all smoke alarms shall be hard wired and interconnected throughout the dwelling to meet the 2012 International Residential Code.
2. The project shall meet all current fire codes.
3. The project shall comply with all applicable development standards for Accessory Dwelling Units as found in Chapter 17.78 of the Murray City Land Use Ordinance.
4. The installation of a separate utility meter for the Accessory Dwelling Unit is prohibited.
5. The applicant shall submit a copy of the recorded Accessory Dwelling Unit – Owner Occupancy Affidavit to Murray City Staff. The affidavit shall be recorded with the Salt Lake County Recorder's office with the copy submitted to the Community Development Division.
6. The applicant shall obtain a Murray City Business License and pay applicable penalty fees for renting the unit prior to obtaining a business license.
7. The hallway be enclosed with a door to better comply with the ordinance requirements.

Seconded by Mr. Markham.

Call vote recorded by Mr. McIlrath.

A ___ Buck Swaney
A ___ Phil Markham
A ___ Sue Wilson
A ___ Gary Dansie
A ___ Travis Nay

Motion passed, 5-0

THE ADVOCATES – 703, 709 & 753 East Winchester Street – Project #16-35

Brad Houston was the applicant present to represent this request. Brad McIlrath reviewed the location and request for Conditional Use Permit approval for the new construction of a law office building in the R-N-B Zone. The request is for the properties addressed 703, 709, & 753 E. Winchester Street. Municipal Code Ordinance 17.140.040 allows the construction of commercial structures within the R-N-B Zoning District subject to Conditional Use Permit approval. The applicant is proposing to construct a law office and professional office building on the subject properties. The proposed office building would consist of three levels: a basement, main floor, and second floor. Each floor would be 6,843 square feet with a total building floor area of 20,529 square feet. The basement would include a breakroom with a kitchen, future office space, storage space and the building mechanical equipment. The main floor would be the location of "The Advocates" law office, and the second floor would be unfinished office space for another professional office user. The main floor is designed to have the main building entry located at the center and on the south side of the building facing Winchester Street with a secondary back lobby for employee use located at the center and north end of the building facing the parking lot. The west end of the building would include an outside courtyard area with outdoor seating and additional landscaping. Prior to the construction of any building the three existing properties would need to be combined by either plat or deed. Due to the size of the building, the applicant has designed the building with three main sections that are connected with a central corridor. The central corridor is recessed into the building and masked by substantial landscaping in order to provide the look and feel of three separate buildings. The building uses a colonial design with red brick, banding below the roof line, gabled and mansard roofs, and multiple ornamental and design elements which are consistent with the design guidelines for the R-N-B Zone.

The R-N-B Zone requires a minimum twenty foot (20') front yard setback and a twenty foot (20') rear yard setback. As a corner lot, the corner lot side yard setback is required to be twenty feet (20') deep with a minimum eight foot (8') side yard setback on the opposite side yard. Based upon review of the submitted plans, the proposed building location complies with the minimum setback standards of the R-N-B Zone. The proposed building setbacks would be a twenty foot (20') front yard, an eighty-six foot (86') minimum rear yard, a sixty-three foot (63') corner lot side yard, and a one hundred foot (100') interior side yard setback.

The R-N-B Zone limits commercial building height to twenty feet (20') with an allowance of up to thirty (30') feet with approval by the Planning Commission. With regards to the allowable height in the residential R-1-8 adjacent zone, the maximum height allowed for single family homes is thirty-five feet (35'). Therefore, commercial

buildings in the R-N-B Zone are regulated to always be five feet (5') lower than the maximum height allowed for single family dwellings in R-N-B Zone and other adjacent single family zoning districts. The proposed height of this building is approximately twenty-eight feet three inches (28'3"), excluding the chimneys. The maximum height including the chimneys is approximately thirty-four feet (34'); however height limitations do not apply to chimneys and other similar architectural projections as outlined in Section 17.76.080.B of the Murray Municipal Code. Based upon review of the submitted plans, the proposed building height complies with the standards of the R-N-B Zone, subject to Planning Commission approval for the additional eight feet three inch (8'3") height. The R-N-B Zone requires a minimum landscaped area in the front setback of ten feet (10') with fifteen percent (15%) of the total site to be landscaped and a minimum ten foot (10') landscaping buffer adjacent to residentially zoned properties. The ten foot (10') residential landscaping buffer must be exclusive of the buffer fence and curb walls adjacent to parking. Commercial properties are also required to provide a six foot (6') high masonry wall adjacent to all residential land uses designated in the Murray General Plan.

The proposed site plan includes a sufficient amount of landscaping as buffering for the residential areas and as part of the site design. The proposed landscaping includes a mix of trees, shrubs, and grasses throughout the site with a hedge surrounding the building and the courtyard area. The residential landscape buffer exceeds the minimum requirement of ten feet (10') with a buffer area measuring from eleven (11) feet along the east property line, with a maximum of forty (40) feet in an area along the north property line. All landscaped buffer areas are accompanied with the required six foot (6') high masonry wall along the east and north property lines. Upon application for a building permit, the applicants must submit a formal landscape plan that includes the total coverage calculations, the types and numbers of plant materials used within the front setback areas, and an irrigation plan.

Parking for office uses in the R-N-B Zone is calculated at the rate of, "four (4) off-street parking stalls for each one thousand (1,000) square feet of net usable floor area" when the office use area is known. When the office uses are unknown then the parking is calculated at the rate of "one parking stall for each two hundred (200) square feet of net office area or retail floor area." According to Section 17.72.040 of the Murray Municipal Code, net usable square footage excludes, "restrooms, stairways, elevator shafts, mechanical and electrical rooms, janitorial closets, lunchrooms and common areas use only for major pedestrian movement" (which would include hallways). Based upon these standards the applicants have calculated the parking generation for the proposed office uses at the rate of one parking space per two hundred square feet (200') of net usable floor area. The net useable floor area is 9,775 sq.ft. which requires 49 parking stalls. The site plan shows 53 parking stalls. In order to comply with ADA standards, one in every twenty five (25) total parking spaces must be designated as disabled parking spaces with one in every eight (8) of those spaces designed to be van accessible. Based upon the submitted site plan, the parking lot would include a total of four (4) van accessible parking spaces. For the two ADA parking spaces located at the east end of the parking lot, a striped access aisle will need to be provided to the accessible ramp. Based upon this parking analysis, Staff determines that the proposed parking design is compliant with the standards of Chapter 17.72 and 17.140 (R-N-B Zone) of the Murray Municipal Code.

Access to this property would be provided with two access driveways, with one located on Winchester Street and the other located off of 725 East. The applicants have indicated that the primary customer parking area will be designated as the east parking area with employee parking located to the rear of the building. The applicants have provided a trip generation study that projects, "36 (AM) peak hour vehicle trips and 35 (PM)." However, in order to fully analyze the impact of this proposed use on the intersection and area, a UDOT Level 2 Traffic Impact Study will need to be submitted and approved by the Murray City Engineer. Mr. McIlrath commented that the applicants have reached out to the adjoining neighbors and have met with them to answer and address their concerns.

Based on the information presented in this report, application materials submitted and the site review, staff recommends approval of the new office building for the properties addressed 703, 709, and 753 E. Winchester Street subject to conditions.

Mr. Markham commented that the staff presentation was as thorough as he has seen and deals with the sensitivity for this request and that the commission has genuine concern with this area.

Mr. Swaney asked about the height of the lighting poles and the proximity to the neighborhood and is there a recommendation for a standard height. Mr. McIlrath responded that 18 feet is the maximum height allowed for lighting in the R-N-B zone, but if the commission feels a lower height would better mitigate any impacts to the residential area that would be within their prevue. He stated that condition #9 addresses the lighting standards per the R-N-B code. Mr. Markham stated the photometric plan will be key for this issue and will show the disbursement of the light and would be a better way of determining appropriate lighting than the commission making a recommendation.

Mr. Nay expressed concern about the handicap parking being located further from the entrances than possible. Mr. McIlrath responded that the ADA parking regulations do require that the handicap parking spaces are as close to the entrances as possible. On the site plan the handicap stalls are on the east side of the building and two are on the opposite side of the parking lot adjacent to the east boundary line. He asked for flexibility in the site plan so that the ADA parking stalls may possibly be relocated closer to the entrance.

Mr. Swaney stated the hours of operation must close at 10 p.m. and the lighting will be turned off one hour after the end of business hours which would make the lighting to be turned off at 11 p.m. He asked if this could be modified so that the lighting is turned off earlier than 11 p.m. Mr. McIlrath responded that the applicants have indicated their normal operating hours at 8 .am. to 5 p.m. and they do not anticipate being open into the late evening hours. He stated that the city could place a restriction on the business license limiting the hours of operation until 10 p.m. and that the lighting also be turned off at 10 p.m.

Brad Houston, 839 East South Temple #302, Salt Lake City, stated he is representing the applicants. Mr. Houston stated he has reviewed the recommendations of approval and will comply. Mr. Houston stated that they have agreed with staff to

relocate the handicap parking stalls and have reworked the interior layout so as to accommodate the handicap access and parking. He stated they area also open to keeping the lighting low and turning the lighting off earlier in the evening.

Mr. Nay stated that the commission members have received a letter from Mr. Simmons, neighbor, indicating he is generally in favor of this proposal. Another letter was received from Davis & Angie Hansen indicating their support for this proposal.

The meeting was open for public comment.

Verl Greenhalgh, 771 East Labrum Avenue, stated his home has been flooded several times over the years. He stated it would be retention for this site, but even with retention, with 100 year storm there can be water that overflows and that is by code. He stated in the last three years there have been three 100 year storms and they have been flooded the last three years. He asked if a trough could be place at the front of Labrum Avenue and 725 East so that any water that does go onto 725 East will continue down 725 East Street instead of down into Labrum Avenue.

The public comment portion for this agenda item was closed.

Mr. Markham asked that Mr. Greenhalgh's comments be forwarded to the city engineer. He concurred with Mr. Greenhalgh's concerns.

Mr. Swaney stated this area is part of his normal running route and the sidewalks and pedestrian flow as shown on the site plan will greatly improve this area. He re-emphasized that the parking lot lighting be turned off at the end of the business hours and asked if that condition could be added. Mr. McIlrath clarified with regards to the lighting and the hours of operation are part of the city code and stipulates that the lighting be turned off one hour after the end of the business hours and will need to remain. The security lighting can still remain during the nighttime hours (up to 25% of the regular exterior lighting). Mr. Swaney commented that he encourages the applicant to be extremely sensitive to the neighborhood with regards to lighting hours and overflow lighting.

Mr. Swaney made a motion to grant Conditional Use Permit approval for a new office building at 703, 709 & 753 East Winchester Street subject to the following conditions:

1. The project shall meet all applicable building code standards. The applicant shall obtain a building permit for the proposed project by submitting stamped and sealed plans by appropriate design professionals. The plans shall include the following:
 - (i) A code analysis and an egress plan;
 - (ii) & a soils report from a Geo-Technical Engineer.
2. The project shall meet all current fire codes, and shall include a new fire hydrant on the north side of the building adjacent to the interior fire services. A fire sprinkling system shall also be installed for the building.
3. The project shall comply with all Murray City Water and Sewer Department

requirements which include, but may not be limited to the following:

- (i) The old water services shall not be reused and must be terminated at the water main;
 - (ii) A new water service line shall be installed based upon Murray City minimum requirements;
 - (iii) The sewer lateral shall be camera inspected and demonstrated to meet the usable requirements outlined by the City.
4. The properties shall be combined by either plat or deed, and the new property shall provide minimum ten foot (10') easements for all existing and new Murray City Power Department Facilities.
5. The project shall comply with Murray City Engineer requirements which includes, but may not be limited to the following:
- (i) The project shall not tie into the existing storm drain section in Winchester Street east of the project.
 - (ii) This project must either provide full on-site storm water retention, or provide an extension of the 725 East storm drain to this site.
 - (iii) The applicant shall submit a Traffic Impact Study (TIS) that meets the requirements of a UDOT Level 2 TIS to the City Engineer for review of the impacts of this site to the intersection and area.
 - (iv) A park strip and sidewalk shall be installed along 725 East.
 - (v) The unused curb cuts along Winchester Street shall be removed.
 - (vi) All damaged curb, gutter and sidewalk along both street frontages shall be repaired.
 - (vii) Due to the new asphalt surface on Winchester Street, any cuts into the street will need to be restored to "new standards" as required by City Code.
6. A formal landscaping plan meeting the requirements of Chapters 17.68 and 17.140 of the Murray Municipal Code shall be submitted and approved by Murray City Community Development Staff prior to occupancy. The plan shall include but not be limited to the following:
- (i) A table with the types of plant materials and numbers used;
 - (ii) The total landscaping coverage calculation for the site;
 - (iii) and a full irrigation plan.
7. The trash container shall be screened as required by Section 17.140.120 of the Murray Municipal Code.
8. Hours of operation shall be limited to not be before seven o'clock (7:00) A.M. or after ten o'clock (10:00) P.M. (17.140.050)
9. The applicant shall provide a lighting and photometric plan for the project that complies with the standards of Section 17.140.140 of the Murray Municipal Code. The plan shall indicate that the following standards are addressed:

- (i) Light poles shall be limited to a maximum height of eighteen feet (18'), or a lower height if required by the Planning Commission.
 - (ii) All lighting shall be shielded from all adjacent uses, directed down and away from all of the properties in residential zones.
 - (iii) All parking lot lighting, except for those required for security shall be turned off one hour after the end of business hours.
 - a. Security lighting shall be no greater than twenty five percent (25%) of the total lighting used, unless a higher percentage is approved by the Planning Commission.
10. The project shall comply with all other applicable development standards for the R-N-B Zoning District found in Chapter 17.140 of the Murray Municipal Code that are not already addressed within the conditions of approval.
11. All future businesses shall obtain a Murray City Business License prior to the commencement of business operations.

Seconded by Mr. Markham.

Call vote recorded by Mr. McIlrath.

A Buck Swaney
A Phil Markham
A Sue Wilson
A Gary Dansie
A Travis Nay

Motion passed, 5-0

Mr. Nay stated that proposals for this property have been associated with a lot of contentious meetings over the years and complimented the applicant in meeting with and satisfying the neighbor's concerns.

GLENMORE VILLAGE P.U.D. – 6687 South 1300 West – Project #16-37 & 38

Mike Brodsky and Nick Mingo were the applicants present to represent this request. Jared Hall reviewed the location and request for Conditional Use Permit approval for a Planned Unit Development and subdivision approval for a 28 lot Planned Unit Development subdivision containing both multi-family and single-family detached units for the properties addressed 6687 South 1300 West. Planned Unit Development Subdivisions must be approved as a Conditional Use by the Planning Commission. Municipal Code Ordinance 16.04.050 requires the subdivision of property to be approved by Murray City Officials with a recommendation from the Planning Commission. Section 17.60 requires planning commission review for subdivision approval of a planned unit development. Municipal Code Ordinance 17.120.030 allows a multi-family, planned unit development within the R-M-15 zoning district subject to Conditional Use Permit approval.

The Glenmore Village PUD Subdivision mixes 23 multi-family townhouse units with 5 single-family detached lots. The single-family units in the PUD will front a proposed

public right-of-way that will be dedicated as a part of this subdivision and the adjoining R-1-10 Glenmore Village Subdivision. The project is made up of multi-family and single-family dwelling units. The multi-family units will be two different townhouse styles, but with similar features and layouts. The 23 total units are arranged in 7 buildings consisting of 3 and 4 units each. All townhouses have 3 bedrooms, with two-car garages, rear-loaded from the shared driveways, with the units fronting "paseos" between building groups. Floor plans and renderings of the two styles are attached to this report.

The PUD also contains 5 single-family detached home lots, ranging in area from the smallest of 4,760 square feet to the largest at 8,999 square feet. This row of single-family homes on individual lots is intended to provide a transition between the higher densities of the townhouse portion of the project, and the adjacent, large lot single family subdivision which is also being developed by this applicant. Several home plans can be accommodated by the different lots, and the floor plans and rendered elevations of those models are attached to this report.

Building setbacks are proposed as 20 foot for corner yard (adjacent to 1300 West), 20 foot front and rear yard+s, and 8 foot minimum side yards. These setbacks are proposed as minimums, and all proposed home plans for these 5 lots could be accommodated in some combination. Additionally, a 20 side yard has been maintained adjacent to the east project boundary line.

The subject properties are zoned R-M-15, residential multi-family and has a mix of multi-family (townhomes) and single family lots. Both types of housing are allowed in the R-M-15 zone. The allowed density is 12 units per acre, or 3,630 square feet of area per unit. With 2.37 acres, the density calculation is 28 dwelling units. The planned unit development regulations have allowed the applicants to provide single family detached lots by clustering the attached housing, thereby maintaining the allowable density but creating a project with a mix of housing styles.

The Planned Unit Development regulations require that a minimum of 10% of the development site be used for open space and related amenities. The applicants propose a series of "paseos" between the buildings. These paseos are heavily landscaped areas with sidewalks, benches and arbors. Photographs of paseos from the applicant's other projects are included for the Commission's review. There are other large areas of open space within the project which will be landscaped. Passive or active recreational opportunities can be easily provided in these areas per the Planned Unit Development requirements.

The project is governed by an Owner's association and Covenants and Restrictions. The single-family detached homes fronting the proposed public right-of-way are owned privately. In the multi-family portion of the project, only the townhouse units themselves are owned privately with all the landscaping, open space, access and parking areas being held in common ownership. Both the plat and covenants must be recorded with Salt Lake County. Staff is reviewing the documents to assure that they appropriately define and provide for the use and maintenance of the common areas and facilities.

All single and multi-family units proposed have 2 car garages, however only the

single-family units will have driveway space available for parking in front of the unit. The townhouse units are rear-loaded directly from the shared drive access without enough setback from the common access to provide any parking that is not contained in the garage itself.

Multi-family housing is required to provide 2.5 parking stalls per unit. The multi-family portion of the project is 23 units, resulting in a parking requirement of 58 total stalls. 46 stalls are provided within the garages of the multi-family units, leaving a need for 12 guest parking stalls. The guest parking stalls have been provided at several locations along the shared drive access.

The project has existing frontage on Winchester Street, and 1300 West. A new 49 foot wide public right-of-way is proposed running east from 1300 West. This proposed street would serve the 5 single-family lots in the Glenmore Village PUD Subdivision, and continue east, ending in a cul-de-sac to serve the 4 proposed lots in the adjacent proposed Glenmore Village Subdivision in the R-1-10 zone.

The proposed public right-of-way will be dedicated with the recording of the subdivision plat. The proposed right-of-way is 49 feet total width, with sidewalk, park-strip, and curb and gutter on both sides per city standards. Other right-of-way improvements will be installed along the frontage of 1300 West per city standards as well.

The Planning Commission and City Council recently approved a change of zoning on the property to R-M-15. The question related to the zone change centered on the availability of an adequate water supply for both culinary use and fire protection. The City's water service was inadequate for development, but the applicant was able to secure water service for culinary and fire protection from an adjacent provider when the Taylorville-Bennion Water & Sewer District agreed to provide water for the project.

Sewer can be provided for the multi-family units directly to the public sewer lines, but some of the single family units will be served by way of an easement that will connect the projects sewer lines to the public sewer through an existing private system in the adjacent Braemar PUD. The City Engineer is attaching a condition of approval that the agreements be finalized to arrange the use of that easement.

The northeast corner of the property is designed to house an underground drainage basin for storm water detention. This area is adjacent to an existing retaining wall on the adjacent property. The City Engineer has required a revised geo-technical report to assure that the retaining wall can handle the additional load that the underground detention will place on it.

A street light is required at the intersection of the new public right-of-way and 1300 West. Additional site lighting is provided at the entrance from Winchester Street to the townhouse portion of the project, and at two other points on the shared access.

The applicants have contacted the Murray School District per the requirements of the Planned Unit Development regulations. Before recording the subdivision, they will need to obtain a letter from the district indicating that school services and facilities in the immediate area are sufficient for the needs likely to be generated by the proposed

housing.

The applicant has worked with the Fire Department to provide the appropriate locations for fire hydrants and turnaround capability provided by the shared accesses. The project will have to meet all current fire codes. The Fire Departments recommended conditions of approval are included with staff conditions.

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 that the Planning Commission approve the proposed Glenmore Village Planned Unit Development Subdivision on the property addressed 6687 South 1300 West subject to conditions.

Mr. Nay asked if the private residences will be included in the HOA, and are the private residences allowed to fence in their backyards and if so that would eliminate easy access from parking on Brewski Bay and being able to walk through to the multi-family portion. Mr. Hall responded the five units that are single family detached units are included in the P.U.D. and in the HOA, mostly for the sake of density and a mix of housing.

Mike Brodsky, 308 East 4500 South #200, Murray, stated the design of neighborhood was driving partly by the sellers, the Brewer family currently lives on the property to the south, which is the four lot subdivision on the south end of the project. They wanted to see a buffer single family detached homes along the entrance street to their homes. Mr. Brodsky clarified that the single family detached homes will have fencing permitted. The townhouses are designed with a front patio and fencing is provided. With the C C & R's they do restrict additional fencing on the townhouses because the fencing is part of the architectural design. If anyone desires to change the fencing, they would need to go through the architectural committee for approval. The landscaping is one of the major architectural features of these homes. The paseos are densely landscaped with a combination of a wide variety of trees and ground covers. They have more than a couple hundred of these homes in other communities and the landscaping is one of the most remarkable aspects of the neighborhoods. In terms of community interaction, these homes have a patio in the front on the first floor and decks on the first floor facing each other and they really do encourage neighborhood interaction.

Mr. Brodsky stated he has reviewed the staff recommendations and will comply.

Ms. Wilson asked if the intention of the development to be owner occupied. Mr. Brodsky responded in the affirmative. He stated they also have a provision in the C C & R's that restricts rentals to 20% of the homes, and that provision is enforced through the homeowners association. He stated that the owners are typically rapid about enforcing it and recognize that owner occupied homes are much better maintained than rentals.

Ms. Wilson asked who will be on the homeowners association and who sets the fees. Mr. Brodsky responded FHA requires that the project be turned over to the homeowners after 75% occupancy. He stated his company controls the association through the period until the 75% occupancy rate is reached. He stated his company creates a budget and a budget is a function of the ongoing maintenance which includes snow removal, landscaping, trash, and there is a capital reserve account that is set up from the very first closing. The capital reserve account is designed to cover all of long-term maintenance items such as life expectancy of roads, sidewalks, fencing that are common amenities. Those all come together including a management fee for a professional management company and totals about \$100 a month in this neighborhood. He stated when the HOA is turned over to the home owners, there will have been an independent accounting firm do an audit of the accounts being turned over to them. He clarified that the single family home owners will not be voting members of the HOA, nor will they be required to pay the HOA fees and nothing that abuts the single family homes is common area.

Mr. Nay asked about the exterior fencing along 1300 West and Winchester Street and the type of pedestrian connectivity there may be. Mr. Brodsky responded that there are sidewalks, curb and gutter along 1300 West and on Winchester Street that lead into the property.

The meeting was opened for public comment.

Kathy Swartz, 6672 Tripp View Lane, stated she lives across the street from the proposed project. She asked about the water pressure and questioned if this new development will help or hinder the current water pressure. She asked about the parking considerations and stated that numerous people park along 1300 West and that will also increase on the south side of Winchester Street. Mr. Nay responded on street parking is not allowed on 1300 West and Winchester Street and is addressed in one of the conditions of approval. He stated with regards to the water pressure, this project has received approval from Taylorsville Bennion Water District to provide water and this proposal will not affect the existing Winchester Overlook project located to the north. He stated there is a proposed exit/entrance located 240 feet east of the center line of 1300 West onto Winchester Street from the development.

Rea Nielsen, 1275 West Tripp View Lane, asked about parking along 1300 West. Mr. Nielsen stated that would eliminate him having the ability to have any friends over because visitors are not allowed to park inside the development. He lives in the Winchester Overlook project to the north. He stated this is a heavily congested traffic area and questioned if there would be capacity to add more residential units in this area.

Lori Airmet, 6697 Balfour, expressed concern with the traffic. She asked if there is a

copy of a traffic study and the impact this development will have in this area. She stated if someone is coming from State Street going west, it is already stop and go traffic and a lot of accidents occur. She asked about the exit/entrance distance from Balfour. Mr. Swaney responded the exit/entrance from Winchester Street it is about the same distance as from Tripp View Lane and is about 200 feet. She stated the residents were told when the development to the north was constructed, they were told that traffic would be a right-turn only onto Winchester Street up the hill, but that is not the case.

Carl Dalby, 6873 South Bateman Field Drive, asked if there is a single driveway in and out from the townhomes onto Winchester Street. He expressed concern with adding to an already heavily congested traffic area.

Annie Nielsen, 1275 West Tripp View Lane, expressed concern with traffic on Winchester Street and there only being a single land traffic with no middle turning lane.

The public comment portion was closed for this agenda item.

Mr. Nay asked if a traffic study has been conducted on this project. Mr. Hall responded in the past there have been trip generation studies done and an additional 23 townhomes and 5 single family units does not rise to the level that require a full intersection traffic study, but one could be done. The City Engineer has not asked for a traffic study for this project because it will not result in any changes that aren't already anticipated. He stated the accesses onto Winchester and 1300 West have been pulled as far as from the intersection as possible.

Mr. Nay stated this project borders three different municipalities, Murray, Taylorsville and West Jordan and is subject to all three municipality requirements. He asked what the traffic failing rate is for this area. Mr. Hall clarified that traffic issues similar to this are all over Salt Lake County and are not uncommon. Mr. Hall was unsure of the failure rate or level of service for this particular area.

Mr. Swaney asked where the on-street parking is proposed to be eliminated. Mr. Hall stated that the city engineer would like the planning commission require that "no parking" be posted on 1300 West and Winchester Street along the perimeter of this project.

Mr. Swaney asked if there are plans within the city to accommodate the bike lanes such as along the sidewalk to create safe turn-in and turn-out. Mr. Hall responded that has not been contemplated. He stated the reason for not allowing on-street parking in this area is to not interfere with the existing bike lanes on Winchester Street which the city worked very hard to get.

Mr. Hall clarified that the curb and gutter will be extended to 1300 West. He stated that a traffic study should be conducted prior to attempting to redo the curb, gutter, sidewalk or bike lanes along Winchester Street or 1300 West. He stated an additional 23 units may seem like a lot of homes to add to the traffic in the area, but it is actually a minor impact and the drive access is 26 feet wide and is adequate. He stated the city engineer is not requiring a right-in, right-out only access.

Mr. Nay asked how long it would take to get a study completed. Mr. Hall responded that it does take some time, but the city engineer has reviewed this proposal and is comfortable without requiring a traffic study. He stated that the city engineer is already requiring improvements that would probably be required as a result of a traffic study.

Nick Mingo, P.O. Box 522056 SLC, stated he is the civil engineer for Mike Brodsky and is designing the project. He stated he has been working with Trae Stokes, City Engineer, on this project. He stated after the improvements are completed on 1300 West and Winchester Street, it will leave 42 feet of asphalt from the lip of gutter to the lip of gutter which accommodates 3 lanes plus the bike lanes, should the city engineer decide he wants that done. He stated that he will continue to work with Mr. Stokes regarding this issue and if needed, they will restripe the intersection. Mr. Swaney thanked Mr. Mingo for clarification on this issue.

Mr. Markham commented that he would like to be able to trust the city engineer on matters such as this and he does not feel that he has the expertise to over-rule that he has dealt with. He stated he could not justify requesting a traffic study when the city engineer has not requested one.

Mr. Markham made a motion that the Planning Commission approve a Conditional Use Permit for the Glenmore Village Planned Unit Development and subdivision approval on the property addressed 6687 South 1300 West subject to the following conditions:

1. The applicant shall work with planning staff to assure that the subdivision documents appropriately provide for the use and maintenance of common areas.
2. The applicant shall provide all information and materials as deemed necessary by city staff to appropriately prepare and record the subdivision plat with Salt Lake County.
3. The applicant shall assure that the project meets all applicable building and fire codes, maintains fire department and emergency services access, and provide hydrants with appropriate fire flow as determined by the Fire Marshall.
4. The applicant shall meet all sewer department requirements.
5. The applicant shall provide a landscaping and open space plan to be reviewed and approved by the Community and Economic Development Division before permits are issued for construction on the site.
6. The applicant shall meet all City subdivision requirements, provide PUE's as per City code, and add signature lines to both plats for utility providers (other than Murray City).
7. The applicant shall provide right-of-way dedication on both 1300 West and Winchester Street and install roadway/sidewalk improvements to City

- standards including a pedestrian pole and push button at the southeast corner of intersection.
8. The applicant shall relocate any utility poles, boxes or other facilities that interfere with the proposed roadway improvements.
 9. The applicant shall provide a site geotechnical study that addresses building foundations, roadways, utilities, detention location and trench backfill.
 10. The applicant shall obtain/verify any easements and/or agreements needed for the Brewski Bay sewer connection and discharge into the Braemar Village sewer line.
 11. The applicant shall provide complete water line plans and obtain any required Murray, West Jordan and Taylorsville permits for installation in 1300 West.
 12. The applicant shall provide an escrow or security type bond for proposed roadway and public improvements.
 13. The applicant shall install "no parking" signs along the project frontages of Winchester Street and 1300 West.
 14. The project shall meet City storm drainage requirements, on-site detention / reduced discharge required. Storm water quality treatment should be used in advance of connection to the City system. The on-site detention must be a system that is maintainable and meets City drainage requirements
 15. The applicant shall obtain a County Flood Control Permit for storm water discharge into the North Jordan Canal.
 16. The applicant shall provide a site SWPPP plan and obtain a City Land Disturbance Permit prior to beginning any site work.

Seconded by Ms. Wilson.

Call vote recorded by Mr. McIlrath.

A ___ Buck Swaney
A ___ Phil Markham
A ___ Sue Wilson
A ___ Gary Dansie
N ___ Travis Nay

Motion passed, 4-1.

GLENMORE VILLAGE SUBDIVISION – 1231 & 1261 West Brewski Bay – Project #16-39

Mike Brodsky and Nick Mingo were the applicants present to represent this request. Ray Christensen reviewed the location and request for preliminary and final

subdivision approval for Glenmore Village, which is a four lot subdivision located at the properties addressed 1231 and 1261 West Brewski Bay. 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 four subdivision lots are accessed from Brewski Bay, which has a cul-de-sac at the east end. All of the lots shown on the plans comply with the R-1-10 zone area requirements of 10,000 sq. ft. minimum lot area. The subdivision lots areas range from 10,174 sq. ft. to 38,816 sq. ft. The plans show the lots comply with the 80 ft. minimum lot width requirement at 25 ft. front setback and 50 ft. minimum lot width at the cul-de-sac frontage. Sidewalks are shown at both sides of Brewski Bay with connections to 1300 West Street. Murray City does not provide water at this location, but Taylorsville Bennion Improvement District will provide the necessary water for the project. Access to the property is from 1300 West Street and off Brewski Bay.

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 to the Mayor for preliminary and final subdivision approval for Glenmore Village Subdivision located at 1231 and 1261 West Brewski Bay subject to meeting conditions.

Ms. Wilson stated since there is already a Glenmore subdivision in South Jordan, that there may be a duplicate in subdivision names. The subdivision in South Jordan is spelled slightly different, Glenmoor. Mr. Christensen responded that if there is a duplicate in subdivision names the county would not approve it.

Mr. Nay asked what the general plan calls for this area to be. Mr. Christensen responded that the Murray General Plan calls for this property to be low density single family, but the city is in the process of updating the current General Plan.

Mr. Nay commented that the residents have pointed out in the previous agenda item, that traffic is a real issue and recommended that a higher density subdivision may not be a good idea.

Mike Brodsky, 308 East 4500 South, Murray, stated he has reviewed the staff recommendations and will comply. He stated that he has checked with the county with regards to naming this subdivision Glenmore Village, and the county has approved the name. He stated the critical issue is the street names more so than the subdivision name. Ms. Wilson responded that she is aware of a Glenmoor Subdivision in South Jordan. Mr. Brodsky stated if Ms. Wilson has strong feelings

with this regard he is willing to rename the subdivision even though it is an extremely large amount of work to do so.

Mr. Swaney asked if it is within the commission's purview to ask that the subdivision be renamed. Tim Tingey, Director of Administrative Development Services, clarified that the issue is with naming the streets. Jurisdiction wise, the city deals with the subdivision within Murray City and what is being proposed is Glenmore Village and the city should not dictate the name of the subdivision, even though it may be the same as another subdivision outside of Murray City. He stated he did not feel it is within the commission's purview to ask that the subdivision name be changed.

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

Mr. Nay stated as long as the area is to remain R-1-10, he felt approval of this subdivision will not have an effect on the overall neighborhood. He stated if in the future, if this area is proposed to have a zoning change, that the minutes be reflected in an attempt to discourage higher density zoning.

Mr. Swaney made a motion to forward a recommendation to the Mayor for preliminary and final subdivision approval for Glenmore Village Subdivision located at 1231 & 1261 West Brewski Bay subject to the following conditions:

1. Comply with the City engineer requirements for recording the plat at the Salt Lake County Recorder's Office. The applicant shall add signature lines to the subdivision plat for all utility providers;
2. The applicant shall meet all City subdivision requirements and provide public utility easements, as per City Code;
3. The applicant shall provide right-of-way dedication on both 1300 West and Winchester Street and install roadway/sidewalk improvements to comply with City standards;
4. Relocate any utility poles, boxes or other facilities that interfere with the proposed roadway improvements;
5. Provide a site geotechnical study that addresses building foundations, roadways, utilities, detention location and trench backfill;
6. Obtain any easements and/or agreements needed for the Brewski Bay sewer connection and discharge into the Braemar Village sewer line;
7. Provide complete water line plans and obtain any required permits for Murray City, West Jordan, and Taylorsville for installation in 1300 West;
8. Provide an escrow or security type bond for the proposed roadway and public improvements;
9. Provide a site SWPPP and obtain a City Land Disturbance Permit prior to beginning any site grading work;
10. The applicant shall provide plans to show utility easements along the front, rear and sides of each lot to comply with subdivision ordinance regulations;
11. The project shall comply with City storm drainage requirements, with on-site detention and reduced discharge is required. Storm water quality treatment should be used in advance of connection to the City system;
12. The applicant shall obtain a Salt Lake County Flood Control Permit for storm water discharge into the North Jordan Canal;

13. All fencing to be installed on site to comply with Murray fence code regulations 17.64;
14. Comply with Murray Fire Department requirements for building and fire codes, including maintaining Fire Dept. access into the site. The project shall be required to provide adequate fire hydrants and adequate water for fire flow;
15. The applicant shall comply with Murray Sewer Division requirements;
16. The building division requires compliance to building and fire code requirements. The applicant shall provide a stamped and sealed soils report from a geo-technical engineer.

Seconded by Mr. Markham.

Call vote recorded by Mr. McIlrath.

A Buck Swaney
A Phil Markham
A Sue Wilson
A Gary Dansie
A Travis Nay

Motion passed, 5-0.

OTHER BUSINESS

Mr. Hall reminded the commission members that only four members have indicated that they will be present at the May 5th meeting, which is the minimum required to hold the meeting and if anyone else is aware that they will not be able to attend, to please let the planning staff know.

Meeting adjourned at 8:30 p.m.



Jafed Hall, Manager
Community and Economic Development