

Minutes of the Planning Commission meeting held on Thursday, July 7, 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  
                  Buck Swaney  
                  Sue Wilson  
                  Jared Hall, Community & Economic Development Manager  
                  Ray Christensen, Senior Planner  
                  G. L. Critchfield, Deputy City Attorney  
                  Citizens

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

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 June 16, 2016 as corrected. Seconded by Mr. Swaney.

A voice vote was made, motion passed, 6-0

#### CONFLICT OF INTEREST

There were no conflicts of interest for this agenda.

#### APPROVAL OF FINDINGS OF FACT

Mr. Woodbury made a motion to approve the Findings of Fact for Lake Custom Door, Intermountain Healthcare, and Lilac Grove Apartments. Ms. Wilson seconded the motion.

A voice vote was made, motion passed, 6-0.

#### ATEAM SCRAPERS – 4195 South 500 West #52 – Project #16-76

Alberto Guiza was the applicant present to represent this request. Jared Hall reviewed the location and request for a Conditional Use Permit for a wood floor scraping & cleanup business to be located at the property addressed 4195 South 500 West #52. Municipal Code Ordinance 17.152 allows millwork and similar type manufacturing (LU #2430) within the M-G Zoning District subject to Conditional Use Permit approval. The applicant proposes to operate a wood floor scraping and groove making business at this location. The wood flooring is delivered as raw wood from the manufacturer and is then grooved and scraped to be shipped to a wood floor warehouse. Customers would not be coming to this location because all direct sales would occur at the warehouse or with a floor installation company. The business would operate in an 895 square foot warehouse unit that includes one unisex restroom and a ten foot wide bay door.

The applicant has indicated that he and one other person would be engaged in the business with additional employees brought on if needed in the future. Parking for this type of business location is calculated at the rate of one parking space for every 750 net usable square feet of warehouse space. With a total square footage of 895 square feet minus the twenty-three (23) square foot restroom, the net warehouse area of 872 square feet requires a minimum of two (2) exterior parking spaces. Based upon the submitted plans and a site visit performed by staff, two (2) parking spaces are provided for this unit. Landscaping for this property has been previously approved and installed in accordance with that approval. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval of the wood scraping and grooving business at the property addressed 4195 South 500 West #52 subject to conditions.

Ms. Wilson asked if the bathroom meets ADA regulations. Mr. Hall responded the bathroom is a unisex bathroom. He stated this use is a contract services and not open to the general public as a store and therefore does not need to meet ADA regulations.

Alberto Guiza, 4195 South 500 West #52, stated he has reviewed the staff recommendations and will comply.

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

Ms. Wilson made a motion to grant Conditional Use Permit approval for ATeam Scrapers, located at 4195 South 500 West #52 subject to the following conditions:

1. The project shall meet all applicable building code standards.
2. The project shall meet all current international fire codes.
3. The business shall comply with all Jordan Valley Water and Cottonwood Sewer District standards.
4. The applicant shall obtain a Murray City Business License prior to the commencement of business.

Seconded by Mr. Markham.

Call vote recorded by Mr. Christensen.

A \_\_\_ Buck Swaney  
A \_\_\_ Phil Markham  
A \_\_\_ Maren Patterson  
A \_\_\_ Scot Woodbury  
A \_\_\_ Sue Wilson  
A \_\_\_ Travis Nay

Motion passed 6-0.

ASPEN DEVELOPMENT – 1208 East 6600 South – Project #16-80

Nate Chappell was the applicant present to represent this request. Ray Christensen reviewed the location and request for approval for a Conditional Use Permit for a four unit apartment building located at the property addressed 1208 East 6600 South. Municipal Code Ordinance 17.128.030 allows multi-family apartment dwellings within the R-M-25 zoning district subject to Conditional Use Permit approval. Municipal Code 17.128.040: The R-M-25 zone allows twenty two units per acre, but allows densities greater than twenty two units per acre in increments up to a maximum of twenty five units per acre in compliance to Incentive Density Bonus Requirements found in Municipal Code Chapter 17.132. The plans for this apartment project show one building with four units. There are two driveways that provide access to the project from 6600 South Street. One driveway accesses the parking area under the building, which provides residents access to the interior of the building from the parking level. A second driveway accesses two parking stalls which are located at the front of the building. A total of 10 parking stalls are provided for the project. The R-M-25 zone allows 22 units per acre, but allows densities greater than 22 units per acre in increments up to a maximum of 25 units per acre in compliance to Incentive Density Bonus Requirements found in Municipal Code Chapter 17.132. The applicant is requesting approval for four units which complies with the ratio of 22 units per acre. The applicant has modified the site plan and is modifying the building plans to comply with the R-M-25 zone code that allows 40% maximum building coverage on the site. The building height is less than 40 ft. high, which complies with the R-M-25 zone codes. Each unit has two car covered parking stalls under the building and there are two parking stalls in front of the building with access from a paved driveway. The proposed site plan complies with the minimum setback requirements including a minimum 25 ft. front yard setback. Based on the information presented in this report, application materials submitted and the site review, staff recommends the Planning Commission grant Conditional Use Permit approval for a four unit apartment building at the property addressed 1208 East 6600 South subject to conditions.

Mr. Swaney expressed concern with the parking situation. He stated that it appears the underground parking accommodates the parking for residents and there is two visitor parking stalls on 6600 South and that no on-street parking is allowed, nor is there any room to even park on 6600 South. He asked what would happen if there are more than 2 visitor vehicles. Mr. Christensen responded there could potentially be a problem with visitor parking if there is more than 2 visitors. However, it does meet the minimum parking requirements, but in practical terms it may be difficult. Mr. Swaney asked the other planning commission members their opinion on the practicality for the proposal with regards specifically to parking and if the project is approved as proposed, would it be a poor land use decision. Mr. Critchfield asked Mr. Swaney what he would like to see differently for this proposal. Mr. Swaney responded that he would like to see either more off-street parking provided or some provision for on-street parking so there is not a constant, consistent on-street parking issue. Mr. Swaney stated he sees this proposal as not enough parking, given the specific circumstances of this site. Mr. Critchfield responded that this proposal does meet the technical details of the city standards, and the city's hands are tied. He suggested that the applicant respond to this concern and possibly see if a solution could be reached to satisfy the commissions concerns. Mr. Critchfield stated if an application meets the city standards, they are entitled to be approved.

Mr. Woodbury stated this proposal was noticed properly and the surrounding property owners were notified of a four-unit building and there does not appear to be any objections to the project. He agreed that it may be challenging for this project due to the limit of 2 visitor parking

stalls, but the application does meet the minimum standards. Mr. Hall stated there is a similar situation to the east only on a larger scale, but it is noticed more because this is a smaller number of units. He stated these are rental units and landlords are becoming stricter with parking than it has been in past years, and property owners are more willing to tow vehicles away. He stated, in his opinion, the project will regulate itself.

Mr. Nay asked about the end unit (south) and being able to back out a vehicle and if there is no additional space to back out. Mr. Christensen responded the size of the vehicle would make a difference as far as being able to back out, but there has not been any additional space required for backing out.

Nate Chappell, 1386 Grand Avenue, Provo, stated he has reviewed the conditions of approval and will comply. Mr. Swaney suggested if there is an opportunity in the design stages of this project, to have an additional parking space, it would be beneficial. He stated that this proposal does meet the minimum standards. He stated when there is a much larger project it is easier to absorb one car, but in this project if more than two visitors come there is no parking available for them. Mr. Chappell stated the tenants for this project may not all have two cars and so there may be more available parking. Mr. Swaney responded that he is a professional planner by trade and across the nation the average household has at least two cars.

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

Mr. Woodbury made a motion to grant Conditional Use Permit approval for a four-unit apartment building for Aspen Development, located at 1208 East 6600 South, subject to the following conditions:

1. The project shall meet all applicable building and fire code standards. Provide stamped and sealed soils report from geo-technical engineer at time of submittal for a building permit.
2. The Murray Fire Department requires compliance to current building and fire codes.
3. A formal landscaping plan meeting the requirements of Chapter 17.68 of the Murray Municipal Code shall be submitted and approved by Murray City officials with the building permit and shall be installed as approved prior to occupancy.
4. Trash containers shall be screened as required by Section 17.76.170.
5. The applicant shall provide a fence plan to show compliance with fence code regulations for the any site fencing to be installed with the building permit.
6. The applicant shall provide an engineered grading and drainage plan with the building permit application.
7. Replace any damaged curb and gutter and sidewalk along the 6600 South property frontage. Sidewalk through drive accesses needs to be 6" thick.
8. The west drive approach length needs to be reduced to 30' or less.

9. The underground parking needs to drain to a sanitary sewer.

Seconded by Mr. Swaney.

Call vote recorded by Mr. Christensen.

A  Buck Swaney  
A  Phil Markham  
A  Maren Patterson  
A  Scot Woodbury  
A  Sue Wilson  
A  Travis Nay

Motion passed 6-0.

LANDRANCHER, LC – 4787 South Cherry Street – Project #16-92

Jeff Close and Jackson Ludlow were the applicants present to represent this request. Jared Hall reviewed the location and request for a Conditional Use Permit to allow the construction of a new office/warehouse on the property. The applicant proposes to build a new multi-tenant office/warehouse designed to accommodate their own business and other contract construction service businesses as tenants. Municipal Code Ordinance 17.152.030 allows LU #6600, Contract Construction Services, within the M-G zoning district subject to Conditional Use Permit approval. The applicants have designed the building and site to accommodate their own business and a potential of two additional tenants. Landrancher is a real estate, land development and excavation business, requiring the conditional use permit review by the planning commission. Other potential tenants would be required to obtain business licenses, and possibly conditional use permits from the planning commission depending on the use. Vehicle access is provided on both 4800 South and Cherry Street, both by way of 25 foot wide drive approaches. The approach from 4800 South provides direct access to the entrances of the units, adjacent to the largest, most accessible parking area on site. This serves as the principal access. The Cherry Street access is secondary, leading to parking areas intended for employees, the trash enclosure and to the gravel yard for the applicant's equipment and trailer storage. Pedestrian accesses are possible from both the front and rear of the building, including roll-up doors on the rear. The applicant is required to provide sidewalk on the Cherry Street frontage, and the pedestrian access walk in front of the units connects to the proposed new sidewalk as well. Parking is planned in several areas of the site. There are 17 stalls in an parking area between the building front and 4800 South, and 3 stalls adjacent to the Cherry Street frontage with a larger area to the west of north of the buildings (on the backside, essentially) containing 10 more stalls behind a gated access. Those stalls are also adjacent to a gravel parking area for trailers, etc. just to the east. Total stalls provided on site are 27. The required number of stalls (based on the building square footage between offices and warehousing) is 26. Two handicap stalls have been provided as required by ordinance, directly adjacent to the building frontage (south elevation) with a 5 foot wide accessibility area between them. One of the two must be van accessible, which will require that the 5 feet aisle be increased to 8 feet. Making that change will eliminate the final parking stall in this row, adjacent to the landscaping on Cherry Street. However, only 26 stalls are required, and staff had noted concerns about the usability of the final stall in this row because the backing distance is "clipped" by the curve of Cherry Street as it approaches the intersection with 4800 South. Staff

is recommending the elimination of the final stall and the increase from 5 to 8 feet for the van accessibility requirement. In all other ways the parking as planned is in compliance.

M-G zoning requires building setbacks of 20 feet from public rights-of-way. The first 10 feet must be landscaping. The site plan complies with the 20 foot setback requirement at the closest point (NW corner of the building on Cherry Street) and exceeds the requirement in all other instances. Total landscaping on the site is 4,779 square feet, which is 20% of the total site area. The required coverage is 10%. 10 feet of landscaping is provided on all street frontages as required. Chapter 17.68 requires 3 trees, 5 5-gallon shrubs and 10 1-gallon shrubs per 100 feet of street frontage. The required landscaping is provided by the plan, and bed coverage is calculated at 75% at time of planting. The landscaping on Cherry Street also includes a 14 foot by 30 foot patio with a trellis to provide a semi-shaded outdoor area for employees, breaks, etc. Elevations for all building facades have been attached for your review. The south elevation is essentially the "storefront" of the buildings, presenting the main entrance. This 2-story building face includes glass doors and storefronts, windows, and several architectural breaks to the roofline. The proposed building is constructed of colored block masonry. The building front facing Cherry Street has several upper story windows, but is also broken up by the inclusion of the patio and trellis mentioned in the landscaping section of this report. Both street facing elevations will represent the site well visually.

Based on the information presented in this report, applications materials submitted and the site review, staff recommends that the planning commission approve a conditional use permit allowing the proposed real estate, land development and excavation business at the property addressed 4787 South Cherry Street subject to conditions.

Jeff Close, PGAW Architects, 5263 South 300 West, Murray, stated he is the architect for this project.

Jackson Ludlow, 3616 South Cottonwood Street, Salt Lake City, stated he has reviewed the staff recommendations and will comply.

Mr. Markham asked about the exterior of the building materials. He stated he is very pleased with this proposal and it will be a nice addition to the area. Mr. Close indicated that the exterior will be colored concrete block with accent bands and detailing.

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

Mr. Swaney made a motion to grant Conditional Use Permit approval for Landrancher, located at 4787 South Cherry 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 parking design shall be adjusted to provide the minimum required 8 feet of access aisle adjacent to the handicap stall, adjusting the remaining parking row accordingly.
4. The project shall meet city storm drainage requirements, including on-site detention or

retention.

5. The applicant shall provide storm water quality treatment before connection to the city system. A snout type treatment will be acceptable.
6. The applicant shall repair damaged sidewalk and curb & gutter along 4800 South and Cherry Street.
7. The project shall include the installation of sidewalk along the Cherry Street frontage, and the upgrading of the corner pedestrian ramp to meet current standards.
8. The applicant shall provide a site SWPP plan and implement it prior to beginning any site construction work.
9. The applicant shall obtain a city excavation permit for work in the city right-of-way.
10. The applicant shall obtain a Murray City business license prior to beginning business operations on site.

Seconded by Mr. Woodbury.

Call vote recorded by Mr. Christensen.

A  Buck Swaney  
A  Phil Markham  
A  Maren Patterson  
A  Scot Woodbury  
A  Sue Wilson  
A  Travis Nay

Motion passed, 6-0.

JEFFERSON COURT INVESTORS – 5119 & 5131 South 900 East and 931 East Searle Avenue  
– Project #16-81

The applicant was not able to attend this meeting. Jared Hall reviewed the location and request for approval for a subdivision amendment in order to combine three lots into a single lot. This was a requirement to allow them to proceed with the installation of an expansion of the parking area for their existing office building. Municipal Code Ordinance 16.04.030.C. requires that any amendment, vacation, alteration or modification of any prior recorded subdivision plat be approved by the Murray City officials. Utah State Code Section 10.9a.608(5)(a) states that the owners of adjacent parcels that are described either by a metes and bounds description or by a recorded subdivision plat may exchange title or portion of those parcels, if the exchange is approved by the local land use authority in accordance with Subsection (5)(b) which states the land use authority shall approve an exchange of title under Subsection (5)(a) if the exchange of title will not result in violation of any land use ordinance. The properties are located on the northeast corner of 900 East and Searle Avenue. In 2015, Murray City approved a zone change for the property addressed 931 East Searle Avenue, adjacent to the office building property from R-1-8 to G-O. The owners of the office building were in the process of purchasing the adjacent

lot with the intent to expand their existing parking lot. When the parking lot expansion was under review subsequent to the rezoning, it became clear that the existing office building actually straddled two lot. The Commission approved the parking lot expansion with the condition that the properties (including the rezone lot, and the two office building lots) be combined into a single parcel in order to conform to standards before the parking lot was constructed. This application is the attempt to comply with that condition. All three lots in the application are a part of an existing subdivision called the Mountain View Orchard Heights subdivision. Because they are part of a subdivision, then lot combination amounts to an amendment of the subdivision. State Code standards allow the applicant to amend the subdivision without recording a plat, if the planning commission reviews and finds no violations of zoning would result. Instead of recording the plat, the applicant will record deeds which affect the combination of the three parcels into one. Staff has reviewed the zoning implications of the combination and the deeds prepared to cause it and can advise the commission that no violation of zoning codes will result. In fact, the existing situation is non-compliant and should be corrected—hence the Commission's original condition of approval.

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 meeting and review all subdivisions and lot line adjustments within subdivision, as noted in Utah State Code Section 10-9a-608(a)(b) of property within the City. The Planning Commission's role is to ensure that a proposed subdivision, or in this case the amendment of a subdivision by combining three lots, is consistent with established ordinances, policies and planning practices of the City. As allowed by State Code (10-9a-608) the local land use authority may consider amendments to a subdivision plat by way of a lot line adjustment (in this case, lot combination). Mr. Hall stated that he spoke with the applicant earlier today, who indicated that they will meet the condition of approval. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval of the proposed subdivision amendment by way of lot combination subject to a condition.

Mr. Swaney commented that Think Architecture is located in this building. The site is inadequate parking for the demand and this parking lot expansion is needed.

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

Mr. Swaney made a motion to send a recommendation of approval of the proposed subdivision by way of lot combination for the properties addressed 5151 South 900 East, 5119 South 900 East and 931 East Searle Avenue subject to the following condition:

- 1 The applicant shall meet the requirements of the Murray City Engineer for the recording of the deeds and the consolidation of parcels prior to the recording of those documents with the Salt Lake County Recorder's office.

Seconded by Mr. Markham.

Call vote recorded by Mr. Christensen.

A  Buck Swaney  
A  Phil Markham

A \_\_\_\_\_ Maren Patterson

A \_\_\_\_\_ Scot Woodbury

A \_\_\_\_\_ Sue Wilson

A \_\_\_\_\_ Travis Nay

Motion passed 6-0.

BURKHARDT 2 LOT SUBDIVISION – 1027 & 1041 West Bullion Street – Project #16-85

Robert Wyatt was the applicant present to represent this request. Ray Christensen reviewed the location and request for preliminary and final subdivision approval for Burkhardt 2 Lot Subdivision, which is located at the properties addressed 1027 and 1041 West Bullion Street. Municipal Code Ordinance 16.04.050 requires the subdivision of property to be approved by Murray City Officials with recommendation from the Planning Commission. There is an existing single family dwelling on the east lot, which is to remain on lot #1 and complies with the minimum 8,000 sq. ft. lot area requirement. The existing house is legal nonconforming to the front minimum setback of 25 ft. from the property line. The plat shows the house has a setback of 24 ft. from the front property line. There is an existing legal nonconforming auto repair shop building on lot #2, which complies with the minimum lot area requirement, with 28,051 sq. ft.

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 Burkhardt 2 Lot Subdivision located at 1027 and 1041 West Bullion Street subject to conditions.

Robert Wyatt, 1027 West Bullion Street, stated he has reviewed the staff recommendations and will comply. He asked if the utilities must be separated prior to recording of the subdivision documents, as stated in condition #6. Mr. Christensen responded that will need to be verified with the Murray Water and Sewer Department.

Mr. Wyatt stated that he spoke with the civil engineer who wanted to wait until approval from this meeting is granted. He stated the property owner to the south is the co-applicant for this proposal.

Ms. Wilson asked if the property line will be adjusted to accommodate the existing garage. Mr. Wyatt responded that has already been done, and the 5 foot property line needs to be extended around the perimeter of that building. He clarified that with this split, the garage repair shop will be completely contained within its own property with the proper setbacks.

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

Mr. Swaney commented that condition #6 has a typographical error and should be worded "one water and one sewer" connection.

Mr. Woodbury made a motion to forward a recommendation of approval to the Murray City Mayor for preliminary and final subdivision approval for the Burkhart 2 Lot Subdivision located at 1027 & 1041 West Bullion Street subject to the following conditions:

1. The project shall comply with the requirements of the Murray City Engineer for recording the plat at the Salt Lake County Recorder's Office.
2. The subdivision plat shall comply with Murray City regulations, including to show utility easements on the lots, to comply with the subdivision ordinance regulations
3. The project shall comply with Murray Building Division requirements for building code compliance. The existing garage shall comply with a minimum separation from the property line to the existing structures or the existing structures shall be retrofitted with a firewall to comply with code.
4. The applicant shall dedicate right-of-way for sidewalk along the Bullion Street property frontage and install sidewalk.
5. The project shall comply with Murray Power Department requirements and Fire Department requirements for compliance to 2012 International fire codes.
6. The project shall comply with Murray Water & Sewer Department requirements. The utilities will need to be separated for the two separate properties. The applicant will need to install one water and one sewer connection with the associated fees.

Seconded by Mr. Swaney.

Call vote recorded by Mr. Christensen.

- A \_\_\_ Buck Swaney
- A \_\_\_ Phil Markham
- A \_\_\_ Maren Patterson
- A \_\_\_ Scot Woodbury
- A \_\_\_ Sue Wilson
- A \_\_\_ Travis Nay

Motion passed 6-0.

#### OTHER BUSINESS

Mr. Hall asked the commission members if any of them are anticipating to be absent from the July 21<sup>st</sup> meeting and is the weekend before the July 24<sup>th</sup> Holiday.

Mr. Swaney asked about the status for the update on the city's General Plan. Mr. Hall responded that the General Plan is moving forward. Initially there was only to be three open houses, we have now decided to hold a fourth open house which is anticipated to be held towards the end of August. He stated that there will be a study session for the commission prior to the open house, hopefully on the August 4<sup>th</sup> Planning Commission meeting date. There will need to be a subsequent joint study session held with the city council and the planning commission.

Meeting adjourned at 7:20 p.m.

  
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Jared Hall, Manager  
Community and Economic Development