

Minutes of the Planning Commission meeting held on Thursday, August 4, 2016, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Maren Patterson, Vice-Chair  
Phil Markham  
Scot Woodbury  
Buck Swaney  
Jared Hall, Community Development Manager  
Brad McIlrath, Assistant Planner  
G. L. Critchfield, Deputy City Attorney  
Citizens

Excused: Travis Nay, Chair  
Sue Wilson

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.

Maren Patterson opened the meeting and welcomed those present. She reviewed the public meeting rules and procedures.

#### APPROVAL OF MINUTES

Mr. Woodbury made a motion to approve the minutes from July 21, 2016 as submitted. Seconded by Mr. Markham.

A voice vote was made, motion passed, 4-0

#### CONFLICT OF INTEREST

There were no conflicts of interest for this agenda.

#### APPROVAL OF FINDINGS OF FACT

Mr. Markham made a motion to approve the Findings of Fact for Extra Space Storage and Beehive Soap & Body Care. Mr. Swaney seconded the motion.

A voice vote was made, motion passed, 4-0.

#### ADVANCED AUTO SALES – 4652 South 160 West – Project #16-101

Armen Sekepyan was the applicant present to represent this request. Brad McIlrath reviewed the location and request for Conditional Use Permit approval for a used auto sales business to be located at the property addressed 4652 South 160 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 a used car sales business at this location which was previously occupied by an auto parts retailer. The applicant intends to sell between five to ten cars at a time and would be storing all vehicles for sale inside the 3,355 square foot unit. The unit includes a 240 square foot office space and a unisex restroom. Vehicular access for the unit is provided by one 12x12 overhead door with all other access provided by two regular doors. The applicant has indicated that he will not be performing any major remodeling

of the unit with the exception of some painting and updating the electrical system. Access to this unit is provided by 150 and 160 West with the two roads providing access to the 4500 South Frontage Road and 4800 South. The minimum parking spaces required for this type of use is calculated at the rates of "4 parking spaces for each 1,000 square feet of net office space plus 1 parking space for each 750 square feet of net floor area." Based upon the square footage for this proposed use, a total of five exterior parking spaces are required with one of those five designated as a van accessible ADA parking space. According to the submitted site plan and as confirmed with a staff site visit, seven parking spaces are provided for this business, with one of the seven designated as a van accessible ADA parking space. Based upon this analysis, staff determines the provided parking layout complies with the minimum standards of Chapter 17.72 of the Murray Municipal Code. The building complies with the minimum setback and height requirements of the M-G Zoning District. This property location includes landscape planters separating the business parking from 160 West. The planters include trees and shrubs that are well maintained and have been previously approved by Murray City. No modifications to the landscaping are being proposed and staff determines that the landscaping is sufficient to meet the intent of the landscaping ordinance. A trash container is located within the first parking of the north parking area and is free standing and is not located within an enclosure. As required by Section 17.152.080, "Each refuse container area shall be totally enclosed by a solid barrier fence not to exceed eight feet (8') in height." In order for this trash container to remain on this area of the property, an enclosure will need to be constructed that fully encloses the container when it is not being emptied. The applicant indicated that the dumpster will be removed from the property, and if that is the case, the requirement for enclosing the dumpster would not be applicable. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval of the used motor vehicle sales business for the property addressed 4652 South 160 West subject to conditions.

Mr. Woodbury commented that there are two dumpsters on the property. Mr. McIlrath clarified that a second dumpster is for a different unit and is not part of this Conditional Use Permit application and each unit is reviewed separately when on the same parcel of property. He stated that the applicant has indicated they will not be using a dumpster and if that is the case, the requirement for the dumpster screening would not be applicable. Mr. Woodbury questioned that in the past there have been times where ADA parking stalls have been required for an entire parcel of property with separate leased units. He stated he likes this approach better where improvements are required for a specific space for which the application is being made rather than the entire property. Mr. McIlrath responded that over time the city has tried to take the approach where the improvements are required for the space where there is a new use rather than for the entire property.

Armen Sekepyan, 4652 South 160 West, Murray, stated he did not have any additional information. He stated he has reviewed the conditions of approval and will comply with those conditions.

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

Mr. Woodbury asked condition #4 requiring the dumpster to be screened, but if the dumpster is to be removed, then should this condition also be removed.

Mr. Woodbury made a motion to grant a Conditional Use Permit for Advanced Auto Sales

located at 4652 South 160 West subject to the following conditions:

1. The project shall meet all applicable building code standards. The business owner shall not complete any new construction or remodeling of the building.
2. The project shall comply with all current fire codes.
3. All vehicles on display for sale shall only be stored within the warehouse area of the subject unit.
4. The trash container shall be screened as required by Sections 17.152.080 & 17.76.170 of the Murray Land Use Ordinance.
5. Obtain a business license from Murray City.

Seconded by Mr. Swaney.

Call vote recorded by Mr. McIlrath.

A      Phil Markham  
A      Maren Patterson  
A      Scot Woodbury  
A      Buck Swaney

Motion passed 4-0.

PARRIS RV – 4360 South State Street – Project #16-103

Ryan Mackoviak was the applicant present to represent this request. Jared Hall reviewed the location and request for a Conditional Use Permit for RV sales, new show room, office and parts store at the properties located at 4360 South State Street. Municipal Code Ordinance 17.160.030 allows an RV Sales business use within the C-D zoning district subject to Conditional Use Permit approval. The applicants had previously requested a permanent Conditional Use Permit for an RV sales business, which included a remodel of the existing building located at 4346 South State Street. Since the Planning Commission meeting dated January 21, 2016, two existing buildings on the site were demolished at the 4360 South State Street location. The applicants have purchased additional properties at 4340 South State Street and 64 West Edison Street which are now included in the new site plan. The applicants have provided a new site plan, landscaping plans, and new building plans for the new addition, office, showroom and parts store expansion with building details, floor plans and elevations. The request for permanent Conditional Use permit approval included the site improvements on the State Street and Edison Avenue frontages, as well as the interior areas shown on the permanent plans, with landscaping and paved/striped parking areas for the office/RV showroom. Access to the property is from State Street and Edison Avenue. The new site plans show parking areas that includes recreational vehicles parking areas, but the plans will need to designate exactly where customers and employees will park on the site to comply with the City parking regulations in Municipal Code 17.72. The parking regulations for interior showrooms which will require large display area, requires one parking space for each 400 sq. ft. of net floor area. The total showroom area with 13,390 sq. ft. will require 33 parking stalls total, the office

areas with 2,788 sq. ft. will require 11 parking stalls at four stalls per one thousand sq. ft., the parts storage area of 1,866 sq. ft. will require 2 parking stalls with one stall required per 750 sq. ft. for a total of 46 parking stalls required on the site. The site plans will need to be revised with the plans submitted for a building permit, to comply with the total number of required parking for customers and employees is 46 parking stalls, including two disabled stalls, which will need to be designated with signs and striping on the site and will not be used for parking of recreational vehicles and sales inventory.

The new proposed building complies with the 20 ft. required setback for the C-D zone. The existing building on site, which had previously been remodeled for office/show room and parts sales, is legal non-conforming for the front setback from State Street, which has about 10 ft. setback from the front property line. The total site will need to comply with the current landscaping/irrigation requirements listed in Municipal Code 17.68. The formal landscaping/irrigation plans will need to be submitted with the building permit, which are stamped and signed by a registered Utah landscape architect, to comply with Municipal Code 17.68. Ten percent of the site is required to comply with landscaping code with mainly vegetation, trees, shrubs, and plant materials. The applicant is required to comply with the specific numbers of trees and shrubs, with specified numbers of one gallon and 5 gallon shrubs based on each 100 ft. linear length of street frontage. The City Code 17.68 specifies requirements for plant materials at the street frontage areas, which are required to cover 50% of the area at the time of planting. A formal landscaping plan by a registered Utah landscape architect is required and has not been submitted with the previous building permits as required for this commercial site. It appears that additional trees and landscaping will need to be installed to comply with Chapter 17.68 for the street frontage areas. Plant spread coverage calculations shall be included in the formal landscaping plan as required by code. Rocks are not considered to be to be vegetation with the calculations of plant materials. All interior site areas not paved shall be landscaped utilizing drought tolerant ground cover, scrub and tree materials, and/or grass. A summary table is required on the plans to be submitted, with a planting index or plant materials schedule, identifying plant names and quantities, gallons, size listing of sizes and types of plants.

Based on the information presented in this report, application materials submitted and the site review, staff recommends that the Planning Commission approve a permanent Conditional Use Permit for Parris RV, Inc. for the properties addressed at 4360 South State Street subject to conditions.

Mr. Swaney asked about the widening of Edison Street and the right-of-way situation with regards to the two existing homes. Mr. Hall responded he was not sure about the right-of-way situation. He stated he was not sure if Edison Street will be widened or if it will simply be defining the right-of-way to a more accurate description.

Ryan Mackoviak, 8724 South 1405 West, West Jordan, stated he is representing the owners, Bret & Dori Parris. He stated he reviewed the conditions of approval with Ms. Parris and they are in agreement with the conditions and will comply.

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

Mr. Woodbury made a motion to grant Conditional Use Permit approval for Parris RV located at 4360 South State Street subject to the following conditions:

1. The project shall meet all applicable building and fire code standards. The applicant shall provide stamped/signed plans with structural calculations and a soils report from a geotechnical engineer at the time of building permit submittal.
2. The project shall comply with Murray Water and Sewer Department requirements. The applicant is required to make sure that the one water connection at 72 East Edison Street is terminated at the water main.
3. All trash containers shall be screened as required by Section 17.76.
4. All the parking stalls shall be paved and striped to comply with Municipal Code 17.72, including two disabled stalls to comply with ADA regulations. The total site will need to be upgraded with parking stalls paving and striping, which includes the west side of the property prior to final occupancy of the building. The site plans will need to be revised with the site plans to be submitted for a building permit show on the plans the location for the total number of required parking for customers and employees is 46 parking stalls, including two disabled stalls, which will need to be designated with signs and striping on the site and will not be used for parking of recreational vehicles and sales inventory.
5. The Murray Fire Department noted the project shall comply with all applicable building and fire code requirements.
6. The concrete curbing for the frontage landscaping on the site shall be installed to comply with Municipal Code 17.72.100 C.4.
7. The applicant shall provide a formal grading and drainage plan for the completion of paving the total parking lot at the west side of the property to comply with the requirements of the City Engineer. The project shall comply with City storm drainage requirements.
8. The fencing on Edison Avenue frontage must be located behind the minimum 10 ft. depth of frontage landscaping.
9. A formal landscaping/irrigation plan prepared by a registered Utah landscape architect shall be submitted with the building permit. The landscaping/irrigation for the total site shall comply with Municipal Code 17.68. Landscaping shall also comply with Municipal Code 17.160.100.F requiring a minimum coverage of 10% of the development site. (See the written landscaping section of the staff report.) All the required landscaping improvements shall be completed prior to final occupancy of the remodeled building including the west side of the property.
10. The applicant shall install curb, gutter and sidewalk on the Edison Street frontage as per the established west end alignment.

11. The applicant shall relocate the power poles to the new back of curb location.
12. The applicant shall provide a site SWPPP and obtain a Land Disturbance Permit prior to beginning construction work.
13. The applicant shall obtain a UDOT site access review and shall meet State Street access requirements.

Seconded by Mr. Swaney.

Call vote recorded by Mr. Mr. Hall.

A \_\_\_ Phil Markham  
A \_\_\_ Maren Patterson  
A \_\_\_ Scot Woodbury  
A \_\_\_ Buck Swaney

Motion passed 4-0.

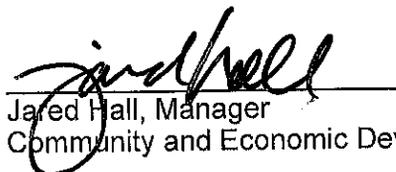
#### OTHER BUSINESS

Mr. Hall stated that the August 18<sup>th</sup> planning commission meeting will be a study session at 6:00 p.m. to review the draft of the updated General Plan. There will also be a final General Plan Open House on August 25<sup>th</sup> from 6 to 8 p.m. at city hall. The hope is to have the General Plan adopted by November of 2016.

Mr. Markham indicated he will be absent from the August 18<sup>th</sup> planning commission meeting.

The city council adopted the mobile food truck ordinance and the mixed use access requirement ordinance changes, but the council did not pass the geographic requirement change for planning commission members.

Meeting adjourned at 7:00 p.m.

  
\_\_\_\_\_  
Jafed Hall, Manager  
Community and Economic Development