

Minutes of the Planning Commission meeting held on Thursday, August 4, 2011, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Tim Taylor, Chair
Karen Daniels, Vice-Chair
Jim Harland
Sheri Van Bibber
Tim Tingey, Administrative & Development Services Director
Ray Christensen, Senior Planner
G.L. Critchfield, Deputy City Attorney
Citizens

Excused: Jeff Evans
Ray Black
Kurtis Aoki

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 Department.

Mr. Taylor opened the meeting and welcomed those present. He indicated that a public hearing will be held for the two applications on tonight's meeting.

APPROVAL OF MINUTES

There were no minutes for approval.

CONFLICT OF INTEREST

There were no conflicts of interest for this agenda.

APPROVAL OF FINDINGS OF FACT

Jim Harland made a motion to approve the Findings of Fact for a Conditional Use Permit for Happy Auto Sales, Big Dog Pawn & Jewelry, and Expressive Design Academy from the July 21, 2011 meeting. Seconded by Karen Daniels.

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

MURRAY HIGHMARK MEDICAL BUILDING – 4926 South Box Elder Street – Project #11-68

Mike Kirby was the applicant present to represent this request. Tim Tingey reviewed the location and request for a Certificate of Appropriateness for a new medical office building for the property addressed 4916 and 4926 South Box Elder Street. Municipal Code Section 17.170.050 outlines the process for review of applications located within the Murray City Center District (MCCD) and requires the issuance of a Certificate of Appropriateness by the Planning Commission after the project receives review and recommendation from the Design Review Committee. A public hearing is required prior to issuance or denial of the Certificate of Appropriateness. Municipal Code Section 17.170.080 allows Land Use # 6500 general medical offices in the MCCD

zone. The information provided by the applicant shows the gross sq. ft. for the building is 56,500 sq. ft. with a net parking calculation of 188 parking stalls required and 256 parking stalls provided. The building will be three stories in height. The proposed building will meet the minimum height required by the M CCD standards. Exterior materials on the building will consist of a mix of glass, honed CMU with a two color pattern and perforated corrugated metal panels. As previously mentioned, the building meets the minimum 40 foot height requirement of the ordinance. The overall design is consistent with the design guidelines which encourage the use of glazing, and traditional durable materials. The M CCD standards require a functional entry each 75 feet along the public street. The provision for the required entries will also aid in additional architectural features on the long concrete wall proposed at the ground level along Box Elder Street. The submitted colors included with the 3-D renderings appear to meet the design guidelines related to color. The proposed landscape areas are generally consistent with the design guidelines. The proposal shows a trash enclosure along Box Elder Street. In keeping with the design guidelines, staff recommends that the trash enclosure be moved to an alternate location on site where it is not directly adjacent to the street. A detailed landscape plan showing landscape materials and irrigation will be required prior to building permit approval. The applicant proposes a landscape deck in order to provide additional parking above the maximums. The applicant has not provided a specific lighting plan at this time and has noted that the lighting will meet required standards. A lighting plan will be required to be submitted and approved prior to building permit. The Design Review Committee reviewed the project on July 26, 2011. The committee recommended approval of the proposed use. Planning staff recommends approval subject to conditions.

Karen Daniels stated in the pre-meeting there was discussion regarding the recommended 10 conditions and that an additional condition be added in regards to the access from 5th Avenue which is from the UTA site. Evidence of the access agreement must be submitted as part of this approval process.

Mike Kirby, 2180 Bear Hollow Drive, Park City, stated he is the owner of the project. Mr. Kirby stated this is their first project in Utah and the first project in the new M CCD zone. He stated that they have done several other projects across the pacific north-west.

Mr. Taylor asked Mr. Kirby if he has reviewed the staff recommendations. Mr. Kirby responded that he is aware of the staff recommendations for approval and indicated compliance to those conditions, including the additional eleventh condition.

Nathan Murray, Architectural Nexus, 2505 East Parleys Way, Salt Lake City, stated he is the architect for this project. He presented colored renderings for the building and reviewed the architectural features as they meet the new M CCD regulations. Mr. Murray stated the building will have a "warmer glass" which is intended to be a clear vision glass with sunscreen. He stated the change in grade will be utilized by parking. The change in grade does pose challenges for having two points of access to the site which has resulted in the new condition of approval.

Mr. Murray indicated that the design review committee requested that the dumpster

location be moved to the west side of the building. The request for an additional entrance off Box Elder Street is a result of the requirement for a functional entry every 75 feet.

Tim Taylor opened the meeting for public comment.

DeLynn Barney, 4902 South Box Elder Street, stated he and his wife have been long residents on Box Elder Street. Mr. Barney stated that he is disputing the strip of property between his property and this development site and also happens to be where his driveway is located. He presented photos of the property from 1965, and of the present condition of the property. The photos showed the location of the property in dispute and the proximity of the property lines and power pole. Mr. Barney stated he is pleased with this development proposal and has been working with Mike Kirby to resolve his concerns. Mr. Barney expressed concern with the entrance on Box Elder, lighting spillage, privacy issues, the dumpster location, and potential smokers at the facility. He stated there will be considerable traffic along Box Elder Street until the Cottonwood Street expansion is installed. He asked what measure could be taken to minimize traffic accessing Box Elder Street from Vine Street. Mr. Taylor indicated that one of the conditions require that the lighting plans must be submitted and approved prior to issuance of the building permit, and exterior and parking lot lighting must be shielded and should not spill onto adjacent properties.

Mike Kirby indicated that he has met with Mr. Barney and discussed his concerns. Mr. Kirby stated that there is a 10 foot wide property line discrepancy between his property and Mr. Barney's property. Mr. Kirby stated that he is not in the business of taking someone else's property and that he is willing to quit claim the property to Mr. Barney. He stated that they have proposed to have the building location to the south where it is further from the residential area. He stated the lighting will be low level emitting light that will be in compliance with the city's requirements. Additionally, the north side of the property will have a lot of landscaping including larger trees for buffering. The retaining wall may need to be replaced based on its structural condition. He stated smoking will not be allowed in the building nor will it be allowed on the site and is a medical building. He stated the entrance(s) will be quite a distance from the residential area. The dumpster has been relocated from its original location and will be located back towards the railroad tracks.

The public hearing portion was closed for this item.

Jim Harland commented that this is a remarkable development and the commission is pleased with this proposal in the new zoning district. He complimented the owner and architect on their efforts.

Karen Daniels made a motion to grant approval for a Certificate of Appropriateness for Murray Highmark Medical Building, at the property address 4916 & 4926 South Box Elder 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. A formal landscaping plan meeting the requirements of Chapter 17.68 and 17.170.160 of the Murray Municipal Code shall be submitted with the building permit for approval by the Murray City Forester and be installed as approved prior to occupancy.
4. The project shall comply with the parking regulations of the MCCD Zone Chapter 17.170.140.
5. The Murray Power Dept. requires ten foot easements for all new and existing power facilities. The customer will need to pay for any relocation of existing facilities.
6. A lighting plan will be required to be submitted and approved prior to building permit issuance. In accordance with the MCCD Standards, exterior lighting and parking lot lighting should be shielded and should not spill onto adjacent properties.
7. The applicant shall comply with the specific materials and colors presented for review and approval by the Design Review Committee and Planning Commission.
8. The trash enclosure should be moved to an area not adjacent to the public street.
9. The plan shall be modified to show compliance with the requirement for functional entries along Box Elder Street.
10. The city engineer will require a Land Disturbance Permit and a formal drainage plan for the site. The subdivision plat will need to be amended to combine the parcels into one property, and shall be recorded at the Salt Lake County Records' office, so that the building does not cross over boundary lines prior to application for a building permit.
11. Evidence of the access agreement must be submitted as part of this approval process.

Seconded by Sheri Van Bibber.

Call vote recorded by Ray Christensen.

A _____ Jim Harland
A _____ Sheri Van Bibber
A _____ Tim Taylor
A _____ Karen Daniels

Motion passed, 4-0.

ALTA SHUTTLE – 155 East Court Avenue – Project #11-70

Thomas Schneider was the applicant present to represent this request. Ray Christensen reviewed the request for a modification to the exterior of an existing building in the MCCD zone on the property addressed 155 East Court Avenue. Municipal Code Section 17.170.050 outlines the process for review of applications

located within the Murray City Center District (MCCD). New construction within the MCCD requires the issuance of a Certificate of Appropriateness by the Planning Commission after the project receives review and recommendation from the Design Review Committee. A public hearing is required prior to issuance or denial of the Certificate of Appropriateness. The recently adopted standards for the Murray City Center District require review and recommendation from the design review committee for any major alteration of buildings within the district. Major alteration is defined as "A physical modification of a building that involves the entire building or has a substantial visual impact on the building or surroundings." Since the proposed modification involves the entire building, the remodel is classified as a major modification. The applicant proposes to replace the existing cinderblock wall with tan stucco and to cover the existing cinderblock pillars with stone veneer or contrasting brown stucco. The changes also include installation of green awnings above the two entrances and to install new windows. The design guidelines encourage the use of traditional materials and the use of muted or earth tone colors within the district. The proposed stucco and stone comply with the guidelines and will be an improvement to the existing building. The design guidelines also allow for vibrant accent colors for select features where deemed appropriate. The green awning color may be appropriate in meeting this guideline and should be considered by the committee. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval of the Certificate of Appropriateness subject to conditions.

Tom Schneider, 155 East Court Avenue, stated he is attempting to improve the exterior appearance of the building. He stated he has decided not to install the stone stucco, per the Design Review Committee's recommendation, but will have a darker brown stucco on the pillars for contrast. He stated that the exterior painting will be a phased project and the building will not be totally repainted initially.

Tim Taylor opened the public hearing for comments.

Mike Todd, 4861 South State Street, stated he is the adjacent neighbor to Mr. Schneider. Mr. Todd stated he preferred to have been able to talk to Mr. Schneider prior to this meeting, but was unable to do so. Mr. Todd asked if the north side of the building, which faces his property, will be repainted in the first phase of the exterior remodel. He asked if all publicly visible sides of the building will get the same exterior improvements. Mr. Todd stated he is grateful and supportive of the improvements Mr. Schneider is doing to his property. Tom Schneider responded when he received bids for the exterior improvements, the bids were much higher than he expected and therefore he will need to phase the improvements. He stated that the building will be sand blasted prior to applying the stucco, which doubled the costs. He stated that the north face of the building is not included in the initial phase, but the Certificate of Appropriateness allows him 2 years to complete this project. The north side of the building will be in the second phase along with a new roof and rain gutters. Mr. Schneider stated he is not going to stucco the entire building, and the east side of the building will only be painted. The north side of the building will be repainted and no stucco unless he is able to get additional funds and this is the lowest priority since it is in the best shape of any side of the building.

The public hearing portion was closed for this item.

Jim Harland suggested having an optional wording for stone materials in the conditions of approval. The commission members decided not to modify the conditions for this.

Tim Taylor asked for clarification for the two year time period regarding the Certificate of Appropriateness. Mr. Tingey responded that the MCCD ordinance allows for an 18 months period to get the work done, with a six month extension option. If the applicant wishes to phase the project within that time frame it is permissible as long as it is under construction. He explained the entire exterior remodel will need to be completed within the 2 year time period, including the six month extension.

Karen Daniels made a motion to grant the Certificate of Appropriateness for a modification to the exterior of the existing building for Alta Shuttle, located at 155 East Court Avenue 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. An option to install the pillars in stone or contrasting stucco.

Seconded by Jim Harland.

Call vote recorded by Ray Christensen.

A _____ Jim Harland

A _____ Sheri Van Bibber

A _____ Tim Taylor

A _____ Karen Daniels

Motion passed, 4-0.

Tim Taylor complimented the Design Review Committee members on the quality work and service they do on behalf of the city.

Meeting adjourned.

Tim Tingey, Director
Administrative & Development Services