

Minutes of the Planning Commission meeting held on Thursday, February 16, 2012 at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Jim Harland, Chair
Karen Daniels, Vice-Chair
Ray Black
Phil Markham
Martin Buchert
Tim Taylor
Tim Tingey, Administrative Development Services Director
Chad Wilkinson, Community & Economic Development
Manager
Joshua Beach, 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 Department.

Jim Harland opened the meeting and welcomed those present. He reviewed the public meeting rules and procedures.

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

Ms. Daniels made a motion to approve the Findings of Fact for the Oasis Apartments, Certificate of Appropriateness for a 64-unit apartment and mixed use building. Seconded by Mr. Buchert.

A voice vote was made. Motion passed 5-0.

MOUNTAIN MEDICAL - 129 West 5325 South, 97 West 5300 South, 5329 South Woodrow Street – Project # 10-135

Clark Davis was the applicant present to represent this request. Joshua Beach reviewed the location and request for a time extension to a Conditional Use Permit approval for a new building addition connected to the south side of the existing medical office building and a parking lot expansion. The Conditional Use Permit was originally granted May 6, 2010. The applicant applied to the Murray Board of Adjustment at the April 12, 2010 meeting, and was granted a variance for the building height to match the existing 35 ft. high building. The current ordinance allows 30 ft. maximum height. A dumpster enclosure has been moved to the front west side of the building which will require commission approval. The applicant has made changes to

the building plans in order to comply with the parking regulations. The new plan and information provided show a portion of the proposed addition to the building removed at the south east corner. Basement storage was eliminated in the proposed addition. The waiting room floor areas are now included in the medical office calculations and are counted toward the total parking requirements. The information provided by the applicant show the net square footages included in the calculations are: the first floor existing building has a net of 12,775 sq. ft., the second level has a net 13,374 sq. ft., and the existing building storage totals 1,869 sq. ft. With the changes to the new building addition plans, the proposed first floor net square footage is 5,378 and the proposed second floor is 5,569 sq. ft. Based on the net square footages for the medical use and the existing building basement storage, a total of 188 parking stalls are required and a total of 188 parking stalls are shown on the plans with a total of 6 disabled stalls required on the site to comply with the ADA regulations. The building meets the minimum setback requirements from the residential zone and from the street setback boundaries. The plans provided by the applicant show the proposed site complies with the landscaping requirements with a total of 18.9% landscaping of the site. The zoning ordinance requires 15% of the total site to be landscaped in the General Office zone. Based on the information presented in this report, applications materials submitted and the site review, staff recommends the planning commission grant Conditional Use Permit approval subject to conditions.

Mr. Harland made mention that the Planning Commission received a letter from Eclipse Realty requesting the extension of the Conditional Use Permit granted on May 6, 2010. Due to economic conditions they have not moved forward on the building, but plan to do so within the next year.

Clark Davis, 5444 South Green Street, stated he is the CEO of Mountain Medical. He stated that with the economic conditions and other projects that they have been involved in have delayed the expansion of their building. They are planning to start within the next few months, but were not sure that they would be able to start by the expiration date of the previously approved Conditional Use Permit was granted. Therefore, they would like an extension.

Mr. Harland asked Mr. Davis if he is aware of the original conditions of approval for the conditional use permit. Mr. Davis acknowledged that he is aware of the original conditions of approval and that they will comply.

The meeting was opened for public comment. No comments were made by the public.

Mr. Buchert asked if the three lots on the opposite side of Woodrow Street were owned by the applicant. Mr. Harland replied in the affirmative.

Mr. Black made a motion to approve a one year time extension to expire May 6, 2013, of a Conditional Use Permit for expansion of Mountain Medical and parking lot at the properties addressed: 129 West 5325 South, 97 West 5300 South, 5329 South Woodrow Street subject to the following (original) conditions:

1. The project shall meet all applicable building code standards. Provide stamped and sealed plans from appropriate design professionals including code

analysis based on type V-B construction per C.O. and fire wall per section IBC sec. 706 may be required.

2. The project shall meet all current fire codes.
3. A formal landscaping plan meeting the requirements of Chapter 17.68 of the Murray Municipal Code shall be submitted with the building permit and be approved by the Murray City Forester and installed as approved prior to occupancy of the new addition.
4. All trash containers shall be screened as required by Section 17.76.170. The dumpster location is approved as shown on the plan and shall meet the code requirements.
5. All parking stalls shall be paved and striped, including disabled stalls with signs, to meet zoning and ADA regulations.
6. The city engineer requires sidewalk, curb and gutter where it doesn't already exist, a drainage plan will be required, and the corner lot property ownership needs to be resolved with the City.
7. Meet all Water and Sewer and Power Dept. requirements.

Ms. Daniels seconded the motion.

Call vote recorded by Chad Wilkinson.

A _____ Karen Daniels
A _____ Phil Markham
A _____ Martin Buchert
A _____ Ray Black
A _____ Jim Harland

Motion passed, 5-0.

VINE PLACE APARTMENTS – 228 East Vine Street – Project #10-110

Darlene Morgan was the applicant present to represent this request. Joshua Beach reviewed the location and request for a one year time extension of a Conditional Use Permit approval for an apartment development called the Vine's Place Apartments. The property is located within the R-M-15 (Residential Medium Density Multiple Family) zoning district. The time extension request is due to economic circumstances. Mr. and Mrs. Morgan were granted Conditional Use Permit approval for a 6 unit apartment building at the Planning Commission meeting dated February 15, 2007 subject to meeting conditions of approval. The applicants had also requested a time extension from February 15, 2009 to February 15, 2010, from February 15, 2010 to February 15, 2011 and from February 15, 2011 to February 15, 2012 which were approved by the Planning Commission. Land Use Regulation Section 17.56.100. C. reads: Unless there is substantial action under a Conditional Use Permit within a maximum period of 2 years of its issuance, the Conditional Use Permit shall expire. The Planning Commission may grant a yearly extension, when deemed in the public interest. The Murray City Department representatives do not have any concerns with the approval of the time extension for one year. The requested time extension will be from February 15, 2012 to February 15, 2013. Based on the above request and information, staff recommends approval of a one year time

extension of the Conditional Use Permit for the Vine Place Apartments until February 15, 2013, subject to the original 11 conditions of approval.

Mr. Markham asked Mr. Beach if there was any historical significance to the older house out front. Mr. Beach responded that he was unaware that this building is an historically significant structure.

Darlene Morgan, 228 East Vine Street, stated that she and her husband are the owners of the property. She stated that the house is on the national historic register, but that she had been informed that there would not be a problem with this building being torn down.

Mr. Harland asked Mrs. Morgan if she was familiar with the original 11 conditions placed on the original Conditional Use Permit. Mrs. Morgan responded that she is familiar with those conditions and that they will comply.

The meeting was opened for public comment. No comments were made by the public.

Mr. Buchert made a motion to approve the request for a one year time extension of a Conditional Use Permit approval for an apartment development addressed 228 East Vine Street due to economic circumstances and subject to the 11 conditions in the original Conditional Use Permit. The extension will run until February 13, 2013.

Mr. Markham seconded the motion.

Call vote recorded by Chad Wilkinson.

A ___ Karen Daniels
A ___ Phil Markham
A ___ Martin Buchert
A ___ Ray Black
A ___ Jim Harland

Motion passed, 5-0.

JOHNSON SELF STORAGE – 942 East 5600 South – Project #12-11

Ken Menlove was the applicant present to represent this request. Chad Wilkinson reviewed the location and request for a Conditional Use Permit for self-storage units. Municipal Code Ordinance 17.160.030 allows storage units within the C-D-C zoning district subject to Conditional Use Permit approval. Mr. Wilkinson reviewed the location and request for a Conditional Use Permit. The property is surrounded by residential zoning on two sides and a portion of the third side, then has commercial zoning abutting on the portion of the west side and across the street on the north side. The plans show two buildings with a hall way inside each building for access to interior storage units. The buildings are single story with 11,510 sq. ft. total area. The plans show the buildings are constructed of concrete masonry block materials. The buildings comply with the required setbacks for the C-D-C zone. There is currently a 20 foot setback proposed with a landscape buffer. The Board of Adjustment granted

a variance on September 14, 2009 regarding the buffer masonry wall which is not required to be installed at the south boundary adjoining the Murray City pump house property. The masonry buffer wall is required at the east and west side of the property adjoining the residential zone. The plans show an area for about 5 parking stalls at the south west side of the property which is also used for a vehicle turn-around area. The parking ordinance does not require a specific number of parking stalls to be paved and striped for storage units, but this area should be adequate for parking. The applicant shall provide formal landscaping/irrigation plans for approval by Murray City officials with the building permit and approved landscaping/irrigation shall be installed prior to occupancy. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval subject conditions.

Ken Menlove, 4243 West Nike Drive, stated he is the project engineer for this proposal. He stated that they are required to have a 20 foot setback along the residential zones and they are complying with that. The owners are proposing a pre-cast concrete ledge stone fence for the fencing in lieu of a solid masonry wall. This pre-cast stone fencing is actually less destructive to install. They are planning to construct the new fence off of the property line, so as not to cause any damage to the neighboring properties.

Mr. Black made note that they are not required to put a masonry wall on the south side. He asked if they are going to install any sort of fencing at this location. Mr. Menlove said that there is currently a white vinyl fence there that he believes Murray City installed when they built the pump house.

Mr. Harland asked Mr. Menlove if he has had the chance to review the conditions and if he can comply with all of them. Mr. Menlove indicated that all the conditions have been reviewed and they will comply.

Ms. Daniels asked the proposed hours of operation for this development. Mr. Menlove responded by stating this is a gated storage facility that is fully secure, has an automatic key pad with an automatic gate and monitored with cameras. Typically the hours of operation will be at the latest 10:00pm. At the earliest, 8:00-9:00am.

Mr. Black commented that the Planning Commission received a letter with roughly 31 signatures representing 25 surrounding residential property owners. The letter indicated concerns about this type of business coming into their community and impacts such as traffic, noise, crime, graffiti and other questionable activities this business could potentially bring into the neighborhood. Mr. Menlove responded that a larger facility of this nature would typically run anywhere from 70,000-80,000 sq. ft., making the size of this project (11,000 sq. ft.) considerably small by self-storage standards. In a facility this small there may be 4-5 trips per day going in and out. Graffiti is also a concern of the owners. Typically the block that they install is a colored sealed block (not painted), so if there is graffiti, the paint can be washed off easily. The entire facility will be fenced off with the exception of the front, making it hard for anyone to apply graffiti. Most of the storage units in this facility are indoor which and accessed by a hallway. These are known as climatized facilities. There will be no electrical power to the storage units, so the actual unit is dark and the customer does

not have any access to power. Therefore, anyone who rents a unit would not be able to run a business out of the unit and customers usually people don't stay there that long. Mr. Black made note that with no power, people wouldn't be running a table saw, etc.

Mr. Harland stated that there are no City requirements on the number of parking spaces for this type of use. He asked Mr. Menlove his opinion regarding the 5 parking spaces that are in the plans. Mr. Menlove responded that the 5 parking spaces should be adequate. He stated that he spoke with Phil Roberts, Murray City Fire Marshal, who indicated to him that fire safety access would not be a problem for this proposal.

Mr. Harland commented that the commission received a letter expressing indicating concern about how close the facility would be to the residential property lines. Mr. Menlove stated that along the east side the building the setback is 20 feet, reminding them that all of the storage units are located inside the building, so no one would ever see a storage unit opened up. There will be a 6 foot decorative wall and 20 feet of landscape and then a decorative block wall. The same goes for the south side, with the exception that the buildings will be set back 24 feet in one case and 60 feet in the other case. On the west side, the portion that faces residential, there are no storage units and the other part on the west side that faces commercial will have a solid brick wall. All doors that can be opened are facing towards the inside of the property.

Mr. Harland asked Mr. Wilkinson to explain the previous zoning from Salt Lake County and how the zoning change occurs when the City annexes properties. Mr. Wilkinson did confirm that the property was annexed into Murray City. He explained that part of an annexation of any property from county to city includes a zone change. Murray City has different zoning designations than the county and within each of those zoning designations there are differences. With this annexation this property was rezoned to its current zoning, C-D-C which allows a variety of uses. Some are permitted uses and others require an approval process through the Planning Commission for Conditional Use Permits. This property is one of those that need approval for a Conditional Use Permit.

The meeting was opened for public comment.

Bill Finch, 1055 Chevy Chase Drive, stated he was the Chair for the Cottonwood Community Council three times over a 20 year span. When they were annexed, they spent 2 years coming up with a master plan in May of 1993. Murray City was not very cooperative about the way they had it zoned, which was originally A-1-10 Residential, meaning 1 unit with a 10,000 sq. ft. lot. That property was rezoned to A-M/Z which is office, including; medical, optical, dental, professional office, insurance, etc. The reason they did that was for a buffer zone. When Murray annexed them, that zoning went to R-1-8. He wanted the commission to remember what the Cottonwood Community Council was trying to achieve at that time. It was a perfect spot for what was there. The garage was converted to an architect and draftsman's room. He feels that this project will stick out like a sore thumb. He doesn't feel that this facility is a transition. He would like the committee to take into consideration of what their intentions were at the time he was the Chair of the South Cottonwood Community

Council.

Mr. Harland stated for the record, Tim Taylor joined the commission meeting at 7:05pm.

Kim Anderson, 1144 Chevy Chase Drive, stated that in the staff presentation it was indicated that when property is rezoned, there is a whole new designation. He asked the legal ramifications if there were conditions set on that property prior and if so, they should go with the property, whether or not that zone changes. The zone is still a business zone, but should be limited to medical, optical, dental, office, business or professional uses. He commented that failure of the planning staff to review the county files is disconcerting and that he went through the city/county files and found that there were various numbers of people that opposed the previous change as Mr. Finch. The promises made by the owner of that property should be promises kept and those promises are in the letter. He suggested that the Planning Commission place a condition that the storage units have the same set back that the house currently has. That would probably destroy the project, which would be fine with them. He would like to see the property go back to medical, dental, etc. There are some people that oppose and some that are for the project. The project will destroy the neighborhood. He feels that when the owners accepted the conditions of the property and it shouldn't matter that Murray City changed the zoning, the original conditions should be recognized. For the Staff to say they zoned it and that's the way it is, is not acceptable. He hopes that the Planning Commission will consider opposition that the 31 signatures have on any proposed zoning. He wants the project tabled to get a legal opinion on whether or not that is a prescriptive easement.

Richard Gomez, 927 East 5650 South, stated he is the adjacent property owner to the west. His experience with storage units have been nothing short of horror stories. He feels that there needs to be more dialogue on this project to address the needs of the adjacent property owners. His experience with Red Hanger erecting a 6 foot wall was not a pleasant one. He's gotten used to it over the years, but every time a car comes in to pick up laundry, they can see right into his backyard. The 6 foot elevation is not enough and does not maintain enough privacy. He commented that a strip of lawn with sprinkler heads and English Ivy isn't adequate. He asked if the security cameras will trigger if someone happens to climb over the fence; will the police be notified and what will the response time be. He knows that the property will be developed at some point, but he wants everyone to make the best decision as to what that property is used for considering the abutting residential neighbors.

The public comment portion of the meeting was closed.

Mr. Menlove commented that they have hired a landscape architect, Lars Andersen, who will be landscaping roughly 6,800 sq. ft. with large shrubs, trees and cobble, so the landscape features should be nice. As far as security goes, every storage unit has an alarm that is tied to the keypad, so when someone enters the facility through the keypad, it deactivates the alarm to the respective storage unit. If someone entered the facility and tried to break into a storage unit that isn't theirs, that will activate the alarm, which is being monitored and calls the police. The same goes for fire alarms.

Mr. Buchert asked how the police will gain access to the facility if called. Mr. Menlove responded by saying that the Fire Department usually has a Knox Box key that they use to activate the switch to lift the automatic gate and the police have a Strobe that works if they come up with lights flashing, it will activate the gate to open.

Mr. Buchert then reiterated that the gate electronics are engineered so as to react to first responder's equipment allowing them to get through the gate without a delay. Mr. Menlove responded in the affirmative. Mr. Menlove stated that a 6 foot block wall looks okay in a commercial zone, but isn't too aesthetically pleasing in this type of zoning. That is why they are proposing a decorative Ledge Stone wall for the perimeter. He explained that the west side of the property will have a precast Ledge Stone stained wall with pillars every 8 feet, a 10 foot landscape buffer and there wouldn't be a building for another 70-75 feet. The landscaping would have turf, trees and shrubs, but the landscaping hasn't been approved by Murray City as of yet, so more could be added if necessary.

Mr. Buchert asked how clients are supposed to reach the units that look like garage size doors on the far east side of the property as shown in the plans. Mr. Menlove responded by saying that there won't be any operable doors facing the east side. Mr. Buchert commented that access to the units on the eastern most edge of Building "A" will be interior only and the wall showing will be a blind wall with no penetrations. Mr. Menlove said that was correct. Mr. Buchert asked if there will not be any power supplied to the individual units, but wanted to know if there will be lighting provided in the hallways. Mr. Menlove said that they will provide strip lighting that is mounted to the ceiling in the hallways that is motion censored. The light will go on automatically and will only stay on for 15 minutes. He stated that anyone that rents those units will be storing small items and wouldn't need to pull a car up to load anything. Mr. Menlove concurred, by saying that most of the time smaller storage facilities such as this one are used for things like document storage.

Mr. Harland commented on the City's procedures for zoning on annexation and that the City attempts to zone property as closely as possible with the surrounding area and what would be most appropriate. He asked Mr. Wilkinson to discuss any obligation the City might have to abide by what the county had previously. Mr. Wilkinson stated that with any zone change that accompanies annexation goes through a public hearing process. He explained that conditions that were applied to the Conditional Zone Change by the county are now replaced by the new City zoning without restriction. It goes through the public hearing process for the annexation at which time that zoning is proposed and adopted.

Mr. Buchert asked if the City has a policy that addresses any creeping plants growing over the property line and spreads over onto another property. Mr. Wilkinson stated that there currently isn't any specific policy in place. However, in a similar situation if a tree branch were to come onto someone else's property, they have the right to prune that back from their property line.

Mr. Black is still unclear on the legality of the zone change and whether or not the prescriptive easement is carried over. Mr. Harland reiterated that any conditions that were applied to the Conditional Zone Change by the county are now replaced by the

new City zoning without restriction. Mr. Harland stated that this project, including all the conditions, meets all the requirements of this zoning designation.

Ms. Daniels made a motion to approve the Conditional Use Permit for Johnson Self Storage located at 942 East 5600 South, 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 applicant shall provide formal landscaping/irrigation plans complying with the requirements of Chapter 17.68 of the Murray Municipal Code with the building permit for approval by the Murray City Officials. Approved landscaping shall be installed as approved prior to occupancy.
3. All trash containers shall be screened as required by Section 17.76.170.
5. Exterior lighting shall be directed down and away from adjoining properties and streets.
6. The applicant shall obtain a separate sign permit for any proposed signage.
7. A 6 ft. high solid masonry wall shall be installed adjacent to the residential zone at the east and west sides of the property to comply with the fence regulations.
8. A formal drainage plan is required for approval by the Murray City Engineer.
9. The applicant shall repair/replace any damaged curb, gutter and sidewalk along 5600 South frontage.

Mr. Taylor seconded the motion.

Mr. Black wants to see the decision tabled until the legal issue is worked out.

Mr. G.L. Critchfield, Murray City Attorney reiterated what Mr. Wilkinson said earlier. When the property was annexed and the zone changed, it changed everything and all the conditions start out new.

Call vote recorded by Chad Wilkinson.

A _____ Karen Daniels
A _____ Phil Markham
A _____ Martin Buchert
A _____ Ray Black
A _____ Jim Harland
A _____ Tim Taylor

Motion passed, 6-0.

GSA SALES INC. – 343 West Anderson Avenue – Project #12-12

Greg Sanderson was the applicant present to represent this request. Joshua Beach reviewed the location and request for Conditional Use Permit approval for auto sales at the property addressed 5567 South Commerce Drive which was previously used for camper top sales. The existing building is to be used for office, showroom, and storage areas. Municipal Code Ordinance 17.160.030 allows auto sales within the M-G-C zoning district subject to Conditional Use Permit approval. The existing building is not approved for auto repair. There will need to be improvements to the site with landscaping and striping parking stalls. The floor plan shows the building contains 630 sq. ft. office, 1,500 sq. ft. storage, and 870 sq. ft. showroom which will require 7 parking stalls, including one disabled stall, for customer and employee parking stalls which will need to be designated on the site with signs. The balance of the parking stalls may be used for auto sales. The building meets the required setbacks for the M-G-C zone. Additional landscaping will need to be installed at the Anderson Avenue frontage to comply with the 10 ft. depth as well as a fence placed on the inside of that landscaping toward the building. A formal landscaping/irrigation plan will need to be provided by the applicant for approval by City Officials. Landscaping/irrigation system will need to be installed or a deferral agreement will need to be completed prior to occupancy and business license approval. Access into the property is from Anderson Avenue. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval subject to conditions.

Mr. Markham wanted to clarify the definition of “auto repair”. Mr. Beach responded that based on the ordinance they would not be able to have lifts or do any sort of mechanical repair on a vehicle. The applicant did explain that on the site plan there is a maintenance area that would be used for accessories such as car radios, but there will not be any vehicle mechanical repair on site. Mr. Buchert wanted to know if changing a tire, changing out a windshield or repainting a vehicle constitutes vehicle repair. Mr. Beach responded in the affirmative.

Gregg Sanderson, 1794 East Burning Oak Drive, stated that he is the applicant and currently owns the business, GSA Sales directly south of the subject property. GSA Sales is a licensed dealership that has expanded from wholesale into retail and has grown extensively, so when the property next door became available they decided that they would expand there. Through the added revenue that the used car sales will bring in, there will be more sales tax for Murray City. He stated they have already made some improvements to the property by cleaning up all the weeds and garbage. He does not do any repairs or body work and that is subcontracted out to a mechanics. He does have the proper drainage for detailing work, if they choose to do that.

Mr. Harland asked Mr. Sanderson if he has reviewed the conditions and if he could comply with them. Mr. Sanderson realizes that one of the conditions requires there must be a minimum 10 ft. depth of landscaping at the Anderson Avenue frontage, but the extra 5-10 ft. he would have to landscape in order to comply with that condition

will take away significant space that he could use for customer parking and car storage. In addition Anderson Avenue is not a through street (dead ends at the rail road tracks). He asked if he could have that condition removed. Mr. Harland responded by saying that Conditional Use Permits require the property to be brought into compliance with the current ordinances. Mr. Sanderson asked if he could get a deferral until the summer, so that he isn't trying to put in the landscaping in the winter time. Mr. Harland told him that he could work with Staff on a time line for that. Mr. Beach let Mr. Sanderson know that he would be able to get an extended time line on that but it would require monies or a letter of credit up front to make sure that those improvements do get installed. Mr. Sanderson did say that there was a variance given on this property to another owner at one time and he was confused as to why he was unable to get one. Mr. Harland explained that he would have to go through the Board of Adjustments for a variance. Mr. Sanderson stated he will comply with all of the other conditions.

The meeting was opened for public comment. No comments were made by the public.

Mr. Black made a motion to approve a Conditional Use Permit for G S A Auto Sales at the property addressed 343 West 5560 South (Anderson 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. A formal landscaping/irrigation plan, meeting the requirements of Chapter 17.68 of the Murray Municipal Code, shall be submitted and be approved by the Murray City officials and be installed as approved prior to occupancy. A minimum 10 ft. depth of landscaping is required at the Anderson Avenue frontage.
4. Provide adequate paved and striped parking to meet the land use ordinance regulations, including one disabled person parking stall to meet ADA regulations with signs posted. Designate seven required customer and employee parking on the site with signs.
5. The site shall comply with fencing ordinance regulations. The existing fencing shall be relocated behind the landscaping on Anderson Avenue.
6. The existing building shall not be used for auto repair.

Ms. Daniels seconded the motion.

Call vote recorded by Chad Wilkinson.

A _____ Karen Daniels
A _____ Phil Markham
A _____ Martin Buchert
A _____ Ray Black

A _____ Jim Harland

A _____ Tim Taylor

Motion passed, 6-0.

IHC HEALTH SERVICES, INC – 6272 South Highland Drive – Project #12-13

Darren Johnson was the applicant present to represent this request. Joshua Beach reviewed the location and request for a temporary Conditional Use Permit for a temporary medical building to be constructed within the C-N-C (Commercial Neighborhood Conditional) zone located on the existing IHC InstaCare site at property addressed 6272 South Highland Drive. The building is to be used for a temporary clinic while the permanent structure is being built and will include: InstaCare, internal medicine, podiatry, lab, imaging, pediatrics, physical therapy, and sub-specialties. The solid masonry wall and buffer landscaping will need to be installed where the property abuts residential zones. Municipal Code Ordinance 17.156.020 allows for medical clinics within the C-N-C zoning district. Section 17.56.100 allows for the approval of a temporary Conditional Use Permit for up to six months, and authorizes planning staff to approve three extensions of six months each. The applicant has agreed to install a concrete parking lot to facilitate the temporary clinic with adequate parking. Staff looked at the original conditions of approval for the facility and chose the conditions out of that list that would directly affect this facility. The planning commission can extend the temporary conditional use permit for one additional year if unusual circumstances are applicable. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval subject to conditions.

Mr. Harland wanted to reiterate that the applicable conditions of the original permit are listed in conditions 2-10.

Darren Johnson, 1225 East Fort Union Blvd, stated he is representing IHC for this application. He made note that the plans are to move the temporary facility business into the new facility when it opens. Since things have changed with the current lease that they hold and they need to move out of that temporary facility. Therefore, they would like to put a modular facility on the proposed site in order to continue to take care of their patients until the new facility is completed. They have used a modular unit before at other sites and it works well for the interim.

Ms. Daniels asked how long it takes for them to set up the modular facility. Mr. Johnson responded that once the structure is on the site, it generally takes two weeks to put it together.

Mr. Harland asked if they anticipate the building for the new facility to be done in six months. Mr. Johnson responded by saying that they are hoping that they will have it completed in October 2012. Once the new facility opens the modular pieces will be disassembled and taken to a storage site. All of the items on the list of conditions will be completed.

Mr. Harland asked what type of landscaping will there be for the temporary facility. Mr. Johnson responded that there will be landscaping around the facility, but he was not specific.

Mr. Black mentioned that he is familiar with the modular units that will be used and he commented on how nice they are.

The meeting was opened for public comment. No comments were made by the public.

Mr. Johnson mentioned that he had received a letter from Annette Hibbard, President of the Monte Cristo Homeowners Association. Her letter is in support of the temporary Conditional Use Permit. Mr. Harland asked him to hand the letter to Mr. Wilkinson and put it in the record.

Public comment was closed.

Mr. Taylor made a motion to approve a temporary Conditional Use Permit for a temporary building located on the existing IHC Health Services, Inc. property addressed 6272 S Highland Drive for up to six months, subject to the following conditions and that staff can administratively extend the approval up to three times for six months each:

1. The temporary structure shall comply with applicable conditions of the original approval.
2. The project shall meet all applicable building code standards.
3. The project shall meet all current fire codes.
4. The landscaping shall be consistent with the approved landscape plan.
5. All trash containers shall be screened as required by Section 17.76.170.
6. Meet the requirements of the Murray City Engineer for a formal drainage plan.
7. Meet all Murray Power Department and Water and Sewer Department requirements.
8. All of the parking stalls serving the temporary clinic, including disabled stalls with signs posted, shall be paved and striped to meet Municipal Code Chapter 17.72.
9. All fencing shall be installed to meet zoning regulations.
10. Exterior lighting shall be shielded and be directed down and away from the residential zones.

Ms. Daniels seconded the motion.

Mr. Wilkinson wanted to clarify and reiterate for the applicant and Planning Commission that Staff can administratively extend the approval up to three times for six months each.

Call vote recorded by Chad Wilkinson.

A _____ Karen Daniels
A _____ Phil Markham
A _____ Martin Buchert
A _____ Ray Black
A _____ Jim Harland
A _____ Tim Taylor

Motion passed, 6-0.

Mr. Harland made mention that Mr. Black will be leaving the meeting temporarily at time 7:50pm.

M G AUTO SALES – 4790 South Cherry Street – Project #12-14

Marco Cruz was the applicant present to represent this request. Joshua Beach reviewed the location and request for Conditional Use Permit approval for auto sales for the property located at 4790 South Cherry Street. Municipal Code Ordinance 17.160.030 allows auto sales use within the M-G-C zoning district subject to Conditional Use Permit approval. The applicant plans to construct a new paved 16 ft. wide one-way driveway around the building and to provide two diagonal parking stalls at the west side of the building. A demolition permit will be required by the Murray Building Division, to remove an existing structure, in order to install the driveway. Variances for landscaping and for drive access width were granted by the Board of Adjustment in May, 1998. A formal landscaping/irrigation plan will need to be provided by the applicant for approval by City Officials. The approved landscaping/irrigation system will need to be installed prior to occupancy or a deferral agreement will need to be completed and approved by the City. Rock is not permitted. The site plan shows 11 parking stalls, including one disabled stall, to provide for customer, employee and cars for sale. A total of six parking stalls are required based on 570 sq. ft. office and 1793 sq. ft. storage uses inside the building. A total of five parking stalls will be allowed for display vehicles. The front of the building complies with the required 20 ft. setback at 4800 South Street, but the east side of the building is legal nonconforming with a 16 ft. setback from Cherry Street. Access onto the property is from 4800 South Street. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval subject to conditions. Mr. Harland made mention that Mr. Black had returned to the meeting.

Marco Cruz, 1007 Country Villa Lane, stated he is the applicant. He stated that he understands everything and had no other comments.

Mr. Harland asked if Mr. Cruz had a chance to review the conditions and if so, would he be able to comply. Mr. Cruz responded in the affirmative.

The meeting was opened for public comment. No comments were made by the public.

Mr. Buchert asked why rock is not a permitted landscape material. Mr. Wilkinson explained that there is an ordinance change or initiated text amendment currently being reviewed. One of the items that is being looked at is xeriscaping. This information has just been presented to the Shade Tree Commission and Staff received some of their recommendations. It's a comprehensive look at the landscaping ordinance. He explained that it also not only includes xeriscaping, but also what is required in the commercial zone along State Street. Currently there is a certain percentage of irrigated lawn, shrubs, trees and living ground cover required in the Murray City Code. At this point rock alone cannot be used as a single landscaping material.

Mr. Buchert asked if that was pertains to the city park strip areas or does that ordinance also regulate single family residential. Mr. Wilkinson said that the landscaping ordinance on the single family residential is a little different and offers some flexibility. As a clarification, xeriscaping does not mean "zero-scaping" or nothing. It means low water use plants.

Mr. Black made a motion to approve a Conditional Use Permit for M G Auto Sales located at 4790 South Cherry Street subject to the following conditions:

1. The project shall meet all applicable building code standards.
2. The applicant shall provide plans stamped and sealed by appropriate design professionals to include code analysis noted on the plans with building permit application.
3. The project shall meet all current fire codes.
4. A formal landscaping plan meeting the requirements of Chapter 17.68 of the Murray Municipal Code shall be submitted and approved by the Murray City officials and be installed as approved prior to occupancy.
5. Any trash containers shall be screened as required by Section 17.76.170.
6. The project shall comply with all Water & Sewer and Power Dept. requirements.
7. The project shall comply with adequate paved and striped parking to meet the land use ordinance regulations, including one disabled person parking stall to meet ADA regulations with signs posted. Designate six required customer and employee parking stalls on the site with signs. Display cars shall be limited to five parking stalls.
8. The applicant shall provide a grading and drainage plan for the new paving on the west and north side of the building for approval by the City Engineer.

Ms. Daniels seconded the motion.

Call vote recorded by Chad Wilkinson.

A _____ Karen Daniels
A _____ Phil Markham
A _____ Martin Buchert
A _____ Ray Black
A _____ Jim Harland
A _____ Tim Taylor

Motion passed, 6-0.

PRIVATE STREET TEXT AMENDMENTS – Project #11-56

Mr. Wilkinson wanted to give some background to the new commission members on the private streets issue. The City Council in 2007 determined that private streets were not appropriate for development of single family residential subdivisions and required that all future created lots abut a public street. That result came from a task force that was appointed by the City to look at the issue including citizens and developers. The Planning Commission reviewed this issue again in July of 2011 and on July 21, 2011, the Planning Commission recommended denial of the proposal to allow for private streets. At that time, Staff also recommended denial.

On December 6, 2011, the City Council considered the request and directed staff to draft an ordinance for the Planning Commission's consideration and recommendation that would allow private streets in certain limited situations. After input from the Public Services Department, City Fire, Public Safety, Water and Sewer Division, and Power Department staff has drafted an ordinance to allow private streets for residential infill subdivisions with minimum standards to regulate the development. As previously included in reports to the Commission, a task force had been organized in 2006 to look at the issue of private streets along with other issues related to the development of Planned Unit Developments.

The draft drawn up by Staff was taken to the Planning Commission for review. The Planning Commission gave back some comments which were forwarded to the City Council. At the City Council's direction, Staff is presenting an ordinance for the Planning Commission's consideration.

The Planning Commission reviewed a draft proposal on January 5, 2012 and provided feedback to staff. Items discussed by the Planning Commission included:

- How to address the installation of a private gate.
- How the City is to monitor and enforce maintenance of the private street and how that mechanism is going to occur.
- Whether or not maintenance plans should be submitted as part of the approval.
- Recommendation that one side of sidewalk be a requirement on residential infill subdivisions.
- Providing clarity on where to create the lot line and where that would be measured.
- Requiring high back curb and gutters.

- Street width of 20 feet
- Separation between private street and adjacent properties

Staff had a concern on an issue that was talked about at the first meeting with the Planning Commission of locating private streets within easements as opposed to locating them within separate lots or parcels. Mr. Wilkinson gave an example of a shared access easement where a property owner had constructed a fence down that easement. Another example of concern was setbacks where a developer proposed that since the street was a part of their parcel and the parcel extended beyond the street, they should be allowed to measure their setback from the far edge of the street instead of from the near edge of the street.

Staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the requested amendment to subdivision ordinance and residential infill standards related to private streets with the modifications and additional standards proposed by Staff. There is a process on ordinance text amendments as outlined by state law. Whenever there is a land use or subdivision ordinance change, a review is required by the Planning Commission as a recommendation body to the City Council. The Planning Commission can choose to follow Staff recommendations, modify those recommendations or recommend denial.

The proposed ordinance states that private streets would be allowed in certain circumstances, limited to residential infill subdivisions only (subdivisions that are 2 acres or less). There is a minimum paved width of 20 feet, curb and gutter would be required with the specific design to be approved by the City Engineer. Private streets need to be located on a separate lot or parcel and not counted toward lot square footage. Setbacks would be measured from the edge of the private street parcel, which would be treated as the property line to measure those setbacks. Sidewalks and park strips would be required unless they were omitted through the existing process which requires review and recommendation by the city engineer and by the Planning Commission's recommendation. Changes from the discussion on the draft related to issues brought up by this commission are; gates and a standard for them, setbacks from adjacent parcels and extension of streets to adjoining properties.

Mr. Buchert wanted clarification on if Staff was really in favor of approving the amendment of the existing ordinance. Mr. Wilkinson stated that Staff still has concerns and reservations about the ordinance. However, they have received direction from the City Council to move forward with a proposal. For clarification on who "Staff" represents; it is a variety of departments, all of which do not share the same viewpoint on the issue. Those departments include; City Engineer, Fire Department, Police Department, Water Department, Power Department, etc. The Planning Department does still have some concerns and felt that the original position was a good decision, but they have received direction to draft an ordinance for the Planning Commission's review. Mr. Buchert wanted to know why the City Council wanted to revisit this issue again. Mr. Wilkinson made note that the City Council did not vote on whether or not to approve the original proposal, the vote was to remand and for Staff to take another look at it. What we do know is that they would like the Planning Commission to review this issue one more time and give them a recommendation. Mr. Taylor added that the role of the Planning Commission is to

study those issues in depth and make recommendations. Mr. Harland pointed out that Staff has done an excellent job in researching the issue and providing information for the Planning Commission, so that they were able to make an educated recommendation. Mr. Taylor pointed out that there are instances where the space may not be wide enough for a public street, but would work for a private street. Mr. Wilkinson made mention that with the new ordinance there could potentially be consolidation of parcels to create a subdivision. The number of properties that could potentially develop goes up with the current proposal. Mr. Markham wanted a clarification on if this proposal only applies to parcels with two acres or less. Mr. Wilkinson said that was correct for whatever the underlying density or zone may be (i.e. R-1-8, R-1-10).

The meeting was opened for public comment.

Bill Finch of 1055 Chevy Chase Drive was asked by Jim Brass to be on the task force in 2006, made up of two architects, two in construction, two developers and four private citizens. Mr. Finch contacted the eight members on the task force and found that they all had the same question. They all wanted to know why this was coming up again. Mr. Finch explained that the task force met for 14-15 meetings over three months and during that time the only item that was approved by the Planning Commission and made it through the City Council was, Private Streets. At that time everyone was at 100% accord that there could no longer be any private streets in Murray. In addition they had the backing of the Fire Department and Police Department. At that time they went with the minimum of 20 feet plus the gutters, sidewalk and 20 foot setback to the garage. There have been developments since then that haven't followed those recommendations. If there is a private street that cannot be accessed by the fire department you create a disaster by the fire engines not being able to get by parked cars or is unable to turn around.

Mr. Jimmy Nielson of 41 Paula Circle is an architect and the original applicant. His father has a piece of property that can be developed and he would like to give it to his children to build a house on and live there. It is an acre and a half in size. The limited access into the property is because his house was approved in a certain spot when it was built in 1974. Mr. Nielson feels that they can put in a road that meets fire code. He addressed why the City Council may have thrown this issue back and he believes that the City Council saw merit in these properties, but knows that the property just can't support a public road. He says that he has looked into the option of defining a new public road standard so as to not have to require a private street. However, Staff was uncomfortable with any width narrower than what the current standard is (25 feet paved width plus 5 feet of curb and gutter). That is why he is here and asking for a private road. Previous to 2007, the issues of private roads were considered wide open. Conditions have changed. He feels the City has had time to recognize issues that they have had in the past and to deal with those views. The Nielson family has recently met with Staff in formulating the current proposal. He doesn't feel that it is ideal for them or Staff, but after discussing specifics with the engineering department, they feel like it could be made to work. They have the length for a public road, just not the width. Another reason that the issue is coming back to the Planning Commission is that the Nielson's proposed another amendment. They worded the amendment specific to the property so that it would affect the least number of properties as

possible. However, the amendment would have only affected their property and City Council did not feel like that was the best approach, so it was denied. City Council then asked Staff to re-write it so that it would be applicable to the whole city. Mr. Nielson wants to be able to build and live on this property in a responsible manner, but he feels that it will require a road that is narrower than the current standard. Mr. Nielson wanted to make sure that he understood the extension requirement that had been added that a public road extension requirement would not apply to park property. Mr. Nielson acknowledged that there has been varied feedback from the different Staff agencies, but they have also received positive feedback from other areas of the Murray City organization.

Mr. Wilkinson responded to Mr. Nielson's question regarding the public road extension requirement. He clarified that staff was not referring to an extension into a publicly owned park.

Ben Savage of 600 East 4800 South got up and wanted to know who the actual applicant was for this issue. Mr. Harland responded that this was an ordinance text Amendment and Mr. Nielson was the applicant. Mr. Savage wanted to know from Mr. Nielson how many lots were on the subdivision. Mr. Nielson said that they would propose two additional lots to the current lot once the ordinance was approved. Mr. Savage feels that this whole issue is opening up Pandora's Box. He feels that what they are proposing is to take a broad brush for one development just to get it through which then takes the ordinance right back to where they were before they started the task force in 2006. There was a lot of effort put into that issue, it's been voted down once by the Planning Commission, Staff has problems with it and it really becomes a safety issue and it then opens up to anyone that has a two acre parcel or less that they want to develop. If he is reading the ordinance properly, with the discretion of Engineering and Staff, you could end up with a 20 foot wide road including curb and gutter with no sidewalk or planter strip. Mr. Wilkinson corrected him by saying that it would be 20 feet plus the curb and gutter. Mr. Savage went on to try and summarize his understanding of the proposed ordinance by saying that safety becomes the main issue by having a private road. Someone parks a vehicle on the road, the fire engine can't get in, the police can't come on private property to write parking tickets to the violators, then there becomes a Home Owners Association where they have to police parking to try and keep the area safe. There are no sidewalks for the children to walk on, short driveways, snow plowing, garbage pick-up, etc. He is asking that the Planning Commission deny this proposal. Changing this ordinance would affect every small parcel in the City that number as much as 50-100.

Mr. Harland asked Mr. Wilkinson to clarify article "2-g" in the proposed ordinance on whether sidewalks and parks strips could be omitted per the City Engineer and Planning Commission. Mr. Wilkinson made note that sidewalks and park strips are required and it would be at the burden of the applicant to show some reason why they shouldn't be included. It gives a bit of flexibility to the width of the street. The existing residential infill already allows for City Engineer and Planning Commission to consider waiving one or both in certain circumstances.

Mr. Markham needed clarification on whether any other avenue could be pursued other than amending this ordinance in order to allow this applicant to do what they

want to do. Mr. Wilkinson said that it mostly comes down to design. There is an existing home that does constrain the width of any street and Staff hasn't been able to come to an agreement with the applicant on a public street standard that they both feel comfortable with. To answer the question, the applicant feels that if the standard doesn't change to narrow the street width, it will not work for them design wise. Ms. Daniels asked Mr. Wilkinson if he feels that this newly proposed ordinance will impact more than just this applicant. Mr. Wilkinson noted that yes, there was an application put in that initiated this review, but when writing up the proposed ordinance they did not have one particular property in mind. There were two things that were taken into consideration. One, being the concerns of the task force and the second being the impacts it would make throughout the whole city. Mr. Harland wanted to know how many potential properties could take advantage of this. Mr. Wilkinson responded by saying that it could be somewhere in the range of 40+ properties. If property owners would consider the removal of structures that would really open up some possibilities on what could be done.

Marta Nielson of 5495 South Walden Meadows Drive, indicated that she sees this as an opportunity to allow for more housing in Murray and for property owners to utilize their property rights. She feels that the work done by Staff and her family over the past two years has resulted in a solution that would meet the concerns and mitigate the concerns of the City and provide an opportunity for property owners. As property owners she feels that they have a vested interest in the safety of the area and she feels that this proposed ordinance addresses those concerns. She requested a positive recommendation from the Planning Commission.

Public comment was closed.

Mr. Harland reminded everyone that he, Mr. Taylor, Mr. Black and Ms. Daniels are very familiar with this issue as they have been on the Commission for a few years and have had several discussions and meetings in regards to that issue. Knowing that Mr. Buchert and Mr. Markham have been given information to read on past meetings, he still wanted to know if they had any questions. Mr. Buchert wanted to know if the City wants to promote development on these infill parcels. The fact that they have been asked to consider an ordinance change indicates that the City is trying to promote development of these parcels. Mr. Harland explained, as he understands it, since the ordinance was changed in 2007 the City's intent is to have public streets. Both the public streets and infill ordinances that the City has in place have worked very well. His belief is, that if it's working well, why change it. Mr. Buchert understood that to mean that the intended consequence of this change would be to facilitate infill development of undeveloped or low density developed land to promote the tax base. Mr. Taylor interjected by stating that the infill allows for those parcels to be able to be developed on a public street. This proposed ordinance is just an issue of public versus private streets. The City has made its stance known that they do not want private streets for multiple reasons. Mr. Harland made note that the decision that needs to be made at this meeting is whether to add or not add the private street category onto the infill development ordinance. Mr. Buchert wanted to know what the institutional intention of the City in amending the ordinance. Mr. Taylor responded it is to allow for a private street in an infill situation. Mr. Buchert then wanted to know why or why not there are different standards on private roads then for public roads. Mr.

Taylor responded by saying by passing the current ordinance in 2007, the City has made a statement by saying there shouldn't be a difference, they should be all public streets. Mr. Buchert then asked why the City wouldn't want private streets. Mr. Harland pointed out that when the City did allow private streets, it was a mess with all kinds of problems. The private streets had pot holes and were not being maintained and the people that owned them wanted to dump them on the City and have them maintain and pay for them. Because of that, in 2006 the task force was formed. They came up with their recommendations, sent them onto the Planning Commission and from the Planning Commission to the City Council, all parties agreed to no longer allow private streets. Since that time, there has been an improvement. He doesn't feel that if it is working, they should go backwards. Mr. Buchert wanted to what the difference is about a municipal government's interest than a state governments or a federal government's interests in a road or highway that is private or not. Mr. Taylor commented that he wouldn't even begin to compare a small street to a highway when it comes to funding and maintenance. Mr. Harland pointed out that Mr. Black made a comment earlier that sticks out as a concern. At previous commission meetings, developments have come up in the past that wanted private streets and everything that deals with all the related problems of ongoing maintenance. In some instances some of the residences in the development weren't even aware that their road was private. Then when it came time to repair it, they called the city and the city said it wasn't their responsibility. Those were the types of problems that came up and thus generated the need for a review by the task force and resolved through the proper channels of no longer allowing private streets. Murray City Attorney, G.L. Critchfield addressed Mr. Bucherts question by stating that at the federal and state level there is an interest in insuring that interstate commerce flows freely. When you get to the city level, they too want the streets to flow freely, but occasionally there is an instance where someone comes to the city and says, my property doesn't quite fit, so make a concession for me and change the law. Years ago that was done, but when the PUD ordinance came about in Murray in the 1970's there was quite a few people proposing private streets. However, when you are talking about private streets in residential developments, typically you are talking less cost and higher density. If someone can get a narrower street, there isn't as much cost involved and it allows more homes in the development. A few years ago there was a PUD proposal that Mr. Savage was involved in the middle of. A developer came in and proposed 16 lots to go on a private street. He counted the private street towards the square footage requirement. In effect it downzoned without going to the city council. Mr. Savage objected to that, talked to the developer and they agreed on a certain amount of lots. Mr. Critchfield's understanding is that certain people that bought into that development have subsequently asked the city to take that street back and make it public. The public standards are to look at safety, maintenance and how long the road will be in use before it needs repair or replacement. It seems that the private developer's standards might be driven by cost. The problem with that is when the city allows a street to be private the city is precluded from going in and maintaining it because it is private property. Sometimes the developer says that they will form a Home Owners Association (HOA) that will pay fees monthly to pay for maintenance of the street. The city's experience is that the HOA over time fail to keep up to that commitment, so when there is a need to make repairs the money isn't there. That's when they turn back to the city and ask them to take the road back. Generally the city won't take it back, because of the maintenance problems. When there is a narrower street the

plows and garbage trucks have a harder time. The difficulty in this application is that there is a family that wants to develop property, yet the Planning Commission needs to be looking at this as an overall city issue. To eliminate the problems, you need to eliminate the private street option.

Mr. Buchert asked Mr. Wilkinson if he has a sense of how many properties will not be able to be developed because of the existing ordinance that doesn't allow private streets. Mr. Wilkinson responded by stating that he does not have numbers to reflect that. He went on to say that there are so many variables to identify. (i.e. the willingness of a party to remove an existing structure). The proposed ordinance was written not with a specific property in mind, but more as a broad policy issue. Mr. Wilkinson made note that whether or not private streets should be treated differently than public streets is purely a policy issue. The public services department has stated that there are certain widths of streets that they are simply unwilling to maintain.

Mr. Black explained that he has been there through all the changes throughout the years and just by observing what the city has gone through in the past with private streets, it's hard not to have learned something from it. He feels that approving this ordinance for one piece of property, because the owners want that, opens up the flood gates for everyone else. Changing an ordinance for one party which in essence will apply to the whole city is not prudent or logical. He doesn't feel that going back to allowing private streets is a good way to go.

Mr. Taylor commented that upon the City Council's request, Staff has done a great job in presenting this new proposed ordinance for Planning Commission's review. He would recommend several changes be made to the draft of the ordinance;

- Item #9 states signage shall be installed at the entrance. He feels it should read, signage shall be installed and maintained by the HOA.
- Item #11 the second line reads to provide access to undeveloped properties. It should instead say...undeveloped private properties.

Mr. Tingey reiterated that there are reservations from the planning side of things, but when the City Council was provided with the original recommendation, they gave Staff the direction of revision. So that is what has been presented at this meeting.

Mr. Buchert pointed out that in 16.16.095 the numbered/lettered points from "2-a" down doesn't really seem to go along with the City Engineer street plans. Mr. Taylor suggested that "A-1" goes together, but the rest doesn't fall under that category and should be re-numbered/lettered.

Ms. Daniels made a motion to forward a recommendation of denial to the City Council for the requested amendment to the subdivision ordinance and residential infill standards related to private streets with the modifications and additional standards proposed by Staff.

Mr. Black seconded the motion.

Call vote recorded by Chad Wilkinson.

A _____ Karen Daniels
A _____ Phil Markham
A _____ Martin Buchert
A _____ Ray Black
A _____ Jim Harland
A _____ Tim Taylor

Motion passed, 6-0.

OTHER BUSINESS

Mr. Wilkinson reminded the Planning Commission of the training and retreat on March 8, 2012 at 6:00-8:00pm. A dinner will be served while Staff does some training. After that it will be an open forum to discuss any issues or concerns.

Mr. Harland wanted to know if Staff was still working on getting a seventh Planning Commission Board member. Mr. Wilkinson stated that they are still trying to find someone to fill the position and will be glad to take suggestions.

Mr. Buchert offered to obtain a model of intersecting, depreciation and appreciation curves for building developed by Dr. Chris Nelson of the University of Utah. The model can model those points for the city, spatially.

Meeting adjourned.

Chad Wilkinson, Manager
Community & Economic Development