

Minutes of the Planning Commission meeting held on Thursday, April 19, 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
Martin Buchert
Vicki Mackay
Tim Taylor
Chad Wilkinson, Division Manager
Joshua Beach, Planner
G.L. Critchfield, Deputy City Attorney
Citizens

Excused: Phil Markham

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.

APPROVAL OF MINUTES

Mr. Harland asked for additions or corrections to the minutes of April 5, 2012. Martin Buchert made a motion to approve the minutes of April 5, 2012 as written. Seconded by Ray Black.

A voice vote was taken. Motion passed, 6-0.

CONFLICT OF INTEREST

There were no conflicts of interest for this agenda.

APPROVAL OF FINDINGS OF FACT

Karen Daniels made a motion to approve the Findings of Fact for Conditional Use Permits for RWM, Inc. and Dahle Investments, LLC. Seconded by Tim Taylor.

A voice vote was made. Motion passed 6-0.

ROOF MANAGEMENT SYSTEMS, INC. – 4617 South Cherry Street – Project #12-40

Dan Cotten was the applicant present to represent this request. Joshua Beach reviewed the location and request for a Conditional Use Permit for a roofing contractor business use in the existing building at the property addressed 4617 South Cherry Street. The property is located within the M-G-C zoning district. The building is 13,100 square feet and the applicant will occupy 2,700 square feet, with 600 square feet of office and 2,100 square feet of warehouse. The use requires the property to have seven paved, off-street parking spaces including one ADA van accessible space with a sign. All parking needs to be striped and the asphalt needs to be in good repair. The parking lot configuration will need to be revised to meet current standards. This

may include the elimination of some of the existing parking spaces. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval subject to conditions.

Dan Cotten, 4617 South Cherry Street, stated he is representing Roof Management. Mr. Cotton stated he has spoken with the property owner regarding the conditions of approval and that the property owner is aware that improvements will be required for the property. He stated the existing signage will be removed and the sign belongs to the previous tenant. He commented that there are numerous trash containers along Cherry Street and the Maverik Store on 4800 South that are not fenced in as required per code.

Mr. Harland explained that when a conditional use permit is applied for, the property is required to be brought into compliance with the current city ordinances and there may be some existing property that have not gone through this process. He indicated that Mr. Cotton will need to work with the property owner to have the improvements done on the property as required with the conditional use permit approval. Mr. Cotton indicated that he will comply with the issues that are in his control.

Mr. Harland stated that a business license will not be issued until the property is brought into compliance. Mr. Cotton responded that some of the requirements may take some time and he may be forced to have his business go back to Salt Lake County. He indicated that he wants to do things correctly and through the proper channels.

Mr. Buchert asked if an additional condition should be added requiring the property owner to sign an affidavit indicating that the property will be brought into compliance before a business license is issued. Mr. Harland commented that is part of the administrative process of getting a Conditional Use Permit and business license.

Mr. Wilkinson indicated that where there is a multi-tenant property, the property owner must sign an Affidavit indicating that they will meet any requirements as part of the Conditional Use Permit process. The affidavit is part of the process that is then done administratively to have the property brought into compliance prior to a business license being issued. He further stated that any conditional use permit process requires the property to be brought into compliance with city ordinances.

Mr. Taylor asked if there are time limits for the property to be brought into compliance and could the business owner start operating while the improvements are being made. Mr. Wilkinson responded that a security for performance of required improvements may be done which is a cash security of 125% of the cost of the improvements. This is typically meant for situations where the improvements could not be done due to the weather such as paving improvements or landscaping improvements during the winter months. Otherwise, the required property improvements need to be done prior to a business license being issued.

No comments were made by the public for this item.

Ray Black made a motion to grant Conditional Use Permit approval for Roof

Management Systems, Inc. at 4617 South Cherry Street subject to the following conditions:

1. The project shall meet all applicable building code standards.
2. The project shall meet all current fire codes.
3. No signage is allowed on city property. All signage on the transformer building located on the property needs to be removed.
4. The project shall meet all engineering department standards.
5. Landscaping needs to meet the requirements of Chapter 17.68 of the Murray Municipal Code.
6. All of the parking stalls shall be paved and striped, including one disabled stall with sign posted, to meet zoning code.
7. All parking lot asphalt needs to be in good repair.
8. All trash containers shall be screened as required by Section 17.76.170.
9. Comply with all Murray Water & Sewer and Power Department requirements.
10. The parking lot needs to be reconfigured to meet current standards.

Ms. Daniels seconded the motion.

Call vote recorded by Joshua Beach.

A _____ Karen Daniels
A _____ Ray Black
A _____ Martin Buchert
A _____ Vicki Mackay
A _____ Jim Harland
A _____ Tim Taylor

Motion passed, 6-0.

TONY REZAC – 5668 & 5636 South Bullion Street – Project #12-42

This portion of the meeting is a public hearing.

Tony Rezac and Brock Rezac were the applicants present to represent this request. Chad Wilkinson reviewed the location and request for Tony Rezac requesting a zoning map amendment from an A-1 (agricultural) zone to R-1-8 (residential) zone for

a portion of the property addressed 5668 & 5636 South Bullion Street. The proposed zone map amendment is consistent with the Murray General Plan for a change to residential single family low density. The West Bullion Street Lot Split subdivision was recorded in 2011, but the applicant stated the lot was not large enough for the dwelling planned for the lot. The applicant is now requesting this zone map amendment to increase the size of the building lot by 1,330 sq. ft. After the zone map change is completed, an amended subdivision plat will need to be approved by Murray City Officials and recorded at Salt Lake County Recorder's office prior to application and approval of a building permit for a dwelling on the lot. The purpose of the General Plan is to provide overall goal and policy guidance related to planning issues in the community. The plan provides for flexibility in the implementation of the goals and policies depending on individual situations and characteristics of a particular site. Based on the above findings, staff recommends that the Planning Commission forward a recommendation of approval to the Murray City Council for the requested zone change from A-1 to R-1-8 because it is consistent with the Murray City General Plan.

Tony Rezac, 5668 South Bullion Street, stated that the lot was laid out to the property size and the surveyor inadvertently miscalculated by a 15 foot depth and therefore, this additional process is necessary.

Ms. Daniels asked about the strip of property to the north of the subject property. Mr. Rezac responded that there is a pump house located in this area and this strip of property is the drive access to the pump house.

Mr. Buchert asked if this zone map amendment will require re-platting of the subdivision and be consolidated. Mr. Rezac responded in the affirmative. Mr. Rezac stated that the property has already been re-platted at the county. Mr. Wilkinson indicated that an amendment to the plat will be required which is done administratively, but that the property has already been deeded over correctly.

No comments were made by the public for this agenda item.

Mr. Taylor made a motion to send a positive recommendation to the City Council for a zone map amendment for the property addressed 5668 & 5636 South Bullion Street from A-1 (agricultural) to R-1-8 (residential single family) because it is consistent with the city's general plan. Seconded by Ms. Daniels.

Call vote recorded by Chad Wilkinson.

A _____ Tim Taylor
A _____ Karen Daniels
A _____ Martin Buchert
A _____ Vicki Mackay
A _____ Ray Black
A _____ Jim Harland

Motion passed, 6-0.

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Meeting adjourned.

Chad Wilkinson, Manager
Community & Economic Development