

Minutes of the Planning Commission meeting held on Thursday August 7, 2014, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Scot Woodbury, Chair  
Phil Markham, Vice-Chair  
Tim Taylor  
Karen Daniels  
Maren Patterson  
Buck Swaney  
Jared Hall, Community and Economic Development Manager  
Tim Tingey, Administrative and Development Services Director  
Brad McIlrath, Assistant Planner  
Mark Boren, Assistant Planner/Zoning Officer  
G.L. Critchfield, Deputy City Attorney  
Citizens

Excused: Vicki Mackay

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

Scot Woodbury opened the meeting and welcomed those present. He reviewed the public meeting rules and procedures. Mr. Woodbury recognized Maren Patterson for her service on the planning commission and stated that this will be her last meeting serving on the commission, as she is moving out of her district #3. The commission members thanked her for her service.

#### APPROVAL OF MINUTES

Ms. Daniels made a motion to approve the minutes from July 17, 2014 as corrected. Seconded by Mr. Taylor.

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

#### CONFLICT OF INTEREST

There were no conflicts of interest for this agenda.

#### APPROVAL OF FINDINGS OF FACT

Mr. Taylor made a motion to approve the Findings of Fact for Health Care Waste Service, Segó Lily School, Sharan Barnes. Seconded by Mr. Markham.

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

#### PARRIS R V – 4360 South State Street – Project #14-132

Carston McCullough was the applicant present to represent this request. Brad McIlrath reviewed the location and request for Conditional Use Permit approval for an Electronic Message Center for the property addressed 4360 S. State Street. Municipal Code Ordinance 17.48.200 allows electronic message centers within the C-D-C

zoning district subject to Conditional Use Permit approval. The applicants are proposing to remove the two existing on premise signs and construct a new pole sign with an electronic message center. On premise signs are allowed to be constructed at the rate of one and one half (1 ½) square feet of sign area for each linear foot of property frontage. However, the total area of on premise signs may not exceed three hundred (300) square feet of sign area. The property frontage is approximately two hundred and twelve (212') linear feet. Based upon the linear frontage of this property, the total sign area allowed for on premise signs is three hundred (300) square feet. The sign area of the pole sign is approximately 120 square feet and the electronic message center is approximately 111.25 square feet. The proposed pole sign and electronic message center will comply with this standard by having a combined total area of two hundred and thirty-one and a quarter square feet (231.25). The proposed sign shall have a minimum setback of two feet (2') from the property line. The minimum sign clearance (to the lower edge of the sign cabinet) shall be eight feet (8') and the maximum height shall be thirty-five (35') feet above pavement grade or ground level. The proposed sign will have a maximum height of thirty-five (35') feet and will have a clearance of approximately eleven and one half (11.5) feet. The submitted plans show that the proposed sign will meet all setback and height standards. The sign code includes specific standards for electronic message centers intended to mitigate impacts to other properties in the area. Standards include limitations (but are not limited) to lamp size and sign intensity. Electronic message centers are required to have an automatic dimmer to reduce the sign intensity after dark. Electronic message centers which are located within five hundred (500') of a residential area are required to not operate between the hours of ten o'clock (10:00) P.M. and six o'clock (6:00) A.M. of the following day. The homes on Edison Street are located within that five hundred foot (500') buffer area and therefore this electronic message center will need to comply with that standard. Compliance with the standards outlined in Section 17.48.200 for electronic message centers will minimize the possible detrimental impacts of the sign for this area. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval of the conditional use permit allowing an electronic message center sign on the property located at 4360 S. State Street, subject to conditions.

Carston McCullough, 138 East 12300 South, Suite C, Draper, indicated he is Freedom LED Signs. Mr. McCullough stated they will comply with the conditions of approval.

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

Ms. Patterson made a motion to approve the Conditional Use Permit for an electronic message center sign for Parris R V subject to the following conditions:

1. The project shall meet all applicable building code standards and the applicants shall obtain a sign permit from the Murray City Building Division prior to construction.
2. The project shall meet all current fire codes.

3. The proposed on premise and electronic message center sign shall comply with all standards for detached on premise signs as outlined in Section 17.48.160 of the Zoning Ordinance.
4. The proposed electronic message center shall comply with all standards of Section 17.48.200 for electronic message centers including the following:
  - (a) Lamp size shall not exceed fifty-four (54) watts of incandescent lighting during daytime hours, and an automatic dimmer shall be installed to reduce nighttime wattage to thirty (30) watts.
  - (b) The electronic message center shall not operate between the hours of ten o'clock (10:00) P.M. and six o'clock (6:00) A.M. of the following day because the sign is located within five hundred feet (500') of a residential area.

Seconded by Ms. Daniels.

Call vote recorded by Brad McIlrath.

A \_\_\_\_\_ Maren Patterson  
A \_\_\_\_\_ Karen Daniels  
A \_\_\_\_\_ Buck Swaney  
A \_\_\_\_\_ Tim Taylor  
A \_\_\_\_\_ Phil Markham  
A \_\_\_\_\_ Scot Woodbury

Motion passed, 6-0.

DRANG LONGBOARDS – 5185 South Commerce Drive – Project #14-133

Bryan Culver was the applicant present to represent this request. Brad McIlrath reviewed the location and request for a Conditional Use Permit for a longboard manufacturing business for the property addressed 5185 S. Commerce Drive. Municipal Code Ordinance 17.146 allows for the manufacturing of surfboards, skimboards, and related manufacturing, which includes longboards and skateboards (LU #3935) within the M-U zoning district subject to Conditional Use Permit approval. The proposed 2,400 square foot location includes two offices, storage space and a large warehouse area which will be used for the light manufacturing. This use is allowed within this zone with the provisions that the trade is no more than 12,000 square feet, deliveries and shipping occur during normal business hours, and with no outdoor storage or odors associated with this business. The applicants have indicated that they plan to convert a portion of the office space into a future retail area for sales of the longboards. The future retail sales portion of this business is a permitted use within the zone and would not require additional approval by the Planning Commission; however the applicants will be required to obtain a Murray City Building Permit prior to the commencement of any remodeling of this space. The applicants have indicated that the business will be owner operated with a maximum

amount of four (4) people working at this business. The proposed hours of operation will be from ten o'clock (10:00) A.M. to six o'clock (6:00) P.M. with only small shipments of supplies occurring during normal business hours. Although the future plan is to create a retail sales area at the front of the unit, the business at this time will be focused only on the manufacturing of the longboards and distribution through online sales. The parking requirement for this type of use with warehouse space is calculated at the rate of "4 parking spaces for each 1,000 square feet of net office space plus 1 parking space for each 750 square feet of net floor area." According to the floor plans submitted by the applicants, this tenant space has approximately 1,138 square feet of office space and 1,303 square feet for the remaining warehouse space. In accordance with the parking calculations listed above, a total of six (6) parking spaces must be provided for this business use. Four (4) spaces are required for the office space and two (2) spaces for the warehouse space. The applicants have submitted a site plan showing shared parking within the center area of the property and additional parking spaces for this tenant space to the north of the unit. After a site visit, staff has determined that the parking spaces to the north of the unit do not exist, and if that area is to be used for parking it must be striped in accordance with the parking standards outlined in Chapter 17.72 of the Murray Municipal Code. According to a site visit and aerial imagery of the site, there are approximately fifty-four (54) onsite parking spaces provided at this property. According to the disabled and accessible parking standards for every 51-75 total parking stalls, three (3) of those spaces shall be reserved as ADA stalls. With a site visit there are currently two (2) ADA parking stalls provided on this site. In order to comply with the minimum standards of the zoning ordinance, an additional ADA parking stall must be striped and provided with the required signage on this property. The two ADA stalls are not van accessible and according to the ADA parking standards 1 in every 8 disabled parking stalls shall be van accessible. With the addition of one new ADA parking space, one of the three should be striped as a van accessible space meeting the standards outlined in Section 17.72.070 of the Murray Municipal Code. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval of the Conditional Use Permit allowing a longboard manufacturing business at the property addressed 5185 S. Commerce Drive subject to conditions.

Bryan Culver, 5185 South Commerce Drive, stated he has reviewed the recommended conditions of approval and will comply. Mr. Swaney asked about the products used to finish for the longboards and if there have been complaints regarding odors at his previous location. Mr. Culver responded the product is a water based clear coat, which is very mild. He stated they have not had complaints regarding any odors and he has been at his other location approximately 5 months. He stated the burning of the wood sends off an odor which is natural wood odor.

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

Mr. Swaney made a motion to grant Conditional Use Permit approval for Drang Longboards located at 5185 South Commerce Drive, subject to the following conditions:

1. The project shall meet all applicable building code standards. The applicants shall obtain a building permit for any tenant remodels by the Murray City Building Division.
2. The project shall meet all current fire codes.
3. The proposed use shall comply with all standards of the M-U zoning district and specifically the standards listed below for manufacturing uses:
  - a. The trade shall be no more than 12,000 feet.
  - b. Deliveries and shipping only during normal business hours.
  - c. No odors.
  - d. No outside storage.
4. The trash container that is used by this business use shall be screened as required by Section 17.76.170.
5. An additional van accessible ADA parking stall shall be striped and provided on this property as required by Section 17.72.070. The area to the north of the unit shall not be used for parking unless it is striped in accordance with the standards outlined in Section 17.72.090.
6. The applicants shall obtain a Murray City Business License prior to the commencement of business operations.

Seconded by Mr. Taylor.

Call vote recorded by Brad McIlrath.

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

A \_\_\_\_\_ Karen Daniels

A \_\_\_\_\_ Buck Swaney

A \_\_\_\_\_ Tim Taylor

A \_\_\_\_\_ Phil Markham

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

Motion passed, 6-0.

BASIN ENTERPRISES, LLC (U-Haul) – 5380 South 900 East – Project #14-96

Steve Heil was the applicant present to represent this request. Mark Boren reviewed the location and request for Conditional Use Permit approval for the addition of a U-Haul rental business. Section 17.160.030 of the Murray Municipal Code allows equipment rental and leasing services within the C-D-C zoning district subject to Conditional Use Permit approval by the Planning Commission. The applicant is proposing to add a U-Haul truck rental business to the existing convenience store located at 5380 South 900 East. The truck rental business will be operated by clerks of the convenience store with the addition of a computer, hand truck, dolly, and a few miscellaneous moving supplies. The number of rental trucks will be limited because of the limited number of parking stalls available on site. The existing building has approximately 730 sq. ft. of sales floor area which requires a total of four (4) parking

stalls. The information provided on the site plan shows four (4) parking stalls which includes one (1) ADA van accessible stall adjacent to the south side of the building for customer parking and five (5) stalls directly behind the building, three (3) for the U-Haul rental trucks and two (2) for customer and/or employee parking. Based on the parking analysis, staff is recommending that the U-Haul rental business be limited to a maximum of 3 vehicles at any time, and because of the parking lot configuration and limits of maneuvering, those vehicles should not be larger than 10' and 14' trucks. There are two 34 foot drive accesses off 900 East Street. One drive access is located 30 feet from the corner and the other drive access is located 25 feet from the corner of 900 East and Woodoak Lane. There are currently 6 gasoline pumps on the site. The site is currently landscaped to comply with the landscaping requirement at the time of original development of the property. However, Section 17.160.100A. of the Murray Municipal Code requires ten feet (10') of landscaping along all frontage areas not occupied by drive accesses. This applies to the frontage area between the drive accesses on 900 East, and staff is recommending the installation of appropriate landscaping at this location as a condition of any approval given. Based on the information presented in this report, applications materials submitted and the site review, staff recommends approval of the requested conditional use to allow the addition of a U-Haul rental business on the property located at 5380 South 900 East subject to conditions.

Ms. Daniels asked the size of the truck on site that is shown in the photo. Mr. Heil responded the truck is a 10 foot or 12 foot truck.

Ms. Patterson asked about the parking stalls on the southwest corner of the property. Mr. Boren responded there has been a revised site plan that eliminated those parking stalls.

Mr. Swaney asked about the landscaping on the property. Mr. Boren responded the frontage landscaping is 10 feet depth where there are no drive accesses.

Mr. Taylor asked if the parking stalls are 18 feet length. Mr. Boren responded the parking stalls requirement is 9 feet by 18 feet. He explained that a 10 foot truck is the size of the box on the truck.

Steve Heil, 1115 East 900 South, Salt Lake City, stated he had some photographs that shows the property as it exists. He stated they have tried to find complimentary businesses to the convenience and gas store using the existing staff. He stated when he first discussed this option with U-Haul, they indicated to him that he did not need a conditional use permit and therefore they did have some rental vehicles on the site. He stated the U-Haul business had also supplied rental trucks to the storage units to the west and assumed therefore the use was allowed. He stated he has reviewed the staff recommended conditions of approval. He stated that the site plan the commission has been given is not the correct site plan and there is a revised site plan.

Mr. Woodbury clarified that the four parking stalls on the southwest corner of the property have been eliminated. Mr. Heil responded in the affirmative and that the parking stalls on the southwest corner of the property will not be installed and they will

restripe the stalls along the south side of the building along with the four stalls on the west side of the building for the rental trucks and customers. He stated that they have 8 and 10 foot trucks. He stated the paperwork for the rental trucks is easy and trailer rental is not complimentary and is more entailed and they will not rent trailers.

Mr. Woodbury stated the sign on the property indicated there were trucks and trailers for rent. Mr. Heil responded they will not be renting trailers and the sign was a generic sign given to them from U-Haul. He stated that a 10 foot truck is actually 20 feet in length. Mr. Heil responded that it depends on the configuration of the truck. He stated they don't have much control over what trucks may come to the site for rental such as the situation where there is a customer dropping off a truck at this location it may vary in size. He stated that they could specify with U-Haul that only certain size trucks may be at the site. He stated that this time of year trucks remain on the site for no longer than a day. He stated if a large truck is to remain on the site for longer than a day, they will call the U-Haul office on 5300 South & State to come get the trucks.

Mr. Swaney asked stated that 900 East is a state road and this intersection is an awkward intersection. He asked if there is a type of striping or directions to direct drivers for ingress and egress to the property. Mr. Heil responded the trucks will be pointed to the west on the west side of the building and it would be difficult for drivers to access onto 900 East and they will ask the customers to pull onto Woodoak Lane rather than 900 East. He state that their experience has been that customers typically return the trucks by way of Woodoak Lane and park over the existing underground storage tanks on the south side of the property. He stated the trucks are to be returned with gasoline or they may fill up with gas at this site. He stated the canopy is approximately 14 feet tall and will clear the vehicles.

Mr. Swaney stated that he would like to request that the customers access to and from the property using Woodoak Lane and avoid access from 900 East. Mr. Heil responded that has been their practice and they will continue to request that the customers access the property both from and to Woodoak Lane.

Mr. Markham expressed concern if a limitation is placed on the size of the trucks and someone drops off a 16+ foot truck, would that truck be allowed to stay on the site until another customers wants to rent that particular truck. Mr. Markham stated the process should begin immediately to transfer the larger trucks to another site and that the larger trucks not be able to stay on-site. Mr. Heil responded that would be acceptable. Mr. Heil stated if he is required to install the landscaping along 900 East, he will have to withdraw this proposed use because it would be detrimental to the primary use of the property which is the gas station and convenience store. Mr. Woodbury stated it appears that it would be difficult for a vehicle coming from the south on 900 East to enter the property with landscaping installed along 900 East. Mr. Heil indicated that the drive aisles are in-line pump islands and the cost to change the pump islands is around \$75,000-\$100,000.

Mr. Markham stated that the planning commission does not have the authority to waive a landscaping condition. Mr. Tingey stated that the landscaping is requirement in the code and the applicants will have to adhere to that condition. He stated they

could pursue applying for a landscaping variance and also evaluate the possibility of widening the access. Mr. Heil stated that he understands that his option is to pursue a variance as the landscaping is a requirement per city code.

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

Mr. Taylor commented that with the limit of having three trucks on site at any given time, there will not be volumes of trucks coming in and out of the property and the rental trucks are on the opposite

Mr. Swaney stated that he would prefer that some sort of landscaping be installed because it helps to serve as a safety purpose between the two driveways.

Mr. Woodbury stated that he would like to modify condition #3 limiting the truck being 10-12 feet long to allow up to 14 foot long trucks, with a maximum of 3 trucks at any given time. This would allow Mr. Heil to rent U-Haul vans or pickup trucks. Mr. Heil responded traditionally it is just the moving trucks and not the pickup trucks or vans.

Mr. Taylor made a motion to grant Conditional Use Permit approval for Basin Enterprises, LLC for a U-Haul truck rental business located at 5380 South 900 East, subject the following conditions:

1. Landscaping shall be installed adjacent to 900 East to comply with 17.160.100A.1 and 17.68 of the Murray Municipal Code.
2. The parking stalls shall be striped to comply with Municipal Code 17.72 including a disabled stall to meet ADA regulations.
3. The maximum number of rental trucks allowed on site at any given time will be three (3), and those vehicles will be limited to no larger than fourteen foot (14') trucks.

Seconded by Ms. Daniels.

Call vote recorded by Brad McIlrath.

A \_\_\_\_\_ Buck Swaney  
A \_\_\_\_\_ Phil Markham  
A \_\_\_\_\_ Maren Patterson  
A \_\_\_\_\_ Karen Daniels  
A \_\_\_\_\_ Tim Taylor  
A \_\_\_\_\_ Scot Woodbury

Motion passed, 6-0.

OTHER BUSINESS

Jared Hall reminded the commissioners of the dinner training on September 11, 2014 and asked for suggested topics for training. It was suggested that there be training on planned unit developments.

Mr. Markham suggested that there be training on appropriate justification for denial of an application so that it does not appear to be a personal decision.

Mr. Woodbury suggested training on what are appropriate conditions that could be imposed on conditional use permit approvals and the latitude the commission has with imposing conditions.

Mr. Swaney suggested that there be training regarding detail of conditions that may be imposed such as a wood fence rather than a vinyl fence where appropriate.

It was mentioned that the commission members are invited to attend the Western Planners Fall Conference September 30-October 3 at the Hansen Planetarium.

Mr. Swaney stated that he and his colleague will be presenting at the conference on Wednesday, October 1<sup>st</sup> the classes "Character Based Planning".

Meeting adjourned at 7:23 p.m.

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Jared Hall, Manager  
Community and Economic Development