

Minutes of the Planning Commission meeting held on Thursday, February 19, 2015, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Phil Markham, Chair
Buck Swaney, Vice-Chair
Tim Taylor
Scot Woodbury
Karen Daniels
Travis Nay
Gary Dansie
Tim Tingey, Administrative and Development Services Director
Jared Hall, Community and Economic Development Manager
Ray Christensen, Senior Planner
Brad McIlrath, Assistant 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 Division Office.

Phil Markham 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

Mr. Taylor made a motion to approve the Findings of Fact for J Cabinets & Counter Tops, MDECORWOOD LLC, Parris RV, and NPL Construction. Seconded by Mrs. Daniels.

A voice vote was made. Motion passed, 7-0

HAMMERS RECYCLING – 4232 SOUTH 500 WEST – Project #15-13

Steve Hammer was the applicant present to represent this request. Ray Christensen reviewed the location and request for Conditional Use Permit for metal recycling of catalytic converters located at the property addressed 4232 South 500 West. Municipal Code Ordinance 17.152.030 allows a recycling business use within the M-G-C zoning district subject to Conditional Use Permit approval. The applicant indicated the catalytic converters metal will be stored inside the building and not outside. The applicant informed staff the catalytic converters are purchased from licensed businesses. The converters are then brought back to the warehouse where they are sorted, graded and boxed for shipment to Panhandle Converters in Dothan, Alabama. The site plan shows about 20 striped parking stalls on site including one

disabled stall, but the parking stalls striping is about worn off and will need to be restriped. The floor plans show about 1,700 sq. ft. in office space which will require seven stalls and 6,400 sq. ft. in storage/shop area which will require 8 parking stalls for 15 total parking stalls based on square footage calculations. The applicant stated there will be three employees working in the building and most of the employees are out driving to other business locations. The site has existing landscaping on the property, but additional landscaping plants are required to be installed on the site where plants have dried up or have been removed. There is an area at the south-east side of the property that has bark installed, but it appears the plants have been removed. The site will need to comply with Municipal Code Chapter 17.68. Based on the information presented in this report, applications materials submitted and the site review, staff recommends Conditional Use Permit approval for metal recycling of catalytic converters subject to conditions.

Steve Hammer, 4232 South 500 West, stated they only buy the catalytic converters from licensed businesses, wrecking yards, Utah Metals, and all the Master Muffler shop franchises. They do not buy catalytic converters from anyone that is not a licensed business or recycling plant. Mr. Hammer explained the process of refining catalytic converters. Mr. Hammer addressed the landscaping and parking stalls. They have planted new plants in the landscaping. Mr. Hammer stated that they are planning to have the parking stalls restriped within the next week. He was told the temperature needs to be above 50 degrees for the paint to stick. Mr. Hammer asked for permission to wait on painting the parking stalls until the weather gets warmer. Mr. Hammer stated he has reviewed the staff recommendations and will comply.

Mr. Markham asked if all activity and storage would take place inside the building and no activity will take place outside or in the parking lot. Mr. Hammer stated that is correct, everything will be indoors and inside the warehouse.

Mr. Swaney asked Mr. Hammer when the business is operating at capacity, and when the building is maximized for use, what will the truck traffic entail and how many semi-trucks will come and go in a day. Mr. Hammer stated that if he has 2 semi-trucks per day, that will be good. ‘

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

Mr. Woodbury made a motion to grant Conditional Use Permit approval for Hammer's Recycling, for metal recycling of catalytic converters, located at the property addressed 4232 South 500 West subject to the following conditions:

1. The project shall meet all applicable building code standards and shall provide plans for review and approval for any remodeling or repair work.
2. The project shall comply with all current fire codes.
3. Use of any exterior trash container shall be screened as required by Section 17.76.170.

4. Recycling materials shall not be stored outside of the building.
5. Parking stalls shall be restriped to comply with Municipal Code 17.72. with adequate parking to meet code.
6. The Murray Water Superintendent requires inspections by Murray City and Central Valley if the business has any wastewater discharges relating to their recycling processes.
7. Landscaping materials shall be installed to comply with Municipal Code 17.68.

Seconded by Mr. Swaney

Call vote recorded by Ray Christensen.

A ___ Karen Daniels
A ___ Tim Taylor
A ___ Scot Woodbury
A ___ Phil Markham
A ___ Buck Swaney
A ___ Travis Nay
A ___ Gary Dansie

Motion passed, 7-0.

3D MOTORS, LLC – 5789 SOUTH STATE STREET – Project #15-16

Addison Potter was the applicant present to represent this request. Brad McIlrath reviewed the location and request for Conditional Use Permit to conduct auto sales at the property addressed 5789 S. State Street. Municipal Code Ordinance 17.160 allows motor vehicle sales (LU #5510) within the C-D-C zoning district subject to Conditional Use Permit approval. The applicant currently operates an automobile finance company from this location and is seeking approval to allow vehicle sales for the liquidation of repossessed vehicles. The applicant will not be conducting retail sales, but will be wholesaling the repossessed vehicles to auto dealers or salvage yards. The submitted floor plans show that the unit consists of a 1,291 square foot office space and a 1,185 square foot storage area. The office space includes a 108 square foot vestibule and one restroom, while the storage area also includes a restroom and a utility closet with two garage doors located at the north end of the building. The applicant has stated that the storage space is only used to park the vehicles of the operators of the business. In order to provide sufficient off-street parking for all the businesses at this property, the majority of the repossessed vehicles will be stored within the warehouse building located to the rear of the property, with only five (5) on-site parking spaces being used to park repossessed vehicles. The applicant indicated that any detailing of the vehicles would be conducted entirely within the large warehouse building and will only include vacuuming, washing and buffing of those vehicles. According to Chapter 17.72 of the

Murray Municipal Code minimum parking for auto sales businesses is calculated at the rate of 1 off-street parking space for each 750 square feet of net floor area. This business occupies a unit with 2,493 total square feet which requires a minimum of three (3) off-street parking spaces to be provided for this use. An additional five (5) spaces will be used for the parking of repossessed vehicles. Due to the shared parking arrangement for all the businesses located at the property, sufficient parking must be provided for each business use. The total amount of parking spaces provided at this property is 38, with 22 spaces required for the pawn shop and tattoo parlor. As proposed by the applicant, eight (8) spaces will be required for this business use leaving eight (8) spaces which may be used for a future tenant of the vacant space adjacent to this business use. As outlined in Section 17.72.070, for every 26-50 total parking spaces, a minimum of 2 spaces shall be reserved as accessible parking spaces. According to the site visit conducted by staff, there appears to be one (1) space reserved as accessible parking. In order to comply with this standard, an additional accessible parking space must be provided with the appropriate striping and signage. The existing space includes the signage but would also need to be striped with the ADA symbol. The buildings comply with the setback and height requirements for the C-D-C zoning district. The landscaping was approved and installed as required by a previous conditional use permit approval. Some of the plant materials have died, but the applicant has indicated that he will be replacing those materials in the spring of this year (2015). Based on the information presented in this report, application materials submitted and the site review, staff recommends approval of the conditional use permit of motor vehicle sales for the property addressed 5789 S. State Street subject to conditions.

Addison Potter, 5789 South State Street, stated that he tries to park the vehicles as well as the employee vehicles inside to free up the limited parking. He stated that he will not have more than 5 vehicles outside. Mr. Potter stated that he does get inoperable cars in, they are only there for a few days, the vehicles are kept outside and he hauls them off to a scrap yard. For this business and the other businesses that are operating at the same location, there will be a total of 3 employees. Mr. Potter stated that he will be planting where the landscaping is. He is trying to keep the property maintained. Mr. Potter stated he has reviewed the staff recommendations and will comply.

Mr. Markham stated that he noticed quite a few garbage bags in a picture that was shown in the presentation given by Mr. McIlrath, and wanted to know if that was a result of clean-up on the property and if there is adequate trash service for that property. Mr. Potter stated that there is adequate trash service and the bags shown in the picture belonged to the tattoo shop, which is no longer there. Mr. Potter stated that if the bags were still on the property he would load them into his dumpster and have it removed.

There was a discussion between Mr. Woodbury and Mr. McIlrath about the drive access. Mr. Woodbury stated that he doesn't think the road looks good and is in need of repair. Mr. McIlrath stated that the shared access is between 3D motors and Cameo College and he didn't see how we could apply any conditions to a separate property regarding the use. The only way we could put a condition on that is if Cameo College comes in.

Mr. Woodbury asked Mr. Potter if he went out and repossessed the vehicles and if he has tow trucks at the property. Mr. Potter stated that he does not repossess the vehicles; he hires a company to do that. He does not have a tow truck or big rig parked at this location.

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

Mr. Woodbury made a motion to grant Conditional Use Permit for 3D Motor, to conduct auto sales at the property addressed 5789 S. State Street subject to the following conditions:

1. The project shall meet all applicable building code standards and the applicant shall obtain a building permit for any remodeling or repair work within the existing building.
2. The project shall meet all current fire codes.
3. A minimum of two (2) ADA parking stalls shall be provided for the businesses at this property and shall be reserved with the appropriate striping and signage. The ADA parking spaces shall not be reserved for a specific tenant, but shall be accessible by patrons for all the businesses located at this property.
4. No more than five (5) vehicles that are for sale shall be stored outside utilizing the shared parking.
5. The front setback landscaping shall be cleared of debris and replanted in areas where vegetation has died in order to comply with the minimum coverage requirement of 50% bed coverage for the front setback areas.
6. The detailing of vehicles shall be limited to the large warehouse building and shall not include body work or painting.

Seconded by Mr. Taylor.

Call vote recorded by Ray Christensen.

A ___ Karen Daniels
A ___ Tim Taylor
A ___ Scot Woodbury
A ___ Phil Markham
A ___ Buck Swaney
A ___ Travis Nay
A ___ Gary Dansie

Motion passed, 7-0.

LAND USE ORDINANCE AMENDMENT – CONDOMINIUM ORDINANCE CHAPTER 17.62 – Project #14-191

The purpose of the proposed new Condominium Ordinance Chapter 17.62 is to replace existing outdated ordinances which were mainly directed to condominium conversions within existing residential properties and apartments which are changing to owner occupied housing. The previous ordinances were not included in the Murray Zoning Ordinance, but this new Condominium Ordinance is a new chapter 17.62 in Title 17 of the Land Use Regulations. The new Condominium Ordinance will apply to both new condominiums and condominium conversions from existing housing and to conversions of existing commercial buildings and new construction for commercial business condominiums. Staff just received comments from the city attorney's staff T-O-Day regarding changes to the condominium ordinance, but those changes were not included with the packets due to lack of time. A subsequent email was sent to the planning commission members with the changes incorporated. This item has been previously reviewed by the Planning Commission on November 20, 2014, December 4, 2014, January 15, 2015 and February 5, 2015.

Mr. Christensen presented the proposed new Condominium Ordinance Chapter 17.62. The latest change was to remove the section that deals with tenant notification with review of the Fair Housing Act. Looking in the state codes we could not find any basis of a legal law or code that required the tenant notification with the legal departments' review they had recommended that this be taken out of the ordinance. The latest copy is excluding the tenant notification. Staff is recommending forwarding this to the city council for review.

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

Mr. Swaney made a motion to forward a recommendation of approval to the Murray city council for the proposed Condominium Ordinance Chapter 17.62. Seconded by Mrs. Daniels.

Call vote recorded by Ray Christensen.

A ___ Karen Daniels
A ___ Tim Taylor
A ___ Scot Woodbury
A ___ Phil Markham
A ___ Buck Swaney
A ___ Travis Nay
A ___ Gary Dansie

Motion passed, 7-0.

MURRAY FIRECLAY TRANSPORTATION MASTER PLAN – Project #15-11

Brad McIlrath presented this request. In February 2007 the Murray City Council passed a resolution adopting the Fireclay Redevelopment Project Area, Street

Network, Circulation Plan, and Street Design Cross Sections (Fireclay Transportation Master Plan) as part of the Transit Oriented Development (T-O-D) Zoning District Design Guidelines. The Fireclay Transportation Master Plan specifies the road configuration of future and existing roads and development standards for those roadways. This plan also includes proposed future road connections, the establishment of gateways to the Fireclay T-O-D and development of a pedestrian pathway system within the area. The intent of these design standards is to create a specific design character for the Murray Fireclay District which is pedestrian and transit oriented. Since the adoption of the Fireclay Transportation Master Plan, roads and pedestrian pathways have been developed which have created the unique design character desired for the Murray Fireclay District. With the literal implementation of the Fireclay Transportation Master Plan, proposed streets, trails, and future road connections have been identified as either existing or future conflicts. Certain streets cannot be developed due to the physical nature of the area without drastically affecting the layout and character of this district, while other streets and pathways cannot be developed due to life-safety conflicts with the light rail lines. The existing plan also includes proposed streets in the location of the UTA light rail station and the UTA paratransit center. The proposed modifications outlined in this report are intended to address these potential conflicts while preserving the goals and vision of the Fireclay Transportation Master Plan for the Murray Fireclay District.

Elimination of Couplet Street Section

The Couplet Street Section is identified as 4250 South and 4300 South from West Temple to 200 West. This street section consists of a one-way travel lane and one parallel parking lane. Both 4250 South and 4300 South (Fireclay Avenue or 4295 South) have not been developed in accordance to these standards due to the need to have two travel lanes. The 4300 South Section (Fireclay Ave.) has been developed with the street standards for a Principal East-West Street, and 4250 South has been developed with the standards for Residential Streets with limited on-street parking. There is an area of 4250 South that has not been developed, but will need to be developed as a Residential Street. Because no street has been developed or will be developed with the Couplet Street Section standards, and in order to provide clarity and consistency with the implementation of the Fireclay Transportation Master Plan, Staff is recommending the elimination of this street section.

Modifications of the principal North-South Street section (Main Street) and the principal East-West Street section (Fireclay Avenue)

The Principal Street Sections are identified as collector or arterial streets and are designed to provide safe and free flowing traffic circulation for automobile and pedestrian traffic. The existing standards for Main Street include two 11 feet wide travel lanes, one 11 foot wide center turn lane, and two 9 foot wide parallel parking lanes along with wide sidewalks and park strips. The development standards for Fireclay Avenue are identical to the standards for Main Street, except that there is no requirement for a center turn lane. With a mix of residential, transit, and existing industrial uses, each street is traveled by personal automobiles, dump trucks, semi-trailers, and buses accessing the light rail transit station. Because of the use of these roads by vehicles with wide profiles and the on-street parking, the Murray City Engineer and Community Development Staff recommend an increase of the travel lanes from 11 feet wide to 15 feet wide. This proposed modification will provide better

traffic circulation and a safer street environment for on-street parking and pedestrians. The proposed increase in travel lane widths will not be accompanied with an increase in the design speed of these streets which will remain at 20 miles per hour.

Modification of the Promenade Street Section (Birkhill Boulevard)

The Promenade Street Section is designed to provide a unique/open residential and commercial character with wide travel lanes, front setback landscaping, planted park strips and a planted median. This street section is a vital component of the Fireclay Transportation Master Plan, promoting street and pedestrian connectivity (with accompanying design standards) in a location which could be considered the “heart” of the Fireclay District. The current location of the Promenade Street Section intersects the UTA Paratransit Facility and would require this facility to relocate if the road is fully developed. The facility is located adjacent to the UTA Trax and Bus Station, which is an important and central location in the Salt Lake Valley and Murray City for providing this type of service. In order to allow for the development of this street and the accommodation of the services provided by UTA to the public, Staff is recommending modifications to the west side of the Promenade Street section and the redirecting of the future street area further to the east. However, Staff proposes that at any time that UTA relocates this facility, these eliminated standards should be reinstated and required by Murray City to be provided by all future developments of this site.

Modification of the Secondary Street – Rail Adjacent Street Section (125 West)

This street section has been utilized with the development of 200 West and 125 West. The purpose of this street section is to provide a street with two-way traffic and one on-street parallel parking lane while also facilitating the development of the internal pedestrian pathway system for this district. Due to life/safety concerns any road or street that parallels any rail line is required to have the connection with the street which crosses the rail lines (Fireclay Ave.) located a minimum of 250 feet away from that rail crossing. The existing plan places the connection of 125 West and Fireclay Avenue within that minimum distance requirement creating a life/safety issue with traffic turning onto the rail lines. In order to comply with this life/safety requirement, Staff proposes to redirect this section of 125 west in order to connect with Fireclay Avenue at the approximate location of the existing drive access of the foam manufacturing business. Because this street section would no longer include the pedestrian pathway, it would be reclassified as a Residential Street Section. Trails do not require the same distance separation as street connections, so the proposed pedestrian pathway will continue north in the same location and connect with Fireclay Avenue.

Elimination of Streets Dissecting UTA Trax Station & Paratransit Property

The existing transportation master plan proposes streets in the locations of the UTA Trax Station and the UTA Paratransit Facility. Both of these facilities are to remain long term due to the character of the T-O-D Zoning District; the light rail station being a vital component of the Fireclay District. The services which these facilities provide are extremely valuable to this area and the replacement of these facilities with the proposed streets would be detrimental to the success and character of this transit oriented zoning district. The elimination of these proposed streets will ensure that these facilities remain as an important component of this district.

Modifications to Pedestrian Pathway Network

The purpose of the Fireclay Transportation Master Plan is to provide both a street network and pedestrian pathway network. This pedestrian network is intended to include both trails and sidewalks for recreation and walkable access for individuals throughout the Fireclay District. The proposed modifications include:

- The connection of the Railside Trail east of the Trax lines to Main Street with a Pedestrian Trail.
- The relocation of the Pedestrian Trail located within the Lionsgate and Brickgate Apartments to be adjacent to the commuter rail lines and reclassifying that trail as a Railside Trail.
- The removal of the Pedestrian Trail between Main Street and State Street.

The removal of the Pedestrian Trail between Main Street and State Street is proposed because this area is not included in Fireclay District and is predominantly zoned C-D-C with properties that did not wish to be included in the T-O-D Zone.

Based on the above findings, staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the proposed modifications to the Fireclay Transportation Master Plan which includes the following:

1. Elimination of the Couplet Street Section and the associated standards.
2. Modification of the Principal North-South Street Section. (Main Street)
 - a. Widening of the right-of-way width from 82 ft. - 102 ft. to 90 ft. -110 ft.
 - b. The proposed widening will allow an increase of the width of the travel lanes from 11 feet to 15 feet.
 - c. The total pavement width will increase from 51 feet to 59 feet.
 - d. The pedestrian crossing time will increase from 15 seconds to 18 seconds. (3.3 ft. per second)
3. Modification of the Principal East-West Street Section. (Fireclay Avenue)
 - a. Widening of the right-of-way width from 71 ft. – 91 ft. to 79 ft. - 99 ft.
 - b. The proposed widening will allow an increase width of the travel lanes from 11 feet to 15 feet.
 - c. The total pavement width will increase from 40 feet to 48 feet.
 - d. The pedestrian crossing time will increase from 12 seconds to 15 seconds. (3.3 ft. per second)
4. Modification of the Promenade Street Section. (Birkhill Boulevard)
 - a. Reduction of the minimum right-of-way width from 85 feet to 66 feet.
 - b. Reduction of planted median from 12 feet to 11 feet.
 - c. Removal of the west 9 foot parking lanes.
 - d. Removal of the west 5.5 foot concrete park strip.
 - e. Removal of the west 6 foot wide sidewalk.
 - f. The pedestrian crossing time will decrease from 19 seconds to 12 seconds. (3.3 ft. per second)
 - g. *In the event of relocation of this UTA facility or redevelopment of the property these eliminated standards should be reinstated and required by Murray City to be provided by all future developments of this site.*
5. Modification of the Secondary Street – Rail Adjacent Street Section (125 West)

- a. This modification will realign this proposed street further to the west for compliance with access proximity requirements of the rail crossing at Fireclay Avenue. The future intersection of this road and Fireclay Avenue must be a minimum of two hundred and fifty feet (250') away from the rail crossing.
6. Elimination of all streets dissecting the UTA Trax Station and the UTA Paratransit property as shown in the existing Fireclay Transportation Master Plan.
7. Elimination of all proposed connections to Commerce Drive (300 West) across or under the Union Pacific and commuter rail lines.
8. Adjustment of the proposed trails and pedestrian pathway network to only show areas that are within the T-O-D zoning district.

Mr. Markham asked if the pedestrian pathway on the west parcel that was supposed to go through the middle of the parcel originally but was relocated to the western edge of Brickoven Way. Mr. McIlrath responded that he was unsure how this happened. He has looked at the plans that they submitted originally and it does show that pedestrian pathway going through the middle of the project, but that plan was not implemented and the pathway was moved to the west.

Mr. Swaney asked about the road alignments creating a safe sight distance to the Trax crossing or the rail crossing, but left one of them plugged in at the intersection. Mr. McIlrath stated that it has been explained to him by the city engineer that the north portion of 120 West Street was put into place and then afterwards the city was approached by UTA that it should not have been developed that way. The city was required to put in a right-in and a right-out only turn and no left turns are allowed there, which was something that the city was required to do after the fact.

Mr. Taylor clarified that the traffic concern has been addressed with a traffic device at that location and Mr. McIlrath responded in the affirmative. Mr. McIlrath explained that the traffic device allows residents to access the apartments at this location and that the apartments can also be accessed by the parking lot from Brickoven Way. By following that right-out only people are still able to leave the T-O-D by crossing the south bridge that puts vehicles out on the 4500 South frontage road. This allows people to leave the Fireclay district and this apartment development in a way other than by using Fireclay Avenue.

Mr. Nay asked Mr. McIlrath to discuss the concept of having a stub road going into 4500 South as opposed to a turn around. Mr. McIlrath stated that in the existing plan it shows Birkhill Blvd. on the north side going farther and across the creek and connecting to Central Ave. The reason it doesn't connect into 4500 South is because there is a steep grade change and ground water in that area, and there is also a no access policy by UDOT. Mr. McIlrath stated that there would still be the landscaping in the middle and it would reflect the same thing that has happened to the north, with Birkhill not continuing north and stubbing at the future park.

Mr. Nay asked if UTA owned all the property all the way to 4500 South and if it is possible to have a pedestrian pathway even though there is a significant grade change. Mr. McIlrath stated that UTA does not own all that property and any type of new development would require them to install a pedestrian pathway system. That would be part of their development process.

Mr. Taylor had a couple of clarification points on the recommendation. A recommendation that #2a, should be changed to read 90 ft. to 110 ft.; and that #3a, should say from 71 ft.- 91 ft. going to 79 ft. - 99 ft. Mr. Taylor stated that the proposed shift to Birkhill, will move that roadway over to the edge of UTA's property. This would require that this road section would transition across another property that is not owned by UTA. By doing so, we have entirely shifted the burden of the future right-of-way off of the UTA property and onto one developer's property, so technically UTA could develop or redevelop their property and that road would not go through. The other developer could come in and develop and has to build a triangular part of a road. Mr. Taylor asked how that will be accommodated. Mr. McIlrath stated that the plan came about because UTA sent a letter to our engineer and to our office with certain conditions and requirements that they wanted to have addressed and one of those was they didn't want to have that road shown at all on their property as part of the transportation master plan. He clarified how the future road would be developed in relation to the properties to the east.

Mr. Hall clarified that the first leg of the Birkhill road should be developed soon because the city has received a concept development that needs access out onto Birkhill. This access onto Birkhill is needed in order to provide a second access onto Fireclay Avenue. That is a concern of the engineering, fire department and planning division. So if UTA blocks us completely from having any development of Birkhill, then we have an issue with the proposed development that is on our immediate horizon.

The question was asked if that would then require the city to condemn the property. Mr. Hall stated that without political will to condemn that UTA property and develop that portion of the road, we would have a potential issue for fire and planning and engineering by only providing access onto Fireclay Avenue for that proposed development. There doesn't appear to be that kind of political will for that type of action.

Mr. McIlrath stated that we may want to change the recommendation from saying that if UTA relocates from this site, to state that if the site is ever developed those, treatments are required on both sides of Birkhill Boulevard. Mr. Taylor stated that if UTA ends up developing their site, they are getting out of developing those street treatments, and we wouldn't want to see that happen. The only reason we are willing to remove some of those requirements, is if their existing use continues to be there. If that use changes it would have to come into compliance with the uses that are allowed in the T-O-D, and if they develop that site we would want to see those improvements included.

Mr. Nay asked about planning conversations with UTA, and if there has there been a discussion about opening up some sort of exit point from the park and ride lot on the east side. The existing situation requires that residents of the apartments on the west side of the Trax can only access their apartments by Fireclay Avenue and have to walk around the development. Mr. Nay clarified that because of this situation, the residents are required to walk half a mile rather than only a couple hundred feet. Mr. Nay expressed concern that UTA is dictating a lot of things and not providing minimal

access or benefit. McIlrath stated that it is difficult for us to deal with because of all the things that UTA requires. UTA has their own T-O-D design standards and essentially they are violating a lot of their own standards by requiring Murray City to remove some of these development standards that would apply to their property. A problem is that UTA does not have the political will within their own organization to have planning standards override facility demands.

Mr. Swaney asked about the reason for having Edison curve southward from Main Street to Birkhill Blvd when on the east side of Main Street it is a straight road, and shouldn't there be a continuation of a grid like pattern. Mr. McIlrath responded that the reason for this is because if the road were to continue straight, it would leave remnants of scrap parcels of property on the south side of Edison Street. By developing the road as proposed it prevents this from happening.

Mr. Taylor commented that one of the big struggles with the master plan and the reason why Fireclay has so much more traffic than was originally envisioned, is because the city has not been able to construct a bridge, tunnel or road connections to the west due to costs. The adoption of these modifications will eliminate that option for connection to Commerce Drive which would have provided better street connectivity. In addition to Birkhill Blvd not connecting to 4500 South, there will be a higher traffic flow along Fireclay and Main Street.

There was a discussion about future development of the UTA site, and the design standards on the west side of Birkhill Blvd. Staff clarified that these design standards would not automatically be implemented but would need to be approved by the planning commission and city council once again.

Mrs. Daniels stated that recommendation #4.g. should read, "In the event of relocation of the UTA facility or redevelopment of the property these eliminated standards should be reinstated and be required by Murray City."

Mr. Swaney asked if the original master plan for the development was done by a developer, a planning consultant, or the city. Mr. McIlrath stated that it was done by a consultant for the city. Mr. Swaney stated that we spent a fair amount of resources with the adoption of the original plan. Mr. Taylor stated that he gets nervous that we are piecemeal making these changes and understands why sometimes we need to do that, in order to accommodate development plans, but questioned if the city should look at this plan as a whole once again along with traffic counts as they relate to the proposed changes.

Mr. Tingey stated that the options for the planning commission are to recommend approval of the proposal as presented; recommend approval with modification to the proposal; or recommend denial, based on the concern for further study and evaluation.

Mr. Markham stated that further study is not going to allow access to the west over the rail road tracks. That is the reality the planning commission is dealing with. We can study it to death, we have a project that is partially completed here and there are

inherent problems that we need to try to address. Mr. McIlrath stated that importance of having connectivity to Central Avenue and State Street

Mr. Taylor made a motion to forward a recommendation of approval to the city council for the proposed modifications to the Fireclay Transportation Master Plan subject to items 1 - 8, with a modification to item #2a: be change from 82 ft. – 102 ft. to 90 ft. – 110 ft.; a modification to item #3a: be changed from 71 ft. – 91 to 79 ft. – 99 ft.; and a modification to #4g.: be changed to read, “In the event of relocation of the UTA facility or redevelopment of the property these eliminated standards should be reinstated and be required by Murray City”.

Seconded by Mrs. Daniels

Call vote recorded by Ray Christensen.

A ____ Karen Daniels
A ____ Tim Taylor
A ____ Scot Woodbury
A ____ Phil Markham
A ____ Buck Swaney
A ____ Travis Nay
A ____ Gary Dansie

Motion passed, 7-0.

TRANSIT ORIENTED DEVELOPMENT DISTRICT T-O-D - TRANSIT ORIENTED DEVELOPMENT DISTRICT ORDINANCE AMENDMENTS – Project #15-12

Brad McIlrath presented this proposal of the Transit Oriented Development (T-O-D) Zoning District is one of three mixed use zoning districts in the city. The purpose of this zoning district is to encourage pedestrian oriented design, promote development and protect public health, safety and welfare by preserving the unique character of existing areas for future use and development. The T-O-D encourages carefully planned mixed use development near transit stops which include multi-family residential, neighborhood oriented commercial and restaurant space, and increased opportunities for transit and pedestrian activity. By providing a mix of residential, commercial and transit opportunities, this area promotes public health and an active street life for those working, visiting or residing in this district.

First Floor Requirement:

T-O-D, M-U and M-C-C-D Background

Similar to the other mixed use zoning districts in the city, (M-U and M-C-C-D) an appropriate mix of both residential and commercial uses must be provided in order to accomplish the purpose and vision for this area. In order to ensure that commercial uses are provided in the Mixed Use (M-U) and Murray City Center (M-C-C-D) zoning districts, each district includes development standards requiring either a minimum percentage of new projects to be developed as commercial, or that the entire ground floor area must be developed for commercial use. The M-U Zoning District requires

that residential use on the ground floor be limited to 25% of the ground floor square footage in a project (See Section 17.146.050.G.). The M-C-C-D allows the development of residential uses, but prohibits that residential component from being developed on the ground floor (See Section 17.170.080.B.). The T-O-D does not include a similar requirement, but mostly relies upon main floor development standards (See Section 17.168.080, First Floor Requirements) and development agreements to encourage commercial uses. These methods have not been as successful in providing the commercial areas needed for this district; as a result, Staff is proposing the adoption of a similar development standard for the T-O-D Zone as established for the M-U and M-C-C-D zoning districts.

Proposed Modification

The T-O-D has included, as part of the Fireclay Transportation Master Plan, the identification of principal streets and development standards for those streets. Those streets (which include Main St. and Fireclay Ave.) are envisioned to be the main pedestrian, transit, and commercial corridors of this district. Unlike the M-C-C-D, which requires commercial on the ground floor of all developments, staff is proposing that commercial uses be required for all ground floor areas of those developments fronting principal streets (See Attachment 1). Developments or areas of developments that do not front on principal streets would not be required to develop the ground floor for commercial uses; however, ground floor commercial uses will still be preferred for all areas of the T-O-D and will need to be developed in accordance with the standards of Section 17.168.080 of the Murray Municipal Code. It is important to note that accessory uses provided for the residential component of the development (such as parking, storage, maintenance facilities, amenities, etc.) will not be counted towards meeting this requirement for ground floor commercial.

Regional Analysis

With the proposal of this standard, Staff has reviewed the non-residential requirements of the M-U and M-C-C-D zoning districts in Murray City, along with other similar standards for mixed use areas in Utah and other Western States. A summary of this review is included as attachment 2 of this report. These ordinances also required the residential component of the development to be located above first floor commercial or retail uses. In one area buildings with residential uses must include the ground floor area as office or retail if the buildings are located along an identified street, which is similar to this proposed standard for the T-O-D Zoning District. The review and analysis demonstrate that similar standards have been successfully implemented in other development areas, and that the requirement of this standard is appropriate for this type of area and in harmony with the development practices of other communities in the region.

Residential Hotels and Apartment Hotels:

As listed in Section 17.168.050.B, Residential Hotels and Apartment Hotels (Land Use Code #1300) has been allowed as a permitted use in the T-O-D Zoning District. As defined in the Murray City Standard Land Use Code, Residential Hotels and Apartment motels are developed and required to have "seventy-five percent (75%) or more of the available accommodations occupied by permanent guests residing more than thirty (30) days if such can be determined." In order to provide a more permanent and secure residential character for existing and future residents in the T-

O-D Zoning District, Staff proposes the elimination of this permitted use from Section 17.168 of the Murray Municipal Code. The elimination of this use from the T-O-D would not entirely eliminate this use from Murray City because residential hotels are also allowed in the Mixed Use (M-U) Zoning District. Hotels, motels and other lodging accommodations are also allowed within mixed use or commercial zoning districts of the City.

The planning commission had no comments or concerns.

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

Mr. Swaney made a motion to forward recommendation of approval to the city council for the proposed zoning text amendments to the T-O-D zone.

Seconded by Mr. Woodbury.

Call vote recorded by Ray Christensen.

A____ Karen Daniels
A____ Tim Taylor
A____ Scot Woodbury
A____ Phil Markham
A____ Buck Swaney
A____ Travis Nay
A____ Gary Dansie

Motion passed, 7-0.

OTHER BUSINES

Meeting adjourned at 8:16p.m.

Jared Hall, Manager
Community and Economic Development