

Minutes of the Planning Commission meeting held on Thursday, March 5, 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
Scot Woodbury
Karen Daniels
Travis Nay
Gary Dansie
Tim Tingey, Administrative and Development Services Director
Jared Hall, Community and Economic Development Manager
Mark Boren, Planner
G.L. Critchfield, Deputy City Attorney
Citizens

Excused: Tim Taylor

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

Mrs. Daniels made a motion to approve the minutes from February 5, 2015, February 12, 2015, and February 19, 2015. Seconded by Mr. Woodbury.

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. Woodbury made a motion to approve the Findings of Fact for Hammers Recycling and 3D Motors LLC. Seconded by Mr. Swaney.

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

ELITE MOTORS, LLC – 4559 SOUTH 160 WEST – Project #15-18

Michael R. Chouldjian was the applicant present to represent this request. Mark Boren reviewed the location and request for approval of a Conditional Use Permit for auto sales to be located at the property addressed 4559 South 160 West. Municipal Code Ordinance 17.152 allows motor vehicle sales within the M-G-C zoning district subject to Conditional Use Permit approval. The applicant is proposing to operate a motor vehicle sales business at this location in one of the five leased spaces of approximately 1,740 square feet in a multi-tenant commercial building. The office and

restroom facilities are located in the southwest portion of the leased space and consist of 96 and 64 square feet respectively. The remaining 1,580 square feet of space will be used to display between three (3) and five (5) vehicles for sale at any given time inside the building. The Utah State Motor Vehicle Division requires that a minimum of three (3) parking spaces be provided for vehicles that are for sale. Chapter 17.72 of the Murray Municipal Code requires four (4) parking spaces for each 1,000 square feet of net office space and one (1) parking space for each 750 square feet of net warehouse space. According to these standards a minimum of three (3) parking spaces are required for this business use. The site plan shows a total of eleven (11) parking spaces which includes one (1) van accessible ADA stall. Based on this information, adequate parking is provided for this use. The existing building complies with the minimum setback and height requirements of the M-G-C zoning district. According to the submitted site plan and a site visit by staff there is ten feet (10') depth of frontage landscaping adjacent to 160 West which consists of lawn and trees. It complies with the landscaping requirements that were in place when the property was developed in 2002. In addition, there are two small areas of landscaping adjoining the east side of the building that haven't been maintained and are full of weeds. The weeds should be removed and replaced with appropriate landscaping. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval of a Conditional Use Permit for motor vehicle sales at the property addressed 4559 South 160 West subject to conditions.

Mr. Markham asked Mr. Boren if there would be any mechanical repairs or detailing of cars taking place inside the building. Mr. Boren stated that he was not aware of those things taking place.

Michael R. Chouldjian, 4559 South 160 West, stated that he will be conducting indoor car sales only. He would not be doing any mechanical work or detailing of cars. He indicated that he has reviewed the staff recommendations and will comply.

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

Mr. Woodbury stated that in previous requests for like businesses, staff has made no auto repair and no detail one of the conditions. Mr. Markham agreed with Mr. Woodbury about adding it as a condition.

Mrs. Daniels made a motion to grant Conditional Use permit approval for auto sales to be located at the property 4559 South 160 West subject to the following conditions with an additional 8th condition to read: No auto repairs and/or detailing to be allowed.

1. The project shall meet all applicable building code standards.
2. The project shall meet all current fire codes.
3. The weeds in the two areas of landscaping on the east side of the building shall be removed and replaced by appropriate plant material, and be maintained with plans submitted to city staff for approval.

4. The trash container shall be screened as required by Section 17.76.170 of the municipal code.
5. The ADA parking stall shall be modified to comply with the standards for a van accessible parking space as outlined in Chapter 17.72 of the Murray Municipal Code.
6. The vehicles for sale, are limited to no more than five, and shall only be displayed inside the building.
7. The applicant shall obtain the appropriate licenses from Murray City and the State of Utah for sale of vehicles.
8. No auto repairs and/or detailing allowed.

Seconded by Mr. Woodbury.

Call vote recorded by Jared Hall

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

Motion passed, 6-0

GRAPE VINE SUBDIVISION – 1432 EAST VINE STREET – Project #15-17

Parvis Mohebali was the applicant present to represent this request. Jared Hall reviewed the location and request for a flag lot subdivision for the property addressed 1432 E. Vine Street located within the R-1-10 zoning district. Municipal Code Ordinance 16.04.050 requires the subdivision of property to be approved by Murray City Officials with recommendation from the Planning Commission. Section 17.76.140 outlines flag lot standards for the enforcement by Staff and the Planning Commission. The applicant proposes to create two lots with approval of a flag lot subdivision at this property location. Flag lot subdivisions are permitted within any single family residential zoning district subject to specific development standards outlined in Section 17.76.140 of the Murray Municipal Code. The existing property has a property size of 0.69 acres or 30,056 square feet. The proposed subdivision would create lot 1A with a lot area of 14,228 square feet and lot 1B (flag lot) with a lot area of 15,769 square feet. The following are two key development standards required for flag lots:

- The main body of any flag lot must be 1.25 times the minimum lot area required for a regular lot in the same zoning district, which is 10,000 square feet for lots in the R-1-10 zone. With a lot area of 15,769 square feet, lot 1B would comply with this standard.

- The access strip portion of a flag lot must have a minimum width of twenty-eight feet (28') and contain four feet (4') of landscaping on each side of a twenty (20') foot wide paved access. The submitted plans indicate that the proposed flag lot access strip would comply with the minimum width requirement of twenty-eight feet (28'). The applicant will be required to install the twenty foot (20') wide paved drive access and the four feet (4') of landscaping to each side of that access with the review and approval of a building permit.

The submitted record of survey shows an existing house and accessory buildings. The applicant has indicated that the existing home will remain on lot 1A and that they will demolish or remove the accessory structures before the construction of a new home on lot 1B. In order to comply with the minimum setback standards for accessory buildings, the existing detached garage and sheds will need to be demolished or moved prior to recording the final subdivision plat with the Salt Lake County Recorder's Office. Structures on the proposed lots will be required to comply with the minimum setback, height and lot coverage requirements of the R-1-10 zoning district. The proposed lots must comply with the minimum landscape requirement for residential properties as outlined in Section 17.68.060 of the Murray Municipal Code. Based on the information presented in this report, application materials submitted and the site review, staff recommends that the Murray Planning Commission forward a recommendation of approval to the Mayor for the proposed flag lot subdivision subject to conditions.

Parvis Moheballi, 5344 South Cottonwood Lane, asked if the city would permit him to keep the garage for use. Mr. Moheballi indicated that he has reviewed the staff recommendations and will comply.

The meeting was open for public comment.

Duane Klinger, 6149 Vine Way Circle, stated that his property adjoins the property at 1432 East Vine Street. Mr. Klinger asked what will be built on the property and if the zoning will be changing. Mr. Klinger stated that he has a 75 year lease on a small sliver of the property of about 1,500 sq. ft., which was shown in the presentation. Mr. Klinger stated and that the property is used as part of his rear yard.

Mr. Hall addressed the applicants question and the citizens' concerns. Mr. Hall stated that the property is located within the R-1-10 zoning district and will only allow a single family home and as a condition of the subdivision, that is all that will be allowed.

Mr. Markham asked Mr. Hall about the height of a new structure. Mr. Hall responded that 35 feet is the maximum height allowed for single family homes. Mr. Markham asked if it could be a two-story house. Mr. Hall stated that yes, it could be a two-story house, and that there is not a condition that could be appropriately placed that would limit the ability for having a two-story home. Mr. Hall stated that because of the nature of the subdivision, when the plat is recorded the garage must be relocated or demolished. An accessory building is not allowed on a lot without a dwelling and so the detached garage must be relocated prior to recording the plat. Mr. Markham asked how long they have to do the recording. Mr. Hall stated it could take up to a

year. Mr. Hall stated that the approval may be extended, but that is something he would have to look in to.

No additional comments were made and the public comment portion of the meeting was closed.

Mr. Woodbury made a motion to forward a recommendation of approval to the Mayor for the proposed flag lot subdivision located at 1432 East Vine Street subject to the following conditions.

1. The project shall comply with all Murray City Engineer requirements as listed below:
 - a. Meet all City subdivision requirements.
 - b. Provide a site utility and drainage plan.
 - c. Provide a PDF file of the Plat and Site Utility Plan to the Engineering Division for final review and processing. Email to tstokes@murray.utah.gov.
 - d. Dedicate a portion of the existing sidewalk and park strip along the Vine Street right-of-way as identified by the City Engineer.
 - e. Replace damaged curb, gutter and sidewalk along Vine Street from the construction on the new lots.
 - f. Utility cuts in the new asphalt surface on Vine Street will need to be restored to existing condition. Rotomilling and placement of asphalt with a paver will be required while the no-cut moratorium along Vine Street is in place.
2. A copy of the final plat shall be signed and recorded with the Salt Lake County Recorder's Office prior to the issuance of any building permits.
3. The project shall comply with all development standards for flag lots as outlined in Section 17.76.140 of the Murray Municipal Code with the specific standards outlined below:
 - a. The flag lot shall be used exclusively for a single-family residential dwelling and shall be located to the rear of the original or front lot.
 1. The access strip portion of the flag lot:
 2. Shall be at least twenty eight feet (28') wide for its entire length from the street to the point where the access strip adjoins the main body of the flag lot;
 3. Shall be paved except for the portion reserved for landscaping;
 4. Shall have four feet (4') of landscaping on each side; and
 5. Shall front on a dedicated public street or on a private street that existed prior to November 13, 2007.
 - b. The minimum lot area of the main body of a flag lot may not be less than 1.25 times the minimum lot area required in the R-1-10 zoning

district which is 10,000 square feet.

- c. The address of the flag lot dwelling shall be clearly visible from or posted at the abutting public street.
4. In order to comply with minimum setback requirements for accessory structures, the detached garage and sheds shall be demolished or relocated prior to recording the final subdivision plat for the two lot subdivision with the Salt Lake County Recorder's Office.
5. A formal landscape plan shall be submitted as part of a building permit application for the flag lot landscaping for approval by the Murray City Community Development Office. The plan shall show the required landscaped areas adjacent to the flag lot driveway.
6. The project shall comply with all applicable building code standards.
7. The project shall comply with all current fire codes.

Seconded by Mrs. Daniels.

Call vote recorded by Jared Hall

A _____ Karen Daniels
A _____ Scot Woodbury
A _____ Phil Markham
A _____ Buck Swaney
A _____ Travis Nay
A _____ Gary Dansie

Motion passed, 6-0

MURRAY PARK OFFICE CONDOMINIUMS – 154 E Myrtle Avenue – Project #15-21

Stephen Sonicens was the applicant present to represent this request. Mr. Hall reviewed the location and request for an amendment to the Murray Park Office Condominium Subdivision Plat for the property addressed 154 East Myrtle Ave #301, 302, 303 and 304. Municipal Code Ordinance 16.04.050 requires subdivision approval by Murray City Officials with recommendation from the Planning Commission. The applicants are requesting to subdivide unit #301 into four separate condominium units which requires an amended plat and amended declaration for recording at the Salt Lake County Recorder's office. The applicant has provided an amended condominium plat for review by the planning commission. The original condominium conversion for this office building to condominium units was approved May 15, 2008 for Michael Brodsky with Hamlet Development. The building was approved by the Murray Planning Commission May 4, 2006 with 33,658 sq. ft. and required 140 parking stalls with 5 disabled stalls. Parking calculations have been provided by the applicant for the current parking requirements indicating that further subdivision into condominiums will not have a negative impact on parking. There is adequate parking for the site. The

building meets the required setbacks for the MCCD zone. The property is currently landscaped and has been approved as part of the original development and final occupancy. Access to the site is from Myrtle Avenue at three locations, two driveways located to the west and one to the east. Based on the information presented in this report, application materials submitted and the site review, staff recommends that the Planning Commission forward a recommendation for approval to the Mayor for the Murray Park Office Condominiums subdivision amendment subject to conditions.

Stephen Sonicens, 154 East Myrtle Avenue, had no additional comments. Mr. Sonicens indicated that he has reviewed the staff recommendations and will comply.

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 forward a recommendation of approval to the mayor for the Murray Park Office Condominium subdivision amendment located at 154 E Myrtle Ave subject to the following conditions:

1. The applicant shall meet the requirements of the Murray City Engineer for the recording of the plat at the Salt Lake County Recorder's Office.
2. The structure shall meet the requirements of IBC sec. 1004.9. Multiple occupancies shall meet all building and fire codes.
3. The structure shall meet all current fire codes.
4. The applicant shall provide a PDF file of the plat to the City Engineering Division for final review.
5. The applicant shall provide a signed amended Condominium Declaration to record with the plat.

Seconded by Mr. Swaney

Call vote recorded by Jared Hall

A____Karen Daniels
A____Scot Woodbury
A____Phil Markham
A____Buck Swaney
A____Travis Nay
A____Gary Dansie

OTHER BUSINESS

Mr. Hall stated that staff is moving forward with the general plan update. There were great discussions with the focus groups and staff is planning more towards the end of

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March. April 22nd will be the next public open house staff has done a lot of advertising for that. The planning commission stated that they really liked the onsite meeting.

Meeting adjourned at 7:04 p.m.

Jared Hall, Manager
Community and Economic Development