

Minutes of the Planning Commission meeting held on Thursday, November 17, 2016, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Travis Nay, Chair  
Maren Patterson, Vice Chair  
Phil Markham  
Sue Wilson  
Tim Tingey, Administrative and Development Services Director  
Jared Hall, Community & Economic Development Manager  
Ray Christensen, Senior Planner  
G. L. Critchfield, Deputy City Attorney  
Citizens

Excused Scot Woodbury  
Buck Swaney

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.

Travis Nay opened the meeting and welcomed those present. He reviewed the public meeting rules and procedures.

#### APPROVAL OF MINUTES

Mr. Markham made a motion to approve the minutes from November 3, City Planning Meeting. Seconded by Mrs. Patterson.

A voice vote was made, motion passes 4-0

#### CONFLICT OF INTEREST

There were no conflicts of interest.

#### APPROVAL OF FINDINGS OF FACT

Mr. Markham made a motion to approve the Findings of Fact for Big Cottonwood Creek Assisted Living Center, IHC Health Services. Mrs. Wilson seconded the motion.

A voice vote was made, motion passes 4-0.

#### FASHION PLACE ANCHOR II – 6191 South State Street – Project #16-147

Ted Didas was the applicant present to represent this request. Ray Christensen reviewed the request for subdivision approval for a two lot subdivision on a portion of the Fashion Place Mall property addressed 6191 South State Street. Municipal Code Ordinance 16.04.050 requires the subdivision of property to be approved by Murray City Officials with recommendation from the Planning Commission. The applicant has indicated that the purpose of the subdivision is to create a separate lot for the new Macy's department store, which is currently under construction. The applicant indicated the subdivision property contains 10.35 acres. The Fashion Place Mall site is made up of multiple interconnected parcels of property over the entire mall area in the commercial

zone. Staff recommends that the Planning Commission forward a recommendation of preliminary and final subdivision approval to the mayor subject to conditions.

Mr. Nay asked about condition number one not having any set backs on the building due to being in the C-D zone as the building walls sit on the edge of the property. Mr. Christensen replied the building official noted in his report that the building may need to be adjusted to allow access to the entire building.

Ted Didas, 8610 Sandy Parkway, stated he has reviewed the staff recommendations and will comply.

The meeting was opened for public comment.

Stan Robinson 6240 S 300 E, asked if lot number two is only intended for parking. Mr. Didas stated that lot two is currently a parking lot and will not have any buildings built on it.

Mr. Markham made a motion to forward a recommendation of approval to the Mayor for a two lot subdivision on a portion of the Fashion Place Mall property addressed 6191 South State Street subject to the following conditions:

1. The subdivision plat shall comply with requirements of the Murray City Building Division including the following:
  - The property lines must be located in compliance with the currently adopted 2015 International Building Code; and
  - The applicant shall provide plans and a code analysis from a registered design professional explaining how and where the property lines can be placed; and
  - If necessary, the plat shall indicate an easement providing access across the property line in order to protect any code required egress from the Macy's building.
2. The plat shall comply with all Murray City subdivision standards.
3. The plat shall provide public utility easements as required by Murray City and other utilities.
4. The applicant shall provide a PDF copy of the plat to the Murray City Engineer for final review.
5. The applicant shall comply with Murray Fire Department requirements and all applicable fire codes.
6. The applicant shall comply with Murray Water & Sewer Department requirements.
7. The applicant shall comply with requirements of the Murray Power Department, including the establishment of a blanket public utility easement if necessary.

Seconded by Ms. Wilson.

Call vote recorded by Mr. Christensen.

A Maren Patterson  
A Phil Markham  
A Sue Wilson  
A Travis Nay

Motion passed, 4-0

CIVIC & COMMERCIAL STREET BANNERS– Project #16-138 – Public Hearing

Jared Hall stated staff are requesting consideration of a proposal to amend the text of Section 17.48.400 of the Land Use Ordinance. The proposed amendment would add two new categories to the list of exempt signs. The commonly used the terms “civic banners” and “commercial banners”, in referring to these two proposed categories of banner signs which are affixed to utility poles either on private property or to public street light poles in the right-of-way. Civic banners would be allowed only in public rights-of-ways on utility poles, be directly related to civic issues or events, with a maximum size of 3 X 8, kept in good condition and have pedestrian clearance. Commercial banners would be allowed on private property in C-D zoning, have at least two-hundred linear feet of frontage on a street, only related to issues pertaining to that business, with a maximum size of 3 X 8, kept in good condition and have pedestrian clearance. Staff has a concern that the approval of the banner project could create a large influx of new banners posted in the city as banners are currently not allowed.

Mr. Nay asked if there is a limit of the numbers of banners that could be posted on a single pole. Mr. Hall replied the maximum allowed banners on a single pole is two. Staff recommends that this item be continued to the first meeting in January to allow additional research time on some legal issues and asked for preliminary commission input on the project.

Mr. Markham asked for a visual model of a 3 X 8 banner as the size seems too large. Mr. Hall stated that the size of the banner in relation to the size of the pole may be a factor in what size banner is allowed on a pole.

Mr. Nay asked for clarification about the two hundred foot frontage per street allowance. Mr. Hall replied that the description for frontage could be written to specify the allowances on a commercial street vs. a residential street. Mr. Nay asked if a commercial business could sell banner space on their private property to other businesses. Mr. Hall replied that the new regulation permits only banners directly related to the business activity to be hung on that property. Mr. Nay asked how we would prevent a private business owner from posting a banner with inappropriate content on their property. Mr. Hall answered that the banner would have to relate specially to the business activity on the property thus preventing an unrelated personal message from being posted and further stated that language of the amendment will need additional research.

The hearing was opened for public comment. No comments were made and the public comment portion was closed.

Mrs. Wilson made a motion to continue the hearing until the January 5, 2017 meeting for the text amendment for civic & commercial street banners. Seconded by Mrs. Patterson.

Call vote recorded by Mr. Christensen.

   A Marren Patterson  
   A Phil Markham  
   A Travis Nay  
   A Sue Wilson

Motion passed, 4-0

GENERAL PLAN AMENDMENT – Project #15-29

Mr. Nay opened General Plan presentation and public hearing for November 17, 2016.

Suzie Petheram, with CRSA is the lead consultant for the General Plan update explained the goal and vision of the General Plan is to guide growth to promote prosperity and to sustain a high quality of life for those who work, live, shop and recreate in Murray City.

Ms. Petheram reviewed the project schedule from the beginning in October of 2014 with public outreach events to current date with this public hearing and stated that the goal of the process was to take a traditional General Plan that separated each element into smaller plans to an integrated plan with all the elements as a whole. Information from public outreach was collected by working with staff to hold regular meetings, participating in the steering committees, holding focus groups and then gathering feedback from staff to incorporate all public and staff input into the General plan. The process at the first open house in October of 2014 hosted about 20 residents and was an overview of the project with some visioning and gathering public input as well as to evaluate what the 2003 plan priorities were and what is still important today. A dedicated website was created which gathered public comment, posted documents and released feedback to keep viewers informed. Data gathering and analyzing different aspects of the city needs to base relevant plan recommendations from was also conducted.

A second open house was held to promote the twelve big ideas with about 70 people in attendance. The second open house gathered ideas about the direction of Murray City. The draft plan documents were created by hosting a stake holder meeting with different City departments to recognize the perspective of the employees and how it effects them, which lead to the structure of the plan document.

The third open house, held a year ago, had 60 attendees and presented an overview of the plan which addressed some of the visioning and comments from public as well as data gathering.

The last open house was held on August 25<sup>th</sup>, and was overflowing with people, which gathered feedback about the General Plan as well as presented a draft to residents. The General Plan document is divided into two parts. Part one is designed to be a user friendly guide to the General Plan. Part two is a traditional General Plan element laid out in chapters which staff would use on a regular basis. Both parts are available on line to anyone.

The goal of the future land use map was created to provide some opportunity for people who own property in Murray while streamlining some categories and be more specific in others. On the Residential map created a low, medium and high density residential category opening up flexibility of the use. A new category is a business park industrial, separating manufacturing industrial uses. Office use categories have been added to streamline the type of professional or urban office type permitted to allow more development opportunities that people are interested in.

The steps to adopt the General Plan also included sessions with City Council and the Planning Commission in which the content of the plan were presented and refined to the present state today as a final draft plan.

Ms. Wilson commented that in a prior planning meeting some notes on the map did not make sense and should have been crossed off and wondered if the changes were made. Mr. Hall stated that he would look into his notes about the map but did not have them present.

Mr. Nay asked if Mr. Hall and Mr. Christensen had received any public comment on the General Plan. Both Mr. Hall and Mr. Christensen replied they have not received any recently. Mr. Nay said he received an email specific to the properties on Winchester Street which is in opposition to changing the corner of Winchester and 700 West from residential zone to commercial zone. Ms. Petheram commented that just because the future land use map shows a particular zone in an area that does not automatically mean the area will be rezoned, but instead could open up the use of the land if the current or new owner were in favor of the use change.

The public hearing was opened for public comment.

Robert Smith, 6442 Castlefield Lane, stated that he is a follower of the General Plan and commented on all the great work that has been put into it, and it is an upgrade to the current General Plan. He commented that he would like to see some further consideration in the area of Winchester Street and 625 East which is R-N- B and feels it is too restrictive on certain parcels of land. Mr. Smith also stated that the General Plan draft mention on page 8 -11 that we have two assisted living facilities in Murray and that Olympus Ranch is not an assisted living facility instead an independent living and suggested the change. Mr. Nay asked Mr. Smith what exactly he sees as too restrictive in the R-N-B zone. Mr. Smith replied that some parcels could either be zoned potentially as general office, commercial neighborhood or mixed use because of parcel size and shape and could accommodate the pre-mentioned zones as he has communicated to Staff previously.

Ms. Paterson asked if the R-N-B zone would allow assisted living facilities. Mr. Hall replied that the R-N-B zone does not allow assisted living.

Roger Haglund, 1675 East Vine Street, stated he attended the Planning work session meeting and was impressed with all the work that has been put in to the General Plan. He stated that he and his neighbors moved there when it was unincorporated, A-1 land and large lots. Mr. Haglund recalled from the previous planning work session hearing two comments about lot sizes and how Murray has the lowest house hold membership of all

the Cities in the County and we need smaller lots and that a friend of a Council Member stated she wanted to relocate to Murray and could not find a lot large enough. Mr. Haglund suggest that the R-1-10 designation over this area be changed to mention future requests for down-sized lots be prohibited as it changes a low density area to a high density area and would like to preserve the R-1-10 designation. Mr. Markham stated that the parks and recreation master plan has not been revised in several decades and urges City Council to provide funding to plan for the future of parks planning.

George Katz, 6150 Steeple Chase Lane, stated that he moved into the area because he liked the open space and agriculture and wished that the city maintain the area as so. He stated that he had grandchildren to the church to play on the playground because the area does not have any parks.

Lori Haglund, 1675 East Vine Street, asked if the future land use map will keep the R-1-8 and R-1-10 zones, as she does not want the map to use a blanket low density residential instead.

Mr. Nay closed the public meeting.

Ms. Wilson asked to have the location of Discero property located at 1590 East and Vine to be displayed on the map.

Mr. Nay asked city staff to explain the use of low density residential zoning on the map and the allowance of flag lots and the exploration of new guidelines for them.

Mr. Nay recognized the hard work of the city staff, residents and steering committees involved in the General Plan, and asks Suzie Petheram to speak on the concept of planning map zoning changes. Ms. Petheram explained that the new zoning allows for additional flexibility for communities which was a request from residents. Ms. Petheram further demonstrated the flexibility of the zoning map which could possibly allow current residential areas to stay zoned as they are if the residents so desire.

Mr. Markham stated that he is very supportive about neighborhood nodes that will contribute to a unique community contribution. Mr. Nay stated that any changes to the designation of the future land use map would still need to be presented to Planning Commission and City Council as a future protection to the character of neighborhoods and requires the diligent input of residents as well. Ms. Patterson commented that the low density residential zoning protects the uses within an area as it does allow flexibility for many different uses.

Mr. Hall emphasized the land use map, more now than ever, distinguishes the zoning flexibility by removing the hyper-specificity of land use designations over a large area to allow appropriate changes for neighborhoods and community nodes. The general plan will be a guidelines the Planning Commission will take into consideration for every land use decision that will be made.

Mr. Nay suggested that the Professional Office zone and industrial parks not be used as a 9 to 5 zone, rather find uses that that keep the area active throughout the day and evening to avoid a ghost town feel. Mr. Hall replied that the flexibility of the new land use map will allow staff to make decisions easier which support vitality and liveliness at all

times of the day to the communities and other areas.

Mr. Markham stated that Buck Swaney and Scot Woodbury were not in attendance and live in the area where the majority of the comments from residents have originated and feels a continuation for the General Plan would be appropriate.

Mr. Markham made a motion to continue the Murray General Plan to the December 1, 2016 meeting for final recommendation to City Council. Seconded by Ms. Wilson.

  A   Marren Patterson

  A   Phil Markham

  A   Travis Nay

  A   Sue Wilson

Motion passed, 4-0

#### OTHER BUSINESS

There was no other business.

The study session was adjourned at 7:50 p.m.

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Jared Hall, Manager  
Community and Economic Development