

Minutes of the Planning Commission meeting held on Thursday, January 19, 2017, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Travis Nay, Chair  
Buck Swaney  
Sue Wilson  
Phil Markham  
Jared Hall, Community & Economic Development Manager  
Brad McIlrath, Assistant Planner  
G. L. Critchfield, Deputy City Attorney  
Citizens

Excused: Maren Patterson, Vice-Chair  
Scot Woodbury

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. Swaney made a motion to approve the minutes from January 5, 2017. Seconded by Mr. Markham.

A voice vote was made, motion passed 4-0

#### CONFLICT OF INTEREST

There were no conflicts of interests for this agenda.

#### APPROVAL OF FINDINGS OF FACT

Mr. Swaney made a motion to approve the Findings of Fact for Horizon/Nielco Cabinets, Budget Car and Truck Rental, and Master Scraper. Ms. Wilson seconded the motion.

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

#### CAR2SEEK, INC. – 5555, 5553 South 900 East – Project #17-03

Saeid Hosseini was the applicant present to represent this request. Jared Hall reviewed the location and request for a Conditional Use Permit to allow vehicle sales and automobile repair for the properties addressed 5555 and 5553 South 900 East. The main building in the front is occupied by a Quick Lube business which performs service and small repairs for vehicles related to the lube shop function and are currently performed in the north building, and will continue there. The building in the back was originally built a number of years ago to house an auto shop and repair business but the business license was never obtained and the Conditional Use Permit has expired. The applicants propose to convert a portion of the Quick Lube building into an office to house the Car2Seek auto sales business. Vehicles for sale would be stored on the rear (easternmost) portion of the lot. The applicants are also seeking conditional use approval to allow vehicle repairs in the shop building located in the southeast corner of the

property. The proposed vehicle sales lot is required to provide a minimum of 3 stalls for vehicle display and parking and additional parking for customers and employees. The site plan submitted by the applicant shows a total of 7 service bays between the existing lube shop and proposed repair business, requiring a total of 21 parking stalls. The proposed vehicle sales business will require 2 stalls, leaving 6 open for display. Code allows for the use of "alternative parking geometry" when displaying vehicles for sale. The application should be limited to 6 cars for sale or a number that can be accommodated appropriately with alternative parking geometry to be verified by staff during business licensing. There are several landscaped areas on the property some of which will need additional attention, principally the proposed areas on the building frontage of 900 East, and those proposed 5 foot buffer landscape areas on the north and east property lines, which the applicant has agreed to install. The Fire Department has required that a minimum aisle width of 20 feet to the rear of the property must be maintained for fire department and emergency services access at all times. The apartments located to east of the building would require a larger buffer area if they were zoned residential but they are currently zoned C-D which require only the lesser five foot buffer. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval of a conditional use permit allowing a vehicle sales and automobile repair use on the property located at 5553 and 5555 South 900 East subject to conditions.

Mr. Swaney asked if apartments are allowed by right in the C-D zone. Mr. Hall stated they are not allowed by right but they were already in existence prior to the C-D zoning due to annexation.

Mr. Nay asked if the unscreened trash containers are allowed. Mr. Hall stated they are not allowed and would need to be screened per condition number four. Mr. Nay asked if the geometrical parking was to be utilized would there be a limited number of cars that are allowed to be parked for sale. Mr. Hall replied yes, and they will be given a set number of maximum cars allowed for sale when they apply for their business license.

Ms. Wilson asked if the dedicated ADA compliant stalls might be used to park cars for sale. Mr. Hall answered that ADA stalls are required to be signed and striped so that any vehicles for sale would not be allowed to be parked in the ADA stalls.

Saeid Hosseini, 2193 East Lamborne Avenue, stated he has reviewed the conditions of approval and will comply.

Mr. Swaney asked if there are any limitations in regard to the type of advertising methods and signs that could be used at this used car lot. Mr. Hall replied that temporary banners and wind signs are allowed in the city without permits as long as they are not displayed for more than thirty consecutive days. Mr. Hosseini stated he does not plan on hiring any people to hold signs, rather he would rely on online advertisement of vehicles and wished to replace the current LED sign with a larger LED sign which would display all the cars for sale.

Mr. Nay asked if the lot has any security measures in place to prevent people from going into the rear of the property after hours. Mr. Hosseini answered that most of the lot is secured by a solid brick wall and fence and security lights and he could use vehicles to block the entrance if needed but at this time the area has not had much criminal activity.

Mr. Markham asked if the rear of the property is currently lit at night. Mr. Hosseini stated that it is currently lit and they are working on replacing the bulbs to new LED bulbs which can be left

on for a longer period of time and would be more efficient.

Ms. Wilson asked if Murray City requires a gate across the entrance after hours. Mr. Hall stated it is not required by the city.

The meeting was opened for public comment. The public comment portion was closed.

Mr. Swaney stated that in his opinion this particular Conditional Use Permit will not have a dramatic negative impact on the area as similar uses are already being conducted on the site. Mr. Swaney further stated that Murray has already given enough of its space to auto dealerships and the State Street corridor shows this. He stated, in his experience with other cities, it takes a long time to remove them from the city. He recalled that the General Plan has designated this area to be a small area plan which would be a more walkable, village setting in the future and this car lot conflicts with the plan. He stated he dislikes the Conditional Use opportunity makes it possible to allow this type of business. Mr. Swaney asked the planning staff to be aware and address this issue as we update our conditional uses and codes once the new General Plan is adopted. He further stated that this type of conditional use is one that he would not like to see allowed in the neighborhood areas of Murray in the future as he believes we currently have plenty of auto dealerships in the city. Mr. Hall stated that staff will take that as a directive.

Ms. Wilson made motion to grant Conditional Use Permit approval for vehicle sales and automobile repair to be located at the property addressed 5553 and 5555 South 900 East subject to the following conditions:

1. The project shall meet all applicable building code standards.
2. The project shall meet all current fire codes.
3. A landscaping plan meeting the requirements of Chapter 17.68 of the Murray Municipal Code shall be submitted and approved by the Community Development Division to provide the additional 5 foot wide landscaping separating the parking areas from adjacent properties.
4. The trash container shall be screened as required by Section 17.76.170.
5. The applicant shall maintain a minimum 20 foot wide access aisle to the rear of the property for emergency and fire access.
6. The vehicle sales are limited to 6 vehicles, or to the number of vehicles that may be appropriately displayed for sale in the available area as determined by alternative parking geometry to be approved by Community Development Staff before issuance of a business license.
7. All required parking for business uses on the property shall be appropriately striped, including a minimum of two van accessible ADA compliant stalls. Stalls not included for vehicles display shall be marked for use by customers.
8. The applicant shall obtain building permits for the remodeling work, and shall comply with all building code requirements for the repair shop as well.

9. The applicant shall obtain business licenses prior to commencement of operations on the property.

Seconded by Mr. Markham.

Call vote recorded by Mr. McIlrath.

  A   Sue Wison  
  A   Phil Markham  
  A   Buck Swaney  
  A   Travis Nay

Motion passed 4-0.

OTHER BUSINESS - Election of Planning Commission Officers

Mr. Markham made a motion to nominate Buck Swaney as Chair for 2017.

Seconded by Ms. Wilson

Call vote recorded by Mr. McIlrath.

  A   Phil Markham  
  A   Sue Wllson  
  A   Buck Swaney  
  A   Travis Nay

Motion passed 4-0.

Mr. Swaney made a motion to nominate Phil Markham as Vice-Chair for 2017.

Seconded by Ms. Wilson

Call vote recorded by Mr. McIlrath.

  A   Buck Swaney  
  A   Sue Wllson  
  A   Phil Markham  
  A   Travis Nay

Motion passed 4-0.

Meeting adjourned at 6:50 p.m.

  
Jared Hall, Manager  
Community and Economic Development