

Minutes of the Planning Commission meeting held on Thursday, August 3, 2017, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Phil Markham, Vice Chair
Travis Nay
Scot Woodbury
Maren Patterson
Sue Wilson
Lisa Milkavich
Jared Hall, Community & Economic Development Supervisor
Brad McIlrath, Associate Planner
Jim McNulty, Development Services Manager
G. L. Critchfield, Deputy City Attorney
Citizens

Excused: Buck Swaney, Chair

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

Mr. Markham stated the minutes were not available to approve. They will be forthcoming.

CONFLICT OF INTEREST

There were no conflicts of interest.

APPROVAL OF FINDINGS OF FACT

Mr. Woodbury made a motion to approve the Findings of Fact for BNB Auto, Weathershield, and Ace Property Maintenance. Mr. Nay seconded the motion.

A voice vote was made, motion passes 6-0.

JESSE KNIGHT ENTREPRENEURIAL CENTER – 5510 & 5534 South 300 West - Project #17-94

Dan Vanzeben was the applicant present to represent this request. Brad McIlrath reviewed the location and request for the renovation of & addition to the existing building for office uses along with off-site parking for the properties addressed 5510 & 5534 South 300 West located in the M-G Zoning district. The site has gone through an extensive cleanup stage to prepare it for the proposed project. A house on the nearby property has been demolished and many trees have been removed. The proposed site plan shows on-site parking as well as off-site parking to the south. The main building would house the office space use, and the out building referred to as the "Barn" would be used as a training center, and conference rooms. The property would include an easement that would provide a city right of way and UTA accesses. The required agreement would allow access through the subject property for UTA to access their property and the city to access the buried utilities. Due to the landscaping constraints of the properties the applicant sought a variance from the Murray City Hearing Officer to allow reduced landscaping requirements so the parking and utility requirements

could be met. The total parking required for the uses is 245 parking stalls, the site plan provides 251 parking stalls. The site plan shows a large plaza, drop off area and a court yard. The entry plaza will have two water features that call back to the history of the uses on this site. The conference center is located to the north of the main office building. A new basement will be added to both buildings and will be used mainly as storage space.

The site was at one time a smelter and ore sampling site. A condition of approval will require a soils management / remediation plan to be developed for on-site contaminated or hazardous materials. The plan is to be reviewed and approved by Utah Department of Environmental Quality (UDEQ) and/or the Environmental Protection Agency.

Based on the information presented in this report, application materials submitted and the site review, staff recommends conditional use permit approval for the proposed building renovation and off-site parking for a professional offices and entrepreneurial center subject to conditions.

Ms. Wilson asked how many ADA parking stalls are required for this site. Mr. McIlrath stated his review of the site plan showed adequate ADA parking.

Mr. Markham asked if this building is considered an official historic structure. Mr. McIlrath stated he believed it is, based on his research. Mr. Markham asked if it is a requirement that they implement these historic elements into this site. Mr. McIlrath answered the applicants are not required to add any historic elements, but they have chosen to anyway.

Mr. Nay asked if they are required to add the fencing or buffering along the Front Runner site. Mr. McIlrath stated they are not required to do it but have chosen to add a buffer wall.

Mr. Nay asked, hypothetically, if a flyover bridge could connect the office building to the hotel and would it be allowed, or even be viable. Mr. McIlrath stated broadly speaking it could be viable, but there would be a lot of approvals to seek from different agencies and could be difficult.

Dan Vanzeben, 4067 North Juniper Lane, Eden, Utah, stated he has reviewed the conditions and will be able to comply. Mr. Vanzeben stated he is the architect on the project and chose this project specifically because it had so many issues to remedy. The primary and iconic elements they wanted to reflect in the project were the concrete and glass tower and they wanted the historic nature to come through. Mr. Vanzeben stated he believes he is providing better access to the city and UTA by providing the cross access easement agreement into the parking lot area. Mr. Vanzeben stated he has been working with the Fire Department and is confident that they can find a solution to all the issues.

Ms. Milkavich stated she is pleased they are keeping the historic charm of the building and asked if the team who has worked on the ponds are getting credit for them via a historic plaque. Mr. Vanzeben stated they have a passion for the business history of Jesse Knight and they will be dedicating this site to his legacy by teaching business how to be good and honest. It is possible that a replica of the ore sampling operation may be made. Ms. Milkavich asked if there will be a public area that people can access this information, such as an arboretum. Mr. Vanzeben stated there are some areas inside of the entrepreneurial building where historical information about the property can be viewed.

The meeting was opened for public comment.

Nash Williams, 5443 Commerce Drive, stated he owns the properties located to the west of the subject properties. Mr. Williams stated the UTA/Frontrunner site currently appears rough looking and asked if the City can do anything to inspire them to clean it up.

Bart Warner, 2255 South 5370 West, West Valley City, stated he is the developer of project. He stated he appreciates the cooperation of the City staff. Mr. Warner stated he negotiated to obtain the property so they could develop it. Mr. Warner stated that Jesse Knight is an inspiration to him and based the entrepreneurial center from the spirit of his works. Currently the proposed business center is booked out from all the people who want to occupy it, because it is a one of a kind use.

The public comment portion was closed.

Mr. Hall stated the UTA site is called the "Palace Yards", and they do not want to sell or change the use of the property. It is an active cleanup site and has some monitoring wells as well. The City will continue to work with them to try to get it cleaned up.

Mr. Woodbury stated the applicant has a desire to build a taller fence and asked if it would be allowed. Mr. Hall stated it would require a variance, but it was not discussed at the time they applied for the landscape variance. Mr. Hall stated, in his opinion, a taller fence would be hard to justify and did not believe a variance would be approved.

Mr. Warner stated security has been a problem on this site and it is known by other properties to be an area for vandalism. Mr. Warner stated he is concerned the windows will be shot out on the west side.

Mr. Milkavich made a motion to grant Conditional Use Permit allowing the proposed building renovation and off-site parking for professional offices and an entrepreneurial center for the property addressed 5510 & 5534 South 300 West subject to the following conditions:

1. The project shall meet all applicable building code standards. Stamped/signed plans along with a soils report and structural analysis shall be submitted at time of building permit application.
2. The project shall meet all current fire codes along with the following Fire Department requirements:
 - (a) Additional fire hydrants may be needed on-site. The applicants shall work with the Fire Department to determine the number and locations of additional fire hydrants;
 - (b) No "hammer head" turn around for Fire Engines is to be used. The applicants shall work with Fire Department officials to determine an appropriate turn around for engines;
 - (c) A fire pump may be needed to augment single/dead end eight inch (8") line for adequate pressure for 4th floor sprinklers. The applicants shall work with Fire Department officials to determine this need;
 - (d) All construction shall meet 2015 International Fire Code parameters;
 - (e) The target Gallons per Minute (GPM) for hydrant and sprinkler combo flow is 1,500 GPM. The applicants shall work with Fire Department officials to address this standard.
3. The project shall comply with all Murray City Engineering requirements including the following:
 - (a) The project shall meet Murray City drainage requirements, with on-site detention/retention of storm water required;

- (b) All damaged curb, gutter, and sidewalk along the property frontage shall be repaired;
 - (c) The project shall comply with Murray City access management standards, and if possible, a private right-of-way access be provided to access the south parking lot;
 - (d) A cross parking and access agreement shall be developed for use of the City right-of-way adjacent to the Cottonwood Street Bridge. The agreement should be executed by the property owner, Murray City, and UTA. A concurrence letter must be obtained from all utilities located within the right-of-way;
 - (e) The landscape design and materials placed within the City right-of-way adjacent to the Cottonwood Street Bridge shall be approved by the City Engineer and City Utilities;
 - (f) A soils management / remediation plan shall be developed for on-site contaminated or hazardous materials. The plan is to be reviewed and approved by Utah Department of Environmental Quality (UDEQ) and/or the Environmental Protection Agency (EPA);
 - (g) A site Storm Water Pollution Prevention Plan (SWPPP) shall be developed and a Murray City Land Disturbance Permit obtained;
 - (h) An Excavation Permit shall be obtained for any work in the Cottonwood Street (300 West) right-of-way.
4. The project shall comply with Murray City Water and Sewer Division requirements including the
 - (a) As a multi-story building a booster pump will most likely be provided and shall be installed if determined by Division staff;
 - (b) A fire flow test shall be completed and provided to the division for review.
 5. The project shall provide sufficient parking that meets parking standards outlined in the Murray City Municipal Code.
 6. Landscaping shall be installed in compliance with Murray City Municipal Code standards outlined in Chapters 17.68 and 17.152. Landscaping for areas with a granted variance shall meet the needs of the City Engineer and Public Utilities. A formal landscaping and irrigation plan shall be submitted as part of the building permit application for final review and approval prior to installation.
 7. The off-site parking area located south of the facility shall comply with parking and landscaping standards of the Murray City Municipal Code. See Chapters 17.72 and 17.68.
 8. A pedestrian connection from the public sidewalk to the facility shall be installed as shown on the submitted plans.
 9. A lighting plan shall be submitted and approved by Murray City staff prior to the issuance of a building permit.
 10. All project signage shall comply with sign standards outlined in the Murray City Municipal Code. All signage shall be approved by Murray City staff with a separate sign permit.
 11. A Murray City Business License shall be obtained for all future businesses that will be located in the facility prior to the commencement of business operations from this

location.

Seconded by Ms. Patterson.

Call vote recorded by Mr. McIlrath.

 A Lisa Milkavich
 A Maren Patterson
 A Scot Woodbury
 A Sue Wilson
 A Travis Nay
 A Phil Markham

Motion passed 6-0.

WAGSTAFF CRANE SERVICE – 4205 & 4315 South Commerce Drive - Project #17-115

Jacob Nielson was the applicant present to represent this request. Jared Hall reviewed the location and request to allow an office, storage and maintenance facility for a crane rental operation business on the properties addressed 4205 & 4315 South Commerce Drive in the M-G Zone. This site was formerly known as the St. George Steel Company. Wagstaff Crane intends to be the sole occupant of this property and intend to use the site as it exists. The only access to this from Commerce Drive. A portion of the property is paved and extends to the building on site, the remaining graveled area is used for the parking of the cranes and trucks. Parking on this site is short by about 38 stalls, the applicant said they would be able to provide the necessary parking stalls. Staff is recommending the buildings on the south end of the property be demolished as they are derelict and will not be used for the crane operation. The existing landscaping needs to be upgraded to meet standards. Because this site abuts the TOD zone, a condition of approval states that the cranes shall be retracted while stored unless they are being maintained. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval to allow an office, storage and maintenance facility for a crane rental operation business on the properties addressed 4205 & 4315 south Commerce Drive subject to conditions.

Jacob Nielson, 420 West Jenson Lane, stated he has reviewed the conditions and will be able to comply.

Mr. Woodbury asked for clarification about what the cranes would look like if it was retracted. Mr. Nielson answered that a majority of the cranes are mobile hydraulic and they sit in the saddle over the top of the cab of the crane itself. A few of the other cranes have removable booms and would be stored on a trailer and typically the cranes are not left erect.

The meeting was opened for public comment.

Mr. Hall read a letter that was submitted to the Planning Staff from Paul Sundberg. The letter stated he lives at 4317 South 300 West. Mr. Sundberg stated he has lived has been a Murray resident for 15 years. The letter stated that he thinks the Wagstaff Carne staff are exceptional and he has used their services in the past and that he is in favor of the use at the subject property. Mr. Sundberg indicated that while there has been an absence from the previous tenant, there have been burglaries and trespassers on the property.

The public comment portion was closed.

Ms. Wilson made a motion to approve the Conditional Use Permit for an office, storage and maintenance facility for a crane rental operation business on the properties addressed 4205 & 4315 South Commerce Drive, subject to the following conditions:

1. The applicant shall obtain building permits for any proposed construction, and shall meet all applicable building code standards.
2. Any proposed construction on the property shall comply with requirements of the 2015 International Fire Codes.
3. A formal landscaping plan meeting the requirements of Chapter 17.68 of the Murray City Land Use Ordinance shall be submitted and approved by the Community Development Division. The Plan shall include additional landscaping materials along the frontage of 300 west, and provisions for the on-going maintenance of the landscaping adjacent to UDOT property on 4500 south.
4. The applicant will obtain a demolition permit for the two buildings located on the southern portion of the property, or shall provide plans for their renovation and incorporation into the proposed use of the site.
5. The applicant shall provide a minimum of 38 additional paved, striped parking spaces to serve the main building. A plan must be provided by the applicant for City Staff review and approval.
6. The applicant shall provide grading and drainage plans to accompany any proposed changes to the site, and shall maintain existing site retention areas, drainage swales and sumps.
7. The applicant shall meet all requirements of the Murray City Water and Sewer Department.
8. If site improvements exceed \$5,000 the applicant shall replace any damaged curb, gutter, and sidewalk along the property frontage of 300 west as assessed by the City Engineering Division.
9. Cranes shall be stored in retracted positions at all times when on the site, unless extension is required for maintenance or service.
10. A separate application is required for any proposed signs associated with this use.
11. A lighting plan shall be submitted to Murray City Staff if additional lighting is proposed on the site for this use.

Seconded by Mr. Woodbury

Call vote recorded by Mr. McIlrath.

 A Sue Wilson
 A Scot Woodbury
 A Maren Patterson
 A Lisa Milkavich

A Travis Nay
 A Phil Markham

Motion passed 6-0.

VINE STREET OFFICES – 5403 South Vine Street – Project #17-116

Jeff Kruckenberg was the applicant present to represent this request. Jared Hall reviewed the location and request for an Office Condominium Plat on the property addressed 5403 South Vine Street in the C-D Zone. The proposal is to construct two office buildings on this vacant parcel. This request is to allow the condominium subdivision of the proposed six (6) offices so that they can be individually owned. The conditions that have been recommended by staff are general conditions that apply to all subdivisions such as cleanup of the plat, preparation for recording and final approval. If the Planning Commission approves, Murray City staff and the applicant can work together to make the necessary changes to the condominium declaration, condominium plat, and to ensure it is ready for recordation upon approval by the Mayor. Based on the information presented in this report, application materials submitted and the site review, staff recommends that the Planning Commission forward a recommendation of approval for the Vine Street Office Condominium Subdivision Plat to the Mayor subject to conditions.

Jeff Kruckenberg, 6782 South 1300 East, stated he has reviewed the conditions and will be able to comply and also that many of the conditions have already been completed. Mr. Kruckenberg added that they like to work in Murray and hope to frequent the meetings.

The public meeting was opened for public comment. There were no comments and the public comment portion was closed.

Mr. Woodbury made a motion to forward a recommendation of approval for the Vine Street Office Condominium Subdivision plat to the Mayor 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 applicant shall provide a PDF copy of the plat to the Engineering Division for Final review and approval.
3. The facility shall meet the requirements of the 2015 International Fire Code and Murray City Ordinances.
4. The applicant shall meet all requirements of the Murray City Water and Sewer Division.
5. The Plat shall identify all common areas as easements for Public Utilities.
6. The applicant shall work with Community Development Staff to make any modifications necessary to the Declaration of Condominium and other documents to assure compliance with requirements of State Code and the Murray City Land Use Ordinance.
7. The applicant shall work with Community Development and Engineering Staff to make modifications necessary to the Condominium Plat to assure compliance with requirements of State Code and the Murray City Land Use Ordinance.

Seconded by Mr. Nay.

Call vote recorded by Mr. McIlrath

 A Scot Woodbury
 A Travis Nay
 A Lisa Milkavich
 A Sue Wilson
 A Maren Patterson
 A Phil Markham

Motion passed 6-0

MURRAY SCHOOL DISTRICT 2 LOT SUBDIVISION – 6337 South Glen Oaks Street–
Project #17-117

Quinn Drury was the applicant present to represent this request. Brad McIlrath reviewed the location and request for a 2-Lot subdivision for the property addressed 6337 S. Glen Oaks Street in the R-1-8 Zone. This property is currently Lot 2A of the Clarus Amended Subdivision. The applicant has applied to subdivide the lot further by creating a new subdivision. The proposed subdivision would create two single family lots. Lot 1 of the proposed subdivision is located at the corner of Southwood Drive and Glen Oaks Street and has a proposed lot area of 14,032 square feet. Lot 2 is an interior lot and has a proposed lot area of 12,605 square feet. Lot 1 has overhead power lines that cut across the northern portion of the lot and which will need to remain with a utility easement provided for access and maintenance of those lines. Lot 2 has an irrigation system that will need to be relocated and modified slightly to accommodate the building of a new home on the property. Both lots meet the area and width requirements of the R-1-8 Zone. Each lot is proposed to have the minimum required easements along each property line for utility access requirements for this zone. The permissible lot coverage for all buildings including accessory building is 35 percent of the property.

The demolition plan is for the irrigation line that runs along Glenn Oaks Street to be curved to the east, this will create a need for a utility easement. Sufficient easements will be provided for utilities. The Murray City Power Department is requiring that the power lines be buried that run along Glen Oaks to come to compliance with current standards. Even though the powerlines would run through the utility easement it could still be useable but they could not build anything on it. Based on the information presented in this report, application materials submitted and the site review, staff recommends that the Planning Commission forward a recommendation of preliminary and final approval for a 2-Lot subdivision at the property addressed 6337 South Glen Oaks Street to the Mayor to subject to conditions.

Mr. Markham stated the City Parks Department maintains the corner of the property that has lawn, and asked if there should be a possible agreement to relinquish the care of the property. Mr. Woodbury asked if the Parks Department could just keep up the maintenance of the property. Mr. McIlrath stated the landscaping care will most likely be turned over to the future property owners.

Mr. Nay asked if the easement precludes them from having a curb cut and from fronting onto Southwood Drive. Mr. McIlrath stated the applicants will need to designate which street they want to front, but would not be allowed to build any structures in the easement.

Mr. Nay asked if the light pole would be the responsibility of the property owner or the City. Mr. McIlrath the light pole will be in the public right of way when the subdivision is finished and will be maintained by the city.

Quinn Drury, 5450 South State Street, stated he is representing Murray City School District. He stated he has reviewed the conditions and will be able to comply. Mr. Drury stated he appreciates the support of city staff.

Mr. Nay asked what the date of anticipated build out would be. Mr. Drury stated it is a two year project per lot, in total four years. The property had enough square footage for three lots, but it would have been too difficult to subdivide three lots and meet the zoning regulations.

The public meeting was opened for public comment.

Robert Boulds, 6371 South Glen Oaks Street, stated he is a neighboring property of the proposed development. Mr. Boulds requested that the property be secured when they are not working on the site due to the curious children in the neighborhood, safety issues, to prevent crime and keep the weeds cut.

The public comment portion was closed.

Mr. Nay made a motion to forward a recommendation of preliminary and final subdivision plat approval for the property addressed 6337 South Glen Oaks Street to the Mayor subject to the following conditions:

1. The subdivision shall comply with the requirements of the Murray City Engineer, which includes the following:
 - (a) The subdivision shall meet Murray City subdivision requirements; providing grading, drainage and utility plans.
 - (b) The applicants shall complete the de-annexation from the Cottonwood Improvement District to allow sewer to be served by Murray City.
 - (c) The subdivision shall provide standard Public Utility Easements (PUE's) as required by Murray City Utilities and the Subdivision Ordinance.
 - (d) Any damaged curb, gutter, and sidewalk along Glen Oaks Street will need to be repaired. Sidewalk shall be installed along the Southwood Drive frontage.
 - (e) The existing irrigation system shall be relocated to allow access to Lot 2 of the proposed subdivision from Glen Oaks Street. Approval from the irrigation company will need to be obtained for the system modifications.
 - (f) A Murray City Excavation permit shall be obtained for any work within the City roadway.
2. Completed building plans and structural calculations shall be provided at the time of building permit application. All construction shall meet building code standards.
3. The subdivision and future development shall comply with Murray City Water and Sewer Division requirements. De-annexation from Cottonwood Sewer District shall be completed prior to services being provided by Murray City.
4. The power lines along the west property boundaries shall be buried and an easement shall be provided along the east-west power lines running along north end of Lot 1.

5. The project shall comply with all current fire code standards.
6. The proposed lots shall comply with the development standards for properties located in the R-1-8 Zone, such as lot width, area, and setbacks.
7. The project shall comply with all applicable development standards of the Murray City Land Use Ordinance and the Murray City Subdivision Ordinance.

Seconded by Ms. Wilson.

Call vote recorded by Mr. McIlrath

 A Travis Nay
 A Sue Wilson
 A Lisa Milkavich
 A Maren Patterson
 A Scot Woodbury
 A Phil Markham

Motion passed 6-0

OTHER BUSINESS

Mr. McNulty stated the next meeting will be on August 17, 2017. The agenda will be similar to the size of tonight's meeting. He mentioned that there will be a Planning Commission training and dinner on August 24, 2017, from 6:00 p.m. to 8:00 p.m. will be located at the Development Services building on 4646 South 500 West. The training will be conducted by City Staff.

Mr. McNulty stated that the City has an internal staff committee that has kicked off the rewrite of the City Sign ordinance. There will be a second committee to include two of the Planning Commission members, Tim Tingey, and perhaps a representative from the City Council. The internal committee will work on a draft and as we get significant parts of the sign code complete the other committee will meet to review any changes and revisions. There is no time table for this to happen yet but it is a work in progress. Mr. McNulty stated the City will also start a rewrite of the Land Use Ordinance.

The meeting was adjourned at 7:44 p.m.


Jared Hall, Supervisor
Community and Economic Development