

Minutes of the Planning Commission meeting held on Thursday, January 4, 2018, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Buck Swaney, Chair
Maren Patterson
Travis Nay
Scot Woodbury
Lisa Milkavich
Jared Hall, Community & Economic Development Supervisor
Jim McNulty, Development Services Manager
Brad McIlrath, Associate Planner
Susan Nixon, Associate Planner
GL Critchfield, Deputy City Attorney
Citizens

Excused: Phil Markham, Vice Chair
Sue Wilson

The Staff Review meeting was held from 6:00 p.m. to 6:30 p.m. The Planning Commission members briefly reviewed the applications on the agenda. An audio recording is available at the Murray City Community and Economic Development Division Office.

Buck Swaney opened the meeting and welcomed those present. He reviewed the public meeting rules and procedures.

APPROVAL OF MINUTES

Ms. Milkavich made a motion to approve the minutes from the December 7, 2017 Planning Commission meeting. Seconded by Ms. Patterson.

A voice vote was made, motion passes 5-0.

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 Hamlet Development/Granton Square. Mr. Nay seconded the motion.

A voice vote was made, motion passes 5-0.

STORY MOTORS LLC – 392 West 4800 South - Project #17-172

Klyer Story was the applicant present to represent this request. Brad McIlrath reviewed the location and request for Conditional Use Permit approval to conduct an auto sales business at the property addressed 392 West 4800 South located in the M-G zone. The auto sales at this location will specifically accommodate customized vehicles that will mostly be advertised online and have the occasional customer on the site. The customization of vehicles on site will be minor detailing and minor auto repair. No auto body, mechanic work or washing of vehicles should occur unless upgrades and improvements are made to the site that would comply with all Water and Sewer Division requirements. The building is an old house that has been turned into a business office and will consist of 108 square foot office, 180 square

foot conference room, 180 square foot sitting area. The remaining space on the main floor is used for an employee kitchen, a reception area, and two restrooms. The building includes a 988-square foot basement that will be used for storage and possibly a break room. The applicant has proposed changes to the parking lot to better accommodate customer parking and the display of vehicles. Based upon the measurements of the office the site must provide 3 parking spaces for customer and employee parking and one ADA parking space. The asphalt sidewalk that fronts 4800 South in front of the drive access will be required to be converted into a concrete sidewalk. The applicant proposes to install landscaping and improvements to the area that faces the freeway. The Murray City Building Official is recommending that a condition be added to require a handicap accessible entrance be provided and that a building permit be obtained for the installation of the entrance. Currently the site does not meet landscaping requirements. The front setback landscaping of this property must include additional trees and various size shrubs as listed in condition number six. In addition, all landscape areas must have a minimum bed coverage of 50 percent at time of planting. Landscaping areas must have a water conserving design and utilize water conserving plant materials. The applicant must submit a landscaping plan that meets the minimum requirements of the landscape ordinance for review and approval by Community Development Staff. Due to the winter season, the applicant may work with Staff to defer the improvements until the spring. A deferral agreement for the improvements must be completed prior to the issuance of a business license. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval of a Conditional Use Permit for an auto sales business subject to conditions.

Klyer Story, 8621 South 1700 East, stated he has reviewed the conditions and will be able to comply.

Mr. Nay asked how Mr. Story plans to install the Handicapped accessible ramp. Mr. Story answered that the property is in disrepair and he planned on making improvements from the beginning, and the ramp would most likely be to the side and back of the building to accommodate the approach. Mr. Nay suggested the ADA parking space be moved closer to the entrance of the building as to avoid going around the rear of the building to access the ramp. Mr. Story stated that he realized this issue as well.

Mr. McIlrath stated due to the winter season when an applicant must put in improvements, applicants can apply with the City for a deferral agreement. The funds for the improvements would be posted and then held by the City. The business would still be able to apply and receive a Business License.

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

Mr. Woodbury made a motion to grant Conditional Use Permit approval for auto sales at the property addressed 392 West 4800, subject to the following conditions:

1. The project shall meet all applicable building and fire code standards.
2. A handicap accessible entrance must be installed with a building permit obtained for the construction of that entrance.
3. The project shall comply with all Murray City Water and Sewer Division requirements along with the limitation of no on-site repairs or washing of vehicles at this property.

4. The project shall comply with the following Murray City Engineer requirements:
 - (a) Sidewalk be installed through the existing drive approach along the 4800 South property frontage; and
 - (b) That drainage be maintained on-site.
5. A minimum of four (4) parking spaces shall be provided for employee and customer parking. One of the spaces shall be designated and striped as a van accessible ADA parking space with a minimum eight foot (8') wide access aisle and standard sign at the head of the space. See Chapter 17.72 for ADA parking requirements.
6. The applicant shall submit a landscape plan meeting the minimum requirements of the Murray City Landscape Ordinance (Chapter 17.68) for review and approval by City Staff. The front setback landscaping shall include three (3) trees, five (5) 5-gallon shrubs, and nine (9) 1-gallon shrubs. All landscape areas shall have a minimum bed coverage of 50% at time of planting. The landscaping improvements shall be installed, or a deferral agreement for the improvements shall be completed, prior to issuance of a business license.
7. All business signage shall comply with standards outlined in Chapter 17.48 (Sign Code) of the Murray Land Use Ordinance for the M-G Zone.
8. The applicant shall obtain a Murray City Business License and comply with all State requirements, prior to the commencement of business operations.

Seconded by Mr. Nay.

Call vote recorded by Mr. McIlrath.

 A Scot Woodbury
 A Travis Nay
 A Maren Patterson
 A Lisa Milkavich
 A Buck Swaney

Motion passed 5-0.

FIGHT HARD BOXING GYM – 139 West 4500 South #5 - Project #17-177

Diana Amaro, was present to represent this request. Brad McIlrath reviewed the location and request for a Conditional Use Permit for a boxing gym for the property addressed 139 West 4500 South #,5 in the M-G zone. The floor plan for this 1,500-square foot building will have a front overhead door, a side entrance door, speed bags, cardio workout area, open workout area, lockers, restroom, office and a ring. They do not have any plans for any major interior remodeling, just bringing in the equipment to start business operations. The parking lot area along the front of the businesses must maintain the 20-foot wide fire lane. The site has fallen into disrepair and the City will work with the property owner to have the parking lot repaved, pot holes filled, and restriped. The Murray City zoning ordinance does not have a specific parking requirement for this type of use. The parking standard that was applied was pulled from the American Planning Associations Planning Advisory Service Report #432, which suggests one parking space for each three-persons per class, plus one space per employee.

The business would operate during off hours of the neighboring business and they plan on having approximately 10 students and no more than 2 employees at a time. Based upon the parking standard of the APA and the number of people at the gym Staff recommends a minimum of 5 parking spaces be provided for this business. Employee and customer parking is not allowed to be tandem at this location. Based on the information presented in this report, application materials submitted and the site review, Staff recommends approval of a Conditional Use Permit for the proposed boxing gym at the property addressed 139 West 4500 South #5 subject to conditions.

Mr. Woodbury asked where the 5-parking stalls would be located. Mr. McIlrath answered that this site does not have a lot of room for parking in front of the unit, but condition number 3 states that a minimum of 5 paved and striped parking spaces shall be provided. The burden of demonstrating where these parking spaces can be place is put upon the property owner and applicant. Staff is not confident that they can provide the full number of parking spaces in front of this use, but we are recommending approval if they are able.

Mr. Swaney asked if parking spaces will be allowed in front of the overhead man door. Mr. McIlrath answered, yes it can be done, typically it is not allowed with businesses that will require the use of the overhead door as part of the business ingress and egress. They could put a sign on the overhead door that says it's not being used as a door and then they can park in front of it.

Mr. Nay asked when the future development goes into the immediate west of this building, how will they then access this business. Mr. McIlrath answered the property to the west will have to show a minimum 20-foot wide fire lane and a 24-foot wide access on each side of the property when it is developed for its future use.

Mr. Woodbury encouraged staff to keep up the City parking standards and use Code enforcement if necessary because of the parking issues on this site. Mr. McIlrath stated that this property has been allowed to deteriorate over the years, luckily the City has had some changes in code enforcement and are confident that some improvements will take place.

Mr. Nay asked if the shared drive agreements are codified, or could they be changed at any time to disallow the traffic across the property. Mr. McIlrath stated the same person owns both properties and they do have the agreements in place.

Mr. McIlrath mentioned that in the pre-meeting, Ms. Milkavich asked if there would be any events here. Mr. McIlrath continued, the applicant has stated they will not host any boxing events or competitions at this location and that use has not been used in the calculation for parking.

Diana Amaro, representing Felix Manosalva, 139 West 4500 South #5, stated she and the applicant have reviewed the conditions and will be able to comply. Ms. Amaro stated the lease agreement with the property owner is that they will have five designated parking stalls which will be specifically marked for Fight Hard Boxing. Ms. Amaro added that the boxing classes will allow participants to join, but be capped to limit the number of guests parking on the site. Ms. Amaro stated Fight Hard Boxing is not planning to hold any events here.

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

Mr. Swaney added for the record that he is disappointed that this property has had an ongoing lack of maintenance. Most other applications that come through the City require the property to come up to code and add beautification to better Murray City, and it has not been happening at this location. Mr. Swaney asked that better tools and enforcement be used to make sure over time the property becomes what it should be in Murray.

Ms. Patterson made a motion to approve a Conditional Use Permit for the proposed boxing gym at the property addressed 139 West 4500 South #5 subject to the following conditions:

1. The project shall meet all applicable building and fire code standards.
2. A restroom shall be provided for the proposed use and building permits shall be obtained for any construction.
3. A minimum of five (5) paved and striped parking spaces shall be provided for this use. The ADA parking stall shall be restriped and provided with the required eight foot (8') wide access aisle. No tandem parking is allowed for this use to meet the minimum parking requirement. A site inspection shall be conducted by City staff to verify that this condition has been met prior to business license approval.
4. The applicant shall obtain a Murray City Business License prior to the commencement of business activity.

Seconded by Mr. Woodbury.

Call vote recorded by Mr. McIlrath.

 A Maren Patterson
 A Scot Woodbury
 A Lisa Milkavich
 A Travis Nay
 A Buck Swaney

Motion passed 5-0.

JU SUBDIVISION 2ND AMENDMENT – 500 & 504 West Germana Avenue, Lots #2 & #3 -
Project #17-171

Jared Hall reviewed the location and request for approval for the proposed lot line adjustment amendment between two properties located at 500 West and 504 West Germana Avenue in the R-1-8 zone. This lot line adjustment does not result in another lot; therefore, it is not considered a Subdivision. This is an adjustment between the line of the properties to accommodate a future detached garage on the property at 500 West. Lot 2 is currently 12,392 square feet and would shrink to 11,562 square feet. Lot 3 is currently 9,968 square feet and would increase to 10,800 square feet. Both lots would still meet the setback requirements of the R-1-8 zone. This change will not be required to record a plat, they will instead record deeds as the conditions of approval out line. The City Engineer still needs to verify that the legal descriptions are correct, if so; once approval is granted for this lot line adjustment the City will grant permission to the property owners to record the deed change with the County. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval of the proposed lot line adjustment for the properties addressed 500 West and 504 West Germana Avenue subject to

conditions.

Robert Conder, 500 West Germania Avenue, stated she has reviewed the conditions and will be able to comply.

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

Mr. Woodbury made a motion to approve the proposed lot line adjustment for the properties addressed 500 West and 504 West Germania Avenue subject to the following conditions:

1. The project shall meet all Murray City requirements for Lot Line Adjustment.
2. Public Utility Easements shall be maintained, and adjusted with the lot line.
3. The project shall meet all current fire codes.
4. The project shall meet all requirements of the Water & Sewer Division.
5. The project shall meet all applicable Building and Fire Codes.
6. The property owners will be required to record separate deeds that reflect the approved changes.

Seconded by Ms. Milkavich.

Call vote recorded by Mr. McIlrath.

 A Scot Woodbury
 A Lisa Milkavich
 A Maren Patterson
 A Travis Nay
 A Buck Swaney

Motion passed 5-0.

MURRAY COVE - PHASE 3 – 1181 & 1187 West Bullion Street - Project #17-156

Jared Hall reviewed the location and is requesting a Final Plat approval for Phase 3 of the Murray Cove Subdivision at 1187 West Bullion Street. Previously this phase had Preliminary approval by the Planning Commission for the 41 lots on 12.94 acres in the R-1-10 and R-1-8 zone. Phase 3 enters in from Bullion Street and continues onto the new Murray Hollow Lane, which loops around to the east portion of the neighborhood and is wide enough to allow Fire Department access. A detention basin is planned in this phase to serve the property, there is conservation easement land along the river. The State Sovereign Lands and Stream Alteration permits were obtained for the work on and around the Jordan River for phases 3 and 4. If the Planning Commission recommends approval tonight, the plat will be checked again for accuracy by our City Engineers and prepared for recording and approval by the Mayor's Office. Many of the Conditions of Approval have already been met such as, the traffic impact study, and soils reports. However, we always re-list the conditions to make sure that no other future impacts can happen without being addressed. 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 Final Plat Approval for the Murray Cove Phase 3 Subdivision subject to conditions.

Bryon Prince, 978 East Woodoak Lane, stated she has reviewed the conditions and will be able to comply. Mr. Prince stated he wanted to clarify that the title of the project is just Murray Cove Phase 3, and Murray Cove Phase 4. Mr. Prince added that the Staff reports notes that the detention pond will be maintained by an HOA which has changed, the Detention Pond and the area between the lots and the river would be dedicated to the City.

Mr. Hall clarified that the City will still require an HOA to be put in place and recorded with the subdivision as the City will not be taking over the green space along the entry road. Mr. Prince stated there will be an HOA that is already set up in phase 2, but meant to say the detention pond and the area between lots 312 and 315 will be dedicated to the public. The other area will be dedicated to the City.

The meeting was opened for public comment.

Charles Horton, 5596 South Walden Glen Drive, stated he is concerned the traffic study states there are no mitigation measures required and does not understand how it can be possible with the addition of the 89 houses in the area. Mr. Horton mentioned this traffic will be additionally impacted with the proposed addition of houses on the nearby Costello property.

Kim Correa, 5554 Walden Glen Drive, stated she agrees with the comments of Mr. Horton and suggested a traffic control signal be installed at Walden Glen Drive and 5400 South to improve the traffic flow in and out of the neighborhoods. Ms. Correa added she suffers high velocity traffic on Walden Glen Drive and suggested additional signage and a speed bump to slow the speed of vehicles driving at 50 MPH around the blind corner.

Jeff Evans, 5574 Walden Glen Drive, stated he served on a Land Use Board many years, and explained that these applications and proposals fall within the law and there is not much the Commission can do about the new development. Mr. Evans stated he is worried about the infrastructure of the City to be able to handle the traffic, sewer, schools and safety. Mr. Evans added that he is most worried about his neighborhood's quality of life, and is glad the single-family home development will not bring a transient population to Murray as an apartment complex would.

Robert Morgan, 1251 Pitchfork Road, stated neighborhood residents will be forced to take 700 West in order to get to Redwood Road because the residents will be trapped by the traffic backing up at the top of Bullion Street and 1300 West.

Wayne Bahr, 1243 Pitchfork Road, stated he had concerns about the sewer several months ago and wanted to ask if the present pump station will be able to handle the additional sewer without any additional cost to the City. Mr. Swaney commented that the City will address this concern but that he does know that there is no infrastructure built that has no future cost to a City. Mr. Bahr asked if this development will cost tax payers more money to upgrade the sewer. Mr. Nay answered that the Staff report stated the Water and Sewer Department commented they recommend approval with conditions that the project meet all division requirements, and it seems they have no concerns to address. Mr. Swaney stated the input from Water and Sewer seem to be a standard, usual, customary infrastructure. Mr. Bahr additionally asked when the second road will be built, as it was his understanding that

Pitchfork Road would not become a construction road ingress. Mr. Swaney clarified if he is referencing Murray Hollow Lane as the map shows.

Jacquelynn Morgan, 1251 Pitchfork Road, is concerned that the City is unaware if the sewer lines are adequate and asked the City to make sure the sewer lines are adequate. Ms. Morgan stated she does not mind having more people in the neighborhood and feels overwhelmed that the streets are not plowed by the City.

The public comment portion was closed.

Mr. Hall stated the Traffic Impact Study considered all of the intersections around this neighborhood and showed them currently functioning as service level A, the only impact to that level of service by this subdivision in total, was to a service level B at the intersection of Bullion and 5300 South. The City addresses traffic concerns by the standards that traffic engineering dictates, and the City engineer who is familiar with these studies has approved the findings of the report and agrees that no mitigation steps need to be taken as a result of this subdivision. This does not mean that the City has not and will not take steps or considered it. Capital improvements have been looked at and it is slated for some changes, but they will not occur as a result of this subdivision.

Mr. Swaney added clarification for the residents in attendance and stated the intersection at 5800 south and 1300 west switches from a service level A, to a service level B. The cut off line is 10 seconds per vehicle, currently the wait time is 9.8 seconds per vehicle. After this project, the wait time will be 10.2 seconds per vehicle, an increase of 0.4 seconds per vehicle. Although it is going from service level A to B is because it is already at cusp of service level B.

Mr. Woodbury asked how residents could obtain a copy of the traffic study. Mr. Hall answered it would need to go through a GRAMA request with the City Recorder's Office.

Mr. Woodbury stated he lives in this area and experiences the traffic issues daily, and was shocked when he read the results of the traffic study. Mr. Woodbury added he is not a traffic engineer and cannot argue the results of the study.

Ms. Milkavich asked if Mr. Hall felt comfortable explaining the future capital improvements. Mr. Hall answered that is not his place to speak for that department, and concerns should be directed to Public Works. Mr. Swaney added if residents are interested in knowing more about capital improvement schedule to contact their local elected officials.

Mr. Swaney stated that he consistently waits 8 or 9 seconds to exit his neighborhood and does not really consider it an inconvenience as he lives in a densely populated area. Mr. Swaney added that these studies are based upon traffic modeling, which has very well-established metrics. The numbers of this traffic report may feel like its not the most convenient type of pattern, but the measurements do not really show bad outcomes. This is a part of our common experience no matter where we live. Mr. Hall agreed.

Mr. Hall added that the condition does still stand that states, Pitchfork Road shall not become an extension of the construction access until the phase 3 road is built. Future construction traffic will come down the less developed road that already exists until Murray Hollow Lane is built to the extent that it can provide construction access. Mr. Hall addressed concern that the City is unaware if the current sewer infrastructure can handle the new development and

stated that Murray City has well versed and capable Staff that have reviewed the plans. On phase 4, there is a requirement of a waterline crossing the Jordan River to provide better flow and water pressure in the entire area, not just this subdivision. Mr. Hall addressed the concern about the School District and stated they have been aware of the subdivision for about a year and a half.

Mr. Swaney asked if the area recently lost school bus service, would that have been an indication there were not enough students to justify the service. Mr. McNulty stated that it is usually determined by distance from the school.

Mr. McNulty added that Danny Astill who has been with the City for over 20 years and specializes in water and sewer services, provides the City with a wealth of expertise in regard to the infrastructure. Trey Stokes, the City Engineer, has also been with the City for over 20 years in various departments and really understands the infrastructure as well. Hales Engineering who has been in the transportation industry for over 20 years has conducted the Traffic Study and they are very reputable.

Mr. Hall stated that the other road will be built as Part of phase 3. Ivory usually does not record a subdivision until they have installed the road, curb, gutter, sidewalk, water and sewer lines. Therefore, the road will be in place before the building there and could not be any construction traffic to build homes before the road has been built. The lots in phase 2 have been recorded and will begin to be built.

Mr. Hall addressed the request for a traffic signal at the intersection of Walden Glen and 5300 South, traffic speed, additional signage and a speed bump and stated that these types of traffic improvement mitigations will need to come from the City itself. They will be under the review of Staff today as they are not part of the requirement of this subdivision. They still could be done but would not be tied to the approval of this plat. 5400 South belongs to UDOT. If the public is interested in the mitigation efforts they would speak to the City Traffic Safety Committee which is also aware of these issue as they have been previously addressed with them. Mr. Woodbury added that he has personally spoken to Dave Nicponski about these traffic issues and he is aware of the needs here.

Mr. Swaney added the Staff and the Commission has been working with this project for a long time, and have asked for a lot of additional studies and information to be presented to us for review so we are well informed. The Commission has pushed back many time when there was not enough information to make an informed decision. At this point enough information has been provided to make an informed decision. The Commission always gets resistance from residents who are used to being in an area that has been a certain way for a long time and will undergo a change. One challenge of land use ownership and planning, is that if you want an area to stay the same, the only way to do that is to buy it, own it and control it yourself or as a community. In this case that has not happened, the land owners have customary rights to develop and use land in an appropriate way. Mr. Swaney added if a proposal was made to change a zone that was inappropriate, the Commission would recognize and call that issue out. Ms. Milkavich suggested that residents who are concerned about change should always come out to the meetings and participate, and the Commission appreciates it.

Mr. Nay asked if there is a need to address the dedication of the conservation area in the conditions. Mr. Hall replied that it was addressed in the preliminary.

Ms. Patterson made a motion to forward a recommendation of Final Plat Approval for the Murray Cove Phase 3 Subdivision 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. The project shall provide the appropriate number and location of fire hydrants to meet Murray City Fire Department requirements and assure adequate fire flow to them.
4. The applicant shall provide adequate Fire Department and Emergency Service access to all lots on approved hard surfaces.
5. The project shall meet all City subdivision requirements and standards.
6. The project shall meet City storm drain requirements.
7. The applicant shall provide landscaping and irrigation for the proposed detention pond and for the unused area adjacent to Bullion Street and the proposed Murray Hollow Lane. The applicant shall provide for the creation of a Home Owner's Association to maintain the landscaping in those areas. The Home Owner's Association documents shall be provided to Community Development Division Staff for review and approval.
8. The project shall meet all City utility requirements and provide standard public utility easements on all lots.
9. The applicant shall provide a soils study and meet all recommendations.
10. The applicant shall obtain all required County and State permits related to the Jordan River meander corridor, storm water discharge, and the water connection to Murray Park Avenue.
11. The applicant shall provide a conservation, dedication and maintenance easement to Salt Lake County along the Jordan River.
12. The applicant shall provide for and maintain a 75 foot minimum building setback from the Jordan River floodway for properties adjacent to or backing the river. This setback line shall be shown on the recorded plat.
13. The applicant shall provide a 6 foot, private or semi-private rear yard fence for homes backing the Jordan River.
14. The applicant shall provide highway noise abatement measures (sound walls) as designated by City Code Chapter 8.17, and shall obtain any required UDOT permits prior to the sound wall installation.
15. The applicant shall obtain Irrigation Company approval and pipe all active irrigation ditches.
16. The applicant shall develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning any site work.

17. The applicant shall obtain a City Floodplain Development Permit.

18. The applicant is required to meet all requirements as per the City Engineer.

Seconded by Mr. Nay.

Call vote recorded by Mr. McIlrath.

 A Maren Patterson

 A Travis Nay

 A Lisa Milkavich

 A Scot Woodbury

 A Buck Swaney

Motion passed 5-0.

MURRAY COVE - PHASE 4 – 1181 & 1187 West Bullion Street - Project #17-176

Jared Hall reviewed the location and is request for a Final Plat approval for Phase 4 of the Murray Cove Subdivision at 1187 West Bullion Street in the R-1-8 zone. This Development will accommodate 32 lots on about 9.4 acres. The smallest lot in this zone will be 8,008 square feet and the largest is 11,641 square feet. The same conditions for the river apply to meander corridor, 75-foot building set back line, and flood control launch trench. The City has required the inclusion of a stub road at the west end of the subdivision, so the City can access the property in the rear. The plat has been prepared and will need to be reviewed by the City Engineer before it is recorded. The Conditions of phase 3 are the same in phase 4 with the exception of the added conditions for the stub road and water line. 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 Final Plat Approval for the Murray Cove Phase 4 Subdivision subject to conditions.

Mr. Swaney asked if the City has plans to permanently hold and own that property. Mr. Hall answered that he understands the City is not interested in selling it at this time, but that could change in the future.

Mr. Hall addressed the installation of a sound wall and stated it is a requirement of both phases of this subdivision that must meet UDOT standards. There has been a sound study performed and Ivory is working with the City Engineer and UDOT Engineers to figure out where to place the wall and high it should be.

Bryon Prince, 978 East Woodoak Lane, stated he has reviewed the conditions and will be able to comply.

The meeting was opened for public comment.

Robert Morgan, 1251 West Pitchfork Road, reiterated his traffic concerns from agenda item 7 and stated he does not believe his travel time will be measured accurately according to the traffic study and suggested a light be installed at Haystack and Bullion Street. Mr. Morgan illustrated his concerns using a pictorial map, and explained what he believed his alternate route would be to exit his neighborhood because he believes the traffic will be too heavy at the top of Bullion and 1300 West to be able to exit the neighborhood. Mr. Swaney referred to

the traffic study results and stated that the traffic engineers did not express the type of perceived failure at this intersection that Mr. Morgan has predicted. Mr. Swaney added the City Engineer and Staff have to rely on the results of the Traffic study and asked Mr. Morgan what type of traffic conditions he believes will occur to make this left hand turn unusable. Mr. Morgan answered, in the winter the road is slick and steep, and he believes a lot of cars will be backed up on the hill and people will not be able to get out. Mr. Swaney asked if this situation currently exists. Mr. Morgan answered that it depends on the time of day. Mr. Swaney asked if there is a lack of maintenance on this road that creates this issue. Mr. Morgan answered, yes and suggested a light be installed at the top of the hill. Mr. Swaney replied that a light there would only make the queue line longer. Mr. Morgan stated that at least you could turn left because there is no other way out of the neighborhood.

Ruth Palmer, 1252 West Edgeberry, stated that the geniuses at UDOT who designed the intersection at Walden Glen and 5400 South did so in a lacking manner. Ms. Palmer suggested a light be installed at this intersection even though would be in a close proximity to the existing light to the east. Ms. Palmer added when she and others want to travel west illegally navigate a U-turn in the intersection.

John Cardona, 1227 Cove Park Circle, stated when people wish to access I-15 quickly they will use Walden Glen instead of the Bullion egress. Mr. Cardova stated people speed on Walden Glen but the use of speed dips in some places helps to slow them down and suggested speed dips be used on the entire road.

Jacquelynn Morgan, 1251 Pitchfork Road, stated she does not mind the new houses going in, but is worried about the congestion of traffic. Ms. Morgan stated her concerns to be able to exit the neighborhood in the case of an emergency and asked what times the traffic studies were conducted. Mr. Swaney stated the traffic counts were conducted at peak hours in the A.M. and P.M.

Wayne Bahr, 1243 Pitchfork Road, stated the road and developable land has about a ten-foot elevation difference and is in the understanding that homes have to sit on virgin ground. Mr. Nay answered and stated the detailed Geo Technical report describes exactly how they should safely install the foundations for the buildings. Mr. Bahr continued to express his traffic concerns and stated the intersection and curve of Bullion and 1300 West is extremely unsafe.

Morgan Selfph, 1080 West Fairhaven Circle, stated he was on the Park Board for years and wanted to discuss pedestrian circulation and is concerned about the number of children and families that will be forced out onto Bullion to access the parks and recreation trails. Mr. Selph suggested a small pedestrian access be installed across the Jordan River from neighborhood and on to the parkway.

Shelli Morris, 5778 Walden Glen Drive, stated school buses still run in the neighborhood, but the children don't use them, instead the parents drive the children school. Ms. Morris suggested the busses be brought back to her immediate neighborhood to help ease the traffic impacts.

The public comment portion was closed.

Mr. Hall stated the traffic impact does not indicate that the subdivision should participate in mitigation efforts, but the City is cognizant of the traffic concerns. Mr. Hall added that the comment about the school buses could be raised with the School District. Ms. Patterson

added the School District meeting are also open to the public and they are aware of the new development going in and they have financial reasons to lessen bus routes.

Mr. Hall addressed the traffic concerns and stated that the City will keep taking these concerns to the Traffic Safety Committee and Public Works to see if they can be mitigated in the area. Mr. Hall added that the traffic study does not make it possible to tie the requirement of traffic lights, speed dips or the reduction of homes to the conditions in this application.

Mr. Woodbury asked if the discussion of a footbridge would be likely to occur in the future. Mr. Hall answered that it was discussed by the City, and if the City owned land were to be developed into a park it is possible that a foot bridge may be installed. Ms. Milkavich added that concerns for this possible bridge be addressed by the Parks and Recreation Department as they own the land.

Mr. Swaney added that the traffic report may not have captured all of the traffic concerns and suggested some type of basic monitoring and mitigation plan be put in place by the City as this development goes forward, but not as a condition of approval. Mr. Hall clarified that Staff will take it as a directive from the Commission to talk with Engineering about monitoring the traffic patterns. Mr. Woodbury asked that 1300 West specifically be addressed in the concerns.

Ms. Patterson encouraged the residents to keep voicing their opinions and noted what a positive experience this could be if we work together to address and develop some of the concerns expressed tonight.

Mr. Nay made a motion to forward a recommendation of Final Subdivision Plat Approval for the Murray Cove Phase 4 Subdivision 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. The project shall provide the appropriate number and location of fire hydrants to meet Murray City Fire Department requirements and assure adequate fire flow to them.
4. The applicant shall provide adequate Fire Department and Emergency Service access to all lots on approved hard surfaces.
5. The project shall meet all City subdivision requirements and standards.
6. The project shall meet City storm drain requirements.
7. The project shall meet all City utility requirements and provide standard public utility easements on all lots.
8. The applicant shall provide a soils study and meet all recommendations.
9. The applicant shall obtain all required County and State permits related to the Jordan River meander corridor, storm water discharge, and the water connection to Murray Park Avenue.

10. The applicant shall provide a conservation, dedication and maintenance easement to Salt Lake County along the Jordan River.
11. The project shall provide for and maintain a 75 foot minimum building setback from the Jordan River floodway for properties adjacent to or backing the river. This setback line shall be shown on the recorded plat.
12. The applicant shall provide a 6 foot, private or semi-private rear yard fence for homes backing the Jordan River.
13. The applicant shall provide highway noise abatement measures (sound walls) as designated by City Code Chapter 8.17, and shall obtain any required UDOT permits prior to sound wall installation.
14. The applicant shall obtain Irrigation Company approval and pipe all active irrigation ditches.
15. The project shall provide a stub street into the vacant, City owned property south of the subdivision. If the stub street is used for lot access the length cannot exceed 100 feet.
16. The applicant shall develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning any site work.
17. The applicant shall obtain a City Floodplain Development Permit.
18. The applicant is required to meet all requirements as per the City Engineer.

Seconded by Ms. Patterson.

Call vote recorded by Mr. McIlrath.

 A Maren Patterson
 A Travis Nay
 A Lisa Milkavich
 A Scot Woodbury
 A Buck Swaney

Motion passed 5-0.

MPG / COSTELLO – 1222 West Bullion Street - Project #17-169

Tim Gough was the applicant present to represent this request. Brad McIlrath reviewed the location and request for a Zone Map Amendment from A-1 to R-1-10 for the property addressed 1222 West Bullion Street. Residents within 500 feet of this property were noticed and posted notices in local newspapers and on State websites. The property owners are requesting a lot line adjustment, because they are not in a plated subdivision it does not come before the Planning Commission. The property currently extends father than the maps show now. When the City analyzes zone changes we look to our General Plan. The General Plan designates surrounding properties to be low density residential. Staff has found the following; the General Plan supports the proposed zone map amendment, the requested change has been carefully considered passed on the characteristic of the site and surrounding area and policies of the General Plan, with compliance to Murray City and Salt

Lake County development standards, potential future development in the R-1-10 zone and its associated impacts can be mitigated, and compliance with Title 16 of the City Code will be required for any future subdivision of the property. Compliance with the ordinance standards of Title 17 of the City Code is also required. Any future subdivision of this size could only result in a net of 14 to 17 homes. The City Engineer stated that this small amount of homes would not require an additional traffic study because it will not decrease the level of service. Mr. McIlrath added the City has been actively promoting capital improvements for this area, specifically for 1300 West and Bullion Street. 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 to the City Council for the requested Zone Map Amendment from A-1 (Agricultural) to R-1-10 (Single-Family Low Density Residential) for the property addressed 1222 West Bullion Street subject to conditions.

Mr. Woodbury asked for what the permitted uses are in the A-1 zone and what they would be in the R-1-8. Mr. McIlrath answered permitted uses in the A-1 zone are single-family homes, residential facilities for elderly persons, residential facilities with disabilities, parks, field and sea crops, orchards, pastures, range land, pools, tennis courts, cemeteries, hunting and fishing clubs, etc. Permitted uses allowed in the R-1-10 zone would include single family detached dwellings, residential facilities for elderly persons, residential facilities for people with disabilities, charter schools, residential child care facilities with no more than 12 children that reside in the home, group instruction with not more than 8 persons, etc.

Mr. Swaney asked what density is allowed in the A-1 zone. Mr. McIlrath answered 1 acre lots. Mr. Swaney commented that would potentially increase the number of lots from 5 to 15.

The meeting was opened for public comment.

Charles Horton, 5596 South Walden Glen Drive, stated this A-1 property abuts wetland and is wondering what the impact on the Wetland would be. Mr. Horton believes that this area can only be used for Wetland use and seeks assurance that the new properties won't consume all of the Wetland area. Mr. Horton added that he believes the traffic study was done on only one day for only four hours total, and asked if this is a normal procedure. Mr. McNulty answered that question is more appropriate for the City Engineer to answer as he reviewed the traffic study.

John Njord, 5774 River Park Drive, asked if all of the property will be changed to R-1-10. Mr. Njord added he runs horses adjacent to the property and asked if the home will be located here. Mr. Swaney clarified that this is only a hearing for a Zone Map Amendment and the City is unaware of any future proposed lot lines for dwellings only the rough property borders.

Tom Souvall, 5659 South Canal Street, stated he wondered how many acres this property is. Mr. Swaney answered it is 5.84 acres. Mr. Souvall asked if up to 24 homes could be put on this property if it is zoned R-1-10. Mr. Swaney answered theoretically if the land were unconstrained without any sidewalks, or roads yes. Mr. Souvall asked if there has been any consideration for lower density zoning and if the City is obligated to change the zoning at all. Mr. Swaney stated Staff will be able to address these questions more accurately.

Lori Nickerson, 5614 South Walden Glen, commented she has lived in Murray 10 years and longer she lives in this area and the land keeps developing the wild life keeps diminishing

and is saddened that the open space is leaving. Ms. Nickerson wondered if Murray City has considered taking this over.

Verlin Smith, 5571 South Edgeberry Drive, asked what is proposed for the property to the north of this property and asked if the subject property is changing to residential zoning; meaning it will most likely be developed. Mr. Smith added that he is aware that zone changes from agricultural to residential is a trend and listed his values of keeping the land zoned as agricultural.

Bob Wirthlin, President of the North Jordan Irrigation, 4701 South 1065 West, stated North Jordan has no concerns about the zoning change. There is an outflow from the North Jordan to the Jordan River that must be addressed as it's a county overflow structure that drains directly through the subject property. Mr. Wirthlin stated he has spoken to the City Engineer about this issue and it is in the City's plan to address. Mr. Wirthlin is unsure if there is an easement on this property to protect it.

Tim Beavers, Salt Lake County Flood Control, stated he is impressed with the way the Commission has run tonight. Mr. Beavers spoke about the Jordan River Meander Corridor and mitigation requirements and stated the property in question buffers some of the property of the Jordan River and a large portion is located within the meander corridor. The two flood plains on this property are in the one hundred-year and the five hundred-year flood plains, that will be address by Murray City as they are the flood plain authority on the local area. There can be no construction within the flood way unless you have a Certificate of No Rise from a professional Engineer, which is very difficult to obtain. The Salt Lake County did a study to be able to identify a best guess scientifically of where the meander corridor could end up. The objective is to protect public health, safety, and the general welfare of the citizens. The definition of construction and development is any manmade change within the corridor. Permits to build within the corridor have been issued for non-habitable structures but the County requires some type of mitigation for flood control, such as a launch trench if they are permitted to build within the meander corridor. The County works close with the Murray City Engineering Department on issues like these tonight. Mr. Beavers addressed the public's concerns about mitigation of Wetland and stated the largest protection that exists for Wetland is the Army Corps of Engineers as well as the Utah Stream Alteration Permit Program and Sovern Lands entities. In Utah the water is public, but the dirt and ground under and around it belongs to the State of Utah, that is where these entities get involved. Typically, a Wetland delineation will be conducted if there is a question about the possibility of any Wetlands being taken out of service. This area is within the jurisdiction of the US Army Corps Of Engineers and subject to a Federal process to protect the Wetlands, but it is subject to how much land would be taken out, it could fall under the State, but the Corps still maintain the oversight rights that are issued.

Mr. Swaney asked if a property owner within this area could just bulldoze Wetlands and remove dirt near the steam and what protections disallow a developer from altering the buffer zone. Mr. Beavers stated most planning and developing programs have a predetermined clearance if it has been truly identified as Wetland area. Other safeguards are the requirement if you are within 35 feet of the top of the bank of the Jordan River you must get a Flood Control Permit from the County. If you are within 35 to 50 feet of the top of the bank you many need to get a Utah Stream Alteration Permit through Chuck Williamson. Sovereign Lands may be involved to obtain a right of entrance. If it is a Wetland area you also have go through the Corps of Engineers.

Mr. Woodbury stated the previous Ivory Homes development does have a Salt Lake County Flood Control Permit that has been addressed.

Bridget Webb, 1599 West Elsie Drive, stated she would like that zone to stay A-1 and only allow 5 homes to be built, if it is going to change it would be best to be an R-1-10 zone which also limits the amount of homes that could be built. Ms. Webb added that she wished the land would be used for urban farming because it would maintain the low density.

Bianca Candelaria, 1224 West Cove Park Circle, stated she has lived next to the Costello's for 21 years. Ms. Candelaria added the Costello's used to have horses and cows on the property, but they had so many noise and smell complaints from neighbors they sold the animals. Ms. Candelaria stated she does not mind the homes being built across from her because she dislikes the weeds, and the land behind it is Wetland that houses drug addicts, drunks and high school students and wishes Murray City would take care of these issues.

Nate Nickerson, 5614 South Walden Glen Drive, asked if the buffer zone to the north will be rezoned also. Mr. Nickerson jokingly asked if anybody has ever been sideswiped by a lady who does U-turns on 5400 South.

The public comment portion was closed.

Tim Gough, 8186 South 1300 West, stated most of the questions asked by the public will be addressed after the zoning and added the north property is changing zone but most of it is not usable. Mr. Gough stated he is aware of all the issue regarding the Canal and is working with Murray City on some of the issues. Murray City staff is on top of all requirements and has made them aware of them from day one. Mr. Gough stated they have not started the process with Mr. Beavers as it is too early in the process, but they do know it is required.

Brad McIlrath addressed the public concerns and stated the legal description with the zone change will coincide with the Lot Line Adjustment. The area to the north is unusable because of its proximity to the river. A significant portion of this property is within the meander corridor and will require mitigation with all governing entities. Mr. McIlrath pointed out the nearby property that is owned by Murray City and managed by Public Services Department, and stated it is mostly vacant due to the overflow needs of the canal and to maintain open space. At this time, they are not interested in selling it. Mr. McIlrath stated the most lots that could be built will be limited due to Jordan River setbacks, additional City setback requirements from the river, road, sidewalks, curb and gutter requirements. Mr. McIlrath stated the City is not obligated to do a zone change. As it is a legislative item, it goes before the City Council and they are not obligated but it is strongly encouraged by the General Plan. Mr. McIlrath addressed wildlife concerns and stated his appreciation for wildlife, but understand this is an urban area and Utah in general is getting denser. Mr. McIlrath address infrastructure and stated with rezone request, we reach out to other City Departments to make sure they are aware and can handle the infrastructure needs.

Mr. Swaney clarified that the traffic study would be best addressed by the City Engineer.

Mr. McIlrath addressed the concern about community educational value and stated as a former Boy Scout he appreciated the outdoors and wildlife as much as anybody else but the property owners have a right to develop this property and change the zone as the General Plan recommends it. Mr. McIlrath added there are various educational opportunities along the Jordan River Parkway as well as the Nature Center. During Mayor Pett's time in office he

worked to make this area a conservation area and have the Jordan River Parkway, and he is proud to work for a City that was forward thinking to do this.

Mr. Woodbury stated that he lives in this area and is very familiar with all the issues that have been expressed and complimented the Planning Staff's willingness to listen to his personal concerns of this area. Mr. Woodbury added that he understands the concerns of the residents but also understand that the City has processes and ordinances that we have follow and trusts the Staff's ability to address the changes of the City.

Mr. Swaney thanked the public for coming out and expressing their concerns because a lot of City's don't hold an open forum like Murray does. Mr. Swaney further encouraged the residents to stay in this process and show up at City Council, talk to the mayor, and talk to the local area representative.

Ms. Patterson stated that the General Plan, which was worked on for so long and was meticulously developed to be able to shape the future of Murray in the best way possible, designated this area in to be zoned this way. Ms. Patterson added that many times property owners have asked for a zone change and were denied because it does not fit into the General Plan, so it goes both ways, but every decision is carefully considered and feels confident in this process.

Mr. Swaney added the applicant is not seeking an R-1-6 or multi-family zoning, rather the less dense R-1-10.

Mr. Nay made a motion to forward a recommendation of approval to the City Council for the requested Zone Map Amendment from A-1 (Agricultural) to R-1-10 (Single-Family Low Density Residential) for the property addressed 1222 West Bullion Street.

Seconded by Ms. Milkavich.

Call vote recorded by Mr. McIlrath.

 A Travis Nay
 A Lisa Milkavich
 A Maren Patterson
 A Scot Woodbury
 A Buck Swaney

Motion passed 5-0.

OTHER BUSINESS

Mr. Hall stated the next meeting will be held on January 18, 2018 and Mr. Pelch with Exclusive Architectural Products has finished his requirements and will soon be issued a business license. His item will be brought before the Planning Commission to close his item. The neighbors seem pleased with the results of the sound wall and thanked Mr. Pelch recently.

Mr. McNulty introduced Ned Hacker and stated he was recently appointed as the next Planning Commissioner by the City Council in January. Mr. McNulty added the next appointment of a New Chairperson will be in two weeks on January 18, 2018. Mr. Markham and Mr. Woodbury were reappointed for an additional three-year term to the Planning

Commission. Ms. Patterson will be the Planning Commission representative from district 5.

Mr. Hacker added he was happy to join the Planning Commission.

Mr. Swaney was thanked by all for his time of service on the Planning Commission.

The meeting was adjourned at 9:29 p.m.


Jared Hall, Supervisor
Community and Economic Development