

Minutes of the Hearing Officer meeting held on Wednesday, December 14, 2016 at 12:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Scott Finlinson, Hearing Officer
Jared Hall, Manager of Community Development Division
Brad McIlrath, Assistant Planner
Applicant

Mr. Finlinson opened the meeting and welcomed those present. He reviewed the public meeting rules and procedures.

CONFLICT OF INTEREST

Mr. Finlinson stated that he had no conflicts of interest for this agenda.

CASE #1536 – WINGERS USA – 4790 S State Street – Project #16-165

Eric Slaymaker was the applicant present to represent this request. Brad McIlrath reviewed the location and request for approval for an expansion of a nonconforming use in order to construct minor building additions for the Winger's Restaurant located at 4790 South State Street. Murray City Code 17.52.040 allows for a building or structure occupied by a nonconforming use, or a building nonconforming as to height, area, or yard regulations to be added to, enlarged or moved to another location on the lot subject to authorization by the Hearing Officer.

The building and parking layout are currently nonconforming as to setbacks and the total number of parking spaces allowed in the Murray City Center District. The proposed expansion includes the addition of a 160 square foot walk-in cooler, a small sixty (60) square foot entry addition and a 440 square foot patio dining area. The new walk-in cooler will be added at the northwest end of the building at the current location of the dumpster enclosure. The enclosure will be relocated to the south of the cooler and will not impact the parking located at this west end of the building. The patio addition will involve the elimination of two (2) parking spaces to the east, however (due to the parking standards for the Murray City Center District) sufficient parking will still be provided for this use. This district requires buildings to be brought up to the street and limits numbers of parking spaces in order to promote pedestrian and neighborhood activity for the Murray Downtown. On-site parking is to be provided on a limited basis with the majority of off-street parking provided in public parking structures. In order for the proposed building alterations to occur and the parking lot to provide the amount of parking shown on the site plan, approval would need to be granted by the Hearing Officer. Based upon the auto-oriented nature of this business, staff determines that the proposed additions and parking layout are appropriate for the area. Based on review and analysis of the application materials, subject site, surrounding area, and applicable Murray Municipal Code sections, Community and Economic Development Staff finds that the requirements have been met and recommends approval for the proposed expansion/alteration of a nonconforming use or development be granted with the following conditions;

1. The applicant shall obtain a Murray City Center District Certificate of Appropriateness from the Murray Planning Commission prior to application for a building permit.

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2. The project shall comply with all applicable Murray City Center District ordinance standards and design guidelines as outlined in Chapter 17.170 of the Murray Municipal Code.
3. The applicant shall obtain a building permit prior to the commencement of construction of the building alterations.

Mr. Finlinson asked if the proposed expansion would conflict with any MCCD guidelines. Mr. McIlrath stated per condition number two the project would need to comply with only applicable MCCD guidelines.

Eric Slaymaker, President of Winger's, 404 East 4500 South, stated that originally the location was opened as an independent franchise location and now it has been acquired as a corporate location and is in need of a facelift which will enhance the beautification of the building and area. He stated they will comply with all conditions.

Rob Marrick, 730 Pacific Ave., Salt Lake City, stated he is the architect working on this project. He stated that the improvements to the location will be much more appealing to the public as they travel along State Street.

Mr. Finlinson opened the meeting for public comment.

Dr. Bruce Parsons, 120 East 4800 South, stated he is in favor of the proposed expansion.

The public comment portion for this agenda item was closed.

Mr. Finlinson stated he is in favor of approval and will forward his written approval by Wednesday, December 21, 2016 to the Community Development Office at 4646 South 500 West.

The meeting was adjourned at 12:40 p.m.

Jared Hall, Division Manager
Community and Economic Development