

Minutes of the Hearing Officer meeting held on Wednesday, February 22, 2017 at 12:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Karen Daniels, Hearing Officer  
Jared Hall, Manager of Community Development Division  
Brad McIlrath, Assistant Planner  
Applicants

Ms. Daniels opened the meeting and welcomed those present. She reviewed the public meeting rules and procedures.

#### CONFLICT OF INTEREST

Ms. Daniels stated that she has no conflicts of interest for this agenda.

#### CASE #1540 – EMI HEALTH – 5075, 5093, 5097, 5123, 5125, 5135, 5139 S. Commerce Drive and 5123 South 200 West – Project #17-22

Kenney Nichols and Mike Greenhalgh were the applicants present. Brad McIlrath reviewed the location and request for a variance from the maximum front setback in the M-U Zone in order to allow the construction of a new office building. In order to encourage pedestrian oriented design and walkability, the Mixed Use Zone requires that buildings to front public streets and be setback between fifteen to twenty five feet from back of curb.

The setback area is required to include an eight foot wide park strip and seven foot wide sidewalk with street trees, lighting, benches and bicycle parking provided in the park strip area. The proposed site would include these design elements and comply with the ordinance development standards except for the setback on Commerce Drive. The reason for the setback exceptions on Commerce Drive is to allow a sufficient buffer from the Murray City Power Transmission lines as required by national standards. The Power Department does not have any plans to bury the power lines which creates a hardship on the applicant. Based upon this hardship a variance is needed to allow the four story, 88,000 square foot office building for a member insurance agency (EMI Health) to be built.

Based on review and analysis of the application materials, subject site and surrounding area, and applicable Murray Municipal Code sections, the Community and Economic Development Staff finds that the proposal meets the standards for a variance. Therefore, staff recommends approval of the requested variance to the setback requirements of the Mixed Use Zone along the Commerce Drive frontage for the properties addressed 5075, 5093, 5097, 5123, 5125, 5135, 5139 S. Commerce Drive and 5123 South 200 West, subject to the following conditions:

1. The variance is granted only for buildings on the properties addressed above that front Commerce drive.
2. Any proposed project for these properties shall comply with all other applicable standards of the Murray Land Use Ordinance.

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Ms. Daniels asked if the transmissions lines on the property are owned by multiple entities. Mr. McIlrath stated the transmission lines on the east side belong to Rocky Mountain Power and the transmission lines on the west side belong to Murray City Power.

Kenney Nichols, 5151 South 900 East #200, stated he wishes to site the building in such a way that it can be constructed and function safely with the powerlines in place. The powerlines along Vine Street that need to be relocated are planned to be buried.

Ms. Daniels asked Mr. Nichols if he would be able to comply with conditions. Mr. Nichols stated that he would be able to comply with conditions.

Ms. Daniels opened the meeting for public comment.

Jay Liljenquist, 5157, 5159 South Commerce Drive, stated he has storm water problem and his parking lot is being flooded by the closure of a ditch which used to carry storm water away by Americacom. Mr. Liljenquist asked what is going to be done to resolve this.

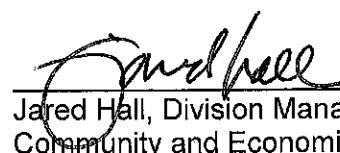
Ms. Daniels stated that the variance request is only to address the powerlines and suggested that Mr. Liljenquest contact the Murray City Engineer Trae Stokes to address this issue.

The public comment portion for this agenda item was closed.

Ms. Daniels stated she will forward her written decision to the Community Development Office at 4646 South 500 West, by noon on Wednesday, March 01, 2017.

There was no other business.

The meeting was adjourned at 12:41 p.m.



Jared Hall  
Jared Hall, Division Manager  
Community and Economic Development