

Minutes of the Training Meeting for the Planning Commission and Hearing Officers held on Thursday, August 24, 2017, at 6:00 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Tim Tingey, Administrative & Development Services Director  
Jared Hall, Community & Economic Development Supervisor  
Jim McNulty, Development Services Manager  
Susan Nixon, Associate Planner  
Brad McIlrath, Associate Planner  
Mark Boren, Zoning Enforcement Officer  
G. L. Critchfield, Deputy City Attorney  
Travis Nay, Planning Commission  
Buck Swaney, Planning Commission  
Sue Wilson, Planning Commission  
Phil Markham, Planning Commission  
Scot Woodbury, Planning Commission  
Lisa Milkavich, Planning Commission  
Jim Harland, Hearing Officer  
Karen Daniels, Hearing Officer  
Scott Finlinson, Hearing Officer

Excused: Maren Patterson, Planning Commission

1. Welcome and Introductions

Tim Tingey opened the meeting and welcomed those present. Introductions were made by those present.

2. Planning Commission Duties, Meeting Conduct and Legislative Updates

It was mentioned about a recent Planning Commission item wherein one of the conditions for approval of a Conditional Use Permit required planting of additional trees in the frontage setback area. The property owner was not wanting to have to plant additional trees because it would block his sign visibility for drivers along State Street.

Phil-Markham mentioned that we may want to modify the ordinance for auto dealerships requiring a minimum lot size in order to reasonably accommodate parking, landscaping, and inventory. It was suggested that there be a 1 acre minimum as is required in other municipalities. He indicated that we see numerous junky old homes changing to auto sales and they seem to remain junky looking partly due to the smaller size property. Allowing dealerships on smaller size property, creates issues for code compliance and the ability to require property upgrades such as landscaping in a large industrial multi-tenant property such as the Gordon properties.

Buck Swaney stated that consideration should be made regarding locations for car dealerships when adjacent to certain other uses such as the Sports Mall. The City should decide where we want auto dealerships both geographically and in which zoning districts.

G.L. Critchfield complimented the Planning Commission on their role and how receptive they are to public comments and also in educating the public during meetings. He reviewed the

authority Planning Commissioners have indicating that conditions may not be imposed unless there are specific standards in the Land Use Ordinance for those conditions.

He stated that Planning Commission meetings are typically public meetings and that public comments are not necessarily required for all items. But by practice, the Commission has taken public comment which in essence makes it a public hearing. Public Hearings are required by State Statute and the items that requires a public hearing are those applications that ultimately require a legislative action such as Zone Map amendment applications, General Plan amendments, text amendments, some subdivision amendments and Certificates of Appropriateness.

Public meetings are not the time for Planning Commission members to "vent" their personal opinions on the Code. This should be directed to staff individually, or in the pre-meeting prior to the Planning Commission meeting

He stated that regarding the Dead City haunted house attraction the Commission talked about requiring additional security to patrol the cemetery. He stated this would not be a good idea since the cemetery is City owned. The Murray City Police Department would be over security in the cemetery, not a private agency hired by Dead City. Adding additional conditions of approval that are not expressly required by Code is not a good idea.

Mr. Critchfield stated that possibly the planning division should review which uses are allowed in which zones while looking geographically at what uses are located nearby, i.e. Dead City's proximity to the cemetery, yet it is a use allowed in the C-D zone with Conditional Use Permit approval. He stated that the Commission cannot speculate or assume things and impose conditions with those assumptions.

Jim McNulty indicated that the building permit is ready to issue for Dead City, however, the owner has not picked up the permit as of today.

### 3. Murray City General Plan

Jared Hall passed out copies of the recently adopted General Plan and briefly reviewed the Plan.

### 4. Land Use Ordinance

Jim McNulty stated that planning staff will be drafting a few new codes. One of which is the update on the Sign Code which is currently underway. Staff is reviewing the Code and will soon have a committee which will include two planning commission members, a representative from the City Council and Tim Tingey. We will also receive input from sign companies, business owners and other groups as needed.

Other codes which we have started to draft are the Professional Office zone, and the Business Park zone.

5. Open Discussion

Jim Harland asked about how the R-N-B zoning district has turned out. There was positive response from the other Planning Commission members. They felt the R-N-B zone has been a positive for the City and works well for a buffer zone adjacent to residential zones.

Tim Tingey mentioned the need for "Class A" office space in the city. Now that the General Plan has been recently adopted, it calls for a few new zoning districts that need to be drafted. Class A office space will be the major component for the Professional Office designation that needs to be drafted. He indicated that this opportunity will come with the rewrite of the Land Use Ordinance, but keeping in mind that there are challenges with non-conforming uses when you rewrite a code.

The question was asked about the status of the property addressed 5440 South State Street, the former Hillcrest junior high property. Mr. Tingey explained the School District has put out another Request for Proposals for this property as the previous RFP did not seem to work out.

Many of the Planning Commission members indicated that they are often asked about the status for redevelopment in the downtown area. Tim Tingey addressed the status of the downtown redevelopment area. He stated that things will be moving forward "on the City side of things". There has been a lot of property acquisition in the downtown area which has taken a lot of time and that the City projects such as a new City hall and fire station are going to be moving forward.

Mr. Tingey stated that on the private side of the downtown development, there have been challenges. There has been requests for lots of concessions from the developers and the City is not willing to give in on those points. Because of this we have lost developments, but the City does not want to give in and wants to hold strong to the downtown vision. One of the main tenants lost was the Utah State extension building. He stated the City has one time to do the downtown and the City is going to do it right and it is tough to balance things.

Lisa Milkavich asked about the process of public and private partnership development. Tim addressed this issue. Mr. Tingey indicated that the City has purchased the Murray Theater and the Murray Mansion and the City has about 90% of properties that the City has targeted in the downtown area. Day Murray Music is not included in the redevelopment project and will remain as is.

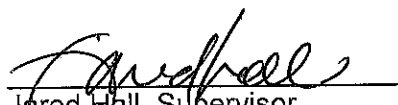
Mr. Tingey stated that the Jones and Vine senior living project and another potential development of the Box Elder property have been part of the public and private exclusive partnership. However, that partnership is not a "forever" partnership. He stated that the new Fire Station on 4800 South Street and Box Elder Street is coming forward for City approvals very soon.

Travis Nay asked about the status for the Fireclay Area and has the vision for this area changed. He stated that Mayoral candidates suggested there has been a lot of criminal activity in the area. Mr. Tingey stated that it could mainly be due to the apartments and the numbers of tenants in the apartments. Mr. Tingey responded that density brings more concentration of crime. He stated that the Lionsgate Apartments are in the process of being sold and that the new owner will hopefully manage the apartments better. Since this project is in the T-O-D zone, part of the problem with regards to parking is that the management has leased apartments

without monitoring the number of actual residents per unit, nor have they monitored how many vehicles that each resident may have.

Scot Woodbury expressed concern about the Swig business located on 900 East and approximately 5600 South. The traffic hazard caused by vehicles stacking up along 900 East lining up to access the drive thru lane is a problem. It was indicated that the city is aware of this issue and has been working with the owner to mitigate the problem.

Meeting adjourned at 8:00 p.m.



Jared Hall, Supervisor  
Community and Economic Development