

Minutes of the Planning Commission meeting held on Thursday, July 20, 2017, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

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

Excused: Scot Woodbury

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.

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

APPROVAL OF MINUTES

Mr. Nay made a motion to approve the minutes from the June 6, 2017 Planning Commission meeting. Seconded by Mr. Markham.

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

CONFLICT OF INTEREST

There were no conflicts of interest.

APPROVAL OF FINDINGS OF FACT

Mr. Markham made a motion to approve the Findings of Fact for Nancy Nielsen, Vladzin Metal Worx, LLC and The Other Side Thrift Boutique. Ms. Milkavich seconded the motion.

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

BNB AUTO, INC. – 6765 South 400 West - Project #17-87

Rick Burton was the applicant present to represent this request. Jared Hall reviewed the location and requesting a Conditional Use Permit to allow a Vehicle Sales use for the property addressed 6765 South 400 West. The property has an existing building with a shop. The application is a request to allow auto sales in the same building that the auto repairs are currently being conducted. BNB recently took over the lease for the space and the current operators will lease back a portion of the shop from BNB. The property has a large area in the back that was previously dirt. The owners of BNB auto have paved a large portion of the lot. This lot needs to be stripped to provide additional parking stalls. The area will be used for cars that are for sale and awaiting repairs. The owners of BNB don't need a lot of frontage display area as they use online methods to advertise, just an area to store and view the cars for sale. The frontage onto 400 West is mostly an open access, but will need additional

landscape improvements, they will work with city staff to address the issue of limited landscape space. A dumpster on the site will be relocated behind the fence on the property. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval of a Conditional Use Permit allowing Vehicle Sales for the property addressed 6765 & 6767 South 400 West subject to conditions.

Rick Burton, 6765 South 400 West, stated he 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. Nay made a motion to grant Conditional Use Permit allowing Vehicle Sales for the property addressed 6765 & 6767 South 400 West subject to the following conditions:

1. The applicant shall obtain building permits for any proposed construction.
2. The facility shall meet all parameters of the 2015 International Fire Code as required by the Fire Marshall.
3. The applicant shall provide a grading and drainage plan, and meet City drainage standards for any newly paved areas.
4. The applicant shall relocate the dumpster to the rear of the fencing on the south end of the building.
5. The applicant must work with Community Development staff to provide a plan to refurbish and improve the existing landscape planters on site to meet the intent of Section 17.68 of the Murray City Land Use Ordinance.
6. The applicant shall provide a minimum of 23 striped stalls on-site, including the existing stalls. One van accessible, ADA compliant stall must also be provided. The gate on the north end of property must remain open during business operation to provide public access to the required parking.
7. The total number of vehicles stored and displayed for sale on this property shall not exceed 30.
8. The applicant shall comply with all requirements of the Murray City Water and Sewer Department. No washing of vehicles is allowed on this site.
9. The applicant shall obtain a Murray City Business License before commencing operations on the site.

Seconded by Ms. Patterson.

Call vote recorded by Mr. McIlrath.

 A Travis Nay
 A Maren Patterson
 A Sue Wilson

A Lisa Milkavich
 A Phil Markham
 A Buck Swaney

Motion passed 6-0.

ACE PROPERTY MAINTENANCE, LLC – 139 West 4500 South # 14 & 15 - Project #17-112

Andrea Learned was the applicant present to represent this request. Brad McIlrath reviewed the location and request to allow a Conditional Use Permit for a property maintenance contractor business located at 139 West 4500 South #14 & #15 in the M-G zone. Unit #14 & 15 are connected together as one unit in a larger building. The applicant proposes to operate a property and yard maintenance contractor business from this location. In the winter months they will conduct snow plow services, some salt and sand storage will occur onsite. The parking area will be required to be restriped for improved employee parking. Yard maintenance vehicle storage will be on site and can be accommodated with parallel parking to meet the standards of the ordinance. He reviewed the conditions, noting condition #1 will require the addition of a restroom in the unit or within 300 feet of this business per the request of the building codes. Condition #4 address the restriction of physical waste such as grass clippings, leaves, or tree branches on site to eliminate the possibility of a fire hazard. Condition #5 would require the addition of 5 spaces to equal 10 parking spaces based upon the number of employees on the business license application information. 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 landscape maintenance contractor use located at 139 West 4500 South #14 & #15 subject to conditions.

Mr. Markham asked at what point the city tries to make the property owner refurbish the entire parking lot paving because the parking lot is in bad shape and almost not worth painting. Mr. McIlrath stated staff has to follow case law and state statute that says conditions have to be roughly proportionate. Mr. Markham asked theoretically could CUP's be denied because of substandard conditions of properties. Mr. McIlrath answered, in theory yes it could happen, when it comes to ordinances, health, safety and welfare the city could say it won't issue anything new until the issues be address. Mr. Swaney asked if it would have to be because it was un-healthy or un-safe. Mr. McIlrath stated, yes, not just for the people in the area but also the employees who work there. If it became a situation that the property or structure is in such disrepair the city could say they will not approve anything new until the issues are addressed.

Mr. Swaney stated he would like some training on this topic to be provided by the city for the benefit of the planning commission in the future.

Ms. Wilson asked if they will be required to provide an ADA parking space. Mr. McIlrath stated the property is required to have one ADA space per every twenty five total, but the way the property is laid out there is an ADA nearby that counts toward this requirement.

Andrea Learned, 139 West 4500 South #14 & #15, stated she has reviewed the conditions and will be able to comply. Ms. Learned stated she was contemplating restriping beforehand. There is also a communal restroom located in the building that is accessed by the hallway.

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

Ms. Wilson made a motion to approve the Conditional Use Permit allowing a landscape maintenance contractor use for the property addressed 139 West 4500 South #14 and #15, subject to the following conditions:

1. The project shall meet all applicable building code standards. An available restroom shall be provided on-site and within three hundred feet (300') of this business.
2. The project shall meet all current fire codes.
3. The business shall comply with all Murray City Water and Sewer Division requirements.
4. The storage of physical waste on-site or within the building shall be prohibited. All waste must be disposed of at an off-site location at a waste disposal location.
5. A minimum of ten (10) parking spaces shall be provided for this business and the parking area used by this business shall be restriped.
6. The applicant shall obtain a Murray City Business License and pay all applicable licensing fees.

Seconded by Ms. Milkavich

Call vote recorded by Mr. McIlrath.

 A Sue Wilson
 A Lisa Milkavich
 A Travis Nay
 A Maren Patterson
 A Phil Markham
 A Buck Swaney

Motion passed 6-0.

WEATHERSHIELD – 658 & 662 West Confluence Ave - Project #17-114

Larry Lemmon was the applicant present to represent this request. Jared Hall reviewed the location and request for Conditional Use Approval to allow a Commercial Waterproofing Business for the properties addressed 658 & 662 West Confluence Avenue. The business is leasing two buildings located in a nice industrial condominium park. The operators have made a tenant approval the space in which they will operate from, as a result it became necessary to seek a CUP. One of the conditions of approval is that they meet the standard fire and building codes, which has already been complied with.

The applicants operate as specialty contractors, providing on-site commercial water proofing services, air barriers and joint sealant within the M-G zone which is an allowed use with Conditional Use approval. There is a large office and warehouse space. The site is over parked and meets ADA standards as well. Landscaping is in good repair but the applicant will need to work with city staff to provide additional landscaping per city code.

Based on the information presented in this report, application materials submitted and the site review, staff recommends Approval of a Conditional Use Permit allowing a Commercial

Weatherproofing business for the properties addressed 658 & 662 South Confluence Avenue subject to conditions.

Mr. Markham complimented the applicant on the well-kept state of the property.

Larry Lemmon, 658 Confluence Avenue, stated he has reviewed the conditions and will be able to comply. Mr. Lemmon stated they are a part of the HOA and he will speak with them regarding the landscaping requirements.

Mr. Hall address the process for managing the landscape requirements and stated what general happens is the next step for Weathershield Inc. to ask for a business license, which will be reviewed and inspected by zoning. In this case Mr. Boren will work with the HOA to get the landscaping implemented.

The meeting was opened for public comment.

Brett Dawson, Union owner next door, stated he watched the remodeling process and it was a fine job. Mr. Dawson stated his concern is the potential for hazardous waste and was assured by Mr. Lemmon that they do not store any hazardous material on site. Mr. Dawson stated they have had past problems with transient camps and complimented Enforcement on the efforts to keep that area clear and encouraged them to continue watching the area because of concerns of theft and transients loitering in evenings and weekends.

The public comment portion was closed.

Ms. Patterson made a motion to approve the Conditional Use Permit allowing a Commercial Weatherproofing business for the properties addressed 658 & 662 South Confluence Avenue, subject to the following conditions:

1. The facility shall meet all parameters of the 2015 International Building and Fire Codes.
2. The applicant shall work with Community Development staff to plan for the installation of additional landscaping materials meeting the requirements of Section 17.68 of the Murray City Land Use Ordinance.
3. The applicant shall obtain a Murray City Business License before commencing operations on the site.

Seconded by Ms. Milkavich

Call vote recorded by Mr. McIlrath.

 A Maren Patterson
 A Lisa Milkavich
 A Sue Wilson
 A Travis Nay
 A Phil Markham
 A Buck Swaney

Motion passed 6-0.

BALINTORE – 820 & 830 East 5600 South – Project #17-65

Michael Brodsky was the applicant present to represent this request. Jared Hall reviewed the location and request for a Planned Unit Development subdivision containing both multi-family and single-family detached units for the properties addressed 820 and 830 East 5600 South. The Planning Commission previously approved the preliminary application and it is back for final approval. The subdivision request is for twenty four units in the R-M-15 zone. Nothing has changed since the preliminary in regard to the density or arrangement of the units.

Mr. Hall addressed one of the previous concerns which was the question of the narrowness of the side set back from the town home units to allow space for landscaping and utilities. The applicants worked with staff to address this and we now have space for both. One of the ways we acquired space on Balintore was to change the end unit, which in turn changed the elevation of the unit. The colors and materials have not changed.

Mr. Hall elaborated on the process for final approval and stated if the planning commission recommends approval of the final plat tonight, then additional sign offs will be needed for the civil plans and documents by the engineering department, and it will then be approved and signed by the Mayor.

Mr. Hall addressed the concern about the conceptual change of the neighborhood going from Whispering Pines to single family homes to the townhome units on 5600 South. Mr. Hall stated that the original concept plan would not work and the engineering and planning departments worked with the applicant to change the concept plan in order to provide the access, guest parking and utilities easements needed. A landscaping plan has been developed because the multifamily units will now be located on the south side, this will give a buffer for the parking. The fencing plan will include a solid, six foot vinyl fence around the perimeter with the exception of 5600 south. The fence plan for 5600 south will include an ornamental vinyl fence that drops to the required three feet as you reach the intersection with the proposed 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 of Final Planned Unit Development Subdivision Approval for the Balintore PUD on the property located at 820 East 5600 South and 830 East 5600 South to the Mayor subject to conditions.

Mr. Markham expressed his continued concern about the dumpster near the housing units and existing neighborhood and suggested automated containers instead of a dumpster.

Mr. Markham also asked if the construction traffic will be limited to entry and exit through 5600 south. Mr. Hall stated the applicant had agreed to the limited entry and will be added to the conditions of approval.

Mr. Swaney asked if the City will limit parking on Balintore outside of the guest parking area. Mr. Hall answered that the engineer is looking at this, but we would probably not limit the parking on Balintore itself, as it is wide enough to accommodate it.

Michael Brodsky, 308 east 4500 south stated he has reviewed the conditions and will be able to comply as well as many of them have already been completed. Mr. Brodsky mentioned he received a request relative to the name and community, but we were too far along in the

marketing process to change the name of the neighborhood. We are in the process of changing the name of the street to Justice Howe Lane. We are also planning an entrance monument with a commemorative plaque that will discuss the contributions that Judge Howe has made to Murray and Utah in general.

Mr. Brodsky explained the elevations of the Town Homes and stated the colors will vary from building to building. Landscaping will be included in front of the homes. A unit has been specially designed to be placed specially on the end of a row that faces a street, it is called a Hastings. In order to accommodate the additional utility space along Justice Howe Lane we used the Denton model instead. Additional modifications were made to the unit that made it narrower, and will feature a porch and front door that face the street.

Mr. Brodsky explained the fencing will be a six foot vinyl fence along the east and west side of the property. The south side of the property has a retaining wall where there is a grade variance. On top of the retaining wall is a six foot vinyl fence. Mr. Brodsky felt that they have done a good job of providing privacy to the adjacent neighborhood.

Mr. Brodsky addressed the dumpster location and stated they labored to find a place to locate it. The site really doesn't have an appropriate place to put it other than the shared parking. Recognizing this, we are installing extensive landscaping along the bottom of the retaining wall that will include a private hedge and flowering trees. The dumpster enclosure will be masonry structure to more fully enclose it. In prior experience a single dumper of this size will be able to handle the number of residences, but may require two pickups a week.

Mr. Markham asked if the construction traffic will be limited to entry and exit on 5600 south. Mr. Brodsky stated that construction traffic will be limited to only 5600 south and they will post it as well. Mr. Markham stated he would feel reassured if a condition is added.

Mr. Markham stated through his experience with the waste disposal industry he has noticed the trend in PUD's leaning toward automated containers that can utilize recycling as well. Mr. Markham also stated in his opinion he felt that his community could easily utilize this type of waste collection and further stated his concerns for the use of a communal dumpster. Mr. Brodsky stated the idea had not been considered before but see a challenge with the four courtyards with multiple home units being able to move all the receptacles to the road. Mr. Markham stated he could see no problem and that it is up to the HOA if they wish to utilize the varied services available. Mr. Brodsky stated his promise to make a valiant effort to look into this, but can't promise it will happen because he has no personal experience. If it is possible to do it here they will do it here. Mr. Markham stated if possible he would like to add a condition on this topic. Mr. Swaney added in his opinion the residents might appreciate the receptacles at each home to avoid the long walk with trash to reach the dumpster. Ms. Milkavich agreed with the idea of individual receptacles.

Ms. Milkavich asked what the status is of the Howe house on the property. Mr. Brodsky stated they are about to go into both homes and remove asbestos. In about two weeks the utilities will be cut off and demolition will occur in about two to three weeks which should include staff comments as well. Shortly after demo we will be ready to start development. We expect to have two homes sold and occupied before the end of the year.

Mr. Nay asked how many different floor plans will be offered. Mr. Brodsky stated he believes four are offered. Mr. Nay asked how it would be handled if people want the same type floor plan. Mr. Brodsky stated each of the houses have multiple elevations and color pallets

available. We have a commitment that no two house side by side or directly across the street from each other will be the same.

Mr. Swaney was curious about the target price points of the homes as the General Plan dictates the City to have a wide range of available housing options. Mr. Brodsky answered the townhomes will be in the high two's, the single family homes to be in the low four's and the rambler to be around the high three's. Mr. Nay stated they are far below the price of the Ivory homes near this community.

The meeting was opened for public comment.

The public comment portion was closed.

Mr. Markham made a motion to forward a recommendation of approval for Final Planned Unit Development Subdivision for the Balintore PUD on the property located at 820 East 5600 South and 830 East 5600 South to the Mayor subject to conditions 1 -17 as read into the record to the Mayor subject to the following conditions:

1. The applicant shall work with Community Development Staff to assure that the subdivision documents appropriately provide for the use and maintenance of common areas.
2. The applicant shall assure that the project meets all applicable building codes, and shall provide complete plans, calculations and soils reporting upon submitting for building permits.
3. The applicant shall assure that the project meets all applicable fire codes outlined in the 2015 IFC and Murray City Ordinances.
4. The applicant shall meet all Murray City Water and Cottonwood Sewer District requirements.
5. The applicant shall provide a landscaping and open space plan to be reviewed and approved by the Community Development Staff before permits are issued for construction on the site.
6. The applicant shall provide Public Utility Easements (PUEs) along all lot lines and common areas.
7. The applicant shall work with Community Development, Engineering, and Public Works Staff to develop a plan to adequately accommodate the installation of all utilities and adequacy of easements.
8. The applicant will provide a fencing plan detail indicating a six-foot, solid perimeter fence and an appropriate fencing system between Lots 3 and 4 and 5600 South.
9. The applicant shall provide a site geotechnical study and implement recommendations for building pads, utilities, and roadways.
10. The project shall meet City storm drainage requirements, including on-site detention.

11. The applicant shall provide a standard Murray City subdivision roadway, including 6' wide, curb adjacent sidewalk.
12. The applicant shall provide a site SWPPP plan and obtain a City Land Disturbance Permit prior to beginning any site work.
13. The applicant shall obtain an Excavation Permit for work in the City right-of-way.
14. The applicant shall obtain a letter from the Murray School District indicating that school facilities in the area are sufficient for the demand that will be generated by the proposed subdivision.
15. The applicant shall work with the Post Office to locate a Central Mailbox Unit (CMU) on the site.
16. Construction traffic shall be limited to the 5600 south entrance only.
17. A dumpster shall not be utilized, if at all possible and automated containers should be utilized for trash collection of the neighborhood. If this condition cannot be met, an explanation of the reasons must be submitted to the Planning and Development.

Seconded by Ms. Wilson.

Call vote recorded by Mr. McIlrath

 A Phil Markham
 A Sue Wilson
 A Maren Patterson
 A Lisa Milkavich
 A Travis Nay
 A Buck Swaney

Motion passed 6-0

METRO SOUTH SUBDIVISION – 4390 South Main Street – Project #17-113

Adam Lambert was the applicant present to represent this request. Brad McIlrath reviewed the location and request for a one-lot subdivision for the property addressed 4390 south State Street within the TOD zone. The subdivision would include the dedication of right-of-way for two public streets. The TOD zone encourages mixed use residential, and commercial projects, this subdivision complies with the zoning regulations. This is a permitted use in the TOD zone subject to the condition they complete a Subdivision Plat for the dedications.

The main purpose for this Subdivision Plat is to provide dedications of roads, sidewalks and utility easements for the future development. The property will be surrounded by roads on three sides and the fourth road to the north will be added in the future. The three roads that are applicable are Main Street to the east, Edison Ave. on the north and Birkhill Blvd. to the west. The right of way dedication for Edison Ave will complete it to Main Street which will provide better circulation for this project and future projects.

The previously approved Plat for Metro phase one is in the process of completing the right of way improvements. Many of the improvements for Birkhill for phase one have been

completed. This project will include ground floor commercial along the main street frontage of the property. The Ordinance requires the ground floor area of new development along Main Street have commercial. Some parking will be cantilevered and happen within the closed walls as long as the portion that convers the main street has commercial. The site will feature bike parking as well as underground parking, pool, and s spa area. The only portion that will not have commercial fencing Main Street is a small portions dedicated to maintenance such as the fire riser.

Mr. McIlrath addressed the landscaping that will include street trees, benches and trash receptacles. The applicant is working with Staff to provide landscaping along Main Street to meet requirements of the ordinance.

Mr. McIlrath reviewed the elevations that were previously approved for Metro phase one and the elevations for Metro phase two. The south elevation would include landscaping, feature a dog run and open space area. The North elevation would include surface parking, pool and pool house. The west elevation would include the entrance to the underground parking, and some above ground parking. The brick, color design, balconies, and architecture in phase two will look very similar to phase one.

Mr. McIlrath explained that Edison Street would continue through at an angle to fully connect with Burke Hill Blvd in the future. In order to complete the connection, the applicants are working with the surrounding property owners to purchase and demo the home.

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 subdivision approval to the Mayor for the property addressed 4390 S. Main Street subject to conditions.

Ms. Milkavich asked if the Planning Commission approved the permitted use site plan approval use on April 4th, 2017 with the conditions. Mr. McIlrath stated it did not go through the Planning Commission for approval, only Staff, because it is a permitted use in the TOD zone and only requires site plan approval by City Staff.

Mr. Nay wondered about traffic flow patterns and expressed concern if UTA might want to use Edison Ave. as entrance into the Trax station as it is a normal street scape. Mr. McIlrath stated that in his opinion there would not be a need for a UTA bus to drive through Edison Ave as the primary access is on Fire Clay. Edison will not provide the widths needed for regular length buses but could be accessed by Paratransit vehicles or employees. Mr. Nay asked if parking will be allowed on both sides of Edison Avenue. Mr. McIlrath stated there could be parking but it does not have any designated parking spots. Birkhill Blvd., Main Street and Fire Clay are designed to have on street parking as they are wide enough.

Ms. Milkavich asked if a TOD provides allowances for grocery stores. Mr. McIlrath stated that previously the City only allowed developments that seek RDA funds would require the commercial to be done. As the TOD was being developed more and the economy improved less developers were seeking RDA funds thus, limiting the need to incorporate commercial in the development. Many time it has been difficult for developers to get funding for the commercial and residential, or leave the commercial component until the end of the project. The city decided to require commercial on Fireclay and Main Street frontages so we get some of those types of uses. The City has been trying to actively recruit grocery stores into the TOD. Mr. Nay commented that phase one does not have any commercial development. Mr. McIlrath stated phase one came in before the TOD requirements for main floor commercial were in place.

Ms. Wilson asked how many units will be put in. Mr. McIlrath stated 165 units that may be studio, one or two bedrooms. Phase one has 175 units.

Ms. Milkavich asked if PUD's and projects like this are required to discuss density with school districts. Mr. McIlrath stated the City and School District work together to keep them updated to changes in density so they can plan accordingly.

Adam Lambert, Rim Rock Construction, 4390 south Main Street, has reviewed the conditions and will be able to comply.

The meeting was opened for public comment.

The public comment portion was closed.

Mr. Nay made a motion to forward a recommendation for the preliminary and final subdivision approval for the property addressed 4390 S. Main Street to the Mayor subject to the following conditions:

1. Meet the requirements of the Murray City Engineer for the recording of the plat at the Salt Lake County Recorder's Office. Requirements include the following:
 - (a) Meet City subdivision requirements;
 - (b) Public utility easements (PUE's) shall be provided as required by Murray City;
 - (c) The subdivision shall include roadway dedications for Edison Street, Birkhill Boulevard, and Main Street with the installation of roadway improvements as outlined in the TOD design standards;
 - (d) A security bond shall be provided for public improvements;
 - (e) A PDF copy of the plat shall be submitted to the Murray City Engineering Division for final review prior to the preparation of a Mylar.
2. The project shall comply with all Murray City Water and Sewer Division requirements including the identification of all sewer laterals and connection to those laterals.
3. The project shall meet all applicable building and fire code standards.
4. The project shall comply all TOD ordinance and design standards for public improvements and project design.

Seconded by Ms. Milkavich.

Call vote recorded by Mr. McIlrath

 A Travis Nay
 A Lisa Milkavich
 A Sue Wilson
 A Maren Patterson
 A Phil Markham
 A Buck Swaney

Motion passed 6-0

TITLE 16. SUBDIVISIONS – Section 16.12.020.H - Setback requirements for easements –
Project #17-97 – Public Hearing

Mr. McIlrath presented the Text Amendments for Section 16.12.120.H. Mr. McIlrath read the language in the code for single family residential property easements. " all lots must have ten foot rear yard utility easement, a ten foot front yard utility easement and seven and half foot utility and drainage easement on each side yard".

This request by Staff is to modify the side yard utility easements only. One of the reason for this request is in the R-1-6 zone specifically, a side yard setback is allowed to be five feet. This creates a conflict with the subdivision ordinance that requires a seven and a half foot easement.

The R-1-6 zone will require a ten foot rear and front yard utility easement, and a five foot side yard easement on only one side due to the narrowness of the lot. Walden Glen subdivision is a similar example of this proposal.

The R-1-8 zone will require a ten foot rear and front yard utility easement, and a five foot side yard easement on both sides. This will create a ten foot area between two lots, giving ample allowance for utilities.

The R-1-10 and R-1-12 zones do not have any recommended changes to the current seven and a half foot utility easements due to the larger size of the properties.

Mr. McIlrath addressed the changes of language and referred to the information provided to the Planning Commission.

Based on the above findings, staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the proposed amendment to the text of the Murray City Municipal Code, Section 16.12.020.H.

Mr. Markham stated he is aware that the City Water, Sewer and Power Departments have already signed off on these changes and asked if there is still adequate room for additional utilities such as internet, television and gas. Mr. McIlrath stated Staff based their decision on current utility situations that are working well, and on a recommendation from other the City Staff that are familiar with the size requirements for the additional space needed. Mr. McIlrath stated that Mr. Stokes, the City Engineer, reached out to Dominion Gas and they did not have any foreseeable concerns with the change.

Ms. Milkavich stated this change makes sense for new neighborhood development and asked how this would affect existing properties that may be considered non-conforming now. Mr. McIlrath answered this change will only be applicable to new subdivisions. Even if somebody were to build a new house next to an existing house it would not apply unless the property was not subdivided. This only address new developments and new subdivision.

The public hearing was opened for public comment.

The public hearing comment portion was closed.

Mr. Markham made a motion to forward a recommendation of approval to the City Council for the proposed amendment to the text of the Murray City Municipal Code, Section 16.12.020.H.

Seconded by Ms. Patterson.

Call vote recorded by Mr. McIlrath

 A Phil Markham
 A Maren Patterson
 A Travis Nay
 A Sue Wilson
 A Lisa Milkavich
 A Buck Swaney

Motion passed 6-0

OTHER BUSINESS

Mr. Hall stated the next Planning Commission meeting dates in August are on the 3rd and 17th. The Planning Commission training meeting is scheduled for August 24th. The Fire Station located on 4800 South Box Elder will be up for review at the M CCD on July 27, 2017.

The Planning Commission decision to grant the Certificate of Appropriateness to allow the Vine Street Senior Living facility has been appealed to the Murray City Hearing Officer. The appeal hearing is scheduled for July 26, 2017 at 12:30 p.m. This is a public hearing and anyone can attend, but they do not accept public comment. Mr. Hall commended the Planning Commissions diligence when they approved the Senior Living Project and personally expected their decision to be upheld. If, by chance, it is not upheld by the Hearing Officer, it would be remanded back to the Planning Commission for another review.

The meeting was adjourned at 7:54 p.m.


Jared Hall, Supervisor
Community and Economic Development