

Minutes of the Planning Commission meeting held on Thursday, November 2, 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  
Maren Patterson  
Sue Wilson  
Lisa Milkavich  
Jared Hall, Community & Economic Development Supervisor  
Jim McNulty, Development Services Manager  
Brad McIlrath, Associate Planner  
GL Critchfield, Deputy City Attorney  
Citizens

Excused: Scot Woodbury  
Travis Nay

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 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. Patterson made a motion to approve the minutes from the October 19, 2017 Planning Commission meeting. Seconded by Mr. Markham

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

#### 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 Epic Training Center, Big Dog Pawn and Jewelry and Karen Newman ADU. Ms. Wilson seconded the motion.

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

#### ALL HOURS PLUMBING & DRAIN CLEANING – 79 West 4500 South #21 - Project #17-149

Stacy Clayton was the applicant present to represent this request. Jared Hall reviewed the location and request for Conditional Use Permit approval to allow a plumbing and drain cleaning service business for the property addressed 79 West 4500 South, #21 located in the M-G zone. The applicant proposes to utilize both the shop and office space for his plumbing and drain cleaning service business in the Crestone Business Park complex. The Crestone Business Park is long and deep running north and south. It uses just over 2,000 square feet of warehouse space and 416 square feet of office space. This business has about 30 employees, with 5 office employees actually on site. The 25 field technicians are on-call employees and take the work vehicles home. Of the 15 trucks that are used in connection with the business operations, no more than 5 are on-site at any given time. There is sufficient parking for the business on site. The landscaping is well maintained and Staff does

not have any concerns. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval of a Conditional Use Permit for a Plumbing and Drain Cleaning service business subject to conditions.

Stacy Clayton, 79 West 4500 South # 21, stated she has reviewed the conditions and will be able to comply.

Mr. Markham asked if there would be any manufacturing or fabrication work happening at this location. Ms. Clayton answered there would not be.

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

Ms. Milkavich made a motion to grant Conditional Use Permit approval to allow a plumbing and drain cleaning service business for the property addressed 79 West 4500 South #21 subject to the following conditions:

1. The applicant shall obtain building permits for any proposed construction.
2. All construction shall meet the 2015 International Fire Codes.
3. The applicant shall meet all requirements of the Murray City Water and Sewer Division.
4. The applicant must work with Community Development staff to provide a plan to modify the existing landscape on the frontage of 4500 South to meet the requirements of Section 17.68 of the Murray City Land Use Ordinance.

Seconded by Mr. Markham.

Call vote recorded by Mr. McIlrath.

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

Motion passed 5-0.

MURRAY MEDICAL HOLDINGS – 5343 South Woodrow Street - Project #17-151

Adam Watts was the applicant present to represent this request. Jared Hall reviewed the location and request for Conditional Use Permit approval to allow construction of a medical office building for the property addressed 5343 South Woodrow Street located in the G-O zone. Across the street is currently zoned R-1-8. Any new construction in the G-O zone is required to have approval from the Planning Commission. Two buildings have been approved for construction by this applicant on other property in the area, and this is the third building. This building will be two stories and 8,000 square feet per floor, 16,000 square feet over all. The applicants have designed the 69 parking spaces to be just above the amount required. The applicants have developed the layout to ensure the only entrance to the property is on the northwest side of the property, to keep most of the traffic out the neighborhood. The parking lot is buffered with landscaping on all sides. The floor plans for

both the ground floor and upper floor are the same with the exception of the elevator lobby on the bottom floor. The south elevation of the building faces Woodrow Street, the north elevation faces the interior parking lot. Brick, veneer, metal cladding, and wood composite will be used on the exterior of the building. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval of a Conditional Use Permit to allow construction of a medical office building subject to conditions.

Mr. Markham asked what type of lighting and lighting projection will be used in the parking lot. Mr. Hall stated there will not be any lighting in the parking plan, they are only having wall mounted building lights. It is a medical office and there will not be any traffic to this building after 6:00 p.m.

Adam Watts, 2274 South Preston Street, stated he has reviewed the conditions and will be able to comply.

The meeting was opened for public comment.

Wallace James, 77 West 5300 South, asked what is being planned for Woodrow Street. Mr. Swaney stated this question will be addressed by Staff. Mr. James stated the neighborhood has traffic issues now and this additional complex will only add to the traffic.

Robin Brady, 89 Woodrow Street, asked if a traffic study had been done in the area. Ms. Brady stated she agrees with Mr. James about the traffic concerns and asked when construction will start on the new building.

David Madsen, 5374 Hillcrest Drive, stated he inquired about the land before he purchased his house to ensure it was a residential area. Mr. Madsen stated a lot of the traffic from 5300 South funnels onto Woodrow Street and the traffic is too congested. Mr. Madsen stated he counted fifty parking spaces in the new parking lot. Mr. Madsen asked if the developer knows something that the rest of the public is unaware of, or are they into the land construction so deep that the building will be built not matter what the outcome is tonight.

The public comment portion was closed.

Mr. Hall stated this is the third new building going into the area. Mr. Hall answered that Murray City does not intend on doing anything with Woodrow Street and would be private development. Mr. Hall stated the City has rezoned this area to General Office, with the intent that the area will turn into office buildings and the property owner and developer are exercising their right to tear down trees on the property in which they own. The south side of Woodrow Street has also been slated for office use and the City could rezone this area to General Office as the future land use map supports it. Mr. Hall stated that when City staff reviews the new buildings coming in they try to be cognizant of the traffic issue, when they consider re-zoning, they try to keep traffic moving directly to 5300 South Street and not impact the residential neighborhood. Mr. Hall stated the City has tried to mitigate the traffic issues the best they can and is not sure if a traffic impact study was ordered by the City Engineer.

Mr. Swaney asked how long has this area been zoned General Office. Mr. Hall answered, since April. Mr. Swaney further asked if any of the pre-discussed small area plans for this area have been adopted. Mr. Hall answered, not yet.

Ms. Patterson stated that in the past some of the residents have asked for street improvements and wondered if the residents are clear that some of the requirements of this development are to add street improvements. Mr. Hall stated that this development will be required to install curb, gutter and sidewalk on both corners, and any development on the south side would require the same improvements.

Mr. Watts stated he met with the City Engineer several times, and they had a traffic study conducted. Mr. Watts stated the traffic study took into consideration all three office buildings in the area and prompted some revision to the site plans to try to mitigate some of the stacking patterns. Mr. Watts addressed Mr. Madsen's concerns that the developer might know some hidden information or be into the project so deep that the building would be built no matter what, and stated that this is not the case. In fact, over the last month, approximately 70 auto tires have been dumped on the site, and they have received calls from neighbors that people are attempting to store trucks and trailers here. As a result, they decided to fence in the site, cut and remove the trees so the land is open and won't conceal any illegal activity. Mr. Watts further stated the start of construction is ultimately up to the City. Once the plans are submitted in about four to five months and then go through the building permit, they could start next year, possibly spring or summer. Mr. Watts added that they do plan to demo the Dennis Wilson's house at 82 West Woodrow Street to further eliminate some of the liability issues on the property. They also tried to purchase the dilapidated home next to 82 West Woodrow Street from Brandon Wixom but they were unable to come to a mutual agreement on the price. Mr. Watts stated that he has personally offered to help Mr. Wixom with the entitlements to help him obtain demo permits and piggy-back with their demolition contractor at the same time, but he has not responded or indicated if wishes to let them help mitigate these issues.

Mr. Markham stated he knows it is always difficult when a traditional neighborhood undergoes some transition and this has been happening ever since Riley Lane has become more congested with the original activity and now it's bleeding onto Woodrow Street. We have had several long and detailed meetings about this area over the last six years and we appreciate the involvement of the neighbors. The Planning Commission does try to put the residents' concerns first. Mr. Markham wished the residents to know that this development is not being shoved through the process, there has been a lot of thought, planning and changes in plans since they have been submitted.

Mr. Swaney added that each time prior to these meeting we have talked about a small area plan that would address the traffic issues here and hoped a plan would have been adopted prior to this development, but it's not. Mr. Swaney stated he remains supportive of anything the City can do to address the traffic issues by way of a small area plan.

Ms. Patterson stated that she feels sympathetic for the residents and the issues surrounding the development, and she remains hopeful that this development will help take care of some of the transient problems. Hopefully we can mitigate some of the traffic impacts in the future.

Ms. Patterson made a motion to grant Conditional Use Permit approval to allow construction of a Medical Office Building for the property addressed 5343 South Woodrow Street subject to the following conditions:

1. The project shall meet all applicable building code standards, and the applicant shall provide complete plans including calculations and a soils report upon application for building permits.

2. The project shall meet all requirements of the Water and Sewer Division.
3. The project shall meet all requirements of the Murray City Power Department.
4. All construction for the project shall meet 2015 IFC Codes.
5. The applicant shall provide a landscaping plan meeting the requirements of Chapter 17.68 of the Murray City Land Use Ordinance for review and approval by Community Development staff.
6. The applicant shall modify the site plan to provide a sidewalk connection from the exit on the south building elevation as described in the Staff Report.
7. The applicant shall obtain sign permits meeting all City requirements for any proposed signage associated with the development.
8. Future tenants shall obtain Murray City Business Licenses prior to beginning operations.
9. The applicant shall meet all requirements of the Murray City Engineer including the following:
  - a. The project shall meet all Murray City requirements for storm drainage, including on-site retention/detention as required.
  - b. The applicant shall dedicate property frontage on Woodrow Street as is necessary to accommodate the inclusion of sidewalks.
  - c. The applicant shall install curb, gutter and sidewalk on the Woodrow Street property frontages as required and approved by the City Engineer.
  - d. The applicant shall develop a Storm Water Pollution Prevention Plan and obtain a City Land Disturbance Permit prior to beginning any site construction work.
  - e. The applicant shall obtain a City Excavation Permit for work in the City roadways.

Seconded by Ms. Wilson.

Call vote recorded by Mr. McIlrath

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

Motion passed 5-0.

SPRING CREEK COVE – 5070 South 1100 East & 5091 South Wesley Road - Project #17-148

Jeremy Peterson was the applicant present to represent this request. Brad McIlrath reviewed

the location and request for preliminary subdivision approval for a 6-lot subdivision to be developed at the properties addressed 5070 South 1100 East and 5091 South Wesley Road in the R-1-8 zone. The applicant proposes to construct a single-family subdivision on the property which is supported by the Murray City General Plan. The applicant proposes to demolish two houses on the property which would provide a road connection from Wesley Road to a cul-de-sac that would facilitate the six-lot subdivision. The Spring Creek Cove subdivision has previously received preliminary approval to allow 17 lots, this is a modified plan and proposes to have only 6 lots ranging from just over 24,000 square feet to 55,618 square feet. The utilities will be provided from Wesley Road, the water on this property is in the Jordan Valley Water district. The new proposed development is in the Salt Lake City water district and they must work with the different service districts to either de-annex from one district or another. Murray City would require documents to verify those facilities will be served. The Power is served from Rocky Mountain Power and Sewer is served from the Cottonwood Improvement District. The gas line on the property will be relocated to be below the street. The Tanner Ditch on the west end of the property will need to be piped. The majority of the property is impacted by the Spring Creek which will need to be dredged, cleaned and rehabilitated to be returned to its natural state. The City Engineer is requiring an access and maintenance easement over the Spring Creek future property owners would not be able to build anything over the creek. Due to the difficulties of the subdivision we are only presenting it as a preliminary review. A lot issues will still need to be handled before it comes back for final review. Based on the information presented in this report, application materials submitted and the site review, Staff recommends preliminary subdivision approval for a 6-lot subdivision to be developed at the properties addressed 5070 South 1100 East and 5091 South Wesley Road subject to conditions.

Jeremy Peterson, 4505 South Wasatch Blvd., stated he has reviewed the conditions and will be able to comply.

Mr. Markham commented that this is the most complex subdivision that he has ever seen for six lots. It seems like it will take a lot of work and capital to make this property buildable for the six lots.

Mr. Swaney asked if they will need a stream alteration permit to dredge and clean the Spring Creek. Mr. Peterson replied Frontier Corp. is working on it now and the goal is to stay completely out of the Wetlands and stream with any building. The retaining wall is even as far from the wet lands as required, but they will still be required to clean up the stream.

Mr. Swaney stated that lots 3, 4, and 5 will have a tremendous amount of fill required to build, and asked where the fill is coming from and what is the process for ensuring it has proper compaction before the lots are sold. Mr. Peterson answered they have Western Technologies working on the soil study and large amounts of good dirt from other sites will be used for fill. All the dirt will be tested to ensure its quality before it is used.

The meeting was opened for public comment.

Lucy Batey, 5053 Wesley Road, stated she has lived here since 1964 and knows there are artesian wells on the land. Three fountains East has six units they cannot sell because they have water leeching, and it is on the same shelf where they want to build the newly proposed six lots. Ms. Batey feels that Murray City will be sued if there is leakage and Mayor Eyre was in favor of putting a park here. Ms. Batey stated that the houses are vacant and have vagrants living in them and one is a meth house. Murray City only cuts the weeds down once

a year, and the police department is at the property about twice a week getting vagrants out. Ms. Batey asked Murray City to take care of her neighborhood because the land is impossible to develop. Ms. Batey asked if Mr. Peterson is going to develop the land or just prep it for somebody else. Ms. Batey stated that her neighborhood just got new sidewalk, curb and gutter, and is concerned that the construction trucks will tear them up. Ms. Batey is additionally concerned about the trees that have grown wild and have blocked her view of the mountains and stated they will also have to be torn up. Ms. Batey asked if they will dig down into the soil or bring in fill soil.

Sophia Palmer, 5019 Beaverbrook Lane #32, stated she agrees with Ms. Batey's comments. Ms. Palmer stated the area is a wet land and it will be problematic to develop.

Max Parkin, 1103 East 5190 South, stated he lives near by the development property and is in favor of the new development and the owner should have an opportunity to develop his property. Mr. Parkin added he would like to see some conditions applied to address the concerns of the high-water table, creek stability and soil compaction. Mr. Parkin stated the area is a wild wooded area and believes that six lots are more ideal than 17 lots because they will have a smaller impact on the community and land.

Deborah Daines, 1070 East Lori Way, stated she lives near the area and she wants the property developed to stop the vagrants from living in the houses, mischiefs from the school children and vandalism. Ms. Daines stated she would like a park to be built here to eliminate the dog messes on the school playground and vandalism occurring at the school. Ms. Daines is concerned that the wild animals in the area will be driven away from this natural environment.

The public comment portion was closed.

Mr. McIlrath addressed the concerns of the public and stated he understands the residents wish to have the area be a park, Mayor Eyre was also in favor of the park but it did not work out financially for the city to pay for one and it has not come to be. The applicants have worked with Staff, who are welcoming of this type of development versus the previous proposal of 17 lots, as less lots have less impact on the natural area and bring less traffic into the neighborhood. Mr. McIlrath stated that the soil to be used in the development will be a combination of the existing soil and additional soil to be brought in. The City Engineer has specified that sandy soils cannot be used for the compaction concerns based on the Geotechnical testing that was conducted. Mr. McIlrath stated that the new road is allowed as the property owner has a right to develop the property and the City will do it's best to mitigate the impacts on the neighborhood. Mr. McIlrath stated the applicant is aware the area is a wetland and they are trying their best to stay out of the wetlands, as well as restore them closer to their natural environment. Mr. McIlrath stated that is a wooded area and hoped that the developer would preserve the area as much as possible but the City will enforce any State and County requirements to make sure they provide as little impact as possible. Mr. McIlrath stated during his site visit he noticed the dilapidated stated of the houses and potential for vagrants to be present.

Mr. Markham emphasized that this is a request for preliminary approval only and this application will have to come back for final approval if it is approved tonight. Mr. Markham asked if it does return for final approval would it be appropriate to modify conditions at that time. Mr. McIlrath stated the Planning Commission would be allowed to add or modify conditions that would improve the health, safety or well-fair of the community. Mr. Markham

stated he would like to see some parameters established such as time of day, and frequency of street sweeping to control the construction traffic through the neighborhood.

Mr. Swaney asked if two homes would be demolished to make way for a road and would it be appropriate to set a time frame for demolition of those homes once approval is achieved. Mr. McIlrath stated Murray City does not have any requirement that the houses must stay on the property for any length of time and the Planning Commission could recommend a time frame for demolition. Mr. Swaney asked, when will Staff address demolition of the houses with the applicant to find out if, and when they are planning on developing the land.

Mr. Peterson stated they are more than ready to demolish the houses but the time frame depends on the demolition permitting process. Mr. Peterson stated that SWPP would require them to sweep up the dirt and provide track pads. Mr. Peterson additionally stated they are not developing this, instead they are working as a consultant for the Bank that took the project back from the previous owner. The six lots are a simplified project to reduce the impact on the wetlands and neighborhood for the benefit of all involved. The vision is to have estate lots with a lot of natural wooded area around where wildlife could also roam freely. Mr. Peterson stated that this development is positively going to happen and the Bank has requested that lots 1 and 6 begin to market as soon as possible because they don't require the compaction or long-term treatments that the other lots do.

Ms. Patterson suggested to add a demolition condition.

Mr. McNulty suggested adding a demolition condition at final approval. Mr. Swaney requested that when this comes back he would like to see it added already. Ms. Milkavich asked if we are slowing the demolition process by not including the condition now. Mr. McNulty stated the property owner can submit a demolition permit at any time.

Mr. Markham made a motion to grant preliminary subdivision approval for the proposed 6-lot subdivision at the properties addressed 5070 South 1100 East and 5091 South Wesley Road subject to the following conditions:

1. The project shall comply with the following Murray City Engineering requirements:
  - (a) The subdivision must meet all City subdivision requirements and include public utility easements (PUE's) on all lots;
  - (b) The project must obtain U.S. Army Corp of Engineers permits for encroachments into Spring Creek;
  - (c) The Spring Creek channel needs to be cleaned, dredged and improved to convey 10-year storm flow without flooding the subdivision and neighboring properties;
  - (d) A drainage and maintenance easement needs to be provided along Spring Creek;
  - (e) An updated geotechnical study must be provided that is based on the proposed site grading. The study should include road design, building pad design, and retaining. The study should also evaluate stability of any unretained cut and fill slopes steeper than 2 ½ horizontal to 1 vertical;
  - (f) Irrigation company approval must be obtained to pipe the existing irrigation channel through the development;
  - (g) Sewer and water service approvals need to be obtained from Cottonwood Improvement District, Jordan Valley Water Conservancy District, and SLC Public Utilities;
  - (h) The applicant must obtain review and approval for any existing on-site utility



- relocations including gas and power lines. The subdivision must provide any required easements and vacate any existing unused easements;
- (i) The applicant must develop a site Storm Water Pollution Prevention Plan (SWPPP) and obtain a Murray City Land Disturbance Permit prior to the beginning of any site grading and construction work;
  - (j) The applicant must obtain a Murray City Excavation Permit for work with City roadways.
2. The project shall meet all applicable building code standards. Completed and stamped plans with calculations, a soils report and engineering are required at the time of permit application.
  3. Separate building permits shall be obtained for each of the retaining walls. The walls shall be engineered and have that information provided at time of building permit application.
  4. The project shall meet or exceed all current fire code standards. The cul-de-sac shall have a sufficient turning radius for fire apparatus of one hundred feet (100').
  5. Street lights installed in the subdivision shall be approved by Murray City Power.
  6. Approval for sewer service shall be obtained from Cottonwood Improvement District. Copy of the approval shall be provided to Murray City.
  7. Approval for the water service shall be obtained from either Jordan Valley Water Conservancy District or SLC Public Utilities. Annexation/de-annexation from one district to the next shall be completed if required by the service districts. The applicant shall work with both entities to resolve the issue and a copy of approval from the service districts shall be provided to Murray City.
  8. The proposed lots shall comply with the minimum standards for the R-1-8 Zoning District. All future structures shall comply with the setback and height requirements of the zone.
  9. The proposed flag lot shall comply with the flag lot standards outlined in Subsection 17.76.140 of the Murray City Land Use Ordinance. Four foot (4') landscaping easements shall be placed on each side of the flag lot access strip.
  10. The irrigation ditch shall be piped and the gas line relocated to be in plated utility easements. The existing easement for the gas line shall be vacated.
  11. To demonstrate that homes can be constructed on Lots 3-5, home placement plans shall be provided that fit the home footprints shown on the grading and drainage plan.

Seconded by Ms. Milkavich

Call vote recorded by Mr. McIlrath.

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

Motion passed 5-0.

WYNWOOD SUBDIVISION – 6604, 6614, 6628, 6654, 6660 & 6790 South 700 West -  
Project #17-68

Brad McIlrath reviewed the location and request for final subdivision approval for the proposed 126-lot single-family subdivision including two flag lots for the properties addressed 6604, 6614, 6628, 6654, 6660, and 6790 South 700 West in the R-1-6 zone. Mr. McIlrath stated this application has already been through preliminary approval, has done all the required items and are now back for the final review. The project will consist of two phases, phase one would have 68 lots and phase two would have 58 lots. Phase one will require that the sewer line be plotted along the south side of the property and out to Winchester street before any of the building can begin. Parcel "B" will be a dedicated parcel for storm water detention and Parcel "A" will be a dedicated Pump House for Murray Water. Between lots 121 and 122 a sewer line easement and trail access easement will connect into the Bingham Junction Park Development. The utility and water plans meet all City standards. Some onsite remediation must be done, old slag has contaminated the soil and the applicants will work with Murray City Officials and our Environmental Attorney to provide assurances before final plat recordation. Based on the information presented in this report, application materials submitted and the site review, staff recommends that the Planning Commission forward final subdivision approval for Phase I and Phase II of the Wynwood Subdivision to the Mayor, for the properties addressed 6604, 6614, 6628, 6654, 6660, and 6790 South 700 West subject to conditions.

Mr. Swaney asked if a traffic impact study has been done, and if so what were the results and mitigations. Mr. McIlrath stated there has been a traffic impact study done and some of the mitigations have affected the design of the subdivision and access points. The streets were changed to line up with the streets across 700 West to alleviate conflict. The traffic study did not indicate needed improvements at 700 West and Winchester. They will have to provide sidewalk improvements along 700 West and the possibility of relocating powerlines. The City Engineer is comfortable with the traffic control design and it meets the standards of the traffic study.

Mr. Markham stated he is concerned with the traffic study at 700 West and Winchester Street and asked if there is any proposed change with the signalization. Mr. McIlrath stated he is unaware if the signal patterns need to be reconfigured but does know that there will not need to be any changes to the layout of the road or lanes.

Jacob Ballstaedt, Garbett Homes, 273 North East Capitol Street, 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.

Ms. Wilson made a motion to forward final subdivision approval for Phase I and Phase II of the Wynwood Subdivision to the Mayor, for the properties addressed 6604, 6614, 6628, 6654, 6660, and 6790 South 700 West subject to the following conditions:

1. The project shall meet all applicable building code standards. The applicants shall provide complete plans, calculations, and soils reports at permit application for the homes.

2. The project shall comply with all current fire code standards and Murray City Ordinance standards for fire suppression. The applicants shall work with the Fire Department to ensure that a sufficient number of hydrants are provided and to determine the locations of those hydrants.
3. The project shall comply with all Murray City Water and Sewer Division requirements including the following:
  - (a) Murray City must have access to service the sewer line for maintenance;
  - (b) The water line from the pump house needs to be relocated into the new street right-of-way;
  - (c) The property exchange agreement must be completed before the easement for the pump house can be vacated;
  - (d) The project must comply with all division requirements.
4. The project must comply with all Murray City Power Department requirements and the applicants shall work with Power Department staff to determine relocations of power lines along 700 West.
5. The subdivision shall include the installation of street lighting in accordance with Murray City Power Department standards.
6. All lots within the subdivision shall comply with the standards for lots in the R-1-6 Zone and as outlined in Chapter 17.96 of the Murray Municipal Code.
7. The flag lots shall meet the development standards for flag lots as outlined in Chapter 17.76 and have a utility and access easement placed on the final plat between the two access drives for a common access driveway. The access and utility easement that splits the lots shall have a minimum pavement width of thirty feet (30') for the access driveway. The common access driveway shall be thirty feet (30') wide with four feet (4') of landscaping on each side.
8. The final subdivision plat shall include the six-foot semi-private fence along the easement, and the width of the trail located in the sewer and access trail easement and provide a note for lots 121 and 122 stating that no fencing shall be located in the easement and that the five foot (5') side yard setback will be measured and required from that easement. All other setbacks will be measured from the property lines. A public street light shall be provided at the entrance of the trail from the subdivision.
9. The applicants shall obtain Midvale City approval to connect to the existing trail system in Bingham Junction Park.
10. The project shall comply with all Murray City Subdivision Ordinance standards and meet the following Engineering Division requirements:
  - (a) The subdivision must meet all City subdivision requirements and include public utility easements (PUE's) on all lots;
  - (b) The applicants must provide a site geotechnical study and implement requirements for building pads, roads, utilities, and mass grading. The applicants will need to obtain a City grading permit prior to any mass excavation and filling operations begin

- (This permit is issued through the Building Division);
- (c) A traffic impact study must be provided with implementation of study recommendations;
  - (d) The project must include the installation of right-of-way improvements along the subdivision frontages of 700 West;
  - (e) An easement and access & maintenance agreement for the sewer main through Winchester Estates and Midvale must be obtained;
  - (f) The applicants will need to complete the property swap with the Murray City Water Division for the location of the pump house;
  - (g) The pump house power and water line must be relocated into the proposed public street along with the vacation of any existing easements;
  - (h) The project must meet City drainage standards and requirements with on-site detention required for the subdivision. The proposed detention basin must include irrigation and landscaping;
  - (i) The applicants must provide detailed utility, drainage, and roadway plans for each phase of the subdivision;
  - (j) The subdivision will need to provide street lighting in accordance with Murray City standards;
  - (k) The existing on-site irrigation ditch and related piping and boxes must be abandoned, and the applicants must obtain any required irrigation company approvals;
  - (l) The applicants are to work with Murray City officials to provide environmental assurances prior to final plat recordation;
  - (m) The applicants must obtain any required State and County permits for the sewer line that runs adjacent to the Jordan River;
  - (n) A site Storm Water Pollution Prevention Plan (SWPPP) must be developed and the applicants must obtain a Murray City Land Disturbance Permit prior to beginning any site construction work.

11. The location of street trees shall be approved as part of the final subdivision plat and installed as required by the Murray City Subdivision Ordinance (every 30 linear feet). Street trees shall be installed with the development of the subdivision and bonded for as required by Murray City. The proposed detention basin landscaping shall include trees and an irrigation system as required by the Murray City Engineer. A final landscaping and irrigation plan shall be submitted and approved by Murray City staff that shows the planting of all street trees and the irrigation of the detention basin.

Seconded by Ms. Milkavich.

Call vote recorded by Mr. McIlrath.

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

Motion passed 5-0.

MURRAY COVE 2 – 1187 West Bullion Street - Project # 17-153

Bryon Prince was the applicant present to represent this request. Jared Hall reviewed the location and request for a Zoning Map Amendment for the subject property from R-1-10 to R-1-8. The proposed re-zone is for a 5.24-acre section of property which is undeveloped, but a part of the Murray Cove Subdivision at 1187 West Bullion Street which is currently under development. This area has been through a previous zone change that changed a portion from A-1 to R-1-10 and a portion from A-1 to R-1-8, as well as final approval for the first phase. Previously when preliminary approval was granted the line between the R-1-10 zoning and R-1-8 zoning established by legal description did not match the lot configuration that we had in the plans. This is a zone change to correct it and align the zones with the lots that were approved for each area. The changes meet the goals and objectives of the general plan. This zone change does not increase the number of lots that were previously approved in the preliminary, rather it matches zoning lines up correctly.

Mr. Swaney asked if this project is consistent with the future Land Use Plan in the General Plan. Mr. Hall answered, it is.

Ms. Wilson asked to clarify that this zone change is only to make the survey line up with what we can actually measure out on paper and there are no lots being added. Mr. Hall answered correct, no additional lots are created, and no reconfiguration of lots take place; it's only to match the zones to what was approved in the preliminary plan. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval to the City Council for the request to amend the Zoning Map from R-1-10 to R-1-8 for the 5.24 acres of property located at approximately 1157 West Bullion Street as depicted in the survey exhibit and legal description attached to this report.

Bryon Prince, 978 East Wookoak Lane, stated he has reviewed the conditions and will be able to comply. Mr. Prince clarified, when this rezone was approved last year in December an exhibit was included that showed the accurate zone boundary, and it was a noticing issue that was put in the report incorrectly or a miscommunication, and this is just a cleanup. Mr. Hall added that the problem had arisen because there was a different legal land description than the exhibit on the paperwork.

The Public Hearing was opened for public comment.

Gregory Costello, 1172 West Bullion Street, stated that he originally thought that the re-zoning was to be R-1-10 as he understood it. Mr. Costillo stated that a map was presented in the previous meeting and it showed the R-1-10 before the correction and the R-1-8 was much closer to the river. Mr. Costillo suggested to keep the R-1-10 in the entire area to keep the integrity of the neighborhood. Mr. Costillo added that he is the Water Master and the water was relocated to put in phase one and that Mr. Prince said they would add access to shut offs and water relocation, it has not been done yet. Mr. Costillo stated he wanted to make sure the development is completed the way it was originally proposed and wants Ivory to follow through with what they said they would do.

Rebecca Sanborne, 1245 West Bullion, stated she is concerned that she is just finding out that this area is R-1-8. Ms. Sanborne agrees with Mr. Costillo's remarks and does not feel that Bullion Street will be able to support the traffic from the new homes here. Ms. Sanborne stated she is concerned that the smaller lots and houses will turn into rental properties and the properties go down because renters do not take care of the property. Ms. Sanborne

wondered if the amount of lots have increased from the original 82 lots proposed.

Caroline Costello, 1172 West Bullion Street, stated she is concerned that the R-1-8 zoning would allow more homes, and wants no more than the original 82 proposed homes.

The Public Hearing portion was closed.

Mr. Hall addressed the public comments and clarified that this zone change does not increase the number of lots that were approved in the preliminary plan, and have never showed any other number of lots or changed the configuration. The segment is still R-1-10 zoning we are simply adjusting the line between the two sections to accommodate the lot configurations that was always showing and were previously approved. Pitch Fork Drive is still adjacent to R-1-10 zoning and it is not being changed. There were traffic studies performed and reviewed in the previous meeting. Mr. Hall stated that we noticed all of the properties within 500 feet for the first zone change, for the preliminary subdivision and for this zone change, but sometimes people live outside of the boundary to receive notices, we do keep records of the addresses noticed if there are any concerns.

Mr. Swaney asked if the previous application and map included the shaded area as R-1-8. Mr. Hall replied yes, that is correct. Mr. Swaney clarified that what was shown to the public and the Planning Commission in January when it was approved was what will be the correct version tonight. Ms. Patterson stated this is basically just a legal paperwork change to line up what was previously approved in January. Nothing is changing from the prior application. Mr. Hall stated if there is any kind of modification in lot numbers, that change would have to come back to the Planning Commission as a modification of the Preliminary Subdivision Plat, and the neighbors would be noticed.

Mr. Swaney stated there is an outstanding issue and asked Mr. Prince to address the water work that remains to be done. Mr. Prince stated that Ivory had to relocate an existing irrigation line. The original installation of the box did not have head gates, the head gates were installed several weeks ago. Mr. Prince offered to take Mr. Costello to show him the head gates. Mr. Prince commented that the subdivision design submitted in January is exactly the same as today's subdivision design.

Mr. Markham made a motion to forward a recommendation of approval to the City Council for the request to amend the Zoning Map from R-1-10 to R-1-8 for the 5.24 acres of property located at approximately 1157 West Bullion Street as depicted in the survey exhibit and legal description attached to this report.

Seconded by Ms. Patterson.

Call vote recorded by Mr. McIlrath.

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

Motion passed 5-0.

OTHER BUSINESS

Ms. Milkavich recognized Mr. McIlrath for his wonderful presentation and response to the residents in regard to the Spring Creek Cove application.

Mr. Hall stated the next Planning Commission meeting is scheduled for November 16, 2017. The Exclusive Architectural CUP revocation will be revisited. Mr. Pelch has made some progress but still needs to make more in the time he has left. Mr. Markham asked if Mr. Hall would email the Commissioners an update about the progress that has been made.

Mr. Markham stated he is concerned that the Planning Commission continues to address perceived traffic issues on Bullion Street and hoped that the City Engineering department is taking this into serious consideration because it needs improvements made.

Ms. Wilson stated she would echo Mr. Markham's comments, but in regard to the development on Winchester and 700 West, and also the Riley Lane area. The traffic in these areas is horrible.

Mr. Swaney asked if there is some sort of a report that shows which streets are at failing levels of service and what prioritization for upgrades might work for capital improvement planning of the City. Mr. Hall stated he believed there is report, and if we want more information about it we could schedule somebody from Engineering to come to one of the meetings and speak to it. Mr. Swaney stated if the Planning Commission knew in advance of these problem areas they could ask for conditions to address them in upcoming applications. Mr. Hall stated that the Engineering Department is part of the review process and they are aware of the critical streets in our City. Mr. McNulty stated that we can schedule an update meeting for the Planning Commission to meet with Public Services and the City Engineer to provide the information requested.

The meeting was adjourned at 8:16 p.m.

  
Jared Hall, Supervisor  
Community and Economic Development