

Minutes of the Planning Commission meeting held on Thursday, January 18, 2018, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Phil Markham, Vice Chair  
Maren Patterson  
Sue Wilson  
Travis Nay  
Scot Woodbury  
Lisa Milkavich  
Ned Hacker  
Jared Hall, Community & Economic Development Supervisor  
Jim McNulty, Development Services Manager  
Citizens

The Staff Review meeting was held from 6:00 p.m. 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.

Phil Markham opened the meeting and welcomed those present. He reviewed the public meeting rules and procedures.

#### APPROVAL OF MINUTES

Mr. Woodbury made a motion to approve the minutes from the January 4, 2018 Planning Commission meeting. Seconded by Ms. Wilson.

A voice vote was made, motion passes 7-0.

#### CONFLICT OF INTEREST

There were no conflicts of interest.

#### APPROVAL OF FINDINGS OF FACT

Mr. Nay made a motion to approve the Findings of Fact for Fight Hard Boxing Gym, and Story Motors, LLC. Ms. Milkavich seconded the motion.

A voice vote was made, motion passes 7-0.

#### EXCLUSIVE ARCHITECTURAL PRODUCTS, INC. – 5639 South Riley Lane - Project #17-45

Travis Pelch was the applicant present to represent this request. Jared Hall reviewed the location and hearing continuation for revocation of the Conditional Use Permit allowing the millwork operation at the property addressed 5639 South Riley Lane located in the M-G zone. This item has had hearing continuations from October 5, 2017 and November 16, 2017. On October 5<sup>th</sup> the Planning Commission had asked Mr. Pelch to return on November 16<sup>th</sup> with a substantial level of compliance completed. Mr. Pelch returned on November 16<sup>th</sup> to the Planning Commission with his item completed, which satisfied the Commission. The Planning Commission then continued the hearing again to tonight and advised Mr. Pelch to return with the ability to show he had completed all the work necessary to obtain his business license. The three outstanding items that needed to be completed in order to obtain his Business License were first, to complete work on the 8-foot masonry wall. Secondly, the sound attenuating walls around the dust collector needed to be constructed. Lastly, the buffer

landscaping needed to be installed along the east and south property lines. Mr. Pelch was able to plant the landscaping before the weather turned cold, thus avoiding a deferral agreement. All the requirements were completed, and the Business License was issued on January 5, 2018 and will be due for renewal in May 2018. Of note, condition number 6 limits the hours of operation for the dust collector with more stringent limitations until after completion of the sound attenuating enclosure. It is anticipated that the hours for operation of the dust collector will now be limited only to between 7:00 a.m. and 8:00 p.m. Monday through Friday, and between 9:00 a.m. and 5:00 p.m. on weekends and holidays. Based on the information presented in this report, application materials submitted and the site review, Staff recommends that the Planning Commission take no further action to revoke the conditional use permit, and consider the matter closed.

Travis Pelch, 5639 South Riley Lane, stated he had nothing to add to Mr. Halls presentation.

The meeting was opened for public comment.

Becky Hansen, 5676 South Magic Drive, thanked Mr. Pelch for the fence and sound attenuating wall he installed. Ms. Hansen added she had no idea she would love the fence so much and has not heard the noise from the dust collector and is happy. Ms. Hansen stated she is concerned about the landscaping and added she watched the way Mr. Pelch planted the trees, which was incorrect. Ms. Hansen feels the trees will live for only one year and then die.

Richard Hansen, 5676 South Magic Drive, stated he also wanted to thank Mr. Pelch for the fine, fine fence. Mr. Hansen stated he is in agreement with Ms. Hansen about the way the trees were planted.

The public comment portion was closed.

Mr. Pelch stated he was unaware the planting was incorrect as he followed the planting instructions. Mr. Pelch added he is willing to pull the trees out and remove the burlap to avoid the need to replant if they die.

Mr. Nay asked what the long-term maintenance is for these trees if they do indeed die. Mr. Hall stated the City is cognizant for the most part regarding landscaping, but are very much aware of the trees at this property. Mr. Hall added, recently a 7-11 in Murray removed some required trees and it was caught. The City made him put them back before we approved the renewal of his business license.

Ms. Patterson added she is so glad the neighbors are not being burdened with the loud noise and everything is going how we had hoped and planned.

Mr. Nay stated it did drag on and the Commission recognized the inconvenience to the neighbors and believed that Mr. Pelch had good intentions all along but it was not executed in a timely manner. Mr. Nay added he was glad the City took the time to allow everything to come to fruition and appreciated the patience and helpful feedback from the neighbors.

Ms. Milkavich added she agrees with her fellow commissioners.

Mr. Woodbury stated he was impressed when he read the sound report because it listed the decibels between 45 and 55 from 68.5. Mr. Woodbury added that it seems to be working well

because Ms. Hansen was unable to hear the dust collector running all this time.

Mr. Nay added that he believed Mr. Pelch will have a successful business, as all the people attested to in the previous meetings and thanked him for holding up his end of the bargain.

Ms. Wilson made a motion to take no further action to revoke the conditional use permit, and consider the matter closed.

Seconded by Mr. Nay.

Call vote recorded by Mr. Hall.

  A   Sue Wilson  
  A   Travis Nay  
  A   Ned Hacker  
  A   Lisa Milkavich  
  A   Maren Patterson  
  A   Scot Woodbury  
  A   Phil Markham

Motion passed 7-0.

#### OTHER BUSINESS

Mr. Markham opened the 2018 election's and asked for a motion to appoint a new Chair and Vice Chair to the Planning Commission.

Mr. Woodbury suggested Mr. Hacker, Ms. Milkavich and Ms. Wilson and Ms. Patterson.

Mr. Nay made a motion to nominate Ms. Patterson to Chair of the Planning Commission.

Mr. Woodbury seconded the motion.

Mr. Woodbury made a motion to nominate Ms. Milkavich to Vice Chair of the Planning Commission.

Ms. Wilson seconded the motion.

Ms. Milkavich asked if it is appropriate for her to serve as Chair as she is so new to the Committee. Mr. Nay answered, the duty of the Chair is to maintain the order and pace of the meeting. Mr. Woodbury added she does not have to give a soliloquy on every agenda item like previous Commissioners, just to run the meeting by making sure the public understand the rules, maintain the 3-minute speaking allowance, keeping the meeting running at an efficient pace, ask the applicant if they understand and can meet the conditions, and occasionally break a tie.

Ms. Patterson stated next year she will be the P.T.A. president and is concerned she will have evening commitments and feels there may be conflict between the two duties. Ms. Patterson added that she would feel more comfortable if they did not coincide and she could serve as a Planning Commission Chair or Vice-Chair in later years.

Mr. Nay withdrew his motion for Ms. Patterson as Chair. Mr. Markham recognized this

request.

Mr. Woodbury withdrew his motion for Ms. Milkavich as Vice Chair and made a new motion to nominate Ms. Milkavich as Chair. Ms. Milkavich stated she was not comfortable with being Chair but would be the Vice Chair. Mr. Woodbury withdrew his motion for Ms. Milkavich as Chair.

Mr. Woodbury made a motion to nominate Mr. Nay as Chair and Ms. Milkavich as Vice Chair.

Seconded by Ms. Patterson.

Call vote recorded by Mr. Hall.

  A   Scot Woodbury  
  A   Maren Patterson  
  A   Ned Hacker  
  A   Lisa Milkavich  
  A   Travis Nay  
  A   Sue Wilson  
  A   Phil Markham

Motion passed 7-0.

The meeting was adjourned at 6:59 p.m.

  
Jared Hall, Supervisor  
Community and Economic Development