

Minutes of the Planning Commission meeting held on Thursday, April 19, 2018, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Travis Nay, Chair
Phil Markham
Maren Patterson
Sue Wilson
Ned Hacker
Jared Hall, Community & Economic Development Supervisor
Jim McNulty, Development Services Manager
Briant Farnsworth, Deputy City Attorney
Citizens

Excused: Lisa Milkavich, Vice Chair
Scot Woodbury

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.

Travis Nay opened the meeting and welcomed those present. He reviewed the public meeting rules and procedures.

APPROVAL OF MINUTES

Mr. Markham made a motion to approve the minutes from the April 5, 2018 Planning Commission meeting. Seconded by Mr. Hacker.

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

CONFLICT OF INTEREST

There were no conflicts of interest.

APPROVAL OF FINDINGS OF FACT

Mr. Hacker made a motion to approve the Findings of Fact for On Track Music, Holystone Distillery, and Anthony Farley. Mr. Markham seconded the motion.

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

SPRING CREEK COVE – 5070 South 1100 East & 5091 South Wesley Road, Final Subdivision Review – 6 Lots - Project #17-148

Jeremy Peterson was present to represent this request. Jared Hall reviewed the location and request for final 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. Mr. Hall highlighted the changes that had been suggested since preliminary subdivision approval and stated the building placement plan has been added to the grading plan which will show the placement of home footprints in 3 of the 6 proposed lots, relocation of the gas line, adequate landscaping and, pavement added to the improvement plans for the proposed flag-lot. Mr. Hall addressed the previous concerns about the vacant home on the property and stated the home has been demolished and the site has been gated. Based on the information presented in this report, application materials submitted and the site review, staff recommends that the Planning Commission to forward final subdivision approval to the

Mayor for the proposed Spring Creek Cove Subdivision on the property addressed 5070 South 1100 East and 5091 South Wesley Road.

Jeremy Peterson, 4505 South Wasatch Blvd., Suite 130, Legacy Fields Development, stated he has reviewed the conditions and will be able to comply. Mr. Peterson added that both houses that were on the property have been demolished.

The public meeting was opened for public comment.

Sophia Palmer, 5019 Beaverbrook Lane, # 232, Three Fountains East, stated she is wondering if there will be a retaining wall installed along the adjoining property.

Lucy Batey, 5053 Wesley Road, stated she lives directly behind the property and wondered if the sewer, water, and, gas pipes will connect to Wesley Road, or connect through the trailer court. Ms. Batey stated she has additional concerns about the power connections because they have power outages often. Ms. Batey stated she believes that the requirements the City has required for this development have not been made public knowledge. Mr. Nay responded that the requirements are public information. He asked if she had questions about any of the requirements. Ms. Batey replied she does not know if she had any questions because she is unaware of the requirements. Mr. Nay directed Ms. Batey to the overhead screen and stated the conditions are currently listed on the screen for her to review.

Vern Staub, 5139 South Wesley Road, asked if the entrance off Wesley Road will be landscaped along both sides and what type of landscaping would be installed. Mr. Staub asked if landscaping is installed will the property owners be required to maintain it. Mr. Nay answered that is correct, the property owners will be required to maintain the landscaping. Mr. Staub asked if the future property owners will be allowed to park boats or RV's in the landscaping area. Mr. Nay answered no, that is not considered landscaping because that area would be located in the future front yards. Mr. Staub asked when the developer plans to start the street, curbs, and all of the improvements to the property.

Lucy Batey, 5053 Wesley Road, stated that the property is not fenced as it has been represented in tonight's meeting, instead it is an open field. Ms. Batey added they have had problems with a different nearby open field which took 3 years to get a chain link fence installed around it. Ms. Batey added if the development will take a while to complete, she would like a chain link fence installed around the property.

Vern Staub, 5139 South Wesley Road, asked if there was approval required by the Corps of Engineers. Mr. Nay answered yes, and it has been through that entire process with the Engineering Department.

The public comment portion was closed.

Mr. Hall addressed the public concerns and stated the water, sewer, gas, and underground power will all be served from Wesley Road. Mr. Hall added that the landscaping will be portions of the front yards and they won't be able to store a boat or keep garbage in this area. If a person were to have any of the dis-allowed storage the City could address it through Code Enforcement. Mr. Hall speculated that the future landscaping might be sod and trees.

Mr. Markham stated that he assumes that with the expected price of the lots, the property owners will appropriately landscape the yards. Mr. Hall stated that when he took the pictures

of the property a few weeks ago it had a fence around it and it appeared secure. Mr. Hall stated that the property will have 2 separate retaining walls and they will both have to obtain engineering permits. Mr. Hall demonstrated on a map the proposed location of the retaining walls and stated that the Three Fountains property will not be impacted by the walls.

Jeremy Peterson, 4505 South Wasatch Blvd, stated he met with Rocky Mountain Power and they indicated that the power comes up on both ends and stops in this neighborhood and, that is what caused the power outages in this area. The new design of the power system in the area will be buried, then trail around the cul-de-sac and, connect back up at the other end. This will make it easier to maintain the power grid. Mr. Peterson clarified that the chain link fence that Mr. Hall took pictures of was removed when the construction crew finished the demo work and added they will be happy to put the fence back up. Mr. Peterson stated they plan to start work in mid-summer.

Ms. Patterson made a motion to forward a recommendation of final subdivision approval to the Mayor for the proposed Spring Creek Cove Subdivision on the property 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.
 - b. The subdivision must provide standard PUEs on all lots.
 - c. The applicant must obtain any and all required County, State or Federal permits for encroachments into Spring Creek;
 - d. The Spring Creek channel needs to be cleaned, dredged and improved to convey 10-year storm flow without flooding the subdivision and neighboring properties;
 - e. The applicant shall provide a drainage and maintenance easement along Spring Creek;
 - f. The applicant shall provide an updated geotechnical study 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 un-retained cut and fill slopes steeper than 2 ½ horizontal to 1 vertical;
 - g. The applicant shall obtain irrigation company approval to pipe the existing irrigation channel through the development;
 - h. The applicant shall obtain sewer and water service approvals from Cottonwood Improvement District and the Jordan Valley Water Conservancy District;
 - i. The applicant shall verify that Salt Lake City Public Utilities is not a taxing district/entity on the property;
 - j. The applicant shall obtain review and approval for any existing on-site utility relocations including gas and power lines;
 - k. The applicant shall obtain city building permits for any retaining walls over 4' in height

and for all major fill placement;

- I. The applicant shall 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;
 - m. The applicant shall obtain a Murray City Excavation Permit for work with City roadways.
 - n. The applicant shall restore Wesley Road to new condition following construction of subdivision improvements.
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 building permit application.
 3. Separate building permits shall be obtained for each of the retaining walls. Engineering for the walls must be provided at the time of building permit application.
 4. Street lights installed in the subdivision shall be approved by Murray City Power.
 5. All 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.
 6. The proposed flag lot shall comply with the flag lot standards outlined in Subsection 17.76.140 of the Murray City Land Use Ordinance.
 7. The applicant shall complete the piping of the irrigation ditch according to the agreement reached with the Tanner Ditch Company.

Seconded by Ms. Wilson.

Call vote recorded by Mr. Hall.

 A Maren Patterson
 A Sue Wilson
 A Phil Markham
 A Travis Nay
 A Ned Hacker

Motion passed 5-0.

BRIGHTON DEVELOPMENT UTAH LLC – 4878 South Murray Blvd.- Project #18-34

Shawn Poor was the applicant present to represent this request. Jared Hall reviewed the location and request for approval of a Zone Map Amendment from C-D (Commercial Development), to R-M-15, Multi-Family Residential for the property located at 4878 South Murray Boulevard. Mr. Hall stated the proposed rezone area includes 3.31 acres of property which is currently vacant. Mr. Hall explained when an application for rezone is submitted, Staff will reference the Future Land Use Map to verify if the zone is supported. The proposed rezone for this property is supported by the surrounding properties and the Future Land Use Map. Mr. Hall added that that the City has asked that any future development of this property

should include a trail easement and the construction of a portion of the trail which will complete the trail toward Little Cotton Wood Creek. 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 to the City Council for the requested Zone Map Amendment for the property located at 4878 South Murray Boulevard from C-D to R-M-15.

Ms. Wilson asked how wide the proposed trail easement next to the creek would be. Mr. Hall answered the City would ask for a 20-foot-wide easement because the County Flood Control requires a 20' easement adjacent to the creek. A multi-purpose trail would not violate the proposed easement and would be linked in the future to the development agreement for the property.

Mr. Nay asked if this area is still in UTA's plans for a mass transit bus route. Mr. Hall stated he believes it is, but Mr. McNulty could speak more on this topic. Mr. McNulty stated yes, the route will run on Murray Blvd. and they are looking for a stop to be positioned closer to the AISU school on the other side of the road. The bus stop will be considered part of the branded Mid-Valley BRT. Mr. Nay asked, in theory, if this property would be within 1,000 feet of a bus stop. Mr. McNulty answered yes, and estimated within 500-600 feet of a bus stop.

Mr. Hacker stated he is concerned that the Jordan River Parkway is getting chipped away and encourages every opportunity to preserve the land around the river and asked what steps Murray City might take to ensure this property is kept with the Jordan River Parkway. Mr. Hall stated he is aware that the Parks Department had some interest in keeping it with the river in the past, but the challenge in this case is that this particular piece of property has been zoned C-D for a long time and is not on the City's list of properties to try to obtain. There was a recent failed attempt to swap properties that could have put this land into the Jordan River Parkway. Mr. McNulty added that the City's emphasis for property purchasing has been focused on the MCCD area for the new City Center. The City has purchased 9 properties thus far and we have about 3 more that we are trying to purchase. Mr. McNulty indicated he was unsure if this property is on the radar for purchase or if we even have the ability to purchase it at this time.

Shawn Poor, 215 North Redwood Road, Ste. 8, North Salt Lake, stated he has reviewed the conditions and will be able to comply. Mr. Poor stated he believes this use will fit in well with the surrounding properties. Mr. Poor stated they believe adding the trail would enhance this type of development and hopefully in the future the trail will continue through.

The public meeting was opened for public comment.

Peggy Call, 5007 South Riverside Drive, stated she is representing the Aberdeen H.O.A. that is located less than one block away from this site and stated they don't have enough parking for their own residents and that the Hunters Woods Apartment parking overflows onto the Aberdeen property. Ms. Call also had concerns about the future proposed density that may go in and if it will create additional parking issues for the Aberdeen property.

Kari Smeltzer, 539 West Riverside Drive, stated she also has concerns with parking, people driving above the speed limit on Murray Blvd., traffic from AISU School, and, the safety of the children. Ms. Smeltzer suggested a traffic study be performed and the sidewalks be raised. Ms. Smeltzer also commented that she would prefer R-10, less density, less homes, and, more open space and encouraged the City to purchase the property.

The public comment portion was closed.

Mr. Hall stated that any development would have to abide by the Multi-Family Development standards in the R-M-15 zone, and explained that parking requirements are 2.5 parking spaces per unit. The R-M-15 zoning supports 12 units to the acre. The first benefit of the R-M-15 that you don't get with single-family lots is more visible open space, and more accessibility to the general public than when it is contained in a private yard of a home. The second benefit you get is that the City has a shortage of moderate income housing. Mr. Hall stated that you won't see stacking up of units here, it will be side by side, single-family town homes.

Mr. Markham stated he agrees with Mr. Hacker about encouraging every opportunity to preserve the land around the river, but that opportunity passed. Mr. Markham added that he appreciates the leadership this City had back 30 years ago when the Jordan River Parkway was just being developed and the acquisition of properties from Winchester Street all the way up to this point that has enabled us to have what is truly the crown jewel in the Jordan River Parkway system.

Mr. Hacker asked what the residents might expect from 12 units per acre. Mr. Hall replied this property is just over 3 acres and with the addition of the amenity, the PUD, and, room for a road they could expect about 30 units. Mr. Hall stated that Murray is very circumspect about the re-zoning of properties, in that we do not base the rezone approval on a proposed development, but on what could be allowed to happen with the property in this proposed zone. Mr. McNulty added he calculated the number of units and stated he also believes they will have 25 to 30 units maximum.

Ms. Wilson asked what the allowed height of any potential units is. Mr. Hall answered that the maximum allowed height is up to 40 feet, but the average is 35 feet if they build 3 stories.

Mr. McNulty asked if the units will have garages for each unit. Mr. Peterson answered yes, each unit will have a 2-car garage.

Ms. Patterson commented that the property is changing from a C-D zone to a R-M-15 zone and believes the R-M-15 zone is better than C-D because it fits better into this area. Also, the C-D zone has the potential to be developed into almost any use and could encroach upon the Parkway even more than the R-M-15. The residential development has requirements for an open space amenity near the Parkway, but a C-D development may not. Ms. Patterson stated she feels very comfortable with the R-M-15.

Ms. Patterson made a motion that the Planning Commission forward a recommendation of approval to the City Council for the requested Zone Map Amendment for the property located at 4878 South Murray Boulevard from C-D to R-M-15.

Seconded by Mr. Markham.

Call vote recorded by Mr. Hall.

 A Maren Patterson
 A Phil Markham
 A Sue Wilson

A Travis Nay
 A Ned Hacker

Motion passed 5-0.

OTHER BUSINESS

Mr. McNulty stated that on April 17, 2018 the City Council adopted the Business Park and Profession Office Zones that the Planning Commission approved. Mr. McNulty added that Jared Hall and legal staff had an opportunity during the Committee of the Whole meeting to bring the City Council up to speed on the Small Cell ordinance proposal and it is scheduled for a Public Hearing on May 1, 2018.

Mr. McNulty added the next Planning Commission meeting is scheduled on May 3, 2018.

Mr. Markham asked what the small-scale development in the front parking lot of Planet Fitness is. Mr. Hall answered that Plant Fitness and Goodwill are tenants of the building. The owner of the properties are now also the owner of the Burlington Coat Factory property and they are consolidating one of the UDOT accesses. They have been working with UDOT to do this. The change would allow them more space to develop a small 2000 sq. foot spec building in the parking lot.

Mr. Nay stated that the horizontal mixed-use by the Hospital didn't quite shape up the way he remembered it coming to the Planning Commission, specifically the building on the south-east corner. Mr. Hall stated that would be the EMI Building, which is now proposed to be just an office building. The original proposal was for a horizontal mixed-use development there, but the applicant would not commit to owning the properties all together or to entering into a development agreement that would control how it was developed and the property was sold to EMI Health. EMI Health constructed an office building, which the Planning Commission did not see because it is a permitted use. EMI also owns the property to the east and will build a duplicate building of the proposed office building there. Mr. McNulty speculated that we may see some class A office space come out of these developments.

Mr. Markham asked how the plans for the new City Hall are coming along. Mr. McNulty stated that he and Tim Tingey have been working on some concept designs and will follow up with the Planning Commission in the future.

The meeting was adjourned at 7:19 p.m.



Jared Hall, Supervisor
Community and Economic Development