

Minutes of the Planning Commission meeting held on Thursday, July 5, 2018, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Travis Nay, Chair
Lisa Milkavich, Vice Chair
Maren Patterson
Phil Markham
Sue Wilson
Jared Hall, Community & Economic Development Supervisor
Zac Smallwood, Associate Planner
Briant Farnsworth, Deputy City Attorney
Citizens

Excused: Scot Woodbury
Ned Hacker

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

Ms. Milkavich made a motion to continue the minutes from the June 21, 2018 Planning Commission meeting with the suggested changes to page 5 as discussed in the pre-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 continue the Findings of Fact for the Stillwater Apartments monument sign with the suggested changes as discussed in the pre-meeting. Ms. Milkavich seconded the motion.

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

LEIANN BATHEMESS & NICHOLAS BATHEMESS – 1175 East 6600 South - Project #18-70

Leiann Bathemess was present to represent this request. Jared Hall reviewed the location and request for a Conditional Use Permit to allow for an Accessory Dwelling Unit to be located on the property addressed 1175 East 6600 South, located in the R-1-8 Zone. Mr. Hall stated that the property has an existing home and proposed new 961 sq. ft. addition that will host the ADU. There is a carport that will be used for the accessory dwelling parking and a garage that will be used for main dwelling parking. Mr. Hall noted that the original site plan showed three additional parking stalls on the west side of the driveway which are being removed from the site plan and will not be installed. The applicants currently have a building permit application with our Building Division and they are working through that approval process. The ADU will be a single bedroom unit and will have connectivity to the main level

similar business use on this lot. Ms. Patterson asked if the property owner would be allowed to use the area for storage if she went through the process of getting the proper licensing and meet city standards. Mr. Smallwood confirmed in the affirmative.

Mr. Nay asked if there is storage anywhere else on the property other than the area labeled as dirt on the site plan. Mr. Smallwood answered that the property owner does have more storage on the property other than that area. Mr. Nay asked if the storage of vehicles requires a business license would they need to screen just the frontage area or would the storage areas need to be internally screened from the car sales business as well. Mr. Smallwood answered they would only need to screen from the street and believes there is already a fence that screens each use from one another.

Mr. Nay asked if they were to pave the area labeled as "dirt" on the site plan would they then have enough parking spots to meet the minimum 15 required parking stalls to operate this business. Mr. Smallwood answered yes, they do need additional stalls to be approved.

Ms. Patterson reminded the applicant that he needs to work with the property owner to become compliant with the conditions.

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

Mr. Markham emphasized to the applicant and property owner that the conditions of approval are requirements and not recommendations which must be met before conducting proposed business at this site.

Mr. Markham made a motion to approve the Conditional Use Permit to allow an auto sales business at the property addressed 4534 South Commerce Drive, subject to the proposed conditions with the addition of condition # 9:

1. The project shall comply with all applicable building and fire code standards.
2. The applicant shall work with Community Development staff to develop and implement a landscaping plan for the frontage on Commerce Drive to meet the requirements of Section 17.78 of the Land Use Ordinance, including the installation of a minimum of, three (3) five-gallon shrubs and six (6) one-gallon shrubs.
3. The hours of operation are established as outlined in the staff report, Monday thru Friday 9:00 am to 7:00 pm, and Saturday 9:00 a.m. to 5:00 p.m.
4. The applicant shall work with the property owner to provide and implement a plan to pave the existing storage areas in compliance with previously approved drainage plans prior to opening the business.
5. The applicant shall provide nine (9) additional paved and striped stalls to meet the parking requirements, including one (1) van accessible ADA compliant, prior to opening the business.
6. The property owner shall remove disabled and inoperable vehicles from the site prior to opening the business.

7. The applicant shall obtain separate permits for any new attached or detached signs proposed for the business.
8. The applicant shall obtain a Murray City Business License and pay applicable fees prior to commencing operations at the facility.
9. No outside repair or maintenance work may be performed at this location.

Seconded by Mr. Patterson.

Call vote recorded by Mr. Hall.

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

Motion passed 5-0.

CAR PRICE CORP – 4670 South Cherry Street - Project #18-75

Oleg Eidelman was present to represent this request. Zac Smallwood reviewed the location and request for a Conditional Use Permit to allow a vehicle sales business on the property addressed 4670 South Cherry Street, located in the M-G Zone. Mr. Smallwood stated the property has a small building that will be used for the auto sales and light repairs. The parking area that will be used to display the vehicles for sale is paved and will have approximately 8-10 cars on site. The property has approximately 30 feet of frontage along Cherry Street without a driveway. Staff recommends that additional landscaping be installed. 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 auto sales subject to conditions.

Ms. Patterson recommend that a condition be added to require the dumpster to be screen. Mr. Smallwood agreed.

Oleg Eidelman, 4670 South Cherry Street, stated he has reviewed the conditions including the added condition and will be able to comply.

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

Ms. Patterson made a motion to approve a Conditional Use Permit to allow an auto sales business at the property addressed 4670 South Cherry Street, subject to the following conditions with the addition of condition # 8:

1. The project shall comply with all applicable building and fire code standards.
2. The applicant shall obtain Murray City building permits for any remodeling, including a change of use analysis and adhere to all recommendations of the analysis.

3. The applicant shall work with Community Development staff to develop and implement a landscaping plan for the frontage on Cherry Street to meet the requirements of Section 17.78 of the Land Use Ordinance, including the installation of one (1) tree, two (2) five-gallon shrubs and three (3) one-gallon shrubs to come into compliance.
4. The hours of operation are established as outlined in the staff report, Monday thru Friday 10:00 am to 6:00 pm, or by appointment after hours.
5. The applicant must provide three (3) parking stalls for customer and employees. One (1) of the provided stalls must be ADA Van Accessible.
6. The applicant shall obtain permits for any new attached or detached signs proposed for the business.
7. The applicants shall obtain a Murray City Business License and pay applicable fees prior to commencing operations at the facility.
8. The exterior trash container shall be enclosed within solid barrier enclosures with gates to comply with Code Section 17.76.170

Seconded by Mr. Markham.

Call vote recorded by Mr. Hall.

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

Motion passed 5-0.

SECURED AUTO GROUP – 4339 South State Street - Project #18-77

Brandon Lundeen was present to represent this request. Zac Smallwood reviewed the location and request for a Conditional Use Permit to allow for redevelopment of the proposed site and construction of a new building for vehicle sales on the property addressed 4339 South State Street, located in the C-D Zone. Mr. Smallwood stated the site has been previously used for auto sales by the applicant. Currently, the business operates from a mobile office unit on the site and proposes to build a permanent structure. The proposed structure will include 4 sales offices, a 3,348-square foot showroom, a 135-square foot customer waiting area, a 4,050-square foot service area with 5 bays to perform routine maintenance on their vehicles. Mr. Smallwood added that the City Engineer has requested the current curb cut onto State Street be removed and replaced by curb and gutter. Access will be provided from shared accesses on the north and south sides of the property. The site plan provided by the applicant shows landscaping will meet standards. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval for a Conditional Use Permit to allow for redevelopment of the proposed site and construction of a new building for vehicle sales subject to conditions.

Mr. Nay asked if U.D.O.T is alright with replacing the access onto State Street. Mr. Smallwood stated that U.D.O.T. will be consulted for approval during the building permit

process.

Brandon Lundeen, representing the Secured Auto Group, 4339 South State, stated he has reviewed the conditions and will be able to comply. Mr. Lundeen added that they had previously been approved by the Planning Commission for this same proposal but they were not ready until now to start the redevelopment and the Conditional Use Permit had expired.

Mr. Markham stated that the proposed redevelopment of this property has the potential to be fairly costly and he was impressed that Secured Auto Group is willing to comply with the conditions of approval and update the area. Mr. Nay agreed and was glad to see a great update to the entrance of our City.

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

Mr. Markham made a motion to approve a Conditional Use Permit to allow for redevelopment of their site and construction of a new building for Vehicle sales on the property addressed 4339 South State Street, subject to the following conditions:

1. The project shall comply with all applicable building and fire code standards.
2. The applicant shall obtain Murray City building permits prior to any new construction, including a change of use analysis and adhere to all recommendations of the analysis.
3. The project shall meet City drainage standards, on site detention/retention is required.
4. The project shall provide a water quality treatment for storm water discharge and obtain a written approval/easement for storm drain connection on Kwal-Sherwin-Williams property.
5. The applicant shall remove the unused State Street curb cut, and replace sidewalk through the access, and replace any damaged sidewalk along State Street frontage.
6. The applicant shall obtain all required State and City permits for work in State Street right-of-way.
7. The applicant shall develop a site storm water pollution prevention plan (SWPPP) and obtain a City Land Disturbance Permit prior to beginning construction.
8. No parking shall be allowed within the shared access easements.
9. The applicant shall submit and implement a landscaping plan consistent with the requirements of Section 17.68 of the Murray City Land Use Ordinance
10. The hours of operation are established as outlined in the staff report, Monday thru Friday 9:00 am to 7:00 pm and Saturday 9:00 a.m. to 6:00 p.m.
11. The applicant shall obtain separate permits for any new attached or detached signs proposed for the business.
12. The applicants shall obtain a Murray City Business License and pay all applicable fees

prior to commencing operations at the facility.

Seconded by Ms. Milkavich

Call vote recorded by Mr. Hall.

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

Motion passed 5-0.

IVORY DEVELOPMENT – 1177 West Bullion Street – Project #18-78

Bryan Prince was present to represent this request. Jared Hall reviewed the location and request for a Zoning Map Amendment for a 1.09-acre portion of the subject property from A-1 Agriculture to R-1-10 Single-Family Residential on property located at 1177 West Bullion Street. Mr. Hall stated that a portion of the property owned by Salt Lake Fish & Wildlife is currently zoned A-1 and it will be rezoned to R-1-10 and be added to the subdivision at Murray Cove which will allow them to create lots on both side on Murray Hollow Lane. The addition would allow Ivory to build a nicely updated entrance to their subdivision. Mr. Hall continued that a portion of the Ivory property would be transferred to Salt Lake Fish & Wildlife to complete the land swap. The proposed land swap would result in the addition of 1, 2 or 3 additional lots for Ivory Homes. The land that is transferred to Salt Lake Fish & Wildlife would give them better access to the river bank and help with their stewardship of the land. 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 request to amend the Zoning Map from A-1 to R-1-10 for the 1.09 acres subject to conditions.

Mr. Nay asked if the additional land added to the entrance of the Ivory Property would change any of the requirements. Mr. Hall replied that it would require them to extend the length of fencing along Bullion Street, but not much else.

Mr. Markham asked how deep the added property is. Mr. Hall answered that it is an additional 40 feet.

Bryan Prince, 978 East Wood Oak Lane, stated Ivory has been trying for quite some time to work out the land swap because they wanted to have a nice entrance into the community. Mr. Prince added that this project has turned out to be a very popular project and they will build some very nice homes. The land swap will allow Ivory to have a traditional two-sided lane at the primary entrance off of Bullion. Mr. Prince clarified that the lot located along Bullion Street will be required to face in toward Murray Hollow Lane and a masonry wall will be built along Bullion. Mr. Nay asked if they plan on any fencing along the area where they are swapping with the Fish and Game. Mr. Prince answered that Ivory has made a commitment to install a privacy fence along the backs of the newly required lots. We will work with City Staff to determine the type of fencing that will be installed to avoid an awkward look on the right-of-way. Mr. Hall added that they have started to look at what will be the best option, but a final decision will be made in the future when it is determined what look will be most appropriate for that right-of-way area. Mr. Prince noted that he proposed a park strip instead of a

sidewalk but they will commit to adding trees no matter which way they go. Mr. prince sated that he felt the Fish and Game will not stay here long term and when they leave they want the park strip area to flow well into whatever is developed on that property next to them. Mr. Nay asked who will maintain the park-strip area. Mr. Prince answered that there is an HOA that will do that.

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

Ms. Wilson made a motion that the Planning Commission forward a recommendation of approval to the City Council for the request to amend the Zoning Map from A-1 to R-1-10 for the 1.09 acres of property as indicated in the report, the attached exhibits and legal descriptions, located at 1177 West Bullion Street.

Seconded by Ms. Milkavich.

Call vote recorded by Mr. Hall.

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

Motion passed 5-0.

IVORY DEVELOPMENT – 5832 South Murray Parkway Avenue – Project #18-78

Bryan Prince was present to represent this request. Jared Hall reviewed the location and request for a Zoning Map Amendment for a .40-acre portion of the subject property from A-1 Agriculture to R-1-8 Single-Family Residential. The proposed rezone is for a .40-acre portion of a parcel owned by Murray City. Mr. Hall stated that city parcel is isolated and unused, and if the rezoning is approved, that portion will be added to Phase 4 of the Murray Cove Subdivision. Ivory is willing to help the city to get a pedestrian bridge installed across the Jordan River in exchange for that portion of land. The city is excited about the prospect of connecting this area to the Jordan River Parkway and the future developments that may come from this proposal. 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 request to amend the Zoning Map from A-1 to R-1-8 for the .40 acres of property as indicated in this report, the attached exhibits and legal descriptions attached, located at 5832 South Murray Parkway Avenue.

Ms. Patterson asked if the proposed lots will be 8,000 square feet or 10,000 square feet. Mr. Hall answered they will be 10,000 square foot lots because it was determined that the larger lots are easier to accommodate the home sizes and buyer needs.

Mr. Nay asked if there any plans for the remaining city property that is not included in the zone change behind the Ivory Subdivision. Mr. Hall stated that it may be public open space, become part of the lots or it may become part of the bridge. It will be determined in the future when a we receive a plat for the area. There will not be any new lots added to phase 4 as a result of this proposal, it will just make some of the lots larger. Ms. Milkavich asked who will

maintain the land around the bridge. Mr. Hall answered that the bridge will belong to Murray, but he is unaware of any specifics as he has not been involved with that portion of the planning. Ms. Milkavich asked if the Parks Department will have enough funds and people to be able to maintain the area.

Bryan Prince, 978 East Woodoak Lane, stated he has reviewed the conditions and will be able to comply. Mr. Prince clarified that originally, phase 3 was not rezoned, the original separation of the R-1-8 and R-1-10 boards were always maintained. The phase 3 plat was resubmitted with 8 fewer lots because we made the remaining lots larger. Mr. Prince stated that there will be a parcel between the Ivory subdivision and the bridge that will be 20-foot wide and dedicated to Murray City. There will also be a 10 to 12-foot asphalt trail that will run up to the bridge. The bridge will be 10 feet wide and made of steel with a wooden deck. Mr. Prince commented that the City Council already approved the trade and the specs on the bridge.

Mr. Markham stated that this proposal is a win-win because it will incorporate the useless, landlocked property into the subdivision and benefit the city overall. Ms. Milkavich agreed and added that it has been a pleasure working with a developer who takes the community into consideration and how their developments interact with them.

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

Ms. Patterson made a motion that the Planning Commission forward a recommendation of approval to the City Council for the request to amend the Zoning Map from A-1 to R-1-8 for the .40 acres of property as indicated in this report, attached exhibits and legal descriptions attached, located at 5832 South Murray Parkway Avenue.

Seconded by Mr. Markham.

Call vote recorded by Mr. Hall.

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

Motion passed 5-0.

OTHER BUSINESS

Jared Hall reminded the Planning Commission that the next meeting is scheduled for July 19, 2018 and if any of the Commissioners will not be able to attend to update the Planning and Zoning Staff. There will also be a P.C. training forum on August 22, 2018. There is a Boards and Commissions dinner on August 1, 2018.

The meeting was adjourned at 7:17 p.m.



Jared Hall, Supervisor
Community and Economic Development