

Minutes of the Planning Commission meeting held on Thursday, November 15, 2018, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Lisa Milkavich, Vice Chair
Phil Markham
Maren Patterson
Sue Wilson
Ned Hacker
Jared Hall, Community & Economic Development Supervisor
Zac Smallwood, Associate Planner
Jim McNulty, Development Services manager
Mark Boren, Assistant Planner
Briant Farnsworth, Deputy City Attorney
Citizens

Excused: Travis Nay, 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.

Lisa Milkavich opened the meeting and welcomed those present. She reviewed the public meeting rules and procedures.

APPROVAL OF MINUTES

Mr. Hacker made a motion to approve the minutes from the November 1, 2018 Planning Commission meeting. Seconded by Mr. Markham.

A voice vote was made, motion passed 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 Koi Dragon Tattoo, AFG Auto Sales, Real Shed, Daniel and Nicolea Jones, Salt Lake Auto Sales and Mountain Auto Sales. Ms. Patterson seconded the motion.

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

STELLAR SENIOR LIVING –666 West 5300 South - Project #18-151

Adam Benton was present to represent this request. Jared Hall reviewed the location and request for a Conditional Use Permit to allow the construction of a new Assisted Living Facility on the property located at 666 West 5300 South. The property is located within the C-N zone. Mr. Hall stated the applicants propose to develop approximately 4.5 acres of the 5.68-acre site for an Assisted Living Facility. The applicants plan to subdivide the 1.2 acres immediately adjacent to 5300 South which they do not plan to utilize for the proposed Assisted Living Facility. A potential request to rezone this property for a future commercial development is pending. There is an assisted living facility to the west of this proposed site, adjacent to residential and commercial zones as well. The proposed building will be two stories and would

have 139 beds. The entrances are planned from Allendale Drive and from an easement through the Assisted Living Complex to the west for access to the rear of the building. The west access would be used for deliveries and access for employee parking. Visitors would come through the front of the building. An assisted living facility of this size requires 43 stalls. The Site Plan provides 73 parking stalls, including the ADA accessible stalls. Multiple accesses to the front of the building at each end and the center of the parking lot will help to spread out the impact of traffic generated by drop of and pick up. The proposed plan will meet landscaping requirements once a few minor modifications are made. Building materials used in the elevations will be include hardie-board, brick, stone veneer, exposed timber, trellises and glass. Some conditions of approval include the narrowing of the drive accesses and full Fire Department access around the facility. Based on the analysis of the submitted materials and Land Use Ordinance standards, Staff has determined that the proposed Assisted Living Facility is consistent with requirements of the C-N zone and recommends that the Planning Commission approve a Conditional Use Permit subject to the conditions as outlined in the Staff Report.

Adam Benton, 4525 S Wasatch Blvd, stated he has read the conditions and will be able to comply. Mr. Benton stated the facility to the west is a convalescent center. He felt that the facility will work with the proposed assisted living center to provide living accommodations of up to two and a half years.

Mr. Hacker asked if sidewalk exists along 600 West. Mr. Benton stated that there is sidewalk on some parts of Allendale Drive already, and they will extend their portion to connect both north and south.

Ms. Wilson asked to have clarification on how many beds. Mr. Benton replied it was 139 beds.

The meeting was opened for public comment.

Clint Gather, 5341 Allendale Drive, stated he lives adjacent to the subject property and had concerns about traffic, parking and construction parking. Mr. Gather asked where the access for support vehicles will be and wondered if the 6" water main was adequate. Mr. Gather suggested that construction be confined to the site itself and asked for assurance that his water service not be impacted.

Heather Maarse, 5317 Allendale Drive, stated she lives directly across from the main entrance of the building and she is concerned about privacy. Ms. Maarse stated she was fine with the building being built and asked if the center of the building could have some type of privacy screen for her and her family.

Richard Smart, 578 Wirthlin Drive, asked what the difference is between a Conditional Use Permit (CUP) and a Zone Change Request. Mr. Smart also asked what type of recording is happening at the rear of the room and where is it being broadcast. Ms. Milkavich stated the recording is live and is being broadcast onto the Murray City Website via the internet. All the meetings are recorded for documentation.

The public comment portion for this agenda item was closed.

Mr. Hall explained the difference between a CUP and a Zone Change and stated that in every zone there are Permitted Uses and Conditional Uses. A permitted is one that would be allowed without extra conditions, or without a review by the Planning Commission. A

Conditional Use may be allowed, but requires a review by the Planning Commission to determine if a proposed project will need conditions imposed to help mitigate impacts to surrounding properties and ensure public health, safety and welfare. Mr. Hall clarified that access for service vehicles is designed to be provided from the west, through the convalescent center. The acreage of the property that will be developed is adjacent to Allendale Drive, so construction access could be easily be staged from 5300 South and not impact Allendale. Mr. Hall clarified that the waterline in Allendale is only a 6" line and the Murray City Water Department is concerned that the waterline won't support the new development. The applicant will be required to bring water from 700 West or from 5300 South to the new facility as stated in condition #7. Mr. McNulty explained that the developer and/or contractor of this project will be required to meet with various city departments to review all aspects of access, utility improvements, hours of operation, fencing, and dust mitigation during construction. They are required to submit building permit plans and applications which can take months to review before they are allowed to start construction. As a City we are pretty active in this process and could even shut the project down if they don't follow the rules. Mr. Hall indicated that the closest point of the proposed building to any home measures 146 feet, and the distance to the front entrance Ms. Maarse was concerned about was even greater. Within that distance there will be a porte-cochère, two landscaping sections with trees, and park strips with trees as well. Staff feels that the separation to the residential homes is significant. All lighting would be shielded down.

Ms. Patterson made a motion to approve a Conditional Use Permit to allow an Assisted Living Facility at the property addressed 666 West 5300 South, subject to the following conditions:

1. The applicant shall comply with all conditions of the City Engineer, including the following:
 - a. The project shall meet City storm drainage requirements, providing for on-site detention/retention, the use of Low Impact Development (LID) practices where applicable, and avoiding directing any storm water run-off towards adjacent properties.
 - b. The applicant shall install curb and gutter and sidewalk along the Allendale Drive (600 West) property frontage, including a catch basin and connection to City storm drain.
 - c. The applicant shall consolidate the centrally located accesses on Allendale Drive into a single access or narrow the centrally located accesses and designate them as a one-way design to be approved by the City Engineer.
 - d. The applicant shall obtain a UDOT access review and permit for any proposed access to 5300 South.
 - e. The applicant shall develop a site Storm Water Pollution Prevention Plan and obtain a Land Disturbance Permit prior to beginning any site work.
 - f. The applicant shall obtain a City Excavation Permit for work in the City right-of-way.
2. The applicant shall provide complete plans, calculations and soils reports for building permit submittals.
3. The project shall meet all applicable building and fire codes.
4. The building must be fire sprinkled with full alarm systems.

5. The project must provide sufficient numbers of fire hydrants and demonstrate adequate fire flow.
6. Full access of a minimum of 20' around the entire building or full turnarounds to accommodate Fire Department and Emergency Service Vehicles is required for all private drives within the project.
7. The applicant shall assure that the project meets all specifications of the Water & Sewer Division and provide water connections to 700 West or 5300 South.
8. The project shall meet all requirements of the Murray City Power Department.
9. The applicant shall work with Community Development Staff to develop a Pedestrian Access Plan for the site to be reviewed and approved by staff.
10. The applicant shall prepare and submit a landscape plan meeting the requirements of Section 17.68 of the Murray Land Use Ordinance, prepared and stamped by a licensed Utah Landscape Architect.
11. The project shall be developed with building elevations as per this Conditional Use Permit approval.
12. Materials and building coloration shall be as per this Conditional Use Permit approval.
13. The building must comply with the height requirements as contained in Section 17.156.060 of the Murray City Land Use Ordinance.

Seconded by Ms. Wilson.

Call vote recorded by Mr. Smallwood.

 A Maren Patterson
 A Sue Wilson
 A Ned Hacker
 A Phil Markham
 A Lisa Milkavich

Motion passed 5-0.

GEORGIA AUTO SALES – 4695 South 500 West, Unit # 56 - Project #18-154

The applicant was not present to represent this request. Zac Smallwood reviewed the location and request for a Conditional Use Permit to allow an Auto Sales business on the property addressed 4695 South 500 West, Unit #56. The property is located within the M-G zone. Mr. Smallwood stated that the proposed auto sales business will operate in a 900 sq. ft. unit with 2 parking stalls. The parking will need to have an ADA parking stall added in the location Staff has identified in the Staff report. Based on the analysis of the submitted materials and Land Use Ordinance standards, Staff has determined that the proposed auto sales business is consistent with requirements of the M-G zone and recommends that the Planning Commission approve a Conditional Use Permit subject to the conditions as outlined in the Staff Report.

The applicant was not present to represent this request.

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

Mr. Hacker made a motion to approve a Conditional Use Permit to allow the proposed auto sales business at the property addressed 4651 South 500 West, unit #56 subject to the following conditions:

1. The project shall meet all applicable building code standards.
2. The project shall meet all current fire codes.
3. The property owner shall stripe the parking area with a minimum of two (2) parking spaces, including one (1) ADA compliant van accessible space.
4. The applicant shall only store for sale vehicles within the subject unit. No outside sales allowed.
5. The applicant shall obtain Murray City Building Permits for any work necessary on the property.
6. The applicant shall obtain a Murray City Business License before commencing sales at this location.

Seconded by Mr. Markham.

Call vote recorded by Mr. Hall.

 A Ned Hacker
 A Phil Markham
 A Maren Patterson
 A Sue Wilson
 A Lisa Milkavich

Motion passed 5-0.

HILLCREST JUNIOR HIGH SEMINARY – 315 East Hillside Drive- Project #18-155

Mike Davey and Tina Franko were present to represent this request. Zac Smallwood reviewed the location and request for a Conditional Use Permit to allow for a seminary building to be located on the property addressed 315 East Hillside Drive. The property is located within the R-1-8 zone. Mr. Smallwood stated that the proposed seminary building will be relocated from State Street onto Hillside Drive directly adjacent to the Junior High School. The new facility is small and will be comprised of one classroom, restroom and office area. Currently, there is a home on the lot that will be demolished. Staff will work with the applicant to decide where the required additional shrubs will be located to meet City landscaping regulations. The exterior of the building will include a traditional red brick. Mr. Smallwood described a site visit where he observed an average of 5 vehicles at any one time park on Hillside drive during approximately 30 minutes as the school day was ending. Based on the

analysis of the submitted materials and Land Use Ordinance standards, Staff has determined that the proposed seminary building is consistent with requirements of the R-1-8 zone and recommends that the Planning Commission approve a Conditional Use Permit subject to the conditions as outlined in the Staff Report.

Mike Davey, 65 East Wadsworth Park Drive, Draper, stated he has read the conditions and will be able to comply. Tina Franko, 9450 South Redwood Road, South Jordan, was also present to represent this request.

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

Ms. Patterson made a motion to approve a Conditional Use Permit to allow for a seminary building at the property addressed 315 East Hillside Drive, subject to the following conditions:

1. The project shall comply with the following Murray City Engineering requirements:
 - a) Meet City storm drainage requirements, on-site detention/retention is required. Implement Low Impact Development (LID) practices where applicable and avoid directing any storm water run-off towards adjacent properties.
 - b) Repair any damaged curb and gutter and sidewalk along Hillside property frontage.
 - c) Obtain a City Excavation Permit for work in the City right-of-way.
2. The project shall meet all requirements of the Murray Power Department.
3. The project shall meet all requirements of the Murray City Water and Sewer Division.
4. The applicant shall work with the Murray City Water and Sewer Division to develop a plan to install a replacement to the three-quarter inch (3/4") pipe that is currently serving the subject property.
5. The project shall meet all applicable Building and Fire Codes.
6. The applicant shall provide complete plans, calculations and soils reports for building permit submittals.
7. The applicant shall work with Community Development Department Staff to modify the proposed landscape plan to bring into conformance with Section 17.68 of the Murray City Land Use Ordinance.
8. The applicant shall stripe one (1) ADA van accessible parking stall as a part of their parking plan.
9. The applicant shall construct the seminary building as per the approved elevations and building materials.
10. The applicant shall obtain permits for any new attached or detached signs proposed for the seminary building.

Seconded by Mr. Wilson.

Call vote recorded by Mr. Hall.

 A Maren Patterson
 A Sue Wilson
 A Ned Hacker
 A Phil Markham
 A Lisa Milkavich

Motion passed 5-0.

H & H FIREPROOFING – 451 West 4070 South - Project #18-156

Jamie Donovan was present to represent this request. Zac Smallwood reviewed the location and request for a Conditional Use Permit to allow a Fireproofing Contractor business (LU #6611) on the property addressed 451 West 4070 South. The property is located within the M-G zone. Mr. Smallwood stated that the proposed Fireproofing Business goes off-site to install fireproofing. This site would be utilized to store vehicles and equipment only. There is ample parking for this proposed use. The garbage enclosure will not be required to be enclosed because the building does not face a public street and the dumpster is shielded away from the view of the public street. Landscaping improvements will be required on 500 West to bring the property into compliance with current requirements. Based on the analysis of the submitted materials and Land Use Ordinance standards, Staff has determined that the proposed Fireproofing Contractor Business is consistent with requirements of the M-G zone and recommends that the Planning Commission approve a Conditional Use Permit subject to the conditions as outlined in the Staff Report.

Ms. Wilson asked if they will be required to stripe an ADA parking space. Mr. Smallwood answered, per City Standards, yes.

Jamie Donovan, 1389 Center Drive #200, Park City, stated he has read the conditions and will be able to comply. Mr. Hacker asked if any hazardous materials would be stored on site. Mr. Donovan answered no, they store fireproofing materials which are more of a construction material and would be happy to supply the MSDS sheets to the Fire Department.

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

Mr. Hacker made a motion to approve a Conditional Use Permit to allow the proposed Fireproofing Contractor Business at the property addressed 451 West 4070 South, subject to the following conditions:

1. The project shall comply with all applicable building and fire code standards.
2. The applicant shall obtain a Building Permit prior to conducting any interior remodeling.
3. The applicant shall obtain permits for any new attached or detached signs proposed for the business.
4. The applicant shall stripe a minimum of six (6) parking stalls for the proposed use.

5. The property owner shall provide one (1) ADA van accessible parking stall on the subject property.
6. The property owner shall work with Community Development staff to develop a landscape plan that will meet the requirements of the Murray City Land Use Ordinance, Section 17.68.
7. The applicants shall obtain a Murray City Business License and pay applicable fees prior to commencing operations at the facility.

Seconded by Mr. Markham.

Call vote recorded by Mr. Hall.

 A Ned Hacker
 A Phil Markham
 A Maren Patterson
 A Sue Wilson
 A Lisa Milkavich

Motion passed 5-0.

Mario's Auto Sales, Paint & Frame – 4195 South 500 West, Unit # 71 - Project #18-157

The applicant was not present to represent this request. Zac Smallwood reviewed the location and request for a Conditional Use Permit to allow for an auto sales business on the property addressed 4195 South 500 West, Unit #71. The property is located within the M-G zone. Mr. Smallwood stated that no parking will be permitted on 500 West. Parking standards will require an ADA stall to be installed. Although the name of the company includes the description of Paint and Frame, the business would not be allowed to offer these services to any outside customers and would instead be limited to the applicant's own vehicles that are being prepared for sale. Based on the analysis of the submitted materials and Land Use Ordinance standards, Staff has determined that the proposed auto sales business is consistent with requirements of the M-G zone and recommends that the Planning Commission approve a Conditional Use Permit subject to the conditions as outlined in the Staff Report.

The applicant was not present to represent this request.

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

Mr. Markham made a motion to approve a Conditional Use Permit to allow the proposed auto sales business at the property addressed 4195 South 500 West, unit #71 subject to the following conditions:

1. The project shall meet all applicable building code standards.
2. No parking along 500 West shall be allowed for storage, employee or for-sale vehicles.
3. The project shall meet all current fire codes.

4. The property owner shall stripe the parking area with a minimum of two (2) parking spaces, including one (1) ADA compliant van accessible space.
5. No outside storage or vehicles or display of vehicles for sale is allowed.
6. All painting and body work to be performed with this business shall be for the applicants own vehicles that are being prepared for sale.
7. The applicant shall obtain Murray City Building Permits for any work necessary on the property. Additionally, an inspection of the paint booth and vehicle storage area is required prior to obtaining a Business License.

The applicant shall obtain a Murray City Business License before commencing sales at this location.

Seconded by Ms. Patterson.

Call vote recorded by Mr. Hall.

 A Phil Markham
 A Maren Patterson
 A Ned Hacker
 A Sue Wilson
 A Lisa Milkavich

Motion passed 5-0.

WOODSTOCK VILLAGE HOA – 6202 South Rainsborough Circle, 1315 East Rainsborough Road and 6109 & 6110 South Rainsborough Road - Project #18-144

Todd Reynolds was present to represent this request. Mark Boren reviewed the location and request for a Conditional Use Permit to allow four (4) neighborhood identification signs in the Woodstock Village Subdivision on the property addressed 6202 South Rainsborough Circle, 1315 East Rainsborough Road and 6109 & 6110 South Rainsborough Road. The property is located within the R-1-6 zone. Mr. Boren stated that three new Identification Signs have been placed in the park strip right-of way, one of which replaced an aged Identification Sign. Two signs have been placed at both entrances to architecturally balance the appearance. The signs will be utilized as mailboxes and advertise to prospective buyers that the properties are part of a Home Owners Association (HOA). Based on the analysis of the submitted materials and Land Use Ordinance standards, Staff has determined that the proposed Identification Signs are consistent with requirements of the R-1-6 zone and the Sign Ordinance. Staff recommends that the Planning Commission approve a Conditional Use Permit subject to the conditions as outlined in the Staff Report.

Todd Reynolds, HOA President, 6185 South Rainsborough Road, stated he has read the conditions and will be able to comply. Mr. Reynolds stated that the original monument was much larger, had decayed and was removed for safety reasons. The new signs are only about 6 square feet each.

The meeting was opened for public comment.

Kent Zwahlen, 6202 South Rainsborough Circle, stated he has concerns about liability of the monument sign on his property, and the quality of work is poor.

Val Treuting, 6210 South Rainsborough Circle, stated that she is in support of the signs but feels the quality of work on the pillars on the North side of the development is much worse than the pillars on the East side of the development. Ms. Treuting stated that Murray City, or a member of the HOA should have been responsible to ensure the quality of work was adequate.

Coleen Paderewski, 1323 Rainsborough Road, stated she is also concerned that the quality of construction is crude, already leaning to the side and it's a safety risk. Ms. Paderewski stated she is also concerned that she was not allowed to have an HOA vote and that they did not a permit to build the monument signs.

Mark Timothy, 1466 Vintry Circle, stated he is concerned that Murray City has not fully investigated this situation and added that he was in an HOA meeting about rebuilding the monument. The board and members voted to not rebuild the monument, and paid only to remove the old monument. Mr. Timothy also had concerns that the HOA built the Monument Signs without proper City approval and he is against the advertisement of the HOA on the signs.

Ms. Milkavich commented that the purpose of tonight's meeting is to determine if the signs meet City code and the Planning Commission does not have jurisdiction over the HOA. Mr. McNulty added that the City is not a party to the HOA or its agreements, and we are not here to be a party to any disagreements between the HOA board and HOA members. In this case, City Code states that Neighborhood Identification Signage requires a Conditional Use. Unfortunately, these monument signs have been put in prior to a building permit but the conditions of approval will require them to submit drawings and have inspections. The Murray City Building Department will determine if there are any issues with the construction of the signs.

The public comment portion for this agenda item was closed.

Mr. Markham stated he is not a resident of this neighborhood but feels the monument signs are a good idea because they distinguish this neighborhood from the surrounding area, it is a good concept, and he has no opinion on the workmanship. Building inspectors will determine if there is any concern for hazards or workmanship.

Resident concern from the audience was stated that he did not have his questions answered. Ms. Milkavich replied that we have addressed the concerns about liability, quality of workmanship, quality of the construction, and HOA concerns. It has already been addressed that the City is not party to the HOA, and that concerns about the construction and workmanship will be address by the Building Department. Mr. Hall addressed the concern about liability and stated the City does not have jurisdiction to determine it. However, the HOA owns and installed the signs it seems that the liability would fall on the HOA.

Ms. Wilson clarified the address of 1315 East and not 1513 East.

Ms. Patterson made a motion to approve a Conditional Use Permit to allow the proposed Neighborhood Identification Signs at the property addressed 6202 South Rainsborough Circle, 1315 East Rainsborough Road and 6109 & 6110 South Rainsborough Road subject to the

following conditions:

1. The applicant shall submit plans for building department review, and obtain an appropriate Murray City sign permit for the Neighborhood Identification Signs.
2. The signs shall be set back a minimum of fifteen (15) feet from both 1300 East and Vine Street.
3. The neighborhood identification signs shall comply with all other standards for signs as outlined in Chapter 17.48 of the Murray Municipal Code.

Seconded by Mr. Markham.

Call vote recorded by Mr. Hall.

 A Maren Patterson
 A Phil Markham
 A Ned Hacker
 A Sue Wilson
 A Lisa Milkavich

Motion passed 5-0.

DONALD JONES & NATALIE NICHOLS – 1280 East 6322 South - Project #18-159

Natalie Nichols and Donald Jones were present to represent this request. Mark Boren reviewed the location and request for a Conditional Use Permit to allow an Accessory Dwelling Unit (ADU) on the property addressed 6322 South 1280 East. The property is located within the R-1-8 zone. Mr. Boren stated that the proposed ADU the previous owner of the property added a portion to the north side of the property and converted part of the existing basement into a mother-in-law apartment. The ADU entry is on the north side yard of the property. The ADU will have a combined area for the kitchen, dining area, family room, and down the hall will have two bedrooms and two bathrooms totaling 920 sq. ft. Based on the analysis of the submitted materials and Land Use Ordinance standards, Staff has determined that the proposed ADU is consistent with requirements of the R-1-8 zone and recommends that the Planning Commission approve a Conditional Use Permit subject to the conditions as outlined in the Staff Report.

Mr. Markham asked if the ADU was ever inspected by Murray City Building Inspectors. Mr. Boren answered that Murray City does not have any record of the addition, has not issued any permits, and it would seem it has not been inspected. The area was annexed into Murray a number of years ago. Mr. Markham asked if the ADU will undergo a City Inspection to meet requirements. Mr. Boren answered in the affirmative.

Natalie Nichols and Donald Jones, 1280 East 6322 South, stated they have read the conditions and they will be able to comply. Mr. Jones added that this property has been used for a rental for over a decade and as far as he can tell the structure has been in place at least since 1993.

Mr. Hacker asked if they understand the ADU will still undergo Building Department Inspections. Mr. Jones stated he understands the requirements. Mr. Markham complimented the homeowners for attempting to make this into a legal ADU in Murray City.

The meeting was opened for public comment.

Reynold Willie, 1264 E Woodridge Circle, stated he lives across from the subject property and asked how many people would be permitted to live in the proposed ADU.

The public comment portion for this agenda item was closed.

Mr. Boren stated that the City allows up to 2 related or unrelated individuals and their children. Ms. Milkavich added that is two adults and their children. Ms. Wilson asked if there is only 1 ADU allowed per property. Mr. Boren answered that is correct.

Mr. Hacker made a motion to approve a Conditional Use Permit to allow the proposed ADU at the property addressed 6322 South 1280 East, subject to the following conditions:

1. The project shall comply with all applicable building and fire code standards.
2. The applicant is required to apply for a building permit allowing an appropriate inspection or inspections to occur prior to occupancy of the ADU.
3. The applicant must provide interconnected smoke detectors and carbon monoxide detectors in the bedrooms and halls on all levels of the house.
4. The applicant must provide a separate heating system for the ADU.
5. A permit for the ADU kitchen needs to be verified. If not, a building permit is required.
6. The proposed Accessory Dwelling Unit shall comply with all applicable ordinance standards outlined in Chapter 17.78.
7. The ADU shall be occupied by no more than two (2) related or unrelated adults and their children.
8. The property owners shall complete and record with the Salt Lake County Recorder's Office, the Accessory Dwelling Unit – Owner Occupancy Affidavit (Provided by Community and Economic Development). A copy of the recorded document shall be provided to the Murray City Community and Economic Development Division prior to occupancy of ADU.
9. The property owners shall obtain a rental business license from Murray City prior to allowing occupancy of the ADU.

Seconded by Mr. Markham.

Call vote recorded by Mr. Hall.

 A Ned Hacker
 A Phil Markham
 A Maren Patterson
 A Sue Wilson
 A Lisa Milkavich

Motion passed 5-0.

MURRAY COVE 2, PHASE 4, FINAL SUBDIVISION REVIEW – 1187 West Bullion Street / 5974 South Cumulus Crest Way – Project #18-160

Nick Mingo was the applicant present to represent this request. Jared Hall reviewed the request from Ivory Homes for Final Plat Approval for Phase 4 of the Murray Cove Subdivision, which is located at 1187 South Bullion Street and 5974 South Cumulus Crest Way. This includes a total of 31-lots on 9.65 acres in the R-1-8 zone. The lots in the area range between 8,800 sq. ft and 12,200. Mr. Hall briefly recapped the preliminary requirements for wetland, stream alteration permit, etc. and stated all the permits are still in place and all the conditions have been met. The grading and drainage plan shows the location of the pedestrian foot bridge. The remaining land to the south belongs to Murray City Parks and Recreation land. A new Master Plan for Parks and Recreation is under development now and the use of this land will be determined in the future. Engineering will continue to work on this project while a plat is prepared. Based on the information presented in this report, application materials submitted and the site review, staff recommends that the Planning Commission forward a recommendation to approve the Final Plat approval for Phase 4 of the Murray Cove Subdivision, subject to conditions.

Nick Mingo, 13980 South 700 East, stated he has reviewed the proposed conditions and will comply. Mr. Markham stated that he lives in the area and he is not aware of any problems in the area and complimented Ivory on the way they have handled this development. Ms. Wilson asked if the pedestrian bridge will be completed as the houses are built. Mr. Mingo stated the bridge in the design stage now and are in the review period with the agencies that have jurisdiction over the water and river. It could be constructed as early as next spring or early summer. Mr. McNulty stated there is an agreement in place that was put into place by the City Council for the surplus property and bridge. City Staff is assigned to this project and will be in charge of making sure this is built in a timely manner. Mr. Hacker asked who will become the owner of the bridge. Mr. McNulty stated it would similar to a roadway dedication and would become the responsibility of the City for maintenance once accepted.

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

Mr. Markham made a motion to forward a recommendation of Final Plat Approval for the Murray Cove Subdivision, Phase 4 subdivision subject to the follow conditions:

1. The project shall meet all applicable building code standards.
2. The project shall meet all current fire codes.
3. The project shall provide the appropriate number and location of fire hydrants to meet Murray City Fire Department requirements and assure adequate fire flow to them.
4. The applicant shall provide adequate Fire Department and Emergency Service access to all lots on approved hard surfaces.
5. The project shall meet all Murray City Power Department requirements.

6. The project shall meet all City subdivision requirements and standards.
7. The project shall meet City storm drain requirements.
8. The project shall meet all City utility requirements and provide standard public utility easements on all lots.
9. The applicant shall provide a site soils study and meet all recommendations.
10. The applicant shall obtain all required County and State permits related to the Jordan River and the meander corridor.
11. The applicant shall complete the property exchange agreement with Murray City prior to plat recordation.
12. The applicant shall furnish and install the proposed foot bridge across the Jordan River.
13. The applicant shall provide a conservation, dedication and maintenance easement to Salt Lake County along the Jordan River.
14. The project shall provide for and maintain a 75 foot minimum building setback from the Jordan River floodway for properties adjacent to or backing the river. This setback line shall be shown on the recorded plat.
15. The applicant shall provide a 6 foot, private or semi-private rear yard fence for homes backing the Jordan River.
16. The applicant shall update the noise wall study and provide highway noise abatement measures (sound walls) as designated by City Code Chapter 8.17, and shall obtain any required UDOT permits and install sound walls.
17. The applicant shall obtain Irrigation Company approval and pipe all active irrigation ditches.
18. The project shall provide a stub street into the vacant property south of the subdivision. If the stub street is used for lot access the length cannot exceed 100 feet.
19. The applicant shall develop a site Storm Water Pollution Prevention Plan and obtain a City Land Disturbance Permit prior to beginning any site work.
20. The applicant shall obtain a City Floodplain Development Permit for any work in the Jordan River Floodway.
21. The applicant shall obtain a City Excavation Permit for work in the City right-of-way.

Seconded by Mr. Hacker.

Call vote recorded by Mr. Hall.

 A Phil Markham
 A Ned Hacker
 A Maren Patterson

A Sue Wilson
 A Lisa Milkavich

Motion passed 5-0.

OTHER BUSINESS

Mr. McNulty stated that the last Planning Commission meeting of the year will be held on December 6, 2018. On December 4, 2018 Sue Wilson, Lisa Milkavich and Maren Patterson will be reappointed to the Planning Commission by the City Council. Mr. McNulty thanked the Commissioners for their exceptional work.

Mr. Markham thanked Staff for the Murray City Central Station packets they recently distributed.

The meeting was adjourned at 7:52 p.m.



Jared Hall, Supervisor

Community and Economic Development