

The Planning Commission met on Thursday, June 3, 2021, at 6:30 p.m. for a meeting held electronically in accordance with Utah Code 52-4-207(4), due to infectious disease COVID-19 Novel Coronavirus. The Planning Commission Chair determined that conducting a meeting with an anchor location presented substantial risk to the health and safety of those who may be present at the anchor location because physical distancing measures may be difficult to maintain in the Murray City Council Chambers.

The public was able to view the meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/Murraycityutah/>. Anyone who wanted to make a comment on an agenda item at the meeting registered at: <https://tinyurl.com/pc060321> or submitted comments via email at planningcommission@murray.utah.gov.

Present: Maren Patterson, Chair
Ned Hacker, Vice Chair
Travis Nay
Sue Wilson
Lisa Milkavich
Jeremy Lowry
Jake Pehrson
Susan Nixon, Associate Planner
Zachary Smallwood, Associate Planner
G.L. Critchfield, City Attorney
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 Department Office.

APPROVAL OF MINUTES

There were no minutes to be approved.

CONFLICT OF INTEREST

There were no conflicts of interest.

APPROVAL OF FINDINGS OF FACT

Sue Wilson made a motion to approve the Findings of Fact for 3 Swords Forge metal fabrication business at 4637 South Cherry Street, Fashion Place Mall & Larry H. Miller Auto Group Auto at 6011 South State Street, Bamburgh Place Residential Infill Subdivision at 344 East 5600 South and for Spring Creek Cove Residential Infill Subdivision at 5091 South Wesley Road and 5070 South 1100 East. Seconded by Ned Hacker. A voice vote was made, motion passed 7-0.

INGENUITY INK – 150 West 4800 South - Project #21-048

The request is for Conditional Use Permit approval to conduct a tattooing business within the M-G Zone on the property located at 150 West 4800 South, Unit #29. Susan Nixon presented the request. The unit is at the north end of an industrial park that is accessed off of 4800 South. The applicant is requesting to lease 585 ft² of office space. There are 5 parking stalls adjacent to the unit. The proposal includes a waiting room, a tattoo procedure room and a restroom.

The applicant will be the only artist initially but may have an additional artist. The ADA parking stall will need to be moved away from the overhead door. Seventeen (17) notices were sent out to the surrounding businesses and no public comment has been received. Staff is recommending that the Planning Commission approve a Conditional Use Permit for a Tattoo Shop within the M-G Zone on the property located at 150 West 4800 South, Unit #29, subject to conditions.

Ms. Patterson asked about the 2 booths and if additional stalls would be needed. Ms. Nixon stated 1 more stall would be required, a total of 6 stalls and the applicant would need to show that she has obtained an additional stall in order to grant the additional artist a business license. Ms. Milkavich asked how often the applicant would have to re-apply. Ms. Nixon stated if the request is approved they would renew their business license annually.

Ms. Patterson opened the item for public comment. No comments were received, and the public comment portion was closed.

Cathleen Gerwick, applicant, stated their address as 2920 Adams Street, Salt Lake City and stated she reviewed the conditions and is willing to comply. She added that she spoke to the property owner and the business that uses the overhead door and said they do not use the door and it is locked most of the time. Ms. Patterson asked the applicant to work with staff on the ADA space to see what is required. Ms. Milkavich asked whether the applicant or business owner should be specified as the responsible party or if there should be no specification and the owner and applicant will then need to work it out. Mr. Smallwood clarified that the property owner does sign a form stating they are aware that a tenant will be going through the Conditional Use process and there will be conditions to conform to. Several commissioners agreed that neutralizing the responsible party may be beneficial.

Jeremy Lowry motioned to approve a Conditional Use Permit to conduct a Tattooing business within the M-G Zone on the property located at 150 West 4800 South, Unit #29, subject to the 10 conditions:

1. The project shall comply with all applicable building and fire code standards.
2. The Fire Department requires an auto fire sprinkler system must meet NFPA 13 for any changes during tenant improvements. The riser must be maintained, and an alarm system shall be addressed. All construction must meet or exceed 2018 International Fire Code. New occupants should consider a "Knox Box" emergency access system.
3. The applicant shall obtain a building permit for any interior or exterior construction on the property.
4. The applicant shall restripe to clearly identify the required parking stalls.
5. The ADA parking stall in front of the overhead garage must be relocated to an appropriate position on the site.
6. The applicant shall maintain clear, appropriate vehicular access to the overhead doors on the building at all times.
7. The applicant shall obtain permits for any new attached or detached signs proposed for the business.

8. The applicant shall obtain a Murray City Business License prior to beginning operations at this location.
9. No more than two (2) booths or stations are approved for use at this location.
10. The applicant shall ensure that all required state and county health permits are in place, and that all health department requirements are met with respect to the establishment itself and the professionals operating there.

Seconded by Travis Nay.

Call vote recorded by Mr. Smallwood.

 A Maren Patterson
 A Lisa Milkavich
 A Travis Nay
 A Sue Wilson
 A Ned Hacker
 A Jeremy Lowry
 A Jake Pehrson

Motion passed 7-0.

RED ROCK WINCHESTER OFFICE CONDOMINIUMS – 746 East Winchester Street – Project #21-043

The request is for the approval to amend the Red Rock Winchester Office Condominiums by adjusting the shared wall lot line to adjust the office sizes at 746 East Winchester Street, Units #220 and #230. Susan Nixon presented the request. The Red Rock Winchester Office Condominium Subdivision was recorded on April 19, 2018 to divide properties within the Red Rock Winchester Office development which includes 12 units with common and limited common areas. Rej Hintze currently owns both units involved in this application. His intention is to amend the units by adjusting the sizes and then sell unit #220 and retain #230 for himself. The proposal will decrease unit #230 by 264 ft² and will increase unit #220 by 264 ft². Staff is recommending approval to amend the Red Rock Winchester Office Condominiums by adjusting the shared wall/lot line to adjust the office sizes at 746 East Winchester Street, Units #220 and #230, subject to conditions.

Rej Hintze, 7612 Carter Circle, Salt Lake City, stated he would comply with the conditions. He added he was the original applicant when they condominiumized the building a few years ago. The two units in question are the last 2 units and they desire to revise it by adjusting the shared wall lot line.

Ms. Patterson opened the meeting up to public comment. There were no comments received. The public comment portion for this agenda item was closed.

Travis Nay motioned to approve the request to amend the Red Rock Winchester Office Condominiums by adjusting the shared wall/lot line to adjust the office sizes at 746 East Winchester Street, Units #220 and #230, subject to the 4 conditions:

1. The Murray City Engineer recommends approval with the following conditions:
 - a. Murray City subdivision and condominium amendment requirements.
 - b. Provide an amended declaration.
2. The Murray Fire Department recommends approval with the following comments: All construction must meet or exceed 2018 ed. International Fire Code. Auto sprinkler system must be maintained and upgraded according to NFPA 13. Addressed fire alarm prior to completion of the project must be maintained/installed and inspected. Location is strongly encouraged to have a “Knox Box” for emergency access if not already available to us. “Knox” FDC locks must be on all the appropriate plumbing – especially exterior feeders to the Riser.
3. The properties shall maintain conformance with the requirements of the G-O, General Office Zone as contained in the Murray City Land Use Ordinance.
4. Proof of recordation of the amended CC&Rs to be submitted to the Planning Division.

Seconded by Ned Hacker.

Mr. Nay addressed the City Attorney and asked if the opportunity arises to speak to the legislature about this type of situation to make it easier for applicants to make this change where they own the units and building.

Call vote recorded by Mr. Smallwood.

 A Maren Patterson
 A Lisa Milkavich
 A Travis Nay
 A Sue Wilson
 A Ned Hacker
 A Jeremy Lowry
 A Jake Pehrson

Motion passed 7-0.

JEFFERSON COURT SUBDIVISION – 6575 & 6571 South Jefferson Street – Project #21-044

The request is for Preliminary and Final Subdivision approval for a flag lot on each of the two properties located at 6575 & 6571 South Jefferson Street. Mr. Smallwood presented the request. The subject property consists of two single-family homes at 6571 and 6575 South Jefferson Street. The applicant proposes creating two new flag lots to the rear (east) of the existing homes. The existing home at 6575 South (north lot) would be removed, but the home at 6571 South (south lot) would remain. New homes would be built on the other three lots. The addresses are unusual and those will be adjusted along with this application.

The property owner previously obtained Preliminary and Final Subdivision approval for these properties. The Planning Commission held a meeting on January 3rd, 2019 and approved the

preliminary and final subdivision and he received an extension in 2020. The applicant never recorded the Plat and the approval expired in January of this year. This is a request to re-approve the subdivision. Both existing lots in the proposed subdivision are zoned R-1-8. No change in zoning is proposed. The R-1-8 zone allows for flag lot subdivisions, and further single-family residential development. No multi-family development is permitted within this zone. In addition to the underlying zone, flag lot subdivision requirements also prohibit any uses other than single-family homes. Zoning requirements for frontage, lot size, building setbacks, and height would apply to lots and homes in the proposed subdivision. 47 notices were sent to residences within 300 ft of the property and no comments were received. The R-1-8 zone requires that lots have a minimum width of 80' as measured at the 25' building setback line. The subject properties are 75' wide, and do not meet the requirements of the Land Use Ordinance for width. The property owner made an application to the Hearing Officer in the summer of 2018 for a variance to the lot width to accommodate a future subdivision. The Hearing Officer granted the requested variance on September 19, 2018. Staff is recommending an approval for Preliminary and Final Subdivision approval for a flag lot on each of the two properties located at 6571 & 6575 South Jefferson Street subject to conditions.

Mr. Pehrson asked about the utility pole that runs along the whole street with 4 different utilities on it. Mr. Smallwood stated they would need to work with the power and utility departments and the pole might need to be moved down the street. Ms. Patterson asked if the road was a private drive and if that was the reason they are flag lots. Mr. Smallwood concurred. Mr. Hacker asked if all 4 properties will access onto the new driveways and if the existing properties access to the street will be closed. Mr. Smallwood showed the site where the new access will be.

Shawn Barr, applicant, was present and stated their address as 6571 South Jefferson Street, Murray. He stated he has reviewed the conditions and is willing to comply.

Ms. Patterson opened the meeting up to public comment. The following email was read into the record.

Amy R. - Murray City

I am not sure if I'm too late to submit comments for the meeting today. I am writing regarding the planned development on Jefferson Avenue, I believe at 6567 and 6571 Jefferson. I understand the housing crisis in Salt Lake County all too well, as I am a recent homeowner who moved against this property line in November last year. However, I am very worried about the traffic on Lester Avenue. We have cars who are exceeding the speed limit down this very straight road, and there are no deterrents. If we begin to add more housing to the neighborhood, we need to think about traffic control. One of the reasons I bought this home was the large amount of children playing in the street. They are at high risk in this neighborhood. In addition, I would like to know what the rules are for how close structures are to the property lines. Will I have a big house directly on my fence

There were no additional comments. The public comment portion for this agenda item was closed.

Mr. Smallwood addressed some of the traffic concerns and stated since the project is only 2 new lots and doesn't require a traffic study however there could be more development down the line that may look at traffic. In terms of the property lines there are adequate buffer setbacks of 8 ft to 10 ft as required for the R-1-8 zone. Ms. Milkavich asked about the height requirements. Mr. Smallwood stated 35 ft or no higher than 2.5 stories. Ms. Patterson reiterated the new sidewalks will be a very nice addition and hopefully make those streets safer.

Ned Hacker made a motion of approval for the requested Preliminary and Final Subdivision approval for a flag lot on each of the two properties located at 6571 & 6575 South Jefferson Street, subject to the 6 conditions:

1. The project shall meet Murray City Engineering requirements including the following:
 - a) Meet City subdivision and flag lot requirements – 30' wide driveway with 4' of landscaping on each side of the driveway.
 - b) Provide road and sidewalk dedication, the lots cannot extend into Jefferson Street.
 - c) Install sidewalk along subdivision frontage to Jefferson Street.
 - d) Replace any damaged curb and gutter along the subdivision frontage to Jefferson Street.
 - e) Remove the old driveway curb on lot 1.
 - f) Meet City drainage standards – driveway should drain to landscaping.
 - g) Existing structures on lot 3 will need to be demolished prior to recoding the plat.
 - h) Provide standard PUE's on lots.
 - i) Provide site geotechnical study.
 - j) Provide a site utility plan, this can be included on the grading and drainage sheet.
 - k) Relocate existing utility pole to avoid drive access.
 - l) Provide a bond for subdivision improvements – sidewalk, curb and gutter, utility connections and the utility pole relocation.
 - m) Develop a site SWPPP and implement prior to beginning any site grading and construction work.
2. All lots within the subdivision shall comply with the standards for lots in the R-1-8 Zone as outlined in Section 17.100 of the Murray City Land Use Ordinance.
3. The Final Plat shall adhere to the Flag Lot requirements outlined in Section 17.76.140 of the Murray City Land Use Ordinance
4. The applicant shall meet with Murray City Power to discuss planning the new power service, must meet all Power Department requirements, provide required easements for equipment and Power lines.
5. The applicant shall meet the requirements of the Murray City Water and Wastewater Divisions.
6. The applicant shall prepare a Final Subdivision Plat which complies with all requirements of Title 16, Murray City Subdivision Ordinance.

Seconded by Sue Wilson.

Call vote recorded by Mr. Smallwood.

 A Maren Patterson
 A Lisa Milkavich
 A Travis Nay
 A Sue Wilson
 A Ned Hacker

A Jeremy Lowry

 A Jake Pehrson

Motion passed 7-0.

OTHER BUSINESS

There was no other business.

Jake Pehrson made a motion to adjourn. Motion seconded by Travis Nay. A voice vote was made, motion passed 7-0. The meeting was adjourned at 7:25 p.m.



Jared Hall, Planning Division Manager