

The Planning Commission met on Thursday, June 17, 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/pc061721> or submitted comments via email at planningcommission@murray.utah.gov.

Present: Maren Patterson, Chair
Travis Nay
Sue Wilson
Lisa Milkavich
Jake Pehrson
Jeremy Lowry
Jared Hall, Planning Division Manager
Susan Nixon, Associate Planner
Zachary Smallwood, Associate Planner
Briant Farnsworth, Deputy City Attorney
Citizens

Excused: Ned Hacker, Vice Chair

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

Travis Nay made a motion to approve the Minutes from May 20, 2021 and June 3, 2021. Jeremy Lowry seconded. A voice vote was made, motion passed 6-0.

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 Ingenuity Inc for a Conditional Use Permit to allow a tattoo business within the M-G Zone located at 150 West 4800 South, #29. Seconded by Lisa Milkavich. A voice vote was made, motion passed 6-0

KL Ventures – 333 West 6160 South – Project #21-055

The applicant is requesting a Conditional Use Permit approval to allow a private gym business within the M-G Zone on the subject property at 333 West 6160 South. Mr. Smallwood presented the request. The applicants currently operate a private gym nearby at 6060 South 300 West #17, and wish to utilize all of the square footage of the building addressed 333 West 6160 South. They propose to operate out of a second building at the subject address to add to their

current operations. Gymnasiums, athletic clubs, and body building studios require Conditional Use review and approval by the Planning Commission in the M-G Zone. Staff is recommending the approval of a Conditional Use Permit to allow a private gym business within the M-G Zone on the subject property at 333 West 6160 South, subject to the eight conditions

The applicant, Karrie Larsen, stated her address as 1 South Crosshill Lane, Sandy. She stated she is willing to comply with all the conditions. Ms. Larsen asked about the ADA parking space. Mr. Smallwood clarified there is one ADA stall needed and will work with the applicant.

Ms. Wilson asked for clarification on the two addresses. Mr. Smallwood stated they have a location they have been operating out of and that location was previously approved for a Conditional Use Permit.

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

Jeremy Lowry made a motion to approve a Conditional Use Permit to allow the operation of a private gym business at the property addressed 333 West 6160 South, subject to the following conditions:

1. The project shall comply with all applicable building and fire code standards.
2. Building permits are required for any interior or exterior construction on the property.
3. A minimum of eight (8) parking spaces shall be striped for the proposed use in compliance with the Murray City Land Use Ordinance, including ADA compliant spaces.
4. The applicant shall ensure that no more than eight (8) persons are at the facility at a given time.
5. Overhead doors must be kept clear for vehicular access to the building at all times.
6. The applicant shall ensure that all operations are conducted within the building. No outside activities are allowed.
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.

Seconded by Lisa Milkavich.

Call vote recorded by Mr. Smallwood.

 A Maren Patterson

 A Lisa Milkavich

 A Travis Nay

 A Sue Wilson

 A Jeremy Lowry

 A Jake Pehrson

Motion passed 6-0.

TRIPP LANE SUBDIVISION – 871 West Tripp Lane – Project #20-058

NeighborWorks is requesting a one-year time extension for Preliminary Subdivision approval for Tripp Lane Subdivision addressed 871 West Tripp Lane, granted by the Planning Commission on July 16, 2020. Susan Nixon presented the request. The property is located in the R-1-8 Zone. One year ago the Planning Commission reviewed the application and one of the conditions was to connect the road or create a cul-de-sac. The owner is trying to obtain a small portion of property to connect the road through but have not been able to acquire the property. If they do not come back within a year they will need to apply for the preliminary subdivision approval again. If the Planning Commission grants the extension all the original conditions apply. Staff recommends the Planning Commission grant a one-year time extension for preliminary subdivision approval for the Tripp Lane Subdivision on the property addressed 871 West Tripp Lane subject to the original conditions.

Ms. Milkavich wanted clarification on the one-year expiration date. Ms. Nixon specified the one-year timeline would be July 16, 2021 to July 16, 2022 and would need to be requested before July 16, 2022.

The applicant, Allison Trease, stated their address as 4843 South Poplar Lane, Murray and stated their willingness to comply with the conditions.

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

Travis Nay made a motion to grant a one-year time extension for preliminary subdivision approval for the Tripp Lane Subdivision on the property addressed 871 West Tripp Lane subject to the original conditions of approval as outlined below:

1. The applicant shall meet Murray City Engineering requirements including the following:
 - a) Meet City subdivision requirements.
 - b) Obtain the private property that extends into the existing Willow Grove right-of-way or provide a cul-de-sac at the south end of the subdivision.
 - c) Obtain the required city property at the north end of the site to fully connect the right-of-way to existing Tripp Lane.
 - d) Provide grading, drainage and utility plan and profile drawings.
 - e) Meet City drainage standards. The proposed retention system does not meet City standards.
 - f) Meet City utility standards and provide standard PUE's on lots.
 - g) Provide a site geotechnical study and implement recommendations.
 - h) Abandon the existing irrigation system located along the west subdivision boundary.
 - i) Provide a security bond for public road and utility improvements.
 - j) Provide any required easements and vacate any unused easements within the proposed subdivision area.
 - k) Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning any site grading and construction work.

- l) Obtain a City Excavation Permit for work within City roadways.
2. The applicant shall provide perimeter project fencing in the form of 6' solid fencing along the north and east project boundaries, and along the south and west boundaries where such fencing does not already exist or needs repair.
3. The subdivision shall include the installation of street lighting in accordance with Murray City Power Department standards and meet all Murray City Power Department requirements.
4. The subdivision improvements shall include the installation of street trees as required by Murray City Code.
5. All lots within the subdivision shall comply with the requirements of the R-1-8 Zone as outlined in Chapter 17.100 of the Murray City Land Use Ordinance.
6. The applicant will need to adjust lot 1 to meet R-1-8 Zone Lot Standards
7. The project shall follow International Fire Code (IFC) regulations for fire access and hydrant locations.
8. The applicant shall meet Murray City Water & Sewer Division requirements including the following:
 - a) Utility connections for water and sewer must be provided through to existing utilities in Willow Grove Lane.
 - b) No portion of the water main shall be located underneath curb + gutter.
 - c) A ten-foot (10') separation must be maintained between sewer and water lines through the subdivision.
 - d) A sewer manhole must be added to the plans in the vicinity of Lot 3, and the sewer main relocated on the west side of the proposed roadway. Include applicable sewer detail specifications directly from Murray City Wastewater specification book in the plans. Specifications can be found at murray.utah.gov.
9. The applicant shall prepare a Final Subdivision Plat which complies with all requirements of Title 16, Murray City Subdivision Ordinance.

Seconded by Jake Pehrson.

Call vote was recorded by Ms. Nixon.

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

Motion passed 6-0.

MURRAY BURTON ACRES LOT 59 AMENDED– 400 East Belview Ave – Project #21-057

The applicant, Just Property Management, LLC recently acquired the property and is requesting an Amendment to the Murray Burton Acres Subdivision in order to subdivide Lot #59 with the intention of constructing a single-family dwelling on the new lot. The property is addressed 400 East Belview Ave. Susan Nixon presented the request. The subject property is .34 acres and just under 15,000 sq ft in the R-1-8 Zone located on the corner of Afton Avenue and Belview Avenue. In 1999 the previous owner applied for a variance to the area to subdivide the property. The variance was granted in order to subdivide the property into two new lots to be 7500 sq ft.. Variances remain with the property and not property owners. All of the regulations of the R-1-8 would still be applicable except for the area minimum of 8000 sq ft, setback and height requirements would still need to be met. The proposal to subdivide Lot #59 would create two new lots 59A & 59B. Lot 59A would retain the current address and 59B would have a new address of 5963 South Afton Avenue. The property at 400 East Belview Avenue has an existing dwelling and a detached garage. Ms. Nixon displayed exhibits of the property and existing home and garage. The existing home meets all the setbacks as it is, but the existing garage would need to be demolished or partly removed. The new lot #59B shows a 5 ft public utility easement (PUE) which would need to be changed to 10 ft due to a power line. Lot 59B is about 75 ft deep and with the setbacks of 25 ft front and 25 ft rear only leaves about 25 ft buildable area and the owner indicates he has house plans to fit those dimensions. Fifty-eight public notices were sent out. Staff is recommending that the Planning Commission approve the proposed subdivision amendment for Murray Burton Acres, Lot 59 at the property addressed 400 East Belview Avenue subject to the 7 conditions.

Mr. Pehrson asked for clarification about the need to move or demolish the garage and if it is a condition of subdividing the lot. Ms. Nixon stated they will need to amend a plat and it does require a PUE on a rear property line. The PUE is 10 ft but on existing structures it can be varied slightly. The garage would be 5.6 ft PUE from the new southern property line.

Mr. Lowry asked about the home dimensions. Ms. Nixon said it will face west and be long and narrow but could also be two stories possibly. The buildable area for the home could be within an 80' X 25' area.

Adis Alagic, applicant with Just Property Management, stated their address as 2825 South Brick Sand Way, West Valley City, and stated he is willing to comply with all the conditions.

Ms. Patterson opened the meeting for public comment. One emailed public comment was read into the record.

Val Conway, Murray

I live directly across from the proposed amendment location. Here are my views of Mount Olympus from my house (upper and lower floors): This beautiful view of the mountains is the primary reason I purchased this home in Murray 17 years ago. If the developer is seeking to build another home on this lot, I am very worried about losing my view. However, I feel that Murray City's 25' setback requirement, combined with a limit of two stories, should give me at least a partial view. As long as Murray's building requirements are followed to the letter, I feel protected. I also hope you will convey my wish to the builder that he refrain from building a huge house with excess massing along the front, in line with the character of the rest of the houses

on the block (all with 25' setbacks). I have a two-story house as well, but I am not blocking anyone's view of the mountains.

No additional public comments were made. The public comment portion for this agenda item was closed.

Jeremy Lowry made a motion to approve the proposed Subdivision Amendment for Murray Burton Acres, Lot 59 at the property addressed 400 East Belview Avenue subject to the 7 conditions:

1. Meet the requirements of the City Engineer, including the following:
 - a. Meet City subdivision requirements.
 - b. Provide grading and utility plan.
 - c. Meet City utility standards and provide standard PUEs on lots.
 - d. Remove any unused curb cuts and repair any damaged curb and gutter.
 - e. Obtain a City Excavation Permit for work within City roadways.
 - f. Adjust the PUE on proposed Lot 59B on the south property to 10' to accommodate the power utility easement.
2. Meet the Power Department requirement that there may be clearance conflicts with the existing service to 400 East Belview Avenue. If the service needs to be relocated the developer must meet all Power Department requirements.
3. Meet the Sewer Department requirements:
 - a. Driveway cannot cover the sewer or water lateral. Utilities are on opposite sides of the lot.
 - b. Show the driveway location or show the utilities will not be under the driveway.
 - c. Sewer lateral must include a cleanout. Please show this on the plan or label on the notes.
 - d. Include separate signature blocks for both Murray Water and Sewer on the PLAT for signature.
4. Meet the Water Department requirements. Any new water service must be minimum 1" for new construction
5. Meet the Fire Department requirements. All construction must meet or exceed 2018 International Fire code standards.
6. The detached garage on proposed Lot 59A must be demolished or partially demolished in order to provide the 5' PUE on the south boundary prior to recordation of the amended plat.
7. Meet all requirements of Section 17.100 of the Murray Land Use Ordinance for the R-1-8 Zone.

Seconded by Lisa Milkavich.

Call vote was recorded by Ms. Nixon.

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

Motion passed 6-0.

SECTION 17.48.120 TEMPORARY SIGNS – Project #21-054

The Murray City Planning Division is requesting an update to Section 17.48.120, Temporary Signs, in the Murray City Land Use Ordinance. Mr. Smallwood presented the request and displayed some examples of temporary signage such as “opening soon” signs and political signs. The proposed changes are intended to clean up the temporary sign section of the ordinance and to provide clear language for those who want to use temporary signs. There was a requirement to have a Murray City sticker on banner signs in order to hang it, but the city was never able to find a vendor that could make a weatherproof sticker to adhere to sign materials. This proposal is also intended to remove that requirement. Mr. Smallwood clarified that Ms. Wilson asked about real estate signs and those are covered in the residential section of the sign code which would allow for development, sale and open house signs. The proposed amended ordinance would continue to regulate the most important elements of temporary signage, while removing the conflict within the ordinance and making the regulations clearer. Staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the request to amend the text of Section 17.48.120, Temporary Signs, in the Murray City Land Use Ordinance as presented in the Staff Report.

Ms. Milkavich gave her thanks to the staff for taking the time to clean up the language to improve this code.

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

Jake Pehrson made a motion to forward a recommendation of approval to the City Council for the request to amend the text of Section 17.48.120, Temporary Signs, in the Murray City Land Use Ordinance as presented in the Staff Report. Seconded by Sue Wilson.

Call vote was recorded by Mr. Smallwood.

 A Maren Patterson
 A Lisa Milkavich
 A Travis Nay
 A Sue Wilson
 A Jeremy Lowry

A Jake Pehrson

Motion passed 6-0.

OTHER BUSINESS

Mr. Smallwood specified there are several items that will be brought forward. Accessory Dwelling Units, a Mixed-Use project and a few subdivisions. He added that full public meetings will be open starting July 1, 2021.

Mr. Nay asked if zoom and zoom comments will still be available. Mr. Smallwood and Mr. Hall stated they are following the City Council who is not doing zoom at that point. Mr. Nay advised continuing with zoom stating that the public may expect it. He added that for 18 months it has worked relatively well and would be a nice convenience for people. Ms. Milkavich asked if there were any city building regulations with capacity or masks. Mr. Smallwood stated the State Legislature ended all mandates.

Travis Nay made a motion to adjourn. Motion seconded by Sue Wilson. A voice vote was made, motion passed 6-0. The meeting was adjourned at 7:12 p.m.



Jared Hall, Planning Division Manager