

Minutes of the Planning Commission meeting held on Thursday, May 18, 2017, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Buck Swaney, Chair  
Phil Markham, Vice Chair  
Travis Nay  
Sue Wilson  
Lisa Milkavich  
Jared Hall, Community & Economic Development Manager  
Jim McNulty, Development Services Manager  
G. L. Critchfield, Deputy City Attorney  
Citizens

Excused: Maren Patterson  
Scot Woodbury

The Staff Review meeting was held from 6:00 to 6:30 p.m. The Planning Commission members briefly reviewed the applications on the agenda. An audio recording of this is available at the Murray City Community and Economic Development Division Office.

Buck Swaney opened the meeting and welcomed those present. He reviewed the public meeting rules and procedures.

#### APPROVAL OF MINUTES

Ms. Milkavich made a motion to approve the minutes from the May 04, 2017 Planning Commission meeting. Seconded by Mr. Nay.

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 approve the Findings of Fact / Certificate of Approval for Vine Street Senior Living and Real Automotive. Ms. Wilson seconded the motion.

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

#### AMERICAN SCRAPE, LLC – 4195 SOUTH 500 WEST # 33 - Project #17-60

Oscar Meza was the applicant present to represent this request. Jared Hall reviewed the location and request for a Conditional Use Permit to allow a wood preparation and scraping business to be located at the property addressed 4195 South 500 West #33, located within the M-G zone. The unit is about eight hundred and seventy square feet and is comprised of a warehouse, small office and unisex restroom. There are a total of three parking spaces in front. The minimum parking space requirement is two spaces. The submitted plans show one space located in front of the overhead door. To facilitate ease of access and safety that space should be removed. Staff has asked that striping in front of the unit be restriped to eliminate the parking space in front of the overhead door. The applicants have not proposed any changes to the interior of the building, if there are any future changes they would need to be in accordance with building permit standards and meet fire codes. Based on the information presented in this report, application materials submitted and the site review, staff

recommends approval for a Conditional Use Permit for a wood preparation and scraping business to be located at the property addressed 4195 South 500 West #33 subject to conditions.

Mr. Meza brought a translator with him to speak on his behalf. Oscar Meza, 4197 South 500 West, stated he has reviewed the conditions and will be able to comply.

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

Ms. Wilson made a motion to grant Conditional Use Permit approval for a wood preparation and scraping business to be located at the property addressed 4195 South 500 West #33 subject to the following conditions:

1. The project shall meet all applicable building code standards. The applicant shall obtain a building permit for any tenant remodeling.
2. The project shall meet all current fire codes.
3. The parking for this unit shall be restriped with no parking stall provided in front of the bay door. A minimum of two (2) parking spaces shall be provided for this use.
4. The applicant shall obtain a Murray City Business License and pay applicable fees.

Seconded by Mr. Markham.

Call vote recorded by Mr. Hall.

   A Lisa Milkavich  
   A Sue Wilson  
   A Phil Markham  
   A Buck Swaney  
   A Travis Nay

Motion passed 5-0.

MURRAY COVE PHASE 2 –1187 West Bullion Street – Project # 17-58

Bryon Prince, was the applicant present to represent this request. Jared Hall reviewed the location and request for Final Subdivision approval for Murray Cove Phase 2 (the first of three phases) in the Murray Cove subdivision on the property addressed 1187 West Bullion Street. The proposed Phase 2 is comprised of the first seven lots located along the future extension of Pitchfork Road that was previously approved in the preliminary subdivision review by the Planning Commission. The main entrance for this subdivision is still planned off Bullion Street, but the entry for phase one will be by way of the extension of Pitchfork Road. The Engineering Division is currently reviewing the plat to ensure compliance before final recording by the County. The seven lots in this phase are in the R-1-10 portion of the subdivision and are all over 10,000 square feet, with the largest lot about seventeen thousand square feet. The extension of Pitchfork Road will lead into Murray Hollow which will eventually exit onto Bullion Street and will be paved. The applicants are applying for permits to continue the existing sound wall along the I-215 freeway for entire subdivision, but for now most of phase one is covered by the existing sound wall.

Mr. Hall explained the process for approval and stated if the Planning Commission recommends approval to the Mayor tonight, Staff would take the final steps to ensure the plat is correct, obtain the Mayor's signature, the Planning Commission's signatures and then record that plat. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval for Final Subdivision approval for Murray Cove Phase 2 (the first of three phases) in the Murray Cove subdivision subject to conditions.

Mr. Markham stated his concern with the traffic study was that it did not state that it was required to be geared towards the future and wondered if any future issues arise will it be the responsibility of the city to address. Mr. Markham stated his belief that the city will have significant traffic problems in the future, especially with the future development in this area that will impact the west end of Bullion and the intersection of Bullion and 1300 West.

Mr. Hall stated that it's true that the area does have undeveloped parcels that may be developed in the near future and could have an impact on traffic. Mr. Hall stated he and Trae Stokes, the City Engineer, have been discussing the traffic issues and looking at alternatives to find solutions for the future development of this land. At this point it is not Ivory's responsibility to address the traffic concerns of the entire surrounding area.

Mr. Markham suggested that City Staff make it clear going forward for the benefit of the residents nearby that it's not the complete responsibility of Ivory Homes to fix all the traffic issues that may be in the area. Mr. Hall agreed that it's a city issue.

Mr. Markham stated his additional concern with condition number five, which states all construction activity and emergency access shall come from Bullion and feed to Pitchfork drive. Mr. Hall stated yes, that is the intent. Mr. Hall explained that there is an existing less developed access off Bullion that can be used if it's improved a bit, and could be used for construction access. Mr. Markham asked if it would be appropriate to request that they not use the existing Pitchfork Road for construction access. Mr. Hall stated that the City Engineer would like them to use the Bullion access primarily, but did not specifically prohibit the use of Pitchfork.

Mr. Nay asked why they would be required to extend the sound wall for this phase and not until a future phase. Mr. Hall answered only a small amount of sound wall needs to be installed. Some of the homes in this phase will be affected by the freeway traffic. A noise abatement study needs to be conducted.

Bryon Prince, Ivory Development, 978 East Woodoak Lane, stated he has reviewed the staff recommendations and will comply. Mr. Prince stated it is a reasonable request to have all emergency and construction traffic use the Bullion Street access as the sole access, as was the intent. Mr. Prince explained the noise abatement study has been completed and has been submitted to the city. UDOT has approved the wall, but they are waiting for UDOT to make a decision on the location of the wall. Mr. Prince clarified that this phase two has been adjusted to be quite small primarily for the potential acquisition or trade of property with the Salt Lake County Fish and Game. The potential boundary adjustment would allow an improved subdivision design off Bullion Street that is more aesthetically pleasing.

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

Mr. Markham made a motion to forward a recommendation of Final Subdivision Plat approval for the proposed Murray Cove Phase 2 Subdivision on the property addressed 1187 West Bullion Street, subject to the following conditions with a modification to condition number five as previously discussed:

1. The applicant shall meet all requirements of the Murray City Subdivision Ordinance.
2. The applicant shall meet all requirements of the Water and Sewer Department.
3. The applicant shall work with the Murray Power Department to coordinate the provision of street lights and power.
4. The applicant shall meet all applicable building and fire codes, and shall provide the temporary turnaround and required hydrants as presented in this proposed phase.
5. The applicant shall provide a temporary turnaround at the east end of phase 2, and provide a construction entrance and emergency access road solely onto Bullion Street and not Pitchfork Road.
6. The applicant shall meet City drainage requirements and provide a drainage study and calculations.
7. The applicant shall provide standard public utility easements on all lots: 10 feet wide for front and rear lot lines, and 7.5 feet wide for side lot lines.
8. The applicant shall provide an irrigation company / user approval letter for system modifications.
9. The applicant shall provide an updated geotechnical study / letter related to groundwater recommendations, and shall define lots and elevations that will require foundation sub-drains.
10. The applicant shall provide a noise wall study and plans, and shall obtain a UDOT permit for the installation of the noise abatement wall.
11. The applicant shall provide a bond for public improvements.
12. The applicant shall provide a site Storm Water Pollution Prevention Plan (SWPPP) and obtain a City Land Disturbance Permit prior to beginning any site work.
13. The applicant shall obtain a City Excavation Permit for work in the City right-of-way.

Seconded by Ms. Milkavich.

Call vote recorded by Mr. Hall.

   A Lisa Milkavich  
   A Sue Wilson  
   A Phil Markham  
   A Buck Swaney  
   A Travis Nay

Motion passed 5-0.

Ms. Wilson asked Mr. Prince when they expect to start digging on the site. Mr. Prince stated they will continue to work with the city on pre-construction issues, so it will depend on how the talks go, but they plan on commencing construction in late June early July.

DISCUSSION ITEMS – PROPOSED TEXT AMENDMENTS – Section 17.48.160 Planned Center

Jim McNulty presented the text amendments for Section 17.48.160, Planned Center. Mr. McNulty stated he believes the Fashion Place Mall and Security National Campus meet the criteria of a Planned Center. Both parties approached the City and asked for some additional signage by way of a pylon sign. The proposed Fashion Place pylon sign will be located at the corner of 6400 South and State Street and used to advertise all the businesses at the mall. The sign will be approximately 35 feet high with an electronic message center on top, the advertisement for the major anchor tenants below, and the branding of General Growth below. The pylon sign is a high quality design that fits into the center well. The proposed sign clearance of a minimum of 8 feet will comply with code Section 17.48.160.

Mr. McNulty stated he will clarify the standards of how the 600 square foot total will be calculated by either per side area, or total area with a maximum of two sides allowed. The City has researched the ordinances of several nearby cities and determined the best standards for Murray City. Mr. McNulty urged the Commission to add any other concerns or suggestions to the discussion so they may be addressed as a whole.

Ms. Milkavich asked for clarification in regards to the term "visibility triangle". Mr. McNulty stated it's a way to measure the sign from a corner going 25 feet back in either direction or drawing a straight line to connect it. If it's within the visibility triangle, the City Engineer will need to approve or deny it.

Mr. Swaney commented on the excellent design of the proposed sign; however, if outlandish colors were to be added to the sign then, the design would be less desirable and asked if colors and materials can be addressed in the Conditional Use Permit process. Mr. Nay asked if the term, theme, can be addressed as well. Mr. McNulty answered that an electronic message center is the only sign required to have a CUP. The other signs will all fall under Section 17.48.160, item A. Signs must be integrated into the development with a common theme or integrated architecturally with the buildings. Mr. McNulty stated that this ordinance is helpful as staff meets with developers often to review proposed signage among other required items. Mr. Swaney asked if Staff would be able to deny a sign that may be outlandish in color or design if it matches the theme of the building. Mr. McNulty stated that Staff would state that it does not fit in well in the area and would ask the developer to submit a sign proposal that better fits the area before it comes to the Planning Commission. Mr. Swaney stated that he would like to see regulations like this go into the Development Standards and be removed from Conditional Use processes. Mr. McNulty stated the only thing that will require a CUP will be the off-premise electronic message centers. Staff can explore options for signs when they begin to rewrite of the Sign Code in the next few months.

Mr. Nay asked if the allowance for a freeway grade sign height at sixty feet above ground level with six hundred feet of LED on both sides would be an eyesore to the City. Ms. Milkavich stated that only a few locations meet the standards for the allowance of these signs, but we do have the potential for many additional signs like these in the future. Mr. Swaney asked why the City choose seven acres as the minimum area requirement. Mr. McNulty answered this standard was developed by bench marketing with other cities and looking at the city's current

ordinances. It also provides a good measure between Class A shopping centers and strip retail centers.

Mr. Swaney suggested that text be added that would require businesses to consolidate smaller signs on the property to qualify for a larger pylon sign.

Ms. Milkavich asked if this applies to all zones. Mr. McNulty answered it applies to specific zones such as Commercial, Manufacturing, and Business Parks and stated they could look at adding text on sign consolidation. It was decided that the current sign code for monument signs and directional signs are acceptable. Staff did not propose any changes to them. This proposal is intended to consolidate or eliminate multiple pole signs. Mr. Swaney stated a sign that is 600 square feet and LED may not be desired in close proximity to a residential neighborhood. He asked staff to add some text amendments that may limit what types of signs and how close to residential areas they can be. Ms. Wilson stated that Staff should look at the lumens or flashing of lights that could be allowed near residential areas. Mr. McNulty stated that this issue is addressed in other parts of the code but will look into some updates when rewriting the sign code in the future.

#### DISCUSSION ITEMS – PROPOSED TEXT AMENDMENTS – Section 17.64.090 Fence Height Exception

Mr. McNulty presented the text amendments for Section 17.64.090, Fence Height Exception. Mr. McNulty referenced 17.64.090, item E, and explained the change from the allowed seven feet (7') to eight feet (8'). Item F, explained the change from the allowed seven feet (7') to eight feet (8'). Mr. McNulty read the newly added text for items G and H for the record and presented slides from a site visit to the proposed Murray Canal Trail.

Mr. McNulty discussed the rear yard fences along the Canal. The fences are very low on some of the properties which the text amendments would help mitigate with the concerns of the City and residents when the Canal Trail System goes into place. The proposed fence would be a chain-link fencing with white vinyl slats. If residents would like a higher quality fence they will be able to pay the difference to upgrade.

Ms. Milkavich asked why item F, would need regulations on the size of the property to be greater than one-half acre. Mr. McNulty answered that the code is currently written this way. It was previously determined that if you had a half acre you would be allowed to erect a seven foot fence, which is also in the sign code. To stay consistent we raised it to eight feet, a lot of the properties have animals.

Mr. Nay asked for clarification of the word "abut", in regard to the eight foot fence and gave the example of a piece of property that has a tiny corner that may touch the canal can they build the eight foot fence. Mr. McNulty answered the fence that abuts the canal could have the higher fence, if it's the rear yard, the portion that abuts the canal could have the higher fence. It would have to be determined by Staff during building permit review.

Mr. Markham asked for a description of where the Canal Trail is located. Mr. Hall explained it runs diagonally from Fountaine Bleu down to Wheeler Farm, approximately just North of Vine Street, about 1300 East to about 1800 East. Mr. McNulty indicated that this text amendment fills an immediate need and would like to move this item forward.

DISCUSSION ITEMS – PROPOSED TEXT AMENDMENTS – Section 17.80.120 Relocation of Monopoles in the M CCD Zone

Mr. McNulty presented the Text Amendments for Section 17.80.120, Relocation of Monopoles in the M CCD zone. Mr. McNulty stated that there is a monopole located in the M CCD Zone near the existing fire station on 4800 south. This pole is over 100 feet high and owned by Verizon Wireless. The monopole needs to be relocated as the land it occupies is part of the City Center Master Plan which will be the home of new civic buildings and parking structures. The City proposes to move the pole to a new lot which is currently under contract by the City. The proposed move would relocate the monopole to a less conspicuous location within the M CCD, but the current M CCD zone does not allow for a monopole. The City is required to help Verizon find a place to relocate the pole. We want it to stay in the area because it has been a good use to the Fire Department and in emergency situations. Mr. McNulty paraphrased the new text and stated, it would allow an existing legal non-conforming monopole in the M CCD Zone to be relocated within the M CCD Zone by the Planning Commission if it is found to meet the requirements of Section 17.80.120, by way of Conditional Use.

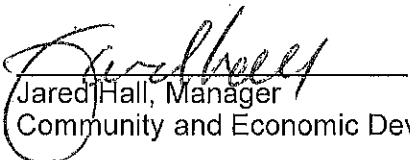
Mr. Swaney stated the use of the word, existing, limits it to be a onetime use. Mr. McNulty concurred. Mr. McNulty stated this text amendment is an immediate need and would like to move this forward.

OTHER BUSINESS

Mr. Hall presented a flyer that represents the Active Transportation Plan the City is involved with along with UDOT, UTA, and WFRC. This is essentially an exploratory bike ride that will be held on June 14, 2017. They will meet at the Murray Station and they will ride the pre-planned bike route to review all the needs of the city. The hope is that residents and Commission members will participate in the two hour, seven mile event.

Mr. McNulty stated the next two meetings will be held on June 1<sup>st</sup>, and 15<sup>th</sup> and to keep them in mind.

The meeting was adjourned at 7:31 p.m.

  
Jared Hall, Manager  
Community and Economic Development