

Minutes of the Planning Commission meeting held on Thursday, November 21ST, 2024, at 6:30 p.m. in the Murray City Council Chambers, 10 East 4800 South, Murray, Utah.

A recording of this meeting is available for viewing at <http://www.murray.utah.gov> or in the Community and Economic Development office located at 10 East 4800 South, Suite 260.

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

Present: Maren Patterson, Chair
Ned Hacker, Vice Chair
Jake Pehrson
Lisa Milkavich
Michael Henrie
Michael Richards
Pete Hristou
Phil Markham, CED Director
Zachary Smallwood, Planning Division Manager
David Rodgers, Senior Planner
Mark Richardson, Deputy Attorney
Members of the Public (per sign-in sheet)

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.

CALL MEETING TO ORDER

Chair Patterson called the meeting to order at 6:32 p.m.

BUSINESS ITEMS

APPROVAL OF MINUTES

Commissioner Pehrson made a motion to approve the minutes for October 3rd, 2024. Seconded by Commissioner Henrie. A voice vote was made with all in favor.

CONFLICT(S) OF INTEREST

There were no conflicts of interest for this meeting.

APPROVAL OF FINDINGS OF FACT

Commissioner Pehrson made a motion to approve the findings of fact for Revision Scar Theory Labs Conditional Use Permit. Seconded by Commissioner Milkavich. A voice vote was taken with all in favor.

CONDITIONAL USE PERMIT(S) – ADMINISTRATIVE ACTION

Crockett Auto Sales - Project # 24-120 - 5226 South Commerce Drive #3 - Conditional Use Permit for Auto Sales

Jim Crocket was present to represent the request. David Rodgers presented the application for conditional use permit approval to allow an auto sales business in the G-O zone. He described the unit where the office will be located. He also mentioned the surrounding zones. He showed a site plan and floor plan, where vehicles will be stored. Mr. Rodgers described the parking and lot access. He said that one condition of approval is that the applicant must restripe the parking areas. He said that the applicant must also fulfill landscaping requirements, which he outlined in the packet. Staff sent notices to the surrounding affected entities. No public comments have been received. Staff recommends the Planning Commission approve a conditional use permit to allow an auto sales business.

Commissioner Milkavich asked for clarifications on the display cars in the dealership and the condition of landscaping requirements. Mr. Rodgers answered her questions.

Commissioner Henrie asked about the use of parking stalls for display vehicles. Mr. Rodgers said those spaces must be available for customers.

Jim Crocket approached the podium. Chair Patterson asked if he had read and will comply with the conditions. He said he can.

Mr. Crocket and Mr. Smallwood discussed the number of spots actually available on the lot, being 10 or 11. They talked about keeping some vehicles outside in those spots. Mr. Smallwood said Mr. Crocket should review his lease to see how many are reserved. There are other businesses that might also have access to those spots.

Chair Patterson opened up the agenda item for public comment. Seeing none, the public comment period was closed.

Vice Chair Hacker made a motion that The Planning Commission approve a Conditional Use Permit to allow an auto sales business at the property addressed, 5226 South Commerce Drive, #3, subject to the following conditions:

1. The applicant shall obtain a Murray City Business License prior to beginning operations at this location.
2. The property owner shall restripe the parking area for this property.
3. The property owner shall install additional landscape elements to meet the requirements of Section 17.68 of the Murray City Land Use Ordinance as outlined in the Staff Report.
4. The project shall comply with all applicable building and fire code standards and obtain any required permits.
5. The applicant shall obtain permits for any new attached or detached signs proposed for the business.
6. The applicant shall maintain clear, appropriate vehicular access to the overhead doors on the building at all times.
7. The applicant shall maintain a Utah Motor Vehicle Dealer's License.

Seconded by Commissioner Henrie. Roll call vote:

A Patterson
A Hacker
A Henrie
A Hristou
A Milkavich
A Pehrson
A Richards

Motion passes: 7-0

Murray Fields Townhomes - Project # 24-121 - 770 & 780 West 5300 South - Planned Unit Development and Preliminary Subdivision

Justin Lang was present to represent the request. Zachary Smallwood presented the application to develop the subject property into thirty-six (36) townhomes. Mr. Smallwood showed the preliminary plat with town home lots indicated. He showed the site plan with setbacks, which he described in detail. He described the unique circumstances with the property line that require a narrower setback in some places. This is also impacted by adjacent properties owned by Murray City and UDOT (Utah Department of Transportation). He said that the setbacks are more than sufficient, even if UDOT were to modify the road.

The Commissioners and Mr. Smallwood discussed the impact of deceleration lane. Mr. Smallwood said the Mr. Lang has an agreement with UDOT to allow access to 5300 South.

Mr. Smallwood showed where the utilities will be located, including a newly installed storm drain. He showed the landscaping plan, including connecting sidewalk access to main streets. He described the elevations, taking into consideration to install lower heights adjacent to the neighborhood. He said that the applicant is providing more than the required number of parking spaces. Public notices were sent to affected entities. Staff recommends approval of the planned unit development and granting preliminary subdivision for the Murray fields.

Commissioner Henrie and Mr. Smallwood discussed the fencing along the north side of the property. Commissioner Henrie asked if Mr. Lang will be maintaining the fence line shared with Murray property. Mr. Smallwood said he will let Mr. Lang address that question. Commissioner Henrie asked if Mr. Lang purchased the property owned by Murray City. Mr. Smallwood said Mr. Lang would have to come back to The Planning Commission to request for a rezone. He said it would be more complicated because there's small piece of the land that's zoned as R-1-8.

The Commissioners and Mr. Smallwood discussed who owned the trees on the property to the right. Mr. Smallwood said they're owned by the HOA. He said they can ask Mr. Lang what he intends to do, but that the trees may not be viable or good trees worth keeping.

Mr. Lang approached the podium. Chair Patterson asked if he had read and will comply with the conditions. Mr. Lang said that he would. He answered the questions posed by The Planning

Commission. He said that he originally was told he could not purchase the sliver of land from Murray City. Now he learned that he can. He described the logistics of dealing with the fencing. He said there are some issues with the boundary lines that need to be addressed after this current process is complete. He doesn't intend to add anything to the sliver of property. They discussed the impact purchasing that land would have on the setbacks.

Mr. Lang talked about the deceleration lane. He said they don't have any choice regarding what happens there. It was decided by UDOT. He said there is plenty of land there, but UDOT cannot widen the lane any more than it is. He said that UDOT has given them a construction permit, but they will have to get appraisals and surveys to present to UDOT for review.

Commissioner Pehrson asked about the walking path. Mr. Lang said it will have a slight incline and will be made of compacted gravel surrounded by xeriscape.

Chair Patterson opened up the public comment period for this agenda item.

Harry Hankins asked when construction will begin, if any of the units will look down on the neighborhood, if there will be a wall and how will residents of the condos get onto 5300 South going east or west.

Chair Patterson addressed the access to 5300 South, stating that it will be a right-turn only (going west).

Kyle Miller stated his concern regarding what he believes will create a landlocked scenario with utilities. He said he is in favor of the development.

Mr. Smallwood read an email from Abby Thurman. She said she is concerned about the privacy of her property and noise during construction. She wants to know what the timeline for construction will be and who will be responsible for fencing.

Chair Patterson closed the public comment period for this agenda item.

Mr. Smallwood addressed the public comments. He addressed the issue with landlocked utilities. He said he believes there is access on the right of the property, which he pointed out on the site plan. He said the city would not get involved between two property owners deciding if it is landlocked. He did note the availability is limited and that a public street could not be put in there.

Mr. Smallwood addressed questions regarding height. He said the highest will be two stories, which could be as high as 29 feet.

Mr. Smallwood addressed questions regarding fencing. He said he doesn't believe there's a proposal to install new fencing.

Mr. Lang said there's existing fencing on the west side that's been there for several years. He said it's nice fencing that serves as a good barrier. He also said the units will not be looking down onto the houses in the neighborhood. He said he talked with Mr. Miller about the situation with access to the utilities. There's a small strip of land that neither of them can gain physical access to. Mr. Lang agreed to put the sewer access on his own property because that was the only option.

Mr. Lang addressed the question regarding the timeline for construction. He said they'll begin as soon as they can. He doesn't know the timeline on the actual buildings. He hopes to finish the "flat" work – roads, utilities, and gutters – by summer. The "vertical" work he is unsure of because he's not in charge of that.

Mr. Smallwood addressed the noise concern. He said there are noise ordinances that restrict the hours work can be done. If there's an issue, residents can contact the city.

Mr. Lang addressed the concern regarding putting up a wall. He said they have no plan to do so. There's a fence that they plan on leaving in place.

Vice Chair Hacker made a motion that the Planning Commission approve the Planned Unit Development and grant Preliminary Subdivision approval for Murray Fields on the properties addressed 770 & 780 West 5300 South subject to the following conditions:

1. The applicant shall meet all requirements of the Murray City Engineer, including the following:
 - a. Meet City subdivision and requirements and standards – City Code Title 16. The current plat does not meet City or County standards for recording.
 - b. Address all engineering review comments prior to printing the plat to mylar.
 - c. Provide a copy of the HOA CC&R's and declaration.
 - d. Provide grading, drainage and utility plan and profile drawings – City Code Chapter 16.08
 - e. Meet City storm drainage requirements, on-site detention, and retention of the 80th percentile storm is required. Implement Low Impact Development (LID) practices – Subdivision Application & City Code 13.52.050.
 - f. Provide PUE's on all common areas – City Code Chapter 16.16.100.
 - g. Obtain official UDOT approval and all required permits for street connection to 5400 South. The subdivision plat will not be recorded until access has been fully permitted by UDOT.
 - h. Provide a site geotechnical study and follow recommendations. The geotechnical study should provide LID recommendations and infiltration rates for the 80th percentile retention – Subdivision Application.
 - i. Provide any required easements and vacate any unused easements within the proposed buildable areas and street - City Code Chapter 16.16.100.
 - j. Remove any abandoned irrigation pipe and structures – City Code Chapter 16.16.300.
 - k. Provide subdivision street lighting - City Code 16.16.310.
 - l. Provide an improvement bond prior to recording the subdivision plat (5400 South improvements) – City Code Chapter 16.16.220
 - m. Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning any site grading and construction work – City Code Chapter 15.52.030.
 - n. Obtain a City Excavation Permit for work within City roadways – City Code Chapter 12.16.020.
 - o. Obtain UDOT Encroachment Permit for grading and construction work within the 5400 South right-of-way – State Code.
2. The subdivision shall meet the requirements of the Murray City Fire Department including the width of the access drives and emergency gate access requirements.
3. The developer shall meet all Murray City Water Division requirements.
4. The developer shall meet all Murray City Wastewater Division requirements.

5. The developer shall meet all Murray City Power Department requirements and meet to discuss planning the new power service.
6. The applicant shall provide a copy of the recorded CC&Rs to the Planning Division.
7. All units within the subdivision shall comply with the requirements of the R-M-15 Zone as outlined in Chapter 17.120, Chapter 17.62, Condominiums, and Planned Unit Development as outlined in Chapter 17.60 of the Murray City Land Use Ordinance.
8. Application for a Final Subdivision Review must be made within a one-year time period from Preliminary Subdivision, or the preliminary approval will be null and void. The subdivision plat shall be recorded within one year of the final approval by Murray City or the subdivision plat approval shall be null and void.

Seconded by Commissioner Hristou. Roll call vote:

A Patterson
A Hacker
A Henrie
A Hristou
A Milkavich
A Pehrson
A Richards

Motion passes: 7-0

ANNOUNCEMENTS AND QUESTIONS

Phil Markham made the announcement that he will be leaving Murray City on January 3rd, 2025. He said that this replacement, Chad Wilkinson, will start on January 6th, 2025.

The next scheduled meeting will be held on Thursday, December 5th, 2024, at 6:30 p.m. MST in the Murray City Council Chambers, 10 East 4800 South, Murray, Utah.

ADJOURNMENT

Commissioner Milkavich made a motion to adjourn the meeting at 7:33 p.m.



Philip J. Markham, Director
Community & Economic Development Department