

Minutes of the Planning Commission meeting held on Thursday, December 5th, 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
Zachary Smallwood, Planning Division Manager
David Rodgers, Senior Planner
Ruth Ruach, Planner I
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 6:34 p.m.

BUSINESS ITEMS

APPROVAL OF MINUTES

Commissioner Pehrson made a motion to approve the minutes for October 17th, 2024, and November 7th, 2024. Seconded by Commissioner Henrie. A voice vote was made with all in favor.

CONFLICT(S) OF INTEREST

Commissioner Henrie declared a conflict of interest with agenda item number eight, Murray Burton Acres Flag Lot Subdivision.

Commissioner Pehrson declared that he has known the applicant of Murray Burton Acres Flag Lot Subdivision for a long time and that the applicant contributed to his campaign for City Council. He does not feel this will affect his decision on the item.

APPROVAL OF FINDINGS OF FACT

Commissioner Pehrson made a motion to approve the Findings of Fact for Crockett Auto Sales Conditional Use Permit, Murray Field Townhomes Conditional Use Permit and Murray Field Townhomes Preliminary Subdivision (with an adjustment to wording indicated in the premeeting). Seconded by Commissioner Richards. A vote voice was made with all in favor.

SITE PLAN REVIEW(S) – ADMINISTRATIVE ACTION

Lazy Dog Restaurant - Project # 24-123 - 102 East Winchester Street - Site Plan Review for a New Restaurant

Jared Taylor was present to represent the request. David Rodgers presented the application requesting site plan approval for construction of a new restaurant with patio in the C-D zone. Mr. Rodgers described the surrounding zone. He showed the site plan, which included elevations and proposed materials. He showed the floor plan, with the restaurant layout, as well as renderings of the interior. He showed the parking and access on a map, stating that the applicant will have more than the required parking stalls. He said the applicant has provided a landscaping plan, which he described. Public notices were sent to property owners and affected entities. No comments have been received. Staff recommends the approval of this application. Per a discussion in the pre-meeting, a change was recommended in section (1.a) will be changed to include “or receive a waiver” to the verbiage, which the applicant intends to do. In section (1.e) the verbiage “if required or needed” will be added, as it will not be necessary for the applicant to obtain what’s requested.

Mr. Taylor approached the podium. Chair Patteson asked if he had read and could comply with the conditions, with changes indicated by staff. He said he could.

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

Commissioner Milkavich made a motion that the Planning Commission grant Site Plan approval for the proposed Lazy Dog Restaurant for the property addressed 102 East Winchester Street subject to the following conditions:

1. The applicant shall meet Murray City Engineering requirements including the following:
 - a) Meet City storm drain requirements, on-site detention/retention and water quality treatment is require or receive a waiver - City Code 13.52.050.
 - b) Replace any damaged sidewalk along the State Street and Winchester Street frontages - City Code Chapter 12.12.050.
 - c) Replace any damaged curb and gutter along the Winchester Street frontage - City Code Chapter 12.12.05
 - d) Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning site work - City Code Chapter 15.52.030.
 - e) Obtain a City Excavation Permit for work within City rights-of-way if required or needed – City Code Chapter 12.16.020.
2. The applicant shall meet all Fire Department requirements.
3. The applicant shall meet all Water Division requirements.
4. The applicant shall meet all Wastewater Division requirements.

5. The applicant shall meet all Power Department requirements.
6. The applicant shall obtain a Murray City Business License prior to conducting business at this location.
7. The applicant shall meet all landscaping requirements of Chapter 17.68 of the Murray City Land Use Ordinance including the additional street frontage landscaping prior to Planning approval of a building permit.
8. Meet all parking requirements of Chapter 17.72, including ADA stall regulations.
9. The applicant shall meet all sign requirements of Chapter 17.48 and obtain separate building permits for all signage.

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

CONDITIONAL USE PERMIT(S) – ADMINISTRATIVE ACTION

Game Show Battle Room - Project # 24-124 - 6148 South State Street Suite B - Conditional Use Permit for Game Show Entertainment Business

Jennifer Jewett was present to represent the request. Ruth Ruach presented the application requesting conditional use permit approval to allow a game show entertainment business, located in the C-D zone. Ms. Ruach described the property, site plan and floor plan. She described changes proposed by the applicant to the existing unit. She talked about parking and access, stating that the applicant will exceed the parking requirement. Public notices were sent to affected entities. No comments have been received. Staff recommends the approval of this application.

Ms. Jewett approached the podium. Chair Patterson asked if she had read and could comply with the conditions. Ms. Jewett said she could.

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

Commissioner Milkavich made a motion that the Planning Commission approve the Conditional Use Permit to allow a gameshow entertainment business at the property addressed 6148 South State Street, Unit B, subject to the following conditions:

1. The applicant shall obtain a Murray City Business License prior to beginning operations at this location.
2. The project shall comply with all applicable building and fire code standards.

3. The applicant shall obtain permits for any new attached or detached signs proposed for the business.

Seconded by Commissioner Richards. Roll call vote:

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

Motion passes: 7-0

Villages on Vine - Project # 24-131 & 24-130 - 5425 South Vine Street - Planned Unit Development and Preliminary Subdivision Approval for Fifty-Five Townhomes

Brad Reynolds was present to represent this request. Zachary Smallwood presented the application requesting approval to develop the subject property into fifty-five (55) townhomes. He said that the city recently rezoned the property to R-M-20 to allow for residential. He showed the preliminary plat, pointing out Vine Street, as well as the singular access point and cul-de-sac. He indicated that the access lanes meet fire code. He showed the landscaping plan and layout. He described the property elevations, as well as design elements of the units. He showed an aerial view of the proposed development. Notices were sent to 58 property owners and affected entities within 450 feet of the property. One comment of opposition was received by email, which will be read into the public record. Staff are recommending that the Planning Commission approve the planned unit development and grant preliminary subdivision approval for the Villages on the Vine.

Chair Patterson had Mr. Reynolds approach the podium. She asked if he had read and could comply with the conditions. He said he could.

Chair Patterson opened the agenda item for public comment.

Max Reese, secretary for Little Cottonwood Tanner ditch Company, asked about the irrigation ditch running across the property. He wants to make sure the ditch is properly maintained if there's going to be work done on it. Mr. Smallwood assured him that the applicant must obtain irrigation company approval for pipe relocation and drainage connection before moving forward.

Mr. Smallwood read a comment from Brandy Grace, Chief Executive Officer for Utah Association of Counties, expressed her concerns regarding the proposed housing development that she believes could negatively impact the surrounding area. She said increased traffic congestion could make the surrounding our office area congested, particularly during peak hours. She feels this will lead to increased commute time, safety hazards and potential bottlenecks in case of emergencies. She feels the current infrastructure, including roads, parking, and public transit, is not equipped to handle the increased demand this development would bring, without significant upgrades. She feels the current infrastructure is already overrun. She encourages the applicant to find an

alternative location for this development or a scaled down version of the project to mitigate the impact on the immediate area.

Chair Patterson closed the public comment period.

Mr. Smallwood responded to the public comments. He addressed the comment regarding the traffic concern, stating that a traffic study is not required for developments with less than 100 units, which this development falls under. Staff does not feel this will be a concern. Staff also feels that, with this number of units, traffic should not be significantly impacted as the roads are well suited for this capacity. He said that Mr. Reynolds does have an excess of parking on this development. He also said that public transit is outside the city's purview. He said that having additional development in the area may spur improvements to public transit.

Mr. Reynolds approached the podium. Chair Patterson asked if he read and could comply with the conditions. He said he could. They spoke about the condition regarding the irrigation company, which Mr. Reynolds has already begun working on.

Commissioner Richards made a motion that the Planning Commission approve the Planned Unit Development and grant Preliminary Subdivision approval for The Villages on Vine on the properties addressed 5425 South Vine Street 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.
 - 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. 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.
 - h. Provide any required easements and vacate any unused easements within the proposed buildable areas and street - City Code Chapter 16.16.100.
 - i. Obtain irrigation company approval for pipe relocation and drainage connection – City Code Chapter 16.16.300.
 - j. Provide subdivision street lighting - City Code 16.16.310.
 - k. Provide an improvement bond prior to recording the subdivision plat (Vine Street improvements) – City Code Chapter 16.16.220
 - l. 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.
 - m. Obtain a City Excavation Permit for work within City roadways – City Code Chapter 12.16.020.
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-20 Zone as outlined in Chapter 17.124, 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.
9. The applicant shall install an eight-foot (8') fence along the north, east, and south property lines.

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

Commissioner Henrie excused himself for the next agenda item, due to conflict of interest.

SUBDIVISION(S) – ADMINISTRATIVE ACTION

Murray Burton Acres Flag Lot Subdivision - Project # 24-126 - 5991 & 6001 South Belview Avenue Preliminary and Final Subdivision Approval for Two Flag Lots

Paul Dodge was present to represent this request. David Rodgers presented the application for preliminary and final flag lot subdivision approval for property in the R-1-6 Zone located at approximately 5991 & 6001 South Belview Avenue in the R-1-6 zone. He showed the site plan for the project. He showed the preliminary plat, showing how the existing parcels will be split, as well as their access. He talked about lot sizes and drive access. Notices were sent to surrounding affected entities. No comments have been received in response. Staff recommends the Planning Commission grant preliminary and final subdivision approval for a flag lot subdivision.

The Commissioners, Mr. Rodgers and Mr. Smallwood discussed how the flag lots could be divided differently. Mr. Smallwood said that they need to be divided in ways that allow for driveway spacing.

Mr. Dodge approached the podium. Chair Patterson asked if he had read and could comply with the conditions. He said he could.

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

Vice Chair Hacker made a motion that the Planning Commission grant preliminary and final subdivision approval for a Flag Lot Subdivision for the proposed Murray Burton Acres Subdivision located at 5991 & 6001 Belview Ave, subject to the following conditions:

1. The applicant shall meet all requirements of the City Engineer, including the following:
 - a. Meet City subdivision requirements and standards – City Code Title 16.
 - b. Address all engineering and survey review comments prior to printing the plat to mylar.
 - c. Provide grading, drainage, and utility plans – City Code Chapter 16.08.
 - d. Meet City storm drainage requirements, on-site retention is required – City Code Chapter 13.52.050
 - e. Provide standard front rear and side yard PUE's on lots – City Code Chapter 16.16.100.
 - f. Provide separate utilities to proposed lots.
 - g. Provide any required easements and vacate any unused easements within the proposed buildable areas and street - City Code Chapter 16.16.100.
2. Obtain a City Excavation Permit for work within City rights-of-ways – City Code Chapter 12.16.020.
3. The applicant shall prepare a Final Subdivision Plat which complies with all requirements of Title 16, Murray City Subdivision Ordinance.
4. The applicant shall meet all requirements of the Murray City Water Department.
5. The applicant shall meet all requirements of the Murray City Wastewater Department.
6. The applicant shall meet all requirements of the Murray City Fire Department.
7. The applicant shall obtain building permits for any new construction on the property.
8. The Final Plat shall adhere to the requirements for Flag Lot Subdivisions contained in Section 17.76.140 of the Murray City Land Use Ordinance and as outlined in the Staff Report.
9. The applicant shall meet all applicable Building and Fire Codes.
10. The applicant shall provide complete plans, structural calculations and soils reports stamped and signed by the appropriate design professionals at the time of submittal for building permits.
11. The subdivision plat shall be recorded within one year of the final approval or the final plat shall be null and void.

Seconded by Commissioner Richards. Roll call vote:

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

Motion passes: 6-0

ANNOUNCEMENTS AND QUESTIONS

The next scheduled meeting will be held on Thursday, December 19th, 2024, at 6:30 p.m. MST in the Murray City Council Chambers, 10 East 4800 South, Murray, Utah.

ADJOURNMENT

Commissioner Pehrson made a motion to adjourn the meeting at 7:25 p.m.

A handwritten signature in black ink, reading "Philip J. Markham". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Philip J. Markham, Director
Community & Economic Development Department