

Minutes of the Planning Commission meeting held on Thursday, December 19th, 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
Jake Pehrson
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)

Excused: Ned Hacker, Vice Chair
Lisa Milkavich

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 6:30 p.m.

BUSINESS ITEMS

APPROVAL OF MINUTES

Commissioner Pehrson made a motion to approve the minutes for November 21ST, 2024. Seconded by Commissioner Richards. 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 Game Show Battle Rooms Conditional Use Permit, Lazy Dog Restaurant Site Plan Review, Murray Burton Acres Flag Lot Subdivision, Villages on Vine Subdivision, and Villages on Vine Planned Unit Development.

Seconded by Commissioner Henrie. A voice vote was taken with all in favor.

CONDITIONAL USE PERMIT(S) – ADMINISTRATIVE ACTION

Serena Webb Dance Studio - Project # 24-136 - 4700 South 900 East #43 - Conditional Use for a Dance Studio Business

Serena Webb was present to represent the request. Ruth Ruach presented the application requesting conditional use permit approval to allow a dance studio, located in the C-D zone. Ms. Ruach described the property located in the Ivy Place shopping plaza. She showed the site plan and floor plan for the business. She described the parking spaces and access points. Notices were sent to affected entities. Staff recommended that the Planning Commission approve the conditional use permit to allow a dance studio business.

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

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

Commissioner Pehrson made a motion that the Planning Commission approve the conditional use permit to allow a dance studio at the property addressed 4700 South 900 East, Suite 43, 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 Henrie. Roll call vote:

A Patterson
A Henrie
A Hristou
A Pehrson
A Richards

Motion passes: 5-0

SUBDIVISION(S) – ADMINISTRATIVE ACTION

Murray Zevex Park Lane Subdivision - Project # 24-135 - 4260 & 4272 South Zevex Park Lane Amending Lots 3A & 3B of the Cottonwood Confluence Center Phase 2 Second Amended Plat

Colby Anderson was not present to represent the request. David Rodgers indicated to the Chair that Mr. Anderson communicated that he would not be in attendance. Mr. Rodgers presented the application to adjust the Murray Zevex Park Lane subdivision to modify lots 3A & 3B and add a

twenty-four-foot (24') access easement across the north end of the southern parcel, in the M-G zone.

Mr. Rodgers described the subject lots, including showing the site plan. He showed on a map where the lots are located. He explained how the current lots will be re-divided, which will add a 25-foot access easement to one of the lots. Notices were sent to nearby property owners and affected entities, with no comments being received. Staff recommended that the Planning Commission approve the proposed subdivision amendment.

Chair Patterson confirmed with Mr. Rodgers that the applicant would be able to comply with the conditions. Mr. Rodgers stated that the applicant indicated that they would comply.

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

Commissioner Richards made a motion that the Planning Commission approve the proposed Subdivision Amendment for Murray Zevox Park Lane Subdivision, adjusting Lots 3A and 3B for the properties addressed 4272 and 4260 South Zevox Park subject to the following conditions:

1. Meet the requirements of the City Engineer, including:
 - 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.
2. Meet the Water, Wastewater, and Fire Department requirements.
3. Meet all requirements of Section 17.152 of the Murray Land Use Ordinance for the M-G Zone.

Seconded by Commissioner Hristou. Roll call vote:

A Patterson
A Henrie
A Hristou
A Pehrson
A Richards

Motion passes: 5-0

ZONE MAP AMENDMENT(S) – LEGISLATIVE ACTION

Mohammed Pourkazemi - Project # 24-134 - 1504 & 1508 East Vine Street - Amendment from R-1-10, Single Family Low Density to R-1-6, Single-Family Medium Density

Mohammed Pourkazemi was present to represent the request. Zachary Smallwood presented the application to amend the zoning map of the subject properties to facilitate a residential development. Mr. Smallwood showed a map highlighting the two properties. He provided a history of the R-1-10 zone. He described surrounding zoning. He said that surrounding properties are similar in zoning. He said that the Future Land Use Map and the General Plan do support the requested zone change. Notices were sent to nearby property owners and affected entities. A few

email comments were received. Staff is recommending that the Planning Commission forward a recommendation of approval to the City Council for the requested amendment to the zoning map.

Chair Patterson asked Mohammed Pourkazemi to approach the podium. Mr. Pourkazemi explained his request, stating that he does not have sufficient frontage on the front of his property. He would like to build additional housing.

Commissioner Hristou asked if Mr. Pourkazemi's intent is to develop the back part of the parcel. He said, yes.

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

Jacob Perry and Jeremy Scow expressed their concerns about their property value if Mr. Pourkazemi develops his property the way he wants to. Mr. Scow said they are conflicted because they care about Mr. Pourkazemi personally and his desire to develop his property. Mr. Scow said the traffic flow to the nearby school would be worsened by building more homes in the neighborhood.

Keith Lufkin, representing Cottonwood Presbyterian Church, said that he sent an email previously. Mr. Smallwood said staff did not receive the email. Mr. Lufkin provided him with a printed copy to be added into public record. Mr. Lufkin provided additional comment regarding the application. He said he's concerned because they are supporting a community garden adjacent to Mr. Pourkazemi's property. He felt that he doesn't have enough information to support the request.

Mr. Smallwood read an email from Marshall Smith, board member of Village Three Condominium Association and chairman of Soul Garden Community Garden. He wanted to know if the homes built will be single-family residence only. He wanted to know if the existing homes will be removed.

Mr. Smallwood read an email from Richard and Beverly Crangle requesting that the Planning Commission defer approval of this application. She felt there are too many zoning changes in the city that are taking place at the same time. She said that some time needs to pass in order to assess the effects of these changes. She said the neighborhood can't accommodate additional traffic or city utility vehicles. Increased density will make that situation worse. She does not support this request.

Mr. Smallwood read an email from Keith Lufkin of Cottonwood Presbyterian Church. He is concerned about the potential implications of the rezoning and future plans for the property. They have a childcare center, a community garden, and many other events at the church. He said that very few details were provided, and that Mr. Pourkazemi doesn't communicate with the church. He spoke regarding an opening in the fence that's used informally for access by Mr. Pourkazemi. The church wants to ensure that this unauthorized encroachment doesn't expand. He wants to make sure that the adjacent areas don't become staging areas for construction. He said that the church has never granted any legal right of way or easement to Mr. Pourkazemi – his sole legal access to his property is via his own driveway.

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

Mr. Smallwood responded to the public comments. Explaining the process for rezoning requests to the public, which included the roles of staff and the Planning Commission in the process. He stated the Planning Commission doesn't come to the meeting with any prior knowledge or decisions already made. He described the application process for rezoning, which does not include specific plans for a property and explained the reasoning for that approach.

Mr. Smallwood addressed the question regarding what will happen to the existing dwellings. He said that, because Mr. Pourkazemi doesn't have to present plans, they don't know what will happen.

Mr. Smallwood addressed the question regarding density for the rezone. He said the maximum is four homes for this zone.

Chair Patterson asked to confirm the types of homes that can be built. Mr. Smallwood said that the development is limited to single-family homes. There's no possibility of condominiums or duplexes.

Chair Patterson asked Mr. Smallwood to address the comment regarding noticing. He said they are bound by state code, which requires 10 days' notice of the meeting.

Commissioner Richards asked about the confusion regarding sending emails to be read into public comment. Chair Patterson said that it states at the bottom of the notice that the public may call or email the Planning Commission if they have comments or questions. She said that maybe planning staff could also add that the public may comment in person at the meeting. Mr. Smallwood agreed.

Chair Patterson added that this is just the first step in the process. The next step is that the request will be forwarded to the City Council, where the public will have the opportunity to comment on this item.

Commissioner Henrie asked about the depth of the property frontage as well as the driveway requirement for a flag lot. Mr. Smallwood said the driveway can be an easement across the property, which could be included as part of the width of the existing lot. He also added that the frontage requirement is 35 feet.

Chair Patterson asked Mr. Pourkazemi if he has plans to improve the fencing between his property and the Presbyterian Church. She asked if he'll be enclosing the fence to remove access to neighboring properties. Mr. Pourkazemi said he's willing to do what is asked of him. He said that he believed there was an easement based on a verbal agreement he had with the church when he bought the property 15 - 20 years ago. Chair Patterson said that the church does not wish to allow the easement. Mr. Pourkazemi said he will stop using it.

Commissioner Richards commented that the commissioners are also Murray City residents and that their goal is to look out for everybody. He said they try to look at both side of these kinds of requests and they don't always forward requests on to the City Council.

Chair Patterson said that this annexed part of Murray is unique, and that makes the zoning challenging. She described the circumstances behind the zoning for the annexed area. This requires the Planning Commission to look at each request individually. She said the city supports a variety of housing in order to accommodate a diverse population.

Commissioner Henrie made a motion that the Planning Commission forward a recommendation of approval to the City Council for the requested amendment to the Zoning Map designation of the properties located at 1504 & 1508 East Vine Street from R-1-10, Single Family Low Density Residential to R-1-6, Single Family Low/Medium Density Residential because it is consistent with the General Plan as described in the Staff Report.

Seconded by Commissioner Hristou. Roll call vote:

A Patterson
A Henrie
A Hristou
A Pehrson
A Richards

Motion passes: 5-0

LAND USE TEXT AMENDMENT(S) – LEGISLATIVE ACTION

Another Round Golf - Project # 24-128 - Request to add Land Use Code 7410 Sports Activities to the list of Permitted Uses in the C-N, Commercial Neighborhood in conjunction with a retail use in less than 2,500 sq ft.

Benjamin Marolf was present to represent the request. Zachary Smallwood presented the application requesting to add Land Use Code “7410 – Sport Activities” as a permitted use in the C-N Zoning District. Mr. Smallwood described the request and stated that the request is in alignment with the city’s goals for economic development. Notices were sent to affected entities for this amendment, with no comments being received. Staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the proposed amendment.

Benjamin Marolf approached the podium. He described the business that he will be opening.

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

Commissioner Richards made a motion that the Planning Commission forward a recommendation of approval to the City Council for the proposed amendment to Section 17.156.020 adding Land Use Code 7410 in spaces less than 2,500 square feet as reviewed in the Staff Report.

Seconded by Commissioner Henrie. Roll call vote:

A Patterson
A Henrie
A Hristou
A Pehrson
A Richards

Motion passes: 5-0

ANNOUNCEMENTS AND QUESTIONS

The next scheduled meeting will be held on Thursday, January 2nd, 2025, 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 7:34 p.m. MST.

Zachary Smallwood, Planning Manager
Community & Economic Development Department