

Minutes of the Planning Commission meeting held on Thursday, March 7, 2024, at 6:30 p.m. in the Murray City Council Chambers, 10 East 4800 South, Murray, Utah.

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 may submit comments via email at planningcommission@murray.utah.gov.

Present: Maren Patterson, Chair
Lisa Milkavich
Jake Pehrson
Michael Henrie
Michael Richards
Pete Hristou
Phil Markham, CED Director
Zachary Smallwood, Planning Division Manager
Mustafa Al Janabi, Planner I
Mark Richardson, City Attorney's Office
Members of the Public (per sign-in sheet)

Excused: Ned Hacker, Vice Chair

The Staff Review meeting was held from 5:45 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 16, 2023, and January 4, 2024. Seconded by Commissioner Milkavich. A voice vote was made with all in favor.

CONFLICT(S) OF INTEREST

There were no conflicts of interest for this meeting.

FINDINGS OF FACT

There were no findings of fact for this meeting.

MOTION TO MOVE AGENDA ITEM NUMBER TEN

Commissioner Richards made a motion to move agenda item number ten to agenda item number four.

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

MCCD Strategic Area Plan

Review MCCD Strategic Area Plan as Amendment to the General Plan - Project # 24-005

Zachary Smallwood presented the request from planning staff to amend the General Plan and adopt the MCCD strategic area plan. On a map presented, the area highlighted in orange indicated the MCCD zone, which equates 4800 south down to the south of Vine Street and then approximately from Box Elder to Center Street (from east to west). Mr. Smallwood provided background and history on the MCCD zone.. Between 2017 and 2024, approximately six text changes have been made to the MCCD. He said that building heights had been lowered to ten stories to reduce the unlimited density down to 80 units per acre, as well as increased parking requirements in 2022. The RDA commissioned a city-wide survey sent to approximately 10,000 residents conducted by private consultants. Of those sent, 939 responded – which is considered significant. Staff were able to do a significant analysis of the data. Based on the survey, they realized additional information was needed. The RDA approved the development of this strategic plan in 2023, to determine materiality, massing, and overall look and feel for the downtown. It's comprised of a few chapters.

The first chapter is an introduction which summarizes what Mr. Smallwood discussed previously. The second chapter covers existing conditions analysis, looking at a baseline of the area. This chapter is focused on block one and block two. Block one is located from 4800 south to Fifth Avenue, to Hanauer Street and then back up. Block two is Fifth Avenue down to Vine Street. Then they looked at the built environment. The overall findings for this area determined that surface parking constitutes much of the historic downtown area. There's a mismatch between the historic district status and the area's urban design elements. Pedestrian infrastructure is minimal and bicycle-only infrastructure doesn't exist. The addition of various occupants throughout the district have resulted in a mixed-use downtown. The new city hall, Hanauer street and other public investments are catalysts for change in the area. The RDA-owned properties are a prime opportunity to expand downtown's footprint and improve the experience. He said that the RDA owns property from the corner on 4800 South and Vine over to Hanauer Street, then down to the Murray Mansion property, and back along Fifth to State Street.

The consultants who conducted the survey also performed a SWOT analysis on the downtown area plan, which Mr. Smallwood then went over. Strengths include the fact that the downtown area is less than a mile from the Front Runner and Trax stations, providing a critical non-vehicular connection to the entire metro area. Downtown Murray is already a designated mixed-use district joined by residential on the fringes with some commercial occupants. The current zoning code is a well thought out code that does help provide urban feel. It's detailed and achieves the value set forth. Weaknesses include limited landscaping throughout the district, which increases the “urban heat island” effect and makes pedestrian and bicycle activity less pleasant. The district has an urban design mismatch between the historic district status and the area's urban design elements. There is minimal pedestrian infrastructure, which compounds the issue with lack of bicycle-only infrastructure in that area. Opportunities include the fact that Murray is a regional retail commercial destination. Most of the shopping happens around Fashion Place Mall. The destinations are close and well connected via transit. Murray City is certified with the Utah State Historic Preservation Office. The Downtown Area is near Front Runner and Trax stations. Murray has a relatively young, highly educated growing population. The potential of the RDA-owned properties is great opportunity. Lastly, the new medium-density development, which is generating

significant tax revenue and additional pedestrian traffic. The threats to this area were discussed next. Tractor trailer traffic along State Street contributes to significant noise and air pollution in the area. The speed limit of 40 miles per hour along State Street is a threat to pedestrian and bicycle safety. The high amount of surface parking taking up most of the downtown area, threatens the urban nature and feel for downtown. The current requirements for minimum vehicle parking have raised the development costs for new construction.

The consultants also conducted an additional survey to gather more in-depth data. The results show that eighty-one percent (81%) of the respondents support downtown revitalization. Eighty-two percent (82%) always or nearly always drive to the downtown area, while seventy (70%) report that they sometimes walk or take public transit. Residents gave a rating of 3.6 out of 5 for accessibility and ease of transportation to and within downtown. Sixty percent (60%) of the respondents reported safety concerns that need to be addressed in the downtown area. A need for casual and full-service restaurants, retail boutique stores, and entertainment venues were ranked as the most important private amenities and services to have downtown. Mr. Smallwood then discussed the properties that the city anticipates being torn down. He showed a map of the buildings that were listed as potential for being torn down. He said this is based on communications with the property owner and/or developers. He made it clear that this doesn't mean that the city is proposing to demo these buildings. This was based on the analysis of the plan and talking with the developers and property owners of the area.

The first recommendation made by the plan is implementing a form-based code within two years. The responsible party is Murray City. He said they are currently working on implementing the form-based code. He showed pictures to illustrate the form, the building type, and the massing that they're striving for and is in keeping with what the citizens have called for, which includes a historic feel. The city plans on accomplishing that through the form-based code. The second recommendation is to update and enforce downtown design guidelines again. They plan on looking at that over the next two years. Recommendation three is perform a parking warrant analysis to see how much parking is needed for downtown. This will take place over the next three to six years. The fourth recommendation is to create infrastructure projects to improve multimodal accessibility. This would be to locate places for bicycle infrastructure and pedestrian only infrastructure. This would take place over the next two years. Recommendation five is to partner with UDOT to improve multimodal accessibility on State Street. UDOT is the owner of State Street, and they control what gets put there in terms of things like lane widths and accesses. They have been notoriously hard to work with. Recommendation six is to program public spaces within downtown Murray. The RDA is starting that process already in developing a historic plaza area near the mansion and the Townsend House. They've contracted with a landscape architect to get some ideas on how to provide some additional green space east of the plaza. Recommendation seven is to negotiate and enter into a master development agreement for the RDA own property in downtown Murray. This is three-to-six-year timeframe. Recommendation eight is to expand the scope of the study to the east side of State Street. This is dependent upon the success of recommendations one through seven. The timeframe for this is seven to ten years.

Mr. Smallwood then outlined some of the findings from the staff report. He said that the General Plan provides direction and implementation of the five key initiatives. The requested amendment has been carefully considered based on public input and review of City Planning best practices. The recommendations outlined in the plan provide clear goals for the city to move forward in implementing the plan and furthering redevelopment in the downtown area. The proposed amendment is in harmony with the goals and initiatives of the Murray City General Plan.

He said that they mailed 326 notices to the public.

Staff is recommending that Planning Commission forward a recommendation of approval to the city Council for the proposed amendment to the General Plan, adopting the M CCD Strategic Area Plan as reviewed in the staff report.

Commissioner Milkavich asked if the city owns the Mercantile Building and the Harker Building on State Street.

Mr. Smallwood said someone else owns those buildings.

Commissioner Milkavich confirmed that the owners can choose to do what they want with their buildings, whether that be to keep them or tear them down. She asked Mr. Smallwood to confirm that it's out of the city's control.

Mr. Smallwood said that's correct.

Chair Patterson elaborated that the owners could decide if would want to redevelop it, according to the form-based code, keep it as it is, or tear it down. These recommendations wouldn't affect what that property owner would be doing with their property.

Mr. Smallwood said that's correct. He reminded them that these are just proposals of what something could look like, this is not a specific development plan. The proposal is just a guide as they move forward in writing a form-based code, which will help inform developers when they come forward to the city with a project that it should look historic in nature and have those traditional design elements.

Commissioner Milkavich said it sounds like the city has taken feedback from various meetings, noting specifically the four-story buildings and historic brick facades. She feels they are getting closer to what's desired.

Commissioner Henrie asked how the new code will change what the Planning Commission will review or decide with their responsibility as the land use authority.

Mr. Smallwood said this will provide future staff with a foundation for how to proceed with the development of projects and codes. This process is simply asking the Planning Commission to move forward with implementing this code. It does not impact the commissions land use authority. Once the form-based code is developed, it still needs to be presented to the commission for review.

Commissioner Milkavich asked what will become of the current code used by the city.

Mr. Smallwood said it will stay in place until the new code is formally adopted.

Commissioner Milkavich confirmed that there's a sense of urgency to adopt the new code.

Mr. Smallwood said that there is.

Chair Patterson asked Mr. Smallwood to talk about other small area plans in the city that have been completed.

Mr. Smallwood talked about two that have been done recently. One was around the Murray Central Station and the other was around the Fashion Place West Trax Station. He said they started with the General Plan, which recommends about fifteen area plans that the city should work on. The transit stations were one of them and the downtown is another. Planners have been working on those. This MCCD area plan is more focused than that. Essentially the focus is on block one. He said that the form-based should be for the entire MCCD zone.

Commissioner Milkavich said when they've talk about the MCCD area, they've talked a lot about programming, because they want the community to be there all the time. She hopes these discussions will continue because she wants to make sure they see results that are appropriate for the community.

Mr. Smallwood reiterated that's how the process will continue. They'll be meeting with the landscape architect soon and working holding a kickoff event for the community to develop ideas for the space. The focus at this event will be on the Townsend House and the Cahoon House.

Commissioner Milkavich commented that when there's a discussion about the MCCD area, the topic of State Street often comes up. She said that it's out of their control. It isn't comfortable or communal. She wants to focus away from using State Street to make a community space.

Mr. Smallwood pointed out in the renderings that there are images of cut outs in the buildings that go back, away from State Street, where something like a farmers' market could be.

Chair Patterson said she feels that having the eight recommendations seems like a path forward. She is encouraged by the proposed plan to have individual developers for block one.

Chair Patterson opened the public comment period.

Margaret Pahl, Vice President of the Historic Murray First Foundation, spoke about the foundation's mission. She expressed her sincere passion for preserving the history of Murray, as she had witnessed the city lose its historic feel over the years. Ms. Pahl said she attended the MCCD Committee meeting and felt that Mr. Smallwood had glossed over some of the committee's recommendations during his presentation, which included the preservation of the Harker and Mercantile buildings. These buildings were featured on the cover of the report, and the foundation had requested for their status to be changed to green (to be kept). She emphasized the importance of a master plan, stating that when a property owner requests a zone change or demolition permit, the city can refer to the master plan and advocate for the preservation of the buildings in question. She suggested that all buildings should be marked as green (to be kept), questioning the purpose of keeping the yellow (potentially demolish) designation. Ms. Pahl pointed out that the city of Murray owned everything on the block except for the Harker and Mercantile. She noted that the city could have sought grant money and historic preservation incentives to renovate the buildings after evicting the antique dealer who had occupied the space for many years. However, the city did not take action, allowing the buildings to deteriorate through demolition by neglect. Furthermore, Ms. Pahl drew attention to page 23 of the report, which she believed the committee had overlooked. The public input synopsis on that page indicated that one to three stories was one of the five most important development characteristics, and downtown historic

building rehabilitation was one of the five most important elements for improving downtown. The preservation of existing facades was also highlighted in the public input synopsis. She noted that the word "historic" appeared 29 times throughout the report, emphasizing its significance. Despite this, the most significant part of Murray's historic downtown was proposed to be torn down.

Janice Strobel expressed her appreciation for the work done on the strategic plan, stating that most of the recommendations were important and much needed. She also mentioned her understanding that the strategic plan would serve as a framework for the RFP (Request for Proposal) for block one, as the city was eager to see block one developed. Ms. Strobel agreed with Ms. Pahl's comments and acknowledged the good recommendations they provided in addition to what was included in the strategic plan. Ms. Strobel pointed out that the current downtown area was a nationally registered Historic District. She emphasized that if the historic buildings recognized as contributing to the district were to be removed and the percentage fell below 50%, the area should be delisted as a historic district. This would mean that other historic buildings in the area would no longer be eligible for tax benefits. She acknowledged that DAR Properties owned the Mercantile and Harker buildings. However, she noted that with the many iterations that had happened for the M CCD, there was no longer any real protection for the historically significant properties in the downtown area. This meant that the owner would be able to do whatever they wanted with those buildings. Ms. Strobel mentioned that when the RFP was previously done and Eastland had their plan, they had already negotiated a purchase of those two buildings. She believed it was very likely that when the new RFP went out, the developer would be in talks with DAR Properties to purchase the buildings and actualize the plan outlined in the strategic plan.

Lloyd Jones, secretary of Historical Murray First Foundation, addressed a few points regarding the Y2 Analytics Survey. He pointed out that the survey not only referred to the historic nature of the downtown but also stated the importance of restoring and maintaining its historic character. Mr. Jones argued that this encapsulated more than simply acknowledging the historical nature by adding minor architectural elements, such as white caps or Art Deco nods, to the renderings provided. Mr. Jones acknowledged and appreciated Mr. Smallwood's statement that the renderings were not final and subject to change. He also mentioned the Edlen proposal from a couple of years prior, noting that he did not see much difference in the current renderings, apart from the reduced height of the buildings. He questioned the approach of trying to build something new and making it look "retro" instead of preserving the existing historic buildings and maintaining the national registry historic registration that Murray currently held. Mr. Jones suggested that the focus should be on meeting the public's desires, as described in the Y2 Analytics Survey and the public comments made during the open houses for the Edlen proposal. Mr. Jones acknowledged Commissioner Milkavich's comment that private owners could do whatever they wanted with their buildings, especially since the Murray City Council had removed the historic preservation requirements. He emphasized the need to closely examine this issue and ensure that the public's opinions were considered. Finally, Mr. Jones expressed his concern that the new proposal seemed to prioritize form over function.

Timmy Ulrich expressed his appreciation for the city's sense of community and small-town feel. While acknowledging that the plan was not final, he suggested considering vertical parking to reduce the amount of asphalt in the area. Additionally, he recognized that State Street could be a challenging, but he encouraged the commission to explore ways to drive traffic to small businesses and to unite Murray by connecting the east and west sides of the city.

David Rodgers, who currently works as a transportation planner in Salt Lake County, commended the staff for their work on the project. He mentioned that he had attended the open houses and participated in the survey. Mr. Rodgers acknowledged the emphasis on active transportation, making the corridor more walkable, and prioritizing bike infrastructure. He expressed his belief that by emphasizing active transportation, the community would become healthier, more active, and more involved. Mr. Rodgers also pointed out that the downtown area, including the plaza outside City Hall and the potential Historic District around the Murray mansion and the Townsend House, presented great opportunities to bring people and the community together, specifically through active transportation. He concluded his remarks by thanking the committee for their emphasis on these aspects.

John (no last name given) said that the plan doesn't mention the people he feels will be displaced and that bothers him.

Robert (no last name given) mentioned that he and the president of the Historic Murray First Foundation had met with someone from the city to discuss the possibility of turning Wrights' Costumes back into a happy hour theater. The idea was to create a theater district in Murray to drive business into the area and generate more revenue. However, he expressed frustration that they had not received any response from the city regarding this proposal. Robert suggested that grants could easily be obtained to renovate the old antique mall and costume shop, transforming them into a mixed-use theater or a hybrid dance hall, as the building had previously served as both a theater and a dance hall. He reminisced about the popularity of the dance hall. Additionally, he proposed turning the space into a cafe with a stage that could also function as a comedy club, bringing in people and encouraging them to stay. Robert highlighted the presence of the Desert Star theater across the street and the potential to create a small theater district, even suggesting the possibility of enticing Sundance Film Festival attendees to visit. He strongly opposed the idea of tearing down the buildings, emphasizing the potential they held. Robert echoed the concerns of others, warning that losing too many buildings would result in the loss of historical preservation and the associated benefits. Drawing from his experience growing up in a city with a protected historical district that provided grants and support, he cautioned against the negative consequences of demolishing buildings, such as increased prices and people moving out. Robert passionately argued that destroying the buildings would be the worst decision ever and that they should all be designated as green, not yellow. He advocated for securing grants from the state and federal government to renovate the buildings and repurpose them, rather than simply making them look new or tearing them down to build something retro.

Linda Fox expressed her frustration with the recurring meetings and discussions where the importance of maintaining a historical appearance is emphasized, yet the actual buildings constructed by the city fail to reflect those values. She specifically pointed out the building on Vine Street, describing it as humongous and lacking any historic appearance. Ms. Fox also criticized the fire station, stating that the city had opportunities to make these buildings look historic but chose not to do so. She argued that with every new construction, the city opts for a modern look, gradually erasing the historic character of Murray. Ms. Fox further critiqued the fire station's design, highlighting the mismatched windows with aluminum on the top and black on the bottom, questioning the competence of the city's design team and the lack of control over them. As a resident, she expressed her frustration with the situation, dismissing the city's excuses about not coming forward soon enough. Ms. Fox emphasized the overwhelming size of the building on Vine Street, which towers over everything, including the larger houses in her neighborhood, without any historic appearance. She also raised concerns about the potential impact on traffic in the area. Ms. Fox concluded by expressing her disappointment as a citizen of Murray, feeling that the city

does not care about preserving the historic sense of the community and fails to make an effort to make the buildings look historic, unlike neighboring Millcreek, which has successfully incorporated historical elements into their buildings.

Alexis Palmer expressed her deep concern regarding the new plans and initiatives put forth by Murray City. She argued that the plans fail to achieve the desired goals, particularly in preserving the historic nature of the area. Ms. Palmer criticized the design renderings, acknowledging that they are just proposals, but emphasizing that they lack the authentic historic feel. She drew comparisons to the Holladay area, where attempts to revitalize and make it more historic have resulted in a grandiose reiteration that doesn't truly look historic, but rather like a grand gesture to make it appear new and attract the community. Ms. Palmer pointed out that on hot, sunny days, people tend to avoid the bright marble buildings and instead seek out quiet, shady areas rather than sitting in the little avenues along the street. She expressed her desire to maintain Murray's distinct historic feel, which she believes the current renderings fail to accomplish. Additionally, Ms. Palmer questioned the plan's ability to meet the stated goals, such as adding more green space, as the renderings show only a small half-block of green space while most of the parking lot remains intact. She argued that the plan still contributes to the "Asphalt Jungle" by adding more buildings, which doesn't effectively address the heatwave problem. Furthermore, Ms. Palmer expressed skepticism about the plan's ability to improve walkability for the populace, sharing her recent experience of walking through the area and finding it already walkable and quiet. She cautioned that diverting traffic from these areas might make it less walkable, contrary to the intended goals. Ms. Palmer firmly believes that tearing down the buildings will not achieve the desired objectives and will only result in a different rendering of the same problem. She called for a re-evaluation, redesign, and refocusing on the goals, emphasizing her desire for a truly walkable Murray based on her experience living in Europe for several months. Ms. Palmer concluded by stating that while she supports the goals, the current plan falls short of achieving them.

Ben Peck expressed his belief in the importance of historic preservation, while also stating that he is not opposed to the proposed plan. However, he pointed out that the new form still includes a significant amount of asphalt, which he considers problematic for a walkable proposal. Mr. Peck estimated that over half of the area, briefly, would still consist of surface parking lots. He also mentioned the limitation of building heights to less than four stories, acknowledging that this decision was based on public feedback. Mr. Peck highlighted that most of the buildings currently marked in yellow are only a single story, which, in his opinion, does not evoke the feeling of a downtown area when surrounded by parking lots. He emphasized the need to dramatically reduce parking and increase density to revitalize the area and encourage people to live there. Mr. Peck described the current situation as historic buildings surrounded by a "crater of parking," which he considers an undesirable state. He concluded by expressing his concern that if the implementation of the plan takes as long as it did when the previous plan was introduced in 2011, it would be a shame.

Bree Tyson expressed her confusion regarding the proposal, as she thought it mentioned lowering the building heights to six stories, but the renderings only showed a maximum of four stories. She felt that this discrepancy did not provide an accurate representation of what the result would look like. Ms. Tyson, who lives on Box Elder, also highlighted the parking issues in the area, mentioning that she often struggles to turn out of Box Elder onto 4800 South, sometimes having to turn around and go out to State Street to reach her destination. She pointed out that the traffic flow is not being managed well and suggested that the city should consider installing a traffic signal. Additionally, Ms. Tyson brought up the removal of the skybridge that previously connected the junior high to the high school, noting that many

students walk between Hillcrest and Murray. She emphasized the high volume of pedestrian traffic and the ridiculous traffic flow, proposing that the city reconsider a way to facilitate safe passage for the students. Ms. Tyson concluded by expressing her appreciation for the officials' presence at the meeting but requested more notice for future discussions.

Rachel Morot, who represented the Historical Murray First Foundation on the steering committee, shared her experience and concerns about the committee's effectiveness. She mentioned that while the first meeting started with enthusiasm from the consultant, subsequent changes within the city staff led to a significantly worse situation. Ms. Morot reported that meetings were rescheduled at the last minute, switched between in-person and zoom formats, and had very little notice. She also found the consultant difficult to work with and obtain information from, ultimately considering her involvement a waste of time. As a result, she stopped engaging with the committee towards the end. Ms. Morot noted that many other members of the steering committee did not engage to the level that could have been ideal if the committee had been run more effectively, leading her to conclude that the steering committee was not a success. Ms. Morot also expressed her frustration with the city's approach to historic preservation, despite having spent significant personal time advocating for the preservation of historic neighborhoods and buildings in Murray. While she appreciates the individuals working for the city on a personal level, some of whom she considers friends, Ms. Morot disapproves of the "proof texting" and confirmation bias she has observed. She believes that while the city listens to citizens' concerns, it only does so partially. Ms. Morot shared that conversations with the mayor's chief of staff revealed that the city thinks they know what citizens want, but citizens desire the preservation of their historic buildings rather than replacement buildings that only somewhat resemble historic structures. Ms. Morot emphasized that fully replicating a historic look is too expensive in the current day and age, and any redevelopment will inevitably result in a compromise. She warned that losing these historic buildings means losing historic Murray, and that no real compromise can be achieved through this process.

Cindy Mae expressed her thoughts on the proposed plan. She questioned the need for a park with water features and a farmers' market on the corner of the block, pointing out that similar amenities are already available just down the street. Instead, Ms. Mae suggested that the area could be used for low-income housing, emphasizing that Murray needs more affordable housing options. She criticized the tendency to cater to wealthy individuals and builders, urging the city to consider the needs of low-income residents. Ms. Mae proposed that instead of allocating a large city block to the wealthy, a small park or playground area could be provided for low-income families. She concluded by emphasizing that the city should prioritize the needs of those who can afford to live in the area, rather than focusing solely on the desires of the affluent, who typically prefer larger houses.

Jason Weber expressed his concern about the planned demolition of the Harker and Mercantile buildings, which he described as the oldest buildings left on State Street. He emphasized the historical significance of these buildings, noting that Andrew Harker built both and that his house was located right behind the structures. Mr. Weber referred to these buildings as "witness buildings," having stood for many generations and representing a time when people built without government funding, relying on their own efforts and the help of their neighbors.

Chase Cornell said he appreciated the presence of historic buildings in the area, particularly in contrast to modern structures like the nearby giant dealership. While acknowledging the business benefits of such developments, Mr. Cornell emphasized the importance of maintaining a historic look, even when surrounded by large, modern buildings. Drawing a comparison to his own residence in West Valley, which

primarily consists of old housing and new buildings, Mr. Cornell stated his preference for older structures due to their aesthetic appeal. He also raised concerns about the potential impact of new construction on Utah's water supply, referencing the recent drought experienced in the state. Although authorities have declared an end to the drought, Mr. Cornell cautioned that the addition of more buildings would increase water consumption and potentially lead to another drought situation. Mr. Cornell expressed his desire to avoid such a scenario, not only in Murray but throughout the state. He concluded his remarks by reiterating his appreciation for the green spaces like Murray Park and thanking the audience for their attention.

Brandon Rappley introduced himself as a real estate agent and the interim president of the Historic Murray First Foundation. He mentioned that he is currently restoring a 146-year-old house, which has given him insight into the value of historic preservation. Mr. Rappley expressed his belief that there is a better way to approach the development of the area while maintaining a tasteful appearance. Although he did not provide specific details, Mr. Rappley emphasized that there are alternative methods to achieve the desired outcome without making the area resemble Sugarhouse. He offered to share ideas and discuss potential designs with the decision-makers, referencing listings he has on Vine Street as examples. Mr. Rappley also suggested that parking structures could be incorporated into the plan to accommodate visitors to both theaters while preserving the old feeling of the area.

Clark Bullen, a resident of the historic Murray district, expressed his gratitude for the proposal, acknowledging the city's efforts to listen to citizens and act upon their feedback. He cited examples such as the Edlen project, which was not approved based on citizen input, and the subsequent citywide survey and open houses that informed the current project's recommendations. Mr. Bullen recognized the potential impact of the proposal, as it could be incorporated into a form-based code and the General Plan, guiding all future developments. He offered suggestions to ensure that the plan aligns with citizens' desires for a historic look and downtown feel. Mr. Bullen supported the recommendation for a form-based code and proposed the involvement of a citizen committee in its development to ensure that it accurately reflects the community's preferences from the outset. Agreeing with the recommendations of MCCD Chair Andy Hulka, Mr. Bullen emphasized the need for a parking structure on the southwest corner to reduce the amount of parking lot space. He envisioned the heart of the valley as a plaza with a promenade on Poplar and 5th Street, featuring walkable areas, green spaces, seating, vendors, and art installations. Mr. Bullen also supported Chair Hulka's suggestion to preserve the Harker and Mercantile buildings, specifically changing their designation to green. He noted that the proposal would be used to create an RFP and cautioned against repeating the outcome of the previous Elden project, which was rejected and caused significant delays. To avoid a similar setback, Mr. Bullen recommended removing the Harker and Mercantile buildings, the only yellow-marked structures not owned by the city, from the demolition plan before forwarding the recommendation.

Mr. Smallwood read an email from Wilbert Lopez. He said he would like for the historic buildings to remain part of the city. The current trend of high-rise building should not continue.

Mr. Smallwood read an email from Shelley Eller expressed her distress upon learning about the city's plans to demolish more historic buildings to construct additional apartments. She strongly opposed this decision, stating that she is tired of the proliferation of apartment buildings throughout the city, particularly referencing the recently built large apartment complex on Vine Street. Ms. Eller argued that apartment dwellers are often transient and do not contribute to the sense of community or care about the neighborhoods. She shared her personal experience of living on Atwood Boulevard, where residents

are frustrated with people using the street as a cut-through, speeding well above the 25-mph limit, and littering. She emphasized the importance of valuing historic buildings, as they contribute to the charm and character of an area, in contrast to the "ugly, boxy apartments" being proposed. Ms. Eller urged the city to prioritize factors beyond financial gain, pleading with the decision-makers not to tear down the historic buildings. She concluded her remarks by reiterating that the community does not want more apartments in the area.

Chair Patterson closed the public comment period.

Commissioner Milkavich commented to the public that she and the other commissioners are volunteers and members of this community. It was discouraging and upsetting to her that community members would accuse them of doing things they have no control over without knowing who they are or their opinion on some of those topics.

Mr. Smallwood acknowledged the comments made by the public and stated that he completely understood their concerns. He explained that the recommendations from the MCCD meeting were included in the packet provided to the commission, apologizing for not including them in the presentation due to time constraints. Mr. Smallwood clarified that the MCCD review committee had recommended changing the designation of two buildings from yellow to green, indicating that the commission had the authority to move forward with that recommendation or any other suggestions provided by the MCCD committee. Regarding the framework for the RFP, Mr. Smallwood confirmed that the area plan would be involved. However, he emphasized that before any RFP is issued for block one, the first focus would be on developing a form-based code. He believes that this is the direction the mayor's office, and the RDA are taking, and that there will be numerous code changes implemented before any further progress is made.

Commissioner Milkavich suggested that the city should find out how much it would cost us to buy the Harken and Mercantile buildings and how much it would cost to repair them, then survey the public, to see if residents of Murray want to spend those tax dollars to purchase, renovate and maintain those buildings.

Mr. Smallwood said it would require the city to engage the property owner to see if they're interested in selling the properties.

Commissioner Milkavich said that's what she'd like to have happen, as these buildings are of great concern to the public. Then they need to find out the costs associated with purchasing and repairs. After that, they can put it to the public for a vote.

Chair Patterson asked if the city would be willing to include incentives for someone to restore the property. She suggested this because the cost to restore historic buildings is quite high, that the building probably won't be restored otherwise. Her hope is that incentives would encourage someone to restore the buildings, rather the redevelop them.

Mr. Smallwood said that the City Council must make those determinations because they control the city funds.

Commissioner Milkavich asked if the current owners have the funds to refurbish the buildings.

Chair Patterson said another challenge with restoring historical buildings is bringing them up to modern building codes. It's a very expensive prospect. That's why she'd like to offer incentives.

Commissioner Milkavich expressed frustration that these buildings have been a topic of discussion for many years. That's why she's pushing to find out the cost to purchase and restore them. Then they'll have the information they need to move forward with a vote to see what the public wants to do.

Chair Patterson asked to discuss some of the other recommendations put forth by the MCCD Committee, specifically the second recommendation, which expressed a preference for parking structures over surface parking. She expressed frustration with the conflicting nature of the committee's multiple recommendations. By recommending lower building heights and reduced density, she argued that the committee had made it infeasible and not cost effective for developers to construct parking structures. The costs associated with building a parking structure need to be offset by the density of the development, determined by the number of residents. However, the committee's recommendations to decrease both heights and densities have eliminated the incentive for developers to invest in parking structures. Chair Patterson also pointed out that the surveys indicated people's desire to drive downtown and have a place to park when they visit. The need for parking is evident, but the recommendations have removed the means to incentivize developers to install parking facilities. Chair Patterson cited the example of City Hall, where a parking structure was not built due to the high costs involved. Emphasizing the conflicting nature of these recommendations, Chair Patterson questioned how to move forward with a proposal that is not feasible given the current circumstances.

Mr. Smallwood said he's aware that's one of the city's priorities with the sale of the old city hall.

Chair Patterson said that's too far into the future to be helpful.

Mr. Smallwood said the sale is under contract. The sale will provide funds for the city to invest in downtown parking. That is part what they want to spend some of that money on is structured parking downtown.

Commissioner Milkavich wanted to reiterate what is meant by walkable. It means that people are living where commercial development is, so that they walk downstairs and use it. They don't get in the car to go somewhere. It's supposed to be walkable because residents living upstairs and coming downstairs to participate.

Mr. Smallwood said a true downtown is active for eighteen hours a day, not only when workers are there for traditional office hours. Otherwise, the area becomes unsafe for people because there's nobody there occupying and maintaining the space. There needs to be a mix of living, shopping, working and entertainment. There needs to be a holistic view of the entire area for it to be a true city center.

Commissioner Henrie feels that some of Mr. Smallwood's code recommendations are in conflict. He feels it's conflicting to suggest mixing residential with commercial, yet limit developers to a height of four stories. He suggested that the area could have a historical feel on the street level and maybe off street allow more stories or higher density occupation that would bring more people to live there or a business that would support more commercial and more walkable communities. He feels If there's not enough

people coming into downtown, there can't be a welcoming, walkable community that supports businesses.

Chair Patterson said that what Commissioner Henrie is suggesting is the code that's currently in place, which is what the public does not want any longer.

Commissioner Henrie said he doesn't see how businesses in that area that require foot traffic can be supported with what's being proposed.

Chair Patterson said that's the dilemma they've had since the beginning of this process.

Commissioner Henrie said he does have sympathy for the people who want to preserve these two historic buildings. He wonders if they are structurally capable of being upgraded.

Chair Patterson said they don't know that and that's why they are colored yellow.

Chair Patterson said that the reason the buildings are not cohesive is that people previously had different ideas, and that's reflected in the previous code, which did not support the idea of looking historic. The commission can only approve what's in the code.

Commissioner Milkavich commented that, in the past, there have been applications that have come before the commission that she has disliked but legally they fit the code. Her job is to make sure they fit they city ordinance and then approve them. She said if she doesn't vote to approve those, she puts herself and city in a position to be sued by the application, thus wasting taxpayer dollars.

Commissioner Richards said that it seems to him that the community wants a historic downtown, but to do anything to revitalize this space, they need more density. So, the conflict is between those two things that both seem to be necessary. He feels the four-story proposal doesn't seem like it's going to work. He suggests preserving the historic part of but also have higher density housing.

Commissioner Milkavich said they first need to ask the property owner what they want to do. They need to find out how much it would cost to buy the buildings and to restore them to modern building code. She also doesn't want to feel like they are telling the property owner what they have to do with the property. She feels they need more information, then they can have the public vote on whether they want to spend that money for the city to buy the buildings.

Commissioner Pehrson said he's not generally in favor of the city buying property. If they could facilitate saving some of these buildings, he'd prefer that approach. He cited a study that was done, indicating that seventy-one percent (71%) of respondents' support replacing historic buildings with historic looking buildings, or at least some of them. He feels that's what the proposed plan has accomplished. He commented on the complaints about the renderings, stating that those are just examples and not what is going to happen. He said that the recommendation is to implement a form-based code that will help the city move forward with a path to have a historic looking downtown. This will probably include some new buildings. He says that's what the public indicated they wanted. He feels the proposed plan does exactly what the public asked for. He's not against changing the color of the two buildings from yellow to green, but he doesn't feel it will matter. He doesn't support buying those buildings.

Commissioner Henrie asked for clarification that the RDA has control over everything in block one except the Harken and the Mercantile buildings.

Mr. Smallwood said that's correct.

Commissioner Richards asked if they are considering adding incentivizing to restore the buildings.

Chair Patterson said it's best not to make the recommendation to change the color from yellow to green unless they have some recommendation of how they'd incentivize a developer to do that.

Commissioner Pehrson said that just because a building is labeled as yellow doesn't mean the city wants it torn down.

Commissioner Henrie asked for clarification on what they are voting on tonight.

Chair Patterson said they are voting on forwarding the eight recommendations presented in the slides to the City Council for approval.

Commissioner Pehrson said they want to do the right thing and what the citizens want. He doesn't want to revisit this again in a decade and feels this plan will avoid that. He thinks this plan is a good step forward for the downtown area. It's just a guiding document. And I think it's a good step forward to our downtown area. No one's going to come to downtown if it stays the way that it is.

Chair Patterson called for a motion.

Commissioner Henrie stated that felt there were a lot of valid public comments, and he wants to make sure those comments are taken into consideration.

Commissioner Patterson assured him that the public will have an opportunity to comment on the MCCD small area plan and the form-based code in the City Council meeting in April.

Commissioner Richards agreed that there were a lot of good comments, many of which he agreed with. He said at this point, they are just making a general motion to go forward with the process. He made a motion that the Planning Commission forward a recommendation of approval to the City Council for proposed amendments to the General Plan, adopting the MCCD strategic area plan as reviewed in the staff report.

Commissioner Pehrson seconded. Roll call vote:

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

Motion passes: 6-0

MAJOR HOME OCCUPATION REVIEW - ADMINISTRATIVE ACTION

Cecilia Nahimana - 5948 South Starlite Drive - Residential Childcare Business - Project # 24-021

Mustafa Al Janabi presented the application for Cecilia Nahimana for a major home occupation for a daycare business located at 5948 South Starlite Drive, in zone R-1-8. He showed images of the area map and site plan. He stated there will be no more than 12 children enrolled in daycare. Drop-offs and pick-ups should not impact the neighborhood. Hours of operation will be from 6 a.m. to 4 p.m.

Chair Patterson had the applicant come forward.

Ms. Nahimana approached the podium. She read and can comply with the conditions.

Chair Patterson opened and closed the public comment period, with no comments being made.

Commissioner Pehrson made a motion that the Planning Commission approve the request for a major home occupation to allow a daycare business from the residential property addressed 5948 South Starlight drive with the eight conditions with one change on condition number two, the times will be 10pm to 6am.

1. The applicant may have one (1) vehicle associated with the business weighing less than 12,000 pounds.
2. The applicant shall not have pickups or drop offs from the hours of 10:00 pm to 6:00 am.
3. The applicant shall stagger the arrival/departure of children such that the number of pickup and drop off be limited to no more than one every ten minutes.
4. All materials shall be located within the dwelling, no accessory structures may be used.
5. The applicant shall comply with all requirements of Fire and Building Codes, and all State and County Health Department requirements.
6. The business shall, at all times, be conducted in accordance with all applicable requirements of Chapter 17.24, Major Home Occupations.
7. The applicant shall obtain the necessary home occupation business license.
8. The applicant be limited to 12 children other than those residing in the home.

Seconded by Commissioner Henrie. Roll call vote:

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

Motion passes: 6-0

SUBDIVISION REVIEWS – ADMINISTRATIVE ACTION

Wendy's Subdivision Amendment - 280 West 4800 South - Vacate a Public Utility Easement and Consolidate Two Lots - Project # 24-008.

Zachary Smallwood presented the application for Christopher Lehman for the Wendy's Subdivision located at 280 West 4800 South, in the M-G zone. This is a request to consolidate the two lots at that address. The request is before the Planning Commission because there is a utility easement along the property line that requires the Land Use authority to approve vacating that easement before they can consolidate the lots. Mr. Smallwood showed a drawing that illustrates the seven-and-a-half-foot easement on both sides of the property line (totaling 15 feet). They'd like to combine those two lots in order to expand their veterinary business. Mr. Smallwood showed a rendering of what the lot would look like once the consolidation is approved. He said that subdivision of land is allowed by Utah State Code. The consolidation complies with all the M-G regulations. And the proposed subdivision amendment complies with the regulations of Title 16, the Subdivision Ordinance and 17.152 of the Murray City Land Use Ordinance. Staff recommends the approval for the lot consolidation, subject to the three conditions.

Chair Patterson had the applicant come forward.

Mr. Lehman approached the podium. He stated that he could comply with the conditions.

Chair Patterson opened and closed the public comment period, with no comments being made.

Commissioner Henrie made a motion for the planning commission to approve the amendment to the Wendy Subdivision to combine and lots one and two and vacate the easement between those two lots concurrent with the conditions that are recommended by the staff.

1. Meet the requirements of the City Engineer
2. Meet the Power, Water, Sewer 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 Milkavich. Roll call vote:

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

Motion passes: 6-0

Berger Station Subdivision & Berger Place Vacation - 171-277 West Berger Lane - Vacate Condo Subdivision and New 3-Lot Subdivision - Project # 24-010

Mr. Smallwood presented the application for Mighty Munchkins, MM Shupe Properties, LLC & Caltech Holdings, LLC to vacate the Berger Place Condominiums and obtain preliminary and final subdivision

approval for the three lot Berger Station Subdivision, located at 171-277 West Berger Lane, in the MCMU (Murray City Mixed Use) zone. Once vacated, they will create a new three-lot subdivision on the property. It will eliminate unit one and unit two, along with the common area, to form one lot. He said that lot will still be retained and held by Kaltech, who will retain the existing buildings and parking areas. Lots 102 and 103 will be held by Mighty Munckins LLC. Mr. Smallwood showed a map of the current property. The intent is to develop a multifamily project on lots 102 and 103.

Staff is recommending that the Planning Commission grant the approval to vacate Berger Place Condominiums and grant preliminary and final subdivision approval for the Berger Station subdivision located at 171, 173, 175,177, 179, 237, 273, and 277 West Berger Lane, subject to the nine conditions.

Commissioner Henrie asked if there any easements that are going to be vacated.

Mr. Smallwood said there is a power line power easement, shown by a dashed line in the drawing presented, that will be maintained.

Chair Patterson asked the applicant to come forward.

Jared Shupe approached the podium.

Chair Patterson asked Mr. Shupe if he had read and can comply with the conditions. He indicated that he could.

Chair Patterson opened the public comment period.

Jennifer Richardson asked if they will be tearing down the Berger House and building from there back, or if that's a different project.

Chair Patterson said they'll address that question after public comments.

Chair Patterson closed the public comment period.

Mr. Smallwood said he believes the Berger house will be demolished in order to develop the Murray Station Apartments, which will be further discussed as the next agenda item.

Commissioner Richards made a motion for the Planning Commission to grant approval to vacate Berger Place condominiums and grant preliminary and final Subdivision approval for the Berger Station Subdivision on the properties located at 171, 173, 175,177, 179, 237, 273, and 277 West Berger Lane, subject to the nine conditions.

1. The project shall meet Murray City Engineering requirements including the following:
 - a) Meet City Subdivision requirements and standards – City Code Title 16.
2. Meet all Wastewater Division requirements including the following:
 - a) All sewer laterals for existing buildings must be properly capped and abandoned according to Murray Wastewater Specifications.
3. Meet all Water Division requirements.
4. Meet all Power Department requirements.

5. Meet all Fire Department requirements.
6. The project shall meet all applicable requirements of the Murray City Land Use Ordinance.
7. The applicant shall prepare a Final Subdivision plat which complies with all requirements of Title 16, Murray City Subdivision Ordinance.
8. All structures on the properties addressed 171, 173, 175, 177, 179, and 237 West Berger Lane shall be removed prior to recording the plat.
9. The subdivision plat shall be recorded within one year of the final approval by the Planning Commission or the subdivision plat approval shall be null and void.

Seconded by Commissioner Milkavich. Roll call vote:

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

Motion passes: 6-0

DESIGN / MASTER SITE REVIEW & CONDITIONAL USE PERMIT(S) – ADMINISTRATIVE ACTION

Murray Station Apartments - 171-273 West Berger Lane 1 of 2 - Mixed Use Project with 423 Multifamily Units and 1,185 Commercial Space - Project # 24-001

Mr. Smallwood presented the application for Mighty Munchkins LLC. The applicant is requesting Design and Master Site Plan Review approval to allow the development of a mixed-use project, located in the MCMU zone. Jared Shupe owns the property and is planning to develop 423 multifamily dwelling units and approximately 1,185 square feet of commercial space. The goal is to encourage redevelopment around the Murray Central Station to allow for better pedestrian-oriented design and include neighborhood-oriented retail. Mr. Smallwood showed a drawing of the site plan with the proposed development. He said that the access points meet engineering standards. He discussed the housing density of 58 units per acre, which is less than the maximum 65 units per acre. He said there will be a total of 546 parking spaces, 256 built in phase one and 290 built in phase two. He said they are allowed to reduce their commercial requirement to 75% because they elected to do two additional outdoor amenities, above the required five, and increase the total open space by 5%. Mr. Smallwood showed a map of the amenities, which include a club room, a fitness center, two sky lounges, two pool areas, and a courtyard. There are two more amenities, which are yet to be determined in phase two. Staff is requesting permission from the Planning Commission to review those when the applicant is ready to submit for building permits for phase two. Mr. Smallwood showed renderings of the apartments, which will be four stories (fifty feet) high. Because Berger Lane dips down about thirty feet, only twelve feet will be visible from the Front Runner station. Mr. Shupe's intention is for the apartments to be low profile.

The project will be completed in two phases. Phase one will include the 199 units, the central parking garage (with 256 spaces), the access points and a portion of the surface parking. Phase two will include the remaining 224 units, the commercial space, and the remaining surface parking area. Mr. Smallwood said that staff recommends that a temporary fire access or a turnaround be granted to get into an

adjacent section to ensure that the fire department has adequate access while building the two phases. He said elevations of the property will mostly consist of a mix of siding, brickwork, and stucco. One of the most important things the Planning Commission will need to consider is the long list of site plan requirements for Master Site Plan approvals. They will be memorialized in the development agreement that the developer will have to enter into that codifies the phasing. It's a contract between the city and the developer to make sure that the phasing is done adequately. If for some reason, this developer only builds phase one, for example, that the next person that buys the property will have to develop phase two or come back to the Planning Commission to amend their agreement.

Mr. Smallwood went over the five items of the development agreement. The first requirement is regarding building orientation. All buildings need to be oriented towards the street, which the plans show that they are. The second requirement is to have central features. The open courtyards and green space around the commercial area qualifies. The third requirement is for outdoor spaces. The development has ample outdoor spaces with rooftop amenities, pools, courtyards, green space located throughout. The fourth requirement is to have a development agreement. The staff report serves as the first draft of the development agreement. The last requirement is to meet all of the application requirements. The applicant outlines all the requirements, which include adequate public utilities and facilities review, public services review, parking analysis and traffic impact study.

Staff finds that the proposed mixed-use development is consistent with the goals and objectives of the General Plan. Land Use #1150, High Rise Multi-Family Residential is allowed in the MCMU Zone subject to Conditional Use Permit approval by the Murray City Planning Commission. Horizontal mixed-use developments are allowed, subject to Master Site Plan approval by the Murray City Planning Commission. With conditions, the proposed development complies with the requirements of the Murray Central Mixed-Use Zone and other applicable standards of the Murray City Land Use Ordinance. Staff is recommending that the Planning Commission approve the Murray Station Apartments subject to the nine conditions listed.

Commissioner Hristou asked how high the parking structure is.

Mr. Smallwood said it will be the same as the housing, which is four stories. The housing will wrap around the parking structure.

Commissioner Hristou asked if the parking structure will accommodate the entire development or will there be ancillary parking.

Mr. Smallwood said there won't be ancillary parking. There will be some surface parking, which is required. He said the structure provides 469 spaces, and 100 additional spaces. The surface parking will take care of that requirement.

Chair Patterson confirmed that parking is prohibited on Berger Lane. That's part of the conditions.

Mr. Smallwood said that's correct. The city engineer said there is to be no parking on Berger Lane.

A brief discussion occurred between the commissioners and Mr. Smallwood regarding whether the pool area is included in the open space. If it is, that means the public would be allowed to use that. It was determined that it isn't included as open space, but rather as an amenity.

Commissioner Henrie asked if the requirement of 20% density depends on the number of stories.

Mr. Smallwood said it is based on land area.

Commissioner Milkavich asked about the Master Site Plan. She said she sees six components that need to be addressed. The first five were discussed but she didn't see that Mr. Smallwood addressed the buffering to adjacent single-family residential zones or adequate public facilities and service.

Mr. Smallwood said they weren't in the presentation but are included in the packet. He said the Will Serve letters were provided in the packet from the various departments. There is no single-family residential zoning so there's nothing to buffer from.

Commissioner Henrie and Mr. Smallwood discussed the reports from each utility department included in the packet. They talked about water meter sizes for the apartments. Mr. Smallwood said he made sure to include conditions that would address that. They also discussed building a road to work around the power easement and that there will not be any overhead obstructions for the fire department. Mr. Henrie expressed concern that all the comment from each utility will be addressed. Mr. Smallwood assured him that, if they aren't already addressed in the conditions, they will certainly be addressed when the application applies for building permits.

Commissioner Milkavich asked if the renderings presented are an accurate representation of what the development will look like.

Mr. Smallwood said they're fairly accurate.

Mr. Shupe came forward and spoke regarding the power lines. He said he met with the fire department to determine the fall of the poles. They've completed fall studies and determined they are out of the way and will not interfere with the fire department.

Chair Patterson asked Mr. Shupe if he read and can comply with the conditions.

Mr. Shupe said he did read them and will comply.

Commissioner Pehrson asked for clarification on whether the open space is for residents only, or does it include visitors.

Mr. Shupe said it's available to the visitors as well. He also said the common areas would be available for people walking the neighborhood.

Commissioner Pehrson asked if the pool area and rooftop amenities are included in the open space.

Evan Haslam, the architect for the project spoke regarding the open space. He said the open space is exclusive of the amenities.

Chair Patterson opened the public comment.

Vaughn Carlson, who owns a commercial building at the end of Porter Street and two residential homes in the same cul-de-sac, expressed his primary concern regarding the construction process and ensuring that the access road is put in first. He pointed out that Berger Lane, which the development will rely on for access, is a narrow street without sidewalks and already poses challenges for getting in and out. Mr. Carlston mentioned that he needs to run his business there, and there are seven other businesses and two residential houses on the street, in addition to Tuck Landscaping at the very end. His main worry is the potential impact of the construction on access, as well as the dirt and debris that may accumulate on Berger Lane, which already suffers from these issues due to Tuck Landscaping. He had hoped that the construction would take place entirely from the new access road, as the site has sufficient space to facilitate all construction activities, without relying on Berger Lane. Mr. Carlston expressed concern about the impact of the additional 191 residents on Berger Lane and the street's ability to handle the increased traffic. He drew attention to the existing problems on Third West, where debris has accumulated on the road, and urged the decision-makers to consider the potential impact of the development on Berger Lane. Mr. Carlston concluded his comments by reiterating that his main concerns revolve around the construction process and its effects on access and the condition of Berger Lane.

Jennifer Richardson echoed the concerns raised by Mr. Carlston regarding the impact of increased traffic on the condition of the road in front of her house. She specifically mentioned a manhole cover that has already been damaged due to the current volume of traffic, particularly from larger trucks. Ms. Richardson recalled that years ago, there was a restriction on vehicles over a certain weight limit on the street to prevent damage to the road. However, this restriction was not enforced, and the continued use of heavy vehicles has led to the complete breakdown of the area around the sewer line's manhole cover. She expressed her agreement with Mr. Carlston's concerns, emphasizing that the expected increase in traffic resulting from the development will further deteriorate the condition of the road. Ms. Richardson concluded her comments by reiterating that the more cars that travel up and down the street, the more damage will be caused to the already vulnerable infrastructure.

Chair Patterson closed the public comment period.

Mr. Smallwood said that staff can work on addressing the staging with the applicant. They are aware that road is narrow and that there are existing businesses that will have to continue to operate. City engineering staff is quite strict when it comes to project staging. He encouraged residents to call and let staff know if they see any dust on the road. He acknowledged that the landscaping business was challenging in this regard.

Mr. Shupe said the roads in his development are concrete.

Chair Patterson said that, as part of the conditions, Mr. Shupe will have to develop a site SWPPP (Storm Water Pollution Prevention Plan) that will mitigate the debris from the property. The businesses that are already there probably don't have that in place.

Commissioner Richards asked how wide the road is and wondered if it meets code.

Mr. Smallwood said he doesn't know how wide it is, but that it does meet code.

Commissioner Richards asked if it might make sense to widen it.

Commissioner Milkavich noted that two of the exits are along the same route, so if one is blocked, both exits are blocked. This means there are only two exits for the property, not three.

Mr. Smallwood said, that's correct. Technically that is considered only one access point. That is something Mr. Shupe has been dealing with. There are two access points, even though it says that there are three.

Chair Patterson read aloud for the public the condition that states the applicant must avoid using Berger Lane for construction, staging dumpster services, emergency services, vehicles, deliveries, tenant parking and moving trucks.

Mr. Smallwood reiterated the city engineering staff are strict about enforcing that.

Commissioner Hristou asked if the issue with manhole cover is something that Public Works needs to get involved with.

Mr. Smallwood said that the water division mentioned that they recognize the benefit to the public and the water system in upsizing and replacing the water main on Berger Lane. They are willing to provide all fire hydrants and valves for the project that will be installed on Berger Lane and Commerce Drive. He believes that would include the manhole covers but isn't sure. Mr. Shupe will be working with Public Works on this item.

Commissioner Milkavich made a motion for the Planning Commission to grant Design and Master Site Plan Review and Conditional Use Permit approval for the Murray Station Apartments on the property located at 171 to 237 West Berger Lane subject to conditions one through nine.

1. The project shall meet Murray City Engineering requirements including the following:
 - a) Meet City storm drainage requirements, additional infiltration test may be required at the retention basin locations. Implement Low Impact Development (LID) practices.
 - b) Provide a secondary development access with sidewalk to Commerce Drive. Proposed access location may require relocation of a power pole.
 - c) Provide a UDOT level II Traffic Impact Study and implement recommendations.
 - d) Provide a site geotechnical study and implement recommendations. The study should also include infiltration test at the retention basin locations.
 - e) Dedicated property along Berger Lane and install MCMU sidewalk and park strip improvements.
 - f) Provide a drainage report and calculation.
 - g) Building footings should not extend into the proposed right-of-way.
 - h) Prohibit on-street parking on Berger Lane.
 - i) Must avoid using Berger Lane for construction staging, dumpster service, emergency service vehicles, delivery vehicles, tenant parking and moving trucks.
 - j) Water line in Berger Land needs to be upsized and looped through the site and reconnected to the new main in Commerce.
 - k) Develop a site SWPPP and obtain a Land Disturbance Permit prior to beginning any site work.
 - l) Obtain a City Excavation Permit for work in the city right-of-way.
2. The applicant shall meet all Murray City Water division requirements.
3. The project shall meet all Murray City Wastewater requirements.

4. The applicant shall meet all Murray City Power Department requirements and meet with power department staff to plan power service to the new building.
5. The applicant shall provide details to Planning Division staff of the proposed amenities located on the first floor of phase two prior to submitting a building to verify they meet the land use ordinance.
6. The applicant shall install a temporary fire turnaround that meets Fire Department standards.
7. The proposed paseo in phase 1 shall remain open to the public at all times to allow access through the building.
8. The project shall meet all requirements of the Murray City Land Use Ordinance and the Master Site Plan.
9. The applicant shall enter into a development agreement with Murray City that reflects the requirements as stated in the land use ordinance.

Seconded by Commissioner Richards. Roll call vote:

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

Motion passes: 6-0

GENERAL PLAN / ZONE MAP AMENDMENT

Lartet Properties - 1177 West Bullion Street - General Plan Amendment from Low Density Residential to Medium Density Residential - Project # 24-020

Mr. Smallwood presented the request from Lartet Properties (Jake Larsen) to amend the General Plan, Future Land Use Map, from Parks and Open Space to Medium Density Residential and zone map amendment from A-1, Agricultural to R-1-6 Medium Density Single Family residential for the properties located at 1177 West Bullion Street. Mr. Smallwood showed a map of the property boundaries and size. The applicant has requested a change to medium density residential because it's the first zoning district that allows 6,000 square foot minimum lot size for single family zoning. This application has two parts. The first part is to make a recommendation for the General Plan amendment, the second part is the zone map amendment. Mr. Smallwood covered some of the General Plan considerations, citing objective nine of the plan. He said one of the strategies ensures residential zoning designations offer the opportunity for a spectrum of housing types. He stated that staff feels that R-1-6 zoning is a good choice and in keeping with the governor's desire to focus on smaller lot single family homes and starter homes. This amendment will also support The Neighborhoods and Housing Elements, objectives one and three. Mr. Smallwood discussed how the request is in alignment with those objectives. He discussed the proposed uses for the two zones, A-1 versus R-1-6. The R-1-6 allows for many of the same uses, except for agricultural. He discussed some of the differences between the zones, including single family lot size, building height, setbacks, and parking spaces.

Mr. Smallwood then discussed the findings. The General Plan provides that flexibility and execution of the goals and policies based on individual circumstances. The proposed zoning map amendment from A-1

to R-1-6 has been considered based on the characteristics of the site and surrounding area. The impacts of the change can be managed with the densities and uses allowed on that zone. The proposed zone map amendment from A-1 to R-1-6 conforms to important goals and objectives of the 2017 General Plan and will allow appropriate development of the subject property. Staff recommends both the General Plan amendment and the zone map amendment.

Jake Larsen came forward. He had no additional information.

Chair Patterson opened the public comment period.

Brittany Powell raised several questions and concerns regarding the potential zoning changes that she believes should be addressed before moving forward with the decision to rezone. She requested more clarification on the definition of medium-density housing, specifically the story limit, the number of residences being considered within the space, and the planned location of the potential housing on the property. Ms. Powell mentioned that citizens within 400 feet of the property had concerns about townhomes being built instead of single-dwelling homes. She also inquired about the considerations given to green space alternatives that would allow the area to maintain its current zoning as parks, open space, and agriculture, rather than converting it to additional medium-density residential or, at the very least, considering low-density residential zoning. She highlighted the concerns of citizens in the area about the potential increase in traffic that medium-density housing could bring, noting that the area already experiences high foot traffic due to the Jordan River Parkway Trail. Ms. Powell emphasized that this part of Murray is characterized by a more rural atmosphere, with horse pastures and larger green spaces, including the Jordan River Parkway. She stressed that this appeal is a significant factor in people's decision to move to this section of the city. Ms. Powell expressed concern that, depending on the definition of medium-density housing and the specific plans for zoning changes, the area could potentially be transformed into an urban design with higher-density housing that does not align with the energy, aesthetic, appeal, or charm of the neighborhood. She shared that she and her family chose to move to this neighborhood precisely because of its single-family dwellings and the natural appeal of the area, particularly the Jordan River Parkway. While Ms. Powell acknowledged that they understood the inevitability of development on the last remaining pieces of land in Murray when they moved into their house, which backs up to the property in question, she expressed hope that whatever is built there will match the strengths and charms that make the area such a delightful place to live.

Dan Potts, one of the past presidents of the Salt Lake County Fishing Game Association, spoke about the organization's history and their move to Murray to escape encroaching development. He mentioned that the association helped start the state's fishing game agency, which later became the Utah Division of Wildlife Resources. Mr. Potts acknowledged that they knew their property would eventually be overtaken by development, citing the example of a 22-acre development by Ivory Homes that nearly surrounded their property. He expressed a desire to have meetings with Murray Cove, HOA, and other residents on Bullion Street to introduce the association and its representation over the years, as well as to inform them that the association owns the entire property up to the river. He shared that the association traded a parcel with Ivory Homes to develop a nature preserve on half of their remaining property, while selling the other half to Lartet. He provided a document titled "Leaving a Wildlife Preserve Legacy" to the Planning Commission, outlining their plans and the grants they have received from the First Forestry State Lands for recreational development and tree planting. He expressed hope for future collaboration with Murray on the nature reserve, highlighting the city's reputation as the most

nature-oriented metropolitan area along the Jordan River Corridor. Mr. Potts concluded by thanking the audience for their time and attention.

Gregory Costello, who developed six acres and ran cattle for over 40 years, expressed his disagreement with the proposed R-1-6 zoning. He mentioned that he sold six acres in the past, and the Master Plan designated the area as R-1-10 and R-1-8, which he had to adhere to when building. Mr. Costello pointed out that the nearby Ivory Homes development is zoned R-1-10, and he still has an acre in front of his property that he can develop as either R-1-10 or R-1-8, despite being in an agricultural zone. He advocated for sticking to the Master Plan to avoid degrading the neighborhood, which primarily consists of single-family residences. Mr. Costello expressed his concern about the potential for "boxes" to be built, referring to higher-density housing that would be incongruous with the existing R-1-10 properties. He argued that having R-1-6 zoning adjacent to R-1-10 does not make sense.

Alexis Palmer shared her experience of moving to the area from a PUD (Planned Unit Development) in Midvale, which she and her family did not enjoy. She expressed concerns shared by many in the neighborhood regarding the potential impact of the proposed development on the view, given its proximity to the parkway. Ms. Palmer highlighted the community's appreciation for the two farms in the area and the enjoyment they bring to residents. She raised concerns about the potential increase in the number of residents and the consequent impact on traffic, particularly considering the development's location near the parkway and the existing challenges posed by people crossing the street from the parkway. She pointed out that the entrance to the development would be situated close to the parkway, with only one other house and the road into Murray Hollow separating them. Ms. Palmer advocated for the plan to be presented before the proposal is moved forward or approved, allowing the community to understand the details of the development. She reiterated the concerns about the difference between R-1-6 and R-1-10 zoning, emphasizing that her family had moved to the area specifically for the current zoning. Ms. Palmer expressed her disapproval of the high-density townhomes and the overall development that has occurred off Bullion Street. Additionally, she mentioned that a school is located just up the road, and the increased traffic resulting from the development could pose a safety risk to the many children in the neighborhood who walk home from school. Ms. Palmer concluded her comments by reiterating her concerns about the potential impact of the development on the neighborhood.

Chair Patterson closed the public comment period.

Chair Patterson asked Mr. Smallwood to address the issue of proposing zone changes to the General Plan without having site plans.

Mr. Smallwood said that it is against Murray policy to propose zone changes subject to specific site plans, so they asked the developer not to present those as part of the application. Instead of showing plans, they take the zone change on its merits alone. If that zone is appropriate for the area, that's what the Planning Commission and the City Council and make their decision on. That's why there are no site plans.

Commissioner Milkavich asked if the request can be disapproved for single family homes.

Chair Patterson said she believes if they approve the zone change, it's approved for all the allowed uses or conditional uses of that zone.

Commissioner Pehrson said what he thinks Commissioner Milkavich is asking is if they don't change the zone, then it couldn't be medium density housing.

Commissioner Milkavich asked to discuss R-1-6 zoning in more detail.

Mr. Smallwood and the commissioners discussed the types of dwellings and development size for the different zones. Mr. Smallwood informed them that attached dwellings are allowed in R-1-6, R-1-8, and R-1-10. The size of development changes per zone.

Mr. Larsen said that his plan is to build eleven single family dwellings, which is below the maximum allowed. They are smaller than others located in Murray. He believes the look and feel of the design is conducive to the area. He feels the plans are mindful of traffic and pedestrians. He's aware that many people that use the trailhead nearby. He's being mindful to consider all the surrounding home developments.

Commissioner Henrie asked, since it's only eleven units, is there a reason that can't be done in the current zoning.

Mr. Larsen said it reduces the number of homes. He stated that's the maximum number of homes that can fit in that space. He also addressed the concern about the number of stories, stating that the units will be two stories.

Commissioner Pehrson thanked Mr. Larsen for the information and pointed out that visually there's little difference between the R-1-6 and R-1-8 neighborhood. He appreciated what Mr. Smallwood explained regarding the application being for the zone, not for the applicant. This way, it won't be dependent on one developer who may go bankrupt.

Chair Patterson expressed that she's pleased the nature reserve will be close by for the neighborhood.

Commissioner Richards expressed appreciation for Mr. Potts comments in providing historical context, as well as the preserves mission and vision.

Commissioner Pehrson brought up the topic of traffic. He doesn't think they'll notice much of a traffic increase from this development.

Commissioner Richards does see the concern around the trailhead, as it is already busy. He also sees the concern for the school children. He'd like those issues taken into consideration in the development process.

Commissioner Milkavich said that it's often a struggle when zone changes are brought before the commission. She does feel better about this one because it is a change to single family homes instead of something larger.

Commissioner Pehrson spoke regarding the school children. He feels it will be safer to have a neighborhood there than the current fence against the sidewalk.

The commissioners discussed the difficulty seeing pedestrians crossing to the trailhead. They acknowledged that it may be more dangerous with some increased traffic. They also said that the existing crossing lights are the best option to help people cross safely.

Commissioner Henrie asked Mr. Smallwood to confirm that this is two separate lots.

Mr. Smallwood said that's correct. He said that, if this request goes through, the applicant can then apply for a subdivision review, where the commissioners will have a chance to see the subdivision plans. Notices will be sent out and the public will have the opportunity to review the plans at that meeting.

Chair Patterson informed the public this agenda item, just like the MCCD Area Plan, are recommendations for the Planning Commission to forward the items on to the City Council. She encouraged the public to attend those meetings and share their comments.

Commissioner Henrie asked if there are any issues with easements on this property.

Mr. Smallwood said if there are, those would be taken care during the subdivision review process. The zone change won't have any impact on easements.

Chair Patterson called for a motion.

Commissioner Pehrson made a motion for the Planning Commission to forward a recommendation of approval to the City Council for the requested amendment to the Future Land Use Map, re-designating the properties located at 1177 West Bullion Street from Parks and Open Space to Medium Density Residential.

Seconded by Commissioner Hristou. Roll call vote:

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

Motion passes: 6-0

Lartet Properties - 1177 West Bullion Street - Zone Map Amendment from A-1, Agricultural to R-1-6, Medium Density Single Family - Project # 24-019

Commissioner Pehrson made a motion for the Planning Commission to forward a recommendation of approval to the City Council for the requested amendment to the Zoning Map designation of the properties located at 1177 West Bullion Street from A-1, Agricultural to R-1-6, Single Family Medium Density Residential as described in the Staff Report.

Seconded by Commissioner Milkavich. Roll call vote:

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

Motion passes: 6-0

ANNOUNCEMENTS AND QUESTIONS

No announcements were made.

ADJOURNMENT

The next scheduled meeting will be held on Thursday, March 21, 2024, at 6:30 p.m. MST in the Murray City Council Chambers, 10 East 4800 South, Murray, Utah.

Commissioner Michaels made a motion to adjourn the meeting at 10:00 p.m. Seconded by Commissioner Milkavich. A voice vote was taken, with all in favor of adjournment.



Philip J. Markham, Director
Community & Economic Development Department