

Minutes of the Planning Commission meeting held on Thursday, March 2, 2023, at 6:31 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, 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: Jake Pehrson, Chair
Lisa Milkavich, Vice-Chair
Ned Hacker
Maren Patterson
Michael Richards
Jeremy Lowry
Jared Hall, Community Development Director
Susan Nixon, Senior Planner
Zac Smallwood, Senior Planner
Mustafa Al Janabi, Planner 1
Trae Stokes, Murray City Engineer

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.

APPROVAL OF MINUTES

Chair Pehrson stated approval of the minutes from January 19, 2023, Planning Commission meeting will be postponed to the next meeting. A motion was made by Mr. Hacker to postpone approval of the minutes. Seconded by Ms. Milkavich. A voice vote was made, motion passed 6-0.

CONFLICT OF INTEREST

There were no conflicts of interest for this meeting.

APPROVAL OF FINDINGS OF FACT

Mr. Hacker made a motion to approve the finding of facts for Stone Mountain Casting & Designs and Dark Woodland Ink. Seconded by Mr. Lowry. Roll Call Vote:

A Pehrson
A Lowry
A Patterson
A Hacker
A Richards
A Milkavich

Motion passed 6-0

MURRAY CITY HALL SUBDIVISION - 10 East 4800 South- Project #23-028:

Mr. Smallwood presented the application for Murray City to request preliminary and final subdivision approval to consolidate multiple (thirty-one) parcels into 3 lots and a road dedication for the new City Hall site. The subject properties are located between 4800 South and 4th Avenue and between the old Poplar Street on the east to Box Elder on the West. The proposed subdivision is part of the on-going efforts to modernize and revitalize Murray's downtown area. The intent is to create three (3) new lots. Lot 1 will be the location of City Hall and the new Police Headquarters. Lots 2 & 3 are included as parking areas to serve the City Hall and neighboring properties as public parking. The MCCD Zone does not have a minimum square footage for lots.

On November 7th, 2019 the Planning Commission approved the Certificate of Appropriateness for the proposed City Hall. This included reviewing the proposed improvements to the larger area. At the time of this report most of the public improvements have been installed at the three proposed lots and along Hanauer Street. Based on the analysis and review of the proposed preliminary and final subdivision and a survey of the subject property, staff concludes the following:

1. The subdivision of land is allowed by Utah State Code Section 10-9a-608, and with conditions this preliminary and final subdivision plat meets the requirements therein.
2. The proposed subdivision complies with the MCCD Zoning regulations.
3. The proposed subdivision complies with the regulations of Title 16, Subdivision Ordinance and with the applicable standards of Chapter 17.170, of the Murray Land Use Ordinance.

Based on the information presented in this report, application materials submitted and a site review, staff recommends that the Planning Commission grant preliminary and final subdivision approval for the Murray City Hall Subdivision on the properties located at 15,17,21 W Fifth Ave; 47 E Fifth Ave; 40,48 E 4800 S; 40 E Murray Holladay Rd; 6,12,16,20 E 4800 S; 3 W 4800 S; 4872 S Poplar; 33,35 E Fifth Ave; and 18,24 W Fifth Ave, subject to conditions.

A total of 104 notices were mailed to property owners within a 500' radius of the subject properties. As of the writing of this staff report, there has been one comment from Mr. DeLynn Barney expressing concern with existing property lines. The proposed project does not involve the property near Mr. Barney. This project has been designed and stamped by a civil engineer.

Mr. Hacker asked a question regarding the parcels that cross between Poplar and Hanauer Street. He wanted to know if they get added to the Poplar Street piece. Mr. Smallwood indicated they will be cut and become two new modified parcels. They will exist as they, minus Hanauer Street.

Trae Stokes, from Murray City Engineering Department, stated he will be able to comply with the four conditions.

Public comment portion of the meeting was opened.

DeLynn Barney, resident, stated the application identifies very well what is included. He spoke about a parcel that wasn't included. Namely one vacating part of 5th Avenue. He addressed this area. Fifth Avenue has always been 50 feet wide, now the application shows 47 feet wide. The

size of lot 3 has for parcels, for a total of 199.2 ft. This is less than what's shown on the plan map. The position of lot 3 is not correct. This directly affected his property.

Mr. Pehrson asked for clarification on Mr. Barney's address. Mr. Smallwood addressed the concerns by stating that a surveyor was hired, as well as engineers. Mr. Stokes said that sometimes there are small discrepancies with historical records, but don't affect the overall ownership of Mr. Barney's property. Mr. Stokes said that work has been fully vetted.

Ms. Patterson asked if there is a difference between land width and what that means. Does it mean that the city does less curb and gutter. Mr. Stokes said it means there is a wider sidewalk.

Public comment was closed.

Ms. Patterson made a motion to grant preliminary and final subdivision approval for Murray City Hall subdivision located at 10 East 4800 South subject to the following conditions:

1. The project shall meet Murray City Engineering requirements including the following:
 - a) Meet City subdivision and condominium platting requirements.
2. The project shall meet all requirements of the Murray City Land Use Ordinance, including the Murray City Center District chapter.
3. The applicant shall prepare a Final Subdivision Plat which complies with all requirements of Title 16, Murray City Subdivision Ordinance.
4. 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.

Ms. Milkavich Seconded. Roll Call Vote:

A Pehrson
A Lowry
A Patterson
A Hacker
A Richards
A Milkavich

Motion passed 6-0.

THE RIDGES AT MURRAY - 5322 South Allendale Drive & 662 West 5300 South – Project #23-027 and #23-026:

Ms. Nixon presented the applications for conditional use permit and preliminary subdivision review together, as much of the information is identical for both applications. The applicant, Mr. Brad Reynolds, is requesting approval to develop the subject property into sixty-six (66) townhomes. The application before the Planning Commission is for a Conditional Use Permit for Planned Unit Development and Preliminary Subdivision approval. If the Planning Commission approves the preliminary subdivision, the applicant will work with the city staff to prepare a Final Plat to be reviewed and approved by the Planning Commission. After Final Subdivision approval is granted, the applicant will prepare a Final Subdivision plat. When the Final Subdivision plat has been approved and accepted by the City Engineer, it will be circulated for signatures of approval which will allow the recordation of the plat at the Salt Lake County Recorder's Office.

The proposal is a planned unit development townhome subdivision with a total of sixty-six (66) new units along Allendale Drive and 5300 South Street. The applicant is requesting a Conditional Use Permit to allow for a Planned Unit Development and for Preliminary Subdivision approval. The applicants are requesting the Planned Unit Development approval to allow a variation of setbacks.

The purpose of Planned Unit Developments is to allow the clustering of dwellings in such a way that allows for the consolidation of open space, to provide a meaningful and usable open space and to make more efficient use of utilities. It is not intended to be universally applied, only when circumstances make it appropriate and of special benefit to the residents of the development and surrounding area. The proposed development has been carefully considered with the neighborhood to the east the adjacent rehab centers to the north and west and impacts from 5300 South Street. Through many iterations, a site plan has been submitted that separates the potential development from the surrounding uses while maintaining the allowed density. Placing the homes oriented towards the single-family residential area to the east provides a low-density residential feel. The project also serves as a "buffer" between the single-family residential neighborhood to the east from the businesses to the west on Murray Boulevard.

A Traffic Impact Study (TIS) was conducted in January of 2022 in conjunction with the zone change. The TIS determined that the intersections of 700 West & Murray Boulevard / 5300 South and Allendale Drive / 5300 South are currently operating at poor levels of service during the evening peak hour. These results serve as a baseline condition for the impact analysis of the proposed development during existing (2022) conditions. The intersection of Allendale Drive / 5300 South is too close to existing signals to be signalized. The southbound queuing at this intersection may hinder movements at the south access at times during the peak hour but the intersection's LOS is still acceptable. The total trip generation for the development is 468 daily trips; Morning Peak Hour Trips, 30; and Evening Peak Hour Trips, 38. The City Engineer is not in favor of having speed bumps or speed tables, bulb-outs or pedestrian islands. The City Engineer is planning to install an electronic feedback speed sign on Allendale Drive. No other mitigation measures are recommended.

The 2017 General Plan includes five key initiatives intended to guide implementation. The third of these initiatives, Livable + Vibrant Neighborhoods, states support for creating neighborhood nodes designed for people and scaled to complement the surrounding area, providing life-cycle housing to allow residents to age in place, and increasing access to parks and open space. One of the goals to accomplish this is to encourage a variety of housing options. Providing a for-sale townhome product helps to create a more vibrant neighborhood. This location is also preferable as it provides opportunities to access local retail such as the Smiths to the south.

Based on the analysis of the Conditional Use Permit for a Planned Unit Development and Preliminary Subdivision review, staff finds the following:

1. With conditions, the proposed subdivision complies with the standards of the Murray City Subdivision Ordinance.
2. The proposed lots comply with the development standards for properties found in Chapters 17.120 and 17.60 of the Murray City Land Use Ordinance.
3. The proposed subdivision is in harmony with the purposes of the R-M-15 Zone, representing appropriate residential development.

4. The proposed subdivision is in harmony with the purpose and intent of the Murray City General Plan, providing additional opportunities for appropriate residential development in the area.

One hundred forty-nine (149) notices of the public hearing were sent to all property owners for parcels located within 500 feet of the subject property. As of the date of this report, Staff has received public comment from Mr. Wirthlin, resident at 576 W. Wirthlin Drive. Mr. Wirthlin came to the office and expressed concern with the additional traffic generated from 66 units on the narrow Allendale Drive. Based on the information presented in this report, application materials submitted, and a site review, Staff recommends that the Planning Commission approve a Conditional Use Permit for Planned Unit Development and grant Preliminary Subdivision approval for The Ridges at Murray PUD on the property addressed 5322 South Allendale Drive and 662 West 5300 South subject to conditions.

Ms. Milkavich confirmed with Ms. Nixon that the full packet is available online.

Mr. Pehrson confirmed that the residents have enough room to park outside the garage. Ms. Nixon that each unit has a two-car garage and residents have a 20-foot driveway, with the exception of units #153-164, from the garage door to the sidewalk, to accommodate standard sized cars. There are 17 onsite visitor stalls provided for units #153-164, including one ADA stall that exceeds the total minimum required.

Ms. Patterson indicated that the school district sent a letter to the planning commission stating that they are able to handle to influx of students that could result from new residents in this complex. She was pleased to receive such a letter.

Ms. Milkavich expressed concerns about traffic. She points out that in the TIS, the engineer states that the new complex will contribute to the current traffic problems. She stated that she'd love for Murray to address the existing traffic issues in the area now that it has been identified as a problem. Ms. Nixon stated that it is on the city's master plan to improve the connection at 700 West 5300 South and College Drive. Allendale cannot be modified; they are not allowed to have an additional signal (that is stipulated by UDOT). The timeframe is slated to be improved over the next seven to ten years.

Ms. Patterson asked about the traffic study. She felt that the impact study didn't indicate any specific ways to improve it. Trae Stokes, city engineer, stated that they wouldn't employ speed bumps, as that won't work on this street. He suggested an electronic feedback sign on 5300 South. Murray City doesn't have any control over 5300 South – that is UDOT.

Ryan Hales, the traffic engineer who conducted the impact study, spoke about the situation. He talked about how difficult it can be to make a left-hand turn out of a driveway on a busy street, such as 5300 South. He stated what most drivers do is route divert, which is when a driver will make a right-hand turn and flip around to turn at a signal, during peak times. This proposed project would not make the criteria with UDOT to install a new signal. An electronic driver feedback speed sign is about the only option to encourage drivers to slow down, and they are effective, based on research. Side friction (i.e., parked cars and garbage cans) will help to slow traffic as well. At some point, UDOT could add a raised median to keep drivers from making a left turn to prevent accidents.

Mr. Richards asked if the city can have the state look into putting in a raised median now. Mr. Hales said when you do put up a raised medium it can block access on the opposite side of the road. UDOT would look at that very carefully.

Ms. Patterson asked what signal optimization means. Mr. Hales said that means they try to time the lights to get a progression of coordination to help the flow of traffic move from light to light in groups. It assists in moving groups of traffic. Ms. Patterson asked if the amount of traffic that will be added in the area will affect the optimization. Mr. Hales said it's specific to the growth in the area.

Ms. Milkavich asked how close the number of townhomes was to the cutoffs affecting the level of service relating to traffic. Mr. Hales said that the area is already operating a "level F" which means it's already failing, during peak hours.

Corey Nielsen, representing Brad Reynolds Construction, that they worked to ensure that the design will be cohesive with the neighborhood. He said he read the conditions and indicated he could comply with them.

Mr. Hacker asked Mr. Nielsen about the pedestrian walkway along Allendale on the opposite side of the street. Mr. Nielsen indicated that it will be the same.

Ms. Patterson commented on how much work has been put into this plan and that he made alterations as needed. She asked about the common area and stated that there are no structures or amenities included. Mr. Nielsen responded that the open space was intentional, but they are amenable to include benches or gazebos if the commission would like. Ms. Milkavich said she did like the open space and it provides a place for kids to play sports. In general, the commissioners did appreciate that the open spaces are well landscaped and well thought out.

Public comment was opened.

Clint Gather, resident, spoke about how he will be affected the most by the townhomes. He complimented the developer on their work in contacting him and being professional. He did ask about offsite RV parking. He feels everyone will use their two parking stalls and then park RVs on the street, clogging up Allendale.

DeLynn Barney, resident, stated the number of parking spaces is the same in front of the four-plexes and six-plexes as the one duplex. This will force residents and visitors to park on the street, increasing street parking and adding congestion on Allendale South. Mr. Barney asked to have the project until these parking issues are resolved.

Mr. Smallwood read an email from Mr. Doug Sutherland. He states that he would like to see more affordable housing projects like this. He stated that Utah has a housing crisis. He also feels that city services and transit are more efficient in dense areas.

Mr. Orville Evans, resident, stated he appreciates how Murray City takes care of the city. His concern is how this development will impact traffic. He worked for UDOT. He moved to Murray to get away from traffic and high-density housing. His previous house in Salt Lake City got broken into. He says high-density housing is nothing more than a penitentiary without bars. He

wants there to be a buffer at the end of his street from businesses. He's asked for it several times.

Public comment was closed.

Ms. Nixon addressed the RV parking. The HOA's C C & R's are restrictive and they state that "RVs are prohibited from parking for greater than 24 hours and will be removed". Additionally, the city code prohibits vehicles from parking on public streets for greater than 72 hours at a time.

Ms. Nixon addressed the fact that this large parcel of property has been vacant for 50 years. Residential development is much better than commercial options and the property could have been developed as rental apartments. She feels that the developer has addressed the parking. The HOA is usually very strict about that and sets restrictions for the development.

Mr. Lowry stated that he, too, remembers a time when things were different, but times have changed as the population grows and land becomes more valuable, high-density projects are needed.

Mr. Lowry made a motion to grant the preliminary subdivision approval for The Ridges at Murray subdivision located at 5322 South Allendale Drive & 662 West 5300 South subject to the following conditions:

1. The applicant shall meet all requirements of the Murray City Engineer, including the following:
 - a. Meet City subdivision and PUD requirements. Provide plan and profile sheets for utilities. The plat should include street names, unit addresses, PUE's, and common areas.
 - b. Provide a copy of the HOA declaration.
 - c. Obtain a UDOT approval and City agreement for emergency access to 5400 South.
 - d. Provide a site geotechnical study and implement recommendations.
 - e. Provide a traffic impact study and implement recommendations.
 - f. Meet City storm drain requirements. On-site retention of the 80th percentile storm and detention with a reduced release of 0.2 cfs per acre is required.
 - g. Meet City well protection zone requirements.
 - h. Obtain a city building permit for retaining walls greater than 4 foot in height.
 - i. Install curb and gutter and sidewalk along property frontage to Allendale Drive.
 - j. Provide a subdivision improvement bond for dedicated improvements prior to recording the plat.
 - k. Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning any site grading and construction work.
 - l. Obtain a City Excavation Permit for work within City roadways.
2. The PUD subdivision shall meet the requirements of the Murray City Fire Department including the width of the access drives and emergency gate access requirements.
3. The developer shall meet all Murray City Water Division requirements.
4. The developer shall meet all Murray City Wastewater Division requirements.
5. The developer shall meet all Murray City Power Department requirements and meet to discuss planning the new power service.
6. The PUD improvements shall include the installation of street trees as required by Murray City Code.
7. The applicant shall provide a copy of the recorded CC&Rs to the Planning Division.

8. An 8-foot solid wall is required along 5300 South Street and a 6-foot vinyl fence along the west and north boundaries. New fencing shall be installed as approved by the Planning Commission prior to the issuance of certificates of occupancy.
9. All units within the PUD shall comply with the requirements of the R-M-15 Zone as outlined in Chapter 17.120, Chapter 17.62, Condominiums, and Planned Unit Development as outlined in Chapter 17.60 of the Murray City Land Use Ordinance.
10. If there is no substantial action taken with the conditional use permit approval within two (2) years of its issuance, the approval shall be null and void. The planning commission may grant a yearly extension, when deemed in the public interest.

Mr. Richards seconded. Roll Call Vote:

<u> A </u>	Pehrson
<u> A </u>	Lowry
<u> A </u>	Patterson
<u> A </u>	Hacker
<u> A </u>	Richards
<u> A </u>	Milkavich

Motion passed 6-0.

Mr. Lowry made a motion to grant the conditional use permit approval subject to the following conditions:

1. The applicant shall meet all requirements of the Murray City Engineer, including the following:
 - a. Meet City subdivision and PUD requirements. Provide plan and profile sheets for utilities. The plat should include street names, unit addresses, PUE's, and common areas.
 - b. Provide a copy of the HOA declaration.
 - c. Obtain a UDOT approval and City agreement for emergency access to 5400 South.
 - d. Provide a site geotechnical study and implement recommendations.
 - e. Provide a traffic impact study and implement recommendations.
 - f. Meet City storm drain requirements. On-site retention of the 80th percentile storm and detention with a reduced release of 0.2 cfs per acre is required.
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Mr. Richards seconded. Roll Call Vote:

<u>A</u>	Pehrson
<u>A</u>	Lowry
<u>A</u>	Patterson
<u>A</u>	Hacker
<u>A</u>	Richards
<u>A</u>	Milkavich

Motion passed 6-0.

ANNOUNCEMENTS AND QUESTIONS

The March 16th meeting has been canceled. Mr. Smallwood informed the commission that he's working on a website to provide resources with training videos and packets for them to access. Mr. Pehrson asked that all traffic studies are included in the commissioner's packets.

ADJOURNMENT

Ms. Milkavich moved to adjourn tonight's meeting at 7:57 p.m. Seconded by Ms. Patterson. A voice vote was made, motion passed 6-0.



Community Development Director