

Minutes of the Planning Commission meeting held on Thursday, June 2, 2022, at 6:32 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 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: Jeremy Lowry, Chair
 Jake Pehrson, Vice Chair
 Maren Patterson
 Lisa Milkavich
 Ned Hacker
 Michael Richards
 Zach Smallwood
 Susan Nixon
 Jared Hall

Excused: Travis Nay

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

Ms. Milkavich made a motion to approve the minutes from the May 5, 2022, Planning Commission meeting. Seconded by Mr. Richards. A voice vote was made, motion passed 6-0

CONFLICT OF INTEREST

There were no conflicts of interest.

FINDING OF FACTS

None available at this time.

ADDISON VISTA SUBDIVISION – 5700 South 800 West – Project #22-054 & 22-055

Susan Nixon presented the request for a residential infill project, which is conditional use, as well as preliminary and final subdivision review. The property is currently in the R-1.8 zone. The zoning was changed last December from A-1 to the R-1.8 with the intention of subdividing the property; the property is 1.62 acres. Years ago, Murray realized they were losing larger parcels of property in the valley, so they adopted this residential infill option in Section 17.58 in the Zoning Code that allowed for smaller parcels less than two acres to be developed. This gave the Land Use Authority/Planning Commission the authority to vary right-of-way improvements to limit public right of ways and other improvements. She showed the subdivision plat from the meeting attachments. The applicant is requesting the residential infill only for the rear setback of 20 feet, they want to maintain the R-1.8 setback in the front of 25 feet. This is being requested in order to have the proper width at the setback as each lot must have at least 80 feet at the front setback for an interior lot, and 90 feet on a corner. She showed a chart with the lots and future addresses, all the lots have at least 8000 square feet and range from 8000 square feet to

just over 13,000 square feet. All the lots meet the front setback of 25 feet and 20 feet in the rear, along with all the side yard, interior and corner setbacks. The plan shows two streetlights, shown as #6 on the plan, along with all the driveways for each; the city engineer has reviewed and approved those. This proposal includes a 42-foot right-of-way, including 25 feet of hard surface, six feet of sidewalk and 2.5 feet of curb and gutter. There will be no park strip. There is also planned a six-foot vinyl fence at the northwest and south sides of the property, which will need to meet the fence regulations of six feet maximum and reduced along 800 West to a three to four foot maximum height. When properties of at least one acre are developed, state law and Murray City Code requires they meet Low Impact Development (LID) for smaller developments. This plan creatively incorporated green space to have water drain, and then go into the city system through lot 6 to the north. Based on the application, City Code Section 17.100 and review of plans, staff is recommending approval of the conditional use for residential infill, as well preliminary and final subdivision, based on the 10 conditions shown in the meeting packet. She noted that notices were sent out, no public comment was received.

Joe Colosimo - Applicant

Didn't have anything to add, noted that Ms. Nixon made things very simple and was easy to work with.

Mr. Lowry asked Mr. Colosimo if he was willing to comply with the 10 conditions.

Mr. Colosimo said yes, he was willing to comply with the 10 conditions.

Mr. Lowry opened the public comment portion of the meeting. There were no comments and public comment period was closed.

Ms. Milkavich commented on Ms. Nixon's presentation, that it was done very well, and noted for the public that the city takes it seriously when green space is lost. They are concerned about it, and also understand the need for this infill on this land; this project fits that need.

Mr. Hacker made a motion to approve the conditional use permit for residential infill and grant preliminary and final subdivision approval for the Addison Vista Subdivision on the property at 5700 South 800 West, subject to conditions 1-10. Seconded by Ms. Patterson.

Roll Call Vote

A Milkavich

A Pehrson

A Richards

A Hacker

A Patterson

A Lowry

Motion Passed 6-0

THE WYATT – 4926, 4938 & 4940 South Center Street – Project #22-078

Mr. Smallwood presented the application for design review and preliminary condo subdivision approval. The property address is 4930 and 4938 South Center Street. This is in the MCCD Zone, which allows for multi-family residential. The two combined properties together are 0.33

acres, and they are proposing a 50,000 square foot building with 26 individual units. The applicant is proposing for those units to be owner occupied, hence the condo subdivision preliminary approval request. Mr. Smallwood showed what was presented before the MCCD Design Review Committee. They had some concerns with the blank frontages on the south side, and there were a number of different materials being used; overall, they asked for it to be simplified. He then showed the updated plan from the meeting attachments, everything in the maroon color is brick, which came from working with some of the nearby residents. The applicant held a neighborhood meeting on his own and discussed this with some of the local residents. He also simplified some of the color schemes so it was a little more uniform and cleaner. Mr. Smallwood presented more images from the meeting attachments including the front and noted that he was impressed with the changes made to the south side, incorporating different materials to help see something other than white stucco. The front will be a mix of stucco, metal accents on top and brick encompassing the majority of the building. This building is generally lower than the Center Court Apartments; it is a 3.5 story building that includes a subfloor with units under the upper three stories. Regarding the site design, the MCCD requires a seven-foot sidewalk and five-foot park strip, the applicant has shown that on the plans submitted and included in the meeting attachments. Staff believes the proposed bike rack and bench for the proposed frontage is adequate. Open amenity space is required at 15% or 2156 square feet, the applicant has provided almost 3900 square feet which is mixed between the actual open space on the building and mixed in with the amenity space inside building. The landscape plan is not very detailed, but he is putting in the required amount of trees and will have to conform with the required number of bushes and other landscaping aspects per the landscaping ordinance. The parking garage will have mechanically stacked parking spaces, as well as two ADA spaces. At subgrade there are four 2 bed/2 bath units, the second floor has four additional units on south side with accesses from both the south and east. Regarding the stacked parking, he showed some pictures from the meeting attachments and discussed how the stacked parking will look and function. It was noted that he was told a Suburban would fit into one of the parking stalls easily, but he will let the applicant discuss that further. He reviewed the brochure for the combo lift stacked parking, which is available in the meeting attachments. He showed some YouTube videos with examples of the mechanical lifts, and the links for those and others are also in the meeting attachments. Above the parking areas, five units will be on the next floor directly on top, with four more on the other side and a fitness areas and deck. The fourth floor has five more units on the north side, with a flex space and deck, and four others on the other side. There is a rooftop amenity that faces away from the existing single family residential, it includes a rooftop deck facing west and a social area facing the same way with no balcony. The MCCD Design Review Committee has already been through this and based on the analysis and preliminary subdivision plans the staff feels this meets all the requirements and is in harmony with the zone and purpose and intent of the general plan and design guidelines. Staff is recommending the planning commission grant the design review approval and preliminary subdivision approval, subject to the nine conditions.

Mr. Pehrson asked about the ADA parking stalls, and if they were in the same parking area.

Mr. Smallwood noted they are in the same area, but not part of the mechanical parking.

Mr. Pehrson asked about the height regulation section, noting that buildings within 60 feet of residential districts are limited to a height of 50 feet.

Mr. Smallwood these are not within the distance mentioned, which means their height limit is 135 feet.

Ms. Milkavich noted that the highest point is 55 feet, on average the height is 41 feet, and a local two-story house would be about 35 feet. This will be similar to a two-story house in terms of height.

Mr. Hacker asked to clarify that 26 units requires 39 parking spaces, and that there are 39 in the building and the developer will have more parking on the street.

Mr. Smallwood said they always encourage on-street parking; however, it cannot be reserved for his development as its public space.

Ms. Milkavich said the packet discussed recommending on-street parking being for short periods of time to allow deliveries.

Mr. Smallwood said they will be working with the city engineer to develop a 30-minute loading zone in at least one of the spaces, if not two.

Ms. Milkavich asked if the city would be putting that sign up.

Mr. Smallwood responded yes.

Ms. Milkavich asked about street furniture, it is her understanding that there are no limits imposed by the city, they just ask for some type of street furniture.

Mr. Smallwood said yes.

Ms. Milkavich asked about the lift system, and how that would work with kids; does it recognize humans in the area.

Mr. Smallwood said that's probably a worst-case scenario, and those living there would probably get their kids out before pulling in.

Ms. Milkavich said it makes her nervous, the door closes and things could start moving with a child inside.

Mr. Lowry noted that's probably a question for the applicant.

Jonathan Oliver - Applicant

Mr. Smallwood did a fantastic job; he has been great to work with. He has worked with Ms. Nixon in the past and both are fantastic, along with Mr. Smallwood's assistant.

Mr. Lowry asked if the applicant has reviewed the nine conditions, and if he is willing to comply with them.

He is willing to comply with the nine conditions. Regarding the parking, there are different systems that can be purchased and utilized. He chose this company for a few reasons. They are based in Germany, which posed a small problem during the recent crisis, but they are still on the docket and everything should be fine to be built and shipped over here. The company has been around since 1962, they have a fantastic safety record. He has two kids himself, so he understands the concern. There are redundancies built into the systems. There are 1.25 million

stalls in India alone already installed. He went with them because the other system that is in Salt Lake City, he believes it was CW Urban or Wadsworth that used that, is a fantastic building, unfortunately that company filed Chapter 7 in March. Mr. Oliver opted to use a company that has been around for a while and hopefully will be for longer. There are redundancies as far as backup generators, if you need to get a car out during a fire; there are lots of redundancies in the system. He added that this is his 36th development in his time developing, his second one in Murray, and it has been fantastic to work with the city in the past and appreciates their time now. It just so happened that his boys started paying attention and wanting to be a part of this with him, so he named this after his oldest son, The Wyatt. The only downside is that now he walks up to people and says, "I am The Wyatt." His other son, Noah, is being gracious and patient for his building.

Mr. Pehrson noted that it was mentioned the applicant was getting the biggest parking stalls available. He asked what vehicles will not fit in there.

He can follow up with the manufacturer for that information. They have mentioned that there could be a Tahoe in there; this model is the biggest and heaviest that the company offers. There will be two systems, they will be the same system but you can only go seven wide and they have 13 wide. Stalls are 10 feet wide on the ends, and in the middle they will be 9 feet wide; this is wider than a traditional parking stall and a little bit longer at 20 feet long. They can handle quite a bit of weight and have charging stations in them as well. They will have four of the spots with charging systems that move with the system. There is an ability to add more in the future as the need and demand comes. There will be one stall reserved per unit, and then an option to purchase additional spaces included in the CC&Rs. They chose to widen the street to make it better for residents, and to be good stewards of the community and neighborhood. They are providing six on street parking stalls, they are not reserved or counted towards their parking numbers. As mentioned, they are planning for at least two of them to be temporary stalls for things like deliveries.

Ms. Milkavich asked how potential residents would be made aware of the parking stall limitations.

That information will be shared up front, from the beginning. Mr. Oliver will be working with the police department to ask if it would be advisable to have this. They want the parking garage to be visible from the street, which will be a neat amenity as you are walking by, having it be glass or see-through for safety as well. Regarding the stalls themselves, he keeps thinking about the kids. There are motion sensors, and many of them in Europe and Asia don't even have doors; there will be doors with plexiglass, which means a nicer aesthetic but higher cost, and safer overall. You can retrieve your car within 60 seconds with the system planned and it can be accessed from the app in your living room before even walking down. It can recognize if someone is nearby and trying to open another door as well, and it will not allow it.

Ms. Milkavich asked how a potential buyer would be aware of the limitations on the stalls, so they don't buy a home that their car won't fit in.

The dimensions and weight limits would be in the selling offering.

Mr. Richards asked if this is the longest version the company produces at 20 feet long and noted that would prevent some heavy-duty trucks.

Yes, that would. Unfortunately, that's what they've had to work with here and he shouldn't discriminate against those people as he is one of those owners as well.

Mr. Smallwood noted that many times, condo listings like this show how many parking spaces you are allocated, whether you can purchase more, and in bigger cities that info is given up front. Also, the clientele wishing to live in this type of unit will probably not own a truck like that.

Mr. Lowry opened up the public comment portion of the meeting.

Janice Strobell – Resident

Lives just around the street from where the Wyatt will be built. She was one of the neighbors who met with Mr. Oliver over the phone and appreciated the time he took to talk with them, and the efforts to add brick to the exterior of the building. She recognized that this development complies with what is approved for the MCCD. She is really grateful that there wasn't one change in the MCCD that allows for mixed-use development, but it doesn't have to be mixed-use because it's on Center Street and she is very grateful that was changed. She was also there at the MCCD Design Review Meeting and Mr. Oliver was there and she met his son Wyatt. The applicant mentioned the idea of another project just around the corner that could be called the Noah, which also wouldn't require mixed use because it's on Vine Street. She recognizes that the planning commission doesn't have control over it, but she asked them to be cognizant of a few things. The fact that in her neighborhood, within the one block radius, the Vine Apartments haven't been done yet, this condo complex will take a while before it's done, and there could be a chance that The Noah gets started prior to operational use of these new developments. That will really be interesting for the city to see what happens with all that happening in that small area, given that it even acknowledges in the packet that Center Street is a narrow street. There are no two-story homes on the other side of the Wyatt as well. It will be interesting to see what kind of impact all of this new zoning that has been put in place with the MCCD has on Atwood, which is the next major street going east, and Vine Street. Just in the last two years, neighbors have noticed a real difference in the ability to get onto Vine Street from Atwood, or from Atwood to Vine, during rush hours. It is going to be really interesting, especially when the Vine Apartments are built. When she tries to go over to Jones Court where City Hall and the post office are, or when she is coming home from work and on Vine, wanting to turn onto Wasatch, there are many times there is someone wanting to turn onto Jones Court when she wants to turn onto Wasatch; it is a very close situation there. They are going to get a lot more traffic, and that's not going to change because of the amount of units that are getting added to this area. It will be interesting to see what our hindsight tells us after it is all done.

Richard Parks – Resident

He has three points to share. He was talking to a developer a few weeks ago, and he ran this scenario past him. At one point, in this valley we are going to have more condo units and apartments than there are people to move into them, then what happens. He noted that rents will go down, and the developer agreed. He said it will become cheaper to rent than to buy a house, and the developer agreed. He said that will drive property values down and what people can get for their houses, and the developer said yes. So, property values are going to take a hit if we don't have some mechanisms on a broader scale, not just this project that sounds great, but if you add 12 more in there, he thinks we have an issue. Point two is the great character and

stability of Murray; that's why he's here, his kids and grandkids are here. Communities that have a lot of apartments and condos are destabilized, he presented Fireclay as an example. Number three, he doesn't know how we step back and take a broader look. His suggestion would be to ask the mayor and council, and the planning commission, to approve a moratorium on any new apartment or condo projects until we get some kind of idea what's going to happen to us. He doesn't know how that works or how that happens.

Mr. Lowry closed the public comment period.

Mr. Smallwood discussed the moratorium, back in February of 2021. At that time there was a moratorium on development of all mixed-use zoning while they evaluated the infrastructure and zones at large; that went from February to August of 2021. They did evaluate that and make changes, he believes they reduced the density in this area, the east side of State Street. He also recognized that there is a survey being distributed right now, randomly to residents in the whole city, asking these specific questions. It is largely focused more on 4800 and State, but there are larger questions about the MCCD area.

Mr. Lowry asked him to share the master plan process the city has gone through and will go through in the future.

Mr. Smallwood said the general plan that was adopted in 2017 and does call for the City Center District to continue to grow and flourish in reinvestment in that area; there are strategies and goals in creating a mixed-use development pattern in this area.

Mr. Lowry asked about public input on that planning process.

Mr. Smallwood said they received hundreds, if not thousands of comments during that process at that time, and they are what guided them in general plan development.

Ms. Milkavich asked if, while that general plan was being developed, they did traffic studies with predictions with the current zoning, and again during the moratorium in February 2021.

Mr. Smallwood said there were some traffic studies conducted, he thinks there was also some parking analysis done for the MCCD area specifically, as that was largely where the moratorium was coming from.

Mr. Lowry asked if Mr. Smallwood feels that this this project conforms with that plan.

Mr. Smallwood said they wouldn't bring the plan forward if it didn't meet all the regulation changes. This wasn't vested prior to any of those ordinance changes, so it is all under these new changes adopted.

Mr. Lowry asked how long the plan usually stays in place.

Mr. Smallwood said typically 10-15 years, but they like to get it done within 10 years.

Mr. Lowry asked how many years we are into this plan.

Mr. Hall said they just got funding to start the next one.

Mr. Lowry addressed Mr. Park and said it would be great to have his input during that process to guide the plan in subsequent years.

Ms. Milkavich added that she is happy this won't reach the max height of 135 feet that is available.

Ms. Patterson asked about the comments regarding housing prices going down with too much housing. Her understanding is that's not the situation the valley is currently in.

Mr. Smallwood said no, we are not in that predicament at all, and he doesn't see that changing for the next 10-15 years minimum if they are aggressive in providing a lot of housing. That is part of what happens, it's basic supply and demand, when you oversupply your demand shrinks, and when you don't have enough supply your demand increases. If the market gets flooded with a lot of housing, it doesn't matter what type of housing, if it is built and people have places to live they will not spend as much money to buy new places to live.

Ms. Milkavich said she finds that discussion a little ironic, as yesterday she had the same discussion with a builder on her street, as she was a little concerned that we are so excited to meet the need for housing that maybe we are moving too fast. He said that his projections say we won't meet the need at the current rate. Who knows whose projections are correct, but she also heard on the radio another discussion where they were saying that the building rates have drastically slowed and we are way behind on the need.

Mr. Smallwood wants to be careful discussing politics and said that with the raising interest rates it is making it harder for people to purchase even starter homes. The demand is still there, especially in this valley, but now it's even more expensive to try and get into a house when we already have inflated housing prices. It's a balancing act, demand will probably continue to rise for quite some time. He hasn't seen recent stats, but the last ones he saw show we are at a 2000 home shortage statewide every year, and that could exacerbate in the more developed areas where people want to live.

Mr. Lowry noted that no one has a crystal ball to project what will happen. There have been published reports showing that investment in new housing has plummeted as interest rates have gone up. We had been at low rates, had high demand that people tried to meet, but at the same time this is developers' and builders' livelihoods and as the market changes their strategies will change too. He doesn't think this is the forum to debate public policy, this is where they should debate whether a project complies with ordinances and zoning.

Ms. Patterson wanted to note that this is preliminary, so there will be an opportunity for the public to come back for the final approval with the council, where they can make their opinions and thoughts known for the city council. She commended the developer for meeting with the neighborhood, being open to their suggestions, and for following the suggestions from the design review committee. She thinks that brought an even better project to the planning commission by being open to those things.

Ms. Patterson motioned to grant design review approval and preliminary subdivision approval for the Wyatt Condominium Subdivision on the property addressed 4930 and 4938 Center Street, subject to the nine conditions in the packet. Seconded by Ms. Milkavich.

Roll Call Vote

A Patterson

A Milkavich

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A Richards

A Hacker

A Pehrson

A Lowry

Motion Passed 6-0

Mr. Hacker motioned to adjourn the planning commission meeting at 7:32 p.m. Seconded by Mr. Pehrson. A voice vote was made, the motion passed 6-0.

A handwritten signature in cursive script, appearing to read "Jared Hall", is positioned above a horizontal line.

Jared Hall, Director