Minutes of the Planning Commission meeting held on Thursday, July 7, 2022, at 6:33 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.G-Ov.

Present:	Maren Patterson, Pro Tempore Chair Ned Hacker Lisa Milkavich Michael Richards Travis Nay Jared Hall, Community & Economic Development Director Zach Smallwood, Senior Planner Briant Farnsworth, Deputy City Attorney Seth Rios, Planner Susan Nixon, Planner
Excused:	Jeremy Lowry Jake Pehrson

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.

Ms. Patterson noted that the chair and co-chair were absent from this meeting.

Ms. Milkavich moved to have Ms. Patterson be the Pro Tempore Chair for the meeting. Seconded by Mr. Nay. A voice vote was made, motion passed 5-0.

APPROVAL OF MINUTES

Mr. Hacker moved to approve the planning commission meeting minutes from May 19, 2022, and June 2, 2022, with the few administrative corrections made during the pre-meeting. Seconded by Mr. Richards. A voice vote was made, motion passed 5-0; Mr. Lowry and Mr. Pehrson were absent from the vote.

CONFLICT OF INTEREST

There were no conflicts of interest.

FINDINGS OF FACT

Mr. Hacker moved to approve the findings of fact for the Addison Vista Subdivision as a conditional use permit. SECONDED by Ms. Milkavich. A voice vote was made, motion passed 5-0; Mr. Lowry and Mr. Pehrson were absent from the vote.

PARRIS RV – 4303 & 4337 South Main Street & 71 East Edison Street – Project #22-083

Mr. Rios presented this application. Parris RV is seeking to amend their current conditional use permit at 71 East Edison. Currently, their conditional use permit allows them to service RVs.

They are working to consolidate the lots in question and also allow for storage of RVs for display and sale. They are planning to demolish the existing buildings, replacing that with a parking lot to display their RVs. The property is just outside the Transit-Oriented Development (TOD) Zone. According to city code, TOD improvements must be made along Main Street which includes five and a half feet of curb and tree wells, along with a minimum 10-foot-wide sidewalk and trees planted every 50 feet. Since this property is in the CD zone, the applicant is also required to have 10 feet of landscape buffering to the east on Edison and Fireclay Avenue. The property to the east being discussed, 71 East Edison, is where Parris RV currently repairs RVs and they are seeking to consolidate these lots. The proposed sites will need to be consolidated. Staff recommends approval with the conditions listed in the staff report.

Ms. Milkavich asked to view the picture of Edison Avenue with a sign on the chain link fence that says, "No Parking at Any Time." She asked if that "no parking" is from city ordinance. Mr. Rios responded no; it looks like a personal sign added to the fence.

Ms. Milkavich asked if on-street parking will then be allowed with this change. Mr. Hall said that if parking on the street is not allowed, the city will sign it or red curb it. Otherwise, if a car can fit there safely, parking is allowed.

Mr. Smallwood noted that typically there are requirements for parking a certain distance from an intersection. He doesn't anticipate cars being parked there because it is too close to the intersection.

Ms. Milkavich said that based on Mr. Hall's response, this will not be changing the current parking conditions.

Dave Frampton, representing the application, came to the podium and introduced himself.

Ms. Patterson asked Mr. Frampton if he had a chance to review the eight conditions stated in the meeting packet, and if he will be able to comply with them. Mr. Frampton responded in the affirmative.

Ms. Patterson opened the hearing for public comment.

Mr. Rios read an email received from a resident.

Paul Burrows (Via Email) – Resident

As read by Mr. Rios: *What does conditional use approval actually mean for Murray City and for BD Parris LLC. Does it mean temporary use until something more conductive to the Birkhill Transit District area can be planned and built. Is this new parking for RVs, in addition to or replacement for the current RV parking across the street from Deseret Industries farther to the south on Main Street. From the plan provided in the commission's mailings, it appears that the RVs will not be moved in and out of the new parking by using a Main Street access, is this the case. Will RVs still be moved in and out of the current RV parking for the south by continuing to use Main Street. What type of fencing or wall do you intend to build along Main Street. Will this add or detract from the Birkhill Transit area* (Mr. Rios noted that he believes the resident was referring to the TOD zone) *using tall chain link fencing with barbed wire rolls along the top, or by building an actual wall or installing more decorative tall black iron fencing. What kind of*

landscaping do you anticipate along Main Street. How will your RVs ship to your facility and be offloaded to the parking areas. Main Street already gets very high traffic, not just from passenger vehicle, but also by busses, semi-trucks, car carriers for the State Street auto dealerships and heavy trucks hauling dirt, etc. Thank you for your considerations.

Ms. Milkavich noted that there was also an email received that was included in the meeting packet.

Mr. Rios also received a phone call yesterday, wanting to know if there will be more traffic along Main Street. Mr. Rios explained that there are two accesses, one off Fireclay Avenue and one off Edison; and no access from Main Street.

Ms. Patterson closed the public comment portion of hearing and asked Mr. Rios to address the questions from the email he read. Mr. Rios stated that this request is not a temporary use and the property will be improved as required and there will be additional parking.

Mr. Nay asked if razor wire is allowed in the C-D Zone. Mr. Rios said no.

Ms. Milkavich asked if there is a requirement for being a certain distance back from the curb and gutter. Mr. Hall said that fencing must be behind the 10-foot front landscape setback and the maximum height is seven feet.

Ms. Milkavich said that this area used to be for repairs only and are asking for the ability to also have sales at the site. Mr. Rios said that the west side, which is being consolidated, will be used for display and sales.

Mr. Nay stated that he believes the opportunity for them to use the staff parking as sales and display parking is very real. He would like to see that there is clear delineation between the staff parking and the sales and display parking, with no crossover between the two. Ms. Patterson noted she believes that is a common standard implemented in lots of other car/auto sales lots. She asked if Mr. Nay would like to add a condition for that, to delineate between employee parking and display parking to include signage and striping. Mr. Nay concurred with the concerns.

Ms. Milkavich stated that this request is allowed in the C-D Zone, but isn't consistent with the TOD zone. As much as they could agree or disagree, that this is not exactly their first priority or wish for what would G-O on this property, it is legal within the CD zone.

Ms. Patterson said they are expanding their business and obviously having a lot of success, and they have the ability to do this is they wish.

Mr. Nay moved to approve a Conditional Use Permit amendment to allow RV sales and storage at the property address at 4303 & 4337 South Main Street and 71 East Edison Ave., subject to the following conditions and adding a condition #9 that will state "staff parking and parking for display and sales shall be clearly delineated and striped as such".

1. The project shall comply with all applicable building and fire code standards.
2. The applicant shall comply will all requirements listed by City staff.

3. The applicant shall obtain a demolition permit before demolishing the two existing buildings.
4. The applicant shall obtain permits for any new attached or detached signs proposed for the business.
5. The applicant shall provide the TOD sidewalk improvements along Main Street, as outlined in this report.
6. The applicant shall consolidate the three lots addressed 71 East Edison, 4337 South Main Street, and 4303 South Main Street before beginning any work on the property.
7. The applicant shall provide landscaping along all public frontages in accordance with Chapter 17.68 of the Murray City Land Use Ordinance.
8. The applicant shall obtain any necessary building permits prior to installing any signage on the property.
9. Staff parking and parking for display and sales shall be clearly delineated and striped as such.

Seconded by Mr. Richards. Roll Call Vote

A Patterson
A Hacker
A Nay
A Milkavich
A Richards

Motion passed 5-0.

LAMBOURNE ESTATES – 4905 South Naylor Lane – Project #22-042

Mr. Rios presented the request for a flag lot subdivision approval. The property is in the R-1.8 zone that allows flag lot subdivisions. Both lots created must conform with the setback requirements of the zone. The plans show the required drive access of 28 feet will be an access easement across the front lot to the back lot. The drive access easement requires 20 feet of had surface and four feet of landscaping on both sides of the drive. City code requires the front lot have a minimum square footage of 8,000 feet, the rear parcel must have 125% of this, which would be 10,000 square feet; the applicant meets both of these requirements. The applicants have not yet proposed a home and a separate building permit submittal will be required for that and will need to comply with the R-1.8 setback requirements. Staff is recommending preliminary and final subdivision approval based on conditions.

Mark Lambourne, applicant, introduced himself. He indicated that he will comply with the conditions of approval.

Ms. Patterson opened the hearing for public comment.

Mr. Rios said he received two phone calls, one from Eric Schroeder, a neighbor indicating his opposition to the proposal because the road is narrow and is worried about parking cars there.

Ms. Patterson closed the hearing for public comment.

Mr. Rios said the applicant is required to dedicate about 16 feet of his property for the city to eventually widen the street. That doesn't solve all the issues, but the applicant is complying with all the lots size requirements the city has.

Ms. Patterson noted that there will be plenty of parking on both properties, just like any other house or property in the area.

Mr. Richards moved to grant preliminary and final subdivision approval for the Lambourne Estates flag lot subdivision, located at 4905 South Naylor Lane, subject to the following conditions:

1. The applicant shall meet all requirements of the City Engineer, including the following:
   a. Meet City subdivision requirements.
   b. Dedicate approximately 16.5 feet of lot 1 that extends into Naylor Lane and subtract the area out of lot 1. Adjust rear property line to increase to lot 1 area to 8000 SF.
   c. Provide grading, drainage, and utility plan.
   d. Add Salt Lake City Public Utilities signatures block, they are the water provider. Remove Murray City Water from the signature block.
   e. Include addresses – 4905 S for lot 1 and 4913 S for lot 2.
   f. Meet City storm drainage requirements. On-site retention is required.
   g. Provide standard front rear and side yard PUE's on lots.
   h. Add language for lot 2 access use to clarify if lot 1 will also use it as well.
   i. Obtain a City Excavation Permit for work within City roadways.
2. The applicant shall adhere to all setback requirements of the R-1-8 zone for both parcels.
3. The applicant will provide four feet (4') of landscaping on each side of the twenty-foot (20') driveway.
4. The applicant shall prepare a Final Subdivision Plat which complies with all requirements of Title 16, Murray City Subdivision Ordinance.
5. The Final Plat shall adhere to the requirements for Flag Lot Subdivisions contained in Section 17.76.140 of the Murray City Land Use Ordinance and as outlined in the Staff Report.
6. The applicant will need to provide the proposed plans to Salt Lake City Water.
7. The applicant shall meet all applicable Building and Fire Codes.
8. The applicant shall provide complete plans and structural calculations stamped and signed by the appropriate design professionals at the time of submittal for building permits.
9. The subdivision plat shall be recorded within one year of the final approval by the Planning Commission or the final plat shall be null and void.

Seconded by Ms. Milkavich. Roll Call Vote

A Hacker
A Nay

A Milkavich
A Richards
A Patterson

Motion passed 5-0.

JEFFERSON PARK NO 3 SUBDIVISION – 6555-6564 South 130 West – Project #22-086

Ms. Nixon presented the request for preliminary and final subdivision approval for Jefferson Park No. 3. The property is located at 6560 South and approximately 130 West. The applicant is JNG Investments, and Jonathan Rudd is representing the owner. This property is accessed off of Fayelle Avenue and 130 West, which is an existing stub street. The zoning was changed in March of this year by the city council from R-1.8 to R-2-10 and this is our first R-2-10 subdivision. Section 17.112 is the R-2-10 zoning which was amended earlier this year to allow for owner occupied twin homes and no longer allows for only rentals. Previously, the owner owned the two dwellings on Jefferson Street as well. He has remodeled them, as they were almost 100 years old, and sold them, while retaining the back 1.5 acres. The back 1.5 acres, which is the R-2-10 zone, is proposed to be an eight-lot subdivision with four twin homes. The homes would share a common boundary line separating the units and corresponding lot. Each twin home lot is required s to be at least 10,000 square feet and 5000 per individually owned lot. The lots also have to meet all the zoning regulations of the R-2-10 zone which include being 40 feet wide at the front setback of 25 feet and the rear yard setback of 25 feet. The side yard setback minimum is eight feet with a total of 18 feet for both sides; corner side yards require 20 feet. Two off-street parking spaces are required per unit. Lot #8 is unique in that it has a retaining area, which is included with the lot. The owner of lot 8 will have to maintain that area by either mowing it or putting gravel there, but it cannot be hard surfaced. The retention area will be recorded easement across that area, in favor of Murray City so the city can clean out the storm drain system. All of the lots meet the 5,000 square feet and range up to 9,900 square feet. These plans show there are two different house plans for the twin homes. The twin homes have adjacent garages which works well in terms of the driveways and drive approaches from the street. The subdivision is quite tight in the cul-de-sac, but they will be able to meet all the improvement requirements in terms of the utilities and streetlights, curb/gutter/sidewalk. The subdivision will have a 50-foot-wide right-of-way for a public road including sidewalk and landscape strip and complies with city code. The twin homes will have basements, the main floor, and an upper floor. Any new development over one acre is required to meet LID standards for retainage, and each lot will retain its own water and the excess will be in the retainage area on lot 8. Based on all the information, staff is recommending preliminary and final approval for the Jefferson Place No. 3 subdivision subject conditions. There was one email received from a neighbor, it was included in the packet, and they were opposed to this, wanting single family homes instead; however, this zone allows for twin homes.

Mr. Hacker asked if any improvements would happen on 130 West. Ms. Nixon said no, that is currently a public street and the existing portion of 130 West is not part of this proposed subdivision.

Ms. Milkavich said she went to see that property a few weeks ago-O. She asked if there are sidewalks for the existing homes on 130 West.

Ms. Milkavich noted that she assumes the sidewalks being added will match up with what's already there. Ms. Nixon said yes.

Jonathan Rudd, representing the property owner, indicting he has been here before and went through the process of getting the R-2-10 zoning approved. He stated he is very grateful for Murray City and all their efforts. He stated they are committed to having owner-occupied twin homes. They believe there is a very large need for twin homes, and they promised they would be quality, beautiful, and serve a great purpose for Murray City as they do in other cities. He stated the renderings shown are beautiful and this is a great use of that land. The photos in the presentation represent their quality work with the remodel of the existing duplex and single-family dwelling facing Jefferson Street that were dilapidated structures and were completely inhumane, and they rehabbed those to make them beautiful. They are doing all they can to make sure these homes meet the needs of Murray City and its residents.

Ms. Patterson asked if the applicant has had the opportunity to review the conditions of approval. Mr. Rudd responded yes and indicated they willingness to comply with the conditions.

Ms. Patterson opened the hearing for public comments. There were no comments, and the hearing was closed.

Ms. Milkavich moved to approve the preliminary and final subdivision approval for Jefferson Place No. 3 at the property address 6560 South 130 West, subject to the following conditions:

1. The applicant shall meet all requirements of the Murray City Engineer, including the following:
    a. Must meet City subdivision requirements.
    b. Provide grading, drainage, and utility plan and profile drawings.
    c. Meet City storm drainage requirements. On-site retention of the 80th percentile storm and detention is required. Implement Low Impact Development (LID) practices.
    d. Meet City utility standards, provide standard front rear and side yard PUE's on lots.
    e. Provide a site geotechnical study based on the proposed site grading and building plans.
    f. Overhead utilities crossing 130 West at entrance to the subdivision will need to be raised to meet current standards or relocated.
    g. Driveways should taper and be narrower at the sidewalk to allow for a shared drive approach. This will allow more space for park strip features and water meters and laterals to be located in the side yards.
    h. Street lighting type and locations need to be approved by Murray City Power.
    i. Provide bond for subdivision improvements.
    j. Develop a site SWPPP and obtain a City Land Disturbance Permit prior to beginning any site grading and construction work.
    k. Obtain a City Excavation Permit for work within City roadways.
2. The subdivision shall meet the requirements of the Murray City Fire Department. The Murray City Fire Department stated that the access road in excess of 150' shall be provided with 96' diameter cul-de-sac turn around.
3. Meet the Murray City Water Division requirements for adequate water main, service line and valving work done to tie in with new twin homes. It is 8" ductile.
4. Meet all requirements of the Murray City Wastewater Division including the following:

a. Laterals for all homes currently run under driveways. This is not allowed. Adjust the laterals to run to the sides of the homes through the PUE. Note not bends 45 degree or more are allowed in the roadway. All bends 45 degree must include a clean out. –
b. Please note on plan or show on drawings clean out location. Maximum clean out spacing is every 75 feet.
c. A new manhole must be set a connection point with existing 8" sewer. –
d. Utility sheet notes reference SLCPU specifications. Must reference Murray City specifications.

5. Meet all Murray City Power Department requirements regarding the existing overhead power line, streetlights and future power service.
6. The subdivision improvements shall include the installation of street trees as required by Murray City Code.
7. All lots within the subdivision shall comply with the requirements of the R-2-10 Zone as outlined in Chapter 17.112 of the Murray City Land Use Ordinance.
8. The applicant shall prepare a Final Subdivision Plat which complies with all requirements of Title 16, Murray City Subdivision Ordinance.
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 Mr. Hacker. Roll Call Vote

A Milkavich
A Nay
A Hacker
A Richards
A Patterson

Motion passed 5-0.

MURRAY SQUARE RETAIL SUBDIVISION – 4562, 4672 & 4678 South 900 East – Project #22-091

Ms. Patterson asked if the applicant was present. Ms. Nixon replied that they are not here, as they had a conflict and were unable to attend. Ms. Patterson said that personally, she feels the commission has seen this property and applications previously for other subdivisions and she is fine moving forward with it. The commission members agreed to proceed with the presentation with absence of the applicant

Ms. Nixon presented the request for preliminary and final subdivision approval for a four-lot commercial subdivision. The properties are addressed 4652, 4664, 4672 & 4678 South on 900 East. The property is located in the MCMU zone, formerly the MU zone. The project was approved under the MU Zone. The project received approval for Master Site Plan back in January of this year. The back part of the property has residential units, with the commercial component adjacent to 900 East Street. In May of 2020, the planning commission approved the Murray Square three-lot subdivision. In meeting with potential tenants and arranging leases, the applicants and property owners realized they needed to subdivide lot 2 to make it easier to lease/sell. This request is to amend lot 2 of the Murray Square Subdivision and split it into four commercial lots called Murray Square Retail subdivision. The proposed subdivision will line up

with the Master Site Plan and will provide more options to sell/lease the space. Nothing has changed as far as the master site plan, that is still binding for this property. The parking and retail pads will stay the same. There is no minimum square footage in the MCMU zone. Lot 201 will be about 41,000 square feet; the actual retail pad is about 4,899. Lot 202 is 24,077 square feet with a 4,800 square foot retail pad. Lot 203 is 24,335 square feet for the lot and the pad site is 6240. Lot 204 is 36,623 square feet with the anticipated retail paid being 3,804. Lot 201 and 204 were approved to include a drive thru. Based on all the information and the subdivision requirements, staff has reviewed this and found that this proposal meets all requirements and are recommending preliminary and final subdivision approval, amending lot 2 of the Murray Square Subdivision for the Murray Square Retail Subdivision on the properties listed above, subject to conditions.

Ms. Patterson opened the hearing for public comment. There were no comments, the hearing was closed for public comments.

Mr. Nay noted he wished they could eliminate the drive-thru' s.

Ms. Milkavich asked if there is any downside to this. She commented that the only downside is having four separate properties, and in the future when they come to the commission asking for a CUP in one of the stores, the commission would have to require them to come up to date with landscape requirements on that one new lot instead of the whole section.

Mr. Hacker moved to approve amending lot #2 of the Murray Square Subdivision, and preliminary and final subdivision approval for the Murray Square Retail Subdivision on the properties at 4652, 4664, 4672 and 4678 South 900 East, subject to the following conditions:

1. The project shall meet Murray City Engineering requirements including the following:
    a. Meet City subdivision requirements.

2. The project shall meet Murray Fire Department requirements including the following:
    a. Fire department access roads require a minimum of 26' wide fire access 28' for aerial access if required. Roads shall be provided prior to above grade construction or framing.
    b. The access road surface must be able to support 75,000 pounds and be of a compacted all-weather/ plowable surface and must be maintained daily.
    c. Approved Fire hydrant access to all fire department connections (FDC) must not exceed 100'
    d. Approved hydrants must be installed and functional before above grade construction or framing begins
    e. Overhead obstructions shall not be located over the aerial apparatus road or between apparatus road and building.
    f. Fire Sprinkler and Alarm plans will be submitted 3rd party WC3 or PCI and will be issued a separate permit.
    g. Provide hydrant near the SE area of fire department access from 900.

3. Meet all Wastewater requirements of the Mount Olympus Improvement District.

4. Meet all Murray City Power Department requirements including the following:

a. The developer will need to meet with Murray City Power to discuss planning the new power service(s) and equipment placement to the building(s) when the time comes, with additional line extension costs to provide electrical service.
b. Developer must meet all Murray City Power Department requirements and current NESC code and provide required easements for future equipment and Power lines.

5. The project shall meet all requirements of the Murray City Land Use Ordinance, the Master Site Plan, and the Memorandum of Understanding.
6. The applicant shall prepare a Final Subdivision Plat which complies with all requirements of Title 16, Murray City Subdivision Ordinance.
7. 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 Mr. Nay. Roll Call Vote.

A Nay
A Hacker
A Milkavich
A Richards
A Patterson

Motion passed 5-0.

LOTUS COMPANY – 825-865 East & 787 East 4800 South – Projects #22-081 & 22-082

Mr. Smallwood presented this is a request by the Lotus Company for a General Plan and Zone Map amendment at 787 and 825 through 865 East 4800 South. The address 787 East is the single-family residence on the west side of the property, the 825-865 is the office complex adjacent to 4800 South. The 787 East address is in the R-1.8 zone, which allows for single family residences and that's typically all that's allowed. The G-O zone allows for a multitude of uses. The request is to change both properties to `R-M-15 which would allow up to 12 units per acre. Largely, all the front setback areas are the same across the board. He believes the G-O zone allows for a 20-foot front yard setback, but the R-1-8 and R-M-15 have a 25-foot front setback. The G-O zone does not have a rear yard setback unless it abuts single family residences which then requires 20 feet. Regarding height requirements, for the existing G-O and R-1-8 zones, they are 30 feet and 35 feet respectively. The proposed R-M-15 would allow that to G-O to 40 feet with approval by the planning commission, otherwise it is 35 feet. This is 3.93 acres between the lots, the single-family residence lot is one acre, and the G-O zone is 2.93 acres. The base density is 12 units per acre that would allow for a maximum (without considering access roads or landscaping requirements) of 47 units. Regarding parking, the G-O zone varies but it typically requires about one space for every 250 square feet of net usable office space, or four spaces per 1,000 square feet. The R-1.8 zone has a minimum of two off-street parking spaces. The R-M-15 zone requires 2.5 spaces per unit. There are apartments to the southeast, located in the R-M-10 zone. Staff did some calculations throughout the city, and this was actually built out at about 25 units per acre, which is much higher than the seven units per acre that's allowed currently. Regarding the land use, currently the single-family residence is on the future land use map as low density residential, and the office space is for office uses. The General Plan allows recommendations for change. There are also a number of objectives in the general plan, specifically in the housing element, including Objective 3 which states they

should “encourage housing options for a variety of ages, sizes and financial levels” and “supporting different housing types including townhomes, row homes and duplexes.” Also, in the land use and urban design element, Objective 9 states they should “provide a mix of housing options and residential zones to meet a diverse range of needs.” The city always speaks to a mix of housing, integrated into neighborhoods, so there is a healthy mix of single and multi-family mixed together. Lastly, the moderate-income housing component states they should “provide a diversity of housing through a range of types and development patterns to expand the moderate-income housing options available to existing and future residents.” We all know there is a severe housing shortage here in the valley, in the state and nationwide, so they are encouraging additional housing in this area. He did receive a few phone calls from property owners who were concerned. There were more in support of the office building being converted and leaving the single-family residence as is. He did have a conversation with the resident that owns the property which would potentially be surrounded on three sides. She had concerns, said she reached out to Lotus; he relayed that information to Lotus to reach out to her and have a conversation. The city sent out 110 public notices, he received around four to five phone calls in response. Staff is recommending the commission forward a positive recommendation for both the general plan and zone map amendments for both properties.

Mr. Nay asked about the size of the residential piece. Mr. Smallwood responded it is one acre in size.

Mr. Smallwood stated a portion of the area is owned by Salt Lake City to the north of the proposal and there is a water pipe that runs through Murray City; in fact, some of the people living on 4800 S actually get their water from Salt Lake City rather than Murray City. He stated he does not anticipate Salt Lake City giving up that piece of property along Van Winkle Expressway they currently own.

Ms. Milkavich noted that she lives in this area and had many of the same immediate feelings as others. She asked why the request is not two separate requests since the two properties are differently zoned and should be reviewed as two separate applications. She stated that everyone is typically concerned about buffering impacts to adjacent residential properties.

Mr. Smallwood said one of the conversations he remembers was a resident being concerned about the trees along that property line, and if there was a way to maintain those. Mr. Smallwood told them that really isn’t dealt with at this level, this is just looking specifically at the zoning.

Ms. Milkavich said she is grappling with the joint property application but that she wants to make sure they are fair to everyone. If the city decided to split up the application, the G-O could be rezoned, but not the R-1-8. The intent would be for buffering and she asked what existing buffering they have for the R-M-15 area. Would there be a built-in buffer that already exists.

Mr. Smallwood didn’t believe there was a specific buffer from single family from an R-M-15 zone, and that was not corrected by any other staff.

Ms. Milkavich noted that it appears that they are then, as a community, throwing that one person who owns the R-1-8 property under the bus and potentially saying they are the buffer.

Mr. Nay noted that the property owners can’t do anything with their one acre other than have one dwelling because of the narrowness of the parcel.

Ms. Milkavich said she drove that area when it was for sale to see what could be done with it.

Ms. Patterson noted that many of the written comments included in the packet were concerned about future traffic on the curve of 4800 South, and she asked if that impacts future zoning.

Mr. Smallwood said if the zones are changed, it would have to come before the commission as a conditional use because multi-family is a conditional use in the R-M-15 zone. It would be reviewed by the city engineer who looks at site obstacles and restrictions, as well as where the best points of access would be. Mr. Smallwood has seen preliminary plans, and he tries not to speak too broadly to them because they can change, but currently they have two points of access with one up at the north and then one further down the curve.

Mr. Nay lives on the S curve of Vine street, there are three separate streets that come into that S curve. He doesn't know what the difference in volume is on Vine Street and 4800 South here, but he would guess Vine Street has more traffic as it's pretty busy. That being said, they just don't see issues with it.

Ms. Milkavich agreed that Vine Street is busier, but soon won't be with 400 more people going in here on the east side, 400 going in on the west side, and then higher density in this location. She worries about traffic too, but being on this commission, every item that comes before them has traffic concerns, because with growth there is traffic. There are traffic studies done and they usually tell them the grade for the street and how to improve things, they don't just say no to the project.

Mr. Smallwood added that the existing zoning as it stands now for the G-O area would allow someone to turn this area into multiple office buildings.

Ms. Patterson said the G-O zone by the freeway has huge office buildings, and that could be done here.

Ms. Milkavich agreed, she was thinking that if there were 40 businesses here that were thriving they could easily have four customers per visit, per business, coming in and out every hour.

Ms. Milkavich said that technically 46 residents would have less traffic than the same amount of businesses, if all the businesses were occupied and thriving. Businesses have people coming in and out all day, whereas residents have morning and evening rush hour.

Ms. Patterson noted that it would be at the next level that the engineer would decide if a traffic study were needed.

Mr. Smallwood said this probably won't require a traffic impact study, that's usually only when the proposal is for over 100 units.

Ms. Milkavich asked why this is being proposed as R-M-15 instead of R-M-10.

Mr. Smallwood said that's what the applicant has asked for, and it was their choice. If this was R-M-10 they could probably get around 27 units out of the space.

Mr. Hacker said that as long as he has lived in Murray, he has never noticed this development being full of patrons; however, he has patronized a couple of the businesses within the center.

He doesn't know how many businesses are there anymore, but there could be at least a dozen. There are probably over 100 parking stalls. If and when all of those businesses were full, there was some significant traffic added to 4800 South, so if 47 units went into that area he isn't sure that traffic would be much different than if this office area was full. It would certainly be less than if it was developed with large commercial buildings.

Ms. Milkavich agreed that it will be similar visits per day, but the timing of the visits will be different and heaviest during rush hour. She, however, doesn't know if that trumps people living in that neighborhood and taking care of the area, versus businesses. Residential is definitely more appropriate for the area than business.

Ms. Patterson invited the applicant to come forward and asked the applicant if she had any additional information to share with the commission.

Allie Platt introduced herself. She and stated that after having conversation with the community, the one-acre lot with the single-family residence will be left they have no intention of getting rid of it. They may, however; potentially use the back portion of the lot for other development. Site plans can change, but she spoke with Mr. Hall about the potential two- and three-story townhomes, and if it would be more appropriate to use that section as a buffer and that would be easily done. Another concern brought up was the entrance and exit, and she has heard multiple times that this is a dangerous corner. Not living in Murray, she is not sure and she would love suggestions for locations of the safest entrances and exits.

Ms. Milkavich suggested that the applicant meet with the residents as much as possible, talking to them about their concerns and doing things like putting the two-story buildings closer to the residence or offering fencing around the house. Ms. Platt said they prefer happy neighbors, not angry ones.

Ms. Patterson opened the hearing for public comments.

Joan Christensen – Holladay Resident

Joan Christensen stated they own the little parcel with the home surrounded 270 degrees by the property in question and it is obvious their property will be impacted. She expressed concern with the s-curve on the roadway and the elevation changes are of great concern and is a danger zone. That's her great concern for the city at large, she is not anti-development, she could maybe be persuaded to live between 270 degrees of development for two years, but the personal impact is significant and she doesn't really know why it's being covered that way. She stated that on June 20 she had an unauthorized worker come to her property and totally scrap the perimeter, weed whacking everything including all the perennials, and even up close to the property. She thought maybe Lotus sent someone to weed whack the newly acquired property because it's growing, so she reached out and Allie was very nice in responding, wanting to know what she could do. They verified that their landscape team had sent someone to the wrong address. She stated that the owner to the west, who was there for so many years, would also echo the concerns that she has about access points on the property.

Eric Schroeder – Resident

Mr. Schroeder stated he lives on Naylor Street. His main concern was that he chose to move to Murray eight years ago. The reason for that was because of the beautiful dead-end street,

Naylor Lane, and how quiet it appeared to be. In those eight years he has seen Murray City approving apartment complex after apartment complex after apartment complex after townhouses, and it's really concerning and he thinks it has really taken away from the quality of life that brought him into Murray. He is thinking of Lagoon on a Wednesday versus Lagoon on a Saturday, who enjoys what more. He is worried that Murray is becoming that way. He loves the small town feel of Murray City and this particular project concerns him, not just because of the extra traffic it will bring, but the crime and the safety concerns. It's on a steep curve and quite often when he's traveling down towards Miller Estates there is a lot of traffic that pulls in there. As you come over that hill you get cut off a lot. There are very large trees along the road that present visibility issues. She stated there is a brand-new massive apartment complex going into the old Kmart, across the street from there they have the Cottonwood Heights Apartments, next to them there is a giant condo complex. On the corner of 900 East and Van Winkle there is a brand-new townhouse subdivision. If they are looking for a good mix, he feels they already have it in this area. He is asking the commission to just stop and think about the quality of life of those who live in this area, ask themselves, taxes aside and the revenue this might bring into the city, would they want it next to their house.

<u>Kirk Poulsen – Resident</u>

Mr. Poulsen lives just two streets up from this impacted area. He stated with the Miller Estates subdivision and Three Fountains and everything going into the old Kmart site, the new Mash Farms which are single family, he thinks we have a lot right down in their area that is getting a lot more people coming through. He knows anecdotally the traffic is more, he has lived there since the early 60s and it is way more than at that point in time, and he understands now that it's not the commission's job to do traffic studies, but he knows the traffic has gotten worse on 4800 South. He doesn't know what impact the new city buildings being built on 4800 South would have. He is concerned with the overcrowding in this particular area and the traffic that it may add to the increased traffic they are getting from all other sources.

<u>Rob Benedict – Resident</u>

Mr. Benedict asked why there is only one application and not two applications since there are two differently zoned properties. The reason he says that is because the application doesn't support the request. The application says that the land is no longer useful, the land has reached the end of its useful life, but if you look at it, the Larsen land is undeveloped land. It is not logical to call this property at the end of its useful life. He thinks, on that basis alone, they would have to vote against it. A second reason, from the Murray City General Plan, it says "drawing a line around commercial precincts to protect adjacent residential areas." This is the definition of a buffer. You have apartment row over here, Miller Estates, Brittany Apartments on the other side; this is what you guys want as a buffer. This land has been single family homes since 1913, Murray was actually incorporated in 1902 and he looked that up before he came in. What hasn't worked for the last 100 years has now changed. He thinks also that there could be some possible sensitive land in here, there is springs in here. If you look at the land, it is an undeveloped acre for the most part, it is contiguous with the river so he thinks that increases the value of the land and he thinks that could be possibly sensitive. That is something that he would ask the commission to look in to before the vote. Finally, that it is consistent with other developments. Hidden Woods on the other side of their HOA is single family homes, Mash Estates are single family homes, he is not sure why there is a need to change something that has been single family homes for 100 years. He asked that there be separate votes on the one-acre property and the other property.

Douglas Jensen – Resident

Mr. Jensen stated his home is the first house on 4800 South. It is a very busy road and is dangerous. He understands there is a spring pond in this area. It would present an obvious obstacle in any type of development. He is not anti-development, but that the property can be rezoned responsibly. The land they are working with is very steep and expressed concern with drainage issues. We want to keep Murray beautiful and we have a one-acre lot with a lot of trees, it is just beautiful with all kinds of wildlife by the creek. He stated he wants the concern regarding the spring on the public record, and he wants to leave with a few words from Joni Mitchell, "they paved paradise and put up a parking lot, you don't know what you've got 'til it's gone." We have a wonderful property there that you can see from the expressway, from 4800 South, it would be nice to keep it that way.

Brad Carlson – Resident

Mr. Carlson stated he is the last house on the north of 4800 South in the circle. He pointed out traffic on 4800 South is pretty bad coming out of this street here, and there has been many times where he has had to slam on his brakes because cars are coming up 4800 S, because there is a hill there; it is pretty scary. Also, the terrain, as neighbors said, it is steep here. It is beautiful with the trees. It would be awful to see that go. If the trees go away it is going to be a lot noisier. He asked the commission if they have actually gone and looked at that terrain, have they actually walked it. Have they seen what they see from their backyards, he hopes they take that into consideration, plus traffic.

Ms. Patterson closed the hearing for public comments.

Mr. Smallwood the traffic will be addressed when/if a development proposal comes forward. The traffic engineer can ask, especially where it is a weird angle, for additional info, but it's dependent on where it is. The applicant did mention that she would be willing to work with city staff, so she would probably want to work with Engineering and the Streets department on what would be more appropriate.

Ms. Milkavich said that comment has been made often because the commission has been burned before, where they start talking about a project, and then it turns out not to be the case and they take these matters very serious.

Ms. Smallwood said it depends on what project gets proposed. Often in these things they require a concept review first, which allows for the applicant to submit some preliminary plans that get farmed out through all the different departments in the city who then provide comments to the applicant on what they should expect to see.

Mr. Hall stated that the staff keeps discussing how a traffic study might be required as they look at traffic. That is not to say that the city engineer has not seen this zone change as well, and he wanted to make that clear to everybody. The engineering department has seen this zone change proposal, and they didn't have enough concerns with the density allowed by the R-M-15 zone to tell staff to put the brakes on this until they are able to do a study beforehand. If they were proposing some kind of zoning that allowed 50 or 60 units to the acre they might have the brakes on already. If the city engineer had any concerns with 12 units per acre, that he didn't think could be addressed with a traffic study and design, he would have already put the brakes on this.

Mr. Smallwood reiterated that this has been seen by all departments in the city, such as engineering, police, fire, etc.

Ms. Patterson reiterated that city staff have seen the proposed changes and they all approved it.

Mr. Smallwood agreed and noted those approvals are in the staff report, with any comments. One public comment mentioned sensitive lands. Again, that would be evaluated at a project level, but the city engineer is well aware of that and where the sensitive lands are, they are working through that with other applicants right now on other properties where there are streams and impacts to those. City staff would anticipate those and will work those issues because it depends on building placement.

Ms. Patterson noted that we have developed things with a natural spring, and to redevelop once rezoned, there were a lot of regulations and requirements that were added once they were to that stage. That doesn't necessarily change the ability to rezone something.

Ms. Milkavich asked if we should know about those things at this point, and do they know about any. There is a pond back there with a creek that loops down to the other creek. She stated she walked through the area and saw it when it was for sale and she wasn't sure if that was a manmade or a natural spring.

Mr. Smallwood said they would know that at a site plan review, and the city engineer would have brought it up but will be researched.

Ms. Patterson said that a comment was made that the property is at the end of its economic life. She believes that comment was referring to the businesses, not necessarily, the single-family property as it obviously hasn't reached its economic life.

Ms. Milkavich said it makes her a little sick to her stomach that those three houses there didn't buy that one acre. When you own the land you then get to choose what you do with it legally.

Mr. Hacker stated regarding the traffic comments, that Van Winkle is owned by the state, so just up the road a little bit there are two roads that are both right in and right out. He is not sure if UDOT would allow a right in and right out on this particular property, just because it's a little too close to 4800 South. However, that may be something to look in to for helping traffic on 4800 S.

Mr. Hacker suggested that the project is very close to 4800 South, and an access like that would cause a lot of grief on the amount of traffic coming down Van Winkle, merging and weaving, etc. He added that there are two other access points into the business units there, one further west and one closer to the Millers access. He doesn't doubt at all that regardless of what goes in here, even if there was more business use and traffic, the times of access may be different. With the new developments it may require some of the drives to merge so that instead of individual driveways on to 4800 South there would be only one.

Mr. Smallwood noted that most public comments received were about traffic in the area and the lot being used as a buffer, which was already mentioned in the staff report.

Ms. Milkavich requested to have a discussion with the other commissioners about the pros and cons of separating the two. She understands why it was suggested, but she hasn't heard enough discussion to convince her of that.

Mr. Smallwood clarified that they were suggesting voting on 787 East property and then on the 825 East property.

Ms. Patterson said her feelings are that the property is all owned by the same person, and they are trying to redevelop it all as one project. If the property owner was going to parcel off part of the R-1-8 and only ask for the R-M-15 on the other part it might be a different conversation, but that's not what they brought forward.

Ms. Milkavich agrees that there is one owner. The issues with the water on the one-acre lot will persist, so if there is a reason they should not be building on it, those issues will not go away, regardless of zoning change.

Ms. Patterson added that if the zoning is changed by the city council, they will look into those issues and may have to make accommodations.

Ms. Milkavich wants more discussion on voting separately if it would make the public more comfortable; however, she doesn't think it would change the outcome. Mr. Hacker agrees that it's one property and one owner. Mr. Nay agreed and is on the same page.

Mr. Richards noted that safety will be addressed at some point regarding the creative buffer options, but regarding the acre lot he thinks that could be the compromise in terms of buffer options. He isn't sure that one of those buffer options would maintain the trees, but there might be a compromise somewhere.

Mr. Nay knows this will be an unpopular opinion, but the cul-de-sac neighborhood heading to the north was trees once upon a time; beautiful land that was taken away and made into the current homes. It has been long enough that those trees have reestablished themselves, and they have that buffer. There was, at a time, when those residents weren't there, a time when it was quieter and a time when something else was there with less traffic on 4800 South. As people have chosen to move into the city, these are some of those incremental compromises that we have to make. Initially, it is a very hard path to see these trees go down and see that go away, but over 20-30 years, over the long game, those trees are going to re-establish themselves and continue to provide buffers for residences in and around the area. Something was pristine before the current residents got there, and something is going to be pristine again after they are gone.

Ms. Milkavich concurred with Mr. Nay's comments but isn't necessarily comforting. The house next to her tore down all their trees and now she hears the traffic from 4800 South significantly more and that's sad but they will grow back some day. In some zones it allows 35-foot-tall home and in some zones it allows a 50-foot-tall structure. Mr. Smallwood clarified that there will not be any 50-foot homes in this area, the maximum height is 40 feet.

Ms. Milkavich noted that the significant drop off might help as well and that height might not be as dramatic.

Mr. Smallwood noted that he and Ms. Platt have had those conversations, that if she is going to propose three stories those should be more towards Van Winkle and 4800 South. That's also what was pushed for in the Ivory Development on 700 West, pushing the three stories away from the existing single family.

Ms. Patterson noted that they always try to encourage the developers to save as many trees as possible, as keeping those established trees is better than whatever could be planted now and grow in the future. It sounds like the owner is open and willing to be a good neighbor. There will also be another chance for residents to make comments at the city council meeting, so she encouraged them to go there and express those same comments and concerns.

Ms. Milkavich noted that the commission "calls strikes and balls"; they don't develop the law, they have to follow it. They are here to say if things are legal or not legal. She is personally hoping there are some restrictions with the water, that they have to be gentle, and she would like R-M-10 better but it's not her property.

Ms. Patterson said regarding the objectives in the general plan, she thinks this zoning does support some of those objectives, especially moderate-income housing and diversity of housing.

Ms. Milkavich added it also maintains the area as residential. Someone could have come in and bought that property, arguing it should be G-O and that could have been the outcome.

Mr. Hacker noted he heard a comment this evening about potential crime, and they have heard it in the past that there is crime down along the river between the property and Van Winkle. He asked if there were other public comments provided asking about crime, and asked Mr. Smallwood to speak to crime in that area. Mr. Smallwood said that there is a rise in people experiencing homelessness in this valley, a lot of that can be attributed to rising costs of housing. He read a statistic the other day that every $100 in extra rent increases homelessness by 9%. Regarding crime, not everyone experiencing homelessness is committing crime; a vast majority just want to be left alone and able to sleep somewhere. There are of course those experiencing homelessness who do have problems that need to be addressed, but that is not the majority.

Ms. Patterson asked if he feels that this being a business area and closed nights and evenings makes a difference, versus residents living there all the time. Mr. Smallwood brought up the concept of "eyes on the street," a planning term meaning residences with windows facing the street that are less likely to have people willing to commit crime because they could be watched. Vacant buildings that everyone knows are vacant and wide-open parking spaces encourage more of the people doing nefarious acts. He has not seen peer reviewed papers that equate higher density to crime. When there are more people, there will be more crime, but being closer together doesn't cause more crime; that is just the nature of having more people.

Ms. Patterson reminded everyone that the commission is forwarding a recommendation to the city council; this will include two recommendations, one for the general plan and one for the zoning map.

Mr. Nay moved to forward a recommendation of approval to the city council for the requested amendments to the future land use map, re-designating the properties located at 787 and 825 East 4800 South for low density residential and office to medium density residential. Seconded by Mr. Hacker.

Roll Call Vote

A Nay
A Hacker

A Richards
A Milkavich
A Patterson

Motion passed 5-0.

Mr. Hacker moved to forward a recommendation of approval to the city council for requested amendment to the zoning map designation of the properties located at 787 and 825 East 4800 South, from R-1-8 and G-O to R-M-15. Seconded by Mr. Nay.

Roll Call Vote

A Hacker
A Nay
A Richards
A Milkavich
A Patterson

Motion passed 5-0.

DISCUSSION - Regarding HB 462 – Moderate Income Housing

Mr. Smallwood noted that in May and June there were discussions with both the planning commission and the city council in regard to this bill. Today he would like to discuss the staff's proposed "menu item" selections, which came from the commission and council's feedback. Based on the discussion here tonight, they will be moving forward to craft exact language and firm up the implementation plans. The public hearing will be at the August 4 meeting, and everything will be ready at that time to propose changing the general plan before being sent to the city council. He will then create the report to send to the state, due on October 1. They are not changing the goal of the 2017 General Plan Moderate Income Housing Element. The five options being recommended by staff are:

1. Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate-income housing.
2. Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones.
3. Amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors.
4. Implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality, or any other public employer that operates within the municipality.
5. Develop and adopt a station area plan in accordance with Section 10-9a-403.1 (State Code).

If the members of the commission are unhappy with the options given above, staff provided alternate menu items and asked the commissioners to look at those first before going back to the full menu of options. Those three alternate options are:

1. Demonstrate utilization of a moderate-income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing.
2. Demonstrate creation of, or participation in, a community land trust program for moderate income housing.
3. Implement zoning incentives for moderate income units in new developments.

Mr. Smallwood said that in accordance with HB 462, they have to have an implementation plan for each of the five items they are required to report on, that includes deadline dates for staff, and the city as a whole, to be looking at and provide updates yearly to the state on how they are progressing in meeting those goals. Just because the three alternative items aren't selected as menu items, doesn't mean they aren't doing those things. He has spoken with Mr. Hall many times regarding Option #3, the R-M-15 zone has a base density of 12 units per acre, but then there is a chapter in the code with a density bonus if pretty stringent requirements are met. One of those requirements has moderate income housing, but a lot of the other things are hard to meet as well. They have talked about ways to make that easier, possibly not requiring so much of them. In many RDA areas, they are required to set aside a portion of the money they receive, to be used for moderate income housing; he believes there is $2.7 million in the RDA area currently that will be spent on moderate income housing programs and projects. Some of that money is spent in a few projects at Fireclay that provide low-income housing in that area.

Mr. Hacker noted that last time they spoke about this, they talked about what to put in this plan and what they get credit for. He asked if they don't add in Option #3 from the alternative list, and they do something regarding it, do they know if they get credit for it because it's not in the plan.

Mr. Hall said it will still be reported. Mr. Smallwood is currently working on getting the city in compliance with HB 462. They had to figure out what everyone agreed on, was there a consensus. Also, which ones were the most reasonable to write good implementation strategies for; they haven't had to write things up that way before now. Next year, when a full report is filed on the moderate-income housing efforts, they will report on the chosen goals, as well as all other things they've done outside of those options.

Ms. Milkavich asked to clarify that the program was set up so that if you comply you can get grants/funding that Murray has never applied for.

Mr. Smallwood said the state just won't withhold the money the city is entitled to, and even though it hasn't been used thus far, that could change. This affects projects in the city too, like State Street, and any funds the state gets for TIF and TTIF money.

Mr. Hall said next year is a new year and the state could change their minds again, but we want to comply now.

Mr. Smallwood said that by focusing on the five options, they are doing the minimum; it is not the six options where they get preferential treatment. He then went over the implementation plans for the five options staff had chosen, which are outlined in the staff report and meeting packet, beginning with Option #1.

Ms. Patterson thought that part of the moratorium was having different agencies look at different parts of the city that could handle more density.

Mr. Smallwood said that was done, specifically for the sewer/wastewater, this is why the implementation plan shows the increased capacity by 12/31/2027. They just finished theirs in 2021 he believes; therefore, he doesn't anticipate staff having to evaluate that because they put that into their master plan, preparing for things like a potential Galleria site, MCCD sites, other TOD and other MCMU sites. He continued reviewing the implementation plan details for Option #1.

Mr. Richards asked if the public could access the Parks and Rec Plan anywhere.

Mr. Smallwood responded that it's available on the city website, in the Parks and Rec section of the site. He continued reviewing the implementation plan details from the staff report and meeting packet. He continued reviewing the suggested implementation strategies for Option #2. There have been a very small number of applications in the city for detached ADUs.

Mr. Nay noted that's probably because no one has the property to do it.

Mr. Smallwood agreed and added that there are a lot of requirements and reviewed some of the requirements for a detached ADU.

Mr. Hacker asked if it's just easier to make a flag lot.

Mr. Smallwood responded that might be the case sometimes, but that also runs into the problem of houses being very narrow. He continued reviewing the implementation strategies for Option #2 and added that Midvale already allows a second ADU to be located on a property, allowing for an internal and a detached ADU.

Ms. Patterson asked if the suggestion to "review" regulations means they are currently too hard and they want to make it possible for more people to have multiple ADUs on one property.

Mr. Smallwood said he would like to look at it, but for legal reasons he won't say that the city will allow a second ADU on properties. Saying that binds them as a commission and the council to making that happen.

Ms. Patterson said she meant to imply that the way things are written now, you can't have an internal and detached ADU.

Mr. Smallwood said that the Murray code currently only allows one ADU on a property.

Ms. Milkavich said that language seems to open this up for discussion, so it can be reviewed and possibly changed if needed.

Mr. Nay suggested eight-foot setbacks, on the rear and side yard.

Mr. Smallwood noted that isn't unreasonable, many places have 10 feet on the sides, or if you're within 10 feet you don't have windows on the second story. The city currently doesn't allow a second story on detached structures and this would allow for review of that rule and re-writing of the code. He added that the city has currently double the ADUs they have had in the past two years. Since ADUs were changed to permitted uses, they are just reviewed by staff and they are getting more of them.

Ms. Milkavich said those statistics seem hard to prove, as they don't know if the number has actually doubled, or if those are just the ones they know exist.

Mr. Smallwood said these were all new ADUs. There are eight right now, and he has had two applications come in recently that required some research.

Ms. Milkavich said she was in discussions recently where someone has BLM property behind them and in regard to ADUs and where windows can be the code also needs to consider their location.

Ms. Patterson said those rules could probably be worded to include something about when they are facing another property.

Mr. Smallwood moved on to the implementation strategies for Option #3.

Ms. Milkavich said that the community is worried about the density, so we're now saying to put lower income people in certain areas where the community is going to be upset.

Mr. Hall noted that's why these strategies under Option #3 don't have dates listed, because they are going to take a lot of conversation, which would include public input via things like open houses.

Mr. Smallwood doesn't know how successful this might be, but at the last legislature they provided funding for a department to start a campaign informing Utah residents on growth.

Mr. Hacker said all of these ideas talk about moderate income housing, and he asked if one of the tasks should be looking at potential funding sources for that housing. We have all the land, the property, the correct zoning, but developers aren't going to build moderate income housing.

Ms. Milkavich was thinking the same thing. The payout currently is the ability put more units in, but maybe the payout should be they get the same amount of units with a tax deduction or other incentive.

Mr. Smallwood said there are federal tax programs to provide that, but that's definitely something to look at. He doesn't know where it would fit in the five options currently available, but it's definitely something to look into.

Mr. Hacker said that they have been talking about this at the Wasatch Front Regional Council, but he asked if anyone has actually built any of this type of housing.

Mr. Hall said there are projects in Fireclay that were built with low-income housing tax credit funding.

Mr. Hacker asked what they consider "a project," is that just one home.

Mr. Hall said that any project with any connection to that kind of housing is going to be considered "a project." They do not have any sets of units where the whole thing is low-income housing. RDA funding has been used in places like Fireclay, where a certain number of units are rented to people without going over a certain price. The owners get a set amount from the RDA funds every year for having those units at a lower rate. They have not yet put money

towards subsidizing housing yet, that would require setting aside money like San Francisco does. There is federal and state money for this, but you need developers to come in and do it and encouraging them to do those kinds of projects usually means allowing more units.

Mr. Nay asked about Brodsky's project in Fireclay, what is going on with that.

Mr. Hall said he gets paid every year.

Mr. Nay noted that he hasn't built all of it, so how is that working.

Mr. Hall said he gets paid less than he would have if he had built all of it. There are a few other projects in the city like this one that are either in the review process or nearing completion that include low-income tax credits for residents 55 and older in Fireclay. There are also the Avonlea Townhomes on Vine Street, and one of those units is reserved for people at 80% or less of the median income.

Ms. Milkavich asked how they advertise for those units.

Mr. Hall replied that he doesn't know, but the owner does verify with the city every year that it's rented to someone in that income bracket.

Mr. Smallwood continued his review of the implantation strategies for Option #3.

Mr. Smallwood reviewed the last implantation strategy for Option #3 and then moved on the strategies for Option #4.

Mr. Hacker asked if the mortgage assistance would be for any employee.

Mr. Smallwood replied they aren't sure yet.

Mr. Hall assumes it would be tied to the AMI.

Ms. Patterson asked what would happen if after reviewing the scope and feasibility of this, it's not possible.

Mr. Smallwood said that they would come back with a change in the general plan to bring up a new menu item.

Mr. Hall said that this option is hard, and requires finance to be involved, but both the planning commission and city council liked this option too much to not look into it.

Mr. Smallwood moved on to review the implantation strategies for Option #5.

Ms. Patterson noted that Murray Central is the hardest station on the plan to work with because it can't be developed.

Mr. Smallwood said the state does give them credit for it, even if they come to that conclusion, as long as it's recorded in a resolution.

Mr. Hacker asked if they would look at all the stations at the same time, possibly request money from WFRC for all three.

Ms. Milkavich noted that the upside is that they get more money up front,

Mr. Hacker added that is easy money, and they'll get at least some of their requested amount with little to no strings attached.

Ms. Milkavich wondered if they requested money for all the stations at once, including the Frontrunner, if there a chance all four would get denied instead of just maybe two of them.

Mr. Hacker said no, if nothing else they would indicate they are only giving them money for one or two; they will not deny the whole request.

Ms. Patterson asked if there are other cities that have four or more stations within their city limits.

Mr. Smallwood said that Salt Lake City has the most, and they discussed other cities with three or less stations including South Jordan, Sandy, Midvale, and Draper. His only concern about asking to do all of them at the same time is our own bandwidth, trying to do one full station, one significant amendment, and one easy amendment. He has spaced them out regarding implementation, but that doesn't mean they can't go forward. He has been speaking with Megan Townsend, the Community Development Director for WFRC, and they are brainstorming ways to prioritize the easier projects.

Mr. Hacker asked if Mr. Smallwood can hire anyone else to help him.

Mr. Hall responded that yes, they can, but it has to have longevity beyond just those stations mentioned; they don't do temporary positions.

Mr. Hacker said he is going on vacation next week and will not be here for the July 21 and August 4 meetings. He is willing to join by phone if possible on those dates.

Ms. Patterson also probably will not be here on July 21 and cannot participate by phone.

Mr. Nay moved to adjourn the meeting at 9:14 p.m. Seconded by Ms. Milkavich. A voice vote was made, it was 5-0 and unanimous in favor.

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Jared Hall, Director