

Minutes of the Planning Commission meeting held on Thursday, January 19, 2023, at 6:31 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

The public was able to view the meeting via the live stream at <http://www.murraycitylive.com> or <https://www.facebook.com/Murraycityutah/>. Anyone who wanted to make a comment on an agenda item may submit comments via email at planningcommission@murray.utah.gov.

Present: Jeremy Lowry, Chair
 Jake Pehrson, Vice Chair
 Lisa Milkavich
 Travis Nay
 Ned Hacker
 Michael Richards
 Maren Patterson
 Jared Hall, Community Development Director
 Zac Smallwood, Senior Planner
 Mustafa Al Janabi, Planner 1

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

Mr. Nay moved to approve the minutes from the November 3, 2022, Planning Commission meeting as published. Seconded by Ms. Milkavich. A voice vote was made, motion passed 7-0.

CONFLICT OF INTEREST

Mr. Lowry had a conflict of interest with the agenda item #8; therefore, he will not participate in this discussion nor vote on that item.

APPROVAL OF FINDINGS OF FACT

Mr. Pehrson made a motion to approve the findings of fact for BMW of Murray, Studio 56 and Emanuel Collision Center. Mr. Hacker seconded. A voice vote was made, motion passed 7-0.

MURRAY ARMORY – 246 East Myrtle Avenue - Project #23-016

Mr. Smallwood presented the application for Kim Sorensen, Murray City Parks & Recreation, for the address of 246 East Myrtle Avenue. The applicant is requesting Conditional Use Permit approval to renovate the existing Murray Armory from a storage use to an events space, that can accommodate about 250 people. Murray City Parks & Recreation is requesting a Conditional Use Permit to allow the remodel of the historic Murray Armory building to better utilize the space as a public amenity. The applicants state that they have been using the building for storage of equipment for use at the park and across the city. The Armory Renovation is listed in the 2020 Murray City Parks & Recreation Masterplan as a Facility Enhancement.

Murray City intends to maintain and operate the facility as a public events space. Examples of uses could be weddings, conferences, art exhibitions, and work events. Planning Division staff is excited about this project as it is close to the Murray City Center District and Murray Park, and

will allow for more types of activity to happen in the area. The site plan and floorplans provided by the applicant show that the existing overhead doors will remain and be able to be used to expand the event space into the pedestrian plaza to the north, and the outdoor seating and outdoor plaza space to the south. The property has multiple points of access, but primarily would be accessed by a twenty-nine-foot (29') drive that connects at the corner of Myrtle Avenue and Jones Court. This access is used by multiple users, including the Boys and Girls Club, Ken Price Ballfield, Murray Park, and the Murray Armory.

The proposed renovation is closely tied with Murray Park and its facilities. There are ample amounts of parking that are utilized by the park including the lots immediately adjacent to the Ken Price Ballfield and staff anticipates that this facility will share parking here as shown on the applicants' site plan. The site and civil plans show the addition of parking on the Armory site. They differ on exactly how many they are proposing and staff assumes that the lower number of nineteen will be the final additional parking. This is because at sixty-degree parking the drive aisle requirement is reduced to twenty feet (20'). When staff measured the width of the drive aisle it appears to be about twenty-two feet (22'). Staff does not have any concerns with regard to parking at this time.

Land Use Code Section 17.68 requires "landscaping in the front setback area for commercial properties". The subject property has no direct frontage on any public streets where landscaped setbacks and other improvements would be required by the Land Use Ordinance. However, even though it is not required, the applicants are proposing significant upgrades to the site to help blend the renovated armory building into Murray Park. They are proposing to include a new pedestrian plaza surrounding the building, perimeter landscaping, and a pedestrian path to connect to the Murray Arboretum. Staff does not recommend any changes or additional landscaping. Though not a requirement, the Planning Division staff suggests that Murray Parks and Recreation work to provide a safe and pedestrian-oriented access from the satellite parking areas to this site. There is curb adjacent sidewalk near the Boys and Girls Club, but no other sidewalk near Ken Price Ballfield. Installing additional sidewalk or paths would make it easier, as new developments in the Murray City Center District begin to take shape, to allow for greater pedestrian access in the area. Based on the analysis of the Conditional Use Permit application to allow an events center, staff concludes the following:

1. The proposed use for a public assembly building (LU #7230), is allowed in the O-S, Open Space Zoning District subject to Conditional Use Permit approval.
2. With conditions as outlined in the staff report, the proposed use and property will comply with the standards of the Murray City Land Use Ordinance.
3. The proposed use is not contrary to the goals and objectives of the Murray City General Plan in this area.

Based on the information presented in this report, application materials submitted and a site review, staff recommends that the Planning Commission approve a Conditional Use Permit to allow the renovation of the Murray Armory into an events center at the property addressed 246 East Myrtle Avenue subject to conditions.

Mr. Nay asked what kind of programming will take place. He wondered if there will be events with music or loud noise that may impact the neighborhood. Dijana Alickovic, with the architect firm, spoke about the scope of the project. Mr. Sorenson stated they don't yet know the exact events. There is a park ordinance against amplified sound without permission. Mr. Nay asked

the price point for pavilion rental. Mr. Sorenson stated that they are not a profit center, so prices should be affordable for residents.

Ms. Patterson asked if this will be used for city events as well. Mr. Sorenson stated they intend to hold city meetings and city-sponsored events.

Mr. Nay asked if there is a plan for walkways between buildings. Mr. Sorenson said there are plans for ample walkways, including wheelchair access. He also said there is no need for an additional bridge.

Ms. Patterson asked if this is a year-round venue. Mr. Sorenson said yes this is year-round

Ms. Milkavich asked what the timeline is for the project. Mr. Sorenson said they'll have a cost estimate done by the end of February. City Council will then need to approve funds. Ms. Alickovic said construction documents should be ready by April. When the budget allows, they can start getting bids and begin the permitting process.

Mr. Nay asked if the pavilion will be restored. Ms. Alickovic said they will restore and preserve the building, including beams & tresses.

Ms. Milkavich stated she was pleased that much of the power lines would be installed underground.

Mr. Sorenson said that he has read and understands the six (6) conditions for approval and he can comply.

Two (2) notices of the public meeting were sent to all property owners for parcels located within 300 feet of the subject property. As of the date of this report, staff has not received any public comments.

Public comment was opened. No comments were made. Public comment was closed.

Ms. Patterson made the motion to grant the conditional use permit to Murray Armory for an event space at the address 246 East Myrtle Avenue, subject to the five (5) conditions:

1. The project shall comply with all applicable building and fire code standards.
2. The applicant shall obtain permits for any new attached or detached signs proposed for the business.
3. The applicant shall meet all of the requirements of the Engineering Division including:
 - a. Meet City storm drain requirements, on-site detention and retention of the 80th percentile storm is required.
 - b. Implement Low Impact Development (LID) practices.
 - c. Develop a site SWPPP and obtain a Land Disturbance Permit prior to beginning any demolition and construction work.
 - d. Obtain a City Excavation Permit for work in the City right-of-way.
4. The applicant shall meet all of the requirements of the Power Department including:
 - a. Removal/relocation of the overhead 3 phase lines to the west and overhead single phase to the South will need to be buried.

- b. Primary power will need to serve from the existing Primary Junction Cabinet (PJC) to the Northwest.
5. The applicant shall meet all Murray Water Division requirements.

Seconded by Mr. Nay. Roll Call Vote:

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

Motion passed 7-0

INDY CLOVER - 6332 South State Street– Project #23-018

Mr. Al Janabi presented the application for Brody Stevenett. The applicant is requesting a conditional use permit to operate a secondhand retail and consignment store, where clients will rent a booth within the store to sell clothing. The applicant would like to open a shop in a current retail store, in which they would rent out booths for people who would like to sell secondhand clothing. The applicant is proposing to have 68 booths in total, and the booths are around 3 feet wide. The booth renters will not be located at the site to sell their goods. The applicant states that the hours of operation would be from 10 am-7 pm, while the total amount of employees would be 2-3 at a time in the store. The property has two points of access. One is along State Street and the second is by 6400 South, they are both approximately thirty-two feet (32') wide. Staff has no concerns with the points of access at this time.

Eighteen (18) notices of the public meeting were sent to all property owners for parcels located within 300 feet of the subject property. As of the date of this report, staff has not received any public comments.

Based on the analysis of the Conditional Use Permit application to allow an auto sales business, staff concludes the following:

1. The proposed use for a secondhand retail business(#5930), is allowed in the C-D Commercial Development Zoning District subject to Conditional Use Permit approval.
2. With conditions as outlined in the staff report, the proposed use and property will comply with the standards of the Murray City Land Use Ordinance.
3. The proposed use is not contrary to the goals and objectives of the Murray City General Plan in this area.

Based on the information presented in this report, application materials submitted and a site review, staff recommends that the Planning Commission approve subject to conditions.

Brody Stevenett approached the podium. He described the nature of the business. Anyone can rent a booth to sell their own second-hand clothing.

Mr. Hacker asked if this is only used clothing, or can people sell homemade items, such as jewelry. Mr. Stevenett said that people could do that.

Mr. Pehrson asked if people take their own payments. Mr. Stevenett said they do not. He has someone collect the money and they pay out the seller's portion to them, less sales tax.

Public comment was opened & closed, with no comment.

Mr. Stevenett indicated he understands and will comply with the four (4) conditions.

Mr. Smallwood stated that the permit is for the thrifting side of the business. New retail is already permitted.

Ms. Milkavich made the motion to grant Indy Clover a Conditional Use Permit to allow a secondhand retail business at the property addressed 6332 South State Street, subject to the following conditions:

1. The applicant shall obtain a Murray City Business License prior to beginning operations at this location.
2. The project shall comply with all applicable building and fire code standards.
3. The applicant shall obtain permits for any new attached or detached signs proposed for the business.
4. The applicant shall work with planning staff to develop a landscaping plan that meets the requirements of Murray City Land Use Ordinance Chapter 17.68

Seconded by Mr Hacker. Roll Call Vote:

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

Motion passes 7-0

LAND USE ORDINANCE TEXT AMENDMENT – Section 17.170, MCCD Zone – Project #23-017

Mr. Hall presented the application for Murray City Community & Economic Development, proposing several amendments relating to building height, landscaping, and required parking for residential uses in the MCCD Zone. The proposed amendment is to add an additional 0.50 (one-half) parking space per residential unit to the calculation for projects and developments south of Vine Street and east of State Street. Requirements for commercial uses are not changed, and allowances for the consideration of joint-use parking spaces and shared parking remain intact as well.

Notice of the public hearing was posted in accordance with State requirements and notice was sent to all affected entities. As of the date of this report there has not been any comment

regarding this application. Based on the analysis of the proposed text amendment and review of the Murray City General Plan and Land Use Ordinance, staff concludes the following:

1. The requested text amendments have been considered based on previous planning efforts within the Downtown.
2. The proposed text amendments are in keeping with the purpose of the M CCD Zone.
3. The proposed text amendment is consistent with the Goals & Initiatives of the Murray City General Plan.

Based on the background, analysis, and findings within this report, Staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the proposed text amendments to Chapter 17.170, the Murray City Center District Zone.

Ms. Patterson asked for clarification that this change is only requested for the area east of State Street and south of Vine Street. Mr. Hall indicated that he will be looking at other changes that are in the broader zone of the M CCD over the next few months.

Mr. Nay asked if the landscaping could be made private and Mr. Hall indicated that it could. Mr. Nay wanted to talk about permitted vs. conditional uses. He discussed Conditional Use #4602, which describes commercial parking lots on a fee basis. Mr. Nay asked the likelihood of someone building a private parking structure or fee lot. Mr. Hall didn't feel anyone would do that. Mr. Nay would like to see land use #4602 be removed from the zone. Mr. Nay stated that he would also like to see LU #5800, which allows drive-thru restaurants, also be removed. He does not want to see drive-thru restaurants in downtown Murray. Mr. Pehrson feels #4602 should be moved to a conditional use, as well as #5800. As an example, Mr. Nay cited the lack of public accessibility on the Chick-fil-a lot detracting from the walkability of the area. Many restaurants in the area are not pedestrian friendly. Ms. Milkavich brought up the fact that some businesses may not come to Murray because they can't have drive-thru's. Mr. Smallwood said that he received an article from the American Planning Association on how to handle drive-thru's in an urban environment. He stated he would email it to the commission.

Mr. Nay next addressed height and regulations and stated that when the M CCD started, there was an unlimited height. At a later date, the height was changed to 10 stories high. Now it will be reduced again to six stories. He argued that the height shouldn't be reduced. He is willing to compromise at eight stories. He feels that this change will lead to a more walkable area. Mr. Hall stated that he agrees. Mr. Nay feels the most important thing for residents is the aesthetics of the building. Ms. Patterson feels that focusing on the number of stories is irrelevant. The code does not define the maximum number of feet per story. Mr. Nay said ensuring that a building is treated at a human scale will contribute to its aesthetics. Ms. Patterson stated she dislikes the parking changes. It feels arbitrary to grant an additional 0.50 space per studio apartment. Mr. Nay stated this is an overreaction to a problem that happened years ago in the Fireclay area. Ms. Patterson feels a solution is being applied to a problem that doesn't exist in that area of the M CCD. Mr. Hacker said that parking requirements will be going down in the future and doesn't see a need to do this. Mr. Pehrson disagrees and feels that having enough parking tends to be an issue. Mr. Pehrson says that the BRT (Bus Rapid Transit) will not be developed until 2043 to 2050. He feels there will need more parking. Mr. Smallwood stated that the city council and commissioners need to go to Wasatch Choice Vision meetings. This is where WFRC and UDOT listen and adjust planning. Ms. Milkavich feels this discussion is splitting hair and just wants to move forward with the project. Mr. Nay stated he really wants to

see street-facing ground-level parking structures be required in commercial zones. Mr. Smallwood stated that is how it currently is in the MCCD.

The meeting was open for public comment.

Peter Kling stated the city will never satisfy everyone and that high density is a way of life now. He pointed out that there is a housing crisis, due to population growth. One thing that might help, is making architectural features that stand the test of time. Creating some continuity and consistency will help. Implementing aesthetic guidelines may be a good idea. He thinks City Hall needs to do a better job of communicating to the public as to why things need to change.

Mr. Hall read an email from Clark Bullen. He said that the 74% of citizens want to limit the building height to three stories in Block-One and 61% want to maintain a low-rise profile. He extends this idea to include downtown. He asked to limit all buildings in Murray Downtown to three stories.

Mr. Lowry closed public comments.

Mr. Pehrson made the motion to forward a recommendation of approval for the drafted text amendments to Chapter 17.170 to the City Council.

Seconded from Mr. Richards. Roll call vote:

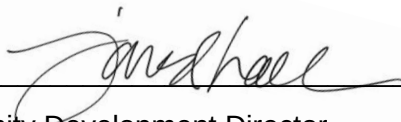
<u>A</u>	Pehrson
<u>A</u>	Nay
<u>A</u>	Patterson
<u>A</u>	Hacker
<u>A</u>	Richards
<u>A</u>	Milkavich

Mr. Lowry abstains from voting due to a conflict of interest.

Motion Passes 6-0

ANNOUNCEMENTS AND QUESTIONS

Mr. Hall reminded everyone of the Boards and Commission Dinner on January 31st at 6 p.m. Mr. Nay moved to adjourn tonight's meeting at 7:51 p.m. Seconded by Mr. Milkavich. A voice vote was made, motion passed 7-0.



Community Development Director