

Minutes of the Planning Commission & Hearing Officer Training Meeting held on Thursday, October 24, 2019, at 6:00 p.m. in the Murray City Public Services Building Conference Room, 4646 South 500 West, Murray, Utah.

Present: Ned Hacker, Planning Commission
Sue Wilson, Planning Commission
Phil Markham, Planning Commission
Scot Woodbury, Planning Commission
Maren Patterson, Planning Commission
Lisa Milkavich, Planning Commission
Travis Nay, Planning Commission
Jim Harland, Hearing Officer
Scott Finlinson, Hearing Officer
Lesley Burns, Hearing Officer
Jared Hall, Planning Division Manager
Susan Nixon, Associate Planner
Melinda Greenwood, Community & Economic Development Director
Briant Farnsworth, Deputy City Attorney

Welcome & RDA Overview - Melinda Greenwood

Melinda Greenwood welcomed and introduced everyone in attendance. Ms. Greenwood reviewed the existing redevelopment districts areas "RDA"'s in Murray City. She stated as of more recently the RDA's are being called CRA's "community revitalization areas". She briefly reviewed the history of the revitalization areas and their purposes. She reviewed how tax increment funding "TIF" is calculated and the potential types of funding with TIF. The current RDA districts are Cherry Street, East Vine, Fireclay, Ore Sampling, Smelter Site and C.B.D. areas. The C.B.D area was established in 1994 approximately.

Ned Hacker asked what types of taxes are used for TIF. Ms. Greenwood responded that it is strictly property taxes. She explained that after adopting a revitalization area, the TIF is calculated on the current tax base and any tax income generated above the established tax base is considered "TIF". Part of the process is meeting with the Taxing Entities and getting their approval for using the tax increment generated. Taxing entities are entities such as the school district, the mosquito abatement, etc. CRA's typically are for a 20 to 25-year time period but can possibly be extended. The taxing entities essentially "donate" their portion of the property taxes. The school districts typically don't like to participate.

Lesley Burns commented that part of the process to establish a CRA is convincing the taxing entities that for a period of time they will not be receiving any benefit from the property taxes for possibly 20 years, but in doing so the CRA will provide an infrastructure that will ultimately be a catalyst for development which will generate substantially more tax revenue than before. The value of the property is greatly increased. She cited the example where the Midvale Bingham Junction development is located, that the property tax for the area was \$400; now it is millions of dollars in property taxes, not to mention the sales tax generated by the development area. That area took 15 years to develop.

Ms. Greenwood stated that in Murray City there are numerous properties that are contaminated and unless an RDA is established it makes it difficult for property owners to be willing to spend the money for environmental studies and cleanup to occur.

Phil Markham asked about the meeting with the History Advisory Board (HAB) regarding the proposed text amendment to the MCCD Zone. Ms. Greenwood stated that the meeting last Tuesday with the HAB was productive but probably should have occurred prior to presenting the information to the Planning Commission a week ago. She stated that the HAB supports portions of the proposed changes but may have had more support for the proposed text changes. She commented that the Mayor has requested that the text amendment get done before the end of the year which is a very tight time frame for adoption and has not allowed a lot of time for meeting with different committees. It is anticipated to go before the city council the end of November. It will be interesting to see what the city council does with the request and the city council has been more privy to the proposed changes than the planning commission has.

Mr. Markham asked how many buildings in the 48th South block area are actually historic buildings and not just old buildings. He stated that was a point of contention with the planning commission in last week's meeting. He stated he is aware that the Murray Mansion, and Townsend home are owned by the city. Mr. Hall responded that the Merc and Harker buildings are the only two truly historic buildings on State Street, and the Mt. Vernon Academy buildings on Vine Street and the duplexes on Jones Court. The buildings at 4854-4874 South State, previously owned by the Wrights, are not historic structures. Ms. Greenwood stated that the RDA owns the entire block with exception of the Merc and Harker buildings. She stated her opinion is that no developer will include the Merc and Harker buildings for redevelopment in this block area. She stated unless the current ordinance is changed, the likelihood of development occurring in the downtown district is very small due to the 125% cash bond required in the ordinance. For these reasons, it did not make sense to the Mayor's office to have discussion with citizens regarding changing the ordinance.

Maren Patterson commented that the HAB and "Preserve Murray" are two different groups. Preserve Murray is made of citizens that have formed a group in an attempt to preserve what they perceive a historic building in downtown Murray. The HAB is a Murray City board that is appointed by the Mayor. Preserve Murray basically thinks they are taking up the mantle of historic Murray structures, but are essentially nothing more than a Facebook group. Lisa Milkavich commented that the city should be promoting the HAB as much as the Preserve Murray group promotes themselves so that people realize that there is an HAB. Mr. Markham commented that the city ought to have a newsletter like it did in the past and that the city's news does not get circulated as well as it did in years past.

Ms. Patterson commented that the city's social media accounts post information on historical structures and finds it ironic that the city is wanting to change the ordinance to reduce historical preservation regulations. She commented that the social media information should be informing the citizens of the intended ordinance changes such as redevelopment for the downtown. Mr. Nay commented that in the Murray Journal it rarely states the city's position on issues and Preserve Murray does a better job of publicity than the city does.

Mr. Hall commented that Kathleen Stanford, who is with Preserve Murray, came to the office the day after the MCCD Zoning changes were sent out on the Planning Commission agenda and was upset that she had not been consulted about the changes.

Sue Wilson expressed concern with Preserve Murray showing up opposing the proposal for a new City Hall scheduled on the November 7th planning commission meeting agenda because it is in the downtown area. Mr. Hall stated that some of the residents believe that City Hall should be developed on State Street rather than the proposal on 48th and Hanauer Street and may come to the meeting to voice that opinion.

Ms. Greenwood stated that the city has invested over \$10 million in historic buildings such as the Murray Mansion, the Townsend home, the Murray Chapel and the Theater. The city plans to invest another \$7 million in restoring the theater. She stated the sentiment of public officials is that more than adequate funds have been committed to preserving historical structures. Ms. Milkavich commented that she was unaware of this and that should be communicated to the public because the public, as a whole, is unaware of the city's efforts to preserve those historical structures. Ms. Patterson concurred. Mr. Markham commented that he too was unaware that the city has committed that amount of money towards historical preservation and perhaps that information should be on the city's social media information.

Mr. Woodbury expressed concern with the Planning Commission meeting last week with the proposed MCCD ordinance changes not being transparent and felt they were being fast tracked through with little citizen involvement. He stated that it is a matter of perception and citizens perceive that the city is not being transparent with the MCCD downtown changes and process. He stated that the city should be promoting the efforts it has taken in preserving historical structures and the reasoning for such actions. He stated that the proposal to remove the DRC Committee and change the process for removal of historical structures from the historical list seems to be fast tracked through without having gone through a transparent public process and is a matter of perception. He stated that Preserve Murray is more active in their efforts than the city itself.

Ms. Patterson stated that many citizens she has spoken with were unaware of the city's survey from the Parks Department that had questions pertaining to preservation of the theater and other historical buildings. She stated that information should have been on the city's social media sites. Mr. Hall stated the Murray Mansion and the chapel are going to be integrated with the new city hall overall site. He stated the Tea Rose Diner building at this point is planned to remain. Mr. Markham stated that as long as the city utilizes those historical structures that they own, that is great. The Planning Commission voted last Thursday to keep the DRC Committee in place, and the city council will ultimately vote on this issue.

Design Principles of Downtown Development - Staff

Mr. Hall gave a review for key elements for a successful downtown development. Mr. Hall stated along with the proposed MCCD Zone Updates are proposed changes for the Design Guidelines.

Mr. Hall stated the key elements for a downtown development include: Critical Mass, 10 open retail shops after 6 p.m. and within three blocks, focus on arts, entertainment and food. An anchor tenant such as shops, activities and restaurants that people will travel to. A programmed plaza with 250 days of activity a year. Four-hour parking or all-day parking within two blocks. Public restrooms. Community gateways that create a first impression and sense of arrival. Wayfinding systems such as signs. Create an intimate setting with single lanes of through traffic, crosswalks and half blocks. Outdoor dining with beautification and umbrellas.

Constant activity; establish regular public event showcasing downtown merchants with music and food. Create a permanent public market. Make under-utilized public land available for private sector development; create a branded downtown district. Connection to other neighborhoods.

Ms. Greenwood stated the city owns 33% of the properties in the MCCD Zone. If we add Lost Creek Apartments, which is owned by IMC, and the post office properties that equates to 50% of the total area in the MCCD Zone. She stated that unless the historic preservation ordinance is changed, the development in this area will not change. She stated the existing city hall site is valuable property and the city has also recently purchased the adjacent property to the south and east that was previously owned by the school district. The city is wants to develop these properties as well. Because the city owns much of the property, the city can be choosy as to what happens with the property. Ms. Patterson stated that information should also be publicized on the city's social media sites.

Open Meetings Training - Briant Farnsworth

Mr. Farnsworth explained that public bodies must have the Open and Public Meetings Training annually and the purpose of the law is that public bodies must have deliberations and action take place in open public meetings. All governmental bodies must follow the requirements of the Open and Public Meetings Act, which includes criteria concerning notice of meetings, agendas, minutes, and recordings, as well as closed meetings. A quorum for the commission consists of a minimum of four members.

He stated that the Planning Commission meetings follow a general outline of Roberts Rules of Order. He mentioned the ability to make substitute motions and that the commission has the option of deliberating after a motion has been made. The Hearing Officer meeting protocol is different in that it serves as a quasi-judicial body. He stated that with regards to an Appeal, legal support being heard by the Hearing Officer would rely on outside legal counsel and the Murray City attorney's office would represent the commission and staff. The Murray City Attorney's office would be legal support for the Hearing Officer for variances and nonconforming applications.

Mr. Farnsworth reminded the planning commissioners that they may make motions to approve, continue and/or make substitute motions for agenda items. He cautioned the use of informal meetings such as social media, texting, etc. He stated there is nothing in state law prohibiting use of those forums, but just to be cautious if doing so, especially if deliberating.

Staff Reports, likes & dislikes, - Jared Hall

Mr. Hall asked for input regarding staff reports and handed out examples of other cities staff reports. The commission members were of the opinion that they would like to continue receiving paper copies as opposed to digital reports. Digital online reports are helpful in addition to the paper copies. Suggestions for staff reports consisted of an executive summary page for each application; numbering the pages for the packets; double sided copies; an aerial map to include a vicinity map.

The training session adjourned at 8:00 p.m.



Jared Hall, Planning Division Manager

