

Minutes of the Planning Commission meeting held on Thursday, October 21, 2021, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

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

Present: Maren Patterson, Chair
Ned Hacker, Vice Chair
Travis Nay
Sue Wilson
Jake Pehrson
Lisa Milkavich
Jeremy Lowry
Melinda Greenwood, Community & Economic Development Director
Jared Hall, Planning Division Manager
Zachary Smallwood, Senior Planner
Susan Nixon, Associate Planner
Briant Farnsworth, Deputy City Attorney
Citizens

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.

Maren Patterson welcomed all who were present.

APPROVAL OF MINUTES

There were no minutes to approve.

CONFLICT OF INTEREST

Sue Wilson stated she is acquainted with Gary Howland, Howland Partners, but that would not affect her ability to make a decision for his application.

APPROVAL OF FINDINGS OF FACT

Sue Wilson made a motion to approve the Findings of Fact for a Conditional Use Permit for 4800 Lofts, Inc. Seconded by Travis Nay. A voice vote was made, motion passed 7-0

KARIM AUTO – 150 West 4850 South, Units 30 & 31 – Project #21-106

The applicant is requesting a Conditional Use for Auto Sales (LU#5510) in the M-G (Manufacturing General) Zone. Susan Nixon presented the request. The applicant proposes to operate an auto sales and service business in two contiguous units (30 & 31). The applicant intends to provide auto repair services in addition to auto sales. LU #6411, Auto repair (mechanical) is a permitted use in the M-G Zone. LU #6413, Auto Body Paint, is a permitted use in the M-G Zone but is not part of this application. Should the applicants decide to provide auto body paint service as a part of their business, they will need to update their business license and apply for a paint booth building permit. The applicant states he will be the only person

involved in auto sales and that he will contract the repair work with another individual operating in the unit(s). The owner has indicated that he would like to have sales vehicles inside one of the units not occupied as repair area and outside in the parking area. The floor plans for both units are identical. The plans provided by the applicant have a gross square footage of 2,400 ft². Each unit has a 15' X 26' office area and a small restroom with the balance of 2,010 ft² for vehicle repairs and sale vehicles. The two units are connected with an interior door allowing the individuals to walk from one unit to the other unit. Both units have a 10' wide overhead bay door at the front of the building. The applicant has indicated that the 18 parking spaces adjacent to the lease space and across the drive aisle are designated spaces for units 30 and 31. Per Land Use Code Section 17.72.070, Auto Service and Repair requires 3 exterior parking spaces for each stall, service bay, or workstation. Each unit has an overhead door for service bays or workstations, total of two (2). Office use requires one (1) stall for per 250 ft² net usable space. Each unit is 40' X 60' including 390 ft² office space and a small restroom. Total office space for both units is 780 ft² requiring 3 spaces for office. Warehouse use requires one (1) stall per 750 ft². The two units have a total of 4,020 warehouse space requiring 5.36 stalls. The higher parking standard is used when calculating warehouse space or service bay/workstation. In this case the workstation is slightly higher requiring 6 stalls. This results in a total parking requirement of 3 spaces for office use and 6 spaces for workstation, service bay. Total parking required for both units is 9 stalls. There is an ADA stall in close proximity located near the adjacent unit 29. One ADA stall is required for every 25 regular stalls. Any parking stalls not required for office/warehouse use as indicated above (totaling 9) may be utilized for display of sales vehicles. No changes to landscaping are required in conjunction with this application. Based on the application materials and site staff is recommending approval of the Conditional Use Permit subject to the seven conditions outlined in the staff report.

Abdulkarim Alhasnawy & Fadia Alhasnawy, applicants, stated they have reviewed the staff recommendations and will comply with the conditions.

Maren Patterson opened the meeting for public comments. No public comments were made, and the public comment portion was closed.

Ned Hacker made a motion the Planning Commission approve the Conditional Use Permit to allow Auto Sales on the property addressed 150 West 4800 South, Units 30 and 31, subject to the following conditions:

1. The project shall comply with all applicable building and fire code standards.
2. The Fire Department requires an automatic fire sprinkler system meeting NFPA 13 standards for any changes during tenant improvements. The riser must be maintained, and an alarm system shall be addressed. All construction must meet or exceed 2018 International Fire Code. New occupants should consider a "Knox Box" emergency access system.
3. The applicant shall obtain a building permit for any interior or exterior construction on the property.
4. The applicant shall restripe to clearly identify the required parking stalls. One ADA parking stall is required for these two units and must be restriped as per parking regulations. Nine (9) parking stalls must be available for customer/employee parking at all times as required per Section 17.72.070.

5. The applicant shall maintain clear, appropriate vehicular access to the overhead doors on the building at all times.
6. The applicant shall obtain permits for any new attached or detached signs proposed for the business.
7. The applicant shall apply for a Murray City Business License for auto repair and auto sales prior to beginning operations at this location.

Seconded by Jeremy Lowry.

Call vote recorded by Ms. Nixon.

 A Ned Hacker
 A Lisa Milkavich
 A Travis Nay
 A Jeremy Lowry
 A Jake Pehrson
 A Sue Wilson
 A Maren Patterson

Motion passed 7-0.

JOE COLOSIMO – 5700 South 800 West - Project #21-105

The applicant is requesting a Zone Map Amendment from A-1 (Agricultural) to R-1-8 (Residential Low Density) for the property addressed 5700 South 800 West. Zachary Smallwood presented the application. The subject property is a single-family home on 1.62 acres within the A-1 zone. The A-1 zone requires a minimum of 1-acre sized lots. The lot is located on the west side of 800 West next to Viewmont Elementary. The applicant would like to develop the property into a single-family subdivision and is requesting the R-1-8 zone, as it is the more prominent zoning designation in the area. The 2017 General Plan supports the change from agricultural uses to single-family dwellings. To allow for a thorough, unbiased evaluation, City Staff, the Planning Commission, and the City Council do not include potential development plans in the review of a request to amend the Zoning Map. This allows the Planning Commission and City Council to determine whether a change in the Zoning Map is appropriate based on the allowed uses and development potential of the proposed zone. The subject properties are comprised of two parcels totaling 1.62 acres in the A-1 Zone located on the west side of 800 West and just south of Anderson Avenue. Murray City Power owns a large piece of property to the west with single-family residential to the north and south and Viewmont Elementary to the east.

The most significant difference between the allowable uses in the existing A-1 Zone and the proposed R-1-8 zone is the allowed residential density. Aside from actual agriculture allowed in the A-1, the permitted uses and conditional uses themselves are very similar or the same. Existing A-1, Agriculture Zone, permitted uses include single-family dwellings on lots with a minimum area of one acre, utilities, medical cannabis pharmacies, cannabis production establishments, parks, field and seed crops, orchards and vineyards, non-commercial beef cattle, horses, chickens, rabbits, apiaries, aviaries, and general agriculture including range and pastureland. Conditional Uses in the A-1 Zone include communications, radio and television

transmitting stations, nurseries, cemeteries, protective functions, schools and churches, various commercial recreational uses, commercial animal husbandry uses and services, and commercial agriculture. Proposed R-1-8, Low Density Single Family Residential Zone, Permitted Uses include single-family detached dwellings on 8,000 ft² lots, utilities, charter schools, and residential childcare facilities. Conditional Uses include attached single-family dwellings (in Planned Unit Developments, or PUDs) telephone stations and relay towers, radio and television transmitting stations, parks, schools and churches, utilities, cemeteries, libraries, and group instruction in single-family dwellings. There are other differences such as setbacks and height limitations with the A-1 and R-1-8 Zone. A-1 requires one acre minimum per lot, R-1-8 is 8,000 ft² per lot and height of 35' in both A-1 and R-1-8. The front yard setback is a little different. For A-1 it is 30' and for R-1-8 it is 25'. Rear yard setback is 25' for both. The side yard setback in R-1-8 requires a minimum of 8' on one side for a total of 20', corner yard setback is 20' and there are two off street parking spaces required for each dwelling. The findings are that the General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances. The proposed Zone Map Amendment from A-1 to R-1-8 has been considered based on the site characteristics and zoning in the surrounding area. The potential impacts of the change can be managed with the densities and uses allowed by the proposed R-1-8 zone. During the application process this request is sent to other departments including police and fire departments, public works, and the city engineer who looks at traffic. None of those departments had concerns with the proposal. Staff is recommending that the Planning Commission forward a recommendation of approval to the City Council for the requested amendment from A-1 to R-1-8 at the property 5700 South 800 West.

Mr. Hacker asked about acreage and with the new zoning what would be the maximum number of dwellings. Mr. Smallwood thought a maximum of nine lots could probably be possible.

Joe Colosimo, applicant stated his address as 11795 South Taitlyn Rose Lane, Draper. He addressed the layout with factoring in the roads and all the requirements of Murray City and stated he can fit seven 8,400 ft² lots.

Maren Patterson opened the meeting for public comments.

Pam Cotter, 752 Bullion Street

When activities are going on at Riverview Junior High and Viewmont during the day or in the evening there is no parking on the street. As a citizen I am wondering if we could ask the school district if they could get a design team to get some parking in there. Right now, on 800 West Tripp Lane there is parking going on if there is a soccer game at Viewmont and a baseball game at Riverview then we have so much traffic and without that access now where Neighborworks is building. This needs to be looked at seriously because this impacts a lot of homes and we have many parents dropping kids off, and it would be nice if someone in the city could talk to the school district about re-designing their parking. The parking will be all over the street and up on Bullion for the school Halloween activities. The neighbors are very concerned about this project and the other one.

No further public comments were made, and the public comment portion was closed.

Ms. Patterson asked Mr. Smallwood who she could talk to regarding the school parking. Mr. Smallwood clarified they have quarterly meetings with the school district and can address the parking issue at the next meeting.

Sue Wilson made a motion that the Planning Commission forward a recommendation of approval to the City Council for the requested amendment to the zoning map designation of the properties located at 5700 South 800 West from A-1 Agricultural to R-1-8 Low Density Single Family. Seconded by Lisa Milkavich.

Call vote recorded by Mr. Smallwood.

 A Ned Hacker
 A Lisa Milkavich
 A Travis Nay
 A Jeremy Lowry
 A Jake Pehrson
 A Sue Wilson
 A Maren Patterson

Motion passed 7-0.

SALT LAKE NEIGHBORHOOD HOUSING SERVICES, INC. - 871 West Tripp Lane – Project #21-109

The applicant would like to amend the zoning of the subject property to allow for a potential single-family subdivision from R-1-8, 8000 ft² lots to R-1-6, 6,000 sq ft lots at 871 West Tripp Lane. The request is supported by the 2017 General Plan. Zachary Smallwood presented the request. Two years ago, the applicants requested the change from Agricultural to R-1-8. In July of 2020 there was an opportunity to look at connecting the street to Willow Grove Lane but that would have required eminent domain and it was decided that wasn't going to be feasible to use that option. Since the developer has gone through that process, they are now requesting the R-1-6 Zone to help make the lots conform better to the re-designed subdivision with a cul-de-sac. The General Plan lays out a Future Land Use for every property and this is located in the low-density residential which allows for the R-1-8 and R-1-6. This will not require a General Plan Amendment. The zone comparisons show the 2,000 ft² difference between the two zones. There is a lower height maximum by 5' in the R-1-6. Front yard setback is a little less, 20' versus 25' and side yard setback is 5'. The two off street parking spaces are required in both zones. 90 notices were mailed out to residences within 400' of the subject property. Two phone calls were received concerned with traffic along Tripp Lane and one email in support the zone change. Staff is recommending forwarding a recommendation of approval to the City Council for the zone change.

Ms. Wilson asked how many dwellings does the zone change equate to? Mr. Smallwood stated they are proposing to go from 10 to 13 lots.

Alison Trease, applicant stated her address as 4843 South Poplar Street and added they appreciate the staff and commission's consideration.

Ms. Patterson opened the meeting for public comment.

Elizabeth Larson, 5659 South 800 West

My concern is the traffic on Tripp Lane with 13 new homes. Homes are fine, but the street is so narrow and has a traffic impact study been done? I live right around the corner from Anderson Avenue which is the street Viewmont is on and it is much wider and accommodates school

traffic much better than Tripp Lane. With the additional homes going in what will that do to the traffic. When I compare Hillcrest and Riverview's way of dropping off kids, where people can drive to take kids, and safety, there is no comparison. There are several ways to get to Hillcrest and it has a well-planned out drop off zone.

Pam Cotter, 752 Bullion Street

You were talking about how all the schools have impacts, we are a very unique neighborhood. We have a Junior High and an Elementary School. No other school has that in Murray School District. Also, if we as citizens are supposed to go to Murray School District on this issue could the developers go also and ask them to have a design company come in and redo their parking?

Scott Hales, 820 West Tripp Lane

I am totally in favor of what Neighborworks is trying to do here. But as has been expressed both 800 West and Tripp Lane are narrow streets and we have lived there nearly 20 years and it has gotten worse and worse. Either 800 West and Tripp Lane need to be widened or something needs to happen with the streets in order to get people in and out of there. We had an occasion this last summer where there were eight soccer games going on at Riverview and at Viewmont. We had to get out of our house to get up to 700 West to get to where we were going. That portion of Tripp Lane was backed up clear to our house a whole block which is ridiculous. Saturday's football is there, and we had our mailbox knocked off of our post while we were out of town. There are all kinds of issues here, the housing is great, and we are in support of getting rid of that empty lot sitting there, but something needs to happen with the traffic and the city needs to do something.

There were no further comments made and the public comment portion was closed.

Ms. Patterson asked if there had been a traffic study done. Mr. Smallwood verified there was one done when they were going to connect the road and this change wouldn't contribute significantly to the traffic that is already there. He clarified The Planning Commission can't condition a rezone on somebody going forward to contact the school district. Staff can address it with the district with Dave Roberts who is over the facilities for the school. Ms. Greenwood clarified that the school district is a separate body from the City, and by law school districts are not subject to local zoning code for any city or municipality. The City's ability to influence anything that a school district does is very minimal. This is a topic that residents should address directly with the district.

Mr. Pehrson stated he lives in an R-1-6 neighborhood, and this property sits in the middle of R-1-8 zoning and he feels this should remain an R-1-8 and not be adjusted for a developer. Mr. Nay countered by stating it helps with affordable housing, simply because its less property and can sell at lower price points. The commissioners discussed whether the difference between R-1-8 and R-1-6 would be noticeable and most agreed it would not. Mr. Hacker verified that the narrow street and parking on the street is a safety concern there.

Ned Hacker made a motion to forward a recommendation of approval to the City Council for the requested amendment to the Zoning Map Designation of the property located at 871 West Tripp Lane from R-1-8 Low Density Single Family to R-1-6 Medium Density Single Family. Seconded by Travis Nay.

Call vote recorded by Mr. Smallwood.

- A Ned Hacker
- A Lisa Milkavich
- A Travis Nay
- A Jeremy Lowry
- N Jake Pehrson
- A Sue Wilson
- A Maren Patterson

Motion passed 6-1.

THE BOYER COMPANY – 871 East Winchester Street and 6520, 6550 & 6580 900 East –
Project#21-095 & 21-096

The applicant would like to amend the Future Land Use Map designation and Zoning of the subject properties to facilitate mixed-use redevelopment at the property located at 861 E. Winchester and 6520, 6550, & 6580 South 900 East. Jared Hall presented the request. Currently the site is in the C-D, Commercial Development Zone and the applicants are requesting VMU, Village Mixed Use. The subject property has previously been used as an RC Willey furniture store. The location was closed, and the property was purchased by the applicant in late 2020. The building was constructed specifically to accommodate RC Willey's operations, and with the loss of the tenant for whom the property was developed, the Boyer Company proposes to remove the building and redevelop the property as a mixed-use site. Between February and August of 2021, the city researched, drafted, and adopted two new mixed-use zones in addition to making significant changes to the existing mixed-use zones. The applicant has requested a change of zoning to VMU, Village Mixed Use. The Village Mixed Use and Centers Mixed Use Zones were designed specifically to allow the addition of residential uses to existing commercial properties along transportation corridors and in neighborhood and commercial nodes identified by the 2017 General Plan with densities and parking requirements at more appropriate levels. The requested VMU Zone is the least-intense of the City's mixed-use zones. The mapping is one of the items we consider in a request to change the land use and zoning designations, but there are other objectives of the General Plan that are supported by this application. To offer zoning and street improvements that offer direct incentives for areas that are targeted for revitalizations would fit that strategy: create a neighborhood mixed use zone designation and support with form-based development and design guidelines, some are worked into these zones that are supported by this category and to support ranges of housing types and promote construction of smaller scale residential projects that can be integrated with current and future employment areas.

The M-U Zone was looked at a year ago, before this new VMU zone was created. At that time the City Council expressed how the M-U may not fit well and desired better decisions with allowed densities because the properties are further from transit opportunities and wanted to consider more buffering for residential areas because the downtown core doesn't have a lot of single family residential to worry about for buffering. When the zones were written and drafted and presented to the City, they were written with guideposts that would define where those new zones might be used appropriately. The first of those considerations is if those properties are existing commercial properties that are located in and around areas identified in the 2017 General Plan as nodes. This particular site is identified as a "City Retail Center" with where it is situated. It meets that first basic test. Second, it should be considered for properties that are at least three acres, this is 9.11 acres, and that are zoned or used for non-residential purposes

and help them maintain their commercial components. Third, there are nine goals, and an application should meet five of the nine goals. The application meets eight of the nine goals, including to provide high-quality development of commercial properties, to retain and rehabilitate commercial use of significant portions of the property, to increase local access to commercial services for in project residents as well as residents in surrounding areas, to promote a greater variety of housing options within Murray neighborhoods, to provide increased walkability on the project site, to create and contribute to a sense of place and community, and to result in improved conditions for buffering and transition between the project site and adjacent residential uses.

The main differences between the existing C-D Zone and the proposed VMU Zone is the C-D Commercial Zone does not allow any kind of residential, whereas the VMU Zone will allow residential densities up to 25 units per acre as a base density. There is an allowance to go higher up to 35 units per acre if they can provide affordable housing for 15% of the units. The mixed-use zone it was reviewed with a year ago it was anticipated to be 40 or 50 units per acre. This is significantly less at 25 or 30 units per acre. These densities were arrived at in conjunction with public works officials who measure what kind of densities would be manageable for sewer, water, and power. Parking requirements are very minimal in the transit oriented mixed-use zones. The parking requirements were increased in the proposed VMU Zone. Studio units require 1.25 spaced per unit, one bedrooms require 1.5, two bedrooms require 2.15, and three bedrooms require 2.65 spaces per dwelling unit. Mr. Nay asked about the transit-oriented mixed use zone parking requirements. Mr. Hall stated it was previously a one-to-one ratio but has been increased in the re-write of the mixed use zones. One of the changes was to use bedroom counts versus the number of units. Staff worked with a parking transportation consultant to develop those equations. The VMU zone also requires project amenities. Projects up to 150 units must provide two project amenities and one additional amenity for each additional 100 units. Open space is part of that requirement. The minimum open space is requirement is 15% of the site. Buffering was a main concern. There were no requirements in the mixed-use zone previously and there aren't a lot of buffering requirements in the C-D Zone. We do have a requirement for a 10' landscape buffer with a solid fence. The VMU Zone requires the 10' buffer and solid wall, but specifically requires large trees at regular intervals, and height restrictions for any building within 100' of the residential boundary. Additionally, the site development standards require that some aspect of the site intervenes between the first buildings on the project that are adjacent and the buffer itself – such as surface parking, amenities, accesses, or open space – in order to enhance the distance and separation. Further, the first buildings that are adjacent cannot be more than eight units to a building. This is intended to reduce the mass of the closest buildings to the residential, so there wouldn't be giant apartment buildings closest to that boundary. The height restriction is no more than 35' for the first 100' in the VMU zone and no roof top deck amenities. The exception would be live/work units that have to use their bottom floor for commercial; those could be three stories but no roof top amenities. Live/work units can fulfill 20% of the commercial requirements. Public improvements are different in this zoning so you would see good pedestrian access and connectivity with wide, 7' sidewalks and 8' park strips required on the frontages. Staff is recommending that the Commission forward a recommendation of approval to the City Council for both the General Plan Amendment and the Zone Map Amendment. Mr. Pehrson asked for clarification of Section 17.164.020, which refers to the nodes, the neighborhood nodes are indicated but what are the other nodes. Mr. Hall verified they are city/retail nodes. Mr. Pehrson asked if the developer could just build an apartment building and use the existing space as the commercial space. Mr. Hall indicated they could use adaptively re-use the existing building, which would be nice, but that because the building was very

specifically built to the site and for the use it really wasn't likely or probable. In order to use the building, they would need to provide a master site plan which requires a traffic impact study, a parking analysis, an adequate public utilities review, and any other public services review that the City thought would be appropriate such as for fire, police, and schools. The Master Site Plan has many requirements such as a central feature and building orientation to create open spaces, etc. It also carries with it a Master Site Plan Agreement between the city and the developer. The Master Site Plan Agreement might, for example, say no permits for residential until there is a certain percentage of square footage leased out in your adapted reusable building. Mr. Nay asked if something like that comes forward and then they go belly up what happens to that Master Site Plan Agreement. Mr. Hall confirmed that the Master Site Plan Agreement stays in place and governs the successors and assigns. Anybody who takes over the property or project is subject to the same conditions. They do not get to build anything that is not in that agreement. If they want to begin again, they need to come back to the Planning Commission for a new Master Site Plan approval. Mr. Nay asked for more information about power, sewer, police, fire in relation to this site. Mr. Hall stated part of the review of the zones was to examine the capacity there was in public utilities outside the City's core. Sewer and water studies were under way as the new zones were written, which made it possible to look at all of the capacities available and how much density could be supported in all the likely areas that might see these requests for zone changes. The school district has been informed of the possible density and with the quarterly updates they are made aware of the kinds of densities we could be looking at and how that might affect them.

Mr. Lowry asked for more details about the reason why staff and others feel that VMU is appropriate and is needed as a replacement for commercial and how density is determined. Mr. Hall indicated the trend for mixed use and how it better addresses the new, changing retail economy. There is less willingness in the development community to maintain or re-locate into new shopping centers that do not include on-site residential. In the west, we have seen more horizontal mixed use with commercial in front and residential in the back. In addition to allowing developers and retailers to come back to a site that may otherwise go dormant, the VMU Zone provides an opportunity to add residential at a scale that's more compatible, but adds missing middle housing which offers more efficiencies, helps meet sustainability goals, uses less water, puts less strain on public facilities and use less public tax base on the whole to be maintained. The allowed density range was arrived at by working with public works, sewer, water, and traffic where effects can be modeled and measured. If density falls below 25 units to the acre it doesn't appeal to retailers and the requests will simply be for R-M-25 or R-M-20 zoning which is apartments without the commercial components and design controls from the Commission that make mixed use special and appealing. In these areas, without the mixed use we risk losing the commercial capability. It helps to revitalize a commercial site and create community feel in an area, get sustainability benefits, and get moderate income housing benefits. If it were just rezoning to mid to higher density residential uses, Staff thinks there are different and better ways of doing that, such as residential infill that are small scale. This is mixed use on three acres or more.

Ms. Patterson stated that a lot of 900 East and Winchester areas have been rezoned to (RNB) Residential Neighborhood Business and asked why not apply that to this. Mr. Hall stated two reasons: The General Plan says General Commercial. We didn't slate this property for the RNB, which applies to neighborhood business that are very small scale, very low impacts, empty by 6pm with heights are limited to 20'. The depth of those properties which are slated for RNB are shallow, and smaller in area. This site is very large with a lot of depth from the street. The RNB isn't as applicable with a site that is 9 acres like this.

Mr. Pehrson asked about overall density and said the Galleria has been mentioned in the transportation plan and how the zoning will change the density there. Mr. Hall verified the Galleria property is in the Murray Central Mixed Use Zone (MCMU). It's also in the west sub district of that zone, which limits the density to 40 units per acre. During the beginnings of the Master Transportation Plan when we were first working with the consultants to let them know what types of densities to expect, those changes hadn't been made and that area would have allowed up to 80 units per acre. Mr. Pehrson pointed out that the density listed in the MTP is much lower and included the 4800 Lofts.

Spencer Moffit of Boyer Company, applicant stated his address as 101 South 200 East. He stated they are a local developer and have a long-standing relationship in Murray and bought this property a year ago and were excited at 40-50 units per acre, but quickly learned that density was too high. When the moratorium was put in place, they were in support of the idea to figure out what works best for the property. When they saw this new zone, they felt it does do a good job protecting some of those interests, with buffers, height, parking, and density. He stated they can work within these parameters and are planning to put most of the density out front on Winchester and 900 East and leave open space in the back in response to the VMU Zone. He gave credit to the staff for coming up with the zone, stating that they don't love it but can work with it. With development no one is ever going to be entirely happy, development is hard and tricky, and they are sensitive to that. He added they will do their best to listen and implement some of the comments and concerns and come up with a development that all can be collectively be proud of.

Ms. Patterson opened the meeting for public comment.

The following emails were read into the record:

Elizabeth Laura, via audio message

My opinion and point of view as a member of Murray City. I hope for my questions and statements to be acknowledged in a public hearing. I was approached yesterday by a woman who explained her concern over a lower income community moving near us. I have a problem with that. Her concerns included more crime being committed, our safety being threatened, us being under attack basically by these lower income families. Lower income is synonymous with people of color and that is historically and systematically correct. It's basically redlining. What people are attempting to do is to steer away these lower income minorities who yearn for normalcy and stability that we have the luxury of living in. Clean neighborhoods and such low crime. That being said the thought of a lower income, people of color community intruding in our bubble of white is threatening towards people and that is the exact reason why diversity is important, why having lower income people of color introduced to these areas of higher upper middle class white suburbs and that is the way we eliminate this discrimination issue, this fear of crime being associated with people of color. Instead of attacking that point you can do something to help those communities, to look within yourself and ask why they are committing these actions, do they not have enough food or not enough education. And humanize these people who are people just with a lower income. It's not anything to do with crime being brought to us.

Sonia DeVore

I am against rezoning the area around the Best Buy in Murray and RC Willey. Though we do need housing for so many people, I would like to be very clear about the concerns surrounding

yet another high rise apartment building in Murray. Traffic: The developer would have us believe that people in these units will use public transportation and that traffic won't be as big an issue as we think. In one of the studies for the Galleria project, the recommendation is to make Murray Blvd a 5 lane road (kind of ironic since you would have to demolish some multi-family housing to accomplish this). Granted, it is a much bigger project at the Galleria than the proposal at Best Buy, but traffic will be increased. Look at the traffic snarls we have now in that area. If we are going to need to improve this area with new roads, let's get that done first. But building better roads that carry more people brings its own issue of degradation of our air quality even more. Crime: More people more crime. Just a fact. Does Murray have the resources to hire more officers? Buy more patrol cars? I would like some input from the Murray police department as to how they feel about all this "dense housing"? For 25 years I have lived in a neighborhood very near the new Murray Crossing as well as Hunter's Woods, and the Clover Creek apartments and since the build-up of the new rentals across from Hunter' Woods, and Murray Crossing, etc, there has definitely been an increase in petty crime. Schools: The developer of the Best Buy project would have you believe that most of the residents will be surgeons and work from home professionals. I would like to know if this project will have any kids of subsidies such as Section 8 or Section 429. The programs appeal a great deal to families- who have children- who go to school. A transient population brings additional challenges for teachers (my grandchildren went to Parkside for many years) and of course, just the additional class size is a challenge. Are we ready for that? Will we need more teachers, more buildings? Aesthetics: To be realistic, growth and change is inevitable. We will never have that "smalltown" feel again. But we can have development that is inviting, pleasant and that honors Murray's rich history and heritage. Many of these new developments around town bring to mind some of the post war buildings I have seen in East Germany! Concrete. Let's not look like every other city and give up everything that has made Murray unique! Change and progress are inevitable. But we need to be smart about it. It's "Ready, Set, Fire"... let's make sure we keep the right order.

Aaron & Stephanie Turner

As a long time resident of the area, we would like to voice our concerns about having high density low income housing that is being proposed at the RC Willey property. This project sounds familiar to the one off of 45th west of state. Unfortunately, crime seems to have spiked in that area. Has this been considered? Why does the housing need to be low income? Traffic is already a problem this would make unbearable.

Crystal McMillan

Please do not allow a large apartment complex to be built on the old RC Willey property. It will greatly impact the adjacent neighborhood. Consider zoning for condos or townhomes.

Janelle Klingler

I am concerned about all of the apartment development in Murray. I worry about overuse of things like water, transportation, traffic, education and first responder resources. Have these been considered? I know there is a lot of pressure on cities along the Wasatch front to include more housing, but we need to ensure we're doing it wisely.

Julie Schreck

I was recently made aware that Murray City is currently considering re-zoning the RC Willey area to Mixed Use. This would allow the developer to build 3-4 story buildings with several hundred apartments for lower income students and families. I have to say I'm extremely disappointed to hear this as I live at 6428 S. Golden Chain St. I have personally experienced a

significant amount of crime that appears to be propagated by both the Crystal Inn and the James Pointe apartments along Winchester. We recently had to put in an alarm as we have a stranger in our backyard who attempted to gain access to our home with our walk out basement. To add even more apartments in a highly congested area simply means that the risk of potential crime will likely increase. To put this frankly, I feel that Murray City often puts the needs of business over the needs of actual homeowners. There are many properties like this in the works and a development like this would be ideally suited for the Sports Mall area where there are already limited residences. I sincerely hope this motion doesn't pass. If it does, I think most folks in our neighborhood will look to move. Heartbreaking because we absolutely love our neighbors and neighborhood. I would personally vote for whatever Mayor can support growth that doesn't harm homeowners.

Amy Ballard

This is absolutely the worst idea I have ever heard. If this comes to into our quiet neighborhood you will lose several good families. I will do whatever it takes to stop this from coming to our quiet neighborhood, we already have enough trouble with the hotels around us. Bringing this in will turn this neighborhood into a ghost town. I will chain myself to the equipment if I need to. I have grown up in this quiet neighborhood and I will fight to the end, so take your shit somewhere else, we don't want it, try if you dare you stupid idiots.

The following comments were made at the meeting:

Tim Richardson, 772 E Labrum Ave

I've been in Murray for 47 years, grew up here. I would echo many of Julie Schreck's sentiments. I appreciate the staff and the presentation because it did address a lot of concerns with drainage, parking. I disagree some on the little statistics but watching James Pointe I see that parking lot as limited and see parking out on 725 East, there just simply isn't enough. I am nervous about the traffic patterns the intersection at 725 Winchester is already a lot of crashes happening this will add to that problem. You're going to affect a generational living situation where no one wants to live next to that many units or apartment complex. I would be bordering that development.

Gary Westin, 809 Southwood Drive

I've lived there for 52 years. 400' east of this project is just commercial property and one farm. Only one house would receive the notice. 400' south of the project is the Red Cross building no residents would have received the notice. 400' west of the project are four homes, only four people would have received the notice. 400' north there are 20 homes would have received the notice. Murray City need to do something with regard to its ordinance of giving notice regarding re-zones. I served before you did way back in 1987 and I didn't do anything about it then, so I am more to blame than you are. The people who are there will have the same idea as I have, and our concern is what we want is responsible homeownership in the area. We don't have any problem at all with tenants, I have a daughter and grandchildren that are tenants that are great tenants. There is a difference between a tenant that is here today gone tomorrow and has no vested interest in the area or the neighborhood or the community. Homeowners necessarily do that. 250 potential units would go in here on ten acres, nobody said anything at all about what to do with regard to condominiums. Immediately west of this project is the Brad Reynolds twin home project which is a wonderful thing and would work also. The problem is we clearly need large apartment buildings in our community but with something like fireclay went into a commercial industrial area, to put them in a commercial residential area like this where its

everything Tim Richardson said people have been there forever like me. We want people there who are there because they want to be there who will respect and protect it. This developer wants and needs to make money off this project but very importantly they were here before and one of the projects they had they wanted to would give rise to them being able to put in a very high count project, the only reason they want the village project now is they think they can persuade you therefore by moving down from what they wanted before, that 25 would be acceptable.

Dwight Packard, 815 East Silver Shadow Drive

I am a 64-year resident of the area. I don't know why Spencer couldn't bring a proposal before you under the current zoning, why can't he? He can. I do not see a need to approve a zoning change at this time. I realize staff has spent a lot of time to try and paint with a broad brush something that might work, but it might not. I suppose if we could cherry pick, we could put together a project that would work for both Boyer and for the neighborhood. But if we pass the zoning now it ties our hands. There are high rise apartments mentioned as permitted uses and the dreaded "H" word, Hotel. That would create a secession of our neighborhood from Murray. You don't need to pass it, you can just turn it down and Boyer can bring their proposed project to you and we can consider it at that time.

Janice Strobel

First, I want to thank you guys, because you are getting so many projects thrown at you right now. Staff is doing an amazing job and what you are going to do in the next bit is going to make such a difference in what happens for Murray in our future. You guys have a big job and I really appreciate all of you, I know you guys read through all of the information and work very diligently on all of this. Tonight, you are getting two new mixed use zones brought before you. This is brand new territory, and you are setting precedence for what's going to happen now for the future of Murray. With what got submitted to you with these two mixed use zones I feel is not sufficient to be able to meet the goals to approve changing it to that zoning. Yes, you are submitting your approval and then it is the Council that does make the change. By answering how they are going to meet five of the nine goals and write a little narrative about how their project is meeting that goal. These goals need more detail, they need illustrations and examples to explain how they will specifically meet those goals before you go about changing it to that zoning. The narrative is not adequate for changing a zoning. So far, mixed use has been built in our city with the bottom portion remaining vacant is this what is going to work for our city.

Earl Greenhall, 771 East Labrum Ave

My wife sent an email (included in the Commissioners Packets). I beg to differ with the conclusion that staff made about all the utilities being sufficient. We had the Public Works Director who came and met with the neighborhood. We have a lake at the end of Labrum every year. Public Works admitted that the storm drain was not sufficient for this area and when we talked to Mayor Snarr he indicated it would be several million dollars to put in a new storm drain and the City did not have the budget. Somewhere the communication that there are sufficient utilities for that area got construed. My lot has been flooded several times and we've been told in the last five years there have been new 100-year storm calculations made. Second, Boyer is a very smart company, I suspect before they agreed to make the sale that it was conditioned upon a rezone. I am surprised they haven't addressed other opportunities that could happen in there and leave it commercial. We haven't explored any of the commercial opportunities. I strongly hope that you will reject this allow Boyer to present the project before the rezone, if we rezone before we don't have an impact.

Ally Anderson, 808 Firemeadow Avenue

I am similar to Tim, I was born and raised here and I moved back to this neighborhood to be near my parents. I have kids that go to Longview Elementary. If a multi-use is put in here and 200 units with two kids per unit, that is a lot of kids Longview can't handle. We are already filled as it is, classrooms sizes are 35 kids with only two teachers. We don't have enough teachers and no money to hire new teachers. The building can't accommodate that. Traffic brought in by Studio 6 and Crystal Inn brings in lots of crime. We have chased people out of our yard from those hotels. If you put in a business, there it will be a breeding ground for the people that already hit our neighborhoods weekly. There aren't enough cops. I strongly urge you to not approve this tonight and there are more options out there, please take that into consideration.

Dale Simper, 6417 South 725 East

I've lived in Murray all of my life. I have lived at this address for 27 years. I see most of my neighbors here in the audience. Low income, high density housing that equals higher crime. Has nothing to do with race unlike our enlightened recording we heard. We have lots of crime in our neighborhood now. I was concerned initially that high rise apartments could lead to voyeurism, although it was addressed in the plan that the higher units will be further from the residents. Many of those bordering homes are concerned about that and considering moving. We have seen today's fancy high density projects with shiny, sparkly exterior are tomorrow's ghettos. I would prefer homes in there. What was brought up was a similar project just west on Winchester where there are twin homes going in and they all border a busy street. That could be an option here and one the neighborhood would prefer.

Joey Hollman, 746 E Litston Circle

I have lived in Murray my whole life. I chose to purchase two homes in Murray. My concern is 725 East is used as an alternate route for Winchester or 900 East if there are traffic problems. Where speeding has been an issue, which is a fear for my young kids and many other residents. I know that is an indirect road but because of the impact that people would have as they go to Longview, churches, and park. There are no cops to look at that.

Dave Hansen, 736 Labrum Avenue

I don't have anything new to add, I just want it in the public record that I am against this rezoning. Our hands are tied. I don't think we know enough to make this decision. If it is made it will affect the entire neighborhood negatively. Let's recommend for denial it shouldn't go through.

John Nielson, 812 Silver Shadows

I have lived in this neighborhood my entire life. I beg you to come up my street between 5pm and 7pm head east and turn out onto 900 East. You cannot get out because of traffic already. People chose to fly down our street which has many kids. I am scared for their safety. The amount of traffic that 250 units will bring to my street is a concern. I don't want to move. I am adamantly opposed to any apartments in my backyard which is RC Willeys parking lot. We have had the perfect neighbor for over 25 years. They haven't made a peep other than kids occasionally doing brodies. I am opposed to any change. Boyer makes beautiful buildings I know they can come up with something other than apartments.

Colleen Fischer, 740 East Labrum Avenue

I have lived here 45 years. I want to go on the record that I am opposed to this zoning change. I hope you don't grant the zoning change tonight. When the James Pointe apartments were proposed many years ago, we lived there, and they told us it was going to be beautiful with an

adult only community. But you see what it is now and there is crime. I don't think we need any more of that.

Jennifer Horne, 752 East Silver Shadows Drive

I am not a Murray native, but my family moved here 15 years ago. Our plan was to live here 6 months and move. We had to be out of our one home and fell into this home, but we fell in love with Murray and have been here ever since. If you look at other projects on the Master Plan in the last five years, the changes that have been happening in our area have not been conducive with what the Master Plan is. When I hear arguments for this, I know that we can make it something that isn't the Master Plan because it has been done in the past. They have referenced the town home project west of us, we love that, and it is very successful for rentals company. I live on Silver Shadows and the traffic problem is not new and were not just bringing it up because of this Boyer proposal. I have been speaking to Brett Hales about it over a year and a half ago and if we could dead end some streets. Last October I woke up to somebody breaking in our back door who had just been released from prison and he was arrested at the Crystal Meth Inn is what the police officers called it when they came to give me the update. They said between the Crystal Meth Inn and Studio 6 Apartment they could have a full-time job. We are already fighting that, but we love our neighborhood and were doing what we can for our kids to keep it safe and this I feel is another thing we would have to be fighting. I am the remediation graduation specialist and the reason my job was created was due to the re-zoning in Murray. I feel like you guys have the responsibility of deciding what kind of city you want and voting for that.

Clark Bullen, 5051 Tree Top Circle

There are two projects requesting a zoning change from commercial to high density residential mixed use today. I live near the second one considered tonight but I believe the concerns are the same for both and should be considered the same way. I have nothing against these projects specifically since we do not know many final details about them. All we know is what is allowed under the zoning. We do know that RC Willey at 9.11 acres could build up to 318 units. And we know the 5300 the Best Buy property 13.22 acres could build up to 595 units. Before we approve up to 913 more new units. We need to consider all of the density that's currently being built and potentially going to be built based on zoning that is already approved. Kmart property has 421 apartments going in. Carnegie Library has 130 apartments with only 137 parking spaces. The Galleria property is going to have less zoning but even cut in half its up to 1300 units. 4800 South Lofts are just approved for 371 units, Bonnyview 350 units, 4800 State block one is proposed 262 units. That is at least 2500 apartment units in a very short time frame. The next few years make a huge difference and I believe we should take a step back as Murray City and we should await to approve any more higher density until we have had an opportunity to do a thorough closer look as city wide evaluation of how these increases in density affect all of our resources that were mentioned tonight, like traffic, crime rate. One of the highest crime rates in the state and per the nation for our size. Schools, water supply, infrastructure, and other resources. Most of the nearby homes here were purchased with a specific commercial zoning in mind when they bought that this will be a bait and switch to them. The increases should be looked at in aggregate and not in vacuum. One traffic study for just this one area doesn't consider all the other density coming in. The General Plan zoning should be followed or officially revised in an unprecedented time for a desire and demand for higher density would not be out of the question. We could do an official revision and look at it all as a whole. Approving these one off projects will set a precedent tonight of changing commercial to high density zoning and there is other potential sites like Shopko, Sports Mall the current city hall where we sit to name a few. We need to control this growth or it will control us. I request

that the Planning Commission deny these applications and that the applicants can re-apply after the city has considered all of this density increase as a whole.

Shauna Nielson, 812 East Silver Shadows Drive

My backyard will look into whatever is approved for this lot. We have been here for 22 years, we knew it was commercial when we moved in. My concern is Murray's image. Murray has changed a lot over the 22 years. It has changed a ton in a short time with the Crystal Inn, Studio 6 extended stay, James Pointe all of it is contributing to lots of different things in the area. We have had a car stolen, cars broken into, windows smashed, bikes stolen. A lot of riff raff that comes in because of what's already existing if you add any additional low-income housing. The choices you make are consequences for us and I would beg of you to please leave this commercial. I strongly object to this. I would tell the Boyer Company this would be a perfect lot for a second Murray cemetery, and we would be happy to buy 20 lots right off the top.

No further comments were made and the public comment portion was closed.

Mr. Hall addressed the crime concern. It can be due simply to more people in a smaller area. It does sound like there are some problems due to the hotels. Hotels are a use in the C-D zone as well. In terms of parking especially in zones where they don't have close access to transit the parking requirements of the VMU Zone take that into account, they were developed in conjunction with a parking consultant. The difference between James Pointe and a Mixed-Use development is that you get the benefits of joint shared parking between the residential and commercial uses. When its RC Willey the parking is only for RC Willey. The shared parking between the commercial ventures that go into a mixed-use project like one that would be proposed here there is the benefit of that shared parking. When they are not using their parking for their daytime hours the town homes and apartments in a project like that have some overflow parking accounted for visitors. Moderate Income housing is not being proposed here, we do encourage it as a goal and strongly advocate for it wherever we can. We want to provide it as an incentive but did not want to demand it. It is not an affordable housing project per se, we don't know what will be there.

Mr. Nay asked why we would entertain a zone change without a formal proposal before us. Mr. Hall stated there isn't an opportunity under the code to look at projects before we entertain the zoning. We can't ask Boyer to present what they would do if we were to give them the correct zoning. Furthermore, if it could be done, and we were on board with it, once the zone is changed we would be back at square one; there isn't anything in the code that would tie them to the development they showed us prior to the change in zoning. Zoning comes first under our current ordinances which is not unique to our city. If the zone is changed there will be another public hearing for the project. It may take some time to get the studies, parking analysis, traffic study, public services, and facilities. It would be Master Site Plan approval that is a very involved review for Planning Commission and then it takes another step for that Master Site Plan agreement that goes from the Planning Commission to the City Council. There is a City Council component in any of these projects. Mr. Lowry although we can't require it, we have seen examples where developers have taken that step recently with what would be considered a neighborhood that had concerns and they took the time and addressed those concerns. Mr. Hall verified that it isn't required and cautioned that when it's been done it doesn't always go well. Mr. Nay affirmed that we have seen that before, where they present something but then end up doing something else.

Mr. Hall addressed the points about the more transient nature of rental dwellers. It is a problem that we sympathize with and we would love to see more ownership. We cannot under the fair housing act require that housing be owner occupied. The nature of commercial and residential development is changing, and the nature of the way people live their lives is changing. More and more people are renting. That fact has got to mean that eventually rental neighborhoods will become more like communities, and if we give them spaces that are carefully designed that have open, recreation spaces, shops to go to and ways and reasons to know their neighbors and reasons to stay then they become communities. People's choices about home ownership are more limited and don't look to be getting better. Ms. Milkavich expressed her desire to push for owner or long-term renters and it's against the law, but we keep trying to find a way to address that concern. Mr. Nay stated the generational aspects of our city is that our kids aren't going to be able to afford to live in these neighborhoods. Ms. Milkavich indicated she lived in an apartment and felt she was as good a citizen then as she is now. Mr. Hall wanted to address that much of the land in Murray has already been developed as single-family homes. In 2000, the State of Utah got together and decided if we develop the remaining land exclusively that way, as we had, that we would build ourselves beyond our ability to sustain our populations really quickly. We have to start thinking about development that is more compact, and more sustainable. It's not a shortage of single-family homes, it is a shortage of dwelling units. The ability to address that shortage with single family homes is very limited, it costs us all in infrastructure, environment, and sustainability. We aren't going to stop building single family homes, but we cannot only build single family homes.

Ms. Patterson asked about the public services regarding the concerns on Labrum Avenue and asked if the Master Site Plan would review that issue. Mr. Hall stated the city engineer has expressed the only chance to improve that situation is through development, as the property is developed the storm drainage can be addressed. Again, with traffic and the plans that Boyer has conceptually put out do not include connecting to Labrum Avenue.

Ms. Greenwood addressed public works information and how that process happens. One of the things the Public Works Department does is they work with engineering consultants who have very sophisticated modeling capabilities of the utilities. They sit down in a sewer line and put flow meters in so they can measure the capacity that is routing through. They take information and convert it to Equivalent Residential Units (ERU's). They look at how much an ERU across the board on average generates from a single-family home, a commercial business, and a multi-family unit, and then they plug it into a modeling system which tell them if the capacity is there or not. Before any application is brought forward to the Planning Commission, it is routed through all of our departments and they have an opportunity to comment. The best way to address the stormwater issues is through redevelopment. What is existing would have to be re-engineered and redone to fit a new development. It would be new low impact development and stormwater requirements in place, it would be a completely different engineered system than what exists now, and the developer would pay for that on their property. Ms. Patterson asked her to address taking a closer look at all of our resources and re-addressing the Master Plan. Ms. Greenwood declared the moratorium we just went through was that pause on development to allow for Public Works and for CED and all the departments to look at what concerns they have and utility capacity. We just went through that for six months and one of the determinations was that this was the density that would be supported. The General Plan we have right now is essentially a complete overhaul that started in 2014 and finally put into place in 2017. Best Practice is to look at those General Plans and do an update every five years. We are at that point now and as far as officially revising the plan is what we do anytime we bring a general plan amendment application and by we, it's a property owner that submits an

application and pays fees to the city to process their application. We as the city do not go to property owners and ask them to change their zoning, they come to us and ask. In between those time frames to amend the General Plan or Zoning and to give property owners and a community the opportunity to be flexible to the conditions that have changed since the last time the General Plan would have been updated. A General Plan is not meant to be a static document. It is meant to be a living breathing document and this is the formal process, starting here with the Planning Commission and then moves forward either way to the City Council for another round of public hearings. When Murray City was doing an overhaul on the General Plan in 2014, 2015, 2016, nobody anticipated the changes that would be accelerated by the conditions that have been applied worldwide over the last 18 months. We knew 5 years ago that big box retail was a dying breed it's been hastened because of the pandemic but the reality is you can have properties sit vacant for years because big box doesn't work that way anymore. We spent the six months with the moratorium listening to the concerns of the Council and residents and we put into place some softer zones that we felt would be more compatible with the concerns that we heard through process. There also needs to be a balance of the needs of the property owner who wishes to develop a property and what those needs are. There is no one size fits all, but staff has worked really hard to go through a process and to get some options to prevent ending up with old empty dilapidated buildings.

Mr. Lowry stated he recognizes the reality of the commercial changes that have happened in our economy and thinks this is a situation where there could be a compromise, the village multi-use works well with those density levels when it doesn't abut against residential area. Mr. Nay stated he lives in the same neighborhood and walks 900 East and into this neighborhood on a routine basis. He drives 725 East at 25mph to respect his own community. The only way this is going to be single family homes is if you save up your pennies and buy the property, it's just no longer viable. Increasing the density in this area is that you are putting additional eyes on the street. Right now, it's a large empty parking lot that is dark and easy to hide in. It's a launching point to jump into your neighborhood and rob your homes. As for the vacancy rates in the commercial its often referring to the disgust with fireclay. What is different about this particular piece of property is that you are on two high volume streets. Fireclay is on main street which is not a high volume street. I want my kids to have a place to live and this is the best shot at that to live anywhere near me. Mr. Hacker stated the staff has done a really good job at considering all of the higher density residential areas within the city from north to south and east to west in the overall city's development for the future. For this particular area it's going to be lower density. There is a Master Planning piece within it that we brought up earlier that can come back through this process for review and come to some type of agreement with how the development happens within this property. Big commercial is not happening anymore you can see that all over the country. Most of the growth in Utah are our kids and it is getting more and more difficult for them to purchase single family homes.

Ms. Patterson thanked the citizens for coming and putting their thoughts and concerns on the record. All of this will go to the City Council, they will read these minutes and see your comments and Boyer was present heard these concerns and hope they take all of your concerns and considerations when they make their Master Site Plan, and the public will also have a chance to come back and comment then. The participation is encouraged, and it is what makes Murray a great place to live. Mr. Nay clarified the process and stated even if we vote no it still goes to City Council and they still hear everything on this and make their independent decision.

Travis Nay made a motion to forward a recommendation of an approval to the City Council for the requested amendment to the General Plan Future Land Use Map redesignating the property located at 861 East Winchester and 6520, 6550 & 6580 South 900 East from General Commercial to Village and Centers Mixed Use. Seconded by Ned Hacker.

Call vote recorded by Mr. Hall

 A Ned Hacker
 A Lisa Milkavich
 A Travis Nay
 N Jeremy Lowry
 A Jake Pehrson
 N Sue Wilson
 A Maren Patterson

Motion passed 5-2.

Travis Nay made a motion to forward a recommendation of an approval to the City Council for the requested amendment to the Zoning Map Designation for the properties located at 861 East Winchester and 6520, 6550 & 6580 South 900 East from C-D, Commercial Development to VMU, Village Mixed Use. Seconded by Ned Hacker.

Call vote recorded by Mr. Hall

 A Ned Hacker
 A Lisa Milkavich
 A Travis Nay
 N Jeremy Lowry
 A Jake Pehrson
 N Sue Wilson
 A Maren Patterson

Motion passed 5-2.

HOWLAND PARTNERS, INC. – 5283, 5157, 5217, 5177 South State Street and 151 East 5300 South – Project #21-103 & 21-104

The applicant would like to amend the Future Land Use Map designation and Zoning of the subject property to support future redevelopment of the property as a mixed-use project. Mr. Hall stated this is a dual application a General Plan Future Land Use amendment from General Commercial to Village and Centers Mixed Use and Zone Map amendment from C-D Zoning to the CMU, Centers Mixed Use Zone. The property is the Point @ 53rd 13.22 acres. The C-D Zoning does not support any residential uses. The application is to make these amendments to allow potential redevelopment in the future including higher density residential and multifamily dwellings as well as the commercial that is there and including reordering of commercial. The property is located near Murray Park. It is on the edge of the downtown and fairly close to the TRAX station and Murray Central Station with some significant impediments to the pedestrian activity with a parking lot wasteland and the hospital. Some of the things that make it a great as a mixed-use site is the Park Space, IMC Hospital, and the activity on State Street kind of impede the ability to add significant densities and that is why Centers Mixed Use Zone is

proposed for projects like this. The same considerations that we reviewed in the Village Mixed Use amendment request in the previous hearing are present here this is supposed to be the Centers Mixed Use category and should be applied in certain ways. It's important to point out that we did anticipate in 2017 that these kinds of changes would be needed. It should be applied along major transportation corridors and where certain things have been identified in The General Plan. It does meet a lot of objectives from the General Plan, and they are interesting ones: to encourage revitalization along key transportation corridors and in the core of the city, encouraging form based mixed use development patterns to connect the downtown to the TOD areas through Urban Design, and providing complimentary uses around key civic spaces including Murray Park, Library, Murray City Hall, IMC. Considering the CMU Zone, we wrote very similar requirements of where it should be considered and determined it should be considered along major transportation corridors. It ought to be considered for properties at least 3 acres or more and properties that are zoned or used for non-residential purposes. This particular application meets seven of the nine objectives. The property is a high quality development, and we want to see that it stays that way. This zoning will allow Howland Partners to keep that project up to date and make it into a real lifestyle center. It should retain and rehabilitate the commercial uses of a significant portion of the property. Most of the 13.22 acres will remain commercial. Any redevelopment on state street with good viable loads for commercial to thrive there. It should increase local access to commercial services for in project residents as well as residents from the surrounding area. It will promote a greater variety of housing options within Murray. It will promote opportunities for lifecycle housing and for moderate income households. In the market we have in Utah and with property values it's a numbers game in terms of affordable housing until we can get more direct funding and work on other options. We need to find other ways to support moderate income housing. This is a good option to add higher density housing in areas like this that increase our total unit count and brings prices down through supply and demand. Increasing walkability on the project site, the project is ideally situated to be connected to the park and IMC. A mixed use project here can create and contribute to a sense of place in community, through the design guidelines increasing and enhancing central features that are already on this site. This meets seven of the nine findings.

The biggest difference is the CMU Zone allows for residential whereas, the C-D zone does not. The VMU zone only allows an increase in density by providing more open space and amenities or affordable housing. In the CMU Zone you can increase density by providing additional commercial. The parking requirement is 1.15 spaces for one bedroom unit, 1.85 spaces for two-bedroom unit, 2.5 spaced for three plus bedroom units. The joint shared use of the commercial spaces helps with extra parking. The commercial parking space ratio is lower but is due to the sharing between residential and commercial.

The Master Site Plan is required for these kinds of developments, any project that is proposed if the zoning is changed, needs to go through the Planning Commission for Master Site Plan to review building orientation, central feature, pedestrian connections, buffering if adjacent to single family. The adequate public facilities review, parking analysis, traffic impact studies have to accompany those site plan applications. A Master Site Plan Agreement has to go from the Planning Commission to the City Council for final approval which will govern the phasing. Staff is recommending approval of the request.

Mr. Nay asked about the height limits. Mr. Hall confirmed if there is no residential zoning adjacent there is no height limit, but the allowed density and required parking would limit that. In the C-D Zone there is a 35' height limitation within 100' of residential. The reason there isn't a

height limit in this kind of zone is because it keeps more commercial space by allowing an additional story. The commissioners asked about the goal to push this property towards State Street, and what is to be done with the buildings that are currently there. Mr. Hall clarified that existing buildings are exempted under one clause in this code. With new buildings on the site there would be no parking between the building and street and a slightly larger set back that can be allowed for landscaping. In the VMU the RC Willey site is more unique, it was constructed in the 70s, it's a lot of square footage and parking for that corner. Mr. Lowry stated the CMU is a lifestyle center but centers like this have a public component that draws people into those and asked what the square footage requirement for a central feature. Mr. Hall stated they are not defined, but that the commission decides whether what is proposed is enough. In this project the park provides open space already. Ms. Milkavich expressed her concern about the park getting overcrowded with the additional density. Mr. Hall conceded it is a legitimate concern but the open space of the park and county facility it shouldn't be aesthetically impactful to the park. The only increase would be use of the park from the residents in this project which is what should be the case and it would keep the park more active throughout the day, increase safety and would produce more funding for the park.

Mr. Nay asked about the increase per unit. Ms. Greenwood stated the new park impact fees will go into place in 90 days which is \$4,950 for a multi-family residential unit and \$5,400 per single family unit. They will be for new parks, new amenities, and new public open space. Mr. Nay clarified we don't have a new project before us but in the northwest corner there is an informal street that goes between cottonwood street, along Chick-fil-a into the park and asked if that would be maintained. Mr. Hall indicated it's not the safest walkway and redevelopment would allow us to address those issues. Connectivity is one of the tenants of the Master Site Plan approval process, vehicular and pedestrian wise and try to increase it on the site itself and to the surrounding areas. In the Van Winkle Crossing project which is adjacent to Ivy Place and while they did not want to maintain that connection, but we kept that open and it was a challenge to keep the sidewalks. Mr. Pehrson asked about the future plans for public transportation down along State Street and where the stops will be. Mr. Hall indicated they will be BRT, Bus Rapid Transport lane all along State Street and this property is slated to be one of the stops, station village. Mr. Hacker verified they will determine the stops once they do the study to put it in. They will do some environmental analysis and the BRT stations will be significantly bigger than a bus stop.

Gary Howland, applicant, stated his address as 9450 S Redwood Road. We have been working with staff for some time on this and it was submitted before the new zoning was implemented and at that meeting there was good response and seemed likely to be approved. The Point @ 53rd was the hardest project in my 30 years. It was 6 acres that sat on the corner that had the paint store and some other small shops and in order to get the project through I had to buy the national guard armory, go through Salt Lake County, buy the County Fairgrounds and up 5300 South because the Armory and ice rink had a parking sharing arrangement and had to take out five homes along 5300 and one woman stood at the pulpit saying she had it on sound ground that Mr. Howland was a known pedophile and despite it all we got it done. One of the misconceptions of this forum is that Mr. Howland and the developers are nothing but money grabbers, build it and then they are out of there. This project has been owned by me since inception and the average occupancy prior to Covid 19 was 98% it's one of the best centers in the Salt Lake Valley as far as income, sales for Best Buy it been rated number 1 or 2 between 2100 South and our Store. Mimi's has been one of the best in all of their chains. I was offered 50 million to sell the center, but I had and still have no desire to sell the center. Jeff Neice did the apartment study on this site and in 30 years of his experience this is the second best site he

has seen for apartments. His objective and goal is to make this project work and would not do 500 units at this site, it would ruin this center. We work with cities to build developments that are walkable, livable communities. When the economy was floundering, Best Buy had a number of stores, come to find out I was the only owner that agreed to reduce their rent. There was so much opposition of this center when The Point @ 53rd first went to Planning Commission, ask those people now how they feel about the center.

Ms. Patterson opened the meeting for public comment.

The following emails were read into the record:

Sonia DeVore

I am against rezoning the area around the Best Buy in Murray and RC Willey. Though we do need housing for so many people, I would like to be very clear about the concerns surrounding yet another high-rise apartment building in Murray. Traffic: The developer would have us believe that people in these units will use public transportation and that traffic won't be as big an issue as we think. In one of the studies for the Galleria project, the recommendation is to make Murray Blvd a five lane road (kind of ironic since you would have to demolish some multi-family housing to accomplish this). Granted, it is a much bigger project at the Galleria than the proposal at Best Buy, but traffic will be increased. Look at the traffic snarls we have now in that area. If we are going to need to improve this area with new roads, let's get that done first. But building better roads that carry more people brings it's own issue of degradation of our air quality even more. Crime: More people more crime. Just a fact. Does Murray have the resources to hire more officers? Buy more patrol cars? I would like some input from the Murray police department as to how they feel about all this "dense housing"? For 25 years I have lived in a neighborhood very near the new Murray Crossing as well as Hunter's Woods, and the Clover Creek apartments and since the buildup of the new rentals across from Hunter' Woods, and Murray Crossing, etc, there has definitely been an increase in petty crime. Schools: The developer of the Best Buy project would have you believe that most of the residents will be surgeons and work from home professionals. I would like to know if this project will have any kids of subsidies such as Section 8 or Section 429. The programs appeal a great deal to families- who have children- who go to school. A transient population brings additional challenges for teachers (my grandchildren went to Parkside for many years) and of course, just the additional class size is a challenge. Are we ready for that? Will we need more teachers, more buildings? Aesthetics: To be realistic, growth and change is inevitable. We will never have that "smalltown" feel again. But we can have development that is inviting, pleasant and that honors Murray's rich history and heritage. Many of these new developments around town bring to mind some of the post war buildings I have seen in East Germany! Concrete. Let's not look like every other city and give up everything that has made Murray unique! Change and progress are inevitable. But we need to be smart about it. It's "Ready, Set, Fire"... let's make sure we keep the right order.

Matt Schneider

I am writing to urge you to not approve the rezoning for the addition of many high density units at this location. I know the commission will inevitably say that they are only approving a zoning change and not a specific project - but once the change is approved you will use that as justification for approving future site plans. Murray residents do not want high density housing - especially that which is only rentals. Perhaps they could commit to all purchasable housing. The developer insists it will LOWER traffic - but cannot provide any justification for this. More people = more traffic and infrastructure needs. Please do not rush through this when it's clear citizens don't want it, do not prioritize developer needs over citizen concerns.

Clark Bullen

I live in the closest house to this development. I recommend waiting until the General Plan revision. There is an unprecedented demand for high density housing and therefore, we have good reason to do a revision. I realize that approving the last project with so many neighbors who had so many concerns there is probably not a lot of hope of this project not being approved. I spoke with Gary he seems to have the best intentions for Murray, and I was impressed with Gary answering the concerns of the citizens on facebook today. A few concerns about the project the Carnegie development will have 130 units with only 137 parking spaces there will be a lot of parking on Vine and into the park. That will be exacerbated by adding more density. In light of that, Chick-fil-a traffic will push traffic from this development into the park and as people come into the park that road in the park and potential speed on that road is a safety risk. Hillcrest drop offs are 8 am and it is a snarled mess now and this will make that worse. I spoke to a student a few years ago who was hit in that intersection and another student was hit recently. Parkside suffers from the transient nature of the many apartments around the area. These are all issues we need to look at for this project. All that aside there is potential for a good project in this area but now may not be the best time until all of the density is evaluated.

Scott Murray, 543 East Moss creek Drive

I am a long time resident, my whole family has graduated from Murray. I got to know Gary over the years. I used to own Terry's RV Center for 38 years. I sold to Parris RV five years ago. When I started there at age 15 the property on which this was located was 4.5 acres with a 30 to 33 spot trailer park the old Rancho Motel and an old showroom where we had the trailer sales. Nobody knew that property more than I did, I had to fix the sewer lines under the trailers and the property prior to this center was unsightly and Howland has put in something great. I am for this project and appreciate it.

Janice Strobel

It's interesting about the way these two new mixed use they have to come forward to say that they meet five of the nine goals. It's a project and yet were approving the zoning, were not approving the project but the project has to come forward with five of the goals. It seems conflicting there. When zoning gets approved, they can come back and change what they proposed. Can they change the goals? I know they talked about shared parking and that is all good if it works and we can say it will work on paper but I drive by Murray Crossing every day and I see that all the parking on the street that the retail would want is parked in. Three of the goals. Promoting a greater variety of housing options within Murray neighborhoods. I don't see how this is within a Murray neighborhood. Density will have little impact to established residential neighborhoods, how do we know it will have little impact? Promote opportunities for lifecycle housing. Is it all rental? Will people be renting for Life? Is that what we want for our children. We are also dealing with the most dangerous intersection we have in our city. I don't know how that can be adequately addressed. Two schools, a hospital, two hotels and an assisted living center.

No further comments were made, and the public comment portion was closed.

Mr. Hall clarified the findings 17.162.030 is the findings required section and it reads: "The Centers Mixed Use, CMU Zone should only be considered where Murray City officials find that Mixed-Use zoning, not the anticipated project, will result in land use patterns and development that will meet a minimum of five of the following goals." We know there is not a project and that is not what we are considering. The CMU's goals being considered don't refer to a project, they

refer to the use of mixed use zoning versus the traditional zoning it has been. Mr. Nay added that adding this type of zoning in the established neighborhood is not going to improve those neighborhoods. Mr. Hall stated there are place and properties in the city where you could ask for this zone and we would look through these lists and goals and determine that it would not help that area.

Mr. Lowry stated the CMU is a great use and wanted to commend the owner of the property for the great development that is there. The small commercial seems to be the wave of the future and going to see a lot more requests for this, if you look around, we are probably behind the times when it comes to this type of development. This one would be a great one out of the gate to point to as a successful development.

Jeremy Lowry made a motion to forward a recommendation of approval to the City Council for the requested amendment to The General Plan Future Land Use Map re-designating the properties located at 5283, 5217, 5157 and 5177 South State Street, and 151 East 5300 South from General Commercial to Village and Centers Mixed Use. Seconded by Ned Hacker.

Call vote recorded by Mr. Hall

 A Ned Hacker
 A Lisa Milkavich
 A Travis Nay
 A Jeremy Lowry
 A Jake Pehrson
 A Sue Wilson
 A Maren Patterson

Motion passed 7-0.

Jeremy Lowry made a motion to forward a recommendation of approval to the City Council for the requested amendment to Zone Map designation of the properties located at 5283, 5217, 5157 and 5177 South State Street, and 151 East 5300 South from C-D, Commercial Development to CMU, Centers Mixed Use. Seconded by Travis Nay.

Call vote recorded by Mr. Hall

 A Ned Hacker
 A Lisa Milkavich
 A Travis Nay
 A Jeremy Lowry
 A Jake Pehrson
 A Sue Wilson
 A Maren Patterson

Motion passed 7-0.

OTHER BUSINESS

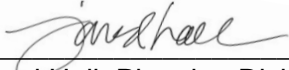
There was no other business.

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Sue Wilson made a motion to adjourn, seconded by Travis Nay. A voice vote was made, motion passed 7-0. The meeting was adjourned at 10:20 p.m.

A handwritten signature in cursive script, appearing to read "jared hall", is written above a horizontal line.

Jared Hall, Planning Division Manager