

Minutes of the Planning Commission meeting held on Thursday, June 21, 2018, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Travis Nay, Chair  
Lisa Milkavich, Vice Chair  
Maren Patterson  
Phil Markham  
Scot Woodbury  
Ned Hacker  
Jared Hall, Community & Economic Development Supervisor  
Jim McNulty, Development Services Manager  
Briant Farnsworth, Deputy City Attorney  
Citizens

Excused: Sue Wilson

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 Division Office.

Travis Nay opened the meeting and welcomed those present. He reviewed the public meeting rules and procedures.

#### APPROVAL OF MINUTES

Mr. Markham made a motion to approve the minutes from the June 7, 2018 Planning Commission meeting. Seconded by Mr. Woodbury.

A voice vote was made, motion passes 6-0.

#### CONFLICT OF INTEREST

There were no conflicts of interest.

#### APPROVAL OF FINDINGS OF FACT

Mr. Markham made a motion to approve the Findings of Fact for Legacy Rare Coins, MTS Utah Auto Sales and South Cottonwood Heights Subdivision Amended. Ms. Milkavich seconded the motion.

A voice vote was made, motion passes 6-0

#### STILLWATER APARTMENTS – 5560 South Vine Street - Project #18-67

Zane Latimer was present to represent this request. Jared Hall reviewed the location and request to allow a monument sign for an existing multi-family residential development known as the Stillwater Apartments at the property addressed 5560 South Vine Street located in the R-M-20 zone. Mr. Hall stated monument signs are not included with the sign types allowed in residential zones, however; Section 17.48.110(F) states that signs not described in this section are allowed only as a conditional use and require Planning and Zoning Commission approval. Mr. Hall explained that there was previously a sign located at the entrance of the apartment complex just off Lake Point Drive and this sign would be installed in its place. The subject property has over 835 feet of frontage along Vine Street, allowing the maximum 300 square feet. The new proposed monument sign message area is 21.7 square feet. The sign

area including the supports is 50.37 square feet which meets City standards. The sign should be setback 15 feet from the drive access to maintain clear traffic vision. Mr. Hall stated that the sign should be incorporated into the landscaping. Staff will require approval of the proposed landscaping area where the proposed sign will be placed. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval to allow a monument sign subject to conditions.

Zane Latimer, 5877 South Brass Drive, SLC, stated he has reviewed the conditions and will be able to comply.

Mr. Markham asked what the sign will be made of and which portion will be illuminated. Mr. Latimer explained that the sign will have letters that are made of aluminum, with an opaque finish and the background area of the sign will be internally illuminated behind the letters.

Ms. Milkavich stated the previous sign was illuminated with spot lights that were installed in the lawn and wondered now that the sign has been removed will they also remove the lawn spotlights because they will be too bright when you drive past. Mr. Latimer stated he will mention this comment to the appropriate people at the apartment complex.

The meeting was opened for public comment. There were no comments and the public comment portion was closed.

Ms. Patterson made a motion to allow a monument sign for Stillwater Apartments, located at 5560 South Vine Street, subject to the following conditions:

1. The applicant shall obtain appropriate Murray City building permits for the installation and lighting of the proposed monument sign and shall provide complete plans upon application for permits.
2. The proposed monument sign shall comply with all applicable building and fire code standards.
3. The applicant shall work with Community Development Staff to provide landscaping around the sign, such that it is integrated into the existing development.
4. The sign shall be set back a minimum of fifteen (15) feet from both Vine Street and from the Lake Pointe Drive access and shall not impair traffic visibility.
5. The proposed sign shall comply with all other standards for signs as outlined in Chapter 17.48 of the Murray Municipal Code.

Seconded by Mr. Woodbury.

Call vote recorded by Mr. Hall.

   A Maren Patterson  
   A Scot Woodbury  
   A Phil Markham  
   A Lisa Milkavich  
   A Ned Hacker  
   A Travis Nay

Motion passed 6-0.

ORDINANCE TEXT AMENDMENT– Lighting Standards Mixed Use (M-U) District, Section 17.146.130; Transit Oriented Development District (T-O-D), Section 17.168.140; Murray City Center District (MCCD), Section 17.170.130 – Project #18-65

Mr. McNulty indicated that the proposed amendments for the Mixed Use (M-U) District, Transit Oriented Development (T-O-D) District and Murray City Center (MCCD) District are intended to create consistent lighting standards in their zones. Mr. McNulty stated some of the proposed language that will be added to the T-O--D and M-U zones currently exists in the MCCD. Mr. McNulty stated that Lighting Standards Sections 17.146.130(c), 17.168.140(c) and 17.170.130(c) will address pedestrian lighting and set guidelines for the size and placement of this type of lighting. The proposed language for pedestrian lighting will match the Murray City Land Use ordinances, and standards set by the Murray City Power Department. Mr. McNulty stated Lighting Standards Sections 17.146.130(g), 17.168.140(g) and 17.170.130(g) will address property owner installed private lighting and will set guidelines for lights to be shielded and directed downward, as well as require any proposed lighting to be approved by the City Power Department and Community and Economic Development Staff. Mr. McNulty stated the proposed language for Lighting Standard Section 17.70.130(h) will apply only to the MCCD District and explained this language will address where, how and on what light standards banners can be attached to. The MCCD zone is where the City will promote our downtown, civic events, and other events in the near future. Based on the findings, Staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the proposed amendment to the text of the Murray City Land Use Ordinance, Section 17.146.130, Mixed Use (MU) District; Section 17.168.140, Transit Oriented Development (TOD) District; and Section 17.170.130, Murray City Center (MCCD) District.

Mr. Hacker asked if the MCCD Design Review Committee had a chance to review the proposed text amendments for the three zones. Mr. McNulty replied yes, they have, and they were all in favor of the proposed text amendments.

Mr. Nay asked if a private project were to be developed in the MCCD District would the private developer be required to purchase lighting with the attached banner arms on them. Mr. McNulty answered no, they could buy light standards without them and still meet requirements within the Land Use Ordinance.

Mr. Woodbury asked if there is currently any City Code where the Banner requirements are addressed. Mr. McNulty answered, yes, they are within the current Sign Code and the requirements for banners are more clearly identified. Mr. Woodbury asked if 8 feet above the walkway is standard for banner arms. Mr. McNulty answered, yes. Mr. Markham commented that it would be tempting for people to touch the banner arms or banners. Mr. Nay asked if a private developer would be allowed to install the banners at a higher height. Mr. McNulty answered yes.

The meeting was opened for public comment.

Brent Barnett, 491 East Vine Street, stated he was at the MCCD Design Review meeting and positively commented on the efforts and hard work that the Commissioners and City staff do when they write and review the proposed text amendments. Mr. Barnett added that he likes the idea that ordinances are able to evolve over time and they are not set in concrete forever,

they are able to be changed in the future necessary.

The public comment portion was closed.

Mr. Woodbury made a motion to recommend that the Planning Commission forward a recommendation of approval to the City Council for the proposed amendment to the text of the Murray City Land Use Ordinance, Section 17.146.130, Mixed Use (M-U) District; Section 17.168.140, Transit Oriented Development (T-O-D) District; and Section 17.170.130, Murray City Center (MCCD) District.

Seconded by Mr. Hacker.

Call vote recorded by Mr. Hall.

  A Scot Woodbury  
  A Ned Hacker  
  A Lisa Milkavich  
  A Phil Markham  
  A Maren Patterson  
  A Travis Nay

Motion passed 6-0.

ORDINANCE TEXT AMENDMENT– MURRAY CITY CENTER DISTRICT (MCCD) Zone,  
Density, Height, Open Space & Parking, Section 17.170 – Project #18-64

Mr. McNulty stated the that proposed amendments for the Murray City Center (MCCD) District are partly based on the recently published work from the Wasatch Front Regional Council. The Wasatch Front Regional Council will adopt the Wasatch Choices Plan in June of 2019. Mr. McNulty explained that the Wasatch Choices Plan clearly identifies Murray City as an Urban Center and explained that an Urban Center has areas that should focus on commerce and local government services. Building heights average 4 to 10 stories, density in the 20 to 100 unit per acre range. Access to high capacity transit is also important. Mr. McNulty stated that 83% of the MCCD is within ½ mile of Murray Central Station and most people will walk up to that ½ mile to and from mass transit. Mr. McNulty explained that there is no density limit or maximum height limit within the MCCD currently. Mr. McNulty stated that there was a City Council retreat earlier this year and we were tasked to make these changes to the MCCD Ordinance. Mr. McNulty explained that Section 17.170.100 outlines that municipal, public, or quasi-public buildings may have a greater setback and require the development of public plazas, parks and open spaces. The idea is to allow some additional setbacks off the road to allow for public plazas and open spaces around future buildings. Mr. McNulty explained that Section 17.170.110 adds the language that would allow parking associated with municipal, public, or quasi-public buildings to be located between the street and the building. The next change to Section 17.170.110 would restrict residential density to not exceed 80 units per acre. Mr. McNulty explained that Section 17.170.120 proposes a podium setback at the 3<sup>rd</sup> story for buildings over 6 stories, with the new proposed language stating: the location and extend of the podium will be determined through the design review process. Buildings shall not exceed 10 stories in height, or 135 feet, whichever is less. Mr. McNulty explained that Section 17.170.140 would add language that addresses parking standards for buildings that exceed 4 stories in height and will require at least 50% of the parking to be located within the exterior walls of the building or in a parking structure that is within 750 feet of the main building. Mr. McNulty explained that Section 17.170.160 would

add language that requires 15% of the area of each project to be developed as landscaped setbacks, public plazas, parks, open spaces or walkways. Additionally, it will require a system of pedestrian walkways to provide connections between building entrances, other walkways and open spaces. A lot of the municipal uses will exceed this requirement, but we want to have the requirements in place because there are not any current requirements with the MCCD Zone. Mr. McNulty listed the recommendations that the MCCD Committee Members suggested and stated the first recommendation is, the creation of a banner committee for the MCCD. The second, is a consideration for allowing 10 stories west of State Street with a restriction for a lower building height east of State Street. Mr. McNulty explained that The City Council did not suggest a height limitation in conjunction to the location of State Street during the retreat. The third recommendation had mixed opinions from the MCCD Committee Members about the density proposal of 80 units per acre. Some Committee members stated 80 units was acceptable, with one Committee member thinking that 80 units was too dense. The fourth recommendation is based on section 17.170.110 and the proposed language would clarify that no parking would be allowed in the plaza or open space areas, rather parking would only be allowed in the front setback area along a street edge adjacent to a building. Based on the findings, Staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the proposed amendment to the text of the Murray City Land Use Ordinance, Section 17.170.100, Area, Width, Frontage and Yard Regulation; Section 17.170.110, Building Design, Scaling, and Density; Section 17.170.120, Height Regulations; Section 17.170.140, Parking Regulations; and Section 17.170.160, Open Space/Landscaping.

Mr. Woodbury asked where the restriction for the proposed 10 stories originated. Mr. McNulty answered it was based on the Wasatch Choices Study 2050, site visits to surrounding cities, and Envision Utah's study; which all suggest that the height of 10 stories and densities of 20 to 100 units per acre are common for an urban center. The City would like to recommend the proposed requirements. Mr. Nay stated that if the City receives a proposal for a quality 14 story development then the City is going to lose it because of the proposed requirements and there would not be an option for the PC to hear or consider it. Mr. McNulty stated that if the City sees something that is needed or good, it could go through the process and potential text amendments may be considered. Mr. McNulty stated that the PC can make suggestions if they feel change is needed. The suggestions will be shared with the City Council. Ms. Milkavich suggested considering the use of a "slot size", for example that a building design for a project between 10 and 20 stories could be considered, but would require a conditional use permit. Mr. Woodbury stated he is concerned that we are trying to avoid 120 to 150 units per acre and inadvertently limiting building height. Mr. McNulty stated the City has tried to address higher density needs, but we're not comfortable with allowing density in these higher ranges.

Ms. Patterson asked why the MCCD Design Committee suggested lower heights on the east side of State Street. Mr. McNulty explained it is because on the east side of State Street there is a requirement to maintain a distance away from residential. One of the Committee members felt it would impact the single-family neighborhoods if the density was too high nearby.

Ms. Milkavich asked if there are definitions for what size area of landscaping could be considered "open space" to fill requirements for development. Mr. McNulty answered we do have definitions in our Land Use Ordinance for landscaping. If we deem it necessary, we could make enhancements to the Land Use Ordinances in the future.

Mr. Hacker asked if the 10-story limit is designated only for residential buildings. Mr. Hall answered no, it is for commercial as well. Mr. Woodbury added that he believes changes are good, but that we don't want to make changes that eliminate all the options, and to make it more flexible. Mr. Nay stated he would like to see an ordinance that would not just disallow a use, but add in an option that would give the Planning Commission a chance to review it before it's turned away. Mr. McNulty stated he would be happy to share this recommendation with the City Council.

Mr. Nay stated he is concerned with the wording in Section 17.170.110(i) that states it allows planned multiple uses. Granting street parking for a project that never develops could have a negative effect. Mr. McNulty stated the allowance only applies to the municipal, public, or quasi-public buildings and they will most likely include a library, a separate courts building, or similar uses. These uses that will be built will develop in steps, surface parking will be utilized until parking structures are built at a later date.

Mr. Nay stated he is also concerned with Section 17.170.140(7), and asked why such a high standard for the incorporated parking and that it feels that we are allowing parking at ground level for future developments. Mr. McNulty stated that it is implied to be meant only for municipal, public, or quasi-public buildings but the language could be written to make it clear. Mr. Nay stated that would be a good change so that apartment buildings would not be allowed to do this.

Mr. Nay complemented Staff on Section 17.170.160(h) and stated he believes it's great to encourage connectivity by making sure projects are connected to other surrounding projects, as well as being transit friendly.

Ms. Patterson stated that she does not believe we need lower height requirements on the east of State Street. Mr. Nay commented that he agreed.

The meeting was opened for public comment. There were no comments and the public comment portion was closed.

Mr. Woodbury made a motion to recommend that the Planning Commission forward a recommendation of approval to the City Council for the proposed amendment to the text of the Murray City Land Use Ordinance, Section 17.170.100, Area, Width, Frontage and Yard Regulation; Section 17.170.110, Building Design, Scaling, and Density; Section 17.170.120, Height Regulations; Section 17.170.140, Parking Regulations; and Section 17.170.160, Open Space/Landscaping with the recommendation that the City Council consider the discussed changes within the Planning Commission minutes.

Seconded by Mr. Markham.

Call vote recorded by Mr. Hall.


   A Scot Woodbury  
   A Phil Markham  
   A Maren Patterson  
   A Lisa Milkavich  
   A Ned Hacker  
   A Travis Nay

Motion passed 6-0.

OTHER BUSINESS

Mr. McNulty stated that the next Planning Commission meeting is scheduled for July 5, 2018 and six members stated they would be available. Mr. McNulty stated Staff is narrowing down the date to August 22, 2018 for the upcoming Planning Commission training.

The meeting was adjourned at 7:37 p.m.

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

Jared Hall, Supervisor  
Community and Economic Development