



MURRAY  
CITY COUNCIL

## MURRAY CITY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

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The Murray City Municipal Council met as a Committee of the Whole on Tuesday April 3, 2018 in the Murray City Center, Conference Room #107, 5025 South State Street, Murray Utah.

### Council Members in Attendance:

Diane Turner, Chair	District #4
Dave Nicponski, Vice-Chair	District #1
Dale Cox	District #2
Brett Hales	District #5

Absent: Jim Brass District #3

### Others in Attendance:

Blair Camp	Mayor	Jan Lopez	Council Director
G.L. Critchfield	City Attorney	Jennifer Kennedy	City Recorder
Jennifer Heaps	Comm. & Public Relations Director	Pattie Johnson	Council Office
Tim Tingey	ADS Director	Brad McIlrath	Associate Planner
Jim McNulty	Development Services Mgr.	Kim Sorensen	Public Works Director
Danny Astill	Public Works Director	Priscilla Kowalski	Resident
Tricia Cooke	Heritage Center	Cory Kowalski	Resident
Janice Strobell	Resident	Kathleen Stanford	Resident
Brent Barnett	Resident	Mitzi Remy	Resident
Patti LeClair	Resident		

Ms. Turner called the Committee of the Whole meeting to order at 5:16 p.m. and welcomed those in attendance.

### 1. Approval of Minutes

Chair Turner asked for comments or a motion on the minutes from February 6, 2018, and February 20, 2018. Mr. Cox moved approval. Mr. Nicponski seconded the motion. All were in favor.

### 2. Discussion Items

## **2.1 Sound Wall on I-215 near Ivory Development – Danny Astill**

Ivory Development purchased property near I-215, and west of the Jordan River Parkway to construct a new subdivision. As per Murray's ordinance, (City Code Section 8 - subdivision code 8.17), a sound wall is required along I-215, adjacent to the Murray Cove Subdivision to protect residents.

However, Ivory would like to install sound walls along the back of property lines, instead of on I-215 freeway property. The noise level in the area is extremely high, and therefore, residents who purchased lots in the area, were informed about sound walls to be installed. The Utah Department of Transportation (UDOT) installs sound walls, as part of their own reconstruction work, for example when widening freeways; however, if UDOT is not precipitating a project, the cost for a sound wall is left to the city or a developer. Mr. Astill noted concerns related to Ivory's request, to construct on residential property lines:

- Sound walls become the property of homeowners, which is a harsh reality to maintain an 18-foot concrete section of a wall.
- Murray City Code for fence height would be violated - which is a maximum of 10 feet.

Mr. Nicponski asked why Ivory wanted to install walls on along residential property lines. Mr. Astill believed Ivory wanted to avoid spending time on the freeway, and/or having to hire UDOT contractors to install sound walls. He also thought costs might be less expensive, however, he did not have total costs to compare.

A subdivision map was shown where Ivory requested sound walls be installed along property lines. Mr. Astill pointed out the existing wall on the north side of I-215, and explained how far east it should extend to protect new residents. A noise study would determine the distance of the wall in the final recommendations.

Mr. Nicponski agreed sound walls installed on property lines, would be inconsistent with the existing sound wall, and felt walls should be constructed on the I-215 freeway.

Mr. Astill agreed and said Ivory had concerns about freeway signs being obstacles during construction on UDOT property. As a result, the city contacted UDOT who confirmed constructing sound walls around freeway signs is acceptable. He explained UDOT would take full ownership of sound walls once constructed on their property, although, Murray would be liable on a long-term basis, should walls need to be moved to accommodate freeway widening, however, freeway widening is not anticipated. In addition, the existing wall is 20 feet from the pavement providing adequate room for an additional lane, should widening ever be necessary.

Mr. Cox wondered why the city should assume long-term liability, since UDOT would take full ownership of walls after construction on their property. Mr. Astill replied since UDOT was not precipitating this particular sound wall project, for their own development, they would not take responsibility for moving them.

Mr. Hill reviewed the following two options:

1. If sound walls are constructed on property lines, homeowners are responsible for all repair and maintenance on walls. In addition, if walls need to be moved for any future widening of I-215, UTOD would be responsible for moving them.
2. If sound walls are constructed on UDOT property, closer to the freeway – sound walls would be maintained and repaired by UDOT. Although, if walls need to be moved for freeway widening, the city would incur those costs.

Mr. Astill said Ivory Development would pay for constructing walls - in both cases - with no cost to the city. Staff believes constructing sound walls around freeway signs, in UDOT right-of-way is the best and most effective recommendation, which would be 30 feet from the existing pavement. In addition, this location sits higher on the embankment, protecting sound further into the subdivision and not just a few homes closest to the wall. It also keeps liability away from Murray residents.

Mr. Hales did not favor residents assuming responsibility for sound walls, and commented the higher location was the best benefit for the entire area. All council members agreed constructing walls on UDOT property would take better care of residents.

Mr. Hill said the decision to construct sound walls on UDOT property required an interlocal agreement with UDOT, which would be presented to the council for consideration at a future council meeting.

There was a consensus to move in that direction. Ms. Turner wondered how long before the interlocal agreement would be in place. Mr. Astill answered several weeks because sound walls are scheduled in Phase Four of the Ivory project, which is currently in Phase Three.

## **2.2 Murray City Center District Density and Height – Tim Tingey and Brad McIlrath**

During a council retreat on March 7, 2018, the council requested further information regarding density. Mr. McIlrath provided actual photos, updated staff recommendations, maps, and technical drawings related to density and building height.

### Density Discussion

Currently, height is unlimited in MCCD zones, Transit Oriented Developments (TOD), and Mixed Use (MU) zones, therefore, at the time of the retreat, staff recommended capping buildings at 10-stories. Mr. McIlrath re-evaluated Wasatch Front Regional Council (WFRC) plans and found a recommendation for a maximum height. Therefore, in order to be consistent with WFRC planning - that considers West Valley, Murray, Sandy, Sugarhouse, and Provo, to be Urban Centers, he said the MCCD region should accommodate 8-10 story buildings.

### Urban Centers

Planning maps referenced by the WFRC, from Wasatch Choice 2040, (which is currently in place), and Wasatch Choice 2050 (to be adopted June 2018) were shared to review an urban center - which

is building height, density, and access to high capacity transit. In addition, Urban Centers offer greater heights of four to ten-story buildings located in a specific area, providing density of 20-100 units per acre, then transition outward to included residential single-family homes.

Mr. Tingey explained planning was not intended to address only the next two or three years. Plans were long-term, which the WFRC was involved in forming, to withstand a greater length of time. He said the city would look much different in 50 years, but the outcome required good planning at the present time.

#### Density and Alternative Transportation

Part of designing Urban Centers, in relationship to density, means coordinating with alternative modes of transportation; which is seen at Murray's Central TRAX Station, because it accommodates several bus routes. Density must be designed on a regional level to determine where urban areas should be located, versus, where suburban areas are located. Mr. McIlrath said this was the benefit of having the WFRC, who provided those plans. In addition, he noted the "one-half mile rule" - meaning 83% of the MCCD is within one-half mile from the Murray Central TRAX Station, which meets WFRC recommendations.

#### MCCD

Intensive design guidelines exist to address how buildings would be designed. Due to concerns about tall buildings blocking sunlight, Mr. McIlrath shared renderings of tree-lined streets to explain how indirect sunlight provided adequate light for trees in most areas, in addition to, sunlight coming from the north, instead of the south, where trees can receive open angles of bright sun.

Technical drawings from Gerdin Edlen were shared to explain original concepts when the MCCD was initially envisioned. The current recommendation is 10 stories, however, in researching, he found not all stories are created equal. For instance, a 10-story building with floors 15-feet high could be taller than another 10-story building designed with floors that are 12-feet high. Examples of these differences were noted in technical drawings and actual photos. Therefore, he stressed building height is all dependent on how buildings are designed. With this in mind, changes have been made to staff recommendations on height.

Conceptual aerial maps from the MCCD Design Guidelines were reviewed. Green and open spaces among street and park blocks were encouraged. When combining density and height, Mr. McIlrath said it was important to have a trade-off by providing open space – in order to make density less imposing.

#### Murray City Projects

Two recent projects were noted: Birkhill Apartments, located in Fireclay, where currently there is an unlimited height designation; and Murray Crossing apartments, in the MU zone. Mr. McIlrath said both projects were great examples of what the overall market was providing - because each of these developments could have been much taller. However, due to site constraints, and in order to accommodate adequate parking, both developments were capped at six-stories. Having unlimited

height might sometimes seem overwhelming, for fear of having very tall buildings in the city, but, he said the market would determine limits as well.

### Density and Design

Mr. McIlrath took photos in downtown Salt Lake City to support his research in density and design elements. Again, buildings situated side by side were noted to explain clear differences, depending on story design.

He felt a positive requirement of the MCCD zone requires new buildings to respond and relate to existing historical structures. Photos Mr. McIlrath took were used to point out these concepts. For example, by utilizing specific materials, and architectural styles, it could be hard to tell a historic building from a newer structure.

Mr. McIlrath said Sugarhouse was an urban community and he reviewed photos he took of a building on Highland Drive and 2100 South, which depicted a six-story building with the same step-back scenario staff was recommending. This provides a desirable pedestrian scale with podium step-backs containing amenities, such as, patios, and additional parking, some with commercial spaces below. Step-backs of this size provide an open spacious feel, and would not be as imposing as a 20-story building seen in downtown Salt Lake City. Photos reflected buildings seven to ten-stories with step-backs at level-three, which also had an open feel, airy, and full of sunlight. Examples of street facades, such as wide sidewalks, growing trees, and public plazas were noted.

Mr. McIlrath provided photos of downtown Ogden and Provo with office buildings of different sizes, and a step-back on the side of a building to address another way of managing the pedestrian scale.

### Staff Recommendations

Mr. McIlrath said based upon this new research, staff proposed to bring code changes with the following updated recommendations for the MCCD:

- Maximum height - 10 Stories or 135 feet tall - whichever is less.
- 15 feet minimum and a 20 foot maximum podium step-back at the third-floor for buildings that are six stories or greater in height.
- Maximum project density of 80 units/acre. (WFRC recommends up to 100 units/acre)
- Open space/outdoor amenity (plazas, courtyards, etc.) requirement of 15% per project in MU, and 20% in TOD zones.
- Parking amendments:
  - Buildings that exceed four-stories in height, 75% of parking to be provided in a parking structure or within main building. (MU &TOD standard)
  - Parking associated with municipal or public buildings may be located between street and building, if serving more than one use.
- Further study of ground floor commercial depth. Currently MCCD requires entire ground floor.
- Further study of historic preservation.

The power point would be sent to the council for further review and consideration to aide in decision making on policies related to density and building height.

Mr. Cox wondered if step-backs typically continued completely around buildings, or just along one street side. Mr. McIlrath, said both ways were common, and both options should be considered.

Mr. Tingey commended Mr. McIlrath for his hard work, and appreciated his dedication for close to five years. Mr. McIlrath accepted a position as a Senior Planner for Clearfield City, and his the great opportunity to work for Murray City.

### **2.3 Proposed Name Change of Murray Heritage Center – Kim Sorensen**

It was believed the current name, Heritage Center, did not reflect a correct definition or understanding of the Heritage Center, and services it provides, so a request was made to change the name.

Director, Tricia Cook of the Heritage Center was welcomed. Mr. Sorensen said the center opened in 1980, as the L. Clark Cushing Murray Heritage Center. He explained the proposed name change would not affect the official L. Clark Cushing name, only the word Heritage would be changed; the proposed name would be the L. Clark Cushing Murray Senior Recreation Center - in short, Murray Senior Recreation Center. Many times citizens do not know what type of center the facility is, when the word Heritage is read or used, and is often believed to be a museum or a historical gallery.

Definitions from Wikipedia were noted to define the words heritage, and senior, to point out how the change would better fit with what the center offers.

Ms. Turner asked if the center would still provide programs, such as, painting. Mr. Sorensen said there would be no change to current scheduled programs, unless certain programs become unpopular. In addition, since 1980, activities changed to include more dynamic happenings, such as, pickleball, golf, and travel; the center would still offer events like bingo, and ceramics, although main attractions involve exercise and guided tours. Ms. Turner was glad and felt seniors were more physically active than in the past.

A survey of 100 participants provided the following results when questioned regarding the proposed name change: 20 – no, 62 –yes, 18 were indifferent. Costs estimates for the name change are from \$1,000 to \$1,500 to pay for a new building sign, a sign on 6200 South, letterhead, name badges, and other small incidental items.

Both the Murray City Heritage Center Advisory board, and the Parks and Recreation Advisory board gave the name change a positive recommendation. A resolution would be presented to the council for consideration to amend Murray City Code on May 1, 2018 in the near future.

Ms. Turner thought the name change was a good idea, and agreed the word Heritage could be confusing. She wondered if the name change might cause confusion with the Park Center. Mr. Sorensen said he discussed the name change with Park Center staff, who work closely with the

senior center in scheduling their indoor pickleball - held at the Park Center - and they had no concern that residents would be confused with the two facilities.

Mr. Hales asked how many volunteers served the senior center. Ms. Cook said over 100 volunteers, and she felt the name change would make a positive difference to bring in more senior participants.

**3. Announcements:** Ms. Lopez made the following announcements:

- City School Coordinating Council - Wednesday, April 18, 2018, School District Office, 5:00 p.m.
- Chamber of Commerce Education Appreciation Award Luncheon - Thursday, April 19, 2018, Brio Tuscan Grill, 10:00 a.m.
- 2018 Shakeout Drill - "Drop, Cover! Hold-on!" - Thursday, April 19, 2018, 10:15 a.m.
- Comcast Cares Day – Boys and Girls Club Project - Saturday, April 21, 2018.

**4. Adjournment:** 6:12 p.m.

**Pattie Johnson  
Council Office Administrator II**