

**MURRAY**  
CITY COUNCIL

# Council Meeting January 5, 2021



# Murray City Municipal Council

## Notice of Meeting

Murray City Center  
5025 South State Street, Murray, Utah 84107

### **Electronic Meeting Only** **January 5, 2021**

Public Notice is hereby given that this meeting will occur electronically without an anchor location in accordance with Utah Code 52-4-207(4), due to infectious disease COVID-19 Novel Coronavirus. The Council Chair has determined that conducting a meeting with an anchor location presents substantial risk to the health and safety of those who may be present at the anchor location because physical distancing measures may be difficult to maintain in the Murray City Council Chambers. (See attached Council Chair determination.)

The public may view the meeting via the live stream at [www.murraycitylive.com](http://www.murraycitylive.com) or <https://www.facebook.com/Murraycityutah/>.

**\*Citizen comments or public hearing comments may be made as follows:**

- Live through the Zoom meeting process. Those wishing to speak during these portions of the meeting must send a request to [city.council@murray.utah.gov](mailto:city.council@murray.utah.gov) by 3:00 p.m. on the meeting date. You will receive a confirmation email with instructions and a Zoom link to join the meeting.
- Read into the record by sending an email in advance or during the meeting to [city.council@murray.utah.gov](mailto:city.council@murray.utah.gov).
- Comments are limited to less than three minutes, include your name and contact information.

### **Meeting Agenda**

#### **4:30 p.m. Committee of the Whole**

Rosalba Dominguez conducting.

### **Approval of Minutes**

Committee of the Whole – November 17, 2020

Committee of the Whole – December 1, 2020

### **Discussion Items**

1. General Plan and Zone Map amendments 861 East Winchester and 6520, 6550, and 6580 South 900 East; RC Willey. – Melinda Greenwood and Jared Hall presenting. (15 minutes)
2. Zone Map amendment 192 East 4500 South; Sew N Fit. – Melinda Greenwood and Jared Hall presenting. (10 minutes)
3. General Plan and Zone Map amendments 5445 South 900 East; Sports Mall. – Melinda Greenwood and Jared Hall presenting. (10 minutes)
4. Diversity and Inclusion Ad Hoc Task Force – Kat Martinez presenting. (10 minutes)
5. Federal Aid Agreement with Utah Department of Transportation – Danny Astill presenting. (10 minutes)
6. Committee Participation by Council Members – Rosalba Dominguez presenting. (10 minutes)
7. Appointment of Interlocal Board Representatives – Mayor Camp (10 minutes)

### **Announcements**

### **Adjournment**

**Break**

**6:30 p.m. Municipal Building Authority Meeting**

Dale Cox conducting

**Approval of Minutes**

Municipal Building Authority - December 1, 2020

**Adjournment**

**6:32 p.m. Council Meeting**

Dale Cox conducting.

**Opening Ceremonies**

Call to Order

Pledge of Allegiance

**Approval of Minutes**

Council Meeting - December 1, 2020

Council Meeting – December 8, 2020

**Special Recognition**

1. Murray City Council **Employee of the Month, Priscilla Kowalski**, Business License Specialist – Brett Hales and Melinda Greenwood presenting.

**Citizen Comments**

\*See instructions above. Email to [city.council@murray.utah.gov](mailto:city.council@murray.utah.gov) . Comments are limited to less than 3 minutes, include your name and contact information.

**Consent Agenda**

1. Consider confirmation of the Mayor's appointment of **Jake Pehrson** to the Murray City Planning and Zoning Commission for a three-year term beginning January 15, 2021 to expire January 15, 2024.
2. Consider confirmation of the Mayor's appointment of **Jeremy Lowry** to the Planning and Zoning Commission for a three-year term beginning January 15, 2021 to expire January 15, 2024.  
Mayor Camp presenting.

**Business Item**

1. Consider a resolution approving an agreement between the City and Utah Department of Transportation to receive funding from the Federal Aid Highway Funds for the project consisting of the intersection at 5300 South Street and College Drive. Danny Astill presenting.
2. Consider a resolution of the Murray City Municipal Council appointing Jennifer Kennedy as the new City Council Executive Director. Rosalba Dominguez presenting.  
Swearing-In by Judge Thompson.

3. Consider a resolution approving the Mayor's appointment of Brooke Smith as the City Recorder. Mayor Camp presenting.  
Swearing-In by Judge Thompson.
4. Consider a resolution approving the Mayor's appointment of representatives to boards of interlocal entities. Mayor Camp presenting.
5. Elections of City Council Chair and Vice-Chair for calendar year 2021. Dale Cox presenting.
6. Elections of City Council Budget and Finance Committee Chair and Vice-Chair for Calendar year 2021. Dale Cox presenting.

### **Mayor's Report and Questions**

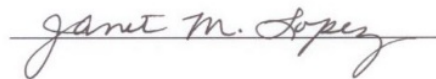
### **Adjournment**

### **NOTICE**

Supporting materials are available for inspection on the Murray City website at [www.murray.utah.gov](http://www.murray.utah.gov).

Special accommodations for the hearing or visually impaired will be made upon a request to the office of the Murray City Recorder (801-264-2663). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.

On Wednesday, December 30, 2020, at 10:00 a.m., a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Murray City Center, Murray, Utah. Copies of this notice were provided for the news media in the Office of the City Recorder. A copy of this notice was posted on Murray City's internet website [www.murray.utah.gov](http://www.murray.utah.gov) and the state noticing website at <http://pmn.utah.gov>.



Janet M. Lopez  
Council Executive Director  
Murray City Municipal Council





**MURRAY CITY CORPORATION  
CITY COUNCIL**

Kat Martinez, District 1

Dale M. Cox, District 2

Rosalba Dominguez, District 3

Diane Turner, District 4

Brett A. Hales, District 5

Janet M. Lopez  
Council Executive Director

**Murray City Council Chair Determination  
Open and Public Meeting Act  
Utah State Code 52-4-207(4)  
January 1, 2021**

In accordance with, Utah Code 52-4-207(4), due to infectious disease COVID-19 Novel Coronavirus, I have determined that meeting in an anchor location presents substantial risk to the health and safety of those who may be present at the anchor location because physical distancing measures may be difficult to maintain in the Murray City Council Chambers.

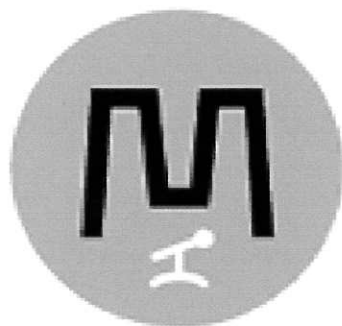
Federal, state and local leaders have all acknowledged the global pandemic. Salt Lake County Public Health Order 2020-15 dated October 26, 2020, recognizes that COVID-19 is a contagion that spreads from person to person and poses a continuing and immediate threat to the public health of Salt Lake County residents.

It is my intent to safeguard the lives of Murray residents, business owners, employees and elected officials by meeting remotely through electronic means without an anchor location.

The public may view the meeting via the live stream at [www.murraycitylive.com](http://www.murraycitylive.com) or <https://www.facebook.com/Murraycityutah/>.

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Rosalba Dominguez  
Murray City Council Chair



**MURRAY**  
CITY COUNCIL

# Committee of the Whole



**MURRAY**  
CITY COUNCIL

# Committee of the Whole Minutes



**DRAFT**

## MURRAY CITY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

The Murray City Municipal Council met on Tuesday, November 17, 2020 for a meeting held electronically in accordance with the provisions of Utah Code 52-4-207(4), Open and Public Meeting Act, due to infectious disease COVID-19 Novel Coronavirus. Council Chair, Ms. Dominguez, determined that to protect the health and welfare of Murray citizens, an in-person City Council meeting, including attendance by the public and the City Council is not practical or prudent.

### **Council Members in Attendance:**

Rosalba Dominguez –Chair	District #3
Diane Turner – Vice Chair	District #4
Kat Martinez	District #1
Dale Cox	District #2
Brett Hales	District #5

### **Others in Attendance:**

Blair Camp	Mayor	Janet Lopez	City Council Director
Jennifer Heaps	Chief Communications Officer	Jennifer Kennedy	City Recorder
G.L. Critchfield	City Attorney	Pattie Johnson	City Council Office Admin.
Danny Astill	Public Works Director	Kim Sorensen	Parks and Recreation Director
Brenda Moore	Finance Director	Melinda Greenwood	CED Director
Dennis Lyon	Home Serve, USA	Bill Francis	The Imagination Company

Ms. Dominguez called the meeting to order at 4:30 p.m. with the following statement:

Considering the continued rise of COVID-19 case counts in Utah, meeting in an anchor location presents substantial risk to the health and safety of those in attendance because physical distancing measures may be difficult to maintain in the Murray City Council Chambers. The Center for Disease Control states that COVID-19 is easily spread from person to person between people who are in close contact with one another. The spread is through respiratory droplets when an infected person coughs, sneezes or talks and may be spread by people who are non-symptomatic. The intent is to safeguard the lives of Murray residents, business owners, employees and elected officials by meeting remotely through electronic means without an anchor location.

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**Approval of Minutes** – None.



## **Discussion Items**

**Home Serve USA Presentation** – Mr. Lyon shared information related to solving aging infrastructure challenges. View the power point presentation at:

<https://youtu.be/sOYOEob6IPw?list=PLQBSQKtwzBqLxiqGGqdVorSUzCOAEmh-2&t=180>

He explained that the service line warranty program is 17 years old, which can either be offered by cities; or homeowners can enroll voluntarily. The one of kind program is endorsed by NLC (National League of Cities) and the ULCT (Utah League of Cities and Towns); and requires minimal City involvement. His hope was to give Murray residents a new awareness that problematic water and sewer lateral lines are the homeowners' responsibility.

The following was highlighted:

- Infrastructure challenges are a national problem:
  - Due to COVID-19, utilities and municipalities have experienced a great loss in water service-related revenue.
  - In 2017, the ASCE (American Society of Civil Engineers) issued infrastructure report cards to many cities, estimating that over one-trillion dollars will need to be spent nationwide to repair, replace and upgrade water systems over the next 20 years.
- Aging infrastructure is a problem for homeowners:
  - The median home-build year for Murray was 1976; so, 50% or more of private infrastructure in the City is 44+ years old.
  - All lateral lines are subject to damaging elements like ground shifting, fluctuation in temperatures, tree-root penetration, and corrosion. Homeowners are left to pay for costly repairs.
  - There are two misconceptions about lateral line repairs: 1.) Cities are responsible for them; and 2.) Homeowners insurance will help cover repairs. Therefore, most people do not know they are responsible to pay for these emergency projects, until a problem arises.
  - Home Serve helps reduce homeowner frustration and eliminates call volume to utilities and municipalities about non-city infrastructure repair issues.
- When surveyed, 62% of Americans cannot afford the estimated \$500 emergency expense of broken lateral lines.
- Benefits of the program:
  - No cost to the City; and no public funds are used.
  - Home Serve handles all marketing, billing, claims and customer service; they hire and send out licensed contractors to homeowners.
  - Optional revenue share for municipalities. This option is tied into homeowner participation, where there is no minimum participation in order for the program to be available in communities. Municipalities receive \$.50 per month, per warranty agreement. If residents enroll in all three products; revenue can be as much as \$1.50 per household. Annually, accrued revenue is paid out every January. Revenue can be utilized as a city wishes.
  - The program functions as a free public awareness campaign; so information is sent to everyone to educate people about the responsibility of lateral line repairs.
- From Tennessee, Home Serve representatives conduct background checks and drug screening of local contractors that are well vetted, licensed and bonded to ensure quality service. Paid directly by Home Serve, reputable plumbers are dispatched 24-seven, 365 days a year.
- Three separate coverages/products are offered:
  - Water lines, sewer laterals and in-home plumbing.

- For outside water and sewer repairs - the program provides up to \$8,500 per incident.
- For in-home plumbing they pay \$3,000 per incident.
- All three services require no annual or lifetime limit; no deductibles, or service fees.
- Home Serve is regulated by Utah Insurance Department. Participants can opt-in or out, at any time without penalty; no pre-inspection upon enrollment, and coverage begins after a 30-day waiting period.
- Without City partnerships the program is not available to communities.
- Nationally, over 900 municipalities and utility companies currently participate. This is over five-million customers, who saved over \$454 million in repair costs.
- In Utah city-partners total 14; which is approximately 38,000 enrolled; with customer savings of over \$5.1 million in repair costs.

Council Comments and Discussion:

- Ms. Dominguez wondered how data would be collected from Murray for solicitation. Mr. Lyons said cities relinquish a list of property owners; but if a city ordinance prevents divulging information, a third party is used to locate real property owners within cities.
- Ms. Dominguez asked when partnering with Home Serve, would outside sources tap into Murray's systems. Mr. Lyons stated Home Serve is a private partnership; working independently without access to any of Murray's technological connections.
- Ms. Dominguez asked how Home Serve was different from homeowners' insurance, or homeowners handling issues on their own. Mr. Lyons explained with a lack of insurance writers willing to include this type of clear coverage, the process to attain financial assistance is confusing. In addition, without Home Serve, residents get overwhelmed by vetting poor contractors, scheduling repairs, attaining quotes, paying upfront; and waiting for claims that have unclear reimbursements. Home Serve handles everything; offers no penalties, no increased insurance premiums, and no hidden fees.
- Mr. Hales asked if premiums were based on enrollment totals. Mr. Lyons confirmed all customers in approximately 45 states pay the same rate; Murray City would fall into that same universal underwrite. If the City does not participate in offering the program, citizens can purchase services on their own for the following monthly rates:
  - Water protection = \$5.25
  - Sewer protection = \$7.25
  - In-homing plumbing = \$9.49

Mr. Lyons concluded the program allows financially vulnerable citizens to get costly emergencies fixed without facing a huge financial sacrifice.

There were no Council comments or questions.

**General Plan and Zone Map Amendments 5448 & 5452 South 700 West** – Ms. Greenwood discussed why the General Plan and Zone Map need to be amended in this area. To view her entire presentation, go to: <https://youtu.be/sOYOeob6IPw?list=PLQBSQKtwzBqLxiqGGdVorSUzCOAEmh-2&t=1557>

She noted the parcels total 2.74 acres; and the change from a C-N (Commercial Neighborhood) zone, to the R-M-15 (Multi-family low density residential) zone would facilitate a new residential area. Ivory Homes submitted the request to develop the land. Ms. Greenwood explained that in the past, the parcels were used as a single residence with agricultural activity. Due to the configuration of the nearby intersection at 700 West, and 5400 South, the property is unsuitable for commercial development.



An aerial map, and the current zone map were displayed. Neighboring zones were noted as residential and commercial. Ms. Greenwood pointed out that the Future Land Use map reflected the parcels should become an R-N-B (Residential Business) zone. So, this was an oddity, because the City normally follows the Future Land Use map when proposing a land map amendment – but not in this case. Photos of the parcels were shared, where an old house remains.

Ms. Greenwood reviewed land *Uses*, and land *Regulations* for both the current C-N zone, and the proposed R-M-15 zone, and highlighted a few differences:

Uses:

- C-N: Businesses, various retail stores, gas stations, assisted living, and childcare centers.
- R-M-15: Single family home lots up to 8,000 sq. ft. (square feet); or, two multi-family dwellings on 10,000 sq. ft. lots; as well as, bed and breakfasts, and retirement homes.

Regulations:

- C-N: Height requirement, maximum 35 feet; no lot size minimum; front setback- 20 feet.
- R-M-15: Height requirement, maximum 40 feet; lot size 10,000 sq. ft., 12 units per acre; front setback- 25 feet.

On October 15, 2020 the Murray City Planning Commission met after 103 public notices were sent out. Five public comments were received with a common concern regarding height, traffic, and housing size, located near older smaller homes. The Planning Commission voted 6-0 in favor to recommend approval to the City Council. Staff also recommends both amendments to the General Plan and the Zoning Map. The Council would consider these changes during the council meeting on December 1, 2020.

Ms. Greenwood summarized, due to the UDOT (Utah Department of Transportation) right-of-way barrier located on 700 West, and restricted traffic access to the property, there are limitations on how the property can be developed commercially. This is why staff believes the R-M-15 zone is the best use for these parcels. She confirmed Ivory plans to construct townhomes, versus single-family homes. A subdivision would not be acceptable on the property, because City ordinances do not allow for properties to be subdivided off of a private road, and space is lacking to provide a public road on the land.

Council Comments:

- Ms. Martinez asked if future residents would exit onto 5400 South. Ms. Greenwood clarified citizens would exit onto 700 West; a small private road would be constructed to access the development.
- Mr. Cox wondered if the multi-family use meant that apartments would be included in the project. Ms. Greenwood said Ivory was not looking to construct multi-family homes; with two and half acres, 25 two and three-story townhomes would be constructed. Zoning would not allow for an apartment complex.

**State Fraud Risk Assessment** – Ms. Moore explained that the State Auditor of Utah is requiring all local government entities to complete a fraud risk assessment questionnaire this year. No formal action is required by the City Council.

The details were reviewed, and Ms. Moore believed the requirement was in response to multiple embezzlement and fraud activity, occurring mostly in smaller cities. The main purpose was to make governing bodies understand their responsibilities; and be aware of where risk heavily occurs. A copy of the completed fraud risk questionnaire was displayed. (Attachment #1)

Ms. Moore said her goal was to place the City in the lowest risk category. She noted the first question, as the most important factor: *Does the City have adequate basic separation of duties or mitigating controls as outlined in the attached Basic Separation of Duties Questionnaire?* Because Murray City has very good internal controls and separation of duties; she pointed out that the City scored the full 200 points regarding that issue. A review of the questionnaire and points received continued. Visit the following link to see the presentation:

<https://youtu.be/sOYOEob6IPw?list=PLQBSQKtwzBqLxiqGGqdVorSUzCOAEmh-2&t=2421>

Ms. Moore highlighted the following answers that provided additional questionnaire points:

- All written policies suggested by the auditor are in place.
- Ms. Moore is a CPA, and many city staff members hold bachelor's degrees.
- Forty-hours of formal government accounting, budgeting and other training is completed annually, by Ms. Moore.
- A link to the State fraud hotline is posted on the Murray City website.

As a result, the City scored a total of 305 points, which falls into the *moderate* risk category. Ms. Moore said if Council Members respond to her once a year in writing, that they will commit to reading the City's ethics ordinance, and abide by it, the City can receive another 20 points. In addition, if Council Members would take the State online auditors training class, once per-term, another 20 points would move the City up to the *low* risk category.

She confirmed four Council Members have taken the State online training; her staff was committed to ongoing training, and the administration is committed as well, to notify her by email upon training completion. As a result, Ms. Moore hoped to end the year with a score of 355, which would place Murray in the best category; *very low* risk. She reiterated that Murray City has good security and effective internal controls that help prevent fraudulent activity.

Ms. Moore reported that Murray City has an audit committee, but it is not as robust as what the State Auditor Committee has outlined. Regardless, she felt the committee functions very well, for a city of its size; so, no changes are necessary.

**Fiscal Year 2020-2021 Budget Amendment** – Ms. Moore discussed the need to amend the FY 2020-2021 budget again; she noted it was the fourth time this year. The following items were discussed:

- Appropriate \$97,834 of prior years' *state alcohol funds* from reserves to purchase police equipment.
- Increase the City Council's *professional services* budget \$10,000 for auditor fees, due to additional record keeping and reporting required by the COVID-19 Cares Act grant.
- Receive and appropriate *grant money* from the following entities:
  - Justice Department = \$29,524
  - ZAP (Zoo, Arts and Parks) = \$88,100
  - Utah Humanities Create in Utah = \$10,800
  - Utah State Asset Forfeiture = \$5,400
  - Homeland Security Protection = \$7,790
- Receive \$300,617 in reimbursement money for helping fight wildfires in California; and receive \$42,240 for aiding with Colorado wildfires. The money will cover Murray City Fire Department *personnel and equipment* costs.



- Allocate *roll-forward* items that were previously missed, which will allow projects to continue:
  - 900 East water-well rehabilitation project = \$582,600
  - Waterline replacement projects = \$200,000
- Increase *Capital Projects* budget for Murray Park pavilion #5 = \$250,000

Council Comments and Discussion:

- Mr. Hales was grateful the City received \$88,100 in ZAP funding. He noted in prior years other cities received millions of dollars in ZAP money, when Murray was not awarded anything. Because of his gratitude, he felt it important to remember the late Murray City Mayor, Ted Eyre in this contribution, who would have expressed gratitude for finally attaining ZAP grant money of any comparative size.
- Ms. Moore noted that during the MBA (Municipal Building Authority) meeting on December 1, 2020, a budget opening would occur to appropriate bond proceeds of just over \$36 million. She noted that \$34 million held in the Construction Trust account at Zions bank, would earn interest of \$34,000 to be used for the new city hall. The MBA would consider those items at that time.
- Mr. Hales asked what the interest rate was. Ms. Moore said, due to coupons of 4%, the final rate was 2.895%.

**Announcements:** Ms. Lopez reminded the council about the upcoming annual IPA (Intermountain Power Agency) meeting, to be held virtual on December 1, 2020.

**Adjournment:** 6:27 p.m.

**Pattie Johnson**  
**Council Office Administrator II**



## MURRAY CITY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

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### **Council Members in Attendance:**

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Diane Turner – Vice Chair	District #4
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Dale Cox	District #2
Brett Hales	District #5

### **Others in Attendance:**

Blair Camp	Mayor	Janet Lopez	City Council Director
Jennifer Heaps	Chief Communications Officer	Jennifer Kennedy	City Recorder
Doug Hunter	UAMPS	Pattie Johnson	City Council Office Admin.
Blaine Haacke	Power – General Manager	Russ Kakala	Streets Superintendent
Brenda Moore	Finance Director	Rob Wood	HBME
G.L. Critchfield	City Attorney	Bill Francis	The Imagination Company

Ms. Dominguez called the meeting to order at 4:45 p.m. with the following statement:

Considering the continued rise of COVID-19-19 case counts in Utah, meeting in an anchor location presents substantial risk to the health and safety of those in attendance because physical distancing measures may be difficult to maintain in the Murray City Council Chambers. The Center for Disease Control states that COVID-19-19 is easily spread from person to person between people who are in close contact with one another. The spread is through respiratory droplets when an infected person coughs, sneezes or talks and may be spread by people who are non-symptomatic. The intent is to safeguard the lives of Murray residents, business owners, employees and elected officials by meeting remotely through electronic means without an anchor location.

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**Approval of Minutes:** Ms. Dominguez called for comments or a motion on the minutes from October 20, 2020, Committee of the Whole. Mr. Hales moved to approve. Mr. Cox seconded. Passed 5-0.

**Discussion Items:**

**Independent Audit Discussion for Fiscal Year 2019-2020** – Ms. Moore confirmed all Council Members received the draft CAFR (Comprehensive Annual Financial Report) prior to the meeting for their review. Mr. Wood, with HBME, LLC (formerly Hansen, Bradshaw, Malmrose & Erickson); a certified public accounting firm, discussed the audit. To view the presentation, visit:

<https://youtu.be/Kte6vdCpUj4?list=PLQBSQKtwzBqLxiqGGqdVorSUzCOAEmh-2&t=231>

Mr. Wood worked tediously with Ms. Moore, the City's audit committee, and City staff for months to sample, test, and study the CAFR (Comprehensive Annual Financial Report). He explained the State audit was required by law because of the debt that the City holds. He noted the document was 149 pages long; and due to time constraints, the following sections were highlighted:

**Fund Statements Section:**

- Pages 9-10: Independent Auditor's Report. Mr. Wood detailed that overall, there were no findings; he stated that as an auditor he gave the City the best opinion that could be given.
- Page 11-25: Management Discussion and Analysis. Consisting of 15 pages to provide year-to-year comparative information. Various tables were included to depict City Fund financial statements.
  - Table - Page 15: Government-Wide Financial Analysis. Summary of governmental activities, and enterprise activity; such as, water, storm water, sewer, golf, and power; along with trends and assets. He noted the City government grew by over \$1 million; and business activity increased by \$9 million, as well as, in capital assets.
  - Summary of long-term debts: Net pensions liabilities/URS (Utah Retirement Systems) retirement plan, and related net position of each department.
- Page 16 - Government activity: Revenue function and comparisons; and expenses by function:
  - Net position. There was a slight increase before transfers between governmental and enterprise funds. Overall:
    - Governmental funds = \$5 million in FY 2020 compared to \$4.6 million in FY 2019.
  - Transfer between funds was needed for transferring resources for capital project funds:
- Page 24 - Long Term Debt; outstanding revenue bonds. A decrease was noted between 2019 and 2020 governmental activities. And there was a net Increase of \$6.2 million to attain the water bond from the State of Utah; Mr. Wood said the interest rate of 1% was very good.

**Basic Financial Statements Section:** Statement of Net Position.

- Page 27 - Expanded Summary Schedule; this includes where cash, investments, and accounts receivable are coming from; also, components of capital assets lands; uncompleted projects, current liabilities, accrued interest on bonds, and a breakdown of net pension liabilities.
- Page 30-32 – Balance Sheet Governmental Funds. Fund balance statements were noted for the GF (General Fund), Capital Projects Fund, RDA (Redevelopment Agency), Library Fund, Cemetery Fund. All fund balances reflected strong, positive healthy balances. There were no deficits; each fund was noted for having a strong, healthy fund balance - able to stand alone.
- General Fund FY 2020 ended at \$11,758,000. State requirements are that the balance needs to be between 5% and 25% of the GF current year revenues – found on page 34.

- Page 34 - GF Current Year Revenues = \$46,858,791. The fund balance was a little over 25%, so it was rounded down slightly. Mr. Wood confirmed revenues are well managed and well maintained, and explained:
  - The balance was slightly high, due to recognized COVID-19 money in GF FY 2020 of \$684,000. COVID funding was used to reimburse ongoing cost related expenses and salaries, which helped the City's net position.
- Pages 38-39 – Statement of New Position – Proprietary Funds. The statement reflected net change breakouts; current assets, differed outflow of resources, liabilities and inflows:
  - The GF net increase ↑ \$439,000.
  - Capital Projects ↓ \$3.99 million, due to construction costs, for example, the new fire station.
  - RDA reflected a savings.
  - Library ↑\$933,000. Saving for a new building in two years.
  - Net position of proprietary Funds: Mr. Wood noted all with healthy balances:
    - Water = \$27.9 million.
    - Wastewater = \$19.6 million.
    - Power = \$54.9 million.
    - Storm Water = \$9.8 million.
- Page 39 - Non-major enterprise funds = \$49 million. These include:
  - Solid Waste Fund, Telecom, and Golf Fund.
    - Overall, each fund had positive changes in the past year; and all are performing well.
  - Internal Service Funds: Central Garage and Risk Fund; both operating well; able to stand alone.
- Page 40 - Change in Net Position – Proprietary Funds. The financial sheet reflected how funds are performing overall and determines if rate changes are necessary to cover operation expenses and services. Mr. Wood reported:
  - Positive balances were noted in the Water Fund, Wastewater Fund, and Power Fund.
  - Storm water ↓ \$879,000.

**Financial Notes Section:** Pages 73-90 - This section provides details that describe what the City follows; and practices for keeping good accounting standards; who makes up governmental entities, and what funds are involved. The notes also included details on investments with the State Treasurer and their PTIF, (the Utah Public Treasurers' Investment Fund); also investments with Morton Asset Management, who manages CDs (certificate of deposits), and corporate debt securities, and helped the City to attain a better rate of return than the PTIF. Mr. Wood noted specifically:

- Page 69-73 - Note #12: Long Term Liabilities.
  - Page 73 - Governmental activity: Bond Debt and Premiums. Reflected no change, and bonds of \$925,000 were paid off.
  - Proprietary funds: Bond money of \$907,000 was paid off this past year. The State bond of \$8 million would allow the City to complete more projects.
- Page 77 - Note #17: Status of pensions, and URS; Mr. Wood explained documentation was for paper entries related to each passing payroll, including employee and employer contribution information. Everything was in full compliance with URS.
- Page 90 - Note 20: Subsequent Events.
  - Due to events since July 2019, COVID-19 money was received from Salt Lake County. Two deposits for \$1.456 million were made to the City. Much of this money would cover salaries and benefits of Murray's public servants during the pandemic, which frees up budgeted money for other things.
  - Disclosure of bonds for the new city hall. The \$30+ million-dollar bond would be utilized as

construction begins.

**Required Supplementary Information Section:** Mr. Wood confirmed the requirement that it is the Murray City Council that adopts the annual fiscal year budget; amends the budget throughout the year from June, to June; with final amendments and final adoption of the budget for the City to adhere to. Comparisons were viewed between the *Original budget*, the *Final Budget* and *Actual Amounts*:

- Page 91 - General Fund - Budget to Actual:
  - Actual revenue = \$595,000; higher than anticipated; all department expenses reflected positive changes, and there was nothing significant to report.
  - Net savings = \$4.57 million. The amount helped increase fund balances the past year and was more savings than expected. It was thought that the fiscal year would end with \$7.4 million, but the budget ended at \$11.89 million. He said this meant that the City is operating well within the parameters set for the General Fund.
- Page 92 - RDA - Budget to Actual. Mr. Wood reported the department had \$1.26 million less in expenditures, which was due to timing of projects that have not occurred yet.
- Page 93 – Library Fund – Budget to Actual. There was positive change in the Library Fund. Overall, with total expenditures, there was a savings of \$161,000.

**Statistical Section:** Page 107-128. The section provided details for understanding the overall financial health in conjunction with the financial statements, notes, and required supplementary information. For example, current and past information related to ten-year analysis; significant sales tax contributors, and property taxpayers. Mr. Wood stated this part of the audit is required to attain the COA (Certificate of Achievement for Excellence) in governmental financial reporting, established by the GFOA (Government Finance Officers Association.) He commended Murray for receiving the COA for 39 years; and stated the City would celebrate 40 years of excellence next year - because he did not expect that to change. He pointed out the statistical report provides the public with clear information about trends histories.

**Compliance Section:** Two required reports were given to Murray City:

- Page 129 – **Independent Auditors Report on Internal Control Over Financial Reporting and on Compliance, and Other Matters, Based on an Audit of Financial Statements Performed In Accordance With the *Government Auditing Standards*** - For example, complying with State, and federal laws, grant agreements, and whether money is spent appropriately. They consider how duties are segregated, how the process flows between major financial transactions, like payroll, cash disbursements, tax collection, and journal entries. Information is also confirmed with third parties the City does business with. Mr. Wood was happy to report that after tedious analysis, there was only one journal entry in the past year; he felt Ms. Moore and her financial staff are doing an excellent and outstanding job for a city the size of Murray in bookkeeping. The report states that:
  - No material or significant deficiencies were found in the way Murray is conducting business.
- Page 131- **Independent Auditor's Report on Compliance and Report on Internal Control Over Compliance as Required by the *State Compliance Audit Guide***. To ensure State Code is followed on: budgetary compliance, adequate fund balance percentage, budget approval guidelines; the Open and Public Meeting Act Training; and how the City uses restricted tax funding like Class B&C road funds. Also, fraud risk assessment, cash management, report filing with the State's treasury office, and investment holding reporting. Mr. Wood was happy to report that:
  - After all testing, no deficiencies, or control weakness were found.

Mr. Wood congratulated the City for being in full compliance; and as a result, the City has zero findings.

In closing, he reported conversations with the Murray Audit Committee about how guidance standards for auditing and tracking Cares Act money would be implemented. He said the City received and spent enough federal and State funding during FY June 30, 2020 that a single audit is expected. Therefore, he would return to file a separate report; and is waiting on the government to finalize details for conducting this specific audit.

Overall, he had no recommendations for improvement, except that capital assets be presented differently in the future. Mr. Wood said this information was difficult to track and test; so, he will work with the City to find a better way to present this information to provide better clarity for next year.

**Council Comments and Discussion:**

- Mr. Cox said hats off to Ms. Moore and her staff for doing an excellent job.
- Ms. Turner concurred; and appreciated great thoroughness in the audit.
- Mr. Hales agreed and requested next year the CAFR be displayed publicly during the presentation. Mr. Wood hoped next year the meeting could be held in person; as there was difficulty presenting the report with his phone electronically in the zoom meeting.

**Reports from City Representatives to Interlocal Boards and Commissions:**

**UAMPS (Utah Association of Municipal Power Systems):**

- IPA (Intermountain Power Agency) - Mr. Haacke reported that the annual IPA meeting was held virtually this year; topics were health of the IPA project, the current situation, and future plans for closing the existing plant in 2025. Plans are that a new natural gas plant will be designed and constructed parallel to the existing coal fired plant, using both a mix of hydrogen and natural gas. Mr. Haacke informed the Council about the following:
  - Negotiations underway about three issues:
    - Organizing staff to operate the underground salt cavern storage area.
    - Finding a company that will construct the natural gas pipeline 50 miles west of the plant from the Currant River main trunk-line.
    - Hiring a third-party hydrogen manufacturer that will construct a hydrogen plant next to the existing plant. Hydrogen will be made and stored in salt caverns to be used for a later time.
  - Due to the proliferation of renewables in the area like solar and wind, green energy could be used in the production of hydrogen to break-up oxygen; this process requires a fossil fuel, which is why hydrogen has never been feasible. The possible use of renewables is a game changer in utilizing the plant after the coal plant closure.
  - As a sub-board member of IPSC (Intermountain Power Service Corporation) for the IPA, Mr. Haacke learned that IPP (Intermountain Power Plant) is concerned about maintaining existing employees. With the plant closure, seasoned employees are leaving to find new jobs. Financial incentives will be offered to keep them interested until the plant shut down in 2025. Once the new plant is completed, the plant will downsize from 280 full-time employees to approximately 120. Many are reaching retirement age, so the hope is to keep them longer.
  - IPA debt that began in 1985 will be paid off in 2024; this means the coal plant will operate with no debt; so, the resource price will drop from \$60 MWh (per megawatt hour) to approximately \$40 MWh. In the past, one-third of the price was associated with debt, so this would now make it affordable for the City to call-back power in the year 2024, and 2025 if necessary. Murray staff will monitor the situation over the next several years.



- SMR (small nuclear reactors): Mr. Haacke said he is no longer informed about CFPP (Carbon Free Power Project) updates since Murray dropped from the project in October 2020. Besides Murray, seven other cities dropped out; and remaining cities continue to monitor the situation. Rumors are that plant configurations will downsize to six modules, instead of 12; capacity might go from 60 MW (megawatts) to 77MW; and DOE (Department of Energy) funding will be spent faster than expected. Mr. Haacke said he still feels confident that the decision made by the City Council and the City to vote against staying with the project was the right one; he said time will tell that maybe the timing was not quite right for nuclear energy.
- Large Scale Solar: The City voted to enter into the large solar plant last year; designed in the Navajo Nation. Construction is going well; the earliest the City will attain generation is in the year 2022, where the City will purchase 5 MW of energy from the 15 MW plant. The cost per megawatt will be \$30. Mr. Haacke noted because the plant is popular among many cities, UAMPS is considering a second plant, to be located in Box Elder County.

**Trans-Jordan Landfill** – Mr. Kakala discussed the following:

- Annual Audit: The recent audit came back with a *good standings* grade; there were no inefficiencies or concerns to report.
- New transfer station: Last year the City entered into an agreement with Sandy City Suburban Improvement District to attain seven acres of land needed for the development of a new transfer station in Sandy City; plans are well underway. The seven acres will be combined with three existing acres to provide ten acres. The 50-year land lease includes an option to purchase the land for \$1 after the lease expires. Sandy City will receive a host-fee of \$1 per ton, equaling \$200,000 per year. All Trans-Jordan city members agreed to the terms that will provide the second transfer station, which is part of a long-term planning process, and needed for Trans-Jordan Cities to continue disposing of solid waste well into the future. Plans are proceeding that include a budget increase to tipping fees over the next six to seven years to meet construction goals and objectives set forth once Trans-Jordan is closed. The new transfer station will be used to transport Murray's trash to the Bay View Landfill.

**COG (Council of Governments)** - Mayor Camp said the committee meets four times per year, and reported pertaining monthly information:

- August – There was an opening on the TRCC (Tourism, Recreation, Cultural, and Convention) Board, where Mayor Rob Dally from Holladay City was appointed. Despite having a full board, there will be no 2021 TRCC funding available. In addition, the County's *Emergency Response Plan* aimed at addressing homelessness for the upcoming winter was discussed. Temporary and emergency winter housing needs were considered; sites were identified in Midvale City, and Millcreek Township.
- November – Homelessness topic continued. Also due to social distancing, the annual Legislative General Assembly was held virtually, where only two State representatives were invited. Representative Winder discussed bills he would present at the upcoming Legislative Session; and Senator Harper spoke about numerous bills; both confirming that numerous laws will be proposed next month. Mayor Camp affirmed the City would be watching issues closely, to determine how cities will be impacted.

In addition, a presentation was given about The Point, which is a development in Draper City near the State Prison. The Point of the Mountain State Land Authority Futuristic provided conceptual drawings and plans that included business parks, high tech housing, transportation, and green space. For more information visit the website:

<https://pointofthemountainfuture.org/>

**CVW (Central Valley Water)** - Mayor Camp shared background information about the current rebuild construction project at the facility. Current construction issues were noted:

- Over the 20 years, restoration and repairs are needed that will total \$150 million; this includes upgrades to all piping in the entire collection system, and at all treatment facilities.
- The project is well underway; various pictures were displayed to explain that improvements will replace aging and degraded mechanical and electrical equipment; and rehabilitate corroded pipes by providing collection systems that will meet future needs of the community. The rebuild will provide compliance to new State and federal regulatory requirements.
- The State of Utah DEQ (Department of Environmental Quality) requires that wastewater facilities install processes to further remove phosphorous, and lower limits of ammonia and other pollutants. The cost to comply with these additional requirements, to upgrade the treatment process is an estimated \$100 million over the next seven years. Construction photos reflected the demolition of old treatment facilities; and new plants being constructed.
- The calendar-year budget for 2020-2021 was approved and adopted in October of 2020. The budget includes:
  - Wage adjustments. After conducting a market wage study, it was determined that wages had fallen behind comparatively in the industry; 57 adjustments were needed.
  - COLA (Cost of Living) increases were made; employees will receive a 1.7% raise.
  - Career ladder increases of 1.7%; and merit increases of 2% occurred - affecting 26 employees.
  - Increases affect 6% of the overall budget, but the total increase in wages = 2.1%. No new positions were needed. Wage increases were made possible by the elimination of one position, and creative accounting measures.
  - Health insurance decreased 3.77%, by changing to a higher deductible, the provider offered the rate.
  - Overall operating budget increased 3.27%.
- Flow metering. A 12-month rolling average is the process by which CVW determines the cost that each member entity pays to CVW. Wastewater flows are metered and assessed at certain point areas in the system- coming from entities, and into CVW. Due to outdated meters, an issue was realized after new flow meters were installed in November of 2019 when new significant discrepancies were found in assessments; including Murray.
- As a result, on October 15, 2020 a workshop was held with affected entities, to resolve back charges. However, due to the lack of good data, and because it would be a hardship for entities to pay-up appropriately, board members reviewed various corrective actions. Mayor Camp said the problem is complicated; however, for 2021 budgeting purposes the CVW Legal Counsel proposed that the 12-month rolling calculation from January 2021- August 2021 be suspended, as defined in the Interlocal agreement; as long a corrective billing is finalized by September 2021. Therefore, for budgeting purposes, the same rolling 12-month average charged in 2020, would be used for budget estimates needed for 2021. After correct rolling averages are established with good data, actual flows would be realized, and the 12-month process would resume.
- Murray Public Works staff believes there will be minimal impact to the City; and based on past flows, the City may actually save money, once the correct flow is calculated.

**UTOPIA** (Utah Telecommunications Open Infrastructure Agency) - Mayor Camp reported the Murray buildout was ahead of schedule; compared to the installation map on the UTOPIA website. For example, areas scheduled for installing in-ground fiber in 2022 are already complete; although not operational yet.



Mayor Camp displayed the UTOPIA October 2020 subscriber report to discuss availability and subscription totals. Various graphs and charts illustrated the following:

- Residential availability in Murray - just under 8,000 homes.
- Proposed residential availability in Murray - approximately 11,000 homes.
- Total Murray subscribers, including businesses – approximately 3,400. Mayor Camp noted that from August 2016 to August of 2020 the trend for new subscribers was a steady climb.
- Murray residential take rate: A steady climb was also noted in August 2016, which went from less than 25% up to just below 35% in August of 2020.
- Recent residential take-rates: Mayor Camp pointed out that all member cities increased in residential subscriptions in July, August and September of 2020; comparatively Murray came in at 34.40%. He thought perhaps COVID-19 had a positive impact on UTOPIA, due to stay at home mandates, and the need for more at-home access to technology.

Mr. Hales asked why WVC (West Valley City) had far less subscribers, and thought it was due to a larger, spread-out demographic. Mayor Camp thought WVC had a lack of high take-rate areas, where cost effective fiber could be installed; and that logistically Murray had more potential comparatively. He believed in rapid time WVC would follow the growing trend, as UTOPIA reaches the end of the overall build out. Mayor Camp invited Ms. Moore to discuss UTOPIA financial matters.

**UIA (Utah Infrastructure Agency)** – Ms. Moore discussed the following:

- UIA would be purchasing their last bond; a public hearing would be held on December 14, 2020 for the final bond of \$50 million that would allow them to finish buildouts in Murray, and all remaining original UTOPIA/UIA cities.
- UIA is now generating enough revenue from current connections to cover the bond payment; they will not be asking Murray City for any more pledge funds.
- An audit committee was recently established to assist with the process of a Risk Assessment Audit.
- In February or March 2021, the City would receive \$70,000 in Op-Ex (operations expense) reimbursement. Ms. Moore explained it was not included in the budget, because received revenue is not a budgeted requirement; the money will be rolled back into General Fund reserves.
- COVID-19 benefited UTOPIA/UIA connections. On average, during March, April, and May of 2020, 1,000 new connections per month occurred, which has now slowed to 700 per month. Ms. Moore would ensure that the City is made aware of new connection totals, as they continue to build-out in Murray's newly constructed neighborhoods, and as new areas open up.
- The financial audit has not been released yet, which will be filed by the end of December; UIA debt coverage is looking good.

**VECC (Valley Emergency Communications Center)** – Mr. Hill is a on the VECC Board of Trustees, also known as Salt Lake Valley 911. His report included the following:

**Dispatch update:**

- In Salt Lake County, there are two dispatch agencies that cover all of the Salt Lake County. The largest is VECC, comprised of all cities in the County, except for Sandy City; including UPD (Unified Police Department), UFA (Unified Fire Authority). The second agency is the Salt Lake City 911 Center, which includes Sandy City.
- Last year, to combine efficiencies of the two call centers, VECC purchased new dispatch software compatible with Salt Lake City that is used by all fire and police agencies located in Salt Lake County. The new software recently went live and is working well for all fire agencies, including the Murray Fire Department.

- The new software uses an automatic vehicle locator system; when a call comes in, the closest vehicle is dispatched to cut down on travel time. Because Murray is located in the middle of the County, Murray Fire is getting dispatched more frequently to other areas, which is less desired. Chief Harris is working to resolve call-out issues, so Murray residents receive only Murray firefighters, when they call for help.
- Police departments are next for the new software. Murray City is first in line and over the next six months, Murray police will migrate onto the software. Ultimately all cities in the County will be dispatched using the same software, having access to the same information. Six years ago, the requirement was approved by the Legislature, and funding was provided.

Legislative Audit:

- An audit was conducted statewide on all 911 agencies. VECC was rated one of the poorest performing centers in the state of Utah. Mr. Hill explained the poor audit was not related to employee activity, but with the number of calls that came into Salt Lake County overwhelming VECC employees. This occurred because VECC was still using the old software at the time, so the call transfer time between VECC and Salt Lake City took longer, delaying police and fire responses.
- As a result, the Board asked VECC staff to create performance measures and goals to help increase performance at the call center.

A chart was reviewed to show how fast calls are answered, and how quickly calls are processed over a timeframe from 2019; the last three months; and last month. It was noted that VECC showed little improvement; although due to the new software, a slight improvement occurred in the transferring of calls. The hope is to hold VECC dispatchers accountable and continue to see improvements made; which is also important for the State Legislature to see.

Member Agency Fee Structure:

- Currently, VECC is billing Murray, and all member cities on the basis of yearly call volume; which is paid annually towards the operating budget of VECC. However, with the new software, a number of agencies, and member cities are questioning the fairness of call volume assessments. As a result, the board organized a focus group to look at other billing options to determine if the process should change. A study will be conducted over the next few months, and findings will be provided to the board during the budget process next fiscal year. Mr. Hill will report back to the Council as he learns about study results, that could change the way the City has historically paid VECC.

Ms. Dominguez wondered since Murray Fire Department was getting called out more, due to the new software and central location, would the annual fee be increasing. Mr. Hill explained the issue was being analyzed. Prior to new software, Murray Fire was responding only to Murray residents; and Murray citizens were not getting help from outside agencies; there was no vehicle tracking; so, if an emergency was located in Murray, VECC would dispatch the Murray Fire Department. But now with goals to improve overall response times, even if by 10 seconds; other agency vehicles technically closer are dispatched to Murray residents. Mr. Hill confirmed the City prefers responders from other cities not be utilized for distressed Murray residents; he said Murray citizens deserve to be served by Murray's local response teams. These are the issues that fire agencies are trying to resolve, so that the Murray Fire Department can assist its Murray citizens all the time.

**Metro Fire** – Mr. Hill stated there was nothing significant to report at this time.

**Economic Task Force** – Ms. Martinez reported with the rising number of COVID-19 cases, the primary function of the task force slightly shifted. It is now a way for City businesses and the Murray Chamber of

Commerce to maintain communication, and share resources; like grant information, small business loans, and other valuable resources as they become available. She appreciated Ms. Greenwood for her essential role in communicating with the Chamber.

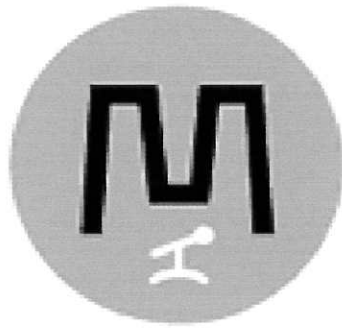
She reported some Murray businesses are thriving, while others struggle to stay open; and COVID-19's impact on the economy has been uneven and unpredictable. The task force would continue to meet and discuss challenges as State mandates change and broader health recommendations evolve. As they continue to problem solve, they have collected a library of resources for business to utilize, so the task force can help in navigating through the implementation of those resources when possible.

Mr. Hales agreed COVID-19 has not affected everyone the same, economically; and he appreciated the Economic Task Force. He also commented that he was grateful to Budget Chair Turner, and Budget Vice-Chair Martinez, and Ms. Lopez for their extensive time spent on studying the budget this year.

**Announcements:** Ms. Lopez recognized Council Administrative Assistant, Ms. Johnson, for five years of employment with the Murray City Council.

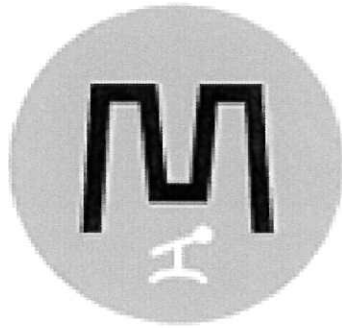
**Adjournment:** 6:35 p.m.

**Pattie Johnson**  
**Council Office Administrator II**



**MURRAY**  
CITY COUNCIL

# Discussion Items



**MURRAY**  
CITY COUNCIL

# Discussion Item #1



**MURRAY**

## Community & Economic Development

General Plan Amendment from General Commercial to M-U, Mixed Use & Zone Map Amendment from C-D, Commercial Development to M-U, Mixed Use for 861 East Winchester and 6520, 6550, & 6580 South 900 East

### Council Action Request

### Committee of the Whole

Meeting Date: January 5, 2021

<b>Department Director</b> Melinda Greenwood  <b>Phone #</b> 801-270-2428  <b>Presenters</b> Melinda Greenwood Jared Hall          <b>Required Time for Presentation</b> 15 Minutes  <b>Is This Time Sensitive</b> No  <b>Mayor's Approval</b> Doug Hill <small>Digitally signed by Doug Hill DN: cn=Doug Hill, o=Murray City Corporation, ou=Mayor's Office, email=dhill@murray.utah.gov, c=US Date: 2020.12.21 16:30:45 -0700</small> <b>Date</b> December 21, 2020	<b>Purpose of Proposal</b> Amend the Future Land Use Map designation and Zoning of the subject properties to facilitate mixed-use development.  <b>Action Requested</b> Approval of General Plan Amendment & Zone Map Amendment for 861 East Winchester and 6520, 6550, & 6580 South 900 East  <b>Attachments</b> Presentation Slides  <b>Budget Impact</b> None.     <b>Description of this Item</b>  <b>Background</b> The Boyer Company has purchased the RC Willey properties, located at 861 East Winchester and 6520, 6550, & 6580 South 900 East. The Boyer Company has submitted applications for a General Plan Amendment from General Commercial to M-U, Mixed-Use designation and Zone Map Amendment from C-D, Commercial Development to M-U, Mixed-Use zone.  The subject property is comprised of 9 parcels in the C-D Zone. Seven of the parcels are used directly by RC Willey for the operations of the large furniture store and associated parking lot. Two smaller parcels are used by Apple Spice Junction, a catering and restaurant business fronting 900 East. Altogether the parcels total 9.11 acres. After the RC Willey store closes in February of 2021, the main commercial building on this site will be vacant.
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## **Continued from Page 1:**

### **Zoning Regulations**

The existing **C-D Zone** allows for retail and commercial activities as permitted or conditional uses. It does not allow any single or multi-family residential uses.

The proposed **M-U Zone** allows for commercial uses to be mixed with residential uses, and in this case would allow density of up to 40 dwelling units per acre.

### **Staff Review**

Planning Division Staff circulated the proposed application to multiple Murray City Departments for review on November 16, 2020. Comments from the City's water division noted that during design, some upgrades may be necessary. No other comments were of concern.

### **Public Notice and Planning Commission**

One-hundred and nineteen (119) public meeting notices were mailed to all property owners for parcels located within 500 feet of the subject property. The Planning Commission held a public hearing for this item for this item on December 3, 2020. Several public comments were received, noting common concerns about parking, height, density, storm water, setbacks, etc.

The Planning Commission voted 7-0 to forward a recommendation of approval to the City Council based on the findings below.

1. The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.
2. The requested amendment to the Future Land Use Map of the 2017 Murray City General Plan is supported by the description and intent of the General Commercial land use designation which recognizes the appropriateness of mixed use development including higher-density, multi-family housing along key transportation corridors and at recognized centers.
3. The proposed Zone Map Amendment from C-D to M-U conforms to goals and objectives of the 2017 Murray City General Plan and will support the appropriate re-development of the subject property.
4. The requested amendments to the Future land Use Map and Zoning Map have been carefully considered based on the characteristics of the site and surrounding area and on the policies and objectives of the 2017 Murray City General Plan and are in harmony with the goals of the Plan.

### **Recommendations**

#### **General Plan Amendment**

Both staff and Planning Commission recommend the City Council **APPROVE** the requested amendment to the General Plan Future Land Use Map, re-designating the properties located at 861 East Winchester and 6520, 6550, & 6580 South 900 East from General Commercial to Mixed Use.

#### **Zone Map Amendment**

Both staff and Planning Commission recommend the City Council **APPROVE** the requested amendment to the Zoning Map designation of the property located at 861 East Winchester and 6520, 6550, & 6580 South 900 East from C-D, Commercial Development to M-U, Mixed Use.

# General Plan Amendment & Zone Map Amendment

**Address:** 861 East Winchester Street & 6520, 6550, 6580 South 900 East  
(RC Willey)

**Property Size:** 9.11 acres

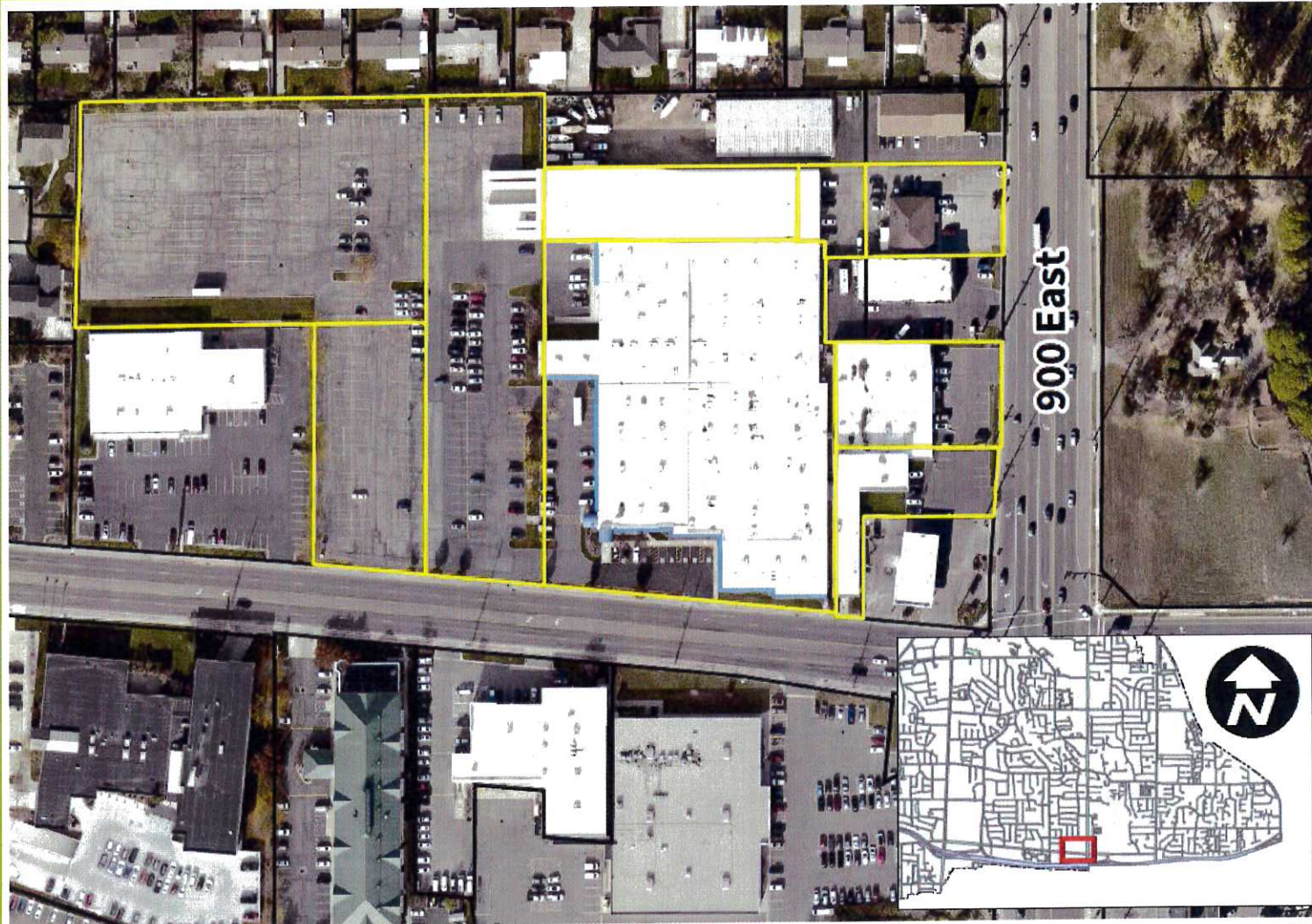
**Applicant:** The Boyer Company (Scott Verhaaran; Spencer Moffat)

**General Plan Amendment:** M-U, Mixed-Use (from General Commercial)

**Zone Map Amendment:** M-U, Mixed-Use (from C-D, Commercial Development)







## Aerial View

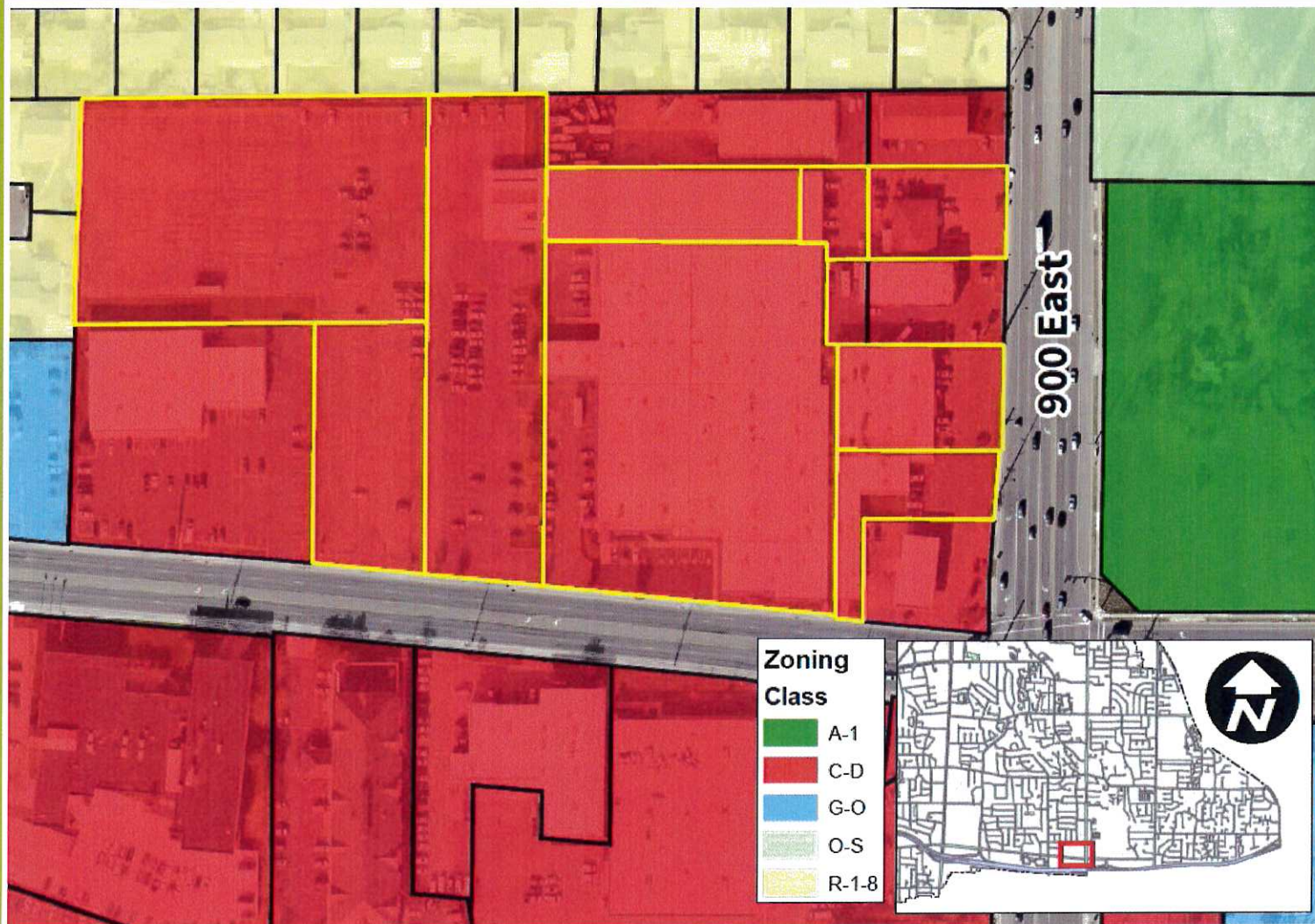
RC Willey

861 East Winchester  
Street

6520, 6550, 6580 South  
900 East







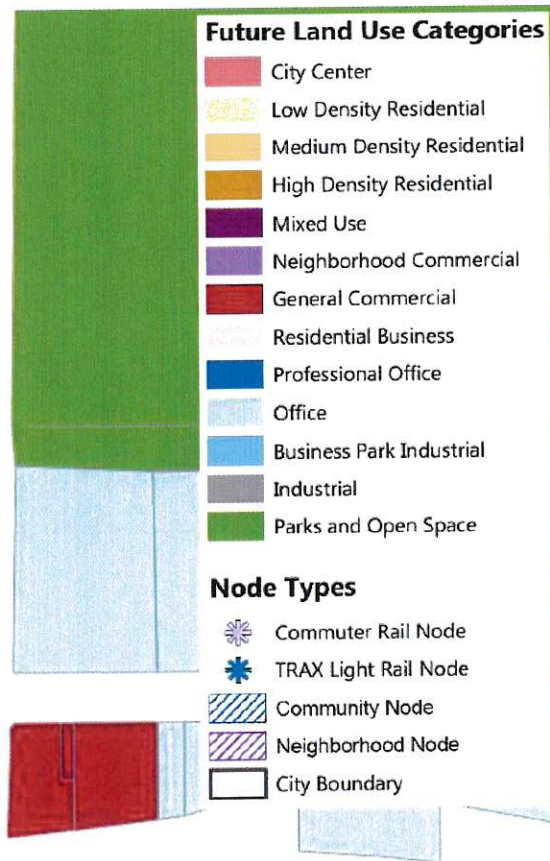
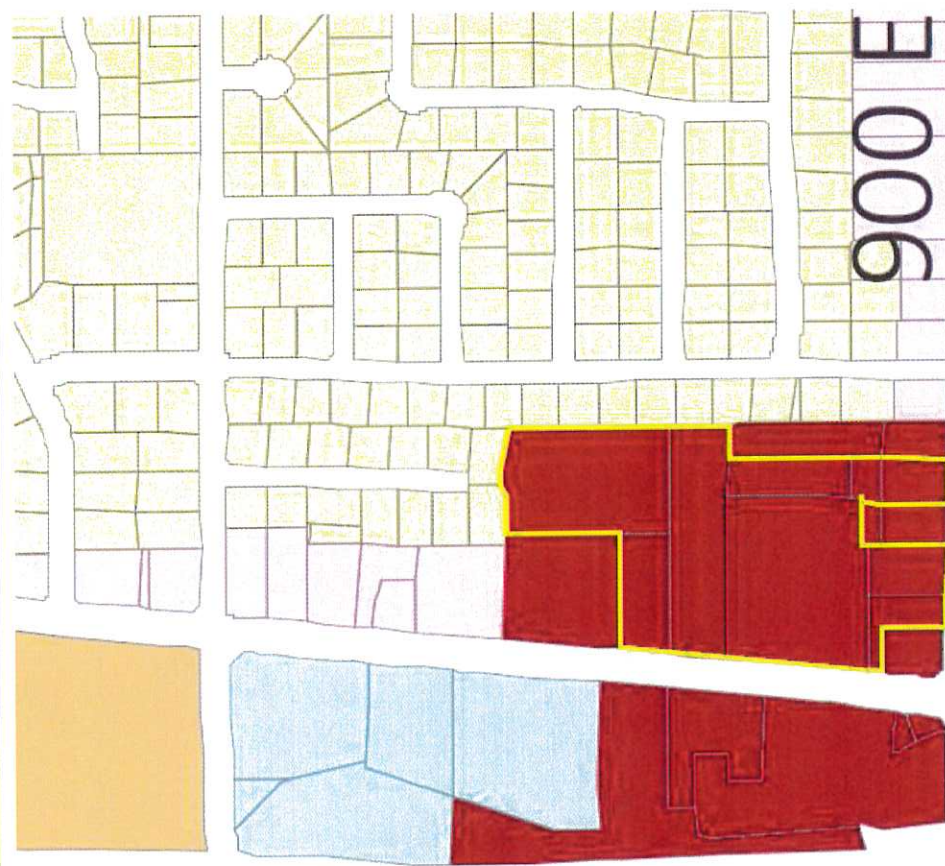
## Current Zoning

C-D

Commercial Development







## Future Land Use Map

### General Commercial

	C-D Zone (existing)	M-U Zone (proposed)
<b>Height of Structures</b>	35' max if located within 100' of residential zoning. 1' of additional height per 4' of additional setback from residential zoning	50' max if located within 100' of residential zoning. 1' of additional height per 1' of additional setback from residential zoning.
<b>Landscaping and Buffer Requirements</b>	10' along all frontages 10% min coverage 10' buffer required adjacent to residential 5' buffer where parking abuts property line.	Building setbacks from frontages must be landscaped (where allowed) 15% min coverage (required as open space, to include amenities) 10' buffer required adjacent to residential 10' buffer where parking abuts property line.
<b>Parking</b>	Retail – 1 per 200 sf net Medical/Dental Office – 1 per 200 sf net General Office – 4 per 1,000 sf net  Special Requirements: none	Retail – 1 per 265 sf net Medical/Dental Office – 1 per 265 sf net General Office – 3 per 1,000 sf net  Special Requirements: Buildings exceeding 4 stories in height must provide 75% of the parking within the exterior walls or within a structure (podium).
<b>Building Setbacks</b>	20' front setback from property line.	Between 15' and 25' from the back of curb (effectively between 0' and 10' from property line). Greater setbacks are allowed for courtyards or plazas.
<b>Public Improvements</b>	Standard (typically 4' sidewalk, 5' park strips)	7' sidewalks, 8' park strips or 15' paved sidewalks with tree wells. Street trees and street furniture (benches, bicycle racks) are required.



# Planning Commission Meeting

**December 3, 2020**

- **119 public notices mailed (500' distance)**
  - ✓ Several public comments were received expressing general concern about stormwater, parking, crime, property values and a lack of desire for high-density housing.
- **Planning Commission voted 7-0 to recommend APPROVAL based on the findings:**
  - ✓ The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.
  - ✓ The requested amendment to the Future Land Use Map of the 2017 Murray City General Plan is supported by the description and intent of the General Commercial land use designation which recognizes the appropriateness of mixed-use development including higher-density, multi-family housing along key transportation corridors and at recognized centers.
  - ✓ The proposed Zone Map Amendment from C-D to M-U conforms to goals and objectives of the 2017 Murray City General Plan and will support the appropriate re-development of the subject property.
  - ✓ The requested amendments to the Future land Use Map and Zoning Map have been carefully considered based on the characteristics of the site and surrounding area and on the policies and objectives of the 2017 Murray City General Plan and are in harmony with the goals of the Plan.



# Recommendation

## General Plan Amendment

Both staff and Planning Commission recommend the City Council **APPROVE** the requested amendment to the General Plan Future Land Use Map, re-designating the properties located at 861 East Winchester and 6520, 6550, & 6580 South 900 East from General Commercial to Mixed Use.

## Zone Map Amendment

Both staff and Planning Commission recommend the City Council **APPROVE** the requested amendment to the Zoning Map designation of the property located at 861 East Winchester and 6520, 6550, & 6580 South 900 East from C-D, Commercial Development to M-U, Mixed Use.





# Murray City Corporation

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 19<sup>th</sup> day of January 2021, at the hour of 6:30 p.m., the Murray City Municipal Council will hold and conduct a hearing on and pertaining to the consideration of amending the General Plan from General Commercial to Mixed Use and amending the Zoning Map from the C-D (Commercial Development) zoning district to the M-U (Mixed Use) zoning district for the properties addressed 861 E. Winchester Street and 6520, 6550, 6580 South 900 East, Murray, Utah.

The purpose of this hearing is to receive public comment concerning the proposed amendment to the General Plan and Zoning Map as described above.

Public Notice is hereby given that this meeting will occur electronically without an anchor location in accordance with Utah Code 52-4-207(4), due to infectious disease COVID-19 Novel Coronavirus. The Council Chair has determined that conducting a meeting with an anchor location presents substantial risk to the health and safety of those who may be present at the anchor location because physical distancing measures may be difficult to maintain in the Murray City Council Chambers.

The public may view the meeting via the live stream at [www.murraycitylive.com](http://www.murraycitylive.com) or <https://www.facebook.com/Murraycityutah/>.


**\*Citizen comments or public hearing comments may be made as follows:**

- Live through the Zoom meeting process. Those wishing to speak during these portions of the meeting must send a request to [city.council@murray.utah.gov](mailto:city.council@murray.utah.gov) by 3:00 p.m. on the meeting date. You will receive a confirmation email with instructions and a Zoom link to join the meeting.
- Read into the record by sending an email in advance or during the meeting to [city.council@murray.utah.gov](mailto:city.council@murray.utah.gov).
- Comments are limited to less than three minutes, include your name and contact information.

DATED this 22<sup>nd</sup> day of December, 2021.



MURRAY CITY CORPORATION

  
Jennifer Kennedy  
City Recorder

DATE OF PUBLICATION: January 3, 2021 (Salt Lake Tribune)  
PH21-02

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE RELATING TO LAND USE; AMENDS THE GENERAL PLAN FROM GENERAL COMMERCIAL TO MIXED USE AND AMENDS THE ZONING MAP FROM C-D TO M-U FOR THE PROPERTIES LOCATED AT APPROXIMATELY 861 E. WINCHESTER STREET AND 6520, 6550, 6580 SOUTH 900 EAST, MURRAY CITY, UTAH. (Boyer Company)

BE IT ORDAINED BY THE MURRAY CITY MUNICIPAL COUNCIL AS FOLLOWS:

WHEREAS, the owner of the real properties addressed 861 E. Winchester Street and 6520, 6550, 6580 South 900 East, Murray, Utah, has requested a proposed amendment to the General Plan of Murray City to reflect a projected land use for the property as Mixed Use and to amend the zoning map to designate the property in an M-U zone district; and

WHEREAS, it appearing that said matter has been given full and complete consideration by the Planning and Zoning Commission; and

WHEREAS, it appearing to be in the best interest of Murray City and the inhabitants thereof that the proposed amendment of the General Plan and the Zoning Map be approved.

NOW, THEREFORE, BE IT ENACTED:

*Section 1.* That the Murray City General Plan be amended to show a Mixed Use projected use for the following described properties addressed 861 E. Winchester Street and 6520, 6550, 6580 South 900 East, Murray City, Salt Lake County, Utah:

Parcel 1 (Tax Parcel No. 22-20-156-007-0000): BEG 455.648 FT N & 1051.847 FT E FR W ¼ COR SEC 20, T 2S, R 1E, SLM; S 89 22' W 379.74 FT; N 1 04' E 250 FT M OR L; N 89 12' E 375.18 FT M OR L; S 250 FT M OR L TO BEG.

Parcel 2 (Tax Parcel No. 22-20-156-020-0000): BEG N 181.115 FT & E 1051.847 FT FR W 1/4 COR SEC 20, T 2S, R 1E, SLM; N 84 28'25" W 122.5 FT M OR L; N 261.28 FT; N 89 22' E 121.29 FT M OR L; S 274.53 FT M OR L TO BEG.

Parcel 3 (Tax Parcel No. 22-20-156-021-0000): BEG N 168.59 FT & E 1179.75 FT FR W 1/4 COR SEC 20, T 2S, R 1E, SLM; N 523.98 FT; S 89 12' W 127.9 FT; S 512.12 FT M OR L; S 84 30' E 128.5 FT TO BEG.

Parcel 4 (Tax Parcel No. 22-20-176-011-0000): BEG 131.57 FT N & 1179.75 FT E & S 84 28'25" E 318.84 FT & 216.51 FT N FR W 1/4 COR SEC 20, T 2S, R 1E, SLM; E 213 FT; N 0 09' E 115 FT M OR L; W 213.63 FT; S 115 FT M OR L TO BEG. LESS ST.



Parcel 5 (Tax Parcel No. 22-20-176-012-0000): COM IN CEN OF 6600 SO. ST, 131.57 FT N & 1179.75 FT E & S 84 28'25" E 318.84 FT FR W 1/4 COR SEC 20, T 2S, R 1E, SL MER N 216.51 FT; E 213 FT; S 0 19' W 75 FT; W 183 FT; S 144.38 FT; N 84 28'25" W 30.05 FT TO BEG. LESS STREET & TRACT DEEDED TO ST. RD. COMM. OF UTAH.

Parcel 6 (Tax Parcel No. 22-20-176-019-0000): BEG N 131.57 FT & E 1179.75 FT & N 412.13 FT FR THE W 1/4 COR OF SEC 20, T 2S, R 1E, SLM; N 80 FT; N 89 35'54" E 276.01 FT M OR L; S 0 19'30" W 81.94 FT M OR L W 275.54 FT M OR L TO BEG.

Parcel 7 (Tax Parcel No. 22-20-176-020-4001): BEG N 627.43 FT & E 1678.53 FT FR W 1/4 COR OF SEC 20, T 2S, R 1E, SLM; S 0 19'30" W 100 FT; N 89 12' W 195 FT; N 0 19'30" E 18 FT; S 89 12' W 27.8 FT; N 0 19'30" E 82 FT; N 89 12' E 222.8 FT TO BEG. LESS THAT PORTION INSIDE SALT LAKE COUNTY COTTONWOOD SANITARY DISTR.

Parcel 8 (Tax Parcel No. 22-20-176-020-4002): BEG N 627.43 FT & E 1678.53 FT FR W 1/4 COR OF SEC 20, T 2S, R 1E, SLM; S 0 19'30" W 100 FT; N 89 12' W 195 FT; N 0 19'30" E 18 FT; S 89 12' W 27.8 FT; N 0 19'30" E 82 FT; N 89 12' E 222.8 FT TO BEG. LESS THAT PORTION OUTSIDE SALT LAKE COUNTY COTTONWOOD SANITARY DISTR.

Parcel 9 (Tax Parcel No. 22-20-176-022-0000): BEG N 168.59 FT & E 1179.75 FT FR W 1/4 COR SEC 20, T 2S, R 1E, SLM; N 374.97 FT; E 275.54 FT M OR L; S 0 19'30" W 1.39 FT M OR L; N 89 12' E 27.8 FT; S 0 19'30" W 18 FT; N 89 12' E 1.46 FT M OR L; S 0 19'30" E 89.61 FT M OR L; S 89 12' E 11.84 FT M OR L; S 296.88 FT M OR L; N 84 28' 25" W 318.52 FT TO BEG.

*Section 2.* That the Zoning Map and the zone district designation for the property described in Section 1 be amended from the C-D zone district to the M-U zone district.

*Section 3.* This Ordinance shall take effect upon the first publication and filing of copy thereof in the office of the City Recorder of Murray City, Utah.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council  
on this \_\_\_\_ day of January, 2021.

MURRAY CITY MUNICIPAL COUNCIL

\_\_\_\_\_, Chair

ATTEST:

\_\_\_\_\_  
Jennifer Kennedy, City Recorder

Transmitted to the Office of the Mayor of Murray City on this \_\_\_\_ day of \_\_\_\_\_, 2021.

MAYOR'S ACTION:

DATED this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
D. Blair Camp, Mayor

ATTEST:

\_\_\_\_\_  
Jennifer Kennedy, City Recorder

#### CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance was published according to law on the \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Jennifer Kennedy, City Recorder

Seconded by Sue Wilson.

Call vote recorded by Mr. Hall.

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

Motion passed 7-0.

BOYER COMPANY – 861 East Winchester Street and 6520, 6550, 6580 South 900 East – Project #20-129 and #20-130

Scott Verhaaren and Spencer Moffat, 101 South 200 East, Salt Lake City, were present to represent this request. Jared Hall reviewed the location and request for a General Plan and Zone Map amendment. This property is located in the C-D Zone and has residential and office uses around it. The Future Land Use Map of the General Plan has this property listed as General Commercial. The request is to change the zone from C-D to Mixed Use (M-U) and to change the land use designation from General Commercial to Mixed Use. There are differences in permitted uses that are allowed in the C-D Zoning and M-U Zoning. Permitted and conditional uses allowed in the existing C-D Zone include hotels, retail stores, restaurants, grocery stores, funeral homes, assisted living facilities, beauty salons, personal services, business services, professional services, entertainment and sports, contractors, vehicle sales, rental, and repairs, convenience stores and gas stations, and athletic clubs. No residential uses are allowed in the C-D Zone. Permitted and conditional uses allowed in the proposed M-U Zone include hotels, transportation services, department stores, restaurants, grocery stores, funeral homes, assisted living facilities, beauty salons, personal services, business services, professional services, entertainment and sports, contractors, manufacturing, and wholesale trade (both with restrictions). Multi-family residential uses such as townhomes, apartments, and condominiums are allowed with conditional use permit and Planning Commission review, but they are only allowed in “mixed use” projects which include commercial development as well. No auto-oriented businesses or services, such as vehicle sales, rental, or repair, are allowed in the M-U Zone.

An M-U Zoning applied to these properties could result in a mix of commercial uses, likely on 900 East and Winchester Street and multifamily, residential uses to the rear of the property. Currently, the City does not have an application for this site. The M-U Zone has more detail on how buildings are constructed, and the site is integrated. Most of the concerns that come from residents around potential M-U developments have to do with height and traffic. Staff has a lot of ability in a project review to look at the kinds of impacts a development has on surrounding properties and try to mitigate those impacts. M-U Zoning is being applied all over the valley. This is a large retail store that is closing, and the building is probably not going to be picked up by someone and turned into another commercial development.

Staff is recommending the Planning Commission forward a recommendation of approval to the City Council for the General Plan and Zone Map amendments. The best opportunity to preserve

the commercial activity that has occurred on this corner for years is to make this a mixed-use site. It will allow the site to have multi-family and commercial uses and not sit vacant like the K-Mart site did.

Mr. Markham asked if the City would have more control over the final development if the site went to an M-U Zone instead of remaining a C-D Zone. Mr. Hall replied yes because the City has more ordinances explaining how developments integrate with each other in the M-U Zone.

Mr. Nay asked why this property wasn't included as a mixed use in the most recent General Plan. Ms. Milkavich asked why the property wasn't labeled as Residential Neighborhood Business (R-N-B) in the General Plan either. Mr. Hall replied most of the area along 900 East and down Winchester Street is R-N-B. This property was not included in that because it was already being used commercially. In 2017, when the General Plan was adopted, mixed use was not applied to areas outside the core of the City. However, the General Plan has statements in the general commercial category about the inclusion of higher density housing in the future. The City wasn't ready to move mixed use out of the core of the City in 2017, but they cautioned city officials that those types of requests would eventually come in.

Mr. Markham asked if staff had been involved with the master plan for water and sewer. Mr. Hall said they have been. If this site was rezoned to M-U, it allows for multi-family and that changes the way that the sewer needs to be provided. It also changes transportation needs and patterns. In the mixed use re-write that was done last year, the densities were graded down based on how far they are from mass transit. The density allowed in a mixed-use development here would only be about 40 units per acre as opposed to 100 units per acre that would be allowed in a central station area.

Ms. Milkavich asked if the school district was prepared for the additional students this development could bring. Mr. Hall replied the school district has been updated on the areas within the City that may eventually become mixed use. Once a project is proposed for this site, they will make the school district aware of it.

Mr. Markham asked what type of commercial would be incorporated into a development in the mixed-use zone. Mr. Hall replied 900 East and Winchester Street are highly used vehicular corridors. We are likely to see small use retail and commercial offices along them. Mr. Nay asked if the City will be seeing more of these types of projects coming forward. Mr. Hall replied yes. Places like Murray, that have been developed, are prime for this type of development.

Mr. Hacker said RC Willey has been a great neighbor that has a one-story building. The M-U Zone allows for higher buildings, but you get a better mix of uses. He asked if mixed use will be better for the local residents than commercial. Mr. Hall replied this is a significant change. This area has had a low-profile building and parking lot which won't be recreated by another commercial development. A mixed-use development will be more thoughtful than a commercial use development would be.

Ms. Patterson asked if the property owners could redevelop the property if it stays in the C-D Zone. Mr. Hall replied yes, something else could be built. The difference is, as you look at this property, whatever business that is in the interior, won't have the visibility to survive. The property is not large enough to develop into a large commercial shopping site, but it could work as a smaller, mixed use area.

Mr. Verhaaren said they see mixed use as a way forward. They have built a lot of retail over the years and they are seeing a modification in big box retail. They feel this site is an ideal spot for mixed use.

Mr. Markham said the Planning Commissions role in this is to provide a recommendation to the City Council. They are not the authority tasked with determining the zoning or the future land use of this particular piece of property. The final decision will be with the City Council so there will be additional opportunities for public comment and discussion on this item.

Mr. Hacker asked Mr. Verhaaren if he has contacted the other property owners that boarder this property to try to get them under contract as well. Mr. Verhaaren said they have made some general inquiries to two property owners but neither of them were interested.

The meeting was open for public comment. The following comments were read into the record:

Ken and Tracy Maxfield – 6464 South 900 East, Murray City

*My name is Ken Maxfield, my wife Tracy and I own the commercial property located at 6464 South 900 East, at the North East corner of the property that is seeking a change of zoning from Zone C-D to Zone M-U. Our property includes a building that is rented to The Framing Establishment, and a shop building to the west of The Framing Establishment.*

*I have concerns about changing the zoning on the surrounding property to the south and west of my property to Mix Use, and hope that this request will be denied. Here are our concerns:*

- 1. There will be islands of Zone C-D left that will be surrounded by Zone M-U. While those businesses located in the Zone C-D will be allowed to continue with their current use, you could have the potential of high-density housing going right next to businesses with the Zone C-D (remember that buildings can be up to 50' high). Once residents move in, they can start to object to being so close to a business in the Zone C-D. Residents could complain about noise, visual appearance, traffic, or other items. In my experience it is a bad idea to mix housing and commercial zones. For example, the M-U Zone prohibits the outdoor parking of large commercial vehicles and other equipment, but right next door is a business that can do that. Will a future business permit for a business on my property be denied because, while the business is allowed in a Zone C-D, it will be objectionable to residents that now live adjacent to my property because the zoning was changed? If so, then this zoning change will cause damages to us as property owners.*
- 2. In other high-density housing in Murray, there is not enough parking and residents seek offsite parking near their homes. This will happen here as residents and visitors seek street parking, or spill into the surrounding businesses and neighborhoods to the north to find parking.*
- 3. This area of Murray has lower crime rates than other areas in Murray. There could be many reasons for this, but I suspect the biggest factor is this area does not have any high-density housing areas. The areas in Murray with higher crime rates have more high-density housing. By granting this zone change you could be subjecting this area of Murray to a higher crime rate.*



Sherm and Marianne Ross – 875 Silver Shadows Drive, Murray City

*We are definitely opposed to more apartments on this property. We are already dealing with increased crime. This crime comes from the Extended Stay hotel, Crystal Inn, and James Point apartments. The transient nature of all these places has increased the crime.*

*A nice condominium would be preferable because the residents are more permanent and are more invested in the area. More apartments or another hotel or motel will diminish our property values.*

George Hamer Jr. – 824 East Silver Shadow Drive, Murray City

*My family moved into our home in 1979 and it is one of the homes that shares a back fence with RC Willey parking lot. I can tell you that there is no better neighbor than a parking lot, plus the view of the Mountains is incredible. I have seen a lot of changes over the years and I have also seen how many of those changes came about. Some took place with great anticipation and excitement from the residences, but others through deceit, dishonesty and lack of integrity. I have especially watched as different developments have taken place along Winchester Street and the underhanded ways the developers worked with Murray City Planning Division and the City Council to make some of those developments take place.*

*Just recently we received a notice saying that there was a request to rezone the RC Willey property and if we had questions or comments concerning the proposal to contact Jared Hall with Murray City Planning Division. We have made several attempts to do so with no luck. With this being done during the holiday times, neither he or his office were very available and when someone did answer in the Planning Division, we were told he was either not in or in a meeting. When we tried to get information from the person who answered, we were told to call back later because they could not answer our questions. I find it interesting that this proposal is being pushed through during a time when people are already stressed with the holidays and to add to that stress, during a pandemic as well. This is obviously an attempt to do it while people are busy with other concerns, in hopes of getting it pushed through with no pushback, and if someone does try to address the issue and get answers we are ignored.*

*I also find it interesting that there has been no mention of RC Willey closing their doors and selling off the property. I only found this out after getting the notice of rezoning and then contacting someone I know who works for RC Willey and inquired with them. This again makes me wonder why the secrecy, what are the plans for this property and why have the developers decided to choose this time of year when everyone's minds are focused on the holidays and how they are going to deal with them during this pandemic. I would like to know more information concerning the plans for this property and why those plans require the property to be rezoned from General Commercial to Mixed Use and what that even means.*

*Since I could not get any information from the Planning Division, I tried to look into it myself. The best guess I could come up with, the developer is trying to put in multi-family housing. This is not acceptable.*

*This is a single-family community and it should stay that way. I would hope that my Council Member Brett Hales, who live in this same area, would agree. There is a place for this kind of development and in the backyards of single-family homes is not it. We like our community the way it is, and I would be willing to bet that not a single one of the Council Members would like this type of development to go in their backyards either.*

*Obviously, there is a plan in place for the property and neither the developer nor the Murray City Planning Division is willing to share what that is. I would hope that the City Council can see through this deception and not approve this change. Instead of trying to get things done underhandedly, why not be open and honest and use a little integrity when trying to make changes like this.*

*I have seen lots of great changes and developments within Murray City over these many years and I am not one to disagree with change. However, it would be nice to understand what changes are occurring (especially in my backyard) and the reasons behind the changes, before they take place.*

*I would hope that those whom I have elected to represent my views and opinions, do just that and not approve the rezoning change. Please don't put the interest of the developers first. Listen to the residences and do what you were elected to do, represent them. Vote no.*

Verl Greenhalgh – 771 East Labrum Avenue, Murray City

*I have concerns amending the Land Use Zoning of the property known as RC Willey stores and parking lot from a General Commercial to a Mixed-Use zoning. Some of those include:*

*Assumptions:*

*The Mixed Use will be multi-family residential (medium to high density residential). If the new developer is planning a different commercial development, the existing zoning would suffice. This property does not lend itself to single family (low density) development as the cost to develop so few lots would price the lots out of market value and street access to lots in the northwest corner would leave very small lots for single family dwellings. This leaves multi-family development as the most likely option.*

*Storm Water:*

*At present use, the parking lot of RC Willey acts as a large detention pond that eases the initial shock on the storm water conduit that runs along the west parking lot of RC Willey. (That conduit runs from Winchester Street heading north to the north property line of RC Willey parking lot. It then turns west one block and then turns north again and empties into the storm water line of Silver Shadow.) Any change in use would seriously impact an already deficient storm water system.*

*Height Restrictions:*

*At present, the Murray City Height Regulation (17.170.120) states that buildings cannot exceed 50 feet within 150 feet of a residential zoning. For all the homes on Labrum Avenue and the south side of Silver Shadow Drive, un-obstructed views of the Wasatch Mountain Range would be lost. If, however, any development would be required to have a lower height...say 25 feet, around the perimeter of the existing residential area and gradually grow (terracing) to the 50-foot height where the existing commercial buildings are now located, that concern may be mitigated.*

*Buffer area:*

*At present, the RC Willey development has a landscape buffer between the parking lot and their north and west property lines. If the standard setbacks for medium to high density is 10 feet, there will be little if any buffer between single family residences and the adjoining multifamily residences. The idea of a buffer is not only for sight obstructions, but also for light, noise and smell pollution.*

*One of the purposes, or responsibilities of Murray City government and all of its divisions, and departments is to mitigate the impact of its citizens (residences). Central to a planning and zoning regulation is to preserve the existing residential life, safety, and feel of a community. I fear a Mixed-Use rezoning may lead to a diminishing of these three purposes for the surrounding residences (citizens).*

Christy and Joe Hillock – 778 East Silver Shadows Drive, Murray City

*As homeowners at 778 East Silver Shadows Drive, which backs up to the property in question, we want to state for the record that we agree with all of the comments and concerns submitted by Verl Greenhalgh. We have also listed additional concerns below regarding the planned zoning change to Mixed Use from Commercial.*

- 1. We currently have a nice view of the mountains from our backyard and a sense of privacy as well as relative quiet in the evenings/nights due to the RC Willey being closed at night. We are concerned that the proposed change in zoning will allow building of tall structures close to our south property line that will take away our views, our privacy, and our peace. These were all factors we considered when we purchased the property nine years ago.*
- 2. We have a storm water line that runs through our backyard, down the west side of our house, and out to Silver Shadows. Potential increase in usage of this line due to changes to the parking lot behind us could lead to flooding of our home. We have worked diligently over the past nine years to develop and mature our landscape plan; work on this storm waterline would adversely affect the landscaping and thus diminish the value of our property.*
- 3. We are concerned that an increase in population of the indicated area will lead to an increase in traffic on Silver Shadows Drive. This street is already often used as a cut through between 900 East and 725 East, and we believe this will only increase with this lot being converted to multi-family structures. As Murray has also declined repeatedly to put in stop signs or speed bumps on Silver Shadows, the speed of non-residents is often above the limit of 25 mph. This detracts from the safety of our neighborhood for our kids.*

Brian Fedderson – Murray City

*I am a resident living on Silver Shadows Drive adjacent to the property of concern. These are large parcels and I am concerned that "mixed use" will include a lot of high-density residential buildings. I am mainly concerned that this will add to the noise pollution, traffic, and crime of our neighborhood. We have seen that happen with the nearby James Point Apartments; except they have a greater buffer than would the RC Willey area. I am also concerned that this would encourage similar re-zone/development to the large parcels that sit to the east (84121 zip code?). I have spent a small fortune in fixing and upgrading up my home as a long-term resident and am hopeful any future development does not reduce my home's value.*

Fred Jones – PO Box 57307, Salt Lake City

*We have concern because this is spot zoning within a commercial zone. History has shown that split or spot zoning causes real estate functional obsolescence which ultimately devalues adjacent properties and creates blight. It becomes very unfair to the other property owners. We would strongly recommend to the planning commission that they deny this rezoning or consider rezoning the whole area to be consistent.*

The following citizens spoke during public comments:

Mick McCaslin – 764 East Labrum Avenue, Murray City

Mr. McCaslin said he is concerned about the height and proximity of buildings to the residences around the perimeter of this site. There is a flooding problem on the east end of Labrum Avenue. The only reason no one hears about it is because Verl Greenhalgh puts a piece of plywood over the storm drain in the RC Willey parking lot, so the parking lot becomes a detention pond. Otherwise, there are a couple of houses that would have property damage every year as a result of the inadequate storm drain.

His other concern is increased traffic on Labrum Avenue. He doesn't want to see Labrum Avenue become a thoroughfare for commercial traffic. He thinks a mixed-use plan could work if there were a detention pond created on the current parking lot. It could be a greenspace as well as resolve the flooding problem.

John Petersen – 653 Pheasant Ridge Circle, Alpine

Mr. Petersen said he represents Child Investment, the current owners of the subject property. He is also the commercial real estate agent for this property. They are not happy that RC Willey is leaving. They have searched for the right developer for this project and they received multiple offers. He believes this project will be service retail and mixed use. He is confident that the Boyer Company will work diligently with Murray City and the residents to put up a first-class development.

The public comment portion for this agenda item was closed.

Mr. Markham said he worked for Murray City for over 30 years with the last 10 years being in the Public Works Department. Every time there is any kind of thunderstorm or a severe snow melt, that storm drain in the RC Willey parking lot is overwhelmed. Any redevelopment of this property presents an opportunity for the City to correct those problems and to make the neighborhood a better place. A retention pond would be a great solution.

Mr. Nay asked about the likelihood of opening up Labrum Avenue to traffic. Mr. Hall said the City would have to purchase some properties to make Labrum Avenue go through. He doesn't think that will happen because 900 East and Winchester Street are big enough streets to get people in and out without needing them to use the neighborhood.

Mr. Markham said if and when a project is presented, the City has more leeway dealing with a residential mixed-use project than if a hotel was to be placed there. He thinks the City is trying to protect the existing neighborhood. He is in favor of this type of rezone and the City is going to be seeing more of these.

Ms. Patterson asked Mr. Hall how implementing a mixed-use zone next to a residential zone would work. Mr. Hall replied the City has tools within the approval process for a mixed-use development. For instance, this is a fairly suburban area of the City, unlike the area next to Trax. The City has an ordinance that says a building next to a single-family zone boundary cannot be taller than 50 feet. It would be nice if the City can do some things to preserve some of the views and privacy. When the Planning Commission reviews a project, they are going to review it under

design review standards which can mitigate impacts with additional conditions. If the City wants to push the development towards buffering the residential units, that is what they will do.

A motion was made by Scot Woodbury 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 861 East Winchester and 6520, 6550, & 6580 South 900 East from General Commercial to Mixed Use.

Seconded by Travis Nay

Call vote recorded by Mr. Hall.

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

Motion passed 7-0.

A motion was made by Travis Nay to forward a recommendation of approval to the City Council for the requested amendment to the Zoning Map designation of the property located at 861 East Winchester and 6520, 6550, & 6580 South 900 East from C-D, Commercial Development to M-U, Mixed Use.

Seconded by Lisa Milkavich.

Call vote recorded by Mr. Hall.

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

Motion passed 7-0.

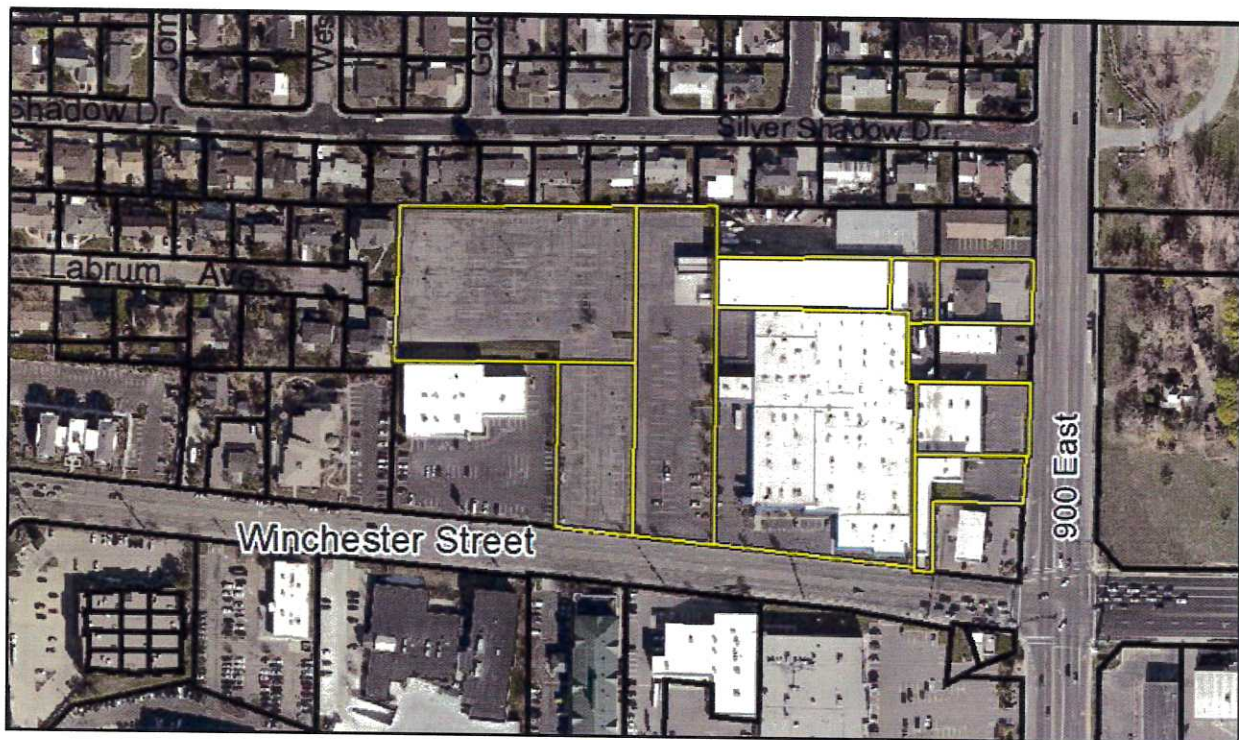
#### SPORTS MALL PROPERTIES – 5445 South 900 East – Project #20-132 and #20-133

Bruce Broadhead, 5445 South 900 East, was present to represent this request. Jared Hall reviewed the location and request to amend the Future Land Use Map designation and Zoning to facilitate a mixed-use development at 5445 South 900 East. The Sports Mall's property owners are in a position where they feel like it's time to close the Sports Mall and sell. They want to rezone the property so they can entertain offers for mixed use development on the site as those





AGENDA ITEMS #8 & #9			
ITEM TYPE:	General Plan Amendment / Zone Map Amendment		
ADDRESS:	861 E. Winchester and 6520, 6550, & 6580 South 900 East	MEETING DATE:	December 3, 2020
APPLICANT:	The Boyer Company	STAFF:	Jared Hall, Planning Division Manager
PARCEL ID:	22-20-176-002, 012, 011, 019, & 020, 22-20-156-020, 021, & 007	PROJECT NUMBER:	20-129 20-130
CURRENT ZONE:	C-D, Commercial Development	PROPOSED ZONE:	M-U, Mixed Use
LAND USE DESIGNATION	General Commercial	PROPOSED DESIGNATION	Mixed Use
SIZE:	9.11 Acres		
REQUEST:	The applicant would like to amend the Future Land Use Map designation and Zoning of the subject properties to facilitate mixed-use development		



## I. BACKGROUND & REVIEW

### Background

The subject property has been used as an RC Willey furniture store. It is currently in operation, but RC Willey will cease operations early in 2021 at this location. The building was constructed specifically to accommodate RC Willey's operations. With the loss of the tenant for whom the property was developed, the Boyer Company has approached the property owners and have requested the general plan amendment and zone change to accommodate a mixed use development.

### Surrounding Land Uses & Zoning

The subject property is comprised of 9 parcels in the C-D Zone. Seven of the parcels are used directly by RC Willey for the operations of the large furniture store and associated parking lot. Two smaller parcels are used by Apple Spice Junction, a catering and restaurant business fronting 900 East. Altogether the parcels total 9.11 acres.

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Single Family Residential / Commercial	R-1-8 & C-D
South	Commercial	C-D (across Winchester Street)
East	Vacant / Open Space	A-1 & O (across 900 East)
West	Single Family Residential / Commercial	R-1-8 & C-D

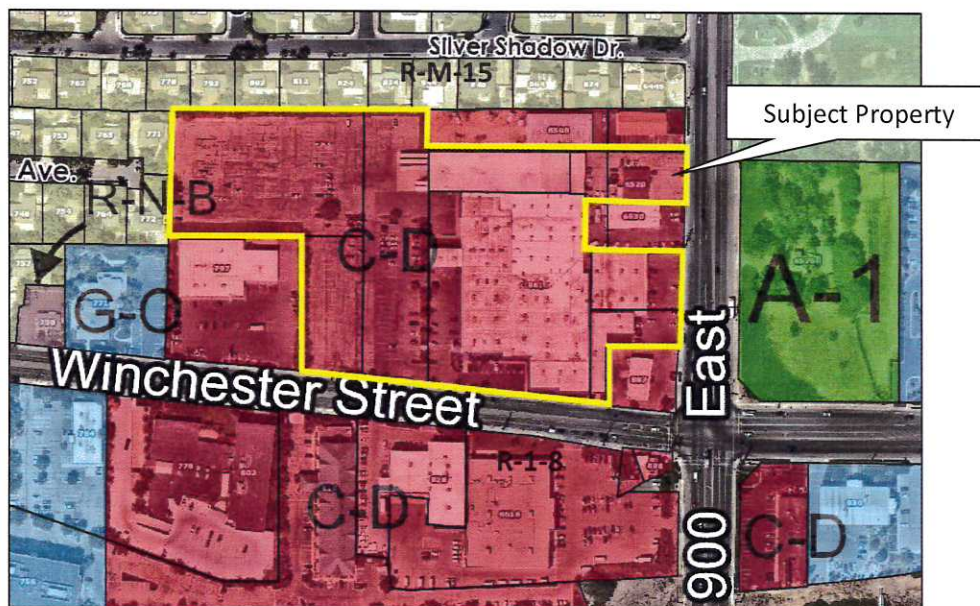


Figure 1: Segment of the Zoning Map, subject parcel highlighted

### Zoning Districts & Allowed Land Uses:



- Existing C-D, Commercial Development Zone:  
Permitted and conditional uses allowed in the existing Commercial Development (C-D) Zone include hotels, retail stores, restaurants, grocery stores, funeral homes, assisted living facilities, beauty salons, personal services, business services, professional services, entertainment and sports, contractors, vehicle sales, rental, and repairs, convenience stores and gas stations, and athletic clubs. No residential uses are allowed in the C-D Zone.
- Proposed M-U, Mixed Use Zone:  
Permitted and conditional uses allowed in the proposed Mixed Use Zone include hotels, transportation services, department stores, restaurants, grocery stores, funeral homes, assisted living facilities, beauty salons, personal services, business services, professional services, entertainment and sports, contractors, manufacturing, and wholesale trade (both with restrictions). Multi-family residential uses such as townhomes, apartments, and condominiums are allowed with conditional use permit and planning commission review, but they are only allowed in “mixed use” projects which include commercial development as well. No auto-oriented businesses or services (e.g. vehicle sales, rental, or repair) are allowed in the M-U Zone.

Regulations: The regulations for setbacks, height, parking, buffering and other considerations are distinct between the existing C-D and proposed M-U zones. A brief summary of some of the more directly comparable requirements is summarized in the table below.

	<b>C-D Zone</b> (existing)	<b>M-U Zone</b> (proposed)
Height of Structures	35' max if located within 100' of residential zoning. 1' of additional height per 4' of additional setback from residential zoning	50' max if located within 100' of residential zoning. 1' of additional height per 1' of additional setback from residential zoning.
Landscaping and Buffer Requirements	10' along all frontages 10% min coverage 10' buffer required adjacent to residential 5' buffer where parking abuts property line.	Building setbacks from frontages must be landscaped (where allowed) 15% min coverage (required as open space, to include amenities) 10' buffer required adjacent to residential 10' buffer where parking abuts property line.

Parking	Retail – 1 per 200 sf net Medical/Dental Office – 1 per 200 sf net General Office – 4 per 1,000 sf net  Special Requirements: none	Retail – 1 per 265 sf net Medical/Dental Office – 1 per 265 sf net General Office – 3 per 1,000 sf net  Special Requirements: Buildings exceeding 4 stories in height must provide 75% of the parking within the exterior walls or within a structure (podium).
Building Setbacks	20' front setback from property line.	Between 15' and 25' from the back of curb (effectively between 0' and 10' from property line). Greater setbacks are allowed for courtyards or plazas.
Public Improvements	Standard (typically 4' sidewalk, 5' park strips)	7' sidewalks, 8' park strips or 15' paved sidewalks with tree wells. Street trees and street furniture (benches, bicycle racks) are required.

Regulations in the M-U Zone are intended to foster an active street frontage and encourage more pedestrian activity. For example, the M-U Zone prohibits the outdoor parking of large commercial vehicles and other equipment. The M-U Zone also outlines design requirements such as ground floor windows with clear glass on building facades along street frontages, and includes language prohibiting blank walls and requiring entries along street frontages as well.

#### General Plan & Future Land Use Designations

Future Land Use Map Designations: Map 5.7 of the Murray City General Plan (the Future Land Use Map) identifies future land use designations for all properties in Murray City. The designation of a property is tied to corresponding purpose statements and zones. These "Future Land Use Designations" are intended to help guide decisions about the zoning designation of properties.

- Existing: The subject property is currently designated as “General Commercial”. No dwelling units of any kind are contemplated by this designation. The General Commercial designation is intended primarily for larger retail destinations and shopping centers. The only corresponding zoning designation identified for General Commercial is the C-D, Commercial Development Zone. The General Plan’s description recognizes the shift in these types of “retail destinations” in spite of the single corresponding zoning designation, and states: “High density, multi-family residential complexes will only be considered as part of a larger master-planned mixed-use development.” While the corresponding C-D Zone does not currently support mixed-use developments, these statements lend support to the proposed amendment.
- Proposed: The applicants have proposed amending the Future Land Use Map designation of the property to “Mixed Use”. The Mixed Use designation is intended for city center and transit station areas and along centers and corridors. Both residential and commercial uses are contemplated in the same areas and/or on the same properties. The designation is also intended to allow high-density, multi-dwelling structures at an urban scale. Corresponding zoning designations include the M-U, Mixed Use Zone and the T-O-D, Transit Oriented Development Zone.



### MIXED-USE

This designation is intended for city center and transit station areas where a mixed use neighborhood is desired and urban public services, including access to high-capacity transit, very frequent bus service, or BRT/Streetcar service are available or planned. This designation is intended to allow high-density multi-dwelling structures at an urban scale that include a mix of uses, usually in the same building and/or complex.

Density range is between 10 and 30 DU/AC.

Corresponding zone(s):

- T-O-D, Transit oriented development
- M-U, Mixed Use Development District



Figure 2: from Section 5, Land Use & Urban Design, Murray City General Plan 2017

Consideration of General Plan Objectives: The area of 900 East and Winchester Street are identified for consideration as a “city/retail center” and was included in those areas to be considered for future small area plans.

- Section 5-3, Objective 2 of the General Plan promotes revitalization along key transportation corridors like 900 East and Winchester Street, and supports that through a strategy to “offer zoning, density, street improvements and other indirect incentives”. It is of note that the density allowed by the Mixed Use Zone that has been proposed would be up to 40 dwelling units per acre.

### OBJECTIVE 2: ENCOURAGE REVITALIZATION ALONG KEY TRANSPORTATION CORRIDORS AND IN THE CORE OF THE CITY.

**Strategy:** Offer zoning, density, street improvements and other indirect incentives for areas targeted for revitalization.

- Section 5-3, Objective 3 of the General Plan encourages the use of form-based development patterns at smaller commercial nodes, and support for multiple modes of mobility. This objective is supported by a strategy to “create a neighborhood mixed-use zone designation and support it with form-based development and design

guidelines. In 2019 the Mixed Use Zone was amended with the intent to make it more applicable to areas like the subject property – areas which had been identified by the General Plan as community or neighborhood centers and nodes where mixed use development might be an appropriate tool for revitalization. Although formal design guidelines or form-based codes have not been adopted, aspects of the Mixed Use Zone will support a “form-based development pattern” as called for in Objective 3 through design review requirements and reduced density allowances farther from the main transit stations.

**OBJECTIVE 3: ENCOURAGE A FORM-BASED DEVELOPMENT PATTERN AT SMALLER COMMERCIAL NODES TO SUPPORT MULTIPLE MODES OF ACCESS AND MOBILITY.**

**Strategy:** Create a neighborhood mixed-use zone designation and support it with form-based development and design guidelines.

- Section 8-3 of the General Plan regards goals and objectives for neighborhoods and housing. The overall goal is to “provide a diversity of housing through a range of types and development patterns to expand the options available to existing and future residents.” There are two strategies which tend to support the applications: first, to “support a range of housing types, including townhomes, row-homes, and duplexes which appeal to younger and older individuals as well as a variety of population demographics.”

Second, to “promote the construction of smaller-scaled residential project that are integrated with current and future employment, retail, and cultural areas.” The subject property presents an opportunity to allow a relatively smaller scale multi-family residential, mixed use development that will be in line with these strategies and goals for the expansion and diversification of housing opportunities in Murray City. At the same time, the potential development of transitional housing (medium density housing as allowed by the restrictions of the proposed M-U Zone) will buffer the single-family residential areas to the north without impacting that neighborhood’s stability.

**OBJECTIVE 3: ENCOURAGE HOUSING OPTIONS FOR A VARIETY OF AGE, FAMILY SIZE AND FINANCIAL LEVELS.**

**Strategy:** Support a range of housing types, including townhomes, row-homes, and duplexes, which appeal to younger and older individuals as well as a variety of population demographics.

**Strategy:** Promote the construction of smaller-scaled residential projects that are integrated with current and future employment, retail, and cultural areas.

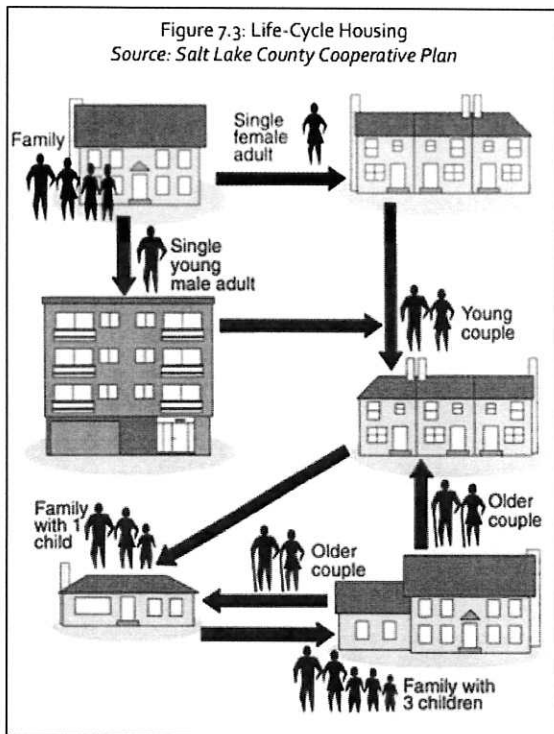


Figure 3: Life-Cycle Housing

**Transportation, Traffic, and Parking:** If the property is re-zoned, any proposed development will require a traffic impact study. 900 East and Winchester Street are both classified as minor arterials, and carry significant amounts of vehicular traffic into, out of, and through Murray City. Access to alternative transportation is an important consideration for the successful application of mixed use zoning. Both 900 East and Winchester Street provide multiple bus routes. Parking requirements in the Mixed Use Zone are lesser than in commercial zones with the anticipation that residents of a mixed use development are more likely to utilize transit options and to walk to some services, thereby reducing both parking usage and vehicle trip generation and miles traveled. 900 East and Winchester Street present good opportunities for light retail that can benefit not only from the exposure to the frontage but also from the proximity of residents on the same site with easy

access. Staff finds that modifying the zoning to allow mixed use development of the subject property will not have a negative impact on traffic or parking in the larger area that cannot be mitigated through design considerations for a specific project.

**Compatibility:** The Mixed Use designation is intended for areas near, in, and along centers and corridors, and near transit stations. While the subject property is not near a transit station, it is situated along a high volume corridor. Open space is an important consideration for mixed use projects as well. Because the densities allowed usually limit access of the residents to private open spaces, interconnected and publicly available open space amenities are required for projects in the M-U Zone. Additionally, the subject property is located across 900 East from



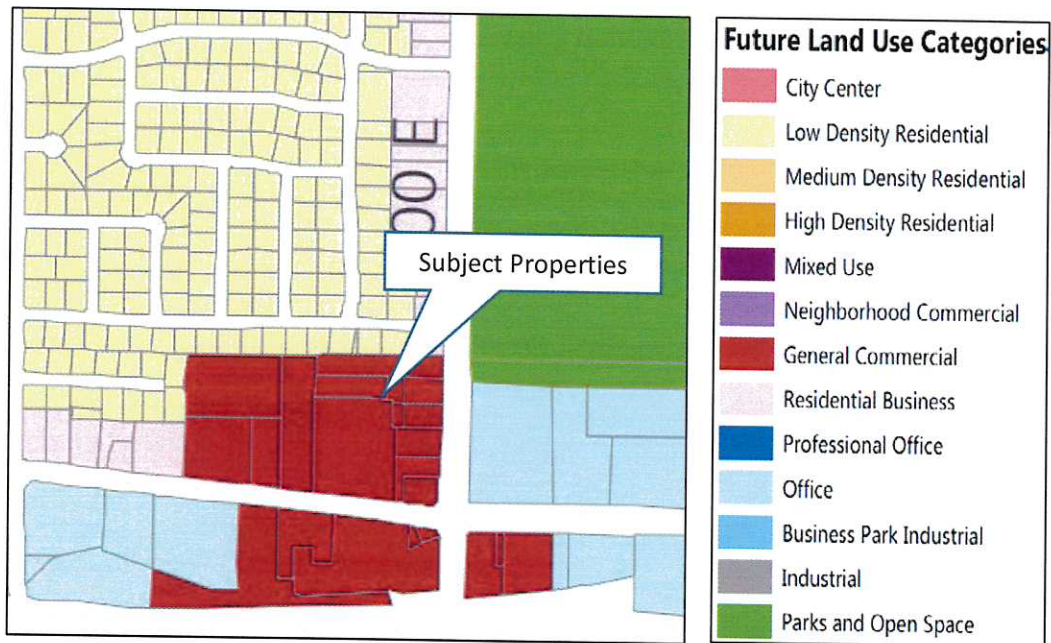


Figure 4: Future Land Use Map section, subject property

The current use of the property as a furniture outlet will end with or without changes to the zoning. The building and parking are designed for the larger, destination-oriented use which is now no longer viable. Staff finds that the request to amend both the Future Land Use Map and Zoning Map to Mixed Use is appropriate for the subject property because the development can provide more service-oriented commercial uses at smaller scales in closer proximity to 900 East and Winchester Street that will not only benefit from high traffic volumes, but will also make those services available to existing and proposed residential development. Mixed Use development will support objectives of the General Plan by providing opportunities for revitalization, more thoughtful pedestrian improvements, access to transit, and public improvements overall.

## II. CITY DEPARTMENT REVIEW

The applications were made available for review by City Staff from various departments on November 16, 2020. The following comments have been received:

- Murray City Sewer Division recommends approval without specific conditions or concerns. The Sewer Division is updating the master plan at this time and the potential for higher-density residential uses occurring in this area has been accounted for.
- Murray City Water Division recommends approval at this time but notes that during design phase some upgrades to water systems will likely be necessary, and that the Water Division is actively seeking a new well in this area.

- The Murray City Power Department recommends approval without specific concerns or conditions.
- The Murray Fire Department recommends approval.

### III. PUBLIC COMMENTS

119 notices of the public hearing for the requested amendments to the Future Land Use map and Zone Map amendment were sent to property owners within 500 feet of the subject property and to affected entities.

As of the date of the writing of this report, staff has received an email from an adjoining property owner with questions about what the applicant intended to develop on the property if the zone is changed.

### IV. ANALYSIS & CONCLUSIONS

#### A. Is there need for change in the Zoning at the subject location for the neighborhood or community?

The subject property has the potential to better serve the purposes of the General Plan and be more meaningfully redeveloped if that redevelopment occurs under the regulations of the M-U Zone. Staff recommends that there is a need for the proposed change of zoning.

#### B. If approved, how would the range of uses allowed by the Zoning Ordinance blend with surrounding uses?

The proposed M-U Zoning will allow higher density housing on the site as well as commercial uses that are compatible with and appropriate for the high volume corridors upon which the subject property is located. Though the multi-family densities allowed by the M-U Zone are greater than the single-family residential densities to the north, they can act as a transition and buffer from the traffic and commercial uses that will be found on 900 East and Winchester Street.

#### C. What utilities, public services, and facilities are available at the proposed location? What are or will be the probable effects the variety of uses may have on such services?

Available utilities and services at this location will not be impacted by the proposed change in zoning in any way that cannot be remedied through the design review process. Reviewing service providers including sewer, power, fire, and engineering department personnel have indicated that the necessary impact studies are underway or can be addressed through the design review process.

### V. FINDINGS

1. The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.
2. The requested amendment to the Future Land Use Map of the 2017 Murray City General Plan is supported by the description and intent of the General Commercial land use designation which recognizes the appropriateness of mixed use development including higher-density, multi-family housing along key transportation corridors and at recognized centers.
3. The proposed Zone Map Amendment from C-D to M-U conforms to goals and objectives of the 2017 Murray City General Plan and will support the appropriate re-development of the subject property.
4. The requested amendments to the Future land Use Map and Zoning Map have been carefully considered based on the characteristics of the site and surrounding area and on the policies and objectives of the 2017 Murray City General Plan and are in harmony with the goals of the Plan.

## **VI. STAFF RECOMMENDATION**

The requests have been reviewed together in the Staff Report and the findings and conclusions apply to both recommendations from Staff, but the Planning Commission must take actions on each request individually. Two separate recommendations are provided below:

### **REQUEST TO AMEND THE MURRAY CITY GENERAL PLAN**

Based on the background, analysis, and the findings in this report, Staff recommends that the Planning Commission **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 861 E. Winchester and 6520, 6550, & 6580 South 900 East from General Commercial to Mixed Use.**

### **REQUEST TO AMEND THE MURRAY CITY ZONING MAP**

Based on the background, analysis, and the findings within this report, Staff recommends that the Planning Commission **forward a recommendation of APPROVAL to the City Council for the requested amendment to the Zoning Map designation of the property located at 861 E. Winchester and 6520, 6550, & 6580 South 900 East from C-D, Commercial Development to M-U, Mixed Use.**



# **Attachments**

# GENERAL PLAN AMENDMENT APPLICATION

Type of Application (check all that apply):

☐ Text Amendment

☒ Map Amendment

Project # 20-129

Subject Property Address: 861 Winchester Street

Parcel Identification (Sidwell) Number: comprised of tax parcels on the attached sheet

Parcel Area: 9.11 Acres Current Use: R.C. Willey Furniture Store

Land Use Designation: General Commercial (CD) Proposed Designation: Mixed Use (M-U)

Applicant Name: Boyer Project Company

Mailing Address: 101 South 200 East, Suite 200

City, State, ZIP: Salt Lake City, UT 84111

Daytime Phone #: 801.521.4781 Fax #: 801.521.4793

Email Address: sverhaaren@boyercompany.com or smoffat@boyercompany.com

Business Name (If applicable): The Boyer Company

Property Owner=s Name (If different): Child Investment Company, Ltd.

Property Owner=s Mailing Address: 2301 South 300 West

City, State, Zip: South Salt Lake, UT 84115

Daytime Phone #: 801.209.8805 Fax #:                      Email: john.petersen@colliers.com

Describe your request in detail (use additional page if necessary): Change the future land use designation for the Parcel Area from General Commercial to Mixed Use in anticipation of a change in zoning classification from C-D to M-U.

Authorized Signature:



Date:

11-9-2020

Property Owners Affidavit

Project# \_\_\_\_\_

I (we) William H. Child, being first duly sworn, depose and say that I (we) am (are) the current owner of the property involved in this application: that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.

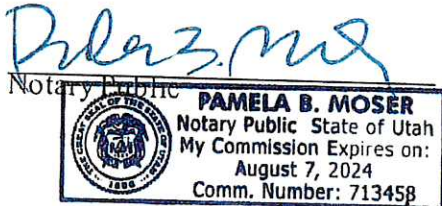
William H. Child  
Owner's Signature

Owner's Signature (co-owner if any)

State of Utah

County of Salt Lake §

Subscribed and sworn to before me this 9th day of November, 2020.



Residing in Salt Lake  
My commission expires: 8/7/2024

Agent Authorization

I (we), William H. Child, the owner(s) of the real property located at 861 Winchester Street-, in Murray City, Utah, do hereby appoint The Boyer Co., as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize The Boyer Co. to appear on my (our) behalf before any City board or commission considering this application.

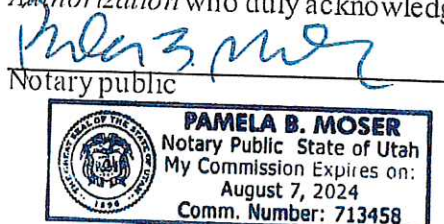
William H. Child  
Owner's Signature

Owner's Signature (co-owner if any)

State of Utah

County of Salt Lake §

On the 9th day of November, 2020, personally appeared before me William H. Child the signer(s) of the above Agent Authorization who duly acknowledge to me that they executed the same.



Residing in: Salt Lake  
My commission expires: 8/7/2024

## ZONING AMENDMENT APPLICATION

Type of Application (check all that apply):

☐ Zoning Map Amendment

☐ Text Amendment

☐ Complies with General Plan

☐ Yes ☐ No

Project # 20-130

Subject Property Address: 861 Winchester Street

Parcel Identification (Sidwell) Number: comprised of the tax parcels on the attached sheet

Parcel Area: 9.11 acres Current Use: R.W. Willey Furniture Store

Existing Zone: C-D Proposed Zone: M-U

Applicant

Name: Boyer Project Company

Mailing Address: 101 South 200 East, Suite 200

City, State, ZIP: Salt Lake City, UT 84111

Daytime Phone #: 801.521.4781 Fax #: 801.521.4793

Email address: sverhaaren@boyercompany.com or smoffat@boyercompany.com

Business or Project Name : The Boyer Company

Property Owner's Name (If different): Child Investment Company, Ltd.


Property Owner's Mailing Address: 2301 South 300 West

City, State, Zip: South Salt Lake 84115

Daytime Phone #: 801.209.8805 Fax #:            Email: john.petersen@colliers.com

Describe your reasons for a zone change (use additional page if necessary):

The demand for "big box" stores has dropped significantly the past several years with demand typically limited to areas around large retail projects such the Fashion Place. Given these recent market changes, the parcel's "highest and best use" is now as a mixed use project with residential and limited commercial uses.

Authorized Signature: 

Date: 11-9-2020



## Property Owners Affidavit

I (we) William H. Child, being first duly sworn, depose and say that I (we) am (are) the current owner of the property involved in this application: that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.

[Signature]  
Owner's Signature

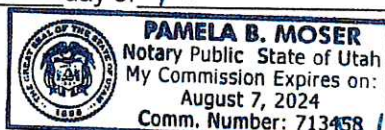
\_\_\_\_\_  
Co- Owner's Signature (if any)

State of Utah

County of Salt Lake

Subscribed and sworn to before me this 9th day of November, 2020.

[Signature]  
Notary Public  
Residing in Salt Lake



My commission expires: 8/7/2024

## Agent Authorization

I (we), William H. Child, the owner(s) of the real property located at  
861 Winchester Street, in Murray City, Utah, do hereby appoint  
The Boyer Co., as my (our) agent to represent me (us) with  
regard to this application affecting the above described real property, and authorize  
The Boyer Co. to appear on my (our) behalf before any City  
board or commission considering this application.

[Signature]  
Owner's Signature

\_\_\_\_\_  
Co-Owner's Signature (if any)

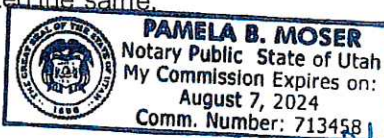
State of Utah

County of Salt Lake

On the 9th day of November, 2020, personally appeared before me

William H. Child the signer(s) of the above Agent Authorization  
who duly acknowledge to me that they executed the same.

[Signature]  
Notary Public  
Residing in Salt Lake



My commission expires: 8/7/2024

**Order Confirmation for 0001304105**

Client	MURRAY CITY RECORDER		
Client Phone	8012642660	Account #	9001341938
Address	5025 S STATE, ROOM 113	Ordered By	ZACHARY
	MURRAY, UT 84107	Account Exec	ltapusa2
		PO Number	PUBLIC HEARING NO
Email	snixon@murray.utah.gov		

**Total Amount \$83.96**
**Payment Amt \$0.00**
**Amount Due \$83.96**

Text: PUBLIC HEARING NOTICE

**Ad Number** 0001304105-01 **Ad Type** Legal Liner

**Ad Size** 1 X 47 li **Color**
**WYSIWYG Content**
**MURRAY CITY  
CORPORATION  
NOTICE OF  
PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that on the 3rd day of December, 2020, at the hour of 6:30 p.m. of said day the Planning Commission will hold and conduct a Public Hearing for the purpose of receiving public comment on and pertaining to a General Plan Amendment to the Future Land Use Map from General Commercial to Mixed Use and a Zone Map Amendment from C-D (Commercial Development) to M-U (Mixed Use) for the properties located at 861 East Winchester Street, 6520, 6550, 6580 South 900 East, Murray City, Salt Lake County, State of Utah. If you would like to comment on this agenda item at the meeting please register at: <https://tinyurl.com/yxon4fwu> or you may submit comments via email at [planningcommission@murray.utah.gov](mailto:planningcommission@murray.utah.gov). If you would like to view the meeting only you may watch via livestream at [www.murraycitylive.com](http://www.murraycitylive.com) or [www.facebook.com/MurrayCityUtah/](http://www.facebook.com/MurrayCityUtah/). No physical meeting location will be available.

 Jared Hall, Manager  
 Planning Division  
 1304105 UPAXLP

<b>Product</b>	<b>Placement</b>	<b>Position</b>
Salt Lake Tribune	Legal Liner Notice	Public Meeting/Hear
<b>Scheduled Date(s):</b>	11/22/2020	
utahlegals.com	utahlegals.com	utahlegals.com
<b>Scheduled Date(s):</b>	11/22/2020	
Deseret News	Legal Liner Notice	Public Meeting/Hear
<b>Scheduled Date(s):</b>	11/22/2020	





## NOTICE OF PUBLIC MEETING

Electronic Meeting Only - December 3<sup>rd</sup>, 2020, 6:30 PM

Public Notice is hereby given that this meeting will occur electronically without an anchor location in accordance with Utah Code 52-4-207(4), due to infectious disease COVID-19 Novel Coronavirus. The Planning Commission Chair has determined that conducting a meeting with an anchor location presents substantial risk to the health and safety of those who may be present at the anchor location because physical distancing measures may be difficult to maintain in the Murray City Council Chambers.

The Murray City Planning Commission will hold a public meeting regarding the following applications made by representatives of the Boyer Project Company regarding the properties addressed 861 East Winchester Street and 6520, 6550, & 6580 South 900 East:

**Amend the Future Land Use Map designation of the properties from General Commercial to Mixed Use and;  
Amend the Zoning Map designation of the properties from C-D, Commercial Development to M-U, Mixed Use.**

If you would like to comment on this agenda item at the meeting please register at: <https://tinyurl.com/yxon4fwm> or you may submit comments via email at [planningcommission@murray.utah.gov](mailto:planningcommission@murray.utah.gov). If you would like to view the meeting only you may watch via livestream at [www.murraycitylive.com](http://www.murraycitylive.com) or [www.facebook.com/MurrayCityUtah/](https://www.facebook.com/MurrayCityUtah/).

*Comments are limited to 3 minutes or less and written comments will be read into the meeting record.*



This notice is being sent to you because you own property near the subject property. If you have questions or comments concerning this proposal, please call Jared Hall with the Murray City Planning Division at 801-270-2420 or e-mail to [jhall@murray.utah.gov](mailto:jhall@murray.utah.gov).

Special accommodations for the hearing or visually impaired will be upon a request to the office of the Murray City Recorder (801-264-2660). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.

Public Notice Dated | November 19, 2020



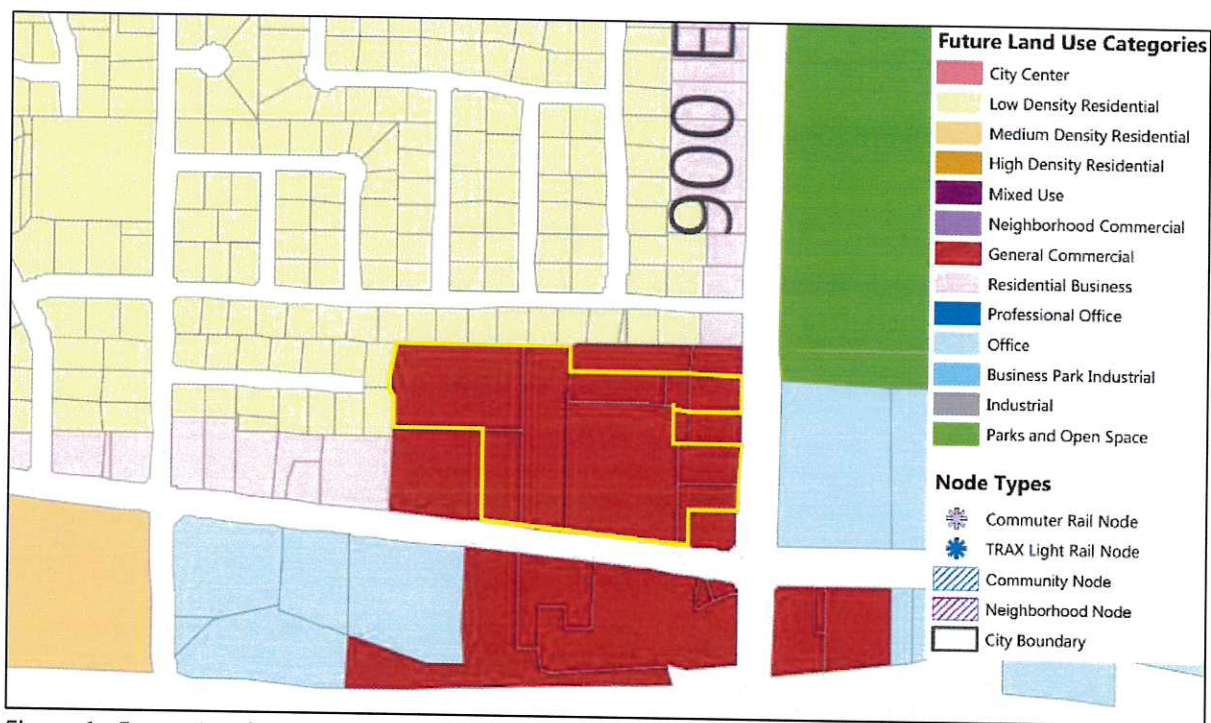


Figure 1: Future Land Use Map segment

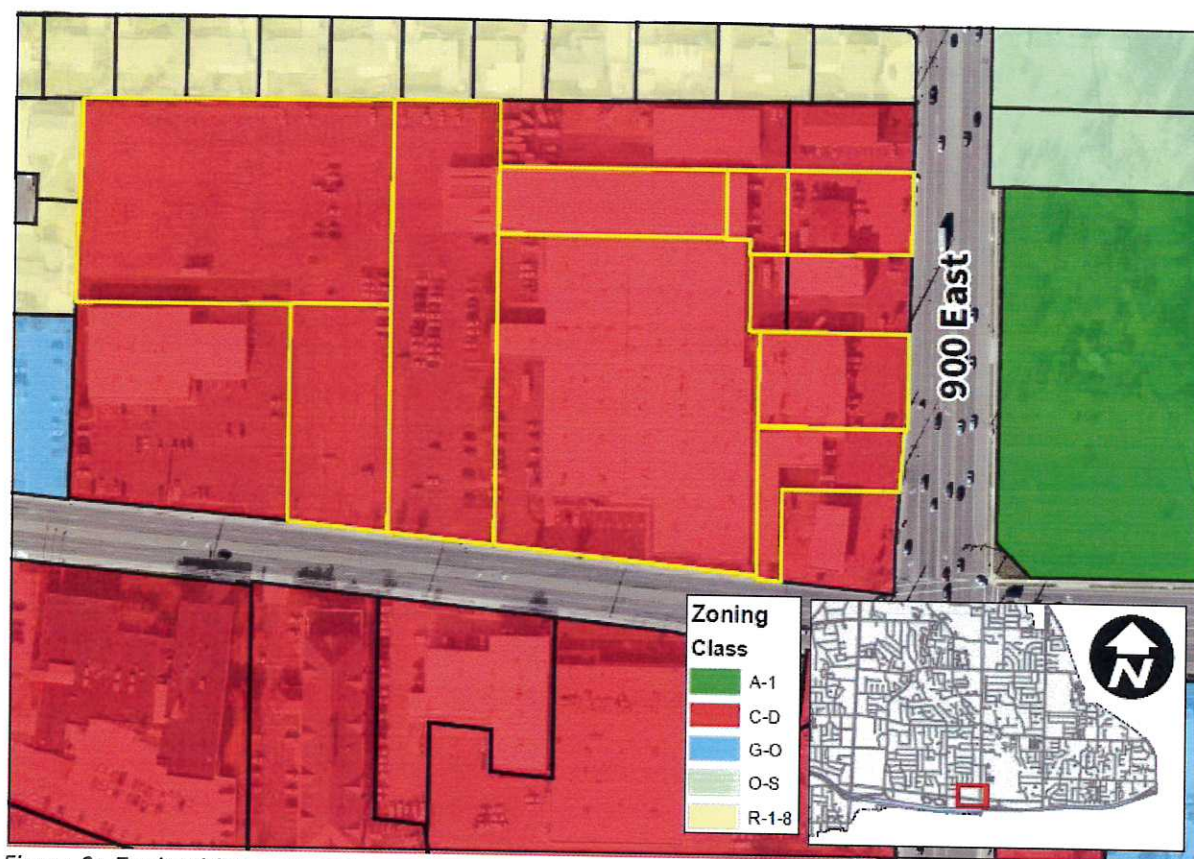


Figure 2: Zoning Map segment



**PARCELS COMPRISING THE CHILD INVESTMENT COMPANY PROPERTY  
AT 861 EAST WINCHESTER STREET, MURRAY, UTAH CONSISTING OF  
APPROXIMATELY 9.11 ACRES**

Parcel 1 (Tax Parcel No. 22-20-156-007-0000): BEG 455.648 FT N & 1051.847 FT E FR W 1/4 COR SEC 20, T 2S, R 1E, SLM; S 89 22' W 379.74 FT; N 1 04' E 250 FT M OR L; N 89 12' E 375.18 FT M OR L; S 250 FT M OR L TO BEG.

Parcel 2 (Tax Parcel No. 22-20-156-020-0000): BEG N 181.115 FT & E 1051.847 FT FR W 1/4 COR SEC 20, T 2S, R 1E, SLM; N 84 28'25" W 122.5 FT M OR L; N 261.28 FT; N 89 22' E 121.29 FT M OR L; S 274.53 FT M OR L TO BEG.

Parcel 3 (Tax Parcel No. 22-20-156-021-0000): BEG N 168.59 FT & E 1179.75 FT FR W 1/4 COR SEC 20, T 2S, R 1E, SLM; N 523.98 FT; S 89 12' W 127.9 FT; S 512.12 FT M OR L; S 84 30' E 128.5 FT TO BEG.

Parcel 4 (Tax Parcel No. 22-20-176-011-0000): BEG 131.57 FT N & 1179.75 FT E & S 84 28'25" E 318.84 FT & 216.51 FT N FR W 1/4 COR SEC 20, T 2S, R 1E, SLM; E 213 FT; N 0 09' E 115 FT M OR L; W 213.63 FT; S 115 FT M OR L TO BEG. LESS ST.

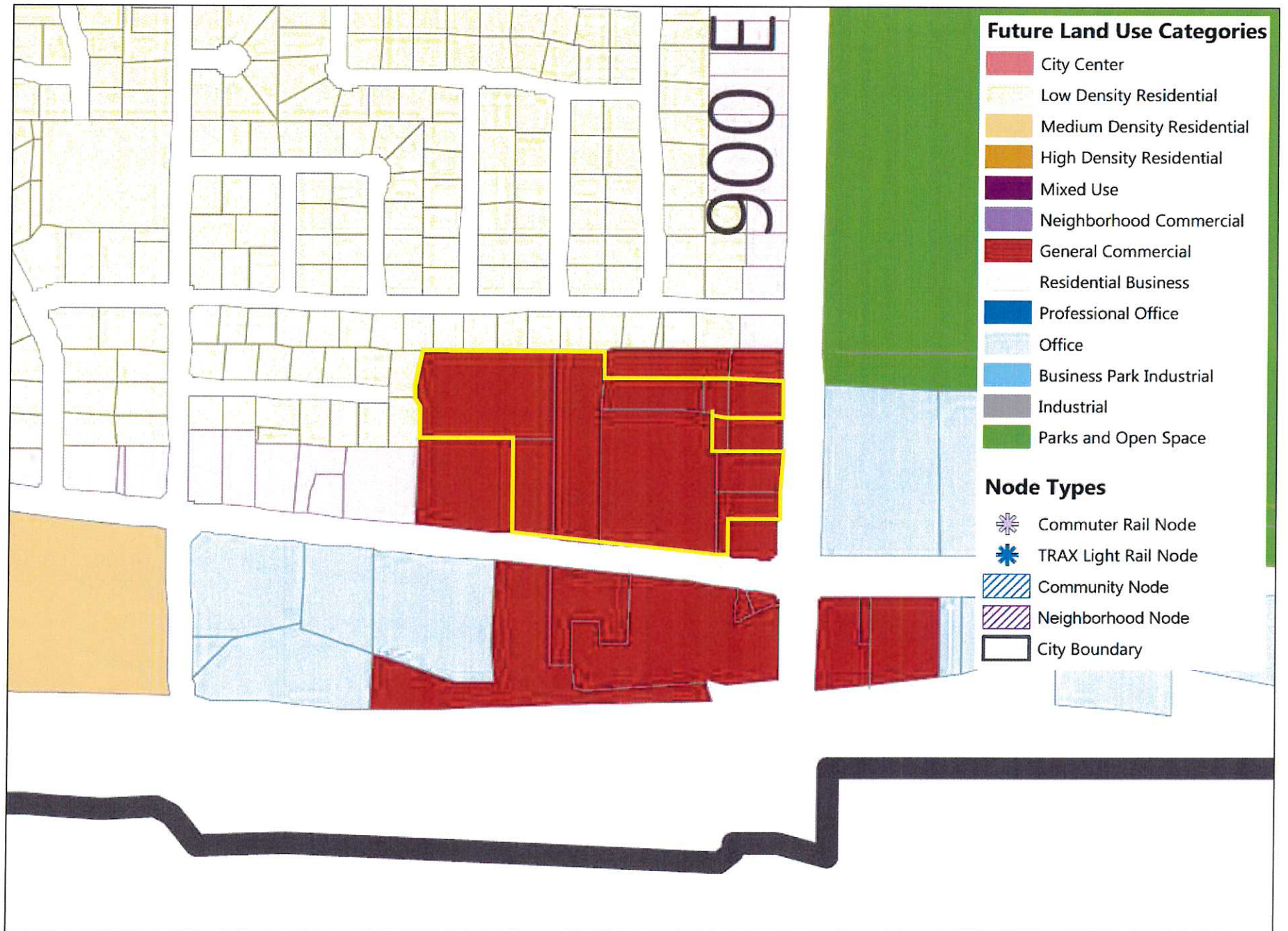
Parcel 5 (Tax Parcel No. 22-20-176-012-0000): COM IN CEN OF 6600 SO. ST, 131.57 FT N & 1179.75 FT E & S 84 28'25" E 318.84 FT FR W 1/4 COR SEC 20, T 2S, R 1E, SLM; N 216.51 FT; E 213 FT; S 0 19' W 75 FT; W 183 FT; S 144.38 FT; N 84 28'25" W 30.05 FT TO BEG. LESS STREET & TRACT DEEDED TO ST. RD. COMM. OF UTAH.

Parcel 6 (Tax Parcel No. 22-20-176-019-0000): BEG N 131.57 FT & E 1179.75 FT & N 412.13 FT FR THE W 1/4 COR OF SEC 20, T 2S, R 1E, SLM; N 80 FT; N 89 35'54" E 276.01 FT M OR L; S 0 19'30" W 81.94 FT M OR L W 275.54 FT M OR L TO BEG.

Parcel 7 (Tax Parcel No. 22-20-176-020-4001): BEG N 627.43 FT & E 1678.53 FT FR W 1/4 COR OF SEC 20, T 2S, R 1E, SLM; S 0 19'30" W 100 FT; N 89 12' W 195 FT; N 0 19'30" E 18 FT; S 89 12' W 27.8 FT; N 0 19'30" E 82 FT; N 89 12' E 222.8 FT TO BEG. LESS THAT PORTION INSIDE SALT LAKE COUNTY COTTONWOOD SANITARY DISTR.

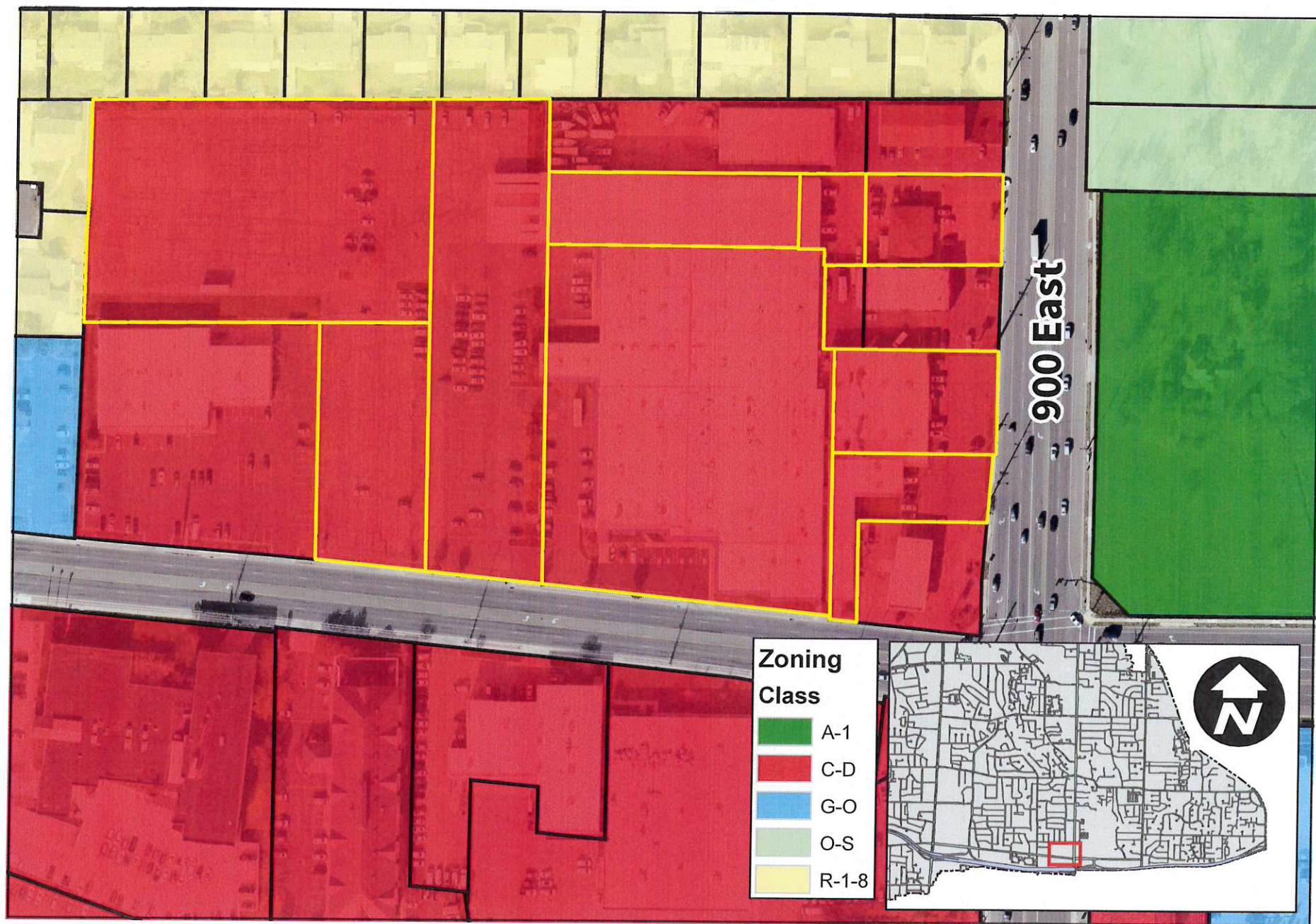
Parcel 8 (Tax Parcel No. 22-20-176-020-4002): BEG N 627.43 FT & E 1678.53 FT FR W 1/4 COR OF SEC 20, T 2S, R 1E, SLM; S 0 19'30" W 100 FT; N 89 12' W 195 FT; N 0 19'30" E 18 FT; S 89 12' W 27.8 FT; N 0 19'30" E 82 FT; N 89 12' E 222.8 FT TO BEG. LESS THAT PORTION OUTSIDE SALT LAKE COUNTY COTTONWOOD SANITARY DISTR.

Parcel 9 (Tax Parcel No. 22-20-176-022-0000): BEG N 168.59 FT & E 1179.75 FT FR W 1/4 COR SEC 20, T 2S, R 1E, SLM; N 374.97 FT; E 275.54 FT M OR L; S 0 19'30" W 1.39 FT M OR L; N 89 12' E 27.8 FT; S 0 19'30" W 18 FT; N 89 12' E 1.46 FT M OR L; S 0 19'30" E 89.61 FT M OR L; S 89 12' E 11.84 FT M OR L; S 296.88 FT M OR L; N 84 28' 25" W 318.52 FT TO BEG.





861 E Winchester and 6520, 6550, 6580 S 900 E.





**BOYER COMPANY**  
**Project #20-129 & 20-130**  
**PC 12/3/2020**  
**500' radius + affected entities**

ADA & DMA FTR  
6432 S 900 E  
Murray , UT, 84121-2441  
**\*\* returned in mail\*\***

ARJj Holdings LLC  
6338 S Canyon Cove Dr  
Holladay , UT, 84121-6336

Bear River Mutual Insurance  
Company  
Po Box 571310  
Murray , UT, 84157-1310

BFT  
6422 S Golden Chain St  
Murray , UT, 84107-7716

Blaine L Margetts  
792 E Silver Shadow Dr  
Murray , UT, 84107-

Cab Liv Tr  
6404 S Glen Oaks St  
Murray , UT, 84107-7712

Christopher Charles Jensen;  
Jennifer M Jensen (Jt)  
6415 S Golden Chain St  
Murray , UT, 84107-7715

CI Tr  
1556 E 8685 S  
Sandy , UT, 84093-1573

Child Investment Company  
2301 S 300 W  
South Salt Lake , UT, 84115-2516

Daniel J Lundwall; Jill C Lundwall  
(Jt)  
805 E Silver Shadow Dr  
Murray , UT, 84107-

Dave Roberts; Heather Roberts (Jt)  
885 E Silver Shadow Dr  
Murray , UT, 84107-

D & PGLR Tr  
6426 S 900 E  
Murray , UT, 84121-2441

Davis W Hansen; Angie L Hansen  
(Jt)  
736 E Labrum Ave  
Murray , UT, 84107-7722

Dennis G Ritz; Gail M Ritz (Jt)  
763 E Labrum Ave  
Murray , UT, 84107-7721

Dennis R Sharp; Jamie H Sharp (Jt)  
6421 S Glen Oaks St  
Murray , UT, 84107-7711

Don & Marilyn Enterprises LLC  
1191 E Belsaw Cir  
Sandy , UT, 84094-6922

Douglas A Brown; Leauna M Brown  
(Jt)  
6404 S Silverbell St  
Murray , UT, 84107-7733

Douglas D Hart (Jt)  
1100 E Belle Meadows Wy  
Murray , UT, 84121-1730

Dsp&Dcp Frt  
815 E Silver Shadow Dr  
Murray , UT, 84107-

Emmett A Gaydon  
835 E Silver Shadow Dr  
Murray , UT, 84107-

Eugenia Papaderos  
6423 S Westridge St  
Murray , UT, 84107-7748

Fox Capital LLC  
737 E Winchester St  
Murray , UT, 84107-7564

Frederic Bagley Nelson & Diane  
Morton Nelson Living Trust  
10/01/2002  
6426 S Silverbell St  
Murray , UT, 84107-7733

Gail R Hansen; Patricia W Hansen  
(Jt)  
6414 S Glen Oaks St  
Murray , UT, 84107-7712

George E Jr Hamer; Joyce B  
Hamer (Jt)  
824 E Silver Shadow Dr  
Murray , UT, 84107-

Gregory Corey; Brooke Parker (Jt)  
6427 S Glen Oaks St  
Murray , UT, 84107-7711

Guy W Brinkerhoff;  
Ann J Brinkerhoff (Jt)  
6420 S Glen Oaks St  
Murray , UT, 84107-7712

Homelife Murray Li Lc  
3963 E Alpine Valley Cir  
Sandy , UT, 84092-6046

Homelife Murray Lc  
3963 E Alpine Valley Cir  
Sandy , UT, 84092-6046



Jason S Mceuen;  
Heidi Mceuen (Jt)  
6417 S Westridge St  
Murray , UT, 84107-7748

Jeffery K Horne;  
Jennifer H Horne (Jt)  
752 E Silver Shadow Dr  
Murray , UT, 84107-

Jennifer L Allred;  
Jason D Salvesen (Jt)  
845 E Silver Shadow Dr  
Murray , UT, 84107-

Jessica Bacon  
6420 S Silverbell St  
Murray , UT, 84107-7733

Joaquim S De Andrade; Sandra De  
Andrade (Jt)  
739 E Labrum Ave  
Murray , UT, 84107-7721

John E Nelson; Shauna K Nelson  
(Jt)  
812 E Silver Shadow Dr  
Murray , UT, 84107-

Juli L Miller  
759 E Silver Shadow Dr  
Murray , UT, 84107-

Julie A Bailey  
6426 S Glen Oaks St  
Murray , UT, 84107-7712

Julie T Schreck; Robert B Schreck  
(Jt)  
6428 S Golden Chain St  
Murray , UT, 84107-7716

K Fam Liv Tr  
844 E Silver Shadow Dr  
Murray , UT, 84107-

Kaiulani Gilbert  
9228 Woodlawn Ave N  
Seattle , WA, 98103-3528

Katsuyuki Kawamoto;  
Kinuye Kawamoto  
6421 S Golden Chain St  
Murray , UT, 84107-7715

L&Mb Tr  
738 E Silver Shadow Dr  
Murray , UT, 84107-

Lauri Taylor; David Jr Winburn (Jt)  
6420 S 900 E  
Salt Lake City , UT, 84121-2441

Lindsey Nelson; Robert Nelson (Jt)  
802 E Silver Shadow Dr  
Murray , UT, 84107-

Lorenz Rindlisbacher;  
D'Launa Rindlisbacher  
865 E Silver Shadow Dr  
Murray , UT, 84107-

Make-A-Wish-Foundation Of Utah  
Inc  
771 E Winchester St  
Murray , UT, 84107-7564

Matt Warren; Micah Warren (Jt)  
762 E Silver Shadow Dr  
Murray , UT, 84107-

Matthew J Burn  
732 E Silver Shadow Dr  
Murray , UT, 84107-

Michael R Mascherino; Connie J  
Mascherino (Jt)  
6422 S Joma St  
Murray , UT, 84107-7720

Micki L Mccaslin;  
Janell R Mccaslin (Jt)  
764 E Labrum Ave  
Murray , UT, 84107-7722

Milo Development LLC  
8180 S 700 E  
Sandy , UT, 84070-0511

MLWT  
747 E Labrum Ave  
Murray , UT, 84107-7721

Mountain View Business Center  
LLC  
660 Newport Center Dr  
Newport Beach , CA, 92660-

Murray City Corp  
5025 S State St  
Murray , UT, 84107-4824

Norma J Ramoselli  
6575 S 900 E  
Murray , UT, 84121-2442

Nathan R Kirkham  
751 E Silver Shadow Dr  
Murray , UT, 84107-

Nichole Ann Shepard  
848 E Silver Shadow Dr  
Murray , UT, 84107-

RG Firestone LLC  
2265 E Murray Holladay Rd  
Salt Lake City , UT, 84117-5379

Pearson L Frank; Sharon L Frank  
(Jt)  
6421 S Joma St  
Murray , UT, 84107-7719

R & Ks Fam Liv Tr  
748 E Labrum Ave  
Murray , UT, 84107-7722

Robert E Grant; Connie Grant (Jt)  
6414 S Silverbell St  
Murray , UT, 84107-7733

Richard B Fedderson; Tiffany B  
Fedderson (Tc)  
864 E Silver Shadow Dr  
Murray , UT, 84107-

Richard Seiger; Amanda Seiger (Jt)  
753 E Labrum Ave  
Murray , UT, 84107-7721

Roy L. Scott; Bernice F. Scott  
1617 W Temple Ln # 2107  
South Jordan , UT, 84095-2463

Rose Macejak; James Macejak (Tc)  
834 E Silver Shadow Dr  
Murray , UT, 84107-

Roy L Mccracken; Nancy G  
Mccracken (Jt)  
6427 S Joma St  
Murray , UT, 84107-7719

Salt Lake County  
Po Box 144575  
Salt Lake City , UT, 84114-4575

S&Ln Tr  
6434 S Joma St  
Murray , UT, 84107-7720

Salt Lake County  
Po Box 144575  
Salt Lake City , UT, 84114-4575

Steve C Blake  
757 E Winchester St  
Murray , UT, 84107-7564

Seven Fifty Nine LLC  
Po Box 572532  
Murray , UT, 84157-2532

Shane P Robbins  
6424 S 900 E  
Salt Lake City , UT, 84121-2441

Tim Jung; Lynh Cheng Jung (Jt)  
6416 S Westridge St  
Murray , UT, 84107-7749

Terry D Steed; Evelyn H Steed (Jt)  
754 E Labrum Ave  
Murray , UT, 84107-7722

Tiffini A John; Daniel A John (Jt)  
6430 S Westridge St  
Murray , UT, 84107-7749

Trust Not Identified  
6416 S Golden Chain St  
Murray , UT, 84107-7716

Timothy Jon Richardson; Alisha A  
Richardson (Jt)  
772 E Labrum Ave  
Murray , UT, 84107-7722

Trust Not Identified  
6427 S Westridge St  
Murray , UT, 84107-7748

Trust Not Identified  
6405 S Silverbell St  
Murray , UT, 84107-7732

Trust Not Identified  
6415 S Glen Oaks St  
Murray , UT, 84107-7711

Trust Not Identified  
875 E Silver Shadow Dr  
Murray , UT, 84107-

Trust Not Identified  
166 E 73Rd S  
Idaho Falls , ID, 83404-7613

Trust Not Identified  
6421 S Silverbell St  
Murray , UT, 84107-7732

Trust Not Identified  
768 E Silver Shadow Dr  
Murray , UT, 84107-

Utah Power Credit Union  
957 E 6600 S  
Murray , UT, 84121-2444

Tyler Ashcroft; Jacquelyn Ashcroft  
(Jt)  
773 E Silver Shadow Dr  
Murray , UT, 84107-

Union Park Crystal Inn LLC  
185 S State St # 1300  
Salt Lake City , UT, 84111-1537

William K Oberhansly  
6427 S Golden Chain St  
Murray , UT, 84107-7715

Verl B Greenhalgh;  
Ann J Greenhalgh (Jt)  
771 E Labrum Ave  
Murray , UT, 84107-7721

Weston Godfrey;  
Danielle Godfrey (Jt)  
6428 S 900 E  
Murray , UT, 84121-2441

Adam Bullough & Sarah Bullough  
Living Trust 01/22/2020  
742 E Silver Shadow Dr  
Murray , UT, 84107-7735

William T Thompson; Erma G  
Thompson (Jt)  
785 E Silver Shadow Dr  
Murray , UT, 84107-

T-5 Inc  
797 E Winchester St # 1  
Murray , UT, 84107-5612

Paul & Jodi Holman Family Trust  
11/21/2019  
6404 S Golden Chain St  
Murray , UT, 84107-7716

Morgan Family Trust 03/21/1984  
6427 S Silverbell St  
Murray , UT, 84107-7732

Fisher Trust 04/23/2009  
740 E Labrum Ave  
Murray , UT, 84107-7722

6530 South LLC  
5320 S 900 E  
Salt Lake City , UT, 84117-7202

Jeffrey & Sharon Jensen Family  
Trust 04/07/2020  
6417 S Joma St  
Murray , UT, 84107-7719

Joe & Christy HiLLCock Living Trust  
7/28/2017  
778 E Silver Shadow Dr  
Murray , UT, 84107-

TAYLORSVILLE CITY  
PLANNING & ZONING DEPT  
2600 W TAYLORSVILLE BLVD  
TAYLORSVILLE UT 84118

291 Lambert LLC  
180 Iris Wy  
Palo Alto , CA, 94303-

9Th East Management LLC  
5824 S Royalton Dr  
Murray , UT, 84107-6559

MURRAY SCHOOL DIST  
ATTN: DAVID ROBERTS  
5102 S Commerce Drive  
MURRAY UT 84107

UDOT - REGION 2  
ATTN: MARK VELASQUEZ  
2010 S 2760 W  
SLC UT 84104

UTAH TRANSIT AUTHORITY  
ATTN: PLANNING DEPT  
669 West 200 South  
SLC UT 84101

GRANITE SCHOOL DIST  
ATTN: KIETH BRADSHAW  
2500 S STATE ST  
SALT LAKE CITY UT 84115

WEST JORDAN CITY  
PLANNING DIVISION  
8000 S 1700 W  
WEST JORDAN UT 84088

CHAMBER OF COMMERCE  
ATTN: SKYLAR GALT  
5411 South Vine Street, Unit 3B  
MURRAY UT 84107

COTTONWOOD IMPRVMT  
ATTN: LONN RASMUSSEN  
8620 S HIGHLAND DR  
SANDY UT 84093

MIDVALE CITY  
PLANNING DEPT  
7505 S HOLDEN STREET  
MIDVALE UT 84047

SALT LAKE COUNTY  
PLANNING DEPT  
2001 S STATE ST  
SLC UT 84190

HOLLADAY CITY  
PLANNING DEPT  
4580 S 2300 E  
HOLLADAY UT84117

ROCKY MOUNTAIN POWER  
ATTN: KIM FELICE  
12840 PONY EXPRESS ROAD  
DRAPER UT 84020

DOMINION ENERGY  
ATTN: BRAD HASTY  
P O BOX 45360  
SLC UT 84145-0360

UTOPIA  
Attn: JAMIE BROTHERTON  
5858 So 900 E  
MURRAY UT 84121

JORDAN VALLEY WATER  
ATTN: LORI FOX  
8215 S 1300 W  
WEST JORDAN UT 84088

CENTRAL UTAH WATER DIST  
1426 East 750 North, Suite 400,  
Orem, Utah 84097

WASATCH FRONT REG CNCL  
PLANNING DEPT  
41 North Rio Grande Str, Suite 103  
SLC UT 84101

COTTONWOOD HEIGHTS CITY  
ATTN: PLANNING & ZONING  
2277 E Bengal Blvd  
Cottonwood Heights, UT 84121

SANDY CITY  
PLANNING & ZONING  
10000 CENTENNIAL PRKWY  
SANDY UT 84070

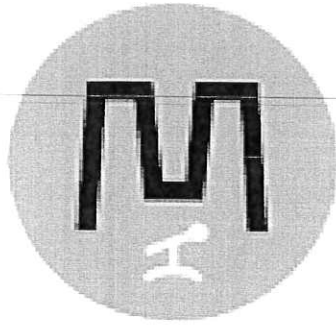
MILLCREEK  
Attn: Planning & Zoning  
3330 South 1300 East  
Millcreek, UT 84106

COMCAST  
ATTN: GREG MILLER  
1350 MILLER AVE  
SLC UT 84106

CENTURYLINK  
250 E 200 S  
Salt Lake City, Utah 84111

UTAH AGRC  
STATE OFFICE BLDG #5130  
SLC UT 84114





**MURRAY**  
CITY COUNCIL

# Discussion Item #2



**MURRAY**

# Community & Economic Development

## Zone Map Amendment

192 East 4500 South, Sew N Fit

### Council Action Request

Committee of the Whole

Meeting Date: January 5, 2021

<b>Department Director</b> Melinda Greenwood  <b>Phone #</b> 801-270-2428  <b>Presenters</b> Melinda Greenwood Jared Hall          <b>Required Time for Presentation</b> 10 Minutes  <b>Is This Time Sensitive</b> No  <b>Mayor's Approval</b> Doug Hill <small>Digitally signed by Doug Hill DN: cn=Doug Hill, o=Murray City Corporation, ou=Mayor's Office, email=dhill@murray.utah.gov, c=US Date: 2020.12.21 16:31:06 -0700</small> <b>Date</b> December 21, 2020	<b>Purpose of Proposal</b> A Zone Map Amendment for 192 East 4500 South from G-O, General Office to CS, Commercial Development  <b>Action Requested</b> Approval of a Zone Map Amendment for 192 East 4500 South from G-O, General Office to CS, Commercial Development  <b>Attachments</b> Slide Presentation  <b>Budget Impact</b> None.    <b>Description of this Item</b>  <b>Background</b> Saeid Ahar of Sew N Fit has applied to amend the Zoning Map for the property located at 192 East 4500 South, and change from G-O, General Office to C-D, Commercial Development. This request is supported by the 2017 General Plan. The property is currently being used as an optometrist's office and is .20 acres in size.  The proposed rezone is supported by the General Plan. As a Future Land Use Designation, General Commercial is primarily intended to be used for development of "larger retail destinations". Multiple properties along 4500 South have already been rezoned from G-O to C-D in accordance with the General Plan.  <b>Zoning Regulations</b> The existing <b>G-O Zone</b> allows for office, pharmacy and massage therapy uses. Bed and Breakfasts, photo studios, beauty salons and
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## **Continued from Page 1:**

restaurants are allowed subject to Conditional Use approval.

The proposed **C-D Zone** allows for retail and commercial activities as permitted or conditional uses. It does not allow any single or multi-family residential uses. The current optometrist's office would still be allowed as a permitted use.

### **Staff Review**

Planning Division Staff circulated the proposed zone map amendment to multiple Murray City Departments for review on November 2<sup>nd</sup>, 2020. There were no comments from the City Departments and all recommended approval.

### **Public Notice and Planning Commission**

Thirty-nine (39) notices of the public meeting were sent to all property owners for parcels located within 300 feet of the subject property.

The Planning Commission held a public hearing for this item for this item on November 19, 2020. No public comments were received, and the Planning Commission voted 6-0 to forward a recommendation of approval to the City Council based on the findings below.

1. The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.
2. The requested zone change has been carefully considered based on the characteristics of the site and surrounding area, and on the policies and objectives of the 2017 Murray City General Plan.
3. The proposed Zone Map Amendment from G-O to C-D is supported by the General Plan and Future Land Use Map designation of the subject property.

### **Recommendation**

Based on the findings above, Staff and the Planning Commission recommend the City Council approve the requested amendment to the Zoning Map designation of the property located at 192 East 4500 South from G-O, General Office to C-D, Commercial Development.

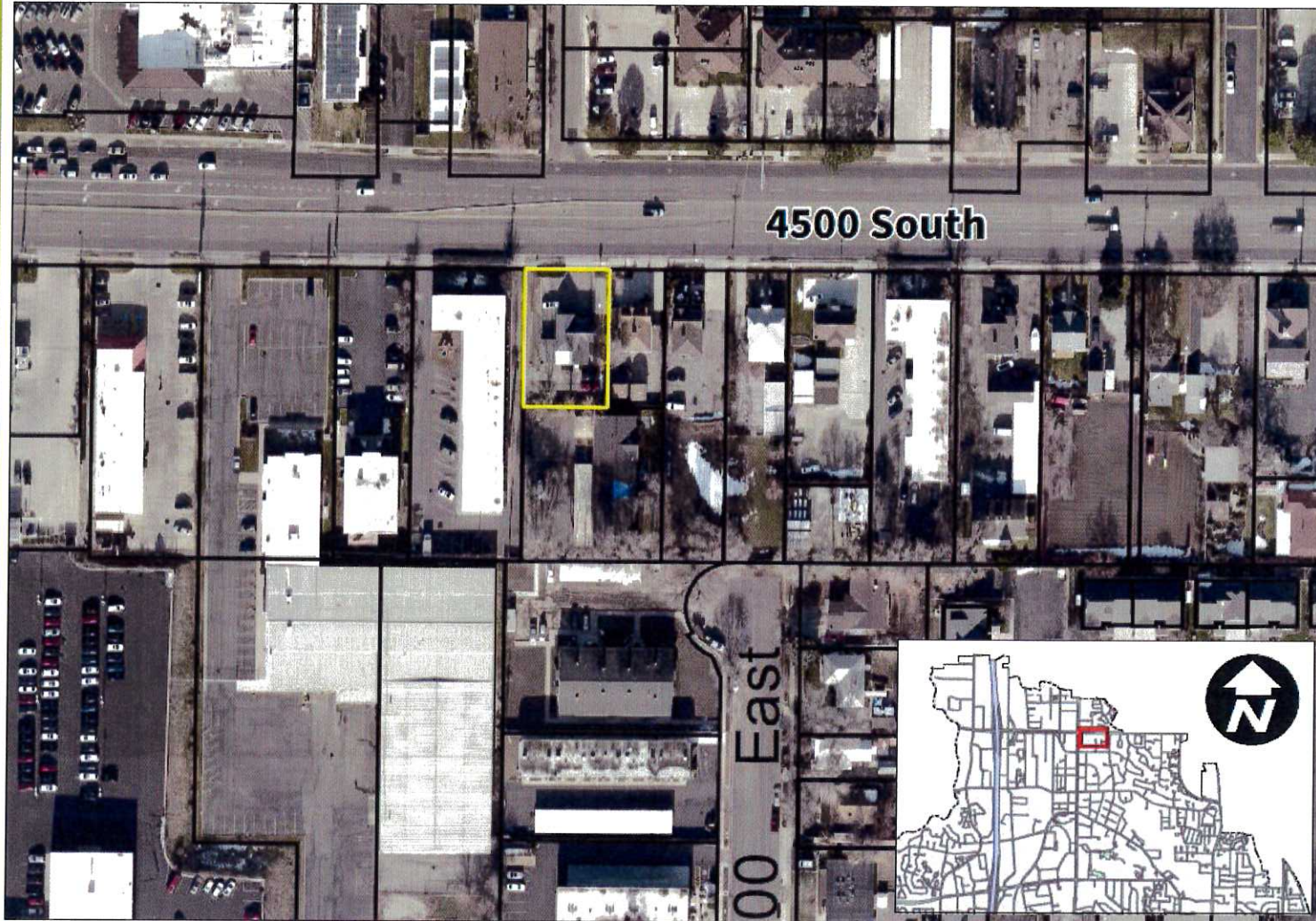
# Sew N Fit

Zone Map Amendment from G-O, General Office to  
C-D Commercial Development

192 East 4500 South

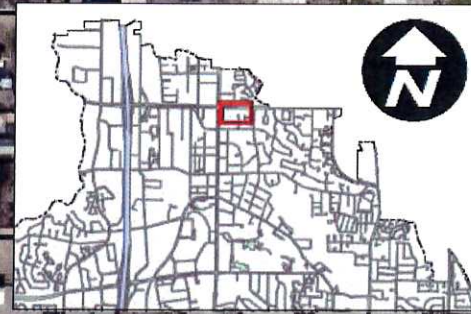




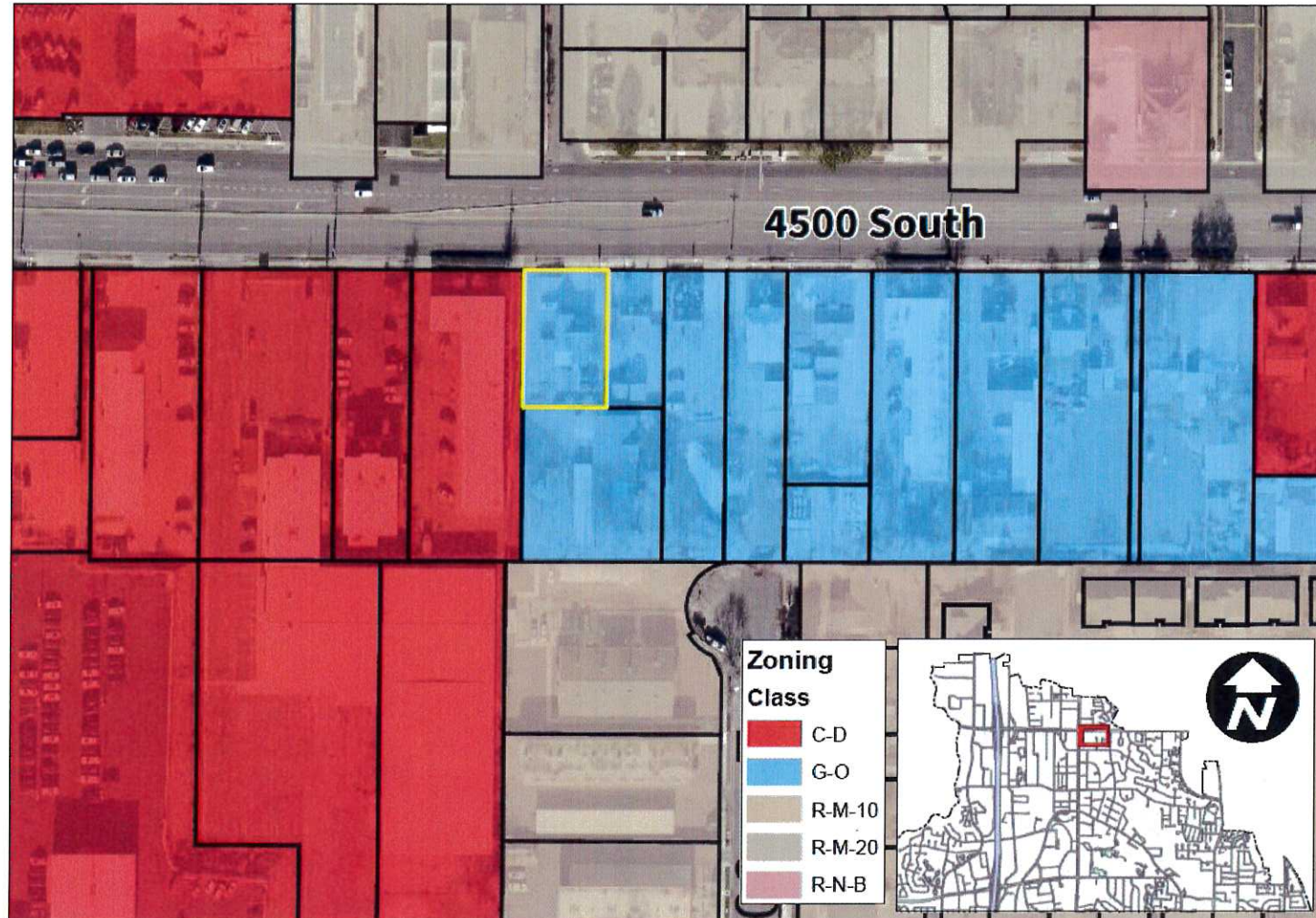


## Aerial View

192 East 4500 South







## Current Zoning

G-O, General Office



### Future Land Use Categories

-  City Center
-  Low Density Residential
-  Medium Density Residential
-  High Density Residential
-  Mixed Use
-  Neighborhood Commercial
-  General Commercial
-  Residential Business
-  Professional Office
-  Office
-  Business Park Industrial
-  Industrial
-  Parks and Open Space



### Future Land Use Map

C-D, Commercial Development



# Planning Commission Meeting

**November 19, 2020**

- **39 public notices were mailed (300' distance)**
  - ✓ No public comments were received
- **The Planning Commission voted 6-0 to recommend approval based on the findings:**
  - ✓ The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.
  - ✓ The requested zone change has been carefully considered based on the characteristics of the site and surrounding area, and on the policies and objectives of the 2017 Murray City General Plan.
  - ✓ The proposed Zone Map Amendment from G-O to C-D is supported by the General Plan and Future Land Use Map designation of the subject property.





# Staff Recommendation

Staff and the Planning Commission recommend the City Council **APPROVE** the requested amendment to the Zoning Map designation of the property located at 192 East 4500 South from G-O, General Office to C-D, Commercial Development.



# Murray City Corporation

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 19<sup>th</sup> day of January, 2021, at the hour of 6:30 p.m. of said day the Murray City Municipal Council will hold and conduct a hearing on and pertaining to the consideration of amending the Zoning Map from G-O (General Office) the C-D (Commercial Development) zoning district for the property located at approximately 192 East 4500 South, Murray, Utah.

The purpose of this hearing is to receive public comment concerning the proposed amendment to the Zoning Map as described above.

Public Notice is hereby given that this meeting will occur electronically without an anchor location in accordance with Utah Code 52-4-207(4), due to infectious disease COVID-19 Novel Coronavirus. The Council Chair has determined that conducting a meeting with an anchor location presents substantial risk to the health and safety of those who may be present at the anchor location because physical distancing measures may be difficult to maintain in the Murray City Council Chambers.

The public may view the meeting via the live stream at [www.murraycitylive.com](http://www.murraycitylive.com) or <https://www.facebook.com/Murraycityutah/>.


**\*Citizen comments or public hearing comments may be made as follows:**

- Live through the Zoom meeting process. Those wishing to speak during these portions of the meeting must send a request to [city.council@murray.utah.gov](mailto:city.council@murray.utah.gov) by 3:00 p.m. on the meeting date. You will receive a confirmation email with instructions and a Zoom link to join the meeting.
- Read into the record by sending an email in advance or during the meeting to [city.council@murray.utah.gov](mailto:city.council@murray.utah.gov).
- Comments are limited to less than three minutes, include your name and contact information.

DATED this 22<sup>nd</sup> day of December, 2020.



MURRAY CITY CORPORATION

  
Jennifer Kennedy  
City Recorder

DATE OF PUBLICATION:  
PH21-01

January 3, 2021 (Salt Lake Tribune)

ORDINANCE NO. \_\_\_\_

AN ORDINANCE RELATING TO LAND USE; AMENDS THE ZONING MAP FROM G-O to C-D FOR THE PROPERTIES LOCATED AT APPROXIMATELY 192 EAST 4500 SOUTH, MURRAY CITY, UTAH.  
(Sew N Fit)

BE IT ORDAINED BY THE MURRAY CITY MUNICIPAL COUNCIL AS FOLLOWS:

WHEREAS, the owner of the real properties located at approximately 192 East 4500 South, Murray, Utah, has requested a proposed amendment to the zoning map to designate the property in a C-D zone district; and

WHEREAS, it appearing that said matter has been given full and complete consideration by the Planning and Zoning Commission; and

WHEREAS, it appearing to be in the best interest of Murray City and the inhabitants thereof that the proposed amendment of the Zoning Map be approved.

NOW, THEREFORE, BE IT ENACTED:

*Section 1.* That the Zoning Map and the zone district designation be amended for the following described property located at 192 East 4500 South, Murray, Salt Lake County, Utah from the G-O (General Office) zone district to the C-D (Commercial Development) zone district:

Affected Parcel Numbers: 22-06-331-026-0000

PARCEL 1:

BEGINNING AT A POINT ON THE SOUTH LINE OF 16<sup>TH</sup> SOUTH STREET (OLD 16<sup>TH</sup> SOUTH STREET, NOW 45<sup>TH</sup> SOUTH STREET) 542.5 FEET EAST FROM THE INTERSECTION OF THE EAST LINE OF STATE STREET AND THE SOUTH LINE OF 16<sup>TH</sup> SOUTH STREET (OLD 16<sup>TH</sup> SOUTH STREET, NOW 45<sup>TH</sup> SOUTH STREET), THE INITIAL POINT OF BEGINNING BEING 12.88 CHAINS EAST AND 4.70 CHAINS SOUTH AND 608.5 FEET EAST OF THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 33 FEET TO THE CENTER OF 16<sup>TH</sup> SOUTH STREET (OLD 16<sup>TH</sup> SOUTH STREET, NOW 45<sup>TH</sup> SOUTH STREET); THENCE EAST 74.5 FEET; THENCE SOUTH 153 FEET; THENCE WEST 74.5 FEET; THENCE NORTH 120 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE BOUNDS OF 4500 SOUTH STREET.

PARCEL 2:

A RIGHT OF WAY AS DISCLOSED IN THAT CERTAIN WARRANTY DEED RECORDED FEBRUARY 03, 2010 AS ENTRY NO. 10891849 IN BOOK 9801 AT PAGE 7296 OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTH LINE OF 45<sup>TH</sup> SOUTH STREET (FORMERLY 16<sup>TH</sup> SOUTH STREET) 542.5 FEET EAST FROM THE INTERSECTION OF THE EASTERLY LINE OF STATE STREET AND THE SOUTHERLY LINE OF 45<sup>TH</sup> SOUTH STREET, SAID INITIAL POINT BEING ABOUT 12.88 CHAINS EAST AND 4.70 CHAINS SOUTH AND 608.5 FEET EAST FROM THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE WEST 9 ½ FEET ALONG LINE OF STREET; THENCE SOUTH 257.4 FEET; THENCE EAST 23 ½ FEET TO EASTERLY LINE OF LANE RUNNING NORTHERLY AND SOUTHERLY; THENCE NORTHERLY ALONG SAID EAST LINE OF LANE 257.4 FEET MORE OR LESS, TO SOUTHERN OF 45<sup>TH</sup> SOUTH STREET 9 FEET EAST OF THE POINT OF COMMENCEMENT; THENCE WEST 9 FEET TO THE POINT OF COMMENCEMENT.

*Section 2.* This Ordinance shall take effect upon the first publication and filing of copy thereof in the office of the City Recorder of Murray City, Utah.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this 19<sup>th</sup> day of January, 2021.

MURRAY CITY MUNICIPAL COUNCIL

\_\_\_\_\_, Chair

ATTEST:

\_\_\_\_\_  
Jennifer Kennedy, City Recorder

Transmitted to the Office of the Mayor of Murray City on this \_\_\_\_ day of \_\_\_\_\_, 2020.



MAYOR'S ACTION:

DATED this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
D. Blair Camp, Mayor

ATTEST:

\_\_\_\_\_  
Jennifer Kennedy, City Recorder

#### CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance was published according to law on the \_\_\_\_  
day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Jennifer Kennedy, City Recorder

- e. The project must meet or exceed the 2018 fire code standards.
- 3. The applicant shall work with the Murray City Water and Sewer Department to install a 10" water line from Commerce Drive that connects to Vine Street.
- 4. The applicant shall work with Planning Division staff to review and modify the improvements to the east portion of Commerce Drive to include standard sidewalks, landscaping, and appropriate parking as indicated in the staff report.
- 5. A formal landscape plan meeting the requirements of the Land Use Ordinance shall be provided at the time of Building Permit submittal.
- 6. The applicants shall consolidate the five lots into a single lot.

Seconded by Ned Hacker.

Call vote recorded by Mr. Smallwood.

  A   Ned Hacker  
  A   Lisa Milkavich  
  A   Travis Nay  
  A   Sue Wilson  
  A   Maren Patterson  
  A   Scot Woodbury

Motion passed 6-0.

A question came in asking about the parking ratio after the public comment period was closed. Mr. Smallwood said he believes the parking ratio is 1.4 spaces per unit.

#### SEW N FIT – 192 East 4500 South – Project #20-123

Saeid Ahar was present to represent this request. Zac Smallwood reviewed the location and request for a Zone Map Amendment from G-O to C-D for the property addressed 192 East 4500 South. The Future Land Use Map designates this property as changing to C-D.

The meeting was open for public comment. No comments were given and the public comment was closed.

A motion was made by Ned Hacker to forward a recommendation of APPROVAL to the City Council for the requested amendment to the Zoning Map designation of the property located at 192 East 4500 South from G-O, General Office to C-D, Commercial Development.

Seconded by Lisa Milkavich.

Call vote recorded by Mr. Smallwood.

  A   Ned Hacker

A Lisa Milkavich  
A Travis Nay  
A Sue Wilson  
A Maren Patterson  
A Scot Woodbury

Motion passed 6-0.

#### MCCD DESIGN GUIDELINES – MCCD Zone – Project #20-105

Jared Hall stated that this is a continuation from the Public Hearing on October 15, 2020. Staff has tried to address the questions that were brought up during that meeting.

The first item Mr. Hall addressed was related to mapping. Historically, there was always a map that was contained in the Design Guidelines and a question was asked about whether or not a map should be included in them. Staff does not believe a map should be included because the zoning map can be changed and they don't want to change the Design Guidelines every time a change is made to the zoning map. He recommended not including a map in the Design Guidelines, therefore the boundary description of the MCCD has been taken out of the proposed guidelines.

Mr. Hall spoke about the Purpose Statement for the Murray City Center District (MCCD) that is in Section 17.170.010 of the Murray City Code. All of the principles and practices that are included in the proposed Design Guidelines support the Purpose Statement of the MCCD. The Purpose Statement in the previous version of the MCCD Zone was two or three pages long and listed goals that are no longer as heavily promoted in the MCCD Zone.

The Design Guidelines were called out on the previous version of the MCCD Zone. The previous version, Section 17.170.030, states, "The Murray City Council shall adopt the Murray City Center District (MCCD) design guidelines. Property located within the MCCD shall be developed in conformance with the provision set forth in this chapter and with the MCCD guidelines." That language is significantly different than what is in the current adopted MCCD Zone, Section 17.170.020, which states, "The Murray City Council has adopted the Murray City Center District (MCCD) Design Guidelines. The guidelines shall be consulted during the review of proposed development in order to provide guidance, direction, and options which will further the stated purposes of the MCCD. Whenever practicable, development should adhere to the objectives and principles contained in the Design Guidelines." The Design Guidelines are instructive and inform development applications in the MCCD Zone. A question came up in the previous meeting about how the Design Guidelines are useful if they don't have any teeth in them.

Mr. Hall said the City has Development Standards which are contained in the MCCD Zone Ordinance. The City has specific allowances for how densities work in Mixed-Use zones and in the MCCD Zone, however, those are listed in the Development Standards and not in the Design Guidelines.

Mr. Hall said changes were made to the MCCD Zoning Ordinance that were adopted last year. When those changes were made, staff recognized that the Design Guidelines would need to change as well if they were going to be maintained. Staff was directed to simplify and promote clear, one page designs in the Design Guidelines. They are trying to support the General Plan's



**MURRAY CITY CORPORATION**  
**COMMUNITY & ECONOMIC DEVELOPMENT**

Building Division 801-270-2400

Planning Division 801-270-2420

## AGENDA ITEM #8

<b>ITEM TYPE:</b>	Zone Map Amendment		
<b>ADDRESS:</b>	192 East 4500 South	<b>MEETING DATE:</b>	November 19, 2020
<b>APPLICANT:</b>	Saeid Ahar, Sew N Fit	<b>STAFF:</b>	Zachary Smallwood, Associate Planner
<b>PARCEL ID:</b>	22-06-331-026	<b>PROJECT NUMBER:</b>	20-123
<b>CURRENT ZONE:</b>	G-O, General Office	<b>PROPOSED ZONE:</b>	C-D, Commercial Development
<b>SIZE:</b>	0.20-acre parcel		
<b>REQUEST:</b>	The applicant would like to amend the Zoning Map and change from G-O, General Office to C-D, Commercial Development. The request is supported by the 2017 General Plan.		





## I. BACKGROUND & REVIEW

### Background

The subject property is used as an optometrist's office located on the south side of 4500 South at 192 East. The lot fronts along a highly used arterial (4500 South). The 2017 General Plan calls for this area to change to commercial from office uses.

Sew N Fit is in the process of purchasing the property and would like to open a tailor and alterations shop at the site. This would be a permitted use within the C-D, Commercial Development zone. 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.

### Surrounding Land Uses & Zoning

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Multi-Family Residential	R-M-20
South	Multi-Family Residential	G-O
East	Commercial	G-O
West	Multi-Family Residential	C-D

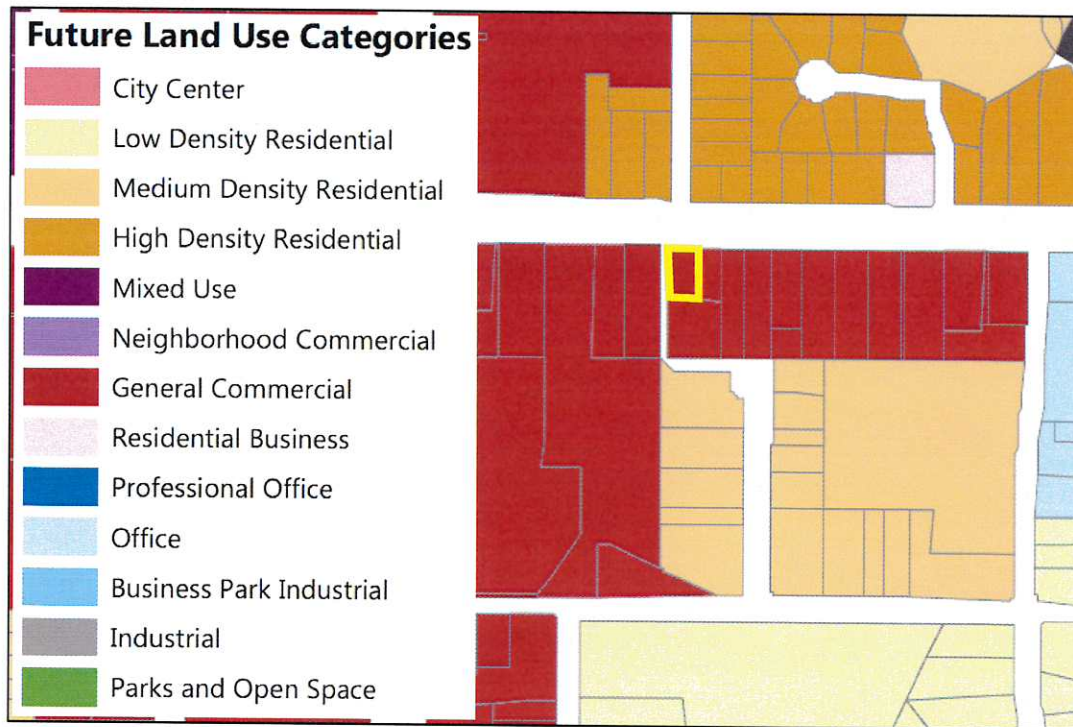
### Zoning Districts & Allowed Land Uses

- Existing: The existing G-O Zone allows for office, pharmacy and massage therapy uses. Bed and Breakfasts, photo studios, beauty salons and restaurants are allowed subject to Conditional Use approval.
- Proposed: The proposed C-D Zone allows for retail and commercial activities as permitted or conditional uses. It does not allow any single or multi-family residential uses. The current optometrist's office would still be allowed as a permitted use.

### General Plan & Future Land Use Designations

The purpose of the General Plan is to provide overall goal and policy guidance related to growth and planning issues in the community. The General Plan provides for flexibility in the implementation of the goals and policies depending on individual situations and characteristics of a particular site. Map 5.7 of the Murray City General Plan (the Future Land Use Map) identifies future land use designations for all properties in Murray City. The designation of a property is tied to corresponding purpose statements and zones. These

“Future Land Use Designations” are intended to help guide decisions about the zoning designation of properties.



*Figure 1: Future Land Use Map*

The subject property is designated “General Commercial”. The frontage of the south side of 4500 South between State Street and Atwood Boulevard has been designated as moving to commercial. Multiple properties along 4500 South have already been rezoned from G-O to C-D in accordance with the General Plan.

The General Commercial designation corresponds solely to the C-D zone. The proposed rezone is supported by the General Plan. As a Future Land Use Designation, General Commercial is primarily intended to be used for development of “larger retail destinations”.

## **II. CITY DEPARTMENT REVIEW**

Planning Division Staff circulated the proposed zone map amendment to multiple Murray City Departments for review on November 2<sup>nd</sup>, 2020. There were no comments from the City Departments and all recommended approval.

## **III. PUBLIC INPUT**

Thirty-nine (39) notices of the public meeting were sent to all property owners for parcels located within 300 feet of the subject property. As of the date of this report, Staff has not received any comments regarding this application.

#### **IV. ANALYSIS & CONCLUSIONS**

**A. Is there need for change in the Zoning at the subject location for the neighborhood or community?**

The proposed change in zoning from G-O to C-D is in harmony with the Future Land Use designation of the subject property and with goals of the General Plan. Both the commercial areas to the east and north, and the residential neighborhoods to the south of the subject properties are well established and stable. The General Plan identified the subject properties as General Commercial as a natural expansion of the commercial zoning of the areas between State Street and Atwood Boulevard, and thereby support an existing pattern which has resulted in a successful transition to commercial from residential and office land uses.

**B. If approved, how would the range of uses allowed by the Zoning Ordinance blend with surrounding uses?**

The commercial and retail uses allowed by the proposed C-D zoning are appropriate for the location of the subject property in relation to the other zoning classifications and existing land use patterns in the immediate and larger area. The property is located along a major arterial and is currently used as an optometrist's office. The proposed rezone will allow additional commercial activity along the busy corridor.

**C. What utilities, public services, and facilities are available at the proposed location? What are or will be the probable effects the variety of uses may have on such services?**

Utilities and services are available at this location for development of the property. During the Planning Review Meeting that was held on November 2, 2020, staff reviewed the application with representatives from Murray City Power, Water/Sewer, Fire and Engineering. The representatives did not object to the zone change or provide any information that would indicate that those departments could not provide adequate services to any future development at the subject properties.

#### **V. FINDINGS**

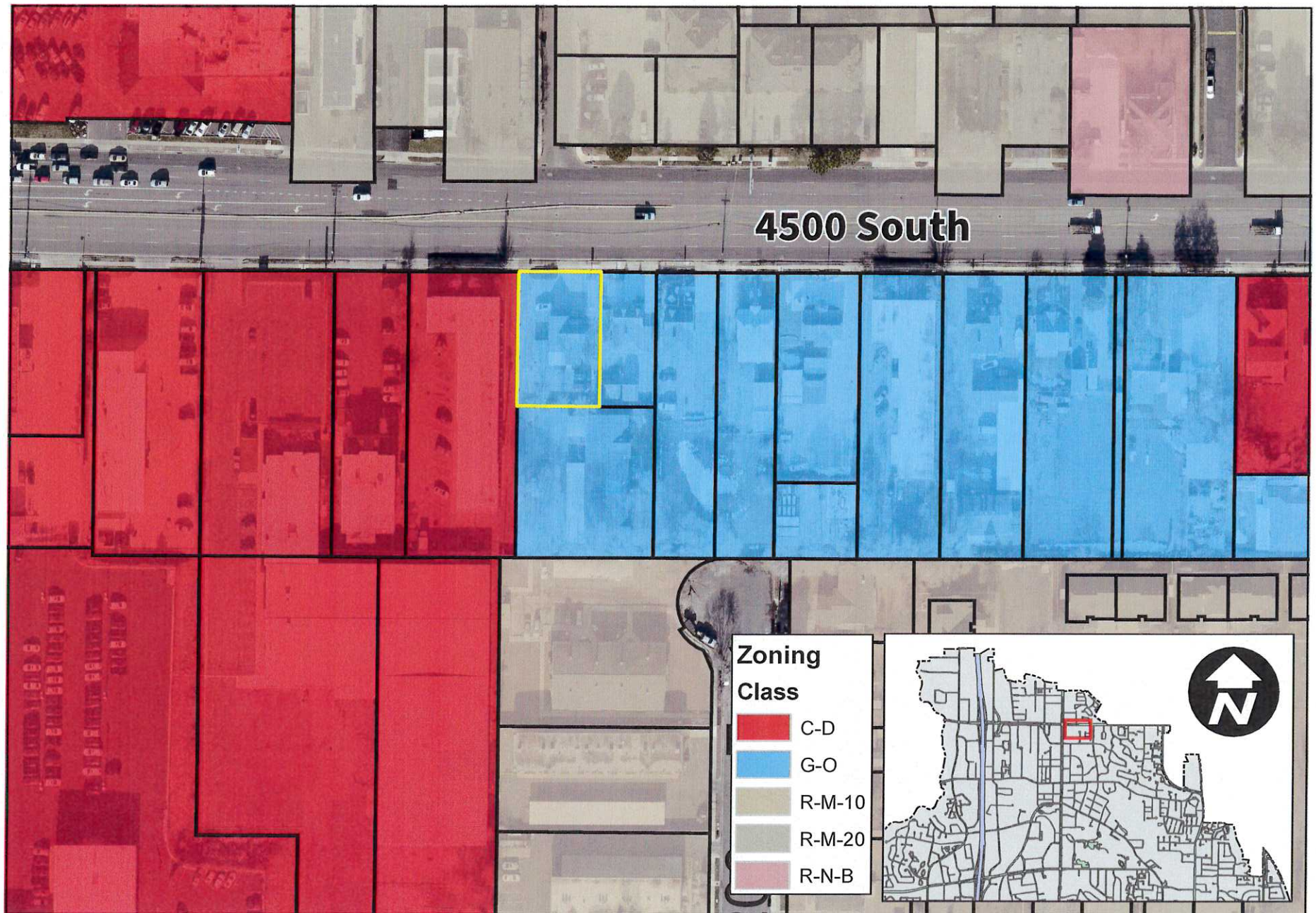
1. The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.
2. The requested zone change has been carefully considered based on the characteristics of the site and surrounding area, and on the policies and objectives of the 2017 Murray City General Plan.
3. The proposed Zone Map Amendment from G-O to C-D is supported by the General Plan and Future Land Use Map designation of the subject property.

## VI. STAFF RECOMMENDATION

Based on the background, analysis, and the findings within this report, Staff recommends that the Planning Commission **forward a recommendation of APPROVAL to the City Council for the requested amendment to the Zoning Map designation of the property located at 192 East 4500 South from G-O, General Office to C-D, Commercial Development.**

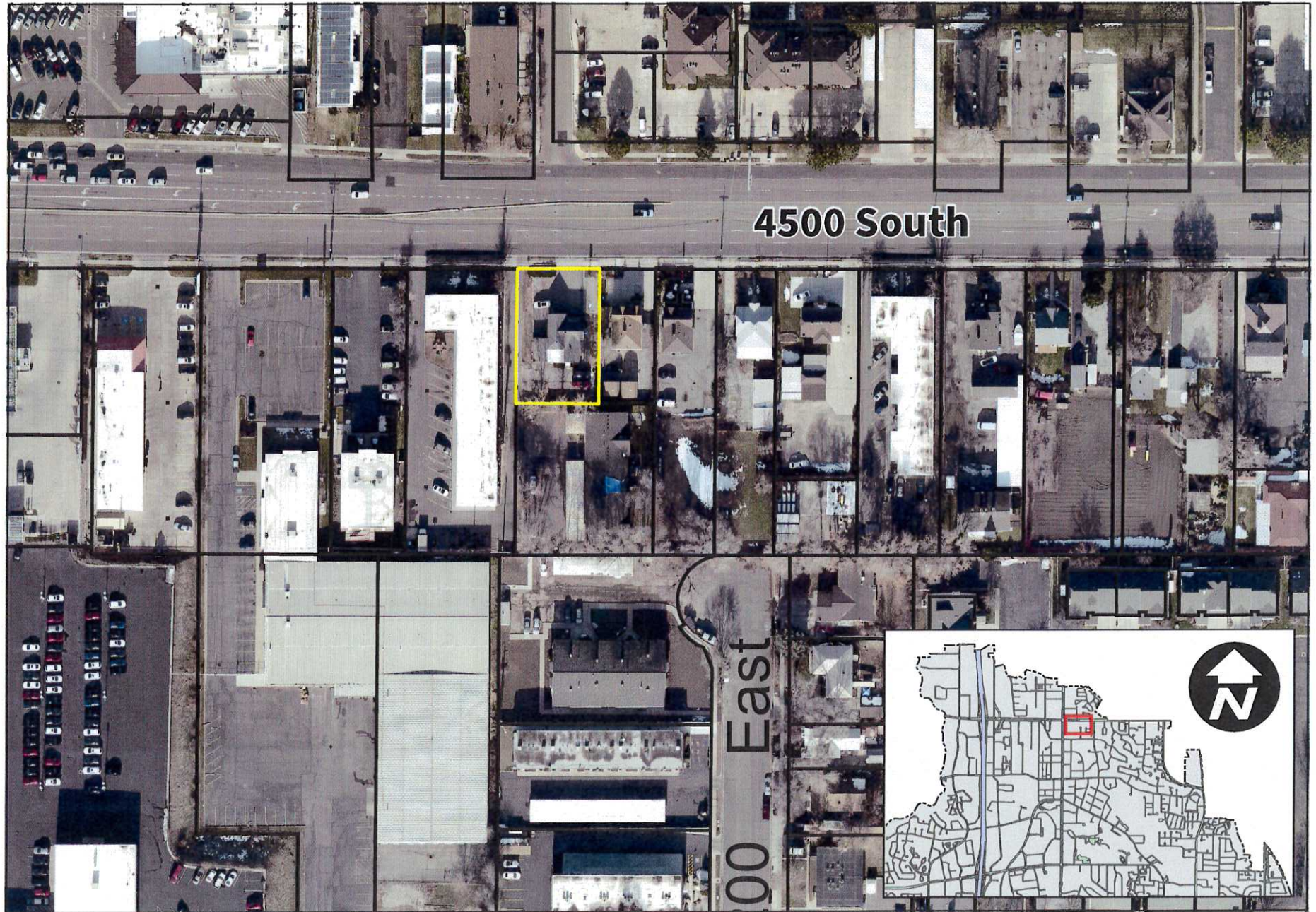


# 192 East 4500 South





# 192 East 4500 South





## ZONING AMENDMENT APPLICATION

Type of Application (check all that apply):

☒ Zoning Map Amendment

☐ Text Amendment

☒ Complies with General Plan

☒ Yes

☐ No

Project #: 20-123

Subject Property Address: 192 E 4500 S Murrey UT 84107

Parcel Identification (Sidwell) Number: 22-06-331-026

Parcel Area: 12 Current Use: Eye Doctor

Existing Zone: G0 Proposed Zone: CD

Applicant

Name: Saeid Ahar

Mailing Address: 1257W Brandonwood Dr

City, State, ZIP: Murrey UT 84123

Daytime Phone #: 801 513 8600 Fax #: 801 410 4941

Email address: SAEIDAHAR@yahoo.com

Business or Project Name: Sew N Fit

Property Owner's Name (if different): Michael Conklin

Property Owner's Mailing Address: 9067 Bordeaux way

City, State, Zip: Sandy UT 84093

Daytime Phone #: 801 261 2020 Fax #: \_\_\_\_\_ Email: skicross@ASN.com

Describe your reasons for a zone change (use additional page if necessary):

Change zoning for Tailoring shop  
Sew N Fit

Authorized Signature: \_\_\_\_\_

Date: OCT 23 2020

## Property Owners Affidavit

I (we) Michael Conklin, being first duly sworn, depose and say that I (we) am (are) the current owner of the property involved in this application: that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.

Melinda Conklin

Owner's Signature

Co- Owner's Signature (if any)

State of Utah

§

County of Salt Lake

Subscribed and sworn to before me this 23 day of October, 20 20.

Upparo  
Notary Public

Residing in Utah

My commission expires: 2/14/2023

### Agent Authorization



I (we), \_\_\_\_\_, the owner(s) of the real property located at \_\_\_\_\_, in Murray City, Utah, do hereby appoint \_\_\_\_\_, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize \_\_\_\_\_ to appear on my (our) behalf before any City board or commission considering this application.

Owner's Signature

Co-Owner's Signature (if any)

State of Utah

§

County of Salt Lake

On the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, personally appeared before me

\_\_\_\_\_ the signer(s) of the above Agent Authorization who duly acknowledge to me that they executed the same.

Notary Public

Residing in \_\_\_\_\_

My commission expires: \_\_\_\_\_





## NOTICE OF PUBLIC MEETING

**\*\* PUBLIC NOTICE IS HEREBY GIVEN** that in accordance with Executive Order 2020-5 Suspending the Enforcement of Provisions of Utah Code 52-4-202 and 52-4-207 due to Infectious Disease COVID-19 Novel Coronavirus issued by Governor Herbert on March 18, 2020 and Emergency Executive Order 20-02 issued by the Mayor on April 1, 2020, the Planning Commission of Murray City, Utah will hold an electronic only regular meeting at 6:30 p.m., Thursday, November 19, 2020. **The Chair of the Murray City Planning Commission has determined that due to the continued rise of COVID-19 case counts, meeting with an anchor location presents a substantial risk to the health and safety of those in attendance. No physical meeting location will be available.**

The Murray City Planning Commission will hold a public meeting regarding the following application: **Saeid Ahar with Sew N Fit has made an application to change the Zoning Map on the property addressed 192 East 4500 South. The request is to amend the zoning from G-O, General Office to C-D, Commercial Development.** If you would like to comment on this agenda item at the meeting please register at: <https://tinyurl.com/y6bj868> or you may submit comments via email at [planningcommission@murray.utah.gov](mailto:planningcommission@murray.utah.gov). If you would like to view the meeting only you may watch via livestream at [www.murraycitylive.com](http://www.murraycitylive.com) or [www.facebook.com/MurrayCityUtah/](https://www.facebook.com/MurrayCityUtah/).

*Comments are limited to 3 minutes or less and written comments will be read into the meeting record.*



This notice is being sent to you because you own property near the subject property. If you have questions or comments concerning this proposal, please call Zachary Smallwood with the Murray City Planning Division at 801-270-2420 or e-mail to [zsmallwood@murray.utah.gov](mailto:zsmallwood@murray.utah.gov).

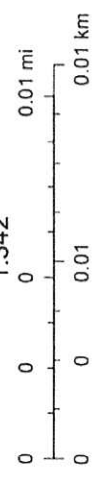
Special accommodations for the hearing or visually impaired will be upon a request to the office of the Murray City Recorder (801-264-2660). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.

Public Notice Dated | November 6, 2020



## An aerial photograph of a residential area in Murray City. The image shows several property parcels, each labeled with a parcel number. Parcel 330-001 is a large white rectangular area at the top. Below it, parcel 331-003 is a small dark triangular shape. To the right of 331-003 is parcel 331-002, a larger light-colored area. Below 331-002 is parcel 331-026, a dark area. To the right of 331-026 is parcel 22-06, which is highlighted with a yellow border. To the right of 22-06 is parcel 331-027, a large light-colored area. The map also shows streets, trees, and some vehicles. The text 'MURRAY CITY' is written vertically on the left side of the image.

1:342



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community. Sources: Esri,

This map was created by the office of the Salt Lake County Assessor. The information depicted here is to be taken as an approximate fit in regards to the spatial position of the layers presented. This map is not intended to represent an actual field survey of, nor establish the actual relation between, any of the layers depicted here.

EXHIBIT 'A'

File No.: 13742-6035045 (MR)

Property: 192 East 4500 South, Murray, UT 84107

PARCEL 1:

BEGINNING AT A POINT ON THE SOUTH LINE OF 16TH SOUTH STREET (OLD 16TH SOUTH STREET, NOW 45TH SOUTH STREET) 542.5 FEET EAST FROM THE INTERSECTION OF THE EAST LINE OF STATE STREET AND THE SOUTH LINE OF 16TH SOUTH STREET (OLD 16TH SOUTH STREET, NOW 45TH SOUTH STREET), THE INITIAL POINT OF BEGINNING BEING 12.88 CHAINS EAST AND 4.70 CHAINS SOUTH AND 608.5 FEET EAST OF THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 33 FEET TO THE CENTER OF 16TH SOUTH STREET (OLD 16TH SOUTH STREET, NOW 45TH SOUTH STREET); THENCE EAST 74.5 FEET; THENCE SOUTH 153 FEET; THENCE WEST 74.5 FEET; THENCE NORTH 120 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE BOUNDS OF 4500 SOUTH STREET.

PARCEL 2:

A RIGHT OF WAY AS DISCLOSED IN THAT CERTAIN WARRANTY DEED RECORDED FEBRUARY 03, 2010 AS ENTRY NO. 10891849 IN BOOK 9801 AT PAGE 7296 OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTH LINE OF 45TH SOUTH STREET (FORMERLY 16TH SOUTH STREET) 542.5 FEET EAST FROM THE INTERSECTION OF THE EASTERLY LINE OF STATE STREET AND THE SOUTHERLY LINE OF 45TH SOUTH STREET, SAID INITIAL POINT BEING ABOUT 12.88 CHAINS EAST AND 4.70 CHAINS SOUTH AND 608.5 FEET EAST FROM THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE WEST 9 1/2 FEET ALONG LINE OF STREET; THENCE SOUTH 257.4 FEET; THENCE EAST 23 1/2 FEET TO EASTERLY LINE OF LANE RUNNING NORTHERLY AND SOUTHERLY; THENCE NORTHERLY ALONG SAID EAST LINE OF LANE 257.4 FEET MORE OR LESS, TO SOUTHERN OF 45TH SOUTH STREET 9 FEET EAST OF THE POINT OF COMMENCEMENT; THENCE WEST 9 FEET TO THE POINT OF COMMENCEMENT.

A.P.N. 22-06-331-026-0000

**Order Confirmation for 0001303503**

Client	MURRAY CITY RECORDER		
Client Phone	8012642660	Account #	9001341938
Address	5025 S STATE, ROOM 113	Ordered By	SUSAN
	MURRAY, UT 84107	Account Exec	Itapusa2
		PO Number	PUBLIC HEARING NO
Email	snixon@murray.utah.gov		

**Total Amount \$75.56**
**Payment Amt \$0.00**
**Amount Due \$75.56**

Text: PUBLIC HEARING NOTICE

**Ad Number** 0001303503-01 **Ad Type** Legal Liner

**Ad Size** 1 X 42 li **Color**
**WYSIWYG Content**
**MURRAY CITY  
CORPORATION  
NOTICE OF  
PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that on the 19th day of November 2020, at the hour of 6:30 p.m. of said day the Planning Commission will hold and conduct a Public Hearing for the purpose of receiving public comment on and pertaining to a Zone Map Amendment from G-O (General Office) to C-D (Commercial Development) for the property located at 192 East 4500 South, Murray City, Salt Lake County, State of Utah. If you would like to comment on this agenda item at the meeting please register at: <https://tinyurl.com/y6bj868> or you may submit comments via email at [planningcommission@murray.utah.gov](mailto:planningcommission@murray.utah.gov). If you would like to view the meeting only you may watch via livestream at [www.murraycitylive.com](http://www.murraycitylive.com) or [www.facebook.com/MurrayCityUtah/](http://www.facebook.com/MurrayCityUtah/). No physical meeting location will be available.

 Jared Hall, Manager  
 Planning Division  
 1303503 UPAXLP

<u>Product</u>	<u>Placement</u>	<u>Position</u>
Salt Lake Tribune	Legal Liner Notice	Public Meeting/Hear
<b><u>Scheduled Date(s):</u></b>	11/08/2020	
utahlegals.com	utahlegals.com	utahlegals.com
<b><u>Scheduled Date(s):</u></b>	11/08/2020	
Deseret News	Legal Liner Notice	Public Meeting/Hear
<b><u>Scheduled Date(s):</u></b>	11/08/2020	



**SEW N FIT**  
**P/C 11/19/20**  
**Project 320-123**  
**300' radius + affected entities**

Aphrodite Llc  
861 S 2300 E  
Salt Lake City , UT, 84108-1429

Claybourne Avenue Llc  
Po Box 91126  
Salt Lake City , UT, 84109-9126

Imack Properties, Llc  
198 E 4500 S  
Murray , UT, 84107-2628

Cosmos Enterprises, Llc  
1533 S Main St  
Salt Lake City , UT, 84115-5315  
\*\* returned in mail\*\*

Halle Properties Llc  
20225 N Scottsdale Rd  
Scottsdale , AZ, 85255-

LC J-J Bakd  
1370 W Northtemple St  
Salt Lake City , UT, 84116-3221

J Fm Tr  
214 E 4500 S  
Murray , UT, 84107-3832

James M Burrows  
4431 S Fairbourne Ave  
Murray , UT, 84107-2625

Michaels Classic Optical Llc  
192 E 4500 S  
Murray , UT, 84107-2628

Shirley A Crews  
3282 E Bell Oaks Cir  
Sandy , UT, 84092-4255

Loretta A J Miller  
210 E 4500 S  
Murray , UT, 84107-3832

Premium Management Lp  
162 E 4500 S  
Murray , UT, 84107-2628

Warlup, Llc  
244 E Stonebridge Dr  
Draper , UT, 84020-8637

Nicholas Kambouris; Konstantinos  
Kambouris (Jt)  
1792 E Lincoln Ln  
Holladay , UT, 84124-3516

Warlup, Llc  
244 E Stonebridge Dr  
Draper , UT, 84020-8637

Western Odyssey Inc  
344 E 100 S # 301  
Salt Lake City , UT, 84111-1727

Trust Not Identified  
4708 S Holladay Blvd  
Holladay , UT, 84117-5403

Western Odyssey Inc  
344 E 100 S # 301  
Salt Lake City , UT, 84111-1727

UDOT - REGION 2  
ATTN: MARK VELASQUEZ  
2010 S 2760 W  
SLC UT 84104

Yim/Sy Family Revocable Living Trust  
03/16/2018  
791 E Kamber Cv  
Draper , UT, 84020-7855

UTAH TRANSIT AUTHORITY  
ATTN: PLANNING DEPT  
669 West 200 South  
SLC UT 84101

TAYLORSVILLE CITY  
PLANNING & ZONING DEPT  
2600 W TAYLORSVILLE BLVD  
TAYLORSVILLE UT 84118

WEST JORDAN CITY  
PLANNING DIVISION  
8000 S 1700 W  
WEST JORDAN UT 84088

CHAMBER OF COMMERCE  
ATTN: SKYLAR GALT  
5411 South Vine Street, Unit 3B  
MURRAY UT 84107

MURRAY SCHOOL DIST  
ATTN: DAVID ROBERTS  
5102 S Commerce Drive  
MURRAY UT 84107

MIDVALE CITY  
PLANNING DEPT  
7505 S HOLDEN STREET  
MIDVALE UT 84047

SALT LAKE COUNTY  
PLANNING DEPT  
2001 S STATE ST  
SLC UT 84190

GRANITE SCHOOL DIST  
ATTN: KIETH BRADSHAW  
2500 S STATE ST  
SALT LAKE CITY UT 84115

ROCKY MOUNTAIN POWER  
ATTN: KIM FELICE  
12840 PONY EXPRESS ROAD  
DRAPER UT 84020

DOMINION ENERGY  
ATTN: BRAD HASTY  
P O BOX 45360  
SLC UT 84145-0360

COTTONWOOD IMPRVMT  
ATTN: LONN RASMUSSEN  
8620 S HIGHLAND DR  
SANDY UT 84093

JORDAN VALLEY WATER  
ATTN: LORI FOX  
8215 S 1300 W  
WEST JORDAN UT 84088

CENTRAL UTAH WATER DIST  
1426 East 750 North, Suite 400,  
Orem, Utah 84097

HOLLADAY CITY  
PLANNING DEPT  
4580 S 2300 E  
HOLLADAY UT84117

COTTONWOOD HEIGHTS CITY  
ATTN: PLANNING & ZONING  
2277 E Bengal Blvd  
Cottonwood Heights, UT 84121

SANDY CITY  
PLANNING & ZONING  
10000 CENTENNIAL PRKWY  
SANDY UT 84070

UTOPIA  
Attn: JAMIE BROTHERTON  
5858 So 900 E  
MURRAY UT 84121

COMCAST  
ATTN: GREG MILLER  
1350 MILLER AVE  
SLC UT 84106

CENTURYLINK  
250 E 200 S  
Salt Lake City, Utah 84111