



**MURRAY**  
CITY COUNCIL

# Council Meeting December 7, 2021



# Murray City Municipal Council

## Notice of Meeting

**December 7, 2021**

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

### **Meeting Agenda**

**4:30 p.m.**      **Committee of the Whole** – Council Chambers  
Diane Turner conducting

### **Approval of Minutes**

MCCD Design Guidelines Walking Tour – October 29, 2021

### **Discussion Items**

1. Discussion on the completion and receipt of the Annual Comprehensive Financial Statement (ACFR) for Fiscal Year 2020-2021. – Brenda Moore and Robert Wood. (30 minutes)
2. Quarterly Power Department Update – Blaine Haacke (30 minutes)
3. Discussion on Council and School Board Boundary Adjustments – Brooke Smith (20 minutes)

### **Announcements**

### **Adjournment**

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

**6:30 p.m.**      **Council Meeting** – Council Chambers  
Rosalba Dominguez conducting.

### **Opening Ceremonies**

Call to Order  
Pledge of Allegiance

### **Approval of Minutes**

Council Meeting – November 16, 2021

### **Special Recognition**

1. Murray City Council Employee of the Month, Justin Larsen, Line Crew Supervisor – Brett Hales and Blaine Haacke presenting.
2. Consider a Joint Resolution of the Mayor and Municipal Council of Murray City expressing gratitude and appreciation to Dale Cox for his contributions to the



community as a City Council Member – Diane Turner presenting

3. Consider a Joint Resolution of the Mayor and Municipal Council of Murray City expressing gratitude and appreciation to Brett Hales for his contributions to the community as a City Council Member – Diane Turner presenting

### **Citizen Comments**

Comments will be limited to three minutes, step to the microphone, state your name and city of residence, and fill out the required form.

### **Public Hearings**

Staff, sponsor presentations and public comment will be given prior to Council action on the following matters.

1. Consider an ordinance amending the Murray City Standard Land Use Code related to adding a land use category for Radiopharmaceutical Manufacturing and Products; and amending sections 17.144.020, 17.148.020, 17.160.020 and 17.174.020 of the Murray City Municipal Code identifying radiopharmaceutical Manufacturing and products as permitted uses in specified zoning districts – Melinda Greenwood and Susan Nixon presenting.
2. Consider an ordinance relating to land use; amends the Zoning Map for the property located at approximately 5700 South 800 West, Murray City, Utah from A-1 (Agricultural) to the R-1-8 (Low Density Single Family) Zoning District – Melinda Greenwood and Zach Smallwood presenting.
3. Consider an ordinance relating to land use; amends the Zoning Map for the properties located at approximately 871 West Tripp Lane, Murray City, Utah from R-1-8 (Low Density Single Family) to R-1-6 (Low/Medium Density Residential) (Applicant – Salt Lake Neighborhood Housing Services – Applicant) – Melinda Greenwood and Zach Smallwood presenting.
4. Consider an ordinance relating to land use; amends the General Plan from General Commercial to Village and Centers Mixed use and amends the Zoning Map from C-N to CMU for the properties located at 5283, 5217, 5157 and 5177 South State Street and 151 East 5300 South, Murray, Utah (Applicant – Howland Partners) – Melinda Greenwood and Jared Hall presenting.
5. **ITEM POSTPONED** – Consider an ordinance relating to land use; amends the General Plan from General Commercial to Village and Centers Mixed use and amends the Zoning Map from C-N to VMU for the properties located at 861 East Winchester Street and 6520, 6550 and 6580 South 900 East, Murray, Utah (Applicant – Boyer Company) – Melinda Greenwood and Jared Hall presenting.

### **Business Items**

1. Consider a resolution to acknowledge completion and receipt of the Annual Comprehensive Financial Statement (ACFR) for Fiscal Year 2020-2021 and direct the notice be published pursuant to section 10-6-152 of the Utah Code. Brenda Moore presenting.
2. Consider a resolution approving an Interlocal Cooperation Agreement between the City, Salt Lake County ("County") and Salt Lake City Corporation ("SLC") for a Brownfields Assessment Grant. Melinda Greenwood and Susan Nixon 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.

Council Members may participate in the meeting via telephonic communication. If a Council Member does participate via telephonic communication, the Council Member will be on speaker phone. The speaker phone will be amplified so that the other Council Members and all other persons present in the Council Chambers will be able to hear all discussions.

On Friday, December 3, 2021, at 12:30 p.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>.



Jennifer Kennedy  
Council Executive Director  
Murray City Municipal Council



**MURRAY**  
CITY COUNCIL

# Committee of the Whole



**MURRAY**  
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# Committee of the Whole Minutes



**MURRAY MUNICIPAL COUNCIL**  
**Walking Tour of Urban Design Principles and**  
**MCCD Design Guidelines**  
**Friday, October 29, 2021**  
**Minutes**

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The Murray City Municipal Council participated in a walking tour of Urban Design Principles and MCCD Design Guidelines on Friday, October 29, 2021. This outing was for educational and observation purposes only.

**Attendance:** Council Members and others:

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

Jennifer Kennedy	City Council Executive Director	Zack Smallwood	CED
Doug Hill	Chief Administrative Officer	Pattie Johnson	Council Administration
Susan Nixon	Associate Planner	Jared Hall	CED Division Supervisor
Pam Cotter	Resident	Melinda Greenwood	CED Director
Darren Rasmussen	Resident		

The walking tour occurred as follows:

- **Departure 1:00 p.m.** Participants met at Murray City Hall – 5025 South State Street and rode by van transportation provided by the City. Mr. Smallwood guided the organized tour.  
**Meeting Location: The Commons at Sugar House** – 1165 East Wilmington Avenue, Salt Lake City, UT 84106 from 1:20 p.m. to 2:30 p.m. The tour included the area of Wilmington Avenue, Highland Drive, 2100 South, McClelland Street and Hidden Hollow Park. Walking through *The Commons* shopping center to Highland Drive, retail stores and eateries were observed; Mr. Hall noted street trees, outdoor dining, wide sidewalks, and on-street parking to buffer traffic flows on Highland Drive. Walking west the group observed a commercial/residential mixed-use complex that Mr. Smallwood described as a cohesive neighborhood. He led the tour south on McClelland passing more eateries and to apartment complexes *Liberty Village* and *Dixon Place* of approximately 90+ units per acre; underground parking, and wide crosswalks were noted. The tour continued past the *Sugarmont* apartment site that is currently under construction to Fairmont Park where they noted connections to light rail transportation. Walking eastward and through the *Sugarmont* complex, higher-density housing was observed with above-ground parking levels of 460 parking spaces. Crossing Highland Drive east, Way-Finding signs and electric vehicle charging stations were discussed. Passing through *The Commons* again, they strolled through green space known as Hidden Hollow Park which is located

between high-density apartments (465 units) and a hotel; they exited the public park back onto Wilmington Avenue and viewed commercial space and business offices to the east. To the north high density mixed-use apartments were connected to commercial structures; and a higher-density senior living complex, Legacy Village with four levels of parking was analyzed that towered above several commercial businesses below. Continuing west on Wilmington, they visited a public plaza, observed streetscapes, street parking, street lighting options, bike racks, bus access, and several eateries. Along the way it was noted that some commercial spaces were vacant. The tour ended at this location.

**Meeting Location: Holladay Town Center** – 4675 Holladay Boulevard, Holladay, UT 84117 from 2:45 p.m. to 3:15 p.m. The group met in the Harmon's parking lot to tour the surrounding intersection of Murray Holladay Road and Holladay Boulevard. Low-density apartment complexes were observed to the east; busy two-story commercial businesses and eateries were observed in close proximity; wheelchair accessibility was analyzed. The group crossed Holladay Blvd.; where traffic flow, streetscapes, outdoor dining, and planter seating areas were noted. After visiting the three-building-two-story strip mall consisting of eateries and small businesses, they walked westward on Laney Avenue to a three-story condominium complex called the *Station*; walkability, design and street setbacks were discussed. Rounding the corner southward the walk continued to Murray Holladay Road then eastward where more commercial businesses were observed. A traditional parking lot was compared to the nearby parking structure, and street trees lined the wider sidewalk to Holladay Blvd. A mixed-use development currently under construction was seen on the southwest corner of the intersection. The tour ended back at the Harmons parking lot.

- **Meeting Location: 4800 South State Street** - Murray, UT 84107 from 3:30 p.m. to 4:00 p.m. The group met in the north parking lot; traffic at the State Street corner was analyzed. Crossing eastward they walked southward along State Street between 4800 South and Vine Street. The current surroundings were analyzed related to existing buildings and businesses, street setbacks, streetscapes, traffic flow and noise. The tour ended with a brief discussion about visions for the MCCD area according to proposed MCCD guidelines.

**Adjournment:** 4:00 p.m.

**Pattie Johnson**  
**Council Office Administrator III**



# Discussion Items



# Discussion Item #1






# Finance & Administration

## Completion and Receipt of Independent Audit FY2020-2021

### Council Action Request

Committee of the Whole & City Council

Meeting Date: December 7, 2021

<b>Department Director</b> Brenda Moore  <b>Phone #</b> 801-264-2513  <b>Presenters</b> Brenda Moore          <b>Required Time for Presentation</b> 30  <b>Is This Time Sensitive</b> Yes  <b>Mayor's Approval</b>   <b>Date</b> November 19, 2022	<b>Purpose of Proposal</b>  Acknowledging completion and receipt of the independent audit for fiscal year 2020-2021.  <b>Action Requested</b>  Discussion in committee of the whole and consideration of a resolution in council meeting.  <b>Attachments</b>  Resolution   <b>Budget Impact</b>          <b>Description of this Item</b>  A PDF of the completed audit will be sent as soon as it is finalized. Printed materials will be available the day of the meeting.
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RESOLUTION\_\_\_\_\_

A RESOLUTION TO ACKNOWLEDGE COMPLETION AND RECEIPT OF THE INDEPENDENT AUDIT FOR FISCAL YEAR 2020-2021 AND DIRECT THAT NOTICE BE PUBLISHED PURSUANT TO SECTION 10-6-152 OF THE UTAH CODE.

WHEREAS, sections 10-6-151, 51-2a-201 and 51-2a-202 of the Utah Code require the City to have, at least annually, an independent audit of its accounts by a certified public accountant; and

WHEREAS, pursuant to section 10-6-152 of the Utah Code, within ten (10) days following receipt of the independent audit, the City is required to publish notice advising the public that the audit is complete and available for inspection; and

WHEREAS, the City retained HBME, LLC, a certified public accountants, to do an independent audit of the City's accounts for fiscal year 2020-2021; and

WHEREAS, HBME has completed the independent audit of the City's accounts for fiscal year 2020-2021; and

WHEREAS, HBME has presented the independent audit to the Mayor and Murray City Municipal Council; and

WHEREAS, the Murray City Municipal Council wants to acknowledge receipt of the completed audit and order that notice be published pursuant to section 10-6-152 of the Utah Code.

NOW, THEREFORE BE IT RESOLVED by the Murray City Municipal Council as follows:

It hereby acknowledges that the independent audit of the City's accounts for fiscal year 2020-2021 has been completed by HBME and submitted to the Murray City Municipal Council. As required by section 10-6-152 of the Utah Code, the City Recorder is directed to publish notice, advising the public that the independent audit is complete and available for inspection.

PASSED AND APPROVED this 7<sup>th</sup> day of December, 2021.

MURRAY CITY MUNICIPAL COUNCIL

\_\_\_\_\_  
Diane Turner, Chair

ATTEST:

\_\_\_\_\_  
Brooke Smith, City Recorder



**MURRAY**  
CITY COUNCIL

# Discussion Item #2



# City Council

## Power Department Quarterly Report

### Council Action Request

Committee of the Whole

Meeting Date: December 7, 2021

<b>Department Director</b> Jennifer Kennedy	<b>Purpose of Proposal</b> Power Department Quarterly Report
<b>Phone #</b> 801-264-2622	<b>Action Requested</b> Informational only.
<b>Presenters</b> Blaine Haacke	<b>Attachments</b> None
	<b>Budget Impact</b> None
	<b>Description of this Item</b>
<b>Required Time for Presentation</b> 30 Minutes	
<b>Is This Time Sensitive</b> No	
<b>Mayor's Approval</b>	
<b>Date</b> November 17, 2021	



# Discussion Item #3



**MURRAY**

# Finance & Administration/Recorder



## Redistricting

### Council Action Request

Committee of the Whole



Meeting Date: December 7, 2021

<b>Department</b> <b>Director</b> Brenda Moore  <b>Phone #</b> 801-264-2513  <b>Presenters</b> Brooke Smith          <b>Required Time for Presentation</b> 20 Minutes  <b>Is This Time Sensitive</b> Yes   <b>Mayor's Approval</b>   <b>Date</b> November 22, 2021	<b>Purpose of Proposal</b> Redistricting is done once every 10 years to ensure that city and school districts have similar population totals.  <b>Action Requested</b> Consider an ordinance adjusting Murray City Municipal Council District Boundaries and Murray School Board District Boundaries  <b>Attachments</b> 2012 Council Districts with 2020 Population Totals and Proposed changes  <b>Budget Impact</b> N/A     <b>Description of this Item</b> See Attached:
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The City is divided into five (5) City Council districts of substantially equal population. One City Council Member is elected from each City Council district.

District lines are redrawn every ten years following the completion of the U.S. Census. Federal, State, and City codes stipulate that districts must have substantially equal populations.

Redistricting is done using U.S. Census data, which is usually released around March 31, 2021. However, this year it was not released until August 2021 due to the COVID-19 pandemic.

UCA 10-3-205.5 requires the City Council to make boundary adjustments where necessary to maintain substantially equal populations, within six months after the Legislature completes its redistricting process.

Utah enacted new congressional districts on November 12, 2021. Gov. Spencer Cox (R) signed new state legislative districts for both chambers into law on November 16, 2021.

Because of the covid-related census delay and the upcoming school board election in 2022, we need to redistrict in January.

The last Committee of the Whole in 2021 is December 7 and the first City Council meeting is January 4, therefore time is of the essence.

In Murray City, the City Recorder with the help of the GIS Supervisor is primarily responsible for creating a proposed redistricting plan and is subject to approval by the City Council.

The factors to consider during the Redistricting process:

- The purpose of redistricting is to create an equal distribution of population within each council district.
- When drawing districts, the official population numbers from the 2020 census must be used.
- Districts must follow natural boundaries such as streets and rivers.
- Districts must follow the boundaries of County precincts and avoid a split precinct.
- Districts must be drawn to create five district and five school boards.
- Districts must be contiguous and reasonably compact.
- Districts must be as nearly equal as practical, with a deviation no greater than +/- 4.0 percent.
- Districts must follow political boundaries such as State Representatives and Senate boundaries.
- The County precinct's maximum is 1,250 registered voters (Utah Code 20A-5-303 (2)(a)), which is typically 1/3 of the population.
- Districts should have equitable distribution of annexed areas.
- School board districts must have substantial equality of population among the various districts, with a deviation less than +/- 4.0 percent.
- Current Councilmembers stay located in their designated district



For City Council:

- In the 2020 U.S. Census, Murray City's population was 50,637.
- Equal Distribution of Populations = 10,127
- Maximum Variance (+ or - 4%) = 405
- Target Population Range per District = 9,722 to 10,532

<b>SUGGESTED REDISTRICTING CHANGES IN 2022</b> <b>CITY COUNCIL DISTRICTS</b> <b>Average Population 10,127</b> <b>Maximum Variance (+ or - 4%) 405</b> <b>Target Population Range 9,722 - 10,532</b>					
Change	District 1	District 2	District 3	District 4	District 5
2012 Beginning Population	12,450	8,984	10,095	9,697	9,411
Recommendation Change	-2,533	+1,151	-107	+430	+1,059
2022 Ending Population	9,917	10,135	9,988	10,127	10,470

Kem C. Gardner Policy Institute has published First Insight - 2020 Census Utah Counties and Communities (PDF) that has information about growth in Utah for all cities and towns in Utah.

Different regions of the city grow at different rates. For example, according to the Kem C. Gardner Policy Institute, the average growth in Utah is 18.1 percent. Murray City grew below the average rate at an estimated 8.3 percent, whereas Herriman City grew above the average estimate rate at 153.1 percent.

Over time, council districts and school board boundaries become unequal. Redistricting is required to ensure that there is an equal number of constituents in each district every 10 years the U.S. Census population data is released.

### **Total Population**

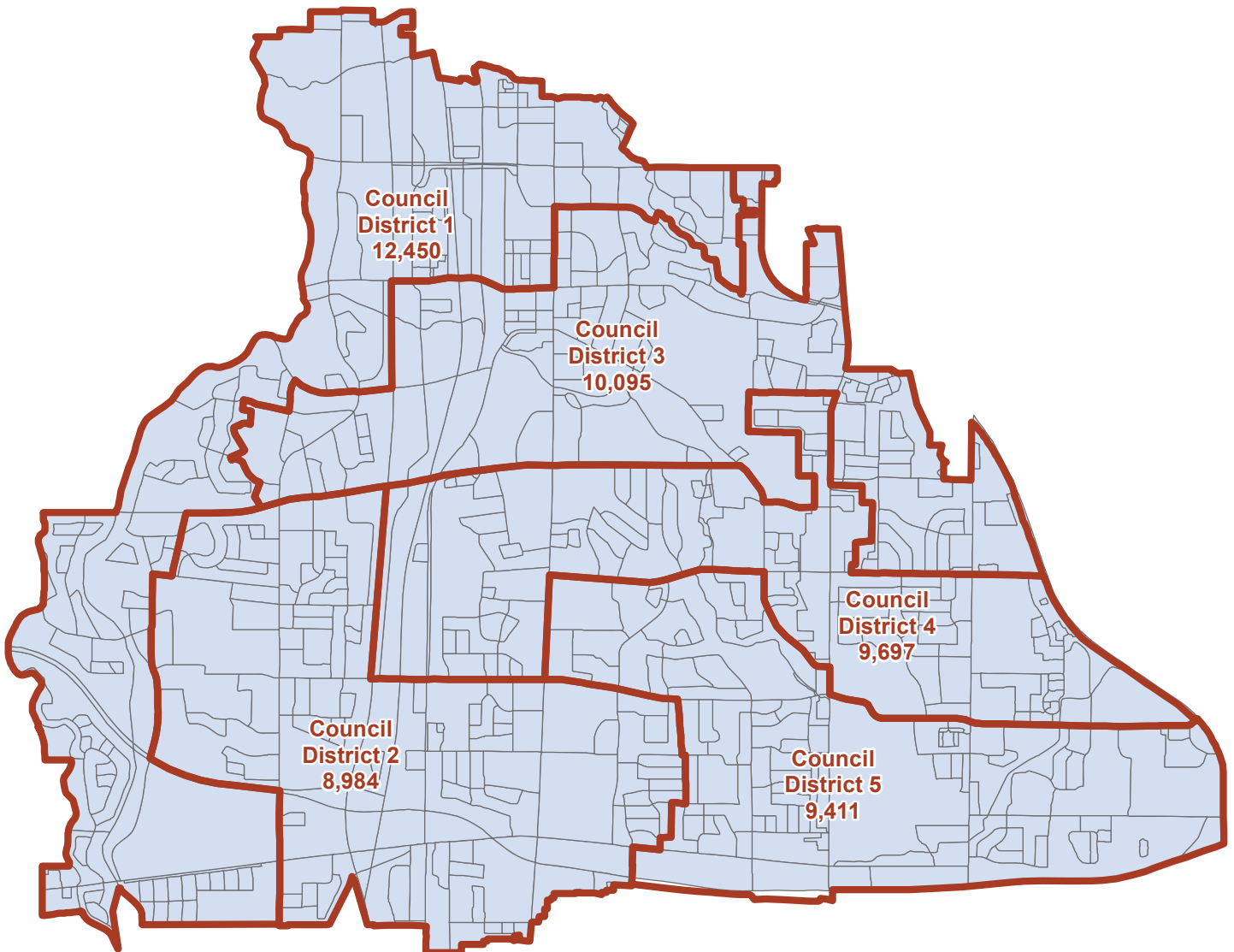
City	2010	2020	Change (%)
Murray	46,746	50,637	3,891 (8.3%)

### **Total Housing Units**

City	2010	2020	Change (%)
Murray	19,181	21,659	2,478 (12.9%)



# 2012 Council Districts with 2020 Population Totals

Total City Population	50,637
Number of Council Districts	5
Equal Distribution of Population	10,127
Maximum Variance (+ or - 4%)	405
Target Population Range	9,722 - 10,532



**MURRAY**

## Legend

-  2012 Murray City Council Districts
-  2020 Census Blocks



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Date: 10/21/2021

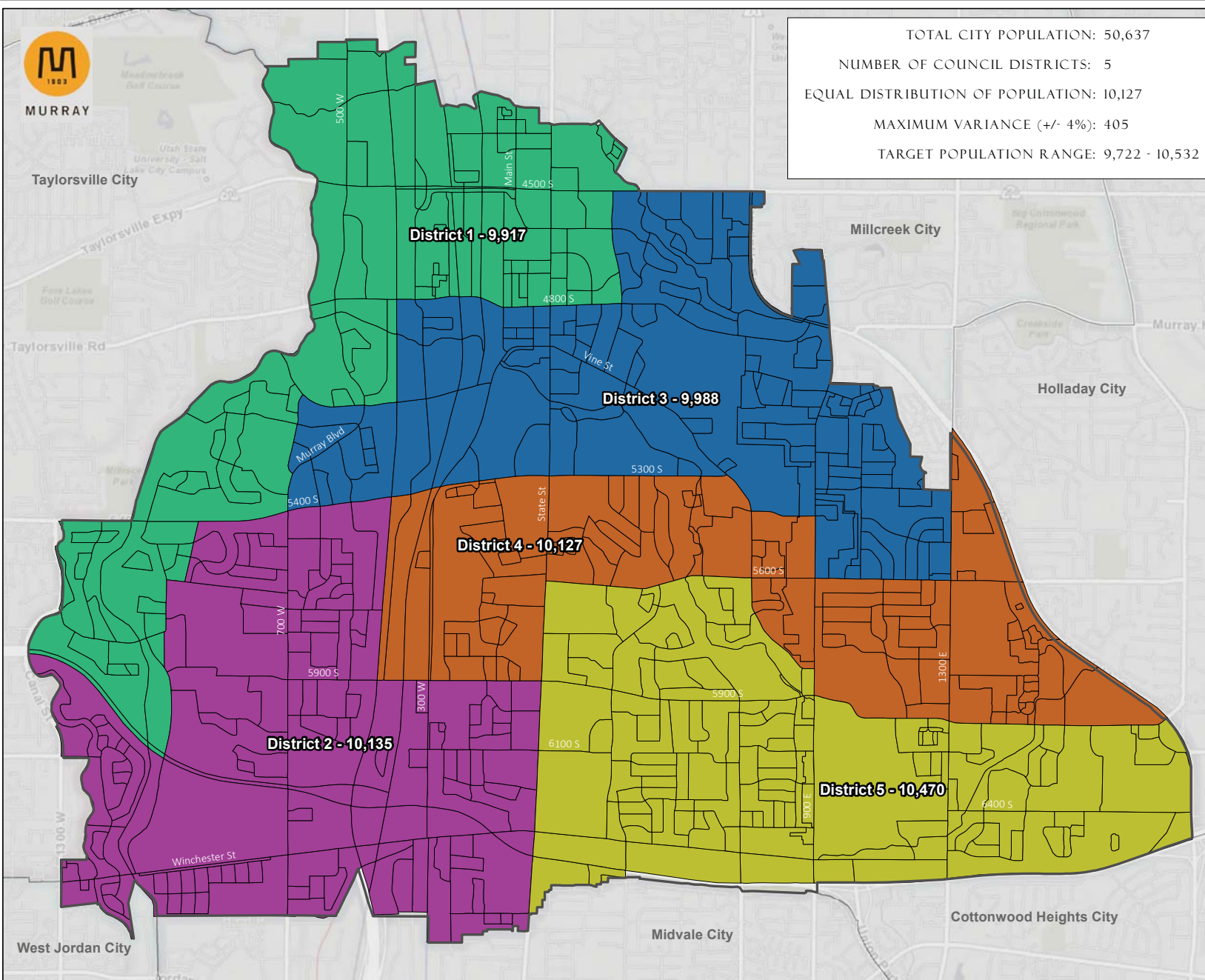


MURRAY

Taylorsville City

Taylorsville Rd

West Jordan City



TOTAL CITY POPULATION: 50,637  
NUMBER OF COUNCIL DISTRICTS: 5  
EQUAL DISTRIBUTION OF POPULATION: 10,127  
MAXIMUM VARIANCE (+/- 4%): 405  
TARGET POPULATION RANGE: 9,722 - 10,532

## 2021 COUNCIL BOUNDARY REDISTRICTING

### PROPOSED BOUNDARIES - DRAFT #1 -

#### Proposed District Boundaries

- District 1 - 9,917
- District 2 - 10,135
- District 3 - 9,988
- District 4 - 10,127
- District 5 - 10,470
- 2020 Census Blocks
- Murray City Boundary

#### MURRAY CITY GIS DIVISION

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MURRAY

Taylorsville City

**District 1 - 12,450**

2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127




MAXIMUM VARIANCE (+/- 4%): 405

TARGET POPULATION RANGE: 9,722 - 10,532

Millcreek City

Holladay City

#### Existing District Boundaries

-  District 1 - 12,450
-  2020 Census Blocks
-  Murray City Boundary

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West Jordan City

Midvale City

Cottonwood Heights City





MURRAY

Taylorsville City

2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405





TARGET POPULATION RANGE: 9,722 - 10,532

## 2021 COUNCIL BOUNDARY REDISTRICTING

### DISTRICT #1 PROPOSED BOUNDARY

POPULATION: 9,917

#### District #1 Combined Boundaries

-  Existing Boundary (Pop: 12,450)
-  Proposed Boundary (Pop: 9,917)
-  2020 Census Blocks
-  Murray City Boundary

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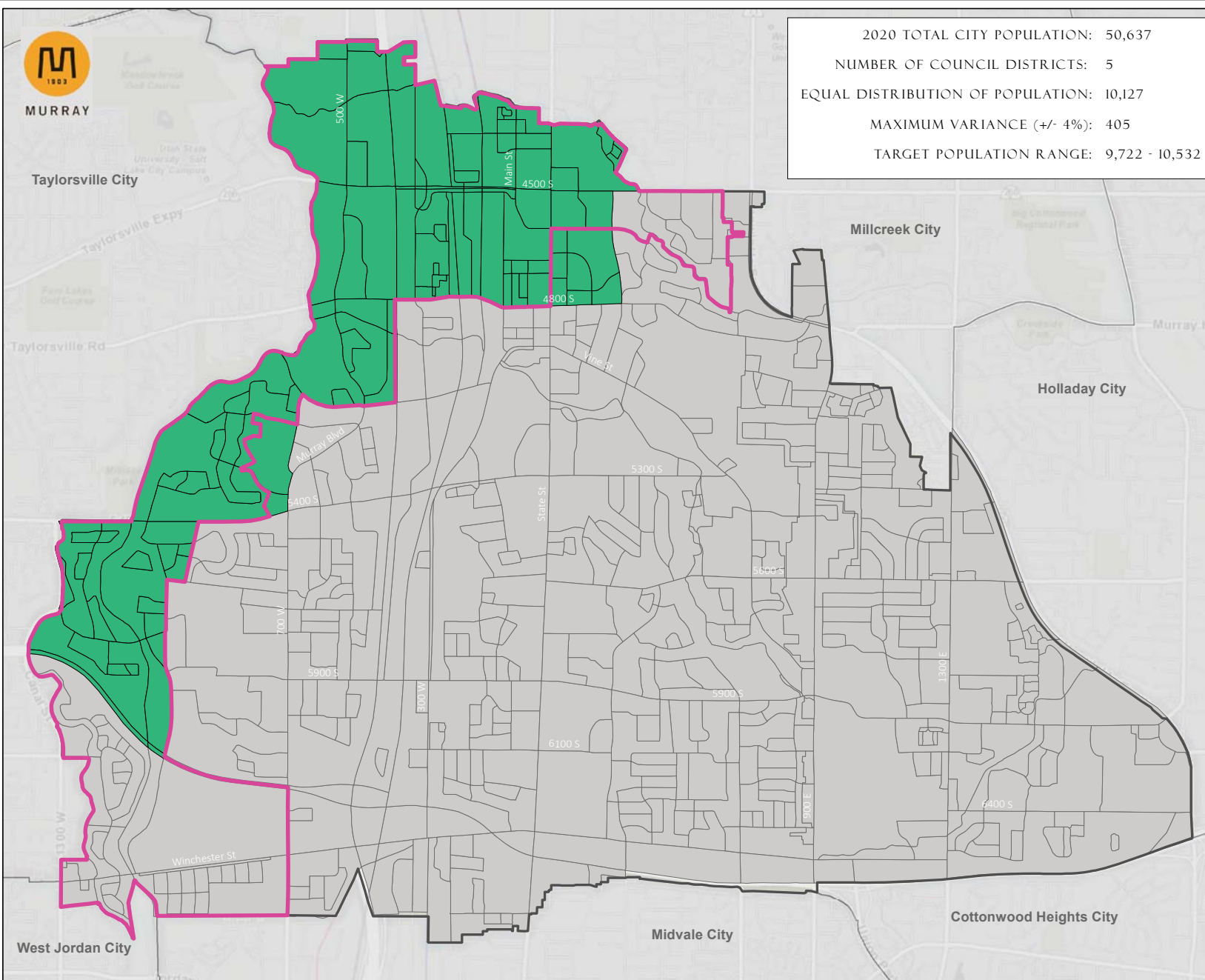
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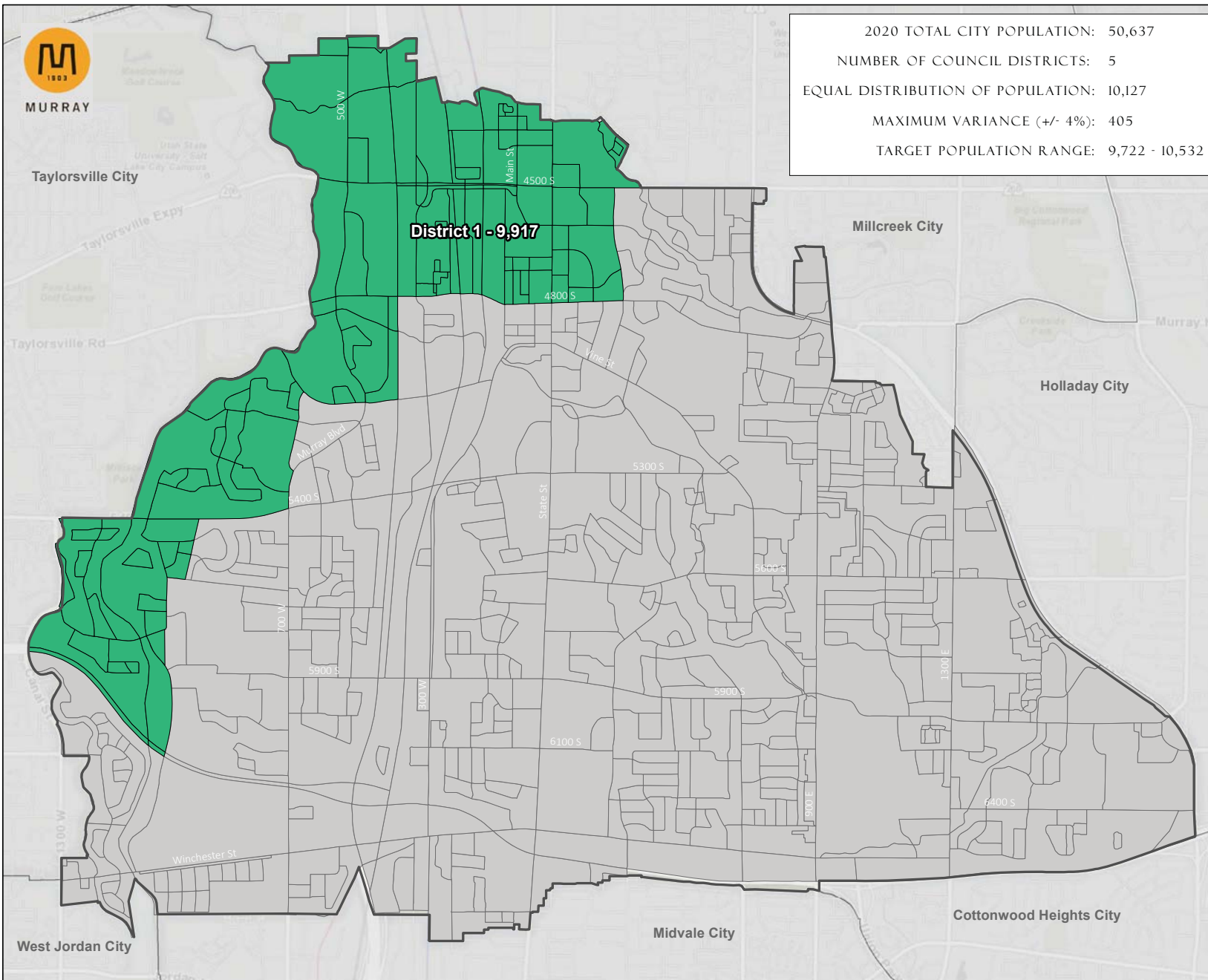
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MURRAY

Taylorsville City



2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405

TARGET POPULATION RANGE: 9,722 - 10,532




**District 1 - 9,917**

## 2021 COUNCIL BOUNDARY REDISTRICTING

### DISTRICT #1 PROPOSED BOUNDARY

POPULATION: 9,917

#### Proposed District Boundaries

-  District 1 - 9,917
-  2020 Census Blocks
-  Murray City Boundary

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MURRAY

Taylorsville City

2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405




TARGET POPULATION RANGE: 9,722 - 10,532

## 2021 COUNCIL BOUNDARY REDISTRICTING

### DISTRICT #2 CURRENT BOUNDARY

POPULATION: 8,984  
(738 UNDER MINIMUM)

#### Existing District Boundaries

-  District 2 - 8,984
-  2020 Census Blocks
-  Murray City Boundary

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District 2 - 8,984

Millcreek City

Holladay City

Cottonwood Heights City

Midvale City

West Jordan City



MURRAY

Taylorsville City

2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405





TARGET POPULATION RANGE: 9,722 - 10,532

## 2021 COUNCIL BOUNDARY REDISTRICTING

### DISTRICT #2 PROPOSED BOUNDARY

POPULATION: 10,135

#### District #2 Combined Boundaries

-  Existing Boundary (Pop: 8,984)
-  Proposed Boundary (Pop: 10,135)
-  2020 Census Blocks
-  Murray City Boundary

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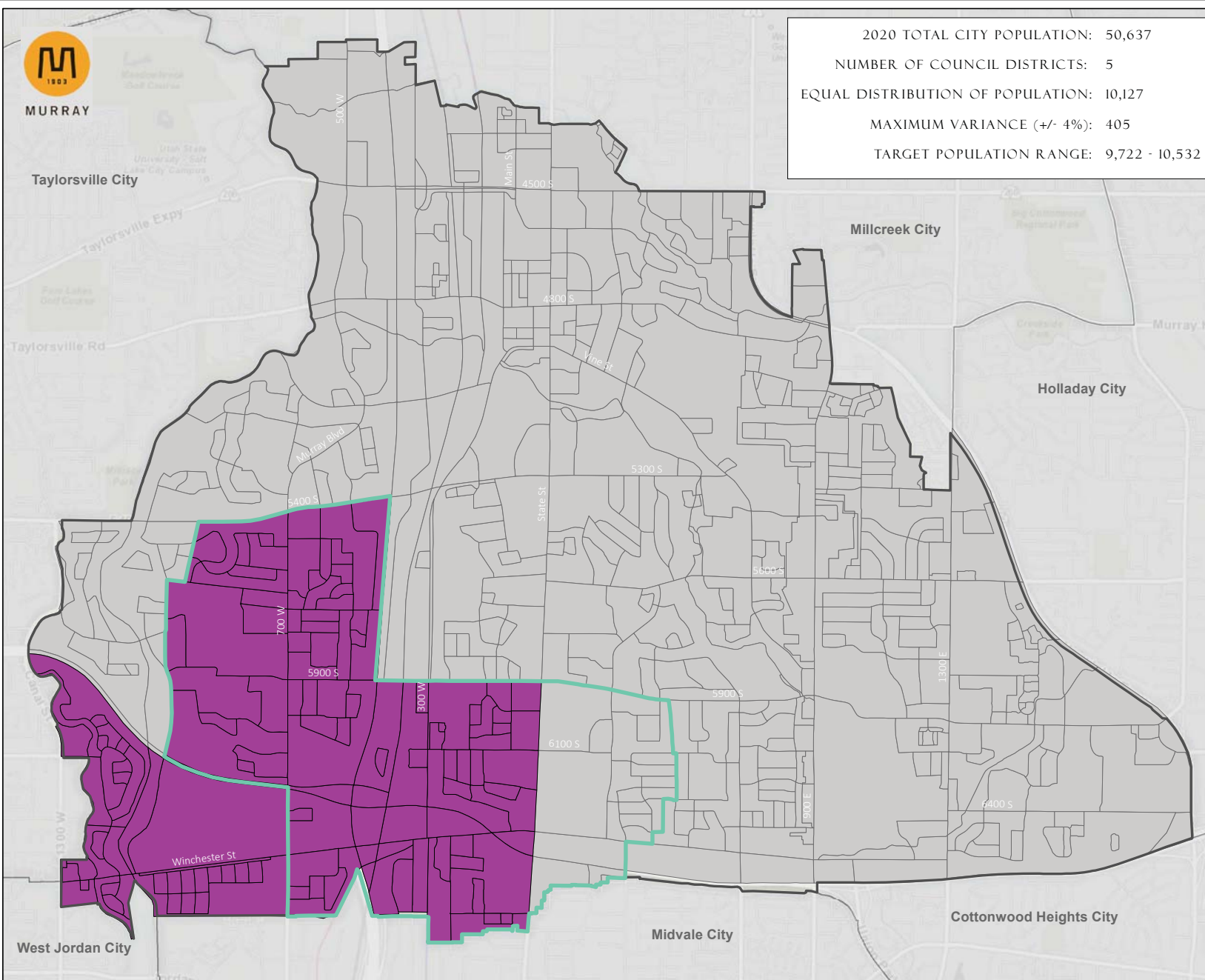
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MURRAY

Taylorsville City

2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405




TARGET POPULATION RANGE: 9,722 - 10,532

## 2021 COUNCIL BOUNDARY REDISTRICTING

### DISTRICT #2 PROPOSED BOUNDARY

POPULATION: 10,135

#### Proposed District Boundaries

-  District 2 - 10,135
-  2020 Census Blocks
-  Murray City Boundary

District 2 - 10,135

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


**District 3 - 10,095**

Millcreek City

Holladay City

POPULATION: 10,095

**Existing District Boundaries**

-  District 3 - 10,095
-  2020 Census Blocks
-  Murray City Boundary

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0 0.25 0.5 1 Miles

West Jordan City

Midvale City

Cottonwood Heights City



MURRAY

Taylorsville City

2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

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Millcreek City

Holladay City

West Jordan City

Midvale City





Cottonwood Heights City

## 2021 COUNCIL BOUNDARY REDISTRICTING

### DISTRICT #3 PROPOSED BOUNDARY

POPULATION: 9,988

#### District #3 Combined Boundaries

-  Existing Boundary (Pop: 10,095)
-  Proposed Boundary (Pop: 9,988)
-  2020 Census Blocks
-  Murray City Boundary

#### MURRAY CITY GIS DIVISION

4646 SOUTH 500 WEST  
MURRAY, UTAH 84123  
11/22/2021

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MURRAY

Taylorsville City

2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405




TARGET POPULATION RANGE: 9,722 - 10,532

District 3 - 9,988

Millcreek City

Holladay City

### Proposed District Boundaries

-  District 3 - 9,988
-  2020 Census Blocks
-  Murray City Boundary

### MURRAY CITY GIS DIVISION

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MURRAY

Taylorsville City

2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405




TARGET POPULATION RANGE: 9,722 - 10,532

## 2021 COUNCIL BOUNDARY REDISTRICTING

### DISTRICT #4 CURRENT BOUNDARY

POPULATION: 9,697  
(25 UNDER MINIMUM)

#### Existing District Boundaries

-  District 4 - 9,697
-  2020 Census Blocks
-  Murray City Boundary

District 4 - 9,697

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MURRAY

Taylorsville City

2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405





TARGET POPULATION RANGE: 9,722 - 10,532

## 2021 COUNCIL BOUNDARY REDISTRICTING

### DISTRICT #4 PROPOSED BOUNDARY

POPULATION: 10,127

#### District #4 Combined Boundaries

-  Existing Boundary (Pop: 9,697)
-  Proposed Boundary (Pop: 10,127)
-  2020 Census Blocks
-  Murray City Boundary

#### MURRAY CITY GIS DIVISION

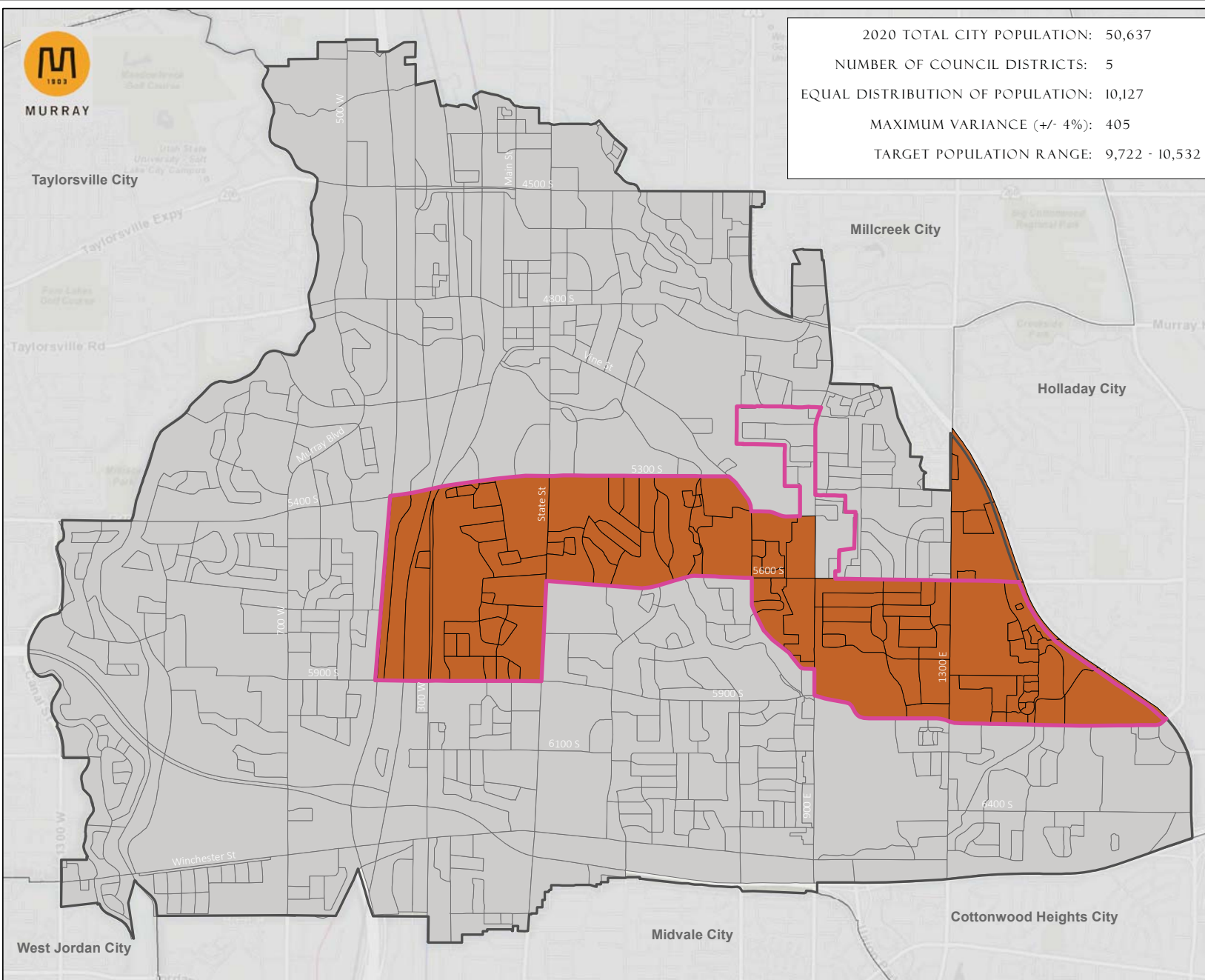
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MURRAY

Taylorsville City

2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405




TARGET POPULATION RANGE: 9,722 - 10,532

## 2021 COUNCIL BOUNDARY REDISTRICTING

### DISTRICT #4 PROPOSED BOUNDARY

POPULATION: 10,127

#### Proposed District Boundaries

-  District 4 - 10,127
-  2020 Census Blocks
-  Murray City Boundary

District 4 - 10,127

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MURRAY

Taylorsville City

2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405




TARGET POPULATION RANGE: 9,722 - 10,532

## 2021 COUNCIL BOUNDARY REDISTRICTING

### DISTRICT #5 CURRENT BOUNDARY

POPULATION: 9,411  
(311 UNDER MINIMUM)

#### Existing District Boundaries

-  District 5 - 9,411
-  2020 Census Blocks
-  Murray City Boundary

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**District 5 - 9,411**

Millcreek City

Holladay City

Cottonwood Heights City

Midvale City

West Jordan City





MURRAY

Taylorsville City

2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405

TARGET POPULATION RANGE: 9,722 - 10,532

Millcreek City





Holladay City

## 2021 COUNCIL BOUNDARY REDISTRICTING

### DISTRICT #5 PROPOSED BOUNDARY

POPULATION: 10,470

#### District #5 Combined Boundaries

-  Existing Boundary (Pop: 9,411)
-  Proposed Boundary (Pop: 10,470)
-  2020 Census Blocks
-  Murray City Boundary

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West Jordan City

Midvale City

Cottonwood Heights City



MURRAY

Taylorsville City

2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405

TARGET POPULATION RANGE: 9,722 - 10,532

Millcreek City




Holladay City

## 2021 COUNCIL BOUNDARY REDISTRICTING

### DISTRICT #5 PROPOSED BOUNDARY

POPULATION: 10,470

#### Proposed District Boundaries

-  District 5 - 10,470
-  2020 Census Blocks
-  Murray City Boundary

#### MURRAY CITY GIS DIVISION

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West Jordan City

Midvale City

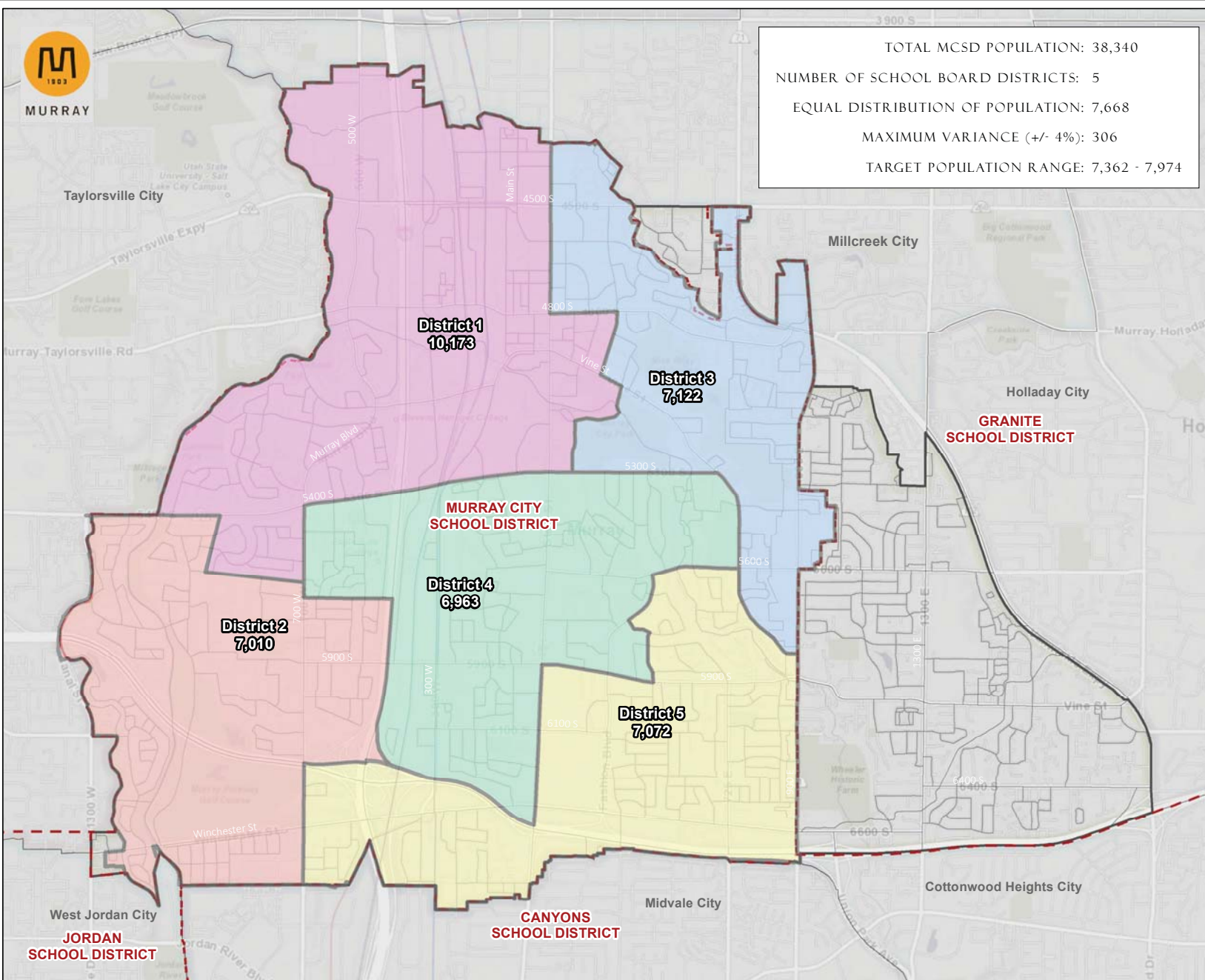
Cottonwood Heights City

District 5 - 10,470

For School Board District:

- In the 2020 U.S. Census, Murray School Board population was 38,340
- Equal Distribution of Populations = 7,668
- Maximum Variance (+ or - 4%) = 306
- Target Population Range per District = 7,362 to 7,974

<b>SUGGESTED REDISTRICTING CHANGES IN 2022</b> <b>MURRAY SCHOOL DISTRICTS</b> <b>Average Population 7,668</b> <b>Maximum Variance (+ or - 4%) 306</b> <b>Target Population Range 7,362 - 7,974</b>					
Change	District 1	District 2	District 3	District 4	District 5
2012 Beginning Population	10,172	7,010	7,122	6,963	7,072
Recommendation Change	-2,632	+502	+530	+999	+602
2022 Ending Population	7,540	7,512	7,652	7,962	7,674



TOTAL MCSD POPULATION: 38,340  
NUMBER OF SCHOOL BOARD DISTRICTS: 5  
EQUAL DISTRIBUTION OF POPULATION: 7,668  
MAXIMUM VARIANCE (+/- 4%): 306  
TARGET POPULATION RANGE: 7,362 - 7,974

# MURRAY CITY SCHOOL DISTRICT (MCSD) 2017 SCHOOL BOARD DISTRICTS

EXISTING BOUNDARIES  
WITH 2020 POP. COUNTS

**Legend**

District 1 - 10,173

District 2 - 7,010

District 3 - 7,122

District 4 - 6,963

District 5 - 7,072

School Districts

2020 Census Blocks

Murray City Boundary

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MURRAY

Taylorsville City

Taylorsville Expy

Murray-Taylorsville Rd

District 1  
7,540

District 3  
7,652

MURRAY CITY  
SCHOOL DISTRICT

District 4  
7,962

District 2  
7,512

District 5  
7,674

CANYONS  
SCHOOL DISTRICT

West Jordan City  
JORDAN  
SCHOOL DISTRICT

TOTAL MCSD POPULATION: 38,340  
NUMBER OF SCHOOL BOARD DISTRICTS: 5  
EQUAL DISTRIBUTION OF POPULATION: 7,668  
MAXIMUM VARIANCE (+/- 4%): 306  
TARGET POPULATION RANGE: 7,362 - 7,974

Millcreek City

GRANITE  
SCHOOL DISTRICT

Holladay City

Vine St

Cottonwood Heights City

Midvale City

## MURRAY CITY SCHOOL DISTRICT (MCSD) 2021 SCHOOL BOARD REDISTRICTING

### PROPOSED BOUNDARIES - DRAFT #1 -

#### Legend

- District 1 - 7,540
- District 2 - 7,512
- District 3 - 7,652
- District 4 - 7,962
- District 5 - 7,674
- School Districts
- 2020 Census Blocks
- Murray City Boundary

#### MURRAY CITY GIS DIVISION

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# Murray City 2021-2022 Redistricting Proposal

Presented by: Brooke Smith, City Recorder



# Redistricting

The City is divided into five (5) City Council districts of substantially equal population. One City Council Member is elected from each City Council district.

District lines are redrawn every ten (10) years following the completion of the U.S. Census. Federal, State, and City codes stipulate that districts must have substantially equal populations.

Redistricting is done using U.S. Census data, which is usually released around March 31, 2021. However, this year it was not released until September 30, 2021, due to the COVID-19 pandemic.

<https://gardner.utah.edu/2020-census/>



# Timeline

UCA 10-3-205.5 requires the City Council to make boundary adjustments where necessary to maintain substantially equal populations, within six months after the Legislature completes its redistricting process.

Utah enacted new congressional districts on November 12, 2021. Gov. Spencer Cox (R) signed new state legislative districts for both chambers into law on November 16, 2021.

Because of the covid-related census delay and the upcoming school board election in 2022, we have a compressed time frame to make these changes and the redistricting.

The last Committee of the Whole in 2021 is December 7 and the first City Council meeting is January 4, therefore time is of the essence.







# Growth in Murray

Kem C. Gardner Policy Institute published [First Insight - 2020 Census Utah Counties and Communities](#) that has information about growth in Utah for all cities and towns in Utah.

Different regions of the city grow at different rates. For example, according to the Kem C. Gardner Policy Institute, the average growth in Utah is 18.1 percent. Murray City grew below the average rate at an estimated 8.3 percent, whereas Herriman City grew above the average estimate rate at 153.1 percent.

Over time, council districts and school board boundaries become unequal. Redistricting is required to ensure that there is an equal number of constituents in each district every 10 years the U.S. Census population data is released.

Total Population	2010	2020	Change (%)
Murray	46,746	50,637	3,891 (8.3%)

Total Housing Units	2010	2020	Change (%)
Murray	19,181	21,659	2,478 (12.9%)



# City Code

## **2.04.010: NUMBER AND TERM:**

The election and terms of office of the City Council shall conform to the provisions of section 10-3-201 et seq., Utah Code Annotated, 1953, as amended. The City shall be divided into five (5) City Council districts of substantially equal population. One City Council Member shall be elected from each City Council district. Elected City Council Members shall serve a term of four (4) years. The five (5) member City Council shall exercise the legislative powers of the City. (Ord. 16-17)

## **2.04.020: DISTRICTS:**

The City Council districts of the City are as presently constituted. They may be enlarged by subsequent annexations under Utah law. They may be amended within six (6) months following each federal decennial census to maintain substantially equal populations. The City Council shall adopt said City Council district boundary modifications and may adopt maps and/or metes and bounds descriptions of the City Council districts. (Ord. 16-17)



# Factors to Consider

- The purpose of redistricting is to create an equal distribution of population within each council district.
- When drawing districts, the official population numbers from the 2020 census must be used.
- Districts must be contiguous and reasonably compact.
- Districts must follow natural boundaries such as streets and rivers.
- Districts should follow the boundaries of County precincts and avoid a split precinct.
- Districts must be drawn to create five district and five school boards.
- Districts must be as nearly equal as practical, with a deviation no greater than +/- 4.0 percent.
- Current Councilmembers stay located in their designated district





MURRAY

Taylorsville City

**District 1 - 12,450**

2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405

TARGET POPULATION RANGE: 9,722 - 10,532

Millcreek City

Holladay City

West Jordan City

Midvale City




Cottonwood Heights City

## 2021 COUNCIL BOUNDARY REDISTRICTING

### DISTRICT #1 CURRENT BOUNDARY

POPULATION: 12,450  
(1,918 OVER MAXIMUM)

#### Existing District Boundaries

-  District 1 - 12,450
-  2020 Census Blocks
-  Murray City Boundary

#### MURRAY CITY GIS DIVISION

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0 0.25 0.5 1 Miles



MURRAY

Taylorsville City

2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405





TARGET POPULATION RANGE: 9,722 - 10,532

## 2021 COUNCIL BOUNDARY REDISTRICTING

### DISTRICT #1 PROPOSED BOUNDARY

POPULATION: 9,917

#### District #1 Combined Boundaries

-  Existing Boundary (Pop: 12,450)
-  Proposed Boundary (Pop: 9,917)
-  2020 Census Blocks
-  Murray City Boundary

#### MURRAY CITY GIS DIVISION

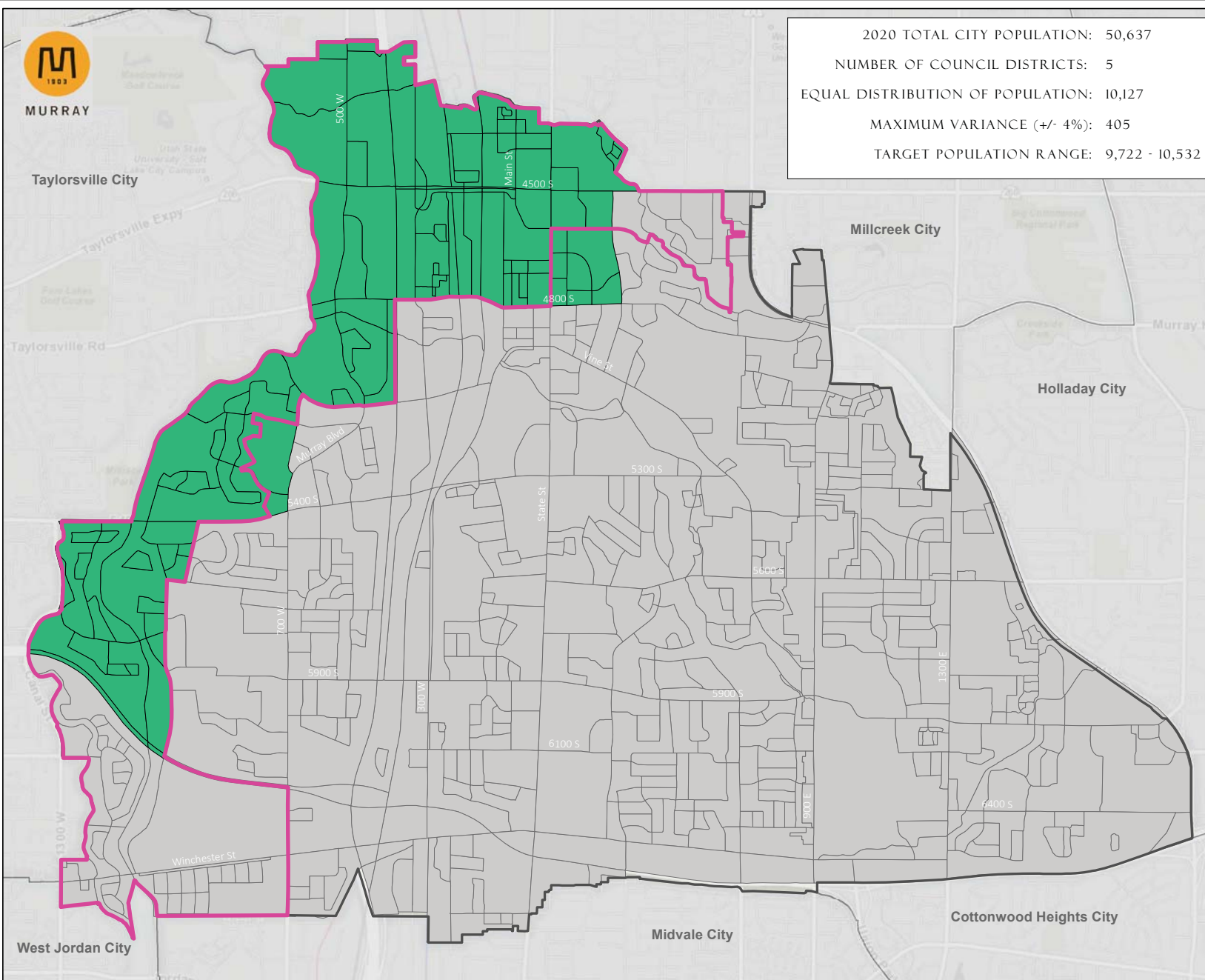
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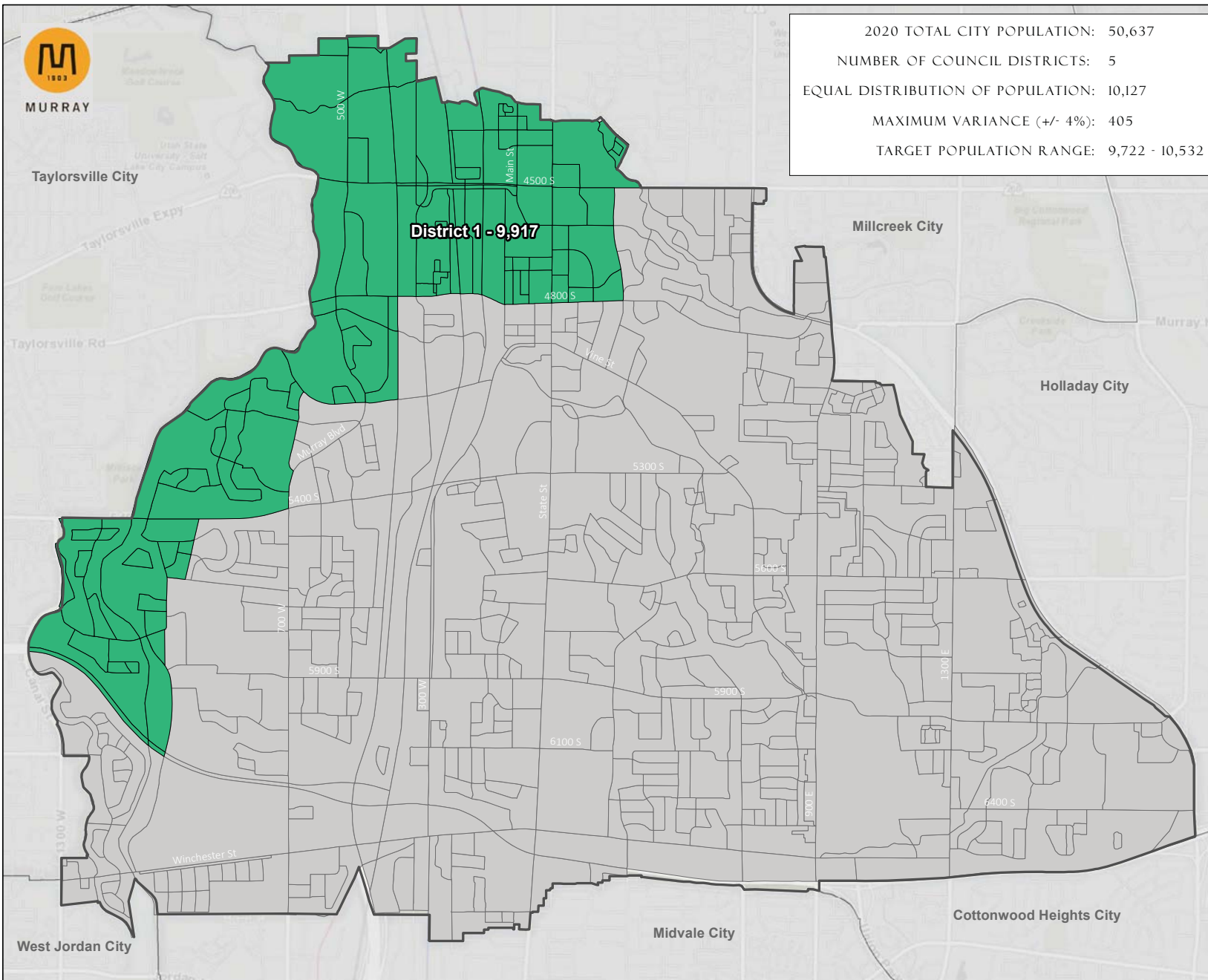






MURRAY

Taylorsville City



**District 1 - 9,917**

2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405




TARGET POPULATION RANGE: 9,722 - 10,532

## 2021 COUNCIL BOUNDARY REDISTRICTING

### DISTRICT #1 PROPOSED BOUNDARY

POPULATION: 9,917

#### Proposed District Boundaries

-  District 1 - 9,917
-  2020 Census Blocks
-  Murray City Boundary

#### MURRAY CITY GIS DIVISION

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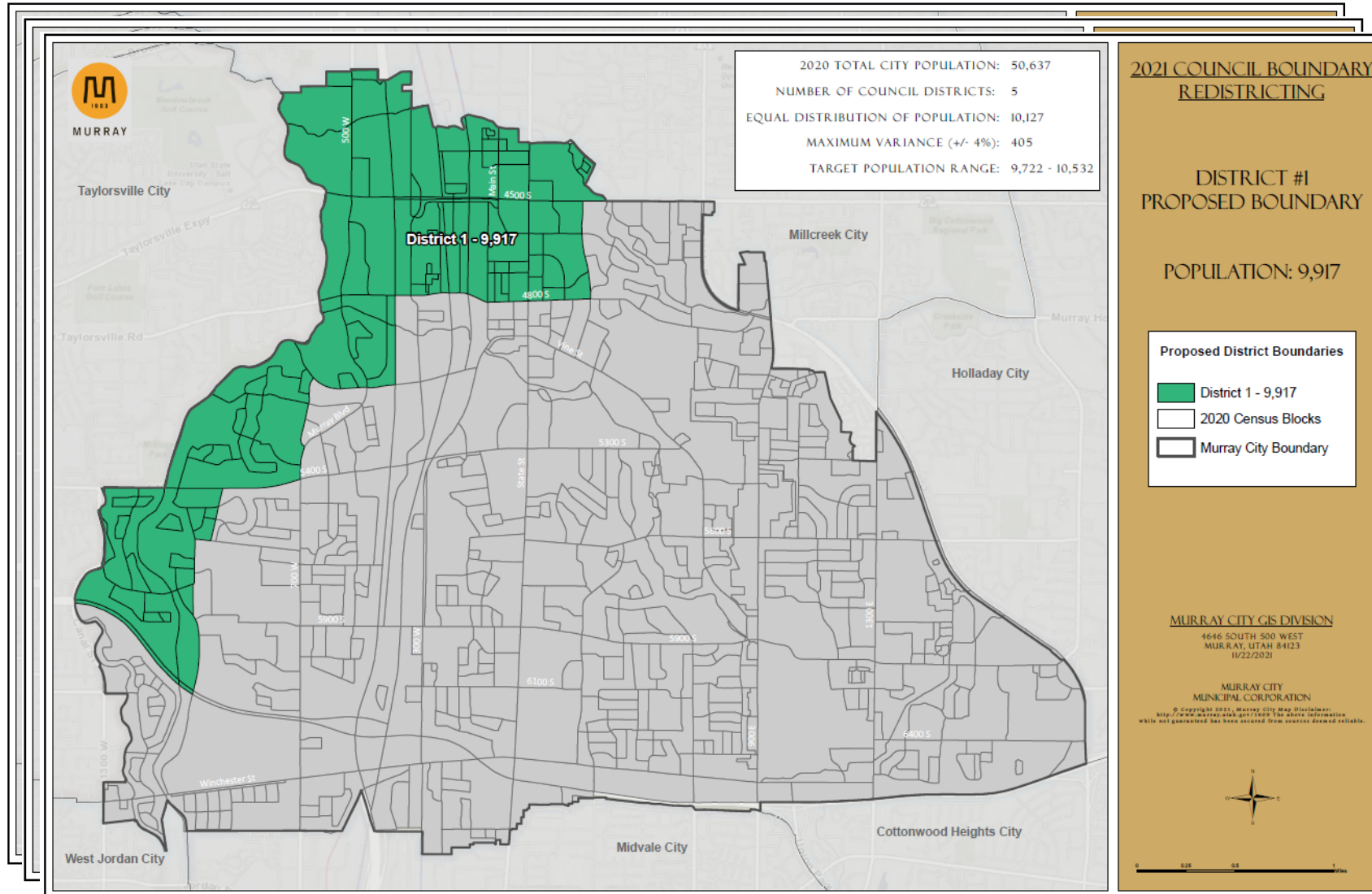
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# Council District # 1

Kat Martinez



# Council District # 1

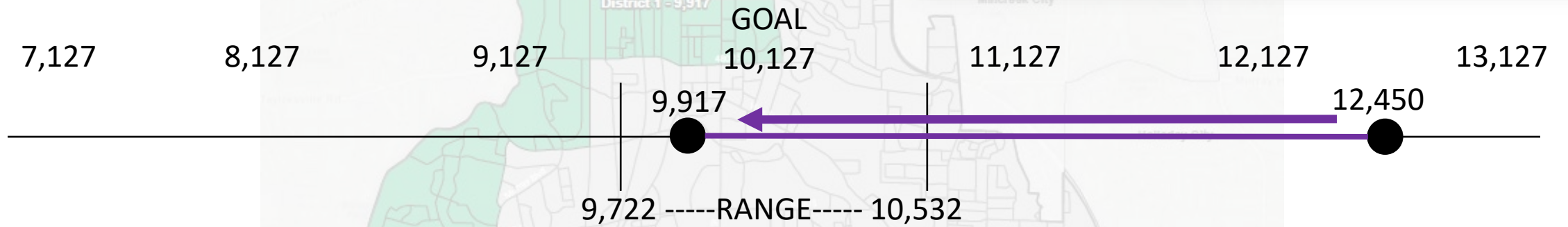
2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405

TARGET POPULATION RANGE: 9,722 - 10,532



Difference: -2,533







MURRAY

Taylorsville City

2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405




TARGET POPULATION RANGE: 9,722 - 10,532

## 2021 COUNCIL BOUNDARY REDISTRICTING

### DISTRICT #2 CURRENT BOUNDARY

POPULATION: 8,984  
(738 UNDER MINIMUM)

#### Existing District Boundaries

-  District 2 - 8,984
-  2020 Census Blocks
-  Murray City Boundary

#### MURRAY CITY GIS DIVISION

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District 2 - 8,984

Millcreek City

Holladay City

Cottonwood Heights City

Midvale City

West Jordan City



MURRAY

Taylorsville City

2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405





TARGET POPULATION RANGE: 9,722 - 10,532

## 2021 COUNCIL BOUNDARY REDISTRICTING

### DISTRICT #2 PROPOSED BOUNDARY

POPULATION: 10,135

#### District #2 Combined Boundaries

-  Existing Boundary (Pop: 8,984)
-  Proposed Boundary (Pop: 10,135)
-  2020 Census Blocks
-  Murray City Boundary

#### MURRAY CITY GIS DIVISION

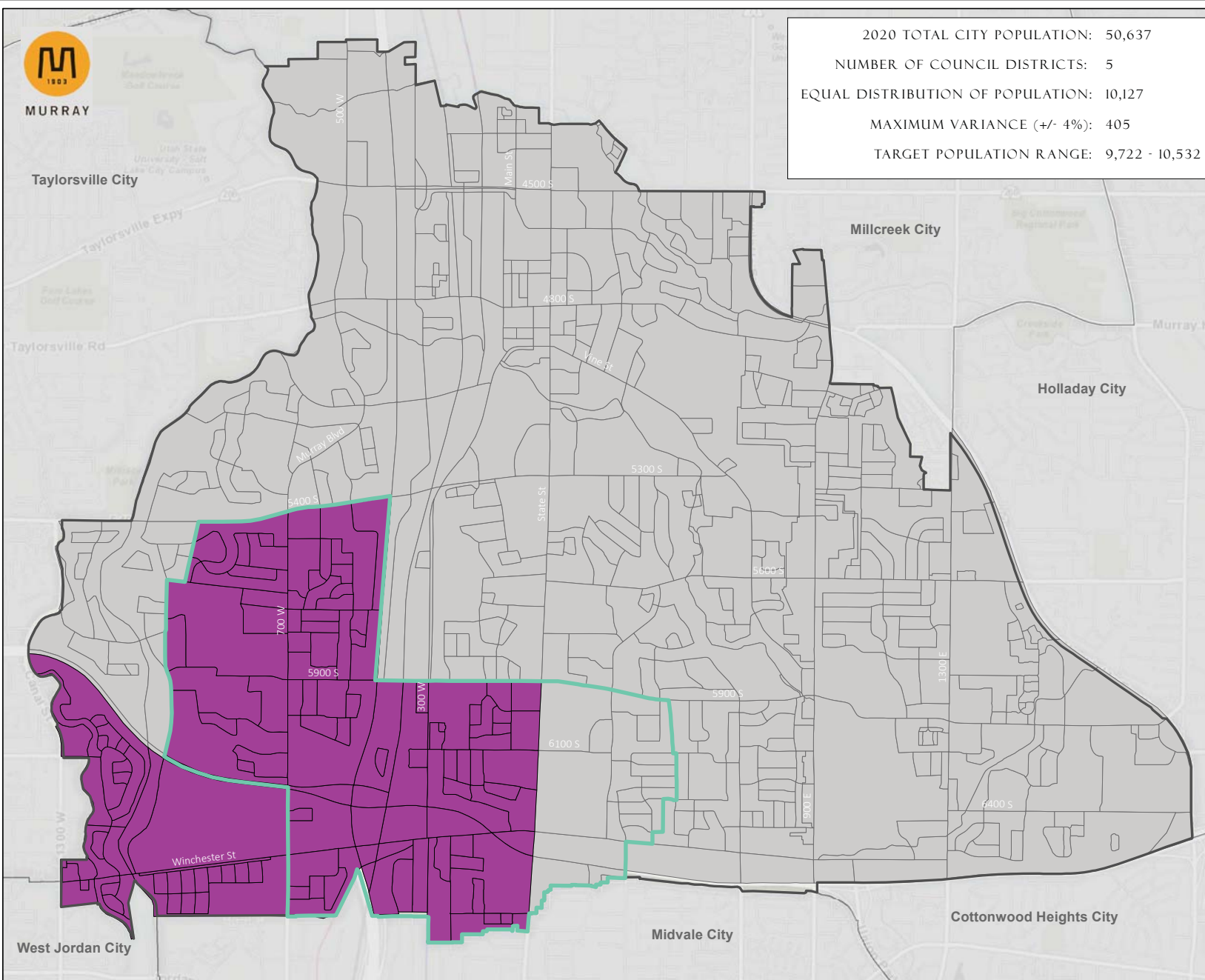
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MURRAY

Taylorsville City

2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405




TARGET POPULATION RANGE: 9,722 - 10,532

## 2021 COUNCIL BOUNDARY REDISTRICTING

### DISTRICT #2 PROPOSED BOUNDARY

POPULATION: 10,135

#### Proposed District Boundaries

-  District 2 - 10,135
-  2020 Census Blocks
-  Murray City Boundary

District 2 - 10,135

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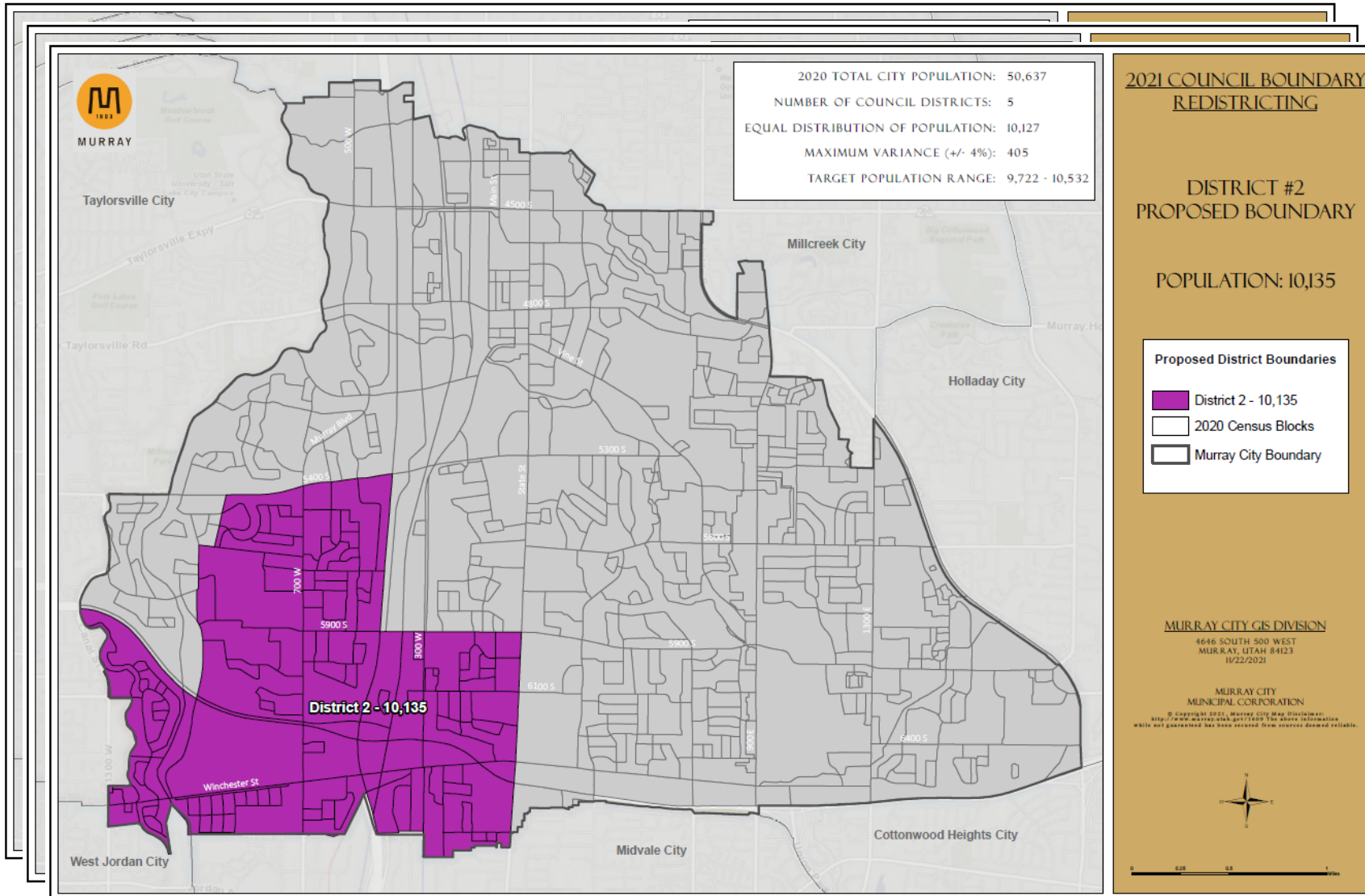
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Dale Cox 2021



# Council District # 2



Pamela Cotter 2022



# Council District # 2

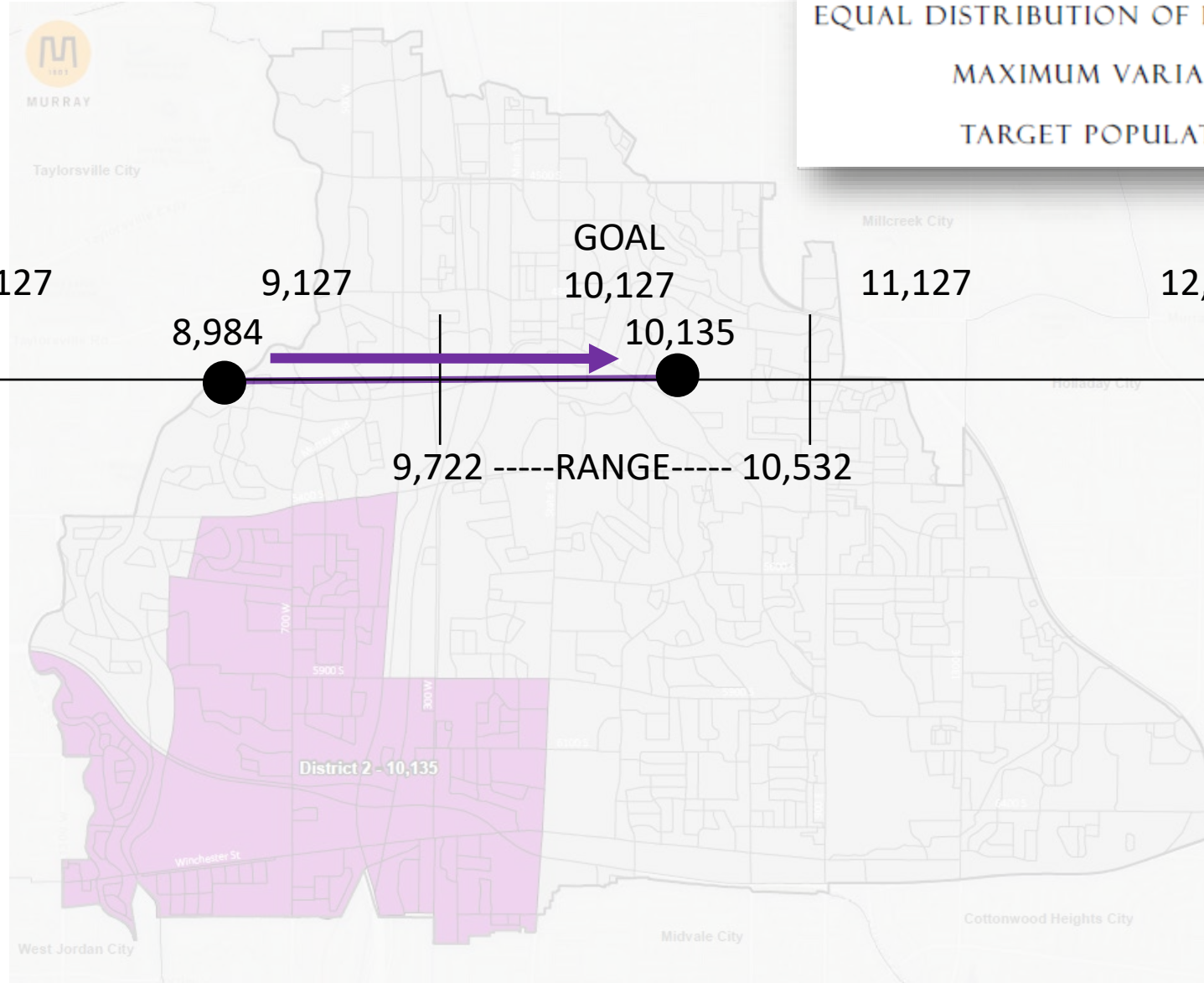
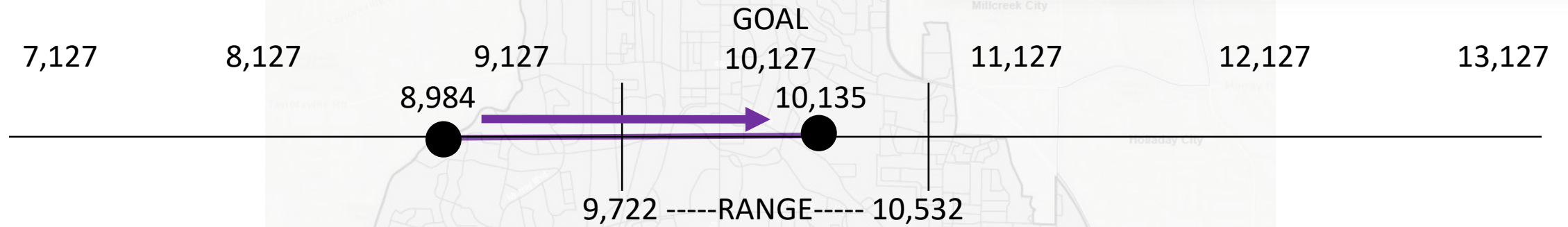
2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405

TARGET POPULATION RANGE: 9,722 - 10,532



Difference: +1151



MURRAY

Taylorsville City

2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405

TARGET POPULATION RANGE: 9,722 - 10,532




**District 3 - 10,095**

Millcreek City

Holladay City

POPULATION: 10,095

**Existing District Boundaries**

-  District 3 - 10,095
-  2020 Census Blocks
-  Murray City Boundary

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0 0.25 0.5 1 Miles

West Jordan City

Midvale City

Cottonwood Heights City





MURRAY

Taylorsville City

2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405

TARGET POPULATION RANGE: 9,722 - 10,532

Millcreek City

Holladay City

West Jordan City

Midvale City





Cottonwood Heights City

## 2021 COUNCIL BOUNDARY REDISTRICTING

### DISTRICT #3 PROPOSED BOUNDARY

POPULATION: 9,988

#### District #3 Combined Boundaries

-  Existing Boundary (Pop: 10,095)
-  Proposed Boundary (Pop: 9,988)
-  2020 Census Blocks
-  Murray City Boundary

#### MURRAY CITY GIS DIVISION

4646 SOUTH 500 WEST  
MURRAY, UTAH 84123  
11/22/2021

MURRAY CITY  
MUNICIPAL CORPORATION

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0 0.25 0.5 1 Miles



MURRAY

Taylorsville City

2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405

TARGET POPULATION RANGE: 9,722 - 10,532

District 3 - 9,988

Millcreek City




Holladay City

## 2021 COUNCIL BOUNDARY REDISTRICTING

### DISTRICT #3 PROPOSED BOUNDARY

POPULATION: 9,988

#### Proposed District Boundaries

-  District 3 - 9,988
-  2020 Census Blocks
-  Murray City Boundary

#### MURRAY CITY GIS DIVISION

4646 SOUTH 500 WEST  
MURRAY, UTAH 84123  
11/22/2021

MURRAY CITY  
MUNICIPAL CORPORATION

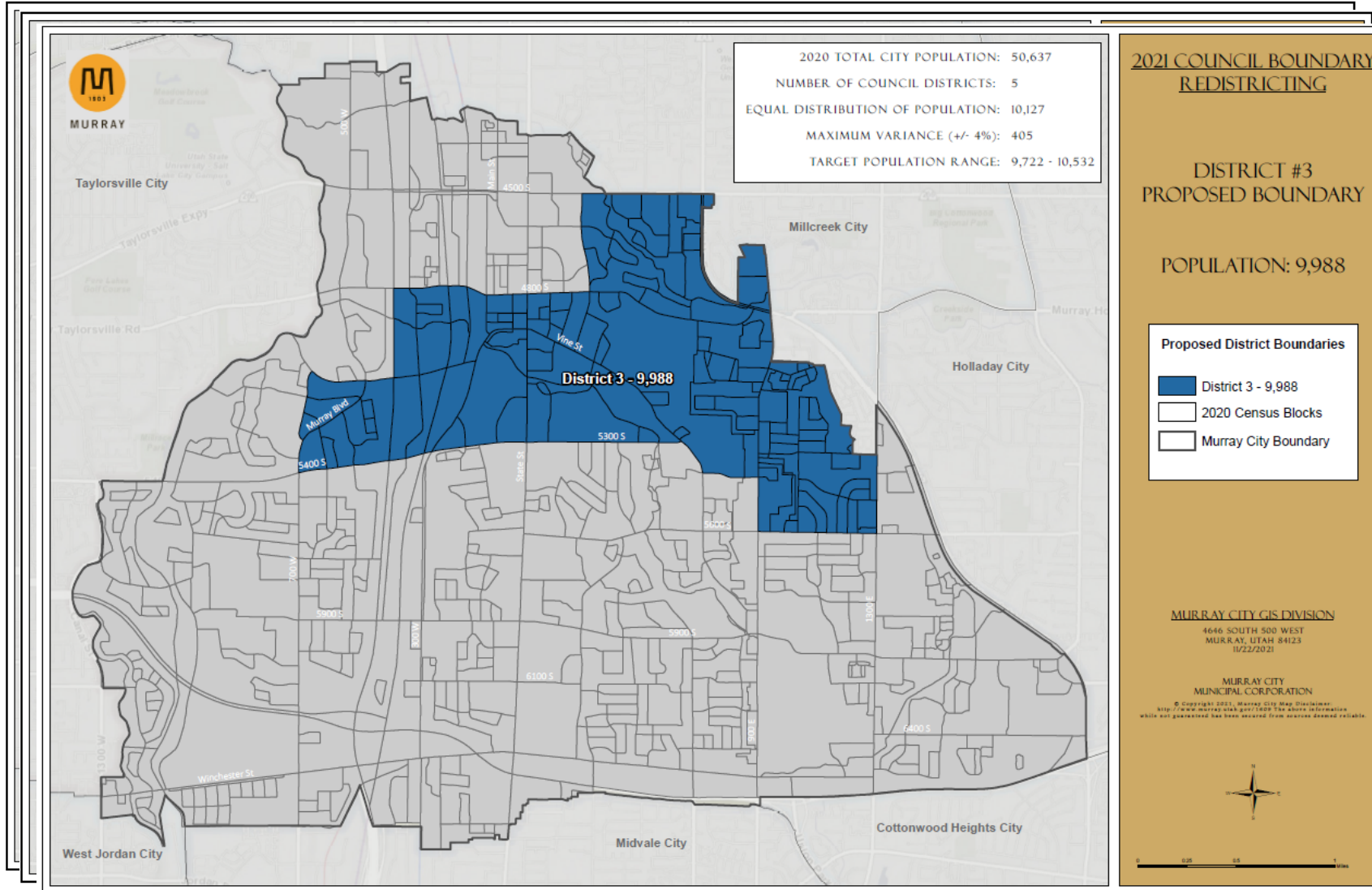
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# Council District # 3

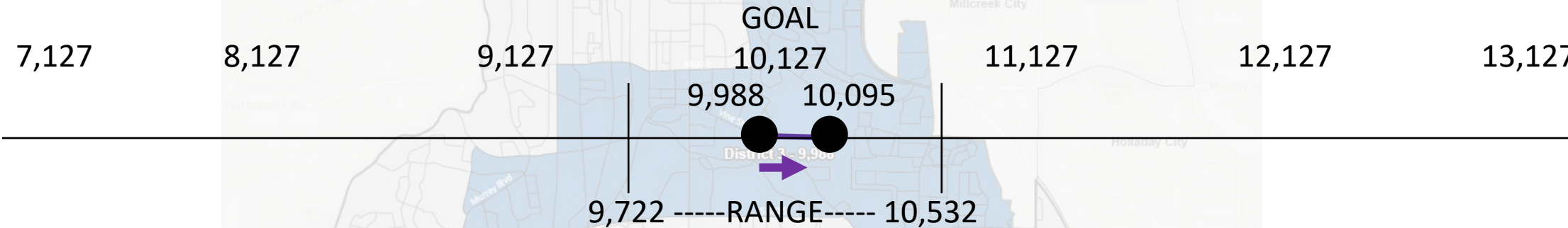


Rosalba Dominguez



# Council District # 3

2020 TOTAL CITY POPULATION:	50,637
NUMBER OF COUNCIL DISTRICTS:	5
EQUAL DISTRIBUTION OF POPULATION:	10,127
MAXIMUM VARIANCE (+/- 4%):	405
TARGET POPULATION RANGE:	9,722 - 10,532



Difference: +107





MURRAY

Taylorsville City

2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405




TARGET POPULATION RANGE: 9,722 - 10,532

## 2021 COUNCIL BOUNDARY REDISTRICTING

### DISTRICT #4 CURRENT BOUNDARY

POPULATION: 9,697  
(25 UNDER MINIMUM)

#### Existing District Boundaries

-  District 4 - 9,697
-  2020 Census Blocks
-  Murray City Boundary

District 4 - 9,697

#### MURRAY CITY GIS DIVISION

4646 SOUTH 500 WEST  
MURRAY, UTAH 84123  
11/22/2021

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0 0.25 0.5 1 Miles





MURRAY

Taylorsville City

2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405





TARGET POPULATION RANGE: 9,722 - 10,532

## 2021 COUNCIL BOUNDARY REDISTRICTING

### DISTRICT #4 PROPOSED BOUNDARY

POPULATION: 10,127

#### District #4 Combined Boundaries

-  Existing Boundary (Pop: 9,697)
-  Proposed Boundary (Pop: 10,127)
-  2020 Census Blocks
-  Murray City Boundary

#### MURRAY CITY GIS DIVISION

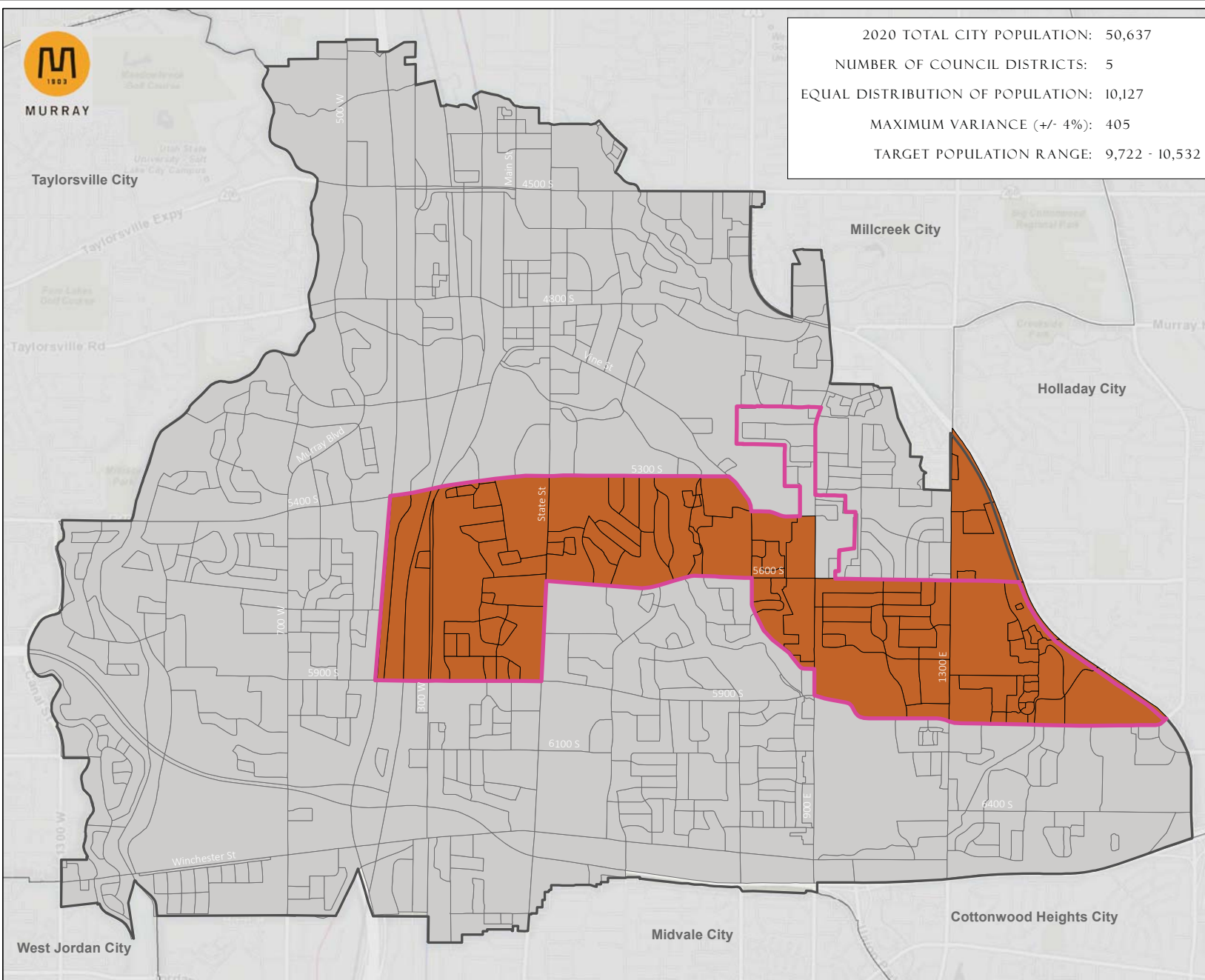
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MURRAY, UTAH 84123  
11/22/2021

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0 0.25 0.5 1 Miles





MURRAY

Taylorsville City

2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405




TARGET POPULATION RANGE: 9,722 - 10,532

## 2021 COUNCIL BOUNDARY REDISTRICTING

### DISTRICT #4 PROPOSED BOUNDARY

POPULATION: 10,127

#### Proposed District Boundaries

-  District 4 - 10,127
-  2020 Census Blocks
-  Murray City Boundary

District 4 - 10,127

Millcreek City

Holladay City

#### MURRAY CITY GIS DIVISION

4646 SOUTH 500 WEST  
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0 0.25 0.5 1 Miles

West Jordan City

Midvale City

Cottonwood Heights City

**MURRAY**  
1861

Taylorsville City

Taylorsville Expy

Taylorsville Rd

Millcreek City

Holladay City

West Jordan City

Midvale City

Cottonwood Heights City

1300 W

5000 S

5400 S

5600 S

5800 S

6000 S

6100 S

6300 S

6400 S

6500 S

6600 S

6700 S

6800 S

6900 S

7000 S

7100 S

7200 S

7300 S

7400 S

7500 S

7600 S

7700 S

7800 S

7900 S

8000 S

8100 S

8200 S

8300 S

8400 S

8500 S

8600 S

8700 S

8800 S

8900 S

9000 S

9100 S

9200 S

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1000 S

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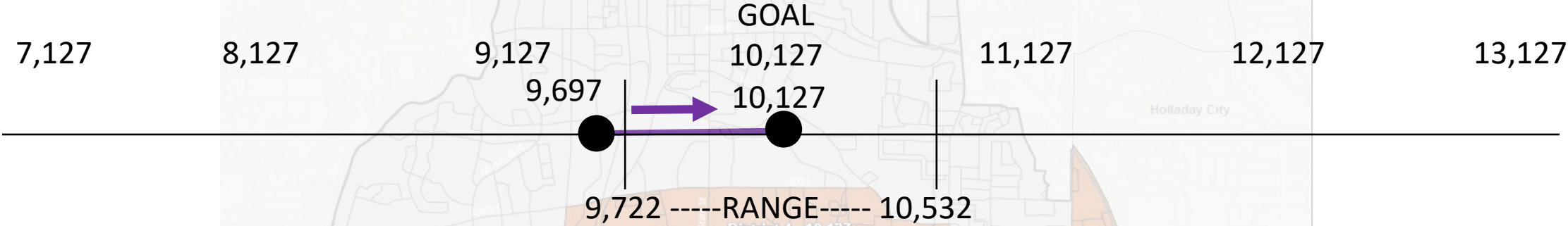
A portrait of a woman with blonde hair, smiling, wearing a blue top and a patterned scarf. The image is framed with rounded corners.





# Council District # 4

2020 TOTAL CITY POPULATION:	50,637
NUMBER OF COUNCIL DISTRICTS:	5
EQUAL DISTRIBUTION OF POPULATION:	10,127
MAXIMUM VARIANCE (+/- 4%):	405
TARGET POPULATION RANGE:	9,722 - 10,532



Difference: +430





MURRAY

Taylorsville City

2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405




TARGET POPULATION RANGE: 9,722 - 10,532

## 2021 COUNCIL BOUNDARY REDISTRICTING

### DISTRICT #5 CURRENT BOUNDARY

POPULATION: 9,411  
(311 UNDER MINIMUM)

#### Existing District Boundaries

-  District 5 - 9,411
-  2020 Census Blocks
-  Murray City Boundary

#### MURRAY CITY GIS DIVISION

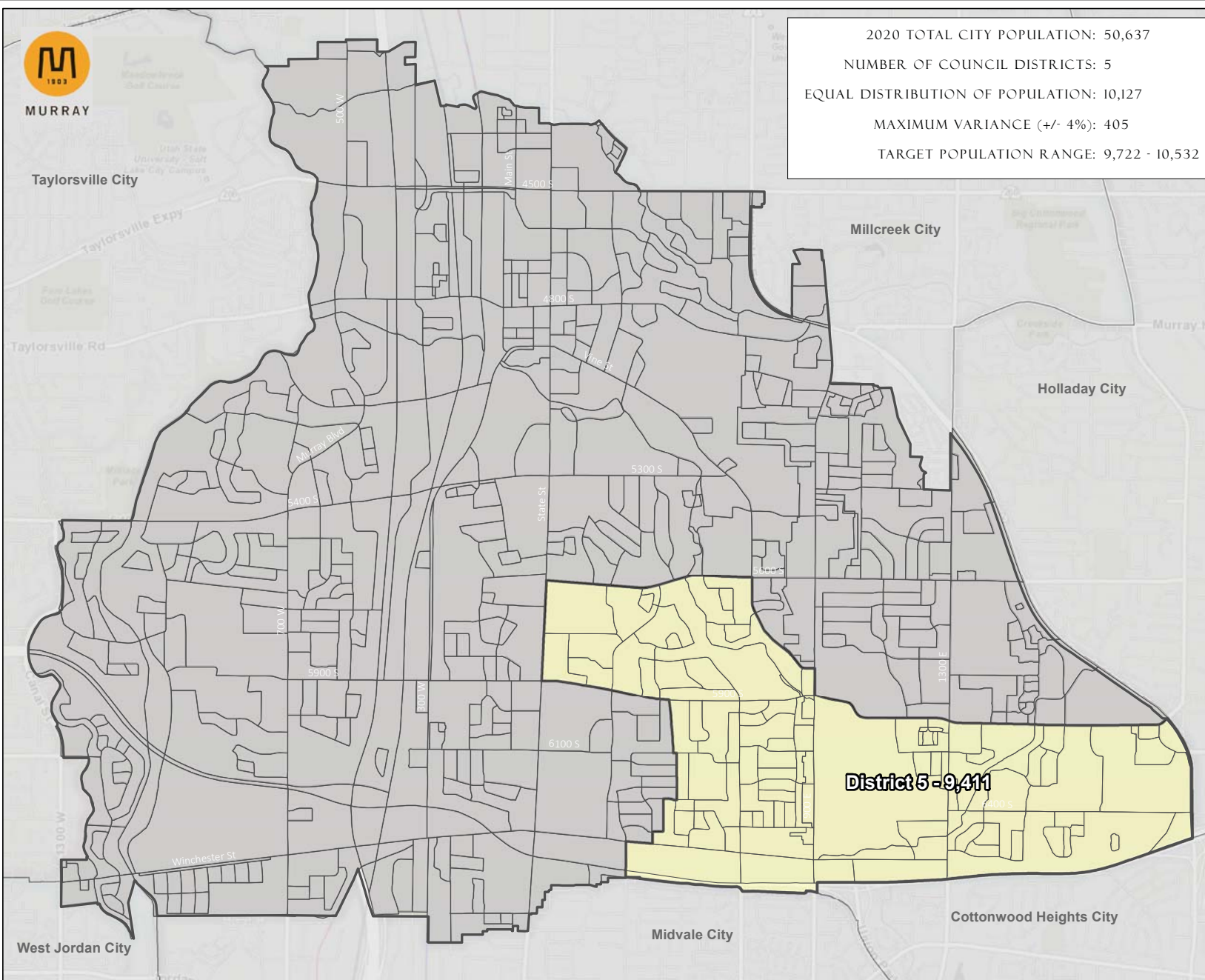
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0 0.25 0.5 1 Miles





MURRAY

Taylorsville City

2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405

TARGET POPULATION RANGE: 9,722 - 10,532

Millcreek City





Holladay City

## 2021 COUNCIL BOUNDARY REDISTRICTING

### DISTRICT #5 PROPOSED BOUNDARY

POPULATION: 10,470

#### District #5 Combined Boundaries

-  Existing Boundary (Pop: 9,411)
-  Proposed Boundary (Pop: 10,470)
-  2020 Census Blocks
-  Murray City Boundary

#### MURRAY CITY GIS DIVISION

4646 SOUTH 500 WEST  
MURRAY, UTAH 84123  
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#### MURRAY CITY MUNICIPAL CORPORATION

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0 0.25 0.5 1 Miles

West Jordan City

Midvale City

Cottonwood Heights City



MURRAY

Taylorsville City

2020 TOTAL CITY POPULATION: 50,637

NUMBER OF COUNCIL DISTRICTS: 5

EQUAL DISTRIBUTION OF POPULATION: 10,127

MAXIMUM VARIANCE (+/- 4%): 405




TARGET POPULATION RANGE: 9,722 - 10,532

## 2021 COUNCIL BOUNDARY REDISTRICTING

### DISTRICT #5 PROPOSED BOUNDARY

POPULATION: 10,470

#### Proposed District Boundaries

-  District 5 - 10,470
-  2020 Census Blocks
-  Murray City Boundary

#### MURRAY CITY GIS DIVISION

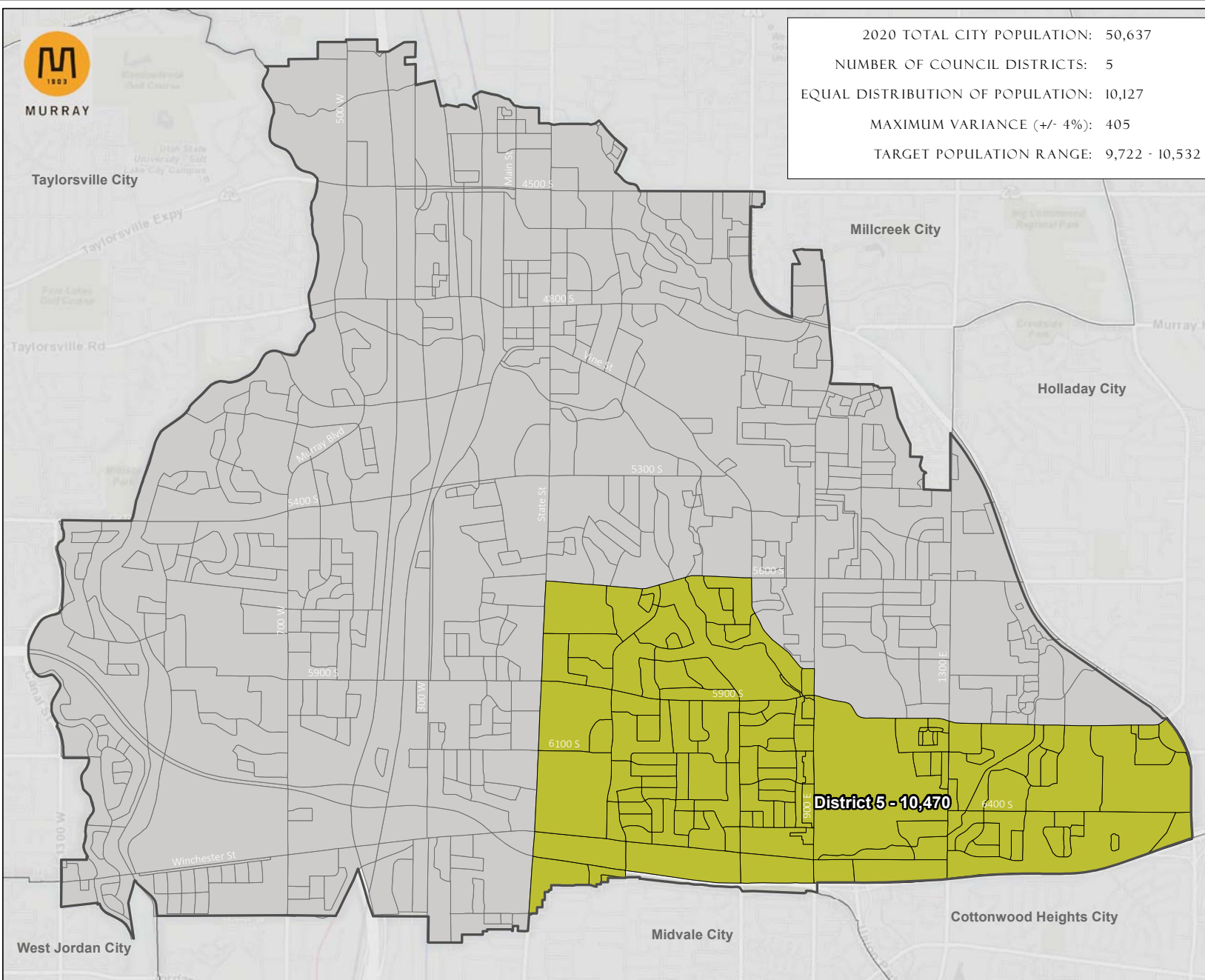
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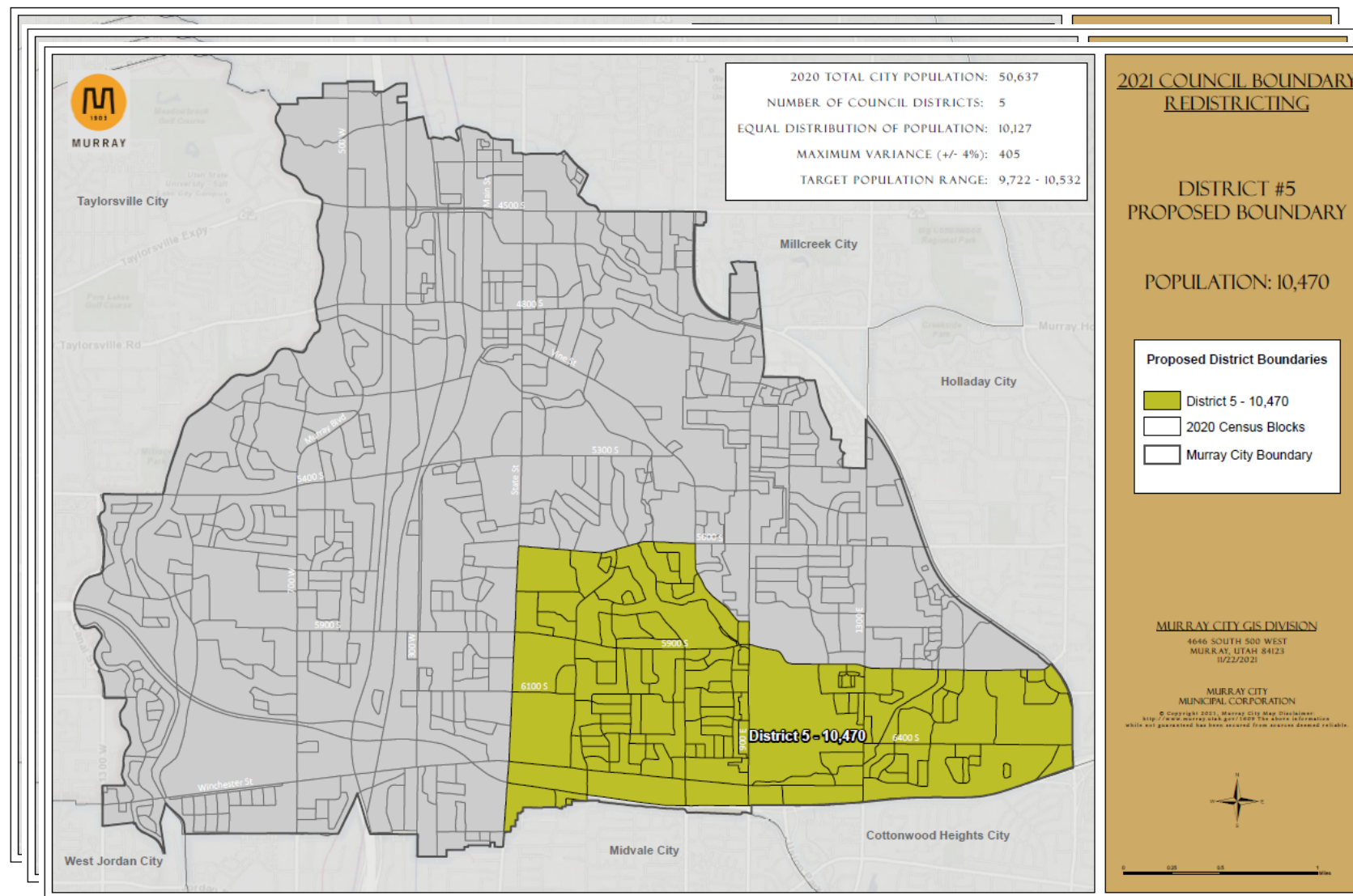


Brett Hales 2021

# Council District # 5

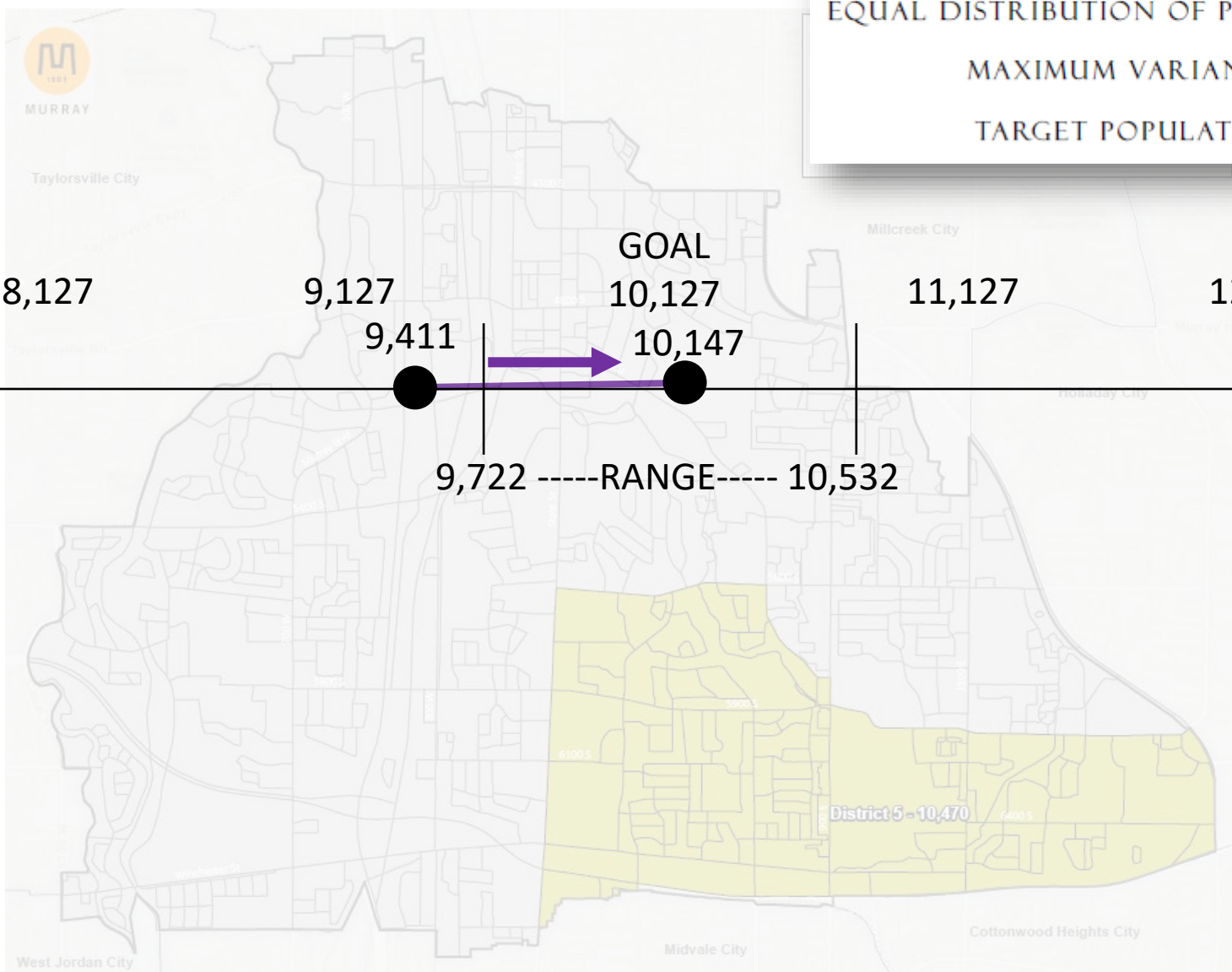
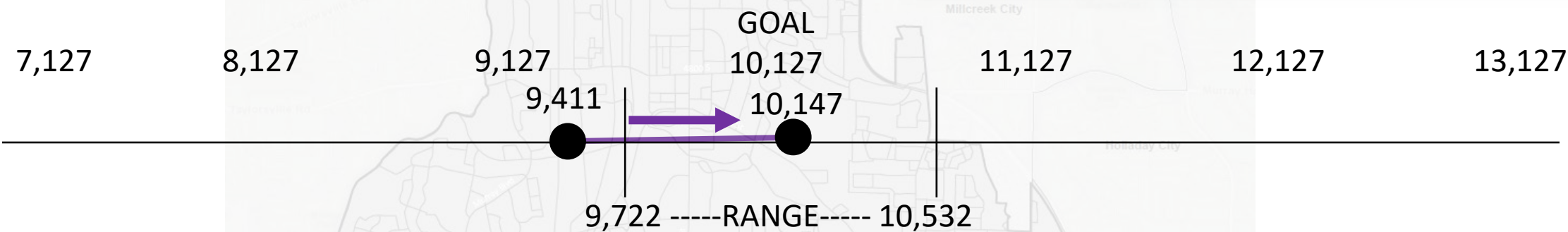


Pending 2022



# Council District # 5

2020 TOTAL CITY POPULATION:	50,637
NUMBER OF COUNCIL DISTRICTS:	5
EQUAL DISTRIBUTION OF POPULATION:	10,127
MAXIMUM VARIANCE (+/- 4%):	405
TARGET POPULATION RANGE:	9,722 - 10,532

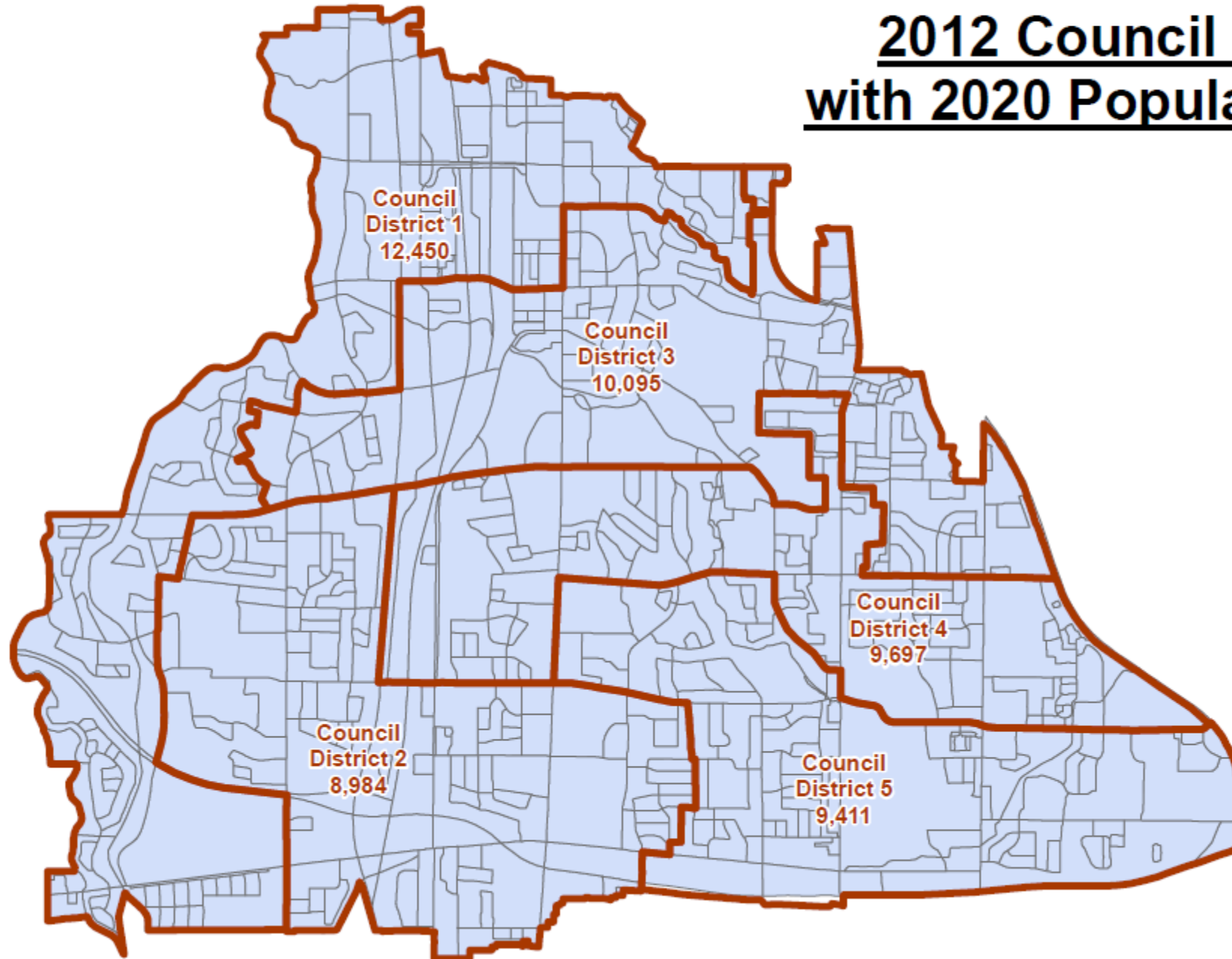


Difference: +736





## 2012 Council Districts with 2020 Population Totals





MURRAY

Taylorsville City

Utah State University - Salt Lake City Campus

Taylorsville Expy

Taylorsville Rd

500 W

District 1 - 9,917

4500 S

4800 S

Vine St

5300 S

5400 S

5900 S

6100 S

6300 S

6400 S

6600 S

6800 S

7000 S

7200 S

7400 S

7600 S

7800 S

8000 S

8200 S

8400 S

8600 S

8800 S

9000 S

9200 S

9400 S

9600 S

9800 S

10000 S

10200 S

10400 S

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11200 S

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42600 S

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# Murray Board of Education Precinct 2021-2022 Redistricting Proposal

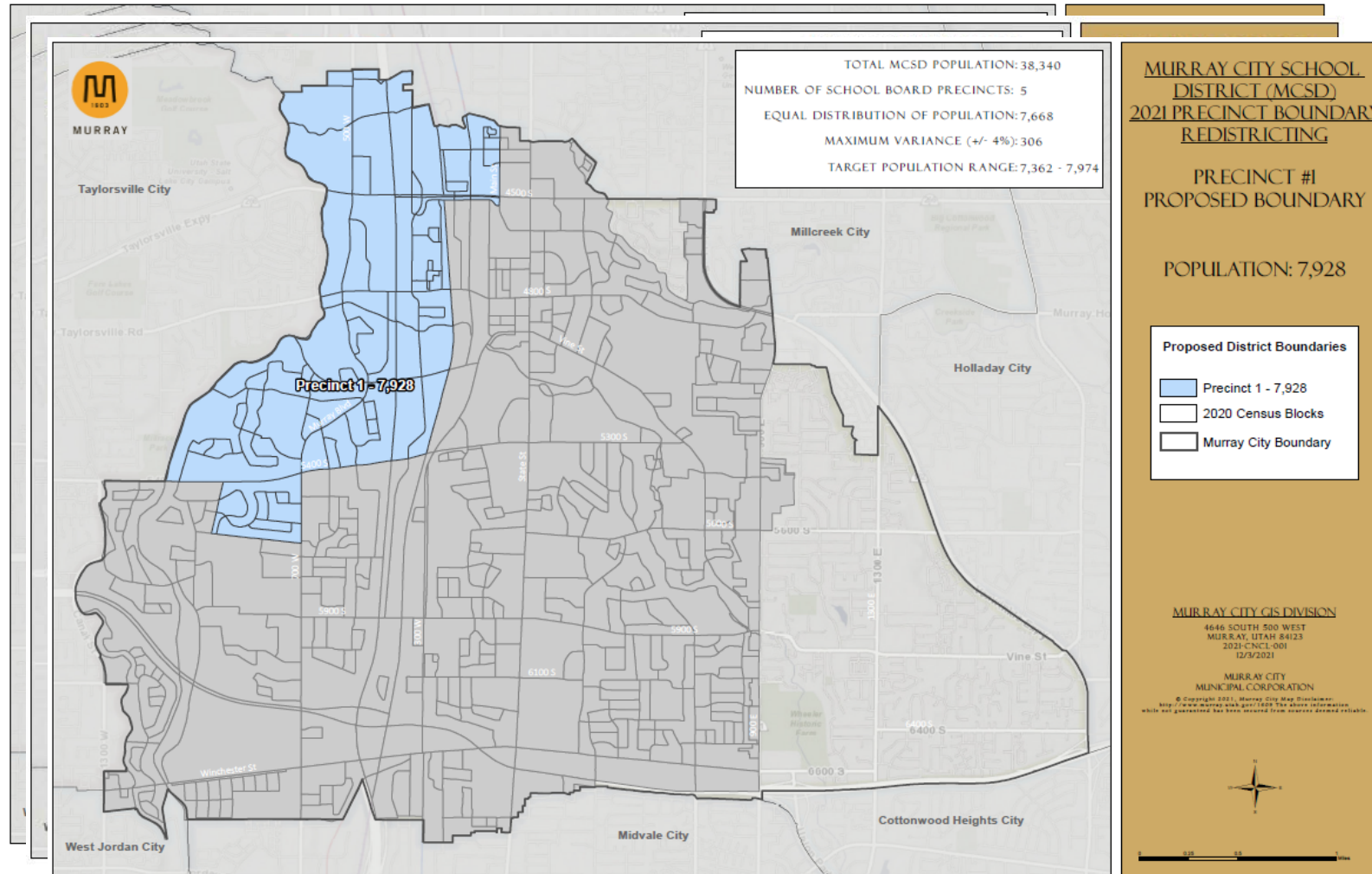


Presented by: Brooke Smith, City Recorder

# Murray Board of Education

## Precinct # 1 (northwest Murray)

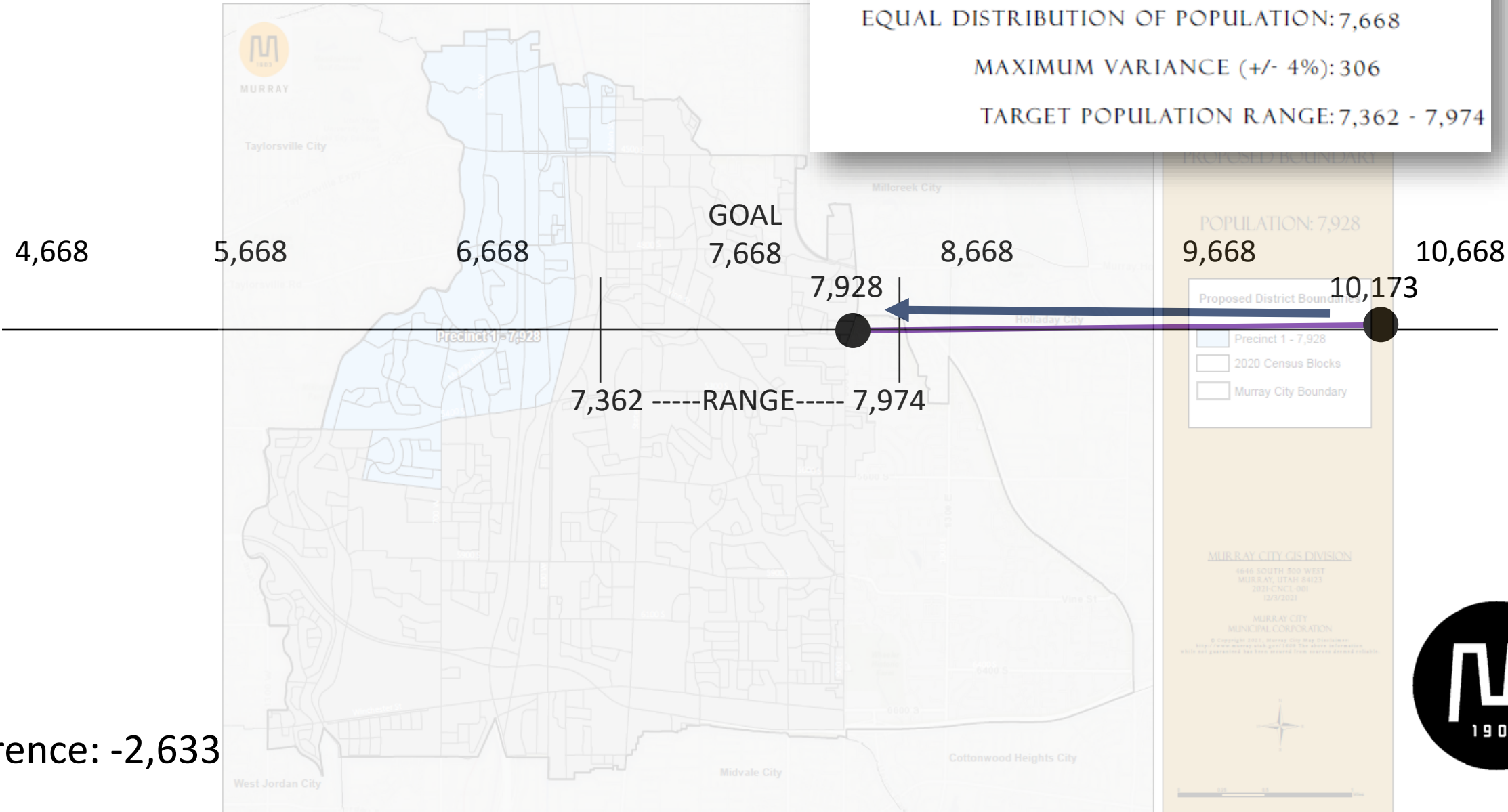
Glo Merrill





# Precinct # 1

TOTAL MCSD POPULATION: 38,340  
NUMBER OF SCHOOL BOARD PRECINCTS: 5  
EQUAL DISTRIBUTION OF POPULATION: 7,668  
MAXIMUM VARIANCE (+/- 4%): 306  
TARGET POPULATION RANGE: 7,362 - 7,974



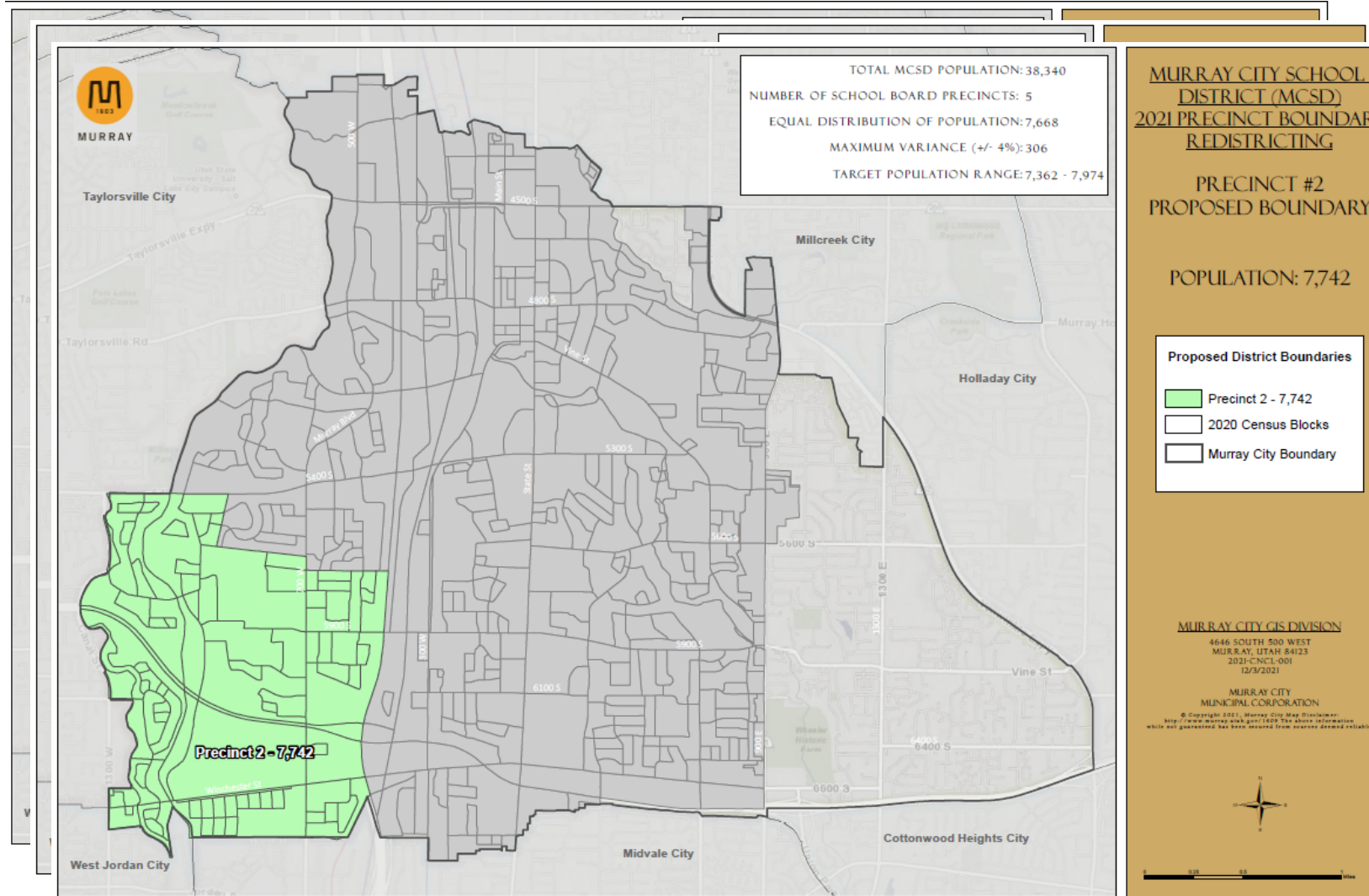
Difference: -2,633



# Murray Board of Education

## Precinct # 2 (southwest Murray)

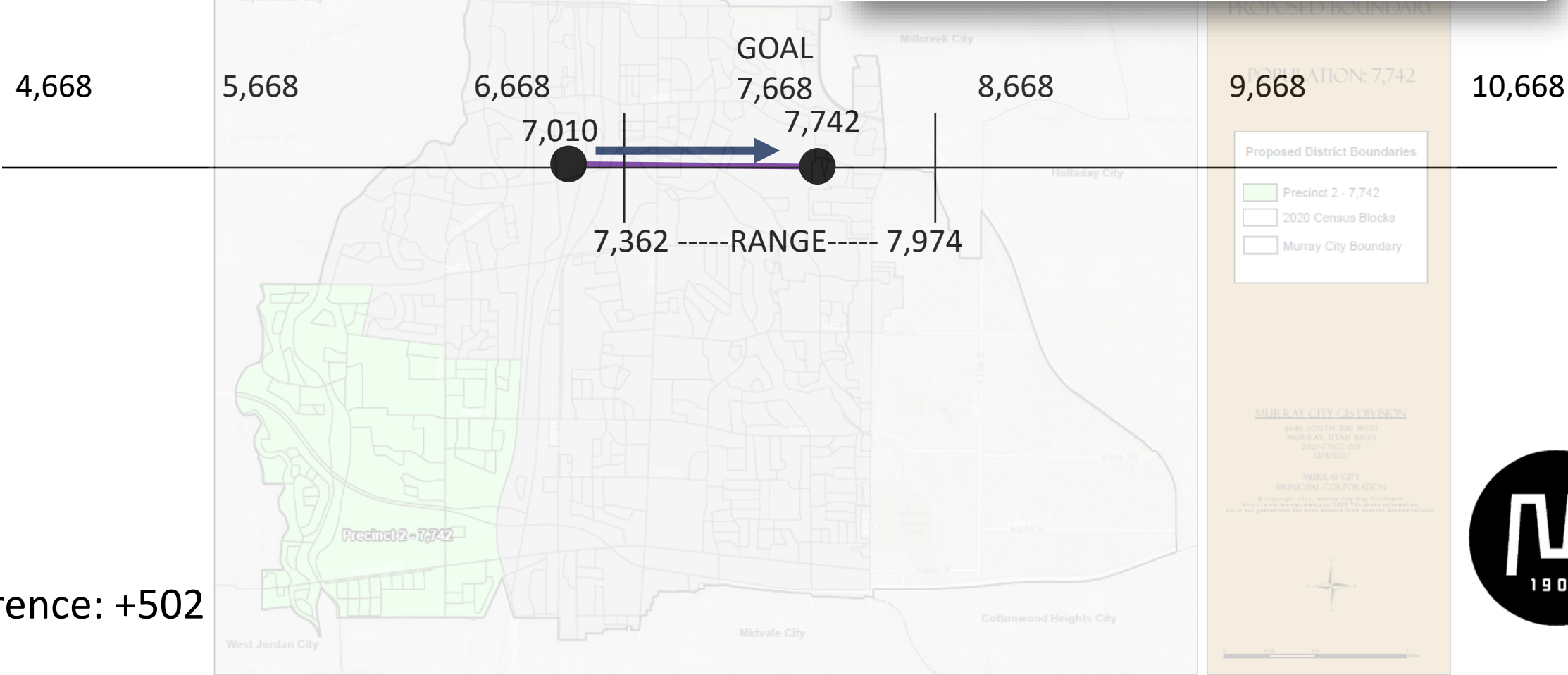
Kami Anderson





# Precinct # 2

TOTAL MCSD POPULATION: 38,340  
NUMBER OF SCHOOL BOARD PRECINCTS: 5  
EQUAL DISTRIBUTION OF POPULATION: 7,668  
MAXIMUM VARIANCE (+/- 4%): 306  
TARGET POPULATION RANGE: 7,362 - 7,974

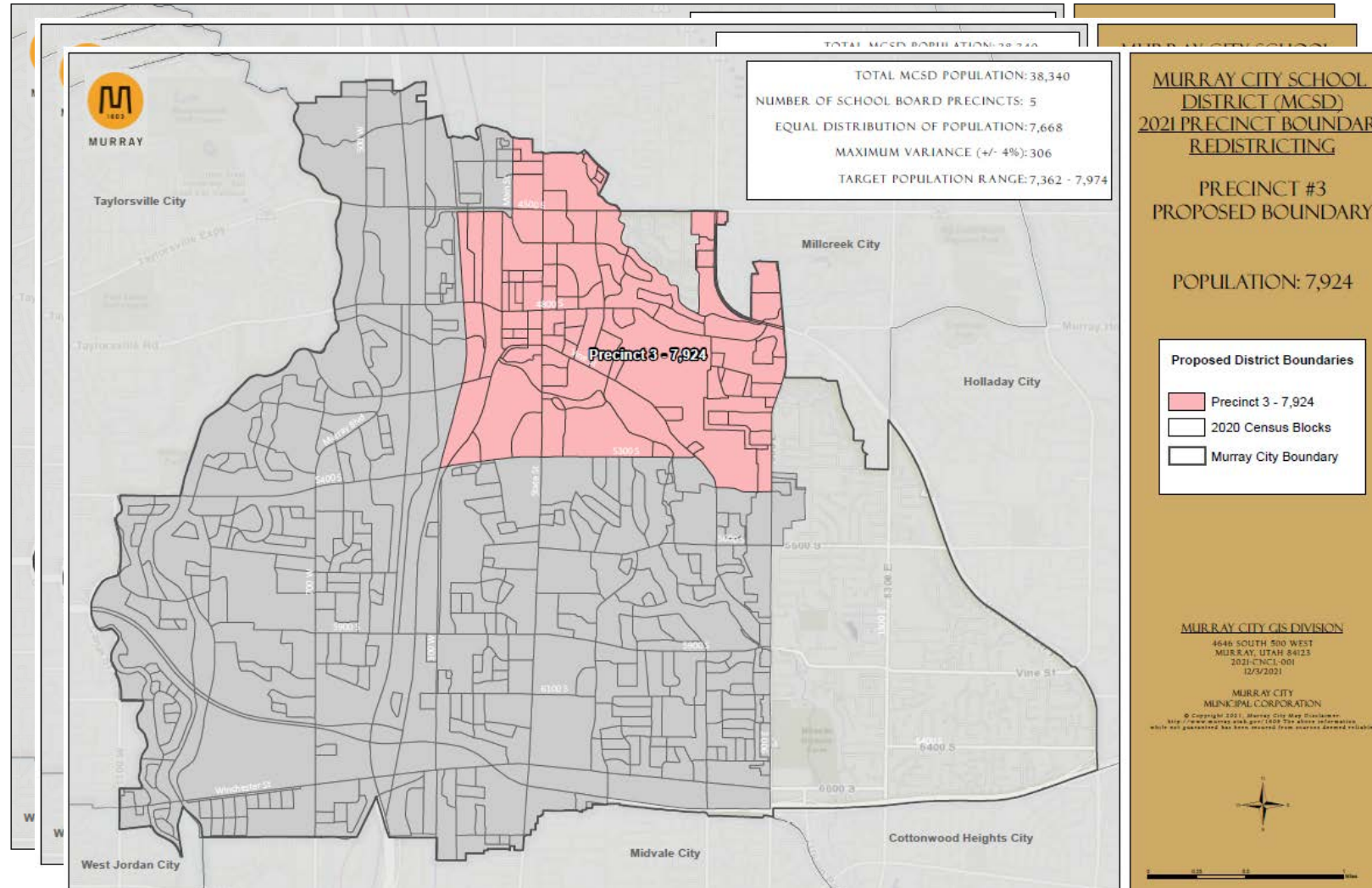


Difference: +502

# Murray Board of Education

## Precinct # 3 (northeast Murray)

Belinda Johnson



# Precinct # 3

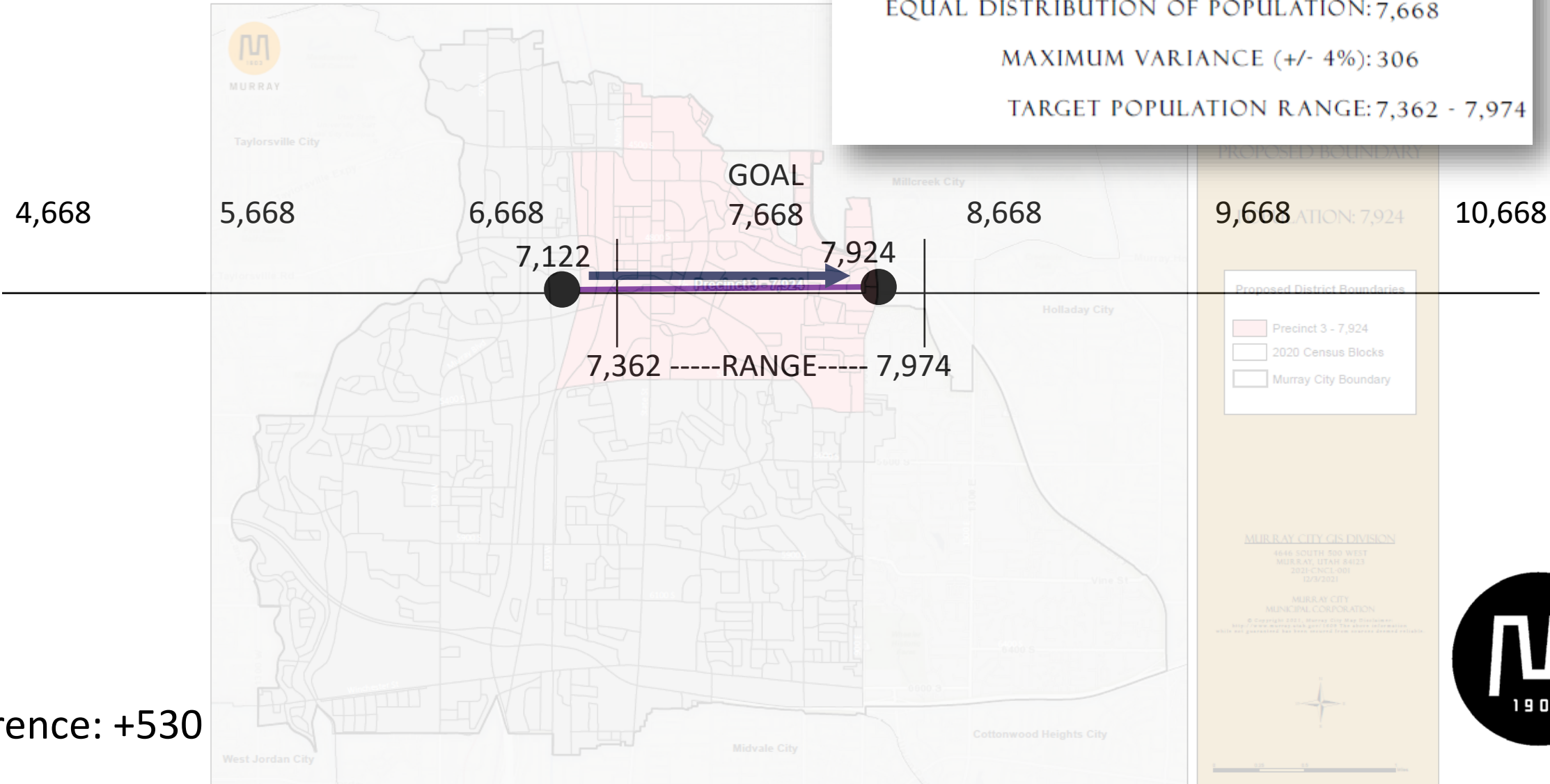
TOTAL MCS D POPULATION: 38,340

NUMBER OF SCHOOL BOARD PRECINCTS: 5

EQUAL DISTRIBUTION OF POPULATION: 7,668

MAXIMUM VARIANCE (+/- 4%): 306

TARGET POPULATION RANGE: 7,362 - 7,974



Difference: +530

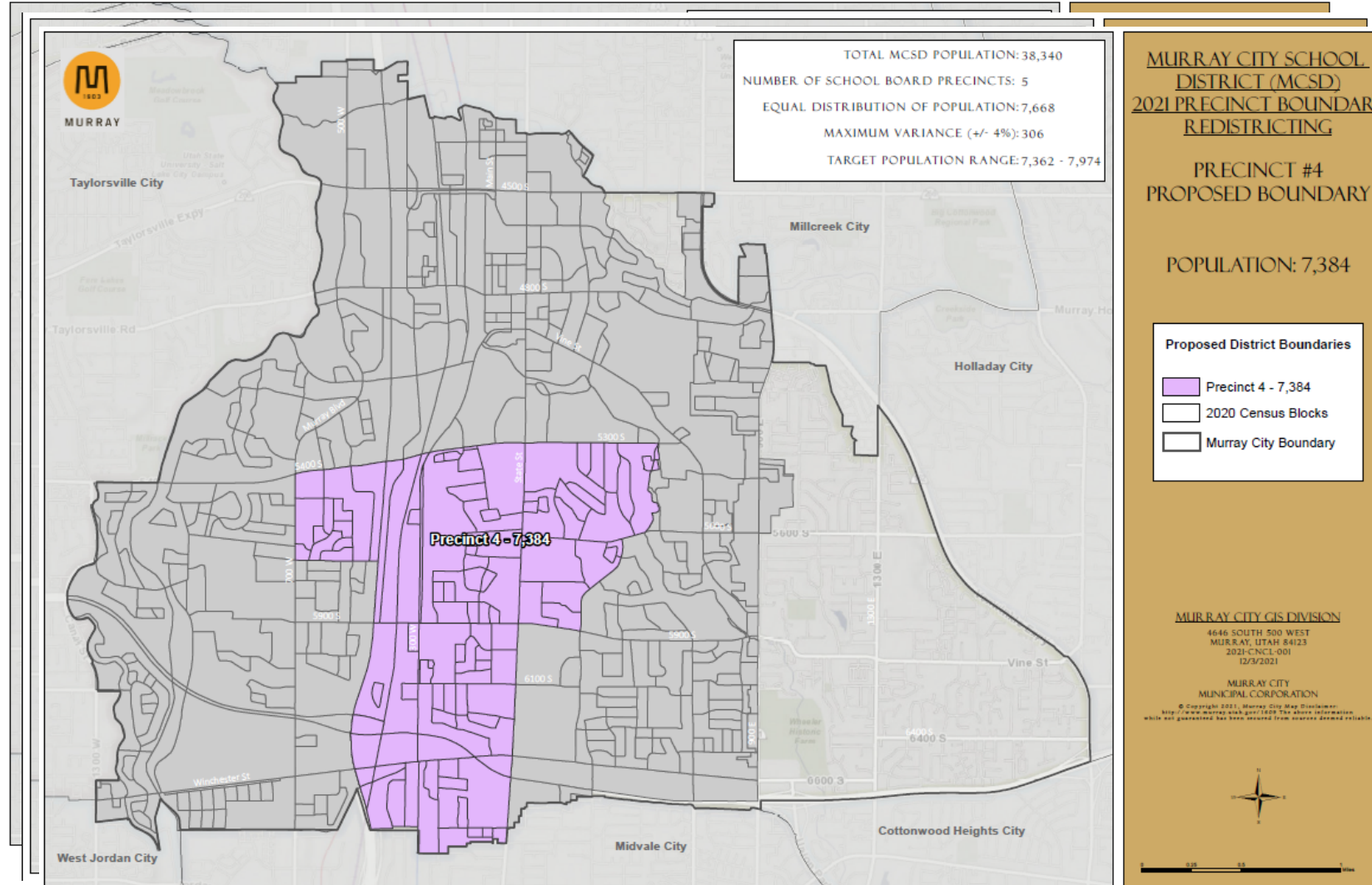




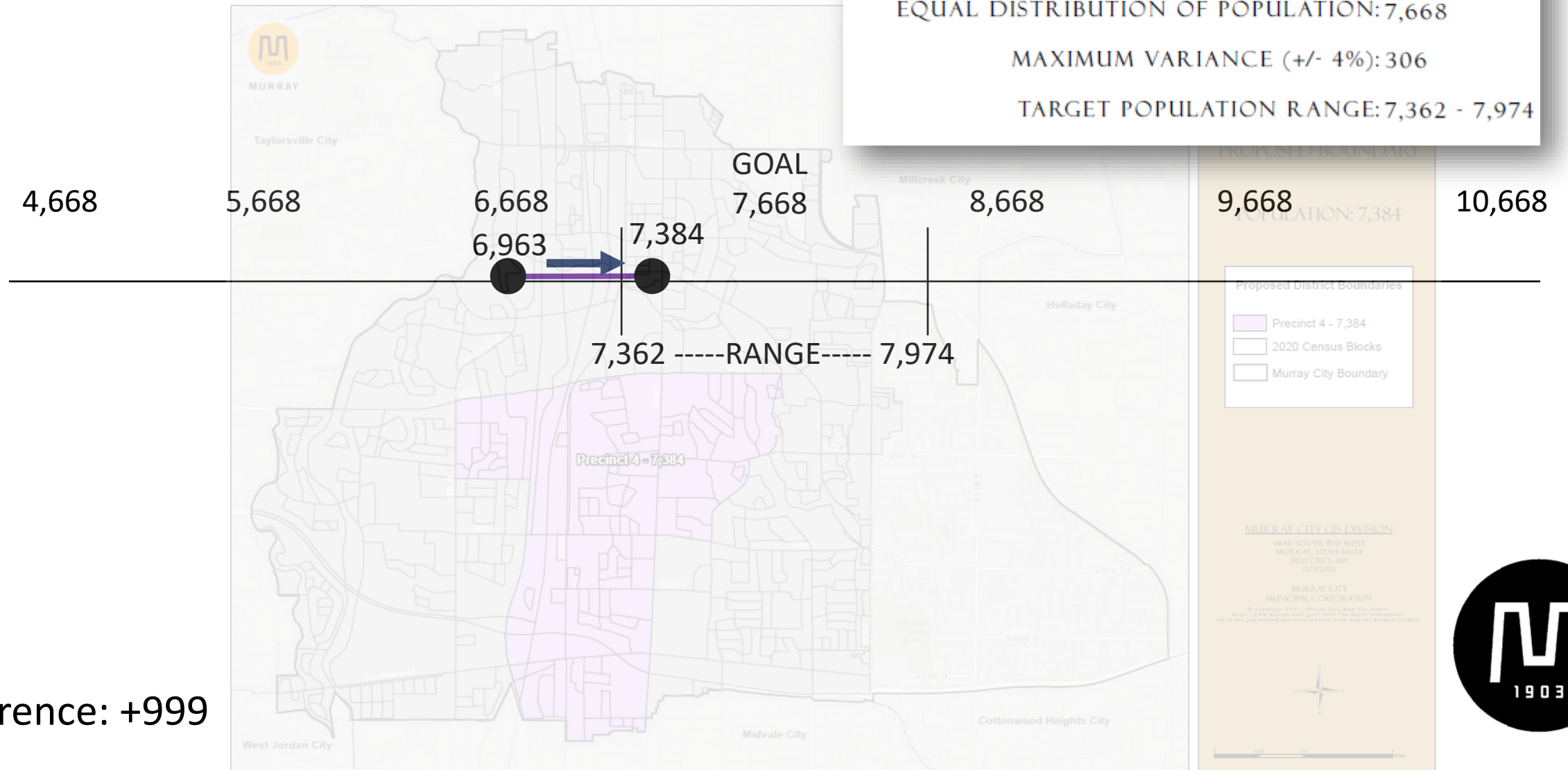
# Murray Board of Education

## Precinct # 4 (central Murray)

Elizabeth Payne



# Precinct # 4



Difference: +999

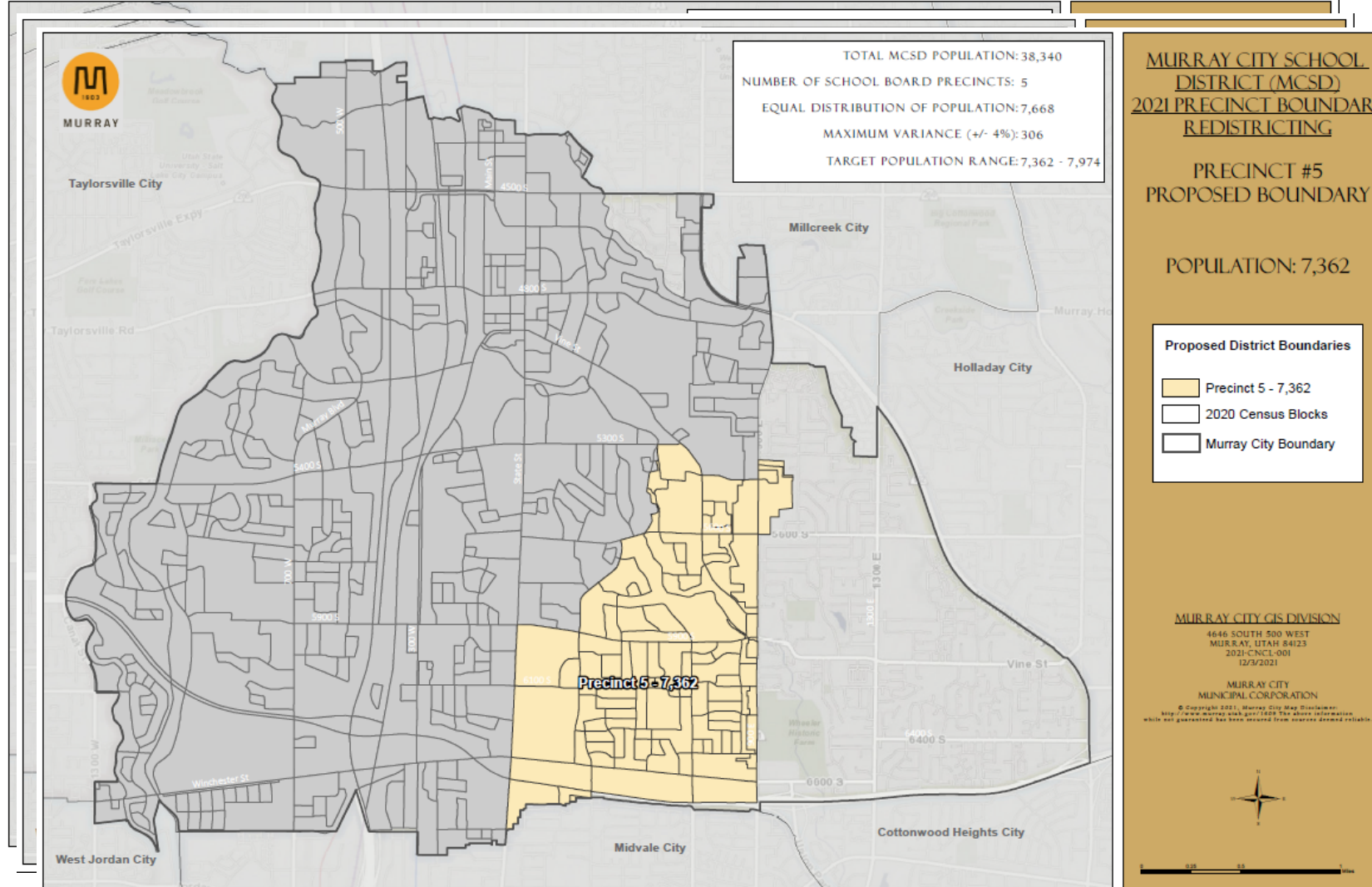




# Murray Board of Education

## Precinct # 5 (southeast Murray)

Jaron Cooper



# Precinct # 5

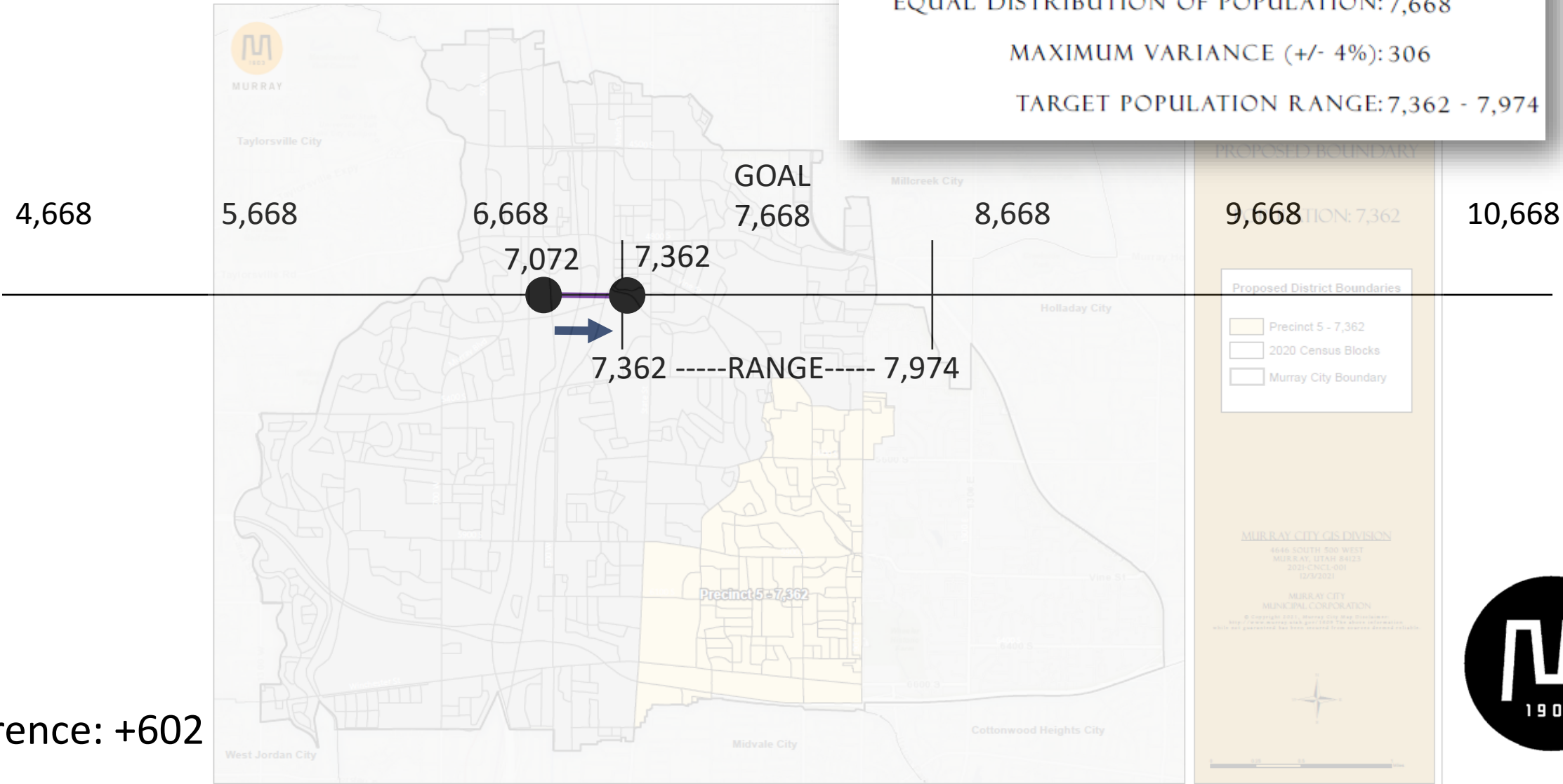
TOTAL MCSD POPULATION: 38,340

NUMBER OF SCHOOL BOARD PRECINCTS: 5

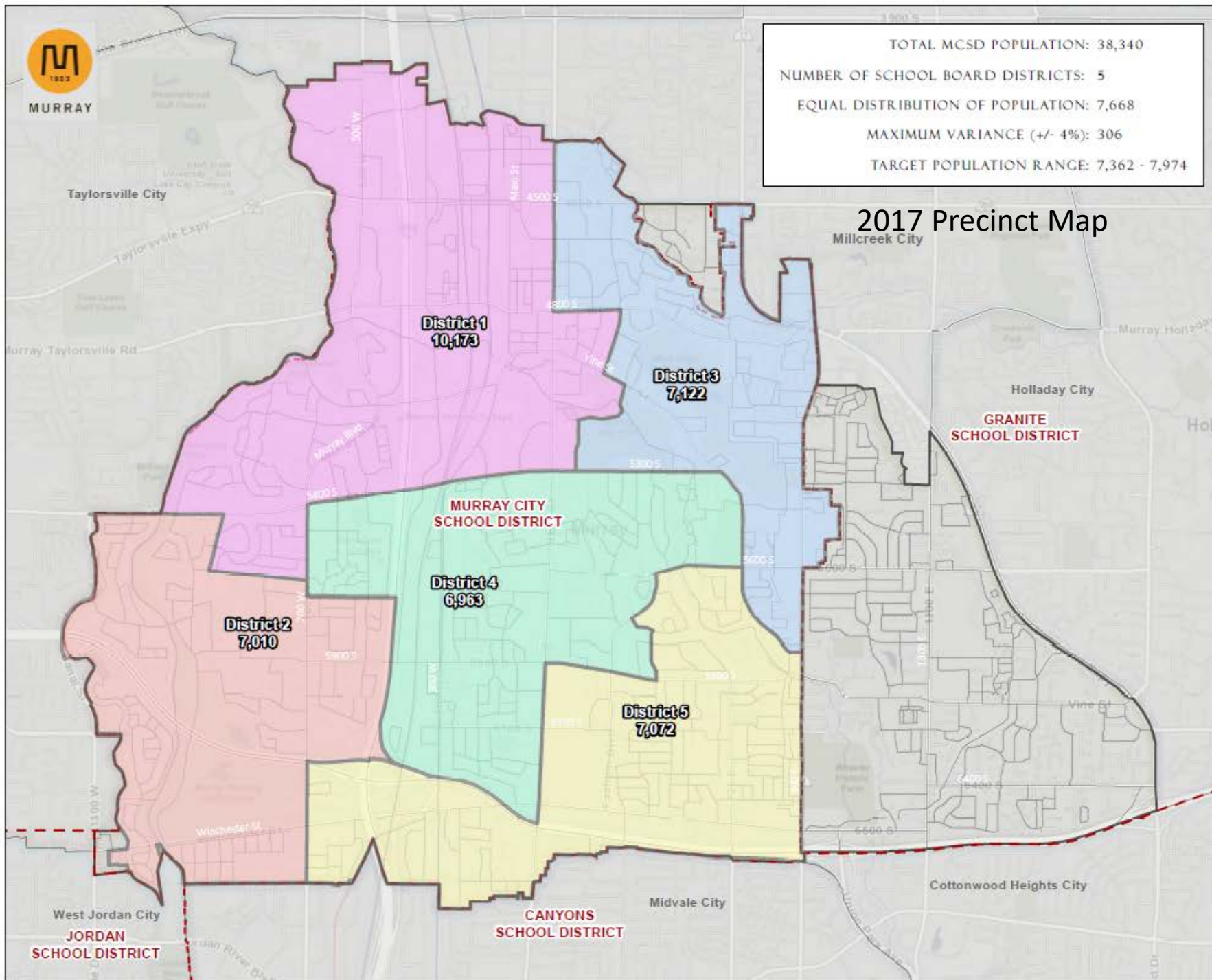
EQUAL DISTRIBUTION OF POPULATION: 7,668

MAXIMUM VARIANCE (+/- 4%): 306

TARGET POPULATION RANGE: 7,362 - 7,974

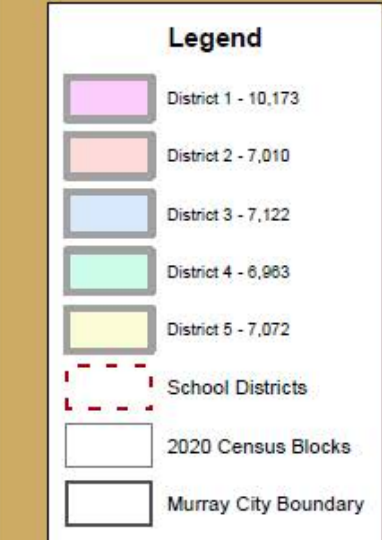


Difference: +602



# **MURRAY CITY SCHOOL DISTRICT (MCSD)** **2017 SCHOOL BOARD DISTRICTS**

EXISTING BOUNDARIES  
WITH 2020 POP. COUNTS



## **MURRAY CITY GIS DIVISION**

4646 SOUTH 500 WEST  
MURRAY, UTAH 84123  
11/22/2021

MURRAY CITY  
MUNICIPAL CORPORATION  
© Copyright 2021, Murray City Map Disclaimer:  
<http://www.murray-utah.gov/1469> The above information  
while not guaranteed has been secured from sources deemed reliable.







# Thank you!

Presented during:

Committee of the Whole on December 7, 2021

City Council on January 4, 2022

Presented by:

Brooke Smith, City Recorder

Scott Barrell, GIS Supervisor





**MURRAY**  
CITY COUNCIL

**Adjournment**



**MURRAY**  
CITY COUNCIL

# Council Meeting 6:30 p.m.

Call to Order

Pledge of Allegiance



**MURRAY**  
CITY COUNCIL

# Council Meeting Minutes

# Murray City Municipal Council Chambers

## Murray City, Utah

**DRAFT**

**Tuesday, November 16<sup>th</sup>, 2021**

---

The Murray City Municipal Council met on Tuesday, November 16<sup>th</sup>, 2021, at 6:30 p.m. (or as soon as possible thereafter) for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

The public was able to view the meeting via the live stream at [www.murraycitylive.com](http://www.murraycitylive.com) or <https://www.facebook.com/Murraycityutah/>. A recording of the City Council meeting can be viewed [HERE](#).

**Council in Attendance:**

Kat Martinez	District #1
Dale Cox	District #2 - Conducting
Rosalba Dominguez	District #3
Diane Turner	District #4 – Council Chair (Excused)
Brett Hales	District #5 – Council Vice-Chair
Jennifer Kennedy	Council Director
Patti Johnson	Council Office Administrator III

**Administrative Staff in Attendance:**

Blair Camp	Mayor
Doug Hill	Chief Administrative Officer
Jennifer Heaps	Chief Communication Officer
Brooke Smith	City Recorder
GL Critchfield	City Attorney
Brenda Moore	Finance and Administrative Director
Caren Lopez	Customer Service Supervisor
Craig Burnett	Police Chief
Jon Harris	Fire Chief
Melinda Greenwood	Community & Economic Development Director
Jared Hall	Community Development Director
Zach Smallwood	Associate Planner
Danny Hansen	Senior IT
Rob White	IT Director

**Others in Attendance:**

Jann Cox	Pam Cotter	Adam Hock	Dorothy McDonough
Kathryn Lichfield	Brent Barnett	Janice Strobell	Mark McDonough
Lawrence Horman	Gary Weston		

**Opening Ceremonies**

Call to Order – Councilmember Cox called the meeting to order at 6:30 p.m.

Pledge of Allegiance – The Pledge of Allegiance was led by Pamela J. Cotter.

**Approval of Minutes**

Council Meeting – October 19, 2021

MOTION: Councilmember Martinez moved to approve the minutes. The motion was SECONDED by Councilmember Dominguez.

Council roll call vote:

Ayes: Councilmember Dominguez, Councilmember Hales, Councilmember Martinez, Councilmember Cox

Nays: None

Abstentions: Councilmember Turner

Motion passed 4-0

**Special Recognition**

**1. Murray City Council Employee of the Month, Caren Lopez, Customer Service Supervisor**

Presenting: Brett Hales, Councilmember, and Brenda Moore, Director of Finance & Administration

Councilmember Hales said the Council started the Employee of the Month Program because they felt it was important to recognize the City's employees. He stated that Caren Lopez would receive a certificate, a \$50 gift card and told her that her name would appear on the plaque located in the Council Chambers. Caren Lopez has worked for the city for the past twenty-six (26) years, and he expressed his appreciation to Lopez for all she does for the City.

Brenda Moore, Director of Finance & Administration said Caren Lopez has worked for the city for twenty-six years and received the first Employee of the Month recognition in 2013. She was instrumental in getting the new utility billing software up and running, all while managing staff during COVID-19. She truly cares about the people who work with and for her. She cares about the city and is meticulous in her work. As a supervisor, she patiently diffuses situations with angry customers and resolves complex problems. Caren put her staff before herself, especially when it comes to taking time off. Caren is the type of supervisor employees like to have and the type of employee employers hope for. She provides great service to Murray City and our citizens.



Caren Lopez introduced some of her family and friends and said in the past couple of years she was faced with the three “C”: Cancer, Covid, and the Munis Software “Conversion”. She appreciated the love and support she has received during these trials. She said it is a joy and expressed gratitude for the opportunity to work at Murray City. She also expressed her gratitude to supervisor, Brenda Moore and all she has done for her in the past couple of years.

Councilmembers thanked Lopez for her service, and they appreciate her being a part of Murray City.

### **Citizen Comments**

Lawrence Horman

Shared information about homeless issues in each city and town. He encourages the city council to create a safe place for homeless people to live. They need safe places to live so they can focus on getting themselves into better situations.

Janice Strobell

Spoke about homelessness and affordable housing. She encourages the council to look at the Utah Housing Preservation Fund that is available for cities to use to rehabilitate existing housing units without moving out tenants or raising rents. She also would like to expand the role of the City’s Planning Department to look at the existing use of buildings in Murray. Ms. Strobell also spoke about Mixed-Use and the importance of utilizing areas in appropriate ways and she would like more citizen engagement besides planning commission and public hearings.

Brent Barnett

Thanked the Mayor and Planning Department for the downtown tour that occurred a few weeks ago. In addition, he requested additional opportunities to interact and give input with City Council. He thanked Councilmember Dominguez for her zoom meeting before council meetings and requested other councilmembers consider hosting zoom calls as well.

Lawrence Horman

Mr. Horman came back up to the mic in response to Mr. Barnett’s request to have more interaction with the council and suggested the council members host an open house or town hall type of meeting so individuals could share their concerns with them one-on-one.

Gary Weston

Spoke about the proposed Boyer property and his concerns about the zoning

request for the location. He would like some property to have conditional use approvals instead of complete zoning changes. He said, some properties in Murray are too important to be rezoned and the zoning codes are too broad of a definition. Instead, he requested a conditional use zone that the council would be able to review and approve for each project proposed rather than overall zone change for that area.

The public comments were closed.

### **Consent Agenda**

None scheduled.

### **Public Hearings**

Staff, sponsor presentations, and public comments will be given prior to Council action on the following matter. The Council Meeting Agenda Packet can be found [HERE](#).

- 1. Consider an ordinance relating to land use; amends the Zoning Map for the properties located at 5829 and 5837 South Majestic Pine Drive, Murray City, Utah from R-M-10 (Low-Density Multi-Family) to R-1-8 (Low-Density Single Family)**

Presentation: Jared Hall, Community Development Supervisor  
PowerPoint Presentation Attachment A- Zone Map Amendment (Hansen and McDonough)  
Committee of the Whole Presentation on [November 16, 2021](#)  
Planning Commission Presentation on [September 2, 2021](#)

### **Presentation**

Jared Hall shared that Mr. and Mrs. Hansen and Mr. McDonough have requested a zone map amendment for the properties addressed 5829 and 5837 South Majestic Pine Drive.

The subject properties are located in the Erikson Place Subdivision and do not have frontage on a public street. The current owners of the property would like to change the zoning from R-M-10 (Low-Density Multiple Family) to R-1-8 (Low-Density Single Family) to facilitate the development of the vacant lot located to the south to the remnant landlocked parcels.

The zoning change will clean up landlocked remnant parcels and allow the adjacent property owners to improve and maintain the property. The two parcels extend into Little Cottonwood Creek on the north and are accessible only to the adjacent property owners.

### **Citizen Comments**

The public hearing was open for public comment.

No comments were given, and the public hearing was closed.

### **MOTION**

Councilmember Hales moved to adopt the ordinance considering McDonough zone map amendment from R-M-10 to R-1-8 for 5829 & 5837 S. Majestic Pine Drive. The motion was SECONDED by Councilmember Dominguez.

Council roll call vote:

Ayes: Councilmember Dominguez, Councilmember Hales, Councilmember Martinez, Councilmember Cox

Nays: None

Abstentions: Councilmember Turner

Motion passed 4-0

### **Business Item**

- 1. Consider a resolution adopting the regular meeting schedule of the Murray City Municipal Council for calendar year 2022**

Presentation: Jennifer Kennedy, Council Executive Director

#### **Presentation**

Jennifer Kennedy said the normal City Council meeting days are the first and third Tuesdays of each month. She noted a few date adjustments. In August 2022, the dates have been adjusted to accommodate a Power Conference that most of the City Council attend and the dates have been adjusted in December 2022 to hold one meeting (instead of two) that month due to the holidays.

### **MOTION**

Councilmember Dominguez moved to adopt the resolution. The motion was SECONDED by Councilmember Hales.

Council roll call vote:

Ayes: Councilmember Dominguez, Councilmember Hales, Councilmember Martinez, Councilmember Cox

Nays: None

Abstentions: Councilmember Turner

Motion passed 4-0

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

Mayor Camp shared the following:

- Residents may have noticed workers walking up and down the sidewalk throughout the city pushing a small machine. The machine documents sidewalk conditions and helps the city determine which sidewalks need to be replaced or repaired.
- The Park Center is offering recreation programs over the holiday break. If you are looking for ways to keep your kids active while they are out of school, contact the park office or park

center to learn more.

- The city is currently looking to hire lifeguards. Due to staff shortage, there have been some pool hour changes. Citizens are encouraged to check Facebook to see the hours of operation.
- The road in Murray park will be closed near the bridge while the city installs a new “tabletop” crosswalk. Visitors can still access the park and all the amenities but may have to park their vehicles and walk a little further to their destination. This closure is scheduled through November 29.
- The new city hall site is being worked on and steel is currently going up.

#### **Adjournment**

The meeting was adjourned at 7:00 p.m.

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Brooke Smith, City Recorder

## Attachment A

### **Murray City Council**

November 16, 2021



**Applicants:** Alma and Karen Hansen & Mark McDonough

**Request:** Zone Map Amendment

**Address:** 5829 & 5837 South Majestic Pine Drive

**Existing Zone:** R-M-10

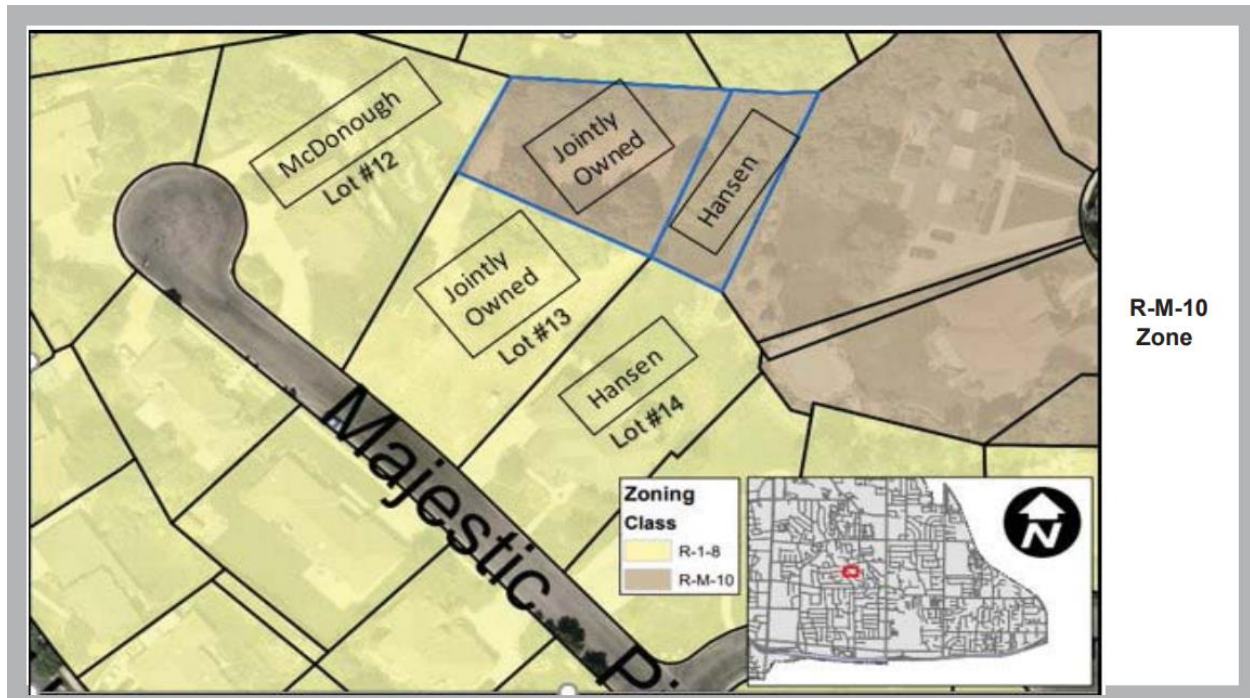
**Requested Zone:** R-1-8

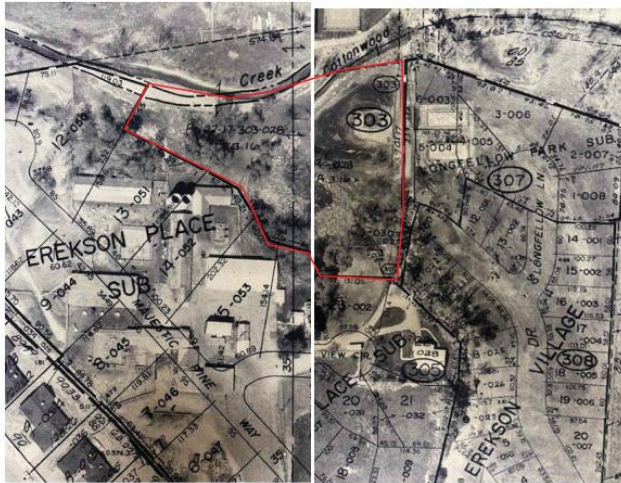
**Parcel Size:** .31 and .17 acres



5829 & 5837 So  
Majestic Pine Drive







*Prior to Creek Park Subdivision development*



*After Creek Park Subdivision development*

## Planning Commission

September 2, 2021 – Public Hearing

- 65 notices were mailed
- No public comments were received
- 6-0 vote to recommend approval

## Findings

1. The General Plan provides for flexibility in the implementation and execution of 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 R-M-10 to R-1-8 is supported by the General Plan and Future Land Use Map designation of the subject property.

## Recommendation

Staff and the Planning Commission recommend **APPROVAL** to the amendments to the Zoning Map designation of the properties located at 5829 & 5837 South Majestic Pine Drive from R-M-10, Low density multiple family to R-1-8, Low density single family.



**MURRAY**  
CITY COUNCIL

# Special Recognition



**MURRAY**  
CITY COUNCIL

# Special Recognition #1





**MURRAY**

# City Council

## Employee of the Month - Justin Larsen

### Council Action Request

#### Council Meeting

Meeting Date: December 7, 2021

<b>Department Director</b> Jennifer Kennedy  <b>Phone #</b> 801-264-2622  <b>Presenters</b> Brett Hales Blaine Haacke          <b>Required Time for Presentation</b>     <b>Is This Time Sensitive</b> No  <b>Mayor's Approval</b>     <b>Date</b> November 23, 2021	<b>Purpose of Proposal</b> Employee of the Month recognition  <b>Action Requested</b> Informational only  <b>Attachments</b> Recognition Form  <b>Budget Impact</b> None  <b>Description of this Item</b> Justin currently works as a Line Crew Supervisor where he manages a crew of other dedicated line personnel. His jobs include distribution line construction and maintenance, transmission maintenance, troubleshooting and general system upkeep. His most important duty is to keep himself and his workers safe while working in a very unforgiving environment.
--	---

## EMPLOYEE OF THE MONTH RECOGNITION

DEPARTMENT:

DATE:

Power

11/23/2021

NAME of person to be recognized:

Submitted by:

Justin Larsen

Blaine Haacke

DIVISION AND JOB TITLE:

Power - Line Crew Supervisor

YEARS OF SERVICE:

17 Years (2004-2021)

REASON FOR RECOGNITION:

The Power Department is pleased to name its Employee of the Month - Justin Larsen. Justin currently works as a Line Crew Supervisor where he manages a crew of other dedicated line personnel. His jobs include distribution line construction and maintenance, transmission maintenance, troubleshooting and general system upkeep. His most important duty is to keep himself and his workers safe while working in a very unforgiving environment.

Justin came to Murray City 17 years ago from Ephraim City as a Journey Lineworker. He was promoted to Line Crew Supervisor 10 years ago this week and has been one of our three Crew Supervisors. Justin's immediate supervisor is Bruce Turner. We, at Power, are happy we have loyal, dedicated employees like Justin who continue to "answer the phone" at 2 am to respond to an outage. Congratulations to Justin.

COUNCIL USE:

December 2021



# Special Recognition #2

Resolution  
Forthcoming



**MURRAY**  
CITY COUNCIL

# Special Recognition #3



# Resolution Forthcoming



**MURRAY**  
CITY COUNCIL

# Citizen Comments

Limited to three minutes, unless otherwise approved by Council



**MURRAY**  
CITY COUNCIL

# Public Hearings



**MURRAY**  
CITY COUNCIL

# Public Hearing #1



**MURRAY**

# Community & Economic Development

Land Use Text Amendment to add Land Use #2834,

Radiopharmaceuticals, in the G-O, H, C-D & P-O Zones and addition of LU #2834 to the Standard Land Use Code.

**Council Meeting**

Meeting Date: December 7, 2021

## Council Action Request

<b>Department Director</b> Melinda Greenwood	<b>Purpose of Proposal</b> Addition of new Land Use #2834, Radiopharmaceutical Manufacturing & Products, in the G-O, H, C-D & P-O Zones.
<b>Phone #</b> 801-270-2428	<b>Action Requested</b> Approval of new Land Use #2834 and allow as a Permitted Use to the G-O, H, C-D & P-O Zones.
<b>Presenters</b> Melinda Greenwood Susan Nixon	<b>Attachments</b> Presentation Slides
	<b>Budget Impact</b> None.
<b>Required Time for Presentation</b> 20 Minutes	<b>Description of this Item</b> IHC Health Services has requested to add Radiopharmaceutical Manufacturing and Products (LU #2834) as an allowed use in order to operate a facility that will produce radiopharmaceuticals to diagnose and treat cancerous lesions. The type of activity and the facilities needed to accommodate this use do not fall under the current land use categories. IHC Health Services proposed a text amendment to add a definition for radiopharmaceuticals to the Standard Land Use Code and to then be added as a permitted use to the G-O, H, C-D and P-O Zones and changes to Sections 17.144.020, 17.148.020, 17.160.020, and 17.174.020, respectively.
<b>Is This Time Sensitive</b> Yes	The land uses within the category #2800 includes activities involved in the processing of materials that produce a material of higher value than that of the original material. All activities are usually in establishments that would most often be identified as plants, factories, or mills.
<b>Mayor's Approval</b>	
<b>Date</b> November 2, 2021	



## **Continued from Page 1:**

The final product of a manufacturing establishment may be "finished" in the sense that it is ready for utilization or consumption, or it may be "semi-finished" to become a raw material for an establishment engaged in further processing.

The request is to add as a subcategory under #2800 the following:

**2834 Radiopharmaceutical Manufacturing, Preparations, meaning an entity that is engaged in manufacturing, preparing, propagating, compounding, practice of pharmacy, processing, packaging, repackaging, or labeling of pharmaceutical drugs containing radioactive isotopes.**

### **City Department Review**

On September 20, 2021, the application was routed for review and comment by city staff from various departments including the Engineering Division, Fire Department, Power Department, Water Division, and Sewer Division. There were no objections or concerns from the reviewing departments.

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

Notices of the public meeting were sent to all affected entities. The Planning Commission held a public hearing on October 6, 2021. No comments were received regarding this item. The Planning Commission voted 4-0, with one abstention, to forward a recommendation of approval to the City Council.

### **Findings**

1. The proposed text amendment has been carefully considered and provides additional opportunity and flexibility for the potential development of properties in the G-O, H, C-D & P-O Zones.
2. The proposed text amendment supports the goals and objectives of the General Plan by facilitating office, professional office, commercial, retail, and business park industrial use development that will promote and facilitate growth with medical facilities, the IHC facilities, the Intermountain Medical Center, and TOSH.
3. The proposed text amendment is consistent with the purpose of Title 17, The Murray City Land Use Ordinance.
4. The Planning Commission voted 4-0 to recommend approval of the proposed text amendment.

### **Recommendation**

Staff recommends approval of the proposed Text Amendment to Sections 17.144.020, 17.148.020, 17.160.020, and 17.174.020, in the G-O, H, C-D and P-O Zones respectively; and addition of Land Use Category #2834, Radiopharmaceutical Manufacturing and Preparations, to the Standard Land Use Code.

# Murray City Corporation

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 7<sup>th</sup> day of December, 2021, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold and conduct a hearing to receive public comment concerning an ordinance amending the Murray City Standard Land Use Code to add a land use category for radiopharmaceutical manufacturing and products, and amending Murray City Municipal Code sections 17.144.020, 17.148.020, 17.160.020 and 17.174.020 identifying radiopharmaceutical manufacturing and products as permitted uses in specified zoning districts.

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



MURRAY CITY CORPORATION

A handwritten signature in blue ink, appearing to read "Brooke Smith", written over a horizontal line.

Brooke Smith, City Recorder

DATE OF PUBLICATION:  
PH21-37

November 26, 2021

UCA §10-9a-205

- Mail to each affected entity
- Post on City's Website
- Post on Utah Public Notice Website

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

AN ORDINANCE AMENDING THE MURRAY CITY STANDARD LAND USE CODE RELATED TO ADDING A LAND USE CATEGORY FOR RADIOPHARMACEUTICAL MANUFACTURING AND PRODUCTS; AND AMENDING SECTIONS 17.144.020, 17.148.020, 17.160.020 AND 17.174.020 OF THE MURRAY CITY MUNICIPAL CODE IDENTIFYING RADIOPHARMACEUTICAL MANUFACTURING AND PRODUCTS AS PERMITTED USES IN SPECIFIED ZONING DISTRICTS

*Section 1. Purpose.* The purpose of this ordinance is to amend the Murray City Standard Land Use Code related to adding a land use category for radiopharmaceutical manufacturing and products, and amending sections 17.144.020, 17.148.020, 17.160.020 and 17.174.020 identifying radiopharmaceutical manufacturing and products as permitted uses in specified zoning districts.

*Section 2. Amendment to the Murray City Standard Land Use Code.*

*The following shall be added to the Murray City Standard Land Use Code:*

2834 Radiopharmaceutical Manufacturing, Preparations, meaning an entity that is engaged in manufacturing, preparing, propagating, compounding, practice of pharmacy, processing, packaging, repackaging, or labeling or pharmaceutical drugs containing radioactive isotopes.

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*Section 3. Amend sections 17.144.020, 17.148.020, 17.160.020 and 17.174.020 of the Murray City Municipal Code.* Sections 17.144.020, 17.148.020, 17.160.020 and 17.174.020 of the Murray City Municipal Code shall be amended as follows:

**Chapter 17.144**  
**GENERAL OFFICE DISTRICT G-O**

**17.144.020: PERMITTED USES:**

A. All uses and structures contained herein are listed by number as designated in the standard land use code published and maintained by the planning department.

B. The following uses are permitted in the G-O zone:

<u>Use No.</u>	<u>Use Classification</u>
...	

<a href="#">2834</a>	<a href="#">Radiopharmaceutical Manufacturing, Preparations, meaning an entity that is engaged in manufacturing, preparing, propagating, compounding, practice of pharmacy, processing, packaging, repackaging, or labeling or pharmaceutical drugs containing radioactive isotopes.</a>
...	

## Chapter 17.148 HOSPITAL DISTRICT H

### 17.148.020: PERMITTED USES:

- A. Standard Land Use Code: All uses and structures contained herein are listed by number as designated in the standard land use code published and maintained by the planning department.
- B. Permitted Uses Enumerated: The following uses are permitted in the H zone:

<u>Use No.</u>	<u>Use Classification</u>
...	
<a href="#">2834</a>	<a href="#">Radiopharmaceutical Manufacturing, Preparations, meaning an entity that is engaged in manufacturing, preparing, propagating, compounding, practice of pharmacy, processing, packaging, repackaging, or labeling or pharmaceutical drugs containing radioactive isotopes.</a>
...	

## Chapter 17.160 Commercial Development Mixed Use District C-D

### 17.160.020: PERMITTED USES:

- A. All uses and structures contained herein are listed by number as designated in the standard land use code published and maintained by the planning department.
- B. The following uses are permitted in the C-D zone:

<u>Use No.</u>	<u>Use Classification</u>
...	

<a href="#">2834</a>	<a href="#">Radiopharmaceutical Manufacturing, Preparations, meaning an entity that is engaged in manufacturing, preparing, propagating, compounding, practice of pharmacy, processing, packaging, repackaging, or labeling or pharmaceutical drugs containing radioactive isotopes.</a>
...	

**Chapter 17.174**  
**Professional Office District P-O**

**17.174.020: PERMITTED USES:**

A. All uses and structures contained herein are listed by number as designated in the Standard Land Use Code published and maintained by the Planning Department. A use not specifically designated is prohibited.

B. The following uses are permitted in the P-O Zone:

<b><u>Use No.</u></b>	<b><u>Use Classification</u></b>
...	
<a href="#">2834</a>	<a href="#">Radiopharmaceutical Manufacturing, Preparations, meaning an entity that is engaged in manufacturing, preparing, propagating, compounding, practice of pharmacy, processing, packaging, repackaging, or labeling or pharmaceutical drugs containing radioactive isotopes.</a>
...	

*Section 4.* Effective date. This Ordinance shall take effect upon first publication.

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

MURRAY CITY MUNICIPAL COUNCIL

\_\_\_\_\_  
Diane Turner, Chair



ATTEST:

\_\_\_\_\_  
Brooke Smith, City Recorder

MAYOR'S ACTION: Approved

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

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

ATTEST:

\_\_\_\_\_  
Brooke Smith, City Recorder

CERTIFICATE OF PUBLICATION

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

\_\_\_\_\_  
Brooke Smith, City Recorder

LAND USE & ORDINANCE TEXT AMENDMENT – Project #21-101 – Public Hearing

IHC Health Services representatives are proposing changes to Sections 17.144.020, 17.148.020, 17.160.020, and 17.174.020, Permitted Uses, to allow a new Land Use: proposed LU #2834, Radiopharmaceutical Manufacturing & Products, in the G-O, H, C-D & P-O Zones respectively. Susan Nixon presented the request. This is a request for text amendment, addition of a new standard land use category for Radiopharmaceutical Manufacturing and Products. It would add a new Land Use Code #2834 to the Standard Land Use Code. Staff has met with the applicant's multiple times to understand what they will be doing and needing. This is a public hearing and the Planning Commission is the advisory board to the City Council. The Planning Commission's role for this application is to review the request, make a recommendation based on the staff report and input. Another public hearing with the City Council will be held in the future.

When the application was received it was to amend Land Use Code #2833, Pharmaceutical Preparations. The Standard Land Use Code is a numeric system where numbers are assigned to a Land Use. Some of the categories are broader some are more specialized. The existing Land Use general, category #2800, is designated for Chemicals and Allied Products with several specific sub-categories. There is a 2833 Pharmaceutical preparation category but is very general. Radiopharmaceuticals are of group of pharmaceutical drugs containing radioactive isotopes. Radiopharmaceuticals can be used as a diagnostic and therapeutic agent.

The proposed Land Use category would be 2834 and defined as:

“Radiopharmaceutical Manufacturing, Preparations, meaning an entity that is engaged in manufacturing, preparing, propagating, compounding, practice of pharmacy, processing, packaging, repackaging, or labeling of pharmaceutical drugs containing radioactive isotopes.”

Radiopharmaceuticals is regulated heavily by the FDA, DOT, Nuclear Regulatory Commission and on a State level by the Board of Pharmacy and Utah Department of Environmental Quality. The manufacturing of positron emission tomography (PET) are performed in a cyclotron radiochemistry lab or vault. PET is a diagnostic technique in which computer assisted x-rays are used to track a radioactive substance inside a patient's body. The radio pharmacy is staffed by trained nuclear physicists very specialized and very few companies would qualify for this. The facility would also allow for distribution of PET. The radiopharmaceutical lab would compound drugs specifically for patients in hospitals and clinics in the Intermountain region.

The reason for this request is access to radiopharmaceuticals is necessary to diagnose and treat prostate, thyroid, and breast cancers. It is also known to help diagnose Alzheimer's disease. There are three radio pharmacies located in Utah and there is a cyclotron at the Huntsman Cancer Clinic, but they are not capable and are not able to produce the newer upcoming drugs and are not capable of producing these non-evasive drugs that have a very short shelf life, making it critical for close proximity to the hospital or clinic where the drugs are administered. .

Originally the applicants wanted to add one category as a permitted use the General Office Zone, but after talking with the applicants, staff recommended to include the H (Hospital) Zone, C-D (Commercial) Zone and P-O (Professional Office) Zone. The location the applicant has in mind to have a Radiopharmaceutical lab is 383 West Vine Street which is in the G-O (General Office) Zone. It is near the Intermountain Medical Center where they would treat the patients. The current zoning is General Office zone and the Future Land Use Plan is for Professional

Offices. The IMC campus is in the C-D Zone and the TOSH Clinic on Fashion Boulevard is in the Hospital Zone. It would be logical to include those other zoning districts for this specific use. It is such a specialized field and use that there would be very few, if any, applications similar to this. Currently, the LU #2800 broader category is allowed as a permitted use in the B-P (Business Park) and in the M-G (Manufacturing) Zones as a conditional use. If approved it would also be allowed in the B-P and M-G Zones. Text amendments are applicable city wide for all properties in all the proposed zones. This use, if approved, would be allowed in the G-O, H, C-D and P-O Zones.

Safety was a staff concern and when consulting with the Building Department Official, he specified that even if dealing with "H" (Hazardous) Occupancy, which it most likely will not be, the building at 383 West Vine Street is far enough away from other structures that it would not be a concern.

Based on all the studies, research and meetings with the applicant, Staff is recommending that the Planning Commission forward an approval to the City Council for the proposed Text Amendment for Sections 17.144.020, 17.148.020, 17.160.020, and 17.174.020, Permitted Uses, to allow a new Land Use: proposed LU #2834, Radiopharmaceutical Manufacturing & Products, in the G-O, H, C-D & P-O Zones respectively.

Ashley Mishoe, applicant stated her address as 433 Plaza Real in Boca Raton, FL and indicated she is a Nuclear Pharmacist by training and is the Vice President of Quality Assurance and Regulatory Affairs for PharmaLogic. PharmaLogic makes radioactive drugs used to diagnose and treat diseases, primarily used in Oncology, cardiovascular disease, also neurology disease such as Alzheimers. The drugs are all sterile injectable products that are administered by a physician in a hospital or clinic. They will be made in an FDA registered drug manufacturing facility that also has a licensed nuclear pharmacy in house. She stated that the process is when an order is made by the physician, the day before, the drug is made early the next morning as these drugs last only minutes to hours, making proximity crucial to a hospital or clinic. The drugs are made in small batches due to their short half-life. PharmaLogic was founded in 1993 and have become one of the fastest growing radiopharmaceutical companies in the United States and have a multidisciplinary team of radiopharmacists, radiochemists, engineers, sales and marketing and have almost 600 employees across the U.S. The oncology drug is a very targeted drug unlike chemotherapy. In patients with Neuroendocrine tumors where the isotopes can be manipulated and compounded to go where they want the drug to go in the body and help with targeted killing of cells. The Alzheimer's diagnostic agents would include a newly approved amyloid targeting agent, Biogen. There are three soon to be FDA approved drugs, Florbetapir, has already been approved and these are used for imaging to determine if the patient actually has those amyloid plaques. The Cardiac agent is proven to significantly improve detection in Cardiac disease in as little as 35 minutes. The caveat is that the isotope has a half-life of 10 minutes which cannot be flown from the Denver lab it is essential to be in close proximity to the patient.

Ms. Milkavich asked if it is only effective for 10 minutes and what the window of time would be. Ms. Mishoe specified that every ten minutes the drug is only half as effective and the batch would need to be doubled to allow for an additional ten minutes. The decay time has to be factored in. The timing has to be exact with the making of it and the patient being ready with line access and radiologist availability. The expiration is about 1 hour in this case.

Ms. Mishoe went over safety measures stating that all facilities are licensed and inspected by

the NRC (Nuclear Regulatory Commission) as well as the State Department of Environmental Quality. All the employees are highly skilled and trained. She stated her Doctorate is in Pharmacy then specialized in Nuclear.

Ms. Milkavich asked about the risk to the community if these are made in large batches could they be toxic. Ms. Mishoe clarified there is only enough of the drug made for the patient in need for the day and goes in very shielded lead containers that are approved by the Department of Transportation in secured locked vehicles with PharmaLogics own drivers that go from their facility directly to the hospital or clinic. The amount of radiation that a technician would be exposed to in a year is less than exposure for a commercial airline pilot.

Mr. Lowry asked what incremental risk does this present to our community and given the companies 28-year history what safety instances have there been. Ms. Mishoe stated, to her knowledge, there have not been any security breaches and it is very tightly controlled. Mr. Lowry asked what happens if the transporter gets into an accident. Scott Hollbrook, 411 Densborough Rd, TN, addressed the transportation questions. He stated some of the drugs are unique and they are not available because there isn't a facility close enough to IHC to provide those medicines. The commissioners wanted some clarification on what the exposure would be if the transporter crashed into another car and the contents broke through the lead shield. Mr. Hollbrook stated it would be similar to that of a chest x-ray in terms of radioactive exposure. The commissioners asked why not be on the hospital property. Jason Argyle, 383 West Vine Street, indicated that the prioritization on the IMC Hospital campus is reserved for patient care activities.

Mr. Hacker opened the meeting for public comment. No comments were made. The public comment portion for this agenda item was closed.

Mr. Nay added that this is high end business and will bring good paying jobs and is a benefit to the community.

Jeremy Lowry made a motion for the approval to the City Council for the proposed addition of a new Land Use category LU #2834, Radiopharmaceutical Manufacturing & Preparations to the Standard Land Use Code and a text amendment to Sections 17.144.020, 17.148.020, 17.160.020, and 17.174.020 as a Permitted Uses. Seconded by Lisa Milkavich.

Call vote was recorded by Ms. Nixon.

  A   Ned Hacker  
  A   Lisa Milkavich  
  A   Jeremy Lowry  
  A   Jake Pehrson

Abstained by Travis Nay

Motion passed 4-0.

#### OTHER BUSINESS

There was no other business.

Jeremy Lowry made a motion to adjourn. Motion seconded by Jake Pehrson. A voice vote was made, motion passed 5-0. The meeting was adjourned at 8:11 p.m.



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Jared Hall, Planning Division Manager





AGENDA ITEM #6			
ITEM TYPE:	Text Amendment, Addition of Land Use #2834 in the G-O, H, C-D & P-O Zones and addition of LU #2834 to the Standard Land Use Code		
ADDRESS:	N/A	MEETING DATE:	October 7, 2021
APPLICANT:	Brenda Roberts, IHC Health Services, Inc.	STAFF:	Susan Nixon, Associate Planner
PARCEL ID:	N/A	PROJECT NUMBER:	21-101
CURRENT ZONE:	N/A	APPLICABLE ZONE:	G-O, H, C-D & P-O
SIZE:	N/A		
REQUEST:	IHC Health Services representatives are proposing changes to Sections 17.144.020, 17.148.020, 17.160.020, and 17.174.020, Permitted Uses, to allow a new Land Use: proposed LU #2834, Radiopharmaceutical Manufacturing & Products, in the G-O, H, C-D & P-O Zones respectively.		

## I. STAFF REVIEW & ANALYSIS

### Background

Radiopharmaceuticals, or medicinal radiocompounds, are a group of pharmaceutical drugs containing radioactive isotopes. Radiopharmaceuticals can be used as diagnostic and therapeutic agents. IHC Health Services and PharmaLogic Holdings are engaging in a joint venture to build and operate a facility that will produce radiopharmaceuticals to diagnose and treat cancerous lesions. Because this type of activity and the facilities needed to accommodate it, clearly do not fall under the land use categories currently available. The applicants have proposed a Text Amendment to add a definition for radiopharmaceuticals to the Standard Land Use Code, to then be added as a permitted use in several zoning districts in the Murray City Land Use Ordinance. The proposed Land Use number and definition is:

**2834 Radiopharmaceutical Manufacturing, Preparations, meaning an entity that is engaged in manufacturing, preparing, propagating, compounding, practice of pharmacy, processing, packaging, repackaging, or labeling of pharmaceutical drugs containing radioactive isotopes.**

The new land use number would be added as a permitted use to the G-O, General Office Zone, the H, Hospital Zone, the C-D, Commercial Development Zone, and the P-O, Professional Office Zones.

Radiopharmacy activity is regulated by the Food & Drug Administration (FDA) at the federal government level. The facility would allow for the distribution of Isotopes for use with Positron Emission Tomography (PET). PET is a diagnostic technique in which computer-assisted x rays are used to track a radioactive substance inside a patient's body. Radiopharmaceuticals compounded specifically for patients in hospitals and clinics in the Intermountain region. The radiopharmacy will ensure that all of the FDA regulatory requirements and quality assurance activities are met for the FDA-approved radiopharmaceuticals. Compliance with the Radioactive Material License issued by the Utah Division of Radiation Control will also be maintained by the radiopharmacy. The radiopharmacy will be staffed by trained nuclear pharmacists.

If the Land Use Text amendment is adopted, the applicants will propose a project intended to be an FDA-registered drug manufacturing facility, as well as a licensed pharmacy in the State of Utah. IHC has indicated that the property addressed 383 West Vine Street (Stevens-Henager College building) would be an ideal location for the intended facility because of its access to major roadways which will allow for quick distribution of these short-lived radioisotopes to local clinical imaging facilities such as Intermountain Medical Center.

The property at 383 West Vine Street is located within the General Office (G-O) Zone. *It is important to note that a Text Amendment would apply city wide for all properties in all proposed zones; the amendment would not be limited to this particular site.* The applicants have indicated their desire to have a radiopharmaceutical process at the 383 West Vine Street rather than at the existing IMC campus. The addition of Radiopharmaceuticals as a permitted land use allowed in the G-O, H, C-D & P-O Zone(s) will enable IHC to start a remodel on the building at 383 West Vine Street. The IMC campus location within the Smelter Site Overlay District (SSOD) complicates construction of the necessary facility because of the limits of the brownfield property and the aquifers on the site. Considering these factors, the applicants would like to locate the use on the property at 383 West Vine Street.

Access to radiopharmaceuticals is necessary to diagnose and treat prostate cancer in patients. The American Cancer Society has stated that prostate cancer is the most common cancer among men (after skin cancer). The demand for quick diagnosis, intervention, and treatment for men with prostate cancer is growing at a rapid rate and this proposed Text Amendment will directly contribute to Intermountain Healthcare's ability to support the prostate cancer population. Radiopharmacy safety has been well established for many decades. Oversight and safety are currently administered at the federal level by the FDA, DOT, Nuclear Regulatory Commission (NRC), and at the state of Utah by the Board of Pharmacy and the Utah Department of Environmental Quality.

PharmaLogic is a third-party to this proposed text amendment, and a partner with IHC in the plans for a new radiopharmacy operation if the text amendment is approved. PharmaLogic is not part of IHC and has its own employees that work at their facilities. PharmaLogic brings major new drugs which are otherwise difficult to obtain or sometimes unobtainable in Utah which can be used to aid in treatment of cancer, Alzheimer's disease, cardiovascular disease, and others. Recently approved Ga68 PSMA for prostate cancer (Image A) would not be deliverable to Utah from another metro due to a short shelf life. This tracer is necessary to select prostate cancer patients who would be responders to a number of cancer therapies.

Next generation non-invasive cardiac imaging drugs such as N13 (with a short shelf life and cannot be transported) and F-18 flurpiridaz (no qualified manufacturer in Utah) will either be unobtainable (in the case of N13) or must be flown in from Denver (in the case of F-18 Flurpiridaz) which makes cardiology services difficult given the sometimes acute and urgent nature associated with cardiac disease. Although the radiopharmacy industry is mature and established across the United States (including Utah) there are currently no facilities capable of producing new cancer, cardiovascular, and Alzheimer's drugs.

There are three (3) radiopharmacy centers located in Utah. The state of Utah has significant experience working with radiopharmacy services. However, none of these existing or proposed facilities will be capable of producing new drugs. While there is currently a cyclotron at the Huntsman cancer clinic it is not pharma enabled and capable of producing these new drugs.

Currently, PharmaLogic is able to deliver some new radiopharmaceuticals to Utah from a facility located in Denver. However, these logistics add significant cost and reduce availability as each day patient specific doses would be produced in Denver and flown to Utah. The Fitsimons Campus where PharmaLogic Denver is located represents a common trend for establishing new radiopharmacy centers around the US. This facility is located within a mixed medical, residential, lodging, retail, and bioscience community. This environment provides local, convenient access to life saving new drugs with a short shelf-life.

The proposed Text Amendment will enable Intermountain Healthcare and PharmaLogic to produce and distribute critical radiopharmaceuticals to local molecular imaging facilities for high quality diagnostic and therapeutic procedures for members of our local community.

### Existing Language

The land uses within the category #2800 include activities involved in the processing of materials that produce a material of higher value than that of the original material. All activities are usually in establishments that would most often be identified as plants, factories or mills. The final product of a manufacturing establishment may be "finished" in the sense that it is ready for utilization or consumption, or it may be "semi-finished" to become a raw material for an establishment engaged in further processing.

The 2017 General Plan shows the area at 383 West Vine Street designated as "Professional Office". The General Plan defines Professional Office as: "This designation allows for a full-range of commercial and employment uses. This designated is intended to provide for mixed-use areas where urban public services are available or planned, including access to high-capacity transit or BRT/Streetcar service. The intensity of development will be higher than in other employment designations and urban in character. Development patterns should enhance the livability of surrounding residential neighborhoods while contributing to the success of nearby business areas. The corresponding zones are: P-O (Professional Office) and H (Hospital).

Section from Standard Land Use Code:

2800 CHEMICALS AND ALLIED PRODUCTS

2810 Industrial Inorganic and Organ Chemicals

2810 Industrial inorganic and organic chemicals.

2820 Plastic Materials and Synthetic Resins, Synthetic Rubber, Synthetic and other Man-made Fibers, except Glass

2821 Plastic materials, synthetic resins and nonvulcanizable elastomers.

2822 Synthetic rubber (vulcanizable elastomers).

2823 Cellulosic man-made fibers.

2824 Synthetic organic fibers, except cellulosic.

2830 Drugs

2831 Biological products (includes serums, toxins, vaccines, bacterins).

2832 Medicinal chemicals and botanical products.

2833 Pharmaceutical preparations. (Includes analgesics, anesthetics, antacids, cold remedies, soap, etc.)

**2834 Radiopharmaceutical Manufacturing, Preparations, meaning an entity that is engaged in manufacturing, preparing, propagating, compounding, practice of pharmacy, processing, packaging, repackaging, or labeling of pharmaceutical drugs containing radioactive isotopes.**

General Office Zone, Existing Section Code 17.144.020:

Use No.	Use Classification
1113	Single-family dwelling, attached to nonresidential.
4800	Utilities (lines and rights of way only) (except 4850).
5912	Prescriptions, pharmacy (intended for the convenience of permitted, established uses and/or clients thereof, provided that no such business occupies more than 15 percent of the total floor area of the building in which it is located and has no separate street entrance).
5913	Medical cannabis pharmacy.

Hospital Zone, Existing Section Code 17.148.020

Use No.	Use Classification
4800	Utilities (lines and right of way only) (except 4850).
5913	Medical cannabis pharmacy.
6510	Medical and other health services.

Commercial Development, Existing Section Code 17.160.020

Use No.	Use Classification
1113	Single-family dwelling, attached to nonresidential.
2772	Bookbinding and miscellaneous related work (library bookbinding only).

4700	Communications.
4800	Utilities (lines and right of way only).
5220	Heating and plumbing equipment.
5230	Paint, glass, and wallpaper.
5240	Electrical supplies.
5251	Hardware.
5254	Janitorial supplies.
5255	Building maintenance materials.
5256	Swimming pool supplies.
5310	Shopping centers/department stores.
5320	Mail order houses.
5330	Variety stores.
5390	Retail trade - general merchandise.
5400	Food stores (except 5412).
5600	Apparel and accessories.
5700	Furniture, home furnishings, and equipment.
5810	Eating places.
5910	Drug and proprietary.
5913	Medical cannabis pharmacy.
5940	Books, stationery, art, and hobby supplies.
5950	Sporting goods, bicycles, and toys.
5970	Jewelry.
5984	Ice dealers (automated machines or pick up stations only).
5990	Miscellaneous retail trade.
6100	Finance, insurance, and real estate services (except 6112, 6123, 6124, 6141 - surety bail bonding only).
6213	Dry cleaning.
6216	Self-service laundries.
6218	Rug cleaning and repair.
6220	Photographic services.
6230	Beauty and barber services.
6250	Apparel repair, alteration, and cleaning, shoe repair services (except 6256).
6291	Clothing rental.
6292	Costume rental.
6296	Massage therapy.
6299	Other personal services.

6310	Advertising services (office only).
6320	Consumer credit reporting services.
6330	Duplicating, mailing, stenographic, and office services.
6340	Dwelling and building services (6342, 6345 office only).
6350	News syndicate services.
6360	Employment services.
6390	Business services (except 6394, 6397).
6493	Watch, clock, jewelry repair, engraving.
6496	Locksmiths and key shops.
6498	Saw, knife, and tool sharpening.
6499	Miscellaneous small item repair.
6500	Professional services (except 6513, 6516).
6600	Contract construction services (office only).
6700	Governmental services (except 6714, 6740, 6750, 6770).
6814	Charter school.
6817	Residential facility for the disabled.
6900	Miscellaneous service organizations.
8224	Pet grooming.

Professional Office, Existing Section 17.174.020:

<b>Use No.</b>	<b>Use Classification</b>
1511	Hotels (3 or more stories).
5912	Prescription pharmacy (no drive-thru).
5913	Medical cannabis pharmacy.
5940	Books, stationery, art and hobby supplies (may not exceed 5,000 square feet).
6100	Finance, insurance and real estate services (except 6112, 6123, 6124, and 6129).
6220	Photographic services.
6311	Advertising services (office only).
6320	Consumer credit services.
6330	Duplicating, mailing, stenographic and office services.
6500	Professional services (except 6516, 6516.1, 6518, and 6518.1).
6930	Business, professional and labor organizations and services.
6950	Political, civic and veterans' organizations.
7425	Gymnasiums, athletic clubs, body-building studios.



## Proposed Language

Land Use #2834 – the subject of this proposed amendment, would be included among those within the larger category 2800. Staff proposes adding LU #2834 as a stand-alone allowance for permitted use in the G-O, H, C-D & P-O Zoning Districts. Please see the proposed language change below to be included to the respective Sections.

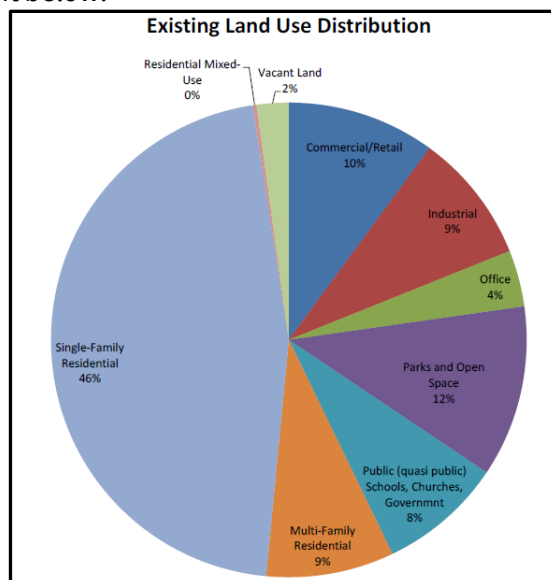
Use No.	Use Classification
2834	Radiopharmaceutical Manufacturing, Preparations, meaning an entity that is engaged in manufacturing, preparing, propagating, compounding, practice of pharmacy, processing, packaging, repackaging, or labeling of pharmaceutical drugs containing radioactive isotopes.
5912	Prescriptions, pharmacy (intended for the convenience of permitted, established uses and/or clients thereof, provided that no such business occupies more than 15 percent of the total floor area of the building in which it is located and has no separate street entrance).
5913	Medical cannabis pharmacy.

## Other Excluded Land Uses

Other land uses included in the larger category of #2800 which are excluded by the proposed Sections 17.144.020, 17.148.020, 17.160.020, and 17.174.020 include manufacture or production of plastic materials, paints, varnishes, fertilizers and explosives (dynamite). The ability to limit these types of uses would not be impacted by the proposed text amendment. As a note to clarify, LU# 2800 is currently allowed as a Permitted Use in the B-P Zone, Section 17.173.020 and as a Conditional Use in the M-G (Manufacturing General) Zone, Section 17.152.030. This proposal would fall under this broader category for the B-P & M-G Zones.. This proposal would fall under this broader category for the B-P Zone.

## Other Considerations

- Existing Zones. The 2017 General Plans shows the “Office” uses comprises only 4% of existing land use distribution. “Commercial/Retail” uses comprise 10% and “Industrial” comprises 9%. See exhibit below:



- General Plan. The G-O Zone corresponds to the “Office ” designation on the Future Land Use Map in the General Plan. The P-O and H Zones correspond to the “Professional Office” designation. The C-D Zone corresponds to the “General Commercial” designation. The proposed text amendment is not in conflict with the goals of the General Plan. With the specialized nature of the proposed use, and the unique building requirements, staff believes this land use will be compatible in an office, commercial, or business park industrial environment.

## II. CITY DEPARTMENT REVIEW

A Planning Review Meeting was held on September 20, 2021 where the proposed text amendment was considered by City Staff from various departments. No comments, concerns or conditions were submitted by any reviewers.

## III. PUBLIC INPUT

Notices were sent to Affected Entities for this Text Amendment. As of the date of this report there has not been any comment regarding this application.

## IV. FINDINGS

Based on the analysis of the proposed text amendment and review of the Murray City General Plan and Land Use Ordinance, staff concludes the following:

1. The proposed text amendment has been carefully considered and provides additional opportunity and flexibility for the potential development of properties in the G-O, H, C-D & P-O Zones.
2. The proposed text amendment supports the goals and objectives of the General Plan by facilitating office, professional office, commercial, retail, and business park industrial use development that will promote and facilitate growth with medical facilities, the IHC facilities, the Intermountain Medical Center, and TOSH.
3. The proposed text amendment is consistent with the purpose of Title 17, The Murray City Land Use Ordinance.

## V. CONCLUSION/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 proposed text amendment to Sections 17.144.020, 17.148.020, 17.160.020, and 17.174.020 as reviewed in the Staff Report and addition of Land Use Category #2834, Radiopharmaceutical Manufacturing and Preparations, to the Standard Land Use Code.**



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## NOTICE OF PUBLIC MEETING

October 7, 2021, 6:30 PM

The Murray City Planning Commission will hold a public hearing in the Murray City Municipal Council Chambers, located at 5025 S. State Street to receive public comment on the following application:

Representatives from IHC Health Services, Inc. are requesting approval for a Text Amendment to the Land Use Ordinance for addition of a Radiopharmaceutical Use to the General Office (G-O), Hospital (H), Commercial Development (C-D) and Professional Office (P-O) Zones. The proposed changes include amendments to Land Use Code Sections 17.144.020, 17.148.020, 17.160.020 and 17.174.020. The proposed change also includes a new land use to the Standard Land Use Code for LU #2834, Pharmaceutical Manufacturing and Production.

The meeting is open and the public is welcome to attend in person 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 online, 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, written comments will be read into the meeting record.*

If you have questions or comments concerning this proposal, please contact Susan Nixon in the Murray City Planning Division at 801-270-2430, or email: [snixon@murray.utah.gov](mailto:snixon@murray.utah.gov).

# ZONING AMENDMENT APPLICATION

Type of Application (check all that apply):

Project # 21-101

☐ Zoning Map Amendment

☒ Text Amendment

☐ Complies with General Plan

☐ Yes

☒ No

Subject Property Address: 383 W Vine St, Salt Lake City, UT 84123

Parcel Identification (Sidwell) Number: 21123270360000

Parcel Area: 6.02 acres Current Use: Office

Existing Zone: G-O (General Office) Proposed Zone: G-O (General Office)

Applicant Name: Brenda Roberts

Mailing Address: 36 S. State Street, 21st Floor

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

Daytime Phone #: (801) 442-3447 Fax #: (801) 442-3178

Email address: brenda.roberts@imail.org

Business or Project Name : IHC Health Services, Inc.

Property Owner's Name (If different): \_\_\_\_\_

Property Owner's Mailing Address: 36 S. State Street, 21st Floor

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

Daytime Phone #: (801) 442-3191 Fax #: (801) 442-3178 Email: Adam.Jensen2@imail.org

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

Please see attached page for details.

Authorized Signature:  Date: 8/31/2021

## Property Owners Affidavit

I (we) IHC Health Services, Inc. c/o Adam Jensen, 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.

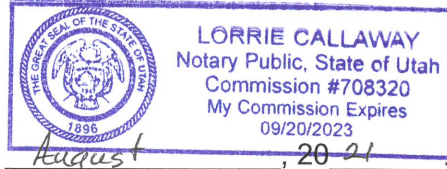
[Signature]  
Owner's Signature

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

State of Utah

§

County of Salt Lake



Subscribed and sworn to before me this 31<sup>st</sup> day of August, 2021.

[Signature]

Notary Public

Residing in Salt Lake County

My commission expires: 9/20/23

### 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: \_\_\_\_\_

The intent of the zone text amendment is to request an amendment to the existing G-O (General Office) zone (Section 17.144) to allow Land Use #2833, Pharmaceutical Preparations, as an allowed use. The property is bordered by G-O zone uses to the south and west, M-U (Mixed Use) to the north on the other side of Vine Street, and to the east by I-15. The current G-O zone includes uses 5912 Prescriptions pharmacy and 5913 Medical cannabis pharmacy.

Actual proposed language to be included in the text amendment request is as follows:

Under 17.144.020: PERMITTED USES: chart, include a new use #2833 after 5913 Medical cannabis pharmacy, description to be:

Pharmaceutical Preparations. Drug manufacturer means anyone who is engaged in manufacturing, preparing, propagating, compounding, processing, packaging, repackaging, or labeling of a prescription drug.\* This includes producing and distributing radiopharmaceuticals as part of diagnostic and therapeutic procedures.

\*definition from fda.org

Legal Description: BEG N 0°03'53" W 2628.13 FT & N 89°56'07" E 1903.02 FT FR SWCOR SEC 12, T2S, R1W, SLM; NE'LY ALG 633 FT RADIUS CURVE TO L, 182.56 FT (CHD N 84°24'38" E); NE'LY ALG 1261.578 FT RADIUS CURVE TO R, 118.91 FT (CHD N 78°50'54" E); S 6°14'46" E 0.95 FT; N 83°47'21" E 130.38 FT; S 43°27'07" E 11.13 FT; N 83°23'23" E 12.22 FT; N 38°57'25" E 5.51 FT; N 84°41'15" E 11.61 FT; S 0°03'07" E 189.98 FT; SW'LY ALG 11319.20 FT RADIUS CURVE TO R, 449.57 FT (CHD S 1°05'10" W); S 83°52'44" W 359.70 FT; N 8°20'03" W 151.65 FT; N 18°08' W 4.91 FT; N 8°47'10" W 476.11 FT TO BEG.

Intermountain Healthcare and Pharmalogic Holdings are engaging in a joint venture to build and operate a facility that will produce radiopharmaceuticals to diagnose and treat cancerous lesions. The project is intended to be an FDA-registered drug manufacturing facility, as well as a licensed pharmacy in the state of Utah. The Vine Street building location is ideal for its access to major roadways, which will allow for quick distribution of these short-lived radioisotopes to local clinical imaging facilities.

The construction will be a two-phase project: phase one will remodel approximately 1,650sf of the existing first floor of the existing office building to house a Gallium-68 Generator Lab. Phase two will remodel an additional approximate 7,500sf of the existing first floor, construct an addition of approximately 2,800sf at the south end of the existing building to house the cyclotron vault, support equipment and workroom space, and will modify ~4,300sf of the site on the south and west corners of the building as required to accommodate the added footprint and other site modifications as necessary.

The Phase I Gallium-68 generator lab will enable Intermountain Healthcare immediate access to the radiopharmaceutical necessary to diagnose and treat prostate cancer in patients in our local communities. The American Cancer Society has stated that prostate cancer is the most common cancer among men (after skin cancer). The demand for quick diagnosis, intervention, and treatment for men with prostate cancer is growing at a rapid rate and this proposed Zone Text Amendment will directly contribute to Intermountain Healthcare's ability to support our prostate cancer population.

The Phase II Cyclotron facility will provide Utah access to state of the art radiopharmaceuticals for diagnosis of Alzheimer's disease, breast cancer, neuroendocrine tumors, prostate cancer, thyroid cancer, parathyroid adenomas, other cancerous lesion detection, and cardiovascular disease. There is zero to extremely limited access to these diagnostic agents in the Utah market today. People in our Utah communities are flying to other states to have imaging completed because Utah currently does not have the radiopharmaceutical resources available to provide this service. This Zone Text Amendment will enable Intermountain Healthcare and PharmaLogic to produce and distribute critical radiopharmaceuticals to local molecular imaging facilities for high quality diagnostic and therapeutic procedures for members of our local community.



**Applicant: IHC Health Services, Inc.**

**Land Use Text Amendment:** Add New Land Use Category #2834 – Radiopharmaceutical Manufacturing & Products to

- G-O (General Office) Zone
- H (Hospital) Zone
- C-D (Commercial Development) Zone
- P-O (Professional Office) Zone



Radiopharmaceuticals, or medicinal radiocompounds, are a group of pharmaceutical drugs containing radioactive isotopes. Radiopharmaceuticals can be used as diagnostic and therapeutic agents.

The proposed Land Use number and definition is:

**2834 Radiopharmaceutical Manufacturing, Preparations, meaning an entity that is engaged in manufacturing, preparing, propagating, compounding, practice of pharmacy, processing, packaging, repackaging, or labeling of pharmaceutical drugs containing radioactive isotopes.**

## Existing Land Use number and definition:

### **2800      CHEMICALS AND ALLIED PRODUCTS**

#### 2810      Industrial Inorganic and Organ Chemicals

2810      Industrial inorganic and organic chemicals.

#### 2820      Plastic Materials and Synthetic Resins, Synthetic Rubber, Synthetic and other Man-made Fibers, except Glass

2821      Plastic materials, synthetic resins and nonvulcanizable elastomers.

2822      Synthetic rubber (vulcanizable elastomers).

2823      Cellulosic man-made fibers.

2824      Synthetic organic fibers, except cellulosic.

#### **2830      Drugs**

2831      Biological products (includes serums, toxins, vaccines, bacterins).

2832      Medicinal chemicals and botanical products.

**2833**      Pharmaceutical preparations. (Includes analgesics, anesthetics, antacids, cold remedies, soap, etc.)

## Regulation & Oversight:

- Radiopharmacy activity is regulated on a federal level by the Food & Drug Administration (FDA), Department of Transportation (DOT), Nuclear Regulatory Commission (NRC), and on a state level by the Board of Pharmacy and the Utah Department of Environmental Quality.
- The manufacturing of Positron Emission Tomography (PET) radiopharmaceuticals are performed in a cyclotron radiochemistry lab or “vault.” PET is a diagnostic technique in which computer-assisted x rays are used to track a radioactive substance inside a patient's body.
- The radiopharmacy is staffed by trained nuclear pharmacists.
- The facility would allow for the distribution of *PET*.
- Radiopharmaceuticals are compounded specifically for patients in hospitals and clinics in the Intermountain region.

## Reasons for Request:

- Access to radiopharmaceuticals is necessary to diagnose and treat prostate cancer (and other cancers) in patients.
- There are three (3) radiopharmacy centers located in Utah. There is currently a cyclotron at the Huntsman Cancer Clinic, but it is not pharma enabled and capable of producing these new drugs.
- None of the existing facilities are be capable of producing new non-invasive cardiac imaging drugs with a short shelf life.
- If the Land Use Text amendment is adopted, the applicants will propose a project intended to be an FDA-registered drug manufacturing facility, as well as a licensed pharmacy in the State of Utah.

## Proposed Amendment As “Permitted Use” to Land Use Code Sections:

17.144.020 G-O Zone  
17.148.020 H Zone  
17.160.020 C-D Zone  
17.174.020 P-O Zone

Note: LU# 2800 is currently allowed as a Permitted Use in the B-P (Business Park) Zone, Section 17.173.020 and as a Conditional Use in the M-G (Manufacturing General) Zone, Section 17.152.030. This proposal would fall under this broader category for the B-P & M-G Zones. This proposal would fall under this broader category for the B-P Zone.



# Planning Commission

- The Planning Commission held a public hearing on September 20, 2021
- Public Notices were mailed to effected entities
- No public comments were received
- The Planning Commission voted 4-0 to forward a recommendation approval to the City Council, with one commissioner abstaining

# Findings

1. The proposed text amendment has been carefully considered and provides additional opportunity and flexibility for the potential development of properties in the G-O, H, C-D & P-O Zones.
2. The proposed text amendment supports the goals and objectives of the General Plan by facilitating office, professional office, commercial, retail, and business park industrial use development that will promote and facilitate growth with medical facilities, the IHC facilities, the Intermountain Medical Center, and TOSH.
3. The proposed text amendment is consistent with the purpose of Title 17, The Murray City Land Use Ordinance.
4. The Planning Commission voted 4-0 to recommend approval of the proposed text amendment.

## Staff Recommendation

Staff recommends **APPROVAL** of the proposed text amendment to Sections 17.144.020, 17.148.020, 17.160.020, and 17.174.020 as reviewed in the Staff Report and addition of Land Use Category #2834, Radiopharmaceutical Manufacturing and Preparations, to the Standard Land Use Code.

# PharmaLogic Utah

## Facility Overview

**Scott Holbrook MS, FSNMI-TS**

General Manager, CSO

October 7, 2021



# Our Mission and Vision

To provide access to the most advanced, clinically relevant PET and SPECT radiopharmaceuticals ***with emphasis on supporting translational activities*** to ultimately improve clinical outcomes.

To become a global leader and the ***central point of entry for breakthrough radiopharmaceuticals*** in the United States.

To be the leading advocate for better **patient care**. Recognized as the most Trusted Quality Care partner, PharmaLogic is dedicated to provide leading innovations and solutions to U.S./Global practitioners with unwavering ***commitment to safety, reliability and compliance***.

# What We Do

## Radiopharmaceutical manufacturing

- Radioactive drugs used to **diagnose** and **treat** diseases
- Sterile injectable products administered by a physician in a hospital or clinic
- FDA-registered facility

## Oncology, cardiovascular disease, Alzheimer's disease

- FDA approved drugs
- Investigational drugs for clinical trials

## Just-in-time manufacturing

- Short half-life products (10 minutes – several hours)
- Delivered to clinics same day; not stored on site

## Regulatory Agencies

- FDA, Board of Pharmacy
- NRC, DOT, FAA, State of Utah dept. of Rad health



# Industry Leading Multi-disciplinary Team

Multidisciplinary team with more than 600 employees in the US

Radiochemistry,  
Development, and  
Manufacturing

Quality and  
Regulatory

Commercialization  
and Project  
Management

Radiopharmacy

Clinical Medical  
Affairs and  
Research

Engineering

Logistics

Sales and  
Marketing

Financial, Billing,  
Collections, and  
HR

Legal

# Vertically-Integrated Provider

- Founded in 1993
- Fastest growing radiopharmaceutical company and leader in over thirty markets
- Over 20 years of service in:
  - Radiopharmacy
  - Drug manufacturing
  - Clinical and translational research
- International supplier of SPECT and PET drugs
- Strong financial backing through 2 private equity partners
  - Webster Capital and MedEquity
  - Combined, the two firms have invested >\$2BN in healthcare



**Current and Additional proposed expansion 2022**  
(Salt Lake City, San Francisco, Los Angeles, Atlanta)

# Current and Near-Term Profile



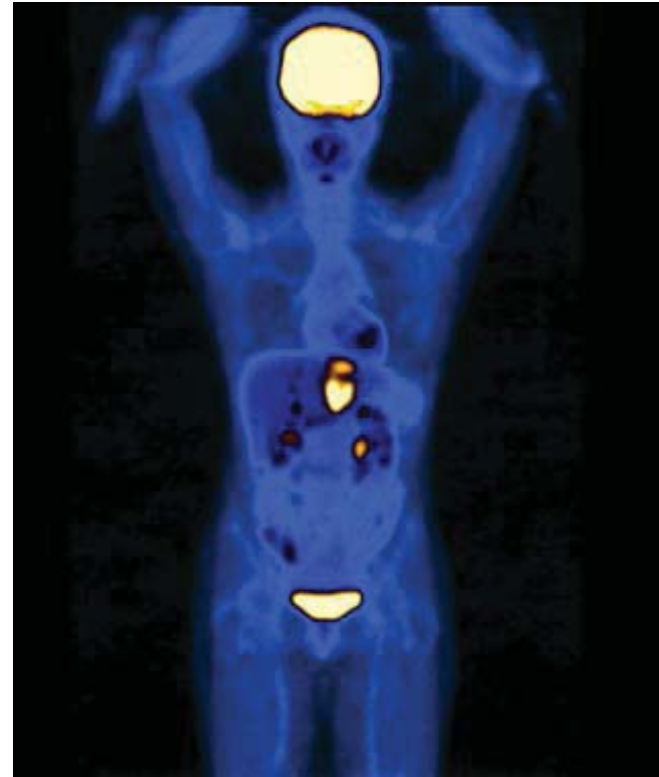
**oncology drugs**



**cardiovascular drugs**



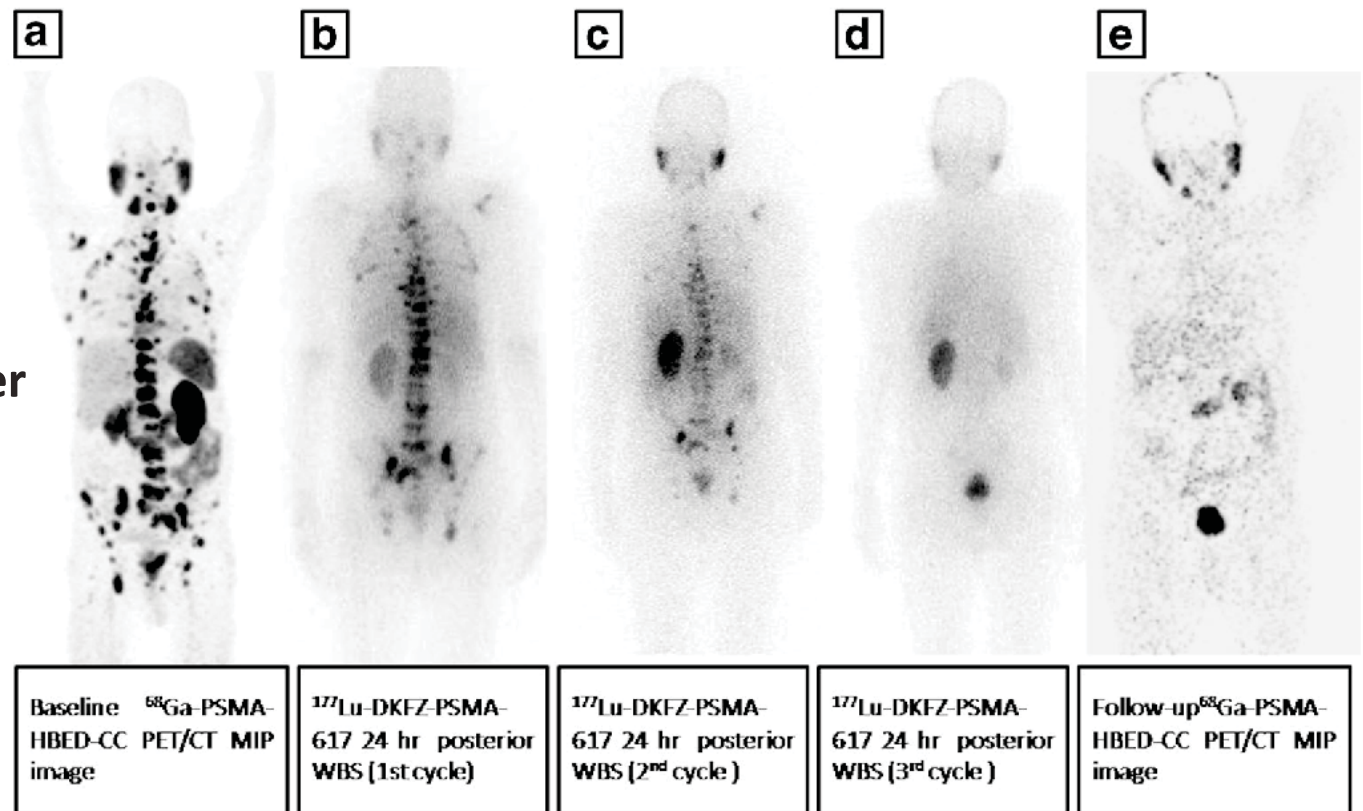
**neurology drugs**



<https://radiology.ucsf.edu/patient-care/sections/nuclear-medicine>

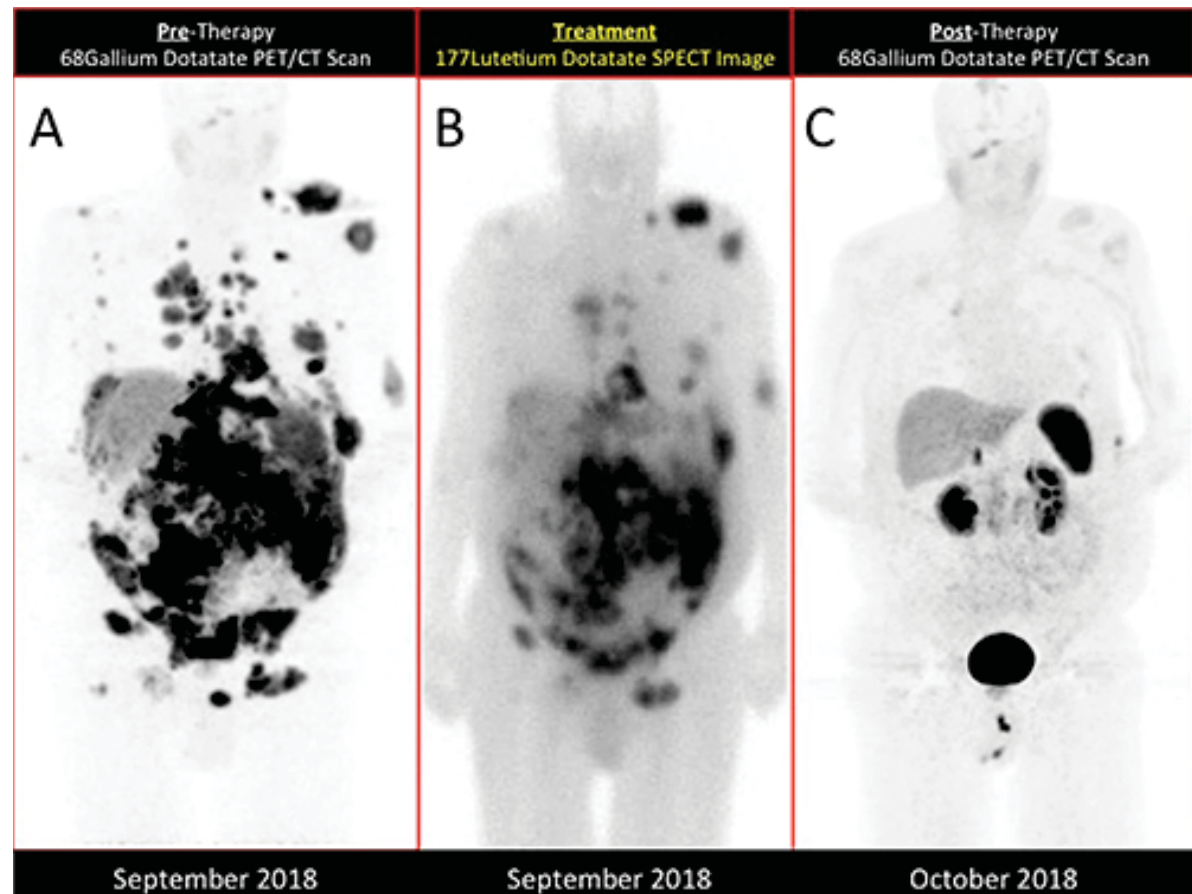
# Theranostics in Recurrent Prostate Cancer

**$^{68}\text{Ga}$  PSMA-11 and  
 $^{177}\text{Lu}$  PSMA in  
Recurrent Prostate Cancer**



# Theranostics in Neuroendocrine Tumor

**68Ga DOTA (NETSPOT) and  
177Lu DOTA (Luthathera) in  
Neuroendocrine Tumor**

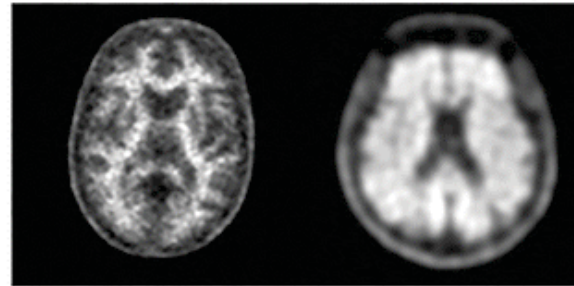


<https://pubmed.ncbi.nlm.nih.gov/31043945/>

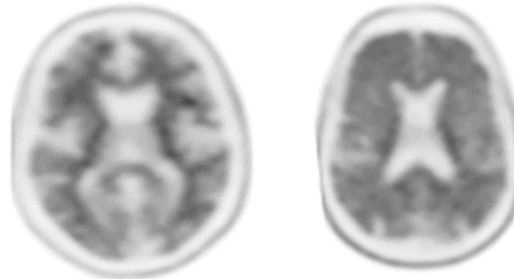
# Alzheimer's Diagnostic Agents

Amyloid-negative    Amyloid-positive

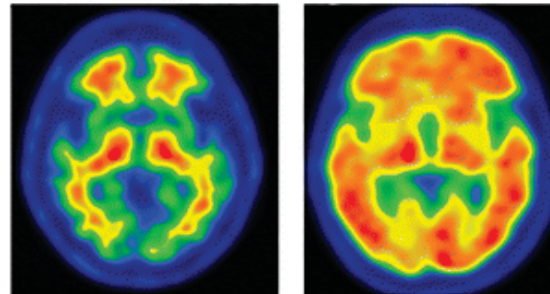
**Comparison of 3 FDA-approved  
amyloid tracers measuring  
amyloid plaques**



$^{18}\text{F}$ -Florbetaben



$^{18}\text{F}$ -Florbetapir



$^{18}\text{F}$ -Flutemetamol

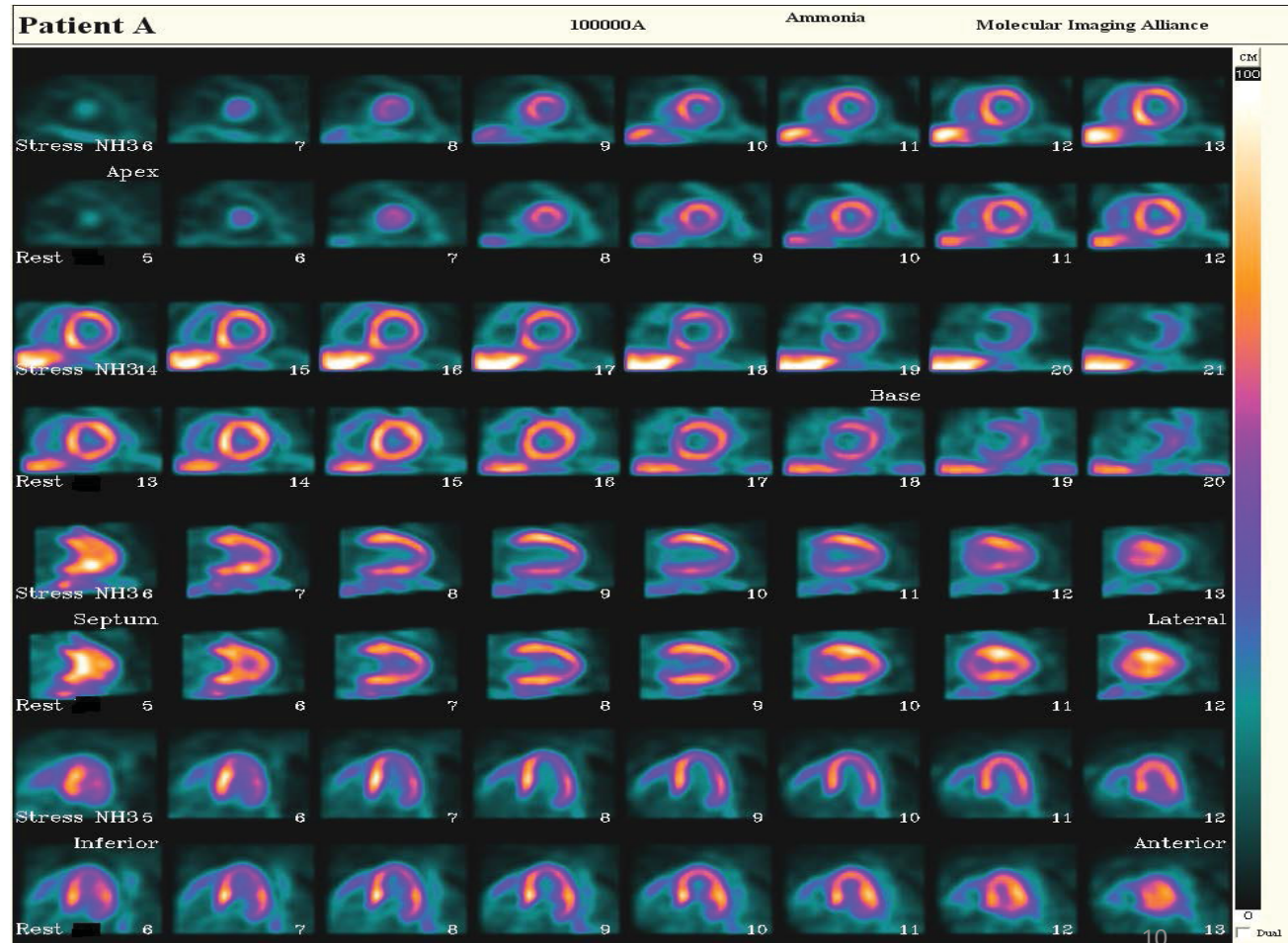
<https://pubmed.ncbi.nlm.nih.gov/30422768/>



# Cardiac Imaging Agents

Significantly improve detection of cardiac disease in as little as 35 minutes

10-min half-life requires close proximity to cardiology clinic



# Radiation Safety



Facilities  
licensed and  
inspected by  
the Nuclear  
Regulatory  
Commission



Employees  
trained on  
radiation safety



Employees  
closely  
monitored with  
ring and body  
badges



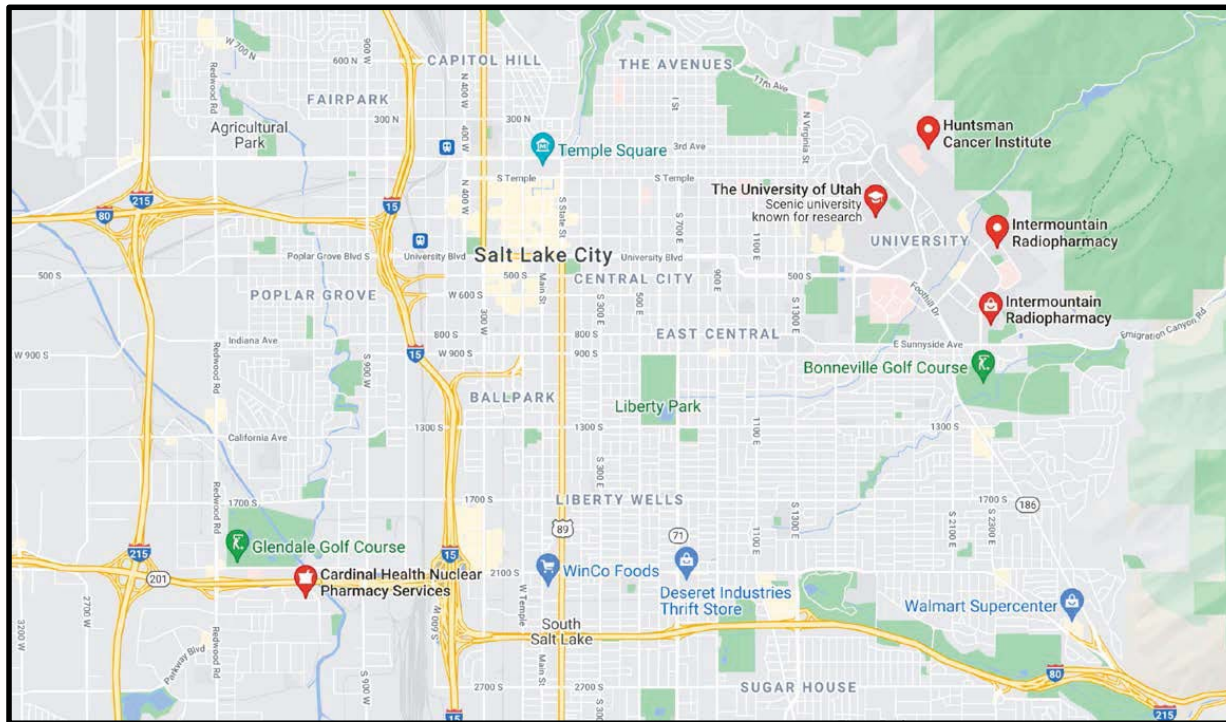
All drugs and  
patient doses  
are shielded  
with lead



Radiation  
detection  
devices  
throughout the  
facility



# Radiopharmacies in the Metro SLC Area



## Health-tech company Nusano to open an office in Utah

by Press Release / July 9, 2021 / 1.21k

Salt Lake City — The Utah Governor's Office of Economic Opportunity is pleased to announce that Nusano, Inc. will open an office in Utah, adding up to 92 new high-paying Utah jobs in the next 15 years.

"Nusano will be an awesome addition to Utah's growing life science industry," says Dan Hemmert, the Office of Economic Opportunity's executive director. "This growth will support almost 100 high-paying jobs, and we look forward to all that Nusano will bring to the state."

Nusano is a health-tech company aiming to revolutionize uranium-free radioisotope development and production in a broad range of diagnostic and therapeutic medical applications. The technology has been developed by the world's leading experts in nuclear medicine, physics, radioisotope production, and radiation management. It represents a disruptive, patented technology that solves significant industry supply issues.

*None of the planned facilities can produce new cancer, cardiovascular, and Alzheimer's drugs, which results in a significant unmet need in the region*



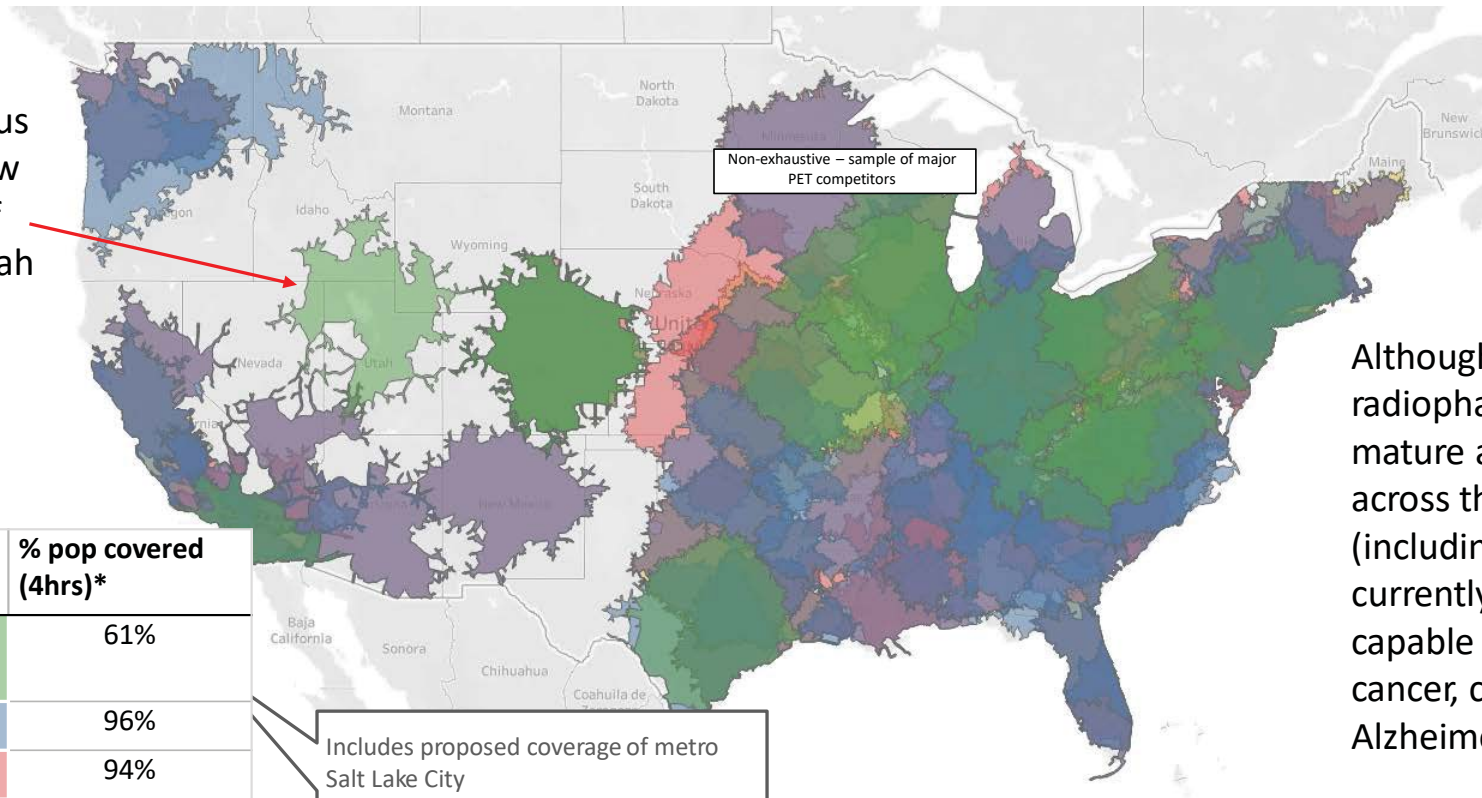
# US Pharma-Enabled Cyclotron Facilities



Existing cyclotron facility at Huntsman Cancer Clinic is unable to produce the new generations of imaging agents

# Utah Lacks Coverage for New PET Drugs

Distribution radius  
Representing new  
drug coverage of  
the proposed Utah  
facility



Company	% pop covered (4hrs)*
PharmaLogic + de novos	61%
PETNET	96%
Cardinal Health	94%
SOFIE	64%

Note: (\*) radius measured using driving time  
Source: US Census Bureau, Company websites, Internal data

Although the radiopharmacy industry is mature and established across the United States (including Utah), there are currently no facilities capable of producing new cancer, cardiovascular, and Alzheimer's drugs

# PharmaLogic Colorado – Bioscience 3

R&D drug development  
facility

Translational and commercial drug  
manufacturing

UC School of Medicine PET/MR and PET/CT  
center “Marcus Foundation”

Improved recruitment  
opportunities

Enhanced research and grant  
award opportunities

First and best access for investigational  
and clinical drugs



Absent the proposed facility in Utah, new and future  
drugs must be flown from Denver each day  
increasing cost and reducing access



# PharmaLogic Colorado – Bioscience 3

## Fitzsimons Innovation Community:

- Bioscience
- Medical
- Residential
- Restaurants
- Lodging
- Retail, etc

“live, learn, work, relax, and play”



# Thank you

**Scott Holbrook MS, FSNNMI-TS**  
General Manager, CSO  
[sholbrook@radiopharmacy.com](mailto:sholbrook@radiopharmacy.com)  
Cell: 423-737-4166





**MURRAY**  
CITY COUNCIL

# Public Hearing #2



**MURRAY**

# Community & Economic Development

Zone Map Amendment from A-1, Agriculture to R-1-8 for  
5700 South 800 West

## Council Action Request

### Council Meeting

Meeting Date: December 7, 2021

<b>Department</b> <b>Director</b> Melinda Greenwood  <b>Phone #</b> 801-270-2428  <b>Presenters</b> Melinda Greenwood Zachary Smallwood	<b>Purpose of Proposal</b>  Amend the Zoning Map of the subject properties to facilitate residential development  <b>Action Requested</b>  Approval of Zone Map Amendment for 5700 South 800 West  <b>Attachments</b>  Presentation Slides  <b>Budget Impact</b>  None.  <b>Description of this Item</b>  <b>Background</b> The subject property is a single-family home on 1.62 acres within the A-1 zone. The A-1 zone requires a minimum of 1-acre sized lots. The lot is located on the west side of 800 west next to Viewmont Elementary. The applicant would like to develop the property into a single-family subdivision and is requesting the R-1-8 zone, as it is the more prominent zoning designation in the area. The 2017 General Plan supports the change from agricultural uses to single-family dwellings.  To allow for a thorough, unbiased evaluation, City Staff, the Planning Commission, and the City Council do not include potential development plans in the review of a request to amend the Zoning Map. This allows the Planning Commission and City Council to determine whether a change in the Zoning Map is appropriate based on the allowed uses and development potential of the proposed zone.
<b>Required Time for Presentation</b> 30 Minutes  <b>Is This Time Sensitive</b> No  <b>Mayor's Approval</b>     <b>Date</b> November 2, 2021	

## **Continued from Page 1:**

### **ZONING REGULATIONS**

The existing **A-1 Zone** allows for single-family dwellings on minimum 1-acre lots, utilities, medical cannabis pharmacies, cannabis production establishments, parks, field and seed crops, orchards and vineyards, non-commercial beef cattle, horses, chickens, rabbits, apiaries, aviaries and general agriculture including range and pasture land. Communications, radio and television transmitting stations, nurseries, cemeteries, protective functions, schools and churches, various commercial recreational uses, commercial animal husbandry uses and services, and commercial agriculture are allowed subject to Conditional Use approval.

The proposed **R-1-8 Zone** allows for single-family dwellings on 8,000 ft<sup>2</sup> lots. Attached dwellings, churches, schools, and telecommunications facilities are allowed subject to Conditional Use approval.

### **CITY DEPARTMENT REVIEW**

The applications have been made available for review and comment by City Staff from various departments including the Engineering Division, Fire Department, Power Department, Water Division, and Sewer Division. There were no objections or concerns from the reviewing departments.

### **PLANNING COMMISSION**

Thirty-nine (39) notices of the public hearing for the requested amendment to the Zoning Map were sent to all property owners within 300' of the subject property and to affected entities.

The Planning Commission held a public hearing for this item on October 21, 2021. One (1) comment was received with concerns about traffic along Anderson Avenue and Tripp Lane. The Planning Commission voted 7-0 to forward a recommendation of approval of the proposed zone map amendment.

### **FINDINGS**

1. The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.
2. The proposed Zone Map Amendment from A-1 to R-1-8 has been considered based on the characteristics of the site and surrounding area. The potential impacts of the change can be managed with the densities and uses allowed by the proposed R-1-8 zone.
3. The proposed Zone Map Amendment from A-1 to R-1-8 conforms to important goals and objectives of the 2017 Murray City General Plan and will allow an appropriate development of the subject property.
4. The Planning Commission voted 7-0 to send a recommendation of approval to the City Council. at the October 21, 2021 meeting.

### **RECOMMENDATION**

Based on the background, staff review, and the Planning Commission recommendation, staff recommends APPROVAL of the proposed zone map amendment for the properties located at 5700 South 800 West from A-1, Agriculture to R-1-8, Low Density Single Family.

# Murray City Corporation

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 7<sup>th</sup> day of December, 2021, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold and conduct a hearing on and pertaining to amending the Zoning Map from the A-1 (Agricultural) zoning district to the R-1-8 (Low Density Residential) zoning district for the property located at approximately 5700 South 800 West, Murray, Utah.

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

DATED this 9<sup>th</sup> day of November 2021.



MURRAY CITY CORPORATION

A handwritten signature in blue ink, appearing to read "Brooke Smith", written over a horizontal line.

Brooke Smith  
City Recorder

DATE OF PUBLICATION: November 26, 2021  
PH21-38

UCA §10-9a-205(2)

- Posted on City's Website
- Posted on Utah Public Notice Website
- Mailed to each affected entity
- Mailed to each property owner within distance parameters (*Murray City Code 17.04.140*)



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

AN ORDINANCE RELATING TO LAND USE; AMENDS THE ZONING MAP FOR THE PROPERTY LOCATED AT APPROXIMATELY 5700 SOUTH 800 WEST, MURRAY CITY, UTAH FROM A-1 (AGRICULTURAL) TO THE R-1-8 (LOW DENSITY SINGLE FAMILY) ZONING DISTRICT

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

WHEREAS, the owners of the real property located at approximately 5700 South 800 West, Murray, Utah, has requested a proposed amendment to the zoning map to designate the property in an R-1-8 (Low Density Residential) zone district; and

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

WHEREAS, it appearing to be in the best interest of the 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 approximately 5700 South 800 West, Murray, Salt Lake County, Utah from the A-1 (Agricultural) zone district to the R-1-8 (Low Density Single Family) zone district:

**Parcel 1**

Beginning at a point on the East line of property described in that certain Warranty Deed where in Murray City Corporation appears as grantee Dated August 3, 1976 and Recorded August 30, 1976 as Entry No. 2850654 in Book 4318 at Page 287 of Official Records, said point being 6.88 chains North and 20.85 chains West more or less from the Southeast corner of the Northeast quarter of Section 14, Township 2 South, Range 1 West, Salt Lake Base and Meridian; and running thence North 3.35 chains; thence South 84 degrees East 5 chains; thence South 3.17 chains; thence North 86 degrees West 5 chains, more or less, to the point of beginning.

Less and excepting:

Beginning at a point 1060.10 feet West and 430.32 feet North from the East quarter of corner of Section 14, Township 2 South, Range 1 West, Salt Lake Base & Meridian; running thence South 86 degrees East 14.03 feet; thence North 209.22 feet; thence North 84 degrees West 73.74 feet; thence Southeasterly 55.79 feet along the arc of a 171.11 foot radius curve to the left, (which chord bearing is South 23 degrees 45'10" East); thence South 33 degrees 05'39" East 30.80 feet; thence Northerly 71.73 feet along the arc of a 124.18 foot radius curve to the right (which chord bearing is South 16 degrees 32'49" East); thence South 71.5 feet to the point of beginning.

Also less and excepting:

Beginning at a point 672.96 feet North and 1124.08 feet West from the Southeast corner of the Northeast Quarter of Section 14, Township 2 South, Range 1 West, Salt Lake Base & Meridian; running thence Southeasterly 27.12 feet along the arc of a 171.11 foot radius curve to the left (which chord bearing is South 09 degrees 52'21" East); thence North 84 degrees West 251.04 feet; thence North 26.20 feet; thence South 84 degrees East 246.37 feet to the point of beginning.

**Parcel 2**

Beginning at a point 672.96 feet North and 1124.08 feet West from the Southeast corner of the Northeast Quarter of Section 14, Township 2 South, Range 1 West, Salt Lake Base & Meridian; running thence Southeasterly 27.12 feet along the arc of a 171.11 foot radius curve to the left (which chord bearing is South 09 degrees 52'21" East); thence North 84 degrees West 251.04 feet; thence North 26.20 feet; thence South 84 degrees East 246.37 feet to the point of beginning.

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

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

MURRAY CITY MUNICIPAL COUNCIL

---

Diane Turner, Chair

ATTEST:

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Brooke Smith, City Recorder

MAYOR'S ACTION: Approved

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

---

D. Blair Camp, Mayor

ATTEST:

---

Brooke Smith, City Recorder

CERTIFICATE OF PUBLICATION

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

---

Brooke Smith, City Recorder

- (9) parking stalls must be available for customer/employee parking at all times as required per Section 17.72.070.
5. The applicant shall maintain clear, appropriate vehicular access to the overhead doors on the building at all times.
  6. The applicant shall obtain permits for any new attached or detached signs proposed for the business.
  7. The applicant shall apply for a Murray City Business License for auto repair and auto sales prior to beginning operations at this location.

Seconded by Jeremy Lowry.

Call vote recorded by Ms. Nixon.

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

Motion passed 7-0.

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

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

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

cattle, horses, chickens, rabbits, apiaries, aviaries, and general agriculture including range and pastureland. Conditional Uses in the A-1 Zone include communications, radio and television transmitting stations, nurseries, cemeteries, protective functions, schools and churches, various commercial recreational uses, commercial animal husbandry uses and services, and commercial agriculture. Proposed R-1-8, Low Density Single Family Residential Zone, Permitted Uses include single-family detached dwellings on 8,000 ft<sup>2</sup> lots, utilities, charter schools, and residential childcare facilities. Conditional Uses include attached single-family dwellings (in Planned Unit Developments, or PUDs) telephone stations and relay towers, radio and television transmitting stations, parks, schools and churches, utilities, cemeteries, libraries, and group instruction in single-family dwellings. There are other differences such as setbacks and height limitations with the A-1 and R-1-8 Zone. A-1 requires one acre minimum per lot, R-1-8 is 8,000 ft<sup>2</sup> per lot and height of 35' in both A-1 and R-1-8. The front yard setback is a little different. For A-1 it is 30' and for R-1-8 it is 25'. Rear yard setback is 25' for both. The side yard setback in R-1-8 requires a minimum of 8' on one side for a total of 20', corner yard setback is 20' and there are two off street parking spaces required for each dwelling. The findings are that the General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances. The proposed Zone Map Amendment from A-1 to R-1-8 has been considered based on the site characteristics and zoning in the surrounding area. The potential impacts of the change can be managed with the densities and uses allowed by the proposed R-1-8 zone. During the application process this request is sent to other departments including police and fire departments, public works, and the city engineer who looks at traffic. None of those departments had concerns with the proposal. Staff is recommending that the Planning Commission forward a recommendation of approval to the City Council for the requested amendment from A-1 to R-1-8 at the property 5700 South 800 West.

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

Joe Colosimo, applicant stated his address as 11795 South Taitlyn Rose Lane, Draper. He addressed the layout with factoring in the roads and all the requirements of Murray City and stated he can fit seven 8,400 ft<sup>2</sup> lots.

Maren Patterson opened the meeting for public comments.

Pam Cotter, 752 Bullion Street

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

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

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

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

Call vote recorded by Mr. Smallwood.

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

Motion passed 7-0.

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

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

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

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

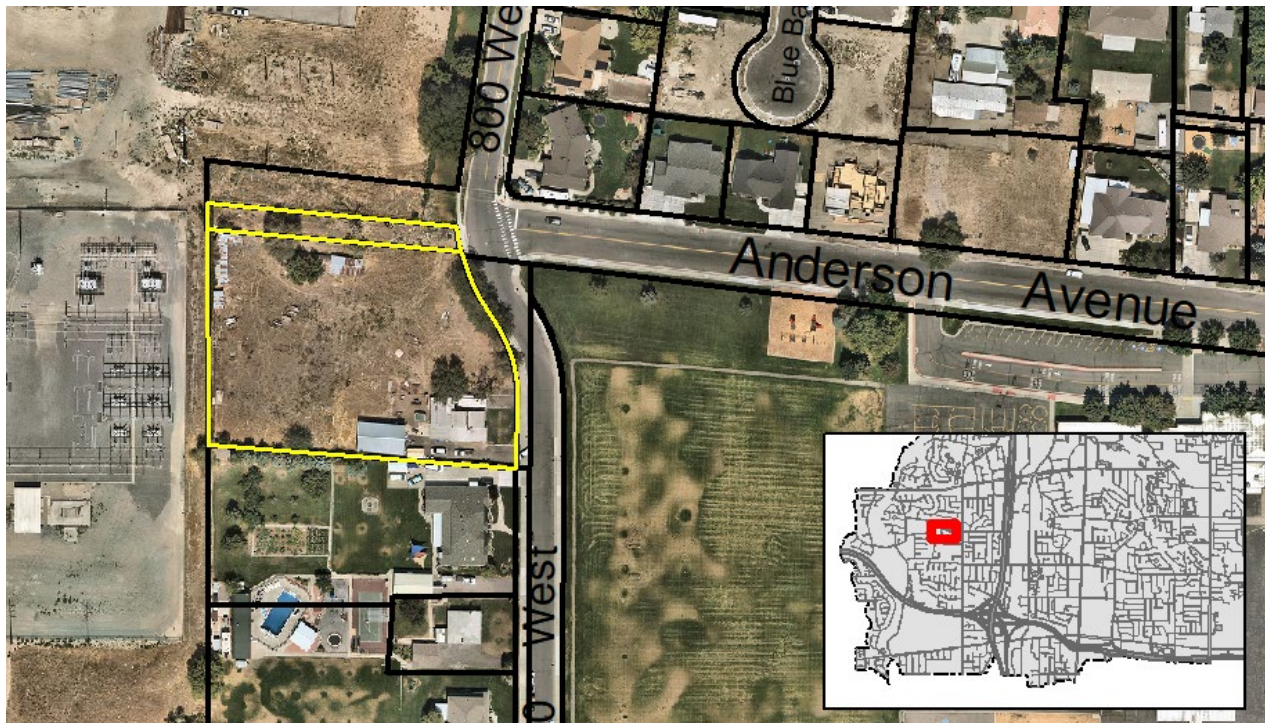
Ms. Patterson opened the meeting for public comment.





## AGENDA ITEM # 05

<b>ITEM TYPE:</b>	Zone Map Amendment		
<b>ADDRESS:</b>	5700 South 800 West	<b>MEETING DATE:</b>	October 21, 2021
<b>APPLICANT:</b>	Joe Colosimo	<b>STAFF:</b>	Zachary Smallwood, Senior Planner
<b>PARCEL ID:</b>	21-14-278-003 21-14-278-008	<b>PROJECT NUMBER:</b>	21-105
<b>CURRENT ZONE:</b>	A-1, Agriculture	<b>PROPOSED ZONES:</b>	R-1-8, Low Density Single Family
<b>SIZE:</b>	1.62 acres		
<b>REQUEST:</b>	The applicant would like to amend the zoning of the subject properties to allow for a potential single-family subdivision. The request is supported by the 2017 General Plan.		



## I. BACKGROUND & REVIEW

The subject property is a single-family home on 1.62 acres within the A-1 zone. The A-1 zone requires a minimum of 1-acre sized lots. The lot is located on the west side of 800 West next to Viewmont Elementary. The applicant would like to develop the property into a single-family subdivision and is requesting the R-1-8 zone, as it is the more prominent zoning designation in the area. The 2017 General Plan supports the change from agricultural uses to single-family dwellings.

To allow for a thorough, unbiased evaluation, City Staff, the Planning Commission, and the City Council do not include potential development plans in the review of a request to amend the Zoning Map. This allows the Planning Commission and City Council to determine whether a change in the Zoning Map is appropriate based on the allowed uses and development potential of the proposed zone.

### Surrounding Land Uses & Zoning

The subject properties are comprised of two parcels totaling 1.62 acres in the A-1 Zone located on the west side of 800 West and just south of Anderson Avenue. Murray City Power owns a large piece of property to the west with single-family residential to the north and south and Viewmont Elementary to the east. The staff report will focus on review and comparison of the differences between the existing and proposed Future Land Use and Zoning Map designations of the 1.62 acre subject property.

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Vacant / Utility	A-1
South	Single Family Residential	A-1
East	Vacant / Utility	A-1
West	Viewmont Elementary	R-1-8

### Zoning Considerations

The subject properties are located in the A-1, Agriculture Zone. While most surrounding properties are located in the R-1-8 Zone, all directly adjacent properties are located in the A-1 Zone. Comparisons of land uses and other zoning regulations in the existing and proposed zones follow.

### Allowed Land Uses

The most significant difference between the allowable uses in the existing A-1 Zone and the proposed R-1-8 zone is the allowed residential density. Aside from actual agriculture allowed in the A-1, the permitted uses and conditional uses themselves are very similar or the same.

- **Existing A-1, Agriculture Zone:**

Permitted Uses in the A-1 Zone include single-family dwellings on lots with a minimum area of 1-acre, utilities, medical cannabis pharmacies, cannabis production establishments, parks, field and seed crops, orchards and vineyards, non-commercial beef cattle, horses, chickens, rabbits, apiaries, aviaries and general agriculture including range and pasture land.

Conditional Uses in the A-1 Zone include communications, radio and television transmitting stations, nurseries, cemeteries, protective functions, schools and churches, various commercial recreational uses, commercial animal husbandry uses and services, and commercial agriculture.

- **Proposed R-1-8, Low Density Single Family Residential Zone:**

Permitted Uses in the proposed R-1-8 include single-family detached dwellings on 8,000 ft<sup>2</sup> lots, utilities, charter schools, and residential childcare facilities.

Conditional Uses in the proposed R-1-8 include attached single-family dwellings (in Planned Unit Developments, or PUDs) telephone stations and relay towers, radio and television transmitting stations, parks, schools and churches, utilities, cemeteries, libraries, and group instruction in single-family dwellings.

## Zoning Regulations

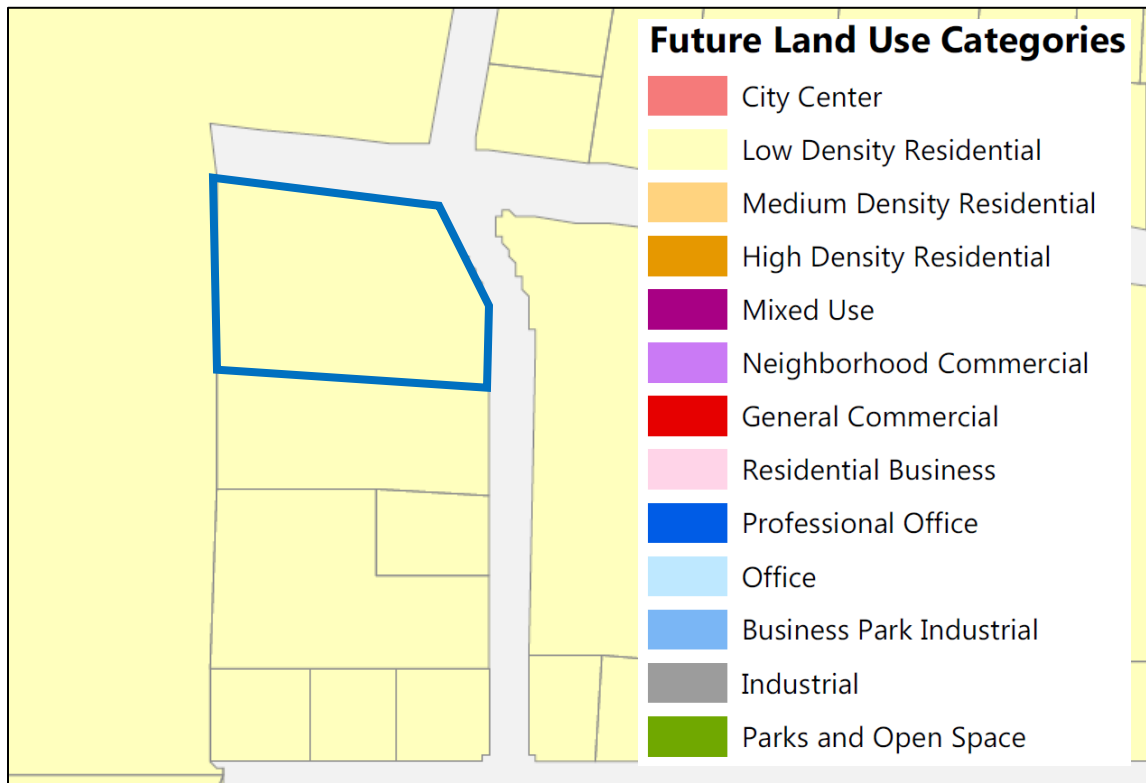
The more directly comparable regulations for setbacks, height, and parking between the existing A-1 and proposed R-1-8 zones are summarized in the table below.

	<b>A-1 (existing)</b>	<b>R-1-8</b>
Single-Family Lot Size	1 acre min per lot	8,000 ft <sup>2</sup> min per lot
Lot Width	100'	80' (90' for corner lot)
Height	35' or 40' with CUP	35'
Front yard setback	30'	25'
Rear Yard setback	25'	25'
Side Yard setbacks	10'	Minimum 8' total of 20'
Corner Yard setback	20'	20'

Parking Required	2 off-street spaces	2 off-street spaces
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### 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 “Low Density Residential”. The Low Density Residential designation corresponds to six zoning districts including both the existing A-1 Zone and the proposed R-1-8 Zone. The proposed rezone is supported by the General Plan. As a Future Land Use Designation, Low Density Residential is primarily intended to be used for low density residential and conversion of agricultural lands.

## **II. CITY DEPARTMENT REVIEW**

The applications have been made available for review and comment by City Staff from various departments including the Engineering Division, Fire Department, Power Department, Water Division, and Sewer Division. There were no objections or concerns from the reviewing departments.

## **III. PUBLIC COMMENTS**

Thirty-nine (39) notices of the public hearing for the requested amendment to the Zoning Map were sent to all property owners within 300' of the subject property and to affected entities. Notices were prepared on Thursday, September 23, 2021 and mailed out on Friday, September 24, 2021. A second notice was drafted and mailed on Monday October 4, 2021 as of the date of this staff report no comments have been made.

## **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 A-1 to R-1-8 is in harmony with the Future Land Use designation of the subject property and with goals of the General Plan. The General Plan identified the subject property as Low Density Residential as agricultural uses continue to decline within the city. The proposed change in zoning from A-1 to R-1-8 will allow for additional housing in the area which has developed over time as single-family dwellings.

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

The residential uses allowed by the proposed R-1-8 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 in an established residential neighborhood and would allow for additional housing in the area.

### **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 are not impacted by the proposed change in zoning. Reviewing service providers include sewer, power, fire, and engineering

department personnel. None had concerns or comments regarding impacts from the proposed change.

## V. FINDINGS

1. The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.
2. The proposed Zone Map Amendment from A-1 to R-1-8 has been considered based on the characteristics of the site and surrounding area. The potential impacts of the change can be managed with the densities and uses allowed by the proposed R-1-8 zone.
3. The proposed Zone Map Amendment from A-1 to R-1-8 conforms to important goals and objectives of the 2017 Murray City General Plan and will allow an appropriate development 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 properties located at 5700 South 800 West from A-1, Agriculture to R-1-8, Low Density Single Family as described in the Staff Report.**



# ZONING AMENDMENT APPLICATION

Type of Application (check all that apply):

Project # 21-105

- ☒ Zoning Map Amendment  
☐ Text Amendment  
☐ Complies with General Plan  
☒ Yes ☐ No

Subject Property Address: 5700 South 800 West

Parcel Identification (Sidwell) Number: 21-14-278-003, 21-14-278-008

Parcel Area: 1.62 / 70,567.207 Current Use: Single Family Lot

Existing Zone: A-1 Proposed Zone: R-1-B

Applicant

Name: JOE Colosimo

Mailing Address: P.O. Box 1178

City, State, ZIP: DRAPER, Utah 84020

Daytime Phone #: 801-556-3320 Fax #:

Email address: JOE @ colosimobrothers.com

Business or Project Name: FREAR ESTATES

Property Owner's Name (If different): George Frear

Property Owner's Mailing Address: 5700 S 800 West Murray, Utah 84123

City, State, Zip: Murray, Utah 84123

Daytime Phone #: Fax #: Email:

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

WE like to change the zoning from A-1 to R-1-B so we  
can do a 8 lot single family subdivision

Authorized Signature: [Signature] Date: 9-15-21

## Property Owners Affidavit

I (we) George Frear, 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.

George Frear  
Owner's Signature

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

State of Utah

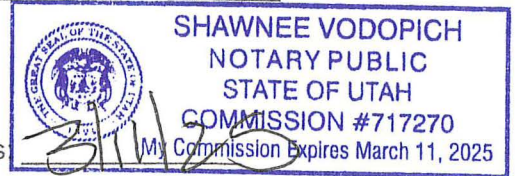
§

County of Salt Lake

Subscribed and sworn to before me this 10th day of Sept, 20 21.

[Signature]  
Notary Public  
Residing in Murray

My commission expires



### Agent Authorization

I (we), George Frear, the owner(s) of the real property located at  
5700 S 800 West, in Murray City, Utah, do hereby appoint  
Joe Colosimo, as my (our) agent to represent me (us) with  
regard to this application affecting the above described real property, and authorize

Joe Colosimo 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 HEARING

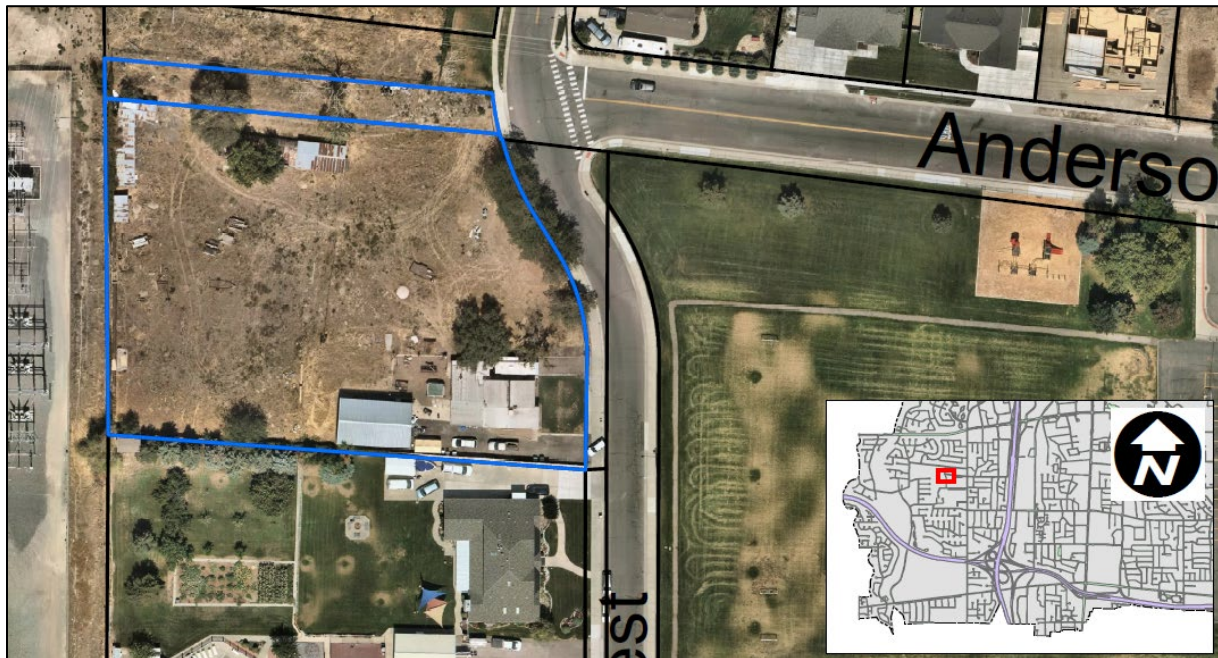
October 7, 2021, 6:30 PM

The Murray City Planning Commission will hold a public hearing in the Murray City Municipal Council Chambers, located at 5025 S. State Street to receive public comment on the following application:

Joe Colosimo is requesting a Zone Map Amendment to the properties addressed 5700 South 800 West from A-1, Agricultural to R-1-8, Low Density Single Family.

The meeting is open and the public is welcome to attend in person 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 online, 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, written comments will be read into the meeting record.*



This notice is being sent to you because you own property within 450 feet of the subject property. If you have questions or comments concerning this proposal, please contact Zachary Smallwood in the Murray City Planning Division at 801-270-2430, or e-mail [zsmallwood@murray.utah.gov](mailto:zsmallwood@murray.utah.gov).





**\*\*CORRECTED\*\***

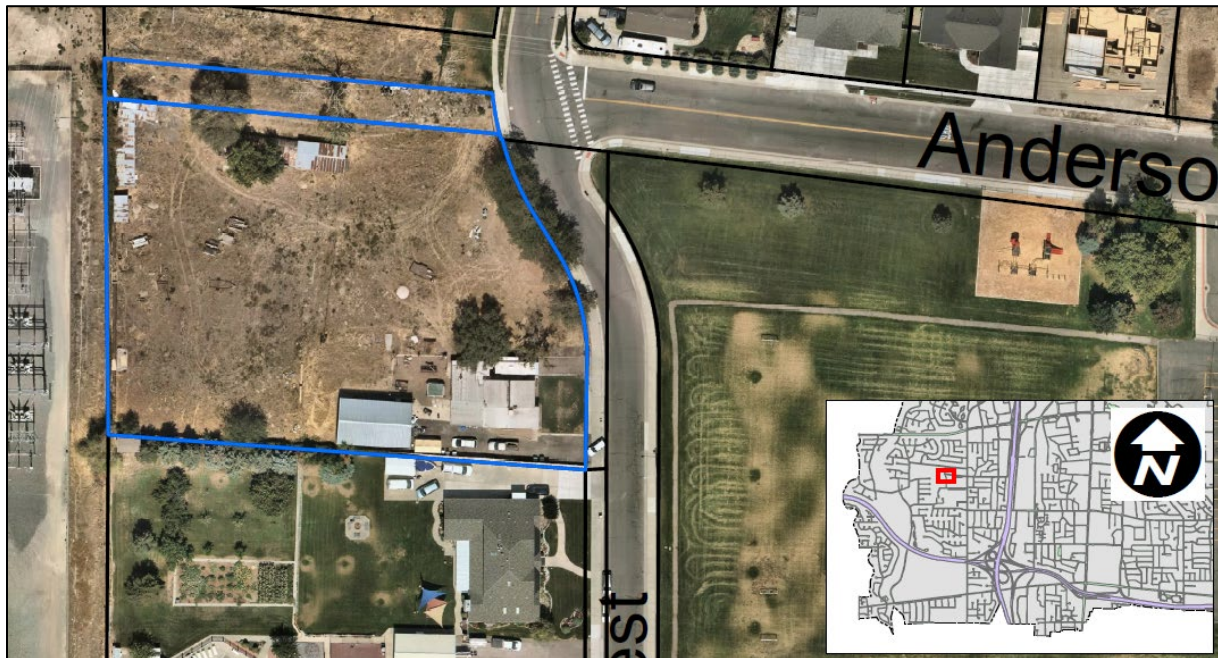
## NOTICE OF PUBLIC HEARING

October 21, 2021, 6:30 PM

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

This notice is being sent to you because you own property within 450 feet of the subject property. If you have questions or comments concerning this proposal, please contact Zachary Smallwood in the Murray City Planning Division at 801-270-2430, or e-mail [zsmallwood@murray.utah.gov](mailto:zsmallwood@murray.utah.gov).

## EXHIBIT A - LEGAL DESCRIPTION

### Parcel 1

Beginning at a point on the East line of property described in that certain Warranty Deed where in Murray City Corporation appears as grantee Dated August 3, 1976 and Recorded August 30, 1976 as Entry No. 2850654 in Book 4318 at Page 287 of Official Records, said point being 6.88 chains North and 20.85 chains West more or less from the Southeast corner of the Northeast quarter of Section 14, Township 2 South, Range 1 West, Salt Lake Base and Meridian; and running thence North 3.35 chains; thence South 84 degrees East 5 chains; thence South 3.17 chains; thence North 86 degrees West 5 chains, more or less, to the point of beginning.

Less and excepting:

Beginning at a point 1060.10 feet West and 430.32 feet North from the East quarter of corner of Section 14, Township 2 South, Range 1 West, Salt Lake Base & Meridian; running thence South 86 degrees East 14.03 feet; thence North 209.22 feet; thence North 84 degrees West 73.74 feet; thence Southeasterly 55.79 feet along the arc of a 171.11 foot radius curve to the left, (which chord bearing is South 23 degrees 45'10" East); thence South 33 degrees 05'39" East 30.80 feet; thence Northerly 71.73 feet along the arc of a 124.18 foot radius curve to the right (which chord bearing is South 16 degrees 32'49" East); thence South 71.5 feet to the point of beginning.

Also less and excepting:

Beginning at a point 672.96 feet North and 1124.08 feet West from the Southeast corner of the Northeast Quarter of Section 14, Township 2 South, Range 1 West, Salt Lake Base & Meridian; running thence Southeasterly 27.12 feet along the arc of a 171.11 foot radius curve to the left (which chord bearing is South 09 degrees 52'21" East); thence North 84 degrees West 251.04 feet; thence North 26.20 feet; thence South 84 degrees East 246.37 feet to the point of beginning.

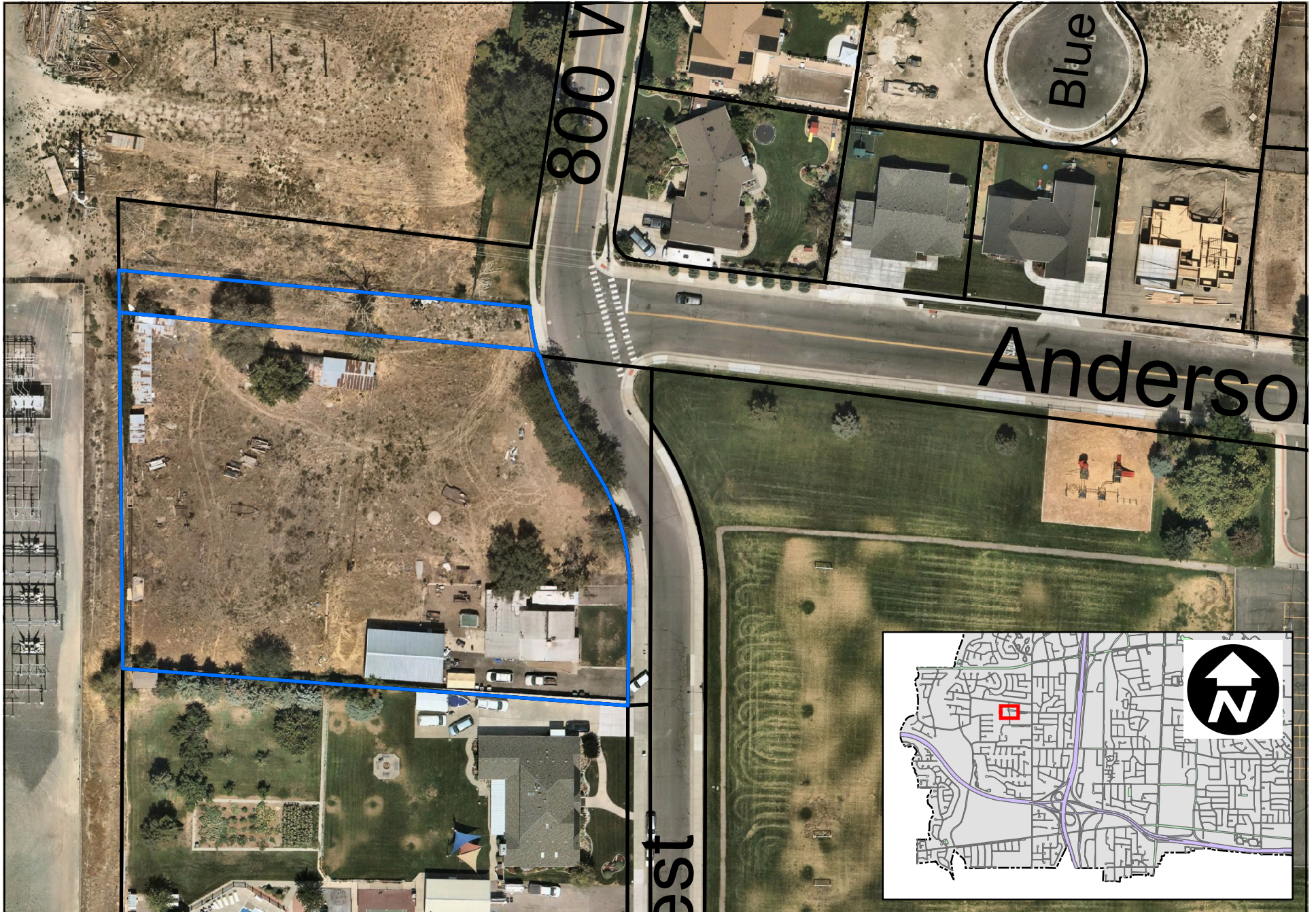
### Parcel 2

Beginning at a point 672.96 feet North and 1124.08 feet West from the Southeast corner of the Northeast Quarter of Section 14, Township 2 South, Range 1 West, Salt Lake Base & Meridian; running thence Southeasterly 27.12 feet along the arc of a 171.11 foot radius curve to the left (which chord bearing is South 09 degrees 52'21" East); thence North 84 degrees West 251.04 feet; thence North 26.20 feet; thence South 84 degrees East 246.37 feet to the point of beginning.

21-14-22



# 5700 South 800 West



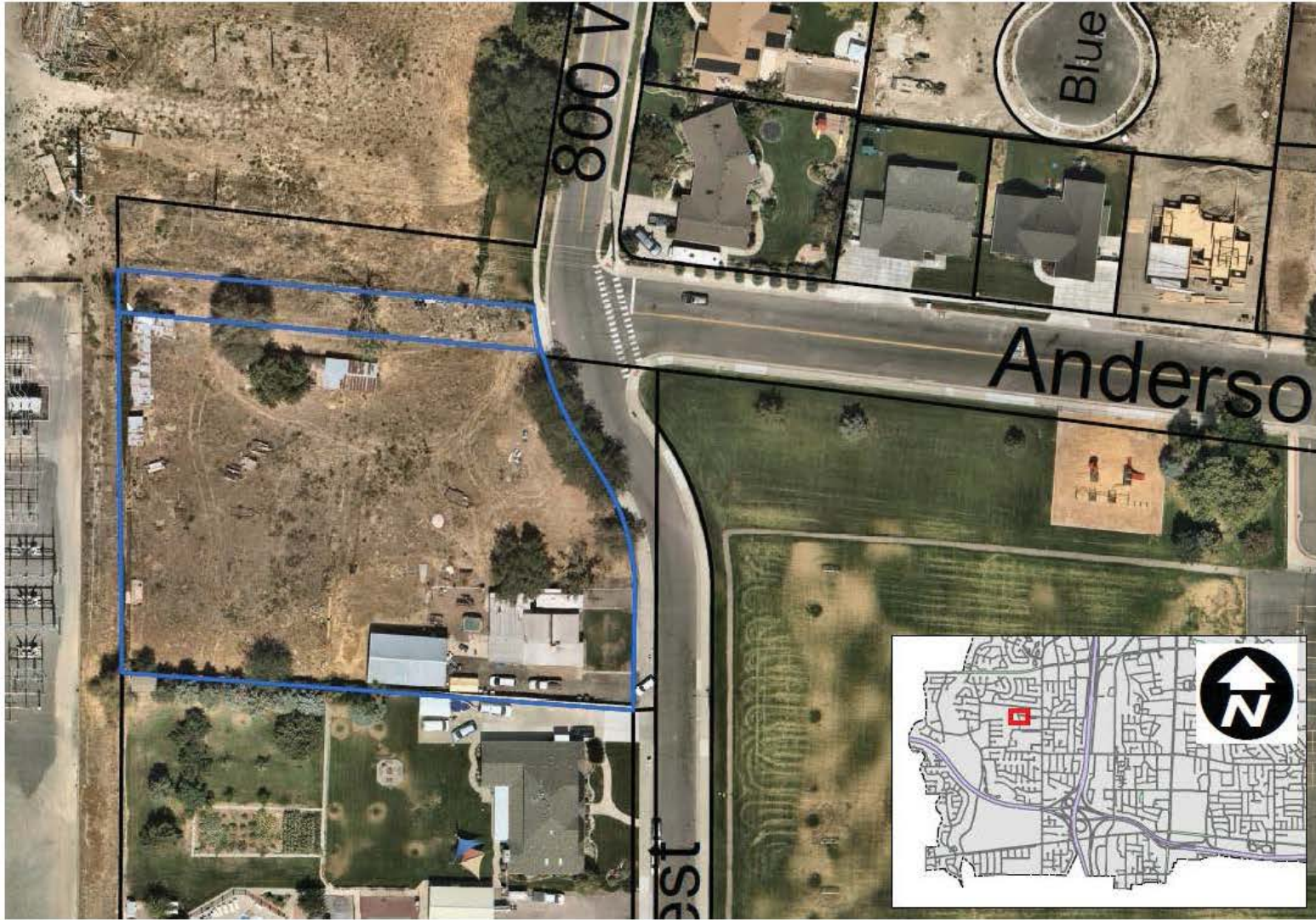


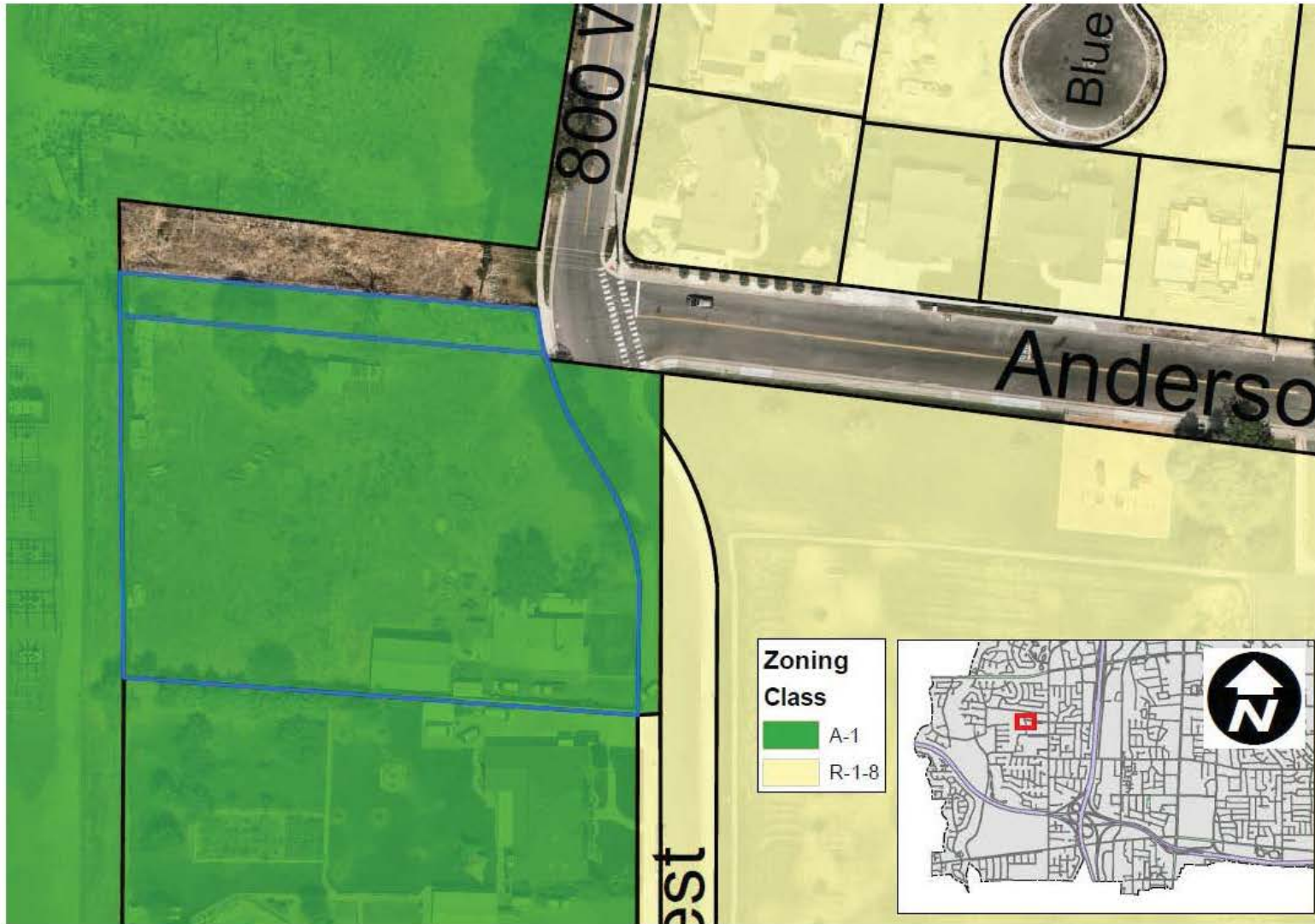
**Applicant:** Joe Colosimo



**Request:** Zone Map Amendment from A-1 to R-1-8

**Address:** 5700 South 800 West







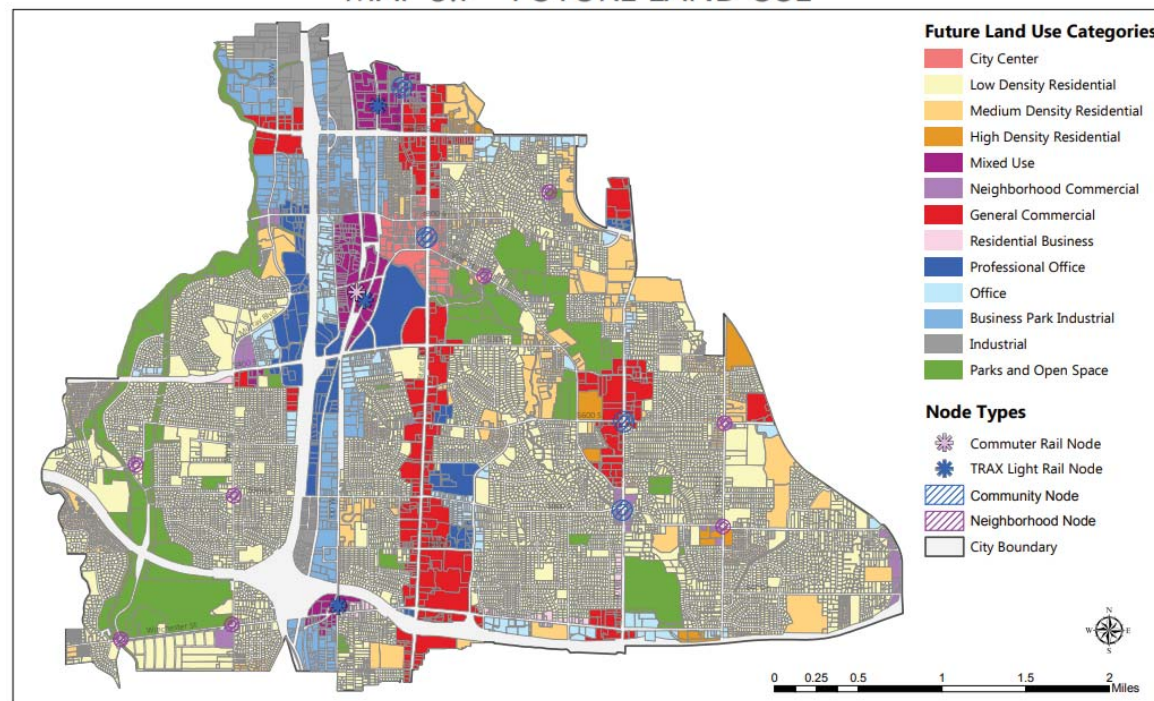
Zoning Class	
	A-1
	R-1-8



# The General Plan

Each property in the city is designated in one of the Future Land Use Categories identified by Map 5.7 (below). Each category in Chapter 5 is subsequently detailed as to intent and characteristics, and “corresponding zones” are called out.

MAP 5.7 - FUTURE LAND USE







## LOW DENSITY RESIDENTIAL

This designation is intended for residential uses in established/planned neighborhoods, as well as low density residential on former agricultural lands. The designation is Murray's most common pattern of single-dwelling development. It is intended for areas where urban public services, generally including complete local street networks and access to frequent transit, are available or planned. Areas within this designation generally have few or very minor development constraints (such as infrastructure or sensitive lands). Primary lands/use types include single-dwelling (detached or attached) residential.

Density range is between 1 and 8 DU/AC.

Corresponding zone(s):

- A-1, Agricultural
- R-1-12, Low density single family
- R-1-10, Low density single family
- R-1-8, Low density single family
- R-1-6, Low/Medium density single family
- R-2-10, Low density two family



Existing Zoning: A-1  
Proposed Zoning: R-1-8

*The proposed zoning to allow a subdivision does not require a change to the Future Land Use Map of the General Plan.*

## Zone Comparison

	<b>A-1 (existing)</b>	<b>R-1-8</b>
Single-Family Lot Size	1 acre min per lot	8,000 ft <sup>2</sup> min per lot
Lot Width	100'	80' (90' for corner lot)
Height	35' or 40' with CUP	35'
Front yard setback	30'	25'
Rear Yard setback	25'	25'
Side Yard setbacks	10'	Minimum 8' total of 20'
Corner Yard setback	20'	20'
Parking Required	2 off-street spaces	2 off-street spaces

# Planning Commission

- A public hearing was held by the Planning Commission on October 21, 2021
- Thirty-nine (39) notices were sent to all property owners within 300' of the subject property and to affected entities
- One public comment was received which centered around traffic and parking when school events are held
- The Planning Commission voted 7-0 to forward a recommendation of approval to the City Council

# Findings

1. The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.
2. The proposed Zone Map Amendment from A-1 to R-1-8 has been considered based on the characteristics of the site and surrounding area. The potential impacts of the change can be managed with the densities and uses allowed by the proposed R-1-8 zone.
3. The proposed Zone Map Amendment from A-1 to R-1-8 conforms to important goals and objectives of the 2017 Murray City General Plan and will allow an appropriate development of the subject property.
4. The Planning Commission voted 7-0 to forward a recommendation of approval to the City Council on 10/21/2021.

# Staff Recommendation

Staff and the Planning Commission recommend that the City Council **APPROVE** the requested amendment to the Zoning Map designation of the properties located at 5700 South 800 West from A-1, Agriculture to R-1-8, Low Density Single Family as described in the Staff Report.



**MURRAY**  
CITY COUNCIL

# Public Hearing #3





**MURRAY**


# Community & Economic Development

Zone Map Amendment from R-1-8, Low Density Single Family to R-1-6, Medium Density Single Family for the property located at 871 West Tripp Lane

## Council Action Request

### Council Meeting

Meeting Date: December 7, 2021

<b>Department Director</b> Melinda Greenwood  <b>Phone #</b> 801-270-2428  <b>Presenters</b> Melinda Greenwood Zachary Smallwood	<b>Purpose of Proposal</b>  Amend the Zoning Map of the subject properties to facilitate residential development  <b>Action Requested</b>  Approval of Zone Map Amendment for 871 West Tripp Lane  <b>Attachments</b>  Presentation Slides  <b>Budget Impact</b>  None.  <b>Description of this Item</b>  <b>BACKGROUND</b> The subject property is vacant and is approximately 2.9 acres within the R-1-8 zone and was rezoned from A-1, Agricultural to R-1-8, Low Density Single Family in September 2019. In July of 2020, NeighborWorks obtained preliminary subdivision approval with a road connecting Tripp Lane to Willow Grove Lane. However, a small portion of privately held property necessitated Council action for the road extension to take place. The City Council was unwilling to use eminent domain to acquire the property, making the planned Tripp Lane extension impossible. Given this, the subdivision must be re-designed with a cul-de-sac.  The applicant would like to develop the property into a single-family subdivision. As a result of the time and money used to develop a new subdivision design and the difficulties of designing lots with the cul-de-sac and utility connections that are still required through to
<b>Required Time for Presentation</b>  <b>Is This Time Sensitive</b> No  <b>Mayor's Approval</b>   <b>Date</b> November 18, 2021	

### **Continued from Page 1**

Willow Grove Lane, the applicants are requesting to change the zoning to R-1-6 to allow for the potential of three additional lots. If the zone change is approved, they would need to obtain a new preliminary and final subdivision approval.

### **ZONING REGULATIONS**

The most significant difference between the allowable uses in the existing R-1-8 Zone and the proposed R-1-6 zone is the required lot size. The permitted and conditional uses themselves are nearly identical.

- **Existing R-1-8, Low Density Single Family Residential Zone:**  
Permitted Uses in the proposed R-1-8 include single-family detached dwellings on 8,000 ft<sup>2</sup> lots, utilities, charter schools, and residential childcare facilities.

Conditional Uses in the proposed R-1-8 include attached single-family dwellings (in Planned Unit Developments, or PUDs) telephone stations and relay towers, radio and television transmitting stations, parks, schools and churches, utilities, cemeteries, libraries, and group instruction in single-family dwellings.

- **Proposed R-1-6, Single Family Medium Density Residential Zone:**  
Permitted Uses in the proposed R-1-6 include single-family detached dwellings on 6,000 ft<sup>2</sup> lots, utilities, charter schools, and residential childcare facilities.

Conditional Uses in the proposed R-1-6 include attached single-family dwellings (in Planned Unit Developments, or PUDs) telephone stations and relay towers, radio and television transmitting stations, parks, schools and churches, utilities, cemeteries, libraries, and group instruction in single-family dwellings.

### **CITY DEPARTMENT REVIEW**

The application was reviewed by City Staff from various departments including the Engineering Division, Fire Department, Power Department, Water Division, and Sewer Division. There were no objections or concerns from the reviewing departments.

### **PLANNING COMMISSION**

Ninety (90) notices of the public hearing for the requested amendment to the Zoning Map were sent to all property owners within 400' of the subject property and to affected entities.

The Planning Commission held a public hearing for this item on October 21, 2021. One (1) comment was received with concerns about traffic and parking along Anderson Avenue and Tripp Lane. The Planning Commission voted 6-1 to forward a recommendation of approval of the proposed zone map amendment.

### **FINDINGS**

1. The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.

2. The proposed Zone Map Amendment from R-1-8 to R-1-6 has been considered based on the characteristics of the site and surrounding area. The potential impacts of the change can be managed within the densities and uses allowed by the proposed R-1-6 zone.
3. The proposed Zone Map Amendment from R-1-8 to R-1-6 conforms to important goals and objectives of the 2017 Murray City General Plan and will allow an appropriate development of the subject property.

#### **RECOMMENDATION**

Based on the background, staff review, and the Planning Commission recommendation, staff recommends **APPROVAL** of the proposed zone map amendment for the properties located at 871 West Tripp Lane from R-1-8, Low Density Single Family to R-1-6, Medium Densi

# Murray City Corporation

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 7<sup>th</sup> day of December, 2021, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold and conduct a hearing on and pertaining to amending the Zoning Map from the R-1-8 (Low Density Residential) zoning district to the R-1-6 (Low/Medium Density Residential) zoning district for the property located at approximately 871 West Tripp Lane, Murray, Utah.

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

DATED this 12<sup>th</sup> day of November 2021.



MURRAY CITY CORPORATION

A handwritten signature in blue ink, appearing to read "Brooke Smith", written over a horizontal line.

Brooke Smith  
City Recorder

DATE OF PUBLICATION: November 26, 2021  
PH21-39

UCA §10-9a-205(2)

- Posted on City's Website
- Posted on Utah Public Notice Website
- Mailed to each affected entity
- Mailed to each property owner within distance parameters (*City Code 17.04.140*)

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

AN ORDINANCE RELATING TO LAND USE; AMENDS THE ZONING MAP FOR THE PROPERTIES LOCATED AT APPROXIMATELY 871 WEST TRIPP LANE, MURRAY CITY, UTAH FROM R-1-8 (LOW DENSITY SINGLE FAMILY) TO R-1-6 (LOW/MEDIUM DENSITY RESIDENTIAL) (Salt Lake Neighborhood Housing Services - Applicant)

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

WHEREAS, the owners of the real property located at approximately 871 West Tripp Lane, Murray, Utah, has requested a proposed amendment to the zoning map to designate the property in an R-1-6 (Low/Medium Density Residential) zone district; and

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

WHEREAS, it appearing to be in the best interest of the 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 approximately 871 West Tripp Lane, Murray, Salt Lake County, Utah from the R-1-8 (Low Density Single Family) zone district to the R-1-6 (Low/Medium Density Residential) zone district:

A PARCEL OF LAND SITUATE WITHIN THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 1WEST; SALT LAKE BASE AND MERIDIAN, LOCATED IN MURRAY CITY, COUNTY OF SALT LAKE, STATE OF UTAH, SAID PARCEL BEING ALL OF THAT CERTAIN TRACT OF LAND CONVEYED TO RAMON GALVAN AND AURELIA BELLA GALVAN BY WARRANTY DEED RECORDED SEPTEMBER 12, 1957, AS ENTRY NO. 1556067, N BOOK 1444, AT PAGE 296 OF OFFICIAL RECORDS ON FILE WITH THE SALT LAKE COUNTY RECORDER'S OFFICE AND BEING MORE PARTICULARLY DESCRIBED BY SURVEY AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 14, WALDEN RIDGE PHASE 2 SUBDIVISION, RECORDED IN BOOK 87P, AT PAGE 33, OF OFFICIAL RECORDS, SAID POINT BEING SOUTH 89°44'28" WEST, ALONG THE EAST-WEST CENTER SECTION LINE, A DISTANCE OF 1649.30 FEET (WEST, 1597.52 FEET BY DEED), FROM THE SALT LAKE COUNTY BRASS CAP MONUMENT MARKING THE EAST QUARTER CORNER OF SAID SECTION 14 (BASIS OF BEARING BEING SOUTH 0°14'26" EAST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 14) AND RUNNING THENCE NORTH 89°44'28" EAST, ALONG THE EAST-WEST CENTER SECTION LINE, AND THE SOUTHERLY LINE OF PARCEL CONVEYED TO MURRAY CITY, CORPORATION BY WARRANTY DEED

RECORDED AUGUST 1976, AS ENTRY NO. 2841087, IN BOOK 4287 AT PAGE 350, A DISTANCE OF 289.70 FEET, TO THE EASTERLY LINE OF SAID TRACT, AND THE WEST LINE OF PARCEL CONVEYED OWEN JONES BY WARRANTY DEED RECORDED DECEMBER 19, 1946, ENTRY NO. 1066987, WHICH WAS SUBSEQUENTLY CONVEYED TO THE BOARD OF EDUCATION OF MURRAY CITY SCHOOL DISTRICT BY WARRANTY DEED RECORDED SEPTEMBER 19, 1960, AS ENTRY NO. 1739142, N BOOK 1745 AT PAGE 549; THENCE ALONG SAID EASTERLY LINE THE FOLLOWING TWO (2) COURSES: (1) SOUTH 23°00'53" WEST, A DISTANCE OF 236.93 FEET (NORTH 22°45" EAST, 14.55 RODS BE DEED); (2) SOUTH 1°12'57" EAST, A DISTANCE OF 265.27 FEET (NORTH 16.15 RODS BY DEED), TO THE NORTH LINE OF PARCEL CONVEYED TO RONALD G. LARSEN, BY TAX DEED, RECORDED JUNE 28, 2010, AS ENTRY NO. 10978611, IN BOOK 9835 AT PAGE 9888; THENCE SOUTH 88°59'00" WEST, ALONG THE NORTH LINE OF SAID LARSEN PARCEL, A DISTANCE OF 34.51 FEET, TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH, ALONG THE WEST LINE OF SAID PARCEL, A DISTANCE OF 4.99 FEET, TO THE NORTH LINE OF MURRAY OAKS PHASE V SUBDIVISION, RECORDED IN BOOK 2004P, AT PAGE 249; THENCE SOUTH 88°57'52" WEST, ALONG THE NORTH LINE OF SAID MURRAY OAKS PAGE V SUBDIVISION, A DISTANCE OF 142.65 FEET, TO THE NORTHWEST CORNER OF LOT 14, SAID SUBDIVISION AND THE NORTHEAST CORNER OF PARCEL CONVEYED TO RAMON & AURELIA B. GALVAN, BY TAX DEED, RECORDED JUNE 28, 2010, AS ENTRY NO. 10978610, N BOOK 9835, AT PAGE 9887; THENCE SOUTH 0°22'22" WEST, ALONG THE WEST LINE OF SAID MURRAY OAKS PAGE V SUBDIVISION, A DISTANCE OF 7.00 FEET, TO THE SOUTHERLY LINE OF SAID PARCEL CONVEYED TO RAMON & AURELIA B. GALVAN, BY AFORESAID TAX DEED, AND THE NORTHERLY LINE OF PARCEL CONVEYED TO THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, RECORDED JULY 05, 1990 BY WARRANTY DEED RECORDED AS ENTRY NO. 4937394 IN BOOK 6234, AT PAGE 345, SAID LINES HAVING BEEN RETRACED BY THAT CERTAIN RECORD OF SURVEY PREPARED BY MCNEIL ENGINEERING AND CERTIFIED BY DALE K. BENNETT, AND FILED WITH THE SALT LAKE COUNTY SURVEYOR'S OFFICE AS SURVEY NO. S99-07-0498; THENCE WEST AND NORTH ALONG SAID CHURCH PARCEL AND SURVEYED LINE THE FOLLOWING TWO (2) COURSES: (1) SOUTH 88°57'46" WEST, A DISTANCE OF 82.16 FEET; (2) NORTH 6°28'44" EAST, ALONG SAID SURVEYED LINE AND THE EAST LINE OF AFORESAID WALDEN RIDGE PHASE 2 SUBDIVISION, A DISTANCE OF 501.85 FEET (SOUTH 6°30' WEST 499.5' BY DEED), TO THE POINT OF BEGINNING.

**Tax ID Number: 21-14-401-001-0000 & 21-14-401-022-0000**

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

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



MURRAY CITY MUNICIPAL COUNCIL

\_\_\_\_\_  
Diane Turner, Chair

ATTEST:

\_\_\_\_\_  
Brooke Smith, City Recorder

MAYOR'S ACTION: Approved

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

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

ATTEST:

\_\_\_\_\_  
Brooke Smith, City Recorder

CERTIFICATE OF PUBLICATION

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

\_\_\_\_\_  
Brooke Smith, City Recorder

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

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

Call vote recorded by Mr. Smallwood.

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

Motion passed 7-0.

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

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

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

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

Ms. Patterson opened the meeting for public comment.

Elizabeth Larson, 5659 South 800 West

*My concern is the traffic on Tripp Lane with 13 new homes. Homes are fine, but the street is so narrow and has a traffic impact study been done? I live right around the corner from Anderson Avenue which is the street Viewmont is on and it is much wider and accommodates school traffic much better than Tripp Lane. With the additional homes going in what will that do to the traffic. When I compare Hillcrest and Riverview's way of dropping off kids, where people can drive to take kids, and safety, there is no comparison. There are several ways to get to Hillcrest and it has a well-planned out drop off zone.*

Pam Cotter, 752 Bullion Street

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

Scott Hales, 820 West Tripp Lane

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

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

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

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

Ned Hacker made a motion to forward a recommendation of approval to the City Council for the requested amendment to the Zoning Map Designation of the property located at 871 West Tripp

Lane from R-1-8 Low Density Single Family to R-1-6 Medium Density Single Family. Seconded by Travis Nay.

Call vote recorded by Mr. Smallwood.

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

Motion passed 6-1.

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

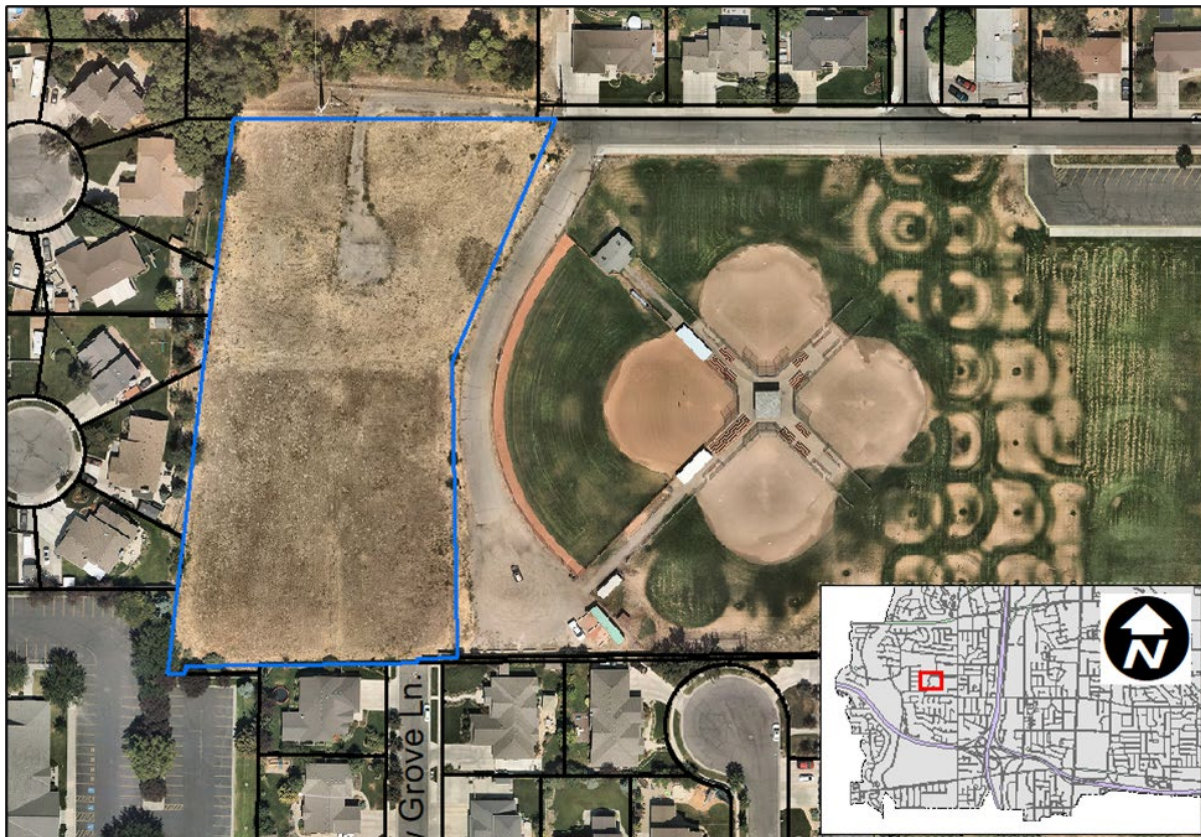
The applicant would like to amend the Future Land Use Map designation and Zoning of the subject properties to facilitate mixed-use redevelopment at the property located at 861 E. Winchester and 6520, 6550, & 6580 South 900 East. Jared Hall presented the request. Currently the site is in the C-D, Commercial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

The M-U Zone was looked at a year ago, before this new VMU zone was created. At that time the City Council expressed how the M-U may not fit well and desired better decisions with allowed densities because the properties are further from transit opportunities and wanted to consider more buffering for residential areas because the downtown core doesn't have a lot of single family residential to worry about for buffering. When the zones were written and drafted and presented to the City, they were written with guideposts that would define where those new



## AGENDA ITEM # 06

<b>ITEM TYPE:</b>	Zone Map Amendment		
<b>ADDRESS:</b>	871 West Tripp Lane	<b>MEETING DATE:</b>	October 21, 2021
<b>APPLICANT:</b>	David Foster, Neighborworks Salt Lake	<b>STAFF:</b>	Zachary Smallwood, Senior Planner
<b>PARCEL ID:</b>	21-14-401-028	<b>PROJECT NUMBER:</b>	21-109
<b>CURRENT ZONE:</b>	R-1-8, Low Density Single Family	<b>PROPOSED ZONES:</b>	R-1-6, Medium Density Single Family
<b>SIZE:</b>	2.9 acres		
<b>REQUEST:</b>	The applicant would like to amend the zoning of the subject property to allow for a potential single-family subdivision. The request is supported by the 2017 General Plan.		



## I. BACKGROUND & REVIEW

The subject property was rezoned from A-1, Agricultural to R-1-8, Low Density Single Family in September 2019. The applicants obtained preliminary subdivision approval with a road connecting Tripp Lane to Willow Grove Lane in July of 2020 with the understanding that because of a small portion of privately held property which would intervene between the existing Willow Grove Lane and planned Tripp Lane extension, the road connection may not be possible. In that event, the subdivision would have to be re-designed with a cul-de-sac. The City Council heard arguments and considered options to achieve the connection, but ultimately the applicants have had to redesign the subdivision without the connection. As a result of the time and money used to develop a new subdivision design and the difficulties of designing lots with the cul-de-sac and utility connections that are still required through to Willow Grove Lane, the applicants are requesting to change the zoning to R-1-6 to allow for the potential of three additional lots. If the zone change is approved, they would need to obtain a new preliminary and final subdivision approval.

The subject property is vacant and is approximately 2.9 acres within the R-1-8 zone. The R-1-8 zone requires a minimum of 8,000 ft<sup>2</sup> sized lots. The property is located on the west side of Tripp Lane (5750 South) next to Riverview Junior High. The applicant would like to develop the property into a single-family subdivision and is requesting the R-1-6 zone to help offset the costs associated with developing the cul-de-sac option. The 2017 General Plan supports the change from agricultural uses to single-family dwellings.

To allow for a thorough, unbiased evaluation, City Staff, the Planning Commission, and the City Council do not include potential development plans in the review of a request to amend the Zoning Map. This allows the Planning Commission and City Council to determine whether a change in the Zoning Map is appropriate based on the allowed uses and development potential of the proposed zone.

### Surrounding Land Uses & Zoning

The subject property is approximately 2.9 acres in the R-1-8 Zone located on the west side of Tripp Lane and adjacent to Riverview Junior High School. Murray City Power owns a large piece of property to the north with single-family residential to the west and south. The staff report will focus on review and comparison of the differences between the existing and proposed Future Land Use and Zoning Map designations of the 2.9 acre subject property.

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Public Utility	A-1
South	Single Family Residential	A-1



East	Riverview Jr. High	R-1-8
West	Single Family Residential	R-1-8

### Zoning Considerations

The subject property is located in the R-1-8, Low Density Single Family Zone. Most surrounding properties are located in the R-1-8 Zone, the request to amend the zoning map to allow the R-1-6 is supported by the General Plan's Future Land Use Map. Comparisons of land uses and other zoning regulations in the existing and proposed zones follow.

### Allowed Land Uses

The most significant difference between the allowable uses in the existing R-1-8 Zone and the proposed R-1-6 zone is the required lot size. The permitted and conditional uses themselves are nearly identical.

- Existing R-1-8, Low Density Single Family Residential Zone:**  
Permitted Uses in the proposed R-1-8 include single-family detached dwellings on 8,000 ft<sup>2</sup> lots, utilities, charter schools, and residential childcare facilities.  
  
Conditional Uses in the proposed R-1-8 include attached single-family dwellings (in Planned Unit Developments, or PUDs) telephone stations and relay towers, radio and television transmitting stations, parks, schools and churches, utilities, cemeteries, libraries, and group instruction in single-family dwellings.
- Proposed R-1-6, Single Family Medium Density Residential Zone:**  
Permitted Uses in the proposed R-1-6 include single-family detached dwellings on 6,000 ft<sup>2</sup> lots, utilities, charter schools, and residential childcare facilities.  
  
Conditional Uses in the proposed R-1-6 include attached single-family dwellings (in Planned Unit Developments, or PUDs) telephone stations and relay towers, radio and television transmitting stations, parks, schools and churches, utilities, cemeteries, libraries, and group instruction in single-family dwellings.

### Zoning Regulations

The more directly comparable regulations for setbacks, height, and parking between the existing R-1-8 and proposed R-1-6 zones are summarized in the table below.

	<b>R-1-8</b>	<b>R-1-6</b>
--	--------------	--------------

Single-Family Lot Size	8,000 ft <sup>2</sup> min per lot	6,000 ft <sup>2</sup> min per lot
Lot Width	80' (90' for corner lot)	60' (70' for corner lot)
Height	35'	30'
Front yard setback	25'	20'
Rear Yard setback	25'	25'
Side Yard setbacks	Minimum 8' total of 20'	5'
Corner Yard setback	20'	20'
Parking Required	2 off-street spaces	2 off-street spaces

### 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.

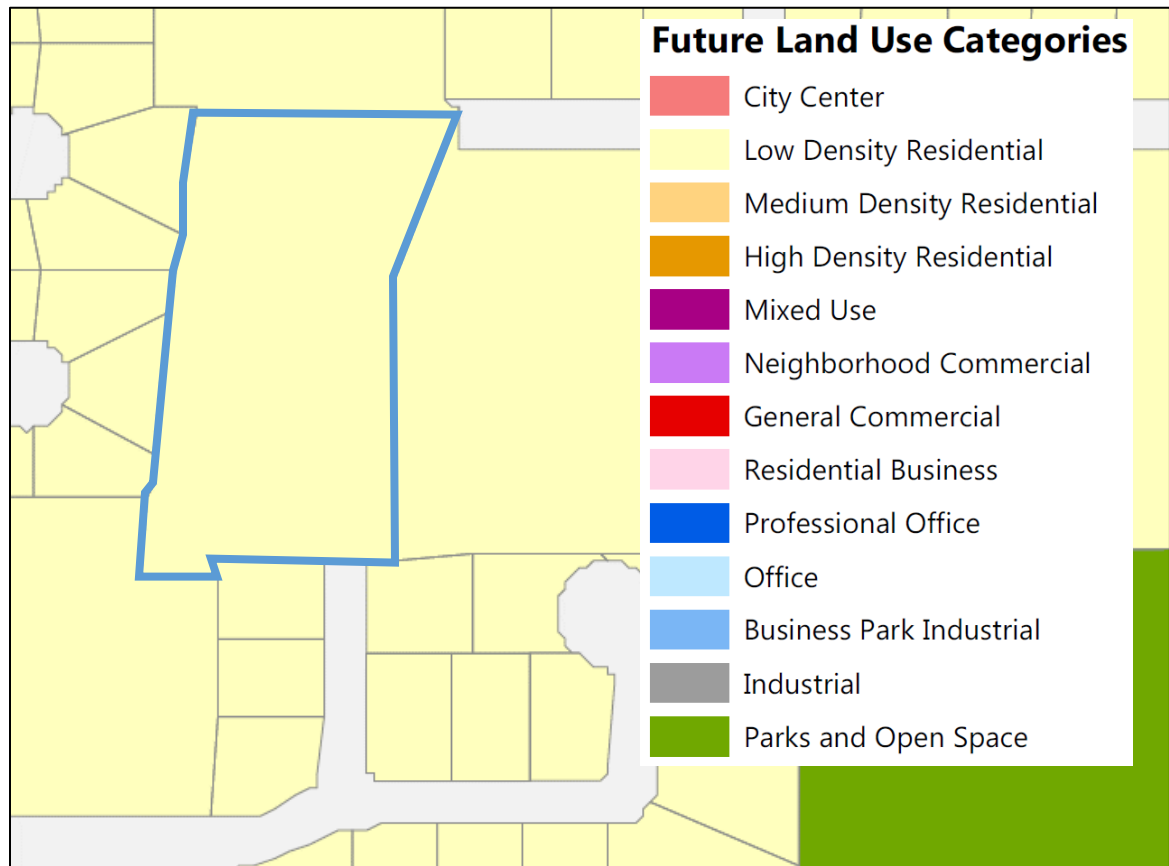


Figure 1: Future Land Use Map

The subject property is designated “Low Density Residential”. The Low Density Residential designation corresponds to six zoning districts including both the existing R-1-8 Zone and the proposed R-1-6 Zone. The proposed rezone is supported by the General Plan. As a Future Land Use Designation, Low Density Residential is primarily intended to be used for single family residential and conversion of agricultural lands.

## II. CITY DEPARTMENT REVIEW

The applications have been made available for review and comment by City Staff from various departments including the Engineering Division, Fire Department, Power Department, Water Division, and Sewer Division. There were no objections or concerns from the reviewing departments.

## III. PUBLIC COMMENTS

Ninety (90) notices of the public hearing for the requested amendment to the Zoning Map were sent to all property owners within 400' of the subject property and to affected entities. Notices were prepared and mailed on Thursday, October 07, 2021, there have been two phone calls concerned with traffic along Tripp Lane and one email in support of the zone change.

#### **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 R-1-8 to R-1-6 is in harmony with the Future Land Use designation of the subject property and with goals of the General Plan. The General Plan identified the subject property as Low Density Residential. The proposed change in zoning from R-1-8 to R-1-6 will allow for additional housing in the area which has developed over time as single-family dwellings.

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

The residential uses allowed by the proposed R-1-6 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 in an established residential neighborhood and would allow for additional single-family housing in the area.

**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 are not impacted by the proposed change in zoning. Reviewing service providers include sewer, power, fire, and engineering department personnel. None had concerns or comments regarding impacts from the proposed change.

#### **V. FINDINGS**

1. The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.
2. The proposed Zone Map Amendment from R-1-8 to R-1-6 has been considered based on the characteristics of the site and surrounding area. The potential impacts of the change can be managed within the densities and uses allowed by the proposed R-1-6 zone.

3. The proposed Zone Map Amendment from R-1-8 to R-1-6 conforms to important goals and objectives of the 2017 Murray City General Plan and will allow an appropriate development 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 871 West Tripp Lane from R-1-8, Low Density Single Family to R-1-6, Medium Density Single Family as described in the Staff Report.**



## NOTICE OF PUBLIC HEARING

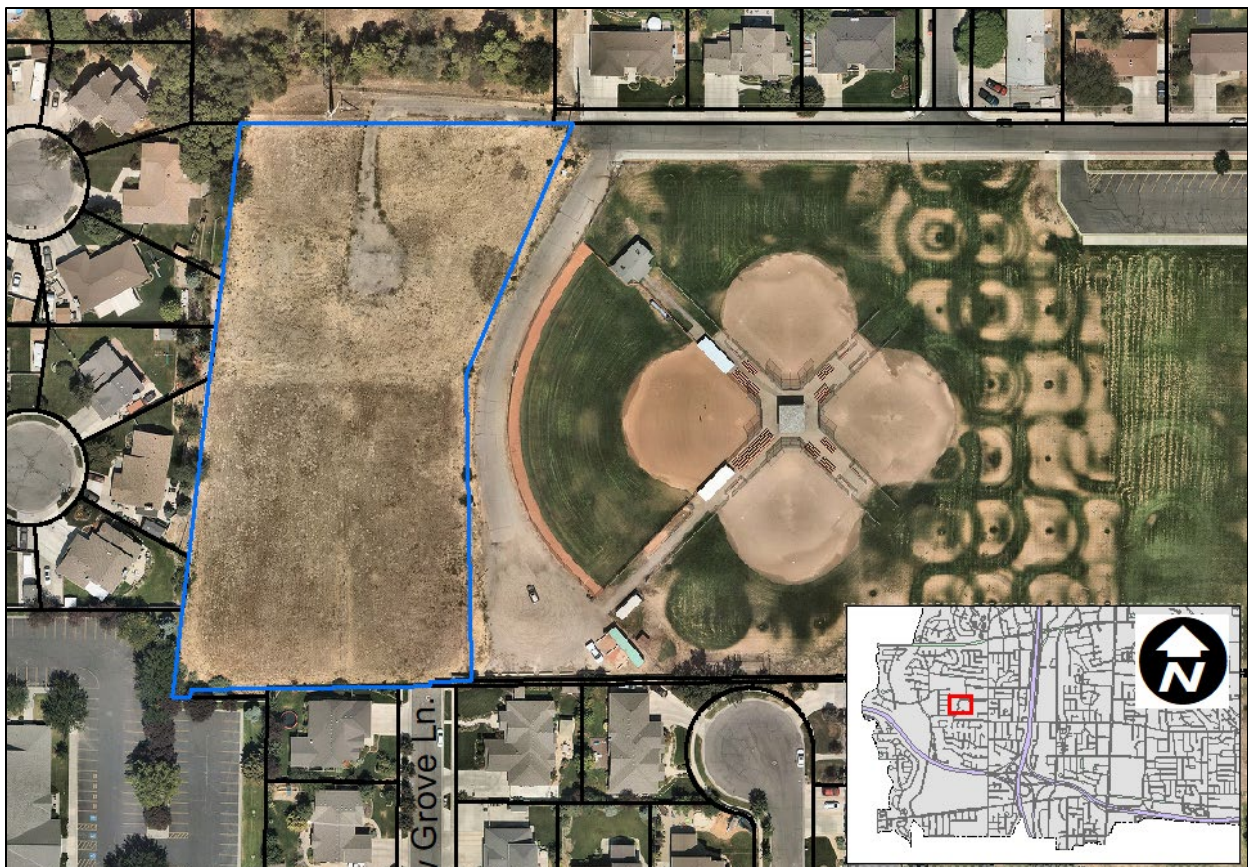
October 21, 2021, 6:30 PM

The Murray City Planning Commission will hold a public hearing in the Murray City Municipal Council Chambers, located at 5025 S. State Street to receive public comment on the following application:

Salt Lake Neighborhood Housing Services Inc. is requesting a Zone Map Amendment to the property addressed 871 West Tripp Lane from R-1-8, Low Density Single Family to R-1-6, Medium Density Single Family.

The meeting is open and the public is welcome to attend in person 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 online, 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, written comments will be read into the meeting record.*



This notice is being sent to you because you own property within 400 feet of the subject property. If you have questions or comments concerning this proposal, please contact Zachary Smallwood in the Murray City Planning Division at 801-270-2430, or e-mail [zsmallwood@murray.utah.gov](mailto:zsmallwood@murray.utah.gov).



**MURRAY CITY CORPORATION  
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that on the 21st day of October 2021, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City 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 R-1-8 (Low Density Residential) Zone to R-1-6 (Low/Medium Density Residential) for the property located at approximately: 871 West Tripp Lane, Murray City, Salt Lake County, State of Utah.

Jared Hall, Manager  
Community & Economic Development

# ZONING AMENDMENT APPLICATION

Type of Application (check all that apply):

Project # 21-109

☒ Zoning Map Amendment

☐ Text Amendment

☐ Complies with General Plan

☒ Yes

☐ No

Subject Property Address: 871 West Tripp Lane

Parcel Identification (Sidwell) Number: 21-14-001-0000 <sup>401-038</sup>

Parcel Area: 2.73 Acres Current Use: Residential

Existing Zone: R-1-8 Proposed Zone: R-1-6

Applicant

Name: Salt Lake Neighborhood Housing Services Inc.

Mailing Address: 622 West 500 North

City, State, ZIP: Salt Lake City, Utah, 84116

Daytime Phone #: (801) 539-1590 Fax #: N/A

Email address: davidf@nwsaltlake.org

Business or Project Name: Tripp Lane Subdivision

Property Owner's Name (If different): \_\_\_\_\_

Property Owner's Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Daytime Phone #: \_\_\_\_\_ Fax #: \_\_\_\_\_ Email: \_\_\_\_\_

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

The mission of NeighborWorks, a private nonprofit organization, is to build on the  
strengths of neighborhoods, creating opportunities through housing, resident  
leadership, youth, and economic development. The permission sought for re-zoning  
from an ~~R-1-6~~ to a ~~R-1-8~~ will help us to better meet our large term goal and mission

for additional housing opportunities. The sought-after rezoning will allow NeighborWorks to  
yield an additional three lots. In addition, the smaller lot sizes will help NeighborWorks in  
it's mission to create an opportunity for more affordable housing in the Murray Utah area.  
Furthermore, recently other nearby housing developments have been granted and  
approved to be zoned as R-1-6 thus setting a precedent for granting our rezoning request.

Authorized Signature: David W Foster Date: 9-20-21

## Property Owners Affidavit

I (we) Salt lake Neighborhood Housing Services Inc., 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.

Maria Garcia  
Owner's Signature

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

State of Utah

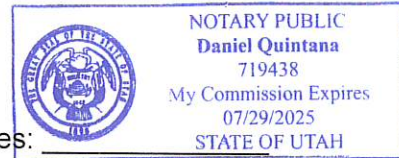
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County of Salt Lake

Subscribed and sworn to before me this 5 day of October, 2021.

[Signature]  
Notary Public  
Residing in Salt Lake City

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



### Agent Authorization

I (we), Salt Lake Neighborhood Housing Services Inc., the owner(s) of the real property located at 871 West Tripp Lane, in Murray City, Utah, do hereby appoint

Allison Trease and or David W. Foster, as my (our) agent to represent me (us) with regard to this application affecting the above-described real property, and authorize

Allison Trease and or David W. Foster to appear on my (our) behalf before any City board or commission considering this application.

Maria Garcia  
Owner's Signature

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

State of Utah

§

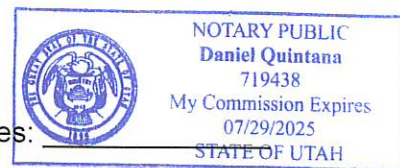
County of Salt Lake

On the 5 day of October, 2021, personally appeared before me

Daniel Quintana 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 City

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









**SALT LAKE COUNTY RECORDERS OFFICE AND BEING MORE PARTICULARLY DESCRIBED BY SURVEY AS FOLLOWS:**

BEGINNING AT THE NORTHEAST CORNER OF LOT 14, WALDEN RIDGE PHASE 2 SUBDIVISION, RECORDED IN BOOK 87P, AT PAGE 33, OF OFACIAL RECORDS, SAID POINT BEING SOUTH 89°44'28" WEST, ALONG THE EAST-WEST CENTER SECTION LINE, A DISTANCE OF 1649.30 FEET (WEST, 1597.52 FEET BY DEED), FROM THE SALT LAKE COUNTY BRASS CAP MONUMENT MARKING THE EAST QUARTER CORNER OF SAID SECTION 14 (BASIS OF BEARING BEING SOUTH 0° 14'26" EAST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 14) AND RUNNING THENC NORTH 89° 4'28" EAST ALONG THE EAST-WEST CENTER SECTION LINE, AND THE SOUTHERLY LINE OF PARCEL CONVEYED TO MURRAY CITY, CORPORATION BY WARRANTY DEED RECORDED AUGUST 1976, AS ENTRY NO: 2841087, IN BOOK 4287 AT PAGE 350, A DISTANCE OR 289.7 FEET, TO THE EASTERLY LINE OF SAID TRACT, AND THE WEST LINE OF PARCEL CONVEYED OWEN JONES BY WARRANTY DEED RECORDED DECEMBER 19, 1946, ENTRY NO. 1066987, WHICH WAS SUBSEQUENTLY CONVEYED TO THE BOARD OF EDUCATION OF MURRAY CITY SCHOOL DISTRICT BY WARRANTY DEED RECORDED SEPTEMBER 19, 1960, AS ENTRY NO. 1739142, IN BOOK 1745 AT PAGE 549; THENCE ALONG SAID EASTERLY LINE THE FOLLOWING TWO (2) COURSES: (1) SOUTH 23°00'53" WES , A DISTANCE OF 236.93 FEET (NORTH 22°45" EAST, 14.55 RODS BE DEED); (2) SOUTJ, 1° 2'51" EA , A DISTANCE OF

6-52 FEET (NORTH 16.15 RODS BY DEED), TO THE NORTH LINE OF PARCEL CONVEYED TO RONALD G. LARSEN, BY TAX DEED, RECORDED JUNE 28, 2010, AS ENTRY NO. 10978611, IN BOOK 9835 AT PAGE 9888; THENCE SOUTH 88°59'00" WEST, ALONG THE NORTH LINE OF SAID LARSEN PARCEL, A DISTANCE OF 34.51 FEET, TO THE NORTHWEST CORNER THEREOF; THENC SOUTH, ALONG THE WEST LINE OF SAID PARCEL, A DISTANCE O 4.99 FE , TO THE NORTH LINE OF MURRAY OAKS PHASE IV SUBDIVISION, RECORDED IN BOOK 2004P, AT PAGE 249; THENC SOUTH 88°57'52" WESlr, ALONG THE NORTH LINE OF SAID MURRAY OAKS PAGE IV SUBDIVISION, A DISTANCE OF 142.6 FEET, TO THE NORTHWEST CORNER OF LOT 14, SAID SUBDIVISION AND THE NORTHEAST CORNER OF PARCEL CONVEYED TO RAMON & AURELIA B. GALVAN, BY TAX DEED, RECORDED JUNE 28, 2010, AS ENTRY NO. 10978610, IN BOOK 9835, AT PAGE 9887; THENC SOLIITH 0°22'22" WESTc! ALONG THE WEST LINE OF SAID MURRAY OAKS PAGE IV SUBDIVISION, A DISTANCE O 7.00 FE , TO THE SOUTHERLY LINE OF SAID PARCEL CONVEYED TO RAMON & AURELIA B. G(l.ILVAN, BY AFORESAID TAX

DEED, AND THE NORTHERLY LINE OF PARCEL CONVEYED TO THE\_ CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, RECORDED JULY OS, 1990 BY WARRANTY DEED RECORDED AS ENTRY NO. 4937394 IN BOOK 6234, AT PAGE 345, SAID LINES HAVING BEEN RETRACED BY THAT CERTAIN RECORD OF SURVEY PREPARED BY MCNEIL ENGINEERING AND CERTIFIED BY DALE K. BENNETT, AND FILED WITH THE SALT LAKE COUNTY SURVEYOR'S OFFICE AS SURVEY NO. S99-07-0498; THENCE WEST AND NORTH ALONG SAID CHURCH PARCEL AND SURVEYED LINE HE FOLLOWING TWO (2) COURSES: (1) SOUTH 88°57' 46.11 WESli A DISTANCE O 82.16 FEET; (2) NORTH 6°28'44" EASfr, ALONG SAID SURVEYED LINE AND THE EAST LINE OF AFORESAID WALDEN RIDGE PHASE 2 SUBDIVISION, A DISTANCE O 501.85 FEETI (SOUTH 6°30' WEST 499.5' BY DEED), TO THE POINT OF BEGINNING.



**TRIPP LANE SUBDIVISION**

**Parcel 21144010280000 Legal description**

BEG NE COR OF LOT 14, WALDEN RIDGE PHASE 2 SUB; N  $89^{\circ}44'28''$  E 289.70 FT; S  $23^{\circ}00'53''$  W 236.93 FT; S  $1^{\circ}12'57''$  E 265.27 FT; S  $88^{\circ}59'$  W 34.51 FT; S 4.99 FT; S  $88^{\circ}57'52''$  W 142.65 FT; S  $88^{\circ}55'36''$  W 65.75 FT M OR L; S  $12^{\circ}10'00''$  W 6.84 FT M OR L; S  $88^{\circ}57'46''$  W 15.01 FT M OR L; N  $6^{\circ}28'44''$  E 501.85 FT TO BEG.



# 871 West Tripp Lane



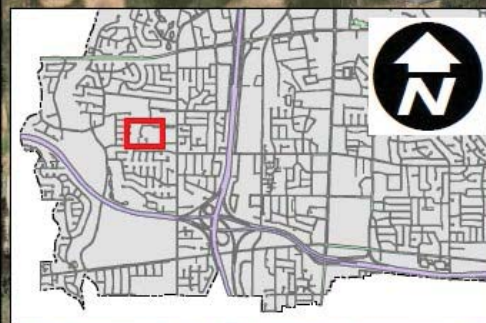


# Salt Lake Neighborhood Housing Services, Inc.

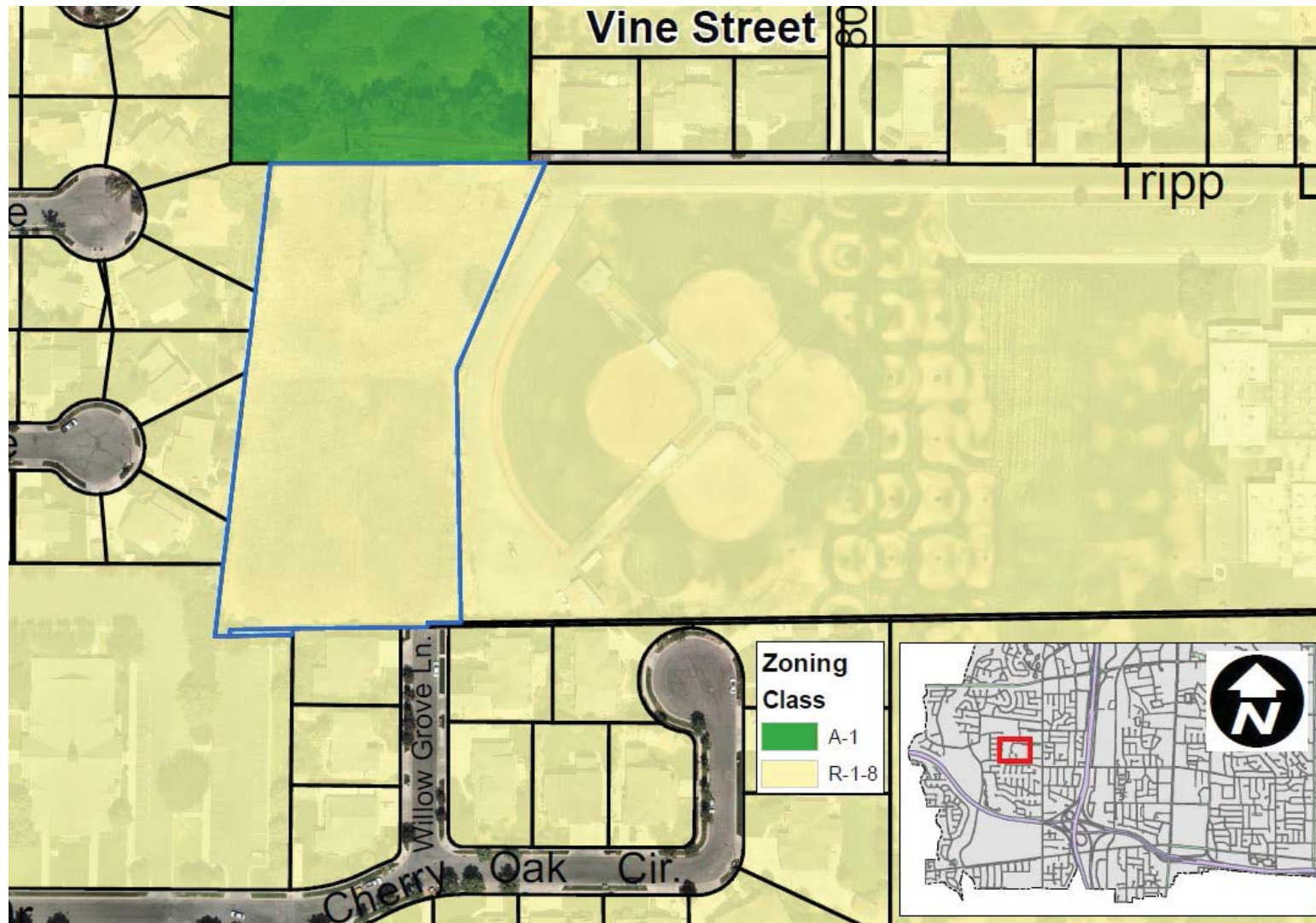
## Zone Map Amendment from R-1-8 to R-1-6

871 West Tripp Lane







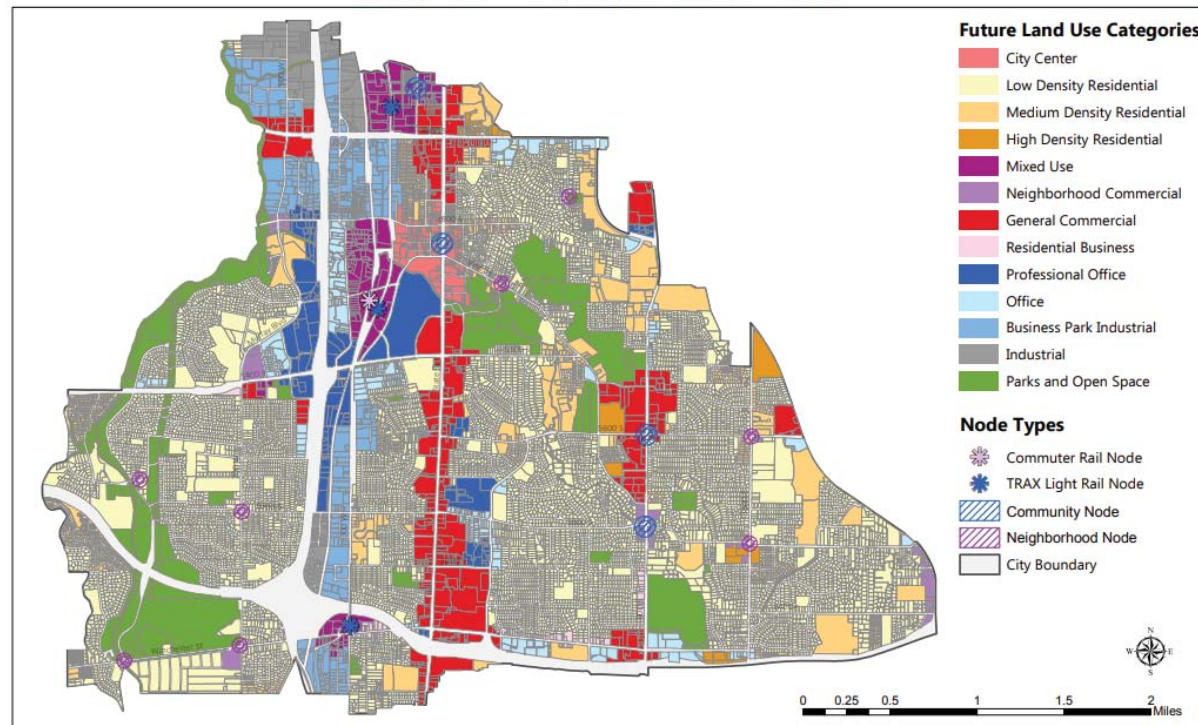


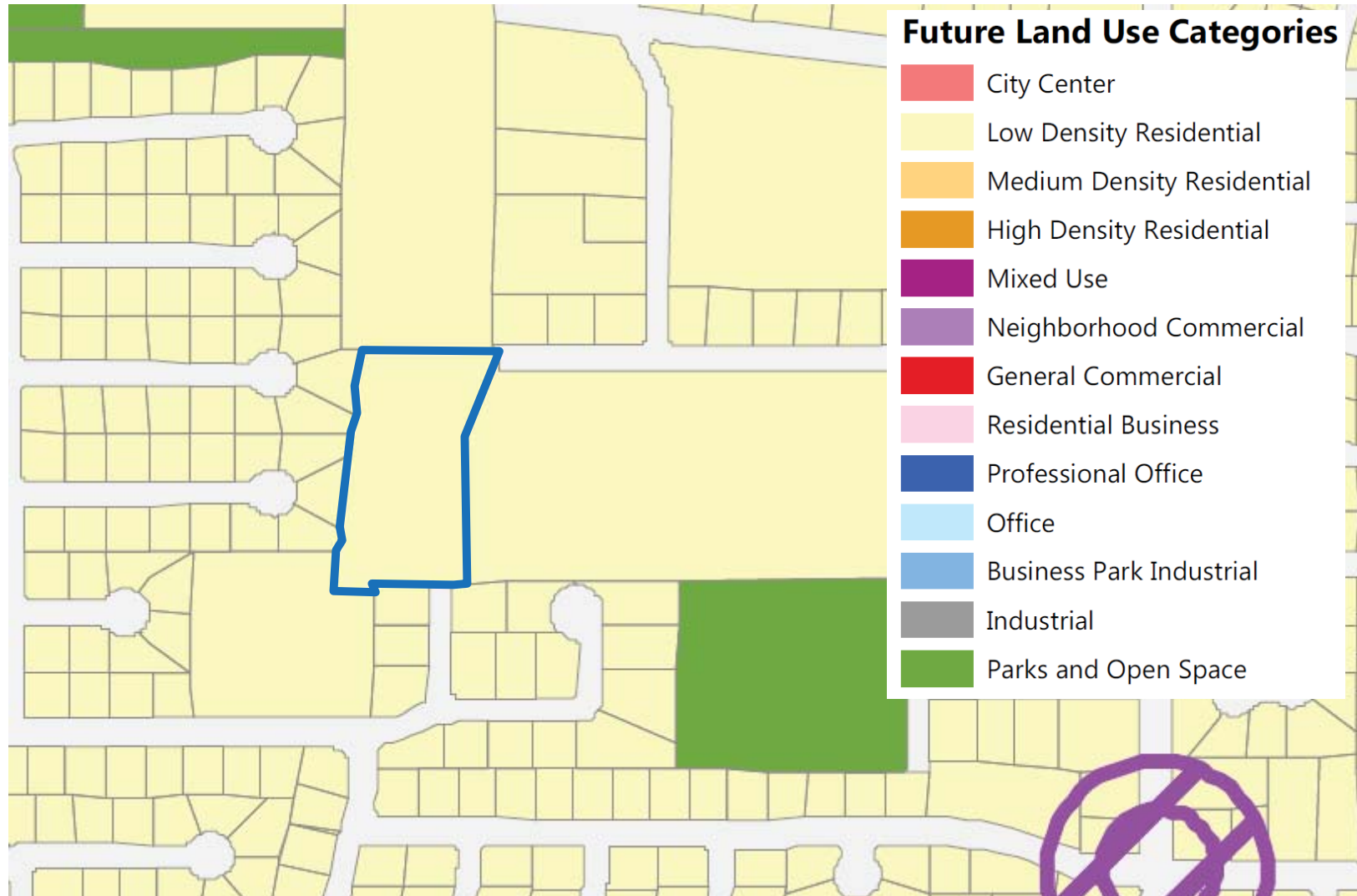


# The General Plan

Each property in the city is designated in one of the Future Land Use Categories identified by Map 5.7 (below). Each category in Chapter 5 is subsequently detailed as to intent and characteristics, and “corresponding zones” are called out.

MAP 5.7 - FUTURE LAND USE





## LOW DENSITY RESIDENTIAL

This designation is intended for residential uses in established/planned neighborhoods, as well as low density residential on former agricultural lands. The designation is Murray's most common pattern of single-dwelling development. It is intended for areas where urban public services, generally including complete local street networks and access to frequent transit, are available or planned. Areas within this designation generally have few or very minor development constraints (such as infrastructure or sensitive lands). Primary lands/use types include single-dwelling (detached or attached) residential.

Density range is between 1 and 8 DU/AC.

Corresponding zone(s):

- A-1, Agricultural
- R-1-12, Low density single family
- R-1-10, Low density single family
- R-1-8, Low density single family
- R-1-6, Low/Medium density single family
- R-2-10, Low density two family



Existing Zoning: R-1-8

Proposed Zoning: R-1-6

*The proposed zoning to allow a subdivision does not require a change to the Future Land Use Map of the General Plan.*

## Zone Comparison

	<b>R-1-8</b>	<b>R-1-6</b>
Single-Family Lot Size	8,000 ft <sup>2</sup> min per lot	6,000 ft <sup>2</sup> min per lot
Lot Width	80' (90' for corner lot)	60' (70' for corner lot)
Height	35'	30'
Front yard setback	25'	20'
Rear Yard setback	25'	25'
Side Yard setbacks	Minimum 8' total of 20'	5'
Corner Yard setback	20'	20'
Parking Required	2 off-street spaces	2 off-street spaces

# Findings

1. The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.
2. The proposed Zone Map Amendment from R-1-8 to R-1-6 has been considered based on the characteristics of the site and surrounding area. The potential impacts of the change can be managed within the densities and uses allowed by the proposed R-1-6 zone.
3. The proposed Zone Map Amendment from R-1-8 to R-1-6 conforms to important goals and objectives of the 2017 Murray City General Plan and will allow an appropriate development of the subject property.
4. The Planning Commission voted 6-1 to forward a recommendation of approval to the City Council on 10/21/2021.



## Staff Recommendation

Staff and the Planning Commission recommend that the City Council APPROVE the requested amendment to the Zoning Map designation of the property located at 871 West Tripp Lane from R-1-8, Low Density Single Family to R-1-6, Medium Density Single Family as described in the Staff Report.



**MURRAY**  
CITY COUNCIL

# Public Hearings # 4



# Community & Economic Development

## Howland Partners, General Plan & Zone Map Amendments

### Council Action Request

### Council Meeting

Meeting Date: December 7, 2021

<p><b>Department Director</b> Melinda Greenwood</p> <p><b>Phone #</b> 801-270-2428</p> <p><b>Presenters</b> Melinda Greenwood Jared Hall</p> <p><b>Required Time for Presentation</b> 30 Minutes</p> <p><b>Is This Time Sensitive</b> No</p> <p><b>Mayor's Approval</b></p> <p><b>Date</b> November 2, 2020</p>	<p><b>Purpose of Proposal</b> Amend the Future Land Use Map and Zoning Map designations of the subject properties to facilitate mixed use redevelopment</p> <p><b>Action Requested</b> Approval of General Plan and Zone Map amendments for 5283, 5217, 5157, and 5177 S. State Street and 151 East 5300 South</p> <p><b>Attachments</b> Presentation Slides</p> <p><b>Budget Impact</b> None.</p> <p><b>Description of this Item</b> Howland Partners have submitted applications for a General Plan Amendment from General Commercial to Village &amp; Centers Mixed Use and a Zone Map Amendment from C-D, Commercial Development to CMU, Centers Mixed Use for their properties in the Pointe @ 53rd shopping center located at 5283, 5217, 5157, and 5177 South State Street and 151 East 5300 South.</p> <p>The subject property is an active, 13+ acre shopping center with a mix of "box" retail stores, restaurant and offices with both surface and structured parking. Because the property is in close proximity to Murray's downtown, the Murray City Park, Intermountain Medical Center, and transit opportunities at the Murray Central Station, the property owners are interested in redevelopment opportunities as a true mixed-use project. A potential mixed-use redevelopment would require the requested amendments to the Future Land Use Map and the Zoning Map.</p>
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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 **CMU Zone**, adopted in July 2020, was specifically designed to allow the addition of residential uses to existing commercial properties. The CMU Zone allows developments at lower densities and with higher parking requirements which are in this particular area. The CMU Zone allows a base residential density of 35 units per acre, which can be increased to 40 and 45 units per acre based upon a matrix of requirements for additional open space and amenities, affordable housing, and additional commercial square footage.

### **Staff Review**

Planning Division Staff circulated the proposed applications to multiple Murray City Departments for review on October 11, 2021. Reviewing staff had no concerns or comments. During the development of the CMU Zone, capacity of the existing and planned infrastructure for public utilities and transportation were explored based on the potential densities on the subject property and others in the larger area if mixed use redevelopment were to occur. The allowed density, required parking, and other regulations of the CMU Zone were adopted to accommodate those findings.

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

Forty-nine (49) public meeting notices were mailed to all property owners for parcels located within 500 feet of the subject property, and to affected entities. The Planning Commission held a public hearing for this item for this item on October 21, 2021. Public comments were received and noted concerns of traffic, multi-family housing, air quality, and crime. The Planning Commission voted 7-0 to forward recommendations of approval based on the findings below.

### **Findings**

1. The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.
2. The proposed amendment to the Future Land Use Map of the 2017 Murray City General Plan has been considered based on the circumstances of the subject property and is in harmony with the purpose and intent of the proposed Village & Centers Mixed Use designation.
3. The proposed Zone Map Amendment from C-D to CMU has been considered based on the characteristics of the site and surrounding area, the potential impacts of the change, and supports the policies and objectives of the 2017 Murray City General Plan.
4. The proposed amendment of the Zoning Map from C-D to CMU is supported by the description and intent statements for the General Commercial land use designation which recognizes the appropriateness of mixed-use redevelopment of commercial property.
5. At the October 21, 2021 meeting, the Planning Commission voted 7-0 to forward a recommendation of approval to the City Council.



**Continued from Page 2:**

**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 5283, 5217, 5157, and 5177 South State Street and 151 East 5300 South 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 properties located at 5283, 5217, 5157, and 5177 South State Street and 151 East 5300 South from C-D, Commercial Development to M-U, Mixed Use.

# Murray City Corporation

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 7<sup>th</sup> day of December, 2021, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, 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 Village and Centers Mixed Use and amending the Zoning Map from the C-D (Commercial) zoning district to the CMU (Centers Mixed Use) zoning district for the properties located at 5283, 5217, 5157 and 5177 South State Street and 151 East 5300 South, 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.

DATED this 9<sup>th</sup> day of November 2021.



MURRAY CITY CORPORATION

A handwritten signature in blue ink, appearing to read "Brooke Smith", is written over a horizontal line.

Brooke Smith  
City Recorder

DATE OF PUBLICATION: November 26, 2021  
PH21-41

UCA §10-9a-205

- Mail to each affected entity
- Post on City's website
- Post on Utah Public Notice Website
- Mailed to each property owner within distance parameters (*City Code 17.04.140*)

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

AN ORDINANCE RELATING TO LAND USE; AMENDS THE GENERAL PLAN FROM GENERAL COMMERCIAL TO VILLAGE AND CENTERS MIXED USE AND AMENDS THE ZONING MAP FROM C-N TO CMU FOR THE PROPERTIES LOCATED AT 5283, 5217, 5157 AND 5177 SOUTH STATE STREET AND 151 EAST 5300 SOUTH, MURRAY, UTAH. (Applicant - Howland Partners)

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

WHEREAS, the owner of the real properties located at 5283, 5217, 5157 and 5177 South State Street and 151 East 5300 South, Murray, Utah, has requested a proposed amendment to the General Plan of Murray City to reflect a projected land use for the property as a Village and Centers Mixed Use and to amend the zoning map to designate the property in a CMU 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 Village and Centers Mixed Use projected use for the following described properties located at 5283, 5217, 5157 and 5177 South State Street and 151 East 5300 South, Murray, Salt Lake County, Utah:

A TRACT OF LAND WHICH IS LOCATED IN THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, MURRAY CITY, SALT LAKE COUNTY, UTAH, SAID TRACT IS MORE PARTICULARLY DESCRIBED AS, BEGINNING AT A POINT ON THE EAST RIGHT OF WAY LINE OF STATE STREET; POINT BEING MORE PARTICULARLY DESCRIBED AT SOUTH 89°59'23" EAST 896.04 FEET TO THE EAST RIGHT OF WAY LINE, AND 1313.70 FEET SOUTH 00°04'38" WEST ALONG SAID RIGHT OF WAY LINE, FROM THE WEST QUARTER CORNER OF SAID SECTION 7, THENCE NORTH 00°04'38" EAST 744.40 FEET; THENCE SOUTH 89°55'22" EAST 209.12 FEET; THENCE SOUTH 80°18'37" EAST 5.94 FEET; THENCE NORTH 00°04'38" EAST 130.00 FEET; THENCE NORTH 80°19'29" WEST 15.50 FEET; THENCE NORTH 00°00'31" WEST 129.95 FEET; THENCE SOUTH 71°48'51" EAST 120.81 FEET; THENCE SOUTH 74°59'50" EAST 24.84 FEET; THENCE SOUTH 86°18'25" EAST 133.45 FEET; THENCE SOUTH 82°21'39" EAST 84.77 FEET; THENCE

SOUTH 01° 14'54" EAST 108.30 FEET; THENCE SOUTH 07°51'48" WEST 45.45 FEET; THENCE SOUTH 01°12'52" WEST 121.24 FEET; THENCE SOUTH 05°10'37" EAST 55.50 FEET TO THE BEGINNING OF A RADIUS OF 550.00 FEET TO THE RIGHT; THENCE SOUTHWESTERLY 250.66 FEET ALONG THE CURVE THROUGH A DELTA OF 26°06'46" (CHORD BEARS SOUTH 7°52'46" WEST 248.50 FEET); THENCE SOUTH 20°56'09" WEST 94.96 FEET; THENCE SOUTH 00°04'38" WEST 514.02 FEET TO THE NORTH RIGHT OF WAY LINE OF 5300 SOUTH STREET; THENCE ALONG SAID NORTH RIGHT OF WAY LINE NORTH 89°52'50" WEST 119.58 FEET; THENCE NORTH 80°57'10" WEST 71.54 FEET; THENCE NORTH 89°53'32" WEST 54.37 FEET; THENCE NORTH 89°53'22" WEST 220.89 FEET; THENCE NORTH 0°06'38" EAST 5.94 FEET TO THE BEGINNING OF A 15.50 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT; THENCE NORTHWESTERLY 24.34 FEET ALONG THE ARC OF SAID CURVE THROUGH A DELTA OF 89°58'01" (CHORD BEARS NORTH 44°54'21" WEST 21.91 FEET); THENCE NORTH 89°54'37" WEST 6.03 FEET; THENCE NORTH 00°04'38" EAST 203.48 FEET TO THE POINT OF BEGINNING.

CONTAINS 5 LOTS: 575,957 SF OR 13.222 ACRES

*Section 2.* That the Zoning Map and the zone district designation for the property described in Section 1 be amended from the C-N zone district to the CMU 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 \_\_\_\_\_, 2021.

MURRAY CITY MUNICIPAL COUNCIL

\_\_\_\_\_  
Diane Turner, Chair

ATTEST:

\_\_\_\_\_  
Brooke Smith, 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:

\_\_\_\_\_  
Brooke Smith, City Recorder

#### CERTIFICATE OF PUBLICATION

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

\_\_\_\_\_  
Brooke Smith, City Recorder



it still goes to City Council and they still hear everything on this and make their independent decision.

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

Call vote recorded by Mr. Hall

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

Motion passed 5-2.

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

Call vote recorded by Mr. Hall

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

Motion passed 5-2.

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

The applicant would like to amend the Future Land Use Map designation and Zoning of the subject property to support future redevelopment of the property as a mixed-use project. Mr. Hall stated this is a dual application a General Plan Future Land Use amendment from General Commercial to Village and Centers Mixed Use and Zone Map amendment from C-D Zoning to the CMU, Centers Mixed Use Zone. The property is the Point @ 53<sup>rd</sup> 13.22 acres. The C-D Zoning does not support any residential uses. The application is to make these amendments to allow potential redevelopment in the future including higher density residential and multifamily dwellings as well as the commercial that is there and including reordering of commercial. The property is located near Murray Park. It is on the edge of the downtown and fairly close to the TRAX station and Murray Central Station with some significant impediments to the pedestrian

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

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

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

Mr. Nay asked about the height limits. Mr. Hall confirmed if there is no residential zoning adjacent there is no height limit, but the allowed density and required parking would limit that. In the C-D Zone there is a 35' height limitation within 100' of residential. The reason there isn't a height limit in this kind of zone is because it keeps more commercial space by allowing an additional story. The commissioners asked about the goal to push this property towards State Street, and what is to be done with the buildings that are currently there. Mr. Hall clarified that existing buildings are exempted under one clause in this code. With new buildings on the site there would be no parking between the building and street and a slightly larger set back that can be allowed for landscaping. In the VMU the RC Willey site is more unique, it was constructed in the 70s, it's a lot of square footage and parking for that corner. Mr. Lowry stated the CMU is a lifestyle center but centers like this have a public component that draws people into those and asked what the square footage requirement for a central feature. Mr. Hall stated they are not defined, but that the commission decides whether what is proposed is enough. In this project the park provides open space already. Ms. Milkavich expressed her concern about the park getting overcrowded with the additional density. Mr. Hall conceded it is a legitimate concern but the open space of the park and county facility it shouldn't be aesthetically impactful to the park. The only increase would be use of the park from the residents in this project which is what should be the case and it would keep the park more active throughout the day, increase safety and would produce more funding for the park<sup>[JP1]</sup>.

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

Gary Howland, applicant, stated his address as 9450 S Redwood Road. We have been working with staff for some time on this and it was submitted before the new zoning was implemented and at that meeting there was good response and seemed likely to be approved. The Point @ 53<sup>rd</sup> was the hardest project in my 30 years. It was 6 acres that sat on the corner that had the paint store and some other small shops and in order to get the project through I had to buy the national guard armory, go through Salt Lake County, buy the County Fairgrounds and up 5300 South because the Armory and ice rink had a parking sharing arrangement and had to take out five homes along 5300 and one woman stood at the pulpit saying she had it on sound ground that Mr. Howland was a known pedophile and despite it all we got it done. One of the misconceptions of this forum is that Mr. Howland and the developers are nothing but money grabbers, build it and then they are out of there. This project has been owned by me since inception and the average occupancy prior to Covid 19 was 98% it's one of the best centers in the Salt Lake Valley as far as income, sales for Best Buy it been rated number 1 or 2 between

2100 South and our Store. Mimi's has been one of the best in all of their chains. I was offered 50 million to sell the center, but I had and still have no desire to sell the center. Jeff Neice did the apartment study on this site and in 30 years of his experience this is the second best site he has seen for apartments. His objective and goal is to make this project work and would not do 500 units at this site, it would ruin this center. We work with cities to build developments that are walkable, livable communities. When the economy was floundering, Best Buy had a number of stores, come to find out I was the only owner that agreed to reduce their rent. There was so much opposition of this center when The Point @ 53<sup>rd</sup> first went to Planning Commission, ask those people now how they feel about the center.

Ms. Patterson opened the meeting for public comment.

The following emails were read into the record:

Sonia DeVore

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

Matt Schneider

*I am writing to urge you to not approve the rezoning for the addition of many high density units at this location. I know the commission will inevitably say that they are only approving a zoning change and not a specific project - but once the change is approved you will use that as justification for approving future site plans. Murray residents do not want high density housing - especially that which is only rentals. Perhaps they could commit to all purchasable housing.*

*The developer insists it will LOWER traffic - but cannot provide any justification for this. More people = more traffic and infrastructure needs. Please do not rush through this when it's clear citizens don't want it, do not prioritize developer needs over citizen concerns.*

Clark Bullen

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

Scott Murray, 543 East Moss creek Drive

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

Janice Strobel

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

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

Mr. Hall clarified the findings 17.162.030 is the findings required section and it reads: "The Centers Mixed Use, CMU Zone should only be considered where Murray City officials find that



Mixed-Use zoning, not the anticipated project, will result in land use patterns and development that will meet a minimum of five of the following goals.” We know there is not a project and that is not what we are considering. The CMU’s goals being considered don’t refer to a project, they refer to the use of mixed use zoning versus the traditional zoning it has been. Mr. Nay added that adding this type of zoning in the established neighborhood is not going to improve those neighborhoods. Mr. Hall stated there are place and properties in the city where you could ask for this zone and we would look through these lists and goals and determine that it would not help that area.

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

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

Call vote recorded by Mr. Hall

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

Motion passed 7-0.

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

Call vote recorded by Mr. Hall

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

Motion passed 7-0.

**OTHER BUSINESS**

There was no other business.

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

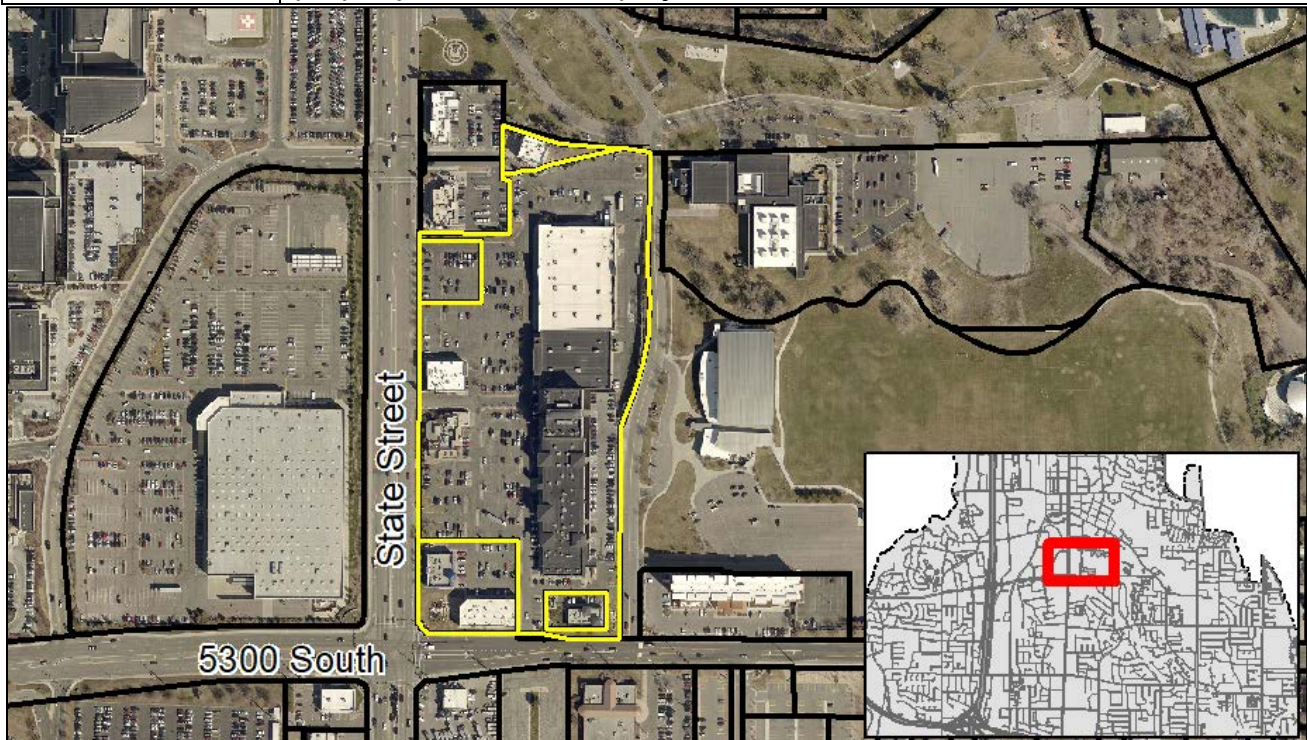
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Jared Hall, Planning Division Manager



## AGENDA ITEM #8

ITEM TYPE:	General Plan Amendment / Zone Map Amendment		
ADDRESS:	5283, 5157, 5217, and 5177 South State Street, and 151 East 5300 South	MEETING DATE:	October 21, 2021
APPLICANT:	Howland Partners Inc.	STAFF:	Jared Hall, Planning Division Manager
PARCEL IDs:	22-07-304-030, 22-07-304-031, 22-07-304-028, 22-07-304-029, 22-07-304-027	PROJECT NUMBER:	20-088 20-089
CURRENT ZONE:	C-D, Commercial Development	PROPOSED ZONE:	CMU, Centers Mixed Use
LAND USE DESIGNATION	General Commercial	PROPOSED DESIGNATION	Village & Centers Mixed Use
SIZE:	13.22 acres		
REQUEST:	The applicant would like to amend the Future Land Use Map designation and Zoning of the subject property to support future redevelopment of the property as a mixed use project.		





## I. BACKGROUND & REVIEW

### Background

The subject property is an active, 13-acre shopping center called the Pointe @ 53<sup>rd</sup>. The property is currently a mix of retail “box” stores (including Best Buy and Barnes & Noble), offices, strip retail shops, and restaurant pad sites. The center includes surface parking as well as a parking structure. Because of the location near the downtown, the adjacency to Murray Park, and proximity to both the Intermountain Medical Center and the transit opportunities at Murray Central Station, the property owners are currently interested in re-imagining and potentially redeveloping the existing shopping center as a true mixed use project, which would include multi-family housing on the site. A potential mixed use development would require the requested amendments to the Future Land Use Map and Zoning Map.

### Surrounding Land Uses & Zoning

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Commercial, park	C-D, O-S
South	Commercial (across 5300 South)	C-D
East	Park, hotel	O-S, C-D
West	Commercial, hospital (across State Street)	C-D

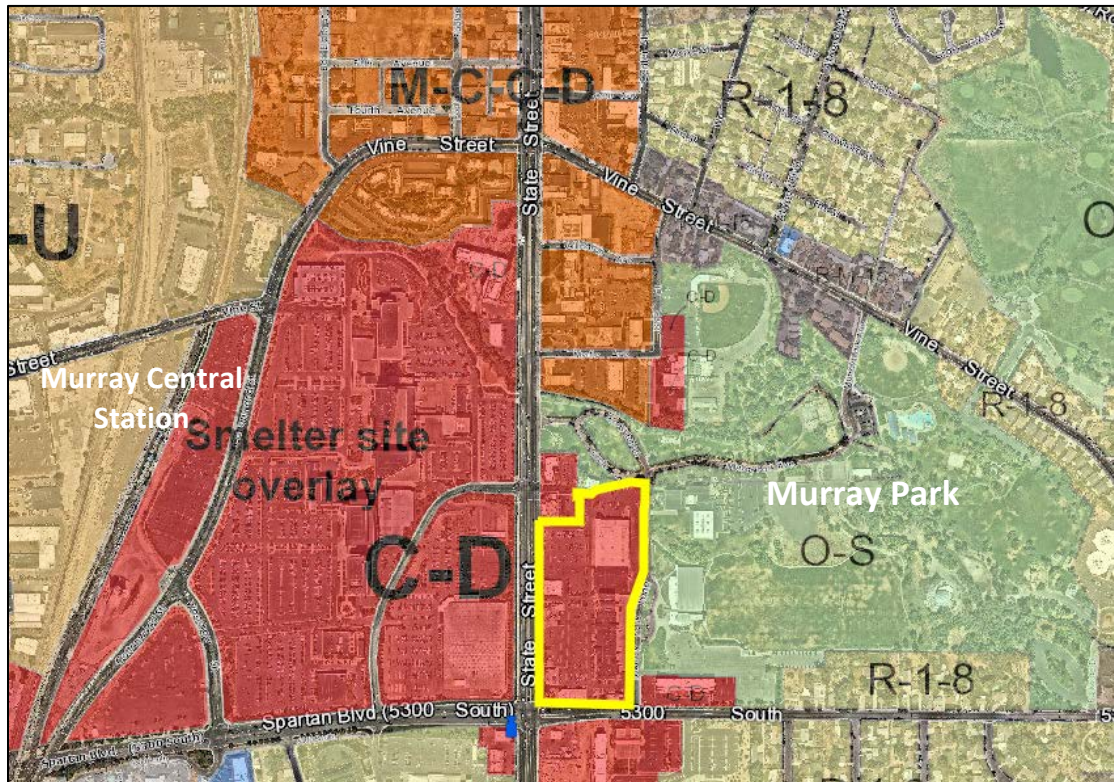


Figure 1: Zoning Map segment, subject property highlighted

### CMU Zone, Chapter 17.162

Between February and August of 2021, the City researched, drafted, and adopted two new mixed use zones in addition to making significant changes to the existing mixed use zones. The Centers Mixed Use (CMU) and Village Mixed Use (VMU) Zones were designed specifically to allow the addition of residential uses to existing commercial properties along transportation corridors and in neighborhood and commercial nodes identified by the 2017 General Plan. The CMU and VMU Zones allow densities and parking requirements at more appropriate levels than those allowed in the City's transit-oriented mixed use zones. For the Pointe @ 53<sup>rd</sup>, Howland Partners have requested a change of zoning to CMU, Centers Mixed Use.

The regulations for the CMU Zone are found in Chapter 17.162 of the Murray City Land Use Ordinance. The first three sections identify criteria to guide the City when considering requests to apply the CMU Zone to different properties. A brief review of these criteria follows.

**Section 17.162.010, Purpose:** Properties to be considered for the CMU Zone should be existing commercial properties along major transportation corridors. The subject property is identified for a Bus Rapid Transit (BRT) station village and is located along the State Street transportation corridor. (See figure 1 below.)

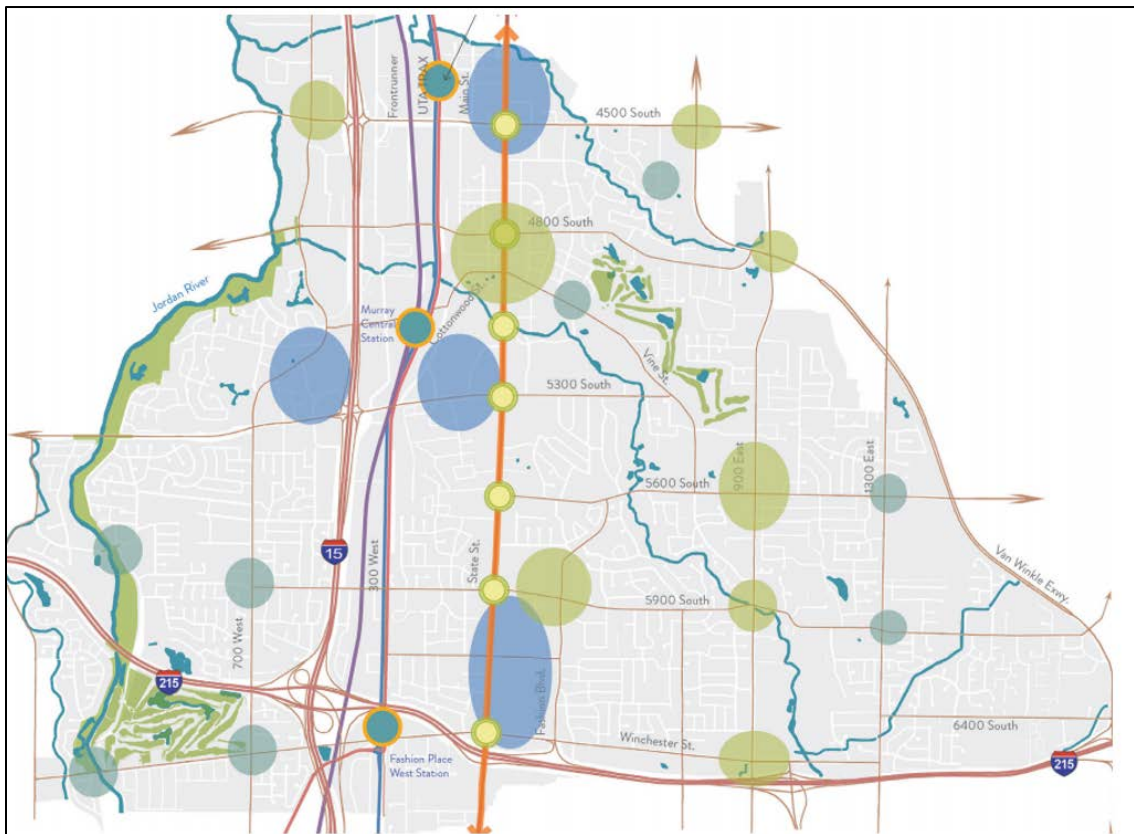


Figure 2: From the 2017 General Plan "Small Area Plans" map



Section 17.162.020, Establishment: The CMU Zone “should be considered for application to a property or properties within an established development having a minimum area of three (3) acres or more, and to those properties which are currently zoned or used for non-residential uses.” The subject property meets these criteria: it is an active, 13-acre retail and office center located along a significant commercial corridor. The existing zoning is commercial, all of which has been used non-residentially.

Section 17.162.130, Findings: The Centers Mixed Use (CMU) Zone should only be considered where Murray officials find that mixed-use zoning will result in land use patterns and development that will meet a minimum five (5) of nine (9) goals. Those goals that are best met by the subject property are reviewed below. The applicant has also provided a detailed, narrative response to each of the goals which has been attached to this report for review and consideration.

- **Result in high-quality redevelopment of commercial properties.**

The CMU Zone will allow mixed use redevelopment to occur, preserving and enhancing an already successful, high-value commercial property.

- **Retain and/or rehabilitate the commercial use of a significant portion of the property area**

Residential components will be added in order to update and enhance the viability of an established, significant commercial property.

- **Increase local access to commercial services for in-projects residents as well as for residents of the immediately surrounding and nearby neighborhoods.**

Improvements to pedestrian access to the site can be facilitated by redevelopment under the CMU Zone, which requires internal pedestrian connections. The nearby properties of Murray Park, Costco, the IMC hospital complex, and other shopping along State Street are not residential, but are highly utilized by the public and will also benefit from improved pedestrian and vehicular access on the subject property.

- **Promote a greater variety of housing options within Murray neighborhoods.**

The CMU Zone will allow limited residential density and multi-family housing types to be introduced adjacent to an area dominated by commercial uses, increasing the variety of housing options in an area where the density will have little impact to established residential neighborhoods.

- **Promote opportunities for life-cycle housing and housing for moderate income households.**

Redevelopment under the CMU Zone will allow multi-family housing which will provide life-cycle housing possibilities and will contribute to the affordability of housing generally by providing additional market-rate units in the area.

- **Provide increased walkability on the project site and result in walkable connections to the surrounding residential neighborhoods.**

The site is well-suited for mixed use redevelopment with many existing shopping and dining opportunities available for on-site residents. Re-development of the site under the CMU Zone will also encourage more efficient pedestrian and vehicular circulation, increasing the walkability of the area.

- **Create and contribute to a sense of place and community.**

Mixed use redevelopment of this site will bring new residents to Murray, increasing the overall activity at all hours in the area. A residential presence in a busy retail area like this can create a sense of community and neighborhood, building on the adjacency to the significant presence of Murray Park and the activities there.

Staff finds that the subject property meets seven (7) of the nine (9) required findings and should be considered for the application of the CMU Zoning designation.

### Considerations and Comparisons of the Proposed CMU and Existing C-D Zones

The most significant and easily identified difference between the existing and proposed zones in this case is that the CMU Zone will allow multi-family residential uses and the C-D Zone has no allowances for any kind of residential use. Consideration and comparison of other differences in allowed uses, regulations, and restrictions between the proposed CMU Zone and the existing C-D Zone follow.

#### 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 CMU, Centers Mixed Use Zone:  
Permitted and conditional uses allowed in the proposed CMU Zone include hotels, transportation services, department stores, restaurants, grocery stores, funeral

homes, assisted living facilities, beauty salons, personal services, business services, professional services, and uses related to entertainment and sports. Multi-family residential uses such as two-family units, 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.

### Regulations

The regulations for setbacks, height, parking, buffering, and other considerations are distinct between the existing C-D Zone and the proposed CMU Zone. A brief summary of some of the more directly comparable requirements is contained in the table below.

	<b>C-D Zone</b> (existing)	<b>CMU Zone</b> (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	35' / 2-story maximum if located within 100' of residential zoning.  Rooftop gardens and amenities prohibited within 100' of residential zoning.
<b>Landscaping and Buffer Requirements</b>	10' landscaping along all street frontages  10% min coverage landscaping  10' buffer required adjacent to residential  5' buffer where parking abuts an interior property line	Building setbacks from frontages must be landscaped (where allowed)  15% min coverage (required as open space, to include amenities)  Single-family zoning must be buffered with at least 10' landscaping to include trees at 30 feet on center and solid fencing not less than 6' in height  <u>Site design requires that in addition to the required 10' buffer, buildings in the project must be separated from the adjacent residential zoning by amenities, interior</u>

		<p>accesses, surface parking, or open space</p> <p>No residential building directly adjacent to the required buffer may contain more than 8 attached units</p>
<b>Parking</b>	<p>Retail – 1 per 200 sf net Office – 1 per 250 sf net Medical – 1 per 200 sf net Restaurants – 1 per 3 seats</p> <p>Residential Requirements: NA, residential not allowed</p>	<p>Retail – 1 per 300 sf net Office – 1 per 350 sf net Restaurants – 1 per 300 sf net</p> <p>Residential Requirements: Studio – 1.15 per unit 1 bed – 1.5 per unit 2 bed – 1.85 per unit 3+ bed – 2.5 per unit</p>
<b>Building Setbacks</b>	20' front setback from property line.	Building facades setback between 15' and 25' from the back of curb (effectively between 0' and 10' from property line) should occupy at least 50% of the linear frontage of streets. Greater setbacks are allowed for courtyards or plazas, and where existing buildings with greater setbacks are being preserved or re-purposed.
<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, trash receptacles, and bicycle racks) are required.

Public Improvements & Street Design: Regulations in the CMU Zone are intended to foster an active street frontage and encourage pedestrian activity. For example, the CMU Zone does not allow parking between the building and the street. The CMU Zone also requires new buildings to include 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. These design elements are coupled with the distinct public improvements required in the CMU Zone as indicated in the table above: minimum 7' wide sidewalks with 8' wide park strips, or a total of 15' paved sidewalks with tree wells and street furniture.



*Subject property, C-D Zone improvements.*



*Typical mixed use public improvements, Vine Street.*



Residential Uses in the Proposed CMU Zone: Residential uses are not allowed in the C-D Zone, but the proposed CMU Zone is intended to foster development that mixes commercial and multi-family residential uses. Multi-family uses must be accompanied by commercial development in the same project. The allowed residential density is a base of 35 units per acre. The allowed residential density can be increased to 40 or 45 units per acre by providing additional open space and amenities, providing more than the base requirement for commercial square footage, or by providing affordable housing.

Transportation, Traffic, and Parking: New mixed use development of the property in the CMU Zone would require a Master Site Plan approval. Under the regulations of the CMU Zone, an application for Master Site Plan approval cannot be made unless it is accompanied by a traffic impact study, parking analysis, and a review of adequate public facilities. Access to alternative transportation is an important consideration for the successful application of mixed use zoning. The subject property is located along State Street and will be the site of a future Bus Rapid Transit (BRT) station. The CMU Zone is intended to foster the redevelopment of existing commercial sites as mixed use projects which will benefit and thrive along transportation corridors. City staff has found 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.

### General Plan Considerations

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 C-D zone, stating: “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: Village & Centers Mixed Use is a new future land use map designation proposed to support the City’s newly adopted VMU and CMU Zones. These zones are intended to provide opportunities for the measured addition of higher density residential housing to support the mixed use redevelopment of properties along major

transportation corridors and in existing commercial and neighborhood nodes. The applicants have proposed amending the Future Land Use Map designation of the subject property to Village & Centers Mixed Use in support of their application for a change of zoning to CMU.

#### VILLAGE & CENTERS MIXED USE

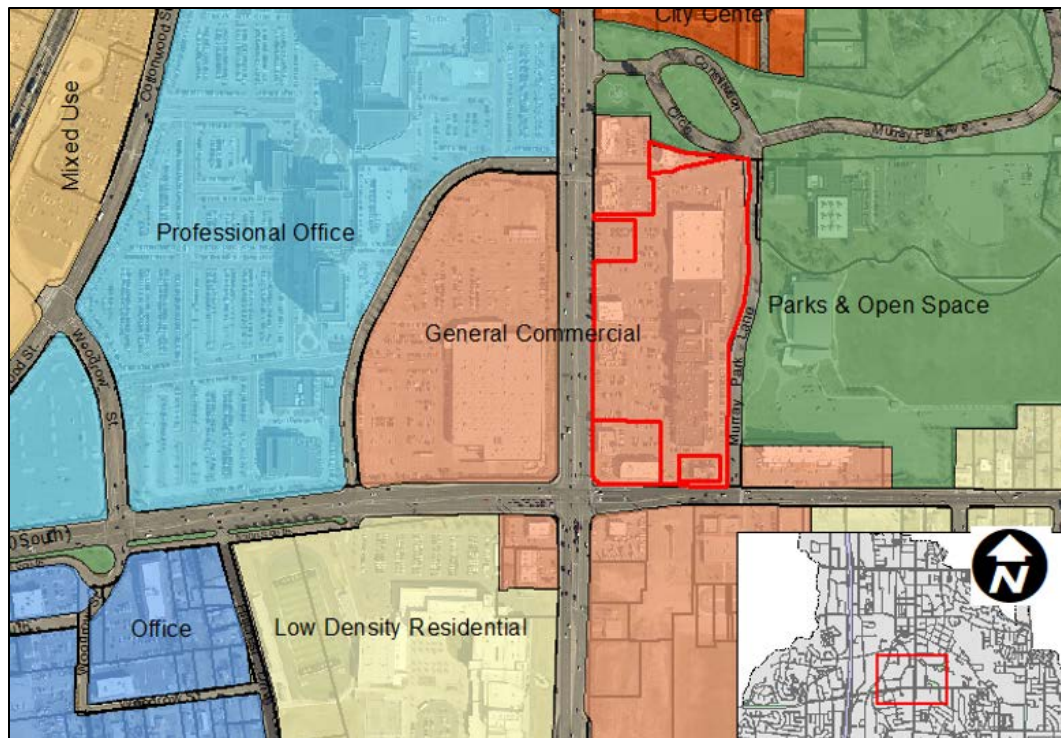
The Village & Centers Mixed Use Designation is intended to provide an opportunity for the measured, context sensitive addition of residential housing to existing commercial properties and developments along major transportation corridors and in and around retail and commercial centers and neighborhood nodes. Allowing the introduction of residential uses to these areas is intended to support the goals and principles of mixed-use development by facilitating a more compact, sustainable, and pedestrian oriented land use pattern as these existing commercial centers and corridors redevelop over time.



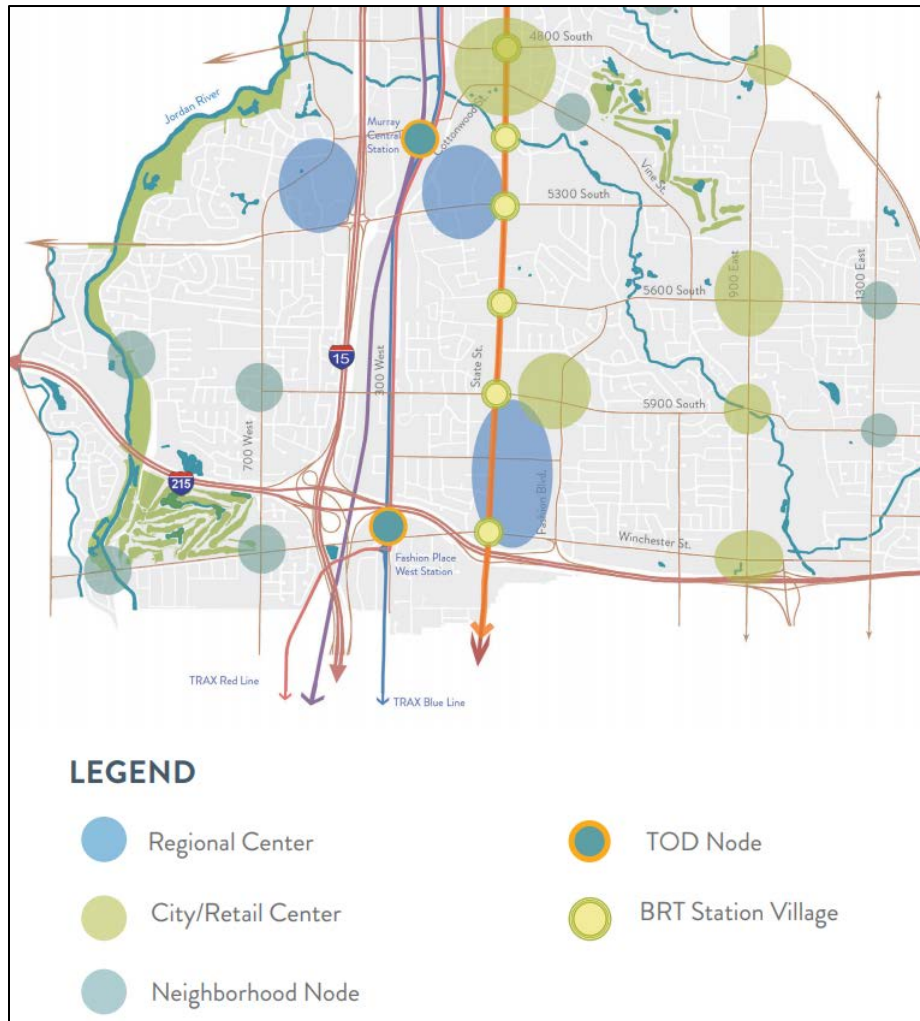
Density range is between 25 and 45 DU/AC.

Corresponding zone(s):

- Centers Mixed Use, CMU
- Village Mixed Use, VMU



**General Plan Objectives:** The subject property is located along an identified major transportation corridor in close proximity to a significant transit station. The site is located at the intersection of State Street and 5300 South, identified in the 2017 General Plan as a “BRT Station Village”.



**Revitalization** – Section 5-3, Objective 2 of the General Plan promotes revitalization along key transportation corridors like State Street and supports that through a strategy to “offer zoning, density, street improvements and other indirect incentives.”

**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.

## Summary

The Village & Centers Mixed Use designation is intended for use along major transportation corridors and around retail and commercial centers and neighborhood nodes. The subject property represents such an area. The property is located near the Murray Central Station with access to commuter rail, light rail, and bus services. Additionally, a Bus Rapid Transit (BRT) service is intended for State Street, and a station stop to serve the area of the intersection of 5300 South and State Street. The 2017 General Plan identifies this area for further study and consideration as a BRT station village. The CMU Zone will allow mixed use redevelopment of the property at a scale that is appropriate and manageable for public facilities and services. Mixed Use redevelopment of the property under the CMU Zone will support objectives of the General Plan by providing opportunities for revitalization, improved pedestrian connections, access to transit, and public improvements overall. Staff finds that the request to amend both the Future Land Use Map and Zoning Map is appropriate for the subject property.

## II. CITY DEPARTMENT REVIEW

The applications were made available for review by City Staff from various departments on October 11, 2021. The Fire Department expressed concerns regarding access issues related to year-round events at Murray Park. Other reviewing staff had no concerns or comments regarding the requested amendments.

## III. PUBLIC COMMENTS

49 Notices were mailed to property owners within 500' of the subject property, and to affected entities. As of the writing of this report no comments have been received regarding the applications.

## 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 contribute more fully to the goals and objectives of the General Plan and become an important part of the redevelopment of Murray's downtown if redevelopment occurs under the proposed CMU Zone.

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

The proposed CMU Zone would allow multi-family housing on the site in addition to the commercial uses, which are already developed on the site. Allowing a mixed use project redevelopment will further enhance the existing commercial, and at the same time allow residential uses adjacent to a significant open space amenity.

**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?**

The CMU Zone was created and adopted alongside other significant changes which were all considered in close consultation with public service providers. The densities, parking requirements, and other allowances and requirements are representative of the analysis and work of city planning as well as public works department staff. City staff is confident that the potential impacts of mixed use development to parking, traffic, and public utilities can be managed for projects developed in areas such as this as allowed under the CMU Zone. While there are limits to overall capacity for sewer, water, and other services when considering mixed use redevelopment in the larger area, needed upgrades to accommodate that additional growth have been identified and are being planned for.

**V. FINDINGS**

1. The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.
2. The proposed amendment to the Future Land Use Map of the 2017 Murray City General Plan has been considered based on the circumstances of the subject property and is in harmony with the purpose and intent of the proposed Village & Centers Mixed Use designation.
3. The proposed Zone Map Amendment from C-D, Commercial Development to CMU, Centers Mixed Use has been considered based on the characteristics of the site and surrounding area, the potential impacts of the change, and supports the policies and objectives of the 2017 Murray City General Plan.
4. The proposed amendment of the Zoning Map from C-D, Commercial Development to CMU, Centers Mixed Use is supported by the description and intent statements for the General Commercial land use designation recognizing the appropriateness of mixed use redevelopment of commercial property.
- 5.

**VI. STAFF RECOMMENDATION**

The requests have been reviewed together in the Staff Report and the findings and conclusions apply to both recommendations from Staff; however, 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**



**property located at 5283, 5157, 5217, and 5177 South State Street, and 151 East 5300 South from General Commercial to Village & Centers 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 5283, 5157, 5217, and 5177 South State Street, and 151 East 5300 from C-D, Commercial Development to CMU, Centers Mixed Use.**



## NOTICE OF PUBLIC HEARING

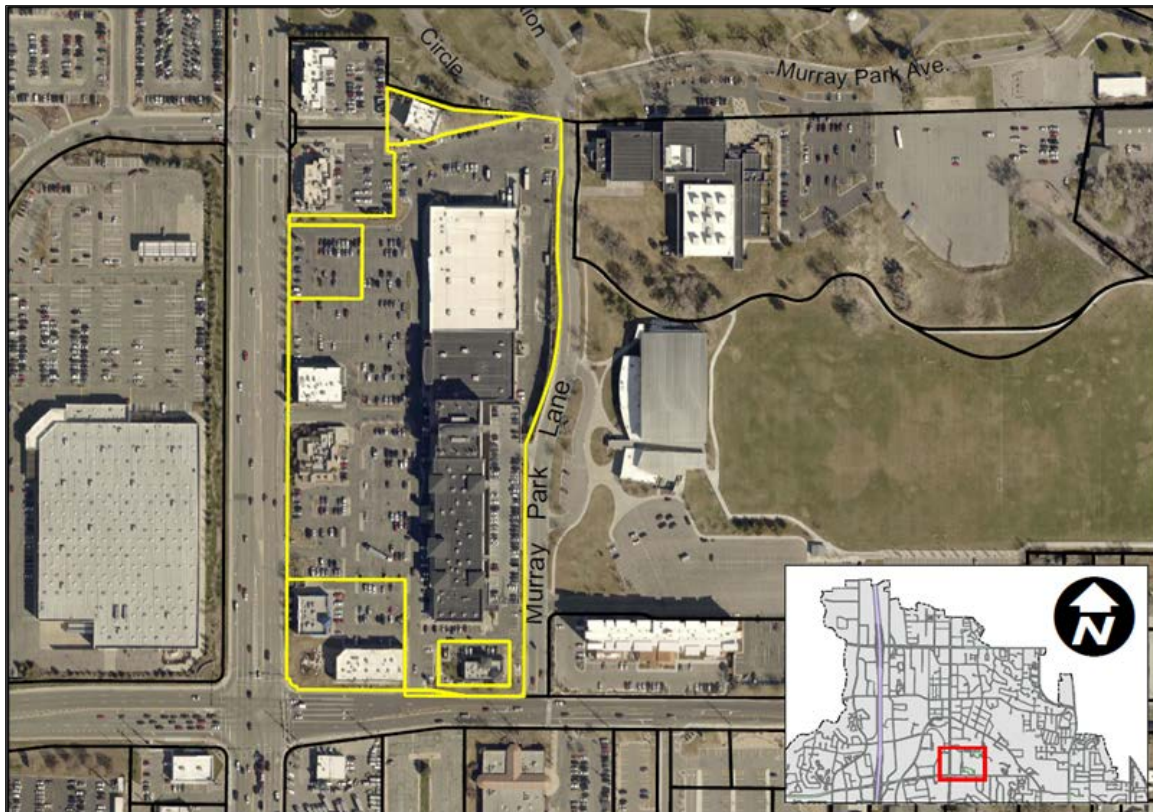
October 21, 2021, 6:30 PM

The Murray City Planning Commission will hold a public hearing in the Murray City Municipal Council Chambers, located at 5025 S. State Street to receive public comment on the following applications made by representatives of Howland Partners Inc. regarding the properties located at 5283, 5157, 5217, 5177 South State Street and 151 East 5300 South.

- **Amend the Future Land Use Map designation of the properties from General Commercial to Village & Centers Mixed Use.**
- **Amend the Zoning Map for the properties from C-D, Commercial Development to CMU, Centers Mixed Use.**

The meeting is open, and the public is welcome to attend in person 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 online, 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, written comments will be read into the meeting record.*

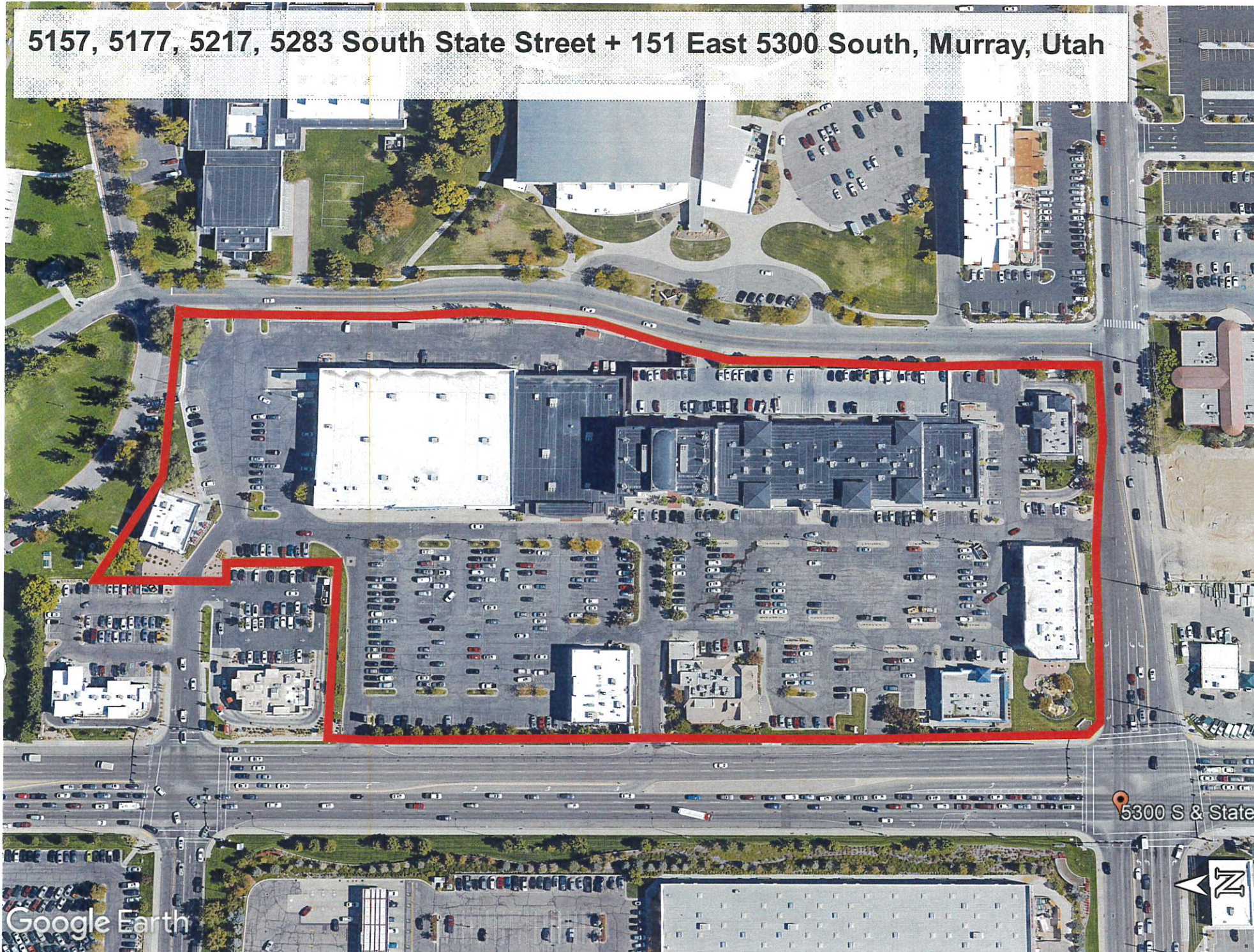


This notice is being sent to you because you own property within 500 feet of the subject property. If you have questions or comments concerning this proposal, please contact Jared Hall in the Murray City Planning Division at 801-270-2427, or e-mail [jhall@murray.utah.gov](mailto:jhall@murray.utah.gov).

Public Notice Dated | October 08, 2021



5157, 5177, 5217, 5283 South State Street + 151 East 5300 South, Murray, Utah



5300 S & State

Google Earth



**THE POINTE @ 53<sup>RD</sup>**  
**PROPERTY DESCRIPTION**

A TRACT OF LAND WHICH IS LOCATED IN THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, MURRAY CITY, SALT LAKE COUNTY, UTAH, SAID TRACT IS MORE PARTICULARLY DESCRIBED AS, BEGINNING AT A POINT ON THE EAST RIGHT OF WAY LINE OF STATE STREET; POINT BEING MORE PARTICULARLY DESCRIBED AT SOUTH 89°59'23" EAST 896.04 FEET TO THE EAST RIGHT OF WAY LINE, AND 1313.70 FEET SOUTH 00°04'38" WEST ALONG SAID RIGHT OF WAY LINE, FROM THE WEST QUARTER CORNER OF SAID SECTION 7, THENCE NORTH 00°04'38" EAST 744.40 FEET; THENCE SOUTH 89°55'22" EAST 209.12 FEET; THENCE SOUTH 80°18'37" EAST 5.94 FEET; THENCE NORTH 00°04'38" EAST 130.00 FEET; THENCE NORTH 80°19'29" WEST 15.50 FEET; THENCE NORTH 00°00'31" WEST 129.95 FEET; THENCE SOUTH 71°48'51" EAST 120.81 FEET; THENCE SOUTH 74°59'50" EAST 24.84 FEET; THENCE SOUTH 86°18'25" EAST 133.45 FEET; THENCE SOUTH 82°21'39" EAST 84.77 FEET; THENCE SOUTH 01°14'54" EAST 108.30 FEET; THENCE SOUTH 07°51'48" WEST 45.45 FEET; THENCE SOUTH 01°12'52" WEST 121.24 FEET; THENCE SOUTH 05°10'37" EAST 55.50 FEET TO THE BEGINNING OF A RADIUS OF 550.00 FEET TO THE RIGHT; THENCE SOUTHWESTERLY 250.66 FEET ALONG THE CURVE THROUGH A DELTA OF 26°06'46" (CHORD BEARS SOUTH 7°52'46" WEST 248.50 FEET); THENCE SOUTH 20°56'09" WEST 94.96 FEET; THENCE SOUTH 00°04'38" WEST 514.02 FEET TO THE NORTH RIGHT OF WAY LINE OF 5300 SOUTH STREET; THENCE ALONG SAID NORTH RIGHT OF WAY LINE NORTH 89°52'50" WEST 119.58 FEET; THENCE NORTH 80°57'10" WEST 71.54 FEET; THENCE NORTH 89°53'32" WEST 54.37 FEET; THENCE NORTH 89°53'22" WEST 220.89 FEET; THENCE NORTH 0°06'38" EAST 5.94 FEET TO THE BEGINNING OF A 15.50 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT; THENCE NORTHWESTERLY 24.34 FEET ALONG THE ARC OF SAID CURVE THROUGH A DELTA OF 89°58'01" (CHORD BEARS NORTH 44°54'21" WEST 21.91 FEET); THENCE NORTH 89°54'37" WEST 6.03 FEET; THENCE NORTH 00°04'38" EAST 203.48 FEET TO THE POINT OF BEGINNING.

CONTAINS 5 LOTS: 575,957 SF OR 13.222 ACRES

# GENERAL PLAN AMENDMENT APPLICATION

Type of Application (check all that apply):

☐ Text Amendment

☒ Map Amendment

Project # 21-103

Subject Property Address: 5283, 5157, 5217, 5777 South State, Murray

Parcel Identification (Sidwell) Number: 151 East 5300 South 7300

Parcel Area: 22-07-304-030 22-07-304-028

Current Use: 22-07-304-031 22-07-304-029

Land Use Designation: 13.222

Proposed Designation: Commercial

Applicant Name: C-D

Mailing Address: Howland Partners, Inc.

City, State, ZIP: 9450 S. Redwood Road

Daytime Phone #: South Jordan, Utah 84095

Fax #: 801-253-8950

Email Address: 801-253-8951

Business Name (If applicable): Cary@Howlandinc.com Tina@Howlandinc.com

Property Owner=s Name (If different): Howland Partners, Inc.

Property Owner=s Mailing Address: George M James Family Limited Partnership

City, State, Zip: The Point 253rd, LLC, JFRG-532, LLC

Daytime Phone #: 9450 S Redwood Road

Fax #: South Jordan, Utah 84095

Email: Cary@Howlandinc.com

Describe your request in detail (use additional page if necessary): Tina@Howlandinc.com

Authorized Signature: Please see additional page.

Date: 8/19/2021



## **GENERAL PLAN AMENDMENT APPLICATION**

Describe your request in detail:

As COVID-19 has impacted commercial, retail, and office uses, The Pointe @ 53<sup>rd</sup> is requesting its property be included on the General Plan as a Centers Mixed Use property. With offices downsizing, big-box retailers moving to on-line sales and not needing large retail space, and food users struggling, many communities are revising their codes to allow a residential aspect to their commercial/retail areas. This Centers Mixed Use will provide The Pointe @ 53<sup>rd</sup> the opportunity to include residential apartments with the commercial/retail stores below, provide residents with on-site amenities, and keep the viability of this project in Murray City.

## Property Owners Affidavit

I (we) Deanna Butler, 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.

George M. James Family Limited Partnership

Deanna Butler

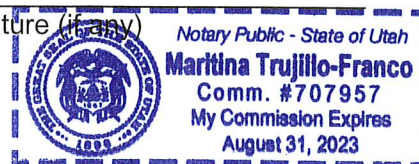
Owner's Signature

Co- Owner's Signature (if any)

State of Utah

§

County of Salt Lake



Subscribed and sworn to before me this 31st day of August, 2021.

Martina Trujillo-Franco

Notary Public

Residing in Salt Lake City, Utah

My commission expires: August 31, 2023

### Agent Authorization

I (we), Deanna Butler, the owner(s) of the real property located at

5283 S. State Street, in Murray City, Utah, do hereby appoint

Howard Partners Inc., as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize

Gary Howard to appear on my (our) behalf before any City board or commission considering this application.

George M. James Family Limited Partnership

Deanna Butler

Owner's Signature

Co-Owner's Signature (if any)

State of Utah

§

County of Salt Lake



On the 31st day of August, 2021, personally appeared before me

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

Martina Trujillo-Franco

Notary Public

Residing in Salt Lake City, Utah

My commission expires: August 31, 2023

## Property Owners Affidavit

I (we) Ronald C. Gurnell, Manager, 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.

JFRG-532, LLC

[Signature]

Owner's Signature

State of Utah

§

County of Salt Lake

Co- Owner's Signature (if any) State of Utah



Subscribed and sworn to before me this 27th day of August, 20 21.

Martina Trujillo-Franco

Notary Public

Residing in Salt Lake City, Utah

My commission expires: August 31, 2023

### Agent Authorization

I (we), Ronald C. Gurnell, Manager, the owner(s) of the real property located at

5157 S. State Street

, in Murray City, Utah, do hereby appoint

Howland Partners Inc.

, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize

Gary Howland

to appear on my (our) behalf before any City board or commission considering this application.

JFRG-532, LLC

[Signature]

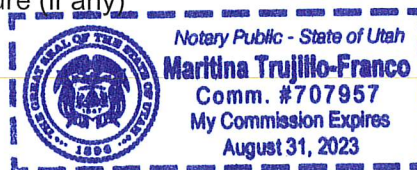
Owner's Signature

Co-Owner's Signature (if any)

State of Utah

§

County of Salt Lake



On the 27th day of August, 20 21, personally appeared before me

Ronald Gurnell

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

Martina Trujillo-Franco

Notary Public

Residing in Salt Lake City, Utah

My commission expires: August 31, 2023



### Property Owners Affidavit

I (we) Gary Howland  
CEO of Howland Partners, Inc., 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.

The Pointe @ 53rd L.C. by Howland Partners, Inc. Its Manager

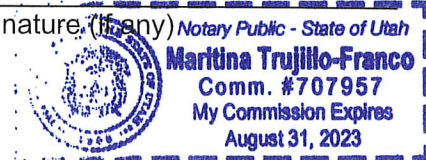
Owner's Signature

Co- Owner's Signature (if any)

State of Utah

§

County of Salt Lake



Subscribed and sworn to before me this 30th day of August, 20 21.

Notary Public

Residing in Salt Lake City, Utah

My commission expires: August 31, 2023

### Agent Authorization

I (we), Gary Howland  
CEO of Howland Partners, Inc., the owner(s) of the real property located at

5217, 5172 S State St, 151 E 5300 S, in Murray City, Utah, do hereby appoint

Howland Partners, Inc., as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize

Gary Howland to appear on my (our) behalf before any City board or commission considering this application.

The Pointe @ 53rd L.C. by Howland Partners, Inc. Its Manager

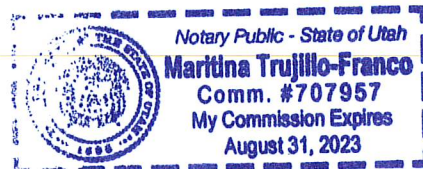
Owner's Signature

Co-Owner's Signature (if any)

State of Utah

§

County of Salt Lake



On the 30th day of August, 20 21, personally appeared before me

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

Notary Public

Residing in Salt Lake City, Utah

My commission expires: August 31, 2023

# ZONING AMENDMENT APPLICATION

Type of Application (check all that apply):

Project # 21-104

☐ Zoning Map Amendment

☐ Text Amendment

☐ Complies with General Plan

☐ Yes

☐ No

Subject Property Address:

5283, 5152, 5217, 5177 South State Street,  
Murray, UT

Parcel Identification (Sidwell) Number:

22-07-304-030 22-07-304-028  
22-07-304-031 22-07-304-029

Parcel Area:

13.222

Current Use:

22-07-304-027  
Commercial

Existing Zone:

C-D

Proposed Zone:

CMU

Applicant

Name:

Howland Partners, Inc.

Mailing Address:

9450 S. Redwood Road

City, State, ZIP:

South Jordan, UT 84095

Daytime Phone #:

801-253-8950

Fax #:

801-253-8951

Email address:

Gary@Howlandinc.com Tina@Howlandinc.com

Business or Project Name:

The Pointe 253rd

Property Owner's Name (If different):

George M. James Family Limited Partnership  
The Pointe 253rd, LLC JFRU-532, LLC

Property Owner's Mailing Address:

9450 S. Redwood Road

City, State, Zip:

South Jordan, UT 84095

Daytime Phone #:

801-253-8950

Fax #:

801-253-8951

Email:

Gary@Howlandinc.com  
Tina@Howlandinc.com

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

Please see additional page.

Authorized Signature:

[Signature]

Date:

8/19/2021



## **ZONING AMENDMENT APPLICATION**

Describe your request in detail:

As COVID-19 has impacted commercial, retail, and office uses, The Pointe @ 53<sup>rd</sup> is requesting the rezoning of its property from Commercial to Centers Mixed Use. With offices downsizing, big-box retailers moving to on-line sales and not needing as much retail space, and food users struggling, rezoning to Centers Mixed Use will provide The Pointe @ 53<sup>rd</sup> the opportunity to include residential apartments with commercial/retail stores below, provide residents with on-site amenities, and keep the viability of this project in Murray City.

## Property Owners Affidavit

I (we) Deanna Butler, 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.

George M. James Family Limited Partnership

Deanna Butler  
Owner's Signature

Co- Owner's Signature (if any)



State of Utah

§

County of Salt Lake

Subscribed and sworn to before me this 31st day of August, 2021.

Martina Trujillo-Franco

Notary Public

Residing in Salt Lake City, Utah

My commission expires: August 31, 2023

### Agent Authorization

I (we), Deanna Butler, the owner(s) of the real property located at

5283 S State Street, Murray, Utah, in Murray City, Utah, do hereby appoint

Kirkland Partners Inc., as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize

Gary Kirkland to appear on my (our) behalf before any City board or commission considering this application.

George M. James Family Limited Partnership

Deanna Butler  
Owner's Signature

Co-Owner's Signature (if any)

State of Utah

§

County of Salt Lake



On the 31st day of August, 2021, personally appeared before me

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

Martina Trujillo-Franco

Notary Public

Residing in Salt Lake City

My commission expires: August 31, 2023

**Property Owners Affidavit**

I (we) Cory Howland  
CEO of Howland Partners Inc., 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.

The Pointe 253rd L.C., by Howland Partners Inc., Its Manager  
Mr. [Signature]

Owner's Signature

Co-Owner's Signature (if any)

State of Utah

§

County of Salt Lake



Subscribed and sworn to before me this 19th day of August, 2021.

Martina Trujillo-Franco  
Notary Public

Residing in Salt Lake City, Utah My commission expires: August 31, 2023

**Agent Authorization**

I (we), Cory Howland  
CEO of Howland Partners Inc. the owner(s) of the real property located at

5217, 5177 S State St, 151 E 5300 S, in Murray City, Utah, do hereby appoint

Howland Partners Inc., as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize

Cory Howland to appear on my (our) behalf before any City board or commission considering this application.

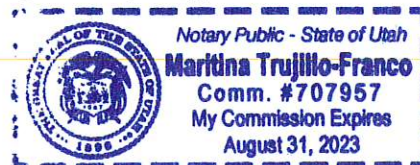
Owner's Signature

Co-Owner's Signature (if any)

State of Utah

§

County of Salt Lake



On the 19th day of August, 2021, personally appeared before me

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

Martina Trujillo-Franco  
Notary Public

Residing in Salt Lake City, Utah My commission expires: August 31, 2023



## Property Owners Affidavit

I (we) Ronald Gunnell Manager, 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.

JFRG-532, LLC  
[Signature]

Owner's Signature

Co- Owner's Signature (if any)

State of Utah

§

County of Salt Lake



Subscribed and sworn to before me this 27th day of August, 2021.

Martina Trujillo-Franco  
Notary Public  
Residing in Salt Lake City, Utah

My commission expires: August 31, 2023

### Agent Authorization

I (we), Ronald C. Gunnell Manager, the owner(s) of the real property located at 5157 S. State Street, in Murray City, Utah, do hereby appoint Howland Partners Inc., as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize

Gary Howland to appear on my (our) behalf before any City board or commission considering this application.

JFRG-532, LLC  
[Signature]

Owner's Signature

Co-Owner's Signature (if any)

State of Utah

§

County of Salt Lake



On the 27th day of August, 2021, personally appeared before me

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

Martina Trujillo-Franco  
Notary Public  
Residing in Salt Lake City, Utah

My commission expires: August 31, 2023



**THE POINTE @ 53<sup>RD</sup>, L.C.**  
**REZONE APPLICATION**  
**COMMERCIAL TO CENTERS MIXED USE**

**A. Result in high-quality redevelopment of commercial properties.**

The Pointe @ 53<sup>rd</sup> is requesting a rezone to Centers Mixed Use so the inclusion of a residential component can be added to its property.

The pattern of cities incorporating mixed-use developments has been seen around the country. COVID-19 has only accelerated this shift in mixed-use communities where individuals and families desire to live within walking distance to work, schools, grocery stores, retail, and accessibility to public transportation. During COVID-19 employers found that employees who could work from home were more productive and satisfied with their employment. With more individuals working from home or close to home, living in an apartment on the corner of 5300 South and State Street with multi-amenities such as a media room, swimming pool and workout facility, inviting outdoor common areas, walkability through the Center, and its proximity to Murray Park and the County Ice Center with all its activities, will result in a high-quality development in Murray City. Coupled with public transportation along State Street, Front Runner less than one-fourth mile away, and large surrounding companies such as Costco and Intermountain Medical across the street, adding a well-designed residential aspect above commercial retail will continue the viability of this Center and provide a neighborhood feel to this area.

**B. Retain and/or rehabilitate the commercial use of a significant portion of the property area.**

The Pointe @ 53<sup>rd</sup> is planning for approximately 2.5-3.0 acres on the North end of the Center to be reconstructed with commercial/retail below residential apartments. The 10+ acres of commercial to the west and south in the Center will remain as it currently stands.

**C. Facilitate the adaptive re-use of existing commercial structures.**

The development of retail and apartments will generate construction jobs while these are being built in Murray and when complete, the residential aspect will add revenue to the Center and surrounding businesses, as well as generate sales tax revenue for Murray City. When the apartments are complete, the below retail will not only provide additional places to shop but the addition of outdoor seating will provide patrons a place to sit, enjoy a meal, and bring a sense of community to the Center.

**D. Increase local access to commercial services for in-project residents as well as for the residents of the immediately surrounding and nearby neighborhoods.**

Currently the Center has multiple access points from three directions. There is one access point from 5300 South, four access points from State Street, as well as three east access points from Murray Park Lane. Adding the residential component to our Center will provide residents of the apartments, as well as residents from the nearby subdivisions, walkable, bikeable, and drivable access to the many types of food and retail users within the Center, as well as access to public transportation on State Street and Front Runner, which is within one-fourth of a mile of this property.

With apartments located in this community, the combination of having various businesses as possible employment or individuals working from home, schools within walking distance, retail food users within the Center, and retailers delivering goods and groceries such as Costco through Instacart, it is foreseeable that residents of these apartments will walk to their destinations or use public transportation and spend less time traveling in their vehicles.

**E. Promote a greater variety of housing options within Murray neighborhoods.**

With the nearest residential subdivision consisting of mainly single-family homes, adding the apartment aspect to this Center will provide alternative housing options to individuals who may work at nearby companies, such as Costco and Intermountain Medical, and families wanting to establish their home in an incredible part of Murray City. The apartments will incorporate various size and bedroom options to choose, with amenities that will include a pool, fitness center, media room, business center, as well as a meeting room.

**F. Promote opportunities for life-cycle housing, and housing for moderate income households.**

As single-family home prices have become unaffordable for many families, and individuals who no longer have kids at home wanting to downsize and move away from the upkeep of a yard and house, these proposed apartments will promote another housing option in Murray City for any age group. With the apartments consisting of studios, 1-bedroom units, and 2-bedroom units, a single student or professional, couples and families, or retired individuals will have a variety of apartment options to reside in at market rent rates in line within the Salt Lake Valley. Coupled with scenic Murray Park a short walk away, various food vendors within the Center, many surrounding businesses nearby, and accessibility to public transportation and Front Runner, these apartments will afford individuals and families an opportunity to reside in an outstanding part of Murray.

**G. Provide increased walkability on the project site and result in walkable connections to the surrounding residential neighborhoods.**

The inclusion of apartments in the Center will be designed to provide safe pedestrian accessibility throughout the Center, where an individual or family can leave their apartment, take a stroll through Murray Park, walk through the Center to have a meal at one of the various food retailers, possibly walk to work, or walk to the nearest transit center.

**H. Create and contribute to a sense of place and community.**

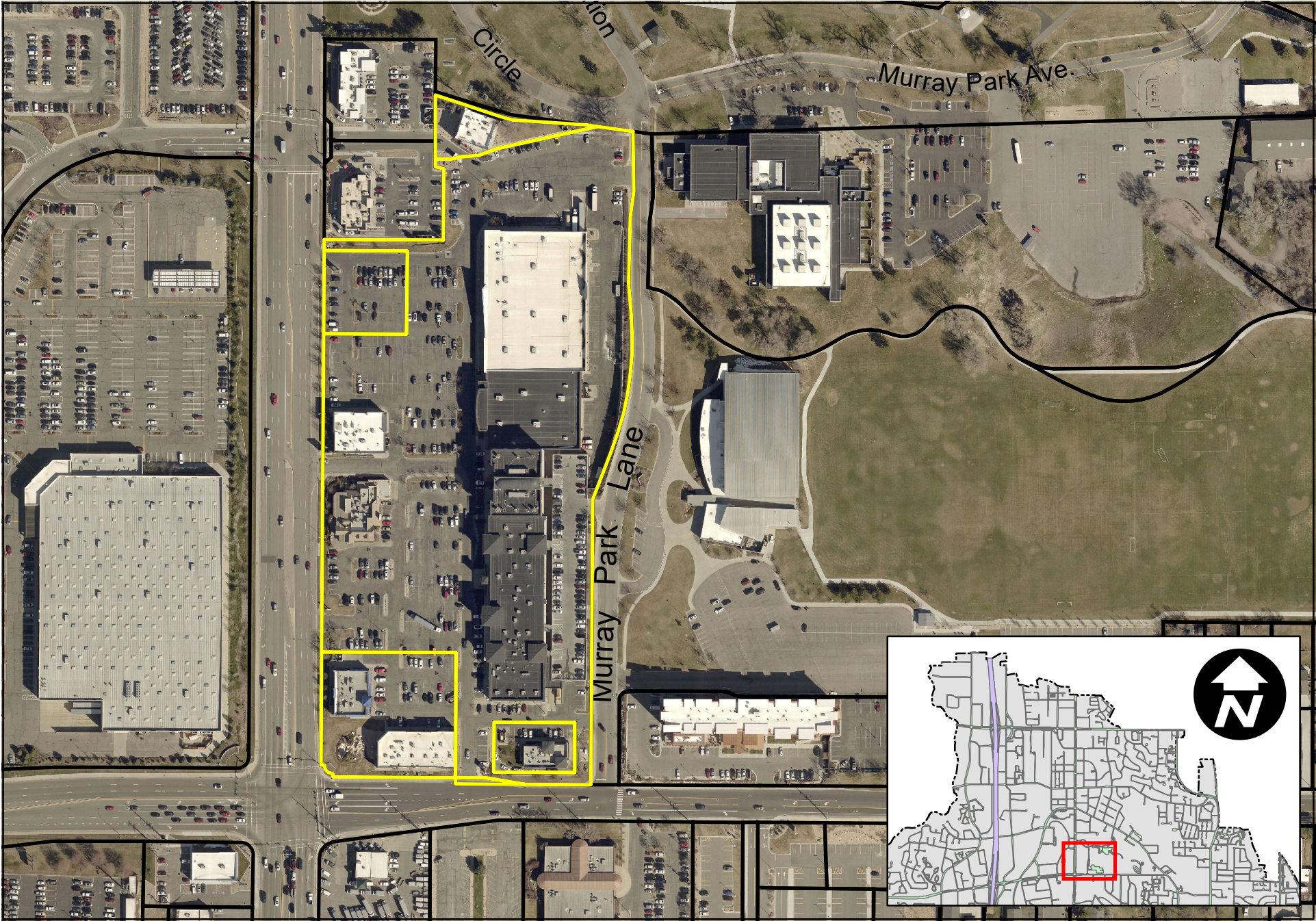
Adding apartments to the Center will bring new residents to Murray, providing an option for employees of surrounding companies to reside, along with bringing in additional revenue to food and retail users within the Center and surrounding businesses. Apartments will create a sense of neighborhood within the Center, where individuals may work from home or at a neighboring business, eat at the local retailers, and enjoy recreational activities at Murray Park without having to drive or take public transportation every day.

**I. Result in improved conditions for buffering and transition between the project site and adjacent residential uses.**

As other surrounding residential subdivisions are currently buffered by The Park Center and Murray Park, this will not change.



5157, 5177, 5217, 5283 South State Street + 151 East 5300 South





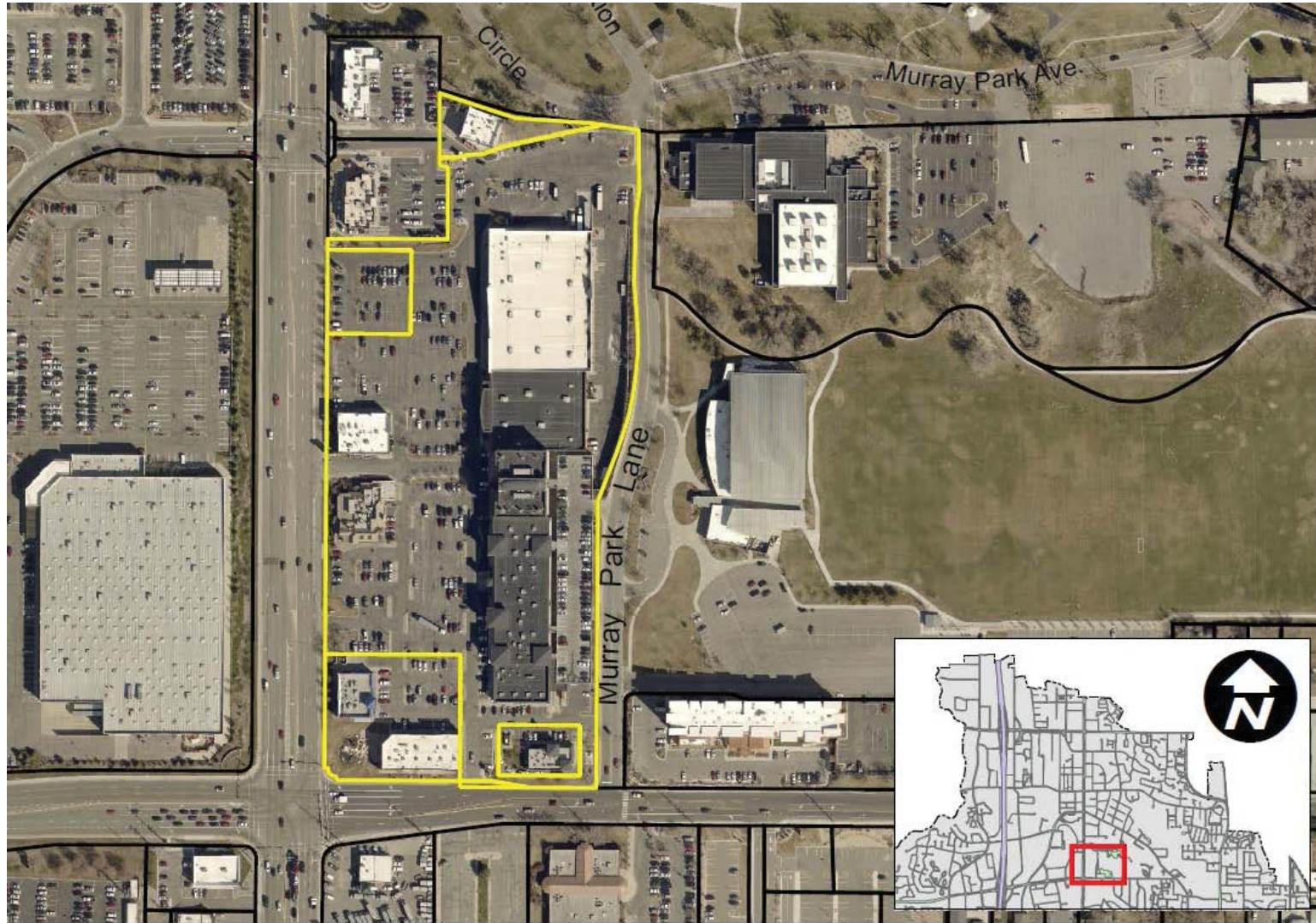
**Applicant:** Howland Partners, Inc.

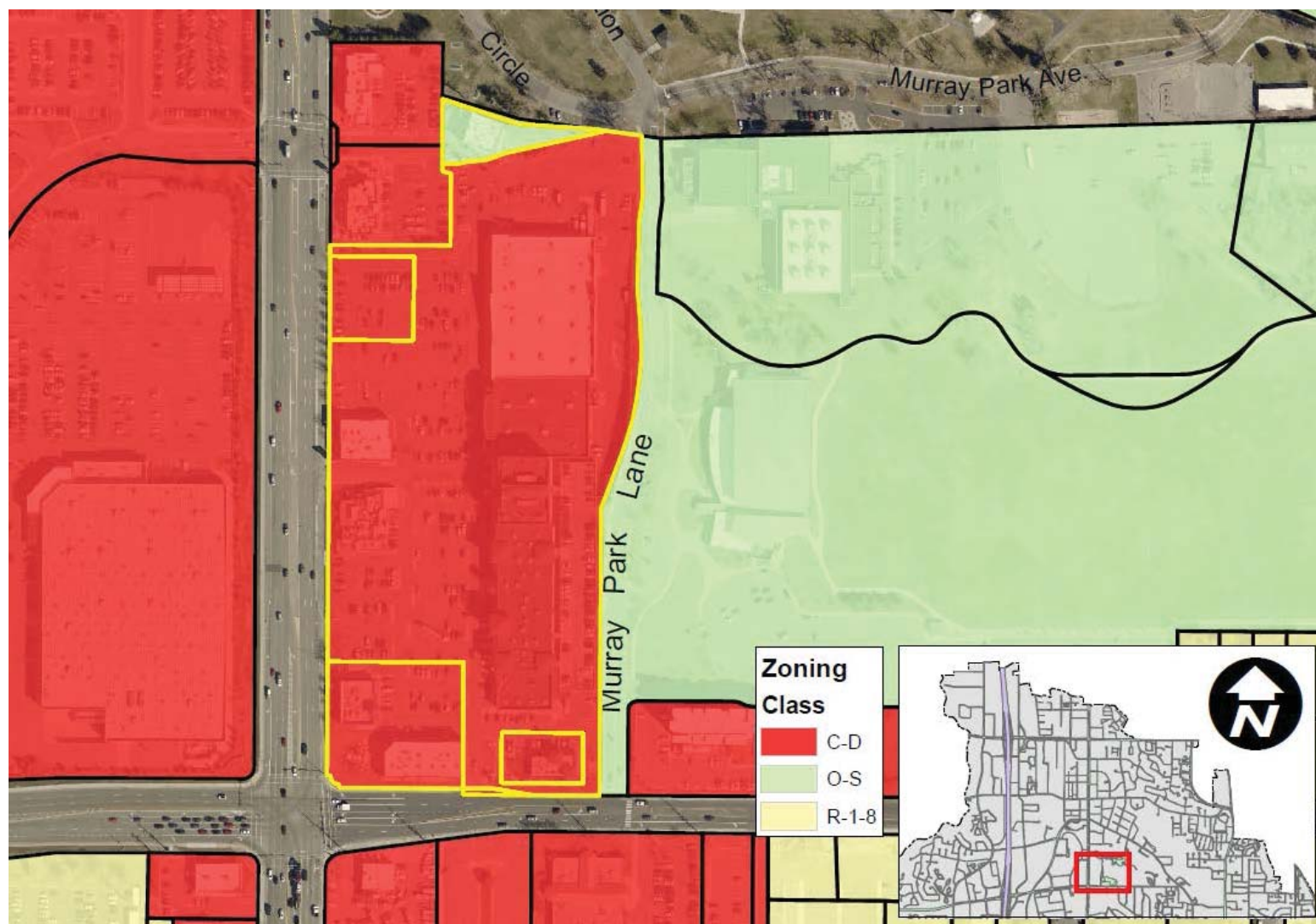
**Request:** General Plan and Zone Map Amendment from C-D to CMU

**Address:** 5157, 5177, 5217, 5283 South State Street and 151 East 5300 South







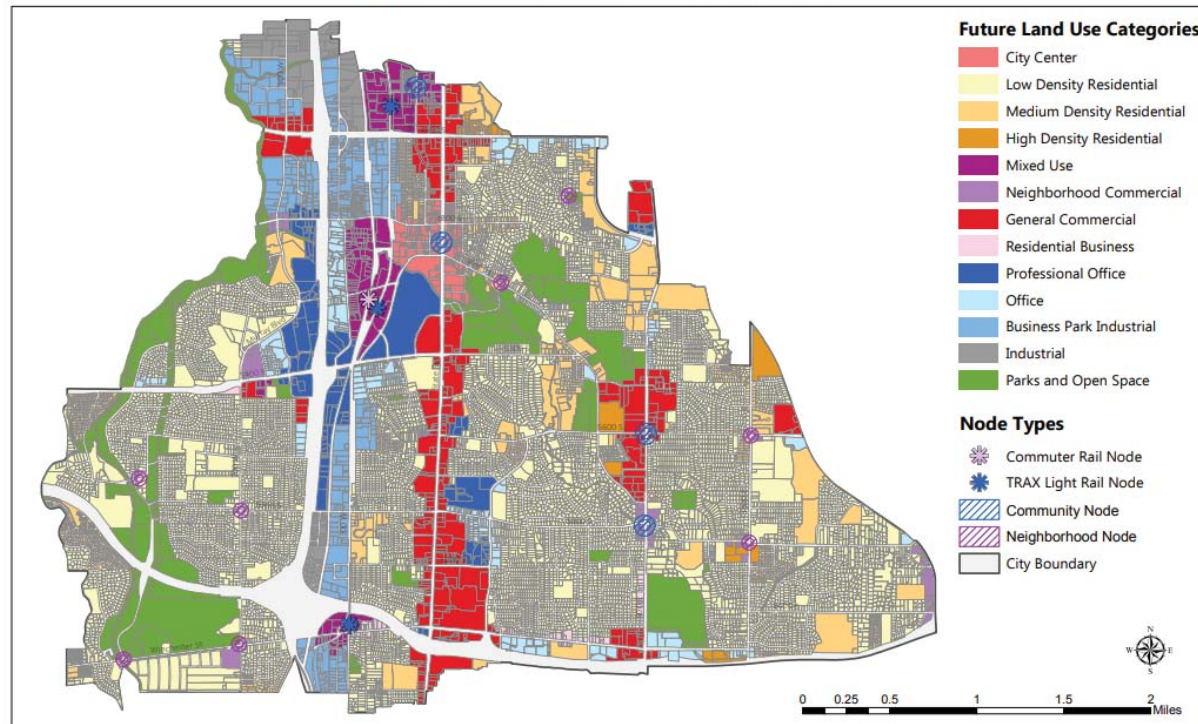


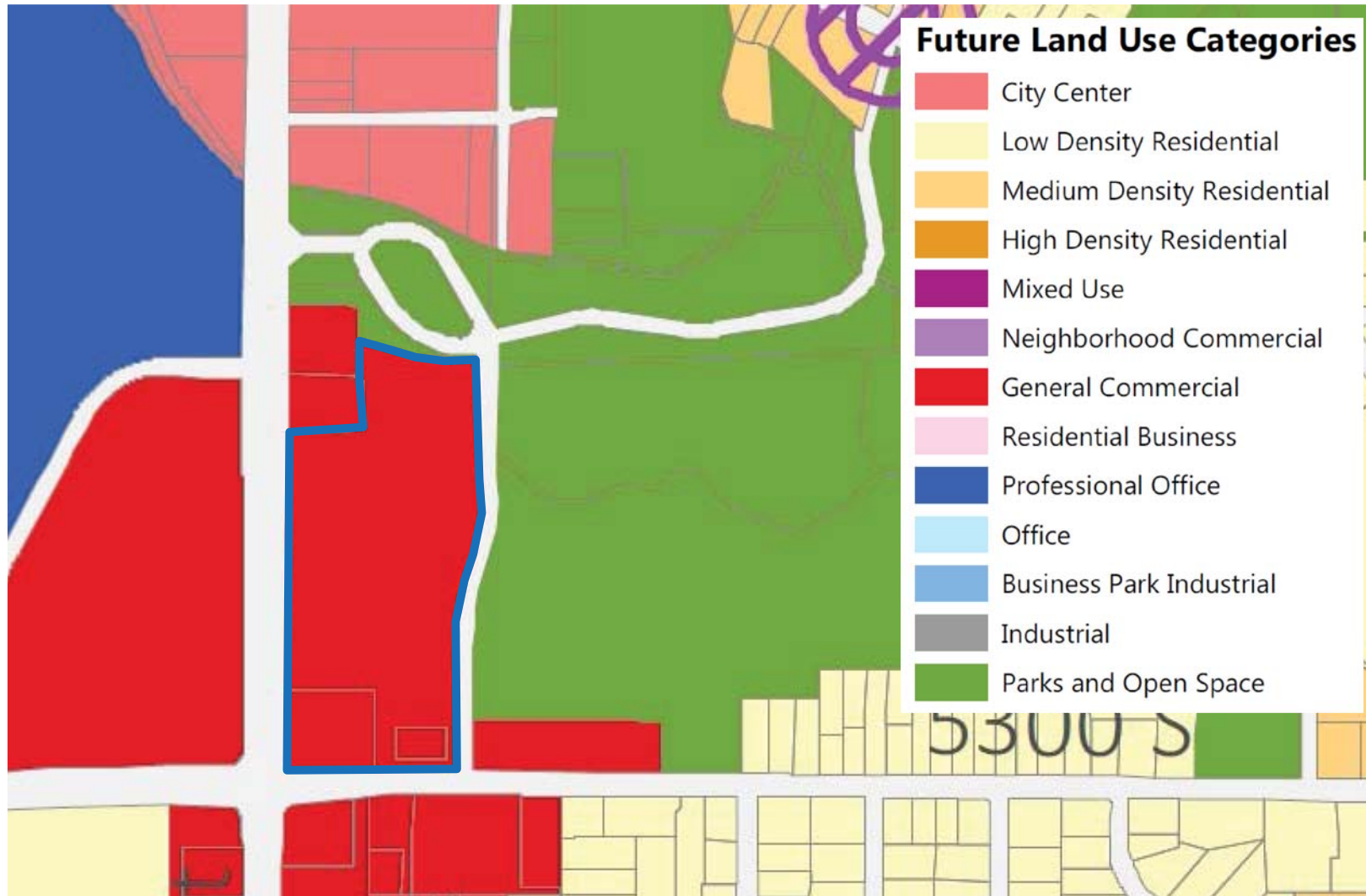


# The General Plan

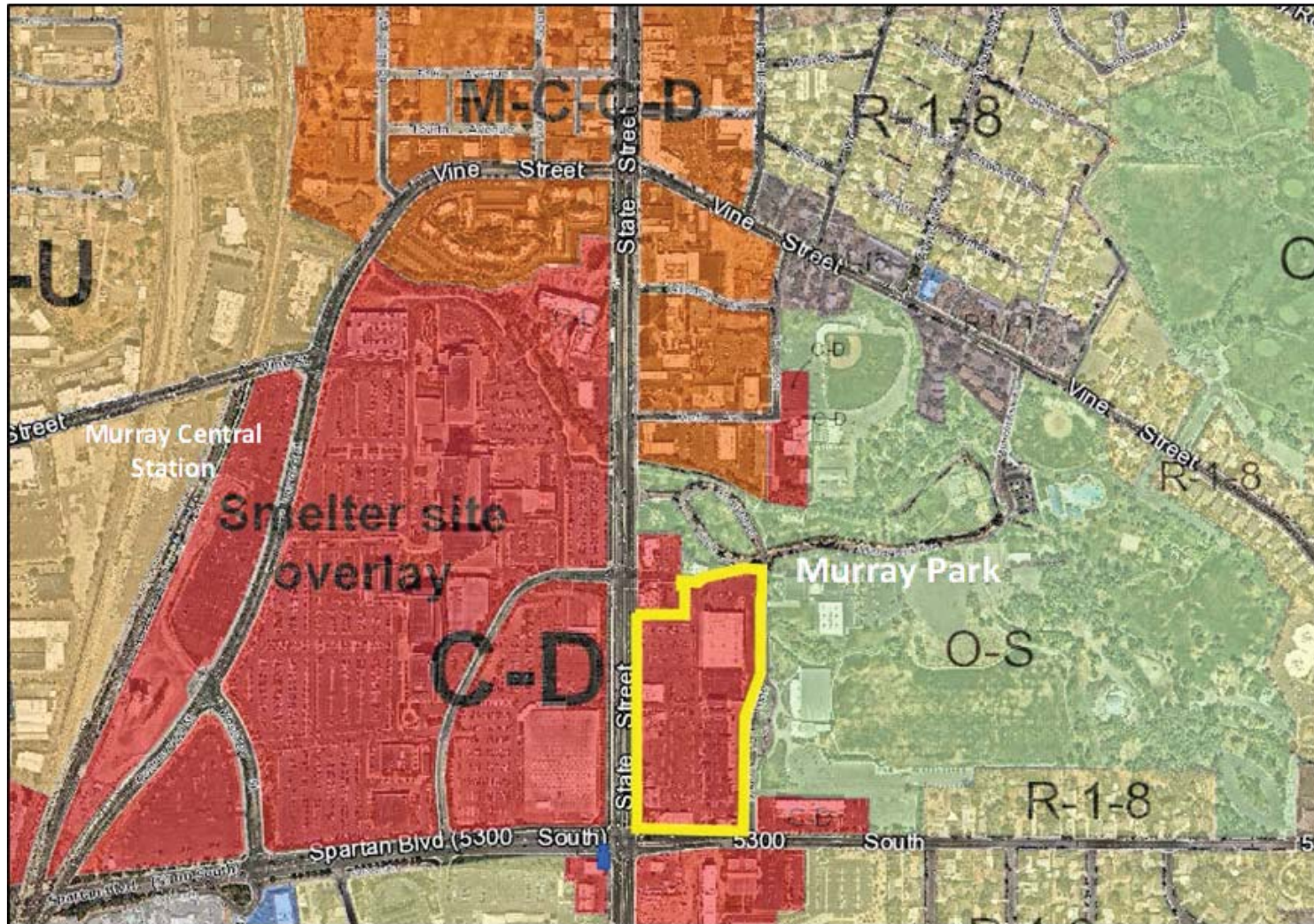
Each property in the city is designated in one of the Future Land Use Categories identified by Map 5.7 (below). Each category in Chapter 5 is subsequently detailed as to intent and characteristics, and “corresponding zones” are called out.

MAP 5.7 - FUTURE LAND USE









# General Plan Considerations

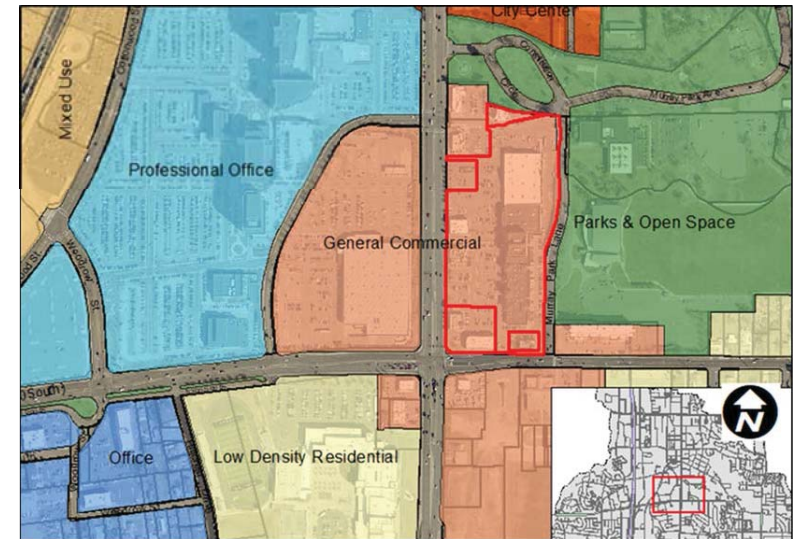
## GENERAL COMMERCIAL

While this designation is primarily for larger retail destinations, including regional shopping centers and stand-alone big box, it may also include mixed-use developments that are mainly commercial in nature and use. High density, multi-family residential complexes will only be considered as part of a larger master-planned mixed-use development. Smaller-scale medium density residential projects may be considered for neighborhood or community node areas.



Corresponding zone(s):

- C-D, Commercial development





# General Plan Considerations

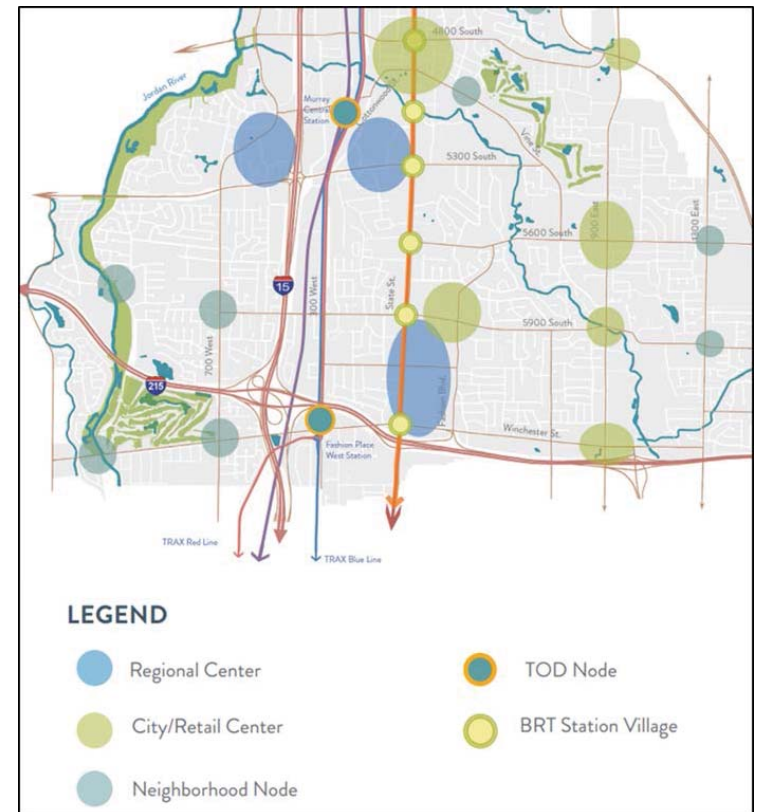
## VILLAGE & CENTERS MIXED USE

The Village & Centers Mixed Use Designation is intended to provide an opportunity for the measured, context sensitive addition of residential housing to existing commercial properties and developments along major transportation corridors and in and around retail and commercial centers and neighborhood nodes. Allowing the introduction of residential uses to these areas is intended to support the goals and principles of mixed-use development by facilitating a more compact, sustainable, and pedestrian oriented land use pattern as these existing commercial centers and corridors redevelop over time.

Density range is between 25 and 45 DU/AC.

Corresponding zone(s):

- Centers Mixed Use, CMU
- Village Mixed Use, VMU



# General Plan Considerations

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

**Strategy:** Develop context-specific corridor plans to guide coordinated land use and transportation improvements.

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

## *OBJECTIVE 6: ENCOURAGE A FORM-BASED AND MIXED USE DEVELOPMENT PATTERN TO CONNECT DOWNTOWN AND THE TOD AREAS THROUGH URBAN DESIGN.*

**Strategy:** Change zoning in targeted areas to allow for form-based mixed use development.

## *OBJECTIVE 7: PROVIDE COMPLEMENTARY USES AROUND KEY CIVIC SPACES INCLUDING MURRAY PARK, THE LIBRARY, AND CITY HALL.*

**Strategy:** Identify desired land uses near City Hall, the Library, Murray Park, and other places then work with potential developers to bring those uses to the targeted areas. Support with zoning that facilitates complementary development patterns.

## *OBJECTIVE 12: SUPPORT THE INTERMOUNTAIN MEDICAL CENTER (IMC) THROUGH COMPATIBLE AND COMPLEMENTARY LAND USES.*

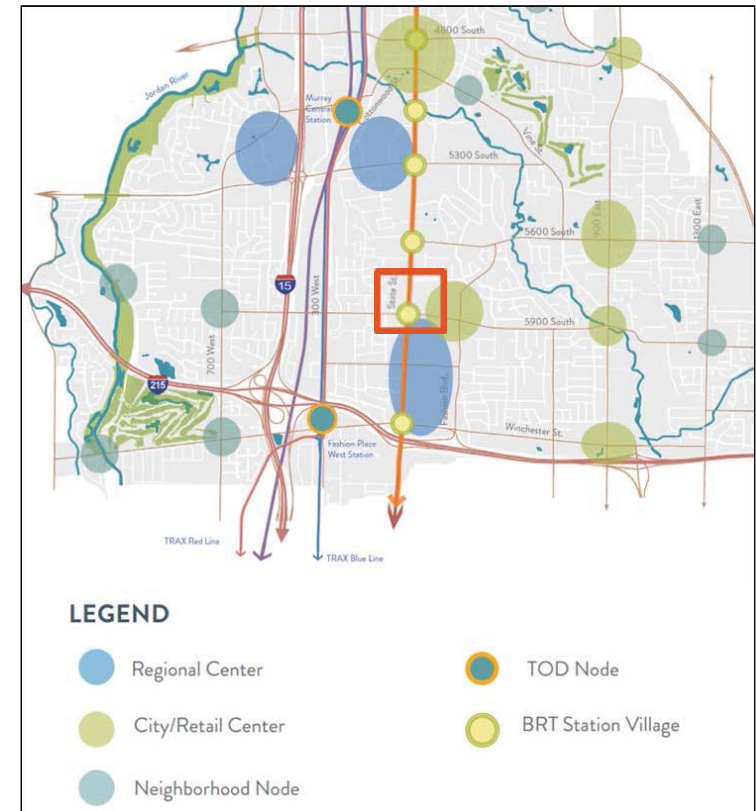
**Strategy:** Identify desired uses and work with potential developers to bring those uses to the targeted areas. Support with zoning that facilitates complementary development patterns.





# Considerations for the CMU Zone

1. Considered for property and developments “along major transportation corridors and in and around retail and commercial centers identified by the 2017 Murray City General Plan”
2. Considered for property or properties which are:
  - 3-acres or more
  - Zoned or used for non-residential purposes



The 2017 General Plan identifies this area as a BRT Station Village

# Considerations for the CMU Zone

CMU Zoning should be considered where the City finds that mixed use zoning will result in land use patterns and development that will meet at least 5 of 9 established goals.

- Result in high quality development of commercial properties.
- Retain and/or rehabilitate the commercial use of a significant portion of the property area.
- Increase local access to commercial services for in-project residents as well as for residents of the surrounding area.
- Promote a greater variety of housing options within Murray neighborhoods.



- Promote opportunities for life-cycle housing and for moderate income households.
- Provide increased walkability on the project site and result in walkable connections to the surrounding residential neighborhoods.
- Create and contribute to a sense of place and community.



Staff recommends that the property meets **7** of the **9** required findings

# The CMU Zone

Residential Density: 35 units per acre, base.

**Table C: Residential Density Increase in the CMU Zone**

Additional Maximum Residential Density	Open Space & Project Amenities	Affordable Housing	Commercial Space
40 units per acre: meet the requirements for one of the 3 categories	10% increase in total 2 additional project amenities	15% reserved for tenants at <80% AMI (area median income)	15% above required commercial
45 units per acre: meet the requirements for two of the three categories	10% increase in total with public availability of 25% of the total, or: 20% increase in total area 4 additional project amenities	15% reserved for tenants at <80% AMI 10% reserved for tenants at <60% AMI	30% above required commercial

## Required Parking

Residential – Studio	1.15 spaces per unit
Residential – 1 bedroom	1.5 spaces per unit
Residential – 2 bedroom	1.85 spaces per unit
Residential – 3+ bedroom	2.5 spaces per dwelling unit
Office uses	1 space per 350 ft <sup>2</sup> net usable
Medical / Dental Offices and Clinics	1 space per 350 ft <sup>2</sup> net usable
Retail / Commercial	1 space per 300 ft <sup>2</sup> net usable
Restaurants / Eating & Drinking Establishments	1 space per 300 ft <sup>2</sup> net usable





# Master Site Plan

**Applicant for Master Site Plan approval MUST provide:**

- Traffic Impact Study
- Parking Analysis
- Adequate Public Utilities & Facilities Review
- Public Services Review (may be required) – Police, Fire, Parks, Schools, or other services.



## Findings

1. The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.
2. The proposed amendment to the Future Land Use Map of the 2017 Murray City General Plan has been considered based on the circumstances of the subject property and is in harmony with the purpose and intent of the proposed Village & Centers Mixed Use designation.
3. The proposed Zone Map Amendment from C-D to CMU has been considered based on the characteristics of the site and surrounding area, the potential impacts of the changes, and supports the policies and objectives of the 2017 Murray City General Plan.
4. The proposed amendment of the Zoning Map from C-D to CMU is supported by the description and intent statements for the General Commercial land use designation which recognizes the appropriateness of mixed-use redevelopment of commercial property.
5. The Planning Commission voted 7-0 to forward a recommendation of approval to the City Council on 10/21/2021.

# Staff Recommendations

## General Plan Amendment

Staff and the Planning Commission recommend the City Council **APPROVE** the requested amendment to the General Plan Future Land Use Map, re-designating the properties located at 5283, 5217, 5157, and 5177 South State Street, and 151 East 5300 South from General Commercial to Village & Centers Mixed Use.

## Zone Map Amendment

Staff and the Planning Commission recommend the City Council **APPROVE** the requested amendment to the Zoning Map designation of the properties located at 5238, 5217, 5157, and 5177 South State Street, and 151 East 5300 South from C-D, Commercial Development to CMU, Centers Mixed Use.





**MURRAY**  
CITY COUNCIL

# Public Hearing # 5





**MURRAY**



# Community & Economic Development

## Boyer Company, General Plan & Zone Map Amendments

City Council

Meeting Date: December 7, 2021

### Council Action Request

<b>Department</b> <b>Director</b> Melinda Greenwood  <b>Phone #</b> 801-270-2428  <b>Presenters</b> Melinda Greenwood Jared Hall     <b>Required Time for Presentation</b> 30 Minutes  <b>Is This Time Sensitive</b> No  <b>Mayor's Approval</b>   <b>Date</b> November 2, 2020	<b>Purpose of Proposal</b> Amend the Future Land Use Map and Zoning Map designations of the subject properties to facilitate mixed use redevelopment  <b>Action Requested</b> Approval of General Plan and Zone Map amendments for 861 East Winchester and 6520, 6550, and 6580 South 900 East.  <b>Attachments</b> Presentation Slides  <b>Budget Impact</b> None.  <b>Description of this Item</b> The Boyer Company has submitted applications for a General Plan Amendment from General Commercial to Village & Centers Mixed Use and a Zone Map Amendment from C-D, Commercial Development to VMU, Village Mixed Use for the property at 861 East Winchester Street and 6520, 6550, and 6580 South 900 East. The subject property is the 9.11-acre site formerly used as an RC Willey store. The Boyer Company proposes to remove the building and redevelop the property as a mixed use site. The VMU Zone was designed to allow the limited addition of residential uses to help redevelop commercial sites in some areas. The requested VMU Zone is the least intense of Murray City's mixed use zones.  <b>Zoning Regulations</b> The existing <b>C-D Zone</b> allows for retail and commercial activities as permitted or conditional uses. It does not allow any single or multi-family residential uses. The proposed <b>VMU Zone</b> was adopted 
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## **Continued from Page 1:**

### **Staff Review**

Planning Division Staff circulated the proposed applications to multiple Murray City Departments for review on October 11, 2021. Reviewing staff had no concerns or comments. During the development of the VMU Zone, capacity of the existing and planned infrastructure for public utilities and transportation were explored based on the potential densities of the subject property and others in the larger area if mixed use redevelopment were to occur. *The allowed density, required parking, and other regulations of the VMU Zone were adopted to accommodate those findings.*

### **Planning Commission**

One-hundred nineteen (119) public meeting notices were mailed to all property owners for parcels located within 500 feet of the subject property, and to affected entities. The Planning Commission held a public hearing for this item on October 21, 2021 and voted 5-2 to forward recommendations of approval based on the findings below.

### **Findings**

1. The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.
2. The proposed amendment to the Future Land Use Map of the 2017 Murray City General Plan is supported by the description and intent of the Village & Centers Mixed Use designation, as well as by statements of intent found in 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 VMU 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 Street and 6520, 6550, and 6580 South 900 East from General Commercial to Village & Centers 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 properties located at 861 East Winchester Street and 6520, 6550, and 6580 South 900 East from C-D, Commercial Development to VMU, Village Mixed Use.

# Murray City Corporation

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 7<sup>th</sup> day of December, 2021, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, 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 Village and Centers Mixed Use and amending the Zoning Map from the C-D (Commercial) zoning district to the VMU (Village Mixed Use) zoning district for the properties located at 861 East Winchester Street and 6520, 6550 and 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.

DATED this 9<sup>TH</sup> day of November 2021.



MURRAY CITY CORPORATION

A handwritten signature in blue ink, appearing to read "Brooke Smith", written over a horizontal line.

Brooke Smith  
City Recorder

DATE OF PUBLICATION: November 26, 2021  
PH21-40

UCA §10-9a-205

- Mail to each affected entity
- Post on City's website
- Post on Utah Public Notice Website
- Mailed to each property owner within distance parameters (*City Code 17.04.140*)

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

AN ORDINANCE RELATING TO LAND USE; AMENDS THE GENERAL PLAN FROM GENERAL COMMERCIAL TO VILLAGE AND CENTERS MIXED USE AND AMENDS THE ZONING MAP FROM C-N TO VMU FOR THE PROPERTIES LOCATED AT 861 EAST WINCHESTER STREET AND 6520, 6550 AND 6580 SOUTH 900 EAST, MURRAY, UTAH. (Boyer Company – Applicant)

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

WHEREAS, the owner of the real properties located at 861 East Winchester Street and 6520, 6550 and 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 a Village and Centers Mixed Use and to amend the zoning map to designate the property in a VMU 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 Village and Centers Mixed Use projected use for the following described properties located at 861 East Winchester Street and 6520, 6550 and 6580 South 900 East, Murray, 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 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, 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.

CONTAINS 5 LOTS: 575,957 SF OR 13.222 ACRES

*Section 2.* That the Zoning Map and the zone district designation for the property described in Section 1 be amended from the C-N zone district to the VMU 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 \_\_\_\_\_, 2021.

MURRAY CITY MUNICIPAL COUNCIL

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Diane Turner, Chair

ATTEST:

\_\_\_\_\_  
Brooke Smith, 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:

\_\_\_\_\_  
Brooke Smith, City Recorder

#### CERTIFICATE OF PUBLICATION

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

\_\_\_\_\_  
Brooke Smith, City Recorder

Lane from R-1-8 Low Density Single Family to R-1-6 Medium Density Single Family. Seconded by Travis Nay.

Call vote recorded by Mr. Smallwood.

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

Motion passed 6-1.

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

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

The M-U Zone was looked at a year ago, before this new VMU zone was created. At that time the City Council expressed how the M-U may not fit well and desired better decisions with allowed densities because the properties are further from transit opportunities and wanted to consider more buffering for residential areas because the downtown core doesn't have a lot of single family residential to worry about for buffering. When the zones were written and drafted and presented to the City, they were written with guideposts that would define where those new

zones might be used appropriately. The first of those considerations is if those properties are existing commercial properties that are located in and around areas identified in the 2017 General Plan as nodes. This particular site is identified as a "City Retail Center" with where it is situated. It meets that first basic test. Second, it should be considered for properties that are at least three acres, this is 9.11 acres, and that are zoned or used for non-residential purposes and help them maintain their commercial components. Third, there are nine goals, and an application should meet five of the nine goals. The application meets eight of the nine goals, including to provide high-quality development of commercial properties, to retain and rehabilitate commercial use of significant portions of the property, to increase local access to commercial services for in project residents as well as residents in surrounding areas, to promote a greater variety of housing options within Murray neighborhoods, to provide increased walkability on the project site, to create and contribute to a sense of place and community, and to result in improved conditions for buffering and transition between the project site and adjacent residential uses.

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



Mr. Pehrson asked for clarification of Section 17.164.020, which refers to the nodes, the neighborhood nodes are indicated but what are the other nodes. Mr. Hall verified they are city/retail nodes. Mr. Pehrson asked if the developer could just build an apartment building and use the existing space as the commercial space. Mr. Hall indicated they could use adaptively re-use the existing building, which would be nice, but that because the building was very specifically built to the site and for the use it really wasn't likely or probable. In order to use the building, they would need to provide a master site plan which requires a traffic impact study, a parking analysis, an adequate public utilities review, and any other public services review that the City thought would be appropriate such as for fire, police, and schools. The Master Site Plan has many requirements such as a central feature and building orientation to create open spaces, etc. It also carries with it a Master Site Plan Agreement between the city and the developer. The Master Site Plan Agreement might, for example, say no permits for residential until there is a certain percentage of square footage leased out in your adapted reusable building. Mr. Nay asked if something like that comes forward and then they go belly up what happens to that Master Site Plan Agreement. Mr. Hall confirmed that the Master Site Plan Agreement stays in place and governs the successors and assigns. Anybody who takes over the property or project is subject to the same conditions. They do not get to build anything that is not in that agreement. If they want to begin again, they need to come back to the Planning Commission for a new Master Site Plan approval. Mr. Nay asked for more information about power, sewer, police, fire in relation to this site. Mr. Hall stated part of the review of the zones was to examine the capacity there was in public utilities outside the City's core. Sewer and water studies were under way as the new zones were written, which made it possible to look at all of the capacities available and how much density could be supported in all the likely areas that might see these requests for zone changes. The school district has been informed of the possible density and with the quarterly updates they are made aware of the kinds of densities we could be looking at and how that might affect them.

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

Ms. Patterson stated that a lot of 900 East and Winchester areas have been rezoned to (RNB) Residential Neighborhood Business and asked why not apply that to this. Mr. Hall stated two

reasons: The General Plan says General Commercial. We didn't slate this property for the RNB, which applies to neighborhood business that are very small scale, very low impacts, empty by 6pm with heights are limited to 20'. The depth of those properties which are slated for RNB are shallow, and smaller in area. This site is very large with a lot of depth from the street. The RNB isn't as applicable with a site that is 9 acres like this.

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

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

Ms. Patterson opened the meeting for public comment.

The following emails were read into the record:

Elizabeth Laura, via audio message

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

people who are people just with a lower income. It's not anything to do with crime being brought to us.

Sonia DeVore

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

Aaron & Stephanie Turner

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

Crystal McMillan

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

Janelle Klingler

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

Julie Schreck

*I was recently made aware that Murray City is currently considering re-zoning the RC Willey area to Mixed Use. This would allow the developer to build 3-4 story buildings with several hundred apartments for lower income students and families. I have to say I'm extremely disappointed to hear this as I live at 6428 S. Golden Chain St. I have personally experienced a significant amount of crime that appears to be propagated by both the Crystal Inn and the James Pointe apartments along Winchester. We recently had to put in an alarm as we have a stranger in our backyard who attempted to gain access to our home with our walk out basement. To add even more apartments in a highly congested area simply means that the risk of potential crime will likely increase. To put this frankly, I feel that Murray City often puts the needs of business over the needs of actual homeowners. There are many properties like this in the works and a development like this would be ideally suited for the Sports Mall area where there are already limited residences. I sincerely hope this motion doesn't pass. If it does, I think most folks in our neighborhood will look to move. Heartbreaking because we absolutely love our neighbors and neighborhood. I would personally vote for whatever Mayor can support growth that doesn't harm homeowners.*

Amy Ballard

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

The following comments were made at the meeting:

Tim Richardson, 772 E Labrum Ave

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

Gary Westin, 809 Southwood Drive

*I've lived there for 52 years. 400' east of this project is just commercial property and one farm. Only one house would receive the notice. 400' south of the project is the Red Cross building no residents would have received the notice. 400' west of the project are four homes, only four people would have received the notice. 400' north there are 20 homes would have received the notice. Murray City need to do something with regard to its ordinance of giving notice regarding re-zones. I served before you did way back in 1987 and I didn't do anything about it then, so I am more to blame than you are. The people who are there will have the same idea as I have, and our concern is what we want is responsible homeownership in the area. We don't have any problem at all with tenants, I have a daughter and grandchildren that are tenants that are great tenants. There is a difference between a tenant that is here today gone tomorrow and has no vested interest in the area or the neighborhood or the community. Homeowners necessarily do*



*that. 250 potential units would go in here on ten acres, nobody said anything at all about what to do with regard to condominiums. Immediately west of this project is the Brad Reynolds twin home project which is a wonderful thing and would work also. The problem is we clearly need large apartment buildings in our community but with something like fireclay went into a commercial industrial area, to put them in a commercial residential area like this where its everything Tim Richardson said people have been there forever like me. We want people there who are there because they want to be there who will respect and protect it. This developer wants and needs to make money off this project but very importantly they were here before and one of the projects they had they wanted to would give rise to them being able to put in a very high count project, the only reason they want the village project now is they think they can persuade you therefore by moving down from what they wanted before, that 25 would be acceptable.*

*Dwight Packard, 815 East Silver Shadow Drive*

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

*Janice Strobel*

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

*Earl Greenhall, 771 East Labrum Ave*

*My wife sent an email (included in the Commissioners Packets). I beg to differ with the conclusion that staff made about all the utilities being sufficient. We had the Public Works Director who came and met with the neighborhood. We have a lake at the end of Labrum every year. Public Works admitted that the storm drain was not sufficient for this area and when we talked to Mayor Snarr he indicated it would be several million dollars to put in a new storm drain and the City did not have the budget. Somewhere the communication that there are sufficient utilities for that area got construed. My lot has been flooded several times and we've been told in the last five years there have been new 100-year storm calculations made. Second, Boyer is a very smart company, I suspect before they agreed to make the sale that it was conditioned*

*upon a rezone. I am surprised they haven't addressed other opportunities that could happen in there and leave it commercial. We haven't explored any of the commercial opportunities. I strongly hope that you will reject this allow Boyer to present the project before the rezone, if we rezone before we don't have an impact.*

*Ally Anderson, 808 Firemeadow Avenue*

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

*Dale Simper, 6417 South 725 East*

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

*Joey Hollman, 746 E Litston Circle*

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

*Dave Hansen, 736 Labrum Avenue*

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

*John Nielson, 812 Silver Shadows*

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

Colleen Fischer, 740 East Labrum Avenue

*I have lived here 45 years. I want to go on the record that I am opposed to this zoning change. I hope you don't grant the zoning change tonight. When the James Pointe apartments were proposed many years ago, we lived there, and they told us it was going to be beautiful with an adult only community. But you see what it is now and there is crime. I don't think we need any more of that.*

Jennifer Horne, 752 East Silver Shadows Drive

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

Clark Bullen, 5051 Tree Top Circle

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

*followed or officially revised in an unprecedented time for a desire and demand for higher density would not be out of the question. We could do an official revision and look at it all as a whole. Approving these one off projects will set a precedent tonight of changing commercial to high density zoning and there is other potential sites like Shopko, Sports Mall the current city hall where we sit to name a few. We need to control this growth or it will control us. I request that the Planning Commission deny these applications and that the applicants can re-apply after the city has considered all of this density increase as a whole.*

*Shauna Nielson, 812 East Silver Shadows Drive*

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

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

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

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



Hall verified that it isn't required and cautioned that when it's been done it doesn't always go well. Mr. Nay affirmed that we have seen that before, where they present something but then end up doing something else.

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

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

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

have right now is essentially a complete overhaul that started in 2014 and finally put into place in 2017. Best Practice is to look at those General Plans and do an update every five years. We are at that point now and as far as officially revising the plan is what we do anytime we bring a general plan amendment application and by we, it's a property owner that submits an application and pays fees to the city to process their application. We as the city do not go to property owners and ask them to change their zoning, they come to us and ask. In between those time frames to amend the General Plan or Zoning and to give property owners and a community the opportunity to be flexible to the conditions that have changed since the last time the General Plan would have been updated. A General Plan is not meant to be a static document. It is meant to be a living breathing document and this is the formal process, starting here with the Planning Commission and then moves forward either way to the City Council for another round of public hearings. When Murray City was doing an overhaul on the General Plan in 2014, 2015, 2016, nobody anticipated the changes that would be accelerated by the conditions that have been applied worldwide over the last 18 months. We knew 5 years ago that big box retail was a dying breed it's been hastened because of the pandemic but the reality is you can have properties sit vacant for years because big box doesn't work that way anymore. We spent the six months with the moratorium listening to the concerns of the Council and residents and we put into place some softer zones that we felt would be more compatible with the concerns that we heard through process. There also needs to be a balance of the needs of the property owner who wishes to develop a property and what those needs are. There is no one size fits all, but staff has worked really hard to go through a process and to get some options to prevent ending up with old empty dilapidated buildings.

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

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

it still goes to City Council and they still hear everything on this and make their independent decision.

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

Call vote recorded by Mr. Hall

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

Motion passed 5-2.

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

Call vote recorded by Mr. Hall

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

Motion passed 5-2.

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

The applicant would like to amend the Future Land Use Map designation and Zoning of the subject property to support future redevelopment of the property as a mixed-use project. Mr. Hall stated this is a dual application a General Plan Future Land Use amendment from General Commercial to Village and Centers Mixed Use and Zone Map amendment from C-D Zoning to the CMU, Centers Mixed Use Zone. The property is the Point @ 53<sup>rd</sup> 13.22 acres. The C-D Zoning does not support any residential uses. The application is to make these amendments to allow potential redevelopment in the future including higher density residential and multifamily dwellings as well as the commercial that is there and including reordering of commercial. The property is located near Murray Park. It is on the edge of the downtown and fairly close to the TRAX station and Murray Central Station with some significant impediments to the pedestrian



## AGENDA ITEM #7

ITEM TYPE:	General Plan Amendment / Zone Map Amendment		
ADDRESS:	861 E. Winchester and 6520, 6550, & 6580 South 900 East	MEETING DATE:	October 21, 2021
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:	VMU, Village Mixed Use
LAND USE DESIGNATION	General Commercial	PROPOSED DESIGNATION	Village & Centers 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 redevelopment		





## I. BACKGROUND & REVIEW

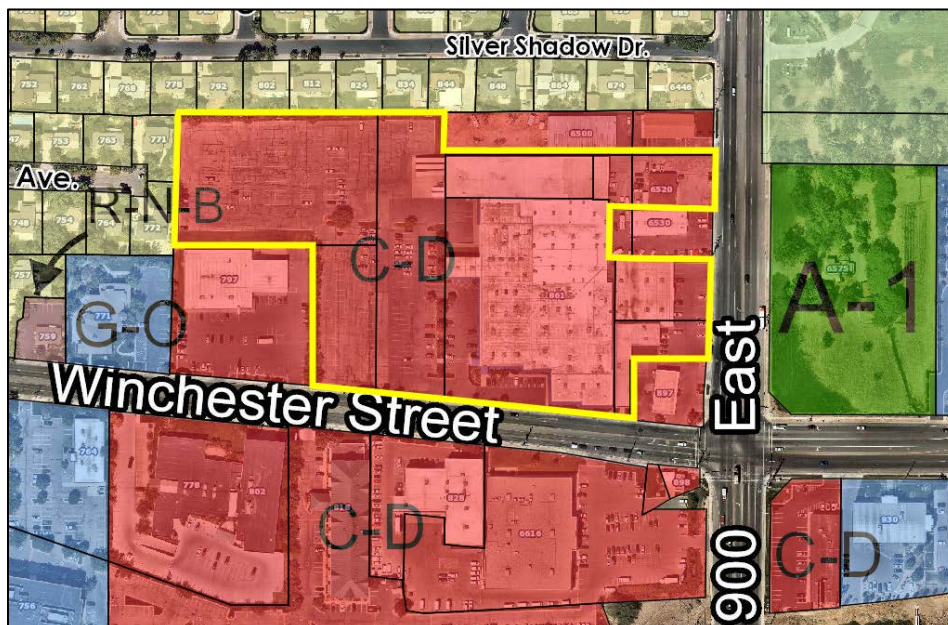
### Background

The subject property has previously been used as an RC Willey furniture store. The location was closed, and the property purchased by the applicant in late 2020. The building was constructed specifically to accommodate RC Willey's operations, and with the loss of the tenant for whom the property was developed, the Boyer Company proposes to remove the building and redevelop the property as a mixed use site. Between February and August of 2021, the City researched, drafted, and adopted two new mixed use zones in addition to making significant changes to the existing mixed use zones. The applicant has requested a change of zoning to VMU, Village Mixed Use. The Village Mixed Use and Centers Mixed Use Zones were designed specifically to allow the addition of residential uses to existing commercial properties along transportation corridors and in neighborhood and commercial nodes identified by the 2017 General Plan with densities and parking requirements at more appropriate levels. The requested VMU Zone is the least-intense of the City's mixed use zones.

### Surrounding Land Uses & Zoning

The subject property is 9.11 acres comprised of 9 parcels in the C-D Zone .

<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



### VMU Zone, Chapter 17.164

The regulations for the VMU, Village Mixed Use Zone are found in Chapter 17.164 of the Murray City Land Use Ordinance. The first three sections identify criteria to guide the City when considering requests to apply the VMU Zone to different properties. A brief review of these criteria follows.

Section 17.164.010, Purpose: Properties to be considered for the VMU Zone should be “existing commercial properties in and around areas identified as commercial and neighborhood nodes in the 2017 Murray City General Plan.” The subject property was identified as a “City/Retail Center” in the 2017 General Plan. (See figure 1 below.)

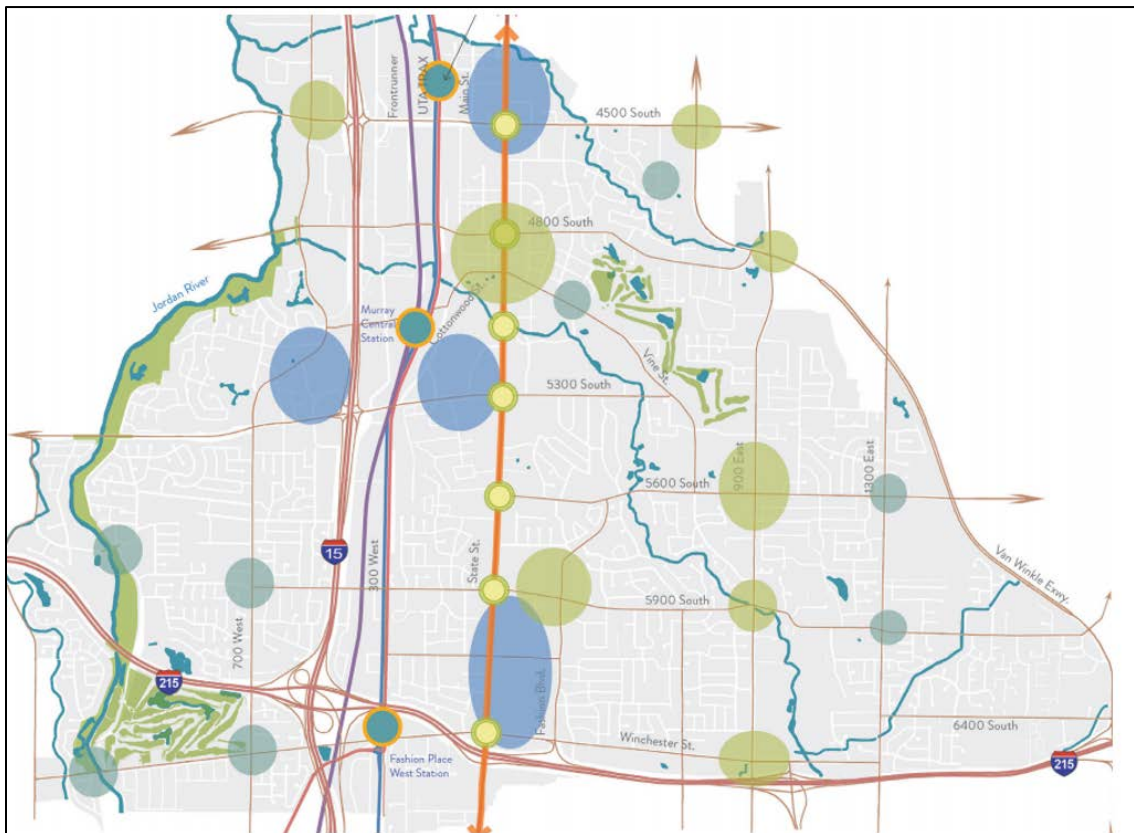


Figure 1: From the 2017 General Plan "Small Area Plans" map

Section 17.164.020, Establishment: The VMU Zone “should be considered for application to a property or properties within an established development having a minimum area of three (3) acres or more, and to those properties which are currently zoned or used for non-residential uses.” The subject property meets these criteria: it is over nine acres and is part of a larger commercial area on three corners of the intersection of Winchester Street and 900 East. The existing zoning is commercial, all of which has been used non-residentially.

Section 17.164.130, Findings: The Village Mixed Use (VMU) Zone should only be considered where Murray officials find that mixed-use zoning will result in land use patterns and development that will meet a minimum five (5) of nine (9) goals. Those goals that are best met by the subject property are reviewed below. The applicant has also provided a narrative response to each of the goals which has been attached to this report for your review.

- **Result in high-quality redevelopment of commercial properties.**

The VMU Zone will allow mixed use redevelopment of the vacant RC Willey site. The property was developed specifically for RC Willey, and redevelopment under the VMU, mixed use zone will allow the flexibility and integration of land uses that will make the project viable while maintaining commercial uses.

- **Retain and/or rehabilitate the commercial use of a significant portion of the property area**

While the existing commercial buildings on the subject property will not be rehabilitated or retained, the VMU Zone will allow the re-imagined and rehabilitated commercial use of portions of the property best suited for that activity.

- **Increase local access to commercial services for in-projects residents as well as for residents of the immediately surrounding and nearby neighborhoods.**

Pedestrian access to the site from existing neighborhoods and commercial areas will be maintained and enhanced by development under the VMU Zone. In-project residents should have good, direct access to services on site.

- **Promote a greater variety of housing options within Murray neighborhoods.**

The VMU Zone will allow some limited density and multi-family housing types to be introduced adjacent to an area dominated by single-family homes, increasing the variety of housing options without direct intrusion or loss of any of the existing housing stock.

- **Promote opportunities for life-cycle housing and housing for moderate income households.**

Redevelopment under the VMU Zone will allow multi-family housing types such as apartments, condominiums, and townhomes as a part of the development. The variety of housing types will provide life-cycle housing possibilities and will contribute to the affordability of housing generally by providing additional market-rate units in the area.

- **Provide increased walkability on the project site and result in walkable connections to the surrounding residential neighborhoods.**

Mixed uses on the subject property will create potentials for walkability on-site between residential and commercial components. The subject property is also within walking distance of other services in the area, including open space at the large county park at Wheeler Farm.

- **Create and contribute to a sense of place and community.**

Mixed use redevelopment of more than nine acres allowed by the VMU Zone will require a Master Site Plan, with a central unifying feature, integrated open spaces, and other design considerations that will help create a sense of place. Combined with proximity to other services and open space amenities like Wheeler Farm and the canal trail, these design considerations will help the development under the VMU zone contribute to a sense of community in the larger area.

- **Result in improved conditions for buffering and transition between the project site and adjacent residential uses.**

The VMU Zone provides required amenities and open spaces combined with significant buffering within the development standards that will create a better transition from the project site to the adjacent residential uses.

Staff finds that the subject property meets eight of the nine required findings and should be considered for the application of the VMU Zoning designation.

### Considerations & Comparisons of the Proposed VMU and Existing C-D Zones

The most significant and easily identified difference between the existing and proposed zones in this case is that the VMU Zone will allow multi-family residential uses and the C-D Zone has no considerations for any kind of residential use. Consideration and comparison of other differences in allowed uses, regulations, and restrictions between the proposed VMU Zone and the existing C-D Zone follow.

#### 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 VMU, Village Mixed Use:  
Permitted and conditional uses allowed in the proposed VMU Zone hotels, transportation services, department stores, restaurants, grocery stores, funeral homes, assisted living facilities, beauty salons, personal services, business services, professional services, and uses related to entertainment and sports. Multi-family residential uses such as two-family units, townhomes, apartments, and condominiums are allowed with conditional use permit and planning commission review, but they are only allowed in “mixed use” projects which generally include commercial development as well. Auto-oriented businesses or services (vehicle sales, rental, or repair) are not allowed in the VMU Zone.

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

	C-D Zone (existing)	VMU 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	35' / 2-story maximum if located within 100' of residential zoning.  Rooftop gardens and amenities prohibited within 100' of residential zoning.
<b>Landscaping and Buffer Requirements</b>	10' landscaping along all street frontages  10% min coverage landscaping  10' buffer required adjacent to residential  5' buffer where parking abuts an interior property line	Building setbacks from frontages must be landscaped (where allowed)  15% min coverage (required as open space, to include amenities)  Single-family zoning must be buffered with at least 10' landscaping to include trees at 30 feet on center and solid fencing not less than 6' in height  Site design requires <u>that in addition to the required 10' buffer</u> , buildings in the project must be separated

		<p>from the adjacent residential zoning by amenities, interior accesses, surface parking, or open space</p> <p>No residential building directly adjacent to the required buffer may contain more than 8 attached units</p>
<b>Parking</b>	<p>Retail – 1 per 200 sf net Office – 1 per 250 sf net Medical – 1 per 200 sf net Restaurants – 1 per 3 seats</p> <p>Residential Requirements: NA, residential not allowed</p>	<p>Retail – 1 per 300 sf net Office – 1 per 350 sf net Restaurants – 1 per 300 sf net</p> <p>Residential Requirements: Studio – 1.25 per unit 1 bed – 1.5 per unit 2 bed – 2.15 per unit 3+ bed – 2.65 per unit</p>
<b>Building Setbacks</b>	20' front setback from property line.	Building facades setback between 15' and 25' from the back of curb (effectively between 0' and 10' from property line) should occupy at least 50% of the linear frontage of streets. Greater setbacks are allowed for courtyards or plazas, and where existing buildings with greater setbacks are being preserved or re-purposed.
<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, trash receptacles, and bicycle racks) are required.

Residential Uses in the Proposed CMU Zone: Residential uses are not allowed in the C-D Zone, but the proposed CMU Zone is intended to foster development that mixes commercial and multi-family residential uses. Multi-family uses must be accompanied by commercial development in the same project. The allowed residential density is a base of 35 units per acre. The allowed residential density can be increased to 40 or 45 units per acre by providing additional open space and amenities, providing more than the base requirement for commercial square footage, or by providing affordable housing.

Transportation, Traffic, and Parking: If the property is re-zoned, any proposed development will require a Master Site Plan approval. Under the regulations of the VMU Zone, an application for Master Site Plan approval cannot be made unless it is accompanied by a traffic impact study, parking analysis, and a review of adequate public facilities. 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, and both 900 East and Winchester Street provide multiple bus routes. The VMU Zone, while a mixed use zone, does not reduce parking requirements to the extent that Murray City's transit-oriented mixed use zones do. Parking is required based on the numbers of bedrooms in each unit, in recognition that access to alternative transportation from any potential development here will be much more limited. 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.

### 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 to mixed use designations.

- Proposed: Village & Centers Mixed Use is a new future land use map designation proposed to support the City’s newly adopted VMU and CMU Zones. These zones are intended to provide opportunities for the measured addition of higher density residential housing to support the mixed use redevelopment of properties along major transportation corridors and in existing commercial and neighborhood nodes. The applicants have proposed amending the Future Land Use Map designation of the subject property to Village & Centers Mixed Use in support of their application for a change of zoning to VMU.

#### VILLAGE & CENTERS MIXED USE

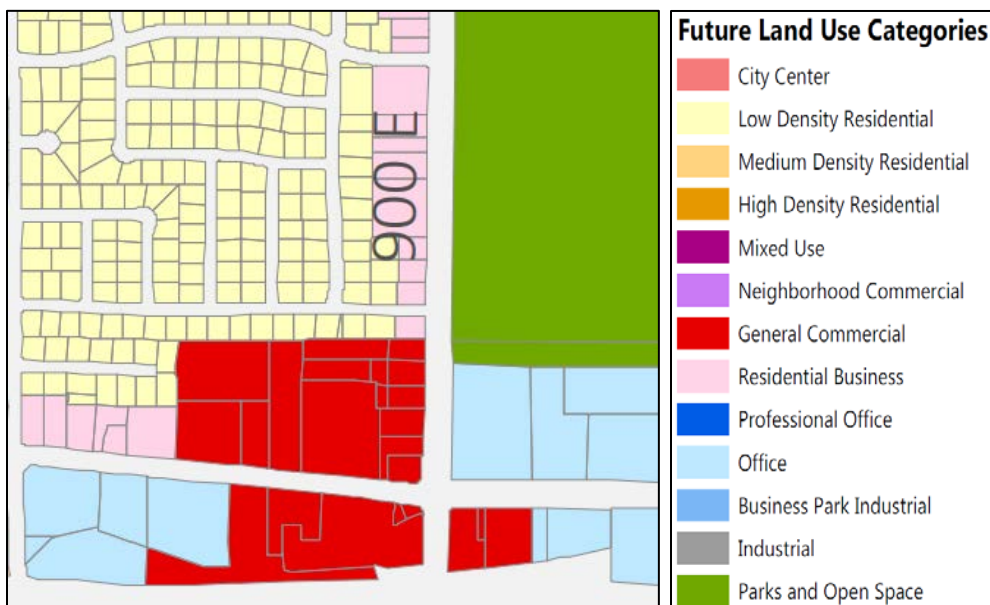
The Village & Centers Mixed Use Designation is intended to provide an opportunity for the measured, context sensitive addition of residential housing to existing commercial properties and developments along major transportation corridors and in and around retail and commercial centers and neighborhood nodes. Allowing the introduction of residential uses to these areas is intended to support the goals and principles of mixed-use development by facilitating a more compact, sustainable, and pedestrian oriented land use pattern as these existing commercial centers and corridors redevelop over time.



Density range is between 25 and 45 DU/AC.

Corresponding zone(s):

- Centers Mixed Use, CMU
- Village Mixed Use, VMU





Objectives of the General Plan: This area was identified for consideration as a “city/retail center” and was included in those areas to be considered for future small area plans by the 2017 General Plan.

- 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”. Residential density of 25 – 35 dwelling units per acre is allowed by the VMU Zoning designation sought by the applicants.

**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.” The VMU Zone which the proposed designation would support was written with the intent to be 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 a more neighborhood or village scaled mixed use development might be an appropriate tool for revitalization 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 projects 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.

**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.

### Summary

The Village & Centers Mixed Use designation is intended for use along major transportation corridors and in and around retail and commercial centers and neighborhood nodes. The subject property represents such an area. The VMU Zone will allow mixed use redevelopment of the property, but at a scale which is sensitive to the less urban, less transit-oriented surroundings. Staff finds that the request to amend both the Future Land Use Map and Zoning Map is appropriate for the subject property because the re-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 under the VMU Zone will support objectives of the General Plan by providing opportunities for revitalization, more thoughtful pedestrian improvements, access to transit, and public improvements overall, with context sensitivity and buffering appropriate for the potential development’s proximity to established single-family development.

## **II. CITY DEPARTMENT REVIEW**

The applications were made available for review by City Staff from various departments on August 20, 2021. There were no issues or concerns raised by reviewing departmental staff from Engineering, Sewer, Water, Fire, and Power.

## **III. PUBLIC COMMENTS**

119 notices of the public hearing for the requested amendments to the Future Land Use map and Zoning map amendment were sent to property owners within 500 feet of the subject property and to affected entities. As of the date of this report, Staff has received several

phone calls and emails from property owners asking for more information about the proposed zone and what would be allowed.

#### 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 VMU 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 VMU zoning will allow multi-family housing at a lower density than transit-oriented mixed use zoning, as well as commercial uses that are compatible and appropriate for the high volume corridors upon which the subject property is located. The multi-family densities allowed by the VMU Zone are greater than the single-family residential densities to the north, but 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 issues 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 proposed description and intent of the Village and Centers Mixed Use designation, as well as by statements of intent found in 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 VMU 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 WE Winchester and 6520, 6550, & 6580 South 900 East from General Commercial to Village & Centers 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 properties located at 861 E. Winchester and 6520, 6550, & 6580 South 900 East from C-D, Commercial Development to VMU, Village Mixed Use.**





## NOTICE OF PUBLIC HEARING

October 21, 2021, 6:30 PM

The Murray City Planning Commission will hold a public hearing in the Murray City Municipal Council Chambers, located at 5025 S. State Street to receive public comment on the following applications made by representatives of the Boyer 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 Centers & Village Mixed Use.**

**Amend the Zoning Map designation of the properties from C-D, Commercial Development to VMU, Village Mixed Use.**

The meeting is open, and the public is welcome to attend in person 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 online, 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, written comments will be read into the meeting record.*



This notice is being sent to you because you own property within 500 feet of the subject property. If you have questions or comments concerning this proposal, please contact Jared Hall in the Murray City Planning Division at 801-270-2427, or e-mail [jhall@murray.utah.gov](mailto:jhall@murray.utah.gov).

# GENERAL PLAN AMENDMENT APPLICATION

Type of Application (check all that apply):

☐ Text Amendment

☐ Map Amendment

Project # 21095

Subject Property Address: 861 Winchester Street and  
6520, 6550 & 6580 900 East

Parcel Identification (Sidwell) Number: 22-20-176-<sup>022</sup>~~002~~, 012, 011, 019 & 20,  
22-20-156-020, 021 & 007 NCB

Parcel Area: 9.11 acres Current Use: vacant - former R.C. Willey furniture store

Land Use Designation: General Commercial (CD) Proposed Designation: Village Mixed Use - VMU

Applicant Name: The Boyer 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): Boyer KCK MOB, L.C.

Property Owner=s 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: sverhaaren@boyercompany.com/  
smoffat@boyercompany.com

Describe your request in detail (use additional page if necessary): The demand for big box

stores and new retail development has dropped significantly the last several years. Demand is currently typically limited to areas

around large, established retail projects such as Fashion Place and the Fort Union area. Given these recent changes, the parcel's

highest and best use now matches the requirements of the city's Village Mixed Use Zone

Authorized Signature:  Date: 12 August 2021

Property Owners Affidavit

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

I (we) NATHAN BOYER, 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.

Nathan Boyer  
Owner's Signature

\_\_\_\_\_  
Owner's Signature (co-owner if any)

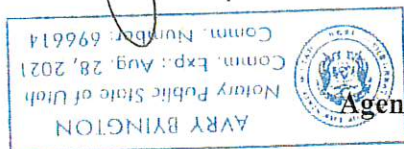
State of Utah

County of Salt Lake §

Subscribed and sworn to before me this 12 day of August, 2021.

Angie Bjorn  
Notary Public

Residing in Davis County  
My commission expires: 8/28/2021



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

\_\_\_\_\_  
Owner's Signature (co-owner if any)

State of Utah

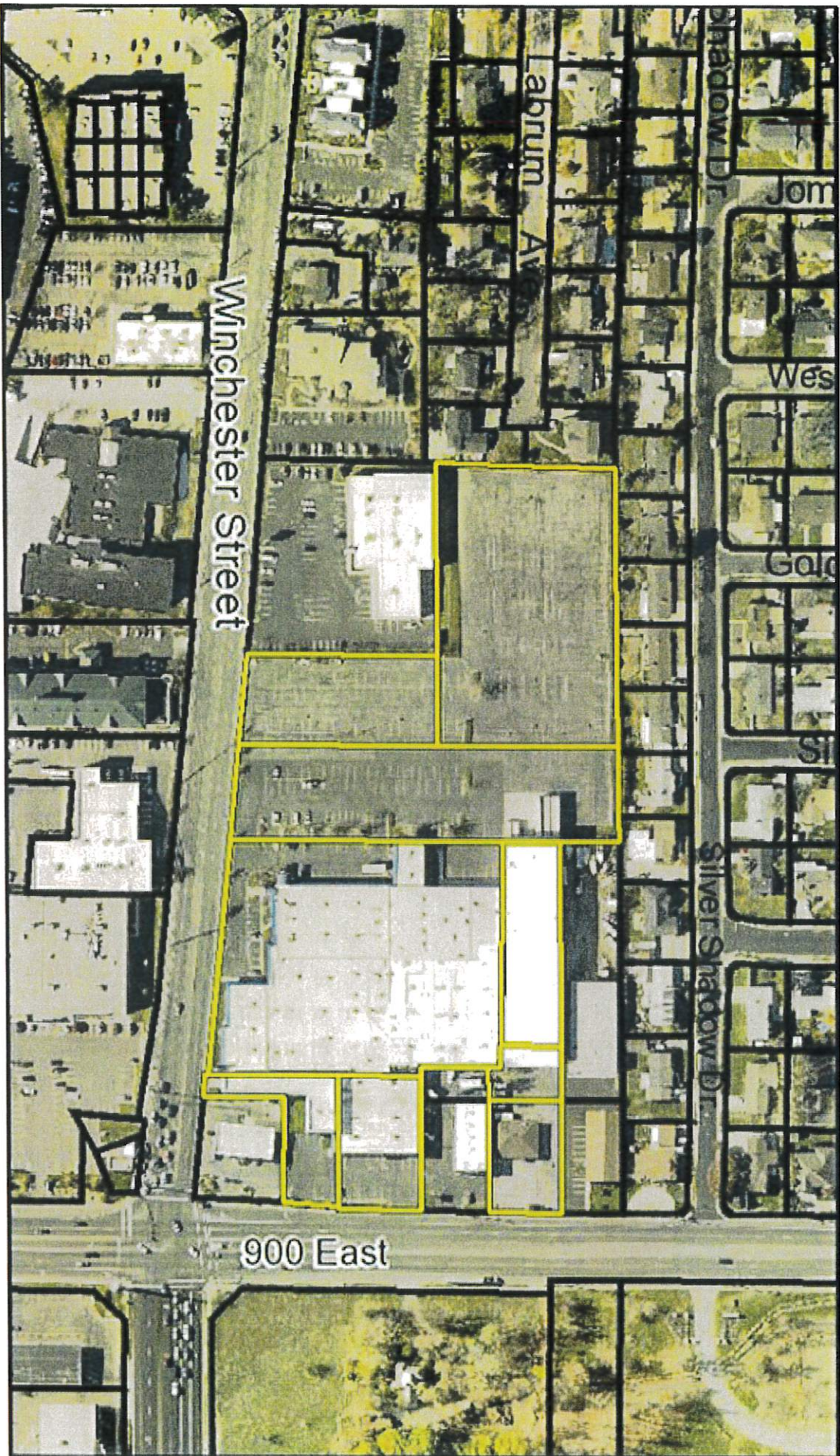
County of Salt Lake §

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: \_\_\_\_\_







# ZONING AMENDMENT APPLICATION

Type of Application (check all that apply):

Project # 21-096

☒ Zoning Map Amendment

☐ Text Amendment

☐ Complies with General Plan

☒ Yes

☐ No

Subject Property Address: 861 Winchester Street and 6520, 6650 & 6580900 East

ML

Parcel Identification (Sidwell) Number: \_\_\_\_\_

022  
22-20-176-002, 012, 011, 019 & 20,  
22-20-156-020, 021 & 007

Parcel Area: 9.11 acres

Current Use: vacant - former R.C. Willey furniture store

Existing Zone: General Commercial (CD)

Proposed Zone: Village Mixed Use - VMU

Applicant

Name: The Boyer 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): Boyer KCK MOB, L.C.

Property Owner's 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: sverhaaren@boyercompany.com/  
smoffat@boyercompany.com

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

The demand for big box stores and new retail development has dropped significantly the last several years. Demand is currently typically limited to areas

around large, established retail projects such as Fashion Place and the Fort Union area. Given these recent changes, the parcel's

highest and best use now matches the requirements of the city's Village Mixed Use Zone

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

[Signature]

Date: 17 Aug 2021

## Property Owners Affidavit

I (we) NATHAN BOYER, 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.

Nathan Boyer  
Owner's Signature

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

State of Utah

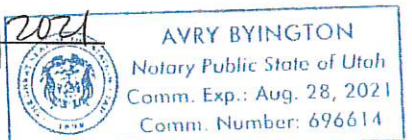
§

County of Salt Lake

Subscribed and sworn to before me this 12 day of August, 2021.

Avry Byington  
Notary Public  
Residing in Davis County

My commission expires: 8/28/2021



### 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

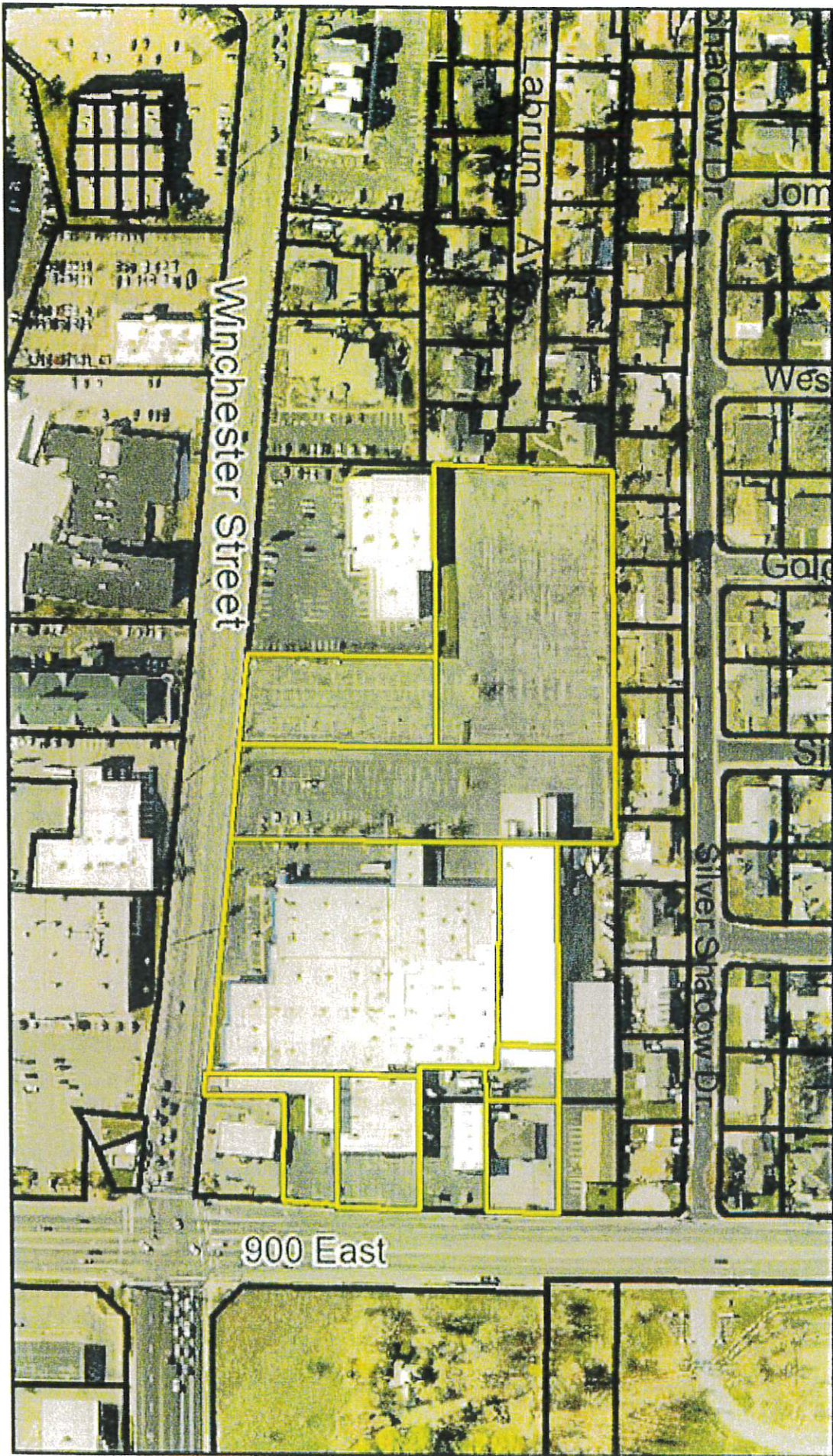
On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared before me

\_\_\_\_\_ 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: \_\_\_\_\_







**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, 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.



Village Mixed Use Zone: The Village Mixed Use (VMU) Zone should only be considered where Murray officials find that mixed-use zoning will result in land use patterns and development that will meet a minimum of five (5) of the following goal. The application of the VMU Zone should foster development proposals that:

Responses in **bold**

17.164.030 Findings Required

- A. Result in high-quality redevelopment of commercial properties.

**The project will replace a vacated RC Willey retail and warehouse building with a market rate, master planned multifamily project constructed to current building and seismic codes featuring class A architectural design standards.**

- B. Retain and/or rehabilitate the commercial use of a significant portion of the property area

**The existing commercial components of the project (the former RC Willey building and the building Apple Spice junction leases) will not be retain or rehabilitated.**

- C. Facilitate the adaptive re-use of existing commercial structures

**The existing commercial buildings will not be reused.**

- D. Increase local access to commercial services for in-projects residents as well as for residents of the immediately surrounding and nearby neighborhoods.

**Pedestrian access to the site from existing neighborhoods and commercial areas will be maintained. In-project residents will be able to easily access the commercial portion of the project via internal walkways.**

- E. Promote a greater variety of housing options within Murray neighborhoods.

**The project will contain a mixture of one and two bedroom apartment units housed in three and four story buildings. The housing will be designed to appeal to those working in employment centers close to the site such as the Cottonwood Corporate Center, Family Center retail and office area, Fashion Place Mall and Fort Union Office Park as well as large employers such as Blue Cross, Master Control, SoFi, Dyno Nobel and IHC, all located within two miles of the site.**

- F. Promote opportunities for life-cycle housing and housing for moderate income households.

**The project is designed to appeal to a demographic known as “renters by choice” who will range from young singles or couples with post graduation jobs renting studio or one bedroom units to professionals and small families renting the two bedroom units.**

- G. Provide increased walkability on the project site and result in walkable connections to the surrounding residential neighborhoods.

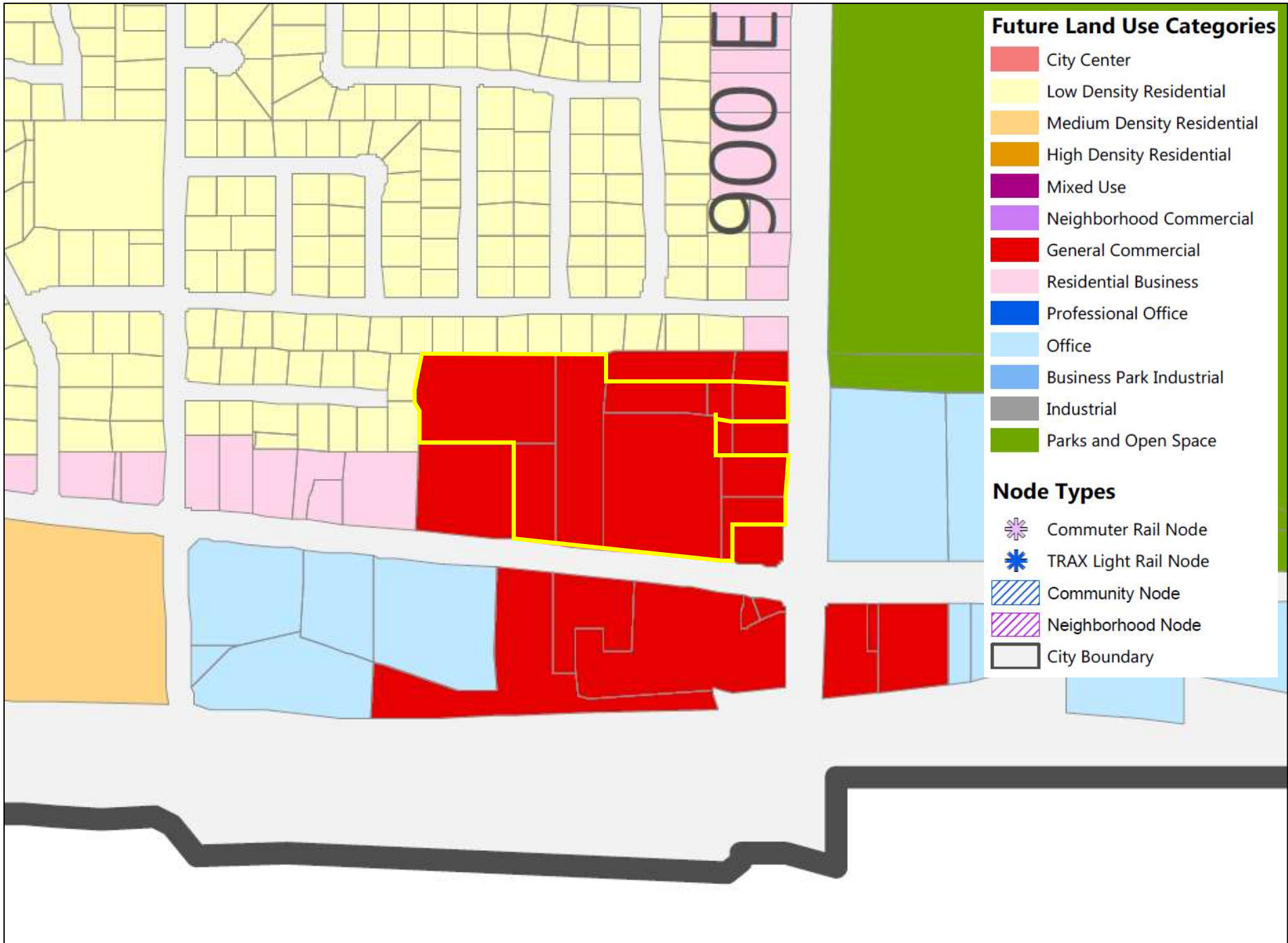
**The project will feature an internal trail system connecting residents to the green space and dog park area on the west side of the project as well as to the green space area located in the center part of the project and the project's pool and amenity area adjacent to 900 East. Additionally, the project's trail system will connect to existing sidewalks along Winchester and 900 East allowing pedestrian access to area amenities and neighborhoods.**

- H. Create and contribute to a sense of place and community.

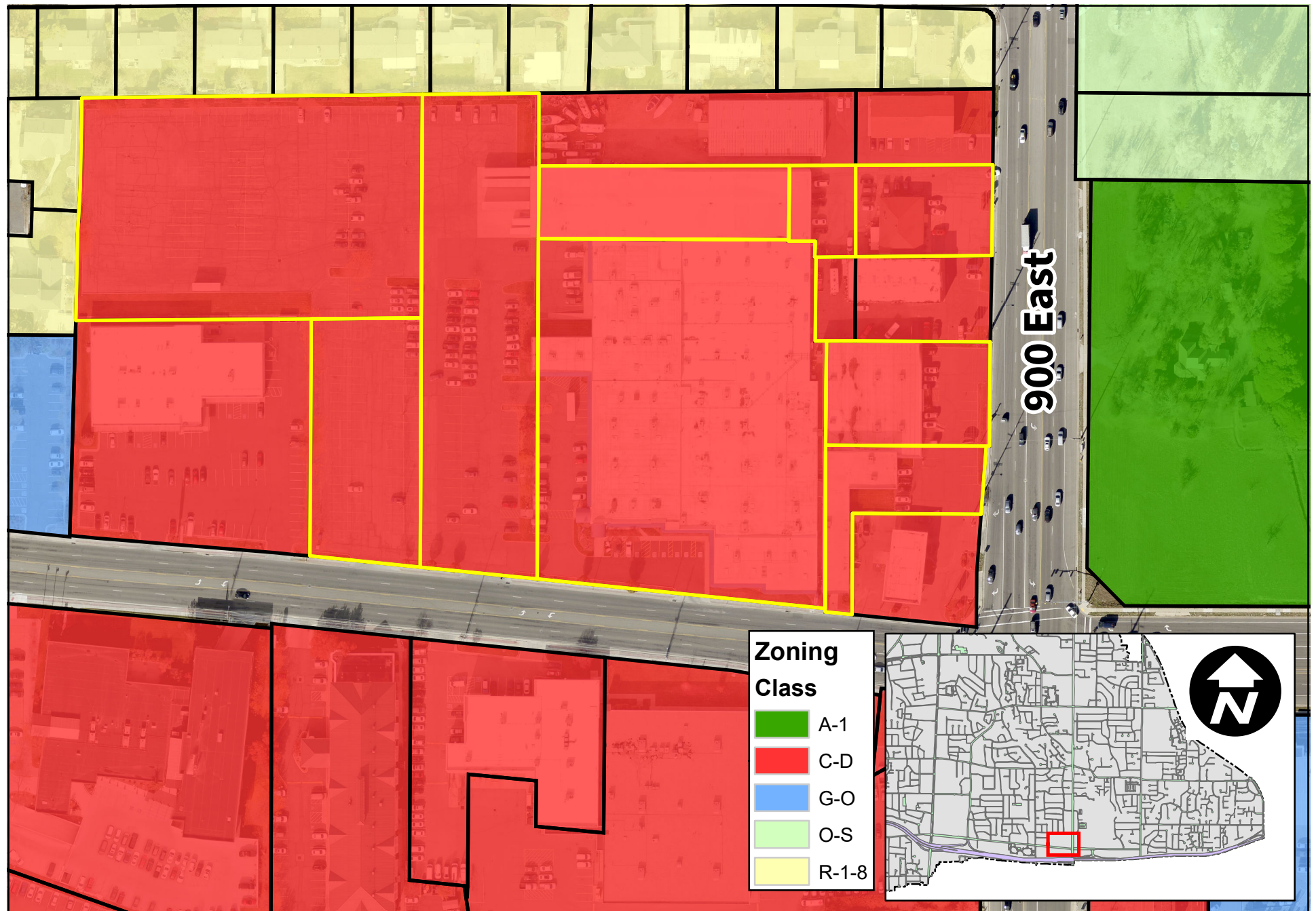
**The project will feature class A style housing, water wise landscaping throughout, and two large green space areas designed specifically for residents. Active amenities for residents will include a pool, two open space areas, one of which will include a dog park and clubhouse.**

- I. Result in improved conditions for buffering and transition between the project site and adjacent residential uses.

**An approximately 100 foot wide combination green space area and dog park will be located on the west side of the project. A landscaping buffer will be located between the existing residences on the north side of the project and a parking area in the project. The parking lot area will include landscape islands. Multifamily buildings will be located primarily in the center part of the project area and along Winchester Street. The commercial and amenity building will be located along 900 East.**

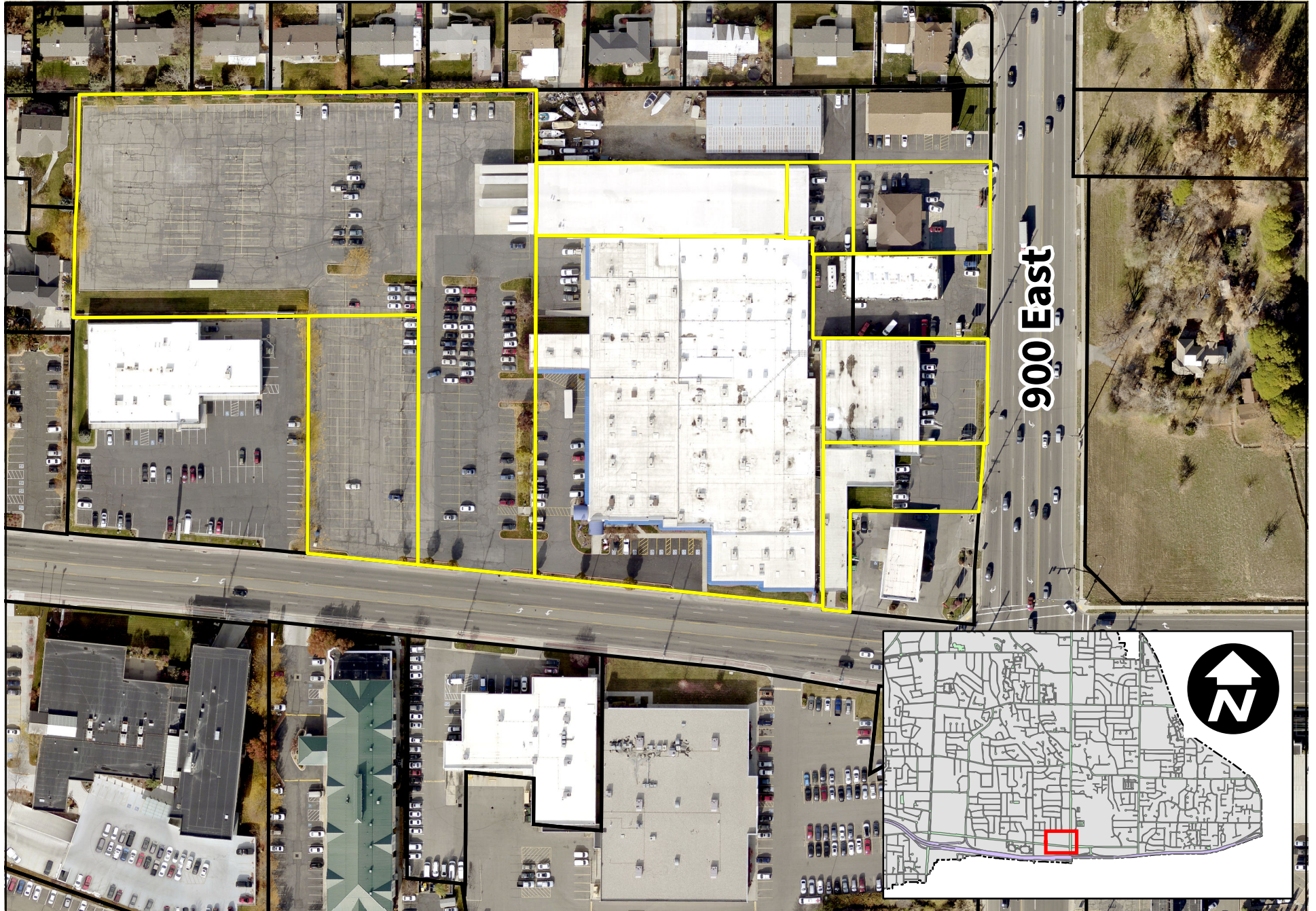


# 861 E Winchester and 6520, 6550, 6580 S 900 E.





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



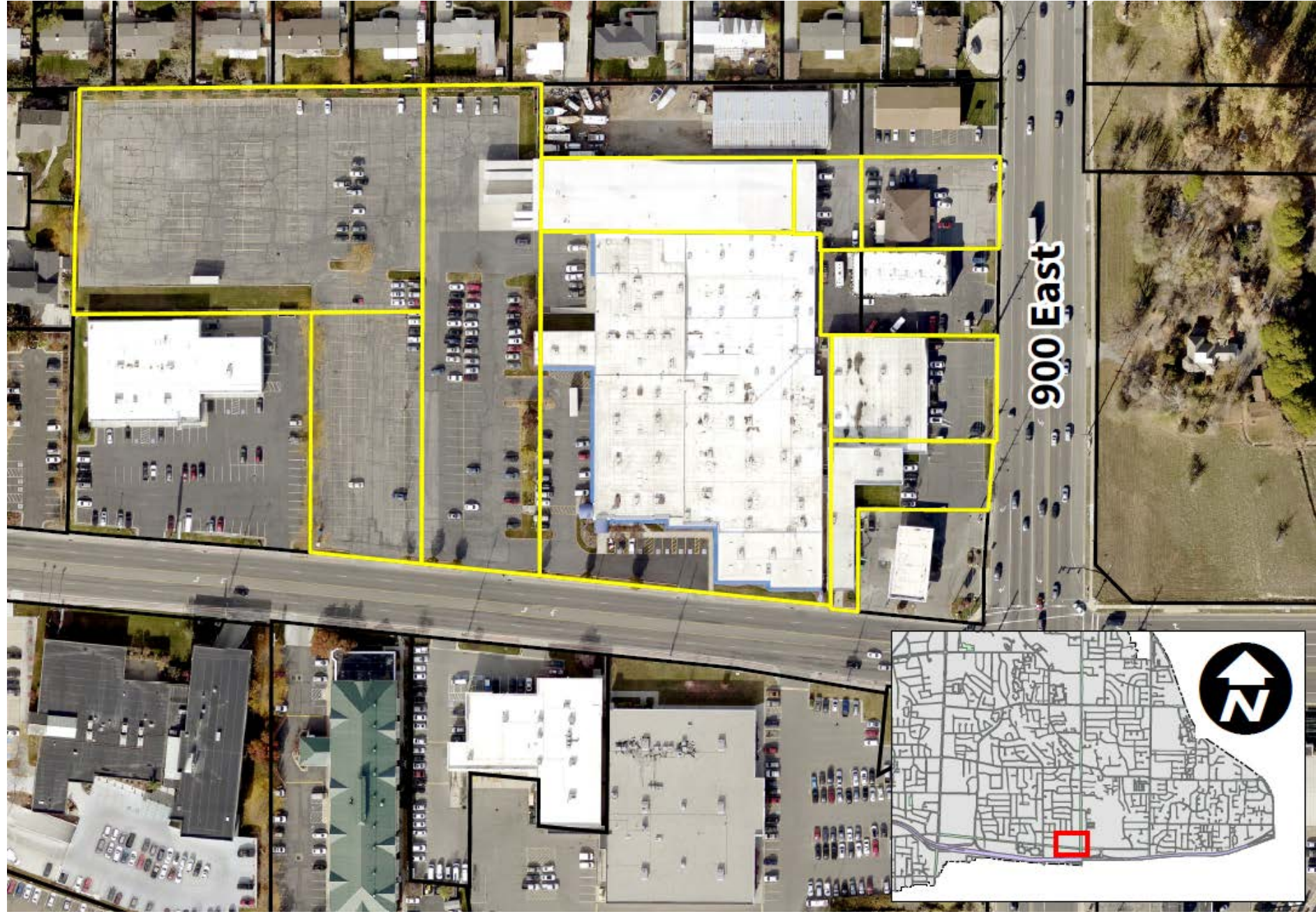
**Applicant:** Boyer Company

**Request:** General Plan and Zone Map Amendment  
from C-D to VMU

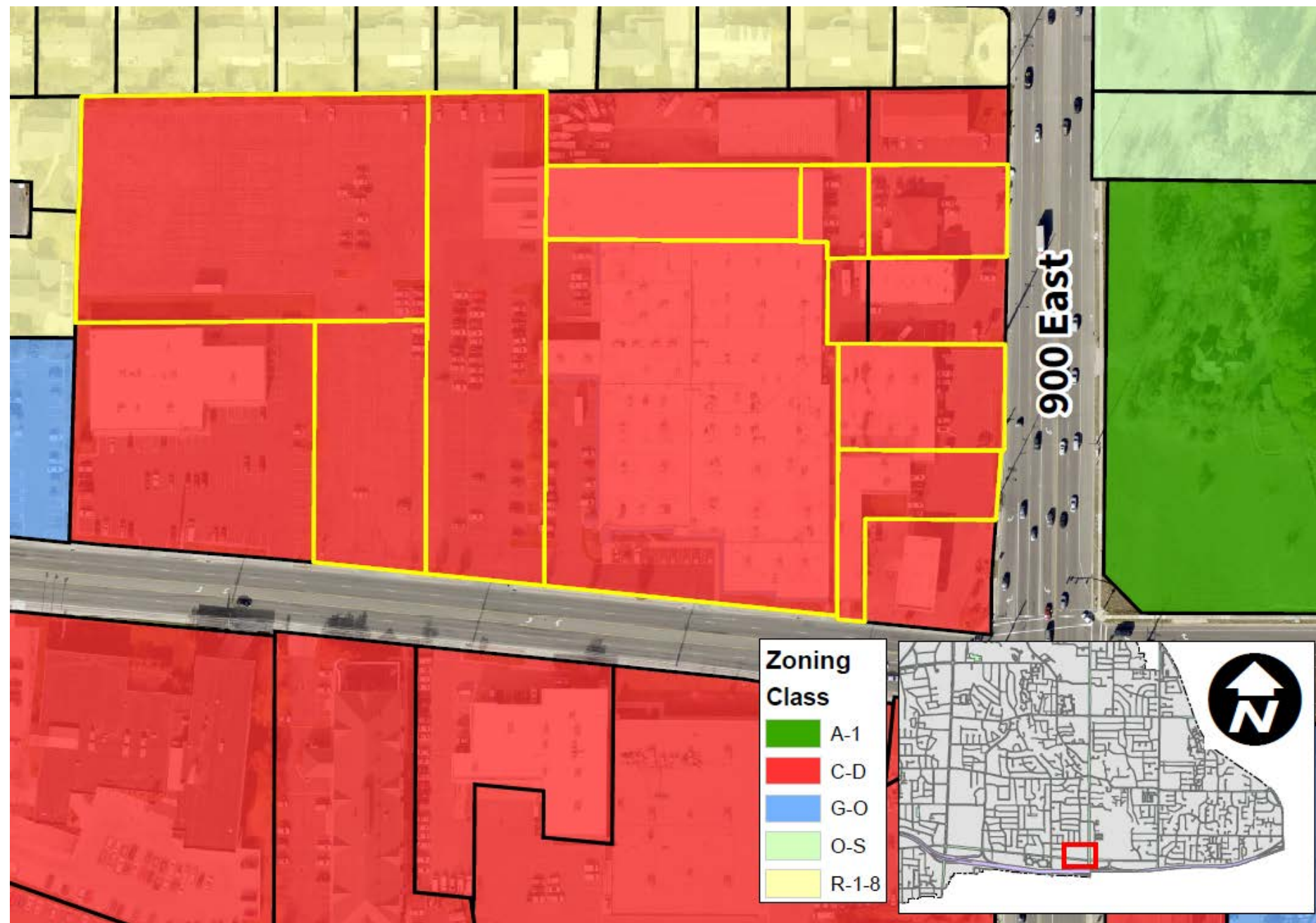
**Address:** 861 East Winchester Street and 6520, 6550  
and 6580 South 900 East









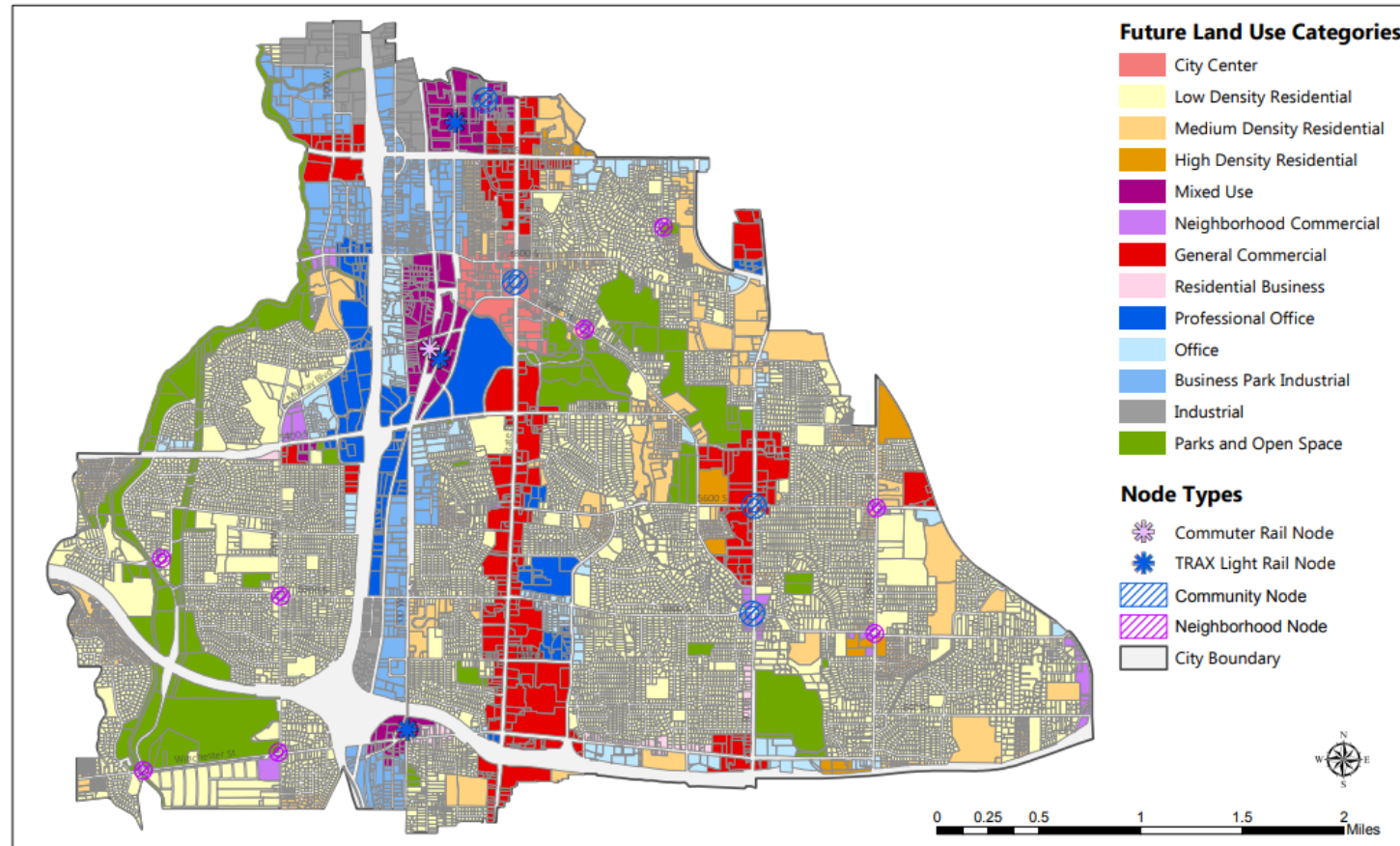


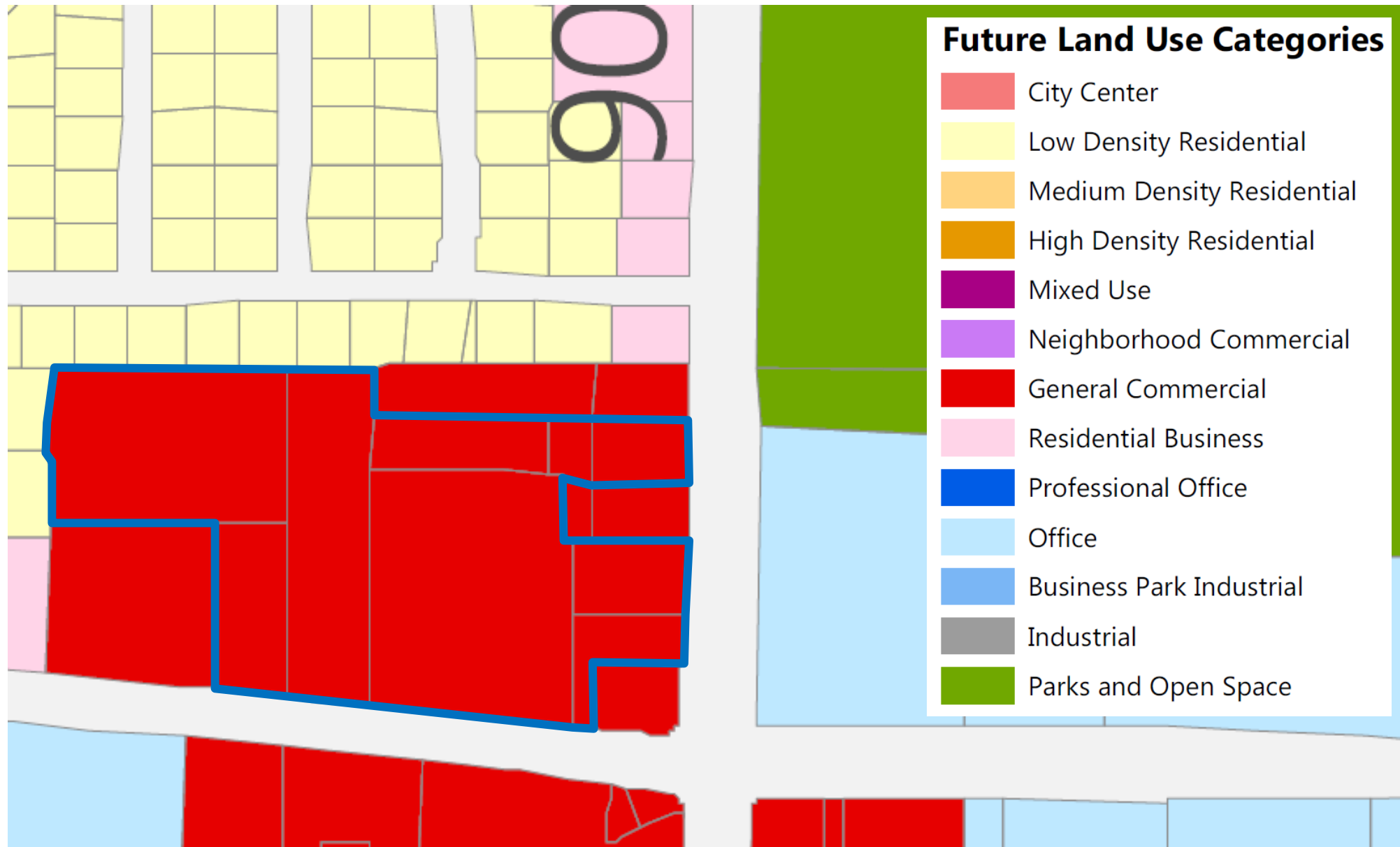


# The General Plan

Each property in the city is designated in one of the Future Land Use Categories identified by Map 5.7 (below). Each category in Chapter 5 is subsequently detailed as to intent and characteristics, and “corresponding zones” are called out.

MAP 5.7 - FUTURE LAND USE





# General Plan Considerations

## GENERAL COMMERCIAL

While this designation is primarily for larger retail destinations, including regional shopping centers and stand-alone big box, it may also include mixed-use developments that are mainly commercial in nature and use. High density, multi-family residential complexes will only be considered as part of a larger master-planned mixed-use development. Smaller-scale medium density residential projects may be considered for neighborhood or community node areas.

Corresponding zone(s):

- C-D, Commercial development



# General Plan Considerations

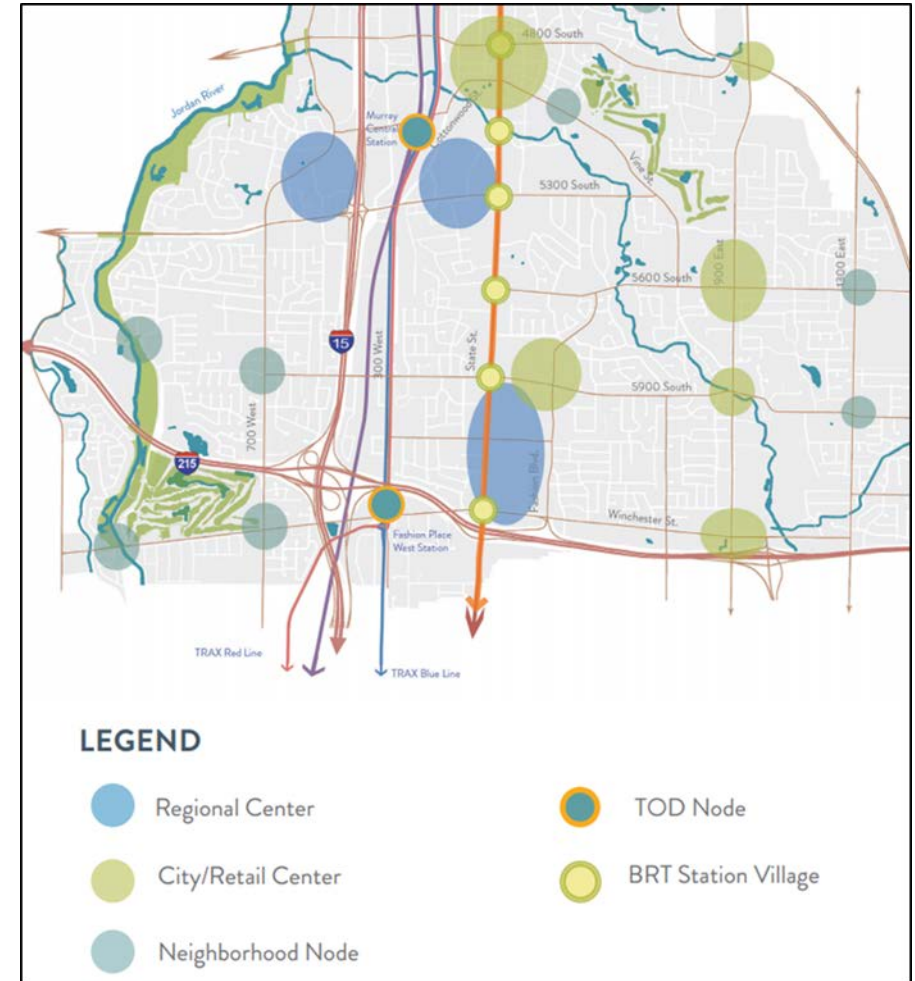
## VILLAGE & CENTERS MIXED USE

The Village & Centers Mixed Use Designation is intended to provide an opportunity for the measured, context sensitive addition of residential housing to existing commercial properties and developments along major transportation corridors and in and around retail and commercial centers and neighborhood nodes. Allowing the introduction of residential uses to these areas is intended to support the goals and principles of mixed-use development by facilitating a more compact, sustainable, and pedestrian oriented land use pattern as these existing commercial centers and corridors redevelop over time.

Density range is between 25 and 45 DU/AC.

Corresponding zone(s):

- Centers Mixed Use, CMU
- Village Mixed Use, VMU





# General Plan Considerations:

**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.

**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.

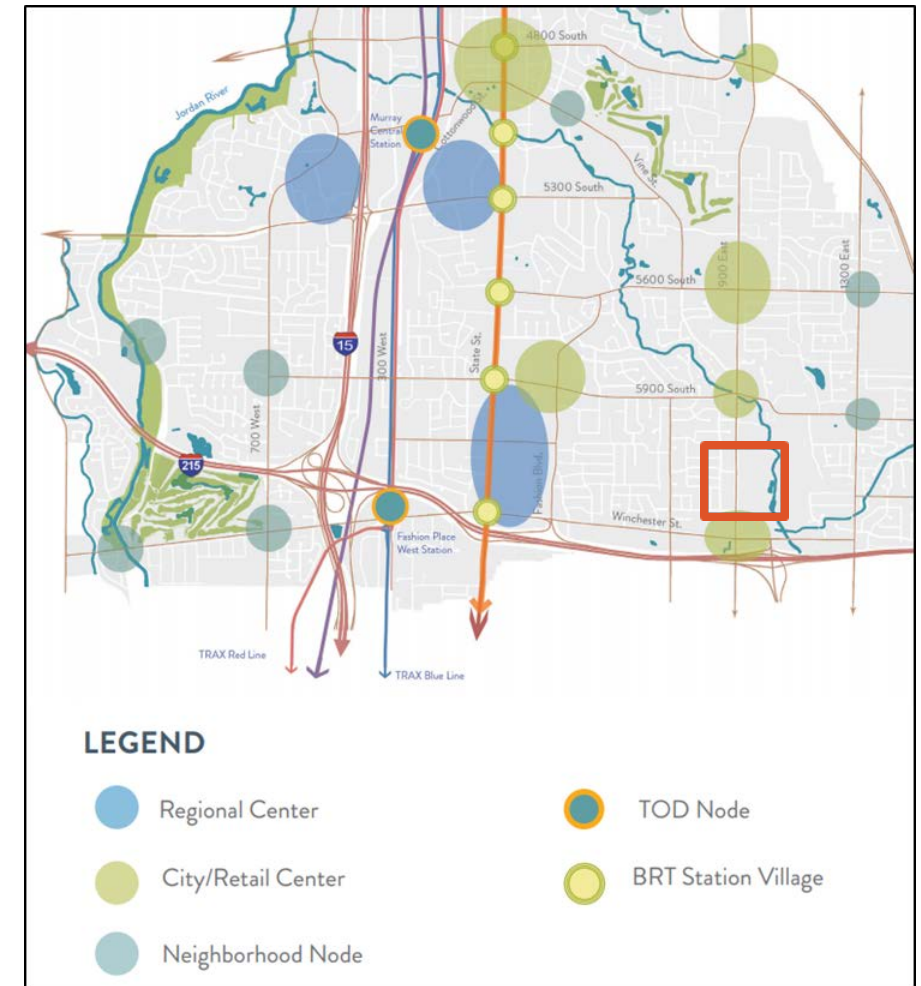
**OBJECTIVE 3: ENCOURAGE HOUSING OPTIONS FOR A VARIETY OF AGE, FAMILY SIZE AND FINANCIAL LEVELS.**

**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.

# Considerations for the VMU Zone

1. “Existing commercial properties in and around areas identified as commercial and neighborhood nodes in the 2017 Murray City General Plan”
2. Considered for property or properties which are:
  - 3-acres or more
  - Zoned or used for non-residential purposes



The 2017 General Plan identifies this area as a City/Retail Center

# Considerations for the VMU Zone

VMU Zoning should be considered where the City finds that mixed use zoning will result in land use patterns and development that will meet at least 5 of goals.

- Result in high quality development of commercial properties.
- Retain and/or rehabilitate the commercial use of a significant portion of the property area.
- Increase local access to commercial services for in-project residents as well as for residents of the surrounding area.
- Promote a greater variety of housing options within Murray neighborhoods.



5-9. Existing collector with car-dominated character

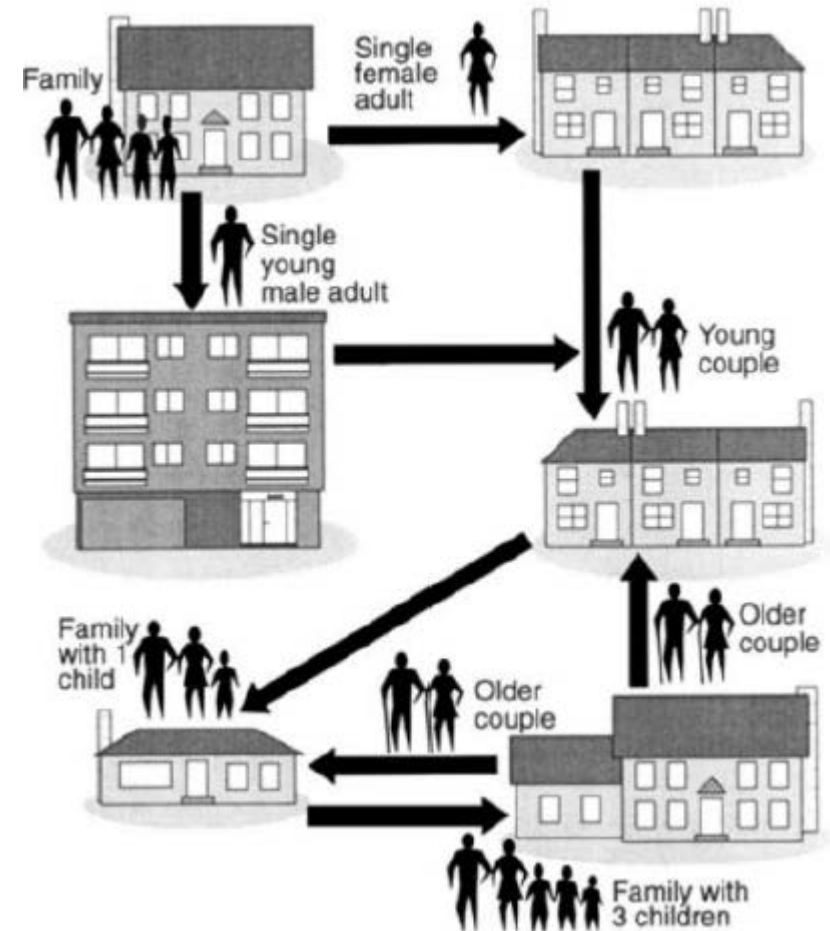


5-10. First phase of repair includes streetscape improvements



5-11. Final phase includes repair of the intersection and building redevelopment

- Promote opportunities for life-cycle housing and for moderate income households.
- Provide increased walkability on the project site and result in walkable connections to the surrounding residential neighborhoods.
- Create and contribute to a sense of place and community.
- Result in improved conditions for buffering and transition between the project site and adjacent residential uses.



Staff recommends that the property meets **8** of the **9** required findings.



# Master Site Plan

## Applicant for Master Site Plan approval **MUST** provide:

- Traffic Impact Study
- Parking Analysis
- Adequate Public Utilities & Facilities Review
- Public Services Review (may be required) – Police, Fire, Parks, Schools, or other services.



# The VMU Zone

Residential Density: 25 units per acre, base.

**Table C: Residential Density Increase in the VMU Zone**

Additional Maximum Residential Density	Open Space & Amenities	Affordable Housing
30 units per acre: meet the requirements for one of the two categories	2 additional outdoor amenities / 10% increase in total open space	10% of units reserved for household incomes no more than 80% of AMI
35 units per acre: meet the requirements for one of the two categories	4 additional outdoor amenities / 15% increase in total area; or 10% increase with public accessibility of at least 25% of the open space	15% of units reserved for household incomes no more than 80% of AMI

## Required Parking

**Table E: Required Parking in the VMU Zone**

Land Use	Minimum Required Parking
Residential – Studio	1.25 spaces per unit
Residential – 1 bedroom	1.5 spaces per unit
Residential – 2 bedroom	2.15 spaces per unit
Residential – 3+ bedroom	2.65 spaces per dwelling unit



# The VMU Zone

- 2 project amenities, up to 150 units / 1 additional amenity per 100 units
- 15% minimum Open Space
- Buffering
- 10' landscaping, 2" caliper trees, 30' on center, minimum 6' solid fencing
- No structures directly adjacent to the required buffer.
- Within 100' of residential zoning, buildings limited to 2-story, 35' height
- No rooftop decks or amenities within 100'
- Residential buildings adjacent to the buffer / buffer area cannot contain more than 8 units
- Public Improvements, 7' sidewalks, 8' park strips

# Planning Commission

- A public hearing was held on October 21, 2021
- 119 notices were mailed to property owners within 500' of the subject property
- Many public comments were received which included topics of low-income housing, crime, parking, utility capacity, and traffic
- The Planning Commission voted 5-2 to forward a recommendation of approval to the City Council on 10/21/2021.



# MURRAY CREATED A NEW ZONE DURING MORATORIUM

## Neighbor Concerns Regarding Prior MU Rezone Application:

- Building Height
- Proximity to existing residences
- Parking/Traffic
- Utilities
- Overall Density

## Murray Created

### VILLAGE MIXED USE ("VMU") ZONE

- Decreased Allowable Density
- Created Residential Buffer Zone
- Increased Parking Requirement
- Increased Open Space Requirement

Dear Neighbors and Murray City Council,

The Boyer Company purchased land known as the “RC Willey Property” and intends to develop the land to revitalize the property and increase the desirability of the site.

The site is currently zoned C-D which allows for many commercial uses including office, hotel, warehouse, etc. The zoning does not give neighbors protections from things like 24-hour business operations, large truck traffic, or tall office buildings overlooking their properties.

Boyer would like to develop the property with a mix of commercial and moderate density housing. Concerns were raised by residents when the original plan mixed use zoning application was submitted by Boyer last year. Murray City created the VMU Zone during the moratorium.

The VMU Zone altered how Boyer intended to develop the property. The changes are highlighted on the pages that follow. We look forward to working with the City.

Thanks,

Spencer Moffat  
The Boyer Company

Scott Verhaaren  
The Boyer Company

# ZONE COMPARISON



	Commercial Development Mixed Use (C-D)	Mixed Use (MU)	Village Mixed Use (VMU)
Maximum Height	35' + Step Up	50' + Step Up	35' + Step Up
Truck Traffic/Truck Emissions/24 hour	Yes	No	No
Residential Density	N/A	40 Units Per Acre	30/35 Units Per Acre*
Landscaping/Open Space Requirements	Minimal	15%	15%/25%*
Most Likely Use	Flex Industrial	High-Density Housing	Moderate Density Housing

*\*Density is determined by adherence to additional requirements*

# MURRAY - MU ZONE



MULTI-FAMILY DEVELOPMENT, MURRAY, UTAH  
BIRD'S EYE VIEW CONCEPTUAL SKETCH

02.11.20

## WHAT COULD BE DONE IN THE MU ZONE?

- 364 Units (40 du/acre)

## PLAN HIGHLIGHTS

- Limited open space.
- Structured parking.
- Full site coverage.
- Tall structures adjacent to existing homes.
- High density across entire site.





# VMU ZONE – CONCEPTUAL SITE



## PLAN DETAILS

- 227 Units
- 21.30 du/acre

## PLAN HIGHLIGHTS

- Created buffer to the adjacent residential neighborhood.
- Increased open space requirements.
- Reduced allowable density.
- Lowered building heights.

# CONCEPT IMAGES



# CONCEPT IMAGES





# CONCEPT IMAGES





# DEVELOPMENT AGREEMENT

Boyer is willing to enter into a development agreement in conjunction with a zone change to ensure that what is proposed matches what is constructed on the property.

Our intent in doing this is appease concerns of getting a zone change approved, and significantly altering the proposed design.

## CONTACT

Scott Verhaaren | 801.521.4781  
[sverhaaren@boyercompany.com](mailto:sverhaaren@boyercompany.com)

Spencer Moffat | 801.521.4781  
[smoffat@boyercompany.com](mailto:smoffat@boyercompany.com)



# Findings

1. The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.
2. The proposed amendment to the Future Land Use Map of the 2017 Murray City General Plan is supported by the description and intent of the Village & Centers Mixed Use designation, as well as by statements of intent found in 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 VMU conforms to goals and objectives of the 2017 Murray City General Plan and will support the appropriate redevelopment of the subject property.
4. The proposed 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.
5. The Planning Commission voted 5-2 to forward a recommendation of approval to the City Council on 10/21/2021.

# Staff Recommendations

## General Plan Amendment

Staff and the 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 E. Winchester and 6520, 6550, & 6580 South 900 East from General Commercial to Village & Centers Mixed Use.

## Zone Map Amendment

Staff and the 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 VMU, Village Mixed Use.



**MURRAY**  
CITY COUNCIL

# Business Items





**MURRAY**  
CITY COUNCIL

# Business Item #1




# Finance & Administration

## Completion and Receipt of Independent Audit FY2020-2021

### Council Action Request

Committee of the Whole & City Council

Meeting Date: December 7, 2021

<b>Department Director</b> Brenda Moore  <b>Phone #</b> 801-264-2513  <b>Presenters</b> Brenda Moore          <b>Required Time for Presentation</b> 30  <b>Is This Time Sensitive</b> Yes  <b>Mayor's Approval</b>   <b>Date</b> November 19, 2022	<b>Purpose of Proposal</b>  Acknowledging completion and receipt of the independent audit for fiscal year 2020-2021.  <b>Action Requested</b>  Discussion in committee of the whole and consideration of a resolution in council meeting.  <b>Attachments</b>  Resolution   <b>Budget Impact</b>          <b>Description of this Item</b>  A PDF of the completed audit will be sent as soon as it is finalized. Printed materials will be available the day of the meeting.
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RESOLUTION\_\_\_\_\_

A RESOLUTION TO ACKNOWLEDGE COMPLETION AND RECEIPT OF THE INDEPENDENT AUDIT FOR FISCAL YEAR 2020-2021 AND DIRECT THAT NOTICE BE PUBLISHED PURSUANT TO SECTION 10-6-152 OF THE UTAH CODE.

WHEREAS, sections 10-6-151, 51-2a-201 and 51-2a-202 of the Utah Code require the City to have, at least annually, an independent audit of its accounts by a certified public accountant; and

WHEREAS, pursuant to section 10-6-152 of the Utah Code, within ten (10) days following receipt of the independent audit, the City is required to publish notice advising the public that the audit is complete and available for inspection; and

WHEREAS, the City retained HBME, LLC, a certified public accountants, to do an independent audit of the City's accounts for fiscal year 2020-2021; and

WHEREAS, HBME has completed the independent audit of the City's accounts for fiscal year 2020-2021; and

WHEREAS, HBME has presented the independent audit to the Mayor and Murray City Municipal Council; and

WHEREAS, the Murray City Municipal Council wants to acknowledge receipt of the completed audit and order that notice be published pursuant to section 10-6-152 of the Utah Code.

NOW, THEREFORE BE IT RESOLVED by the Murray City Municipal Council as follows:

It hereby acknowledges that the independent audit of the City's accounts for fiscal year 2020-2021 has been completed by HBME and submitted to the Murray City Municipal Council. As required by section 10-6-152 of the Utah Code, the City Recorder is directed to publish notice, advising the public that the independent audit is complete and available for inspection.

PASSED AND APPROVED this 7<sup>th</sup> day of December, 2021.

MURRAY CITY MUNICIPAL COUNCIL

\_\_\_\_\_  
Diane Turner, Chair

ATTEST:

\_\_\_\_\_  
Brooke Smith, City Recorder





**MURRAY**  
CITY COUNCIL

# Business Item #2



**MURRAY**


# Community & Economic Development

## Resolution to approve Interlocal Agreement/Brownfields Grant

### Council Action Request

#### Council Meeting

Meeting Date: December 7, 2021

<b>Department Director</b> Melinda Greenwood  <b>Phone #</b> 801-270-2428  <b>Presenters</b> Melinda Greenwood & Susan Nixon          <b>Required Time for Presentation</b> 15 Minutes  <b>Is This Time Sensitive</b> Yes  <b>Mayor's Approval</b>   <b>Date</b> November 1, 2021	<b>Purpose of Proposal</b>  Approval of Resolution in support of an Interlocal Cooperation Agreement for a Brownfields Assessment Grant.  <b>Action Requested</b>  Approval of an Interlocal Agreement for Brownfields Coalition between Murray City, Salt Lake City and Salt Lake County  <b>Attachments</b>  Draft resolution & Interlocal Cooperation Agreement.  <b>Budget Impact</b>  No Budget impact.    <b>Description of this Item</b>  In 2019, the Murray City Council approved an interlocal agreement with Salt Lake County and Salt Lake City after a \$600,000 Brownfields Assessment Grant award was received. The partners have spent the last two years performing environmental assessments to facilitate redevelopment of properties.  On May 11, 2021, the EPA announced that the Coalition was awarded another \$600,000 in grant funding. As a result, staff is asking the City Council to approve a second Interlocal Cooperation Agreement. These funds can be used for site selection, criteria development, environmental site assessment, clean-up plans and other eligible activities as agreed to by Coalition Members.
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RESOLUTION NO. \_\_\_\_\_

A RESOLUTION APPROVING AN INTERLOCAL COOPERATION  
AGREEMENT BETWEEN THE CITY, SALT LAKE COUNTY  
("COUNTY") AND SALT LAKE CITY CORPORATION ("SLC") FOR  
A BROWNFIELDS ASSESSMENT GRANT

WHEREAS, Title 11, Chapter 13, of the Utah Code, provides that two or more public agencies may enter into an agreement with one another for joint or cooperative actions; and

WHEREAS, the Parties are "public agencies" as defined by the Utah Interlocal Cooperation Act and, as such, are authorized to enter into Agreements to act jointly and cooperatively in a manner that will enable them to make the most efficient use of their resources and powers; and

WHEREAS, on November 20, 2018, the City passed a resolution approving a memorandum of agreement with the County and SLC providing for participation in a Brownfields Coalition (the "Coalition"), which was formed by the Parties to work together to obtain EPA Brownfield Assessment Grant funds that each entity may use to fund activities within its jurisdiction related to environmental cleanup; and

WHEREAS, the Parties, acting together as a coalition of eligible governmental entities, were awarded a Brownfields Assessment Grant ("Prior Grant"); and

WHEREAS, on August 27, 2019 the Murray City Council approved Resolution 19-38 authorizing the City to enter into an Interlocal Agreement for administering the Brownfields Assessment Grant; and

WHEREAS, in 2019, the Parties entered into an Interlocal Cooperation Agreement to administer the Prior Grant that was used for inventory preparation, site selection criteria development, assessments, planning (including cleanup planning) relating to Brownfields sites, outreach materials and implementation, and other eligible activities; and

WHEREAS, the Parties have been awarded another Brownfields Assessment Grant ("New Grant") and now intend to enter into another Interlocal Cooperation Agreement to implement the activities associated with the award of the New Grant; and

WHEREAS, the Parties have determined that it is mutually advantageous to enter into a new Interlocal Cooperation Agreement to administer the New Grant, the EPA Brownfields Assessment Grant, a copy of which is attached as Exhibit "A."

NOW, THEREFORE, BE IT RESOLVED by the Murray City Municipal Council as follows:

1. It hereby approves the Interlocal Cooperation Agreement, in substantially the form attached hereto; and

2. The Interlocal Cooperation Agreement is in the best interest of the City; and

3. Mayor D. Blair Camp is hereby authorized to execute the Agreement on behalf of City and act in accordance with its terms.

DATED this     day of     , 2021.

MURRAY CITY MUNICIPAL COUNCIL

\_\_\_\_\_  
Diane Turner, Chair

ATTEST

\_\_\_\_\_  
Brooke Smith, City Recorder



**INTERLOCAL COOPERATION AGREEMENT**

between

**SALT LAKE COUNTY,  
SALT LAKE CITY CORPORATION**

and

**MURRAY CITY CORPORATION**

**THIS INTERLOCAL COOPERATION AGREEMENT** (“Agreement”) is entered into by and between **SALT LAKE COUNTY**, a body corporate and politic of the State of Utah, for its Office of Regional Development (the “County” or “Salt Lake County”); **SALT LAKE CITY CORPORATION**, a Utah municipal corporation (“Salt Lake City”), and **MURRAY CITY CORPORATION**, a Utah municipal corporation (“Murray City”). The County and the Cities may each be referred to herein as a “Party” and collectively as the “Parties” or “Coalition Members.”

**RECITALS:**

A. The Parties, acting together as a coalition of eligible governmental entities, were awarded a Brownfields Assessment Grant, which may be used for inventory preparation, site selection criteria development, assessments, planning (including cleanup planning) relating to Brownfields sites, outreach materials and implementation, and other eligible activities.

B. The Parties previously entered into an Agreement for a prior Brownfields Assessment Grant they were awarded and now intend to enter into this second Agreement to implement the activities associated with the award of the second grant.

C. The Parties are “public agencies” as defined by the Utah Interlocal Cooperation Act, UTAH CODE ANN. §§ 11-13-101 to -608 (2021) (the “Cooperation Act”) and, as such, are authorized to enter into this Agreement to act jointly and cooperatively in a manner that will enable them to make the most efficient use of their resources and powers.

D. The Parties have determined that it is mutually advantageous to enter into this Agreement to accomplish the foregoing purposes.

**AGREEMENT:**

NOW THEREFORE, in consideration of the mutual promises contained in this Agreement and in compliance with and pursuant to the provisions of the Cooperation Act, the Parties hereby agree as follows:

**1. COALITION MEMBERS**

A. All of the Coalition Members are “local government” units as defined in 2 CFR § 200.1.

B. Salt Lake County is a county of the first class as defined in Utah Code § 17-50-501, and may perform the services, exercise the powers, and perform the functions provided for in Utah Code Ch. 17-50, Part 3.

C. Salt Lake City is a municipal corporation and political subdivision of the State of Utah pursuant to Utah Code § 10-1-201.

D. Murray City is a municipal corporation and political subdivision of the State of Utah pursuant to Utah Code § 10-1-201.

## **2. THRESHOLD CRITERIA**

A. Eligible Entities. As is more fully described in Section 1, the Coalition Members are units of local government organized and existing under the laws of the State of Utah.

B. Jurisdiction. Salt Lake County has general jurisdiction within the unincorporated areas within the geographic boundaries of the County. In addition, the Salt Lake County Health Department (“Health Department”) operates as a Division of the Salt Lake County Department of Human Services. The Health Department has jurisdiction in both the incorporated and unincorporated areas of the County pursuant to Utah Code § 26A-1-114, for all public health and environmental regulatory matters. Salt Lake City and Murray City have jurisdiction for the municipal purposes described in Utah Code § 10-1-202 within the incorporated geographic boundaries of Salt Lake City and Murray City, respectively.

## **3. BROWNFIELDS GRANT COALITION ELEMENTS**

A. The designated representatives of the Parties are identified in Section 4(C) herein.

B. Salt Lake County is responsible to the EPA for management and compliance with the statutes, regulations, and terms and conditions of the award, and ensuring that the Parties, as Coalition Members, are in compliance with the Brownfields Assessment Grant requirements.

C. Salt Lake County is responsible for the provision of timely information to the other Parties as Coalition Members regarding the management of the group and any changes that may need to be made to the Agreement over the period of performance.

D. Activities funded through Brownfields Assessment Grant funds may include inventory preparation, site selection, criteria development, assessments, planning (including cleanup planning) relating to Brownfields sites, and outreach materials and implementation, and other eligible activities as may be agreed to by the Coalition Members. Consistent with subsection E below, Salt Lake County may retain consultants and contractors to undertake various activities funded through this Agreement.

E. Salt Lake County may procure consultants and contractors under 2 CFR §§

200.317 to 200.326 as necessary to implement the Brownfields Assessment Grant. Salt Lake County may award subgrants to other Coalition Members under 2 CFR § 200.92 for assessment projects in their geographic areas. Salt Lake County shall pay up-front costs for each assessment and request reimbursement from the Assessment Grant funds. The County and the City in which an assessment is made shall receive all reports generated by a consultant or contractor performed under the Grant.

F. Salt Lake County, in consultation with the Parties, will work to develop a site selection process based upon mutually agreed factors, and will ensure that a minimum of five sites are assessed over the term of this Agreement. Selected sites will be submitted to the EPA for prior approval to ensure eligibility. Coalition Members may agree upon a minimum number of sites assessed per Party at the start of this Agreement to ensure equitable distribution of funds across all of the Coalition Members' jurisdictions.

G. Salt Lake County will be responsible to work with the Coalition Member(s) in whose geographic area the site is located to finalize the scope of work for the consultant or contractor, easements, and/or access agreements as may be necessary to undertake an assessment at the selected site. It will be the responsibility of the individual Coalition Member to ensure that all required permits, easements, and/or access agreements as may be necessary to undertake assessments at the selected sites are obtained. Brownfields Assessment Grant funds may be used for this purpose. If the Coalition Member does not have the capacity to perform these activities, Salt Lake County may assist in securing necessary site access agreements and permits.

H. Salt Lake County is responsible for ensuring that other activities as negotiated in the workplan, such as community outreach and involvement, are implemented in accordance with a schedule agreed upon by Salt Lake County and each Coalition Member in whose geographic area the sites to be assessed are located.

#### **4 . ADDITIONAL TERMS AND CONDITIONS**

A. Effective Date and Term of the Agreement. The effective date of this Agreement will be the date this Agreement is signed by the last Party to sign it, as indicated by the date associated with that Party's signature and will continue to the later of either the expiration of the Coalition Members' obligations to the EPA or the termination of the grant.

B. Interlocal Cooperation Act. In satisfaction of the requirements of the Cooperation Act in connection with this Agreement, the Parties agree as follows:

(i) This Agreement shall be authorized as provided in Section 11-13-202.5 of the Cooperation Act.

(ii) This Agreement shall be reviewed as to proper form and compliance with applicable law by a duly authorized attorney on behalf of each Party pursuant to and in accordance with Section 11-13-202.5 of the Cooperation Act.

(iii) A duly executed original counterpart of this Agreement shall be filed

immediately with the keeper of records of each Party pursuant to Section 11-13-209 of the Cooperation Act.

(iv) The term of this Agreement shall not exceed fifty (50) years pursuant to Section 11-13-216 of the Cooperation Act.

(v) Except as otherwise specifically provided herein, each Party shall be responsible for its own costs of any action done pursuant to this Agreement, and for any financing of such costs.

(vi) No separate legal entity is created by the terms of this Agreement and no facility or improvement will be jointly acquired, jointly owned, or jointly operated by the Parties under this Agreement.

(vii) Pursuant to Section 11-13-207 of the Cooperation Act, the County's Representative (designated below) and Cities' Representative (designated below) are hereby designated as the joint administrative board for all purposes of the Cooperation Act.

C. Notices. Any notice or other communication required or permitted to be given under this Agreement shall be deemed sufficient if given by a written communication and shall be deemed to have been received upon personal delivery, actual receipt, or within three (3) business days after such notice is deposited in the United States mail, postage prepaid, and certified and addressed to the Parties as set forth below:

**Salt Lake County**  
Office of Regional Development  
Economic Development Director  
2001 South State Street, Suite S2-100  
Salt Lake City, Utah 84114  
385-468-4887

**Salt Lake City**  
Department of Sustainability  
451 South State Street  
Salt Lake City, Utah 84114  
801-535-6470

**Murray City**  
Community Development  
4646 South 500 West  
Murray City, Utah 84123  
801-270-2430

D. No Obligations to Third Parties. The Parties agree that their obligations under this Agreement are solely to each other. This Agreement shall not confer any rights to third parties unless otherwise expressly provided for under this Agreement.

E. Liability, Indemnification, and Governmental Immunity. All Parties are governmental entities under the Governmental Immunity Act of Utah, UTAH CODE ANN. §§ 63G-7-101 to -904 (2021) (the "Immunity Act"). There are no indemnity obligations between the Parties. Subject to and consistent with the terms of the Immunity Act, the County and each City shall be liable for their own negligent acts or omissions, or those of their authorized employees,



officers, and agents while engaged in the performance of the obligations under this Agreement, and neither the County nor each City shall have any liability whatsoever for any negligent act or omission of the other Party, its employees, officers, or agents. No Party waives any defenses or limits of liability available under the Immunity Act and other applicable law. All Parties maintain all privileges, immunities, and other rights granted by the Immunity Act and all other applicable law.

F. Termination. A Party may terminate this Agreement prior to the expiration of the Agreement, with or without cause, by giving 30 days written notice to the other Parties' representatives of the desired termination date.

G. Consideration. The Parties agree that the covenants, obligations, and payments provided for herein are sufficient consideration to support the respective obligations under this Agreement.

H. Required Insurance Policies. All Parties to this Agreement shall maintain insurance or self-insurance coverage sufficient to meet their obligations hereunder and consistent with applicable law.

I. Government Records Access Management Act. All Parties to the Agreement are governmental entities subject to the Utah Government Records Access and Management Act UTAH CODE ANN. §§ 63G-2-101 to -901 (2021). As a result, the County and each City are required to disclose certain information and materials to the public, upon request.

J. Subcontracting. The Parties agree that they will not subcontract to execute performance of its obligations under this Agreement without prior express written consent of all other parties to the Agreement.

K. Time. The Parties stipulate that time is of the essence in the performance of this Agreement.

L. Entire Agreement. This Agreement constitutes the entire Agreement between the Parties, and no statements, promises, or inducements made by any Party, or agents for any Party, that are not contained in this written Agreement shall be binding or valid; and this Agreement may not be enlarged, modified or altered, except in writing, signed by the Parties.

M. Severability. The Parties agree that where possible, each provision of this Agreement shall be interpreted in such a manner as to be consistent and valid under applicable law; but if any provision of this Agreement shall be void, voidable, unenforceable, or invalid under applicable law, such void, voidable, unenforceable, or invalid provision shall not affect the other provisions of this Agreement, but this Agreement shall be construed as if such void, voidable, unenforceable, or invalid provision had never been set forth herein.

N. Governing Law. It is understood and agreed by the Parties hereto that the laws of the State of Utah shall govern, both as to interpretation and performance. The Parties shall commence, maintain, adjudicate, and resolve all actions, including but not limited to court proceedings, administrative proceedings, arbitration and mediation proceedings, within the

jurisdiction of the State of Utah.

O. Counterparts. This Agreement may be executed in several counterparts, and all so executed shall constitute one agreement binding on all the Parties, notwithstanding that each of the Parties are not signatory to the original or the same counterpart. Furthermore, executed copies of this Agreement delivered by facsimile or email shall be deemed an original signed copy of this Agreement.

IN WITNESS WHEREOF, the Parties execute this Agreement on the dates shown below.

[SIGNATURE PAGES TO FOLLOW]

**INTERLOCAL AGREEMENT - SIGNATURE PAGE FOR THE COUNTY**

**SALT LAKE COUNTY**

By \_\_\_\_\_  
Mayor Jennifer Wilson or Designee

Dated: \_\_\_\_\_, 20\_\_\_\_

***Approved by:***

Salt Lake County Office of Regional Development

By \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Dated: \_\_\_\_\_, 20\_\_\_\_

***Approved as to Form and Legality:***

By  \_\_\_\_\_

Name: Adam Miller \_\_\_\_\_

Dated: October 28 \_\_\_\_\_, 2021

**INTERLOCAL AGREEMENT – SIGNATURE PAGE FOR SALT LAKE CITY**

**SALT LAKE CITY CORPORATION**

By \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Dated: \_\_\_\_\_, 20\_\_\_\_

Attest:

\_\_\_\_\_  
\_\_\_\_\_, City Recorder

Date signed: \_\_\_\_\_

***Approved as to Form and Legality:***

SALT LAKE CITY ATTORNEY

By\_\_\_\_\_

Name: \_\_\_\_\_

Dated: \_\_\_\_\_, 20\_\_\_\_



**INTERLOCAL AGREEMENT – SIGNATURE PAGE FOR MURRAY CITY**

**MURRAY CITY CORPORATION**

By \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Dated: \_\_\_\_\_, 20\_\_\_\_

Attest:

\_\_\_\_\_

\_\_\_\_\_, City Recorder

Date signed: \_\_\_\_\_

***Approved as to Form and Legality:***

**MURRAY CITY ATTORNEY**

By\_\_\_\_\_

Name: \_\_\_\_\_

Dated: \_\_\_\_\_, 20\_\_\_\_

## FY21 Brownfield Grant Selections

Applicant Name	Type of Application	Site Name	Approved Total Funding
<b>Region 8</b>			
<b>Colorado</b>			
Cañon City, CO	Multipurpose	Community-wide	\$800,000
Craig, CO	Assessment	Community-wide	\$300,000
Hinsdale County, CO	Assessment	Community-wide	\$300,000
Loveland, CO	Assessment	Community-wide	\$300,000
Trinidad, CO	Assessment	Coalition - Assessment	\$600,000
	Cleanup	Fox West Theatre	\$500,000
<b>Montana</b>			
Confederated Salish and Kootenai Tribe, Hot Springs, Polson, Pablo, and Ravalli, MT	Assessment	Community-wide	\$300,000
Libby School District 4, MT	Cleanup	Former Asa Wood Elementary School	\$388,000
Missoula, MT	Assessment	Community-wide	\$300,000
<b>North Dakota</b>			
Dakota College at Bottineau, ND	Cleanup	Old Main and Milligan Hall	\$358,500
Mandan, ND	Assessment	Community-wide	\$300,000
Turtle Mountain Band of Chippewa Indians, Dunseith, ND	Cleanup	MULTI-SITE: Eight San Haven Buildings	\$500,000
<b>Utah</b>			
Salt Lake County, Magna Township, Murray City, Salt Lake City, UT	Assessment	Coalition - Assessment	\$600,000
Spanish Fork, UT	Assessment	Community-wide	\$300,000

**Applicant: Murray City Staff**

**Request for: Interlocal Agreement (ILA)** between Salt Lake City, Salt Lake County, and Murray City for a Brownfields Assessment Grant in the amount of \$600,000



# Reasons for Interlocal Agreement

- EPA Brownfield Assessment Grant funds may be used to fund activities within each jurisdiction related to environmental cleanup; and for inventory preparation, site selection criteria development, assessments, planning (including cleanup planning) related to brownfield sites, and outreach materials and implementation, and other eligible activities.
- The County would be the Lead Coalition Partner and be responsible to the EPA for management of the cooperative agreement and to ensure that all coalition partners are in compliance with the terms and conditions of the grant award.
- The Parties want to enter into an interlocal cooperation agreement to administer the EPA Brownfields Assessment Grant.
- ILA time period from October 1, 2021 – September 30, 2024



# Objective

The Salt Lake Brownfields Coalition (the “Coalition”) plans to target Brownfield areas within Salt Lake County to create a cleaner, healthier environment and revitalize land while preventing further contamination.

The Coalition seeks to target properties that have a high likelihood of redevelopment within the grant period and to focus on properties that could utilize the Brownfields Revolving Loan Fund administered by Salt Lake County in order to further incentivize redevelopment.

# Coalition Board Duties & Policies

- The purpose of the grant is to facilitate the reuse and redevelopment of environmentally contaminated sites by performing environmental assessments on eligible properties.
- The Coalition has 7 voting members, 2 members from each agency; 1 program manager from SL County.
- The primary duties of the Board are to review property applications for environmental studies.
- Key players in the administration of the Program: Coalition Board, EPA, the Program Manager, and the Qualified Environmental Professional (QEP).
- The Program Manager is responsible for administering the budget, coordinating with the EPA on site eligibility, managing the activities of the QEP, and complying with EPA reporting requirements.

# Coalition Board Process

The Board will fund up to 18 Phase I environmental site assessments (ESA), 12 Phase II ESAs, and 6 cleanup planning documents. Priority will be given to properties in priority areas as outlined in the grant application (Camp Kearns, Murray Central Business District, and Jordan River/Glendale, and magna Main Street). However, properties outside of these areas may also be awarded. For purposes of this Section, the County's jurisdiction does not include the jurisdiction of Murray City or Salt Lake City and vice versa.

- Coalition members submit Site Eligibility Determination forms to Program Manager.
- The Program Manager submits forms to EPA for eligibility determination.
- Program Manager notifies Coalition partners, property owners, and QEP of eligibility determination from EPA.

Environmental work conducted by Terracon, the QEP for the Coalition.

# Funds Allocated for 2019-2022 Grant

## SALT LAKE COUNTY COALITION BROWNFIELDS GRANT

invoiced costs and funds remaining

			<i>overall budget (contractual only)</i>	<b>\$570,200.00</b>	
	Name		Budget	Billed 11/16	
13	Think Architecture ESA		3000	3000.00	
14	Think Architecture SAP		6002	6002.00	
15	Starwood / Fireclay ESA		3000	3000.00	
16	Starwood / Fireclay SAP		6000	6000.00	
17	Satellite Property ESA		1500	1500.00	
18	Satellite Property SAP		450	450.00	
20	Murray RDA Block ESA		7000	7000.00	
24	Murray RDA Block SAP		9886.12	9886.12	
27	Box Elder Apartments ESA		7000	7000.00	
28	Box Elder Apartments SAP		6000	6000.00	
31	Think Architecture Phase II		22941.9	22941.90	
33	Murray RDA Phase II		45,833	44002.55	
37	Box Elder Apartments Phase II		36182.55	36182.55	
40	Think Architecture Cleanup Plan		7870.5	7870.50	
42	Murray RDA Cleanup Plan		9000	8118.75	
46	Murray RDA Block ACM/Pre-Demo		\$33,000	30166.90	
	Total Budget		204666.07	199121.27	

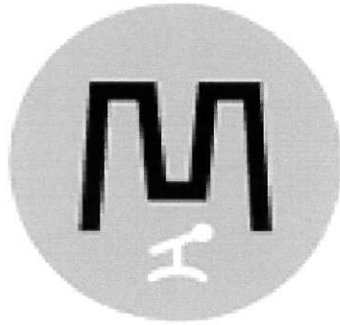


## Budget for 2021-2024 Grant

Budget Categories	Programmatic Support	Outreach	Site Inventory	Assessment	Remediation/Reuse Planning	Total
Personnel	\$20,500	\$1,000	\$0	\$0	\$0	\$21,500
Fringe Benefits	\$6,000	\$300	\$0	\$0	\$0	\$6,300
Travel	\$9,100	\$0	\$0	\$0	\$0	\$9,100
Supplies	\$0	\$500	\$0	\$0	\$0	\$500
Contractual	\$0	\$6,000	\$40,000	\$451,100	\$65,500	\$562,600
<b>Total</b>	<b>\$35,600</b>	<b>\$7,800</b>	<b>\$40,000</b>	<b>\$451,100</b>	<b>\$65,500</b>	<b>\$600,000</b>

Murray City Coalition Members request that the City Council approve the City Resolution in support of an Interlocal Cooperative Agreement for a Brownfields Assessment Grant in the amount of \$600,000.





**MURRAY**  
CITY COUNCIL

# Mayor's Report And Questions



**MURRAY**  
CITY COUNCIL

**Adjournment**