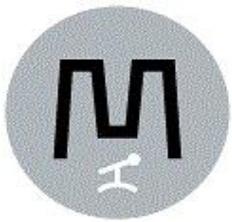




MURRAY
CITY COUNCIL

Council Meeting November 15, 2022



Murray City Municipal Council

Notice of Meeting

November 15, 2022

Murray City Center

5025 South State Street, Murray, Utah 84107

Meeting Agenda

5:05 p.m. Committee of the Whole – Council Chambers
Kat Martinez conducting

Approval of Minutes

Committee of the Whole – October 18, 2022

Discussion Items

1. Wasatch Front Waste and Recycling District 2023 Tentative Budget and Fee Increase Report. Pam Roberts and Paul Korth presenting (30 minutes)
2. Discussion on an ordinance amending the General Plan from Low Density Residential to Neighborhood Business and amends the Zoning Map from R-1-8 to R-N-B for the property located at 97 West Winchester Street. Jared Hall presenting (20 Minutes)

Adjournment

Council Meeting

The Murray City Council Meetings scheduled for Tuesday, November 15, 2022 at 6:30 p.m. has been cancelled. The next scheduled Council Meeting will be on December 6, 2022.

NOTICE

The public may view the Council Meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/Murraycityutah/>. Supporting materials are available for inspection on the Murray City website at 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 Thursday, November 10, 2022, at 9:00 a.m., a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Murray City Center, Murray, Utah. Copies of this notice were provided for the news media in the Office of the City Recorder. A copy of this notice was posted on Murray City's internet website www.murray.utah.gov, 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
CITY COUNCIL

Committee of the Whole Minutes



**MURRAY MUNICIPAL COUNCIL
COMMITTEE OF THE WHOLE**

Meeting Minutes

Tuesday, October 18, 2022

Murray City Center

5025 South State Street, Council Chambers, Murray, Utah 84107

Attendance:

Council Members and others:

Kat Martinez – Chair	District #1
Diane Turner – Vice Chair	District #4
Pam Cotter	District #2
Rosalba Dominguez	District #3
Garry Hrechkosy	District #5

Brett Hales	Mayor	Jennifer Kennedy	City Council Executive Director
Doug Hill	Chief Administrative Officer	Pattie Johnson	Council Administration
Tammy Kikuchi	Chief Communications Officer	Kim Sorensen	Parks & Recreation Director
G.L. Critchfield	City Attorney	Joey Mittelman	Fire Chief
Stephen Olsen	Fire Department	Brenda Moore	Finance Director
Loran Pasalich	Murray Chamber of Commerce	Brooke Smith	City Recorder
Ben Horsley	Granite School District	Steve Hogan	Granite School District
Rachel Morot	Historical Murray 1 st Foundation	Rob White	IT Director

Conducting: Council Member Martinez called the meeting to order at 5:15 pm.

Approval of Minutes: Committee of the Whole – September 20, 2022.

Council Member Cotter moved to approve, and Council Member Hrechkosy seconded the motion.
All in favor 5-0.

Discussion Items:

GSD (Granite School District) Population Analysis Study results:

Mr. Horsley, Communications and Community Outreach Director for GSD, provided an update of the 2022 Population Analysis Study. The study is related to closing multiple elementary schools in their district over the next few years. He explained the yearlong process was almost complete, recommendations are being considered and all data has been shared with the public. He displayed the GSD webpage where all information can be found including a boundary map study, feeder flow charts, public feedback from open house school meetings and the full presentation that was given publicly. As a result of the study, three proposed options were created for school closures that are still under review.

The Option Summary page also located on the GSD website was analyzed regarding what schools were studied, how capacities are changing, how schools were ranked for physical building condition and current enrollment totals. He said no final decision has been made yet about which schools will be closing, although Springlane and Twin Peaks elementary schools were noted in each proposed option. The Population Analysis Committee will make a final recommendation soon, which will be announced

publicly and addressed during their 2022 November board meeting.

There was a brief discussion about how the problem of low enrollment would not be resolved if the Murray School District were to annex GSD schools into the Murray School District; and what happens to elementary school properties and buildings after they are closed. Mr. Horsley explained most vacated buildings would be utilized for continued school use like housing other educational programs, school supply warehousing, or office space for nonprofit groups or they could be slated for open green space. Empty GSD school buildings are well maintained and kept in orderly fashion until a use is found and would not sit as a nuisance, subject to vandalism.

Prepaying for a new fire apparatus:

Ms. Moore informed Council Members that a new fire apparatus would be ordered by the end of October 2022 to save money and time. The aerial truck the fire department is currently using will reach the end of its 15-year lifecycle in 2025 and the build time for a new vehicle is two years.

Chief Mittelman said they will finalize exact specifications over the next 12 months for the All-Steer ladder truck they have chosen that is roughly \$1.7 million. The apparatus will have a 107-foot ladder to access taller buildings in areas like Fireclay and new apartment buildings being constructed in Murray. Photos, schematics, and a video of the fire truck were shown.

Ms. Moore explained it is best to order the vehicle now because Pierce Manufacturing, who makes custom fire trucks, anticipates two price increases within the next year. A budget opening would not be necessary at this time because the item will be part of the fiscal year 2025 fire department budget.

Adjournment: 5:59 p.m.

Pattie Johnson
Council Office Administrator III



MURRAY
CITY COUNCIL

Discussion Items



MURRAY
CITY COUNCIL

Discussion Item #1



MURRAY

Council Action Request

Murray City Council

Wasatch Front Waste and Recycling District Presentation

Committee of the Whole

Meeting Date: November 15, 2022

Department Director Jennifer Kennedy Council Director	Purpose of Proposal To present the 2023 Tentative Budget for WFWRD
Phone # 801-264-2622	Action Requested Information only.
Presenters Pam Roberts, WFWRD General Manager/CEO Paul Korth, WFWRD Finance Director	Attachments Presentation Slides
Required Time for Presentation 20 Minutes	Budget Impact None
Is This Time Sensitive Yes	Description of this Item Pam Roberts and Paul Korth with the Wasatch Front Waste and Recycling District will present their 2023 Tentative Budget and Fee Increase Report.
Mayor's Approval	
Date November 1, 2022	



Wasatch Front Waste and Recycling District



2023 Tentative Budget & Fee Increase Report



Our Mission: Provide sustainable quality integrated waste and recycling collection services for the health and safety of our community...because not everything fits in the can.

Our Vision: A sustainable, integrated organization that provides for the welfare of our community.

2023 Budget Priorities



Chuck Orencole NWRA Driver of the Year



Truck Wraps with Recycling Education



1. Sustain the various services that residents need and the services we are required to provide for waste and recycling collections.
 - Weekly curbside garbage and recycling collections.
 - Seasonal Services: Central leaf bag collections and curbside Christmas tree collections.
 - Central glass collections.
 - Discounted trailer rentals for bulk and green waste.
 - SCRP (Seasonal Container Reservation Program)
 - Can Repair and Replacement
 - Landfill vouchers for a residential truck, car or trailer loads.
2. Implement fee increases January 1, 2023, to manage the increased costs associated with the rapidly rising salary markets, fuel prices, maintenance shop rates, purchase prices for trucks and cans and increased processing fees for waste and recycling.
 - \$2.50 per home per month fee increase is proposed (from \$17.00 to \$19.50/per month/\$58.50 per qtr./\$234.00 Annual). The last fee increase was implemented five years ago as part of the 2018 budget -\$2.25 per month.
 - Town of Brighton/Big Cottonwood for central collections: \$1.25. (from \$14.75 to \$16.00 and seasonal residents \$8.50 to \$9.75). No increase was imposed for the Town of Brighton/Big Cottonwood Canyon in 2018.
 - Other fee increases for front load (dumpster) services, trailer rentals, glass subscription and new fees for second garbage and recycling can rentals.
3. Continuous improvements on efficiencies using technologies on equipment.
4. Continued use of alternate fuels to keep costs low. Compressed Natural Gas (CNG) versus diesel saves \$2.00 per gallon on 2023 for the 500,000 gallons of fuel needed to provide services, which saves \$1,000,000.00 in 2023.
5. Find ways to expand the Seasonal Container Reservation Program (SCRP) at the lowest cost possible, while managing the challenges to recruit and retain CDL drivers, and the limited number of months that trucks are available to lease.

Cost Increases in the Highest Expense Categories Since the Last Fee Increase for \$2.25 per month in 2018

Wasatch Front Waste & Recycling District					As of 10/18/22 2022	As of 10/18/22 2023 Tentative
	2018	2019	2020	2021	Estimated	Budget
Wages & Overtime	\$ 4,199,251	\$ 4,393,703	\$ 5,016,068	\$ 5,259,835	\$ 5,557,047	\$ 6,627,732
Fuel	\$ 971,192	\$ 869,212	\$ 864,416	\$ 983,878	\$ 1,094,040	\$ 1,148,742
Maintenance	\$ 2,577,487	\$ 2,767,235	\$ 3,133,928	\$ 3,007,310	\$ 3,122,230	\$ 3,372,008
Disposal Fees	\$ 3,918,871	\$ 3,932,029	\$ 4,061,642	\$ 3,974,224	\$ 3,880,042	\$ 4,204,537
Recycling	\$ 893,370	\$ 1,262,828	\$ 1,058,749	\$ 330,584	\$ 306,974	\$ 840,000
Total	\$ 12,560,171	\$ 13,225,007	\$ 14,134,803	\$ 13,555,831	\$ 13,960,333	\$ 16,193,019
Cost of Sideload Truck	\$ 312,626	\$ 312,626	\$ 320,449	\$ 328,242	\$ 351,100	\$ 425,340
Projected Cost of 8 Sideload Trucks	\$ 2,501,008	\$ 2,501,008	\$ 2,563,592	\$ 2,625,936	\$ 2,808,800	\$ 3,402,720
Total 2023 Tentative Budget (94% of budgeted expenses)	\$ 15,221,438					
Total 2018	\$ 12,560,171					
Projected Increase	\$ 2,661,267					
Sideload Trucks						
Total 2023 Tentative Budget	\$ 3,402,720					
Total 2018	\$ 2,501,008					
Projected Increase	\$ 901,712					
Total Projected Increase	\$ 3,562,979					
Houses Served	86,145					
Projected Increase Per House	\$ 41.36 Annual					
			\$ 3.45 Monthly			

- Salary adjustments to meet rising labor markets to recruit and retain employees with the needed skill and talent.
- 2% Merit Increase on employee's anniversary dates when meeting job expectations to stay within the 2023 salary markets.

WFWRD Cash Projections 2022 – 2026 as of 10/18/22 with the Proposed Fee Increases and Recent Adjustments for Side Load Truck Purchases

Operational Expenses for 2023-2026 calculated at 94% of budgeted/projected amounts.

	Actual 2019	Actual 2020	Actual 2021	Estimated 2022	Tentative Budget 2023	Projected 2024	Projected 2025	Projected 2026
Beginning Cash & Investment Bal.	\$ 9,977,430	\$ 10,493,725	\$ 10,092,102	\$ 9,501,695	\$ 10,279,996	\$ 7,898,768	\$ 6,899,495	\$ 5,752,667
Truck Sales - Net Proceeds	15,829	533,435	354,825	405,000	565,000	550,000	560,000	520,000
Cash	9,993,259	11,027,160	10,446,927	9,906,695	10,844,996	8,448,768	7,459,495	6,272,667
Total Revenues	20,929,827	21,847,724	22,080,361	21,853,006	24,702,600	25,036,238	25,362,351	25,640,975
Operational Expenses	(20,382,496)	(22,214,529)	(22,342,588)	(23,206,317)	(24,403,152)	(25,849,544)	(26,921,483)	(27,866,703)
Less Non-Cash Depreciation	1,760,178	2,192,892	2,106,525	2,219,606	2,105,300	2,942,953	3,355,452	3,620,671
Adjusted Expenses	(18,622,318)	(20,021,637)	(20,236,063)	(20,986,711)	(22,297,852)	(22,906,591)	(23,566,031)	(24,246,032)
Capital Expenditures	(1,807,043)	(2,761,145)	(2,789,530)	(492,994)	(5,350,976)	(3,678,920)	(3,503,148)	(3,560,440)
Ending Cash & Investment Bal.	\$ 10,493,725	\$ 10,092,102	\$ 9,501,695	\$ 10,279,996	\$ 7,898,768	\$ 6,899,495	\$ 5,752,667	\$ 4,107,170
Cash/Operational Expenses	51%	45%	43%	44%	32%	27%	21%	15%
Net OPEB Liability	\$ 1,087,787	\$ 1,300,521	\$ 1,387,127	\$ 1,387,127	\$ 1,387,127	\$ 1,387,127	\$ 1,387,127	\$ 1,387,127

The Board's policy: A desired 20% of total budget for year-end cash balance, which is approximately three (3) months of operating expenditures. Raise fees when future projections show a 5% year-end cash balance.

Steps in the 2023 Budget Process

Board of Trustees Tentative Adoption of the 2023 Tentative Budget: Monday, October 24, 2022, at 9:00 a.m.

Board of Trustees holds the Public Hearing to Allow Public Comment on the 2023 Tentative Budget and the Fee Increases: Monday, November 14, 2022, at 6:00 p.m.

The Board's Adoption of the 2023 Budget: At their option, on Monday, November 14th after public comment, **or** Monday, December 12, 2022, at 9:00 a.m. during their regular meeting.

All meetings will be held at the District's Offices located inside the Salt Lake County Public Works Administration Building at 604 West 6960 South in Midvale.

For more information contact Pam Roberts, General Manager.

Desk phone, 385-468-6342; email, proberts@wasatchfrontwaste.org; or cell, 801-550-6324.

Visit our website for details on the 2023 Budget and Fees : wasatchfrontwaste.org - Board of Trustees, 2023 Tentative Budget and Fee Schedule.



MURRAY
CITY COUNCIL

Discussion Item #2



MURRAY

Council Action Request

Community & Economic Development

97 West Winchester Street, Zone Change

Committee of the Whole

Meeting Date: November 15, 2022

Department Director Jared Hall	Purpose of Proposal Amend General Plan and Zoning designations of the property from Residential to Residential Neighborhood Business.
Phone # 801-270-2427	Action Requested Amend Future Land Use Map - Low Density Res to Res Business, Amend Zoning Map - R-1-8 to R-N-B.
Presenters Jared Hall	Attachments Presentation Slides.
Required Time for Presentation 15 Minutes	Budget Impact None.
Is This Time Sensitive No	Description of this Item On October 6, 2022, the Planning Commission voted to recommend that the City Council approve the requests related to the subject property at 97 West Winchester Street. The property owner, Paul Henderson has proposed amendments to the Future Land Use and Zoning Map designations of his property in order to support operating his property management business from a future office on the site. He proposes changing the Future Land Use designation from Low Density Residential to Residential Business, and the Zoning Map designation from R-1-8, Single Family Residential to R-N-B, Residential Neighborhood Business.
Mayor's Approval	
Date	

Allowed Uses in the R-N-B Zone: The existing R-1-8 Zone generally allows single family detached homes along with parks, schools, churches, and some utilities. The proposed R-N-B Zone allows single family detached and attached homes (twin-homes), duplexes, certain professional office uses, banking, salons, schools, and churches.

Zoning Regulations in the R-N-B: The R-N-B Zone regulations include many considerations to make it compatible with adjacent residential uses as a transition or buffer, including the following:

- Planning Commission Conditional Use Permit approval required for all commercial construction.
- Limited hours of operation from 7:00 a.m. 10:00 p.m.
- Commercial buildings limited to 20' in height, maximum of 30' with Planning Commission approval.
- Landscape and masonry wall buffering requirements adjacent to residential uses.
- Additional lighting requirements and limitations.
- Design requirements for residential-compatible character (gable roofs, limited massing, residentially typical materiality, etc.)
- Limited signage.

Future Land Use Map Designations: To support the Zone Map amendment to R-M-15, an application to amend the Future Land Use designations of the subject property from Low Density Residential to Residential Business. “Future Land Use” designations are intended to help guide decisions about the zoning designations of properties.

- Existing: The existing property is currently designated as “Low-Density Residential”. This category is intended to be used for “residential uses in established and planned neighborhoods.”
- Proposed: The applicants propose to amend the Future Land Use Map designations of the subject property to “Residential Business.” The Residential Business designation is intended for commercial developments within primarily residential neighborhoods that are small in scale, have little impact, and provide services for the nearby residential area.”

The subject property is the only home outside the area designated to support the change to Residential Business. Making the requested adjustment would represent a natural expansion of the designation, which is generally considered a valid support

General Plan Objectives: The proposed amendments support objectives and goals of the General Plan, including:

- Encourage revitalization along transit corridors
- Promote transitional development between commercial and neighborhoods
- Encourage form-based development patterns
- Create unique local neighborhood retail node

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. No concerns or issues were raised.

PUBLIC COMMENTS

Forty-one (41) notices of the public hearing were sent to all property owners within 300' of the subject property and to affected entities. One comment in opposition was received.

FINDINGS

1. The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.
2. Amending the Future Land Use Map of the General Plan will allow for cohesion with neighboring residential uses.
3. The proposed Zone Map Amendment from R-1-8 to R-N-B has been considered based on the characteristics of the site and surrounding area. The potential impacts of the change will be minimal and will promote the goals of the General Plan.
4. The proposed Zone Map Amendment from R-1-8 to R-N-B conforms to important goals and objectives of the 2017 Murray City General Plan and will allow an appropriate development of the subject property.

RECOMMENDATION

The requests have been reviewed together and the findings and conclusions apply to both recommendations, but the Council must take actions individually. The two separate recommendations are provided below:

REQUEST TO AMEND THE MURRAY CITY GENERAL PLAN

Based on the background, analysis, and the findings, Staff and the Planning Commission recommend that the City Council APPROVE the requested amendment to the Future Land Use Map, re-designating the property at 97 West Winchester Street from Low Density Residential to Residential Business.

REQUEST TO AMEND THE MURRAY CITY ZONING MAP

Based on the background, analysis, and the findings, Staff and the Planning Commission recommend that the City Council APPROVE the requested amendment to the Zoning Map, re-designating the property located at 97 West Winchester Street from R-1-8, Single Family Residential to R-N-B, Residential Neighborhood Business.

Murray City Corporation

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 6th day of December, 2022, 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 Low Density Residential to Neighborhood Business and amending the Zoning Map from the R-1-8 (Residential Single Family) zoning district to the R-N-B (Residential Neighborhood Business) zoning district for the property located at 97 West Winchester Street, 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 21st day of October 2022.



MURRAY CITY CORPORATION

A handwritten signature in blue ink, appearing to read "Brooke Smith".

Brooke Smith
City Recorder

DATE OF PUBLICATION: November 25, 2022
PH 22-38

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*)

24 hours prior to hearing:

- Post in 3 locations within city
- Post on City's website

ORDINANCE NO. _____

AN ORDINANCE RELATING TO LAND USE; AMENDS THE GENERAL PLAN FROM LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD BUSINESS AND AMENDS THE ZONING MAP FROM R-1-8 (RESIDENTIAL LOW DENSITY) TO R-N-B (RESIDENTIAL NEIGHBORHOOD BUSINESS) FOR THE PROPERTY LOCATED AT 97 WEST WINCHESTER STREET, MURRAY, UTAH. (Paul Henderson – Applicant)

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

WHEREAS, the owner of the real property located at 97 West Winchester Street, Murray, Utah, has requested a proposed amendment to the General Plan of Murray City to reflect a projected land use for the property as Neighborhood Business and to amend the zoning map to designate the property in an R-N-B 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 Neighborhood Business projected use for the following described property located at 97 West Winchester Street, Murray, Salt Lake County, Utah:

BEGINNING AT THE NORTHEAST CORNER OF LOT 4 BLAIN ADDITION, THENCE NORTH 283.38 FEET; THENCE NORTH 85°45' EAST 89.92 FEET; THENCE SOUTH TO A POINT 89.44 FEET EAST FROM THE BEGINNING; THENCE WEST 89.44 FEET TO THE BEGINNING OF LESS STREET & STATE ROAD. 0.48 ACRES

Section 2. That the Zoning Map and the zone district designation for the property described in Section 1 be amended from the R-1-8 zone district to the R-N-B 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 _____, 2022.

MURRAY CITY MUNICIPAL COUNCIL

ATTEST:

Brooke Smith, City Recorder

Transmitted to the Office of the Mayor of Murray City on this _____ day of
_____, 2022.

MAYOR'S ACTION:

DATED this _____ day of _____, 2022.

Brett A. Hales, Mayor

ATTEST:

Brooke Smith, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance was published according to law on the _____
day of _____, 2022.

Brooke Smith, City Recorder

5. If the applicant does not condominiumize the proposed Lot 201, the applicant shall provide a document that provides details on the parking for Lot 201 with compliance with Murray Parking Standards prior to recordation of the new plat.
6. The applicant shall prepare a Final Subdivision Plat which complies with all requirements of Title 16, Murray City Subdivision Ordinance.
7. The subdivision plat shall be recorded within one year of the final approval by the Planning Commission or the subdivision plat approval shall be null and void.

Seconded by Mr. Nay. Roll Call Vote

<u>A</u>	Richards
<u>A</u>	Nay
<u>A</u>	Hacker
<u>A</u>	Patterson
<u>A</u>	Pehrson
<u>A</u>	Lowry

Motion passed 6-0

PAUL HENDERSON – 97 West Winchester Street– Project#22-139

Mr. Smallwood presented this request to amend the general plan and zone map. This property is currently in R-1-8 zone, along with the properties to the west and east. This requires a change from the current low-density residential designation to the residential business designation. The residential business designation only allows for the RNB zone, and there are no other associated zones. Staff feels this is a natural expansion of the RNB designation, especially with the Fashion Place West area. Photos of the existing home were shown of the lot and were included in the Staff Report. He discussed the future land use designations and possible conditional uses. The RNB zone allows for small office uses, and it is a design heavy zone with architectural standards that have to be met and he discussed those. He also discussed the requirements for parking in this zone. Staff is recommending approval for both the general planning amendment and the zoning map amendment.

Mr. Nay referred to the future land use map and that it talks about the natural progression of expansion of the residential neighborhood business. He asked if staff sees a hard line where these expansions are concerned. Mr. Smallwood responded that typically staff doesn't support anything that isn't touching on Winchester.

Mr. Nay asked how this project fits with the small area plan that was done for Fashion Place. Mr. Smallwood responded that this actually fits more with the 2017 general plan. There are things that may come as part of the Fashion West Place Small Area Plan, but this is an easy transition over to commercial.

Paul Henderson, applicant, said that before buying the house he called the city to see if he could put his office there. The gentleman responded he could, specifically "it's on Winchester, and yes you can." Then, after speaking with Ms. Nixon about it, she looked more closely and discovered this is the only lot on Winchester that isn't included in the RNB Zone. They

discussed the things that would have to happen to bring it up to commercial code, and he is getting plans and bids on those items. He hasn't done anything official yet however, because he is waiting on approval.

Mr. Nay asked what kind of business he will be running. Mr. Henderson responded that it will be an office property management business.

Mr. Lowry opened the hearing for public comment.

Bart Burton, resident, requested that the zoning not be changed. Once it starts, it never stops. He has seen it in so many places and would really like to keep our place a neighborhood. We like it there, you start letting offices in and next thing you know there is a dentist's office, next thing you know they are going to change the zoning to something else and from what I heard, from there with the mall project it may anyway. He asked that the city not approve the request and just let the neighborhoods be.

Mr. Smallwood read an email received prior to the meeting:

Elizabeth Brimley, resident, asked what type of business is anticipated? What business hours are planned? What effect will it have on the neighborhood? Will there be more traffic, people, vagrants, etc.?

Mr. Lowry noted there was another comment received by email.

Mr. Smallwood acknowledged that there was, and it was included in the record for this meeting.

Mr. Lowry wanted to talk about the first concern, the property being located across from what is currently a gravel open space; he would like to clarify who owns that property. Mr. Lowry closed the public comments.

Mr. Smallwood said they will do some more research to make sure it is not city property; he suspects it belongs to UDOT. Once the owner is determined, he will either contact the state or city staff to get that cleaned up. The type of business has been addressed already. There are restrictions in the RNB zones regarding operating hours, however he does not know the exact times currently. Regarding the effect on the neighborhood, this is a transitional zone and a good spot for high traffic streets like Winchester. It also separates the single family residential from the area. Regarding traffic, people and vagrants, he can't answer to whether or not this would bring more people or vagrants during a zone change. A zone change also doesn't necessarily mean there will be a traffic increase.

Mr. Nay asked if there are other examples of pieces of property that were not attached to other zones when the general plan was developed; single pieces of property that were missed throughout the city.

Mr. Smallwood said yes, there were a number of properties. They look at general plan amendments quite often, and they entertain things when they seem appropriate or they see a change in the neighborhood. Usually, they tell people what they are asking for is not appropriate, but the planning commission doesn't see that because they generally don't take applications that staff can't support.

Mr. Nay asked for more examples of where a zone change has taken place, and what those properties looked like.

Mr. Smallwood noted the west side of 900 East, from Winchester up to about 5600 South, which is mostly lower scale buildings that look like residential office buildings.

Mr. Hacker asked staff to address Mr. Burton's concerns from his comment.

Mr. Smallwood said he doesn't anticipate this going any further, mostly because this property touches Winchester. Based on the map, this property mostly faces on to Winchester and it just so happens there is a right of way, otherwise the whole property would touch Winchester. This is why they feel this is a good, hard stopping point for the RNB zone in that area.

Mr. Nay asked if they have the capability to change the access as the project moves forward.

Mr. Smallwood said that it depends on who owns the property, as they will have to work with that entity. He also noted they could look at possible changes to the drive approach location during the project review.

Mr. Nay asked about any required buffering on the east side of the property.

Mr. Smallwood said there is at least a 10-foot buffer required for landscaping next to any residential, typically they require fencing to be installed as well.

Mr. Nay asked about the height requirements for the fencing.

Mr. Smallwood said it's typically 6 feet, but the planning commission can grant up to 8 feet on the south side.

Ms. Nixon stated where the site abuts a property that the general plan projects as residential land use, a six-foot-high solid masonry wall shall be located on the property line.

Ms. Patterson noted that this is a really deep property, and the two on the other drive would be the only ones designated for RNB in the future. She wonders if there is something they can do to buffer the sides of that.

Ms. Nixon said that if that was considered a mitigating factor, it could be discussed when it comes in for the site plan.

Mr. Nay asked if the applicant were to come forward with only a business application, and not any change to the property itself, would they lose the ability to enforce the fencing everywhere besides the south side.

Mr. Smallwood said it would be a change of use, so it would need to go through the review process again.

Mr. Pehrson noted that, per code, "commercial uses shall not be open for business before 7:00 a.m. or after 10:00 p.m." However, he also noted that many professional offices do not work that late in the day.

Mr. Lowry asked for details on the height allowances for structures. Mr. Smallwood said that without planning commission approval the maximum is 20 feet tall, but the planning commission may allow up to 30 feet. There is also a condition noting the building cannot be more than two stories.

Mr. Pehrson noted that the image shown was 5 feet shorter than a single-family home and Mr. Smallwood agreed.

Ms. Patterson moved to forward a recommendation of approval to the city council for the requested amendment to the future land use map, re-designating the property located at 97 West Winchester Street from low density residential to residential business. Seconded by Mr. Hacker.

Roll Call Vote

<u>A</u>	Patterson
<u>A</u>	Hacker
<u>A</u>	Nay
<u>A</u>	Richards
<u>A</u>	Pehrson
<u>A</u>	Lowry

Motion passes 6-0

Ms. Patterson moved to forward a recommendation of approval to the city council for the requested amendment to the zoning map designation of the property located at 97 West Winchester Street from R-1-8, single family residential to RNB, residential neighborhood business. Seconded by Mr. Hacker.

Roll Call Vote

<u>A</u>	Patterson
<u>A</u>	Hacker
<u>A</u>	Richards
<u>N</u>	Nay
<u>A</u>	Pehrson
<u>A</u>	Lowry

Motion passes 5-1, Mr. Nay had dissenting vote due to his belief that the buffering clauses in the code need to be updated and provide better buffering from residential properties.

Mr. Pehrson added that the planning commission is only forwarding a recommendation, this will still be going before the city council. The public is welcome to attend the council meeting and voice their opinion on this rezone as well.

OTHER BUSINESS

Ms. Patterson shared that the Murray Region PTA is hosting a Meet the Candidates Night at Murray High School on Monday, October 10 from 6-8 pm. It will be an open house style event and they have received RSVPs from 30 of their representatives. They will be available to talk to the public; there will be no debates or speeches. To see the candidates, visit MurrayPTA.org, or the school district's social media, "We Are Murray" on Facebook and Instagram.

Mr. Pehrson noted that Mr. Nay brought up a desire to change the buffering in the RNB zoning. He believes that, as a commission, they have the ability to talk about and forward a recommendation in regard to that.

Mr. Nay said that he feels the east and west sides of the property need the buffering, in this case specifically. This is not a noisy business, but whatever comes in later could be a different story. This is supposed to be a buffer, but it doesn't cover all the neighboring properties.

Ms. Patterson said that in the past, most properties are like the ones to the west, a shallower property in a corner. Those properties would definitely need some additional conditions on site plans and things like that in this section.

Mr. Nay noted that this is a very unusual piece of property, but they should have the power to enforce the additional buffering.

Ms. Patterson said that some of the properties on Winchester have done the conversion, and some have rebuilt as new.

Mr. Lowry asked if it would be possible to propose that any zoning change that abuts residential would require buffering.

Mr. Smallwood said that technically they can't put conditions on a rezone, as it's a legislative item.

Mr. Nay asked if they could make requirements for a particular zone itself.

Mr. Smallwood said yes, they can change the text of the zoning.

Ms. Patterson asked if there are a lot of these lots to be rezoned to RNB.

Mr. Smallwood responded there are still a few properties just to the west of this one that are for sale.

Ms. Nixon said that when they initially adopted the RNB zone, they had proposed having a buffer wall between RNB and R-1-8, like on 9th East. Initially, the wall was required on both sides as well as rear, but then after applications started being submitted, they realized it could ultimately end up with a solid wall the whole way down the street.

Mr. Lowry noted that some areas could use some updating, but it's a tough situation where these residents have been here for a long time and they are very protective of their neighborhood.

Mr. Nay noted that the resident who spoke will not see much change on his property from what he understands will go into this zone.

Ms. Patterson asked, once this property is rezoned to RNB, and someone else comes in after this applicant leaves, if they don't want whatever conversion has been done, could they implement different requirements at that time.

Mr. Smallwood said that even in the conversion, it will have to come through the planning commission for parking changes, site upgrades, etc. There will be a chance to look at the fencing at that time as well.

Mr. Nay asked if they have discretion in the fencing requirements.

Mr. Smallwood said that yes, if it is found that there is an impact that needs to be addressed.

Mr. Pehrson noted that, separate from this issue, his comments are regarding ideas the commissioners might have. He thinks they should be discussing those, putting them on the agenda for future meetings.

Mr. Smallwood said they just need to let staff know if they want to schedule a discussion item.

Mr. Pehrson added that, as a commission, they don't technically have to have staff write all that for them. They can technically write it up themselves, propose and vote on it. He's not saying that has to be done, as staff does a great job, but he wanted to point out that the planning commission members can initiate change.

Mr. Hacker agreed.

Mr. Pehrson move to adjourn the meeting at 7:28 p.m. A voice vote was made, vote was unanimous.



Jared Hall, Community & Economic Development Director



AGENDA ITEM # 6 - Paul Henderson

ITEM TYPE:	General Plan & Zone Map Amendments		
ADDRESS:	97 West Winchester Street	MEETING DATE:	October 6, 2022
APPLICANT:	Paul Henderson	STAFF:	Seth Rios, Planner 1
PARCEL ID:	21-24-279-006	PROJECT NUMBER:	22-138 & 22-139
CURRENT ZONE:	R-1-8, Single Family Residential	PROPOSED ZONES:	R-N-B, Residential Neighborhood Business
Land Use Designation	Low-Density Residential	PROPOSED DESIGNATION	Residential Business
SIZE:	0.48 acres		
REQUEST:	The applicant would like to amend the Future Land Use Map designation and Zoning Map for the subject properties to allow for a neighborhood business at the property addressed 97 West Winchester Street.		

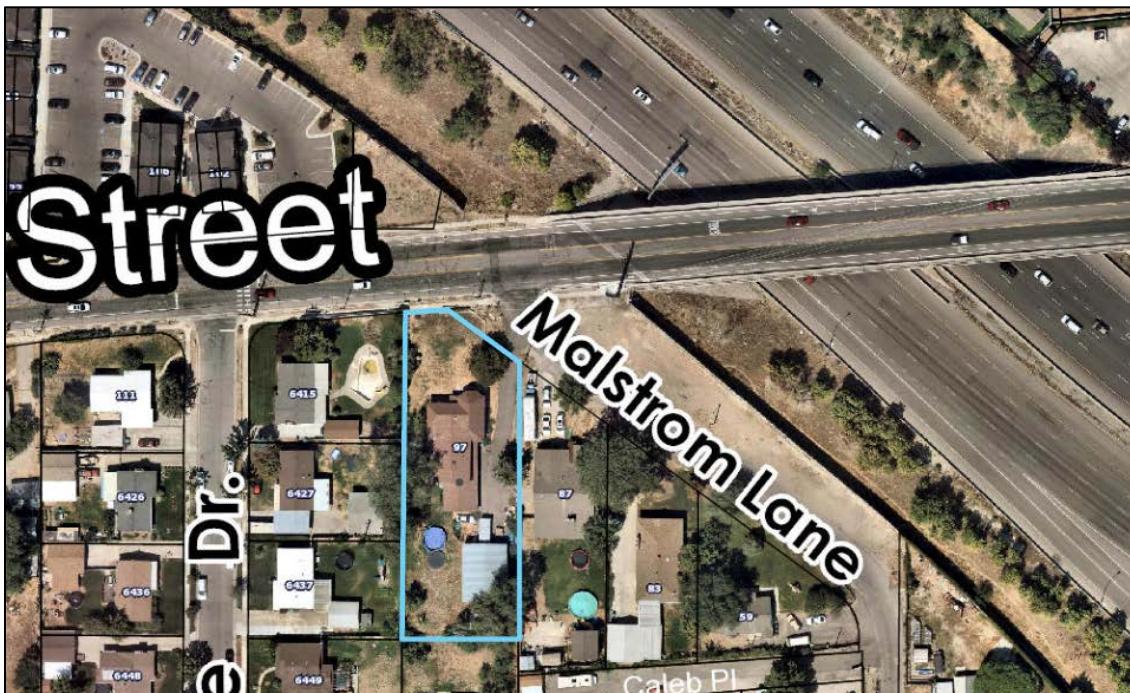


Figure 1: Aerial view of the subject property

BACKGROUND & REVIEW

The subject property owner is requesting to amend the General Plan's Future Land Use and Zoning Map to allow for a property management office space to be run from the home. The home largely fronts on Winchester Street. The driveway access is the part of the front yard that fronts Malstrom Lane. The General Plan and Future Lands Use Map call for most of the homes that front on Winchester to be rezoned to Residential Business. This property was excluded from the Future Land Use Map's designation to rezone the frontage of Winchester to Residential Business. Staff assumes that this was because the home shares part of its frontage with Malstrom Lane, which is entirely single-family residential. Although the home is surrounded by other single-family homes, they are already near other commercial uses. Fashion Place Mall is just across the bridge.

Surrounding Land Uses & Zoning



Figure 2: Looking to the east from 97 West Winchester Street

The subject property is 0.48 acres and is located on Winchester Street, right next to I-215. Winchester Street is a busy collector road with a variety of businesses along the street. The 2017 General Plan calls for the properties fronting Winchester to be rezoned to R-N-B; however, the majority remain single-family residential. Rezoning this property would move the area closer to the goal of the General Plan of having a mix of uses in the area.

Direction
North

Land Use
Parking Lot

Zoning
R-N-B

South	Single-Family Residential	R-1-8
East	Single-Family Residential	R-1-8
West	Single-Family Residential	R-N-B

Zoning Considerations



Figure 3: This office complex is just across the street from 97 West Winchester

The purpose of the R-N-B zone is to allow for a transition area between high-traffic roads and adjacent residential neighborhoods. Any building in this zone should share characteristics with nearby neighborhoods. If the property were rezoned to the R-N-B zone, it would be required to maintain the existing character of the building. An example of this is the height limit in the R-N-B zone. Structures are limited to 20 feet in height, unless they receive a conditional use permit to allow an increase to 30 feet.

Allowed Land Uses

The R-1-8 Zone allows for single-family housing on parcels that have a minimum size of eight thousand (8,000) square feet. This is a low density, single-family zone.

- **Existing R-1-8, Residential Single-Family Zone:**

Permitted Uses in the R-1-8 zone include single family residential development and accessory uses associated with them and requires minimum lot sizes of 8,000 square feet

Conditional Uses in the R-1-8 Zone include public and quasi-public uses such as schools, libraries, churches, and utilities.

- **Proposed R-N-B, Residential Neighborhood Business:**

Permitted Uses in the R-N-B Zone include attached and detached single-family residential development, duplexes, and certain office uses. This zone is design-heavy and includes buffers to residential that surrounds it.

Conditional Uses in the R-N-B Zone include banking services, salons, schools, and churches to name a few examples.

General Plan Considerations

In order to support the Zone Map amendment to R-N-B, the applicant has also made an application for a General Plan amendment, specifically to amend the Future Land Use designations of the subject properties from Low-Density Residential to Residential Business. General Plans are not intended to be static documents. Significant evaluations and revisions are common every five to ten years, and in growing and complex communities like Murray, it is reasonable to expect that additional adjustments may be appropriate and should be considered individually.

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 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 designations of properties. The subject property is currently designated Low-Density Residential. The applicant proposes to amend the Future Land Use designations described above to “Residential Business”.

- Existing: The existing property is currently designated as “Low-Density Residential”. This category is intended to be used for “residential uses in established and planned neighborhoods.” Figure 5 is an illustration below from page 5-12 of the General Plan.
- Proposed: The applicants propose to amend the Future Land Use Map designations of the subject property to “Residential Business.” The Residential Business designation is intended for commercial developments within primarily residential neighborhoods that are small in scale, have little impact, and provide services for the nearby residential area.” See Figure 6 for a more detailed description.

Staff supports the proposed change of the future land use map designation. The home is only one property outside of the area that is designated to eventually change to the R-N-B zone in the Murray City Future Land Use Map. This would be a natural expansion of the proposed R-N-B zoning area. Most of the front yard fronts are along Winchester Street. Chapter 17.140 requires that commercial businesses in the proposed zone maintain the character of the adjacent neighborhoods. Before opening their business, the applicant will need to complete a site plan review, where parking, access, and other needs of the property will be addressed. Because the house will be converted to commercial use, there is also the possibility that they will need to work with the Building Division to complete a change of use. There are multiple steps still required before the applicant would be able to operate their business at this address.

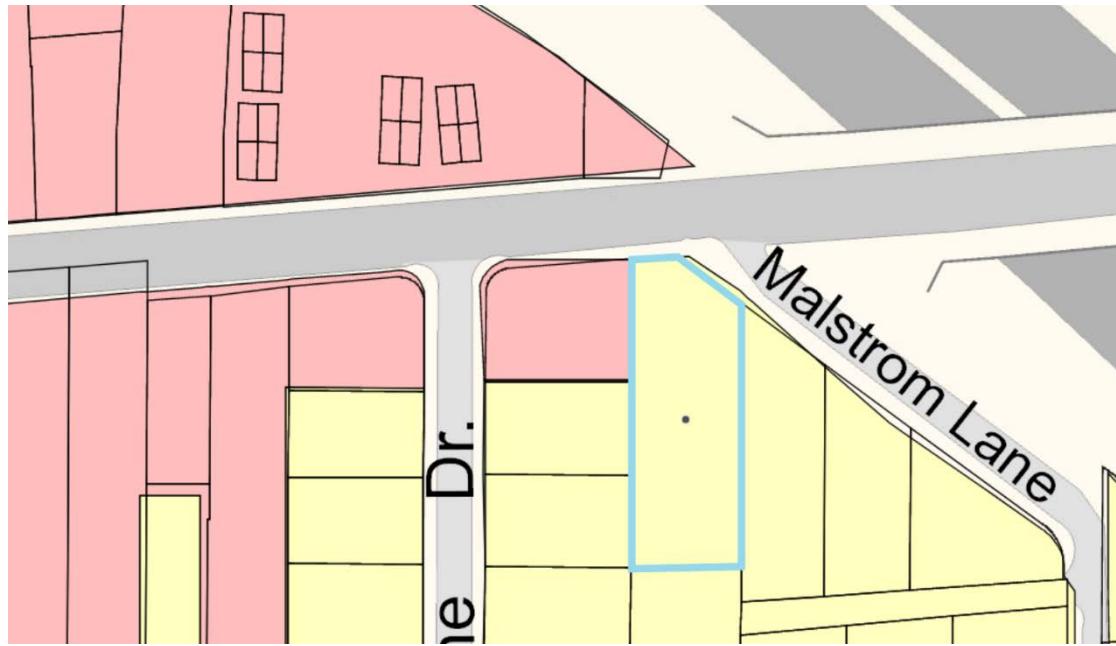


Figure 4: The pink area shows the properties that are designated to eventually change to the R-N-B zone. The subject property is only one parcel outside of this designated area.

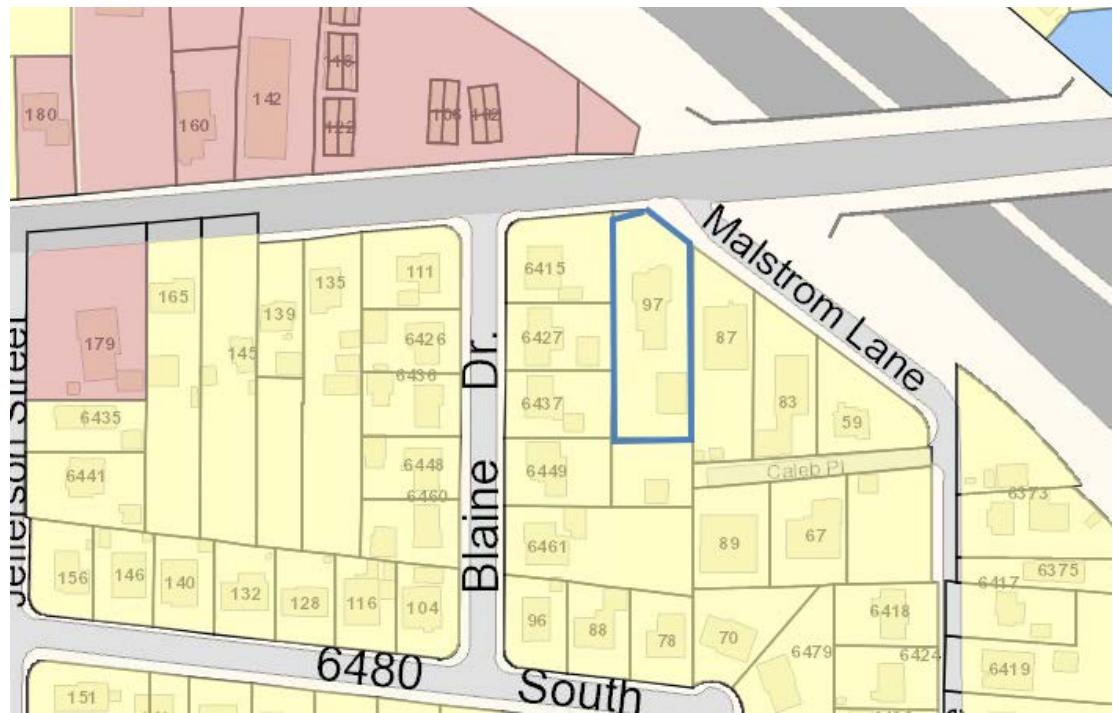


Figure 5: Existing Zoning. Pink is RNB and Yellow is R-1-8.

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



Figure 6: Page 5-14 of the 2017 Murray General Plan

RESIDENTIAL BUSINESS

This designation allows for mixed-use, attached dwellings, or commercial development within primarily residential neighborhoods that is small in scale, has little impact, and provides services for the nearby residential and/or recreational areas (e.g. Jordan River Parkway node at Winchester; adjacent to Wheeler Farm). Development will be similar in scale to nearby residential development to promote compatibility with the surrounding area. This designation is intended for areas where urban public services are available or planned. Areas within this designation are generally small nodes or individual buildings along corridors rather than large centers or complexes. Non-residential or multi-dwelling development will follow a similar development pattern of front setback/yard/landscaping as the surrounding residential context.

Corresponding zone(s):

- RNB, Residential Neighborhood Business



Figure 7: Page 5-15 of the 2017 Murray General Plan

General Plan Objectives and Goals

Page 47 of the 2017 Murray General Plan highlights initiative number #3, which is to create livable and vibrant neighborhoods in Murray. Here are a few of the goals given in the General Plan to achieve this initiative:

- Encourage revitalization along transit corridors
- Promote transitional development between commercial and neighborhoods
- Encourage form-based development patterns
- Create unique local neighborhood retail nodes

Changing the General Plan designation and allowing for a rezone to R-N-B helps to accomplish all of these goals. Winchester is right next to the Fashion Place West TRAX station. The road itself leads into State Street and passes over I-215. The goals stated in the General Plan call for revitalization in these types of areas. The R-N-B zone would provide nearby residents with the benefits of a commercial zone, without feeling like one. This will fulfill the other goals listed by allowing for a gradual transition into commercial. This is much different from the traditional style of zoning seen in Murray but allowing for the change gives residents the opportunity to see that commercial uses do not always have to consist of huge parking lots and tall buildings.

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. Staff has compiled their comments below:

- Murray City Power:
 - Depending on what kind of business the applicant is planning, the metering on the home may need to be changed to commercial, which will be charged at a different rate.

These comments are provided for the benefit of the applicant; as this application is not for a specific project, they are provided to make the applicant aware of potential issues if/when they receive the General Plan and Zone Map Amendment.

III. PUBLIC COMMENTS

Forty-one (41) notices of the public hearing for the requested amendments to the Future Land Use Map and Zone Map were sent to all property owners within 300' of the subject property and to affected entities. As of the date of this report, staff has received one comment, which expressed concern for the parking for the business. They also expressed concern about allowed height of the building and trash accumulating in the nearby parking area.

IV. FINDINGS

1. The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.
2. Amending the Future Land Use Map of the General Plan will allow for cohesion with neighboring residential uses.
3. The proposed Zone Map Amendment from R-1-8 to R-N-B has been considered based on the characteristics of the site and surrounding area. The potential impacts of the change will be minimal and will promote the goals of the General Plan.
4. The proposed Zone Map Amendment from R-1-8 to R-N-B conforms to important goals and objectives of the 2017 Murray City General Plan and will allow an appropriate development of the subject property.

V. 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 individually. The two separate recommendations of Staff are provided below:

REQUEST TO AMEND THE MURRAY CITY GENERAL PLAN

Based on the background, analysis, and 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 Future Land Use Map, re-designating the property located at 97 West Winchester Street from Low Density Residential to Residential Business.

REQUEST TO AMEND THE MURRAY CITY ZONING MAP

Based on the background, analysis, and 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 97 West Winchester Street from R-1-8, Single-Family Residential to R-N-B, Residential Neighborhood Business, as described in the Staff Report.



NOTICE OF PUBLIC HEARING

October 6, 2022, 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 made by Paul Henderson regarding the property addressed 97 West Winchester Street:

Amend the Future Land Use Map designation of the property from Low-Density Residential to Residential Business.

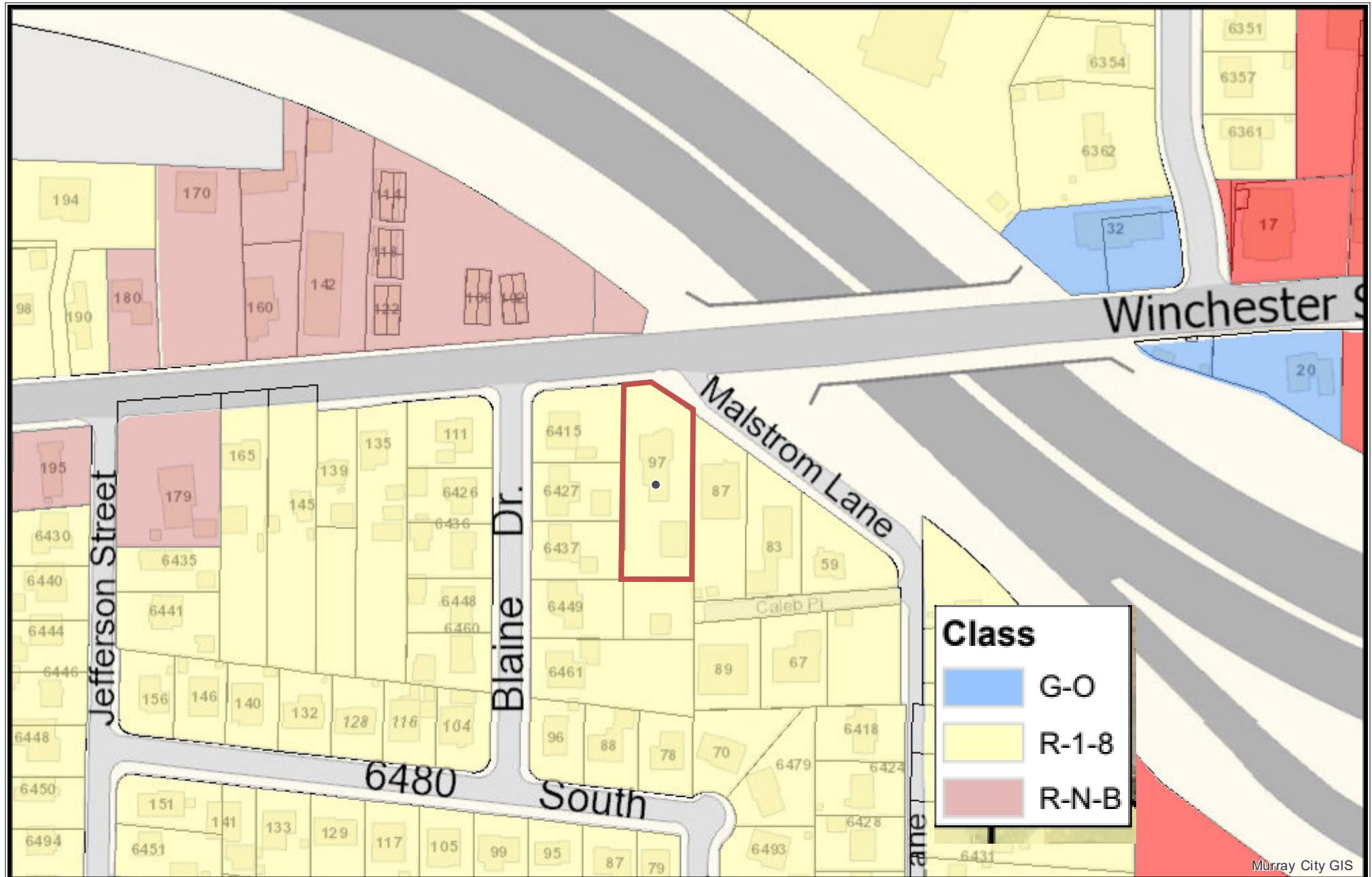
Amend the Zoning Map designation of the property from R-1-8, Residential Single-Family Low Density to R-N-B, Residential Neighborhood Business.

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. If you would like to view the meeting online, you may watch via livestream at www.murraycitylive.com or 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 300 feet of the subject property. If you have questions or comments concerning this proposal, please contact Seth Rios in the Murray City Planning Division at 801-270-2429, or e-mail srios@murray.utah.gov.



97 W Winchester Street



MURRAY

0 0.01 0.02 0.03 0.04 mi



Date: 10/18/2022
Time: 10:46:44 AM

GENERAL PLAN AMENDMENT APPLICATION

Type of Application (check all that apply):

Text Amendment

Map Amendment

Project # 22-138

Subject Property Address: 97 W. Winchester

Parcel Identification (Sidwell) Number: 21-24-279-006

Parcel Area: _____ Current Use: Residential

Land Use Designation: R-1-8 Proposed Designation: Neighborhood Business

Applicant Name: Paul Henderson

Mailing Address: 1199 Midge Dr.

City, State, ZIP: Bluffdale, UT 84065

Daytime Phone #: 801-699-1318 Fax #: 801-984-0549

Email Address: prhendy@me.com

Business Name (If applicable): _____

Property Owner=s Name (If different): _____

Property Owner=s Mailing Address: _____

City, State, Zip: _____

Daytime Phone #: _____ Fax #: _____ Email: _____

Describe your request in detail (use additional page if necessary): All the other residential houses with Winchester frontage are zoned for business. I would like this one to be zoned for business so I can move my business into it.

Authorized Signature:  Date: 9/1/22

Property Owners Affidavit

I (we) Paul Henderson, 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.



Owner's Signature

Co- Owner's Signature (if any)

State of Utah

§

County of Salt Lake

Subscribed and sworn to before me this 1st day of September, 20 22.



Notary Public

Residing in Salt Lake

My commission expires: 06-20-2025

Agent Authorization

I (we), Paul Henderson, the owner(s) of the real property located at

97, 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: _____

ZONING AMENDMENT APPLICATION

Type of Application (check all that apply): Project # _____

Zoning Map Amendment
 Text Amendment
 Complies with General Plan
 Yes No

Subject Property Address: 97 W. Winchester

Parcel Identification (Sidwell) Number: 21-24-279-006

Parcel Area: _____ Current Use: Residential

Existing Zone: R-1-8 Proposed Zone: R-N-B

Applicant Name: Paul Henderson

Mailing Address: 1199 Midge Dr.

City, State, ZIP: Bluffdale, UT 84065

Daytime Phone #: 801-699-1318 Fax #: 801-984-0549

Email address: prhendy@me.com

Business or Project Name: _____

Property Owner's Name (If different): _____

Property Owner's Mailing Address: _____

City, State, Zip: _____

Daytime Phone #: _____ Fax #: _____ Email: _____

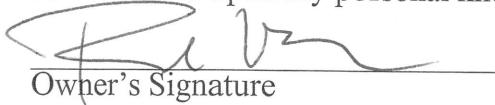
Describe your reasons for a zone change (use additional page if necessary):

Property has Winchester Frontage. All other houses on Winchester are zoned for business. I want to move my business into this house

Authorized Signature: Paul Henderson Date: 9/1/22

Property Owners Affidavit

I (we) Paul Henderson, 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.



Owner's Signature

Owner's Signature (co-owner if any)

State of Utah

§

County of Salt Lake



Subscribed and sworn to before me this 13 day of September, 20 22.



Notary Public

Residing in Salt Lake
My commission expires: 10-20-2025

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: _____



COMMITMENT FOR TITLE INSURANCE
Issued by
FIRST NATIONAL TITLE INSURANCE COMPANY

EXHIBIT A

Property Description

THE FOLLOWING DESCRIBED TRACT OF LAND SITUATED IN SALT LAKE COUNTY, STATE OF UTAH:

BEGINNING AT THE NORTHEAST CORNER OF LOT 4 BLAIN ADDITION, THENCE NORTH 283.38 FEET; THENCE NORTH 85°45' EAST 89.92 FEET; THENCE SOUTH TO A POINT 89.44 FEET EAST FROM THE BEGINNING; THENCE WEST 89.44 FEET TO THE BEGINNING OF LESS STREET & STATE ROAD 0.48 ACRES.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

FTNI Form No.: UTCom16 ALTA Commitment for Title Insurance Adopted 8/1/2016 Technical Correction 4/2/2018

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Brian Judd Tours



W Winchester St

98

S Blaine Dr

6415

6426

6436

6427

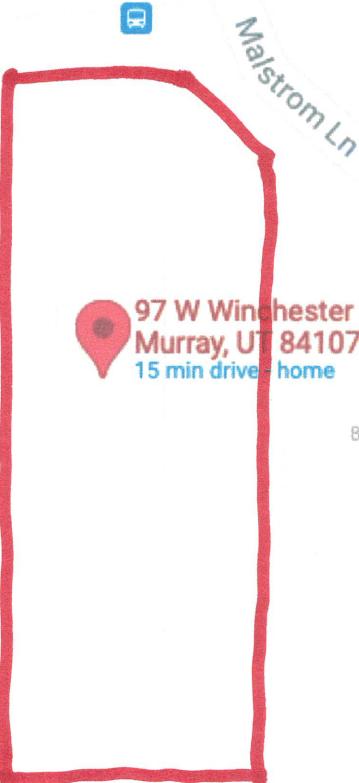
6437

6449



97 W Winchester St,
Murray, UT 84107

15 min drive - home



Malstrom Ln

215

6400 S

11
215

W Winche

Belt Route

Belt R

Malstrom Ln

Caleb Pl

6400 S

59

83

6400



NOTICE OF PUBLIC HEARING

October 6, 2022, 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 made by Paul Henderson regarding the property addressed 97 West Winchester Street:

Amend the Future Land Use Map designation of the property from Low-Density Residential to Residential Business.

Amend the Zoning Map designation of the property from R-1-8, Residential Single-Family Low Density to R-N-B, Residential Neighborhood Business.

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. If you would like to view the meeting online, you may watch via livestream at www.murraycitylive.com or 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 300 feet of the subject property. If you have questions or comments concerning this proposal, please contact Seth Rios in the Murray City Planning Division at 801-270-2429, or e-mail srios@murray.utah.gov.

Street

Dr. Fine.

An aerial photograph of a residential area. The street is lined with houses, trees, and parked cars. A road runs parallel to the street. The text "Malstrom Lane" is overlaid on the image in large, bold, white letters with a black outline, oriented diagonally from the top left towards the bottom right.

Caleb Pl

From: [Stacy Evans](#)
To: [Seth Rios: Planning Commission Comments](#)
Subject: 97 W Winchester Street
Date: Tuesday, September 27, 2022 2:49:43 PM

To whom it may concern,

I am unable to attend the meeting regarding a zoning change to 97 West Winchester Street due to a baby induction on the 5th of October. I will likely be in the hospital at the time of this meeting. My name is Stacy Evans I own and live in a home with my husband that falls within 300 feet of 97 West Winchester street.

I have two concern that lead me to a few questions about the said change in zoning.

My first concern is: This property is located directly across city property that is currently a graveled open space. This area is now becoming a parking lot and trash zone. Just last week I sent a then anonymous message to the city about an old camping trailer parked for approximately a week on the land as well as an old trampoline dumped. Within this last year I have noticed more more of a problem. I am concerned about a business here resulting in more parking and more trash. Can we please post no parking zone as I believe it has been in the past. I don't believe ownership of a home or business near this city land should not give anyone the "license" to use it for personal or business use. Thank you for your insight.

Second I am concerned about height allowances if the current structure is torn down. I don't believe any of us in the neighborhood would like to be "watched over" from a tall business building.

I am all for business growth and development and hope that this can be a positive change in the area. If the owner is present at the meeting I would like to add that the landscaping done right before ownership change was a hopeful sight and it's been disappointing to see it's current state. It would be greatly appreciated to see some effort in landscape maintenance.

Sincerely, Stacy Evans
8018083549

Sent from my iPhone

From: [Elizabeth Brimley](#)
To: [Planning Commission Comments](#)
Subject: residential business at 97 W Winchester
Date: Thursday, October 6, 2022 6:49:01 PM

What type of business is anticipated? What business hours are planned? What effect will it have on the neighborhood? Will there be more traffic or more people or more vagrants, etc?

Elizabeth Brimley



LAKE CITY
DENTAL

142 W

LAKE CITY
DENTAL



LAKE C
DENTAL

142



A street scene featuring a speed limit sign mounted on a utility pole. The sign is yellow with black text. It reads "SCHOOL" at the top, "SPEED LIMIT" in the middle, "20" in large numbers, and "WHEN FLASHING" at the bottom. The utility pole also has a camera mounted on it. The street is paved with white dashed lines. To the left, there are modern houses with dark siding and arched windows. A few cars are parked on the street. In the background, a range of mountains is visible under a clear blue sky. The sidewalk on the right is made of concrete and has some low-lying green plants growing in the cracks.

SCHOOL
SPEED
LIMIT
20
WHEN
FLASHING





NO OUTLET →

Malstrom Ln
90W

NO PARKING
ANY TIME

State Street

EXIT 11

100 S



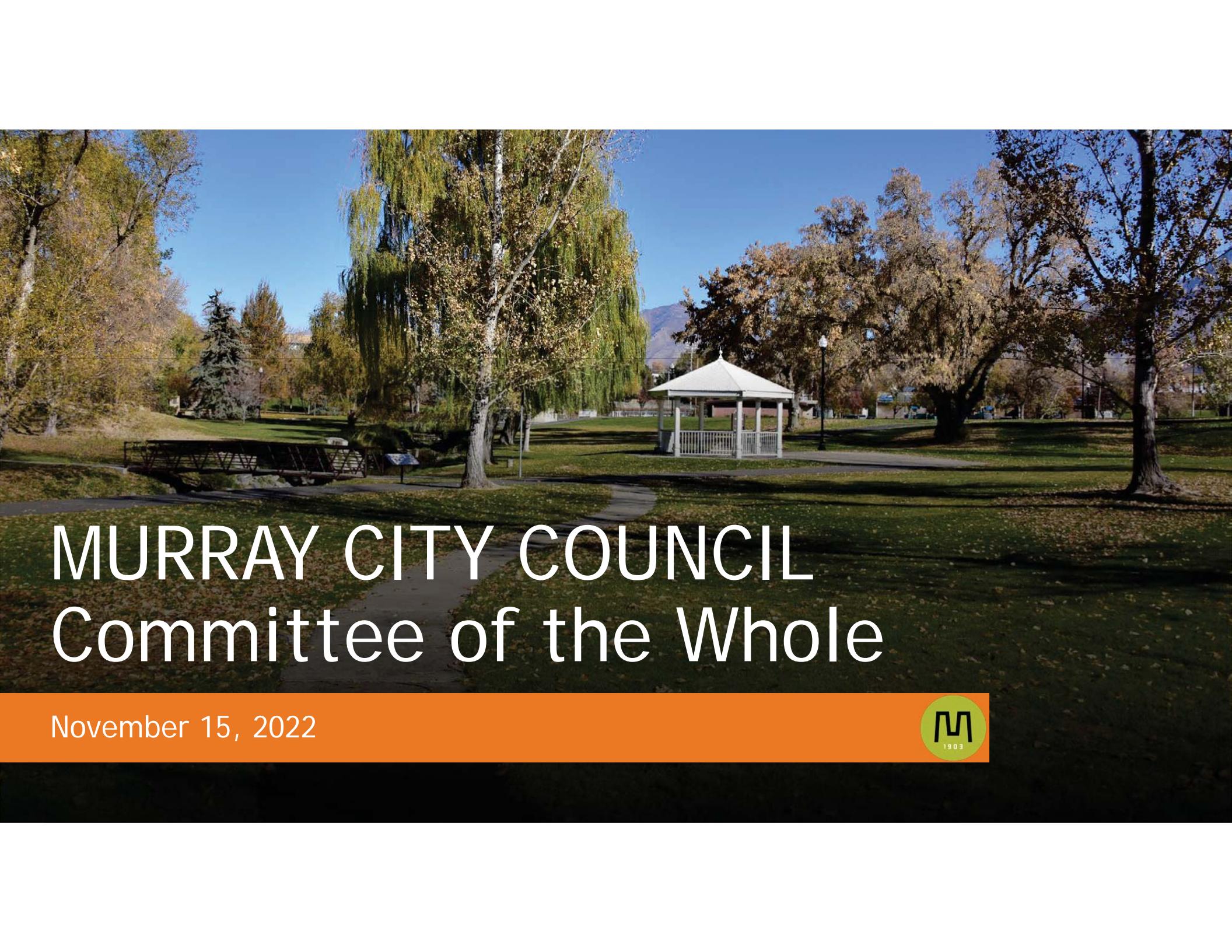






97





MURRAY CITY COUNCIL

Committee of the Whole

November 15, 2022



Paul Henderson 97 West Winchester Street

General Plan and Zone Map Amendments:

- Low Density Residential to Residential Business
- R-1-8 to R-N-B









Future Land Use Categories

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

Murray City Zoning Designations

Zoning Class. Zone Description

Yellow: R-1-8, Residential Low Density Single Family

Pink: R-N-B, Residential Neighborhood Business

Future Land Use Designations

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



RESIDENTIAL BUSINESS

This designation allows for mixed-use, attached dwellings, or commercial development within primarily residential neighborhoods that is small in scale, has little impact, and provides services for the nearby residential and/or recreational areas (e.g. Jordan River Parkway node at Winchester; adjacent to Wheeler Farm). Development will be similar in scale to nearby residential development to promote compatibility with the surrounding area. This designation is intended for areas where urban public services are available or planned. Areas within this designation are generally small nodes or individual buildings along corridors rather than large centers or complexes. Non-residential or multi-dwelling development will follow a similar development pattern of front setback/yard/landscaping as the surrounding residential context.

Corresponding zone(s):

- RNB, Residential Neighborhood Business



Zoning Regulations

	R-1-8 (existing)	R-N-B (proposed)
Planning Commission Review Required	Conditional Uses, PUDs, and Subdivisions	Conditional Uses, PUDs, and Subdivisions
Lot Size Requirement	8,000 ft ²	None; (except for single family detached and duplexes, which must comply with the requirements of the R-M-10 zone. Single-family attached must have 10,000 square foot lots)
Structure Height	35' maximum	20' maximum, Planning Commission may allow a height of up to 30'.
Front Yard Setbacks	25' minimum	20' minimum
Rear Yard Setbacks	25' minimum	20' minimum
Side Yard Setbacks	8' minimum, the two must total no less than 20'	8' minimum
Corner Side Yard Setbacks	20' minimum	20' minimum
Parking Requirements	2 off-street spaces	1 stall per 200 square feet of net office area

Staff Recommendations

REQUEST TO AMEND THE MURRAY CITY GENERAL PLAN

Based on the background, analysis, and 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 Future Land Use Map, re-designating the property located at 97 West Winchester Street from Low Density Residential to Residential Business.

REQUEST TO AMEND THE MURRAY CITY ZONING MAP

Based on the background, analysis, and 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 97 West Winchester Street from R-1-8, Single-Family Residential to R-N-B, Residential Neighborhood Business, as described in the Staff Report.



THANK YOU!





MURRAY
CITY COUNCIL

Adjournment