

A meeting of the Board of Directors of the Redevelopment Agency of Murray City was held on Tuesday, March 19, 2019 at 4:15 p.m. in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

Board Members

Jim Brass, Chair  
Dale Cox, Vice Chair  
Dave Nicponski  
Diane Turner  
Brett Hales

Others in Attendance

Blair Camp, Executive Director  
Melinda Greenwood, Deputy Executive Director  
Jennifer Heaps, Communications and PR Director  
Jan Lopez, Council Administrator  
Lori Edmunds, Cultural Arts Director  
Jennifer Kennedy, City Recorder  
Joe Tarver, Deputy Police Chief  
Susan Nixon, Associate Planner  
Doug Hill, Chief Administrative Officer  
Citizens

Mr. Brass called the meeting to order at 4:15 p.m.

**Approval of minutes from the meeting on February 19, 2019**

MOTION: Mr. Cox moved to approve the minutes from February 19<sup>th</sup>, 2019. The motion was SECONDED by Mr. Hales. Voice vote taken, all “ayes.”

**Presentation on Downtown District Ordinance History**

(See Attachment 1 for slides used during this presentation)

Melinda Greenwood, Deputy Executive Director, provided an update on the downtown district ordinance history. She stated that in the late 1980s and early 1990s a downtown revitalization program that allowed for façade renovations along State Street was created. In the early 2000s there were some discussions about preserving historical buildings and in 2005 the Downtown Historic Overlay District (DHOD) was put into place. This came complete with design guidelines, similar to current guidelines in place today. That ordinance, however, was determined to be pretty restrictive so in 2011 staff put into place the Murray City Center District (MCCD) ordinance which had design guidelines as well. The entire MCCD zone is approximately 100 acres with over 200 pages of regulations that have been put in place over the last twenty years. Ms. Greenwood stated that the MCCD like the DHOD is restrictive and may need to be loosened up.

Mr. Brass stated that both these ordinances were driven by the philosophy of preserving historic structures. Over time it was found that some of the requirements in the DHOD ordinance made it difficult for property owners to make changes to their properties. So, at the request of property owners, the MCCD was created.

Ms. Greenwood said she and the Planning Division staff met and talked about what has happened historically in this area. One of the most restrictive impediments is the historic preservation section of the MCCD ordinance, as well as a lack of a unified vision or goal. Another impediment is the ground floor commercial requirement. This is an issue in the MCCD Zone as well as the

Mixed-Use Zone and is something staff is currently working on. Density and height issues were recently discussed and amended, however, there are still requirements that limit what developers can do in this area. Another issues the lack of parking.

Ms. Greenwood stated that the MCCD ordinance, as it is written now, preserves historic buildings above all else. However, the way the ordinance is written, and the requirements of the ordinance make it difficult for developers to work on or even move buildings within the MCCD. It also significantly limits investors and developers who are interested in working on sites in the area which in turn makes it so only elite developers can work with properties in the MCCD.

Mr. Brass noted that there was a misunderstanding online about this meeting. The RDA is not going to be voting on demolishing any buildings at this meeting. The intent for this meeting is for the RDA Board to get an idea of what buildings in the downtown area are listed on a historic registry. Specifically, buildings that are owned by the RDA and Murray City.

### **Summary of March 2, 2019 Historic Building Discussion**

(See Attachment 2 for slides used during this presentation)

Ms. Greenwood provided a summary of the March 2<sup>nd</sup> meeting that discussed historic buildings. She said if there is a property that is listed on the National Historic Register and if there is federal funding involved in a project that will impact that building, then a 404 process must be gone through before anything can be done with the building. Currently, there is no federal funding for projects in the MCCD. The other two triggers that would require the city to go to the State and go through the 404 process would be if the city owns the building, which there are several the city owns, or if a project impacting a building was being funded by the city.

Ms. Greenwood noted that if a district is listed on the National Historic Register, it doesn't have much significance as far as regulatory impacts. It has to be a building or property that is listed. Typically, the districts come into play when they are supportive to other historical value or they collectively make an area historic.

Ms. Greenwood said the only regulatory mechanism in place is the city's MCCD ordinance. If a private property owner owned property that was on the National Historic Register and wanted to demolish or renovate it, the city's ordinance is the trigger for having to go through any type of a regulatory or compliance process. What the city has in place is limiting the ability for some people to do what they want to with their property. The city's ordinance is the cause of any hold up with developing or renovating properties that are on the historic list.

### **Presentation on buildings in Murray City which are on the National and Local Historic Registry List**

(See Attachment 3 for slides used during this presentation)

Ms. Greenwood said nine years ago, the city established a list of 32 buildings it wanted to preserve. She feels that now is a good time to discuss if this is still what the city wants to have in place. She asked some questions such as does the city want to make changes to the ordinance to foster development or wait for an elite developer to come.

Mr. Brass stated that something needs to happen downtown. He has always believed that the MCCD ordinance had sections that were very restrictive such as the requirement for the first floor of a building to be commercial or retail, regardless of what street it fronts on. Some of those storefronts have stayed vacant for a long time. He stated that the amount of traffic on a street should be acknowledged to determine if retail is an appropriate option.

Mr. Cox said he thinks the ordinance needs to be reviewed. There needs to be a vision of what the city wants to do there and make it workable for both the city and developers.

Ms. Greenwood said this ordinance is limiting to developers which in turn makes it hard for them to get funding or construction loans. It creates a situation where the city is almost putting itself into a position of being an expert in a situation that it doesn't have expertise in.

Ms. Greenwood showed a list of the properties the city has listed as buildings they want to preserve and asked the RDA if these are the buildings the city wants to continue to preserve.

Mr. Brass said it's hard for him to put a building to each of those addresses. The RDA doesn't have enough information to answer that question at this meeting, but they will discuss it later. The rest of the RDA Board agreed.

Mayor Camp asked the RDA Board to give some direction to the staff so they can start working on some proposed changes that they can bring back to the RDA Board and to the City Council for input and tweaking.

Ms. Greenwood verified with the RDA Board that they would like staff to work on options to change the ordinance so it stimulates more development and is less restrictive. The RDA Board replied that would be helpful.

### **Discussion on Central Business District Downtown Block 1 Area (4800 South to 5th Avenue and State Street to Poplar Street)**

(See Attachment 4 for map)

#### **a. Public Comment**

##### Susan Wright – Murray City, Utah

Ms. Wright said just because a building is old does not mean it is historic. She stated that she has heard for the past forty years that something will happen with the downtown area, but nothing is happening because more and more restrictions keep being put on that area. No one is going to come in and begin a project because of all the restrictions. Ms. Wright added the number one problem with downtown Murray is parking. Without parking, nothing will happen in downtown.

##### Rachel Morot – Murray City, Utah

Ms. Morot said it has been interesting to listen to this meeting to see what has to be balanced in order for a community to retain its life. She hates to see any old building go

down, but she is wondering if it is possible for Murray to have something in between historic Sandy and the unrecognizable Sugarhouse. She used to live in Sugarhouse, and it is not the place it used to be; it has become very dense with a lot of traffic.

She admires Murray for being independent and she hopes whatever happens will preserve that. She hopes whatever developers come in care about the community so the cohesiveness of the community stays.

Kendra Yates – Murray City, Utah

Ms. Yates said the only thing that makes her nervous is that she keeps hearing that something needs to happen, but she doesn't know what that something is. The process should begin by deciding what everyone wants and then figure out how to get it.

David Amott – Preservation Utah

Mr. Amott stated that some of the best cities he has visited are made up of Fine Grain Development. Fine Grain Development is development that has happened over time where individual buildings have their own unique character and identity. He noted that Fine Grain Development can be hard to get when a city is working with single developers.

Janice Strobell – Murray City, Utah

Ms. Strobell said her desire is to be able to work with the city and be part of the discussion about what happens to the downtown area. Ms. Strobell also apologized for misleading anyone about a demolition vote during this meeting.

Ms. Strobell said she hopes as downtown Murray is developed, public input is allowed and is sought after. She believes it is important to come together as a community to determine what will happen in the MCCD Zone.

Kate Sturgeon – Murray City, Utah

Ms. Sturgeon said she hopes any redevelopment in the downtown area is multi-use so it is a walkable area and not just for cars.

Roger Roper – State Historic Preservation Office

Mr. Roper stated that his group is a resource for the city. They are happy to help advise the city on what the best practices are pertaining buildings and historic preservation.

Michael Todd – Murray City, Utah

Mr. Todd said that things have been a struggle in downtown Murray for a long time. He renovated his property, but as time has passed, things have fallen back to some level of disrepair. He also stated that it would have been a lot less expensive for him to tear down his property and rebuild it. He could have built a new historic looking building and ended up with a better property than what is there now. He stated that there are buildings in the downtown area that, in his opinion, are not worth spending an excess amount of money on.

**Update to the Fourth Amendment to Participation and Development Agreement and Settlement and Release Agreement with Miller Fireclay Associates, now assigned to Timberlane Holdings LLC**

Ms. Greenwood said that Miller Fireclay sold to Timberlane Holdings. Ms. Greenwood met with Timberlane regarding the money the RDA withheld last year to help mitigate the problems with parking. Timberlane is open to extending that agreement, so a follow up agreement will be drafted. Ms. Greenwood said the hope is that with another project that will develop in that area, there will be about a half-acre of a parcel that will be able to be used for parking.

**Project Updates**

**a. American Cell Tower Relocation**

Ms. Greenwood said American Cell Tower have completed their geotech study. They are working with the city on getting some fencing options that will be appropriate with the conditional use permit is being issued to them.

**b. Think Architecture**

Ms. Greenwood said she will be working with the Attorney's Office to put together a Development Agreement for the property.

**c. Cadence Ridge**

Ms. Greenwood had no update on Cadence Ridge

Meeting Adjourned

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Jennifer Kennedy, City Recorder

# Attachment 1

## Downtown District Ordinance History

- Downtown Revitalization Program
  - *Late 80's – 90's*
- Downtown Historic Overlay District (DHOD)
  - *2005*
- Murray City Center District (MCCD)
  - *2011*
- Driven by philosophy of preserving historic structures

## MCCD Zone Impediments

Historic Preservation

Lack of Unified Vision / Goals

Ground floor commercial requirement

Density / Height

Parking

State Street

# Impacts of MCCD Ordinance

- Preserves historic buildings above all else
- Significantly limits
  - *What can be done with certain buildings*
  - *Investors to those who can front-fund projects*
  - *Interested parties*



# Attachment 2

# March 8 Historic Building Discussion

## SHPO 404 Process Applies

- *Federal funding is involved*
- *The City owns the building*
- *The City spends money on the building*

*The only regulatory mechanism in place is the Historic Preservation section of the MCCD.*

# Attachment 3

# Historic Buildings on Registry

*The only regulatory mechanism in place is the Historic Preservation section of the MCCD.*

The following properties are deemed historically significant and will be preserved and must meet the preservation requirements outlined below: 4836, 4838, 4842, 4844, 4841, 4859, 4861, 4863, 4871, 4873, 4877, 4881, 4883, 4889, 4901, 4959, 4961, 4963, 4973 South State Street and 166, 184, 186, 190, 192 East Vine Street 4843, 4872, 4886 South Poplar, 120 East 4800 South, and 5000, 5002, 5004, 5006 South Jones Court.

## Discussion Questions

Are you willing to wait for development to happen under the current restrictions?

Should we preserve these buildings above all else?

Are the currently listed buildings the ones you want to preserve?

Should we dictate which buildings are preserved?

What do you want to do with the buildings we currently own?

What is your definition of historic preservation?

Is preserving buildings the only way to preserve history?

Do you want to restrict private property rights?

# Attachment 4

