

# **Murray City Municipal Council**

## **Chambers**

### **Murray City, Utah**

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The Murray City Municipal Council met on Tuesday, September 3, 2019 at 6:30 p.m. for a meeting held in the Murray City Center Council Chambers, 5025 South State Street, Murray, Utah.

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

Dave Nicponski, Chair	District #1 - Excused
Dale Cox, Vice Chair	District #2
Jim Brass	District #3
Diane Turner	District #4
Brett Hales	District #5 - Excused

#### **Others in Attendance:**

Blair Camp	Mayor	Jan Lopez	Council Director
G.L. Critchfield	City Attorney	Jennifer Kennedy	City Recorder
Doug Hill	Chief Administrative Officer	Jennifer Heaps	Communications & Public Relations Director
Craig Burnett	Police Chief	Brenda Moore	Controller/Acting Finance Director
Jordan Guccione	Firefighter	Jon Harris	Fire Chief
Kevin Davis	Firefighter	Chad Pascua	Battalion Chief
Robert White	IT Director	Mitchel McClure	Firefighter
Blaine Haacke	General Manager of Power	Skylar Van Ekelenburg	Firefighter
Matt Erkelens	Forestry Supervisor	Kim Sorensen	Parks & Recreation Director
Bruce Turner	Power Department Operations Manager	Melinda Greenwood	Community & Economic Development (CED) Director
		Jared Hall	CED Division Manager
Citizens			

#### **Opening Ceremonies**

Call to Order – Mr. Cox called the meeting to order at 6:30 p.m. and excused Council Members Hales and Nicponski from the meeting.

Pledge of Allegiance – The Pledge of Allegiance was led by Blaine Haacke, General Manager of Power

## Approval of Minutes

Council Meeting – August 6, 2019

MOTION: Mr. Brass moved to approve the minutes. The motion was SECONDED by Ms. Turner. Voice vote taken, all “ayes.”

## Special Recognition

1. Swearing-In New Murray City Firefighters, Mitchel McClure, Skylar Van Ekelenburg, Kevin Davis, and Jordan Guccione.

### Staff Presentation: Jon Harris, Fire Chief

Chief Harris introduced the four new Firefighters and spoke about each one. The Swearing-In Ceremony was performed by Jennifer Kennedy, City Recorder and the new Firefighters introduced their families.

2. Consider a Joint Resolution of the Mayor and Municipal Council of Murray City, Utah Declaring September 9-13, 2019 Public Power Week.

### Staff Presentation: Mayor Blair Camp

Mayor Camp read the resolution.

MOTION: Mr. Brass moved to adopt the Joint Resolution. The motion was SECONDED by Ms. Turner.

### Council roll call vote:

Mr. Brass	Aye
Ms. Turner	Aye
Mr. Cox	Aye

Motion passed 3 – 0

Mayor Camp presented the resolution to Blaine Haacke, General Manager of Power. He thanked the Power Department for everything they do and congratulated them on being around for 106 years.

Mr. Haacke said Murray Power is one of about 2,000 municipal owned power companies in the country and one of about 50 in Utah. Murry Power provides electricity to about 20% of the State of Utah through their power systems. They have 45 employees and try to keep power outages to a minimum.

Mr. Haacke noted that on September 12, 2019 from 4:00 p.m. to 6:30 p.m. the Power Department will have hotdogs in Murray Park for everyone.

3. Presentation of the 2019 Jim and Jean Hendrickson Beautification Awards.

Staff Presentation: Matt Erkelens, Forestry Supervisor

Mr. Erkelens said this is the 35<sup>th</sup> Annual Beautification Awards Ceremony. He introduced the members of the Shade Tree and Beautification Committee: Dr. Jan Evans, Geneal Nelson, Judith Payne, and Darin Bird and noted that Darin Bird was unable to be in attendance. The committee presented the following awards:

District Awards

District 1 Winner – Maurice Residence at 501 East Julep Drive  
District 2 Winner – Boettcher Residence at 125 West Lester Avenue  
District 3 Winner – Marko Residence at 5036 South Jazz Lane  
District 4 Winner – Alstrup Residence at 1165 East 5840 South  
District 5 Winner – Shimada Residence at 804 East Vine Creek Circle

Mayor's Awards

Single Family Residential – Vigil Residence at 817 West Walden Hills Drive  
Residential Xeriscape – Taylor & Pratt Residence at 632 East Lincoln Place  
Commercial – Studio 6 Extended Stay at 975 East 6600 South  
Multi-Family Residential – Lost Creek Apartments at 4950 South State Street

Mr. Camp expressed his appreciation to the winners for the work they do to keep their properties beautiful. He also thanked the members of the Shade Tree Commission.

**Citizen Comments** – Comments are limited to 3 minutes unless otherwise approved by the Council.  
No citizen comments were given.

**Public Hearings**

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

1. Consider an ordinance relating to land use; amends the Zoning Map for the property located at 5920 South Fashion Boulevard, Murray City, Utah from the C-D (Commercial Development) and G-O (General Office) Zoning Districts to the P-O (Professional Office) Zoning District. Roderick Enterprises applicant

Staff Presentation: Melinda Greenwood, CED Director

(See Attachment 1 for slides used during this presentation)

Mr. Cox asked Ms. Turner to read a letter that was received by the Council into the record (See Attachment 2 for a copy of the letter).

Ms. Greenwood said tonight's discussion is for a zone map amendment. She explained that a zone map amendment is strictly to change a zone and that project specifics are not considered at this time. The Council will look at the surrounding uses and what the city's

General Plan recommends the property be used for in order to make their decision. She added that a General Plan amendment will come at a later date, tonight is just to discuss a zone map amendment.

Ms. Greenwood said currently this property has two different zonings on it, the south half is zoned Commercial Development (C-D) and the north half is zoned General Office (G-O). The applicant is requesting the zone be changed to the Professional Office (P-O) zone. The Future Land Use Map shows a P-O zone to the south of this property. The site is basically dirt and all the vegetation has been removed.

Staff has looked at the uses of the properties that surround this property and have concluded that the rezoning would be consistent with the development patterns in the area.

Ms. Greenwood noted that some of the comments and concerns that have been received cannot be addressed at this point but they will be later on in this process. She went over the multi-tiered notification process noting that 80 property owners were mailed a notification of this public hearing. A notice of this public hearing was also posted at the site, and published in the newspaper, on the Public Notice website and on Murray City's website.

Mr. Brass said he counted 90 addresses that the public hearing notice was mailed to in the packet. He asked if all the notices went out. He also wondered why notices were mailed to Holladay, Millcreek, and Sandy.

Ms. Greenwood replied all the notices were mailed out. The addresses outside of the city were to affected entities which are neighboring cities and utility companies, which the city is required to notify.

Mr. Cox asked what the main differences were between the General Office and Professional Office zones.

Ms. Greenwood said the main difference between the zones is the allowable height of a building. In the General Office zone there is a maximum height of 30 feet within 100 feet from a residential property boundary. However, you can increase that height by one foot for every four feet of distance from the property boundary beyond the 100 feet. In the Professional Office zone, the maximum height of a building is 35 feet within 100 feet from a residential property boundary. After that, it can go up to 50 feet, there is no incremental height increase.

Mr. Brass noted that an R-1-8 zone, which is a typical residential zone, allows for a height of 35 feet.

Michael Roderick – Roderick Enterprises

Mr. Roderick said his business has been located in Murray City for over 20 years. He spoke about some of the projects his company has done in the city. They have a long history in Murray and would love to continue to do business with the city.

Mr. Roderick explained that this site was an opportunity for them. Their intent is to put their corporate headquarters on this property. If there is space left over, they would like to lease that space to medical professionals.

Mr. Cox asked if the height of the buildings in these zones included any air conditioners or anything else that would go on the roof.

Ms. Greenwood replied it does not.

Mr. Brass explained why the Council doesn't look at projects when they consider zone changes. The zones have a list of permitted uses and the Council has to determine if the zone change requested goes along with what currently exists around the property. As a Legislative Body, the City Council approves zone changes and the Planning Commission handles the site plan reviews.

Mr. Cox opened the public hearing for public comments.

Kim Kimball – Murray City, Utah

Mr. Kimball said Mr. Roderick does a good job with his projects. His wife works at Intermountain Health Care (IHC) and he goes over there every day. His concern is the height a building could be if the zone of the property is changed. The people on Gillen Lane were the ones who originally owned this property, he even owned a piece of the property himself back in the 1960's. He and his neighbors are comfortable with a two-story building on the property, but not a four-story building. He doesn't understand why a four-story building has to be put on this property.

Julia McMillan – Murray City, Utah

Ms. McMillan said her children walk along Belview Avenue to McMillan Elementary School and she is concerned about the traffic because last year two kids got hit in the crosswalk. She realizes an increase in traffic could happen even with a two-story building being built on the property, but there would be even more traffic if a four-story building was built there.

Janet Hill – Murray City, Utah

Ms. Hill said she met with Jared Hall, CED Division Supervisor, this morning and asked about the differences between the General and Professional Office designations. She thought that Professional Office was the only zoning that would permit restaurants and entertainment type facilities. However, both designations allow those uses via a conditional use. Once the zone is changed, the developer is able to change the project to anything that is on the approved use classification list. Because of that, Ms. Hill is looking at what could be the worst case scenario which, to her, would be a hotel going up on the

property.

Ms. Hill looked at the General Plan that was dated 2003. Under the goals in that plan it states that one of the goals for future land use changes is to draw a line around existing commercial precincts to protect adjacent residential areas. New land uses at the perimeter of existing residential areas should help stabilize existing neighborhoods and support the creation of a quality residential environment. The second goal that was listed was to preserve and protect the quality of life for viable residential neighborhoods.

Ms. Hill reiterated that the fact that a hotel could potentially go up on this property was reason enough to vote against this zone change.

Melanie Kimball – Murray City, Utah

Ms. Kimball said she is concerned about the parking situation with a zone change. She works for IHC in the new Cottonwood Clinic. The building she works in has four-stories and is not even filled up yet. With the proposed P-O zoning change, her concern is how is there going to be enough parking with this large of building on this property. She works on the third floor of Cottonwood Clinic and her patients complain about parking all the time. She hopes the parking issue will be considered and addressed.

Raymond Poole – Murray City, Utah

Mr. Poole asked the Council how they would feel if they lived on Gillen Lane. A lot of times people think if it's not in their backyard or it doesn't affect them, it's okay. He asked the Council to put themselves in the shoes of the people who live on Gillen Lane and on 200 East when they vote.

Mr. Cox closed the public hearing.

Ms. Greenwood said that each zone has parking formulas that are applied to each project that comes before her staff.

Mr. Brass said in looking at the parking requirements for the G-O zone, a medical, dental or related office requires one stall for every 200 square feet of net usable area. Any other use in that zone would be four stalls for every 1,000 square feet of net usable area. Medical offices have a much higher parking requirement, although he realizes parking is usually a challenge at medical facilities.

Mr. Brass said the C-D zone has a 35 foot height limit within 100 feet of a residential property boundary. That height can then increase by one foot for every four feet of distance from the property boundary beyond the 100 feet. The G-O zone has a 30 foot height limit within 100 feet of a residential property boundary and then increases up incrementally.

Ms. Greenwood stated the Planning Commission heard this item on July 18, 2019 and

held a public hearing the same night. They forwarded a recommendation for approval on both the general plan and zoning map amendment to the Council. Staff is recommending the Council approve the zoning map amendment as presented.

Mr. Roderick said there has been no talk from his group or anyone else about building a four-story office building on this property. He explained that in today's world, tenants want 12 to 14 feet of clear space within their suites. He doesn't anticipate a building being higher than three-stories. As far as a hotel, they are not in the hotel business and would not build a hotel.

Kim Kimball noted that without seeing a site plan, they don't know what is going in on the property. They are working off of what the P-O designation indicates.

MOTION: Ms. Turner moved to adopt the ordinance. The motion was SECONDED by Mr. Brass.

Mr. Brass said he agrees that looking at the P-O zone is all anyone has to look at. He read through that zone and was concerned about the possibility of a hotel also. He drives by this property frequently and is familiar with the depth of it. In looking at all the different properties in the area and what the General Plan involves, he agrees with the findings of the Planning Commission.

Ms. Turner said she understands the resident's concerns and issues, but for her, this is a zoning issue. These other issues will be dealt with at another time. What they are voting on tonight is the zoning map amendment.

Mr. Brass said he doesn't disagree and understands the frustration with the amount of tax-exempt properties in Murray City. He doesn't believe Mr. Roderick's property will qualify as a non-profit and would be subject to property tax.

Council roll call vote:

Mr. Brass	Aye
Ms. Turner	Aye
Mr. Cox	Aye

Motion passed 3 – 0

Mr. Brass thanked the citizens for coming out. He noted that zoning issues are some of the hardest issues that City Councils have deal with.

Mr. Cox encouraged the citizens to look for notices on the next meeting.

2. Consider an ordinance relating to land use; amends the Zoning Map for the property located at 871 Tripp Lane, Murray City, Utah from the A-1 (Agricultural) Zoning District to

the R-1-8 (Low Density Single-Family) Zoning District.  
Applicant: Salt Lake Neighborhood Housing Services, Inc.

Staff Presentation: Jared Hall, CED Division Supervisor

(See Attachment 3 for slides used during this presentation)

Mr. Hall said this request is from NeighborWorks. The property is just west of Riverview Jr. High and is mostly surrounded by R-1-8 property. The Future Land Use Map calls for this property to be Low Density Single-Family Residential. There are a couple of vacant residential buildings on the property that would be demolished if this rezone is approved.

Mr. Hall stated the Planning Commission held a public hearing regarding this rezone on July 18, 2019 and has forwarded a recommendation of approval to the City Council.

Allison Trease and Robert Lund – NeighborWorks Salt Lake

Ms. Trease said they feel this is a great opportunity for the neighborhood to add some more residential properties and bring some more good people into the City of Murray.

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

Mr. Brass said he likes NeighborWorks and the work they do for Murray City. He explained a little about what NeighborWorks does. NeighborWorks has been in Murray for about 10 years and have done about 30 projects in that time.

MOTION: Mr. Brass moved to adopt the ordinance. The motion was SECONDED by Ms. Turner.

Council roll call vote:

Mr. Brass	Aye
Ms. Turner	Aye
Mr. Cox	Aye

Motion passed 3 – 0

3. Consider an ordinance amending the City's Fiscal Year 2019 – 2020 Budget.

Staff Presentation: Brenda Moore, Finance Director

Ms. Moore said the purpose of this budget is to rollover funds for projects in process, receive and allocate grant money the city has received, reconcile changes in wages and benefits due to open enrollment and new hires, and move budgets between departments for janitorial services.

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

MOTION: Ms. Turner moved to adopt the ordinance. The motion was SECONDED by Mr. Brass.

Council roll call vote:

Mr. Brass	Aye
Ms. Turner	Aye
Mr. Cox	Aye

Motion passed 3 – 0

**Mayor's Report and Questions**

Mayor Camp reported on the following items:

- The outdoor pool is closed for the season and the re-plastering of the pool will begin right away. The re-plastering of the indoor pool should be done in the next 1-2 weeks.
- There has been a number of wildfires lately and Tooele County has requested assistance. The city will be sending a crew of two with a brush truck to assist them. It will probably be a 24-48 hour deployment.

**Adjournment**

The meeting was adjourned at 8:00 p.m.

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Jennifer Kennedy, City Recorder

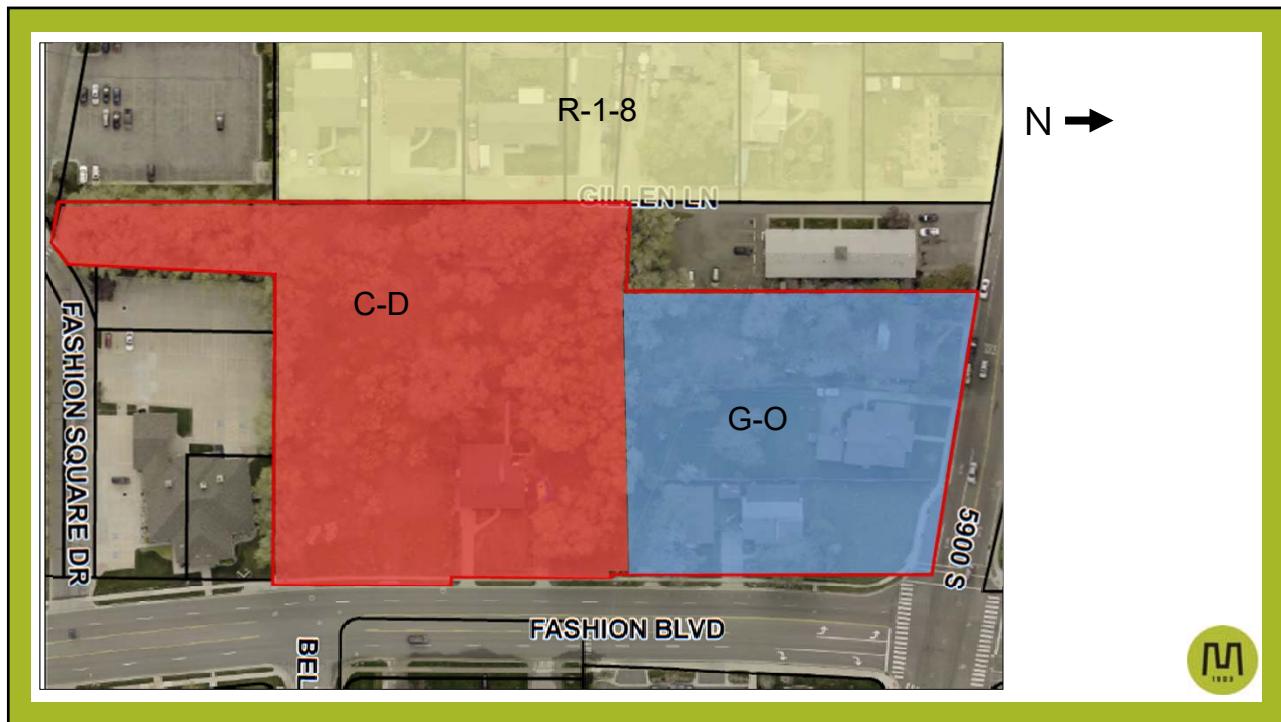
# Attachment 1

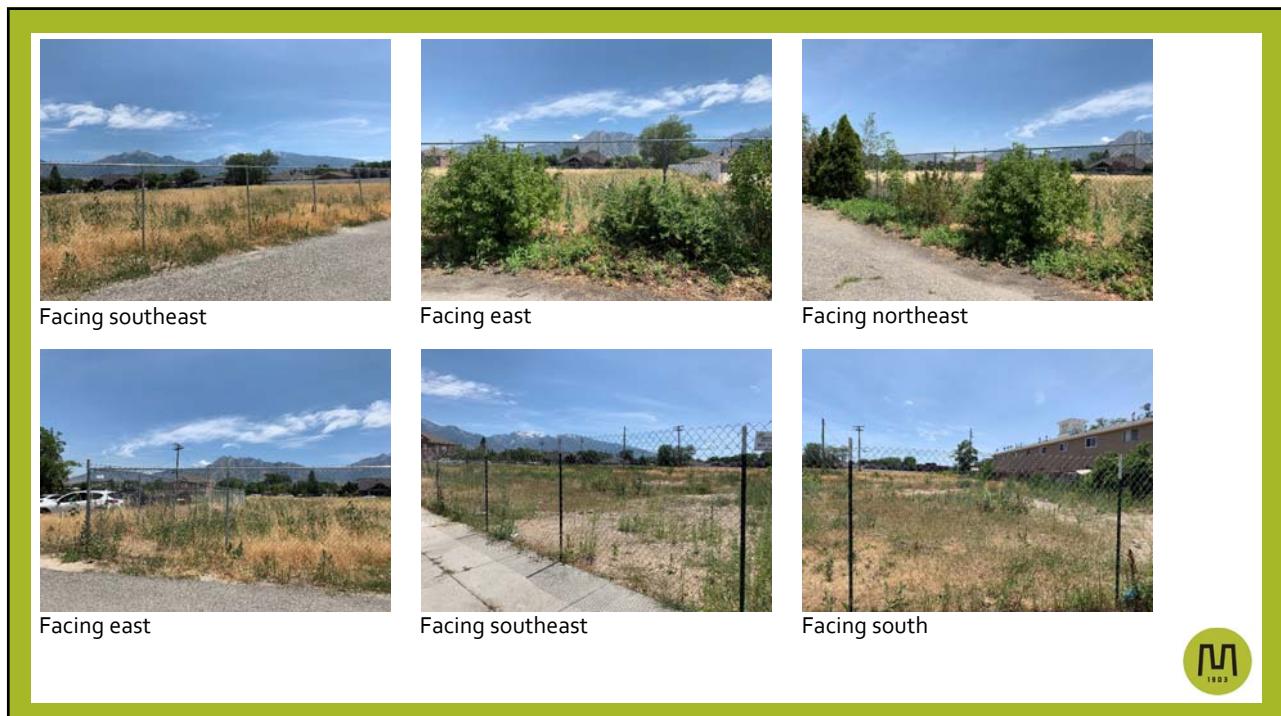
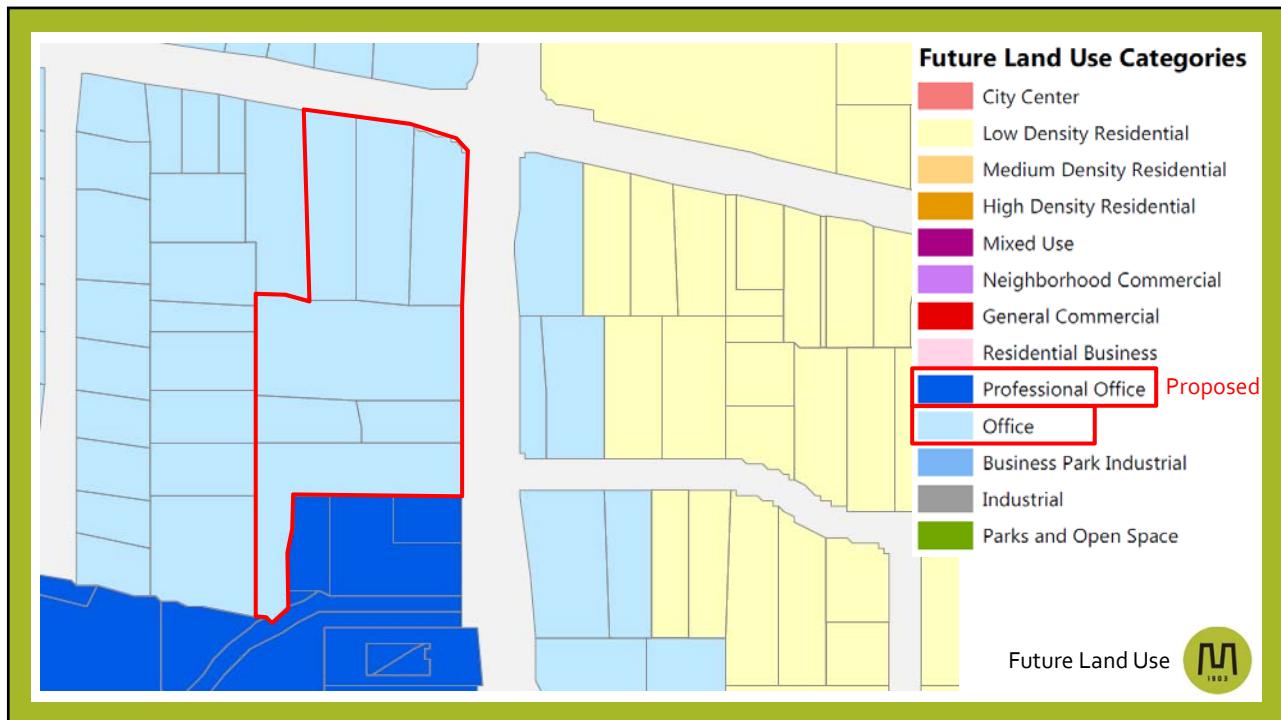
# RODERICK ENTERPRISES

## General Plan Amendment from Office to Professional Office and Zone Map Amendment C-D and G-O to P-O

5920 South Fashion Boulevard









Facing south



Facing southeast



Existing offices, facing east



Existing apartments, facing north



Facing northwest



Facing southwest



Existing office building, facing east



Fashion Blvd, facing south



# Findings

1. Re-designation of the Future Land Use Map and Zoning Map for the subject property as requested would be consistent with the development pattern for the area and will allow for development of the property to the highest and best uses available.
2. The requested amendments have been carefully considered based on the characteristics of the site and surrounding area and the policies and objectives of the 2017 Murray City General Plan and have been found to be in harmony with the goals of the Plan.
3. The proposed amendment of the Zoning Map from G-O and C-D to P-O is in harmony with goals and objectives of the Murray City General Plan.



# Staff Recommendations

## **General Plan / Future Land Use Map Recommendation**

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 designation of the property located at 5920 South Fashion Boulevard from Office to Professional Office.

## **Zoning Map Recommendation**

Staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the requested amendment to the Zoning Map designations of the property located at 5920 South Fashion Boulevard from C-D, Commercial Development and G-O, General Office to P-O, Professional Office.



# Attachment 2

For the record Gillen Lane is only 20 feet wide. The houses on Gillen Lane face East, so the impact on these properties is to their front yards. Gillen Lane is a private lane and dead ends.

The property owners on Gillen Lane and the subdivision directly East known as Belview and Afton Ave have raised some concerns and spoke out at the Planning Commission meeting. In no way are these residents trying to scuttle the project, they are simply asking common sense questions as to appropriateness of a P-O zoning. 1: It was brought up in the Planning meeting that there was no posting as required by the applicant. The applicant Mr. Roderick, stated in the record that "the postings were torn down several times." Yet none of the residence owners that frequent the area daily ever saw any notice. Again for this meeting no one ever saw any posting and as of Monday at 10 PM there is no evidence of any posted notice. Why were there no public notice signs about these two meetings posted on the property so the public could know about this zoning change? It was suggested by Mr. Smallwood that notice must have been sufficient due to the large body of people at the meeting, however only three people addressed the board. The bulk of the attendance was there for Kimball Associates 4670 S 900 E project of which many citizens took time to attend and speak.

2: On page 4 of the Murray city planning and zoning meeting minutes from July 18. 2019, why are there two different requirements for setbacks and a buffer zone? It is ambiguous with how it is stated. Please clarify what those required setbacks are for a 35' building and a 50' building and clarify what the setbacks and a buffer will be for the proposed PO zoning change if it is accepted by the Murray City Council. A 100' setback from Gillen Lane would consume nearly 1/3 of the land on the west border. That does not seem like enough land left to place building zoned P-O on, is it?

3: How many buildings are there planned for this property and how can you decide to change the zoning if you do not know what the size and the footprint of each building is going to be? Discussions about the process say that a site plan is not necessary at this point which flies in the face of common sense that the Council would have to vote on this type of zoning change without some sense of the footprint of the building(s), parking, location of entrance and exits from the property and other impact items.

4: There are three University of Utah buildings that are further south of the proposed property for the zoning change. The five story building is over 600 ft away from residential property owners, the three story building is over 200 ft away, the two story is over 300 feet away from residential property owners. The same for Intermountain Healthcare further north. The new Cottonwood Clinic which is 4 stories is 550 ft away from residential property owners, the Medical Tower #5 building that is 4 stories is over 300 ft away from residential property owners. Mr. Roderick's property is not adjacent to the University of Utah property or IHC property as was suggested in the minutes from the zoning and planning meeting in the July 18th meeting, except for the small tiny piece at the southwest end of his property which only borders Fashion Square Drive and Steward Primary Care which is a one story building. How can you justify this size of a building with this proposed zoning change that close to residential property owners on Gillen Lane?

5: How can you justify this zoning change when all of the buildings that surround the property on Fashion Blvd. and 5900 south are one level and two level buildings? In paragraph 2 of the

planning meeting minutes Mr. Roderick further explains that; "Initial plan was to build his corporate offices for himself but there was interest from the medical community and the plan changed." Would not the medical community still be interested in nice two story buildings that conforms to the existing Fashion Blvd. zoning and construction of one and two story buildings or were they only interested in four story buildings that could be had by the new PO Zoning designation just recently created by Murray city? The area is pretty much medical already with the current GO zoning designation.

6: Murray already has more than its share of tax exempt properties, somewhere in the neighborhood of 35%. From the minutes of July's planning and zoning meeting it states, per Mr. Roderick, "...he wants to be consistent with whatever IHC and the University of Utah are doing in the area because the subject property is located in the middle of both". Mr. Roderick stated "...there was interest from the medical community and the plan changed". Mr. Roderick stated he wanted to keep his company headquarters here. So which is it going to be ? A Roderick corporate office or another tax exempt tenant or owner"?

7: The traffic on Fashion Blvd. and 5900 south is already bad enough. Has there been an impact study done to evaluate how this would change the traffic patterns with the extra capacity a P-O zoning would provide ? With Mc Millan elementary school so close and school children walking to and from school what about their safety? At this point it is already difficult for residences of the Belview Ave and Afton Avenue subdivision to turn south on Fashion Blvd.

8: If this PO zoning change is accepted and a 50' high building is built on this property what will that do to the property values of the homes on Gillen Lane and second east? Who wants to buy a home with 100's of people looking down into your front and back yard ? Although Murray City does not determine property values, it is still a question of impact the planning, zoning and Council should consider.

9: If a 50' high four story building is built on this property will there be enough parking for employees and customers and will there be enough handicapped parking spaces? If not how is this going to affect the neighborhoods in the area if there is not sufficient parking?

This is a question that cannot begin to be answered without knowing the answers to these and other questions.

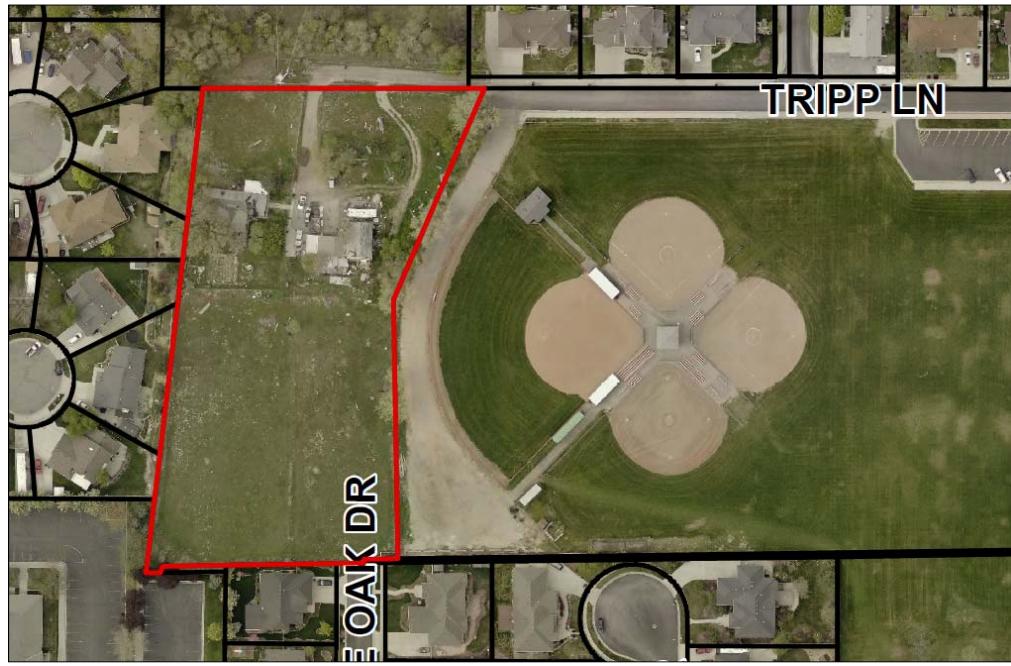
10. The interest of the Roderick's to improve Murray is duly noted. We do though believe that Roderick Enterprises did not acquire all that property without having a plan what to do with it. The #2 habit of Stephen R. Covey's 7 Habits of Highly Effective People is "Begin With The End In Mind". It is hard to imagine Roderick Enterprises does not have the end in mind. To simply approve a P-O designation without a vision of the end is premature. The current designation of Office is sufficient for a properly sized project on the parcel(s). Approving a P-O designation at this time in light of the concerns of the property owners on Gillen Lane and others in the vicinity is pre-mature until these questions can be addressed to the satisfaction of the citizens of Gillen Lane. Citizens who have lived on Gillen Lane for many years

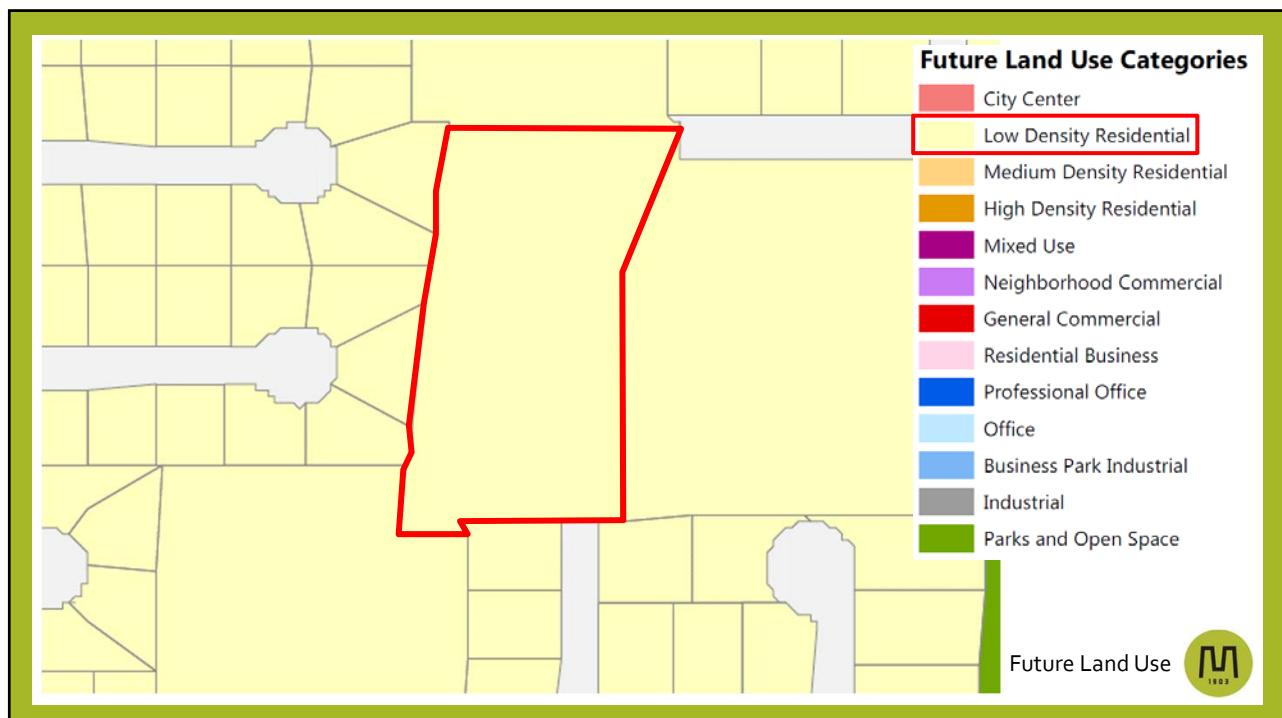
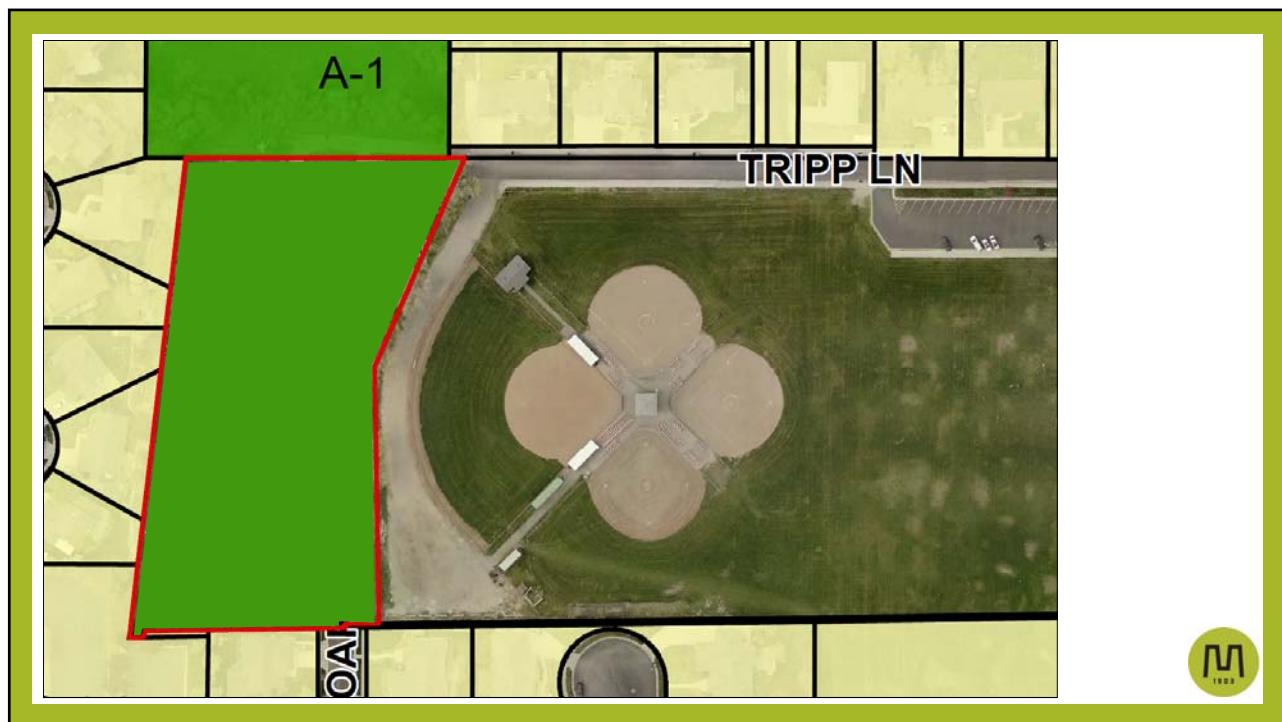
# Attachment 3

# SALT LAKE NEIGHBORHOOD HOUSING SERVICES

Zone Map Amendment from A-1, Agriculture to  
R-1-8, Single Family Residential

871 West Tripp Lane







Looking west at the subject property



Subject property, looking north



## Findings

1. The rezoning of the property to R-1-8 is supported by the Future Land Use Map designation of Low Density Residential and will not have negative impacts to the surrounding properties, infrastructure, or utilities.
2. The requested rezoning has been carefully considered based on the characteristics of the site and surrounding area and the policies and objectives of the 2017 Murray City General Plan, and have been found to support the goals of the Plan.
3. The proposed amendment to the Zoning Map from A-1 to R-1-8 is in harmony with the established Low Density Residential land use designation of the subject property.



## Staff Recommendation

Staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the requested amendment to the Zoning Map designation for the property located at 871 West Tripp Lane from A-1, Agriculture to R-1-8, Single-Family Residential.

