

# **Murray City Municipal Council Chambers Murray City, Utah**

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The Murray City Municipal Council met on Tuesday, January 7, 2020 at 6:32 p.m. for a meeting held in the Murray City Center Council Chambers, 5025 South State Street, Murray, Utah.

## **Council Members in Attendance:**

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

## **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	Finance Director
Danny Astill	Public Works Director	Jon Harris	Fire Chief
Kim Fong	Library Director	Kim Sorensen	Parks & Recreation Director
Blaine Haacke	General Manager of Power	Melinda Greenwood	Community & Economic Development (CED) Director
Robert White	IT Director		
Scouts		Citizens	

## **Opening Ceremonies**

Call to Order – Councilmember Hales called the meeting to order at 6:32 p.m.

Pledge of Allegiance – The Pledge of Allegiance was led by Michelle Ruben.

Councilmember Hales welcomed Senator Kathleen Riebe to the meeting.

## **Approval of Minutes**

Council Meeting – December 3, 2019

## Council Meeting – December 10, 2019

MOTION: Councilmember Cox moved to approve both sets of minutes. The motion was SECONDED by Councilmember Turner.

### Voice vote taken:

Ayes: Councilmember Cox, Councilmember Turner and Councilmember Hales

Nays: None

Abstentions: Councilmember Martinez and Councilmember Dominguez

### **Special Recognition**

None scheduled.

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

### **Consent Agenda**

Mr. Hales asked that all items on the Consent Agenda be voted on together; no objections were made.

1. Consider confirmation of the Mayor's appointment of Michelle Robbins to the Arts Advisory Board for a two-year term to expire on January 15, 2022.
2. Consider confirmation of the Mayor's reappointment of Sunshine Szedeli to the Parks and Recreation Advisory Board for a three-year term to expire on January 17, 2023.
3. Consider confirmation of the Mayor's appointment of Becky Harris to the Murray City Senior Recreation Center Advisory Board for a three-year term beginning February 2020 to expire January 2023.
4. Consider confirmation of the Mayor's appointment of Lynn Andersen to the Murray City Senior Recreation Center Advisory Board for a three-year term beginning February 2020 to expire January 2023.
5. Consider confirmation of the Mayor's appointment of Susan Hatcher to the Murray City Senior Recreation Center Advisory Board for a three-year term beginning February 2020 to expire January 2023.

Mayor Camp introduced and spoke about each of the appointments.

MOTION: Councilmember Dominguez moved to adopt the Consent Agenda. The motion was SECONDED by Councilmember Turner.

### Council roll call vote:

Ayes: Councilmember Martinez, Councilmember Cox, Councilmember Dominguez

Councilmember Turner and Councilmember Hales

Nays: None

Abstentions: None

Motion passed 5-0

### **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 General Plan from Low Density Residential to Residential Neighborhood Business for the property located at 551, 565, and 583 East Winchester Street and 6363 South 525 East, Murray City, Utah.  
Applicant: Brad Reynolds Construction

Staff Presentation: Melinda Greenwood, CED Director

(See Attachment 1 for slides used during this presentation)

Ms. Greenwood said the General Plan addresses future land use designations. The four properties involved in this request are currently zoned Low Density Residential, however the properties around them are zoned Residential Business. Ms. Greenwood explained that the General Plan was updated in 2017 and at that time, all the properties along Winchester Street should have been zoned to Residential Business. Because these properties are tied to the frontage of Winchester Street, but are addressed separately, they were missed when the General Plan was updated. Ms. Greenwood said this General Plan amendment is essentially to correct that mistake.

Ms. Greenwood stated this item was heard during the November 14, 2019 Planning Commission meeting where there were a lot of comments given during the public hearing. Both the Planning Commission and City Staff are recommending that the City Council approve this General Plan amendment.

Brad Reynolds – Applicant

Mr. Reynolds said all of these parcels combined are .79 of an acre which leads him to believe they were indeed missed when the General Plan was updated in 2017. Brad Reynolds Construction has had a lot of experience with residential building; they currently have three different residential projects going on in Murray. Mr. Reynolds does not believe this parcel will be successful if it maintains the Low Density Residential zoning. He encouraged the Council to rezone the property to the Residential Neighborhood Business (R-N-B) zone.

Councilmember Dominguez asked Mr. Reynolds if his company does other projects outside of residential homes.

Mr. Reynolds replied they do townhomes, apartments and other things, but currently the only thing they are doing in Murray is residential homes.

Councilmember Hales opened the public hearing for public comments.

David Eckhoff – Murray City, Utah

Mr. Eckhoff said he and his wife favor the residential zoning and realize twin homes are probably the best thing that could go on this property. In a previous presentation, an outlet from this residential development onto 525 East was shown. They would prefer to see an outlet from this development onto Winchester Street. They are in favor of the zoning but they do have concerns about the business designation part of this zoning. They hope that the Planning and Zoning people will deal with that adequately so this property doesn't turn into a business environment.

Sondra Lyngle – Murray City, Utah

Ms. Lyngle said her concern is having a business in a residential area. She has noticed along Winchester Street that a lot of other homes have turned into businesses and people are concerned about their homes that are behind those businesses. She is also concerned about the entrance to the development on 525 East because traffic on 525 East is bad enough already.

Ms. Lyngle added that through the years this property and others have been dug up and the neighborhoods have been inundated with gophers and moles. She would like the developers to get rid of those before they start construction so this problem doesn't persist.

Councilmember Hales closed the public hearing.

Councilmember Hales asked Ms. Greenwood what the process is if this item passes tonight.

Ms. Greenwood said there are two items on the agenda tonight, a General Plan amendment and a rezone request. If both of these items pass, then the applicant would submit an application for a project to the city's development staff and go through that process, which would include another public hearing at another Planning Commission meeting.

Ms. Greenwood noted that at this point what is being talked about are land use designation categories and future land uses. In the land use laws in Utah when it comes to general plan amendments or rezones, projects aren't really taken into consideration. She explained that a lot of things can happen between the time a general plan amendment or rezone is done and a project is ready to go. She reiterated this is not the point where the city would consider what impact a project would have, that comes at a later point in time. However, when a project does come through, it gets set to the

Planning Commission for a public hearing, notices are sent out, and the public can come and listen to the staff presentation and give their comments and concerns based on that particular project.

Councilmember Hales asked if that would be the time when the residents could bring up their concerns about the traffic and having an outlet from this development go onto Winchester Street rather than onto 525 East.

Ms. Greenwood replied yes, that would be the time for that. She added that staff does take the citizens' comments into consideration.

Councilmember Hales asked about the neighbor's concerns about making sure this property doesn't turn into a business.

Ms. Greenwood explained the Council would want to address those concerns now, because what is being decided tonight is whether to leave this property as Low Density Residential or rezone it to R-N-B.

Councilmember Dominguez asked Ms. Greenwood if she could go over what is allowed in each of the zones.

Ms. Greenwood said Low Density Single Family (R-1-8) allows for single-family homes. The R-N-B zone allows for single-family homes, townhomes, and light commercial such as an Attorney's or Doctor's office. Things such as a book store or bank could also be allowed in the R-N-B zone with a Conditional Use Permit.

Councilmember Cox asked what the radius is that receives notifications of public hearings.

Ms. Greenwood replied properties that are located within a 500 foot radius of a project are notified for a General Plan amendment or rezone. For a Conditional Use Permit, properties that are located within a 300 foot radius of the project are notified.

Zach Smallwood, Associate Planner, explained that the State Land Use Code says that affected property owners have to be notified of a General Plan amendment, rezone or Conditional Use Permit, but they don't define the distances, that is left up to municipalities. Typically, for a rezone or General Plan amendment, anyone within 500 feet of the project is notified and for a Conditional Use Permit anyone within 300 feet of the project is notified. The reason the notification is less for a Conditional Use Permit is because Conditional Use Permits have a greater effect on the properties that are closer to them.

**MOTION:** Councilmember Martinez moved to adopt the ordinance. The motion was **SECONDED** by Councilmember Dominguez.

Council roll call vote:

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

Nays: None

Abstentions: None

Motion passed 5-0

Councilmember Martinez noted the reason she voted aye was because after studying the property and the different uses of it as well as looking at where the city is in the process, she thinks the right thing to do is to make the zoning of the parcels consistent.

2. Consider an ordinance relating to land use: amends the Zoning Map for the property located at 533, 551, 565, 583, 631 East Winchester Street and 6363 South 525 East from R-1-8 (Low Density Residential) Zoning District to the R-N-B (Residential Neighborhood Business) Zoning District.

Applicant: Brad Reynolds Construction

Staff Presentation: Melinda Greenwood, CED Director

(See Attachment 2 for slides used during this presentation)

Ms. Greenwood said this application is to rezone all of the properties from R-1-8 to R-N-B. She went through some of the uses that are permitted in the R-N-B zone which include single-family homes, residential facilities for those with disabilities, duplexes and light commercial offices. She added that within the land use code for R-N-B they can restrict the hours a business can operate.

A public hearing for this item was held at the November 14, 2019 Planning Commission meeting. Both staff and the Planning Commission are forwarding a recommendation of approval for the Zone Map amendment to the Council.

Brad Reynolds – Applicant

Mr. Reynolds said he has over 30 years of building experience. With the high traffic on Winchester Street and the commercial businesses in the area, the only way this will be a successful project is if the zoning is changed to something that is a little more flexible. He noted that the R-N-B has height requirements and other things that will help accommodate the neighbor's concerns.

Councilmember Dominguez asked Mr. Reynolds if he has done any traffic studies with any of the projects he has done in the past. There seems to be a high concern with the residents about the traffic on Winchester Street.

Mr. Reynolds said he is conscience of the traffic on Winchester Street and would look at that as they finalize their site plan. With Winchester Street being as big as highway as it

is, they don't see any potential concerns with their project impacting traffic that much, but they will look at it.

Ms. Greenwood said it is the discretion of the City Engineer to require a traffic study and typically that is a requirement that comes at a later stage when a project comes through.

Councilmember Hales opened the public hearing for public comments.

Donna Lu Argyle – Murray City, Utah

Ms. Argyle was upset that the Council is going to allow businesses along Winchester Street. She said the citizens want homes so more people can move in and love this area.

Christie Young – Murray City, Utah

Ms. Young said she is concerned with the property transitioning to either townhomes or commercial, she feels that is too broad of a scope. She wanted to know the total land size and what the density of the project is that Mr. Reynolds wants to put in. She understands why the citizens are upset. It is because they don't understand what is going to go in behind them.

Kate Sturgeon – Murray City, Utah

Ms. Sturgeon said there is a new Attorney's office at the corner of 725 East and Winchester Street and it has been a nightmare. Cars fly out of that business onto 725 East. The Council is being asked to approve a pig in a poke. The citizens have no idea what this is going to be. She doesn't want to see a repeat of what has happened with that new Attorney's office.

Kathleen Stanford – Murray City, Utah

Ms. Stanford said she is excited about the new Council and she hopes they don't vote unanimously anymore. A unanimous Council shows her that the Council isn't listening to the citizens.

Janice Strobell – Murray City, Utah

Ms. Strobell said this creates a vague interpretation of what could be going on in this area that is so close to this neighborhood. She explained her understanding of the R-1-8 versus the R-N-B zone noting that in R-1-8 you can only have single-family homes, but in R-N-B, you can have duplexes and light commercial.

Doug Hill, Chief Administrative Officer, said about 15 years ago, the city was having problems with the properties along 900 East and Winchester Street that were zoned residential. People no longer wanted to live in single-family homes along those streets because of the amount of traffic on them. At the time, several people kept approaching the city wanting to rezone those properties commercial or office or for some other kind of use. The City Council did not want to change the zone for those properties on 900 East and Winchester to commercial or office because they felt it would negatively impact the

residential homes behind them.

The city did a lot of research to find out what the best zone would be that would be between a heavily used street and a residential neighborhood and that's when they came up with the R-N-B zone. It is intended to create a buffer between a high traffic area and a residential area and to eliminate vacant, deteriorating homes and structures along those streets.

Keith Bateman – Murray City, Utah

Mr. Bateman said he likes what has happened along 900 East. The problem with the law office on 725 East and Winchester Street is that access onto 725 East was approved, which creates a lot of problems. He thinks it would be a huge mistake to allow whatever is built on this property to have access onto 525 East; the access needs to be onto Winchester Street.

Dwight Searle – Murray City, Utah

Mr. Searle said there should be some kind of zoning that can be used for duplexes. He hopes the Council takes into consideration his property value and the increased traffic that will come with any kind of business.

Councilmember Hales closed the public hearing.

Councilmember Dominguez asked how long this property has been vacant.

Councilmember Hales responded 10 to 12 years.

Councilmember Dominguez said the Council does receive the citizen comments that were given prior to coming here and at the Planning Commission. They also understand that this zoning classification is very broad.

Councilmember Hales asked Mr. Hill if when they were considering the R-N-B designation if there was ever any consideration of separating residential into different classifications

Mr. Hill said they looked at a number of different alternatives. Cities throughout the United States treat these delicate, or controversial, areas differently. The language in the R-N-B zone may not be perfect in every situation, and it may not be in this situation. This was the best solution that staff and the City Council could come up with at the time.

Mr. Hill added that If this property is not rezoned, there is a risk that this property may never get developed because people don't want to build a single-family home on Winchester Street. He may be wrong, there are homes next to the Trax and freeway, but the problem in the past has been that people don't want single-family homes on busy streets.



Mr. Reynolds said, from a developer's standpoint, it would not work to have rental properties on this property and that is not their plan.

Councilmember Cox reiterated that the decision the Council is making tonight is just about zoning and if this passes there will be other opportunities for the public to give their input.

MOTION: Councilmember Turner moved to adopt the ordinance. The motion was SECONDED by Councilmember Cox.

Council roll call vote:

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

Nays: None

Abstentions: None

Motion passed 5-0

Councilmember Martinez thanked the citizens for their comments. She noted that when she was campaigning a lot of citizens told her that Murray needs more housing. She also lives in a buffer area so she understands a little about that. She explained she voted aye because the city does have a housing shortage and she feels the buffer is important with the parcel consistency.

3. Consider an ordinance vacating a right-of-way located at approximately 4850 South Box Elder Street, Murray City, Salt Lake County, State of Utah.

Staff Presentation: Danny Astill, Public Works Director

Mr. Astill showed a map of the property (see Attachment 3). He said the new Fire Station that is being built on the corner of 4800 South and Box Elder Street extends into the historic right-of-way because it is being built to meet the Murray City Center District standards. The construction will continue and the sidewalk will be put in. Once that is done, staff will re-plat this and the right-of-way will be done properly.

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

MOTION: Councilmember Turner moved to adopt the ordinance. The motion was SECONDED by Councilmember Martinez.

Council roll call vote:

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

Nays: None

Abstentions: None

Motion passed 5-0

### **New Business Items**

1. Elections of Murray City Council Chair and Vice-Chair for Calendar Year 2020.

Councilmember Hales asked for nominations for City Council Chair.

Councilmember Turner nominated Dale Cox for City Council Chair. No other nominations were given.

Voice vote taken, all "ayes."

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Councilmember Hales asked for nominations for City Council Vice-Chair.

Councilmember Cox nominated Rosalba Dominguez for City Council Vice-Chair. No other nominations were given.

Voice vote taken, all "ayes."

2. Elections of Murray City Budget and Finance Committee Chair and Vice-Chair for Calendar Year 2020.

Councilmember Hales asked for nominations for Budget and Finance Committee Chair.

Councilmember Cox nominated Diane Turner for Budget and Finance Committee Chair. No other nominations were given.

Voice vote taken, all "ayes."

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Councilmember Hales asked for nominations for Budget and Finance Committee Vice-Chair.

Councilmember Turner nominated Kat Martinez for Budget and Finance Committee Vice-Chair. No other nominations were given.

Voice vote taken, all "ayes."

3. Select Two Representatives to the Taxing Entity Committee.

Councilmember Hales asked Mayor Camp to explain what the obligations of being on the

Taxing Entity Committee are.

Mayor Camp said when the Redevelopment Agency (RDA) proposes a new RDA area the Taxing Entity Committee (TEC) have to meet to vote to approve the new RDA. This is to be the RDA's representative on that TEC. If there is not a new RDA, the TEC will never meet.

Councilmember Hales asked for nominations for the Taxing Entity Committee.

Councilmember Cox nominated Brett Hales to be on the Taxing Entity Committee.

Councilmember Turner nominated Dale Cox to be on the Taxing Entity Committee.

- Consider a resolution approving the appointment of representatives to the Taxing Entity Committee of the Redevelopment Agency of Murray City.

MOTION: Councilmember Turner moved to adopt the resolution appointing Councilmember Hales and Councilmember Cox to the Taxing Entity Committee of the Redevelopment Agency of Murray City. The motion was SECONDED by Councilmember Martinez.

Council roll call vote:

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

Nays: None

Abstentions: None

Motion passed 5-0

4. Consider a resolution approving the Mayor's appointment of representatives to boards of Interlocal Entities. Doug Hill presenting

Staff Presentation: Doug Hill, Chief Administrative Officer

Mr. Hill said over it's 100+ year history, Murray City has worked with other governmental entities to provide services to our citizens. The city has entered into Interlocal Agreements with these entities and we are required to appoint individuals, either elected officials or staff, to serve as representatives of the city on these Boards.

The city works with the following entities: the Utah Associated Municipal Power Systems, the Central Valley Water Reclamation Facility, Salt Lake Valley Emergency Communications Center (VECC), Trans Jordan Cities, Utah Telecommunication Open Infrastructure Agency (UTOPA), Utah Infrastructure Agency (UIA), Wasatch Front Waste and Recycling District, Intermountain Power Agency, Metro Fire Agency, NeighborWorks Salt Lake, Community Action Program, and the Jordan River Commission.

Councilmember Dominguez said she would prefer the Board positions that are to be held by an elected official be held by the Mayor and a Council representative rather than the Mayor and a staff member. Those Board positions are on the Central Valley Water Reclamation Facility and the Jordan River Commission.

Mayor Camp asked the Council to consider approving the nominations that have been submitted and they would take other choices into consideration in the future.

G.L. Critchfield said these are appointments by the Mayor, it's an administrative function. The Council can disagree with the Mayor's decision, but they cannot put themselves on a Board.

MOTION: Councilmember Cox moved to adopt the resolution. The motion was SECONDED by Councilmember Turner.

Council roll call vote:

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

Nays: None

Abstentions: None

Motion passed 5-0

**Mayor's Report and Questions**

Mayor Camp reported on the following items:

- The city has two Christmas tree drop off locations. One at Grant Park on 6150 South next to the Senior Recreation Center and the other one is in Murray Park. Tree drop off will be available until the end of January. For citizens who receive service from Wasatch Front Waste and Recycling, they are doing curbside pickup as long as the tree is clean. Trees should be put out the day after trash day.
- The city's bond rating was supposed to be released today (January 7) but it has been delayed a couple more days.

Mayor Camp welcomed Kat Martinez and Rosalba Dominguez to the Council.

**Adjournment**

The meeting was adjourned at 8:02 p.m.

# Attachment 1

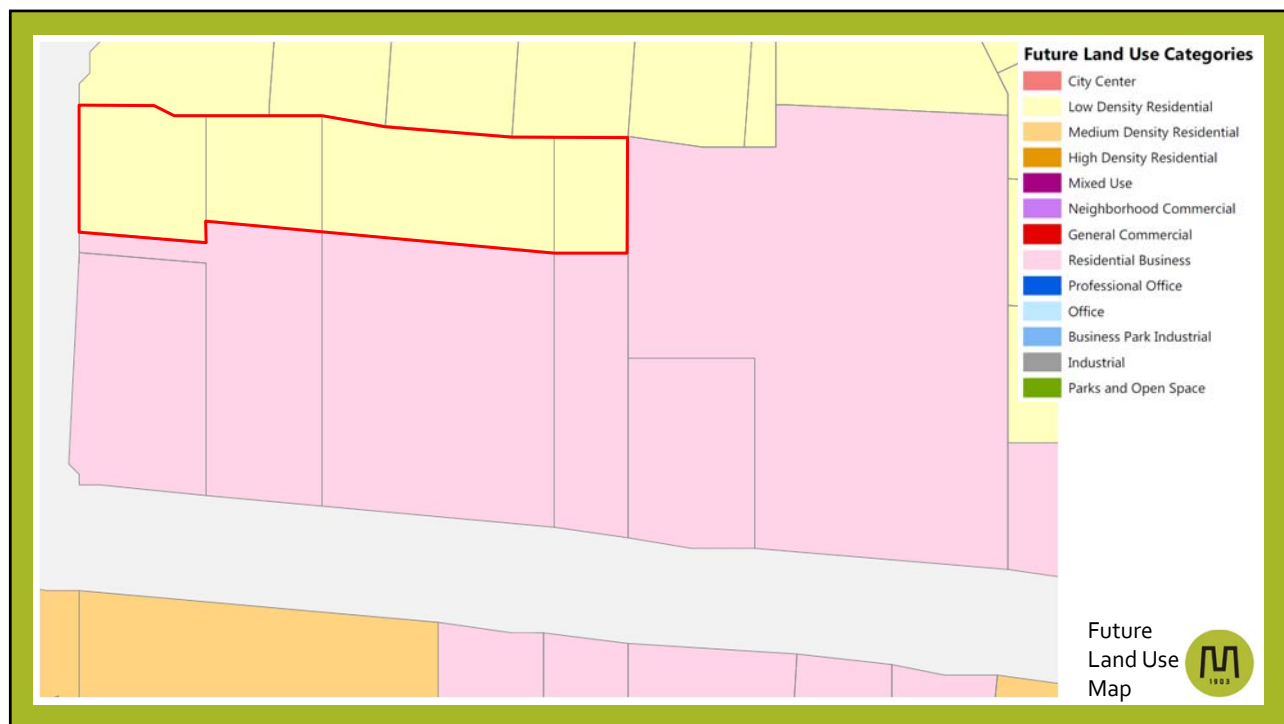
# BRAD REYNOLDS CONSTRUCTION

## Future Land Use Map Amendments to the 2017 General Plan

551, 565, 583 East Winchester and 6363 South 525 East

General Plan from Residential to Residential Business





## Corresponding Zones for Each Land Use Designation

### *Residential Business*

- RNB, Residential Neighborhood Business

### *Low Density Residential*

- 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





## Recommendation

The Planning Commission and City Staff recommends that the City Council **APPROVE** the requested amendments to the General Plan's Future Land Use Map to designate the properties located at 6363 South 525 East and 551, 565, 583 East Winchester Street from Low Density Residential to Residential Business.





# Attachment 2

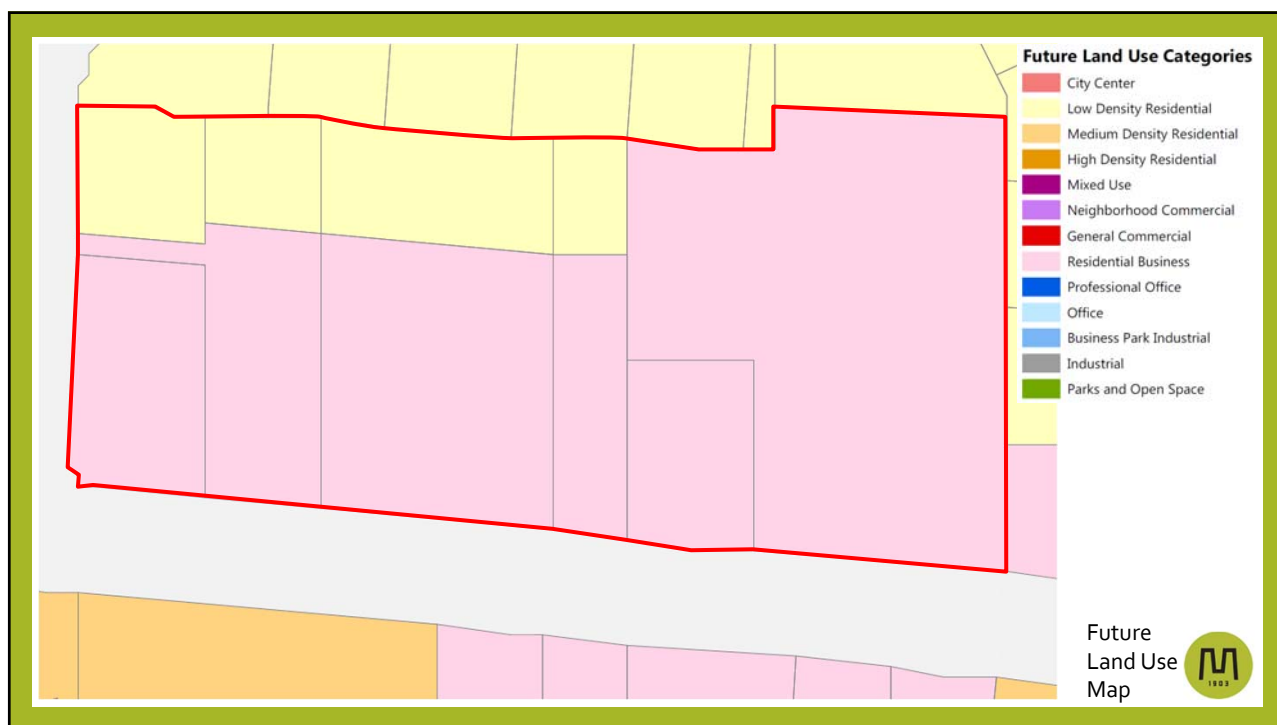
# BRAD REYNOLDS CONSTRUCTION

## Zoning Map Amendments

533, 551, 565, 583, 593, 631 East Winchester and 6363 South 525 East

Zone Change from R-1-8 to R-N-B





## Allowed Uses for Each Zone

### *Residential Neighborhood Business, R-N-B*

- Permitted
  - Single-family dwellings, detached
  - Residential Facility for persons with a disability and/or elderly persons
  - Two-family dwelling (duplex)
  - Light Commercial
    - Attorney's Office
    - Doctor's Office
    - Architects/Design Offices
- Conditional
  - Book Stores
  - Banks
  - Antique shops
  - Schools

### *Low Density Single Family, R-1-8*

- Permitted
  - Single-family dwellings, detached
  - Residential Facility for persons with a disability and/or elderly persons
  - Residential Childcare
- Conditional
  - Single-family dwellings, attached
  - Schools
  - Parks



## Recommendation

The Planning Commission and City Staff recommends that the City Council **APPROVE** the requested amendments to the Zoning Map designation of the properties located at 6363 South 525 East and 533, 551, 565, 583, 593, and 631 East Winchester Street from R-1-8, Single-Family Low Density Residential to R-N-B, Residential Neighborhood Business.



# Attachment 3





# 4800 South ROW Vacation

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Map Disclaimer:  
<http://www.murray.utah.gov/1609>  
The above information while not  
guaranteed has been secured from  
sources deemed reliable.



**MURRAY**



Date: 10/22/2019  
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