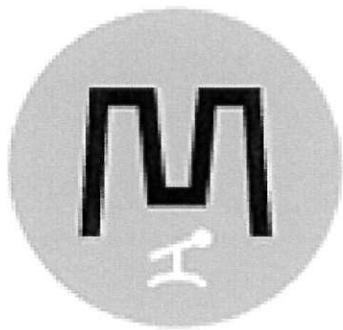


MURRAY
CITY COUNCIL

Committee of the Whole Part 2



MURRAY
CITY COUNCIL

Discussion Item #3



MURRAY

Council Action Request

Community & Economic Development

General Plan Amendment from General Commercial to M-U, Mixed Use & Zone Map Amendment from C-D, Commercial Development to M-U, Mixed Use for 5445 South 900 East, aka Sports Mall properties

Committee of the Whole

Meeting Date: January 5, 2021

Department Director Melinda Greenwood	Purpose of Proposal Amend the Future Land Use Map designation and Zoning of 5445 South 900 East to facilitate mixed-use development.
Phone # 801-270-2428	Action Requested Approval of General Plan Amendment & Zone Map Amendment for 5445 South 900 East
Presenters Melinda Greenwood Jared Hall	Attachments Presentation Slides
Required Time for Presentation 10 Minutes	Budget Impact None.
Is This Time Sensitive No	Description of this Item Background The Sports Mall property, located at 5445 South 900 East, has submitted applications for a General Plan Amendment from General Commercial to M-U, Mixed-Use designation and Zone Map Amendment from C-D, Commercial Development to M-U, Mixed-Use zone. The subject property is a large, well-known athletic club in east Murray, but the property owners have seen steady decline in memberships and has faced increasing financial needs associated with property repairs and upkeep. These issues have been heightened due to the COVID-19 pandemic, and the owners have determined selling the property is the right course of action. The property is currently under contract with Brad Reynolds of Brad Reynolds Construction, who desires to keep using the property for some commercial use,
Mayor's Approval Doug Hill Date December 21, 2020	Digitally signed by Doug Hill DN:cn=Doug Hill, o=Murray City Corporation, ou=Mayor's Office, email=dh@murray.utah.gov, c=US Date: 2020.12.21 16:31:29 -07'00'

Continued from Page 1:

but also wishes to incorporate a residential use into the redevelopment of the property.

Zoning Regulations

The existing **C-D Zone** allows for retail and commercial activities as permitted or conditional uses. It does not allow any single or multi-family residential uses. The proposed **M-U Zone** allows for commercial uses to be mixed with residential uses, and in this case would allow density of up to 40 dwelling units per acre.

Staff Review

Planning Division Staff circulated the proposed application to multiple Murray City Departments for review on November 16, 2020. Comments from the City's water division noted that during design, some upgrades may be necessary. No other comments were of concern from the City. This portion of the City has sewer service through the Cottonwood Improvement District, and they have been notified of the higher density this property could entail and is currently master-planning those densities in to their services.

Public Notice and Planning Commission

One-hundred and thirty-four (134) public meeting notices were mailed to all property owners for parcels located within 500 feet of the subject property. The Planning Commission held a public hearing for this item for this item on December 3, 2020. One public comment was received which expressed concerns regarding timing, blighting of properties, property values and public notification concerns.

The Planning Commission voted 7-0 to forward a recommendation of approval to the City Council based on the findings below.

1. The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.
2. The requested amendment to the Future Land Use Map of the 2017 Murray City General Plan is supported by the description and intent of the General Commercial land use designation which recognizes the appropriateness of mixed use development including higher-density, multi-family housing along key transportation corridors and at recognized centers.
3. The proposed Zone Map Amendment from C-D to M-U conforms to goals and objectives of the 2017 Murray City General Plan and will support the appropriate re-development of the subject property.
4. The requested amendments to the Future land Use Map and Zoning Map have been carefully considered based on the characteristics of the site and surrounding area and on the policies and objectives of the 2017 Murray City General Plan and are in harmony with the goals of the Plan.

Recommendations

General Plan Amendment

Both staff and Planning Commission recommend the City Council **APPROVE** the requested amendment to the General Plan Future Land Use Map, re-designating the properties located at 5445 South 900 East from General Commercial to Mixed Use.

Zone Map Amendment

Both staff and Planning Commission recommend the City Council **APPROVE** the requested amendment to the Zoning Map designation of the property located at 5445 South 900 East from C-D, Commercial Development to M-U, Mixed Use.

General Plan Amendment & Zone Map Amendment

Address: 5445 South 900 East (Sports Mall properties)

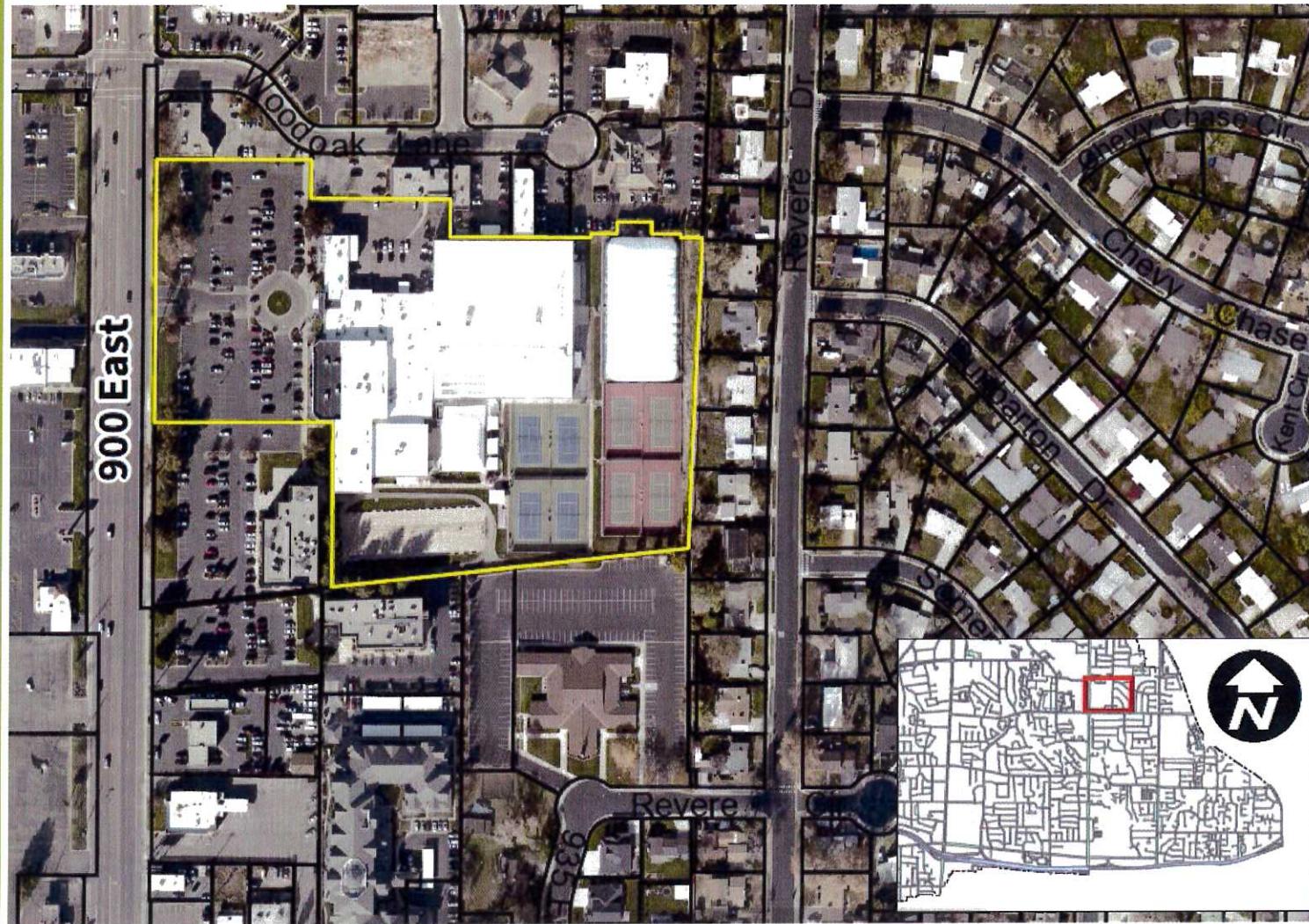
Property Size: 9.93 acres

Applicant: Bruce Broadband, Sports Mall Properties LLC

General Plan Amendment: Mixed-Use (from General Commercial)

Zone Map Amendment: Mixed-Use (from C-D, Commercial Development)

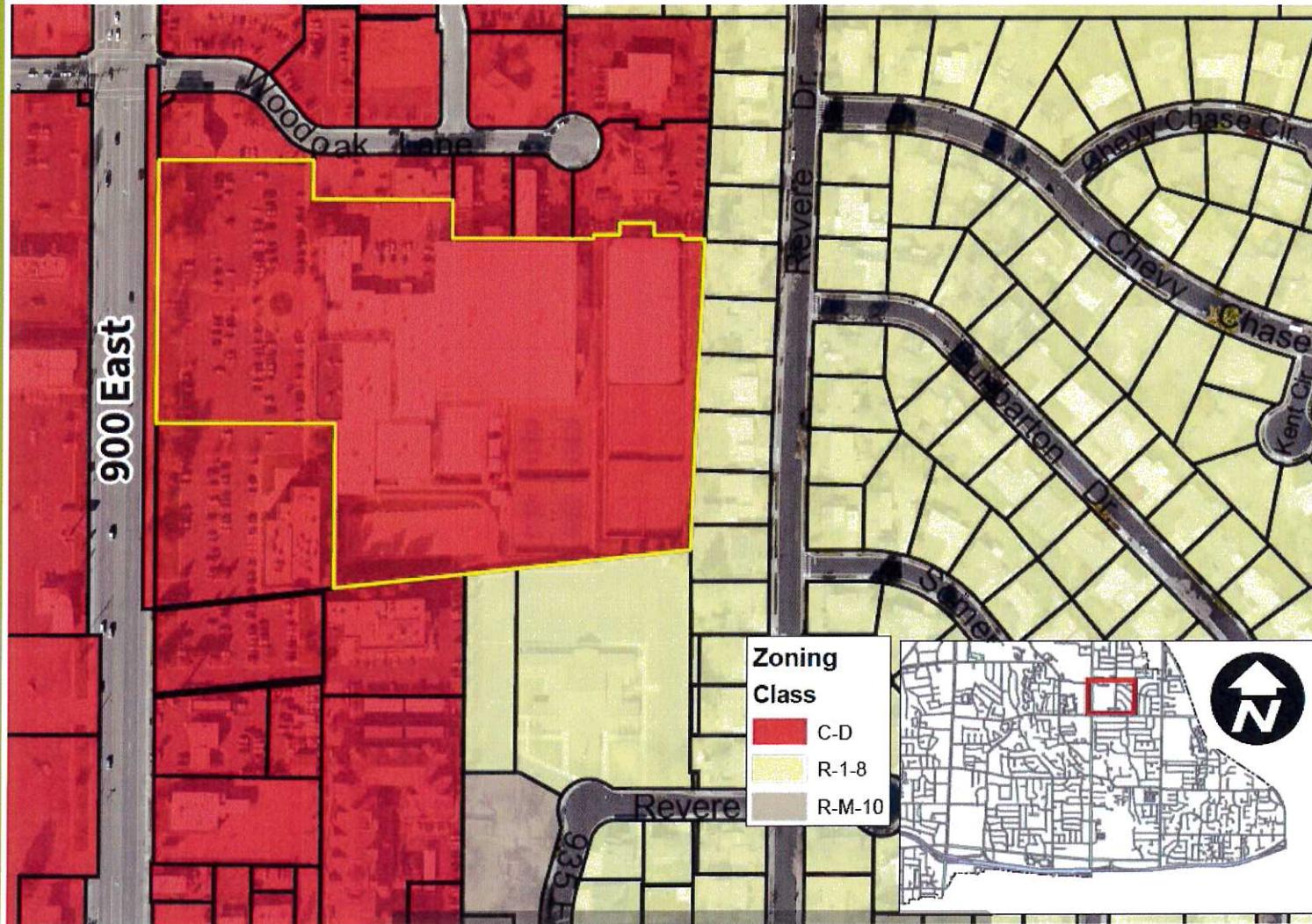




Aerial View

5445 South 900 East





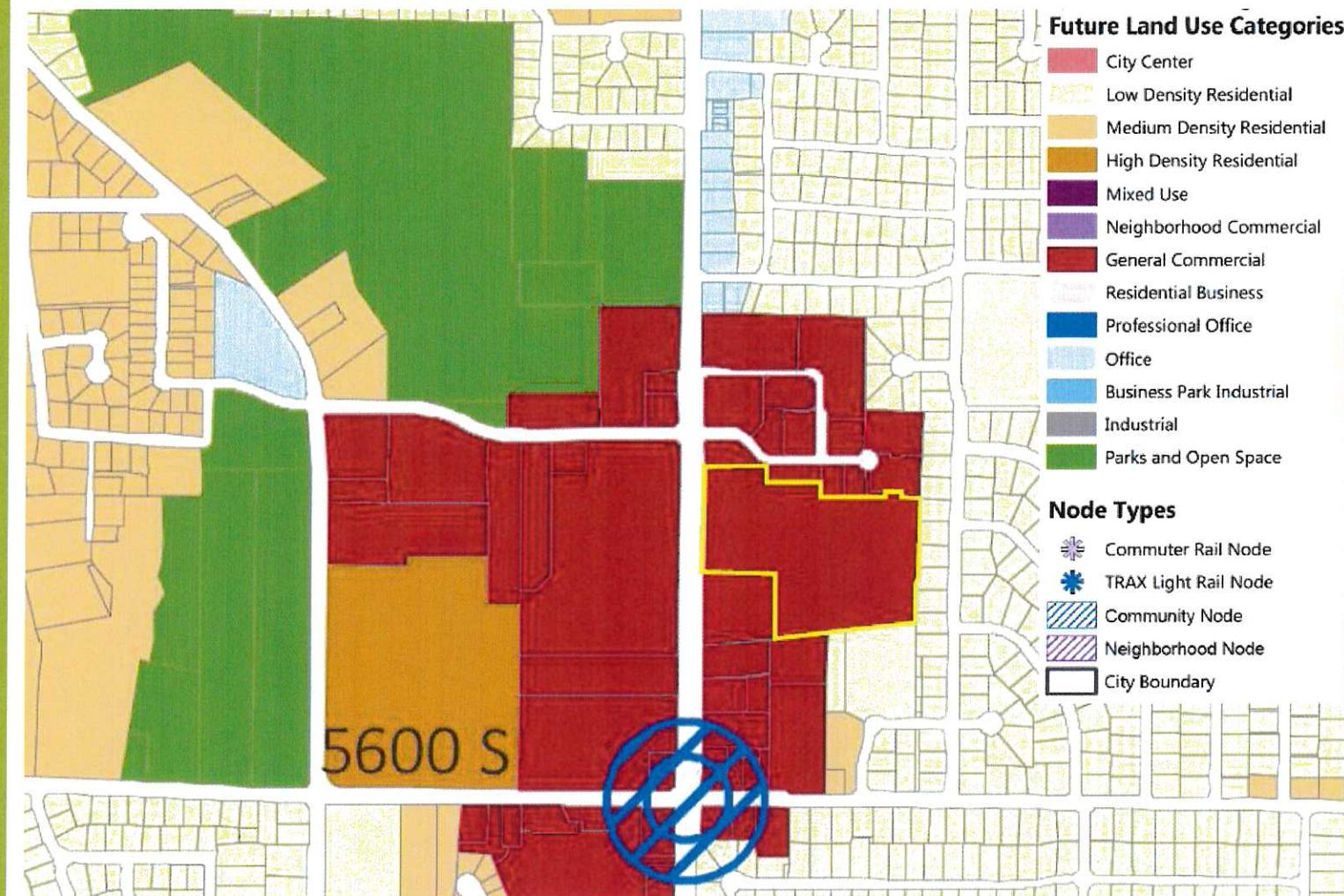
Current Zoning

C-D

Commercial Development



Future Land Use Map General Commercial



		C-D Zone (existing)	M-U Zone (proposed)
Height of Structures	35' max if located within 100' of residential zoning. 1' of additional height per 4' of additional setback from residential zoning	50' max if located within 100' of residential zoning. 1' of additional height per 1' of additional setback from residential zoning.	
Landscaping and Buffer Requirements	10' along all frontages 10% min coverage 10' buffer required adjacent to residential 5' buffer where parking abuts property line.	Building setbacks from frontages must be landscaped (where allowed) 15% min coverage (required as open space, to include amenities) 10' buffer required adjacent to residential 10' buffer where parking abuts property line.	
Parking	Retail – 1 per 200 sf net Medical/Dental Office – 1 per 200 sf net General Office – 4 per 1,000 sf net Special Requirements: none	Retail – 1 per 265 sf net Medical/Dental Office – 1 per 265 sf net General Office – 3 per 1,000 sf net Special Requirements: Buildings exceeding 4 stories in height must provide 75% of the parking within the exterior walls or within a structure (podium).	
Building Setbacks	20' front setback from property line.	Between 15' and 25' from the back of curb (effectively between 0' and 10' from property line). Greater setbacks are allowed for courtyards or plazas.	
Public Improvements	Standard (typically 4' sidewalk, 5' park strips)	7' sidewalks, 8' park strips or 15' paved sidewalks with tree wells. Street trees and street furniture (benches, bicycle racks) are required.	

Planning Commission Meeting

December 3, 2020

- **134 public notices were mailed (500' distance)**
 - ✓ One comment was received stating concerns about noticing, timing and property values
- **The Planning Commission voted 7-0 to recommend approval based on the findings:**
 - ✓ The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.
 - ✓ The requested amendment to the Future Land Use Map of the 2017 Murray City General Plan is supported by the description and intent of the General Commercial land use designation which recognizes the appropriateness of mixed-use development including higher-density, multi-family housing along key transportation corridors and at recognized centers.
 - ✓ The proposed Zone Map Amendment from C-D to M-U conforms to goals and objectives of the 2017 Murray City General Plan and will support the appropriate redevelopment of the subject property.
 - ✓ The requested amendments to the Future land Use Map and Zoning Map have been carefully considered based on the characteristics of the site and surrounding area and on the policies and objectives of the 2017 Murray City General Plan and are in harmony with the goals of the Plan.



Recommendation

General Plan Amendment

Both Staff and the Planning Commission recommend the City Council **APPROVE** the requested amendment to the General Plan Future Land Use Map, re-designating the property located at 5445 South 900 East from General Commercial to Mixed Use.

Zone Map Amendment

Both Staff and the Planning Commission recommend the City Council **APPROVE** the requested amendment to the Zoning Map designation of the property located at 5445 South 900 East from C-D, Commercial Development to M-U, Mixed Use.



Murray City Corporation

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 19th day of January 2021, at the hour of 6:30 p.m., the Murray City Municipal Council will hold and conduct a hearing on and pertaining to the consideration of amending the General Plan from General Commercial to Mixed Use and amending the Zoning Map from the C-D (Commercial Development) zoning district to the M-U (Mixed Use) zoning district for the properties addressed 5445 South 900 East, Murray, Utah.

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

Public Notice is hereby given that this meeting will occur electronically without an anchor location in accordance with Utah Code 52-4-207(4), due to infectious disease COVID-19 Novel Coronavirus. The Council Chair has determined that conducting a meeting with an anchor location presents substantial risk to the health and safety of those who may be present at the anchor location because physical distancing measures may be difficult to maintain in the Murray City Council Chambers.

The public may view the meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/Murraycityutah/> .

***Citizen comments or public hearing comments may be made as follows:**

- Live through the Zoom meeting process. Those wishing to speak during these portions of the meeting must send a request to city.council@murray.utah.gov by 3:00 p.m. on the meeting date. You will receive a confirmation email with instructions and a Zoom link to join the meeting.
- Read into the record by sending an email in advance or during the meeting to city.council@murray.utah.gov .
- Comments are limited to less than three minutes, include your name and contact information.

DATED this _____ day of _____, 2020.

MURRAY CITY CORPORATION

Jennifer Kennedy
City Recorder

ORDINANCE NO. _____

AN ORDINANCE RELATING TO LAND USE; AMENDS THE GENERAL PLAN FROM GENERAL COMMERCIAL TO MIXED USE AND AMENDS THE ZONING MAP FROM C-D TO M-U FOR THE PROPERTY LOCATED AT 5445 SOUTH 900 EAST, MURRAY CITY, UTAH. (Sports Mall Properties, Applicant)

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

WHEREAS, the owner of the real property addressed 5445 South 900 East, Murray, Utah, has requested a proposed amendment to the General Plan of Murray City to reflect a projected land use for the property as Mixed Use and to amend the zoning map to designate the property in an M-U 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 Mixed Use projected use for the following described property addressed at 5445 South 900 East, Murray City, Salt Lake County, Utah:

Tax Parcel No.: 22-17-127-046

Beginning at a point being the Southwest corner of Lot 10, SPORTS CENTER BUSINESS PARK, according to the official plat thereof, as recorded in the office of the County Recorder, Salt Lake County, State of Utah, said point being North 0°04'30" West 8.772 feet along the centerline of 900 East Street and North 89°55'30" East 53.00 feet from a Salt Lake County monument being South 89°47'43" West 887.089 feet from the North quarter corner of Section 17, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence along the South boundary of said Subdivision North 89°55'30" East 246.85 feet; thence South 0°04'30" East 61.88 feet; thence South 89°58'15" East 221.04 feet; thence South 0°04'30" East 61.19 feet; thence North 89°55'30" East 222.92 feet; thence North 0°04'30" West 6.15 feet; thence North 89°55'57" East 41.48; thence North 0°16'24" West 19.24 feet; thence North 89°56'40" East 54.85 feet; thence South 0°25'53" East 19.22 feet; thence North 89°55'57" East 46.52 feet; thence South 0°04'30" East 6.14 feet; thence North 89°55'30" East 35.67 feet along the South line of said Sports Center Business Park to the West line of Chevy Chase No. 1, according to the official plat thereof, as recorded in the office of the County Recorder, Salt Lake County, State of

Utah; thence South 2°08'09" West (South 2°09'10" West by plat) 495.04 feet along said West line and remnant of old fence line in accordance with that certain Affidavit recorded in Book 3920 at Page 359, as Entry Number 2727278, in the office of said Recorder; thence South 0°52'01" East (South 0°51' East by plat) 0.950 feet to an old fence corner and the Northeast corner of that parcel described in Book 4630 at Page 1495 as Entry Number 3070721, in the office of said Recorder, thence South 83°37'44" West 569.40 feet along the remnants of an old fence line and its Westerly projection; thence North 0°10'16" West 262.63 feet along the Southerly projection of the West edge of a building; thence South 89°55'30" West 283.90 feet to the East side of 900 East Street; thence North 0°04'30" West 418.91 feet to the point of beginning.

Section 2. That the Zoning Map and the zone district designation for the property described in Section 1 be amended from the C-D zone district to the M-U 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 January, 2021.

MURRAY CITY MUNICIPAL COUNCIL

_____, Chair

ATTEST:

Jennifer Kennedy, City Recorder

Transmitted to the Office of the Mayor of Murray City on this ____ day of
_____, 2021.

MAYOR'S ACTION:

DATED this ____ day of _____, 2021.

D. Blair Camp, Mayor

ATTEST:

Jennifer Kennedy, City Recorder

CERTIFICATE OF PUBLICATION

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

Jennifer Kennedy, City Recorder

design review standards which can mitigate impacts with additional conditions. If the City wants to push the development towards buffering the residential units, that is what they will do.

A motion was made by Scot Woodbury to forward a recommendation of approval to the City Council for the requested amendment to the General Plan Future Land Use Map, re-designating the properties located at 861 East Winchester and 6520, 6550, & 6580 South 900 East from General Commercial to Mixed Use.

Seconded by Travis Nay

Call vote recorded by Mr. Hall.

A Ned Hacker
A Lisa Milkavich
A Travis Nay
A Sue Wilson
A Maren Patterson
A Scot Woodbury
A Phil Markham

Motion passed 7-0.

A motion was made by Travis Nay to forward a recommendation of approval to the City Council for the requested amendment to the Zoning Map designation of the property located at 861 East Winchester and 6520, 6550, & 6580 South 900 East from C-D, Commercial Development to M-U, Mixed Use.

Seconded by Lisa Milkavich.

Call vote recorded by Mr. Hall.

A Ned Hacker
A Lisa Milkavich
A Travis Nay
A Sue Wilson
A Maren Patterson
A Scot Woodbury
A Phil Markham

Motion passed 7-0.

SPORTS MALL PROPERTIES – 5445 South 900 East – Project #20-132 and #20-133

Bruce Broadhead, 5445 South 900 East, was present to represent this request. Jared Hall reviewed the location and request to amend the Future Land Use Map designation and Zoning to facilitate a mixed-use development at 5445 South 900 East. The Sports Mall's property owners are in a position where they feel like it's time to close the Sports Mall and sell. They want to rezone the property so they can entertain offers for mixed use development on the site as those

developers are the ones that are interested in the property. He stated that 900 East has good frontage for commercial and the more isolated portions of the property could be used for residential. The property is currently in the C-D Zone with residential to the south and east. The C-D Zone is supported by the Future Land Use Map. This General Commercial area did anticipate the addition of higher density housing in the future and recognized mixed uses were going to be part of that development.

This property is also next to one of the Community Nodes that is identified in the General Plan's Future Land Use Map. Community Nodes were identified around big box stores in high traffic areas, where staff thought transition would be likely. Staff should be flexible in considering land use requests near a Community Node.

Mr. Hall stated that permitted and conditional uses allowed in the existing C-D Zone include hotels, retail stores, restaurants, grocery stores, funeral homes, assisted living facilities, beauty salons, personal services, business services, professional services, entertainment and sports, contractors, vehicle sales, rental, and repairs, convenience stores and gas stations, and athletic clubs. No residential uses are allowed in the C-D Zone. He stated that permitted and conditional uses allowed in the proposed M-U Zone include hotels, transportation services, department stores, restaurants, grocery stores, funeral homes, assisted living facilities, beauty salons, personal services, business services, professional services, entertainment and sports, contractors, manufacturing, and wholesale trade (both with restrictions). Multi-family residential uses such as townhomes, apartments, and condominiums are allowed with conditional use permit and planning commission review, but they are only allowed in "mixed use" projects which include commercial development as well. No auto-oriented businesses or services (e.g. vehicle sales, rental, or repair) are allowed in the M-U Zone.

Mr. Hall said there is no project being proposed at this time. Staff is recommending the Planning Commission forward a recommendation of approval to the City Council for the General Plan and Zone Map amendments.

Mr. Nay asked what the depth of the property is from the east to the west property lines. Mr. Hall replied it is 866 feet. Mr. Nay said theoretically, there could be buildings that are 100 feet high or taller. Mr. Hall said he doesn't think that is likely because the commercial will probably be along 900 East. He reiterated there is not a project right now. Mr. Nay asked if there was direct drive access to Woodoak Lane from the property. Mr. Hall said there was not. The only access to this property is from 900 East.

Ms. Milkavich said she is excited about the growth in Murray, however, she wanted to make sure that the City is ahead of the growth as far as infrastructure and schools. Mr. Hall said he cannot speak to the schools, but he knows these types of projects generate more property taxes that go to the schools. As far as the infrastructure, the Murray City Center District (MCCD) planned for 100 units an acre and did the infrastructure planning to handle that. The City did not think about mixed use being used outside of the MCCD, so they are playing catch-up. Staff has been working with Public Works and Mr. Hall feels the City will be able to handle the growth.

Mr. Woodbury said the demographics of the City are changing. It's exciting to see how the City is transforming and these projects will bring in a more vibrant economy.

The meeting was open for public comment.

Fred Jones – 5383 South 900 East, Murray City

Mr. Jones said he understands Mr. Broadhead's desire to get the maximum value out of his property, but someone has to pay the price for these changes. The price is paid by the citizens of Murray City because their properties become blighted and they cannot get the value from their properties anymore. Mr. Jones said the Planning Commission is sending a recommendation to the City Council to approve this, but he doesn't think there are enough answers or solutions. He hopes Murray City will take some time and look at what is happening in other communities before they jump into this too quickly. He would like the Planning Commission to postpone this and get the residents involved. He does not believe notices went out.

Mr. Markham said there is no basis to assert notices did not go out. He has never had that assertion made in the nine years he's been on the Planning Commission. He has also never had a problem communicating with the staff. The City will have a lot more control over any future development on this property by initiating a zone change than if it remains in its current commercial state. The impact on the neighborhood will be far greater if this property stays commercial rather than changing to mixed use.

Ms. Wilson said there is a legal notice posted in both the Salt Lake Tribune and Deseret News. She also has had nothing but positive experiences, as a citizen, with the Planning and Zoning Department staff. She doesn't see a reason to postpone a decision on the proposal.

Mr. Markham said he will not entertain the baseless allegation that notices were not mailed out. Ms. Milkavich said maybe Mr. Jones did not see the lengthy discussion on the prior item. This discussion has been more minimal because a lot was covered with the prior item. She also felt some of the comments were comments that would be addressed during the next step, once a proposal has been submitted.

Ms. Greenwood said another round of public notices will be sent out if this item moves forward to the City Council. Notices are sent to residents within 500 feet of a project. It's a possibility that someone gets a notice, but their neighbor didn't. That can happen because one person is within the 500 feet requirement and the other is not. The City publishes notifications in the newspaper, on our website and there is a way to subscribe to public meeting notices and agendas. Mr. Woodbury said he appreciates citizen input. The packet the Planning Commission receives is also on the City's website. He has never seen the City give the Planning Commission information that they wouldn't give to the public. He feels the City does a phenomenal job in trying to be transparent, but they also have to be responsive to landowners and applicants who come in. Right now, there is no application. All that is being considered is a land use and zone amendment.

The public comment portion was closed.

A motion was made by Ned Hacker to forward a recommendation of approval to the City Council for the requested amendment to the General Plan Future Land Use Map, re-designating the property located at 5445 South 900 East from General Commercial to Mixed Use.

Seconded by Maren Patterson.

Call vote recorded by Mr. Hall.

A Ned Hacker

A Lisa Milkavich
A Travis Nay
A Sue Wilson
A Maren Patterson
A Scot Woodbury
A Phil Markham

Motion passed 7-0.

A motion was made by Travis Nay to forward a recommendation of approval to the City Council for the requested amendment to the Zoning Map designation of the property located at 5445 South 900 East from C-D, Commercial Development to M-U, Mixed Use.

Seconded by Lisa Milkavich.

Call vote recorded by Mr. Hall.

A Ned Hacker
A Lisa Milkavich
A Travis Nay
A Sue Wilson
A Maren Patterson
A Scot Woodbury
A Phil Markham

Motion passed 7-0.

OTHER BUSINESS

Ned Hacker made a motion to adjourn. Seconded by Scot Woodbury.

A voice vote was made, motion passed 7-0.

The meeting was adjourned at 9:22 p.m.

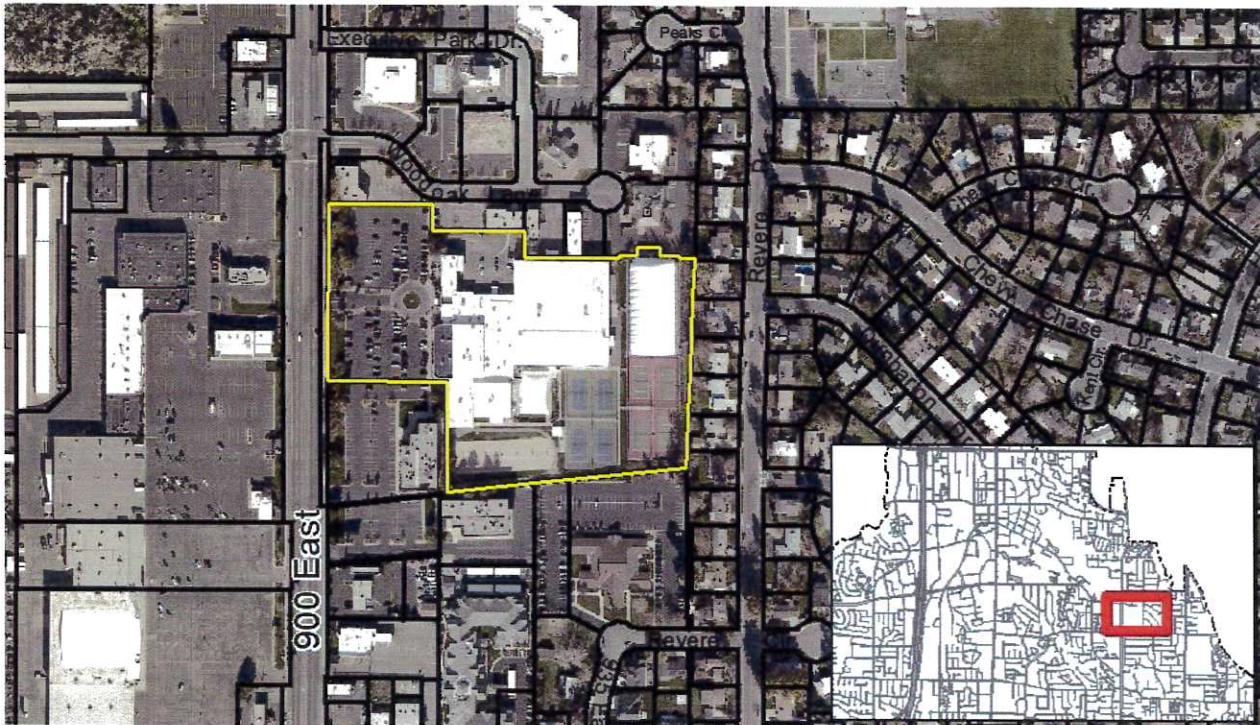


Jared Hall, Planning Division Manager



AGENDA ITEMS #10 & #11

ITEM TYPE:	General Plan Amendment / Zone Map Amendment		
ADDRESS:	5445 South 900 East	MEETING DATE:	December 3, 2020
APPLICANT:	Bruce Broadhead, Sports Mall Properties LLC	STAFF:	Jared Hall, Planning Division Manager
PARCEL ID:	22-17-127-046-0000	PROJECT NUMBER:	20-132 20-133
CURRENT ZONE:	C-D, Commercial Development	PROPOSED ZONE:	M-U, Mixed Use
LAND USE DESIGNATION	General Commercial	PROPOSED DESIGNATION	Mixed Use
SIZE:	9.93 Acres		
REQUEST:	The applicant would like to amend the Future Land Use Map designation and Zoning of the subject properties to facilitate mixed-use development		



I. BACKGROUND & REVIEW

Background

The subject property is a large, well-known athletic club in east Murray called the Sports Mall. The property owners have seen declines in membership and faced the need for financially difficult and impractical repairs and upgrades in order to maintain the building and keep the business viable with changes to customer habits and expectations. These declines in the relative condition of the facility and in its use by members have prompted the property owners to seek amendments to the General Plan's Future Land Use Map and to the Zoning Map in order to accommodate mixed use redevelopment.

Surrounding Land Uses & Zoning

The subject property is a 9.93 acre parcel on the east side of 900 East, north of 5600 South located in the C-D Zone. There are several existing, significant structures on the property.

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Commercial, Office	C-D
South	Commercial, Office, Residential	C-D, R-1-8
East	Residential	R-1-8
West	Commercial (across 900 East)	C-D

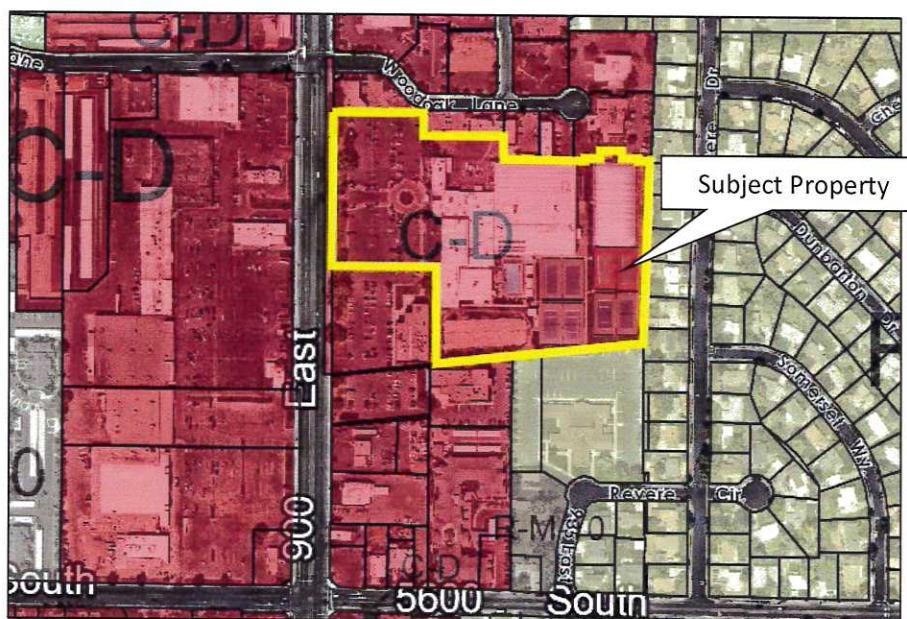


Figure 1: Segment of the Zoning Map, subject parcel highlighted

Zoning Districts & Allowed Land Uses:

- Existing C-D, Commercial Development Zone:
Permitted and conditional uses allowed in the existing Commercial Development (C-D) Zone include hotels, retail stores, restaurants, grocery stores, funeral homes, assisted living facilities, beauty salons, personal services, business services, professional services, entertainment and sports, contractors, vehicle sales, rental, and repairs, convenience stores and gas stations, and athletic clubs. No residential uses are allowed in the C-D Zone.
- Proposed M-U, Mixed Use Zone:
Permitted and conditional uses allowed in the proposed Mixed Use Zone include hotels, transportation services, department stores, restaurants, grocery stores, funeral homes, assisted living facilities, beauty salons, personal services, business services, professional services, entertainment and sports, contractors, manufacturing, and wholesale trade (both with restrictions). Multi-family residential uses such as townhomes, apartments, and condominiums are allowed with conditional use permit and planning commission review, but they are only allowed in “mixed use” projects which include commercial development as well. No auto-oriented businesses or services (e.g. vehicle sales, rental, or repair) are allowed in the M-U Zone.

Regulations: The regulations for setbacks, height, parking, buffering and other considerations are distinct between the existing C-D and proposed M-U zones. A brief summary of some of the more directly comparable requirements is summarized in the table below.

	C-D Zone (existing)	M-U Zone (proposed)
Height of Structures	35' max if located within 100' of residential zoning. 1' of additional height per 4' of additional setback from residential zoning	50' max if located within 100' of residential zoning. 1' of additional height per 1' of additional setback from residential zoning.

Landscaping and Buffer Requirements	10' along all frontages 10% min coverage 10' buffer required adjacent to residential 5' buffer where parking abuts property line.	Building setbacks from frontages must be landscaped (where allowed) 15% min coverage (required as open space, to include amenities) 10' buffer required adjacent to residential 10' buffer where parking abuts property line.
Parking	Retail – 1 per 200 sf net Medical/Dental Office – 1 per 200 sf net General Office – 4 per 1,000 sf net Special Requirements: none	Retail – 1 per 265 sf net Medical/Dental Office – 1 per 265 sf net General Office – 3 per 1,000 sf net Special Requirements: Buildings exceeding 4 stories in height must provide 75% of the parking within the exterior walls or within a structure (podium).
Building Setbacks	20' front setback from property line.	Between 15' and 25' from the back of curb (effectively between 0' and 10' from property line). Greater setbacks are allowed for courtyards or plazas.
Public Improvements	Standard (typically 4' sidewalk, 5' park strips)	7' sidewalks, 8' park strips or 15' paved sidewalks with tree wells. Street trees and street furniture (benches, bicycle racks) are required.

Regulations in the M-U Zone are intended to foster an active street frontage and encourage more pedestrian activity. For example, the M-U Zone prohibits the outdoor parking of large

commercial vehicles and other equipment. The M-U Zone also outlines design requirements such as ground floor windows with clear glass on building facades along street frontages, and includes language prohibiting blank walls and requiring entries along street frontages as well.

General Plan & Future Land Use Designations

Future Land Use Map Designations: Map 5.7 of the Murray City General Plan (the Future Land Use Map) identifies future land use designations for all properties in Murray City. The designation of a property is tied to corresponding purpose statements and zones. These “Future Land Use Designations” are intended to help guide decisions about the zoning designation of properties.

- Existing: The subject property is currently designated as “General Commercial”. No dwelling units of any kind are contemplated by this designation. The General Commercial designation is intended primarily for larger retail destinations and shopping centers. The only corresponding zoning designation identified for General Commercial is the C-D, Commercial Development Zone. The General Plan’s description recognizes the shift in these types of “retail destinations” in spite of the single corresponding zoning designation, and states: “High density, multi-family residential complexes will only be considered as part of a larger master-planned mixed-use development.” While the corresponding C-D Zone does not currently allow mixed-use developments, these statements lend support to the proposed amendment.
- Proposed: The applicants have proposed amending the Future Land Use Map designation of the property to “Mixed Use”. The Mixed Use designation is intended for city center and transit station areas and along centers and corridors. Both residential and commercial uses are contemplated in the same areas and/or on the same properties. The designation is also intended to allow high-density, multi-dwelling structures at an urban scale. Corresponding zoning designations include the M-U, Mixed Use Zone and the T-O-D, Transit Oriented Development Zone.

MIXED-USE

This designation is intended for city center and transit station areas where a mixed use neighborhood is desired and urban public services, including access to high-capacity transit, very frequent bus service, or BRT/Streetcar service are available or planned. This designation is intended to allow high-density multi-dwelling structures at an urban scale that include a mix of uses, usually in the same building and/or complex.

Density range is between 10 and 30 DU/AC.

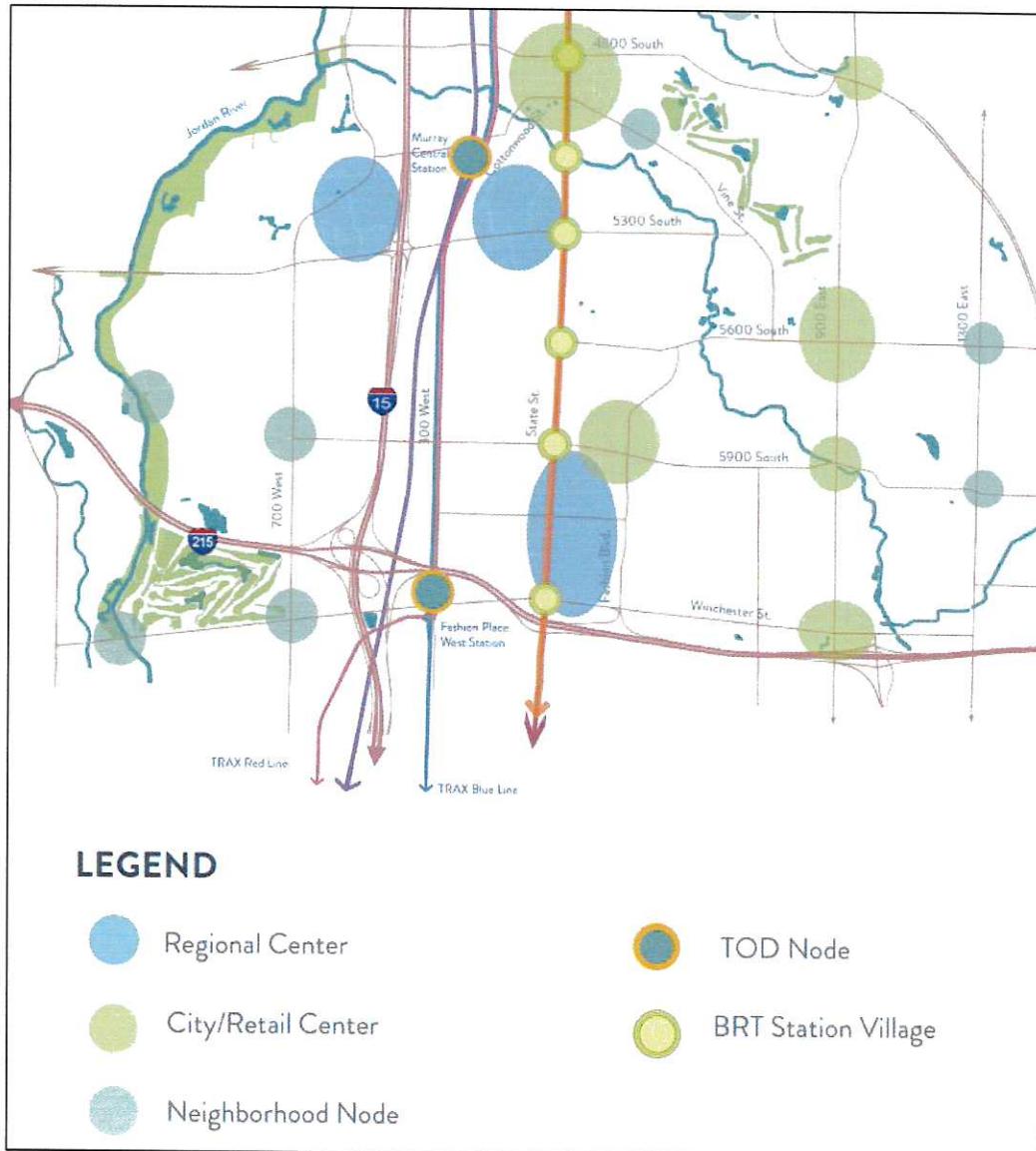
Corresponding zone(s):

- T-O-D, Transit oriented development
- M-U, Mixed Use Development District



Figure 2: from Section 5, Land Use & Urban Design, Murray City General Plan 2017

Consideration of General Plan Objectives: The area of 900 East and 5600 South is identified for consideration as a “city/retail center” and was included in those areas to be considered for future small area plans.



- Section 5-3, Objective 2 of the General Plan promotes revitalization along key transportation corridors like 900 East and supports that through a strategy to “offer zoning, density, street improvements and other indirect incentives”. It is of note that the density allowed by the Mixed Use Zone that has been proposed would be up to 40 dwelling units per acre.

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

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

- Section 5-3, Objective 3 of the General Plan encourages the use of form-based development patterns at smaller commercial nodes, and support for multiple modes of mobility. This objective is supported by a strategy to “create a neighborhood mixed-use zone designation and support it with form-based development and design guidelines. In 2019 the Mixed Use Zone was amended with the intent to make it more applicable to areas like the subject property – areas which had been identified by the General Plan as community or neighborhood centers and nodes where mixed use development might be an appropriate tool for revitalization. Although formal design guidelines or form-based codes have not been adopted, aspects of the Mixed Use Zone will support a “form-based development pattern” as called for in Objective 3 through design review requirements and reduced density allowances farther from the main transit stations.

OBJECTIVE 3: ENCOURAGE A FORM-BASED DEVELOPMENT PATTERN AT SMALLER COMMERCIAL NODES TO SUPPORT MULTIPLE MODES OF ACCESS AND MOBILITY.

Strategy: Create a neighborhood mixed-use zone designation and support it with form-based development and design guidelines.

- Section 8-3 of the General Plan regards goals and objectives for neighborhoods and housing. The overall goal is to “provide a diversity of housing through a range of types and development patterns to expand the options available to existing and future residents.” There are two strategies which tend to support the applications: first, to “support a range of housing types, including townhomes, row-homes, and duplexes which appeal to younger and older individuals as well as a variety of population demographics.”

Second, to “promote the construction of smaller-scaled residential projects that are integrated with current and future employment, retail, and cultural areas.” The subject property presents an opportunity to allow a relatively smaller scale multi-family residential, mixed use development that will be in line with these strategies and goals for the expansion and diversification of housing opportunities in Murray City. At the same time, the potential development of transitional housing (medium density housing as allowed by the restrictions of the proposed M-U Zone) will buffer the single-family residential areas to the east and south without impacting the stability of those areas.

OBJECTIVE 3: ENCOURAGE HOUSING OPTIONS FOR A VARIETY OF AGE, FAMILY SIZE AND FINANCIAL LEVELS.

Strategy: Support a range of housing types, including townhomes, row-homes, and duplexes, which appeal to younger and older individuals as well as a variety of population demographics.

Strategy: Promote the construction of smaller-scaled residential projects that are integrated with current and future employment, retail, and cultural areas.

Transportation, Traffic, and Parking: If the property is re-zoned, any proposed development will require a traffic impact study. 900 East is classified as a minor arterial and carries significant amounts of vehicular traffic into, out of, and through Murray City. Access to alternative transportation is an important consideration for the successful application of mixed use zoning. There are significant bus routes along 900 East. The density allowed by the M-U Zone for properties that are farther from transit stations such as the subject property is reduced to 40 units per acre as a result. Parking requirements in the Mixed Use Zone are lesser than in commercial zones with the anticipation that residents of a mixed use development are more likely to utilize transit options and to walk to some services, thereby reducing both parking usage and vehicle trip generation and miles traveled. Staff believes that 900 East presents good opportunities for light retail that can benefit from the exposure to the frontage and from the proximity of residents on the same site with easy access. Staff finds that modifying the zoning to allow mixed use development of the subject property will not have a negative impact on traffic or parking in the larger area that cannot be mitigated through design considerations for a specific project.

Compatibility: The Mixed Use designation is intended for areas near, in, and along centers and corridor, and near transit stations. While the subject property is not near a transit station, it is situated along a high volume corridor, and in the midst of a mix of uses including office, retail, other fitness facilities, and residential uses. A mix of uses on the site itself will be no less compatible with the surrounding area.

The existing buildings and improvements were designed to accommodate the specific use as an athletic club. Continued use of the property as a health or athletic club or similar facility is not feasible in the market, and redevelopment will be hampered by the existing structures due to their specialized nature, and their age. Note in the figure below that the subject property is also located near the intersection of 5600 South and 900 East, which is identified as a "Community Node" on the Future Land Use Map (as depicted by the hatched, blue circle.) These nodes were identified with the intent to suggest that transition would be likely at the node and in the areas around them, and that the City should exercise flexibility in

consideration of land use requests near them. Staff finds that the request to amend the Zoning Map and allow redevelopment of the property as a mixed-use project is supported by these aspects and components of the General Plan. Mixed Use development will support objectives of the General Plan by providing opportunities for revitalization, more thoughtful design of pedestrian improvements, access to transit, and public improvements overall.

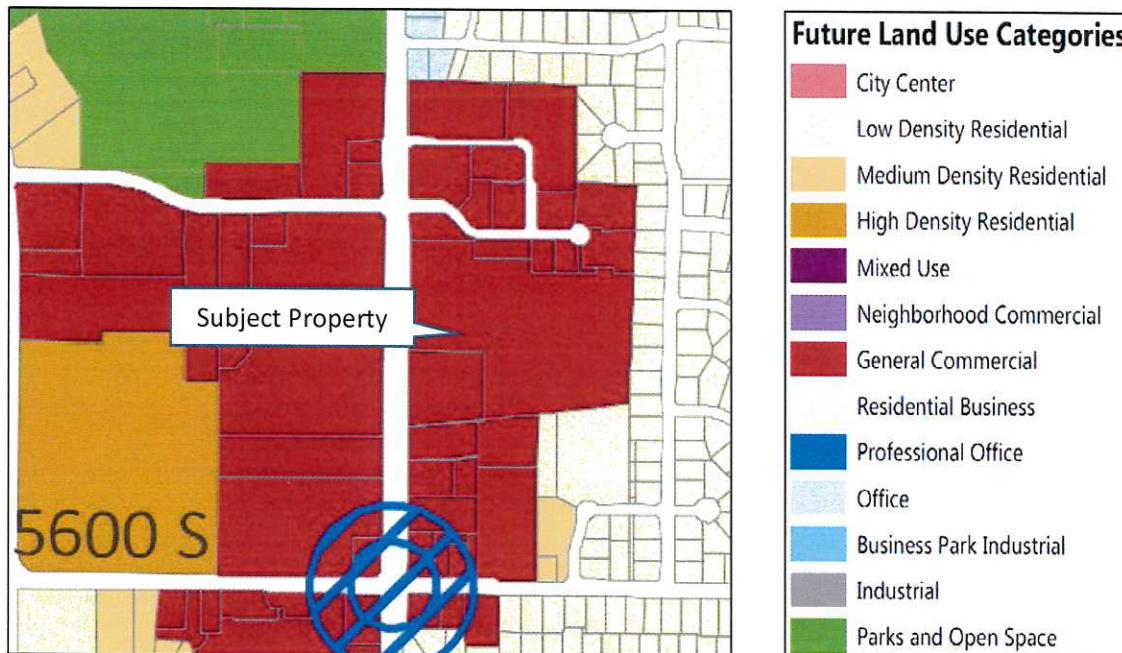


Figure 3: Future Land Use Map section, subject property

II. CITY DEPARTMENT REVIEW

The applications were made available for review by City Staff from various departments on November 16, 2020. The following comments have been received:

- Cottonwood Improvement District provides sewer service to the subject property. The Cottonwood Improvement District is in the process of updating the master plan at this time. The potential for higher-density residential development on this property was communicated to the consultants preparing the plan, and Cottonwood Improvement District has been notified directly as an affected entity. Any development proposal on the property will be required to provide a will-serve letter from the Cottonwood Improvement District .
- Murray City Water Division recommends approval at this time but notes that during design phase some upgrades to the water line will be necessary.

- The Murray City Power Department recommends approval without conditions.
- The Murray Fire Department recommends approval.

III. PUBLIC COMMENTS

134 notices of the public hearing for the requested amendments to the Future Land Use map and Zone Map amendment were sent to property owners within 500 feet of the subject property and to affected entities.

As of the writing of this report, staff has not received any written comments or phone calls regarding the applications.

IV. ANALYSIS & CONCLUSIONS

A. Is there need for change in the Zoning at the subject location for the neighborhood or community?

The subject property has the potential to better serve the purposes of the General Plan and be more meaningfully redeveloped if that redevelopment occurs under the regulations of the M-U Zone. Staff recommends that there is a need for the proposed change of zoning.

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

The proposed M-U Zoning will allow higher density housing on the site as well as commercial uses that are compatible with and appropriate for the high volume corridors upon which the subject property is located.

C. What utilities, public services, and facilities are available at the proposed location? What are or will be the probable effects the variety of uses may have on such services?

Available utilities and services at this location will not be impacted by the proposed change in zoning in any way that cannot be remedied through the design review process. Reviewing service providers including sewer, power, fire, and engineering department personnel have indicated that the necessary impact studies are underway or can be addressed through the design review process.

V. FINDINGS

1. The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.
2. The requested amendment to the Future Land Use Map of the 2017 Murray City General Plan is supported by the description and intent of the General Commercial land use designation which recognizes the appropriateness of mixed use development including higher-density, multi-family housing along key transportation corridors and at recognized centers.
3. The proposed Zone Map Amendment from C-D to M-U conforms to goals and objectives of the 2017 Murray City General Plan and will support the appropriate re-development of the subject property.
4. The requested amendments to the Future land Use Map and Zoning Map have been carefully considered based on the characteristics of the site and surrounding area and on the policies and objectives of the 2017 Murray City General Plan and are in harmony with the goals of the Plan.

VI. STAFF RECOMMENDATION

The requests have been reviewed together in the Staff Report and the findings and conclusions apply to both recommendations from Staff, but the Planning Commission must take actions on each request individually. Two separate recommendations are provided below:

REQUEST TO AMEND THE MURRAY CITY GENERAL PLAN

Based on the background, analysis, and the findings in this report, Staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the requested amendment to the General Plan Future Land Use Map, re-designating the property located at 5445 South 900 East from General Commercial to Mixed Use.

REQUEST TO AMEND THE MURRAY CITY ZONING MAP

Based on the background, analysis, and the findings within this report, Staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for the requested amendment to the Zoning Map designation of the property located at 5445 South 900 East from C-D, Commercial Development to M-U, Mixed Use.

Attachments

GENERAL PLAN AMENDMENT APPLICATION

Type of Application (check all that apply):

Text Amendment

Map Amendment

Project # 20-132

Subject Property Address: 5445 South 900 East

Parcel Identification (Sidwell) Number: 22-17-127-046-000

Parcel Area: 9.93 Acres Current Use: Tennis & Fitness Club

Land Use Designation: C-D Proposed Designation: M-U

Applicant Name: Bruce Broadhead, Manager

Mailing Address: 1560 South Renaissance Towne Drive, Suite 104

City, State, ZIP: Bountiful, Utah 84010

Email Address: bbroad1442@gmail.com

Business Name (If applicable): Sports Mall

Property Owner=s Name (If different): Sports Mall Properties LLC

Property Owner=s Mailing Address: Same as Applicant

City, State, Zip: _____

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

Describe your request in detail (use additional page if necessary): _____

Owner would like to change Zone designation of parcel to Mixed Use to provide

the ability to enhance the existing property with future commercial and

Residential Use development

Authorized Signature: Bruce V. Broadhead Date: 10/10/20

Property Owners Affidavit

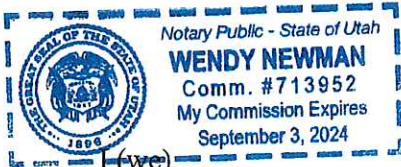
Project # _____

I (we) Bruce Broadhead for Sport Mall Properties LLC, 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.

Bruce Broadhead
Owner's Signature

Owner's Signature (co-owner if any)

State of Utah

County of Salt Lake [§]
Davis W.Subscribed and sworn to before me this 11 day of November, 2020.Wendy
Notary PublicResiding in Genterville, Utah
My commission expires: 09-08-24**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: _____



NOTICE OF PUBLIC MEETING

Electronic Meeting Only - December 3rd, 2020, 6:30 PM

Public Notice is hereby given that this meeting will occur electronically without an anchor location in accordance with Utah Code 52-4-207(4), due to infectious disease COVID-19 Novel Coronavirus. The Planning Commission Chair has determined that conducting a meeting with an anchor location presents substantial risk to the health and safety of those who may be present at the anchor location because physical distancing measures may be difficult to maintain in the Murray City Council Chambers.

The Murray City Planning Commission will hold a public meeting regarding the following applications made by Bruce Broadhead and the Sports Mall Properties LLC regarding the property addressed 5445 South 900 East:

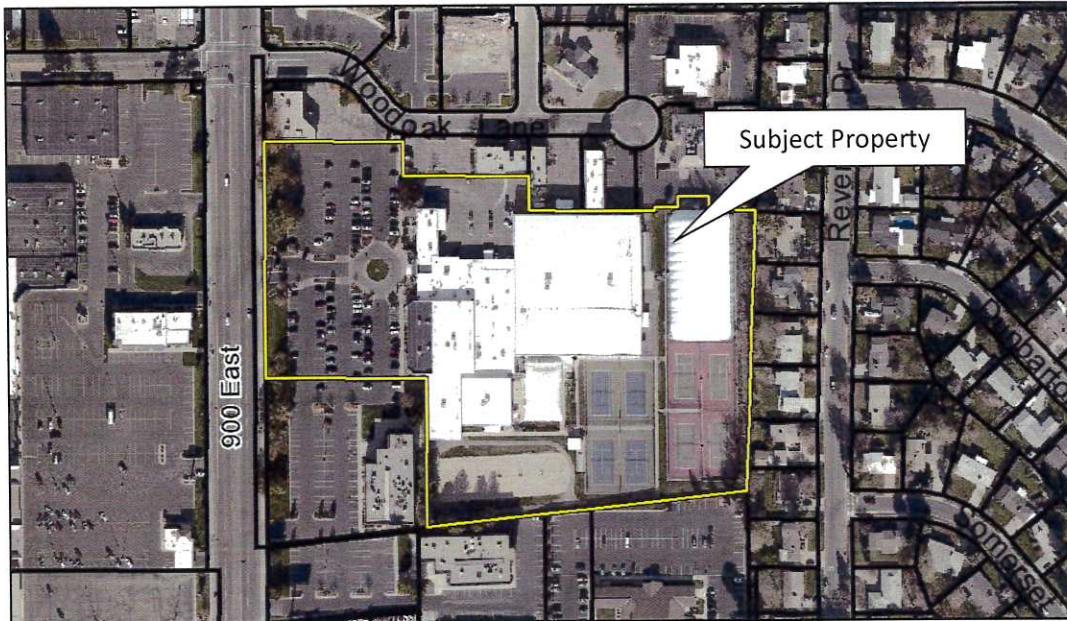
Amend the Future Land Use Map designation of the property from General Commercial to Mixed Use and;

Amend the Zoning Map designation of the property from C-D, Commercial Development to M-U, Mixed Use.

If you would like to comment on this agenda item at the meeting please register at:

<https://tinyurl.com/yxon4fwm> or you may submit comments via email at planningcommission@murray.utah.gov. If you would like to view the meeting only you may watch via livestream at www.murraycitylive.com or www.facebook.com/MurrayCityUtah/.

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



This notice is being sent to you because you own property near the subject property. If you have questions or comments concerning this proposal, please call Jared Hall with the Murray City Planning Division at 801-270-2420 or e-mail to jhall@murray.utah.gov.

Special accommodations for the hearing or visually impaired will be upon a request to the office of the Murray City Recorder (801-264-2660). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.

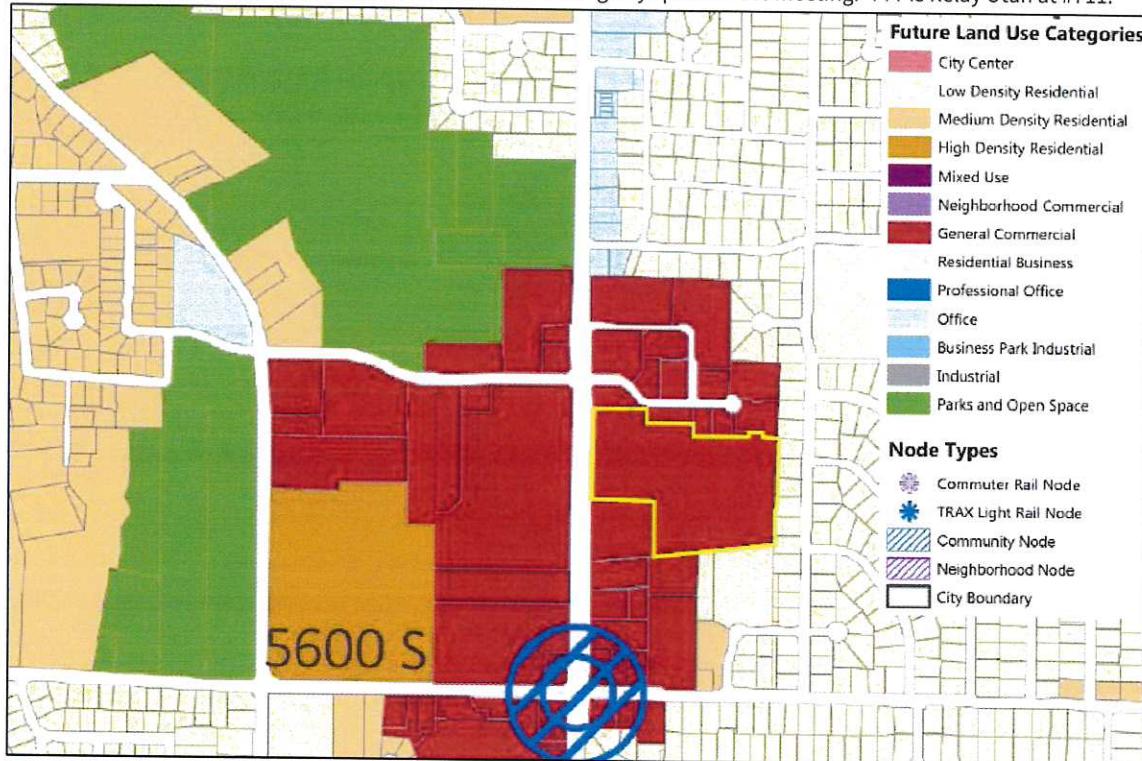


Figure 1: Future Land Use Map segment

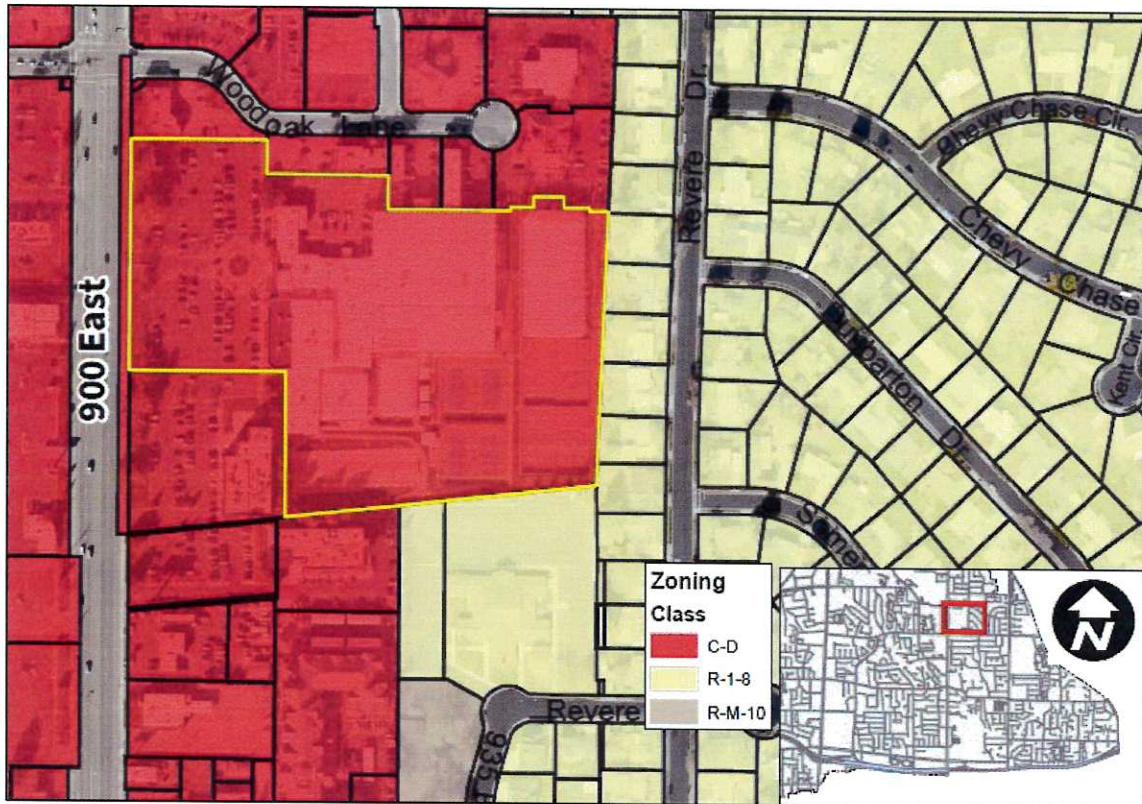


Figure 2: Zoning Map segment

Order Confirmation for 0001304106

Remit to:
Utah Media Group
4770 S 5600 W
West Valley City, UT 84118

Client	MURRAY CITY RECORDER		
Client Phone	8012642660	Account #	9001341938
Address	5025 S STATE, ROOM 113	Ordered By	ZACHARY
	MURRAY, UT 84107	Account Exec	Itapuso2
Email	snixon@murray.utah.gov	PO Number	PUBLIC HEARING NO

Total Amount	\$82.28
Payment Amt	\$0.00
<hr/>	
Amount Due	\$82.28

Text: PUBLIC HEARING NOTICE

Ad Number 0001304106-01 Ad Type Legal Liner
Ad Size 1 X 46 in Color Color

WYSIWYG Content

**MURRAY CITY
CORPORATION
NOTICE OF
PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that on the 3rd day of December 2020, at the hour of 6:30 p.m. of said day the Planning Commission will hold and conduct a Public Hearing for the purpose of receiving public comment on and pertaining to a General Plan Amendment to the Future Land Use Map from General Commercial to Mixed Use and a Zone Map Amendment from C-D (Commercial Development) to M-U (Mixed Use) for the property located at 5445 South 900 East, Murray City, Salt Lake County, State of Utah. If you would like to comment on this agenda item at the meeting please register at: <https://tinyurl.com/xyon4fwm> or you may submit comments via email at planningcommission@murray.utah.gov. If you would like to view the meeting only you may watch via livestream at www.murraycitylive.com or www.facebook.com/MurrayCityUtah. No physical meeting location will be available.

Jared Hall, Manager
Planning Division
1304106 **UPAXLP**

<u>Product</u>	<u>Placement</u>	<u>Position</u>
Salt Lake Tribune	Legal Liner Notice	Public Meeting/Hear

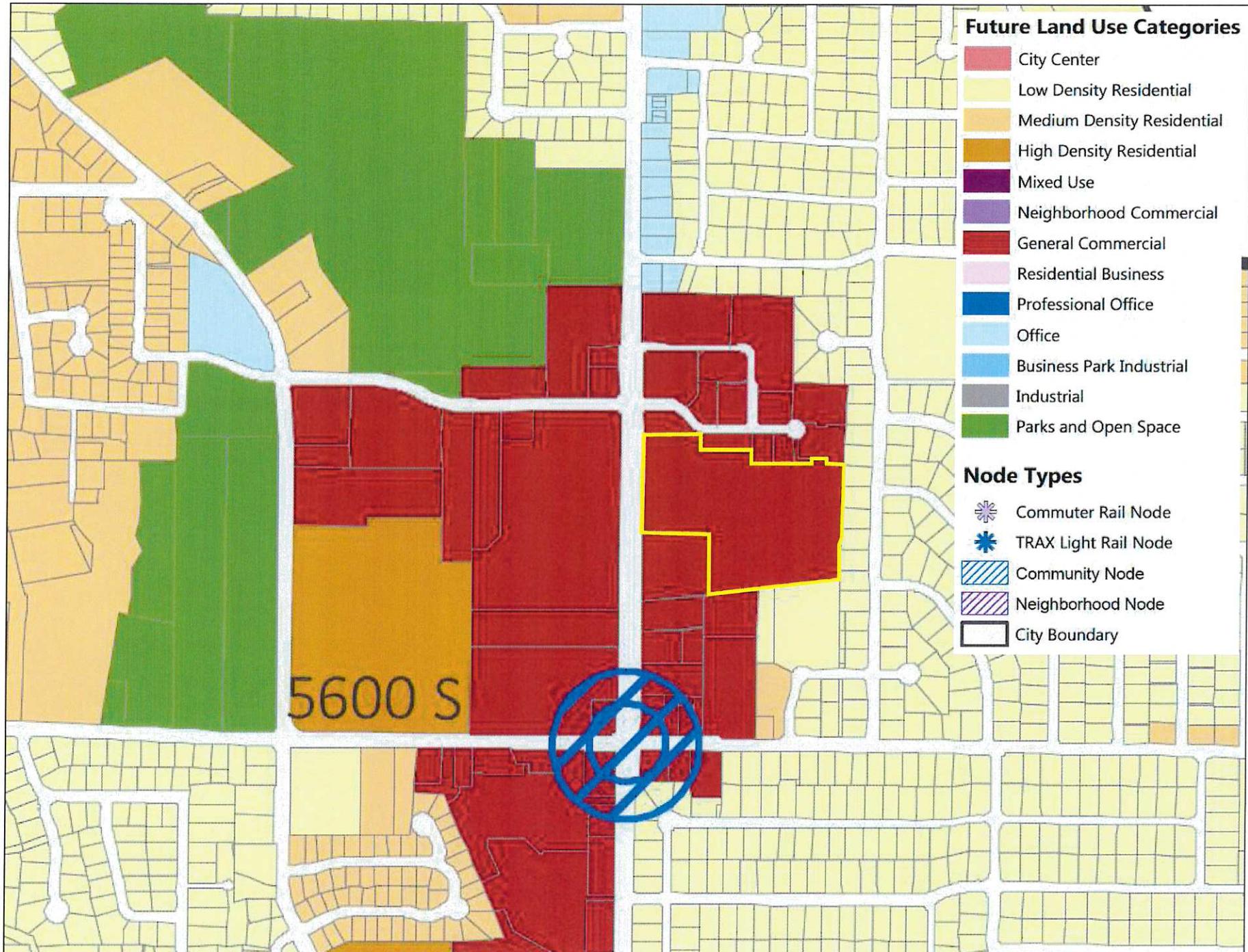
Scheduled Date(s): 11/22/2020

utahlegals.com utahlegals.com utahlegals.com

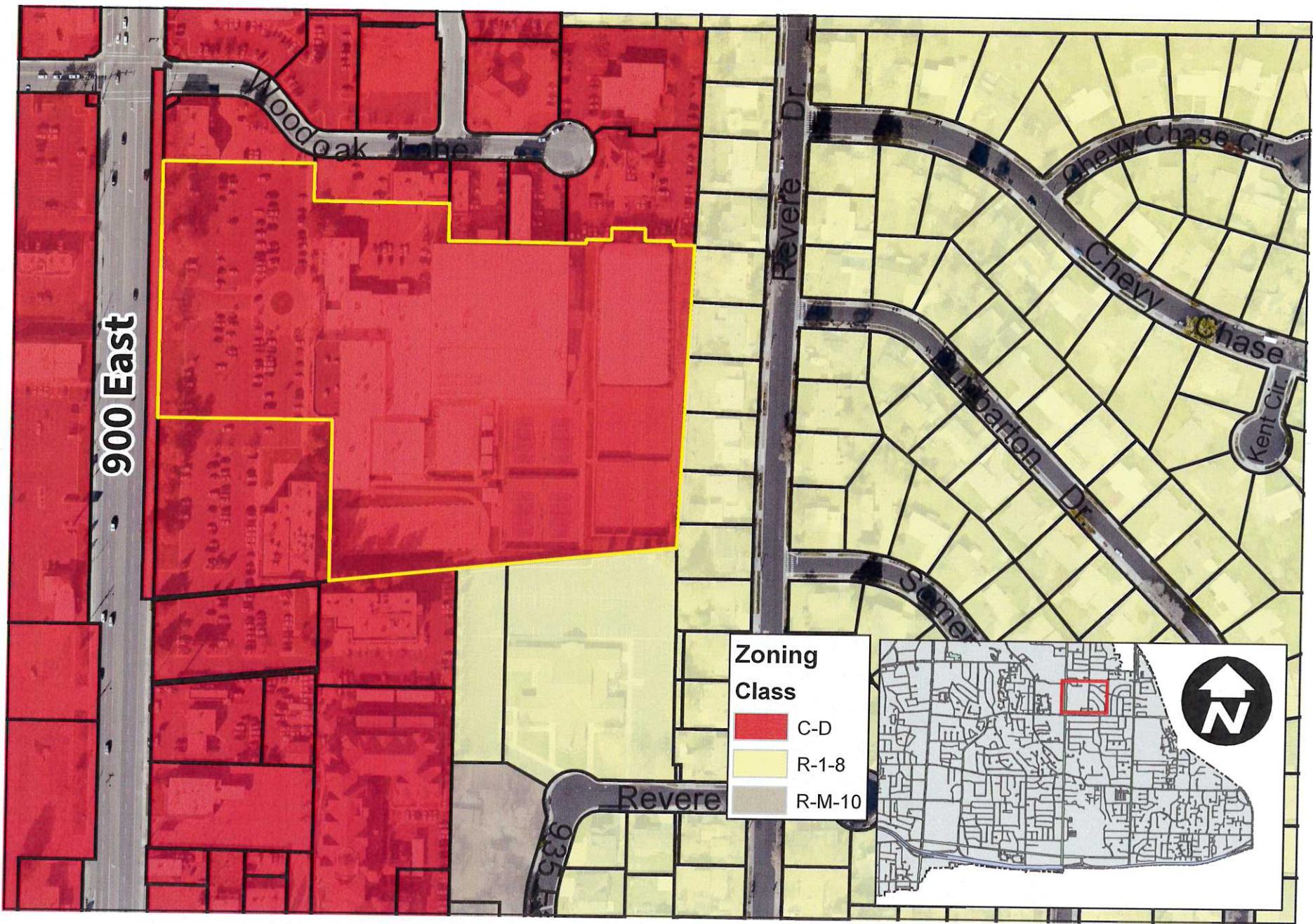
Scheduled Date(s): 11/22/2020

Deseret News Legal Line Notice Public Meeting/Usage

Scheduled Date(s): 11/22/2020



5445 South 900 East



SPORTS MALL
500' Radius
PC 12/3/2020
Project #20-132 & 20-133
129 Addresses

Executive Park Associates Llc
1798 E Grey Oak Cir
Murray , UT, 84121-6534

Merryweather Rhett & Shauna; Jt (Jt)
1072 E Chevy Chase Dr
Salt Lake City , UT, 84117-7212

Sports Park Plaza Llc
6382 Shenandoah Park Ave
Murray , UT, 84121-6548

Matthew R Dahl; Jeanette C Dahl (Jt)
5520 S Somerset Wy
Murray , UT, 84117-7247

David H Wright; Kathryn P Wright
5490 S Revere Dr
Salt Lake City , UT, 84117-7235

Corp Of Pb Of Ch Jc Of Lds, The
50 E Northtemple St #2225
Salt Lake City , UT, 84150-

Roy S Yaka; Fusako S Yaka (Jt)
1065 E Chevy Chase Dr
Salt Lake City , UT, 84117-7211

Christine Barefoot
5458 S Dunbarton Dr
Salt Lake City , UT, 84117-7217

Sports Mall Plaza; Sports Mall Plaza li
Llc
17 E Winchester St # 200
Murray , UT, 84107-5610

Salt Lake County
Po Box 144575
Salt Lake City , UT, 84114-4575

F W Jones And Associates Inc
195 W 3900 S
Murray , UT, 84107-1433

Joanita Goodson; Robert F Goodson (Jt)
1036 E Dunbarton Dr
Salt Lake City , UT, 84117-7215

Carmen Ewing
5455 S Dunbarton Dr
Salt Lake City , UT, 84117-7216

Brian D Fellows; Kathy A Fellows (Jt)
5421 S Revere Dr
Salt Lake City , UT, 84117-7231

Trust Not Identified
977 E 5600 S
Salt Lake City , UT, 84121-1025

Nathaniel E Thomas
5452 S Revere Dr
Salt Lake City , UT, 84117-7235

Wodoak Properties Llc
970 E Wodoak Ln
Salt Lake City , UT, 84117-7265

Siebert, Ralph H Family Llc
681 E Oxford Hollow Ct
Murray , UT, 84107-6470

Jeff S Burk; Kendra L Burk (Jt)
5567 S Revere Cir
Murray , UT, 84117-7213

Maheshkumar C Patel; Jashumati M
Patel (Jt)
5530 S Revere Dr
Salt Lake City , UT, 84117-7239

C Tr
5310 S Revere Dr
Murray , UT, 84117-7230

Kyle W Delaney; Kathryn Marie
Delaney (Jt)
5519 S Revere Dr
Murray , UT, 84117-7238

Snr 24 Olympus Ranch Owner Llc
55 W 46Th St
New York , NY, 10036-4277

Hi-Land Credit Union
964 E Wodoak Ln
Salt Lake City , UT, 84117-7265
** returned in mail**

Basin Enterprises, Llc
652 W Confluence Ave
Murray , UT, 84123-1378

Chevy Chase Series Of H & P
Enterprises Of Utah Llc
3703 W Thunderbird Wy
Taylorsville , UT, 84129-3407

P.C. Mcstan, Llc; Sdn Properties, Lc
1798 E Grey Oak Cir
Salt Lake City , UT, 84121-6534

Robert H Frendt; Lindsay Frendt (Tc) 5466 S Revere Dr Murray , UT, 84117-7235	Daniel W Prorok; Paul W, Iii. Helms (Jt) 5440 S Dunbarton Dr Salt Lake City , UT, 84117-7217	Wodoak Properties Llc 970 E Wodoak Ln Murray , UT, 84117-7265
Sports Mall Plaza; Sports Mall Plaza llc Llc 17 E Winchester St # 200 Murray , UT, 84107-5610	Gerald & Sally Curtis Trust 10/02/2018 5360 S Revere Dr Salt Lake City , UT, 84117-7237	Efbjr Liv Trust 1045 E Chevy Chase Dr Salt Lake City , UT, 84117-7211
Jordan Living Trust 08/11/2020 5573 S Revere Cir Murray , UT, 84117-7213	Elizabeth Eshleman; Brandon Tittle (Jt) 5518 S Revere Dr Salt Lake City , UT, 84117-7239	Dennis Tanner 3320 S Gillenwater Dr Flagstaff , AZ, 86001-
Scott Strong 5435 S Dunbarton Dr Murray , UT, 84117-7216	Christopher T Morris; Kelly J Robertson (Jt) 1043 E Revere Cir Salt Lake City , UT, 84117-7228	Siebert, Ralph H Family Llc 681 E Oxford Hollow Ct Murray , UT, 84107-6470
Executive Park Associates, Llc 1798 E Grey Oak Cir Murray , UT, 84121-6534	Yubaraj Sapkota 1084 E Chevy Chase Dr Salt Lake City , UT, 84117-7212	Corp Of Pb Of Ch Jc Of Lds 50 E Northtemple St #2225 Salt Lake City , UT, 84150-
Wodoak Enterprises Llc 2227 E Pheasant Wy Holladay , UT, 84121-1312	M Gerald Young; Gayle R Young (Jt) 1028 E Peaks Cir Salt Lake City , UT, 84117-7227	Susan I Zurita 5594 S Somerset Wy Murray , UT, 84117-7247
Jamie Lynn Wilson; Travis Lamar Wilson (Jt) 5502 S Revere Dr Salt Lake City , UT, 84117-7239	Ronald Mcnair; Duyen Mcnair (Jt) 1036 E Chevy Chase Dr Salt Lake City , UT, 84117-7212	Utah Department Of Transportation Po Box 148420 Salt Lake City , UT, 84114-8420
Yvonne Nicole Eastman 5398 S Revere Dr Salt Lake City , UT, 84117-7237	Trust Not Identified 5505 S Somerset Wy Salt Lake City , UT, 84117-7245	Peter Hines 5422 S Revere Dr Salt Lake City , UT, 84117-7235
Sports Mall Plaza; Sports Mall Plaza llc Llc 17 E Winchester St # 200 Murray , UT, 84107-5610	Trust Not Identified 5455 S Revere Dr Salt Lake City , UT, 84117-7236	F W Jones & Associates, Inc 195 W 3900 S Murray , UT, 84107-1433
Matthew Meyers 5443 S Dunbarton Dr Murray , UT, 84117-7216	Eric Mcdowell; Stephanie Mcdowell (Jt) 996 E Revere Cir Salt Lake City , UT, 84117-7274	GlB Fam Tr 5409 S Revere Dr Salt Lake City , UT, 84117-7231

Wej Property Group Llc
848 E Woodoak Ln
Murray , UT, 84117-6370

Valley Bank Inv Co
P O Box 810490
Dallas , TX, 75381-0490
** returned in mail**

Board Of Education Of Granite School District
2500 S State St
South Salt Lake , UT, 84115-3164

Wodoak Development Company, Lc
920 E Woodoak Ln
Murray , UT, 84117-7265

Oakwood 900 Partners, Llc
445 S Douglas St # 100
El Segundo , CA, 90245-4630

Thomas W Bartlett (Jt)
5515 S Somerset Wy
Salt Lake City , UT, 84117-7245

Moses D Rogers; Amanda N Rogers (Jt)
5438 S Revere Dr
Salt Lake City , UT, 84117-7235

Storageplus Properties 1, Llc
P O Box 1065
Sun Valley , ID, 83353-

Evgeni Jurovitzki
7584 S Fieldstone Ln
Cottonwood Hts , UT, 84121-5564

Hallie K Rector
5562 S Revere Dr
Salt Lake City , UT, 84117-7239

Ralph H Siebert Family Llc
681 E Oxford Hollow Ct
Murray , UT, 84107-6470

Sdc 7200, Llc
90 E Fort Union Blvd
Midvale , UT, 84047-1565

F.W. Jones And Associates, Inc
195 W 3900 S
Murray , UT, 84107-1433

Scott E West; Kathy I West (Jt)
5555 S 900 E
Salt Lake City , UT, 84117-7205

Charles E Kulp; Alana L Kulp (Jt)
5529 S Revere Dr
Salt Lake City , UT, 84117-7238

Bransley T Stephens; Cara L Stephens (Jt)
1032 E Revere Cir
Salt Lake City , UT, 84117-7228

Trust Not Identified
5508 S Somerset Wy
Salt Lake City , UT, 84117-7247

Brady Dangel
5480 S Revere Dr
Murray , UT, 84117-7235

Trust Not Identified
1010 E Peaks Cir
Salt Lake City , UT, 84117-7227

Tyler Properties Lc
7950 S Mountain Oaks Dr
Cottonwood Hts , UT, 84121-5940

Rebecca Grace Floyd; Benjamin James Barber (Jt)
1055 E Chevy Chase Dr
Salt Lake City , UT, 84117-7211

Caralyn C Koplin; Christopher E Koplin (Jt)
5468 S Dunbarton Dr
Salt Lake City , UT, 84117-7217

Thomas M Hoffman; Anne Marie Hoffman (Jt)
5370 S Revere Dr
Salt Lake City , UT, 84117-7237

Jpmorgan Chase Bank, National Association
Po Box 810490
Dallas , TX, 75381-0490

Hillcrest Investment Company, Llc
5320 S 900 E
Salt Lake City , UT, 84117-7202

Phat Digs, Lp
Po Box 271351
Salt Lake City , UT, 84127-1351

Utah Department Of Transportation
Po Box 148420
Salt Lake City , UT, 84114-8420

Sports Mall Plaza Partnership
17 E Winchester St # 200
Murray , UT, 84107-5610

Sports Mall Properties Llc
5445 S 900 E
Salt Lake City , UT, 84117-7203

Sarah M Jensen; Jay T Jensen (Jt)
1033 E Revere Cir
Murray , UT, 84117-7228

Woodoak Enterprises Llc 2227 E Pheasant Wy Holladay , UT, 84121-1312	Elizabeth Eshleman; Brandon Tittle (Jt) 5518 S Revere Dr Salt Lake City , UT, 84117-7239	Trust Not Identified 5476 S Dunbarton Dr Salt Lake City , UT, 84117-7217
Scott M Christensen; Jill F Christensen (Jt) 5388 S Revere Dr Salt Lake City , UT, 84117-7237	Francesco Amendola; Lisa Amendola (Jt) 5499 S Somerset Wy Salt Lake City , UT, 84117-7243	Hf Trust 5410 S Revere Dr Salt Lake City , UT, 84117-7235
Pamela G Harvey 5467 S Revere Dr Salt Lake City , UT, 84117-7236	Sdc 7200, Llc Po Box 1159 Deerfield , IL, 60015-6002	Snr 24 Olympus Ranch Owner Llc 55 W 46Th St New York , NY, 10036-4277
David R Thomas 1036 E Somerset Wy Salt Lake City , UT, 84117-7242	F W Jones & Associates, Inc Po Box 57307 Murray , UT, 84157-0307	Salt Lake County Po Box 144575 Salt Lake City , UT, 84114-4575
Fwj & Associates Llc 195 W 3900 S Murray , UT, 84107-1433	Ali R Savabi; Sandra Assasnik (Jt) 194 Sw 2Nd Ave Stevenson , WA, 98648- **returned in mail**	Sports Mall Plaza li, Llc 17 E Winchester St # 200 Murray , UT, 84107-5610
Shirley M Harper Living Trust 09/17/2019 1040 E Peaks Cir Salt Lake City , UT, 84117-7227	Thomas W Brown; Judie A Brown 5450 S Dunbarton Dr Salt Lake City , UT, 84117-7217	Five Three Seven Three, Llc 11191 S Midas Trail Rd South Jordan , UT, 84095-8294
David R Barrus; Dawn M Barrus (Jt) 5542 S Revere Dr Salt Lake City , UT, 84117-7239	TAYLORSVILLE CITY PLANNING & ZONING DEPT 2600 W TAYLORSVILLE BLVD TAYLORSVILLE UT 84118	UDOT - REGION 2 ATTN: MARK VELASQUEZ 2010 S 2760 W SLC UT 84104
UTAH TRANSIT AUTHORITY ATTN: PLANNING DEPT 669 West 200 South SLC UT 84101	MURRAY SCHOOL DIST ATTN: DAVID ROBERTS 5102 S Commerce Drive MURRAY UT 84107	WEST JORDAN CITY PLANNING DIVISION 8000 S 1700 W WEST JORDAN UT 84088
CHAMBER OF COMMERCE ATTN: SKYLAR GALT 5411 South Vine Street, Unit 3B MURRAY UT 84107	GRANITE SCHOOL DIST ATTN: KIETH BRADSHAW 2500 S STATE ST SALT LAKE CITY UT 84115	MIDVALE CITY PLANNING DEPT 7505 S HOLDEN STREET MIDVALE UT 84047
SALT LAKE COUNTY PLANNING DEPT 2001 S STATE ST SLC UT 84190	COTTONWOOD IMPRVMT ATTN: LONN RASMUSSEN 8620 S HIGHLAND DR SANDY UT 84093	ROCKY MOUNTAIN POWER ATTN: KIM FELICE 12840 PONY EXPRESS ROAD DRAPER UT 84020

DOMINION ENERGY
ATTN: BRAD HASTY
P O BOX 45360
SLC UT 84145-0360

CENTRAL UTAH WATER DIST
1426 East 750 North, Suite 400,
Orem, Utah 84097

SANDY CITY
PLANNING & ZONING
10000 CENTENNIAL PRKwy
SANDY UT 84070

MILLCREEK
Attn: Planning & Zoning
3330 South 1300 East
Millcreek, UT 84106

HOLLADAY CITY
PLANNING DEPT
4580 S 2300 E
HOLLADAY UT84117

UTOPIA
Attn: JAMIE BROTHERTON
5858 So 900 E
MURRAY UT 84121

WASATCH FRONT REG CNCL
PLANNING DEPT
41 North Rio Grande Str, Suite 103
SLC UT 84101

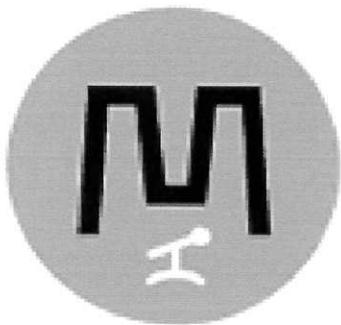
JORDAN VALLEY WATER
ATTN: LORI FOX
8215 S 1300 W
WEST JORDAN UT 84088

COTTONWOOD HEIGHTS CITY
ATTN: PLANNING & ZONING
2277 E Bengal Blvd
Cottonwood Heights, UT 84121

COMCAST
ATTN: GREG MILLER
1350 MILLER AVE
SLC UT 84106

CENTURYLINK
250 E 200 S
Salt Lake City, Utah 84111

UTAH AGRC
STATE OFFICE BLDG #5130
SLC UT 84114



MURRAY
CITY COUNCIL

Discussion Item #4



MURRAY

Murray City Council

Diversity and Inclusion Ad Hoc Advisory Task Force

Council Action Request

Council Meeting

Meeting Date: January 5, 2021

Department Director Janet M. Lopez	Purpose of Proposal The Diversity and Inclusion Had Hoc Advisory Task Force suggests strategies in achieving to equity
Phone # 801-264-2624	Action Requested Adoption of a resolution to create a Diversity and Inclusion Ad Hoc Advisory Task Force
Presenters Kat Martinez, Council Member, District 1	Attachments Resolution and charter
	Budget Impact No impact on budget
Required Time for Presentation 10 Minutes	Description of this Item Discrimination is the unjust treatment of someone based on age, disability, sexual orientation, status as a parent, religion, nationality, pregnancy, race, color, or gender.
Is This Time Sensitive No	Equality is treating everyone the same. Social equality is the belief that all people should be given equal opportunity to take advantage of aspects of society, such as jobs or memberships in clubs, and no person should have an advantage over another.
Mayor's Approval	Equity is providing equal access through sometimes unequal services by removing barriers and providing accommodations.
Date January 5, 2021	

Continued from Page 1:

The Diversity and Inclusion Ad Hoc Advisory Task Force will offer members of marginalized communities an opportunity to offer suggestions to the Council and the Mayor regarding improving equitable access and opportunity to City residents, businesses and employees.

RESOLUTION NO. ____

A RESOLUTION ESTABLISHING THE DIVERSITY AND
INCLUSION AN AD HOC ADVISORY TASK FORCE

WHEREAS, the City Council wants to establish the Diversity and Inclusion Ad Hoc Advisory Task Force ("Task Force") to research and examine the relationship between the community at large and marginalized and underrepresented communities within the context of City policies, practices and programming in order to provide feedback that will help foster mutual understanding and respect among all members of the City; and

WHEREAS, the Task Force will work to encourage inclusion and to discourage prejudice and discrimination against marginalized communities including any person, group, or any other status protected by law on account of age, race, creed, color, religion, national origin, ancestry, sex, or disability; and

WHEREAS, the need for the creation of the Ad Hoc Task Force stems from the changing demographics of the City; as the City continues to grow and change, the City Council finds it necessary to research and examine current City practices and policies related to diversity and inclusion across City government and the impacts of these practices and policies on marginalized communities.

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

1. The Diversity and Inclusion Ad Hoc Advisory Task Force is hereby established.
2. It hereby approves the Diversity and Inclusion Ad Hoc Advisory Task Force Governance Charter, attached hereto.
3. The Diversity and Inclusion Ad Hoc Advisory Task Force is in the best interest of the City.
4. This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED this _____ day of _____, 2020.

MURRAY CITY MUNICIPAL COUNCIL

Rosalba Dominguez, Chair

ATTEST

Jennifer Kennedy, City Recorder

**DIVERSITY AND INCLUSION
AD HOC ADVISORY TASK FORCE
Governance Charter**

I. Name

The name of the task force shall be the “Diversity and Inclusion Ad Hoc Advisory Task Force” (hereinafter, the “Ad Hoc Task Force”).

II. Background and Purpose

The City Council wants to establish the Ad Hoc Task Force to research and examine the relationship between the community at large and marginalized and underrepresented communities within the context of City policies, practices and programming and to provide feedback that will help foster mutual understanding and respect among all members of the City. The Ad Hoc Task Force will work to encourage inclusion and to discourage prejudice and discrimination against marginalized communities including any person, group, or any other status protected by law on account of age, race, creed, color, religion, national origin, ancestry, sex, or disability.

The need for the creation of the Ad Hoc Task Force stems from the changing demographics of the City. As the City continues to grow and change, the City Council finds it necessary to research and examine current City practices and policies related to diversity and inclusion across City government and the impacts of these practices and policies on marginalized communities.

The Ad Hoc Task Force shall assist the City:

1. to improve the quantity and quality of inclusive experiences and opportunities for residents, employee, and visitors;
2. to provide a strong sense of community, actively engage residents, support events and traditions that build bridges within the communities and
3. to ensure services are equally accessible to all residents by identifying barriers and making recommendations to the City.

The Ad Hoc Task Force’s role shall be advisory only. The City Council is the decision-making body and is directly accountable to City residents. Nothing herein or elsewhere shall be interpreted as the delegation of a duty or power legitimately within the responsibility of the City Council.

III. Authority

The Ad Hoc Task Force shall complete, or cause to be completed, a fact-finding activity that will be promoted intentionally among marginalized communities and that will assess community involvement, sense of belonging, feelings of the level of safety within Murray and the ease of

navigating City services. With the benefit of fact-finding results, the Ad Hoc Task Force shall review and make recommendations to the City Council and Mayor with respect to the following:

1. Communicating plans to City departments and to the other City boards thus maximizing City resources, efficiency, and building an environment working together to plan and sponsor events.
2. Promoting public understanding of and support for diversity at all levels of government.
3. Encouraging public and private cooperation to provide diverse opportunities in the City including initiating, **sponsoring**, and promoting involvement, activities, and **contributions** by the private sector for the expansion and awareness of cultural diversity within the City.
4. Existing and proposed events and programming that would benefit the City and its diverse community members and that would encourage inclusion and accessibility.
5. Creating an accessibility guide for City events, to assist Departments and other boards improve accessibility.
6. Perform any other duties and functions consistent with the promotion of diversity promoting activities in the City as directed by the City.
7. Publicize and disseminate news and information regarding cultural diversity activities within the City including working with the City's communication staff members to promote events and activities in all news and social media.
8. Holding public meetings in which diversity and inclusion within the City are discussed.
9. Working with agencies and organizations within and outside of the City to assist the City with the implementation of events and programs designed to promote diversity and inclusion and to improve the community and the lives of the City's residents.
10. Providing a voice for marginalized communities to communicate issues important for them to the City, county and state officials.

IV. Membership of the Ad Hoc Task Force

1. The Ad Hoc Task Force shall be composed of nine (9) members, all of whom shall be appointed by the City Council and may be removed by the City Council for any or no reason. Five (5) members shall be residents of the City. The remaining four (4) members shall be at large members and may either be City residents, owners of businesses within the City or individuals providing services to under-represented communities within the City.

2. No Ad Hoc Task Force Member shall receive any compensation or remuneration from any person or party for the performance of duties as a member of the Ad Hoc Task Force.

3. The Ad Hoc Task Force shall automatically terminate and disband upon the final submission of its recommendations to the City.

V. Meetings and Attendance

1. Regular Meetings. The Ad Hoc Task Force shall hold regular meetings in order to fulfill its prescribed duties.

2. Special Meetings. Special meetings may be called at any time by the Chair, or by written request of a majority of the members of the Ad Hoc Task Force.

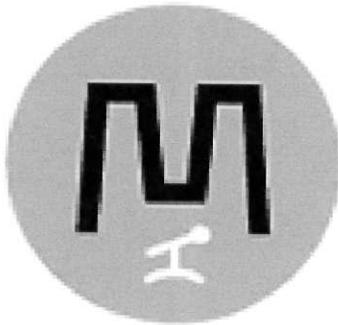
3. Quorum. The presence of a majority of the members shall constitute a quorum for meetings of the Ad Hoc Task Force. A majority vote shall be required to constitute an official action of the Ad Hoc Task Force.

4. Public Attendance. All meetings shall be open and public, and all persons shall be permitted to attend any meeting. Meetings shall comply in all respects with the Utah Open and Public Meeting Act.

5. Notice. All meetings shall be duly noticed at least 24 hours in advance.

VI. Procedures and Applicable Law

The Ad Hoc Task Force shall formulate its own rules for selection of a chair, the time, place and manner of calling of meetings, and other procedural matters; provided, that there shall be at least one meeting quarterly. In all matters and things not otherwise provided for herein, the proceedings shall be governed by Robert's Rules of Order Newly Revised.



MURRAY
CITY COUNCIL

Discussion Item #5



MURRAY

Public Works

Federal Aid Agreement with UDOT

Council Action Request

Committee of the Whole AND Council Meeting

Meeting Date: January 5, 2021

Department Director Danny Astill	Purpose of Proposal Receive Federal-Aid Highway Funds
Phone # 801-270-2404	Action Requested Discuss and approve a resolution to execute the agreement and receive funds as described.
Presenters Danny Astill	Attachments Federal aid agreement and resolution
Required Time for Presentation 10 Minutes	Budget Impact A budget opening will be needed when the funds are received
Is This Time Sensitive Yes	Description of this Item Public Works has had the intersection of 5300 South and College Drive on the Utah Department of Transportation (UDOT) schedule to be upgraded for the last few years. UDOT has already approved the environmental assessment , which is currently underway. The city is now ready to select a consultant to begin the intersection design. This agreement allows us to receive funds through UDOT from the Federal Aid Highway Funds to accomplish this needed project.
Mayor's Approval Doug Hill Date December 21, 2020	Digitally signed by Doug Hill DN: cn=Doug Hill, o=Murray City Corporation, ou=Mayor's Office, email=dhill@murray.utah.gov, c=US Date: 2020.12.21 16:29:28 -07'00'

RESOLUTION NO. _____

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY AND UTAH DEPARTMENT OF TRANSPORTATION TO RECEIVE FUNDING FROM THE FEDERAL AID HIGHWAY FUNDS FOR THE PROJECT CONSISTING OF THE INTERSECTION AT 5300 SOUTH STREET AND COLLEGE DRIVE.

WHEREAS, the City has a Project ("Project") which consists of the intersection at 5300 South Street and College Drive that will receive funding from the Federal-Aid Highway Funds; and

WHEREAS, Utah Department of Transportation has the responsibility to oversee the federal aid projects to ensure adequate supervision and inspection so the Project is completed in conformance with the approved plans and specifications, including compliance with all federal requirements

WHEREAS, an Agreement has been prepared to accomplish such a purpose.

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

1. It hereby approves the Agreement, in substantially the form attached hereto; and
2. The Agreement is in the best interest of the City; and
3. Mayor D. Blair Camp is hereby authorized to execute the Agreement on behalf of the City and act in accordance with its terms.

DATED this ____ day of January, 2021.

MURRAY CITY MUNICIPAL COUNCIL

Chair

ATTEST:

City Recorder

**State of Utah
Department of Transportation**

Federal Aid Agreement for Local Agency Project CFDA No. 20.205 Highway Planning and Construction		Murray City - Trae Stokes	Maximum Project Value Authorized \$1,842,400
PIN Number 15921 FINET Number 55126 FMIS Number F013219 DUNS Number 073126542		Project Number F-0173(36)9 PIN Description 5300 South & College Dr Intersection - Murray	Agreement Number (Assigned By Comptrollers)
			Date Executed

This Agreement is entered into this _____ by and between the Utah Department of Transportation ("UDOT") and **Murray City "Local Agency"**, a political subdivision(s) of the State of Utah.

The (City/County) has a project that will receive financing from federal-aid highway funds. The Project consists of **5300 South & College Dr Intersection - Murray**, located at **Murray City** and identified as project number **F-0173(36)9**;

Pursuant to 23 CFR Section 635.105, UDOT has the responsibility to oversee the federal aid projects to ensure adequate supervision and inspection so the projects are completed in conformance with the approved plans and specifications, including compliance with all federal requirements; and

This Agreement describes the respective roles and requirements of UDOT and the City/County to ensure compliance with the federal requirements for the receipt of federal funding for the Project.

State Wide Transportation Improvement Program STIP 2021 - 2024

Fund*	Prior	2021	2022	2023	2024	Total	Fed Aid	State	Other	Pct
CMAQ_PM2.5	\$0	\$429,046	\$0	\$1,388,354	\$0	\$1,817,400	\$1,694,362	\$0	\$123,038	6.77%
CMAQ_WFRC	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	.00%
LOCAL_GOV'T	\$0	\$0	\$0	\$25,000	\$0	\$25,000	\$0	\$0	\$25,000	100.00%
Total:	\$0	\$429,046	\$0	\$1,413,354	\$0	\$1,842,400	\$1,694,362	\$0	\$148,038	8.04%

AGREEMENT

Now, therefore, the parties agree as follows:

I. Description of the Project.

II. UDOT's Roles and Responsibilities on a Federally Funded Local Government Project as follows:

- A. Oversee compliance with federal and state regulations.
- B. Ensure transportation project oversight as outlined in 23 CFR 635.105.
- C. Assign a UDOT Project Manager to:
 1. Assist the Local Government Project Manager to monitor scope, schedule, budget, and help track expenditures during all phases of the project.
 2. Assist in project risk monitoring by reviewing and discussing identified risks and mitigation efforts.
 3. For projects approved through the Wasatch Front Regional Council (WFRC), assist in early coordination with UDOT's Environmental staff during preparation of the environmental document.
 4. Prepare and process the federal aid agreement before project initiation.
 5. Help administer consultant qualifications-based selection, negotiation of contract, and contracting process for all phases of the Project using the UDOT Consultant Services selection process.
 6. Assist the local agency to process and approve Consultant Pay Requests.
 7. Coordinate and participate in design review meetings to ensure the federally-approved, UDOT design process is followed.
 8. Coordinate to ensure ongoing communication with the local project sponsor.
 9. Notify the Local Government that the match, betterment or other funding to UDOT is due.
 10. Assist the Local Agency in preparing and executing UDOT Standard Utility Reimbursement Agreements as required.
 11. Coordinate betterment items and finalize agreements prior to construction advertising.
 12. Assist with the federally-approved construction advertising and award processes through the UDOT construction advertising and award process.
 13. Coordinate with the Local Project Manager to review and recommend change orders for approval.
 14. Coordinate the UDOT project closeout process.

III. Local Agency Roles and Responsibilities on a Federally Funded Local Government Project.

The Local Agency shall manage the Project in compliance with federal and state laws and regulations. The Local Agency shall monitor the quality of work being performed on the Project and daily activities and issues with the consultants.

A. The Local Agency shall assign a representative to serve as the Local Project Manager to:

1. Research, understand, and take responsibility for federal requirements by its acceptance of federal funds.
2. Coordinate with the UDOT Project Manager concerning the funding.
3. Work with organizations (MPO's, etc.) for funding and expenditure time-frames, scope issues and delivery schedule.
4. Manage the day-to-day activities of the Project as follows:
 - a. Consultant and professional services used on the Project.
 - b. The Local Agency shall recommend and approve consultant pay requests.
 - c. Project scope, schedule, budget, and quality.
 - d. Coordination of details, decisions and impacts with the local jurisdiction's community councils, commissions, legal counsel, department heads, political leads, engineering and public works departments, etc.
 - e. Coordination with the assigned UDOT Project Manager.
 - f. Project risk monitoring by reviewing and discussing identified risks and mitigation efforts.
 - g. Monitor project schedule and progress of all project tasks- to ensure a timely delivery of the project.
 - h. Schedule discussion should be held in all preconstruction and construction project progress meeting.
 - i. Oversee project compliance with federal and state transportation project processes. These responsibilities include (but are not limited to):

- 1) Participate in the federally approved UDOT consultant qualifications-based selection, negotiation of contract, and contracting process for all phases of the project.
- 2) Participate as the active lead in project team meetings as well as all field and plan reviews.
- 3) Ensure NEPA Environmental clearances and approvals are obtained.
- 4) Ensure current AASHTO, MUTCD, and UDOT design standards are met, or if not, ensure all design exceptions, waivers or deviations are obtained from UDOT and have the necessary signatures in place.
- 5) Ensure and certify that right of way acquisitions follow the federal Uniform Act and comply with state right of way acquisition policy, including rules, and meet all Project right of way commitments.
- 6) Ensure construction standards and specifications are met.
- 7) Oversee project construction management operations, progress, documentation and quality inspection to meet state and federal contract administration requirements.

- j. Coordinate with utilities to minimize project impacts and ensure needed relocations have the proper documentation, easements and agreements in place. The Local Agency shall provide to UDOT Region Utility Coordinator the Project utility certification prior to construction advertising. All utility agreements must follow the UDOT standard Utility agreement format and process.
- k. Provide right of way certification verifying all required right of way has been purchased prior to advertising.
- l. Ensure required documentation is in place before submitting the advertising package to UDOT for advertising through its federally-approved process.
- m. Coordinate with the UDOT Project Manager and Comptroller's Office to deposit the local match and betterment funds as outlined below in Section IV.
- n. Approve the final advertising package and obtain local signature approval advertisement.
- o. Review the abstract of bids and recommend to the UDOT Project Manager award of the project. The Local Agency may decline to recommend award for the following reasons: Lack of funding to cover project costs as bid, or cancelling the project.
- p. Attend Construction Coordination meetings and coordinate with the Consultant Resident Engineer (RE).
- q. Review all construction change orders for approval and submit them to UDOT Project Manager for review and processing.
- r. Review the project budget for changes related to change orders, quantity overruns, incentives, fuel and asphalt adjustments, etc.
- s. Ensure materials comply with the current UDOT Materials Testing and Acceptance Manual and the UDOT Minimum Sampling and Testing Requirements.
- t. Assist to provide all documentation needed for construction project close out including Buy America certification.
- u. Coordinate the project close out process by timely closing all open contracts and agreements.

This list of roles and responsibilities is not comprehensive but describes the general roles of the Local Agency.

IV. Funding. Upon signing this agreement, the Local Agency agrees to pay its estimated matching share in phases when requested by UDOT within 30 days. Phases typically include environmental, design, right of way and construction. The local match for this project is represented by the percentages of the Total Project Value shown below. In addition, the Local Agency agrees to pay 100% of the overruns that exceed \$1,842,400 and any ineligible costs to UDOT.

The Local Agency shall be responsible for all costs associated with the project which are not reimbursed by the federal government. For a Joint Highway Committee project, the federal participation for construction engineering costs is limited to 20 percent of the construction contract costs. No costs are eligible for federal aid reimbursement until authorized by the FHWA through Form R-709, Request for Federal Aid Project Approval, separate from this Local Agency Agreement.

Local Agency betterments are ineligible for Federal Funding. The Federal Aid Agreement must be modified to incorporate the additional funding for the betterments that are included after the execution of this Agreement. The Local Agency will advance the funds for the betterments to UDOT prior to the construction award.

Flexible match (soft match) will only be utilized on this project if the flexible match is approved by the UDOT Local Government Programs Engineer and the flexible match is included in this agreement prior to execution. Flexible match will not be added to the project after this agreement has been executed.

For the specific funding for the project, see page 1, Statewide Transportation Improvement Program (STIP).

UDOT will request payment of matching shares and overruns through an email that will be sent to [Trae Stokes at TSTOKES@MURRAY.UTAH.GOV](mailto:TSTOKES@MURRAY.UTAH.GOV), the Local Agency Contact. The Local Agency shall pay within 30 days after each payment request. The Local Agency shall make the check payable to the Utah Department of Transportation referencing the project number above and mail to UDOT Comptroller's Office, 4501 South 2700 West, Box 1415010, Salt Lake City, Utah 84114-1510.

Funds requested beyond the amount described in this Agreement will require execution of a Federal Aid Agreement Modification by the parties.

If the project has cost overruns, the Local Agency shall pay the additional amount to UDOT within 30 days of receiving the invoice. Should the Local Agency fail to reimburse UDOT for costs that exceed the federal reimbursement, federal funding for other Local Agency projects or B&C road funds may be withheld until payment is made in addition to any other remedies available.

If the Local Agency's advanced amount exceeds its share of project cost, UDOT will return the amount of overpayment to the Local Agency upon financial closure of the project.

If there are any unexpended Federal Funds remaining on the project, the funds will be returned to the funding source that they originated (MPO, etc) and reprogrammed.

UDOT Comptroller shall provide the Local Agency with a quarterly statement reflecting a cost summary for the project.

V. Local Agency's Reimbursement Claims. The Local Agency shall bill UDOT for eligible federal aid project cost incurred after FHWA phased approval for authorization to proceed (form R709) and in conformity with applicable federal and state laws. Authorized Local Agency reimbursement claims should be submitted to UDOT Project Manager within 30 days of cost incurrence. Reimbursements to the Local Agency for right of way claims are classified as a pass-through of Federal funds from UDOT to the Local Agency. Expenditures by the Local Agency for general administration, supervision, and other overhead shall not be eligible for federal participation unless an indirect cost plan has been approved annually by the Federal government. The Local Agency shall certify to UDOT that it has conformed to all the requirements of applicable state and federal law, Consultant Services Manual of Instruction, Local Public Agency Guide, and all the provisions of the contract, as a condition of and prior to receiving payment under the contract.

The Local Agency shall comply with 23 CFR Section 710.203 for FHWA reimbursement requests of real property acquisitions. A Local Agency shall not request reimbursement for excess acquisitions which are not eligible for FHWA reimbursement under 23 CFR Section 710.203. <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>

VI. Federal Aid Project Compliance. Local Agency shall comply with Title 23, USC, 23 CFR, 2 CFR Part 200, UDOT Local Government and State Aid Project Guide, UDOT's Right of Way Operational Manual and the Federal Aid Project Agreement between UDOT and Federal Highway Administration concerning federal aid projects. They will also follow the Local Government Design and Process Manuals.

Compliance with the John S. McCain National Defense Authorization Act: The Local Agency certifies conformance and continued conformance with Public Law 115-232, § 889 and 2 CFR § 200.216.

VII. Project Authorization for Federal Aid. The Local Agency, through UDOT, must obtain an Authorization to proceed from FHWA before beginning work on any federal aid project. Federal funds shall not participate in costs incurred prior to the date of authorization. The Local Agency will work with the Project Manager to establish a project end date. Any expenses incurred after the FMIS Close Out End Date will not be eligible for Federal reimbursement and the Local Agency will be required to pay 100% of those costs. This end date can be

found on the UDOT website at the following link: [Local Government Close Out Dates](#). FHWA authorizes the funding in separate phases including environmental, design, ROW, and construction.

VIII. Indemnity clause. UDOT and Local Agency are both governmental entities subject to the Utah Governmental Immunity Act ("Act"). Each party agrees to indemnify, defend, and save harmless the other party from and against all claims, suits, and costs, including attorney's fees for injury or damage of any kind, arising out of its negligent acts, errors or omissions of its officers, agents, contractors or employees in the performance of this Agreement. Nothing in this paragraph is intended to create additional rights to third parties or to waive any of the provisions of the Act. The obligation to indemnify is limited to the dollars amounts set forth in the Act. The indemnification in this paragraph shall survive the expiration or termination of this Agreement.

IX. Single Audit Act. The Local Agency, as a sub-recipient of federal funds, shall adhere to 2 CFR 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. A sub-recipient who expends \$750,000 or more in federal awards from all sources during a given fiscal year shall have a single or program-specific audit performed for that year in accordance with 2 CFR 200. Upon conclusion of the 2 CFR 200 audit, the Local Agency shall be responsible for ensuring that a copy of the report is transmitted to the Utah Department of Transportation, Internal Audit, 4501 S 2700 W, Box 148230, Salt Lake City, Utah 84114-8230.

X. Maintenance. The Local Agency shall properly maintain and restore each type of roadway, structure and facility as nearly as possible in its original condition as constructed or improved in accordance with state and federal requirements.

XI. Utilities. The Local Agency shall notify and cooperate with utility companies having facilities in the project limits in accordance with Utah Code Section 54-3-29. The Local Agency shall follow the standard UDOT utility agreement process including signatures by UDOT, utility, and the Local Agency.

The Local Agency shall certify, in accordance with 23 CFR Section 645.107(c), that utility relocation reimbursements to be made in accordance with the provisions of 23 CFR Section 645.107(a) do not violate the terms of a use and occupancy agreement, or legal contract, between the utility and the Local Agency, or are solely for the purpose of implementing safety corrective measures to reduce the roadside hazards of utility facilities to the highway use as provided in 23 CFR Section 645.107(k).

The Local Agency shall determine reimbursement eligibility for identified relocations based on Local Agency Franchise Agreement or Ordinance. If not reimbursable, submit a written statement to UDOT that the Local Agency is "legally unable to reimburse the utilities" for relocation or protection work as part of the project. Utility relocations deemed to be reimbursable will be performed in accordance with 23 CFR Section 645, Utilities, Subpart A, and are subject to 23 CFR Section 635.410, Buy America Requirements.

In accordance with 23 CFR Section 645.209 (g), the Local Agency will provide a degree of protection to the highway that is equivalent to or more protective than Utah Administrative Rule 930-7, Utility Accommodation Rule.

XII. Availability of Records. For a period not less than three (3) years from the date of final voucher, the Local Agency accounting records pertaining to the federal aid project are to be kept available for inspection and audit by the state and federal government, or furnished upon request.

XIII. Right of Way. The Local Agency shall acquire all the required right of way for the Project in compliance with 23 CFR Section 710.309, 49 CFR Part 24 and UDOT Right of Way Operations Manual, including the procurement process for contracting with consultants. The Local Agency shall use the right of way module in ePM for acquisitions. The Local Agency shall utilize UDOT's contracting processes to hire consultants to provide Right of Way services. This requirement includes selection methods, consultants being on the approved pool, and the contracts going through UDOT Consultant Services. Noncompliance with these requirements may result in UDOT withholding federal funds. Once all the necessary right of way is acquired, the Local Agency shall obtain UDOT's certification. All the necessary right-of-way must be obtained before the project is advertised. No limitations concerning right-of-way shall be allowed. For UDOT right-of-way certifications required for advertising access the following: <https://www.udot.utah.gov/connect/business/design/project-advertising-tools/>.

For real property disposals the Local Agency shall comply with 23 CFR Sections 710.409 and 710.403. The Local Agency should have property management records, which identify inventories of real property considered excess to project needs. If a Local Agency determines that real property initially acquired as part of

the project is declared excess and disposed of the Local Agency must comply with 23 CFR Sections 710.409 and 710.403. These sections require that the Federal share of net income from the sale or lease of real property acquired with Federal assistance be used for Title 23 eligible projects. Refer to <https://www.ecfr.gov/cgi-bin/ECFR?page=browse> for additional information. The Local Agency shall deposit the net proceeds from the sale or lease with UDOT to be applied towards a Title 23 eligible project as authorized by the appropriate metropolitan planning organization or the Joint Highway Committee.

XIV. Change in Scope and Schedule. Local Agency recognizes that if a project scope changes from the original intent of the project application, the project will need to be re-evaluated by the responsible agency that programmed the project (i.e, MPO, JHC). Such a review may result in approval of the scope change, removal from the program, or adjustment in the federal aid funds programmed for the project.

Local Agency is responsible for the schedule of the project. If the project cannot progress as programmed, the responsible programming agency may advance other projects and require the project to wait for next available funding.

Any change orders required to meet the terms and conditions of the construction contract will be initiated by UDOT. UDOT will notify the Local Agency of any such change orders and obtain the Local Agency's consent if the change order increases the cost of the project. The Local Agency shall be responsible for 100% of the costs of all change orders on the Project not reimbursed by FHWA.

XV. UDOT Service Costs. UDOT may provide expertise in project management, contract preparation, design plan reviews, advertising, construction materials verification/certification, technical assistance, engineering services or other services as needed. This includes costs for auditing consultant contracts that can be up to 0.5% of the contract costs. Appropriate charges for these costs will be incurred by the project and included in the overall project costs.

XVI. Additional Contracting Party. If the Local Agency desires to be an additional contracting party and an additional bondholder or obligee on the performance bond for Class B and C roads, a signed letter on official letterhead by the governing body of the Local Agency shall be an attachment to this Federal Aid Agreement. This provision applies only to federally funded projects and only on B and C roads.

XVII. Termination. This agreement may be terminated as follows:

1. By mutual agreement of the parties, in writing.
2. By either UDOT or the Local Agency for failure of the other party to fulfill their obligations as set forth in the provisions of this agreement. Thirty day written notice to terminate the Agreement will be provided to the other party describing the noncompliance of the Agreement. If the noncompliance is not remedied within the thirty day period, the Agreement shall terminate. However, if UDOT believes that the Local Agency is violating the Agreement that may result in harm to the public, inappropriate use of federal funds or if the Federal Highway Administration requests immediate termination, UDOT may terminate the Agreement without giving the thirty day notice.
3. By UDOT for the convenience of the state upon written notice to the Local Agency.
4. By UDOT, in the event that construction of the project for which this design engineering is undertaken is not started by the close of the fifth fiscal year following the fiscal year in which this agreement is executed.

In the event of termination, the Local Agency shall pay all of UDOT's costs referenced in paragraph XV regardless of whether the Project is constructed.

XVIII. Miscellaneous.

1. This Agreement cannot be altered or amended, except pursuant to an instrument in writing signed by each of the parties.
2. If any term or provision of this Agreement or application to any person or circumstance shall, to any extent, be invalid or unenforceable, then the remainder of this Agreement shall not be affected and each term, condition and provision of this Agreement shall be valid and enforced to the fullest extent permitted by law, so long as removing the severed portion does not materially alter the overall intent of this Agreement.
3. The failure of a party to insist upon strict performance of any provisions of this Agreement shall not be construed as a waiver for future purposes with respect to any such provision or portion. No provision of this

Agreement shall be waived unless such waiver is in writing and signed by the party alleged to have waived its rights.

4. Each undersigned represents and warrants that each has been duly authorized for all necessary action, as appropriate, to execute this Agreement for and on behalf of the respective parties
5. The parties shall not, by this Agreement nor by any act of either party, be deemed principal and agent, limited or general partners, joint ventures or to have any other similar relationship to each other in the conduct of their entities.

XIX. Content Review

Language content was reviewed and approved by the Utah AG's office on September 28, 2020.

LOCAL AGENCY

By _____

Date _____
Murray City Official

Utah Department of Transportation

By _____
Region Director

Date _____

UDOT Comptroller

By _____
Comptroller's Office

Date _____

ATTEST

Murray City Recorders Office

APPROVED AS TO
FORM

APPROVED AS TO
CONTENT

FINANCE APPROVED



Consultant Services
Federal Aid Agreement Review/Approval Routing Form

STATE OF UTAH
UTAH DEPARTMENT OF TRANSPORTATION
ENGINEERING SERVICES

TODAY'S DATE 12/3/2020
PM REQUEST DATE 12/3/2020

**FEDERAL AID
AGREEMENT NO.**

Project No.: F-0173(36)9

PIN No.: 15921

PIN Description: 5300 South & College Dr Intersection -
Murray

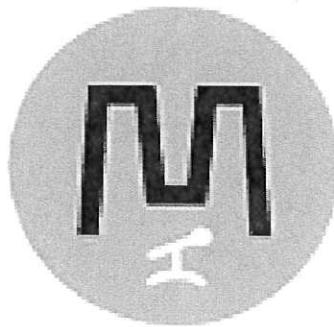
FINET Prog Code No.: 55126

UDOT Project Manager	UDOT Contract Administrator
Rebecka Stromness 2010 South 2760 West Salt Lake City, UT 84104 (801)887-3470 rstromness@utah.gov	Michael R. Butler (Acting as UDOT) PO Box 148490 Salt Lake City Utah 84114-8490 (801)815-4367 michaelbutler@utah.gov

Local Government
Murray City 5025 S STATE ST Murray, UT 84157 Trae Stokes, (801) 270-2400 TSTOKES@MURRAY.UTAH.GOV

Project Value	\$1,842,400
Federal Match	\$1,694,362
Local Government Match	\$148,038
State Match	\$0

This Federal Aid Agreement will follow the current Consultant Services electronic signature process. Please follow the email instructions for processing the Federal Aid Agreement. If legal reviews are required by your entity, the contract will still need to ultimately follow the electronic signature process.



MURRAY
CITY COUNCIL

Discussion Item #6



Murray City Council

Committee Participation by Council Members for Calendar Year 2021

Council Action Request

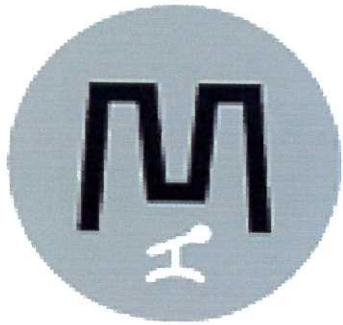
Committee of the Whole

Meeting Date: January 5, 2021

Department Director Janet M. Lopez, Jennifer Kennedy	Purpose of Proposal Determine council membership on various boards and committees for calendar year 2021.
Phone # 801-264-2622	Action Requested Council member discussion.
Presenters Council Chair, Rosalba Dominguez	Attachments See list of committees, attached.
	Budget Impact No budget impact.
Required Time for Presentation 10 Minutes	Description of this Item See page 2.
Is This Time Sensitive Yes	
Mayor's Approval	
Date December 22, 2020	

Please determine Council membership on the following committees:

Committee	Current Membership
Association of Municipal Councils....	Meets second Tuesday at noon One Council Member - Two-year appointment 2020 – 2021 Rosalba Dominguez 2021 <u>No change unless requested</u>
Capital Improvement Program.....	Meets during March and April Two Council Members 2020 Dale Cox & Brett Hales 2021 _____
New City Hall Committee.....	Committee Meetings concluded.
ULCT Legislative Policy Committee	Meets second Monday and every Monday during the Legislative Session. One Council Member. 2020 Rosalba Dominguez 2021 _____
Chamber of Commerce Board	Meets second Tuesday at 7:00 a.m. One Council Member. 2020 Dale Cox 2021 _____
Economic Task Force	Meets every other Wednesday 2020 Kat Martinez 2021 _____



MURRAY
CITY COUNCIL

Discussion Item #7



Mayor's Office

Appointment of Interlocal Board Representatives

Council Action Request

Committee of the Whole and Council Meeting

Meeting Date: January 5, 2021

Department Director Mayor Blair Camp	Purpose of Proposal Consider a resolution approving the mayor's appointments of representatives to boards of interlocal entities
Phone # 801-264-2600	Action Requested Consideration of resolution
Presenters Mayor Blair Camp	Attachments Resolution
Required Time for Presentation 10 Minutes	Budget Impact N/A
Is This Time Sensitive Yes	Description of this Item The Mayor makes annual appointments to the governing boards of the Utah Associated Municipal Power Systems (UAMPS), Central Valley Water Reclamation Facility, Salt Lake Valley Emergency Communications Center (VECC), TransJordan Cities, Utah Telecommunication Open Infrastructure Agency (UTOPIA), Utah Infrastructure Agency (UIA), Wasatch Front Waste and Recycling District, Intermountain Power Agency, Metro Fire Agency, NeighborWorks Salt Lake, and the Jordan River Commission.
Mayor's Approval Doug Hill	Digitally signed by Doug Hill DN: cn=Doug Hill, o=Murray City Corporation, ou=Mayor's Office, email=dhill@murray.utah.gov, c=US Date: 2020.12.21 16:29:05 -07'00'
Date December 21, 2020	

RESOLUTION NO. _____

A RESOLUTION APPROVING THE MAYOR'S APPOINTMENT OF
REPRESENTATIVES TO BOARDS OF INTERLOCAL ENTITIES.

WHEREAS, the Mayor needs to make appointments to the governing boards of the Utah Associated Municipal Power Systems (UAMPS), Central Valley Water Reclamation Facility, Salt Lake Valley Emergency Communications Center (VECC), TransJordan Cities, Utah Telecommunication Open Infrastructure Agency (UTOPIA), Utah Infrastructure Agency (UIA), Wasatch Front Waste and Recycling District, Intermountain Power Agency, Metro Fire Agency, NeighborWorks Salt Lake, and the Jordan River Commission (collectively "Interlocal Entities"); and

WHEREAS, the Mayor has made appointments to the governing boards of the Interlocal Entities; and

WHEREAS, the Mayor wants approval by the Murray City Municipal Council of the appointments;

NOW, THEREFORE, BE IT RESOLVED by the Murray City Municipal Council that it hereby approves the following appointments:

1. Blaine Haacke as the City's representative to the Utah Associated Municipal Power Systems (UAMPS) Board with Greg Bellon as the alternate representative.
2. Mayor Blair Camp as the City's representative to the Central Valley Water Reclamation Facility Board with Danny Astill as the alternate representative.
3. Doug Hill as the City's representative to the Salt Lake Valley Emergency Communications Center (VECC) Board with Mayor Blair Camp as the alternate representative.
4. Russ Kakala as the City's representative to the TransJordan Cities Board with Danny Astill as the alternate representative.
5. Mayor Blair Camp as the City's representative to the Utah Telecommunication Open Infrastructure Agency (UTOPIA) Board with Brenda Moore as the alternate representative.
6. Brenda Moore as the City's representative to the Utah Infrastructure Agency (UIA) Board with Mayor Blair Camp as the alternate representative.

7. Councilmember Diane Turner as the City's representative to the Wasatch Front Waste and Recycling District Board.
8. Blaine Haacke as the City's representative to the Intermountain Power Agency Board with Greg Bellon as the alternate representative.
9. Doug Hill as the City's representative to the Metro Fire Agency Board.
10. Melinda Greenwood as the City's representative to NeighborWorks Salt Lake Board.
11. Mayor Blair Camp as the City's representative to the Jordan River Commission with Kim Sorensen as the alternate representative.

These appointments shall take effect immediately.

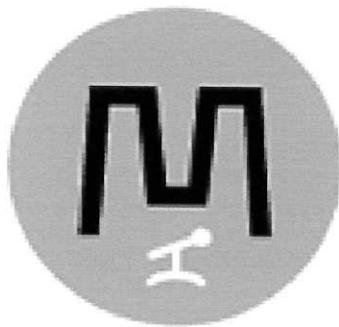
DATED this day of January 2021.

MURRAY CITY MUNICIPAL COUNCIL

ATTEST:

Council Chair

Jennifer Kennedy, City Recorder



MURRAY
CITY COUNCIL

Adjournment