

Murray City Municipal Council Chambers

Murray City, Utah

Tuesday, June 15th, 2021

The Murray City Municipal Council met on Tuesday, June 15, 2021, at 6:32 p.m. (or as soon as possible thereafter) for a meeting held 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 determined that conducting a meeting with an anchor location presents a 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 was able to view the meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/Murraycityutah/>. A recording of the City Council meeting can be viewed [HERE](#).

Council Members in Attendance:

Kat Martinez	District #1
Dale Cox	District #2 – Conducting
Rosalba Dominguez	District #3 – Excused
Diane Turner	District #4 – Council Chair
Brett Hales	District #5 – Council Vice-Chair

Others in Attendance:

Blair Camp	Mayor	Jennifer Kennedy	Council Director
Doug Hill	Chief Administrative Officer	Patti Johnson	Council Office Administrator III
Briant Farnsworth	Deputy City Attorney	Brooke Smith	City Recorder
Brenda Moore	Director of Finance & Administration	Jennifer Heaps	Chief Communication Officer
Melinda Greenwood	Community & Economic Development Director	Craig Burnett	Police Chief
Jared Hall	Community Development Supervisor	Jake Sutton	Police Officer
Bruce Turner	Operations Manager for Power	Bill Francis	Utah VOD
Michael Brodsky	Hamlet Development	Derek Allen	LandForge
Joe Christensen	Citizen – Public Comment	Lindsay Ross	Citizen – Public Comment
Hannah Vaughn	Public – Zoom attendee	Nick Mingo	Public – Zoom attendee

Opening Ceremonies

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

Pledge of Allegiance – The Pledge of Allegiance was led by Councilmember Kat Martinez.

Approval of Minutes

Council Meeting – May 18, 2021

MOTION: Councilmember Martinez moved to approve the minutes. The motion was SECONDED by Councilmember Turner.

Council roll call vote:

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

Nays: None

Abstentions: Councilmember Dominguez

Motion passed 4-0

Special Recognition

1. Murray City Council Employee of the Month, Jake Sutton, Police Officer

Presenting: Brett Hales, Councilmember and Craig Burnett, Police Chief

Councilmember Hales said the Council started the Employee of the Month Program because they felt it was important to recognize the City's employees. He stated that Officer Sutton would receive a certificate, a \$50 gift card and told him that his name would appear on the plaque located in the Council Chambers. He expressed his appreciation to Officer Sutton for all he does for the City.

Chief Burnett said that Officer Sutton has been with Murray City Police for five years and previously served our country in the Marine Corps. He has worked in Patrol and is currently working as a Motor Officer. Officer Sutton was recently certified as an instructor for the Motor Officer program and the SWAT team. While completing his instructor course he was assisting with new motor officer training in Lehi. They were on a ride with the group on the west side of Utah Lake. Several of the trainees crashed during the ride. One officer was critically injured. Officer Sutton was one of the first ones to respond and he was able to use his training and skills as well as the equipment he had on his motorcycle to administer aid to the injured officer and help establish an airway. He was able to assist until medical and life flight personnel arrived to render care. Officer Sutton was quick in his actions and calm in his aid and helped save the officer. We are proud to have Officer Sutton as a member of our Murray City Police Department.

Officer Sutton said he was glad he was able to be there and help out. He appreciates that his bike was equipped with a Trauma Kit. At the time of the incident, he was the only one with a trauma kit in his motorcycle which was critical at the time. He appreciates the recognition for his efforts and grateful that a life was saved. He also expressed

appreciation to the council, police department, and family. Officer Sutton is grateful for the opportunity to work for Murray City.

Councilmembers thanked Officer Sutton for his service, and they appreciate him being in Murray City.

2. Consider a Joint Resolution of the Mayor and Municipal Council encouraging increased water conservation due to drought conditions.

Presenting: Mayor D. Blair Camp

Mayor Blair Camp read Joint Resolution R21-18 into the record. The Mayor and the Municipal Council join with Governor Cox in encouraging all Utahns to increase their efforts to conserve water by implementing the following water conservation practices:

- 1) Don't water the lawn more than two times per week.
- 2) Don't water when it's windy.
- 3) Don't water between 10 a.m. and 6 p.m.
- 4) Prioritize your watering to impact the most valuable plants in your landscape. First: Trees, shrubs, perennials, annuals then grass. Grass is resilient and will enter dormancy during times of drought and high temperatures and recover when conditions improve.
- 5) Mow your lawn higher. Set mower blades to 3-4 inches. Taller grass means deeper roots that can access water that is deeper in the soil. Taller grass also shades roots and soil to reduce water loss through evaporation.
- 6) Manually shut off systems during rain and wind events in areas without rain and wind sensors.
- 7) Audit and repair all landscape irrigation systems so they are operating at maximum efficiency.
- 8) Install a smart irrigation controller.

Councilmembers appreciate the efforts the city is doing to conserve water during times of drought.

MOTION: Councilmember Turner moved to adopt the Joint-Resolution. The motion was SECONDED by Councilmember Martinez.

Council roll call vote:

Ayes, Councilmember Turner, Councilmember Hales, Councilmember Martinez, Councilmember Cox

Nays: None

Abstentions: Councilmember Dominguez

Motion passed 4-0

Citizen Comments

No comments were received.

Consent Agenda

None Scheduled

Public Hearings

1. **Consider an ordinance vacating a Municipal Utility Easement located at approximately Murray City Council Agenda 434 West Ascension Way, Murray City, Salt Lake County, State of Utah.**

Presentation: Bruce Turner, Operations Manager for Power Department

Bruce Turner, Operations Manager for Power Department, shared that the Power Department staff is requesting approval of an ordinance to vacate a municipal utility easement. The Municipal Easement is being requested so that the owner, Security National, may utilize this property for their needs. The underground right of way no longer has a powerline and is not needed by the city.

MOTION: Councilmember Hales moved to adopt the Ordinance. The motion was SECONDED by Councilmember Martinez.

Council roll call vote:

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

Nays: None

Abstentions: Councilmember Dominguez

Motion passed 4-0

Citizen Comments: Councilmember Cox confirmed that there were no public comments received.

2. **Consider an ordinance adopting the Final 2021 – 2022 Fiscal Year Budgets for Murray City including the Library Fund Budget.**

[Continued from Municipal Council June 1, 2021 – Public Hearings # 3]

Presentation: Brenda Moore, Director of Finance and Administration

Brenda Moore, Director of Finance and Administration shared the City's tentative budget, as amended, for the fiscal year 2021-2022. She shared that since the June 1, 2021 meeting two things have been updated:

- 1) The County Auditor came out with projected growth in property tax totaling \$127,673.00. That increase will go towards the general fund, with the offset going towards Non-Departmental Miscellaneous Expense; and
- 2) The Library fund increased by \$33,496.00. That offset will go towards building their reserve balance.

The budget overview on June 1, 2021, included:

- a. General Fund;
- b. Library Fund;
- c. Capital Projects Fund;
- d. Water Fund;
- e. Waste Water Fund;
- f. Power Fund;
- g. Murray Parkway Recreation Fund;
- h. Telecommunications Fund;
- i. Solid Waste Management Fund;
- j. Storm Water Fund;
- k. Central Garage Fund;
- l. Retained Risk Reserve Fund;
- m. Redevelopment Agency Fund;
- n. Cemetery Perpetual Care Fund.

A copy of the 2021-22 Fiscal Year Budget can be found on the city's website: [HERE](#)

Citizen Comments:

The floor was opened for public comments: None received.

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

Council roll call vote:

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

Nays: None

Abstentions: Councilmember Dominguez

Motion passed 4-0

3. **Consider an ordinance relating to land use; amends the Zoning Map for the properties located at 6556, 6562 and 6566 South Jefferson Street, Murray City, Utah from R-1-8 (Single Family Low Density) to R-1-6 (Single Family Medium Density).**

Presentation: Jared Hall, Community Development Supervisor

Applicant: Derek Allen/LandForge Inc.

PowerPoint Presentation: Attachment A – LandForge Presentation

Jared Hall, Community Development Supervisor, presented that Derek Allen of LandForge Inc. applied to amend the Zoning Map for the properties located at 6556, 6562, and 6566 South Jefferson Street, and change from R-1-8, Low density, single-family to R-1-6, Medium density, single-family. The property is currently being used as three single-family homes and is approximately 2.68 acres in size. This request is supported by both the 2017 General Plan and the Fashion Place West Small Area Plan. As a Future Land Use Designation, Low-Density Residential is intended to be used for the development of both attached and detached single-family residential subdivisions. The subject property is an

area the Fashion Place West Area identified as “Established Residential,” which calls for context-specific zoning that would create infill development opportunities to allow additional housing units.

The existing R-1-8 Zone allows for single-family dwellings on a minimum of 8,000 square foot lots. Attached dwellings, churches, schools, and telecommunications facilities are allowed subject to Conditional Use approval.

The proposed R-1-6 Zone allows for single-family dwellings on a minimum of 6,000 square foot lots. Attached dwellings, churches, schools, and telecommunications facilities are allowed subject to Conditional Use approval.

The Murray City Power Department reviewed the request and recommends approval stating the applicant will need to meet with the Murray City Power Department to discuss planning the new power services and equipment placement to any new buildings when the time comes, with additional line extension costs to provide service. The applicant must meet all Power Department requirements, provide required easements for equipment, and power lines.

Planning Division Staff circulated the proposed zone map amendment to multiple Murray City Departments for review on March 29, 2021. After review, City Departments recommended approval without conditions or concerns.

Based on the findings above, the Staff and the Planning Commission recommend the City Council approve the requested amendments to the Zoning Map designation of the properties located at 6556, 6562, and 6566 South Jefferson Street from R-1-8, Low-density single family to R-1-6, Medium density single family.

Mr. Hall clarified that if the developer requested a Zone Map amendment; they would still have to go through the application process.

Applicant, Derek Allen with LandForge, has worked with staff and local community and neighborhood. Mr. Allen appreciates the opportunity to go through the public hearing process, they want to improve the neighborhood and they look forward to presenting a plan if this ordinance is approved.

Citizen Comments:

Stephen Bergquist – Read into the record by Jennifer Kennedy

I come before you to relate my concerns about the zone change from R-1-8 to R-1-6. Here are a couple of concerns about the zoning change and some reasons why it should not change until these items are updated.

First of all many people in this area are concerned about the increased traffic that will occur due to an additional 19 homes built in this area, as at this time there are no sidewalks for residents to walk and avoid vehicles because Jefferson St. is already a narrow street and the city placed electronic speed limit signs on

Jefferson and Lester to curb speeding, yet I still see many cars going above the speed limit and barely avoiding the people who are walking or children who are riding their bikes. If one car is parked on Jefferson St. then the driver has to maneuver to the far side of the road to avoid that vehicle which then leaves no space for any pedestrians. Sidewalks should be installed on Jefferson St., Travis James Ln and Lester Ave. as the Murray Planning Commission stated that many people from this area would be walking to TRAX instead of using their cars and sidewalks are a more safe alternative than walking in the street. Safety also brings up the issue of lighting. Jefferson St. is dimly lit and in the winter months it is difficult to see anyone walking home from/to TRAX, as the light posts are spread out far and few in between. Please consider to update these large tall light posts to shorter and more abundant posts with LED lighting. Changing the street lamps to LED would save on electricity and would add to more safe walking zones on these streets.

Second, what about the Utilities which include: Water, Sewer and the Electrical grid. I live in Lisa Rae Circle and a couple of years ago one new house was built in this circle, because of this one new home I do not have the water pressure that I once enjoyed. I used to be able to shower and have someone flush the toilet and there was no change in the water pressure. Today if someone flushes the toilet the shower goes down to nothing and it is difficult to wash the soap completely off of my body. This also occurs early in the morning when people are watering their lawns and also many are getting up to get ready for work or school. It seems to be that this valuable resource can only be stretched so far and it is at its limit, especially with this seasonal drought that is occurring. With these additional homes will my water pressure become even more diminished? The sewer, water and electrical systems have not been updated in this area for a long time, can these systems manage all the new homes that will be built on these properties and will Murray City be willing to update these utility systems before this construction occurs. If Murray City does not have the monies to update these infrastructure systems now, when will they be updated?

Infrastructure is an immense topic in the news today and these include the items discussed above. It is important to provide the residents of this area with updated water, sewer, electrical/lighting and also sidewalks, before an additional residential property can be developed, where more residents will place a burden on the older and outdated infrastructure systems.

This is why I ask the Murray City Council to vote NO on approving the change from R-1-8 to R-1-6, because the outdated infrastructure is not ready for an additional 19 homes. There are homes adjacent to this area that have large amounts of space in their backyards and these individuals will also be given the chance to sell to a developer and those future areas can be rezoned for R-1-6 if the groundwork is set in place for updates on these aforementioned issues.

The Christensen's – Read into the record by Jennifer Kennedy

I am writing you today to express my concerns for the Amendment on Jefferson

Street. I am a resident who resides on Jefferson Street. I see first hand the cars the continually speed down Jefferson street thanks to the speed sign that was placed a couple of years ago. It has not seemed to slow people down from using Jefferson Street as a short cut from State Street to Winchester however. Passing this Amendment is only going to add to the problem of more cars on our already busy street with no side walks. I have young children who walk to school, ride bikes to friends houses, and I am terrified every time they leave because of the safety of our street. Passing this amendment is only going to make our street busier and more dangerous.

Please take into consideration before passing this amendment the end consumer. ME!! I love this neighborhood, and I know my neighbors do as well that is why we are expressing our opinions. The person coming in to change the zoning to build a bunch of houses and make his million will walk away and never look back. They will not be the ones dealing with the busy road. Wondering if their kids will be safe walking to school. They walk away and we are the ones left with a neighborhood full of houses and cars that we would rather not have. Please look at this as if it were your neighborhood. Thank you for listening and please think of us who will remain in this neighborhood after all is said and done.

Carla Clark – Read into the record by Jennifer Kennedy

I would like to express my objection to the zoning change (R1-8 to R1-6) for the properties located at 6556, 6562, and 6566 Jefferson Street. This change request is not suitable for current road conditions within our neighborhood. Our streets were designed for small, rural homes with large lots and low traffic levels – not for the current growth and associated traffic. Lester and Jefferson are the main access roads and both are narrow streets with only patches of sidewalk along Lester and no sidewalks on Jefferson.

While TRAX is frequently cited as the answer to our dangerous roads, I would like to point out that TRAX has been around for at least 20 years now and very few people within the neighborhood use it as their main transportation, primarily because:

- 1) TRAX is cost prohibitive. For a family of four (2 adults and 2 youth) the cost of round trip/day passes would be \$20 per day or monthly passes would be \$255 – that's over \$3,000 per year.*
- 2) TRAX lines provide limited access within our metropolitan area and bus transfers can easily triple or quadruple travel times.*

With that said, even if TRAX usage were increased, the only way to get to TRAX is to a) walk along dangerous narrow roads without sidewalks or b) drive (thereby increasing traffic). I am a long-time resident of this neighborhood and as both a driver and pedestrian, I am well aware of how precarious it can be. Cars frequently park on the side of the road, effectively reducing traffic to a single lane making it difficult for both drivers and pedestrians.

As a frequent pedestrian, I have to be highly aware of traffic from both directions, with city noise making it difficult to hear cars coming from behind. It becomes even more hazardous with cars parked on the side of the road, garbage cans on trash day and ice, snow and road spray in the winter. It's no wonder, ironically, that so many parents drive their children to school after bussing was stopped as we are considered to be within walking distance of the school. While the new development does require sidewalks along the distance of the development itself, these small patches of sidewalk don't really take away the danger. In my opinion, walking in and out of traffic is more dangerous, not less.

Over the years, a few small housing developments have been built, but these "small" developments have a cumulative effect on traffic with Lester & Jefferson becoming increasingly dangerous. While these developments have also brought great people into the neighborhood, the fact remains, that the roads are not designed for the level of traffic we are seeing. While the argument has been that the zoning change would only add a few more homes, it only adds to the accumulation and sets a precedent for other undeveloped areas in the neighborhood. I have no doubt these too will eventually be developed and, with a precedence for zoning R1-6, the problem will only be further exacerbated.

Over the years, "plans" for sidewalks have been discussed but nothing ever comes of it. Our roads are simply not wide enough and the cost too excessive, so in spite of recent talk of "plans for sidewalks" and a "potential grant for sidewalks", until actual sidewalks are in place, along the full length of both Lester & Jefferson, a zoning change should never be considered. Even with the current R1-8 zoning, the traffic situation will continue to get worse and R1-6 zoning will only intensify the problem.

The Public Hearing was closed for public comment and brought back before the council to discuss.

Councilmember Turner asked what the difference is between R-1-8 and R-1-6. Mr. Hall answered saying it was approximately four more homes than what it is currently zoned for. Mr. Hall also shared that the city is committed to making some improvements to the area (sidewalk, curbing, and lighting) over the next several years as more property is developed near the area.

Ms. Martinez confirmed that this change is supported by the 2017 General Plan and Fashion Place West Small Area Plan.

Councilmember Turner asked about the infrastructure impact. Mr. Hall answered that the different departments have reviewed the zone change and no additional infrastructure improvements would be needed, as of right now but improvements could be requested as a development plan progresses.

Councilmember Cox shared concerns with the narrowness of roads, absence of sidewalks, and lighting and has concerns with the amount of traffic. Due to safety, narrowness, and lack of light he has some concerns with the zoning change.

Councilmember Hales clarifies that if this motion doesn't pass the location can still be developed. Mr. Hall answered that if a subdivision is requested, they will ask for improvements regardless of zoning and can create a workable solution to some of the concerns expressed by citizens and the council. The reason why staff supports this zoning change is it is a managed context-sensitive development, especially with the current housing crisis.

Councilmember Martinez says it will take time to develop, but she is comfortable with the number of units in the effort to increase the housing supply.

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

Council roll call vote:

Ayes: Councilmember Turner, Councilmember Hales, Councilmember Martinez

Nays: Councilmember Cox

Abstentions: Councilmember Dominguez

Motion passed 3-1

4. **Consider an ordinance relating to land use; amends the General Plan from Parks and Open Space and Low Density Residential to Medium Density Residential and amends the Zoning Map from A-1 to R-1-6 and R-M-15 for the property located at approximately 935 West Bullion Street, Murray City, Utah.**

Presentation: Melinda Greenwood, Community & Economic Development Director, and Jared Hall, Community Development Supervisor

Applicant: Hamlet Development

PowerPoint Presentation: Attachment B – 935 Bullion GPA ZMA 6.15.21

Memo: Attachment C – 2021-0615 Presentation, Bullion Street

Jared Hall, Community Development Supervisor, presented a PowerPoint requesting an amendment to the Future Land Use Map designation and Zoning of 935 West Bullion Street to facilitate residential development (See Attachment B – 935 Bullion GPA ZMA 6.15.21). The applications are for a General Plan Amendment from Low-Density Residential and Open Space to Medium Density Residential, and a Zone Map Amendment from A-1, Agriculture to R-1-6, Medium density single-family and R-M-15, Medium Density multi-family for the properties located at 935 West Bullion Street.

On April 1, 2021, the Planning Commission held a public hearing to review the application from Hamlet Development to amend the Future Land Use Map and Zoning Map designations for the Property of 935 West Bullion Street to accommodate a planned residential development. Michael Brodsky represented Hamlet Development at the hearing. Before the public hearing, Mr. Brodsky had held a neighborhood meeting where he presented the plans for the residential development of the property and took comments and questions.

As a result of that meeting, Mr. Brodsky modified the concept plans to reduce the overall density of the project by replacing some of the townhomes with single-family detached houses. To accommodate the original proposal, the application had been made to rezone the entire 8.06-acre site from A-1 to R-M-15.

Many public comments had been received with concerns that while the applicant had revised his development proposal to include only 75 units, the R-M-15 Zoning of the property would allow him to develop at greater densities, and there was no way to limit that potential once the zone change had been approved. In response, Mr. Brodsky withdrew his previous applications at the public hearing on April 1, 2021, and stated that to alleviate those concerns he would re-apply for R-M-15 Zoning on the portion of the property where he intended to develop townhouse units, and for R-1-6 on the portion of the property adjacent to Bullion Street where he intends to subdivide single-family lots.

On April 13, 2021, Mr. Brodsky filed a new application to amend the Zoning of the north 3.36 acres of the property from A-1 to R-1-6, and the south 4.64 acres of the property from A-1- to R-M-15. He also filed a new application to amend the General Plan's Future Land Use designation of the properties from Parks & Open Space and Low-Density Residential to Medium Density Residential to support the proposed R-M-15 Zone on the southern 4.64 acres. The intent of proposing both the R-1-6 and R-M-15 Zones is to limit the potential density of any residential development of the property to no more than 75 units.

On April 19, 2021, the applications were made available for review and comment by City Staff from various departments including the Engineering Division, Fire Department, Power Department, Water Division, and Sewer Division. There were no objections or concerns from the reviewing departments.

On May 6, 2021, the Planning Commission held a public hearing. Forty-seven (47) comments were received, and the Planning Commission voted 4-3 to forward a recommendation of approval to the City Council based on the findings below:

1. The General Plan provides for flexibility in the 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 represents a change that will allow potential redevelopment of the site that can accommodate the demolitions and environmental mitigation which otherwise limit traditional lower density subdivision.
3. The proposed Zone Map Amendment from A-1 to R-1-6 and R-M-15 has been considered based on the characteristics of the site and surrounding area. The potential impacts of the change can be managed within the densities and use allowed by the combination of the proposed R-1-6 and R-M-15 Zones.
4. The proposed Zone Map Amendment from A-1 to R-1-6 and R-M-15 conforms to important goals and objectives of the 2017 Murray City General Plan and will allow appropriate development of the subject property.

Based on the findings above, the Staff and the Planning Commission recommend the City Council approve:

- The requested amendments to the General Plan's Future Land Use Map designation of the properties located at 935 West Bullion Street from Low-Density Residential and Parks & Open Space to Medium Density Residential; and
- The requested amendments to the Zoning Map designation of the properties located at 935 West Bullion Street from A-1, Agriculture to R-1-6, Medium density single-family and R-M-15, Medium density multiple families.

Councilmember Hales has asked if we have changed the General Plan before. Mr. Hall confirmed the General Plan has been changed several times. Mr. Hales said this should be considered as a living document as justifications are made to make a change and added that one reason the city is recommending this development is due to the natural buffering's surrounding the area.

Councilmember Turner asked about the contaminated soil in the area. Melinda Greenwood said she has not seen a specific report on this area, but generally, this contaminated soil is not leachable. In addition, Mr. Brodsky has cleared several other contaminated areas and has submitted a plan with the state.

Councilmember Cox said he has been the abandoned area and there have been several developers who have looked at the property however after they receive the environmental study, they walk away. The other site restraints make this area very challenging to develop. The applicant has worked through environmental concerns at other locations, so there is a level of comfort in knowing he knows how to deal with the extensive issues.

The applicant did get a traffic study done. While any development will have an impact, the study for this development did not recommend any mitigations efforts, if developed. Councilmember Martinez clarifies if an additional delay differentiates between peak times and standard times. Ms. Greenwood answers that during peak times, there will be some congestion, but it will still stay at an acceptable level of service.

Time was turned over to Michael Brodsky, Owner of Hamlet Development, who read a memo dated June 15, 2021, into the record (see Attachment C - 2021-0615 Presentation, Bullion Street).

Mr. Brodsky concluded that their goal is to clean up the site and help the children who grew up in the area, to stay in the area.

The floor was opened for public comments.

Citizen Comments:

Councilmember Cox noted that any letters or emails received before Friday, June 11 by the council have been reviewed and read.

Dan Fazzini - Read into the record by Patti Johnson

In my 5+ years on the Taylorsville planning commission, we very rarely saw this level of opposition to any application. When there were significant comments, we highly scrutinized the application. Having more than 5 residents oppose a project was highly unusual, much less 100 or more.

The RM-15 requires a 25' setback for both the front and rear. The applicant needs to share the setback between buildings to what appears to be barely 25' (17.120.60.A, E) and the driveway provides no yard setback with their current proposed plan to make this work.

If the City is truly interested in addressing the low/medium income housing, they would not have put a moratorium on mixed use just a few months ago!

This is billed for moderate income housing; not sure this would qualify.

In the General Plan, the context is the city as a whole, not every acre across the city.

Strategy #3 in the GP talks about "compatible" types of housing, I would argue this project is not.

The City actually owns open space which could be used for that purpose including 150 acres just south of this project (the golf course). Government should not be in the business of competing with private businesses to begin with.

Make no mistake, this will be a "significant" increase for Walden residents, mostly along Hollow Spring since that is the easiest access to the entire valley outside of a short distance into Midvale. This means that Hollow Spring may see more than its share of that 20% increase. Although the infrastructure may be designed for it, still a significant change over the status quo.

The site is NOT a well-served development for transit or active transportation. The nearest regular bus stop on 700 W is nearly a mile away.

I ask that this application if moves forward it is done at a maximum of R-1-6 which represents as small or incremental change, not a large 5-9 zone jump with a couple of two hour meetings. The submitted plan will directly impact our egress and will likely be able to see the units, even though I was just outside the 500' notification zone.

Joe Christensen – Speaking on behalf of the Bullion group

Mr. Christensen expressed opposition to this project on behalf of the 220 citizens in the area that he represents. Mr. Christensen noted the limited amount of time he has to share concerns about the development.

There four main concerns about this development are: 1) Resident voice has been ignored; 2) Facts are being misrepresented and fear tactics are being used to push through this project; 3) The General and Master Plan has been done for the last five (5) decades has been done on re-occurring bases has repeatably designated this area as an R-1-8 with Agriculture, Parks, and Open Space and this development ignores the General Plan, and; 4) This sets a persistent that is not reasonable for the city with citizens not being heard and a huge zone change and ignores the General Plan.

Mr. Christensen closed that there are hundreds of residents that oppose this project and if a zone change is approved, please don't allow anything beyond R-1-6.

Lindsay Ross – Resident

Ms. Ross indicated that she had no additional comments.

Doug Barnett – Read into the record by Jennifer Kennedy

At the request of citizens living near Bullion Street, I am forwarding to you the results of a petition that was started by residents at change.org. Residents that have signed this petition are opposed to the proposed zoning change and strongly believe this property needs to remain low density residential. The actual petition can be viewed <http://chnq.it/zD287zHW>. Please refer to the attached document for a list of signers and comments.

Brent Ludlow – Read into the record by Jennifer Kennedy

I live in the general area two blocks from where this rezoning is trying to take place. I've been here for over 35 years and I'm opposed to changing the zoning in this area to more then what it has been previously. I want it to stay single family residents. I've heard in some of these meetings people talking about fixing the problem with the tailings in the area but what they're doing is just moving it a little ways and capping it again that's doing nothing to get rid of the problem of the tailings being there. I think it's time that the city council should start listening to the people they're supposed to be representing.

Dan and Shannon Mechling – Read into the record by Jennifer Kennedy

We are emailing to let you know that we are adamantly opposed to changing the zoning on Bullion Street. We would like to go on the record as stated OPPOSED TO THIS ZONE CHANGE. Changing the master plan for this rezoning and requested building project sets a precedent that we are not comfortable with (for a variety of reasons that have been stated previously by many others). Please note our voices as a NO TO CHANGING THE MASTER PLAN on Bullion Street.

Sara Buck – Read into the record by Jennifer Kennedy

I am a new resident to Murray city who moved in last June. My husband and I spent over 2 years searching for the correct house and neighborhood that would fulfill our needs and desires. We were thrilled when we finally found our home. We had researched to find out the master plan of our neighborhood to make sure that the area we bought would fulfill our needs long term.

By changing the zoning within my neighborhood you are changing the main reasons we chose this area, the amount of traffic my children will be exposed to as they travel to and from school, the schools being effected being able to fulfill the needs of my children and the community. To put anything in the proposed area except for single family residents it a huge betrayal to every citizen who moved into this area having done the research and having made their decision based upon what the city had in their master plan.

I understand there is a need for housing but there are better alternatives. There is another development on 5300 south and 7th west that is already adding more options and impacting our community and schools but in a way that makes sense based upon location.

Thank you for your consideration and I hope the council will put the needs of their current citizen with whom you have elected to serve and represent before the potential of other citizens who do not currently live in Murray City or with whom you have obligations to.

Stacy Garcia— Read into the record by Jennifer Kennedy

I live at 940 Chesterbrook Cove. I see hawks, birds, geese, quails and occasionally the fox that lives in the easement behind my back fence. Hamlet Dev wants to build 3 story townhouses right up to the line of easement behind my back fence. Why? Development is inevitable, why can't we build single family homes or twin homes on that land? Why can't we put the houses on the west end of the property facing the field and extra parking behind Chesterbrook? That would eliminate houses right behind Chesterbrook, have some space between us.

I'm also worried when they start digging, running new water and sewer lines through soil that's tested positive for lead and arsenic, there's a risk there!

You already okayed townhouses to go in a few blocks up and around the corner on approximately 5300 So and 700 West, which they can only turn right out of there so they WILL impact our traffic numbers!!!

This development is not affordable housing like you were trying to spin it, it's luxury housing, call it what it is! There are other locations closer to bus and Trax routes more suitable for this kind of development, with more room! You are already starting a huge townhome development off of State St and about 4800 So., which will include a store and restaurants. Why do we need them in our neighborhood then??

Please keep it a lower density zoning area for single family or twin homes.

Clark Bullen— Read into the record by Jennifer Kennedy

I am Clark Bullen, Murray Citizen from District 3 and candidate for Mayor. I am not opposed to projects of this nature in general as they may potentially enhance the neighborhood and provide appropriate housing opportunities for our community. I am opposed to making exceptions to the master plan that will set a precedent for other exceptions, which undermines the master plan as a whole. If changes need to be made to zoning then it should be done through a thoughtful and thorough review of the master plan as an official revision that takes all of the long term needs of Murray citizens in to consideration and balances the changes with compensatory changes elsewhere in Murray.

The public hearing was closed, and the council discussed.

Councilmember Martinez shared concerns about the traffic impact if this proposal is approved. She takes traffic seriously and has done a bunch of additional research to make sure she understands the long-term impacts. While nothing is going to be perfect, she is convinced that this proposal is appropriate for the area. In addition, mixed development is a great tool to create a solution to the affordable housing crisis and housing supply crisis, and noted that she hopes to see more applications for development that include additional affordable housing, townhomes, and apartments in the area.

Councilmembers express support to the zone map changes in an effort to clean up the contaminated land and make it safe for the surrounding areas. They appreciate how thoughtful, collaborative, and accommodating Mr. Brodsky has been during the application process and recognize that several surrounding neighbors are against any development however after listened to the arguments for and against this development they think this is an appropriate use of the area. Councilmembers shared that there is been much research on the area, and they have visited the site numerous times. In addition, they noted concerns about the amount of misinformation out there and feel like Hamlet's proposal is a good solution for the area.

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

Council roll call vote:

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

Nays: None

Abstentions: Councilmember Dominguez

Motion passed 4-0

Business Item

Consider an ordinance adopting the rate of tax levies for the Fiscal Year commencing July 1, 2021, and ending June 30, 2022.

Presenting: Brenda Moore, Director of Finance and Administration
PowerPoint Presentation: Attachment D –

Brenda Moore, Director of Finance and Administration, set the property tax levy rate which changes year to year. Murray City's tax rate adjusts to ensure it receives the same property tax dollars each year unless the city holds truth in taxation hearings and raises property taxes. The city will also receive increased property tax based on growth (new development) within the city.

Murray City Fiscal Year 2022 rate is .001608, down from .001689. The library rate is .000418, down from .000439. Some new developments will state paying property tax this year. The property tax budget line for the City will increase by \$127,673 and the library will increase by \$33,496.

Councilmembers thanked Ms. Moore for her presentation and explanation.

MOTION: Councilmember Hales moved to adopt the Ordinance. The motion was SECONDED by Councilmember Martinez.

Council roll call vote:

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

Nays: None

Abstentions: Councilmember Dominguez

Motion passed 4-0

Mayor's Report and Questions

Mayor Camp shared the following update:

- The city receives several requests from its citizens each year to ban fireworks within city boundaries. The state law is quite specific about where fireworks are prohibited. Murray City only has a few areas where fireworks are not allowed, such as around Murray Park, the Jordan River Parkway, and Wheeler Farm. The City Fire Marshal has evaluated the entire city and determined that these are the only areas where fireworks can be legally prohibited. Per state law, cities only have the authority to ban fireworks in areas that border natural open space, which Murray City has done. As a reminder, fireworks can only be discharged on July 2-5 and July 22-25 and additional information can be found on our city website.

The meeting was open to questions.

Councilmember Turner asked about "cool centers" and wondering if the city will have any designated "cool centers" around the city. Mayor Camp responded as of right now, there are no designated areas classified as a "cool center" in the city however the city has several public buildings open throughout the city and the county has designated several spots throughout the valley.

Councilmembers shared their appreciation to the mayor and staff.

No additional questions were asked.

Adjournment

The meeting was adjourned at 9:08 p.m.

Brooke Smith, City Recorder

Attachment A – LandForge Presentation

Attachment B – 935 Bullion GPA ZMA 6.15.21

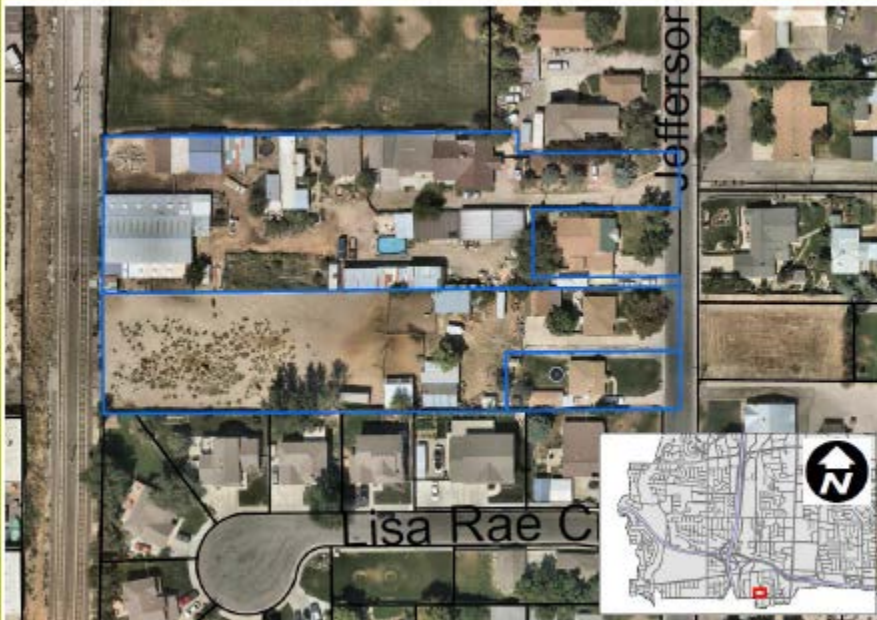
Attachment C – 2021-0615 Presentation, Bullion Street

Attachment A LandForge Presentation

Zoning Map Amendment

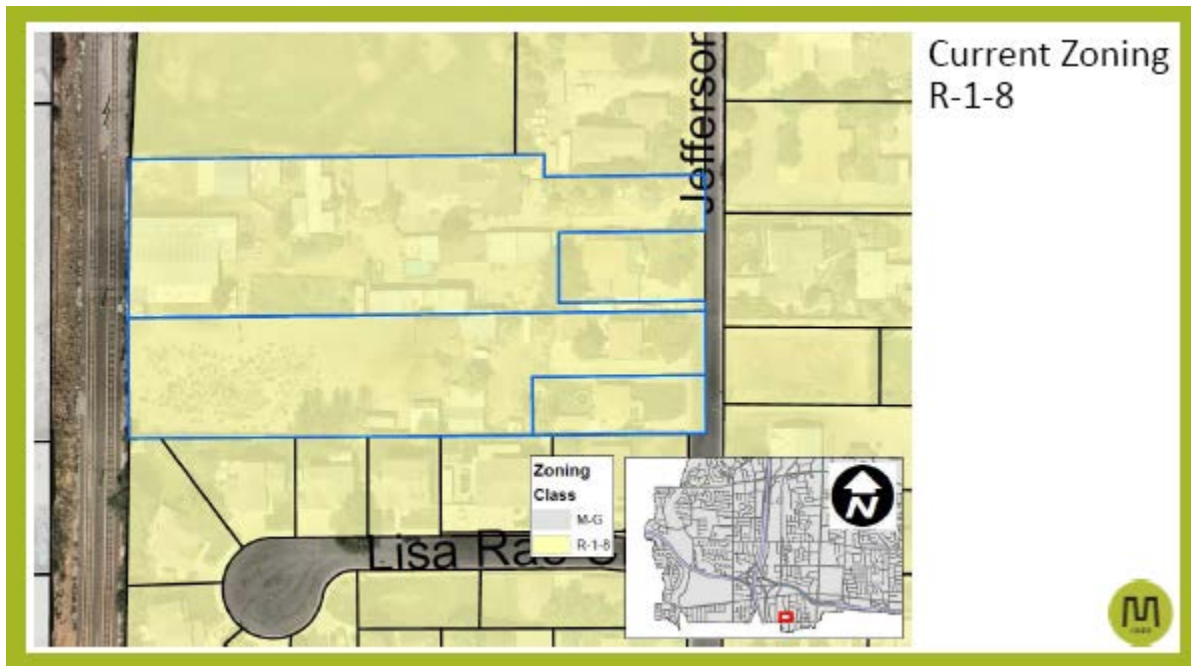
Landforge Inc.

6556, 6562, and 6566 South Jefferson Street



Aerial View

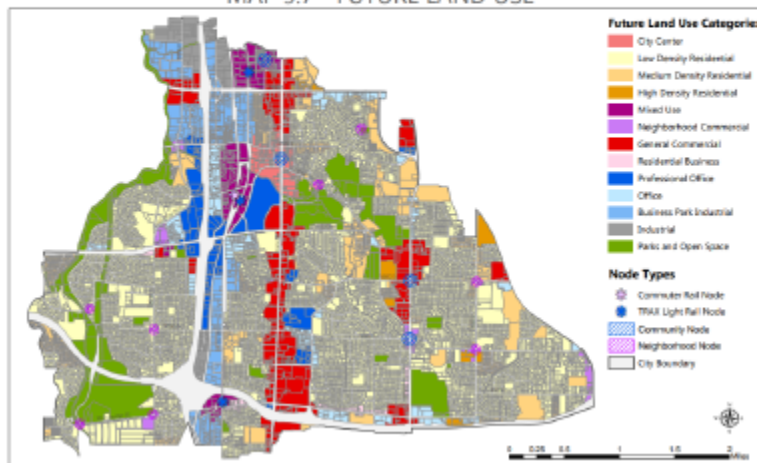


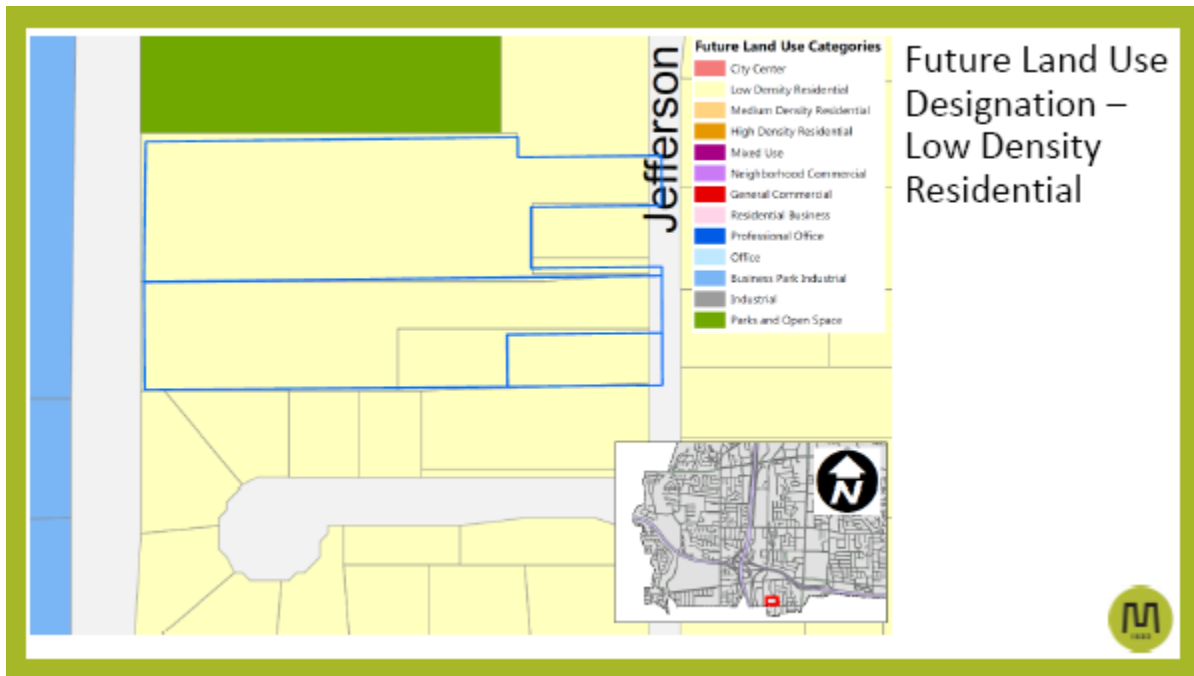


The General Plan

Each property in the city is designated in one of the Future Land Use Categories identified by Map 5.7 (below). Each category in Chapter 5 is subsequently detailed as to intent and characteristics, and "corresponding zones" are called out.

MAP 5.7 - FUTURE LAND USE





Future Land Use Designation

LOW DENSITY RESIDENTIAL

This designation is intended for residential uses in established/planned neighborhoods, as well as low density residential on former agricultural lands. The designation is Murray's most common pattern of single-dwelling development. It is intended for areas where urban public services, generally including complete local street networks and access to frequent transit, are available or planned. Areas within this designation generally have few or very minor development constraints (such as infrastructure or sensitive lands). Primary land/use types include single-dwelling (detached or attached) residential.

Density range is between 1 and 8 DU/AC.

Corresponding zone(s):

- A-1, Agricultural
- R-1-12, Low density single family
- R-1-10, Low density single family
- R-1-8, Low density single family
- R-1-6, Low/Medium density single family
- R-2-10, Low density two family



Existing Zoning: R-1-8
Proposed Zoning: R-1-6

The proposed zoning to allow a subdivision does not require a change to the Future Land Use Map of the General Plan.



Fashion Place West Small Area Plan

The plan identified four (4) subareas within the larger district. The properties are located in 1 Established Residential.



Fashion Place West Small Area Plan



Figure 3.20 The single-unit neighborhoods within the Fashion Place West study area are well established and are an asset of great value to the City. These neighborhoods should be preserved, with the exception of infill development where underdeveloped parcels exist within the neighborhoods. Using development along Winchester to buffer this neighborhood can also create a wider range of housing choice within the area.

Zoning Differences

	R-1-8 (existing)	R-1-6 (proposed)
Planning Commission Review Required	Conditional Uses, PUDs, and Subdivisions	Conditional Uses, PUDs, and Subdivisions
Lot Size Requirement	8,000 ft ²	6,000 ft ²
Structure Height	35' maximum	30' maximum
Front Yard Setbacks	25' minimum	20' minimum
Rear Yard Setbacks	25' minimum	25' minimum
Side Yard Setbacks	8' minimum, the two must total no less than 20'	5' minimum
Corner Side Yard Setbacks	20' minimum	20' minimum
Parking Requirements	2 off-street spaces	2 off-street spaces

Planning Commission

- The Planning Commission held a public hearing on April 15, 2021.
- 80 public notices were mailed in a 400' radius of the subject property.
- Four public comments were received.
- The Planning Commission forwarded a recommendation of approval with a 6-0 vote.



Findings

1. The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.
2. The requested zone change has 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 Fashion Place West Small Area Plan.
3. The proposed Zone Map Amendment from R-1-8 to R-1-6 is supported by the General Plan and Future Land Use Map designation of the subject property.
4. The Planning Commission forwarded a recommendation of approval.



Process

- The application is only for an amendment to the Zoning Map.
- If the Zone Map is amendment, development of the property requires additional applications and a public meeting with the Planning Commission.

Recommendation

Staff and the Planning Commission recommend **APPROVAL** of the requested amendment to the Zoning Map designation of the properties located at 6556, 6562, and 6566 South Jefferson Street from R-1-8, Low density single family to R-1-6, Medium density single family.



Attachment B: **935 Bullion GPA ZMA 6.15.21**

Public Hearing Item #4

Address:

935 West Bullion Street

Application:

General Plan Amendment
Zone Map Amendments

Applicant:

Hamlet Development



Why Are We Here?

Hamlet Development submitted applications and paid associated fees. The law says we must process their applications.

1. General Plan Amendment – \$500
2. Zoning Amendment – \$500

GENERAL PLAN AMENDMENT APPLICATION Project # 21-034

Type of Application (check all that apply):
☒ Zone Amendment
☐ Other Amendment

Parcel Information:
Parcel Number: 8498111000
Subject Property Address: 935 BULLION STREET
Parcel Map Number: 8498111000
City: MURRAY, UT 84107
County: SALT LAKE COUNTY

Applicant Information:
Applicant Name: HAMLET DEVELOPMENT
Contact Name: MICHAEL HAMLET
Phone: 801-426-9411
Email: mhamlet@hamletdev.com

Property Owner Information:
Property Owner Name: DE FATELLITE CORP, INC.
Address: 10101 S. 200 E.
City: SALT LAKE CITY, UT 84120

Daytime Phone: 801-426-9411
Fax: 801-426-9411
Email: mhamlet@hamletdev.com

Describe your request for a zone change (use additional pages if necessary):
We are requesting a zoning change to allow for a single-family detached and duplex development. This community will be a DAP including

Authorized Signature: _____ Date: 4/14/2021

What is the Council Deciding?

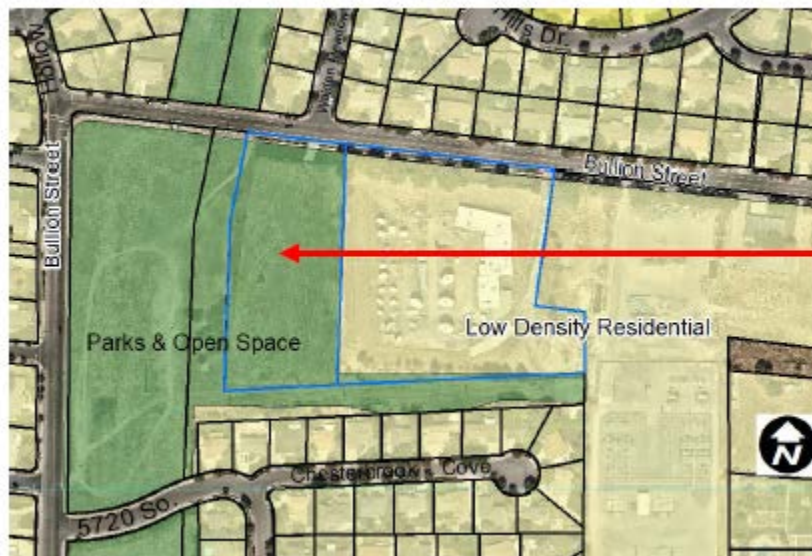
- The City Council will decide what uses will be allowed on the property.
- Their vote will determine whether the General Plan and Zone Map are changed.
- No project will be deliberated or approved.
 - Should the City Council approve General Plan and Zoning Map amendment, development of the property requires additional applications and public meetings with the Planning Commission.



Aerial view:
935 West
Bullion Street

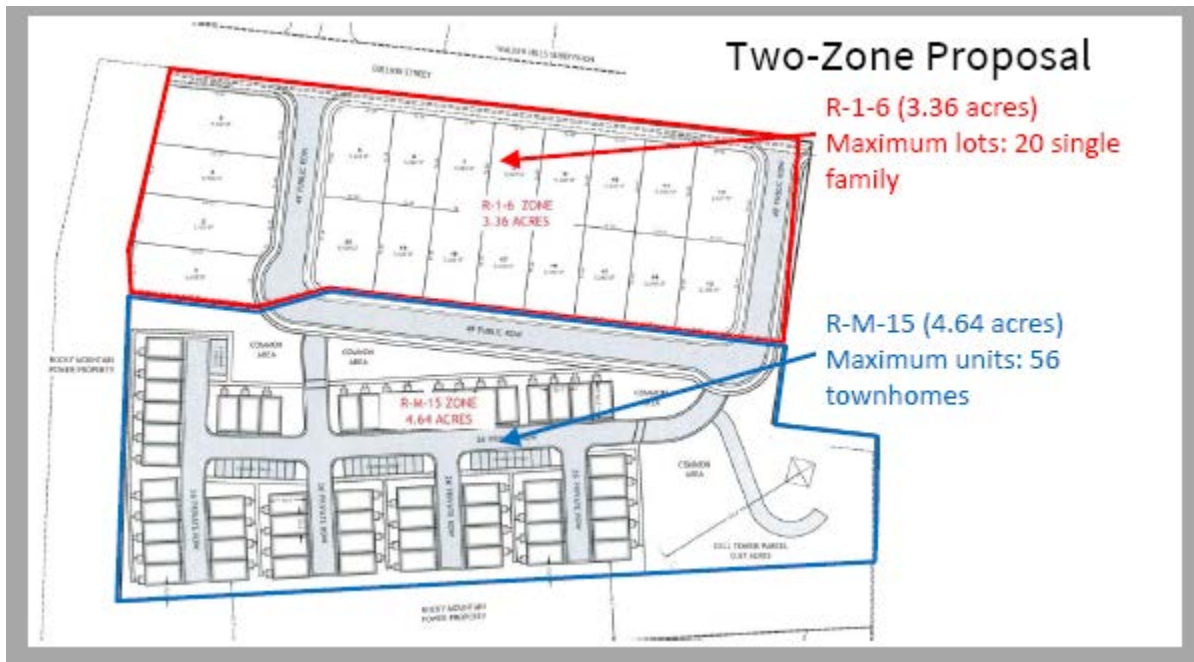


Future Land Use Designation:



Parks & Open Space
Low Density Residential

The western part of the property was mistakenly included as Parks & Open Space, but should have been classified as Low Density Residential



City Department Review

- Water
- Sewer
- Engineering
- Stormwater
- Fire
- Police
- Planning
- Building
- Power

II. CITY DEPARTMENT REVIEW

The applications have been made available for review and comment by City Staff from various departments including the Engineering Division, Fire Department, Power Department, Water Division, and Sewer Division. As with the previous applications there were no objections or concerns from the reviewing departments.

The 2017 General Plan

General Plans are not meant to be static documents.

Full evaluation and revision is common every five to ten years. In growing communities, it is reasonable to expect that additional adjustments and amendments may be appropriate and should be individually considered.

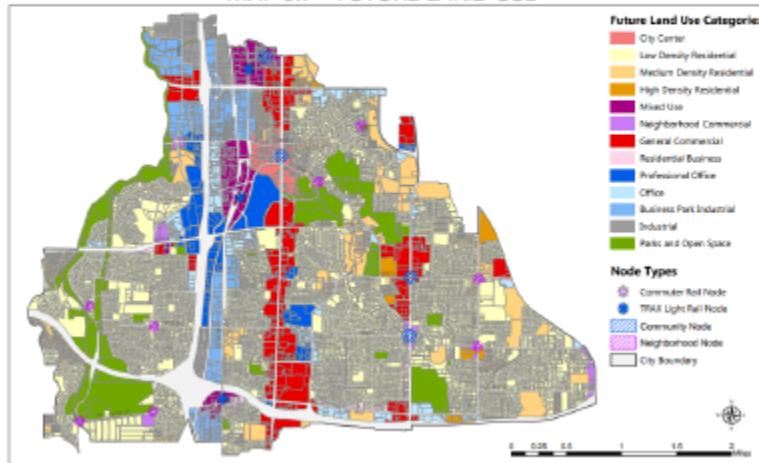
Comparison: 2020 Future Land Use Map amendments and Zone Map amendments in other Wasatch Front cities.

Municipality	General Plan Adopted	General Plan Amendments	Rezoning
West Jordan	2012	7	11
Midvale	2016	N/A	6
Draper	2019	9	13
Lehi	2018	8	19
Millcreek	2019	1	9
Taylorsville	2006	2	5
Orem	2018	1	4
Holladay	2016	1	4
Cottonwood Heights	2005	2	4
Sandy		N/A	3
Ogden	2002	1	6
Bountiful	2009	N/A	1
North Salt Lake	2013	0	3
Murray	2017	5 (2 completed)	10 (7 completed)

The 2017 General Plan

Each property in the city is designated in a Future Land Use Category.
Each "category" has defined details regarding intent, characteristics and corresponding zones.

MAP 5.7 - FUTURE LAND USE



Future Land Use & Requested Zoning Designation

The proposed zoning requires a change to the Future Land Use Map of the 2017 General Plan.

Existing Zoning: A-1 (both parcels)
Proposed Zoning: R-1-6 and R-M-15

LOW DENSITY RESIDENTIAL

This designation is intended for residential uses in established planned neighborhoods, as well as low density residential on former agricultural lands. The designation is Murray's most common pattern of single-dwelling development. It is intended for areas where urban public services, generally including complete local street networks and access to frequent transit, are available or planned. Areas within this designation generally have few or very minor development constraints (such as infrastructure or sensitive lands). Primary land use types include single-dwelling (detached or attached) residential.

Density range is between 1 and 8 DU/AC.

Corresponding zone(s):

- A-1, Agricultural
- R-1-12, Low density single family
- R-1-10, Low density single family
- R-1-8, Low density single family
- R-1-6, Low/Medium density single family
- R-2-30, Low density two family



MEDIUM DENSITY RESIDENTIAL

This designation allows a mix of housing types that are single-dwelling in character or smaller multi-family structures, primarily on individual parcels. This designation is intended for areas near, in, and along centers and corridors, near transit station areas, where urban public services, generally including complete local street networks and access frequent transit, are available or planned. Areas within this designation generally do not have development constraints (such as infrastructure or sensitive lands). This designation can serve as a transition between mixed-use or multi-dwelling designations and lower density single-dwelling designations.

Density range is between 6 and 25 DU/AC.

Corresponding zone(s):

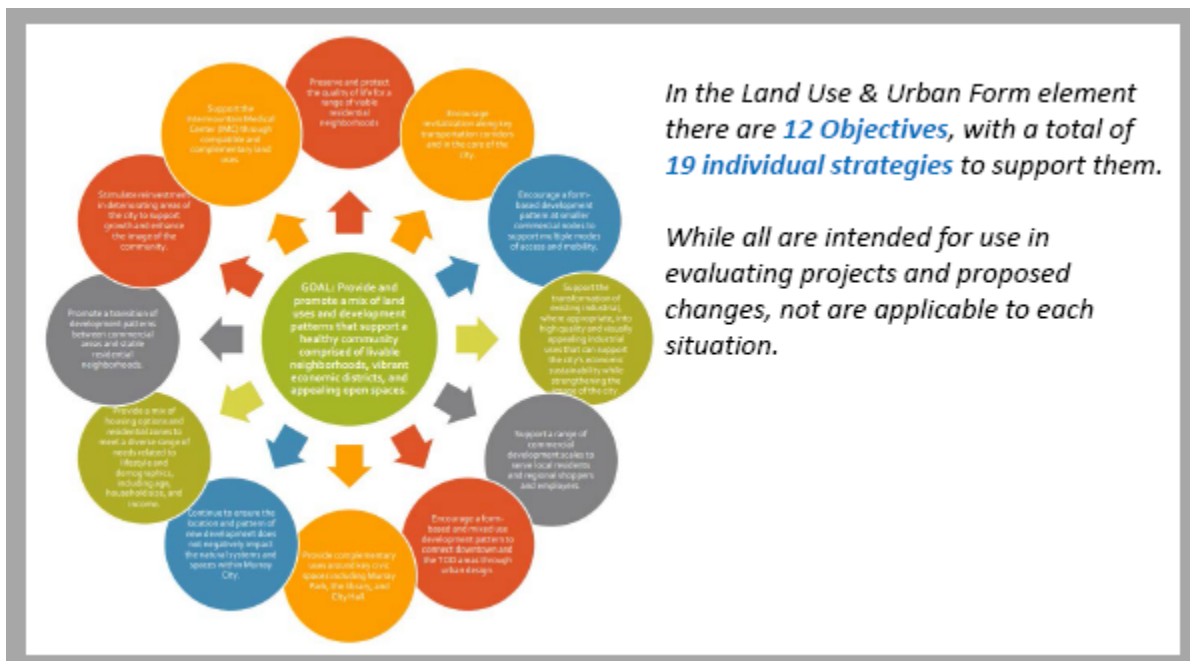
- R-1-6, Low/Medium density single family
- R-M-10, Medium density multiple family
- R-M-15, Medium density multiple family



Part 2: Elements for Evaluation

Intended for use in order to “evaluate proposals and policy changes.”

- Plan Elements include:
 - Land Use & Urban Design
 - Transportation Systems
 - Economic Development
 - Housing & Neighborhoods
 - Moderate Income Housing
 - Public Services
 - Plan Administration & Implementation



*In the Land Use & Urban Form element there are **12 Objectives**, with a total of **19 individual strategies** to support them.*

While all are intended for use in evaluating projects and proposed changes, not all are applicable to each situation.

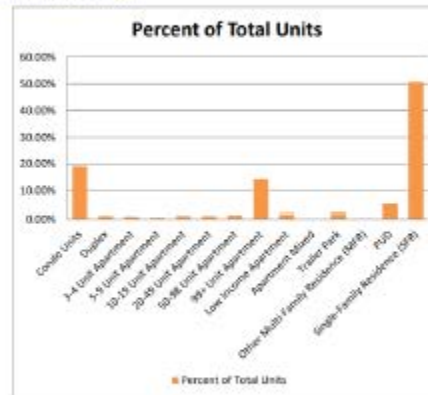
Chapter 8: Neighborhoods & Housing

HOUSING TYPES

Murray is dominated by single-family homes and condos, with large apartment complexes rounding out the primary housing type. As can be seen on Graph 8.1, there is a dearth of housing/middle housing types — options between the apartment complexes and single-family homes.



Graph 8.1: Housing Types Distribution



8.3 NEIGHBORHOODS & HOUSING GOAL, OBJECTIVES, & STRATEGIES

NEIGHBORHOODS & HOUSING OVERALL GOAL

Provide a diversity of housing through a range of types and development patterns to expand the options available to existing and future residents.

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.



Diverse Neighborhoods

- Balintore Subdivision
 - (5600 South and 820 East)
- R-M-15 developed at 12 units per acre
- 24 total housing units
- Mixed housing types:
 - 6 single-family lots
 - 18 townhome units

NEIGHBORHOODS & HOUSING GOAL AND SUPPORTING OBJECTIVES



Chapter 9: Moderate Income Housing

MODERATE INCOME HOUSING GOAL AND SUPPORTING OBJECTIVES



Strategy: Promote affordable housing options that address the needs of low to moderate income households and individuals and offer options for a range of demographics and lifestyles.

Strategy: Ensure zoning of residential areas does not prohibit compatible types of housing.

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.

Chapter 5: Land Use & Urban Design

OBJECTIVE 9: PROVIDE A MIX OF HOUSING OPTIONS AND RESIDENTIAL ZONES TO MEET A DIVERSE RANGE OF NEEDS RELATED TO LIFESTYLE AND DEMOGRAPHICS, INCLUDING AGE, HOUSEHOLD SIZE, AND INCOME.

Strategy: Ensure residential zoning designations offer the opportunity for a spectrum of housing types.

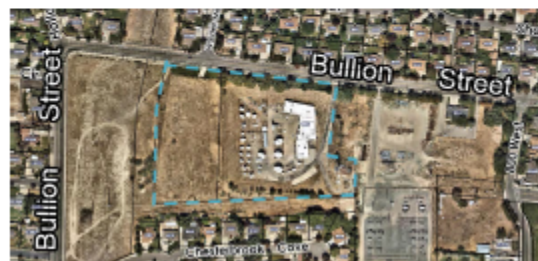
Strategy: Simplify the residential zoning district designations.

- The R-M-15 Zone will allow greater flexibility to mix housing types at densities which are greater than the surrounding area.
- The R-1-6 Zone applied to the 3.36-acre area will limit the overall project density.
- The applicant's proposed concept plan mixes single-family homes and townhomes in the same development with an overall density of 9.2 dwelling units per acre.



Site Development Considerations

- Cell phone tower setback of 165' reduces residential opportunities.
- Contaminated soil remediation.
- Regrading of site with soil removal.
- Building demolition and site clearing.
- Vacant buildings attract nuisance.
- Natural Buffering:
 - North - Bullion Street ROW (66')
 - South and West - Power corridor (70' - 340')
 - East - Murray City Power Department
 - Setbacks



Traffic

- Bullion Street is classified as a Minor or “Neighborhood” Collector

- 66’ of ROW (40’ asphalt plus curb, gutter and sidewalk)
- Designed for up to 5,000 vehicle trips/day
- Current counts are 1,800 vehicle trips/day
- Development would add 640 trips/weekday

- 700 West is classified as a Minor Arterial



Traffic

SUMMARY OF KEY FINDINGS & RECOMMENDATIONS

Project Conditions

- The development will consist of 90 townhome units.
- The project is anticipated to generate approximately 640 weekday daily trips, including 44 trips in the morning peak hour, and 54 trips in the evening peak hour.

2021	Background	Plus Project
Assumptions	<ul style="list-style-type: none"> • Bullion Street / 700 West: de-facto right-turn lane on the eastbound approach 	None
Findings	<ul style="list-style-type: none"> • Acceptable LOS 	<ul style="list-style-type: none"> • Acceptable LOS

- Traffic counts were gathered and adjusted upward for seasonality (non-COVID) conditions.
- A sensitivity analysis of the intersections for function in a non-COVID environment.
- 25% - 30% more traffic would still result in acceptable Levels of Service, which is greater than a non-COVID adjustment.

Parking

- R-1-6 – 2 covered spaces (garage) + driveway
- R-M-15 – 2.5 spaces per unit

Building Height

Height of buildings

- R-1-6: 30'
- R-1-8: 35'
- R-M-15: 40' maximum but determined by CUP

Public Comments

- Medium Density (Townhomes) vs. High Density (Apartments)
- Jumping zones
- Precedent
 - General Plan Amendments and Zoning Map Amendments are discretionary
- Buffering and setbacks
- Height of buildings
 - R-1-6: 30'
 - R-1-8: 35'
 - R-M-15: 40' maximum but determined by CUP
- Contamination clean up oversight and approval
 - Voluntary Clean-up Program approved and monitored by UDEQ

Public Comments

- **Impact to Schools:** Notices of the proposed amendments were sent to the Murray School District as an affected entity. No response was received. PUD subdivisions (as the applicant proposes if the property is rezoned) require a letter from the school district confirming their ability to serve any potential students.
- **Public Utilities:** Public utility providers reviewed the proposed amendments including potential densities and did not identify concerns which would not be manageable through the process of development.
- **Impact to Property Values:** A recent Kem C. Gardner Policy Institute found that multi-family developments built between 2010 and 2018 had no adverse effects on the value of single-family homes in suburban Salt Lake County.

Planning Commission

- The Planning Commission held a public hearing on May 6, 2021.
- 145 public notices were mailed in a 500' radius of the subject property.
- 47 public comments were received.
- The Planning Commission forwarded a recommendation of approval with a 4-3 vote.

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 represents a change which will allow potential redevelopment of the site that can accommodate the needed demolitions and environmental mitigation which otherwise limit traditional lower density subdivision.
- The proposed Zone Map Amendment from A-1 to R-1-6 and R-M-15 has been considered based on the characteristics of the site and surrounding area. The potential impacts of the change can be managed within the densities and uses allowed by the proposed R-1-6 and R-M-15 Zones.
- The proposed Zone Map Amendment from A-1 to R-1-6 and R-M-15 conforms to important goals and objectives of the 2017 Murray City General Plan and will allow an appropriate development of the subject property.
- The Planning Commission forwarded a recommendation of approval.

Recommendation

General Plan Amendment: Staff and the Planning Commission recommend **APPROVAL** of the amendment to the Future Land Use Map of the General Plan, re-designating the properties located at 935 West Bullion Street from Parks & Open Space and Low Density Residential to Medium Density Residential.

Zone Map Amendment: Staff and the Planning Commission recommend **APPROVAL** of the amendment to the Zoning Map designation of the properties located at 935 West Bullion Street from A-1, Agriculture to R-1-6 and R-M-15.



Attachment C: 2021-0615 Presentation, Bullion Street



MEMO

Date: June 15, 2021

Re: Bullion Street Presentation – City Council Meeting

Thank you, Ladies and Gentlemen of the City Council, for your time this evening. My name is Michael Brodsky I am the owner of Hamlet Development. Our company has been developing neighborhoods in northern Utah since 1994 and over the last 27 years, many of these neighborhoods have been in Murray. Since 2000, our corporate headquarters have been located in Murray – first at 308 East 4500 South, and now across the street from your new city hall complex at 84 West 4800 South. With your permission, I would like to walk through a bit of the history of this property, and the application process we have gone through to get us here today.

Back in the late 1800's, the property was used as a smelting operation and as a result there are significant deposits of mine tailings and lead & arsenic heavily contaminating the property. There is an existing 25,000 sqft building and array of satellite dishes which were used by the Albertson's Companies for many years as a communications facility for their operations across the United States. The building has been abandoned for several years and today is a non-conforming use. Over the last few years, a number of developers – and even Murray City – contracted to purchase the property. Upon discovering the challenges associated with it, all backed out of their contracts. January of this year, Hamlet Development put the property under contract fully aware of the environmental issues that plagued this property. Later in my presentation, I'll discuss the steps that we *have* taken and *will* take, in order to clean the property up to residential standards.

We applied to the Planning Commission for a February 1st, 2021, Planning Commission Meeting to request a Rezone to an R-M-15 zone for the property, as well as a General Plan Amendment. When we posted the meeting notice on the property, there was a significant outcry of complaint from neighbors. I withdrew our application, and with the help of city staff, I was able to conduct a Zoom Meeting with approximately 135 of the neighbors in attendance, for the purpose of providing them information on what we were proposing. At that time, our concept plan was for 90 townhouses on the property, including a 2-acre public park. Based on the input we received from the neighbors at that meeting, we redesigned our plan, reducing the density to a combination of 20 single-family lots and 55 townhouse lots. The single-family detached homes front Bullion Street where they face existing single-family detached homes across the street. The townhomes are in the

center of the site, and where they back to the Walden Ridge subdivision, we have designed it so that only the end of the townhouses face the rear of the Walden Ridge homes. There are a total of eight (8) townhouses proposed that face six (6) homes in Walden Ridge. The distance from townhomes to single-family homes is between 107 feet and 92 feet, and the first floors of the townhouses are minimum of 5 feet below the first floor of the Walden Ridge homes. To provide even more privacy for both the townhomes and the existing single-family homes, the bedroom windows facing Walden are designed as transom windows which provide light and privacy. The townhouses that are being designed for this property have a maximum height of 35 feet, which is the permitted height of single-family homes. While the R-M-15 zone permits heights up to 40 feet, we will be requesting a PUD and that ordinance will give the city the right to limit the height to 35 feet.

After our meeting with the neighbors, we resubmitted an application to be on an April 1st, 2021 Planning Commission meeting. At that meeting, what we proposed was presented to the Planning Commission by both staff and myself. At the end of this presentation, again based on input from neighbors, I requested that our application be withdrawn. From the public comments we received, it became apparent that there was a significant concern that the R-M-15 zone to be approved, in spite of my presentation of a plan that would only build 75 homes, the R-M-15 zone would permit me to build up to 126 homes. In order to assure the public that no more than the 75 homes could be built, I resubmitted my application. This time I identified a portion of the property that would be zoned R-1-6 and the balance of the property that would be zoned R-M-15. The combination of these two zones would permit no more than a maximum of 75 units, thus responding to a significant neighborhood concern. In tandem with the application for rezoning and a general plan amendment, we also submitted an application for a boundary adjustment to permit the parcels to receive the requested zoning. The boundary line adjustment is a staff review and in the event this application is approved, then the boundary line adjustment will be also approved by staff.

Prior to entering into a contract to purchase this Property we were provided a Phase 1 Environmental Assessment that was prepared for the Property owner. The information provided to us indicated that there was a high likelihood that the insulation in the walls of the building contained vermiculite, heavily impregnated with asbestos, and that major portions of the Property were contaminated with lead & arsenic, and mine tailings from a smelter operation that dated back to the late 1800's.

The discussion points that I am intending to cover this evening are:

- the environmental issues surrounding the property;
- a concept plan of how we would like to develop the property – including a discussion of:
 - Density
 - On-Site Parking

- Buyer Profiles of homeowners who have purchased from Hamlet Homes in 5 neighborhoods over the last 4 years. This will include age, income, education, and number of children.
- Traffic Impacts

Hamlet Development is now under contract to purchase this property. Prior to entering into this contract, we met with representatives of Murray City to discuss how we could afford to clean-up the site and build a community that would also provide community benefits. We suggested that we would enter into a voluntary clean-up program with the Department of Environmental Quality to clean up the property. We also suggested that the cost of this was significant and in order to absorb the cost of cleaning up the environmental contamination, would the city be willing to consider additional density? We also suggested to city staff that we would construct a park that could be a publicly accessed neighborhood park.

Based on the neighborhood feedback we received that first evening, we have reconfigured our plan and have eliminated the park, modified the density – reducing it from 90 homes to 75, and changing the mix of homes in the community. As you will see, we are now proposing 20 single-family detached homes that would border Bullion Street and 55 townhomes that would be in the middle of the Property. As

we heard pretty significant opposition to a community park on the perimeter of the property, our redesign includes an interior neighborhood park surrounded by homes and adjacent to the cell tower. Additionally, there are pockets of open space scattered throughout the neighborhood that are more passive open space areas. The neighborhood park would include amenities such as a covered pavilion, picnic tables, BBQ and additional playground equipment. The park would be operated by the homeowners association and available for use by residents of this neighborhood.

Among the comments that we received at the neighborhood meeting was a concern for speeding along Bullion Street. Again, we engaged Hales Engineering to meet with the city engineer to discuss Traffic Calming Methods along the street. Hales provided us with a report on recommendations for traffic calming and met with Trae Stokes, the city engineer, for approval, and we are prepared to implement these recommendations as part of our development.

Phase 1 Geoengineers

The current owner of the property, Albertson's, commissioned geoengineers (an environmental engineer) to do a Phase 1 investigation of the property. The Phase 1 identified that back in the late 1800's the property was the site of the Highland Boy Smelter. As a result of this use, the property was left with levels of contamination of lead and arsenic, and slag waste. Soil samples from the 1990's indicated elevated levels of lead and arsenic in the soil. Additionally, geoengineers identified illegal dumping on the property before the fence was installed, and they concluded that there was a very high likelihood that this would result in a recognized environmental

condition. They further concluded that the risk of the subject property, having regulatory impacts, was considered high. In further discussions, we were informed that there was a high likelihood that an insulating material used within the block walls when the building was constructed back in the early 1980's contained asbestos, and the cleanup for the asbestos would also be expensive. (The good news is that our initial testing has demonstrated that there is no asbestos within the block walls of the building.)

In order to fully understand the extent of the contamination, Hamlet Development has hired Wasatch Environmental – a local environmental consulting firm to do further investigation of these impacts. While we expect the cleanup costs to be significant, our challenge is to be able to afford to clean up the property and turn it into an attractive, desirable neighborhood.

There is a state-sponsored process to clean up a property of this nature. It involves the Department of Environmental Quality and is known as a Voluntary Cleanup Program, a VCP. Over the last 15 years, our company has done VCP's in Murray in 4 separate locations, this would be our 5th. The benefits of the VCP to both the developer and the community are extensive. The process is as follows:

1. The developer hires an environmental consulting firm to investigate the extent of the contamination.
2. Consulting firm conducts invasive testing of the building and soils to determine corrective action needed.
3. All findings and recommendations for cleanup are submitted to DEQ for review and approval of the cleanup plan.
4. The developer engages environmental consultant to supervise the cleanup and a contractor to perform the work. This includes onsite supervision of the cleanup work and ongoing testing of materials being removed. The contaminated material, in this case – lead and arsenic, are buried in a repository onsite that is then covered with a protective cap.
5. All of the work is also supervised by an employee of DEQ onsite daily.

For the last six weeks, we have been onsite with an environmental engineer, Wasatch Environmental, doing extensive testing to understand the full scope of what needs to be cleaned up. The DEQ, a state agency, has accepted us into their Voluntary Cleanup Program. Moving forward, we are working closely with that agency to develop a cleanup plan that we will implement – in the event our development proposal is approved. A portion of that cleanup program includes dust control. This means that there are monitors around the perimeter of the property to ascertain that no hazardous material leaves the site. Additionally, there will be water trucks on-site during the entire excavation process to maintain dust control.

When the cleanup is completed, DEQ certifies that the site has been cleaned to residential safety standards.

Fencing/Property Separation

A unique aspect of this property is that it is separated from the adjacent developments. To the east is the Murray City Power station, to the north is Bullion Street, to the west is the Rocky Mountain Power corridor, and to the south – adjacent to the Walden Ridge subdivision – is a Rocky Mountain Power corridor, as well.

We are proposing to fence the south property line with a 6' high white vinyl fence. Any additional fencing that will be done will be done at the direction of Murray City. There is a substantial stand of mature trees along the Bullion Street property line. With homes now facing Bullion Street, we expect to be able to selectively save some of these trees.

Additional Facts

These homes are not apartments, they are fee-simple townhomes and single-family detached homes. That means each home is individually owned. Affordability is a major issue in our area today and while these are not entry-level homes, I expect the average purchase price to be in the high \$300's for the townhomes and into the upper \$500's for the single-family homes.

Parking

Single-family homes are designed with a two-car garage minimum and two parking spaces in the driveway which is typical of a single-family detached home. The townhouses are designed with a two-car garage and in addition, one half space for guest parking scattered through the community. The parking proposed meets or exceeds city requirements and is typical of parking we have designed in similar communities in Murray.

Buyer Demographics

I would like to discuss a little bit about the buyer demographic of who buys these homes. This is an opportunity for your children to stay in the community as well as empty-nesters to stay in the community. Attached housing does not mean it must be close to transit. Over the last 25 years, Hamlet Homes has built 100's of similar homes. The statistics I am quoting are from townhome sales in 5 neighborhoods that Hamlet Homes has built in the last 4 years – one in Draper, three in Murray, and one in Taylorsville.

The Average Age of Buyers

- 40% between 25 – 34 years old
- 25% between 35 – 44 years old
- 34% between 45 – 55+ years old

Average Income

- 34% \$55,000 - \$95,000
- 62% \$96,000 - \$155,000

Education – these are very educated people.

66% college grad

18% advanced degrees

Children – your concern about overcrowding the schools is unfounded. Besides the conversations that staff had with the local school district and ascertained that there is no overcrowding, 67% of the townhouse buyers have no children.

By contrast, during that same period of time, the single-family homes that Hamlet sold averaged 1.22 children per household which is 2 ½ times the number of children in a townhouse community.

Traffic

We commissioned Hales Engineering to do a traffic study for the neighborhood. A copy of the traffic study was submitted to Murray City. The conclusion that Hales came up with is that Bullion Street will have between 1,000 – 2,000 cars a day. The study they did was based on the original 90 home concept. That study indicated that peak traffic is in the morning and those 90 homes would generate 44 morning trips and 55 evening trips. A street of this size is capable of handling 6,000 daily trips. Additionally, Hales Engineering – at our request – also provided recommendations for traffic calming along Bullion Street. It is our intention to follow those recommendations that were also reviewed by Trae Stokes, the city engineer.

With that, I have concluded my presentation. Thank you very much for your time tonight.

MMB/hf