

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 17th day of May, 2016 at 6:30 p.m., for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

Roll Call consisted of the following:

Blair Camp,	Council Chair – Conducted
Brett Hales,	Councilmember
Diane Turner,	Councilmember
Jim Brass,	Councilmember
Dave Nicponski,	Councilmember

Others who attended:

Ted Eyre,	Mayor
Jan Wells,	Chief Administrative Officer
Jennifer Kennedy,	City Recorder
Frank Nakamura,	City Attorney
Janet Lopez,	Council Administrator
Janet Towers,	Executive Assistant to the Mayor
Gil Rodriguez,	Fire Chief
Chad Pascua,	Battalion Chief
Justin Zollinger,	Finance Director
Tim Tingey,	Administrative and Development Services Director
Mike Terry,	Human Resources Director
Robyn Colton,	Human Resources Analyst
Scouts	
Citizens	

5. Opening Ceremonies

5.1 Pledge of Allegiance – Barrett Schafer

5.2 Approval of Minutes

5.2.1 Council Meeting – May 3, 2016

Mr. Brass made a motion to approve the minutes

Ms. Turner seconded the motion

Voice vote taken, all “ayes.”

5.3 Special Recognition

Mr. Camp asked the scouts in attendance to introduce themselves and state their troop number and the badge they are working on.

5.3.1 Murray City Council Employee of the Month, Robyn Colton, Human Resources Analyst.

Staff Presentation: Brett Hales, Councilmember

Mike Terry, Human Resources Director

Mr. Hales said the Council is excited to present this Employee of the Month. Ms. Colton has worked for the City for eight years in the Human Resources Department. He presented Ms. Colton with a certificate, a \$50 gift card and told her that her name would appear on the plaque located in the Council Chambers. He expressed his appreciation to Ms. Colton for all she does for the City.

Mr. Terry said he has a small but wonderful staff. Ms. Colton has been fabulous and has worked here since 2008. Ms. Colton takes care of one of the most important things in Human Resources and that is making sure the employees are paid correctly. Compensation mistakes don't happen very often and that is due to Ms. Colton and her diligence in making sure our employees are compensated as they are supposed to be. She is also in charge of recruiting.

Mr. Terry stated he is very grateful for everything Ms. Colton has done. Back when the economy was bad, she took an hourly cut, down to 30 hours, in order to help balance the department's budget.

Ms. Colton introduced her family.

Mr. Camp thanked Ms. Colton for all the great work she

does.

5.3.2 Presentation of Annual History Awards

Staff Presentation: Will Perez, Murray History Advisory Board

Mr. Perez said he was filling in for the Chair of the Board, Ian Wright.

Mr. Perez said over the past few years, the History Advisory Board has created an annual tradition at Halloween that features storytelling and historical monologues. They will have it this Halloween as well.

On June 23, 2016 the Board is having a pioneer story tour. It will feature different homes in the area, including the Walton and Miller homes. Each of the homes will have a pioneer story that goes with it. It will be a really neat tour.

Mr. Perez said this Saturday, May 21, 2016, the Board will be meeting front of the Desert Star Playhouse at 10:30 am for a walking tour in downtown Murray. This tour will feature some buildings on the mobile app hosted by the Utah Heritage Foundation.

The Board is completing 15 Independent Land Surveys (ILS) of historic buildings and one Reconnaissance Level Survey (RLS) to determine and be able to add additional homes and districts into the national register property listing. These surveys are funded through the Utah State Preservation Office. The City currently has 11 residential individual buildings, one commercial and two districts on the national register. They are working with the Streets Department to install new historical signage in some of these districts.

Mr. Perez stated the City Museum continues to be a steward of Murray history. He encouraged everyone to visit the Museum if they haven't already. The Museum is working on digitizing their collection. They have over 4,000 photos right now. Former and current residents continue to donate photos, family history files, records, documents and artifacts. They just acquired a school collection that dates back to the 1880's before the Murray School District existed. They are excited to unveil that within the upcoming year for Murray High School's 100th Birthday.

The hope is that these projects will create awareness of Murray history. Murray has a rich culture and history with a lot of artifacts and documents.

The Board is currently working on a vision statement for the Museum that highlights the critical need they have for additional space and staffing as they continue to foster this awareness and preserve the history that they hold

so dear.

Each year as part of National Historic Preservation Month the Board likes to recognize an individual or organization that has made a significant contribution to preserving Murray history. This year, the Board has chosen to recognize, as an organization, Murray City and the officials and departments who were involved in purchasing the Murray Theater, including the iconic sign, with the hopes that this building will be preserved for future generations.

Mr. Perez thanked Tim Tingey, Administrative and Development Services Director, Mayor Eyre and the Council. He said they are grateful for their efforts. They know there will be needed funding that needs to be acquired to keep the theater clean and figure out what it is going to be used for.

Hopefully, we can all continue to work together and preserve the rich culture and history that is in Murray.

- 5.3.3 Consider a Joint Resolution of the Mayor and Municipal Council of Murray City, Utah, to Designate and Support the Week of May 15 – 21, 2016, as Emergency Medical Services Week.

Staff Presentation: Chad Pascua, Battalion Chief

Battalion Chief Pascua said he is in charge of emergency medical services. He thanked the Mayor and City Council for their ongoing support. The citizens and guests of Murray expect a high level of service when it comes to EMS and he knows the City's personnel meet and exceed those expectations.

The Fire Department continues to be busy. Last year they responded to over 4,800 calls with over half of those being transports. This year they are on track to exceed those numbers.

They are waiting for final budget approval to refurbish one of their 2009 ambulances. This will help them keep their fleet in service.

There is a high expectation of EMS when it comes to the service level. It is a team effort that starts with the VECC dispatchers and ends with the nurses and doctors at the hospital. In the middle of all that are the outstanding paramedics and EMT's that respond to those calls.

Battalion Chief Pascua stated the Fire Department is having a barbeque at Station 84, 161 East 5900 South, from 11:30-1:00 this coming Saturday. They will be serving hamburgers and hotdogs and he invited everyone to attend.

Mr. Brass made a motion to adopt the Joint Resolution
Ms. Turner seconded the motion

Call vote recorded by Jennifer Kennedy

 A Mr. Brass
 A Ms. Turner
 A Mr. Hales
 A Mr. Nicponski
 A Mr. Camp

Motion passed 5-0

Mr. Camp thanked everyone in the Fire Department for their service to the community. He knows the Murray Fire Department has top notch manpower and equipment to do the job that needs to be done every day. Roughly 80% of their calls are emergency medical related.

Ms. Turner thanked the Fire Department also stating the job they do for the City is appreciated.

6. Citizen Comments (Comments are limited to 3 minutes unless otherwise approved by the Council.)

Jennifer Brass – 410 East Meadow Road, Murray, Utah

Ms. Brass said on June 14, 2016, which is Flag Day, the American Legion Post 112 over on 3900 South is going to hold a flag retiring ceremony so that our national emblem can be retired respectfully. It's quite a ceremony; it's very touching. She said she wanted to take the opportunity, especially with all the scouts that are present tonight, to say that this is a good opportunity to do something for your nation and flag.

7. Consent Agenda

7.1 None scheduled.

8. Public Hearings

8.1 Public Hearing #1

8.1.1 Staff and sponsor presentations and public comment will be given prior to Council action on the following matter:

Consider an Ordinance relating to zoning; amends the Zoning Map for property located at approximately 6051 South 900 East, Murray City, Utah, from C-N (Commercial Neighborhood District) to C-D (Commercial

Development Mixed Use District). (Larry and Sue Wilson applicant.)

Staff Presentation: Tim Tingey, Administrative and Development Services Director

Mr. Tingey said this item was considered at the April 7, 2016 Planning Commission Meeting. A packet of information was given to the Council which includes the minutes and other materials including a number of comments that were received via email as well as letters that were also received.

Right before this meeting, a resident that could not stay for the meeting provided a letter relating to concerns with this proposal as it stands. The letter is from Cori Brown and the Council has been given copies of the letter.

This is not a General Plan amendment. This area already allows for commercial. Right now it is zoned C-N (Commercial Neighborhood District) meaning businesses need to have the types of uses that are conducive to an environment close to a residential neighborhood; businesses that will help serve a residential neighborhood. These businesses have more low impact type uses, less demand for parking, and potentially even less hours of operation that go into the night time.

The proposal is to change the C-N zone to a C-D zone (Commercial Development Mixed Use District) which would allow for more intense uses in the commercial area. Uses that could be allowed in a C-D zone that are not allowed in a C-N zone include automobile repair, automobile sales, hotels, and self-storage units.

Although, the applicant is not proposing any of those uses, this is a zone change that will affect the property long term. There is a property to the north that is zoned C-N, a property to the south that is zoned C-N, and to the east is R-1-8 which are residentially zoned properties with residential uses.

Staff feels this type of change in the zoning, which would create that higher intensity of uses in commercial areas, is not conducive to the environment around the area, particularly the residential neighborhoods. The Planning Commission deliberated on this and are recommending denial. Staff is recommending denial as well.

Mr. Hales asked what can be built in a C-N zone.

Mr. Tingey responded there are a variety of uses and they are uses that are conducive to a neighborhood type environment such as banking services, small restaurants, and convenience stores; those types of uses.

Motel, hotel and auto repair, more intense uses, are not allowed.

Mr. Camp asked Larry and Sue Wilson, the sponsors, if they had a presentation they would like to make.

Ms. Wilson said ironically she is now on the Planning Commission, she was appointed right after this issue was deliberated by them. She feels part of her responsibility is to stay with what Murray's continuity plan is for the City as a whole. As she has been studying her city map for another matter being presented to the Planning Commission on Thursday night, it is hard for her to decide where the commercial zone should end. She looks at some of the places on the map and they look a little haphazard while other places make complete sense. She is wondering at what point we say, "Yes we can put a 7-11 on this corner, but on the property directly across the street we won't."

This is something she has been struggling with today as she prepares for her Thursday night meeting because she feels their property kind of falls into that same criteria. There is not room in their tiny little piece of property for anything too big. It is a very small piece of property with a very large right-of-way. They are pretty limited on what they can do. They have already spent considerable funds remodeling the house on the property. Most people didn't know there was a house on the property because it was obscured by overgrowth. They have spent considerable time and money to beautify this piece of property.

They were hoping to be able to hold small weddings for people who don't have the funds or desire to rent a big reception center. People who only want 10-20 friends and their reception to be something simple. That was the Wilson's original plan. Ms. Wilson said she understands the concern that that could be a problem in a neighborhood zone. She gets that part of it.

Ms. Wilson stated there is a 7-11 straight across the street that abuts right up to a neighborhood and throughout Murray there are places like that. She feels the car wash next to them is a bigger detriment to the neighborhood than they ever would or could be because their property is so tiny. It really wouldn't be conducive for car repairs or any of those types of businesses, there's just not enough property. By the time you impose the requirements for any kind of business that Murray does, such as the number of parking places required and all those sorts of things, it really limits their particular piece of property just by the nature of its size. She turned the time over to Mr. Wilson.

Mr. Wilson said he appreciates the Mayor and Council listening to them. Their hopes were to have a very small room. He misunderstood when he asked what the zoning was from Planning and Zoning. He thought they said

that they could hold receptions in there so they went forward with that. As they got close to the end, he received clarification that the zoning of this property was C-N, not C-D.

Mr. Wilson said they were hoping to have small art classes there. His daughter would like to teach Pilates classes there. It would be kind of a mixed use but it falls underneath the public meeting area which is in the C-D zone. He said they appreciate the Council considering this.

Mr. Camp noted the Council has received nine emails from residents in the area that could not be here tonight. All of them are opposed to this zone change (Attachment 1).

Public Hearing Open for Public Comment

Bob Pifke – 964 East Bridges Court, Murray, Utah

Mr. Pifke said there are about 13 houses in this development and some are literally 50 feet from the building being talked about. It is a very quiet neighborhood and there are a lot of children. They are concerned about having weddings take place that close, particularly since weddings can go much longer than 9, 10, even 11 o'clock at night. That becomes an issue.

Mr. Pifke didn't realize that Mr. Wilson didn't understand the zoning. However, when the property was purchased, the zoning and its uses should have been known. When they bought their homes in that neighborhood, they assumed what was there would be there. A zoning change would increase Mr. Wilson's property value and decrease his. That doesn't seem right. That is the prospective from the Homeowners Association, of which there are many members in attendance tonight.

Randy Williams – Salt Lake County Health Department

Mr. Williams said his comments are related to this, but not necessarily just for this. The reason he is here is because he looked at this Public Hearing and thought there are some problems, particularly where there are noise issues that are incompatible. There are businesses to businesses that are incompatible that sometimes get business licenses. An example of this would be an exercise place and a massage place. Those two types of businesses are not really compatible.

His concern here was that there might be a noise compatibility issue especially if a business was put there that does something like changing mufflers out. Those types of businesses like to rev up their engines and cause really, really loud noises close to residential areas. That is a concern.

Mr. Williams said he doesn't know what kind of restrictions the City puts on businesses when these types of zoning changes are done. He told the Council they may want to consider having some noise restrictions when

zoning changes are done. That way, if there is some incompatibility, there is a caveat that they would have to mitigate for noise issues.

He said he was not completely familiar with the City's noise ordinance, or even if the City has one.

Mr. Camp advised Mr. Williams the ordinances are available online.

Mr. Williams said those were basically the concerns he had. He doesn't know Mr. Wilson or his property particularly well, but when businesses go in that make a lot of noise, it causes a lot of problems for the Health Department. They get complaints about the noise which they basically have to turn over to the City to deal with.

Junie Shiotani – 6049 South Bridges Lane, Murray, Utah

Ms. Shiotani said this is a small parcel so where are people going to park. Even if it is going to be a small area, that is a concern because people will be parking on the street. Everyone knows that 900 East is so busy for a good part of the day and there could be a safety problem with that in addition to the noise factor.

Public comment closed.

Mr. Camp asked the Wilsons if they wanted to rebut anything that was said or if they had any additional comments.

Ms. Wilson said it was their intent to always have everything done by 8:00 pm. They never intended to have anything late at night there, nor would they. She is respectful of Murray's ordinance to have things close down and done at a reasonable hour.

They have already figured out how they would have the number of parking places that are required for the size of their square footage. The house itself is about 800 square feet; it's not a big facility at all. She understands everyone's concerns and is respectful of them. They live in and love Murray.

Ms. Wilson added that it was never their intention to do something big with cars overflowing out onto the road. Not to say they couldn't prevent that, but it was never their intent. They are well aware of the ordinances and provisions.

Ms. Turner stated she knows how small that house is because her mother owned the house at 6055 South. Since her mother has owned it, it has been a couple of restaurants. She is very aware of how small the house and property are which is why it concerns her to change that zone.

Mr. Nakamura said there has been discussion tonight about projects. The Council is here to decide the appropriate land use regardless of what that project might be and what would go there based upon noise, traffic, safety and the surrounding land uses. He wants to make sure the Council's focus is not on any one particular project or what is going to go there. The focus has to be on what the appropriate land use is and whether this should be changed from its current zone; that should be the issue.

Mr. Camp noted that many of the comments that they have received have been around not wanting the property to change from residential. The fact of the matter is the property is already zoned commercial neighborhood and they are not looking at changing that zone. The request is to change it to a different type of commercial zone. It is already zoned commercial. He hopes no one is surprised if something commercial goes in there at some point.

Mr. Brass said he was on Planning and Zoning a long time ago and he understands Ms. Wilson's questions as she goes into this and starts reading the different ordinances. One of the biggest problems they had back then was dealing with houses along 900 East that were homes and are no longer appropriate to be homes. Nobody wants to back out of their driveway into 45 MPH traffic. On Winchester, on the west side of 900 East, and on parts of 5400 South they came up with a Residential Neighborhood Business (R-N-B) zone.

The concern is that once a property goes commercial, it begins to collapse the neighborhood behind it. Once a zone is set, there can be an abutting property that could conceivably come to the City and say they want that zone too. The R-N-B zone seems to actually be working.

Mr. Brass said the reason they only look at the zone and if it is appropriate for the area is because you never know what is going to happen to that property in the future. You may have a small reception center that works great, but if you sell it and someone comes in and buys your property plus the two adjoining properties, all those properties could potentially be zoned C-D.

Mr. Brass mentioned Mountain Medical Imaging on 5300 South and Woodrow Street. It's a great facility, but it was supposed to be a single story drive-in bank when the zone was changed. It is now a two-story doctor's office that generates a lot of traffic, much to the consternation in the neighborhood behind it. They also went through this with Make-A-Wish on Winchester Street. If that project was unable to get funding then there could have been a four-story office building there.

The Council has to look at the zone and anything that could go in a C-D

zone up against a neighborhood. It's not the project you want to do now, it's what could happen in the future.

8.1.2 Council consideration of the above matter.

Mr. Brass made a motion to deny the Ordinance
Mr. Nicponski seconded the motion

Call vote recorded by Jennifer Kennedy

 A Mr. Brass
 A Ms. Turner
 A Mr. Hales
 A Mr. Nicponski
 A Mr. Camp

Motion to deny passed 5-0

8.2 Public Hearing #2

8.2.1 Staff and sponsor presentations and public comment will be given prior to Council action on the following matter:

Consider an Ordinance amending Section 17.170.080(F) of the Murray City Municipal Code relating to conditional uses in the Murray City Center District (MCCD).

Staff Presentation: Tim Tingey, Administrative and Development Services Director

Mr. Tingey said this was considered at the April 7, 2016 Planning Commission meeting. The Planning Commission has forwarded to the Council a recommendation of approval of this proposal.

This proposal is a clarification element for the MCCD District. The MCC District currently allows for drive-through services in restaurants as long as the drive-through is not located in the front of a building. It has to be located on the side or the rear of the building. Banking institutions are also allowed in this zone, but there is no wording for banking institutions drive-through services.

Wording has been added to the Ordinance to include drive-through services for banking institutions as long as the drive-through is not in the front of the building; it has to be to the side or rear of the building.

Staff feels this change is conducive to what the intent of the Ordinance is. Similar to a restaurant, banking institutions have the same type of issues

with drive-through services.

Mr. Tingey reiterated that the Planning Commission approved this and staff is recommending approval as well.

Mr. Camp said in their packets, they were given page 25 of the Planning Commission minutes but he thinks the recommendation was on page 26, which they did not receive. He asked Mr. Tingey if the Planning Commission's recommendation was unanimous.

Mr. Tingey replied it was.

Ms. Turner asked how it is addressed if a drive-through is on the corner of two main thoroughfares.

Mr. Tingey replied the buildings in the MCCD are built towards the street so there are not setbacks with parking in front of the buildings. Because of that, drive-through services typically will come in from the rear off of the street and to the sides of the buildings. A drive-through cannot be in the front of the building adjacent to the main thoroughfare; it has to either be on the side or rear of the building.

Public Hearing Open for Public Comment

No public comments were given.

Public comment closed.

8.2.2 Council consideration of the above matter.

Mr. Hales made a motion to approve the Ordinance
Mr. Brass seconded the motion

Call vote recorded by Jennifer Kennedy

 A Mr. Brass
 A Ms. Turner
 A Mr. Hales
 A Mr. Nicponski
 A Mr. Camp

Motion passed 5-0

8.3 Public Hearing #3

8.3.1 Staff and sponsor presentations and public comment will be given prior to

Council action on the following matter:

Consider an Ordinance amending Section 17.146.050(G) of the Murray City Municipal Code relating to ground floor uses in the Mixed Use Development District (M-U). (Castlewood Development)

Staff Presentation: Tim Tingey, Administrative and Development Services Director

Mr. Tingey said this item was considered at the April 7, 2016 Planning Commission meeting. He showed a map that explained where the Mixed Use zone was (Attachment 2). The Mixed Use zone is adjacent to the smelter site, which is now the Intermountain Medical Center site and includes a Costco. It is in close proximity to, and actually includes a portion of, the FrontRunner and Trax Stations.

The General Plan talked about this area transitioning from a manufacturing general warehousing type zone to a mixed use zone. Primarily because of the close proximity to the Trax and FrontRunner stations.

The City went through a significant process which included a lot of public comment and meetings with the Planning Commission when we were developing this ordinance. It came to the City Council where there was a lot of deliberation and talk in both the Committee of the Whole and in the City Council meetings about this area.

The purpose statement for the Mixed Use zone says a Mixed Use zone is to encourage the development of high quality residential, office, commercial, live-work open space, entertainment, recreation, public and institutional land uses. It also says in order to promote an urban design with pedestrian street life and activity, the district is to include pedestrian oriented designed buildings with neighborhood oriented commercial and restaurant space.

Prior to this zone change that occurred, the Manufacturing General zone did not allow for any residential; it was not allowed. It was a commercial zoning designation. At one time there was an allowance of residential, but at the time this was changed, the Manufacturing General District did not allow for residential or apartments. When this zone went from Manufacturing General to Mixed Use it was a pretty substantial change because the zone went from a manufacturing warehouse environment to a mixed use environment. It takes time for that transition to occur. It's been less than six years since the Council adopted that zone change and the focus of the area is to have an environment conducive to pedestrian oriented mix of uses. It is also really important this area to be close to the Trax and Front Runner stations.

Mr. Tingey stated when the City went through this process there was

discussion of how to promote and preserve the mix of uses. How do you include elements of residential and also elements of commercial in this type of zone? That's the real challenge in any mixed use zone. There are three mixed use zones within the City. The challenge is having the appropriate mix of uses, not uses that just allow for one use, such as residential or one type of commercial.

As part of this, they looked at other communities across the nation. In two of the City's mixed use zones, there is a requirement to have full commercial on the lower level. This mixed use zone is not that intense. It only requires 75% of commercial on the lower level and the upper floors can be fully residential with fairly unlimited height requirements provided they can meet the parking standards.

The question is whether we still require that commercial. The Planning Commission had a lot of deliberation on this. One of the comments that was made was, how do we preserve that mix of uses without working towards a de facto apartment or residential zone. How do we promote that mix of uses?

The Planning Commission deliberated and recommended denial of this proposal because of the issue of preserving the mix of uses. Staff is also recommending denial.

Mr. Camp asked Duaine Rasmussen, the project sponsor, if he would like to speak.

Mr. Rasmussen said he is representing Castlewood Development. He appreciates the Planning and Zoning staff and where they are coming from and the honest discussions they have all had regarding this issue. He agrees with about 95% of what Mr. Tingey said in terms of the goals of this mixed use zone. He would like to point out a few things regarding the particular piece of property that he has been working on for almost a year.

Castlewood Development started working with the owners of Americom on a project at the southeast corner of Commerce Drive and Vine Street. Americom owns almost four acres on that corner.

Castlewood Development was attracted to this site for several reasons. They liked the proximity to I-15, major retail, the Murray City downtown core, and the proximity to IMC which is a major employer in this community and will only get bigger as time goes on. They also liked the proximity to not only the Trax Station, but the FrontRunner Station as well. It is one of only two places in this valley where Trax and FrontRunner come together. The opportunity to take dual income households and move them up and down the Trax, either north or south, is very important to Castlewood

Development.

They worked with the staff on three or four different site plans. They had honest exchanges of ideas but they couldn't reach a happy medium. To Mr. Tingey and his staff's credit, they did say that if Castlewood Development didn't want to do horizontal mixed use and put 75% of the ground floor area in commercial, they could build the commercial adjacent to it in an office building, that would qualify as commercial.

So they looked at that possibility by taking the amount of square footage that would be on the ground floor and put it in a vertical environment. They would have had to create some parking structures, etc. behind it, but that probably would have worked.

They then came to the issue of sub-dividing the property so they could finance the commercial and residential projects separately. This is a major hurdle for developers in this community because the banks that finance multi-family, finance multi-family. The banks that finance office and commercial, finance office and commercial. Banks don't typically finance both residential and commercial projects together unless they have some significant cross-collateral agreements.

Mr. Rasmussen said they faced the issue of simply sub-dividing the property. If the City doesn't want residential or doesn't want this as a de facto apartment zone, Castlewood Development would have to pull the commercial building permit first and get started on that so they could start the residential at the same time and the projects would be built simultaneously. They understand the City's concerns in that regard.

Mr. Rasmussen said one day when he was sitting in Mr. Tingey's office Mr. Tingey asked him why having 75% of the ground floor for commercial use doesn't work at this location. Mr. Rasmussen suggested to him that it is very difficult to make it work in terms of its significance, it's mass and the type of individual that would be attracted there as a retailer. The traffic isn't there and probably won't be there until either a significant commercial development is build adjacent to the property or a significant residential development is built in order to attract the retailers there.

Mr. Rasmussen is working on projects in both Sandy City and South Salt Lake. Both cities have mixed use zones, neither of which is as tight as Murray's. He recognizes that those cities are not Murray and that Murray does its own thing, and he appreciates that. He encouraged the Council to look at some of his projects in those two cities and invited them to take a tour with him.

Mr. Rasmussen said he had a conversation with Nick Duerksen, the

Economic Development Director for Sandy City, about their mixed use zone. Mr. Duerksen said they would rather that commercial and residential go on separate parcels in order to create significant mass. Mr. Rasmussen and Mr. Tingey toured two developments in Sandy City, Dry Creek and East Village, which are both in a mixed use zone however neither have commercial or office as part of the residential project.

He is also working on a project in South Salt Lake that has 80 units on an acre right next to the Trax Station. They opened up those units about three months ago and more than 55% of those units are leased as of today. The demand for the Trax Station is huge and the rents they are getting require significant incomes in order for people to afford to live in those apartments. The project has been extremely successful.

Five or six years ago South Salt Lake said they wanted the bottom floors of their projects to be live-work or commercial and one project went bankrupt. Mr. Rasmussen later bought that project from the lenders that foreclosed on it because that particular live-work and commercial component didn't work.

South Salt Lake has a Streetcar line that runs to Sugarhouse and back. They have allowed, up and down the Streetcar line, straight multi-family residential to go adjacent to it in rather significant densities. The units along the Streetcar line were rented out first.

The old Ritz Bowling Alley is strictly residential. There are also a couple of other residential projects being built further up the Streetcar line. They have taken that long derelict corner along 2100 South and State Street and turned it into a WinCo. Significant shops and office buildings are developed there now because the residents are there. Rather than having 10,000-30,000 square feet of commercial on the bottom of one of those buildings, they have a 75,000 square foot grocer there producing income and providing services to the community.

Mr. Rasmussen thinks this is a bigger issue than just asking the City to take the commercial out of the mixed use development. One of the Planning Commissioners said taking out the commercial creates a de facto multi-family zone. Mr. Rasmussen said he understands that. He also understands the City's issues regarding very dense multi-family projects as he has had a bad experience or two himself.

He said in the time it's been since some of these projects have been built in Murray, the world has changed in relationship to rental projects. Rental projects are becoming much more geared toward millennials because that's who the renters are today. Millennials are taking these jobs at IMC and other places because they want to remain transient. They no longer want their major investment to be in a single-family home. They want to be able to

have the opportunity if a job comes up to move and not have to deal with the sale of a home.

If you understand what is being built in some of these other communities you will understand that you will be attracting the quality of residents that you want in Murray City. They are diverse, making incomes that are significant, and want to live here, in Murray City, and work somewhere up or down the Trax.

Mr. Rasmussen said he thinks there are several issues here. One – can you sub-divide the property so that it can be financed separately? Two – is the City really creating the kind of significant commercial development they want by saying the ground floor has to be commercial. How many Starbucks and hair salons can you have come and go? How much can really fill that space? There's only room for so many of those smaller tenants, but if you bring a WinCo or a grocery store, that store will come here, do significant business and create the demand for additional retail shops around them.

He thinks the City has a significant issue to wrestle with here in order to see more development. He reiterated that Murray City is one of only two places where the Trax and Front Runner come together. Those stations are heavily used. IHC (Intermountain Health Care) owns the Lost Creek Apartments and those won't be there for much longer.

With regard to the multi-family that has been built here, and that has historically been in Murray for a long time, Mr. Rasmussen recognizes it carries with it its own set of socio-economic problems in some cases. West Valley City faced that very issue when he took them a project almost two years ago. He talked to them about the quality of the project that he was bringing and that it would keep the people who live in West Valley City that were working up and down California Avenue and the 2100 South corridor from leaving. He told them he believed those people would continue to live and spend their money at the new shops that were built there. That is exactly what has happened.

Mr. Rasmussen suggested to the Council that they may not want to make a decision on this tonight. He showed the Council some slides of projects he has built. He wants the Council to understand the difference between what has been built in Murray and what will be built in Murray, whether it's by him or someone else in the future who can decide to live with this ordinance. All his projects include nine foot ceilings, granite countertops with rounded corners and walk-in closets.

The projects Castlewood Development has done near Trax and FrontRunner locations demand smaller units, there are no three bedroom units in those

locations. They are all one or two bedrooms and studios which don't bring in large families. They bring in people who are working professionals who need a quality place to live and would like to stay in Murray. They think there is a tremendous demand here.

Mr. Rasmussen said whether the Council tables this and studies it more or turns it down, they should tour some of his units with him so they can see what's available and what can happen if there is some way to revise this ordinance.

Public Hearing Open for Public Comment

Ronald Richter – 5786 South Meadowcrest Drive, Murray, Utah

Mr. Richter said he and his brother Pat are the owners of the property over on 5100 South Vine Street. He was also part of the City's economic development for about 10 years under Mayor Snarr. He remembers when this ordinance was passed. If you look at the apartments at Fireclay, you can see some of the problems they are having there.

On the corner of 5100 South Vine Street, there is a development with a Subway on the ground floor. He went in there about two weeks ago at noon and there was nobody in there. Before, when that Subway was on the corner by itself, you would have to wait outside to get in that building. This concept just doesn't work. He appreciates the Council taking a hard look at this ordinance. Maybe it works in some areas, but it doesn't work in all of them. In this particular area, 5100 South Vine Street, he doesn't feel that it works.

Public comment closed.

Mr. Brass said he has talked with the Richter's and Mr. Rasmussen and explained to them the problems the City has with another apartment complex. Because of those problems, it makes the City nervous to end up with another bunch of apartments.

Mr. Brass looked at the ground floor commercial at Fireclay when it was first built and it took a long time to lease those out. They are leased out now, but it took a long time. He initially wrote that off to the downturn of the economy because that project was built right after 2008. The Hilton Home2 Suites has ground floor commercial. As Mr. Richter said, there is a Subway in there that is often slow and is struggling. The other spaces are open and have not been leased yet. He wonders if this ordinance puts undue burden on the property owner to have to deal with that. He is wondering if having a "one size fits all" is a good ordinance. He is also wondering if ground floor commercial works everywhere.

The hospital generates a lot of traffic, it is a large commercial development and it's going to get larger in the very near future. He doesn't know the

exact details of the project, but the hospital has talked for a few years about wanting to expand. He would be surprised if it takes more than a couple of years for that to happen. That will draw more traffic.

Mr. Brass reiterated the City has the only crossover station in the valley other than Salt Lake City for Trax and FrontRunner, which gives the City a lot of options. He is struggling with this decision.

He doesn't think the City necessarily wants a WinCo by Trax, although he wouldn't mind having a WinCo in the City, it's a great market. Mr. Brass is familiar with the WinCo near Mr. Rasmussen's project in West Valley City because he used to work down there. Eight years ago there wasn't anything except for apartments and three restaurants in that West Valley development area. Now, you name it, you can find it. He wishes some of the sandwich shops and stuff that are in that development were in Murray.

Mr. Brass knows what Mr. Rasmussen means when he says to bring in the residential and the commercial grows. It's huge along 5600 West. He doesn't know that the City would see that kind of growth in the area they're talking about though.

He is concerned about having a de facto apartment zone. The City's goal for downtown and for that area is to be walkable. The reason why he doesn't want a WinCo there is because WinCo's aren't walkable. They have a big parking lot which is not conducive to people walking to the store. Somewhere in between would be nice.

Mr. Brass said he would like to see more study on this if the Council does not make a decision on it tonight. What disturbs him about tonight's decision is that it eliminates the ground floor commercial completely, which he doesn't think is a good choice either. He thinks somewhere in between, where they look at traffic counts on roads and decide where good places for commercial are, would be the way to go.

Mr. Brass grew up in the east in New York and he loves Chicago. They are larger cities that have great populations, but every one of their buildings has ground floor commercial with residential up above. The communities are walkable. He loves that environment for what it is.

If millennials want to gather, they want to do it in a place that, not only can they live, but they have places to go. He believes it is necessary for the City to provide both and that it be an attractive space. He loves the residences Mr. Rasmussen is building and feels they are appropriate. He wants to find the balance somewhere in between so the City can get that walkable environment people want to go to, live in, and stay. Maybe the Council shouldn't decide tonight and put it off for study.

Mr. Camp said back during the first Public Hearing tonight, Mr. Nakamura reminded everyone that they weren't talking about a specific project. This ordinance talks about eliminating this requirement in all the mixed use zones in the City. He doesn't think this is where they want to go with this. He doesn't think they should make the text amendment based on one property.

Like Mr. Brass, Mr. Camp is struggling with eliminating the commercial requirement. There was a unanimous recommendation from the Planning Commission to deny the proposed text amendment and he thinks there is good reason for that.

Mr. Nicponski said he disagrees. He is a strong advocate for market forces. This is the second one of these projects he has seen. These developers cannot get financing based on the requirement for the commercial. The Council can see what's happening at the Hilton Home2 Suites and he can't think of a busier location than State Street and Vine. He thinks to bring in the type of apartment complex that they are looking at, and he has seen in Mr. Rasmussen's developments, is exciting for that area. It helps bring that area into the City's future. He would support the amendment.

Ms. Turner said she disagrees with Mr. Nicponski. They have gone over this several times and have decided that mixed use is what they want the focus for that district to be and the way they want to go. That includes apartments, retail, commercial and residential. She thinks millennials want to have a place to live, work, and be entertained. They want it to be walkable and connected and that is what they are trying to do in Murray's downtown area and this area as well. She thinks it will be a really positive thing for Murray to have that.

Mr. Nicponski said what concerns him is they have expectations for downtown Murray as well as the Central Business District they are looking to develop at some point. There is only so much to go around when they start looking at these types of commercial endeavors.

Mr. Hales stated as Mr. Brass said, there are different cases all over. How do you do that?

Mr. Brass replied that is his struggle. They have to look at the zone change and whether it's appropriate the way it's written and not necessarily the project. He likes the project, but that's not the point. It's how do they live with the decision they make across the entire City.

In looking at the ordinance the way it's written, he would have to vote no. That's why he would like to sit down, not to discount Planning and Zonings

recommendation because he sees where they are coming from, and discuss how they can make this work. Right now it isn't working at Home2 Suites and he wants to know why before he puts that burden on virtually everybody in the mixed use.

On the other hand, he looks at the space that Americom sits on and the space across the street from it that's right next to the crossover station. The City has one chance to do this and we need to do it right. He is not entirely sure they are there yet. If he were to make a motion it would be to study the concept to see if there is a different way to approach this.

Ms. Turner said in her mind, they have already done that. They have gone over what it is and what they want as their focus for that area. She wonders what else they would gain by doing more studying.

Mr. Brass replied when they did Fireclay, they designated specific traffic streets, the heavy traffic streets, as ground floor commercial. They did not do the same for the streets on the interior of the development. This particular ordinance doesn't state that. This would be 75% ground floor commercial on pretty much any road. He asked Mr. Tingey if that was correct.

Mr. Tingey said that was correct. The addition to that, which is different, is if you have multiple parcels, the commercial requirement doesn't necessarily need to be on the ground floor. There can be a percentage of the commercial in the full project. The point of that is if you have a large project, with three or four buildings in the project, not all of the ground floors of the buildings in the back have to have commercial; there are problems with that. This is a little unique in that as well because it allows for that mix. Mr. Rasmussen talked about having a percentage of commercial on multiple parcels within the site.

Mr. Camp said it seems to him that they are being asked to consider a carte blanche elimination of the requirement for commercial in the mixed use zone. This proposal doesn't have a single developers name on it or a single parcel on it. It is carte blanche and he doesn't think that is what the City wants to do.

Mr. Brass said if he had to look at this particular ordinance, disregarding all else, he would have to vote yes for now because he doesn't want to eliminate commercial throughout the entire mixed use.

Mr. Nicponski asked if they should continue this.

Mr. Camp asked Mr. Nakamura if he needs to give the sponsor time for summation.

Mr. Nakamura said no. The Public Hearing is closed and he doesn't need to do that. The Council can just make a decision.

Mr. Brass asked Mr. Nakamura if there is a way to look at this later without slamming the door now.

Mr. Nakamura said legislation can always be looked at and the Council can initiate that on their own. It would require going through the City's processes. After the Council reviewed it, Planning and Zoning would need to be involved. It causes delays and takes time.

Mr. Brass said he is concerned about the financing issue. If developers can't get financing, we are just spinning our wheels.

8.3.2 Council consideration of the above matter.

Mr. Nicponski made a motion to approve the Ordinance
No second motion was given, motion died.

Mr. Camp asked if there was another motion.

Ms. Turner made a motion to deny the Ordinance
Mr. Hales seconded the motion

Call vote recorded by Jennifer Kennedy

<u>A</u>	Mr. Brass
<u>A</u>	Ms. Turner
<u>A</u>	Mr. Hales
<u>N</u>	Mr. Nicponski
<u>A</u>	Mr. Camp

Motion to deny passed 4-1

9. Unfinished Business

9.1 None scheduled.

10. New Business

10.1 Consider revisions to Chapter 2 of the Murray City Municipal Code.

Staff presentation: Frank Nakamura, City Attorney

Mr. Nakamura said as was done with Chapter 1, the Attorney's Office is making an effort to try to bring some consistency in the wording of the City's Code. These

are not substantial changes to the Code. These are updates to make the Code consistent with the way the City's existing departments are working. He would not make a substantial change and bury it within this large document. Certainly specific changes can be made to Chapter 2 and there may be some provisions that need updating. However, the purpose of this is to bring some consistency in the terminology, clarify some of the wording and eliminate language and provisions that are obsolete.

There were some provisions in Chapter 2 having to do with the Power Department that were taken out. They are not sure why those provisions were in Chapter 2 in the first place, but they were moved into the regulations that govern the Power Department. The provisions that were moved dealt with financial standards and pole attachments.

Mr. Nakamura reiterated the reason for these changes is to update the consistency in the terminology and grammar. The Attorney's Office intendeds to make efforts to do this with all the chapters in the Code. He doesn't know how far they'll get, but that is their intent.

Mr. Brass said the Council is deciding on Chapter 2, but in their paperwork they have the electrical regulations that were taken out and put into Chapter 15. He asked Mr. Nakamura if that would be a separate decision or is that change part of this decision.

Mr. Nakamura said the wording should be to consider revisions to Chapter 2 and Chapter 15.2 of the Murray City Municipal Code.

Mr. Camp said he had some minor changes. Under section 2.02 section B, it says the Mayor shall be elected at large, etc. Under section C where it takes about the City Council, it spells out the term of the Councilmembers, but it doesn't spell out the term of the Mayor. He knows the Mayor's term is stated later in the document, but for consistency should it be added here also?

In section 2.08.010(C)(5) it says the ordinance and laws, however ordinance should be changed to ordinances due to the tense of the sentence. In Section 2.10.020(B) it should say City Boards and Commissions instead of City Boards and Commission, also due to the tense.

In section 2.28.020 under the duties of the Police Chief it says the Police Department has the responsibility for, and added was the word health, safety, and welfare of the City. He is wondering if that means the protection of. The way that it's written it sounds like the Police Department has the responsibility for the health of the City.

Mr. Nakamura said those are common terms that are utilized in State Law and Police are responsible for the health, safety, and welfare.

Mr. Camp asked Mr. Nakamura if he is comfortable with the way that sentence is structured.

Mr. Nakamura asked Mr. Camp if his issue is the word “health”.

Mr. Camp responded the sentence says the Police Department is responsible for the health. Is it just health or is the Police Department really responsible for protection of health, safety, and welfare.

Mr. Nakamura responded he believes so. He will change it to say the protection of life, health, safety and welfare. If you read any provisions relating to municipal government, that’s what municipal government is. We’re responsible for the health, safety and welfare. In fact most of our laws have to be connected to health, safety, and welfare.

What he is trying to say in the Code, and he’ll look at it again, is the Police Department is responsible for the protection of life, health, safety and welfare. He will add the word “protection”.

Mr. Brass made a motion to adopt the revisions to Chapter 2 including the revision to Chapter 15.2 and the corrections that were stated.

Mr. Hales seconded the motion

Call vote recorded by Jennifer Kennedy

 A Mr. Brass
 A Ms. Turner
 A Mr. Hales
 A Mr. Nicponski
 A Mr. Camp

Motion passed 5-0

11. **Mayor**

11.1 Report

Mayor Eyre said there is an internal committee working to update the City’s web page. Our web page, as far as technical terms go, is just about as outdated as our downtown. It needs to be refreshed. They have acquired a bunch of photos they will be using and they are still looking for more photos from different departments.

The American Cancer Society is having their Relay for Life in Murray Park on July 15 and 16, 2016.

Mayor Eyre stated the City's new telephone system was implemented yesterday.

Last week the Mayor and his wife were able to attend a banquet at Cottonwood High School where they were able to award a \$1,000 scholarship. The recipient is an exceptional young man and he and his parents were so appreciative.

As they were walking out of the banquet three or four of the residents from the annexed area came up to him and thanked him for including Cottonwood High School as part of Murray.

Next Monday evening, they are having a similar awards banquet at Murray High School where the second \$1,000 scholarship will be awarded.

11.2 Questions for the Mayor

12. Adjournment

Jennifer Kennedy, City Recorder

Attachment 1

May 17, 2016

The following emails have been received by Planning and Zoning, and forwarded to the City Council Office, related to the Public Hearing scheduled on May 17, 2016:

Consider an ordinance relating to zoning; amends the Zoning Map for property located at approximately 6051 South 900 East, Murray City, Utah, from C-N (Commercial Neighborhood District) to C-D (Commercial Development Mixed Use District). (Larry Wilson applicant.) (Tim Tingey presenting.)

Date	Name	Address	For/Oppose	Comments
5/16/16	Brett & Mariah Barlow	6048 S. Bridges Lane	Opposed	Decrease property value, noise, late hours, disruptive to residence, traffic
5/16/16	Diane Dykman	952 E. Bridges Court	Opposed	Change feel & nature of area, noise, traffic, hours.
5/16/16	Mark & Brittany Noble	953 E. Bridges Ct.	Opposed	Property value, noise, traffic
5/16/16	Sterling Hanson	6067 Bridges Lane	Opposed	Noise, traffic
5/16/16	Doreen Hanson		Opposed	Noise, late hours, traffic congestion, parking
5/16/16	Robert Pifke	964 E. Bridges Ct.	Opposed	Loud music, late hours, traffic congestion, parking, accidents.
5/16/16	Noni H	?	Opposed	Leave as is.
5/17/16	Nick & Kim Furness	Back up to property	Opposed	Buffers the residential area from 900 East. Affect comfort & safety, create nighttime commotion.
5/17/16	Kimberly Furness	959 Bridges Ct.	Opposed	Children's safety, strangers in neighborhood, noise, hinder ability to sell property.

Janet Lopez

From: Susan Nixon
Sent: Monday, May 16, 2016 11:13 AM
To: Janet Lopez
Subject: FW: For Hearing - AGAINST Rezoning at 900 East and 6051 South

From: Mariah Barlow [mailto:
Sent: Monday, May 16, 2016 11:09 AM
To: Susan Nixon <snixon@murray.utah.gov>
Subject: For Hearing - AGAINST Rezoning at 900 East and 6051 South

Susan,

I am writing to oppose the Murray Zone Map amendment for the property located at 6051 South and 900 East from Commercial Neighborhood to Commercial Development. My name is Mariah Barlow and my husband and I own the home at 6048 South Bridges Lane, which is adjacent to the subject property. My understanding that an amendment is being requested to allow for the property to be developed into a Reception Center. We have owned our home for five years and have three children. Our concerns are the following:

- This type of development of any kind would decrease the value of our property and other homes within the neighborhood due to the close proximity of the subject property. It would also make it VERY difficult to sell my home for the reasons noted below.
- With the development of this type of commercial development there would be increased noise. There is no sound buffer or barrier. Whether from patrons visiting the establishment outside the structure and activities happening within the center. Hours of operation would likely extend to late hours and it would be disruptive to our neighborhood.
- We also fear there would be an increase of traffic (vehicle and foot traffic) at the property from which our yard and home are EASILY accessible. It makes us feel not safe to have a large amount of traffic with people coming and going at all hours to have our three children in our backyard- on our own property. This is a residential area with children at a number of homes within our gated community.
- Traffic congestion is also a concern.

We have a quiet, peaceful neighborhood, with many homes having younger children. I honestly feel this type of development would be disruptive to our community. Our property aligns behind the subject property. It is our backyard and the types of potential activities that could take place there would really take away from our home and others. I would also be concerned about any liquor licensing etc that would potential be a next step if this is approved.

I appreciate your giving us an opportunity to voice our concerns.

Sincerely,
Brett and Mariah Barlow

Janet Lopez

From: Susan Nixon
Sent: Monday, May 16, 2016 9:42 AM
To: Janet Lopez
Subject: Property 6051 S. 900 E.

From: Diane Dykman
To: rchristensen@murray.utah.gov
Subject: Property 6051 S. 900 E.

To Whom is May Concern,

Please forward this letter to the group spokesperson if possible.

I recently moved into 952 E. Bridges Court, a single home dwelling. My property will have a birds eye view of the proposed commercial building and parking lot. Not only will this change the nature and feel of the area, but the noise, traffic and business hours will negatively impact our peaceful subdivision. If the property is changed to a Commercial Development, I understand that a Reception Center is proposed. I would absolutely NOT be in favor of this type of business because the business would be open later in the evenings and on the weekends, thus disturbing the relative quietness and quality of our life. If a choice was given to the homeowners to allow a commercial property close to our homes, you would receive a resounding "NO". Rezoning will negatively impact the property value of my home and those adjacent to the property if it is changed to Commercial Development. Our homes are in a upscale gated community. Who wants to live with a commercial development in your backyard. Rezoning the proposed property will not benefit the nearby homeowners in any way.

Thank you for your time and consideration,

Diane Dykman
952 E. Bridges Court, Murray


Janet Lopez

From: Susan Nixon
Sent: Monday, May 16, 2016 9:39 AM
To: Janet Lopez
Subject: FW: Property 6051 S. 900 E.

From: Brittany Noble [mailto:
Sent: Monday, May 16, 2016 9:35 AM
To: Susan Nixon <snixon@murray.utah.gov>
Subject: Fw: Property 6051 S. 900 E.

From: Brittany Noble
Sent: Thursday, March 31, 2016 6:46 PM
To: rchristensen@murray.utah.gov
Subject: Property 6051 S. 900 E.

To Whom is May Concern,

Please forward this letter to the group spokesperson if possible.

We are very concerned about the recoding of property 6051 S. 900 E. Properties in close residence to this property have already had a hard time selling their properties because of comments about the area already being too industrialized. We feel that if more properties are coded as C-D's it will greatly affect our home values, thus, affecting the taxes we will pay to the city of Murray in the future.

We are very concerned that if this property is recoded as a C-D, about the possibility of potential businesses that could occupy this property in the future as a result of that change. We currently share a fence with this property and we are not thrilled about the possibility of noise and traffic that this change could bring on the other side of our backyard. The above mentioned property was not like this when we purchased our property. It has been a residence for the past 40 plus years, we have been told, and we would like it to continue to be if deemed possible.

Thank you for your time and consideration,

Mark and Brittany Noble
953 E. Bridges Ct.


Scanned By Microsoft EOP

Janet Lopez

From: Susan Nixon
Sent: Monday, May 16, 2016 9:03 AM
To: Janet Lopez
Subject: FW: Rezoning at 9th East and 6951 South

-----Original Message-----

From: Sterling Hanson [mailto:
Sent: Monday, May 16, 2016 8:54 AM
To: Susan Nixon <snixon@murray.utah.gov>
Subject: Rezoning at 9th East and 6951 South

Susan,

I have been made aware of a proposed rezoning at 900 East and 6051 South in order to facilitate a reception center. I am very much opposed to this rezoning request and proposed reception center as I feel it will bring excessive noise and traffic.

Sterling Hanson
6067 Bridges Lane



Sent from my iPhone

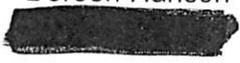
Janet Lopez

From: Susan Nixon
Sent: Monday, May 16, 2016 8:10 AM
To: Janet Lopez
Subject: FW: We Oppose the rezoning of lot at 900 East and 6051 South

From: Sterling Hanson [mailto:
Sent: Sunday, May 15, 2016 8:48 PM
To: Susan Nixon <snixon@murray.utah.gov>
Subject: We Oppose the rezoning of lot at 900 East and 6051 South

Hello Susan and Murray City Council,

We live in the neighborhood directly behind the lot in question. We OPPOSE the rezoning. We do not want the noise and music at late hours that a reception center will bring, as well as the traffic congestion and parking issues.

Thank you,
Doreen Hanson


Janet Lopez

From: Susan Nixon
Sent: Monday, May 16, 2016 7:06 PM
To: Janet Lopez
Subject: Fwd: Rezoning of 900 East and 6051 South

Sent on the new Sprint Network from my Samsung Galaxy S84

----- Original message -----

From: Robert Pifke <[REDACTED]>
Date: 05/16/2016 12:58 PM (GMT-07:00)
To: Susan Nixon <snixon@murray.utah.gov>
Cc: Cynthia Pifke <[REDACTED]>
Subject: Rezoning of 900 East and 6051 South

As a Murray homeowner located less than a block away (as a crow flies) from 900 East and 6051 South, I am opposed to rezoning the property from light commercial to heavy commercial. Please share my opinion with the City Council. A hearing is planned for tomorrow evening. My wife and I plan to attend, because this is a very important issue for our neighborhood. We want our view shared with the Council in advance.

From what we understand, the property owner wants to build or convert an existing structure to handle wedding receptions. This location is an inappropriate place to hold such events because a group of single family residences are immediately behind the subject property. Wedding receptions would have loud music long after the bedtime of neighborhood children, create noise from reception guests coming and going, and cause additional traffic congestion at 900 East and 5900 South. Parking is very limited on the subject property, so street parking (and illegally parked vehicles) would skyrocket during events, which would probably lead to accidents.

I respect a property owner's right to make the most of a property. However, the light commercial zoning existed when the property was purchased, and should remain moving forward. The city would not be taking away any value that previously existed. And, the City Council would be preserving a quiet and wonderful neighborhood with many children.

Thanks in advance for passing this note onto the City Council for their zoning deliberation.

Robert Pifke
964 East Bridges Ct.
Murray, UT
[REDACTED]

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Janet Lopez

From: Susan Nixon
Sent: Monday, May 16, 2016 9:19 PM
To: Janet Lopez
Subject: Fwd: We say no to re zoning

Sent on the new Sprint Network from my Samsung Galaxy S4

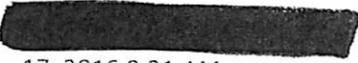
----- Original message -----

From: Noni H [REDACTED]
Date: 05/16/2016 7:33 PM (GMT-07:00)
To: Susan Nixon <snixon@murray.utah.gov>
Subject: We say no to re zoning

There is a meeting on May 17 about re zoning the 900 East property. We will not be able to attend the meeting but we would like to extend our vote that we do not want the property re zoned. Please leave it as it is.

Janet Lopez

From: Susan Nixon
Sent: Tuesday, May 17, 2016 8:34 AM
To: Janet Lopez
Subject: FW: 6051 S 900 E Property

From: Nick [mailto:
Sent: Tuesday, May 17, 2016 8:31 AM
To: Susan Nixon <snixon@murray.utah.gov>
Subject: 6051 S 900 E Property

Hello Susan,

I live on Bridges Court which is right behind the property addressed 6051 S 900 E. I got your letter about the public hearing for this property. My wife and I are against making this property a commercial development. This property is the only thing that separates us from the very busy 900 E. It keeps our community quiet and safe having this buffer. If it becomes a business lot it would open up many options that could impact our comfort and safety. For example, the car wash timer beeps very loud and we can hear it at our house. For the most part, it is busiest during the day. But if a business were to go in that operated at night, it could cause a lot of commotion that would interfere with our well-being and safety. The resale values of our properties could also be negatively affected. People tend to be reluctant to buy homes right next to loud businesses.

Please keep this area zoned for neighborhood.

Thank you for your time!

Nick and Kim Furness


Janet Lopez

From: Susan Nixon
Sent: Tuesday, May 17, 2016 1:22 PM
To: Janet Lopez
Subject: FW: AGAINST Rezoning

-----Original Message-----

From: Kimberly [mailto:
Sent: Tuesday, May 17, 2016 10:52 AM
To: Susan Nixon <snixon@murray.utah.gov>
Subject: AGAINST Rezoning

My family and I are AGAINST the rezoning of the property on 900 East and 6051 South. I have a 3-year-old and a 1-year-old and I feel the noise and activity of a commercial property so close to our home would be detrimental to their sleep and possibly safety. The wall that currently separates our home from that area is insufficient to block late-night noise and activity. Also it could be easily climbed, thus allowing anyone into our next-door neighbors' yard. My children as well as my neighbors' children play daily in the grassy area on our side of that fence and I would worry about strangers being able to interact with my kids in an area where I think they should feel safe to play. (Not to mention, I hope the reception center they intend to build is okay with bubbles and squirt gun spray floating over the fence.)

I also feel that a commercial property would hinder anyone in our neighborhood who wishes to sell their home in the future. Personally, I would not buy a home knowing it was so close to a property likely to have a lot of traffic and noise in the evenings.

Please do not allow the rezoning of the property in question.

Sincerely,

Kimberly Furness
959 Bridges Ct

Sent from my iPhone

Attachment 2

