



MAGNA CITY COUNCIL MEETING

August 13, 2024, 6:00 PM
WEBSTER COMMUNITY CENTER
8952 WEST MAGNA MAIN STREET
MAGNA, UTAH 84044

MAGNA CITY COUNCIL MEETING MINUTES

Council Members Present:

Eric Barney, Mayor
Steve Prokopis, Council Member
Trish Hull, Council Member
Mick Sudbury, Council Member
Audrey Pierce, Council Member

Council Members Excused:

Staff Present:

David Brickey, City Manager
Paul Ashton, Legal Counsel
Nicole Smedley, Council Clerk/Recorder
Steven Kuhlmeier, Salt Lake County Engineering (via Zoom)
Justin Smith, MSD Planner
Jeff Miller, MSD Planner
Brian Tucker, Planning Manager

Others Present:

1. Call to Order

Mayor Eric Barney, presiding, called the meeting to order at 6:00 PM. Council Member Pierce is on her way to the meeting.

2. Determine Quorum

A quorum was present, allowing the meeting to proceed.

3. Pledge of Allegiance

The Pledge of Allegiance was recited.

MAGNA COUNCIL MEMBERS

MAYOR ERIC BARNEY, COUNCIL MEMBER AUDREY PIERCE,
COUNCIL MEMBER TRISH HULL, COUNCIL MEMBER STEVE PROKOPIS,
COUNCIL MEMBER MICK SUDBURY

Mayor Barney noted that State Code requires the planning commission to make a recommendation to the council before action can be taken, and the council was informed the planning commission at their last meeting had a tie vote for Item 6.E. Per the city's legal counsel, since no recommendation was made, the council is unable to consider Item 6.E. for a vote tonight. That item will be pushed back to the planning commission for a decision and recommendation, at which point it can come back to the council for a decision.

4. PUBLIC COMMENTS

Alicia Cartier – Met with Mayor Barney about two weeks ago. She is the communications director for the Magna Utah Stake of the Church of Jesus Christ of Latter-Day Saints and met with him to discuss their partnering with the Magna East Stake to do a community National Day of Service. They will be doing service at the Empress, the museum and various other locations. They will be meeting Saturday, December 7 at the VFW at 8:00 AM for a flag raising ceremony, then going from there to do their service with an anticipation of ending around 11:00 AM. When meeting with them mayor, he mentioned the council has discussed a community day focused on folk arts, song, something to be more of a Magna themed day. She was interested during that discussion and is here to discuss that. In her position she has the ability to include an assistant specifically over community outreach, and she is very interested in that endeavor.

Mayor Barney reiterated they were discussing bringing back Copper Days as the community event.

Gary Collins was invited forward, but declined stating he changed his mind.

Calvin Child – he is in the process of building his family's home in Magna, his property falls in the 0.2 PSI section of the pressure zone. As a result of this there are restrictions on the windows he can place in the home with a maximum size being 15 square feet, which is overly restrictive and doesn't allow for something like a sliding glass door which is standard in most homes, or windows larger than 3 feet by 5 feet. The West Valley ordinance just across 7200 W is much less restrictive, they can have windows in the same area up to 60 square feet, and he would like to see if they can recommend an investigation by the planning commission to at least match West Valley's ordinance, or possibly being even less restrictive allowing tempered glass as the size grows to allow for some normal sized windows and a sliding glass door. He brought this up in planning commission during public comment, and was told he needed to approach the council. He provided the Magna ordinance, West Valley ordinance, a map of the pressure zone, and the email sent to David Brickey regarding the issue.

5. Unified Police Department

Chief Del Craig shared the June crime statistics for the city, including a notable decrease in total calls with a major increase in traffic offenses.

Mayor Barney noted there has been an increase in graffiti around the community and asked Chief Craig what they are doing to address that.

Chief Craig responded they are tracking those issues in real time, logging on a day to day basis and tracking trends. They have some leads from a recent investigation, and they are trying to incorporate some innovative tracking techniques.

Council Member Hull asked if the graffiti isn't specifically reported, is it just being seen by UPD and then taken care of.

Chief Craig responded yes and encouraged everyone to report it when seen. The only time it's not automatically taken care of is when it's on private property. Most of the graffiti is gang-affiliated and increases during certain times of year including the lead up to school starting.

6. DISCUSSION ITEMS

A. Discuss OAM2024-001179 – An application to amend Magna Code to allow drive thru windows in the Downtown Historic District (DH) Mixed Use Zone. This proposed ordinance would also create specific use standards and conditions for drive thrus on Magna Main Street. Applicant: Steve Andrews and Jeff Fisher - ***Brian Tucker, Planning Manager Municipal Services District*** (15 minutes)

Brian Tucker introduced an application to allow drive-thru windows in the Mixed-Use District, specifically the downtown area. He reviewed the background information from the Staff Report and shared the details of the application. The applicant is proposing a second building with a coffee/breakfast shop and two residential units upstairs, and he is concerned the coffee shop will not work without a drive thru. Staff has drafted an ordinance as a response to the application, including a proposed set of standards to make the drive-thru windows work in the downtown/historical context. Some guiding principles in working through this included the requirements of being located on the rear façade of the building, with no direct access to main street for entrance or exit. Access must be from a side street or public alley, with no queuing to obstruct traffic on a public street, and that it must be able to use the alley for access without blocking it and without being a nuisance for neighboring residential uses. He described the specific sections with proposed changes and what they would now allow and not allow. He reviewed the two staff recommendations.

Council Member Sudbury asked about a house sitting on the back of the property, wondering if the cars would interfere with the residences nearby.

Mr. Tucker responded that the pictures in the Staff Report are just for conceptualization, the cars would not be allowed to stack near the residences.

Council Member Hull asked if the restaurant will have indoor seating as well.

Mr. Tucker responded yes and added that the planning commission can consider site constraints and consider ways to block areas they don't want customers accessing.

B. Discuss OAM2024-001210 – An application to amend Magna Code to reduce the required side and rear setbacks in the M-1 and M-2 Manufacturing zones. Applicant:

Planning Staff - *Brian Tucker, Planning Manager Municipal Services District (5 minutes)*

Brian Tucker reviewed background information from the Staff Report. The ordinance was changed a year ago, and after consulting with the city manager staff opted to take on this proposal to reduce setbacks rather than having a resident create their own application. He reviewed what some of the neighboring cities have done in terms of setbacks in similarly zoned areas.

Council Member Prokopis noted it makes sense to have smaller setbacks between similar uses and asked if the setback requirements would be the same for other uses being placed adjacent.

Mr. Tucker noted that with a setback less than five feet, drainage is still an issue and would require a gutter system.

Mayor Barney noted fencing requirements were specified and asked if wall height could be specified in the code as well.

Mr. Tucker believes it is in another section, instead of having a 20-30 foot buffer for commercial or industrial against residential a masonry wall and eight feet was requested. He doesn't recall the masonry wall setback, but this new code would refer back to that. This ordinance is geared towards having the industrial/commercial user create the buffer, so current adjacent homeowners would not be responsible for erecting those barriers in these zones.

Council Member Prokopis asked about the possibility of a graduated system, a 30 foot setback for a commercial adjacent to residential could decrease their setback if willing to increase the height of the fence.

Mr. Tucker responded that could be looked into.

Mr. Tucker and the council reviewed wall heights of some current industrial/commercial areas in the city to compare.

Council Member Sudbury asked about water retention in the subdivision, noting he hasn't seen anything currently for that in the area.

Mr. Tucker responded they have an approved plan, but he is not sure what is included on it at this moment. He will get council members a set of those plans if they'd like.

Mayor Barney clarified that he believes Council Member Sudbury is asking for accountability on the developer's side, as what the council members are seeing doesn't appear to be following the developer's plans.

- C. Discuss REZ2024-001216** – Elliott Smith is requesting a rezone from the C-2 (Commercial) Zone to the C-1 (Commercial) Zone for a property .87 acres in size.

Location: 8146 West 3500 South - **Jeff Miller, Planner II Municipal Services District (10 minutes)**

Jeff Miller reviewed background information from the Staff Report. If the property is rezoned, the applicant intends to construct a Quick Lube Oil Service Station on the subject property; this is a permitted use in both the C-2 and C-1 Zones. The home currently on the property is legal nonconforming. This was taken to the planning commission on August 8, 2024. During discussion an excess lot along the rear of the property was discussed, staff informed the planning commission the site plan had not been fully reviewed for compliance with code. Council Member Sudbury during public comment shared that he was against the proposed rezone request because Magna already has enough oil change service stations, along with mentioning additional concerns regarding 3500 South. Another member of the public expressed concerns related to traffic and safety. There was a public comment received by David Brickey today, noting concerns that during afternoons it is difficult to pull out on to 3500 S and suggested a traffic study along this portion of the road. An Engineering meeting was held this afternoon, this was discussed and they will look at the trip generation model to see whether or not this would require a traffic study during the site plan review. If there are concerns with that, it can be made a condition.

Council Member Prokopis asked about neighboring properties and their zones.

Council Member Hull believes a traffic study could be needed, but she is unsure why they need to require it of the applicant when that entire stretch of 3500 S needs a traffic study.

Mayor Barney agreed the area is a mess, and noted that if staff were to visit this area during peak hours they would understand the concerns being raised here tonight. Council members agreed and shared their experiences with the shopping center as well.

Mr. Miller noted that the property to the east has a wider right of way and the applicant intends to widen that road to match. He will look into who can be asked to pay for the traffic study and will get back to the council at the next meeting.

D. Discuss REZ2024-001183 - Quin Bingham is requesting a rezone from the A-20 to M-2 on behalf of Granite Construction for a hot mix asphalt plant. Location: 2185 South 7400 West. Acres: 3.43. - **Justin Smith, Planner I Municipal Services District (10 minutes)**

Justin Smith reviewed background information from the Staff Report.

Council Member Prokopis asked if, as a flag lot, it meets all the setback requirements for the zone.

Mr. Smith responded yes, Chapter 18 requires M-2 Zone properties to meet the minimum lot size and the minimum width at some point, it is allowed. He continued reviewing the Staff Report and background information. The proposed use fits with the General Plan, and the rezone would not cause any detrimental effects.

Council Member Hull asked if the customers for this asphalt plant would pay sales tax on the materials.

Mr. Smith added the Magna Planning Commission gave a positive recommendation for the rezone.

- E. Discuss **REZ2024-001105** - Jeffrey Copeland is requesting a rezone from the A-1/zc to R-15 on behalf of Habitat for Humanity. Location: 7563 West 2820 South. Acres: 0.5. - **Justin Smith, Planner I Municipal Services District (15 minutes)**

****Item 6E is being skipped tonight in the absence of a recommendation from the Planning Commission, per earlier discussion.****

- F. Discuss **REZ2024-001215** - Trevor Andra is requesting a rezone from the A-20 to M-1 on behalf of Magna Water District. Location: 7650 West, 7764 West, 7750 West and 2100 South. Acres: 38.15. - **Justin Smith, Planner I Municipal Services District (5 minutes)**

Justin Smith reviewed background information from the Staff Report. Most of the development plan is already in place, with a small piece on the south where they are wanting to put in a pump in the future. Placement of that in the future would not violate any zoning ordinance, but if they wanted to put a building over it to protect it that would not be possible in the A-20 Zone. The M-1 Zone is compliant with the Magna General Plan. This item was heard by the Planning Commission on August 8, 2024, and was given a positive recommendation.

- G. Discuss Sidewalk Improvement on 8400 West - **Steven Kuhlmeier, Salt Lake County Engineer (10 minutes)**

Steven Kuhlmeier reviewed this project to fill sidewalk gaps near Mahogany Ridge on 8400 W and U-111, between the Mahogany Ridge Proposed Development and Gateway to Little Valley, across the Union Pacific right of way. They expect the project to be bid in Spring of 2025 with construction in the summer, based on work with UTA to have a panel replaced in the Spring. The west side will have a similar sidewalk, the east side is planned with a 10 foot side path to connect with planned improvements south of this location. From the FY 2025 budget, the local contribution of \$200,000 into this project was rolled over. They have been working with UDOT since 2023 to get state contributions with \$160,000 contributed to date and another \$100,000 from the state coming to the MSD Board for approval later this month. The total listed funding of \$460,000 should be enough for design and construction of design improvements. He is here tonight for feedback, noting they would like to extend the design, despite the lack of current funding. This extension adds \$200,000 to \$300,000 in additional costs, but at the very least they could get the design in place and be prepared to bid in case of additional funds. If none are available, they can seek additional grant funds and work with UDOT for a future phase.

Mayor Barney asked if there was a delay agreement in place for these improvements in front of the storage units.

Mr. Kuhlmeier was unsure of the answer, he will be looking into it.

Mr. Prokopis asked by Magna is being required to fund these kinds of improvements on a UDOT road.

Mr. Kuhlmeier noted there has been some back and forth, noting that many times in these situations UDOT pushes it back on the local entities, especially if they have no interest in the improvements.

H. Discuss Title 11, 12, and 19 – *David Brickey, City Manager (10 minutes)*

David Brickey noted they are still pushing forward with the aforementioned title changes. Title 12 is coming together pretty quickly. Title 11 is Alicia working with the Chief to identify parking issues showing up in Title 11. In regard to Title 19, it will be worked on and presented in the future. He is pushing this forward quickly because he would like to have the ALJ process in place soon. While Title 12 is getting ready for consideration at the next council meeting, Title 11 and 19 will fit into Title 12 as well. If there are any issues in relation to the additional titles he can answer those questions.

I. Discuss Elk Run Fence Replacement – *David Brickey, City Manager (10 minutes)*

David Brickey asked for clarification from the council in regard to the costs provided of \$31,793.00 for an area almost twice as long, as it seemed off. He and Brian Hartsell reached out to the fence manufacturer who confirmed they thought they would have more repair costs related to CW Farm, so there will be a cheaper cost in both areas. The reason for the odd difference between the four and six foot heights is the ability to climb over versus pass through. After discussion with legal counsel, he would recommend the six foot height for safety, but that is ultimately the council's decision. If the council gave him some directional opinions, he can pass that on to the necessary groups and get this in process with school in session.

Council Member Pierce joined the meeting.

The council members agreed on moving forward with the six foot fence.

Council Member Prokopis noted they have spent \$60,000 on fence repair. As they entertain developers, they need to require better fences throughout their developments that will last longer than the current vinyl products. He asked to have that direction passed on to the planning department for the future.

J. Discuss sign concepts for Copper Park and Pleasant Green Cemetery - *David Brickey, City Manager (15 minutes)*

David Brickey noted that once he gets direction from the council he would like to have authority to get this going quickly. He added the wording would light up at night for Copper Park and shared the options currently available for the council.

Council Member Pierce asked about the possibility of it being named Magna Copper Park.

Mr. Brickey noted the logo is currently planned on the sign, but they could discuss that name change.

Council Member Prokopis asked to have the logo larger on the sign.

Council Member Hull didn't like the larger sign with blank space below, as it is a prime location for graffiti.

Council Member Pierce suggested leaving the logo off since the name is on there, it is distracting, and the logo may be changing in the future.

Mayor Barney agreed that things like logos do change over the years, but the name won't change. He suggested using this template for all city parks when signage is added, and because of that, he pushed for the logo to stay since not all parks will have the Magna name.

Mr. Brickey will have the artist create examples with both options for the names and logos, and once received he will provide those to the council members.

Council Member Hull suggested having the logo in an upper corner like street signs.

The council discussed the different options, including the difficulty of mowing around the sign and blank space for graffiti.

Council Member Pierce added the smaller wooden frame signs would be easier to put in the smaller parks, rather than the larger corner signs.

Mr. Brickey will work with the sign maker, asking for dimensions and cost estimates, with and without the logo to bring back to the council. He then moved on to signage for the Pleasant Green Cemetery. The idea shared with the artist was to take advantage of the columns existing at the top of the hill. The engineering staff informed him that if the columns were going to carry a load they would have to dig down and see how deep they are. To avoid disturbing the columns, they have created a rendition of what could be placed on top of the columns without changing anything with the columns. The creator of the columns is unsure of whether they would even survive being taken apart, so they are going to try and avoid any damage. He shared the three options, noting the third option had the highest cost.

Council Member Prokopis asked to have the establishment date on one of the columns, noting the logo is not necessary on both columns at the top.

The council suggested placing the new sign closer to the railroad tracks and leaving the current columns untouched.

Mr. Brickey suggested having any signage behind the gates to prevent vandalism when closed. He will try to get some aerial shots to show the options for placement, and include the establishment date.

7. MANAGER/CITY ATTORNEY UPDATES

David Brickey shared the Lt. Governor's Office signed a proclamation recognizing Magna City last Friday and notifying the legislature, the Attorney General's Office, and other entities that they are officially Magna City. That documentation will be kept until the council decides where to hang it in a future City Hall. He is working on getting that information to other groups in terms of property and other connections. In addition, earlier today Sarah Hunter of the planning commission gave her resignation. He will work with the MSD Staff to get a notice out for posting the open spot and encouraged the public to think about applying.

8. COUNCIL REPORTS

Council Member Pierce – Magna Mosquito Abatement Meeting was last week, included discussion on West Nile. Despite no human cases, about half of the testing pools have shown mosquitoes carrying the virus. People need to be aware of symptoms and be prudent about protection after dark.

Council Member Hull – Reminded the mayor of his agreement to swear in the members of Youth Court at the next meeting, asking David Brickey to put that on the agenda. The fence on 8000, between 3500 and 4100, is destroyed. She doesn't know if this had an HOA at one time, but currently she doesn't believe one exists in the subdivision. She thought she remembered an option to create an assessment where residents can pay over time to put in a decent fence, rather than the bits and pieces of mismatched fencing currently showing up. She asked staff if that can be looked into for the future, or if that could be a code enforcement issue used to force residents into fixing their fences.

Mayor Barney – MSD meeting had some impactful items, authorizing the General Manager to finalize and sign an agreement with Roth Landscaping for parks within Kearns because of the successful test run with Magna. There was also a great presentation on the Transportation Capital Plan, which he supported in general but with concerns related to picking winners and losers amongst cities. The MSD Board ultimately makes the decision on which projects are done. An updated MSD HR Manual was approved, and a discussion was had regarding MSD employee dress codes. Dates for occupying the new building were discussed as well, with the plan being January 2025.

Council Member Prokopis – UPD has a meeting this Thursday and they are one month into the separation from the county. They are actively hiring, as is the Sheriff's office. UPD is still looking for property to house headquarters and administration. SLVLESA has a meeting this Thursday as well, will be discussing a potential tax increase. For UFA, they will be hosting an employee BBQ at Copper Park in Magna, with another pancake breakfast planned for Spring of 2025.

Council Member Sudbury has nothing to report until the end of the month.

Council Member Prokopis moved to recess the Council Meeting and move to Closed Session. Council Member Sudbury seconded the motion; vote was 5-0, unanimous in favor.

9. CLOSED SESSIONS IF NEEDED AS ALLOWED UNDER UTAH CODE (ANN. 52-4-205)

- A. Discussion of the Character, Professional Competence or Physical or Mental Health of an Individual.
- B. Strategy sessions to discuss pending or reasonably imminent litigation.
- C. Strategy sessions to discuss the purchase, exchange, or lease of real property.
- D. Discussion regarding deployment of security personnel, devices, or systems; and
- E. Other lawful purposes as listed in Utah Code 52-4-205

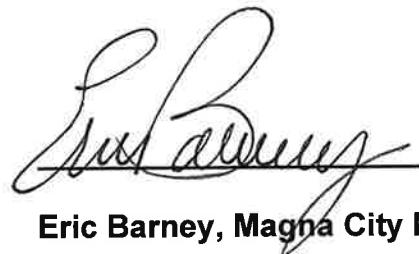
10. ADJOURN

This is a true and correct copy of the August 27, 2024 City Council Meeting Minutes, which were approved on February 11, 2025.

Attest:

Diana Baun

Diana Baun, Magna City Recorder

A handwritten signature in black ink, appearing to read "Eric Barney".

Eric Barney, Magna City Mayor

From: [David Brickey](#)
To: [Justin Smith](#)
Cc: [Nicole Smedley](#); [Brian Tucker](#)
Subject: Fwd: Habitat For Humanity Re-Zone Request on Tonight's Agenda
Date: Wednesday, August 14, 2024 12:44:26 PM

Additional comment from last night. It is addressing Rezone REZ2024-001105. The Magna City Council is getting a copy of this email via the "Bcc" line. DRB

----- Forwarded message -----

From: **Jessica M Inman** <jminman@graniteschools.org>
Date: Tue, Aug 13, 2024 at 5:36 PM
Subject: Habitat For Humanity Re-Zone Request on Tonight's Agenda
To: david.brickey@magnacity.org <david.brickey@magnacity.org>

Mr. Brickey,

I am not certain if you are the correct point of contact to share concerns of the REZ2024-001105 re-zoning request on tonight's meeting agenda, however, I am bound to prior academic/athletic obligations with my son at Cyprus High School tonight and am unable to attend the meeting to participate in public comment. My name is Jessica Inman and I live at 2757 South Dundalk Circle. I have attended multiple meetings now regarding re-zoning requests by Habitat for Humanity, and although they elect to highlight the "work that they do and the opportunities they provide" along with their "number one priority to be good neighbors", I do not feel that their motive isn't entirely that in nature. Habitat for Humanity has been sitting on this donated land with very little cost associated with it for over a decade. The maintenance they have provided of this land over this time has been, minimal and I couldn't imagine has cost them much considering they have allowed it to sit and be our eye sore, a place for illegal dumping and place for garbage collection, along with over-grown weeds that aren't maintained until complaints are made. The most maintenance they have done has been in the last month, by placing a chain link fence up to limit access to the property and one's ability to dump more trash. Maybe intended to highlight their "good neighbor" motives, a little late. My point to that is, this small .50-acre lot has cost them next to nothing, however, now they are entirely motivated to make as much money as possible on the property by squeezing as many living structures as Magna will allow them to. Their organization will certainly benefit more financially off 4 mortgaged properties than they will 2. From this perspective, it is entirely reasonable to question their motive.

I believe I can speak to the collective of our neighborhood that we would all love to see this eyesore be developed, but not with something that doesn't align with the already existing and established surrounding neighborhoods. My lot is just under .25 acres and zoned R-1-10, along with those that were developed in that first phase with Reliance Homes. Speaking of my property alone, I believe the second phase of our neighborhood was then zoned for R-1-8, but I am not 100% certain about that. All the properties directly associated with this

undeveloped property in a 360-degree radius is zoned in the same zoning regulations as the two Reliance Home phases of development were zoned (R-1-10 and R-1-8). Beyond that we have many properties that are still zoned to accommodate residential and agricultural use, properties that resemble much of why I fell in love with Magna and elected to remain a resident and plant my own roots here. This love I have for our community has become quite overshadowed over the course of the last 5 years with the abundance of condensed housing developments that have been established. I feel like these establishments have been best utilized and justified in larger scaled phases of development (such as the development surrounding the new Cypress High School) and there is absolutely no need for these condensed housing “opportunities” to occupy every small piece of land possible. Magna has an obligation to stay consistent with current/already established surrounding establishments in incidents that such small property is being considered.

They home on Humanity cove, though deemed outdated by H2H, still provided opportunities to those less fortunate and remain consistent with what already exists within the immediate area of discussion. There is no reason to go outside that standard already set, when they would still be able to provide an opportunity to 2 families.

This topic has been discussed at great length at multiple meetings now and our concerns of density, parking, remaining cohesive to what already exists, effect on value of bordering properties, and potential safety concerns high density housing communities bring have been well represented. I ask that you please consider those that have already established their homes, rather than play into the sympathy cry and agenda of that H2H is pushing.

Thank you,

Jessica Inman

From: [David Brickey](#)
To: [Justin Smith](#)
Cc: [Brian Tucker](#); [Nicole Smedley](#)
Subject: Fwd: Public Comment for REZ2024-001105 meeting on August 13
Date: Wednesday, August 14, 2024 12:41:28 PM

Additional comment from last night. It is addressing Rezone REZ2024-001105. The Magna City Council is getting a copy of this email via the "Bcc" line. DRB

----- Forwarded message -----

From: **Jill Scott** <jlimscott@gmail.com>
Date: Tue, Aug 13, 2024 at 4:45 PM
Subject: Public Comment for REZ2024-001105 meeting on August 13
To: david.brickey@magnacity.org <david.brickey@magnacity.org>,
<ebarney@magna.utah.gov>

Hello-

My name is Jill Scott. I am writing in regards to the rezone (R-1-5) being discussed for the property owned by Habitat for Humanity near 2820 S and 7500 W. My husband and I own property to the north and west of the property. We cannot attend the meeting tonight due to family demands, but I hope this email will be considered as if we were present. We have attended the past 3 meetings while this agenda item has been discussed.

I would like to oppose the rezone for the stated reasons:

1. No other surrounding properties in the area are zoned as such. The area cannot expand, so it leaves a half acre of property that does not match the current zoning of home's in the surrounding areas. Rezoning would allow duplex units to be built up to 35 feet high. Whether HFH proposes basements or not, 4 homes do not qualify to be built on a half acre property.
2. This is a business decision and should be treated as such. There have been many discussions made playing on the sympathies of the type of people who will live in the homes. I welcome anyone as my neighbor. My concern is not who will live there, but how many people will occupy the property. Four mortgages are better than two or three for HFH. Please do not let this decision be made as a sympathy to the homeowners. I'm sure those who will occupy the home would also prefer their own space, and not a shared wall. We will have to live with the decisions made and properties built--not the HFH board members.
3. The density in Magna continues to be a concern. These decisions should not be made simply because HFH made a "better" plan. The proposed plan of four homes on a half acre are still 1 home size more than should be able to fit on a half acre to stay consistent with the zoning and homes in the area.

For the record I would also like to state that the split decision was not a fair representation. There were four individuals on the council as part of the Magna Planning Commission that took place on August 8. Mr. Richardson made a denial based on facts: HBH should only be able to build 3-3.5 homes on their half acre property. The other gentleman conducting the meeting approved the request, but only stated "I think they have made great improvements to their new plan," followed by a motion to approve (The other two gentlemen on the panel never spoke on the issue, but ended up splitting the vote).

This decision, again, should be based on facts that their proposal still overcedes the allotted amount of homes to fit on their property. In addition, 5 residents either emailed or stood in place to oppose the rezoning. I did not feel represented as a Magna resident when the motion to approve was made, especially given there was no accountability for HFH to stay within building 3-3.5 homes on their half acre.

Also, for the record, I believe it would be helpful and important to state that we have suggested to do a property swap with HFH. We would give them the square footage needed of the "fire lane" in trade for the same square footage to the south of our home. This would allow them to use the road, or dismantle it to build up to three homes with the direways directly off of 2820. This would also provide a buffer to the rest of the neighborhood who does not want high density homes. We could then access our home through Dundalk Cir. **The fire lane was initially put in place because there was only one entrance/exit into the neighborhood at the time it was built. There are now at least three entrances/exits into the neighborhood and the "fire lane" is not a necessity. We own and pay property taxes on the "fire lane", and five feet on both sides of it. Should HFH consider this plan, it could help solve the concern of the high density duplexes, as well allow them to build up to three separate homes directly facing 2820. Again, just a suggestion if they choose to consider. We have proposed the plan, but have not discussed anything in detail.

Thank you for considering. We hope you will listen to the Magna residents and citizens in opposition of R-1-5. We welcome HFH, but oppose high density homes. Please let the area remain consistent with the current zoning.

Jill Scott

Attachment C

From: [David Brickey](#)
To: [Justin Smith](#)
Cc: [Brian Tucker](#); [Nicole Smedley](#)
Subject: Fwd: Rezone REZ2024-001105
Date: Wednesday, August 14, 2024 12:36:58 PM

Additional comment from last night. It is addressing Rezone REZ2024-001105. DRB

----- Forwarded message -----

From: **Jessica Platt** <jessica.platt617@gmail.com>
Date: Tue, Aug 13, 2024 at 4:42 PM
Subject: Rezone REZ2024-001105
To: <dbrickey@magna.utah.gov>, <dan.peay@magnacity.org>, <audrey.pierce@magnacity.org>, <steve.prokopis@magnacity.org>, <eric.barney@magnacity.org>, <trish.hull@magnacity.org>

Hello. My name is Jessica Platt. I apologize if you might not be the appropriate recipient of this email, but I am sending this in regards to tonight's council meeting. I understand that REZ2024-001105 will be a subject of discussion tonight, it is my daughters 13th birthday today so I am unable to attend the meeting tonight.

I wanted to share some of our feelings from myself as well as our nearby neighbors. I live at 2748 S Dundalk Circle, I am happy to see the land be used and developed, I am concerned with the type of homes that are being requested. We are an established neighborhood with single family homes, Having 2 duplexes built on this half acre is a lot for the space. The homes built on this lot should be single family homes that will fit in the neighborhood, the zoning should be the same as the surrounding area. We would like for no duplexes and request independent single family homes be built on this property. Please deny the rezone R-1-5, because this will allow them to build duplexes on the property.

Thank You!
Jessica