

Minutes of the Planning Commission meeting held on Thursday, May 4, 2017, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present:       Buck Swaney, Chair  
                  Phil Markham, Vice Chair  
                  Travis Nay  
                  Maren Patterson  
                  Sue Wilson  
                  Lisa Milkavich  
                  Scot Woodbury  
                  Jared Hall, Community & Economic Development Manager  
                  Jim McNulty, Development Services Manager  
                  G. L. Critchfield, Deputy City Attorney  
                  Citizens

The Staff Review meeting was held from 6:00 to 6:30 p.m. The Planning Commission members briefly reviewed the applications on the agenda. An audio recording of this is available at the Murray City Community and Economic Development Division Office.

Buck Swaney opened the meeting and welcomed those present. He reviewed the public meeting rules and procedures.

#### APPROVAL OF MINUTES

Mr. Markham made a motion to approve the minutes from the April 20, 2017 Planning Commission meeting with the changes discussed in the pre-meeting. Seconded by Mr. Woodbury.

A voice vote was made, motion passes 7-0

#### CONFLICT OF INTEREST

There were no conflicts of interest.

#### APPROVAL OF FINDINGS OF FACT

Mr. Woodbury made a motion to approve the Findings of Fact for Dead City, MDECORWOOD, Purity Group LLC, Security National and Exclusive Architectural Products. Mr. Markham seconded the motion.

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

#### REAL AUTOMOTIVE – 139 West 4500 South #20 - Project #17-54

Alberto Diaz was the applicant present to represent this request. Jared Hall reviewed the location and request for a Conditional Use Permit to allow an Auto Sales, Inspections and Emissions business for the property addressed 139 West 4500 South, #20, located within the M-G zone. Access to this unit is provided directly from 4500 South, but is also possible from an entrance to the paved and developed portion of the industrial park located south and west of the unit, on 160 West which is a private access road serving the larger park. Unit #20 is 1,928 square feet, with a standard entry as well as a 12 foot overhead door. The unit contains a small office, restroom, electrical room as well as an open shop area. No interior area changes have been proposed. The business owns only one motor lift and will work on one car at a time. The dumpster enclosure is in disrepair. Staff recommends it be repaired as part of the conditions of approval. The applicant's site plan indicates available exterior

parking for 7 stalls, which will exceed the parking requirement. The asphalt in this area will require some repair, and the parking stalls need to be re-striped. Staff recommends that the asphalt be repaired, and parking stalls be re-striped to include one van accessible ADA compliant stall to meet the requirements.

The Gordon Family is the property owner. They have submitted conceptual plans to develop the parcels between the subject property and 4500 south. The conceptual plan proposes to build storage units which will address repairs to the asphalt and access improvements.

Based on the information presented in this report, application materials submitted and the site review, staff recommends approval for a Conditional Use Permit for an auto sales and vehicle safety and emissions inspection to be located at the property addressed 139 West 4500 West #20 subject to conditions.

Alberto Diaz, 10052 Blossom Drive, stated he has reviewed the conditions and will be able to comply. Mr. Diaz stated the landlord will also be working with the City to make the necessary improvements for asphalt and a trash enclosure since he will be making improvements to the property with their conceptual plans. Mr. Diaz thanked the Commission and Staff for the work that has been done.

Mr. Markham stated he is concerned with the numerous junk cars that have been parked on the property even though they may not be connected to Mr. Diaz personally. Mr. Markham stated that he would like to add a condition that Mr. Diaz work with the property owners to have the junk cars be removed within a specified amount of time.

Mr. Diaz stated it seemed to be a reasonable request and when he first began to rent the shop the landlord has a similar request for the previous renter to clean up the junk cars. Mr. Diaz stated the picture presented tonight is several months old and only 5 cars remain that belong to himself and they are intact cars and not junk. Mr. Diaz indicated he has a signed contract with the landlord that prohibits him from having junk cars in front.

Mr. Swaney stated they Commission will add a sixth condition that states the junk cars must be removed from the property. Mr. Diaz stated he agreed.

The meeting was opened for public comment.

No comments were made and the public comment portion was closed.

Mr. Markham made a motion to grant Conditional Use Permit approval for an Auto Sales, Inspections and Emissions Business for the property addressed 139 West 4500 South, #20 subject to the following conditions:

1. The project shall meet all applicable building code standards, and shall obtain building permits for any remodeling work.
2. The project shall meet all current fire & life safety codes.
3. The hard surface of the parking area shall be repaired and striped for the required exterior parking, including one (1) van accessible ADA parking space as outlined in Chapter 17.72 of the Murray Municipal Code.

4. The exterior trash container shall be repaired to meet the requirements of Section 17.76.170 of the Murray City Land Use Ordinance.
5. The applicant shall obtain a Murray City Business License for auto sales prior to the commencement of the sales business operation.
6. The applicant shall work with the landlord to have all non-operating cars removed from the property within thirty days.

Seconded by Mr. Nay.

Call vote recorded by Mr. Hall.

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

Motion passed 7-0.

VINE STREET SENIOR LIVING – 4998, 5000, & 5004 South Jones Court, 184, 186 & 190 East Vine Street – Project # 17-04

Stan Hoffman, was the applicant present to represent this request. Jared Hall reviewed the location and request for a Certificate of Appropriateness for a for a new Assisted Living facility proposed for the properties addressed 184, 186, and 190 East Vine Street, and 4998, 5000, and 5004 South Jones Court located within the MCCD zone. The site plan proposed by the applicant shows the Carnegie Library will remain, and the Senior Living Facility will wrap around the corner of Vine Street and Jones Court and onto Arlington Avenue. The other buildings in the area will be demolished as part of this project going forward. The proposed assisted living facility houses 120 units and will facilitate care ranging from daily assisted living to memory care. Fifty-five parking stalls will be on site for the Carnegie Library and the assisted living facility combined which meets the parking requirements. Vehicle entrances will be off Vine Street and Arlington Avenue, with no entry from Jones Street. There are entrances to the building as required by zoning all around the building. The building presents to the street very well as the MCCD requirements. The assisted living facility is a four-story building and 50 feet in overall height. The main entrance will be from the rear but you can access the building by foot from the street entrance as well. The main floor houses some of the common uses such as a restaurant, dining room, bistro, salon, physical therapy, and lobby. Several of the amenities are open to the public. The second, third and fourth floor will house the health care area and residential accommodations. The lobby will feature large murals and historical photographs that will recall the past buildings that will be demolished. The chapel on the main floor will house a recreation of the stained glass window that was previously in the front of the Murray 1st Ward. The preliminary landscape plan shows the requirements that will need to be met in order for a Certificate of Appropriateness to be granted. The garden facility located on the rear of the project will house monuments required by zoning, to replace the buildings that are demolished and would allow people to come in and see them. Other locations on site may also be considered for signage and monuments. The MCCD requires a monument with a narrative of the history for buildings that are torn

down. The Design Review Committee has already reviewed this project and made a recommendation to the Planning Commission. In the MCCD zone all buildings require Planning Commission approval for a Certificate of Appropriateness.

The City will only allow the exemption for the demolition of buildings that are historically significant in this zone if the criteria can be met. First, the applicants have had to demonstrate that the condition of the buildings cannot support relocation or be repurposed in any meaningful way for the project at hand. Second, they have to show that they are adhering to the MCCD goals. Third, they must maintain the historic fabric of downtown and present a vibrant street frontage. Fourth, they must try to keep people in Murray City. Fifth, they must comply with the design guidelines and enter into a Development Agreement with the City Council for the demolition of properties.

The exterior facades will consist of battered masonry, wood, brick, composite paneling and glass. The use of punched windows will incorporate some of the historic architecture. The tower is based on the iconic church tower from the Murray 1<sup>st</sup> ward and will feature crenellation at the top, with arched windows and enhancing eyebrow addition referencing the Murray Tower.

The Jones Court duplexes have unique Gambrel roofs which will be used as a porch feature along Jones Court and the Arlington Avenue parking area. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval of the Certificate of Appropriateness for the proposed assisted living facility on the properties addressed 184, 186, & 190 East Vine Street and 4998, 5000 & 5004 South Jones Court subject to conditions.

Mr. Swaney asked Mr. Hall to explain the approval process for a Certificate of Appropriateness and the decision making constraints on the Planning Commission if the applicant is able to meet the conditions of approval. Mr. Hall explained the process for a Certificate of Appropriateness is very much an administrative decision. The new building can't be built without a Certificate of Appropriateness. The Commission's decision is to make findings based on your analysis of the project and the facts to determine whether it meets the criteria. If the project meets the criteria, the Commission may grant the approval. It is a use that is approved unless its detrimental impacts cannot be mitigated by reasonable conditions.

Mr. Swaney asked if the Commission could add additional conditions for approval. Mr. Hall indicated that the Commission may impose additional requirements if they deem necessary. Mr. Hall stated that the findings are listed in the Staff report regarding the proposed development as is allowed with a Certificate of Appropriateness and Conditional Use approval in the MCCD zone. The City has already made a decision to allow the demolition of historic structures by following this process and meeting the standards and design guidelines as contained in the MCCD zone.

Ms. Patterson stated that the rendering of the Carnegie Library appears to be restored, and asked if they are planning to restore the building. Mr. Hall answered it is his understanding they do not have plans to restore it, and restoration would not be part of this proposed project.

Ms. Patterson stated this project has already gone through a lot of design process prior to our meeting tonight. The Planning Commission members received and reviewed a copy of the minutes from the Design Review Committee meeting where the Committee forwarded a

recommendation of Approval to the Planning Commission for a Certificate of Appropriateness. Mr. Hall added the applicant has been working closely with the History Advisory Board to present a plan that meets all the requirements of the MCCD.

Stan Hoffman, applicant representing J.R. Miller Enterprises, 2387 East 12000 South. Mr. Hoffman introduced his team that has worked on this project. Mr. Hoffman stated he likes the public process because every project in which he used public process turned out for the better and this project has evolved to a better project than when it started. He stated if this project is approved, it will house thousands of Murray residents over the next century in the city center. Mr. Hoffman stated his ties to Murray City while growing up, as well as his professional career and thanked City staff and various Committees for all the hard work that was put into this project. Mr. Hoffman added that the property owners want to sell their properties, especially the owner of the Church property as this building would be difficult to repurpose as indicated in the data submitted with this application. His design team has made a real effort to integrate every building in the project over the last fifteen months and are at this junction today despite all the efforts. He stated that the tenants that live in the buildings will be provided with escrows for relocation. Mr. Hoffman stated that they interviewed several entities as potential partners for an operator of the assisted living facilities and the Benton Group was chosen.

Tracy Stocking, architect for the project, 2243 East 12000 South, explained the elements which will be used to maintain and enhance the fabric of Murray. In the project a tower and three bay windows on the building will represent a part of the Murray 1<sup>st</sup> Ward building while keeping it contemporary.

Arron Benton, Stellar Senior Living, 4525 South Wasatch # 300, stated they are a family owned assisted living business with seven locations in five different states. Mr. Benton stated they are in the business because the love to take care of people and hire exceptional caretakers. The average resident of assisted living is about eighty six years old. They invite residents who are not safe in their home to come live here and enjoy the socialization and activities. The residents pay privately and the average building size is about 100-125 units. There are few options for assisted living in Murray City, and it is possible that Murray City residents have to leave to find assisted living. This site is optimal because it is in the center of Murray and is close proximity to the IMC Hospital and medical professional buildings. An assisted living community does not really need much parking in comparison with other endeavors. Mr. Benton stated that they would like to incorporate as many historical elements into the building as possible and would like it to echo the community.

Mr. Hoffman stated he has reviewed the staff recommendations and will comply. Mr. Hoffman asked that the one hundred foot distance view corridor restriction going south on Vine street be reconsidered by the city engineer. Mr. Swaney asked if condition is a requirement of the MCCD code. Mr. Hall responded that this condition was determined by Engineering Division and not the MCCD. Mr. Hoffman stated they can comply, but would prefer that it be omitted if possible.

The hearing was opened for public comment.

Mr. Swaney read a public comment submitted in writing from Sandy Windward. Ms. Windward asked that the Mt. Vernon building be restored and preserved.

Mr. Swaney read a public comment submitted by Joseph and Kathleen Stanford. They asked that new development not be approved, instead look into restoring and preserving the historic buildings.

Annie Barton, 4760 Atwood Blvd, stated she is in support of senior living centers as she was a C.N.A. in senior living centers and now she studies anthropology and also has a vested interest for historic preservation. Ms. Barton stated she is not in favor of preserving historical buildings with painted murals or land marks and would prefer to preserve the original buildings instead.

May Ann Christensen, 583 East Benbow Street, stated she has family ties to the area through past relatives. Ms. Christensen stated she believes the Murray 1<sup>st</sup> Ward building is the most recognizable and important building of all historic buildings. She is not in favor of demolition for the historic buildings.

Martha Sammond, 185 East Vine Street, asked why the developers did not want to buy the library and will the senior living center be open to residents who can pay with Medicare or just people who can afford to privately pay.

Janice Strobell, 4912 Wasatch Street, stated she recognizes the contracts the City is constantly under for these situations. Ms. Strobell said that she understands that the private owners do not have the funds or ability to restore the buildings back to a functioning part of the City. Ms. Strobell does not believe the replicas will represent the historical elements and fabric of the buildings and is not in favor of the demolition.

Kathleen Stanford, 487 East Vine Street, stated she purchased her great-grandfather's house and spent half a million dollars to restore it at much hardship to her family. Ms. Stanford stated Murray has only a handful of historic buildings left in Murray and is not in favor of demolition of any of them. Ms. Stanford stated that some historic groups believe the Murray 1<sup>st</sup> Ward building is the most historically significant building in Murray. Ms. Stanford is concerned that not enough options have been considered to save these buildings.

Alan Barnett, unknown address, stated that this development seems like a genuine need in the community but is concerned that the historic fabric is not being represented by the replicas of the buildings windows, towers and certain details rather, the historic fabric is represented by the buildings. Mr. Barnett stated in his personal opinion the developer has not met the requirements of the MCCD goals and should find a way to save the historic buildings. Mr. Barnett is in favor of denial.

DeLynn Barney, 4902 South Box Elder Street, stated he has lived in Murray since 1963 and has a personal connection with the building as he attended church here, participated in Boy Scouts, and had a picture of himself when he was in the Marine Corps displayed in the Chapel. He stated that he does not want it to be demolished. Mr. Barney stated that the replicas of the historic buildings in the rendering do not, in his opinion, convey the historic fabric of the historic buildings. Mr. Barney submitted hand sketched drawings that represent his personal ideas for potential uses on this site to the Commission. Mr. Barney expressed concern that there is not enough parking on site for the other business that share the area, the increased noise from traffic, and that there are not enough security measures in place to keep the future residents safe in the assisted living facility.

Susan Wright, 4872 South Poplar Street, stated she owns a building that is 118 years old in Murray and the cost to replace one window in the building was \$4,000. Ms. Wright further stated she spent one year of her life fighting to save the smoke stacks because she believed they were the most important historic landmark Murray had. Ms. Wright stated in retrospect, when she considers the amount of people the hospital serves she believes the smoke stacks had to come down to make progress for the sake of the people and the City. Ms. Wright stated in her opinion the Church is in deplorable condition and does not think anybody will spend \$2,500,000 to restore it and then not be able to generate the money back. Ms. Wright stated she is in favor of the assisted living center which would display beautiful murals of the historic buildings and wishes to move her elderly father into it.

Ron Aichlmayr, 217 East Vine Street, stated he hoped that adequate parking is considered for the area and does not believe the on-street parking meets standards. Mr. Aichlmayr stated his concerns about the increased traffic and potential for automobile accidents to happen near his neighborhood.

Brent Barnett, 491 East Vine Street, stated about twenty four early founding communities in Utah built a gothic style building similar to the Murray 1<sup>st</sup> Ward and now there are only four remaining builds of this type, of which two are in Murray. Mr. Barnett believes this building is not only the most historically significant building in Murray but in the entire valley. Mr. Barnett further stated that he thinks additional organizations should have been consulted about the possibility of saving them and some of the organizations he consulted stated they have high support of any effort the City wants to make in preserving and restoring these old and drab buildings.

The public hearing was closed.

Mr. Hall addressed some of the questions and concerns from the public by stating the parking for on-street frontages are encouraged in the MCCD zone, but those parking spaces are not calculated as part of the parking requirement. Mr. Hall addressed the concern about the one hundred foot view clearance from Jones Court as a condition from the City Engineering Department and any changes would need to be approved from the City Engineer.

Mr. Hall clarified the public concerns about preservation of historic fabric for these buildings and stated all the parties involved in these decisions take historic preservation very seriously and this project has been moving slowly as it started some fifteen months ago. Mr. Hall stated he understand the buildings are important to people and the city values public comments. One of the goals of the MCCD is to preserve historic fabric but the cost to restore these buildings is too great to reasonably restore them to a use that can be repurposed to recoup the costs. The buildings need benefactors to contribute to the restoration that they do not currently have, and have not had in years. The applicants, including Mr. Robert Pelt who is a respected Historic Architect, have looked into the possibility of saving the buildings and provided us with the costs to do so. The City Staff believes this information to be sound.

Mr. Swaney asked Mr. Hall to address the public concern about how our process works. Mr. Hall explained the process starts with the submittal of an application within the MCCD district, which requires a Certificate of Appropriateness. The application is first submitted to the MCCD Design Review Committee, which held meetings to mitigate the conditions. Then the application was forwarded to the History Advisory Board. The History Advisory Board also had input on the project requirements. The application was then forwarded to Staff to

prepare a report for the Planning Commission. If the Planning Commission were to approve a Certificate of Approval tonight, the City Council would have to consider a development agreement in order to allow the demolition of the buildings to occur so the project can move forward.

Mr. Swaney asked Mr. Hall to explain the process for an exception for demolition. Mr. Hall explained that the MCCD sets the standards for meeting the goal of preserving historic fabric which does not necessarily mean that historic buildings are not allowed to be demolished. Because there is an allowed exception in the code, we have to acknowledge the fact that it is possible to demolish historically significant buildings. If historic fabric means you cannot demolish anything, then the exception would not exist, there must be other ways to preserve historic fabric.

Ms. Milkavich asked for additional clarification about the process the History Advisory Board uses to recommend the preservation of historic buildings before demolition. Mr. Hall answered the HAB submitted a letter that stated they recognized the inherent difficulties in stabilizing the Murray 1<sup>st</sup> Ward building particularly, and that the Carnegie Library could be repurposed more easily. Therefore, that was the one building recommended to be preserved as well as one of the duplexes, if possible.

Mr. Hall also stated the Carnegie Library is being purchased as part of the project, it's just not slated for demolition as part of needs of this projects development, and it would be resold for some other use.

Mr. Nay asked if they could demolish the building at some point if they wanted to. Mr. Hall stated if they desire to demolish the building they would have to go through this process again.

Ms. Patterson asked if they had looked into trying to move the building. Mr. Hall stated that the Murray 1<sup>st</sup> Ward building presented unique challenges structurally. The unreinforced sections of abode walls on the duplexes can't be jacked up, and would not withstand being relocated, they would crumble.

Mr. Markham asked how many other proposals have come in on this property in your time with the City. Mr. Hall stated he has had inquires on the property such as rehab centers and haunted houses, both were not allowed but no real proposals or applications.

Mr. Markham stated the estimated cost to restore the building to an office space use was \$5.2 million. This would allow a class C office space, not even a class A office space. Class A in prime locations is renting at about 26-28 dollars per square foot, but this would need to be rented at about 35-38 dollars per square foot to make it economically viable. A benefactor to restore the building would be somebody who wants to spend this amount of money to never really recoup the money put in to it and we don't have anybody who is offering to do that now.

Ms. Milkavich asked for the history of the Murray 1<sup>st</sup> Ward building and why the owners have not kept up the property or interest in it. Mr. Hall stated he had found some brief information on an LDS History site that stated they out-grew the use of the building and were not interested in making needed upgrades to the structure.



Ms. Milkavich asked for clarification about the prior purchase of historic buildings that the City made and why this was not included in that purchase. Mr. Hall stated he had no information on this.

Mr. Nay asked what portion of the Murray 1<sup>st</sup> Ward building is original vs additions that may have happened in its life time. Mr. Hall answered to his knowledge in 1908 the original structure was the gothic tower in the front and the main chapel, and there were two expansions of the chapel in the 1920's and of the assembly area.

Mr. Nay asked how changes to the building affect the historical element with additions or subtractions. Mr. Hall stated the historic fabric has been altered as the building has been altered with the removal of the windows, doors with stained glass, original wood, and painting over the original stone brick.

Mr. Nay stated that the buildings are nowhere near the original historic condition as they used to be with the exception of the duplexes. Mr. Swaney stated if the changes were made by a famous architect such as Frank Lloyd Wright, then there may be a case for historicity, but that does not appear to be the case.

Ms. Wilson asked if the building is allowed to be demolished and monuments are required will they be accessible to the public and what size would they be. Mr. Hall answered they will be displayed in the back garden space in the assisted living facility which is open to the public and they can be different sizes or they could do an art project that incorporates the narrative of the historic buildings. The History Advisory Board will have to approve any project or monument proposed.

Mr. Swaney asked if Medicare or Medicaid will be allowed. Mr. Benton stated that it is Medicaid that can publicly fund assisted living, but it has not been decided what payment mixture will be allowed although the majority will be privately paid.

Mr. Swaney asked what the life span of the building is. Mr. Hoffman stated he cannot project the exact life span of the building, but commercial buildings that are properly constructed are planned to last seventy five to one hundred years if properly maintained.

Mr. Markham stated that the Murray 1<sup>st</sup> Ward Building really only served its purpose as a church for about sixty years, and the Church did not even maintain the property, so we can't expect a hundred year facility to take its place.

Mr. Benton mentioned that the demand for an assisted living facility is very high as long as we have seniors that need care especially, with the expected baby boomer era to come as we know is the case.

Mr. Swaney asked if the level of security and safety is appropriate for the assisted living facility. Mr. Benton answered that keeping seniors secure is what they do. The facility has 24 hour staff that will monitor the building. Part of the building will be locked down for Alzheimer's residents. Ingress and egress will be managed by a key pad after hours at eight p.m. to access the walkable and main drive access to the building. They also have a night attendant that will manage the entrances from the front desk. If somebody were to enter the building that may be suspicious or unknown the staff will call local authorities. Mr. Nay stated current proximity to authorities is very near.

Ms. Milkavich asked what public access will be provided off Vine Street to the dining area and such. Mr. Benton stated there will be a walkable entrance off Vine Street into the building to access the bistro, dining room, and spa. Security will be provided during the day and after hours the facilities will be shut down.

Ms. Patterson stated the decision is difficult and stated that many of the properties have not been well maintained especially the duplexes and residents are not looking for this type of living space. The property owners may also choose to leave and not be able to sell the old duplex buildings and the buildings would sit vacant. If Mt. Vernon leaves the Murray 1<sup>st</sup> Ward building then nobody will take it over and invest the millions of dollars it would take to make it useful and viable. Ms. Patterson further stated as much as she never wants to see historic buildings demolished, it may be better to let the City make progress and move forward instead of support empty dilapidated buildings.

Mr. Markham asked the Planning Commission to consider the fact that the Design Review Committee is made up of professionals in the building and architectural fields. They have reviewed this proposal at two separate meetings and have approved the application and the efforts made by the applicant in order to mitigate the impact of demolishing the buildings to build new.

Mr. Swaney stated the Committee has recently received an application that will eventually result in the demolition of one of the Crown Jewel homes in Murray, which is the Howe Family residence. When this application came before the Committee they were not empowered to halt it. Mr. Swaney stated he disliked the outcome for the Howe Family residence as it is the same process for these buildings tonight. Mr. Swaney stated that the Commission is doing its best to put the best program together within the parameters of authority they have.

Mr. Woodbury stated he understands this is a difficult decision and is glad that so many residents care enough about the City to come out to the meeting tonight. Mr. Woodbury added he often travels to places back east where a lot of older buildings exist and he struggles when he sees a lot of old dilapidated buildings doing nothing, they almost become a distraction to the city. Murray City can't just remain the same forever, we need to move forward either by someone buying the building and restoring at whatever the cost is, or it needs to be restored to a useable long term function. The City should not allow the building to fall into further disrepair.

Mr. Swaney asked the Planning Commission if they felt it necessary to add any wording to the conditions that would better direct the decision going forward. Mr. Markham stated that he did not feel comfortable with any changes to the conditions as they have been thought out and written by numerous committees and department heads with expertise in this field.

Mr. Woodbury stated he agreed with Mr. Markham and takes a lot of weight into the opinions of the professionals that put this plan together.

Ms. Patterson stated City Council will have the ultimate determining factor of this project.

Mr. Swaney stated for the benefit of the public that his project has already made it through several approval processes, the next step will be the approval of the development agreement with the city council. Today is the final administrative process, because of the legislative process, it has already gone through the administrative boundaries have already been set.

Mr. Markham made a motion to grant a Certificate of Appropriateness and approve the Conditional Use Permit for a new Assisted Living facility proposed for the properties addressed 184, 186, and 190 East Vine Street, and 4998, 5000, and 5004 South Jones Court subject to the following conditions:

1. The applicants shall enter into a Development Agreement with the Murray City Council adhering to all requirements of Section 17.170.070-E of the Murray Land Use Ordinance prior to issuance of building or demolition permits for the project.
2. The project shall comply with all applicable building and fire codes including emergency lighting, egress, and building sprinkling. The applicant shall provide plans stamped by a registered design professional and include a soils analysis.
3. The applicant shall combine and reconfigure the subject properties to reflect the proposed new parcels as identified on the site plans by recording a 2-lot subdivision plat. The subdivision shall be accompanied by the appropriate easements for cross access and parking between the two properties proposed to house the Carnegie Library building and the proposed Vine Street Senior Living facility.
4. The applicant shall work with the City Engineer to provide the dedication of frontage right-of-way as it is necessary on Vine Street, Jones Court and Arlington Avenue to provide the required MCCD street frontage improvements.
5. The applicant shall submit a plan for the improvement of the furnishing and pedestrian zones on the frontages of Vine Street, Jones Court, and Arlington Avenue as required by the MCCD zone. The plan shall be submitted with the building permit application for review and approval by the Community and Economic Development Division.
6. The applicant shall provide a detailed plan for the monuments referencing the demolished buildings for review and approval by the History Advisory Board.
7. The applicant shall provide grading and drainage plans, including on-site detention/retention for review and approval by the City Engineer.
8. The site landscaping shall be designed as a unified palette and shall include onsite treatment of storm water with bio-swales and other applicable landscape designs.
9. Upon submittal for building permits, the applicant shall provide landscaping plans in compliance with the MCCD zone and applicable requirements of Section 17.68. The plans shall include furnishings as indicated with current site planning for the garden area on the interior.
10. All site lighting shall comply with the standards outlined by ordinance and found in the MCCD Design Guidelines.
11. On-street parking shall be restricted in the first 100 feet west of Jones Court on the south side of Vine Street, allowing for adequate sight distance.
12. The applicant shall comply with sustainability standards as contained in the MCCD zone and outlined in this report.

13. The project shall provide a minimum of 53 on-site parking stalls including 2 ADA accessible stalls in compliance with the requirements of Chapter 17.72 of the Murray Land Use Ordinance.
14. The project shall comply with all other applicable ordinance and MCCD Guidelines standards not outlined in this report.

Seconded by Mr. Woodbury.

Call vote recorded by Mr. Hall.

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

Motion passed 7-0.

Mr. Markham praised the citizens for the civility shown tonight. The Committee thanked the citizens for their attendance.

#### OTHER BUSINESS

Mr. Hall stated the next meeting is May 18, 2017. Mr. Hall reported that Exclusive Architectural Cabinets shop has been working on plans for the acoustic walls, and will begin construction maybe as early as next week. He stated that Mr. Pelch has made an effort to minimize the noise by adhering to the hours of operation. There have not been any new complaints from neighbors. We are hoping to get down to around thirty five decibels at the property line.

Mr. McNulty stated in two weeks we will review a proposal for an amendment for the Fashion Place Mall and Security National Campus dealing with signs. We also have a few other amendments to discuss. If the discussions are favorable, we will notice it and bring it to a public meeting soon.

The meeting was adjourned at 8:24 p.m.

  
Jared Hall, Manager  
Community and Economic Development