

Minutes of the Planning Commission meeting held on Thursday, March 21, 2019, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Ned Hacker, Chair  
Sue Wilson, Vice Chair  
Scot Woodbury  
Phil Markham  
Lisa Milkavich  
Travis Nay  
Jared Hall, Community & Economic Development Supervisor  
Jim McNulty, Development Services Manager  
Melinda Greenwood, Community & Economic Development Director  
Briant Farnsworth, Deputy City Attorney  
Citizens

Excused: Maren Patterson

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

Ned Hacker opened the meeting and welcomed those present. He reviewed the public meeting rules and procedures.

#### APPROVAL OF MINUTES

Mr. Woodbury made a motion to approve the minutes from the March 7, 2019 Planning Commission meeting. Seconded by Ms. Wilson.

A voice vote was made, motion passed 6-0.

#### CONFLICT OF INTEREST

There were no conflicts of interest.

#### APPROVAL OF FINDINGS OF FACT

Mr. Markham made a motion to approve the Findings of Fact for Fry Construction & Development, Atlas Tower, Murray Townhomes, Urban Auto, LLC. Seconded by Mr. Nay.

A voice vote was made, motion passed 6-0.

#### GLORIA HAYLEY INTERIOR DESIGN – 166 East Vine Street - Project #19-017

Gloria Kummer was present to represent this request. Jared Hall reviewed the location and request for a Certificate of Appropriateness to allow a Major Alteration of the building located on the property addressed 166 East Vine Street. The property is located within the MCCD zone. Mr. Hall stated the applicant's proposed uses of interior design and office space are permitted. However, the applicant's proposal to renovate the facade of the building as well as some interior remodeling require Certificate of Appropriateness approval. The building was built in 1916 and was Murray City's first public library and has undergone several significant renovations over the years. The original stairs and entry of the building was removed and an entry vestibule was added to connect an addition that was built in 1970. The applicant proposes to pull the vestibule on the front corner back to expose the original corner of the

building, making it eligible for registration on the National Historical Register. In the rear of the building they would add a vestibule entrance and eventually an atrium, small garden and water feature. The parking lot will need to be repaved and striped. The Library is two levels. The lower level will be split into office space, and work stations. The upper floor will be used for a conference room and lobby. Inside, there are remodeling plans to reveal the original staircase and add an elevator. The annex space will be used for cooperative work space, kitchen space, storage and ADA restrooms. The applicant proposes to renovate the original exterior brick and restore it, take the mansard roofs off and add some simple brick work to make it match. The proposal will require 15 parking stalls, and 23 stalls are proposed. The flow of traffic will be one direction: ingress from Vine Street and flow to the rear parking lot and Arlington Avenue. Minimal on street parking is available. Based on the analysis of the submitted materials and Land Use Ordinance standards, Staff has determined that the proposed Major Alteration & Restoration is consistent with requirements of the MCCD zone and recommends that the Planning Commission approve a Certificate of Appropriateness subject to the conditions as outlined in the Staff Report.

Mr. Nay asked if the on-site dumpster will be required to have a dumpster enclosure. Mr. Hall replied yes, the dumpster enclosure is required and will be accounted for through the permitting process.

Gloria Kummer, 4531 South Country Lane, Millcreek, stated she had read the conditions of approval including the requirement to screen the dumpster and she will be able to comply. Ms. Kummer added that she has hopes for a successful project because so many approvals are required, and the property owner is antsy and may pull out of the contract because of how long the process takes for a historic commercial property. Ms. Kummer stated that she is a Professional Interior Classic Architect and this project is very important to preserve history.

The meeting was opened for public comment.

Bob Wager, 150 East Vine Street, stated he owns the building next door which was the old Murray Post Office. Mr. Wager offered his neighborly support to Ms. Kummer and is in support of the project. Mr. Wager stated that the parking at his site is limited as well and suggested that they don't cross over into each other's parking areas.

The public comment portion for this agenda item was closed.

Mr. Nay stated that the proposed remodel of the building and site is beautiful and hopes the applicant is able to move forward with the project.

Mr. Markham suggested that if this application is approved that Ms. Kummer and Staff help the property owner to understand the permit process in hopes of not backing out of the contract.

Ms. Wilson stated she also hopes that the property owner will be able to see the vision of how this project will benefit himself, Ms. Kummer, the community and the building itself. Ms. Milkavich agreed with the Commissioner's statements.

Mr. Woodbury made a motion to approve a Certificate of Appropriateness allowing the proposed Major Alteration & Restoration for the property located at 166 East Vine Street with the following conditions:

1. The applicant shall meet all requirements of the City Engineer, including:
  - a) Meet City drainage requirements, including required on-site retention. Low Impact Development (LID) principles should be used where applicable and plans must avoid directing run-off towards adjacent properties.
  - b) Replace any damaged curb and gutter and sidewalk along property frontages.
  - c) Dedicate property along Vine Street and Arlington Avenue for future MCCD right-of-way improvements (park strip and sidewalk).
  - d) Install sidewalk through the Arlington Avenue drive access.
  - e) Obtain a City Excavation Permit for work in the City right-of-way.
2. The applicant shall provide a landscaping plan including irrigation and proposed plant materials to meet the requirements of Section 17.170.160.
3. The project shall comply with the design standards outlined in Chapter 17.170 for the Murray City Center District and the MCCD Design Guidelines as outlined in the Staff Report.
4. The applicant shall obtain Murray City Building Permits for all work associated with the proposed remodel and restoration and shall supply complete stamped / signed plans and calculations at the time of building permit application.
5. The applicant shall provide the proposed 23 parking spaces, and facilities for a minimum of three (3) bicycles as outlined in the Staff Report to satisfy all parking needs and comply with the requirements of Section 17.170.140(B).
6. The project shall meet all applicable Building and Fire Codes.

Seconded by Ms. Wilson.

Call vote recorded by Mr. Hall.

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

Motion passed 6-0.

MARIA GUADALUPE FISHER – 4195 South 500 West, # 31 & 32 - Project #19-032

Maria Guadalupe Fisher was present to represent this request. Jared Hall reviewed the location and request for a Conditional Use Permit to allow for an auto sales business to be located at the property addressed 4195 South 500 West, Units #31 & #32. Mr. Hall explained that the proposed location is in the Garco industrial complex within the M-G Zone. Units #31 & #32 are connected, and the interior walls have been removed. Each unit is 900 sq. ft. for a

total of 1800 sq. ft. The units have a small office and restroom. The total parking required is 3 spaces, the unit have 4 spaces and have 2 overhead garage doors. The applicant intends to keep the cars for sale in the inside of the units and customer and employee parking on the exterior. There should be no more than 6 cars for sale on the property in order to keep cars from spilling out onto the property and clogging travel lanes. The applicant has been notified by way of a condition of approval that no cars may be kept along 500 West Street as part of this business. Parking stalls for units #31 and #32 need to be restriped, and include an ADA compliant space. Based on the analysis of the submitted materials and Land Use Ordinance standards, Staff has determined that the proposed auto sales business is consistent with requirements of the M-G Zone and recommends that the Planning Commission approve a Conditional Use Permit subject to the conditions as outlined in the Staff Report.

Mr. Markham asked for clarification that the permit would allow only auto sales and no repair or auto body. Mr. Hall replied that is correct, no repair, detailing or auto body is allowed.

Maria Guadalupe Fisher, 4195 South 500 West, stated she had read the conditions of approval and will be able to comply.

The meeting was opened for public comment. There was no public comment for this agenda item and the public comment portion for this item was closed.

Mr. Woodbury made a motion to approve a Conditional Use Permit to allow an auto sales business on the property located at 4195 South 500 West, Units #31 & #32, subject to the following conditions:

1. The project shall meet all applicable Building and Fire Code standards.
2. The property owner shall stripe the parking area with four (4) parking spaces, including one (1) ADA compliant van accessible space.
3. The applicant shall keep no more than six (6) vehicles for sale at any time on the property. All vehicles for sale must be stored inside the building. No outside storage or vehicles or display of vehicles for sale is allowed.
4. The applicant shall maintain clear access in front of the building and an adequate fire lane for emergency access to the building at all times.
5. No parking along 500 West is allowed for storage, employee or for sale vehicles associated with this application.
6. The applicant shall obtain Murray City Building Permits for any work necessary on the property.
7. The applicant shall obtain a Murray City Business License before commencing sales at this location.

Seconded by Mr. Markham.

Call vote recorded by Mr. Hall.

  A   Scot Woodbury

A   Phil Markham  
  A   Travis Nay  
  A   Sue Wilson  
  A   Lisa Milkavich  
  A   Ned Hacker

Motion passed 6-0.

STEWARD MEDICAL GROUP – 5980 south Fashion Blvd. - Project #19-035

Josh Patterson was present to represent this request. Jared Hall reviewed the proposal for a Monument Sign with an Electronic Message Center (EMC) to be installed at the property addressed 5980 South Fashion Boulevard in the C-D Zone. Mr. Hall explained that the subject site has an existing sign and the application proposes to add a few feet to the top of it and attach an LED sign to both of the faces. The proposed addition would increase the height of the sign by two feet, which is still within the allowed height and area by City Code. Staff is requesting that the sign be moved back from the property line to meet the front setback of 5 feet. A building permit will be required for the construction and placement of the sign. The sign is located closer than 500 feet to residential zoning requiring it to be turned off after 10:00 p.m. and dimmed after sundown per conditions. If the project is valued at more than \$5,000.00 the City Engineer will look at the curb, gutter and sidewalk to determine if any damaged area needs to be replaced. Based on the analysis of the submitted materials and Land Use Ordinance standards, Staff has determined that the proposed Electronic Message Center sign is consistent with requirements of the C-D Zone and recommends that the Planning Commission approve a Conditional Use Permit subject to the conditions as outlined in the Staff Report.

Josh Patterson, 5980 South Fashion Blvd., stated he had read the conditions of approval and will be able to comply. Mr. Patterson wondered about condition #4 and asked if they were to split the EMC sign from the existing monument and be its own structure, would they only have to place the EMC sign at the 5 ft. setback and not be required to move the monument. Mr. Hall replied that it wouldn't be allowed because they are only allowed to have one detached sign per property. Mr. Patterson stated that the installation of the EMC sign and the survey cost of \$4,000.00 for the consolidation of the 3 parcels were unplanned expenses and asked if they reduced the size of the panel on the monument itself, would they still need to consolidate the lots as required by condition #6.

The meeting was opened for public comment. There was no public comment for this agenda item and the public comment portion for this item was closed.

Mr. Hall addressed the question about reducing the size of the EMC to bypass the need to consolidate the lots and stated that the consolidation of the lots is not due to the size of the EMC, there is enough frontage to allow it. The parcels need to be consolidated because they need to be brought into compliance, and a Conditional Use Permit gives the City a way to bring properties into conformance. One of the property lines runs through the middle of the office building which has the potential to create issues. Mr. Hall stated that reducing the size of the EMC sign would not eliminate the requirement to move the sign back to meet minimum front setback requirements. Any change to the sign would require it to be moved to come into compliance. Staff determined that conditions #4 and #5 stand. Mr. Woodbury stated that code allows one detached sign per parcel and wondered in theory if they could place a second sign on a separate parcel. Mr. Hall replied they would not be allowed because the property needs to be brought into compliance by combining property thus, eliminating the

possibility of more than one detached sign. Mr. Woodbury stated that it is clear that the properties need to be combined because one property line is through the middle of the building and wondered if they will need to come back to do that. Mr. Hall replied that they do not need to return to the Planning Commission to combine the properties because it can be done administratively through the Community Development offices. Salt Lake County requires a property survey to be done.

Mr. McNulty stated that this situation is unfortunate, and it is obvious that the parcels should have been consolidated into a single property before the building permit was issued. There was a permit issued for the structure in 1987, but there was no permit issued to construct the sign, which would have been required even back then. When the request to change the sign came to the City it gave us a way to bring the property into conformance. Mr. McNulty concurred with Staff's recommended conditions.

Ms. Wilson asked if a survey is required to consolidate the parcels. Mr. Hall answered yes, because Salt Lake County requires a description of the property for consolidation when it is submitted to them. Ms. Wilson wondered if a title company would need to be involved in this process. Mr. McNulty replied yes, a title company would need to record the consolidation and deed would also need to be recorded. Ms. Wilson and Mr. McNulty suggested that the applicant shop for a reasonably priced surveyor because the rate that Mr. Patterson was quoted seemed a little high. Ms. Milkavich pointed out that condition #6 gives an allowance of 6 months to consolidate the parcels after the issuance of the sign permit and it may allow more time to accrue funding. Ms. Milkavich asked if the 6-month requirement could be extended. Mr. Hall stated that time is not an issue, we would just like to see if done eventually.

Ms. Milkavich made a motion to approve a Conditional Use Permit to allow an Electronic Message Center Sign at the property located at 5980 South Fashion Blvd., subject to the following conditions:

1. The project shall comply with all applicable Building and Fire Code standards.
2. The applicant shall obtain a Building Permit prior to conducting any construction.
3. If the improvements to the property exceed \$5,000; the City Engineer requires the existing drive approach at the north end of the property to be removed and replaced with required park strip improvements.
4. The proposed sign shall be setback a minimum of five feet (5') from the front property line as per City Code.
5. The applicant will be required to meet all requirements of the EMC standards set forth in Land Use Ordinance, Section 17.48.200 and stated below:
  - a) Electronic Message Centers are not allowed off premises. The EMC shall not display messages or advertising for any off-premise business.
  - b) All Electronic Message Centers must have an automatic dimmer to reduce sign intensity after dark.
  - c) Lamp size may not exceed fifty-four (54) watts of incandescent lighting for daytime usage. An automatic dimmer must be installed to reduce nighttime wattage to thirty (30) watts. Light emitting diodes and magnetic discs may be used, if the light intensity is not greater than that produced by incandescent lighting.

- d) An Electronic Message Center may not flash or scintillate, except to change the displayed wording to different wording.
  - e) Any display on the Electronic Message Center must remain lighted for at least two (2) seconds.
  - f) The Electronic Message Center is located within five hundred feet (500') of a residential area and may not operate between the hours of ten o'clock (10:00) P.M. and six o'clock (6:00) A.M. of the following day.
  - g) A minimum of five percent (5%) of the time the sign is in use the message shall be devoted to public service messages.
6. The property owner shall prepare and submit an application to consolidate the three (3) parcels into one property within six (6) months of the issuance of the sign permit.

Seconded by Mr. Nay.

Call vote recorded by Mr. Hall.

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

Motion passed 6-0.

UTAH WATER GARDENS – 5911 & 5901 South 1300 East - Project #19-036

Christopher Maguire was present to represent this request. Mr. McNulty reviewed the location and request to allow for the operation of an Aquatic Nursery on the properties located at 5901 and 5911 South 1300 East. Mr. McNulty explained that the property was rezoned in January of 2019 from R-1-10 to the A-1 Zone. The property includes three buildings; the residential home, the multi-use building and the community building. Mr. McNulty explained that the site is unique because the applicant proposes to reside in the home located on the property, as well as conduct a commercial aquatic nursery from the other building on site. Parking requirements includes 18 parking spaces as well as one (1) ADA compliant space next to building #3. The access drive on the north side is 25 ft. wide and the access drive on the south is 17 ft. long. Both accesses are paved. The Murray City Fire Department and City Engineering requires that they must provide 24 ft. of hard surfaced drive adjacent to 90-degree parking to allow for emergency access. The applicant proposes to use building 2 for storage space and public restrooms. Building 3 will be rehabilitated and sectioned out for retail use. A future Building 4 will include a greenhouse. The improvements to the buildings will require building permits. Based on the analysis of the submitted materials and Land Use Ordinance standards, Staff has determined that the proposed aquatic nursery business is consistent with requirements of the A-1 Zone and recommends that the Planning Commission approve a Conditional Use Permit subject to the conditions as outlined in the Staff Report.

Mr. Markham asked if the parking stalls on the south entrance were to be angled at 45 degrees would this cause the loss of parking spaces. If, they did angle them could it possibly provide enough width for emergency vehicles without having to widen the drive access. Mr. McNulty stated that he does not believe they would lose any parking spaces, and they can work with Staff to ensure they provide the required parking spaces and drive access width

which would be 15 feet for 45-degree parking.

Mr. Nay asked since this is Agricultural zoning are they exempt from adding any frontage landscaping and could build right up to the private drive on the south end. Mr. McNulty indicated the applicant will have to meet the landscape requirement along 1300 East frontage, and they can work with Staff on it.

Christopher Maguire, 5901 South 1300 East, stated he had read the conditions of approval and will be able to comply. Mr. Maguire stated that he is excited to join the community and thanked Staff for all the help they have provided.

Mr. Nay asked what the greenhouse will be made of. Mr. Maguire replied that it will be constructed of Polycarbonate. Mr. Nay expressed concern that stray balls from the baseball field may damage the greenhouse and added that trees could help stop them. Mr. Maguire commented that he wants to add a pond with waterfall in the front landscaping area and wanted to put up a fence around the pond and wondered if it would be allowed. Mr. McNulty stated that that County Health Department requires fencing around any body of water.

The meeting was opened for public comment. There was no public comment for this agenda item and the public comment portion for this item was closed.

Mr. Nay made a motion to approve a Conditional Use Permit for the proposed aquatic nursery business on the property located at 5901 & 5911 South 1300 East, subject to the following conditions:

1. The project shall comply with all applicable Building and Fire code standards.
2. The applicant shall meet City drainage requirements and provide on-site retention. Low Impact Development (LID) principals will be implemented where applicable and avoid directing run-off towards adjacent properties.
3. Building permits shall be obtained for all construction, including engineered design and connections to the ground for the proposed and existing structures.
4. Any new structure or possible addition to an existing structure must meet the minimum setback requirements.
5. The applicant shall provide ADA accessible restroom facilities within 300' of the main building.
6. A minimum of eighteen (18) parking spaces shall be reserved for use by customers and employees, including a van accessible ADA parking space.
7. Vehicle access into and out of the parking area between the building and 1300 East shall be maintained clear at all times. Vehicular access past the main building to the rear lot area and accessing the overhead doors of the second building shall also be maintained clear at all times.
8. The southern access shall be increased to a minimum of twenty-four feet (24') to allow for emergency vehicle and parking access.



9. The applicant shall combine the existing lots, so that the property will be in conformance with Section 17.92.040 of the Murray City Land Use Ordinance.
10. The property landscaping shall comply with landscaping standards outlined in Chapter 17.68 of the Murray City Land Use Ordinance. The applicant shall work with Planning Division Staff to implement an appropriate Landscape Plan.
11. The applicants shall obtain a sign permit prior to the installation of any attached business signage.
12. Any dumpster intended for use on the site shall either be stored inside the building or located within an enclosure meeting the requirements of Section 17.76.170 of the Murray City Land Use Ordinance.
13. The applicants shall obtain a Murray City Business License and pay applicable fees.

Seconded by Mr. Woodbury.

Call vote recorded by Mr. Hall.

  A   Travis Nay  
  A   Scott Woodbury  
  A   Phil Markham  
  A   Sue Wilson  
  A   Lisa Milkavich  
  A   Ned Hacker

Motion passed 6-0.

WILD ROSE SUBDIVISION – 5668 South Bullion Street - Project # 19-012

Anton Rezac was present to represent this request. Jim McNulty reviewed the location and request for Preliminary and Final Subdivision for the property located at 5668 South Bullion Street. Mr. McNulty stated that the property was recently rezoned from A-1 to the R-1-8 zone which allows single-family residential. Many of the buildings that were previously located on the property have been removed to make room for three new proposed lots. There will be a total of five lots. Existing Lot 1 will remain the residence of Mr. Rezac and is over 28,000 sq. ft. Lot includes the residence of a family member and is over 15,000 sq. ft. Lots 3, 4 and 5 far exceed the size requirements of the R-1-8 and range in size from just over 11,000 sq. ft. to over 19,000 sq. ft. Improvements will be made to the site such as, sewer, water, asphalt, and the future dedication of curb, gutter, sidewalk and park strip. Based on the analysis of the submitted materials and Land Use Ordinance standards, Staff has determined that the Preliminary and Final Subdivision proposal is consistent with requirements of the R-1-8 Zone and recommends that the Planning Commission forward a recommendation of approval to the Mayor subject to the conditions as outlined in the Staff Report.

Anton Rezac, 5668 South Bullion Street, stated he has read the conditions and will be able to comply.

Randon Wilson, Attorney for the Rezac's, 111 South Main Street, stated he has had the opportunity to review the conditions and will be able to comply. Mr. Wilson stated that they have demolished the buildings, acquired the protection strip, and developed a subdivision plat.

The meeting was opened for public comment. There was no public comment for this agenda item and the public comment portion for this item was closed.

Mr. Markham made a motion to forward a recommendation of approval to the Mayor for the proposed Wild Rose Preliminary and Final Subdivision on property located at 5668 South Bullion Street, subject to the following conditions:

1. The project shall comply with the following Murray City Engineering requirements:
  - a) Meet City subdivision standards and requirements.
  - b) Provide Grading, Drainage and Utility Plan.
  - c) Meet City drainage standards.
  - d) Provide standard PUE's on lots.
  - e) Install park strip and sidewalk on Aaron Park Circle.
  - f) Replace any damaged curb and gutter along Aaron Park Circle.
  - g) Obtain a City Excavation Permit for work within City roadways.
  - h) The signature blocks will need to be moved to the bottom of the page.
  - i) Wild Rose Plat Boundary description doesn't match West Bullion Lot Split boundary description and will need to be corrected.
  - j) The points of beginning are different between maps, please provide the correct point of beginning on all maps.
  - k) Show half widths for Bullion Street and Aaron Park Circle
  - l) Delete all fences, structures, utilities and other features that aren't relevant to property lines.
  - m) Add Recorder information on the signature block
  - n) Correct the Subdivision to the north to Maplewood Estates from Walden Hills
  - o) Add a fifteen-foot (15') radius to the northeast corner of Lot 2 and show dedication of the corner.
  - p) Side yard public utility easements are five feet (5') wide and will need to be included in lots 4 and 5.
  - q) Front and Rear public utility easements are ten feet (10') wide.
  - r) Addresses will need to be included on the lots.
2. The project shall meet all applicable Building and Fire codes.
3. The applicant shall provide complete plans, structural calculations and soils reports, stamped and signed by the appropriate design professional upon submittal for building permits.
4. The applicant shall provide a geotechnical report for each new building or for the entire subdivision.
5. The project must meet all Power Department requirements.
6. The applicant shall prepare a Final Subdivision Plat which complies with all requirements of Title 16, Murray City Subdivision Ordinance.

Seconded by M Milkavich.

Call vote recorded by Mr. Hall.

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

Motion passed 6-0.

ORDINANCE TEXT AMENDMENT - Section 17.170.040, 17.170.090, 17.173.010 & 17.174.010, Sustainable Development Practices in the Murray City Center District (MCCD) Business Park (B-P) and Professional Office Zone (P-O) Zones - Project #19-033

Melinda Greenwood presented the proposed text amendments to the Murray City Land Use Ordinance and stated that the State of Utah Department of Facilities Construction and Management recently gave a presentation at the City Council Committee of the Whole meeting about the High-Performance Building Standards (HPBS). The State of Utah developed the HPBS to increase coordination, transparency, flexibility, efficiency and life cycle cost as compared to LEED standards. The adoption of the HPBS would allow the City to apply these design standards to the newly proposed City Hall building. New buildings that the State of Utah owns are built to the HPBS standards. Ms. Greenwood stated that the MCCD currently has a sustainability requirement for Government Buildings to be built to a LEED Silver Standard. When the proposed development plans were produced for the new City Fire Station, it was discovered that the LEED process for development and ongoing certification will be very costly. The main differences between the LEED and HPBS standards is that HPBS has a greater focus on the interior of the building and LEED has an additional focus on the exterior of the building. It is thought that greater efficiency is realized inside the building with energy savings. There is an integrated process that will be used to develop the new City Hall building by working collectively with the Contractor, Architects, Construction Team, User Group and Murry City Facilities Management to understand the needs and design as efficient as possible. The HPBS proposed for the new City Hall will include energy and water efficiencies, sight to design, the use of sustainability materials and environmentally friendly construction. It is estimated that energy savings will be about 20% over the life of the building.

Ms. Milkavich asked how the HPBS energy savings compares to the LEED energy saving. Ms. Greenwood replied that they are they are comparable and a HPBS product is just as good of as a LEED product. To build the new City Hall to a LEED standard it would cost about 1% of the total building cost as well as ongoing certification costs. LEED standards constantly change and if we don't upgrade the building to meet the new standards we could lose our certification. There is no additional fee or ongoing certification fees to build to a HPBS standards. Mr. Nay asked what if the City builds to the LEED standard and then just let it expire. Ms. Greenwood explained that, the standards are the same except for the focus on the exterior of the building, but we won't have to pay the expensive fees to use the name brand product and hang a plaque on the wall. She explained that it is not a lower level of sustainability, it just a different type of program.

Ms. Milkavich stated because the Silver LEED standards have additional focus on the outside

of the building it is worrisome that we would not use it because we may need standards such as permeable parking lots and electric vehicle charging stations. Ms. Milkavich asked if the LEED standards in the MCCD are required only for public builds or for all buildings. Ms. Greenwood replied that the requirement is only for public buildings and that we highly encourage private facilities to be built to this standard, but it is not a requirement. Ms. Milkavich expressed concern that we maintain consistent requirements for private and public buildings so that the development in area stays at a higher standard. Ms. Greenwood stated that often buildings loose components of the LEED standards because people become annoyed with fixtures and the way they function and end up making changes to them which invalidates the certification. Mr. McNulty agreed with and added that Poulson Construction who is building the Murray City Fire Station 81 have indicated that they have built two fire stations in other cities with LEED Standards and they have to constantly go back and fix things that have been modified by the employees or City maintenance Staff to remain in compliance. Mr. Nay stated that the new Murray Fire Station is already vested with the Silver LEED requirements and we are committed to build it to that standard. Ms. Greenwood replied that is correct and this proposal would no change the Fire Station, it would be in place for the new City Hall. Mr. McNulty added that we are building the Fire Station to Silver LEED standards, but we are not going to certify. Mr. Markham stated that he is not comfortable with changing the City Code to use the High-Performance Building Standards (HPBS) instead of keeping the LEED Program. Although, the standards for the HPBS seem impressive it is disappointing that the rest of the world is attaining the LEED standards and having pride in it and Murray City has decided to rip it off. Ms. Greenwood stated that this proposal has already been vetted through City Council and they are supportive of the change, they believe the change will still accomplish the spirit of suitability but will be more conscious of tax payer dollars.

Ms. Greenwood indicated that Doug Hill will present this proposal to the Murray City Center Design next week and then it will go back to the City Council for their action. Mr. Markham commented that the estimated savings of 1% which amounts to about \$250,000.00 is not enough justification to not build to LEED standards. However, it is appreciated that the City is trying to conserve funds where ever possible. Ms. Milkavich added that she greatly appreciates the Planning Commission process and likes all the discussion between the Commissioners and asked, if we could keep the LEED Standards in City Code but not require recertification. Mr. Markham replied that he believes it is still more cost effective for the City to use the HPBS. Ms. Greenwood explained that the \$250,000.00 in savings wouldn't necessarily be because we wouldn't be building to LEED standards, there would be additional cost savings because we wouldn't have to recertify. In the end, we are still accomplishing sustainability, but we are spending less. Using the HPBS standards would be more of genuine process because we are not building it to LEED standards and then disregarding the entire process that has been set up to maintain the standards.

Mr. Woodbury stated his concern is that the City looks biased because the new code would apply only to government buildings and the message is that we just don't want to do it but, expect everybody else to adhere to LEED standards. Ms. Greenwood replied that the proposed change does not lessen the requirements for government buildings but leaving a more stringent requirement for private sector is an encouragement not a requirement. Mr. Woodbury clarified that it is not so much about the requirements but that appearance that the City wants to save some money, so we change the requirement. The leniency would not be available for private developers if they asked for the same thing. Ms. Milkavich stated that the City has proposed to go from LEED Silver to a different program and wondered if there is a different LEED level that we could use instead, like bronze. Ms. Greenwood stated that it is

still just as expensive for the ongoing certification. We could use LEED and not certify but why build to the standard with the intention to modify the building when needed. Being forthcoming with the public that we intend to follow the HPBS program may be more appreciated rather than building to the LEED standards without intent to follow through with it. Mr. Hall explained that there are members of architects that feel LEED is not a panacea. It's a constant take, in some cases it takes resources that could be spent better in other ways. It seems that in response to the objection of constant and expensive recertification the State has come up with an alternative program. Mr. Hall addressed the concern about sustainability requirements on the exterior of the building and stated that the M CCD standards are rife with suggested and encouraged requirements to develop sustainable sites. Mr. McNulty added that the Fire Station will have an electric car charging station but that doesn't mean that we can't have a charging station at City Hall as well. The City will work to obtain whatever we feel is necessary to support sustainability for our new developments.

The meeting was opened for public comment. There was no public comment for this agenda item and the public comment portion for this item was closed.

Mr. Markham made a motion that the Planning Commission forward a recommendation of approval to the City Council for the proposed text amendments to the Murray City Land Use Ordinance, Sections 17.170.040, 17.170.090, 17.173.010, and 17.174.010, Sustainable Development Practices in the Murray City Center District (M CCD), the Business Park District (B-P), and the Professional Office District (P-O).

Seconded by Mr. Nay.

Call vote recorded by Mr. Hall.

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

Motion passed 6-0

#### OTHER BUSINESS

Mr. Hall commended the Planning Commissioners for expressing all their concerns tonight and thanked them for their input.

Mr. Markham made a motion to adjourn.

Seconded by Ms. Nay.

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


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Motion passed 6-0

The meeting was adjourned at 7:55 p.m.



Jared Hall, Supervisor

Community and Economic Development