

**MURRAY BOARD OF ZONING ADJUSTMENTS  
REGULAR MEETING  
WEDNESDAY, DECEMBER 19, 2018  
4:30 P.M.**

The Murray Board of Zoning Adjustments met in regular session on Wednesday, December 19, 2018 at 4:30 p.m. in the council chambers of City Hall at 500 Main Street.

**Board Members Present:** John Krieb, Mike Faihst, Terry Strieter, Josh Vernon and Jim Foster

**Board Members Absent:** Bobbie Weatherly

**Also Present:** Maurice Thomas, Justin Smith, Jeremy Buchanan, Attorney David Perlow, Bobby Deitz and Daniel Yong

Chairman Krieb called the meeting to order and welcomed all guests and applicants. Maurice Thomas called the roll. Chairman Krieb then asked for a motion to approve the minutes from the November 28, 2018 special called BZA meeting.

**Mike Faihst made a motion to approve the minutes from the November 28, 2018 special called BZA meeting as amended. Jim Foster seconded the motion and the motion carried unanimously.**

**Zoning Compatibility Meeting for Daniel Yong Development - 1402 North 16<sup>th</sup> Street:** Justin Smith explained that Daniel Yong is proposing the development of a planned development project on North 16<sup>th</sup> Street. Currently these lots are divided between two different zones: R-4 (Multi-Family Residential) and B-2 (Highway Business). Phase I consists of forty-two units and one office building. This proposed development will be located off of North 16<sup>th</sup> Street in the vacant area directly behind August Moon in the B-2 zone.

Breakdown of the 42 units with 69 bedrooms:

- 24 one bedroom units
- 9 two bedroom units
- 9 three bedroom units

The engineering firm is BFW and the architect is Josh Vernon. Justin explained that the BZA was meeting in order to determine the Zoning Compatibility for the proposed development. Staff has already met with BFW and Josh Vernon concerning the Zoning. Planning Staff would prefer that the entire development be zoned R-4 since that is the type of use that is being proposed. Justin turned the item over to the Board for discussion and questions. The Board had no questions at that time. *Josh Vernon recused himself at 4:35 p.m.*

Bobby Deitz (representative of BFW) came forward. Mr. Deitz described the two points of entry into the development. One will be on the north side (which will be located in Phase II; however, it will be made available for use as Phase I develops) and the other will be through an ingress/egress easement that already exists on the west side of the property where The Hangover bar (former Moose Lodge) is located. The plans are for this to be a gated community where a

swipe card or a punch code will be needed to enter. The Fire Department has approved the current layout of the project. Mr. Deitz indicated that the installation of a Knox box that will allow the Fire Department access during an emergency has been discussed. He described the addition of a water main throughout the development. There are currently 105 proposed parking spaces with 135 required. The development's number of parking spaces is similar to what was allowed for the Poplar Place Development; however, after discussing the parking with Mr. Yong, Mr. Deitz said that they could possibly present something different at the next meeting. The rendering shows the development with modern "town-house" structures with garages. Mr. Deitz pointed out the dumpster enclosure and detention basin that will butt up against the August Moon property (which Daniel Yong also owns). Both the drainage easement for the detention basin and the dumpster will be accessed through the Daniel Yong property to the south. There will be an office building also located within the development. The developer is not targeting college students; young professionals and families are preferred. The intention is to provide a more upscale residential area than an apartment complex; therefore, the price point will be higher than other apartments in the surrounding vicinity. This gated community will have floor plans that are very open with loft type living. Gates at the south entrance and possibly the north entrance are being proposed. The screening will provide privacy for the residents. Bobby added that he does not envision commercial development going in behind The Hangover or Lowes; however, he can see this area as residential. As far as compatibility, he thinks this will be a good fit for multi-family. Multi-family use should not generate as much traffic as there would be if there were college students living there and the peak travel times shouldn't inter-twine. Jeremy Buchanan added that the Planning Staff has reached out to the street department to talk with Ron Allbritten (Street Superintendent) to see if they can get a traffic study for this area.

Terry Strieter stated that he was concerned about the traffic issue that already exists on North 16<sup>th</sup> and the impact another development could have to this area. He suggested that if the traffic from this development could somehow get to August Moon and then exit onto Lowes Drive, that could help alleviate additional issues with North 16<sup>th</sup>. Mr. Deitz explained that the Planning Commissioners had reviewed this item the previous night and they had also made comments concerning the traffic overload. He suggested that they look into an ingress/egress on Lowes Drive before they made a commitment. He concluded that since the state has improved the intersection at 16<sup>th</sup> and Hwy 121, the traffic situation has gotten a lot better.

If the Board votes that this proposal is found to be compatible to the area, Planning Staff would like to recommend that the B-2 property is rezoned to R-4. The next step will be to have a public hearing where the traffic issues and parking will be addressed during that meeting. The speed limit is 35 mph on North 16<sup>th</sup> Street; however, according to a previous traffic study, the average speed limit was 41 mph. The study also revealed that 6,000 automobiles travel that intersection in a 24 hour period.

Chairman Krieb called for a motion.

**Jim Foster made a motion to forward this project on as it is compatible to the area and he also recommended changing the B-2 zoned area to R-4. Mike Faihst seconded the motion. The motion carried with a 4-0 roll call vote. (Josh Vernon did not vote as he had recused himself earlier.) Josh re-entered the meeting at 4:53 p.m.**

**Questions and Comments:** Terry Strieter addressed the traffic situation on North 16<sup>th</sup> again. He said that there needs to be a way to get 16<sup>th</sup> Street looked at by the state to make the street at least a 3 lane road. That area is growing and will continue to do so. We do not want to prohibit the growth but facilitate it. Chairman Krieb said that maybe the traffic study would be helpful. He reiterated that it is difficult to get the state to move on something until they see a major problem and this should be shown with numbers from the traffic study. He then thanked Terry Strieter for his service and wished him well as he moves on to serve on the City Council. Everyone was wished a Merry Christmas.

**Jim Foster made a motion to adjourn at 4:57 p.m. Terry Strieter seconded the motion and the motion carried unanimously.**

---

Chairman, John Krieb

---

Recording Secretary, Reta Gray