

**MURRAY PLANNING COMMISSION MINUTES
REGULAR MEETING
TUESDAY, DECEMBER 17, 2019
4:30 P.M.**

The Murray Planning Commission met in regular session on Tuesday, December 17, 2019 at 4:30 p.m. in the council chambers of City Hall at 500 Main Street.

Commissioners Present: Tom Kind, John Krieb, Robin Zhang, Jim Foster, Martin Milkman, Bobby Deitz and Marc Peebles

Commissioners Absent:

Also Present: Maurice Thomas, Justin Smith, Jeremy Buchanan, Attorney David Perlow, Zach Warren, Jim Osborne and Ryan Stanger

Chairman Tom Kind called the meeting to order and asked Maurice Thomas to call the roll. At this time the Chairman asked if there were any changes to the minutes from the regular Planning Commission meeting on November 19, 2019.

Martin Milkman made a motion to approve the minutes from the regular Planning Commission Meeting on November 19, 2019 as presented. Jim Foster seconded the motion and the motion carried unanimously.

Chairman Kind announced that the item order would be changed on the agenda from what it was originally planned.

Public Hearing: Approval of changes to the Base Element of the Comprehensive Plan for the City of Murray: Jeremy Buchanan explained that updates had been made to the Base Element and those changes were previously e-mailed to the Commissioners for their review. Dr. Zhang's class at MSU made updates to this Element a few years earlier for a class project. Different students wrote different articles within the Element; therefore, updates are necessary in order for the wording to be consistent. Additional updates were discussed. Jeremy said that if the Commissioners should find any additional changes, they can contact Justin Smith. Those changes need to be made before the New Year since the plan is to have the proposed updates to the amended Elements completed in January.

Chairman Kind opened the public hearing and asked if there was anyone that wished to speak in favor or opposition to the proposed changes. No one came forward to speak either way; therefore, the public hearing was closed. The item was turned over to the Commissioners for a motion.

Jim Foster made a motion to forward the proposed changes and have corrections made to the Base Element. Martin Milkman seconded the motion and the motion carried with a 7-0 roll call vote.

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Public Hearing: Approval of the Final Plat for a PDP to allow a proposed multi-family residential development to be located on Bailey Road east of Megan Drive – Applicant: Ryan Stanger: Ryan Stanger and Matt Jennings are proposing a multi-family residential development off of Bailey Road (east of Megan Drive). The proposal shows two ingress/egress access points. There will be four lots with two buildings per lot with a total of forty-eight 1 bedroom units. Each building will be 3,888 square feet. Parking spaces currently total 96 spaces. Dumpster enclosures and landscape screening have been incorporated into the PDP plat. Justin stated that outside of the Planning and Building department, discussions of this proposed project have taken place with the Fire Marshall Greg Molinar and Public Works Supervisor Jaimey Erwin. This property is currently owned by the James Buchanan Estate and it is under contract to be purchased by Ryan Stanger and City West LLC. The Preliminary Plat was approved by the Planning Commission on September 17, 2019 with a recommendation forwarded to the BZA for consideration of a Conditional Use Permit. The BZA approved the Conditional Use Permit on September 18, 2019. Justin showed pictures of the property and proposed development using Power Point. If this request is approved, Mr. Stanger will close on the property. Justin reviewed the steps for a PDP and then turned the item over to the Commissioners for questions.

Chairman Kind opened the public hearing and asked if there was anyone that wished to speak in favor or opposition to the proposal.

Ryan Stanger came forward and was sworn in. Mr. Stanger said he was available for any questions or suggestions that the Commissioners might have. He said that he had had conversations with both Ron Allbritten (City of Murray Street Superintendent) and Greg Molinar concerning the Final Plat and was told that everything was acceptable. Mr. Stanger said that they will be purchasing the entire 25 acre tract and only developing 3 acres at this point.

No one came forward to speak in opposition; therefore, the public hearing was closed. The item was turned over to the Commissioners for a motion.

John Krieb made a motion to approve the Final PDP Plat for the Ryan Stanger multi-family residential development located on Bailey Road east of Megan Drive, contingent upon successful closing on the property, submission of the Minor Subdivision Plat and Civil Engineering plans meeting all city regulations. The testimony presented in this public hearing has shown that the Final PDP Plat meets the requirements for Final PDP Plat approval. Marc Peebles seconded the motion and the motion carried with a 6-0 roll call vote. (Bobby Deitz abstained from voting.)

Public Hearing: Approval of a Zoning Map Amendment to rezone the property located 550.85' east of the intersection of Highway 94 West & Robertson Road North from an R-4 (Residential District) Zone to a B-4 (Medium Density Business District) Zone for Tracts 1A and 1C and from an R-4 to a PO (Professional Office) Zone for Tract 1B – Applicant: City West LLC, Matt Jennings: Justin said that Ryan Stanger was there on behalf of Matt Jennings. Justin showed aerial photography of the property. The applicant is requesting this property be rezoned from R-4 to B-4 and PO. Justin pointed out each of these areas. The property is currently vacant. Rezoning is necessary to accommodate future development. This proposal would be appropriate for the 7.07 acre tract of land due to several non-residential developments in this area since the last Comprehensive Plan was updated. Since 2009 the following developments have been established in this area: the Dollar General, Murray Calloway County

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Area Tech Center (vocational school), Alexander Thompson Arnold (CPA office), and the Anna Mae Owen Hospice House. The City of Murray also owns property on Robertson Road North for a possible future fire station. Adjacent property to the west all the way to the corner of 94 West and Robertson Road North is currently zoned B-4 as is the property on the southeastern corner of 94 West and Robertson Road South. The request is for 2.72 acres off of 94 West and City West Drive be rezoned to B-4 (which is compatible with the surrounding area) with the remaining 4.35 acres (on City West Drive adjacent to the vocational school) rezoned to PO. Since the subdivision is already named City West Office Park, it seems more sensible to rezone this area as requested than to commit to residential housing/Planned Development Project. PO would be a nice buffer between the vocational school and the B-4 zoning. The applicant contends the following reasons for the change request:

- The existing zoning classification given to the property is inappropriate and the proposed zoning classification is appropriate.
- The proposed prior development is being changed and the proposed zoning more clearly represents the surrounding area and use.

Justin explained to approve the zoning amendment request the Commission must find that the request is in agreement with the underlying Comprehensive Plan. Staff believes that both of the findings can be made since B-4 zoning is adjacent to the mentioned property and there have been changes of economic and social nature to adjacent properties.

Chairman Kind opened the public hearing and asked if there was anyone that wished to speak in favor or opposition to the proposal.

Ryan Stanger came forward. Mr. Stanger said that they had previously brought several different plans before the Commissioners and for various reasons, they think this plan will be the most productive for the property.

No one came forward to speak in opposition; therefore, the public hearing was closed and the item was turned over to the Commissioners for a motion.

Jim Foster made a motion to approve the zone amendment request for the subject property of City West, LLC located 550' east of the intersection of Hwy 94 West and Robertson Road North as presented for 2.72 acres to be rezoned from R-4 (Multi-Family Residential District) to B-4 (Medium Density Business District) and the remaining 4.35 acres to be rezoned from R-4 (Multi-Family Residential District) to PO (Professional Office District). The testimony presented in this public hearing has shown that the proposed zoning classification is appropriate. John Krieb seconded the motion and the motion carried with a 7-0 roll call vote.

Request for an extension of a Preliminary Plat for Arbor Court Subdivision located at 1707 Main Street – Applicant: Colin Kelly: The applicant has requested an additional time extension for a previously approved Preliminary Plat identified as Arbor Court Subdivision. On June 19, 2018 Colin Kelly was granted an 18 month extension for the Preliminary Plat. Since that time, Mr. Kelly has decided to fund the rest of the project himself and not to incorporate any investors; thus, he has directed BFW Engineering to move forward with civil plans for the construction of the utilities and the roadway. In order for Mr. Kelly to be able to continue

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progress on this subdivision he will need another time extension for the Preliminary Plat. He is requesting to extend the life of the approved Preliminary Plat until such time the Final Plat is submitted for approval and recording purposes. Civil plans must be approved by the City before construction of the utilities and the roadway can take place. Once that construction is finished, a Final Plat will be brought before the Planning Commission for approval before building permits can be issued for any house construction. Justin then showed the Preliminary Plat, the proposed Final Plat along with drawings of the development. Staff believes that an extension of 12 months is warranted due to the applicant's continued effort to start construction and move this project forward. In the event that the time extension for this Preliminary Plat is not approved, the applicant would have to start all over again with a new Preliminary Plat process. Justin then added that the postal service requires a community mailbox for subdivisions such as this one. It is not shown on the drawings; however, Mr. Kelly has indicated that he knows the site where the mailbox will be located. Staff is not opposed to this request as long as the Planning Commission finds that granting the time extension is reasonable and necessary. *(Bobby Deitz recused himself at 5:02 p.m.)* The Commissioners then voiced concerns with the amount of traffic in that area as well as the 55 mph speed limit that begins just to the west of this proposed development. There was previous discussion with the State in order to attempt to get the speed limit lowered in that area and nothing was changed at that time. Commissioner Krieb suggested that they initiate some action once again to see if they can get that speed limit lowered. Justin said that they can definitely talk to the State to see if they can run some studies on this area in order to address this concern. City Administrator Jim Osborne spoke up and volunteered to talk with the State.

John Krieb made a motion to grant an extension of time to complete the recordation of the Preliminary Plat as previously approved. The testimony presented in this public hearing has shown that granting the extension is reasonable and necessary. The time extension is granted for an additional one year from this date. Jim Foster seconded the motion and the motion carried with a 6-0 roll call vote. *(Bobby Deitz returned to the meeting at 5:08 p.m.)*

Questions/Comments: Commissioner Zhang said that she had brought up at the previous meeting about Professor Benson's class helping with a spring semester project. Dr. Benson is waiting for Staff to get back to her to let her know the status of this. Justin replied that they are still trying to figure out how they can utilize the class and what project they would use them for. He added that they should have something pretty soon.

Chairman Kind called for a motion to adjourn.

Martin Milkman made a motion to adjourn. John Krieb seconded the motion and the motion carried unanimously. The meeting was adjourned at 5:09 p.m.



Chairman, Tom Kind



Recording Secretary, Reta Gray