

**MURRAY PLANNING COMMISSION MINUTES
REGULAR MEETING
TUESDAY, MAY 17, 2016
5:00 P.M.**

The Murray Planning Commission met in regular session on Tuesday, May 17, 2016 at 5:00 p.m. in the council chambers of City Hall located at 104 North 5th Street.

Commissioners Present: Robin Zhang, Jordan Smith, Marc Peebles, Loretta Jobs, Jim Foster, Tom Kind and Ed Pavlick

Commissioners Absent: Ed Davis and John Krieb

Also Present: Candace Dowdy, Robert Jeffries, Reta Gray, David Roberts, Attorney David Perlow, Officer Tim Fortner, Kenneth Metz, Peter Placr, Johnny Bohannon, Kenneth & Nancy Suiter, Ledger & Times representative and public audience

Chairman Kind called the meeting to order and welcomed all guests and applicants. Robert Jeffries explained a correction that was made to the revised copy of the minutes. Chairman Kind then asked if there were any additional changes to the minutes from the April 19, 2016 regular meeting.

Jim Foster made a motion to approve the minutes from the April 19, 2016 Planning Commission regular meeting as corrected. Ed Pavlick seconded the motion and the motion carried unanimously.

Public Hearing: Preliminary Subdivision Plat review for City West Subdivision located at HWY 94 West – Matt Jennings: Matt Jennings (representative of City West LLC) has submitted a preliminary subdivision plat for the 6.83 acre tract of land located east of the intersection of Highway 94 West and Robertson Road North. This tract of land was annexed into the city limits in July 2013 and zoned R-4 (Multi-Family Residential). The subdivision plat shows the property being subdivided into two tracts with the dedication of right-of-way for the construction of a new dead end street. That street will run north and south from Hwy 94 West back to the Murray and Calloway County school property. The street will provide an additional ingress/egress for the school and will be gated during non-school hours. There will be a four foot sidewalk on each side of the street. Since the development of this property involves the construction of a street with the extension of utilities, the plat is being reviewed by the Planning Commission. Adjoining property owners were sent letters. A couple of calls were received concerning this matter; however no one voiced any opposition.

Chairman Kind opened the public hearing and asked if there was anyone that wished to speak in favor or in opposition to the proposal. No one came forward. (Mr. Jennings was not in attendance.) The public hearing was closed and the item was turned over to the commissioners for discussion and a motion.

Loretta Jobs made a motion to approve the preliminary subdivision plat for City West

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Subdivision located on HWY 94 West. Jordan Smith seconded the motion. The motion passed with a 7-0 roll call vote.

Public Hearing: Request to rezone the property located at 223 North LP Miller from R-5 (Multi-Family) to B-3 (Central Business District) – Kenneth & Nancy Suiter: This request was brought before the board in April and is being brought back this month in order to make sure all the adjoining property owners are made aware of the request to rezone. The property adjoins Government zoning along the west, south and to the northeast. Industrial zoning is adjacent to the property to the east with R-5 zoning to the north. Mr. Jeffries reviewed that Kroger Limited Partnership II (Kenlake Foods) has submitted a zoning map amendment request to rezone the property from R-5 to B-3. If the request is approved, Kenlake Foods will be purchasing the property and constructing an additional parking lot for their employees. The parking lot will be hard surfaced within a year and the applicants have proposal to build a retaining wall with an eight foot privacy fence on top of the wall.

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

Kenneth Metz and Peter Placr (Kenlake representatives and spokesmen for Kenneth and Nancy Suiter) came forward and were sworn in. They reiterated their agreement to install a retaining wall along the north side of the property with an eight foot privacy fence on top. It continues to be their hope that this purchase and proposal will provide additional parking spaces and alleviate their employees need to park on the street. The gentlemen explained that their plant is growing and more parking is desired; however, it is not necessary that they purchase this particular piece of property and turn it into a parking lot. The house on this property hasn't been lived in in over 21 years and is most likely inhabitable. It is their feeling that demolishing the house and building a nice parking lot will be an aesthetic improvement for the neighborhood.

Johnny Bohannon (City Councilman) came forward and was sworn in. Mr. Bohannon spent time with Ms. Nell McCuiston before the meeting. (Ms. McCuiston's property abuts the property in discussion.) Ms. McCuiston was unable to attend; therefore, she asked Mr. Bohannon to reveal that she is still in opposition to the parking lot proposal.

Mr. Placr came forward and explained that the noise that Ms. McCuiston is currently experiencing is probably coming from street traffic. People come and go numerous times a day to the nearby daycare and park on the street. Commissioner Zhang asked if they would consider only using the parking lot during daytime hours. Mr. Placr said that they would not be interested in that. He continued that if parking should be restricted to certain times of the day, they would just abandon the proposal all together.

Chairman Kind then asked for rebuttal.

Mr. Bohannon explained that Ms. McCuiston was mainly concerned about the night time noise that could be generated from the parking lot.

The public hearing was closed and the item was turned over to the commissioners for discussion and a motion. Commissioner Foster questioned which would be the best for the neighborhood, a parking lot or a dilapidated house. He said there was not a good solution; however, at least the parking lot would provide a use for someone.

Jim Foster made a motion to forward a recommendation to the City Council to rezone the property located at 223 North LP Miller Street and a portion of the right-of-way as shown

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on the plat from R-5 (Residential) to B-3 (Central Business District). This recommendation is based on the fact that there have been major changes of an economic, physical and social nature within the area involved which was not anticipated in the community's Comprehensive Plan and the zoning change would match the intended use and zoning of lots to the south. The findings of fact in support of this request are: The applicants have agreed to install a privacy fence on top of the proposed retaining wall along the north side of the property and put the parking lot into a hard surface within a year. Marc Peebles seconded the motion and the motion carried with a 7-0 roll call vote.

Discussion: KRS 100.2111 as it pertains to alternative regulations regarding a zoning map amendment: Mr. Jeffries reviewed the proposed changes to this ordinance. It is believed that with the recommended changes, the process will be more user friendly and speed up the process for the developer some 30 days. Mr. Roberts stated that there had been discussions with other cities similar to Murray's size and comparisons made to their regulations. In conclusion, this proposed process could abbreviate both the Planning Commission's and City Council's agenda.

Marc Peebles made a motion to allow the Planning Staff to move forward to schedule a public hearing next month for KRS 100.2111 amendment. Jordan Smith seconded the motion and the motion carried unanimously with a voice vote.

Discussion: Section III, Article 5 of the City of Murray Zoning Ordinance as it pertains to Planned Development Project Regulations: Mr. Jeffries reviewed the proposal for changes to this ordinance. He stated that this request is similar to the previous proposed amendment. This process will be more user friendly and also speed up the beginning process for the developer or business owner. Mr. Jeffries read the proposed changes to this ordinance. Mr. Roberts explained that these proposals could possibly allow the Planning Commission to review the entire process themselves without forwarding the item on to the BZA. Before they make these changes, they will be contacting the City Attorney for his input. Mr. Roberts added that this proposal is not to actually take any responsibilities away from the committees or governing bodies, but to consolidate steps and speed up the time taken on processing a PDP. Mr. Jeffries then asked for a motion.

Jordan Smith made a motion to allow the Planning Staff to move forward to schedule a public hearing next month for Section III, Article 5 amendment. Marc Peebles seconded the motion and the motion carried unanimously with a voice vote.

Discussion: KRS 100.273 – 100.292 as it pertains to Subdivision Management: Ms. Dowdy explained the proposed changes to this ordinance. The changes that are being proposed will speed up the process by streamlining some of the steps in subdivision approval. Planning Staff already reviews Minor Subdivision plats in house. This proposal will be similar to that. Basically Planning Staff will be reviewing the subdivision preliminary plat in house to make sure it meets all the current regulations as outlined in KRS. If there is anything that will require a variance, the plat will be brought before the commissioners at that time.

Jim Foster made a motion to allow the Planning Staff to move forward to schedule a public hearing next month for KRS 100.273 – 100.292 amendments. Ed Pavlick seconded the motion and the motion carried unanimously with a voice vote.

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Questions and Comments: Robert Jeffries stated that a motion was needed to approve continuing education hours for a meeting held at Kentucky Dam Village that Marc Peebles, Tom Kind, Summer Grogan, John Krieb and Bobbie Weatherly attended.

Ed Paylick made a motion to approve the continuing education for the mentioned board members. Marc Peebles seconded the motion and the motion carried unanimously with a voice vote.

Mr. Jeffries explained different social media ways to make the public more aware of Planning Commission and BZA meetings. He shared that Paducah actually posts their meetings on their YouTube channel the day after the meetings are held. He concluded that if the commissioners had any ideas in making the public more aware of meetings to contact the Planning Staff with those ideas.

The meeting was adjourned by Chairman Kind at 5:55 pm.

Chairman, Tom Kind

Recording Secretary, Reta Gray

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