

MURRAY PLANNING COMMISSION MINUTES  
OCTOBER 19, 2004

The Murray Planning Commission met in regular session on Tuesday, October 19, 2004 at 5:00 p.m. in the council chambers of City Hall located at 104 N. 5<sup>th</sup> Street.

**Commission Members Present:** Ed Davis, Howard Koenen, Nelson Shroat, Marc Peebles, Tom Kind, Dave Ramey, Richard Vanover, Ed Pavlick and Loretta Jobs

**Commission Members Absent:** Mike Lovins

**Also Present:** David Roberts, Candace Dowdy, Michael Pitman and public audience

Chairman Richard Vanover called the meeting to order and welcomed the guests. He presented the agenda and asked for approval of the minutes from the September 21, 2004 regular meeting. **Nelson Shroat made a motion to approve the minutes as presented. Marc Peebles seconded the motion and it carried by a 9-0 voice vote.**

**Public hearing to consider rezoning request by Dr. Dan Miller for property located at 318 S. 9<sup>th</sup> Street from R-2 to PO:** Chairman Vanover opened the public hearing and asked if there was anyone that wished to speak in favor of this rezoning request. Chairman Vanover swore Chris Miller in. Chris Miller stated that he was here tonight to speak on behalf of his brother, Dr. Dan Miller to request the rezoning of the property located at 318 S. 9<sup>th</sup> Street. Mr. Miller stated that he and his brother were heirs of this property and that it has been vacant for approximately 25 to 30 years. Mr. Miller stated that there has been little interest in the construction of residential housing in the area and with the purchase of the property across the street by the hospital they would like to request that the property be rezoned to professional office. Mr. Miller stated that they would like to construct a building of approximately 5,000 square feet to house a couple of business offices. Chairman Vanover swore Phillip Rogers in. Mr. Rogers stated that his mother's property at 904 Vine Street joins the property in question. Mr. Rogers stated that he has power of attorney for his mother and that she has no objections to the rezoning of this property but is a little concerned about what the property owner might do as far as screening along her property line. Chairman Vanover explained to Mr. Rogers that the request tonight is simply for rezoning and that those issues would be addressed at a later date if they decided to build on the property. Chairman Vanover asked if there was anyone that wished to speak in opposition to this rezoning request. Chairman Vanover swore Gary Scott in. Mr. Scott stated that he moved to Murray to get away from the suburbs of Nashville, Tennessee and that his concern as a property owner in this area is that the last thing the neighborhood needs is another parking lot. Mr. Scott stated that another concern of his is the traffic at this intersection. Mr. Scott stated that he lived at 306 S. 11<sup>th</sup> Street. Being no further comments from anyone in the audience, Chairman Vanover closed the public hearing and opened the floor to the commissioners for discussion. David Roberts presented a PowerPoint presentation showing this area. David stated that this property is situated on the northwest corner of the intersection of S. 9<sup>th</sup> and Vine Streets and that it consists of lots 8, 9, and 10 of the Henry Addition Subdivision. David stated that the hospital purchased the Robert O Miller property on the northeast corner of the intersection. David stated that the property at 804 Vine Street

that was owned by Robert O Miller was rezoned from R-3 to PO back in 2001 and that the property on the corner of S. 8<sup>th</sup> and Vine was rezoned from R-2 to PO in 1986. David stated the current land use plan shows this property as vacant in a low-density residential zone. Commissioner Nelson Shroat asked if the planning staff had had any response from the property owner just to the north of this property. David stated that he had no communication with any of the adjoining property owners. David stated that if the rezoning request is not in agreement with the City's Comprehensive Plan then the applicant has to show that there have been major changes of an economic, physical and social nature in the area. Commissioner Ed Pavlick stated that since we do not know what the phase expansion of the hospital looks like at this time the economic changes of the area is all that the commissioners can base their decision on. **Ed Pavlick made a motion to recommend to the City Council that the property at 318 S. 9<sup>th</sup> Street owned by Dr. Dan Miller be rezoned from R-2 (single-family residential) to PO (professional office based on the fact that there has been major changes of an economic, physical and social nature within the area involved which were not anticipated in the community's comprehensive plan and which have substantially altered the basic character of such area. Howard Koenen seconded the motion and it carried by a 9-0 vote.**

**Request for annexation of property located on Robertson Road South – Dale Campbell:**

David Roberts stated that this property is located on Robertson Road South just to the south of the The Crossings Subdivision and adjacent to the Kenneth Owen property now Sam Lehman property which is known as Deer Meadow Subdivision. David stated that the tract of land is approximately 16 acres in size. David stated that the Planning Commission had reviewed this particular tract of land a few times in 1995 and again in 1998 for review of subdivision development but at that time it was not contiguous to the city limits. David stated that all utilities were available to this property. David stated that Mr. Campbell is looking to go ahead and develop the property so he has requested to be annexed into the city, which is in accordance with city policy. **Ed Davis made a motion to recommend to the city council that the 16.0194-acre tract of land located on Robertson Road South owned by Dale Campbell be annexed into the city limits of Murray. Marc Peebles seconded the motion and it carried by a 8-0 vote with Nelson Shroat abstaining.**

**Preliminary subdivision plat approval for Fairfield Subdivision – Dale Campbell:**

David Roberts presented a site plan for the entire subdivision, which consists of approximately 38 ½ acres and has a total of 65 lots. David stated that Mr. Campbell is seeking approval of a preliminary plat for 16 lots. David stated that Mr. Campbell proposes to provide curb and gutters. David stated that back in 1998 there was discussion to exempt the use of curb and gutters but the Planning Commission did not approve that, then a couple of months later the Planning Commission reviewed and approved the preliminary subdivision plat for Fairfield Subdivision. David stated that for whatever reason Mr. Campbell decided not to develop the property at that time. David stated that the Fire Marshal has taken a look at the preliminary plat and does not see any particular issues or problems with this phase of the subdivision. David stated that phase II of the development would join up with Deer Meadows just to the north. Commissioner Marc Peebles asked Mr. Roberts if he understood correctly that the entire subdivision is 38 ½ acres but the city is only annexing 16 acres and that Mr. Campbell is looking to develop 6.6 acres in phase I. Mr. Roberts stated that was

correct. David reminded the Commissioners that the site plan presented is an overall view of the entire development. Commissioner Tom Kind asked Mr. Roberts if the wooded area on the far east side of the property, even though it is not part of the annexation request at this time, would remain. Mr. Roberts stated that there had been a lot of discussion about this and that he feels like Mr. Campbell needs to be able to utilize that area for detention and keep it undeveloped. **Tom Kind made a motion to approve the preliminary subdivision plat for Fairfield Subdivision contingent upon the annexation of the property and zoning being established for residential use and that the project met all city regulations. Loretta Jobs seconded the motion and it carried by an 8-0 vote with Nelson Shroat abstaining.**

**Public hearing on revisions to the sign regulations and zoning ordinance:** David Roberts gave a brief history on the process that has taken place so far for the revisions. David went over the proposed changes and addition of new definitions that the Planning Department is recommending being added to the zoning ordinance. David then explained the proposed revisions to the sign regulations. David noted the proposed changes that we are being recommended for monument type signs along 12<sup>th</sup> Street and for shopping centers as well as for electronic message boards. Chairman Vanover opened the public hearing for any comments on the proposed changes to the sign regulations and the zoning ordinance. Chairman Vanover swore Matt Hale in. Mr. Hale asked if the planning staff had a picture of a sign that meets the proposed criteria for monument type signs. Mr. Hale stated that it would be easier to see what a recommended electronic message board would look like at 30 % of the header sign if there was a picture to look at. Mr. Hale showed the commissioners a picture of a monument type sign that the University Church of Christ would like to erect if the city allows electronic message boards. Mr. Hale stated that their proposed electronic message board is 37.5% of the size of the header sign. Chairman Vanover swore Andy Cowen in. Andy Cowen presented pictures to the commissioners showing all the electronic message board signs currently in the city. Mr. Cowen stated that allowing a message board to be anywhere from 33 to 35 percent of the size of the header sign would cover all the existing signs. Mr. Cowen stated that he would like to see the city allow electronic message boards in amber, red and multi color. Being no further comments from the audience, Chairman Vanover closed the public hearing and opened the discussion up to the commissioners. Chairman Vanover suggested that the Commissioners Tom Kind and Marc Peebles get with the other members on the sign committee to take these suggestions into consideration and report back to the Planning Commission next month. **Chairman Vanover made a motion to recommend that the sign committee meet again to consider the suggestions tonight and then report back to the Planning Commission next month with a recommendation. Nelson Shroat seconded the motion and it carried by a 9-0 vote.**

**Election of officers for 2005:** Candace Dowdy stated that the current officers are Chairman, Richard Vanover, First Vice-Chairman, Ed Pavlick, Second Vice-Chairman, Dave Ramey and Secretary, Loretta Jobs. Chairman Vanover asked if there were any other nominations for slate of officers for 2005. **Marc Peebles made a motion to accept the current slate of officers to serve as officers for 2005. Ed Davis seconded the motion and it carried by a 7-0 vote with Ed Pavlick and Dave Ramey abstaining.**

Being no further business the meeting was adjourned.

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Chairman, Richard Vanover

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Recording Secretary, Candace Dowdy