

**MURRAY PLANNING COMMISSION MINUTES**  
**APRIL 19, 2005**

The Murray Planning Commission met in regular session on Tuesday, April 19, 2005 at 5:00 p.m. in the council chambers of City Hall located at 104 N. 5<sup>th</sup> Street.

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

**Commissioners Absent:** none

**Also Present:** Candace Dowdy, David Roberts, Sam Perry, Mike Pitman, Mayor Rushing, Howard Brandon, Jamie Vance, Max Cleaver, Steve Farmer and Dale Campbell

Chairman Vanover called the meeting to order and welcomed the guests. Chairman Vanover asked if there were any corrections to the March 15, 2005 minutes. **Nelson Shroat made a motion to approve the minutes as presented. Loretta seconded the motion and it carried by a 10-0 voice vote.**

**Public Hearing to Review Preliminary Plat for North Point Professional Park PDP—1710 Highway 121 Bypass North—Steve Farmer:** Candace Dowdy stated that the commission reviewed this project for an advisory meeting back in July 2004. Ms. Dowdy presented the commission with overhead views of the preliminary plat, as well as aerial photography of the area. Ms. Dowdy stated that the original plat showed six buildings with no turn-around in the center of the parking lot. Ms. Dowdy stated that the revised preliminary plat shows four buildings with a turn around. Ms. Dowdy also stated that there were plans to complete the project in two phases. Ms. Dowdy stated that the use of an existing pond for drainage, a possible rear entrance and the widening of 121 were discussed in the July, 2004 commission meeting and the project was sent to the BZA for a compatibility hearing. Ms. Dowdy stated that the project was situated on four acres of land and that each building was just less than 10,000 square feet. Ms. Dowdy stated that 94 parking spaces were required for Phase I. Ms. Dowdy stated that Fire Chief, Ricky Stewart, had approved the 19' aisle and 25' turn around point. Ms. Dowdy stated that the project currently met building setback requirements, and that after the state acquires additional right-of-way, the front setback will still be near the required 50'. Ms. Dowdy stated that the side building setbacks ranged from 14' to 17'. Ms. Dowdy stated that sanitary sewer service may possibly be provided from both north and south sides of the property. Ms. Dowdy stated that Chief Stewart recommended that there be an additional fire hydrant within the development. Commissioner Shroat asked how many buildings would be built in the first phase. Ms. Dowdy explained that there would be two buildings in the first phase with as many as six (6) units in each building. Ms. Dowdy stated that parking requirements were based on retail sales and consumer service type businesses, which is the most restrictive, since the developer was not sure exactly what type businesses would lease the space. Commissioner Shroat asked where the retail portion would be. Ms. Dowdy stated that it was undetermined where, but that retail was a possibility.

Chairman Vanover opened the public hearing.

Chairman Vanover swore in Max Cleaver. Mr. Cleaver stated that he and the owners had been working on this project since the beginning of the year. Mr. Cleaver stated that they are very interested in developing an office park on the north side of town. Mr. Cleaver stated that their intention was to dedicate a considerable amount of green space with nice landscaping such as dogwoods, azaleas and the like. Mr. Cleaver stated that their desire was to not make this project look like a conventional strip mall, but upper-end professional offices, of which there are not really any in Murray. Mr. Cleaver stated that there was a potential for 24 office spaces in the project, but that some tenants had already agreed to take a double space, so realistically, there could be 18 different offices, if some used a double space. Mr. Cleaver stated that the site was quite challenging due to the 20' change in elevation on the west side. Mr. Cleaver explained that the building was stepped to overcome this. Mr. Cleaver explained that there were a very minimal number of steps and ramps, and there were handicap entrances at each building, making it very easy to access. Chairman Vanover asked if anyone wished to speak in opposition to the project. Being none, Chairman Vanover closed the public hearing.

Commissioner Koenen asked if there was any indication as to how many feet of additional right-of-way that the state would be taking. David Roberts stated that there were right-of-way plans, and that those plans indicated 18' to 20' of additional right-of-way. Candace Dowdy stated that according to the preliminary plat, the nearest building would be 46' from the state right-of-way if an additional 20' was acquired. Commissioner Koenen stated that the widening would take away from the green space. Commissioner Pavlick asked if the project met American Disabilities Act requirements. Mr. Cleaver confirmed. David Roberts clarified that additional right-of-way acquisition by the state did not mean that the entire acquisition would be paved. Commissioner Peebles asked if sidewalks were planned for both sides of 121. Mr. Roberts confirmed. Chairman Vanover called for a recommendation from the commission. **Ed Pavlick made a motion to approve the preliminary plat contingent upon approval of the conditional use permit by the BZA as well as meeting all city regulations. Mike Lovins seconded the motion and the motion carried with a 10-0 vote.** Candace Dowdy stated that the project would be reviewed for a conditional use permit by the BZA the next night.

**Review of Minor Plat for 520 and 524 South 4<sup>th</sup> Street—Keith Brandon:** Candace Dowdy stated that a request had been made to approve a minor plat for the property located at 520 and 524 S. 4<sup>th</sup> Street. Ms. Dowdy stated that since the existing structures on both lots did not meet the 50 foot front building setback requirements it would need to be approved by the Planning Commission. Ms. Dowdy stated that the property was originally three lots and that some of the original lot lines had been abolished or relocated. Ms. Dowdy stated that the property was located in a B-2 zone. Ms. Dowdy stated that Jamie Vance was the potential buyer for the property. Ms. Dowdy stated that any future buildings to be constructed on the property would have to meet the required setbacks. Chairman Vanover asked Mr. Vance if he had anything else he would like to add. Mr. Vance stated that he was simply remodeling the exterior and interior of the building. Mr. Vance also stated that if he were to ever build, it would probably be a storage area in the rear. **Dave Ramey made a motion to approve the minor**

**subdivision plat for 520 and 524 South 4<sup>th</sup> Street. Nelson Shroat seconded the motion and the motion carried with a 10-0 vote.**

**Request to Decrease Roadway Width For Fairfield Subdivision Phase II—**

**Robertson Road South—D & D Incorporated—Dale Campbell:** David Roberts stated that 28' was the minimum base width (from back to back of curb) for subdivision streets, according to City of Murray Subdivision Regulations. Mr. Roberts explained that Fairfield Subdivision was located on Robertson Road South, just north of Woodgate Subdivision, and that a preliminary plat had been approved. Mr. Roberts stated that the proposed street in Fairfield Subdivision would tie in with the existing street, Tanglewood Drive. Mr. Roberts stated that the requirements for a typical street include 18" on each side for curb and gutter and 25' for pavement. Mr. Roberts stated that the planning department would like to encourage sidewalk construction, particularly in residential developments. Mr. Roberts stated that sidewalks are not required as of now, unless the development is adjacent to a collector street or an arterial street. In that case, there are certain requirements pertaining to dimensions. The majority of the streets in subdivisions are minor, so sidewalks are not required. Mr. Roberts also stated that a 28' roadway width does provide more than enough space for traffic, however mixing of pedestrian and vehicular traffic does occur. Mr. Roberts stated that the roadway width does add to the total impervious area that the city handles in the stormwater management plan and concluded that these are some of the factors that should be considered by the commission because of the commission's authority to allow variations from the City of Murray Subdivision Regulations. Mr. Roberts explained that Mr. Dale Campbell would be willing to construct a sidewalk on at least one side of the road pending the Planning Commission's approval of the three (3) foot variation from the required roadway width. Mr. Roberts gave a presentation of photographs of existing 25' wide roadways, some with sidewalks, and some without. The examples were South 11<sup>th</sup>, South 14<sup>th</sup>, 9<sup>th</sup> & Vine and 10<sup>th</sup> & Poplar Streets. Mr. Roberts explained a photograph of South 9<sup>th</sup> Street that showed the passing of two cars with ample room on the 25' roadway. Mr. Roberts explained that there are several instances of 25' roadways in the City of Murray, with a large portion of those having parking on one side of the street. Commissioner Kind stated that he recalled discussing the need for sidewalks in previous Planning Commission meetings and felt that the commission should make an effort to encourage sidewalk construction when the opportunity arises, such as this. Mr. Roberts stated that the requirement of sidewalks would be addressed with any future revisions to the City of Murray Subdivision Regulations. Mr. Roberts reminded the commissioners that there had been numerous discussions in previous Planning Commission meetings about making streets narrower in an attempt to allow for sidewalk development. Commissioner Shroat asked if there was a guarantee that the sidewalks would be constructed by Mr. Campbell. Mr. Roberts confirmed that sidewalks would be constructed on at least one side, if the Planning Commission approved the roadway width variance. **Tom Kind made a motion to approve decreasing the roadway width in Fairfield Subdivision Phase II, from 28' to 25', contingent upon sidewalks being constructed on at least one side of the road. Ed Pavlick seconded the motion and the motion carried with a 9-1 vote, with Nelson Shroat voting no.**

Chairman Vanover asked for any questions or comments.

Mike Pitman recommended to the Planning Commission that a committee could be formed to review the City of Murray Subdivision Regulations and work towards proposing revisions.

Commissioner Peebles asked if the Bed & Breakfast regulations were completed. Candace Dowdy stated that it was time to bring them back for review.

Commissioner Jobs asked when sanitary sewer would be provided for Kingswood Subdivision. David Roberts stated that there had been several requests from property owners in Kingswood, Camelot and Sherwood Forest Subdivisions for annexation and that the Finance Committee and city staff was analyzing the potential for utility extensions to the area.

Commissioner Peebles asked when a new City of Murray Zoning Ordinance book would be available. Candace Dowdy stated that a book would be available after the passage of the cell tower ordinance and in the mean time a separate document would be provided. Mr. Peebles stated he would entertain the requirement of monument-style signage for Highway 121 North Bypass, citing the new growth in that direction. Several commissioners acknowledged and agreed.

Candace Dowdy stated that there was a request for a special called meeting regarding an amendment to a recorded PDP plat and asked if the commissioners would be available Tuesday, April 26. The commission confirmed that was a suitable time.

Chairman Vanover asked Mike Pitman what was involved with amending a recorded PDP plat. Mr. Pitman reminded the commission of previous amended PDP plats in recent months and cautioned the commissioners, stating that although they had the authority to allow the amendment, a slippery slope was possible, if the amendment was not in agreement with the original intent of the Planning Commission, for the PDP. Mr. Pitman gave the example that a recently amended PDP was allowed because it was a minor change that happened to be on the original plan, in the first place. Ms. Dowdy reiterated that the amendment has to be approved by the Planning Commission and Board of Zoning Adjustments.

Being of no further business, the meeting adjourned at 5:45 p.m.

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Chairman, Richard Vanover

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Recording Secretary, Sam Perry