

**MURRAY PLANNING COMMISSION MINUTES  
REGULAR MEETING  
TUESDAY, JANUARY 16, 2007**

The Murray Planning Commission met in regular session on Tuesday, January 16, 2007 at 5:00 p.m. in the council chambers of City Hall located at 104 N. 5<sup>th</sup> Street.

**Commissioners Present:** Tom Kind, Howard Koenen, Marc Peebles, Mike Lovins, Ed Davis, Mary Ann Medlock, Nelson Shroat, and Richard Vanover

**Commissioners Absent:** Ed Pavlick and Loretta Jobs

**Also Present:** Candace Dowdy, David Roberts, Peyton Mastera, Mike Pitman, Henry Morton, Tom Lang, Howard Brandon, Dale Campbell, Barbara Campbell, Jim Tate, Joe Sons, and Public Audience.

Chairman Vanover called the meeting to order at 5:00 p.m. and welcomed all guests.

**Installation of new Planning Commissioner:** Ms. Candace Dowdy swore in Ms. Mary Anne Medlock as a new member to the Planning Commission to fill the unexpired term of Mr. Dave Ramey.

Chairman Vanover asked for approval of the December 19, 2006 regular meeting minutes. **Tom Kind made a motion to approve the minutes as presented. Marc Peebles seconded the motion and it carried with an 8-0 voice vote.**

**Review of final plat for proposed Planned Development Project on N. 16<sup>th</sup> Street – Campus Suites – Tom Lang:** Ms. Dowdy explained that at the November 2006 Planning Commission meeting, the Commissioners approved a preliminary plat for the proposed Campus Suites development, contingent upon it meeting all city regulations. The following night, the Board of Zoning Adjustments held a public hearing to review the conditional use application for Campus Suites and the Board made the following motion: *“Andy Dunn made a motion to approve the conditional use permit application for Campus Suites, located on N. 16<sup>th</sup> Street with the following conditions to improve the street and traffic situation which include, but are not limited to: adding turn lanes, widening the existing road, adding sidewalks, adding a caution light, requiring Campus Suites to participate in a traffic study, participate in the findings of a traffic study, dedication of additional right-of-way, and the providing of busing or public transportation. Darren Jones seconded the motion and it carried with a 4-0 vote.”* Ms. Dowdy explained that since the November BZA meeting, Campus Suites has participated in a traffic study. Ms. Dowdy showed the Planning Commissioners a PowerPoint presentation which displayed the final plat for Campus Suites. The final plat still does not show the dedicated right-of-way from Campus Suites on the west side of the property or sidewalks. Ms. Dowdy explained that if the plat is approved, the developers will be providing a boundary survey to help assist in properly subdividing the land.

Mr. Roberts then described the highlights of the traffic study: The study was done by Wilbur Smith and Associates from December 11, 2006 - December 13, 2006, which was the week of final examinations for Murray State. As explained by Wilbur Smith and Associates, the results should be accurate despite students beginning to leave during that week's time. The study is based on a 2% growth rate. The traffic study found that a turning lane into Campus Suites is not needed at this time, but could possibly be warranted in the future.

Referencing from a segment on the BZA motion, Commissioner Peebles asked if it was common practice to charge developers for adding turn lanes. Mr. Roberts explained that it is not common practice, but similar traffic studies have been required for developments, in particular University Heights, and it was found that a turning lane was not needed.

Mr. Pitman explained to the Commissioners that the terms of the conditional use permit do not come into effect until the Planning Commission approves the final plat for Campus Suites. Mr. Pitman alluded to the findings of the traffic study in that a turning lane is not needed at this time; the Planning Commission can attach any special conditions so there is no departure from the intent of the zoning ordinance. Mr. Pitman stated that the Planning Commission has the authority to decide if a turning lane should be required on the final plat. Mr. Pitman noted that the idea of generating financial interest of some kind by an escrow account or by issuing a bond has been discussed. Mr. Roberts stated that the city does not have impact fees to account for circumstances such as this. Ms. Dowdy reminded the Planning Commissioners that Campus Suites will be providing a bus service for their residents, to campus, which should help with traffic.

Commissioner Kind stated that the developers have done what has been asked of them by completing a traffic study and that the study shows a turn lane is currently not needed. Commissioner Kind added that the city needs to address the traffic problems along N. 16<sup>th</sup> Street and that by creating bike paths and sidewalks the traffic situation will get better. Commissioner Kind stated that Murray State plays a role in this development as well and should assist.

Commissioner Shroat stated that by requiring developers to add turn lanes, it would not be a precedent setting idea. Ms. Dowdy explained that the developers have not indicated they are opposed to installing a turn lane along N. 16<sup>th</sup> Street; the developers want the development to be as safe as possible. Mr. Roberts stated that the Department of Transportation has indicated that within the "six-year plan", they are not looking to address the traffic problems along N. 16<sup>th</sup> Street. Mr. Pitman explained that the BZA has the prerogative to review the conditional use permit at a later time.

Commissioner Koenen asked if the study took into account the proposed HWY 80. Mr. Roberts stated that HWY 80 was brought to the attention of Wilbur Smith and Associates and taken into account in the study.

Developer of Campus Suites, Mr. Henry Morton, addressed the Planning Commission and stated that the study is factual in nature and does not feel any bias was involved. Mr. Morton reiterated the developer's granting of additional right-of-way for sidewalks and the busing system which

should both alleviate traffic. Mr. Morton noted that the buses are readily utilized with other Campus Suites' developments.

**Tom Kind made a motion to approve the final plat for Campus Suites contingent upon it meeting all city regulations. Mike Lovins seconded the motion and it carried with an 8-0 vote.**

**Review of preliminary subdivision plat – Hutson Business Subdivision – Dan Hutson:** Ms. Dowdy explained that the Hutson Business Subdivision is located on Highway 94 East and Knight Road. This subdivision is located in the county but falls within the four mile jurisdiction of the City of Murray. The subdivision consists of seven lots and it shall be used exclusively for commercial and business purposes. The lots range from two to five acres each. Water and gas service is currently available to the lots along HWY 94 East but not the ones on Knight Road. Being as it is in the county, there will be no zoning; but, within the covenants and restrictions, the lots are specified as to what they can be used for. Ms. Dowdy explained that there are some corrections VL Associates will be making, in particular: a note that states any access from 94 E would have to be approved by the Kentucky Department of Transportation; a note to indicate the right-of-way along Knight Road. Currently water is available to the lots facing HWY 94 East. There is no new construction of roads for this subdivision, so the Planning Commission can approve both the preliminary and final subdivision plats this evening. Mr. Roberts explained that there will be private water and septic services (approved by the county) on the lots not serviced by the city.

**Nelson Shroat made a motion to approve the preliminary subdivision plat for the Hutson Business Subdivision, contingent upon it meeting all city and county regulations. Marc Peebles seconded the motion and it carried with an 8-0 vote.**

**Nelson Shroat made a motion to approve the final subdivision plat for the Hutson Business Subdivision, contingent upon it meeting all city and county regulations. Marc Peebles seconded the motion and it carried with an 8-0 vote.**

**Public Hearing - Proposed text amendments as it pertains to residential planned development projects in an R-2 zone – Zoning Ordinance Section 2, Article 2 and Section 3, Article 5:** Ms. Candace Dowdy presented possible text amendments for the zoning ordinance to the Planning Commissioners. *The following highlight the text amendments...*

PLANNED DEVELOPMENT PROJECTS ARE CONDITIONAL USES IN THE  
FOLLOWING ZONING DISTRICTS:

**SINGLE FAMILY RESIDENTIAL PDP'S ONLY**

**R-2**

Section III.Art.5.B.3.

BOARD OF ZONING ADJUSTMENTS TO DETERMINE COMPATIBILITY: After the advisory meeting with the Planning Commission, the Board of Zoning Adjustments will meet to determine if a project is compatible in its proposed location. ~~A planned development project application and a plat shall be filed with the zoning official prior to the Board of Zoning Adjustments meeting.~~ If the Board of Zoning Adjustments finds the project to be compatible with the surrounding area, a planned development project application and a plat shall be filed with the zoning official. A public hearing will be held by the Planning Commission within ~~30~~ 60 days.

Section III.Art.5.C.

Dimension and area regulations and lot sizes may vary from that allowed in the applicable zoning district but are intended ~~are structured through the process~~ to be consistent and compatible with existing development. The overall density shall be consistent with the applicable zoning district.

Section III.Art.5.E.2.

The plat submitted to the Board of Zoning Adjustments and Planning Commission shall have the following information contained and data, and shall be drawn to appropriate scale as approved by the Planning and Engineering Department as to the size and nature of the project.

Section III.Art.5.F.2.

Off-street parking space shall be provided on the site as prescribed in Section I, Article 3, E. of this ordinance ~~at the ratio of three hundred (300) square feet per parking space required.~~ All parking space and access thereto shall be paved in a manner approved by the Planning Commission.

Section II.Art.2.D.5.

Single Family Residential Planned Development

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Chairman Vanover opened the public hearing and asked for anyone wishing to speak in favor of the text amendments to come forward. No person spoke in favor of the text amendments and Chairman Vanover asked for anyone wishing to speak in opposition to come forward. No person spoke in opposition and Chairman Vanover closed the public hearing and opened up discussion to the Planning Commissioners.

Mr. Roberts stated that by allowing residential PDPs in R-2 zones, it does not alter the density within the zoning district.

**Nelson Shroat made a motion to recommend to the city council that they adopt proposed text amendments as it pertains to residential planned development projects in an R-2 zone**

**(Zoning Ordinance Section 2, Article 2 and Section 3, Article 5). Marc Peebles seconded the motion and it carried with an 8-0 vote.**

**Elect 2<sup>nd</sup> Vice Chairman: Nelson Shroat made a motion appoint Mike Lovins as the 2<sup>nd</sup> Vice Chairman. Marc Peebles seconded the motion and it a carried with an 8-0 vote.**

**Questions and Comments:** Commissioners Kind, Shroat, Davis, and Chairman Vanover all voiced concerns in regards to the traffic situation along N. 16<sup>th</sup> Street. Mr. Pitman stated that it might not be a bad to forward a resolution to the transportation committee expressing the concern of the Planning Commission with the increased traffic along N. 16<sup>th</sup> Street.

**Ed Davis made a motion that the attorney for the Planning Commission draft a resolution to be presented to the Transportation Committee expressing the concerns of the Planning Commission in regards to the traffic situation along N. 16<sup>th</sup> Street.**

Commissioner Davis requested the Campus Suites' traffic study be presented to the Board of Zoning Adjustments the next night.

Being of no further business, **Mike Lovins made a motion to adjourn. Nelson Shroat seconded the motion and it carried with an 8-0 voice vote.** The meeting adjourned at 6:25 p.m.

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Chairman, Richard Vanover

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Recording Secretary, L. Peyton Mastera