

**MURRAY PLANNING COMMISSION MINUTES
SPECIAL MEETING
WEDNESDAY, JULY 16, 2008**

The Murray Planning Commission met in special session on Wednesday, July 16, 2008 at 8:15 a.m. in the council chambers of City Hall located at 104 N. 5th Street.

Commissioners Present: Ed Pavlick, Howard Koenen, Loretta Jobs, Nelson Shroat, Marc Peebles and Richard Vanover

Commissioners Absent: Mary Anne Medlock, Ed Davis, and Tom Kind

Also Present: Candace Dowdy, Peyton Mastera, Mike Pitman, David Roberts, Reta Gray, Matt Mattingly, Deana Wright, Jerry Duncan and public audience.

Chairman Vanover asked if there were any additions or changes to the minutes from the June 17, 2008 regular Meeting.

Loretta Jobs made a motion to approve the minutes from the June 17, 2008 regular Meeting as presented. Nelson Shroat seconded the motion and it carried unanimously.

Public hearing to review the rezoning request of a 1.215 acre section of land from F (Floodway) to I (Industrial) – 506 Industrial Road – Murray Mold and Die – Industrial Road – Jerry Duncan: Candace Dowdy pointed out the property at 506 Industrial Road on a Power Point presentation. Ms. Dowdy stated that this property is part of the original 168 acres that was owned by the Economic Development Corporation and annexed into the city in 1990. This tract of land was zoned Floodway at the time of annexation. Jerry Duncan is the owner of Murray Mold and Die located at 506 Industrial Road and also owns the adjoining five acre tract to the east of his business. It is Mr. Duncan's contention that this portion of property is zoned incorrectly based upon the fact that he has obtained an engineer's letter of certification stating that this property does not lie in the Special Flood Hazard area based on FEMA flood maps; therefore he is requesting that a 1.215 acre portion of this property be rezoned to I (Industrial) which is more appropriate for this area so that he may construct a building on the site directly behind his business. (The zoning for the remainder of the 5 acres will remain Floodway.) Ms. Dowdy stated that Mr. Duncan is in the process of submitting a request to the Division of Water for permission to add fill to the remainder of the five acre tract of land. Mr. Duncan's existing business is located within the county; however, the proposed building will be located in the city limits. Kim Oatman, Engineer for Mr. Duncan, has submitted a site plan of the area with an accompanying certification that this portion of land is not within the special flood hazard area.

Chairman Vanover opened the public hearing and asked if there was anyone there wishing to speak in favor of the zoning change.

Jerry Duncan, 2620 Hwy 94 West, was sworn in. Mr. Duncan stated that he had notified the adjoining property owners (Donald/Midwestern Steel, Dan Parker, Steve Williams, and an

employee at WhitCor Masonry) of his intentions and that none were opposed to his request to rezone his property.

Chairman Vanover asked if there was anyone there wishing to speak in opposition of the zoning change. There was no one. Chairman Vanover then closed the public hearing and turned it over to the Commissioners for discussion.

Marc Peebles made a motion to rezone the 1.215 acre section of land from F (Floodway) to I (Industrial) and to approve the site plan as presented based on the fact there have been major changes of an economic, physical or 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, as well as the fact the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate; in particular, the information submitted by the professional engineer that this particular portion of the tract is not within the special flood hazard area. Ed Pavlick seconded the motion and the motion carried with a 6-0 voice vote.

Report from city administration on public information meeting regarding boundary of the Historic Overlay District:

Loretta Jobs made a motion to remove this item from the table. Marc Peebles seconded the motion and the motion carried unanimously.

Matt Mattingly stated that this item was tabled at last month's Planning Commission meeting so that an "open forum" could be held to make information available to the public concerning the Architectural Review Board and subsequent design guidelines. The "open forum" / public hearing was held on June 30, 2008 at the Robert O. Miller post office; approximately 60 participants were present at the meeting. Mr. Mattingly explained that Mayfield had also imposed a historic district in their downtown area and when it was implemented, they skipped the step of going through the Planning Commission and went directly to their city council. Murray's Architectural Review Board felt it important to send this matter to the Planning Commission; thus, adding the extra step of the public hearing at the Planning Commission level. Mr. Mattingly stated that at this time, the city staff would like to request that the Planning Commission forward their recommendations of the proposed Historic Overlay District boundary to the City Council as it was originally presented. He added that if the proposal is passed by the Planning Commission, KRS and the city ordinance requires that another public hearing be held before the City Council to give property owners a final opportunity to get answers to any unanswered questions. (This meeting is tentatively set for September 11th.)

Commissioner Pavlick asked if the Architectural Review Board had given any thought to changing the boundaries of the proposal. Mr. Mattingly said that it had been discussed earlier by the board. He then explained that if any changes were made once the boundaries were established, they would have to start the entire process over; therefore, they decided to stay the course with the original proposal. Mr. Mattingly concluded by saying that the city, the Mayor, and his office were looking toward the future in order to create an atmosphere for downtown and

to preserve some of the buildings by providing a visionary future rather than an opportunity to tell people what they could or could not do to their properties.

Ms. Dowdy stated that if the City Council passed this proposal, a “Historic Overlay District” section would be established to the zoning ordinance, which would be reviewed by the Planning Commission. Mr. Mattingly added that if the City Council passes this proposal, it would be at the earliest, the start of 2009 before the project is complete.

Peyton Mastera read a letter from Tom Kind that was presented as Exhibit A. Mr. Kind is in favor of the Historic Overlay District. He feels that moving forward with this proposal will further enhance the opportunity for growth in the community. He feels that Murray Main Street has had a very positive impact on downtown and in conclusion stated that the Historic Overlay District will support their efforts.

Marc Peebles made a motion to approve the proposed boundary for the Historic Overlay District as presented and forward it to the City Council. Loretta Jobs seconded the motion and the motion carried with a 5-1 vote. Howard Koenen voted no. *Matt Mattingly and Deana Wright left the meeting at 8:48 a.m.*

Review of minor subdivision plat for dedication of right-of-way – Calloway Associates I, LTD: Candace Dowdy referred to the tract of land on a Power Point presentation. This minor subdivision plat is being presented for approval to subdivide parcel 8-A-1, owned by the Calloway Associates I, LTD. The minor plat identifies additional right-of-way that will be dedicated for public use in the newly created Parcel 8-A-1B (0.748 acres). The remainder of the property will be identified as Parcel 8-A-1A (5.252 acres). This proposed dedicated right-of-way was part of a six acre “flag” lot that was reviewed and approved by the Commission on October 21, 2003. Ms. Dowdy stated that the planning staff has no objections to the approval of this minor plat. David Roberts stated that the current street is 25-26 feet wide instead of the minimum 28 feet, but is more than adequate to serve the purpose for that area and that the city does have a few streets that are 25 feet wide. This will give access to Murray Transit Authority’s new building site and for safety purposes give an additional means of ingress/egress to Murray Place Apartments. Commissioner Pavlick asked David if there would be on street parking allowed. Mr. Roberts replied no. The city will name the street and accept it for maintenance.

Ed Pavlick made a motion to accept the minor plat as presented for the right-of-way dedication. Loretta Jobs seconded the motion and it carried with a 6-0 vote.

Acceptance of Streets: In accordance with Article 6.11. of the Murray Subdivision Regulations, the planning staff is asking for a recommendation from the Murray Planning Commission to accept the streets in the following subdivisions for maintenance by the City of Murray. The construction of these streets has met all city regulations.

Acceptance of streets:

- a. Saratoga Springs, Unit I and II
- b. Briarcrest Subdivision
- c. Deer Meadow Subdivision
- d. Fairfield Subdivision
- e. Hunter's Pointe, Phase I and II
- f. Murray Transit and Tanglewood Apartments

Loretta Jobs made a motion for the city of Murray to accept the streets in the following subdivisions for maintenance: Unit I and II of Saratoga Springs, Briarcrest Subdivision, Deer Meadow Subdivision, Fairfield Estates, Phase I and II of Hunter's Pointe, and Murray Transit and Tanglewood Apartments. Nelson Shroat seconded the motion and the motion passed with a 6-0 vote.

Questions and Comments: Peyton Mastera stated that Kim Griffo has continuing education hours that need to be approved. Ms. Griffo is serving on the Board of Adjustments. She has attended a couple of conferences during the past year for Best Practice and Building University/City Relations. In addition, Ms. Griffo has watched the Dollar and Sense video which has one hour of continuing education. Mr. Mastera stated that he had gone over the items with Ms. Griffo and she has approximately 21 hours of continuing education that needs to be approved.

Marc Peebles made a motion to approve the continuing education hours for Kim Griffo. Ed Pavlick seconded the motion and the motion carried with a unanimous vote.

Candace Dowdy reminded the Commissioners that the minimum requirement is eight hours for continuing education and if they need additional hours, she has a couple of CD's that are rented from the Capitol library that are available for use.

Nelson Shroat made a motion to adjourn. Ed Pavlick seconded the motion and it carried unanimously. The meeting adjourned at 8:55 a.m.

Chairman, Richard Vanover

Recording Secretary, Reta Gray