

**MURRAY PLANNING COMMISSION MINUTES
REGULAR MEETING
TUESDAY, MAY 19, 2009**

The Murray Planning Commission met in regular session on Tuesday, May 19, 2009 at 5:00 p.m. in the council chambers of City Hall located at 104 N. 5th Street.

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

Commissioners Absent: Mary Anne Medlock, Ed Davis, and Amber DuVentre

Also Present: Candace Dowdy, Peyton Mastera, David Roberts, Mike Pitman, Reta Gray, Dennis Thompson, Paul and Vickie Garland, Michael Morris, Al Cutini, Officer Jimmy Osborne and public audience

Chairman Vanover called the meeting to order and welcomed all guests. Chairman Vanover asked for approval of the minutes from the April 21, 2009 regular meeting.

Tom Kind made a motion to approve the minutes from the April 21, 2009 regular meeting as presented. Marc Peebles seconded the motion and the motion carried with a unanimous voice vote.

Final Subdivision Plat Approval – Chesapeake Village Subdivision – Jones-Sparkman Road – Paul and Vicki Garland: Ms. Dowdy used a Power Point presentation to show the property of Chesapeake Village Subdivision located on Jones-Sparkman Road that is owned by Paul and Vickie Garland. This property is located in the county but does lie within the four mile jurisdiction of the City of Murray Subdivision Regulations. The Planning Commission reviewed and approved the preliminary subdivision plat for Chesapeake Village on June 17, 2008 with a recommendation that the streets be 24 feet wide and that all other city regulations be met. The curb and gutter requirements were waived. The Planning Commission reviewed the final plat on October 21, 2008 and tabled the request pending further review of the stormwater detention plans.

Ed Pavlick made a motion to remove the request for final subdivision plat approval for Chesapeake Village Subdivision on Jones-Sparkman Road and owned by Paul and Vicki Garland from the table. Marc Peebles seconded the motion and the motion carried unanimously.

Ms. Dowdy stated that the current plans comply with the City of Murray Subdivision Requirements. The final plat had been revised reducing the number of lots from 39 to 34 with a total of 26.312 acres. The plat states that anything from a single family dwelling unit up to six units can be built on a lot. All lots meet the minimum lot size of 25,000 square feet for private water and sewer per Calloway County Regulations. A ten foot public utility easement is shown along the front of each lot. The stormwater detention plans have been revised by Jason Looper with Purchase Area Surveying and reviewed by Dennis Thompson, Project Coordinator for the

City of Murray. Mr. Thompson has indicated that the stormwater detention plans comply with the City of Murray regulations. Ms. Dowdy stated that Mr. Looper had placed a note on the hydrology report stating that the final outflow of water will have the same flow characteristics of the existing outflow upon leaving the developers property. In addition, there will actually be a reduction in the outflow based on the design. Ms. Dowdy added that the street names had been approved by Ed Pavlick with Calloway County 911. A note was placed on the plat regarding parking requirements. It states that a single family dwelling will require one parking space and multi-family will require two parking spaces per unit. Ms. Dowdy stated that the developer will be required to submit an Engineer's estimate along with a letter of credit to the City of Murray for the outstanding cost of road construction and any other improvements until they have been completed and inspected by the City of Murray. Ms. Dowdy referred to a letter she received from Judge Elkins regarding concerns that he had with this project. Judge Elkins was concerned about the ability of the lots to adequately maintain private sewer systems for multi-family dwellings. Judge Elkins stated that Jones-Sparkman Road was not constructed for heavy construction equipment and that the county government would like to request that the developer be responsible for damage caused on this road by the project. Judge Elkins also requested that the Engineering Plans be reviewed to ensure that stormwater detention plans are adequate to protect the adjoining property owners. Ms. Dowdy stated that she had spoken with Judge Elkins today and told him that the stormwater detention plans had been reviewed and approved by our office and that before the Planning Department would sign off on the final plat, the plat would have to be signed by the County Judge Executive and the Calloway County Health Department. *Judge Elkins' letter was entered as Exhibit A.*

Chairman Vanover stated that even though this was not a public hearing, he would allow people to make statements concerning the project.

Michael Morris, 198 Jones-Sparkman Road, Murray, was sworn in. Mr. Morris was concerned about the lots being able to handle the sewer of a six unit dwelling. He also voiced a concern with the parking of construction vehicles on the streets.

Al Cutini, property owner across the street from the proposed subdivision, was sworn in. Mr. Cutini had a concern with where the septic tank water would be going. Ms. Dowdy stated that each lot would have its own septic system and that the subdivision would have to meet the Calloway County Health Department Requirements.

Chairman Vanover turned it over to the Commissioners for discussion. Ed Pavlick stated that since this subdivision would be located in the county within the four mile radius, the regulations would be more stringent than they would be if the subdivision was not located within this radius. Commissioner Pavlick also added that there had been much construction in the county where the county roads had been torn up; therefore, Judge Elkins is very concerned that the developers be responsible for reconditioning the roads.

Marc Peebles made a motion to approve the final subdivision plat of Chesapeake Village, developed by Paul and Vicki Garland, located on Jones-Sparkman Road, contingent upon it meeting all city regulations, and an engineer's estimate along with a letter of credit for

outstanding improvements be submitted to the City of Murray. Tom Kind seconded the motion and the motion carried with a 7-0 voice vote.

Discussion of Comprehensive Plan: Chairman Vanover stated that the Commissioners were mailed information in their monthly packet concerning the Comprehensive Plan. He added that a date for a special meeting would be presented by the Planning Staff in order for the Commissioners to work specifically on the Plan. Commissioner Peebles asked about the time line for completion of the plan. Ms. Dowdy stated that we are probably past our timeline date but as long as we are in the process of working on updates to the plan, if there were any litigation issues regarding this a judge would just remand it back to the Planning Commission and give us a minimum of nine months to get the Comprehensive Plan updated. Ms. Dowdy stated that the last committee meeting was on May 6th and at that time the draft copy for the Community Facilities Element and the Transportation Element was reviewed. The Land Use Element had been reviewed a couple of weeks prior. Ms. Dowdy stated that before a public hearing could be held, the plan would be presented to the Planning Commission for discussion. Approval of any amendment to the Elements is done by the Planning Commission and is not required to go before the City Council for approval; however, Ms. Dowdy stated that we do plan to present the revisions to the City Council for their information.

Questions and comments: Commissioner Kind addressed the problem of the lack of yard maintenance by some residents in Murray. Ms. Dowdy stated that problems such as these are turned over to Property Maintenance Committee. Commissioner Jobs added that there were also some businesses that needed attention and that some of their outside storage of merchandise seemed to be taking up more space. Commissioner Pavlick stated that he had been removing yard sale signs and when he informed people of the ordinance, they were happy to comply. Attorney Mike Pitman asked about the renovation of Walmart and the new proposed color scheme. Ms. Dowdy stated that the plans had been received in the Planning Department and the new colors would be more aesthetically pleasing than the current blue. Ms. Dowdy added that she had previously spoken to various Walmart officials concerning the addition of a monument sign and since there was an interest shown in this type of sign, she would continue to pursue this matter. Commissioner Jobs stated that there were many directional signs that are being put up in the right of ways. Mr. Mastera stated that the Planning Staff was aware of these and they were trying to address this matter.

Adjournment: Nelson Shroat made a motion to adjourn. Marc Peebles seconded the motion and the motion carried unanimously. *The meeting adjourned at 5:30 p.m.*

Chairman, Richard Vanover

Recording Secretary, Reta Gray