

**MURRAY PLANNING COMMISSION MINUTES
SPECIAL MEETING
TUESDAY, APRIL 5, 2011**

The Murray Planning Commission met in special session on Tuesday, April 5, 2011 at 5:00 p.m. in the council chambers of City Hall located at 104 N. 5th Street.

Commissioners Present: Mary Anne Medlock, Tom Kind, Kevin Perry, Amber DuVentre, Richard Vanover, Jeremy Boyd and Marc Peebles

Commissioners Absent: Ed Pavlick, Loretta Jobs and Ed Davis

Also Present: Candace Dowdy, David Roberts, Mike Pitman, Reta Gray, Hawkins Teague, Jim Tate, and Dale Campbell

Chairman Vanover called the meeting to order and welcomed all guests. Chairman Vanover stated that the reason for the special meeting was to review an item that was tabled at the Regular Planning Commission meeting in March. He asked for a motion to remove the item from the table.

Marc Peebles made a motion to remove the item from the table. Tom Kind seconded the motion and the motion carried unanimously.

Review of a Revised Planned Development Project Plat - Robertson Road South – The Gates, Phase I – Jim Tate and Barbara Campbell: Candace Dowdy gave a brief description of what had happened at the previous month's meetings of the Planning Commission and Board of Adjustments concerning the request by developers (Jim Tate and Barbara Campbell) and owner (Dale Campbell) for a two year extension on the completion of the planned development project with a few changes. Ms. Dowdy said that the reason that this item had to be brought back before the Planning Commission was that the Zoning Ordinance states: *any change, alteration, amendment or extension of the approved PDP plat must first be approved by the BZA and it must be consistent with the Planning Commissions intent and direction of the project as originally approved.* Ms. Dowdy reviewed that the Planning Commission tabled this item and requested that a waiver be submitted to the city by each of the current property owners stating that they are aware of the proposed changes and that they agree to them as presented. The proposed changes to the project were:

- Abolishment of club house
- Addition of thee (3) additional units to Phase I (one unit where the club house was located and the other two units on Pillar Drive
- Submission of waivers by current property owners stating that they have been informed and understand all the proposed changes to the Planned Development Project and have no objections
- Change as noted (in the staff report) to item #1 listed on revised amended final plat
- Developer agree to complete the outstanding improvements as noted (in the staff report)

Ms. Dowdy said that the BZA did approve the request last month. *Marc Peebles stated that he had reviewed the previous month's recording of the Planning Commission and BZA meetings since he was absent from Planning Commission meeting and that he was aware of what was being discussed.*

Chairman Vanover stated that the Planning Commission asked Mr. Tate to produce a written statement from each of the owners stating that they understand and agree to the new changes. Chairman Vanover added that Mr. Tate had said that there are five occupied properties; three are owned and two are rented. Chairman Vanover asked Mr. Tate if he received the statements from the owners and Mr. Tate replied that he did. Chairman Vanover asked if there was anyone that wished to add anything before he turned it over to the Commissioners for discussion. No one spoke. Chairman Vanover turned it over to the Commissioners for discussion.

Commissioner Perry asked if there was a limit to how many extensions one could get. Ms. Dowdy stated the developers hope to construct all 39 units in this two year time frame but that will depend on the economy. The developers are in hope that they will complete the project in the time frame as that will be money to them. Ms. Dowdy said that the Planning Staff had discussed with the developers that if the Planning Commission and BZA approved the time extension, at a minimum they felt like the infrastructure should be completed within the development. She said hopefully they will be able to construct and sell as many units as possible. The main concern from the city's stand point is that the infrastructure be completed for anyone that wished to have a home constructed. Commissioner Perry asked what would happen if the developers did not do what they agreed to do. Ms. Dowdy stated that everything that was said at the Planning Commission and BZA Meetings is on record. Attorney Mike Pitman added that most of the PDP's that have been developed previously have been on a much smaller scale with several units where they would build them all at one time. He said those projects start and end in a relatively short period of time. Mr. Pitman stated that the remedy would be if the developers should not finish the development in the allotted period of time and they came back looking for another extension, to take another look at it at that time. Mr. Pitman stated that having the owners sign off on the amendments to the PDP plat was a prudent move. Mr. Roberts told Commissioner Perry that there is not a definitive number on how many extensions one could get. Ms. Dowdy said that in the past PDP's were typically multi-family and that this is the first single family residential PDP that the Planning Commission and BZA have actually reviewed since the Zoning Ordinance was amended so that residential PDPs were allowed in an R-2 zone.

Marc Peebles made a motion to approve the revised amended Final Planned Development Project Plat for The Gates, Phase I (developers Jim Tate and Barbara Campbell) and grant a two (2) year extension from the date of the recorded plat for completion of this project based upon the fact that the changes set forth in the amended plat are consistent with the Planning Commission's original intent and direction for this PDP and contingent upon the project remaining compatible to the area. The amendments to this project include the following:

- **Abolishment of club house**

- **Addition of thee (3) additional units to Phase I (one unit where the club house was located and the other two units on Pillar Drive**
- **Submission of waivers by current property owners stating that they have been informed and understand all the proposed changes to the Planned Development Project and have no objections**
- **Change as noted (in the staff report) to item #1 listed on revised amended final plat**
- **Developer agree to complete the outstanding improvements as noted (in the staff report)**

Tom Kind seconded the motion and the motion carried with a 7-0 voice vote.

Questions and Comments: None

Adjournment: Marc Peebles made a motion to adjourn. Amber DuVentre seconded the motion and the motion passed unanimously. *The meeting adjourned at 5:20 p.m.*

Chairman, Richard Vanover

Recording Secretary, Reta Gray