

**MURRAY PLANNING COMMISSION MINUTES
REGULAR MEETING
TUESDAY, APRIL 19, 2011**

The Murray Planning Commission met in regular session on Tuesday, April 19, 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, Ed Pavlick, Ed Davis and Marc Peebles

Commissioners Absent: Loretta Jobs

Also Present: Candace Dowdy, Peyton Mastera, Mike Pitman, Reta Gray, Hawkins Teague, Greg Williams, Susan Solomon, Mark Manning and Mayor Bill Wells

Chairman Vanover called the meeting to order and welcomed all guests. Chairman Vanover asked the commissioners if there were changes, additions or deletions to the minutes from the March 15th regular meeting.

Ed Davis made a motion to accept the minutes from March 15, 2011 Planning Commission regular meeting as presented. Marc Peebles seconded the motion and the motion carried unanimously.

Chairman Vanover asked the commissioners if there were changes, additions or deletions to the minutes from the April 5th special meeting.

Marc Peebles made a motion to accept the minutes from April 5, 2011 Planning Commission special meeting as presented. Amber DuVentre seconded the motion and the motion carried unanimously.

Public Hearing: Request to rezone a 1.766 acre tract of land from R-2 (Single Family Residential) to B-2 (Highway Business District) – 633 North 4th Street – Greg and Rida Williams: Peyton Mastera used a Power Point presentation to show the property at 633 North 4th Street owned by Greg and Rida Williams. Mr. Mastera stated that the plat shows the property as “split-zoned.” The eastern portion of the property situated along North 4th Street is zoned B-2 (Highway Business). The western portion of the property which is currently zoned R-2 (Single Family) backs up to the Murray City Cemetery and the applicant is requesting that this 1.766 acres be rezoned to B-2 matching that of the remainder of the property. Mr. Mastera stated that Mr. Williams is requesting this change because he feels that this new zone will be more appropriate than the current “split-zone”. Mr. Mastera added that a few years ago a similar situation occurred when there was a request to change the back portion of the Heloise Roberts property to B-2 in order to match the front property. At that time the family was looking at selling the property and they thought it should all be zoned the same. The Planning Commission approved that request and forwarded it on to the City Council. Mr. Mastera said that if this request is granted, the property would be in line with the 250 to 350 foot commercial zoning

depth that was established in 1974 for North 4th Street. Mr. Mastera concluded that the 2009 Future Land Use map shows this property as commercial.

Chairman Vanover opened the public hearing and asked if there was anyone that wished to speak in favor of the request.

Greg Williams, 70 Fox Road, Murray, Kentucky was sworn in. Mr. Williams said that basically he was just trying to clean up the zoning for the property by having the front and the back portions the same zone. Mr. Williams added that he is developing the property and that Bill Adams is currently working on some plans for the property that will be submitted to the city at a later date.

Chairman Vanover asked if there was anyone that wished to speak in opposition of the request. There was no one. Chairman Vanover closed the public hearing and turned it over to the commissioners for discussion.

Tom Kind made a motion to forward a recommendation to the Murray City Council to rezone a 1.766 acre section of land – the western portion of 633 North 4th Street – owned by Greg and Rida Williams from R-2 (Single Family Residential) to B-2 (Highway Business District) based upon the findings that the Future Land Use map shows this property as commercial; and, this zoning would be more appropriate since the property is presently “split-zoned” and it would match the remaining 1.343 acre section of land fronting North 4th Street. Marc Peebles seconded the motion and the motion carried with a 9-0 voice vote.

Advisory Meeting: Commercial Planned Development Project – 300 North 12th Street – Dunkin Donuts: Candace Dowdy used a Power Point presentation to show the property at 300 North 12th Street where the applicants of Four Dough Holdings, LLC are proposing the construction of a 3,650 square foot building with two tenant spaces of equal size. One of the spaces will be occupied by Dunkin Donuts and the other space is being reserved for a smaller restaurant/sandwich shop. Ms. Dowdy said according to the site plan that has been presented, there will be a drive-thru to one of the businesses. In addition to the property at 300 North 12th Street, the applicants have purchased the adjacent properties at 302 North 12th Street and 1016 Sharpe Street. Each property is zoned B-4 (Medium Density Business District). The total acreage for the combined three tracts of land is 0.60 acres. Ms. Dowdy said that a previous plat of the property shows that the hvac unit located at the residence of 1014 Sharpe is six to eight inches over the property line. A minor subdivision plat consolidating all three lots will need to be submitted to the Planning Department for review and approval prior to any permits being issued. Ms. Dowdy reviewed other restaurants along 12th Street that have additional access into residential districts. Restaurants in the B-4 zone are typically approved through the PDP process; therefore, the project will be reviewed as a PDP since the seating for Dunkin Donuts will exceed ten and the other tenant space will be a restaurant. Some of the things that will be considered in this process are: the additional access off Sharpe Street, the required screening along the east property line that adjoins a residential zoning district, stormwater detention, parking variances, sign variances, and screening landscaping. Ms. Dowdy said that through the rezoning process, when the Comprehensive Plan and Land Use were updated, the Planning

Commission looked at changes to properties along the 12th Street corridor in order to have the depth of some of the properties more conducive for commercial development. Ms. Dowdy noted that Danny Hudspeth, a resident of Sharpe Street, had submitted a letter of concern questioning the compatibility of the PDP adjacent to a residential zone. Ms. Dowdy stated that once the Planning Commission reviews the PDP from an Advisory standpoint, it will then be forwarded to the BZA for a Compatibility Hearing.

Susan Solomon, 1014 Sharpe, Murray came forward to say that she owns the property adjacent to the proposed PDP. She stated that her property had been surveyed by VL Associates and according to that survey, her hvac unit is not over her property line. Ms. Solomon added that she has a white fence around the backyard and she would like to see the applicants continue that fence between the two properties for her privacy. Ms. Solomon stated that she was in favor of the Dunkin' Donuts proposal; however, she did have the following concerns: a six to eight foot fence separating the properties, the entrance and exit off Sharpe Street, parking lot lights and drainage. She also stated that she would like to see some green space between the two properties with some Leland Cypress trees that would serve as screening.

Ed Davis made a motion to forward the commercial Planned Development Project – 300 North 12th Street – Dunkin Donuts to the BZA for compatibility with the notation for the record that it has been reviewed by the Planning Commission. Amber DuVentre seconded the motion and the motion carried with a unanimous voice vote.

Request for Annexation: Murray - West Industrial Park – Highway 641 North – Murray – Calloway Economic Development Corporation: Candace Dowdy used a Power Point presentation to show the property owned by the Murray-Calloway Economic Development Corporation on U.S. Hwy 641 North. Ms. Dowdy stated that a letter was received by the City of Murray requesting that the property known as the Murray-West Industrial Park be annexed into the corporate city limits of Murray. The property consists of 132.336 acres and is contiguous to the city limits to the west by the property known as Brandwood Park Subdivision and to the east by the property also owned by the EDC known as the “Virginia Gantt Life Estate”. The City of Murray completed a sewer and water extension to the Industrial Park in 2010 through grant money that was available. This property falls within the urban service area of the City of Murray’s Comprehensive Plan. Ms. Dowdy stated that if this proposed annexation is forwarded (via recommendation) to the Murray City Council, the next step in the process will be to hold a public hearing before the Planning Commission to set the zoning of the property.

Mark Manning, 2204 Quail Creek, Murray came forward. Mr. Manning, director of the EDC, stated that he was joined at the meeting by board members Mayor Bill Wells and Alice Rouse as well as their engineer from Geotech, Bobby Deitz. Mr. Manning said that the EDC had worked closely with the city during this project and he thanked them for the support that they had given. He said that the EDC was getting very tight on industrial property; therefore, their goal was to construct a new industrial park that was attractive with a good infrastructure and with the limited funds they feel like they have accomplished this goal. He added that the project had been a very slow process of approximately six years and during that time the entire park has been completely graded and compacted. There is a water tower on site; thus, there will be good water pressure for

industry. Mr. Manning said that through the local legislative delegation there is water and sewer along with internet capabilities. Mr. Manning added that the EDC's goal for putting in buildings is for each building to have a similar look with a masonry front and appealing landscaping. He said that each time they have a new project they will access what the company needs and will work with the city to see that this is accomplished. Commissioner Pavlick asked Mr. Manning what advantage the Industrial Park would have by being annexed into the city. Mr. Manning stated that one advantage was a moral commitment. He added that the city has helped them out and in turn as they get industries into the park, they would be able to help repay the city with revenue from city stickers and city taxes. Mr. Manning added that the industries will also be able to get better ratings for fire protection if they are located within the city limits. Ms. Dowdy added that it is city policy that if city utilities are extended, the property is annexed into the city limits. Mr. Manning again told the city that they appreciated them and that they truly wanted this park to be something that they could be proud of.

Mary Anne Medlock made a motion to forward a recommendation to the Murray City Council to annex a 132.336 acre tract of land on US HWY 641North (identified as PVA Map 49, Parcels 3, 3A and 20 and Map 40 Parcel, 37) owned by the Murray-Calloway Economic Development Corporation based upon the findings this property is within the Murray Urban Services' Boundary, contiguous to the Murray city limits, and all utilities are available. Amber DuVentre seconded the motion and the motion carried with a 9-0 voice vote.

Questions/Comments: None.

Adjournment: Ed Davis made a motion to adjourn. Amber DuVentre seconded the motion and the motion carried unanimously. *The meeting adjourned at 6:00 p.m.*

Chairman, Richard Vanover

Recording Secretary, Reta Gray