

**MURRAY PLANNING COMMISSION MINUTES  
REGULAR MEETING  
TUESDAY, JUNE 21, 2011**

The Murray Planning Commission met in regular session on Tuesday, June 21, 2011 at 5:00 p.m. in the council chambers of City Hall located at 104 N. 5<sup>th</sup> Street.

**Commissioners Present:** Mary Anne Medlock, Tom Kind, Amber DuVentre, Ed Davis, Loretta Jobs, Richard Vanover, Jeremy Boyd, Ed Pavlick, and Marc Peebles

**Commissioners Absent:** Kevin Perry

**Also Present:** Candace Dowdy, Peyton Mastera, David Roberts, Mike Pitman, Reta Gray, Hawkins Teague, Jim Tate, Marv Bloomquist, Scott Morris, Steve Treas, Pamela Treas, Mayor Wells and public audience

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 May 17<sup>th</sup> regular meeting.

**Tom Kind made a motion to accept the minutes from May 17, 2011 Planning Commission regular meeting as presented. Marc Peebles seconded the motion and the motion carried unanimously.**

*Loretta Jobs recused herself from the next item on the agenda.*

Chairman Vanover stated that the Dunkin' Donuts PDP had been tabled at the previous month's meeting and he asked for a motion to remove this item from the table.

**Mary Anne Medlock made a motion to remove the item from the table. Jeremy Boyd seconded the motion and the motion carried unanimously.**

**Public Hearing: Revised Preliminary Plat for Dunkin' Donuts Planned Development Project – 300 North 12<sup>th</sup> Street:** Peyton Mastera used a Power Point presentation to show the property (zoned B-4) that is located at 300 North 12<sup>th</sup> Street where the applicant Four Dough Holdings, LLC is proposing to construct 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. Mr. Mastera stated that this item had been tabled last month during the public hearing based upon some unanswered questions and lack of updated drawings. Mr. Mastera said that the developers had worked with the Planning Staff during the last month to update the preliminary plat and that they are ready to present those revisions to the commissioners. Mr. Mastera reviewed some of the issues that were brought up at the previous meeting.

- The screening for the adjoining property owned by Ms. Solomon
- Air conditioning unit of Ms. Solomon sitting on the property line

- Dumpster area reconfiguration
- Sidewalks
- Parking spaces in the rear of the building
- Noise control from outdoor speakers
- Water detention area
- Entrance ways

Candace Dowdy said that all concerns that were discussed at the previous meeting were addressed by the applicants except for the entrances. She added that the applicants had spoken with the Department of Transportation concerning the entrances and they are now prepared to present their findings.

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

Jim Tate, 16 Gil Lane, Murray was sworn in. Mr. Tate said that Murray would be very fortunate to have a Dunkin' Donuts franchise locate here. He stated that Murray is actually not large enough to have this type of facility and the developers have put a lot of faith and money in this investment believing that it will work here. Mr. Tate added that when he renovated his 1108 Main Street home, there was nothing commercial next to the residential area at that time. Now this area has grown with a bank and several drug stores located within close proximity of the residential area and each have proven to be good neighbors. Mr. Tate said that he thinks that this project will do the same thing on the proposed corner of 12<sup>th</sup> and Sharpe with enhancement to the overall surroundings.

Marv Blomquist, Blomquist Design Group, 10529 Suite B, Timberwood Circle, Louisville, Kentucky was sworn in. Mr. Blomquist showed the revised preliminary drawing with added green spaces. Three parking spaces in the rear of the building were removed from the previous plat. He pointed out that the relocation of the dumpster area had been made so that sanitation trucks could enter straight off Sharpe Street instead of at an angle as previously submitted. Mr. Blomquist said that the sidewalks have been added; they will connect to the existing sidewalk on 12<sup>th</sup> Street and extend along Sharpe to the east property line. The retaining wall will start half way along the north side of the property and will continue down the backside and will end about half way along the east side of the property. Mr. Blomquist said that they have been talking to the Department of Transportation and their position on the entrances is to keep the entrance on 12<sup>th</sup> Street since it is an existing curb cut. Mr. Blomquist said that when they have corner lots, the DOT prefers having one entrance off each street and located as far away from the intersection as possible; therefore, they are requesting to leave the entrances as they were previously noted. Mr. Blomquist addressed the drainage issue and he stated that all of the water currently drains to the back northeast corner of the lot. He said that they are looking at putting in two curb inlets on the west side of the property to redistribute some of the water and to help alleviate the abundance of run off to the northeast corner. The entire lot is six-tenths of an acre. The plan is to essentially divide the lot into two sections and direct half of the water to the N. 12<sup>th</sup> Street system and the other half to the newly created bio-retention area to the back of the property. Mr. Blomquist stated that they are working with Ms. Solomon (adjoining property owner) concerning

the screening. They plan to connect a new eight foot fence to Ms. Solomon's existing white vinyl fence to divide the properties. There will be a landscaped opening in the fence where access to Ms. Solomon's air condition unit will be available. Mr. Blomquist stated that the types of trees that would be used for landscaping along the fence will be evergreen so that they will stay green all the time and not lose leaves. The drive-thru speaker will be below the top of the fence.

Chairman Vanover asked Mr. Blomquist if he had been in touch with Ms. Solomon. Mr. Blomquist stated that he had not. Chairman Vanover stated that Ms. Solomon didn't have objections to the project; however, she was interested in seeing the updates to the proposal. Mr. Blomquist replied that typically once construction of a project begins, the adjoining property owners are met with to show them the types of trees, etc. He added that he thinks that Mr. Morris had met with her. Commissioner Ed Pavlick asked if the drive-thru area was wide enough for two cars. Mr. Blomquist stated yes that it is eighteen feet wide. Mr. Mastera added that the developer will need to work with the sanitation department to schedule dumpster pick-up during an off time to alleviate any traffic issues at the drive-thru.

Scott Morris, 129 Shadyside Lane, Gilbertsville, Kentucky was sworn in. Mr. Morris stated that he has been in contact with Ms. Solomon and they have already addressed the majority of the concerns that Ms. Solomon had. One item that could not be changed was the color and materials of the building as the plans have already been drawn up. Another concern that Ms. Solomon had was to eliminate the entrance from Sharpe Street and under advice from the DOT, Mr. Morris said that they have decided against that. Mr. Morris concluded that they have done their utmost to address all Ms. Solomon's concerns and that they want to work well within the community.

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

Mary Anne Medlock said that the new plat addressed all her previous concerns. Jeremy Boyd stated that the business hours of Dunkin' Donuts will be different from others that are located on a corner lot with two entrances. His concern is early in the morning when children are walking to school and with additional traffic their safety may become an issue. He stated that he would like to see sidewalks all the way down Sharpe Street to accommodate the ones that were walking. Chairman Vanover asked Mayor Wells if constructing sidewalks along Sharpe Street is in the future plans for the city. Mayor Wells referred the question to David Roberts, Director of Planning and Engineering. Mr. Roberts stated that the sidewalks for Sharpe Street are not in the schedule for this year; however, it could possibly be anywhere from two to five years before they construct sidewalks along Sharpe. Mr. Roberts added that depending on what goes in on the other side of the building could impact the priority of sidewalks on this street. He said that there is plenty of room for sidewalks on either side of Sharpe because the houses are sitting back far enough to accommodate them. Marc Peebles asked what the next procedure for the project is. Mr. Mastera stated that they will be going before the BZA on the following night for a public hearing for a parking space variance. Jeremy Boyd asked if they had a business to occupy the other side of the building. Mr. Morris stated that they did not.

**Mary Anne Medlock made a motion to approve the preliminary Planned Development Project plat for the proposed Dunkin' Donuts Development at 300 North 12<sup>th</sup> Street contingent upon it meeting all city regulations and the Murray Board of Zoning Adjustments granting a conditional use permit for this same project. I forward a recommendation that this project be considered for a conditional use permit. Ed Pavlick seconded the motion and the motion carried with an 8-0 voice vote. Loretta Jobs re-entered the meeting at 5:33 p.m.**

**Review of Minor Subdivision Plat: Stephen, Pamela and Marcile Treas – 1000 feet south of Wiswell Road West:** Ms. Dowdy used a Power Point presentation to show the property owned by Steve and Pamela Treas and Marcile Treas (mother of Steve Treas). The property is located approximately 1000 feet south of Wiswell Road West and west of the intersection of Alan A Dale Drive and King Richard Drive. The current access to Mr. Treas' home is located at the end of Trents Lane in Saratoga Springs Subdivision. Ms. Dowdy stated that a previous minor subdivision plat of his property was reviewed and approved by the Planning Department in December 1990 creating a 50 foot unimproved and unmaintained roadway that was dedicated to the Calloway County Fiscal Court for the extension of Alan A Dale Drive. This plat gave access to Mr. Treas' property. Ms. Dowdy stated that Mr. Treas has submitted a minor subdivision plat to the Planning Department requesting to re-subdivide his land creating three new tracts as well as another 50 foot dedicated roadway for the future extension of Trents Lane. This plat is also proposing to realign the previously dedicated roadway for the extension of Alan A Dale to better connect Trents Lane and Alan A Dale Drive for any future development of this property or the property of Marcile Treas. Ms. Dowdy said that the City Planning Staff has discussed the future construction of both streets with Mr. Treas and has made several notes on the plat concerning the responsibility for the future construction of Alan A Dale Drive and Trents Lane at such time that the property is developed.

- Within two years of the construction of a dwelling on Tract 2, the current dedicated right-of-way for Alan A Dale shall be paved at a minimum width of 12 feet and maintained by the property owner until such time that said street is constructed to city standards by future developer of the property
- Further development of this property beyond the purpose of this minor plat which is to allow construction of a single family dwelling upon Tract 2 will require compliance to city standards and subdivision regulations.
- The access through Alan A Dale is intended for the purpose of ingress and egress to the single dwelling as outlined herein and is not intended for the future development of Tract 1 or Tract 2.
- Any future division of Tracts 1 or 2 and/or the construction of additional dwellings beyond the one allowed by the conditions outlined herein will require construction of this 50 foot dedicated right-of-way for the extensions of both Alan A Dale and Trents Lane by the owner/developer and will be required to meet the City of Murray's Subdivision Regulations.

- The dwelling to be constructed upon Tract 2 shall have a finished floor elevation that can be served by future extension of existing sanitary sewer currently on Alan A Dale and King Richard Drive.

Ms. Dowdy added that the approval of this plat is mainly for the construction of a single family dwelling on Tract 2 and any further development will require the construction of all dedicated roadways that meets the City of Murray Subdivision Regulations.

**Loretta Jobs made a motion to approve the Minor Subdivision Plat of the Steve and Pamela Treas and Marcile Treas property located at the end of Trents Lane and west of Alan A Dale Drive as presented with the noted remarks as shown on the plat. Ed Pavlick seconded the motion and the motion carried with a 9-0 voice vote.**

**Questions/Comments:** Ed Pavlick said that he had been contacted by someone that wanted to know if there was a plan for sidewalks on College Farm Road to be extended to Calloway County Middle and High Schools. Mr. Roberts stated that the funding for the sidewalks from Five Points to the schools has been approved and they are currently trying to work out the details with the state. He hopes to be able to advertise for bids for the project within 30 days. Construction should begin within 30 to 60 days. Mr. Roberts added that they are currently reviewing preliminary plans for sidewalks on Sycamore Street.

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

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Chairman, Richard Vanover

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Recording Secretary, Reta Gray