

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

The Murray Planning Commission met in regular session on Tuesday, July 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, Amber DuVentre, Ed Davis, Loretta Jobs, Marc Peebles, and Richard Vanover

Commissioners Absent: Kevin Perry, Jeremy Boyd and Ed Pavlick

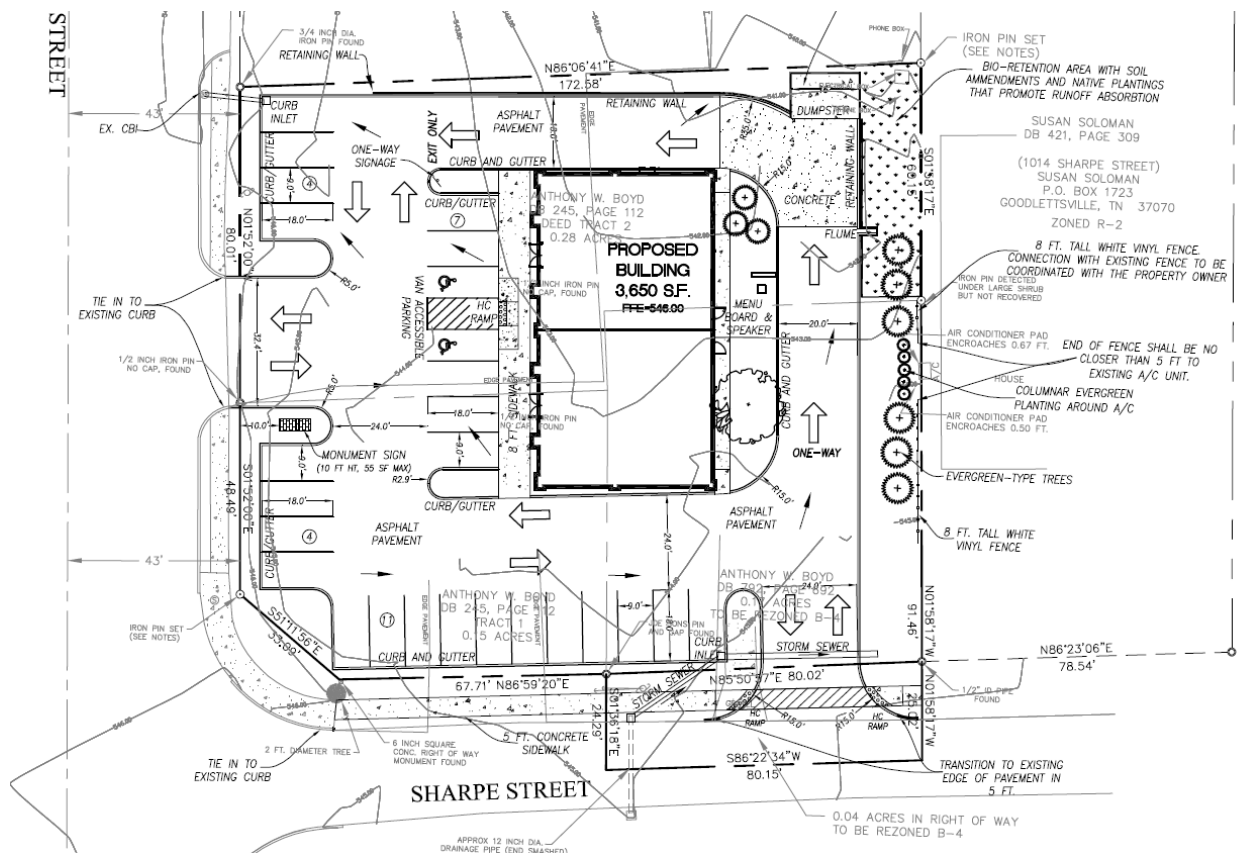
Also Present: Candace Dowdy, Peyton Mastera, Donny Bunton, David Roberts, Reta Gray, Angie Hatton, Chuck Foster, Governor's Scholars and public audience

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 June 21st regular meeting.

Loretta Jobs made a motion to accept the minutes from June 21, 2011 Planning Commission regular meeting as presented. Amber DuVentre seconded the motion and the motion carried unanimously.

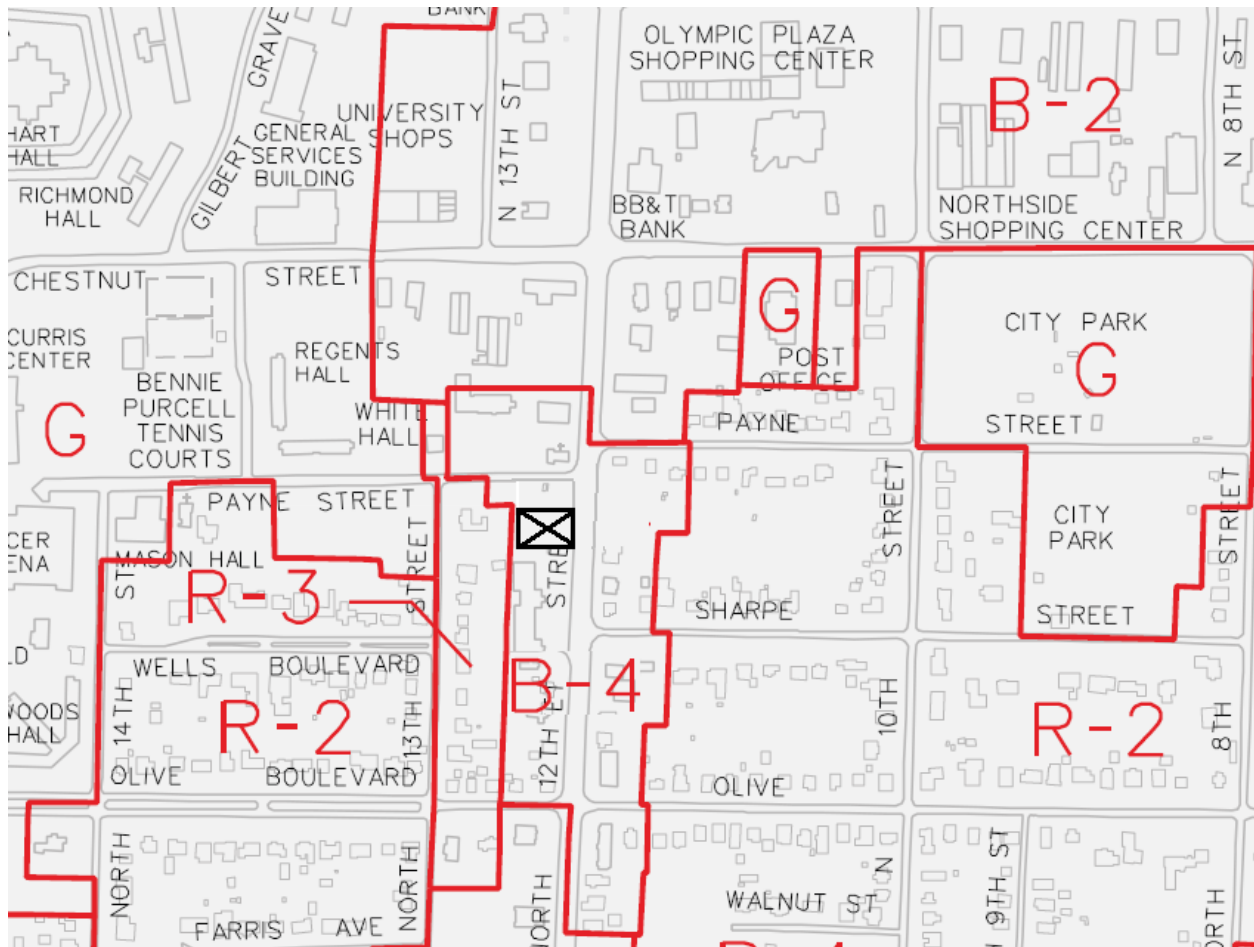
Final Plat Review - Commercial PDP for Dunkin Donuts – 300 North 12th Street – Four Dough Holdings, LLC: Peyton Mastera used a Power Point presentation to show the property at the intersection of North 12th and Sharpe Streets owned by Four Dough Holdings, LLC. The property currently consists of three lots for a total of 0.60 acres. 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. This property is located in a B-4 zoning district which states that restaurants can be approved after they have been reviewed through the PDP process. The Preliminary Planned Development Project Plat for Dunkin Donuts was approved at the June 21, 2011 regular meeting at a public hearing. Once approved the final PDP plat will need to be recorded and go through the Plan Review process before construction may begin. The applicants have applied for a demolition permit. The BZA previously approved the conditional use permit for this project with a 19 parking space variance and for a small area of parking spaces protruding into the clear zone. Mr. Mastera stated that all of the issues were addressed at the previous Planning Commission meeting and there have been no other modifications to the plat or the development. Mr. Mastera said that the Planning Staff has been working with the adjoining property owner along with the applicants on the proper screening for this property. There will be an eight foot solid enclosure between the properties and will meet the city's screening and landscaping requirements. The two parties have also agreed to have the fence run the entire length of the east side of the lot line (not to include the ten foot setback from the right-of-way of Sharpe Street), leaving room for access to Ms. Solomon's air condition unit. Mr. Mastera stated that the new detention system would be done through the creation of a bio-retention area on the northeast section of the property in addition to the direction of some runoff towards the 12th Street system.

Chairman Vanover asked for discussion or questions from the Board.



Marc Peebles made a motion to approve the Final Planned Development Project plat for the proposed Dunkin-Donuts Development at 300 N. 12th Street contingent upon it meeting all city regulations, the approval of the consolidation plat and the landscaping plat. Ed Davis seconded the motion and the motion carried with a 7-0 voice vote. Loretta Jobs recused herself at 5:10 p.m. from the next item on the agenda.

Advisory Meeting – Commercial Planned Development Project – 307 & 309 North 12th Street – Arby’s Restaurant: Candace Dowdy welcomed the group of Governor’s Scholars that were visiting the meeting. Ms. Dowdy used a Power Point presentation to show the property at 307 & 309 North 12th Street where Mr. Rajiv Johar is proposing the development of a Commercial Planned Development Project (Arby’s Restaurant). Because this property is located in a B-4 zone the project will be reviewed as a PDP since the proposed use will be a restaurant. Ms. Dowdy stated that the first step in the Planned Development Project process is an Advisory Meeting with the Planning Commission. The property is zoned B-4 (Medium Density Business District) and that the total acreage for the two lots is 0.651 acres. Ms. Dowdy said that the most current use for each piece of property was residential for a number of years and that each house had been vacant for some time. The applicant has presented a boundary survey of the property. If this project is approved, a consolidation plat will need to be submitted to the Planning Department making it one tract of land before any permits can be issued.

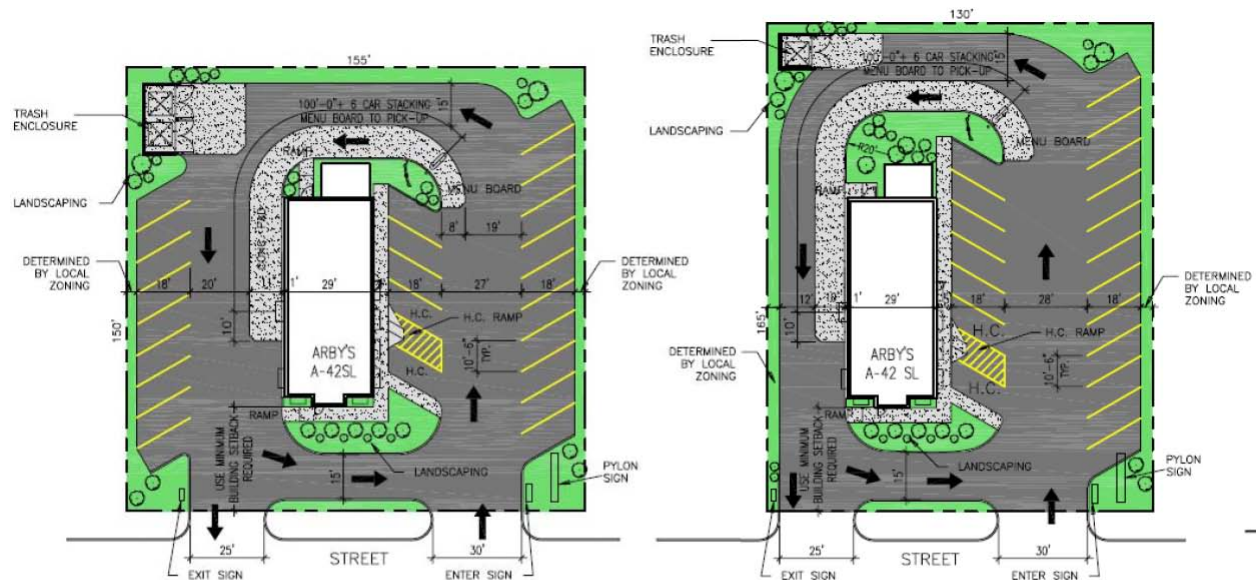


The applicant is proposing to construct a 2,219 square foot building that will seat 42 people. Some of the issues that will be addressed during the PDP process by both the Planning Commission and BZA will be the required screening along the west property line that adjoins a

residential zoning district and stormwater detention. In addition they will also review the following:

- Monument signage location
- Wall signage
- Landscaping
- Parking
- Traffic impact
- Hours of operation for establishment

Ms. Dowdy stated that the applicant has provided four different proposals of where to locate the building at the site. The two that follow are proposed mid-block scenarios that can accommodate the size of building that the applicant is proposing.



MID BLOCK LOCATION (#1)

PARKING: 25 SPACES

SITE SIZE: 23,250 SF (0.53 AC)

FRONTAGE: 155 LF

MID BLOCK LOCATION (#2)

PARKING: 20 SPACES

SITE SIZE: 21,450 SF (0.49 AC)

FRONTAGE: 130 LF

Ms. Dowdy asked the Commissioners to consider the project and how it would affect the surrounding area. She added that if the project moves forward, it will go before the BZA for a Compatibility Hearing the following night. Ms. Dowdy stated that Attorney Chuck Foster was there to represent his client Mr. Johar.

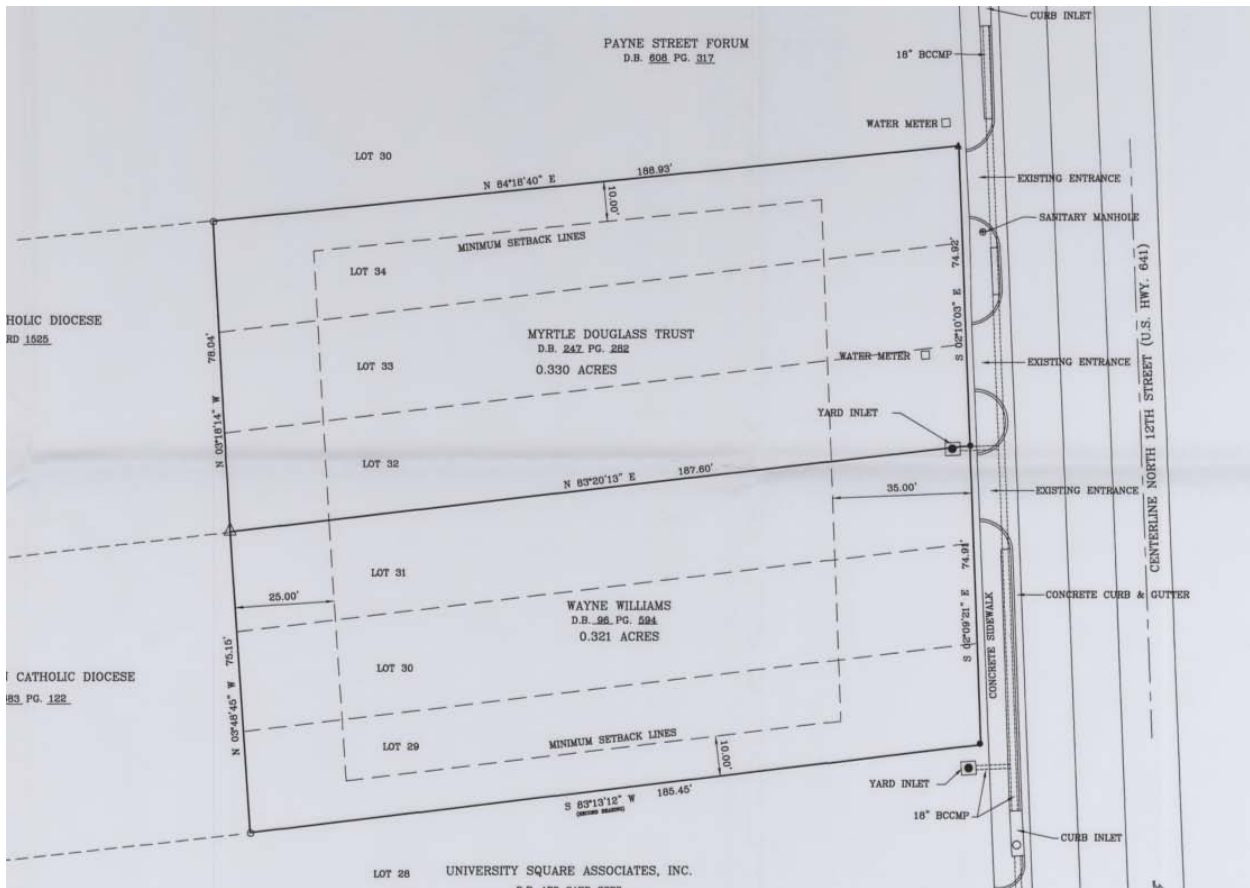
Mr. Foster presented a more current drawing to the board members. (*Drawing was submitted as Exhibit A.*) Mr. Foster stated that the proposal will be located between Fidalgo Bay and Loretta Job's shopping plaza. The new Minor Plat will combine the two lots and abolish the center lot line. The design that is proposed for the property needs approximately ½ acre; therefore, the building should fit nicely, given that the acreage of the new lot (after approval of a combination plat) will be approximately 2/3 of an acre. Mr. Foster stated that they have chosen Mid Block Location #1 because of the better traffic flow and the fact that it has more parking places available. He added that the building that they would be putting on the property is a new Arby's 2010 design. Mr. Johar owns other businesses in Central City, Kentucky where he currently resides.



Chairman Vanover asked for comments and questions from the Commissioners. Tom Kind suggested that he would like to see the building blend nicely with the surrounding landscape. Marc Peebles had concerns with the screening on the west side of the property as it adjoins a residential neighborhood. In addition he had concerns about the City Ordinance regulations on the monumental signage for 12th Street. Ms. Dowdy stated that they will have to provide appropriate screening and landscaping because it is adjacent to R-3 (Residential) Zoning District. Commissioner Kind added that the entrance and exit locations for the project will have to be looked at carefully because that is such a busy location. Mary Anne Medlock stated that there are also a lot of walkers in that area. She added that she thinks this will be another opportunity to make sure there is a lot of green space with this project. Ms. Dowdy said that there are

currently three entrances at the site and there are existing sidewalks. She added that any alteration to the entrances will have to be coordinated with the KYTC. Mr. Foster stated that there are signs available through Arby's that will meet the monument requirements. He added that the proposed signage is very attractive and he is well aware of the Sign Ordinances for the City of Murray as he was actively involved as Mayor when the sign ordinance was adopted. Chairman Vanover told Mr. Foster that the Commissioners would like to see the project move forward and they are requesting the following list of items on the preliminary plat:

- Landscaping
- Green Space
- Screening
- Stormwater Detention
- Entrance and Exits
- Lighting



Questions/Comments: Candace Dowdy introduced Donny Bunton, new City Planner I. Mr. Bunton will be replacing Peyton Mastera who has taken a new position as Projects Administrator for the City of Murray. The Commissioners welcomed Mr. Bunton and congratulated Mr. Mastera.

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

Chairman, Richard Vanover

Recording Secretary, Reta Gray