

**MURRAY PLANNING COMMISSION MINUTES
REGULAR MEETING
TUESDAY, JUNE 18, 2013
5:00 P.M.**

The Murray Planning Commission met in regular session on Tuesday, June 18, 2013 at 5:00 p.m. in the council chambers of City Hall located at 104 N. 5th Street.

Commissioners Present: Jeremy Boyd, Loretta Jobs, Tom Kind, Mary Anne Medlock, Ryan Stanger, Ed Davis, John Krieb and Ed Pavlick

Commissioners Absent: Marc Peebles and Kevin Perry

Also Present: Candace Dowdy, Justin Crice, Mike Pitman, David Roberts, Reta Gray, Jennifer Tolley, Hawkins Teague, Matt Jennings, and public audience

Chairman Pavlick called the meeting to order. Chairman Pavlick asked the commissioners if there were any changes, additions or deletions to the minutes from the May 21, 2013 regular meeting. Justin Crice reported that Commissioner Krieb had reported some changes and those changes would be made.

Ed Davis made a motion to accept the minutes from the May 21, 2013 Planning Commission regular meeting as corrected. Ryan Stanger seconded the motion and the motion carried unanimously. *Mary Anne Medlock entered the meeting at 5:05 p.m.*

Review of Minor Subdivision Plat: 1317 & 1319 Vine Street & 305 Irvan Street – Mason & Wilma Billington, David & Jacqueline Jackson: Justin Crice used a Power Point presentation to show the properties at 1317 & 1319 Vine Street and 305 Irvan Street. Mr. Crice explained that the purpose of this minor subdivision plat is to subdivide the Billington and Jackson properties and create two new tracts of land shown as Tract 1 at 0.01 acres and Tract 2 at 0.04 acres. Tract 1 is to be conveyed to the adjoining Jackson property directly to the east because their existing detached garage encroaches onto the Billington property. Tract 2 is to be conveyed to the adjoining Billington property off Irvan Street. These lots are a part of the old Normal Park Miller Place Addition where most of the lots were originally less than 75 feet in width. This particular plat will increase the road frontage for the property at 1317 Vine Street by four (4) feet still leaving it a non-conforming lot that is less than the required 75 feet. It will reduce the road frontage for the property at 1319 Vine Street to 72.28 feet making it less than the minimum requirement of 75 feet; thus, creating a non-conforming lot that requires approval by the Planning Commission. If approved by the Planning Commission, Tracts 1 & 2 would have restricted approval where they could only be conveyed to adjoining property owners.

Loretta Jobs made a motion to approve the Minor Subdivision Plat as presented for Mason & Wilma Billington, and David & Jacqueline Jackson at 1317 & 1319 Vine Street and 305 Irvan Street. Ed Davis seconded the motion and the motion carried with an 8-0 roll call vote.

Public Hearing: Request to rezone 49.428 acres on Opportunity Drive and Poor Farm Road from AG & B-2 to R-4 multi-family residential – City West, LLC & West Wind Rentals, LLC: *Ryan Stanger recused himself from the meeting at this time.* Ms. Dowdy explained that this property has been sold by Bruce Barber with Certified Holdings Inc. (originally requested this rezoning) and is now owned by City West, LLC and West Wind Rentals, LLC. Mr. Matt Jennings is representing City West LLC and West Wind Rentals LLC in this zoning map amendment request. Ms. Dowdy said that they now have an application from the new owners requesting the same rezoning request. Ms. Dowdy used a Power Point presentation to show the property located on Poor Farm Road and Opportunity Drive which consists of a

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total of 49.428 acres. All of the property was annexed in 1996 and zoned Agriculture at that time. The property is divided up into three tracts of land with a tract consisting of 5.173 acres that fronts Poor Farm Road, which was rezoned from AG to B-2 in September of 2006. Since that time there has been no interest in business development in the area. The remaining two tracts of land are currently zoned Agriculture and have been used for agricultural purposes. The Future Land Use Map identifies Tract 1 of this request as Medium Density Residential and Tracts 2 & 3 as Commercial. The applicant has indicated that he feels that R-4 zoning is better suited for this property because there are plans for development as soon as possible if it is rezoned. Ms. Dowdy said that Mr. Jennings indicated that since there is currently commercial property on the north side of Poor Farm Road, he thought the south side of Poor Farm Road would be more appropriately zoned as R-4 residential. She added that Planning Staff has seen some preliminary drawings of a proposed subdivision for the property with lots that would accommodate anywhere from one dwelling unit to four dwelling units on each lot. Ms. Dowdy stated that the water and sewer can be extended to serve this property. If this recommendation is forwarded to the City Council and developed, it will be the property owner's responsibility to construct Opportunity Drive from Utterback to Poor Farm Road. Once Opportunity Drive is completed, there will be several directional options for vehicles traveling towards 641 North, or Highway 80, to Brinn Road or onto North 16th Street. Ms. Dowdy added that Mr. Crice had measured the widths of the surrounding roads and they are as follows: North 16th at Utterback Road is 18 feet; Poor Farm Road is 20 feet; a portion of Opportunity Drive that is north of Poor Farm Road is 32 feet wide; Brinn Road (where it crosses over to 16th Street) widens to 21 feet and then continues at 19 feet where the road is not striped; and on the county side (where it is striped) it is 18 feet. All adjoining property owners were notified and a sign was posted on the property. There was one letter returned to Planning Staff and there were not any indications of anything negative concerning the zoning change request.

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

Matt Jennings, 1671 Valentine Road, New Concord, Kentucky was sworn in. Mr. Jennings said that they had purchased the property at an auction a few weeks ago. He added that they had been looking for a property that was already within the city limits for a medium density development and they feel like this is the appropriate property. Mr. Jennings said that the property was even more attractive when they saw that it was in the long range plan as Medium Density Residential. Mr. Jennings explained that when Mr. Barber had the B-2 section rezoned he thought there was a development that would be occurring; however, that never materialized. Mr. Jennings added that they do have a development plan for the property with units from one to four families per lot. The density of the proposed development is seven or eight units per acre and the medium density allows for up to twelve units per acre. The buildings will be brick on the front and there will be sidewalks throughout the development. Mr. Jennings continued on that he would like to have businesses in the area as he does own the corner lot at Brinn and Poor Farm Road that is zoned B-2 Highway Commercial. Mr. Jennings said that it would take people living near or at this property to actually build the value for business in the area. They feel like if they can develop this property into multi-family housing it will be a huge benefit for all the surrounding properties.

Mr. Jennings stated that one of the primary things they liked about this location is the accessibility to the roads leading in many different directions. Presuming that everything goes well at this meeting, Mr. Jennings said that they would be back with a Preliminary Subdivision Plat next month. Mr. Jennings continued that they planned on developing Opportunity Drive (which was dedicated to the city years ago and never developed) and would like to have it completed this year. The development will include a Phase II and III which will also include some other roads within the subdivision. Mr. Jennings said that

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Ms. Dowdy had already covered the availability of utilities but he wanted to include that there is also gas to the property. Commissioner Krieb asked who would be responsible for finishing the part of Opportunity Drive that runs through the R-4 zoning district to the south. Mr. Jennings said that they had budgeted to build that entire section even though they did not own the property on either side of the dedicated street. They feel like that street needs to go all the way through because it will be a connector from Utterback to Highway 80. Commissioner Krieb then asked how many units would be in the development. Mr. Jennings replied approximately 105 to 300 units. Chairman Pavlick asked if Mr. Jennings was planning on selling the units or renting them. Mr. Jennings said that right now they are developing the subdivision. Both entities plan on purchasing lots to build approximately 20 to 30 buildings and some of the lots will be sold individually. Commissioner Kind asked if there had been any consideration into developing the southwestern wooded area into a green space. Mr. Jennings said the wooded area contains a pond and there is not a common area planned. The lots will be large enough throughout the development to provide plenty of green space as they will be approximately 160 to 170 feet deep. He concluded that they plan on leaving as many existing trees on the property as possible.

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

Tom Kind made a motion to forward a recommendation to the City Council to rezone the three tracts of land totaling 49.428 acres located on Poor Farm Road and Opportunity Drive owned by City West, LLC and West Wind Rentals, LLC from AG & B-2 to R-4 Residential. This is based on the following findings of fact; that this area has shown no interest in business development since 2006 and that the long range plan shows the area as Medium Density Residential, which is what the plans for this development are. Commissioner Kind added that he would also recommend that the official Zoning Map and the Future Land Use Map in the Comprehensive Plan be updated to reflect this zoning. John Krieb seconded the motion. The motion passed with a 5-2 roll call vote. Jeremy Boyd and Mary Anne Medlock voted no.

Questions and Comments: Commissioner Boyd asked if there had been any steps taken in order to update the zoning changes that were discussed in the previous month's meeting that allows for single family medium density. Ms. Dowdy said that is something that would be addressed in the Zoning Ordinance update. She added that the previous contract that they had with a firm from Chicago that helped them with the Ordinance has been terminated and there have been conversations with another firm as to possibly taking over. They hope to get started on that fairly soon. Ms. Dowdy stated that they have looked at some other cities that are similar in size as well as some similar college towns to see the types of zones that they have in place that would accommodate that type of development. Commissioner Boyd asked if that was something that the commissioners could get started on earlier to do some preliminary work on. Ms. Dowdy replied that would be a good idea and if the commissioners had any ideas or comments they would like to express to the Planning Staff, they could relay those to them.

Adjournment: Ed Davis made a motion to adjourn. Jeremy Boyd seconded the motion and the motion passed with a unanimous vote. The meeting adjourned at 5:42 p.m.

Chairman, Ed Pavlick

Recording Secretary, Reta Gray