

**MURRAY PLANNING COMMISSION MINUTES  
REGULAR MEETING  
TUESDAY, SEPTEMBER 16, 2014  
5:00 P.M.**

The Murray Planning Commission met in regular session on Tuesday, September 16, 2014 at 5:00 p.m. in the council chambers of City Hall located at 104 North 5<sup>th</sup> Street.

**Commissioners Present:** Marc Peebles, Robin Zhang, John Krieb, Ed Davis, Tom Kind, Mary Anne Medlock and Ed Pavlick

**Commissioners Absent:** Loretta Jobs, Kevin Perry and Jeremy Boyd

Also Present: Candace Dowdy, Robert Jeffries, Reta Gray, Hawkins Teague, David Perlow, Officer Tim Fortner, John and Joretta Randolph, Tab Brockman, Steve Dublin, Sam Lehman and public audience

Chairman Pavlick called the meeting to order and welcomed all guests and applicants. He then asked if there were any changes, additions or deletions to the minutes from the June 17, 2014 regular meeting.

**Ed Davis made a motion to accept the minutes from the June 17, 2014 Planning Commission regular meeting as presented. John Krieb seconded the motion and the motion carried unanimously. Mary Anne Medlock entered the meeting at 5:05 p.m.**

**Public Hearing: Preliminary plat review for mixed use planned development project – 1025 Southwood Drive – John Randolph:** Robert Jeffries used a Power Point presentation to show the property at 1025 Southwood Drive owned by John and Joretta Randolph. The Randolphins currently reside on the property in a single family dwelling. This property is zoned B-2 (Highway Commercial) and is approximately 5.19 acres in size with 369 feet of road frontage along Southwood Drive. Mr. Randolph is proposing to remove the existing single family dwelling and construct a mixed use development for senior independent living. This project will consist of residential condominiums with some possible commercial use that would provide a service-type business complimentary to a senior living community. The preliminary plat shows a total of 36 units, which would include 29 one-bedroom units with attached one-car garages; five one-bedroom units without garages; one four-bedroom unit with an attached two-car garage and one commercial and/or residential unit. Each of the residential units will be equipped with a kitchen. The one unit reserved for commercial purposes will be designed to have a kitchen (if needed). The main building will have a layout where all of the units will have one exterior entrance and a second entrance from an enclosed hallway with the exception of the detached four bedroom unit that will serve as living quarters for Mr. and Mrs. Randolph. There will be a shared living/dining area in the main building that will be accessible to all the residents through the adjoining hallway. The plat shows 47 additional parking spaces along the front of the property that will accommodate visitors and the residential tenants that do not have a garage. It will also provide parking for the commercial business. There will be four additional parking spaces provided adjacent to the detached four bedroom unit. The site plan shows the parking lot area and the 20 foot drive aisle around the development being constructed with permeable pavers which will help meet the overall stormwater detention requirements.

Candace Dowdy explained that the front setback for the proposal is 75 feet because of a TVA easement and that all other setbacks will be met as well. The dumpster area has had some modifications since the previous presentation. Mr. Randolph originally planned on relocating his existing residence near the rear of the property; however, that plan has changed. He is now proposing to demolish the existing house and

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construct a new one towards the southeastern portion of the property. There will be a circle drive-thru for pickup and delivery near the "common area" on the north side of the development. The property will be considered condominiums and will have a home-owner's association. Notices were mailed to all adjoining property owners. One reply was received from Judge Larry Elkins stating that he had no issues with the project. Utility details are yet to be worked out. Ms. Dowdy explained that any approval will be contingent upon the BZA reviewing the project.

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

John Randolph, 1025 Southwood Drive, Murray was sworn in. Mr. Randolph stated that the Planning Staff had done a thorough job of explaining the development and he was there to answer any questions that the commissioners might have. Commissioner Zhang asked if Mr. Randolph had any numbers to represent the need for this type of development in Murray. Mr. Randolph shared that he has talked with several people. He has visited other independent living/assisted living sites and listened to comments of others. He has incorporated many of the suggestions that he has received. The main request was for a garage. Mr. Randolph said that to his knowledge there are no other developments such as this in Murray that include garages. The convenience of a garage will shelter the senior adults from inclement weather. Mr. Randolph continued that the convenience of a kitchen in each unit would be an advantage for those who did not want to go down to the community area at a certain time for their meals. Mr. Randolph said that his desire is to make these condominiums as safe as possible. He plans to construct them to withstand high winds and severe rains. The exterior walls will be made of 6 inch insulated concrete forms. Not only will these walls be built to sustain inclement weather, but they will be very sound efficient and have a high energy factor. The windows will have a very high wind resistance. Ms. Dowdy asked Mr. Randolph if he had any intentions of constructing sidewalks around the development. Mr. Randolph replied that he did not see the need for sidewalks; however, the enclosed hallway would be available if the tenants wanted to walk there. He continued that even though he had not considered constructing sidewalks, he would be willing to provide them if necessary. The question was asked if there would be adequate room for a wheelchair to maneuver around a car in the garage. Mr. Randolph replied that there would be. One of his goals is to meet or exceed the ADA requirements for the development. Mr. Randolph considered having some two bedroom units; however, he said that most seniors would not require the second bedroom and the costs would not be feasible. If a tenant should have out of town guests, there will be a guest room available for them to stay in and there is also a hotel next door to accommodate them.

Parks Director, Tab Brockman, 1407 Misty Creek Drive, Murray was sworn in. Mr. Brockman stated that he felt the proposal was a great project. He added that it would probably make sense to connect a sidewalk to the new walking trails at Bee Creek Park. Mr. Brockman voiced a concern over drainage and the impact this proposal might have to the Bee Creek area. The soccer complex is located in a Flood Zone and the drainage that comes down Southwood is more than the drainage system can handle at this time. Mr. Brockman wanted Mr. Randolph to know that at some point in the future, the soccer fields could possibly have lighting installed. He concluded that overall he thinks that the Bee Creek Complex and the proposal will complement each other.

Mr. Randolph came forward again. He thought that Mr. Brockman had made some good points concerning having a sidewalk connect to the Bee Creek area and he would be willing to provide that hook-up. He addressed the water runoff issue next and said that it is in his plan to have permeable concrete pavers. During his investigation into this type of paver, he has learned that it not only has a

better appearance than typical concrete, but it can take care of a huge amount of water which will alleviate additional runoff. Mr. Randolph stated that he did not think the installation of lights at the Soccer Complex would cause a significant problem. The type of lighting that is available now does not really illuminate a large area; instead it basically shines down on a particular area. Mr. Randolph's home is currently located next door to a hotel and he commented that the lighting from that facility does not bother them at all.

Chairman Pavlick asked if there was anyone that wished to speak against the project. There was no one. Chairman Pavlick closed the public hearing and turned it over to the commissioners for discussion and a motion.

Commissioner Davis stated that he had spent 20 years working with elderly housing and added that there is a need for this type of project. His only reservation would be whether or not it would be cost prohibited for some of the elderly. Commissioner Kind stated that the Flood Plain boundary line is 12 years old and he is concerned that if it was recalculated today the boundary line would be altered to include more of Mr. Randolph's property (mainly because of the runoff from construction that is taking place upstream). Ms. Dowdy said that she would make sure that the engineers on the project would work with that situation in mind.

**Ed Davis made a motion to approve the preliminary plat for the proposed Parkside Condominiums, based on the feasibility of sidewalks with the contingency upon the BZA reviewing and approving the conditional use for the project and the project meeting all city regulations. John Krieb seconded the motion and the motion carried with a 7-0 roll call vote.**

**Public Hearing: Preliminary subdivision plat for Deer Meadows Subdivision Unit 2 – Dublin-Lehman, LLC:** Candace Dowdy used a Power Point presentation to show the property owned by Sam Lehman and Steve Dublin that has recently been annexed and zoned R-4. The property is surrounded by B-4 and County to the north, county to the east, R-2 to the south and R-4 to the west. The property consists of 5.242 acres just east of Deer Meadow Subdivision located off Robertson Road South. The owners are proposing to develop this land as a second phase of Deer Meadow Subdivision. The Preliminary Plat for Unit 2 shows 12 lots. These lots will be used for multi-family housing with each lot having one building with no more than two units per lot. Ms. Dowdy explained that a minor plat had previously been approved by the Planning Department dedicating a 50 foot right-of-way for the future extension of Bambi Lane which is how Unit 2 will be accessed. Ms. Dowdy also stated that there is a sewer line that runs across the property to the east which could further aid in the future development of the rest of the property. The initial plat was showing a cul-de-sac on both the north and south ends of Deer Court. After discussion with Mr. Dublin about the possibility of leaving an access for connection to the adjacent property, a revised plat was submitted with the cul-de-sac on the north end removed leaving the road to dead end into a lot. Ms. Dowdy said after reviewing the plat with Dickie Walls, Fire Marshal it was determined that the length of the dead end street to the north exceeded the 150 foot fire code regulations and that a "T" turnaround would have to be put in or the cul-de-sac with a 60 foot radius put back as originally planned. Ms. Dowdy stated that Mr. Dublin would like to keep the proposed twelve lots; however, if the 50 foot right-of-way is dedicated for the future extension of Bambi Lane, they might end up losing one of the lots. The design of any necessary stormwater detention has not yet been determined; however, it is possible that the developers will have to provide additional detention for this phase. In doing so, they might have to eliminate another lot. Ms. Dowdy pointed out that from the center line of Robertson Road South to the center line of Deer Court is 1100 feet so definitely they would want to plan for another access for future development. Planning Staff discussed with the developers that

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additional parking will need to be provided for these lots as there is some concern with the amount of on street parking in the existing subdivision. Commissioner Kind asked which way the drainage currently runs. He said that he is always interested in keeping as many trees as possible during the development of a project and there are a number of trees along the northeastern portion of the property. He suggested that if the runoff was in the northeastern direction that the detention could be provided in the tree area and possibly a park could be added as well. Ms. Dowdy said that she thought the water is dispersed in several directions and that might be a possibility.

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

Steve Dublin, 1831 Kandi Kay Lane, Murray was sworn in. Mr. Dublin explained that from a financial standpoint, the owners would like to retain as many lots as possible. He added that they would work with the engineer to try to reconfigure the area with a fifty foot right-of-way for the possible future extension of Bambi Lane. Mr. Dublin and Mr. Lehman like the looks of the current homes that are in the first phase and would like to continue that same look in the second phase. The owners would like to retain as many trees as possible; however, they are not interested in providing a park in this development since they would incur the liability of any accidents. At this point they do not know where the detention system will be.

Chairman Pavlick asked if there was anyone that wished to speak in opposition to the development. There was no one. Chairman Pavlick closed the public hearing and turned it over to the commissioners for further discussion and a motion.

Commissioner Davis asked if there was any other alternative to an access road into the property to the east than to ask the owners of this development to carry the sole burden. Ms. Dowdy stated that there was not because of the way the properties have been laid out.

**Tom Kind made a motion to approve the Preliminary Subdivision Plat for Deer Meadow Subdivision Unit 2, contingent upon all city regulations being met including stormwater detention. This motion also includes a dedication of a right-of-way to the east extending Bambi Lane which is to be maintained as green space until the need for further development. John Krieb seconded the motion and the motion carried with a 7-0 roll call vote.**

**Questions and Comments:** Ms. Dowdy gave an update on the progress of The Gates. She said that Mr. Tate had been out of town for a month or longer and she has been unable to speak with him; however, she has made a trip to the property and could report on the progress somewhat. She used a Power Point presentation to show pictures of the development. The curbs and gutters have been installed for Phase I some time ago; however, all of the streets have not been constructed. She added that Mr. Tate had indicated that he was waiting on someone to come in and finish the paving of the streets. The fence has not been completed on the north side and some of the street lighting is incomplete. Some of the sidewalks are there; however, they also need to be completed. Ms. Dowdy said that she would make Mr. Tate aware that he needed to get the paving completed soon as the end of the paving season for this year is nearing. During some refinancing of the project, the developers were made aware that the condominium laws had changed. They were made aware that they were required to have defined dimensions of the lots before their refinancing could take place. This forced them to have to submit a revised recorded plat. Several commissioners expressed that it seemed like there was always something coming up to delay the progress on this development. Commissioner Medlock said that she thought that

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the commissioners have a responsibility to the homeowners that are currently residing there to see that the project is completed. Commissioner Peebles said he would like the developer to come before the commission to explain how far along he is on promises he had made at previous meetings. Ms. Dowdy said that she would inform Mr. Tate of that.

Commissioner Zhang asked for an update on the status of the 55 mph speed limit being lowered on Hwy 94 West. Ms. Dowdy replied that would be dictated by the state and she did not know if David Roberts had discussed this with them at this point or not. She said that she would check with him and report back to the commissioners.

Commissioner Peebles asked if there had been a Code Enforcement Officer chosen yet. Ms. Dowdy replied that Officer Tim Fortner was chosen to fill that position and he was in attendance.

**Adjournment: Ed Davis made a motion to adjourn. Marc Peebles seconded the motion and the motion passed unanimously. *The meeting adjourned at 6:30 p.m.***

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Chairman, Ed Pavlick

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Recording Secretary, Reta Gray