

**MURRAY PLANNING COMMISSION MINUTES
REGULAR MEETING
TUESDAY, OCTOBER 21, 2014
5:00 P.M.**

The Murray Planning Commission met in regular session on Tuesday, October 21, 2014 at 5:00 p.m. in the council chambers of City Hall located at 104 North 5th Street.

Commissioners Present: Loretta Jobs, Kevin Perry, Jeremy Boyd, Robin Zhang, John Krieb, Ed Davis, Tom Kind, Mary Anne Medlock and Ed Pavlick

Commissioners Absent: Marc Peebles

Also Present: Candace Dowdy, Robert Jeffries, David Roberts, Reta Gray, Summer Grogan, Hawkins Teague, David Perlow, Officer Tim Fortner, Thomas & Regina Manis, Jeremy Blackford, Justin Phillips, Steve Dublin, Sam Lehman, Matt Jennings, Landon Barrow and public audience

Tom Kind (1st Vice-Chairman) acted as Chairman until Chairman Ed Pavlick arrived. Vice-Chairman Kind 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 September 16, 2014 regular meeting. Candace Dowdy noted changes.

Ed Davis made a motion to approve the minutes from the September 16, 2014 Planning Commission regular meeting as corrected. Jeremy Boyd seconded the motion and the motion carried unanimously.

Annexation Request: 16.570 acres located on Robertson Road South and owned by Westside Baptist Church, City of Murray and Calloway County: Candace Dowdy used a Power Point presentation to show the location of Westside Baptist Church on Robertson Road South. A representative from the church previously submitted a request in writing to the City of Murray to consider annexing the church's property into the city limits. Mr. Don Rogers, former Trustee of Westside Baptist has indicated that the purpose for the request is to provide the church with city fire and police protection. The property consists of 13.235 acres. A portion of the property is adjacent to The Gates residential development on the east side of Robertson Road South which is currently located within the city limits. The church has had city utility services for a number of years. This property falls within the Urban Service Area and is identified on the Future Land Use Map as Semi-Public Use (Institutional). The church has a non-profit status; thus, there will be no tax revenue generated from the annexation of this property. The church operates Kingdom Kids Preschool from this location; therefore, the employees from the church and the school will be required to purchase city stickers each year. If this annexation request is approved, the utility rates will change from the county rates to the city rates and the zoning will be set for the property next month. Ms. Dowdy added that there is a small 0.918 acre tract of land that is owned by The City of Murray that is located towards the southwestern corner of this particular property. This small tract has one of the city's water towers located on it. The property is landlocked with no road frontage. The city is requesting that this tract also be annexed into the city limits. In addition, the city is requesting to annex a portion of Robertson Road South (county roadway) which totals 2.417 acres. The combined total of all proposed property to be annexed is 16.57 acres and is adjacent to the current city limit boundary. Ms. Dowdy concluded that the Planning Commission will make a recommendation to the City Council for the acceptance of the road maintenance.

Ed Davis made a motion to forward a recommendation to the City Council to annex the 14.153 acres located on Robertson Road South and owned by Westside Baptist Church and the City of Murray as well as a 2.417 acre portion of county roadway into the corporate city limits based on the fact that this property is adjacent to the current city limits, falls within the Urban Service Area and city utilities are currently available to the properties. John Krieb seconded the motion and the motion carried with an 8-0 roll call vote.

Review: Minor Subdivision Plat – 2.896 acres located west of Brinn Road and south of Poor Farm Road – Tommy and Regina Manis: Candace Dowdy used a Power Point presentation to show the property at 2257 Brinn Road. Tommy and Regina Manis are the owners and they are requesting the review of a minor subdivision plat for the purpose of subdividing the property. The tract of land being subdivided is located outside the city boundaries, but lies within the four mile jurisdiction that the City of Murray has for any subdivision of land. The property has no road frontage. The only means of access to tract 2B-3 will be from the existing driveway to the Manis' home off Brinn Road. The deed will identify the 20 foot permanent access easement to tract 2B-3. The 20 foot access easement will run with the land if it is ever sold. In 2006 Mr. and Mrs. Manis divided the property in order to deed their daughter a portion for the construction of a duplex. Mr. and Mrs. Manis plan to also deed this property to their daughter for the construction of a new home. Ms. Dowdy continued that since these two properties along with Mr. Manis's shop sit off Brinn Road to the extent that they do, that it might be difficult to locate their 911 address during an emergency situation. She stated that she had discussed this with them and suggested that they have this street identified/named as a private drive. Mr. and Mrs. Manis were asked to come forward to answer questions.

Regina and Thomas Manis, 1087 Poor Farm Road, Murray were sworn in. Jeremy Blackford (Mr. and Mrs. Manis's son-in-law), 2243 Brinn Road, Murray was also sworn in. Mr. Blackford stated that it is his and his wife's intent to build a home on the new tract that they are being given. The new house will be built closer to Brinn Road. They decided to make the tract 2.896 acres in order to make the property more valuable. Mr. Blackford explained that there is currently a sign designating the shop's location and the duplex's location located in the "y" of the gravel road. Mr. and Mrs. Manis had questions concerning private drives and Ms. Dowdy informed them that since their property lies outside the city limits, they will need to talk with the County 911 Coordinator for guidance.

John Krieb made a motion to approve the minor subdivision plat for the 2.896 acres identified as Tract 2B-3 located west of Brinn Road and south of Poor Farm Road for owners Tommy and Regina Manis. Kevin Perry seconded the motion and the motion carried with an 8-0 roll call vote. Chairman Ed Pavlick entered the meeting at 5:22 p.m. and took charge of the meeting from that point.

Review: Revised Preliminary Plat for Deerfield Estates – Justin and Stephanie Phillips: Chairman Pavlick explained that this item had been tabled before and he needed a motion to remove it from the table.

Ed Davis made a motion to remove the item from the table. Tom Kind seconded the motion and the motion passed unanimously.

Ms. Dowdy reviewed that the preliminary plat for Deerfield Estates was first brought before the Planning Commission on February 18, 2014. There were a number of concerns from surrounding property owners; therefore, the Commissioners motioned to table the item. The City Council completed the annexation and set the zoning as R-2. The developer has submitted a revised preliminary plat for Deerfield Estates

Murray Planning Commission Regular Meeting
Tuesday, October 21, 2014

addressing some of the concerns regarding the road frontage of the lots and the minimum square footage requirements of the homes within the subdivision. Mr. Phillips is still proposing to develop the subdivision in three phases. Since the last meeting Mr. Phillips has had a minor subdivision plat prepared removing the two lots in Phase I that fronted Robertson Road South. The total number of lots identified on the revised plat is 35. The Planning Department approved the plat in September 2014 and it has been recorded in the Calloway County Clerk's Office. Phase I will consist of six lots for a total of 2.3013 acres. The road frontage on the lots in Phase I has been increased from 76.85 feet to 90 feet in width (very similar to Falwell Estates). The size of the lots within the entire subdivision ranges from 0.297 acres (12,937 square feet) to 0.799 acres (34,804 square feet). The minimum lot size in the R-2 zoning district is 10,000 square feet. The developer has also increased the minimum ground floor area requirements of a dwelling from 1200 square feet to 1400 square feet. There will be sidewalks along the front of all the lots. Since this subdivision will be developed in phases, a temporary turnaround meeting all fire code regulations will be required at the end of Phase I. Ms. Dowdy stated that the stormwater detention plans have not yet been designed but the revised plat does identify 15 to 20 foot utility and drainage easements throughout the development. Mr. Phillips is requesting approval for the Preliminary Plat for Phase I at this time. Commissioner Perry asked if the Commissioners had ability to make changes to the covenants and restrictions. (He then referred to a statement concerning outbuildings/accessory structures in the covenants.) Ms. Dowdy replied that typically the Planning Commission does not enforce the covenants and restrictions; however, she reviews them to make sure the wording is meeting the minimum requirements for property located within that particular zone. Mr. Phillips was asked to come forward to answer some questions.

Justin Phillips, 1160 Beane Road, Murray was sworn in. Mr. Phillips stated that he would be developing this project in phases. Hopefully, if the preliminary plat is approved for Phase I he will be able to get started on the front of the subdivision before winter sets in. Mr. Phillips explained that he has tried to accommodate the surrounding property owner's concerns and in doing so he has increased the size of the front lots facing Robertson Road South. They will be larger in order to keep the flow of lots already facing Robertson Road South and those in Falwell Estates. He added that they had also increased the required size of the homes that will be built in this subdivision and he feels that the houses will be built even larger than the required number. Mr. Phillips said that the idea concerning the storage buildings is to coordinate it to match the house.

John Krieb made a motion to approve the revised preliminary plat for Deerfield Estates Phase I contingent upon the stormwater detention plans being approved by the Planning and Engineering Department and the subdivision meeting all city regulations. Kevin Perry seconded the motion and the motion passed with a 9-0 roll call vote.

Review: Final Plat for Deer Meadow Unit 2 – Dublin-Lehman, LLC: Robert Jeffries explained that the Planning Commission reviewed and approved the Preliminary Plat for Deer Meadow, Unit 2 the previous month. Since that time the developers have gone back to the original plan to cul-de-sac both ends of Deer Court. They are still proposing 12 lots in Unit 2 (five on the north side and seven on the south side). With the setbacks as shown on the plat there will need to be some variances on the building setbacks. (There will be five lots that will require a five foot setback variance.) The 50 foot dedicated right-of-way back to the east will now be constructed during the development of Unit 2 since they have decided to face the buildings on lots 19, 23, 24 and 30 to Bambi Lane. The developers will be widening the driveways to provide additional off street parking for each unit. Any approval of the final plat will be contingent upon a letter of credit being submitted to the city for all outstanding improvements that need to be made in Unit 2 as well as the stormwater detention plans being reviewed and approved by the Planning

and Engineering Department. There will still be a dedicated right-of-way to the east for access to future development. Both developers were in attendance.

Ed Davis made a motion to approve the Final Plat for Deer Meadow Unit 2 as it is shown on the plat, contingent upon a Letter of Credit being submitted to the city for all outstanding improvements, stormwater detention plans being approved by the Engineering Department and all other city regulations being met. The setbacks are approved as shown on the plat. Loretta Jobs seconded the motion and the motion passed with a 9-0 roll call vote.

Review: Preliminary Plat review Vintage Hills Phase II – West Wind Rentals LLC, City West, LLC: Robert Jeffries used a Power Point presentation to show the property owned by City West, LLC & West Wind Rentals, LLC. The property consists of a total of 49.428 acres of land along Opportunity Drive and Poor Farm Road known as Vintage Hills Subdivision. The subdivision will consist of both single and multi-family dwellings up to four units per lot. (A maximum of 40 percent of the subdivision can be developed as four-plexes.) This subdivision will be developed in three phases. The final plat for Phase I was approved by the Planning Commission on September 17, 2013. It consisted of 31 lots ranging in size from 0.32 acres to 0.56 acres. Utilities have been installed and construction of Opportunity Drive is now complete. As of this time three building permits have been issued for lots in Phase I with five more permits being reviewed. Phase II is 18.53 acres and consists of 42 lots ranging in size from 0.31 acres to 0.54 acres. Phase II will require the extension of utilities by the developer and street construction with curb and gutters. Sidewalks will be required on each lot as the lot is developed and the driveways constructed. The covenants and restrictions for the subdivision have had minor modifications. Commissioner Zhang asked why the developer was looking at starting Phase II when Phase I wasn't completed. One of the developers for the project was asked to come forward to answer questions.

Matt Jennings, 1671 Valentine Road, New Concord, Kentucky was sworn in. Mr. Jennings explained that all 31 lots in Phase I are sold and half of Phase II are already spoken for. They were only able to start getting building permits two weeks ago. Currently there is approximately ten million dollars of buildings being proposed for Phase I in which the developers are really proud of. Every person that is going to be working on this phase is from Calloway County. The developers want to build some of the homes, but they sold the property so fast in Phase I that they were not able to keep any lots for themselves; thus, they plan on retaining ten or fifteen of the lots in Phase II for that purpose. Mr. Jennings commented that the demand for these type properties to rent is phenomenal at this time. He anticipates that it will take a year or longer to develop Phase II and within that time frame they should be finishing up all the buildings in Phase I. At this time there have not been any single family homes proposed by the property owners, only duplexes, tri-plexes and four-plexes. Mr. Jennings stated that between Landon Barrow and himself, they plan to submit an additional eight or nine building permits in the next few weeks.

Loretta Jobs made a motion to approve the Preliminary Plat for Vintage Hills Phase II contingent upon all City Regulations being met. Jeremy Boyd seconded the motion and the motion carried with a 9-0 roll call vote.

Election of Officers: Ms. Dowdy explained that it is time to elect Planning Commission officers for 2015. The 2014 slate is Ed Pavlick, Chairman; Tom Kind, 1st Vice-Chairman; Ed Davis, 2nd Vice-Chairman; and Loretta Jobs, Secretary.

John Krieb made a motion to keep the same slate of officers for 2015 as the current slate (if they are willing to serve). Mary Anne Medlock seconded the motion and the motion carried with a 9-0 roll call vote.

Questions and Comments: Ms. Dowdy gave an update on the progress of The Gates. She said that Planning Staff had a meeting with Mr. Campbell the previous week. Due to a family situation, Mr. Campbell was not able to be at the meeting; however, he is going to try to make the November meeting.

Commissioner Zhang asked if there were any incentives for people to recycle their land within the city, either vacant or abandoned sites. Ms. Dowdy replied that at this time, there are currently not any incentives offered. She said that she had recently attended a Code Enforcement meeting that the Fire Marshal hosted and that particular topic was discussed. There were officials from several other counties and representatives from surrounding cities that attended the meeting. Ms. Dowdy stated that they would be looking into some types of future incentives for these type properties. David Roberts stated that he expected the topic to be discussed during the long range planning part of the upcoming City Council meeting. He added that they are currently trying to get something in place to get some places condemned and to offer incentives to reinvest in properties. Commissioner Davis stated that approximately 1.6 million dollars came through the P.A.D.D. office in Mayfield two or three years ago that was designated for building houses on vacant lots. Paducah received most of that money based on the census tracks. Nothing in Calloway County fit into the census track that was designated by HUD at that time. Another 1.5 million dollars later came through and it also went to McCracken County.

Commissioner Jobs asked about the status of the property at 13th & Main Streets. Code Enforcement Officer Tim Fortner came forward and stated that the apartments had been condemned and the tenants had moved out. The market is all that was left opened at this time. He reported that they do not know what the owners are going to do at this point and that everything is still “in the works”.

Ms. Dowdy said that there are continuing education hours that needed to be approved. David Roberts and Candace Dowdy attended the four-hour Code Enforcement training session in September. Tom Kind and Loretta Jobs attended a two-hour workshop at the Robert O. Miller Annex in May. This workshop was presented by Kentucky Heritage Council regarding Evolution of Downtown: The Life Stages of a Historic Building. The new Planning Assistant Summer Grogan has viewed one of the in-house videos: Making Sense of Place (Phoenix the Urban Desert).

Ed Davis made a motion to approve the continuing education hours for those that had attended the noted sessions. Jeremy Boyd seconded the motion and the motion carried unanimously.

Commissioner Kind asked Mr. Roberts for an update on Hwy 121 North bypass expansion. Mr. Roberts stated that they are nearing the completion of the water lines and natural gas lines. They are currently working on relocating the electric transmission lines which will include an additional phase that will go underground. The contract should be bid around the first of 2015 for the road. Scheduled completion is around 2017.

Chairman Pavlick apologized for being late to the meeting. He then asked Mr. Roberts if The Keys project had been sold. He also wanted to know if there had been some friction amongst the surrounding business owners and the new owner. Mr. Roberts stated the property had been sold and is now The Annex. The building permit was taken out by a general contractor out of Nashville. Mr. Roberts

Murray Planning Commission Regular Meeting
Tuesday, October 21, 2014

continued that there had been friction amongst surrounding business owners since the beginning of the project and he does not know if there is anything additional that has come up or not.

Mr. Roberts then reported that it had been requested at a previous meeting that a letter be sent to the Department of Transportation concerning the speed limit on Hwy 94 West from MSU campus to Robertson Road North. The request was for the state to revisit the speed limit and to look at making improvements to the intersection at Hwy 94 West and Robertson Road North. Mr. Roberts has contacted the state on two occasions and the individual that he previously spoke to has moved into another position; thus, the initial request has since been sent to another gentleman for his review. Mr. Roberts said that he has been told that they are looking at some funding that would improve the intersection and they will have to get a schedule to do a study.

Adjournment: Ed Davis made a motion to adjourn. Jeremy Boyd seconded the motion and the motion passed unanimously. *The meeting adjourned at 6:21 p.m.*

Chairman, Ed Pavlick

Recording Secretary, Reta Gray