

**MURRAY PLANNING COMMISSION MINUTES
REGULAR MEETING
TUESDAY, APRIL 21, 2015
5:00 P.M.**

The Murray Planning Commission met in regular session on Tuesday, April 21, 2015 at 5:00 p.m. in the council chambers of City Hall located at 104 North 5th Street.

Commissioners Present: Mary Anne Medlock, Marc Peebles, John Krieb, Ed Davis, Ed Pavlick, Kevin Perry, Loretta Jobs and Jim Foster

Commissioners Absent: Robin Zhang and Tom Kind

Also Present: Candace Dowdy, Robert Jeffries, Summer Grogan, Reta Gray, David Roberts, Attorney David Perlow, Officer Tim Fortner, Hawkins Teague, Bobby Deitz, Rick Johnston, Sue Hood, John Oliphant, Linda Grey Houck, JoAnne Roberts, Bryan Warner, students from Dr. Robin Zhang's MSU Land Use Planning Class and public audience

Chairman Ed 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 March 17, 2015 regular meeting.

Loretta Jobs made a motion to approve the minutes from the March 17, 2015 Planning Commission regular meeting as presented. Marc Peebles seconded the motion and the motion carried unanimously.

Review: Preliminary plat for Taylor Court Subdivision located at intersection of U.S. Hwy 641 North, North 4th Street, and Robert O. Miller Rd – David Taylor: A preliminary subdivision plat has been submitted to the Planning Department for the Taylor Court development. Robert Jeffries explained that the 16.290 acres will be subdivided into three commercial lots: Lot 1 - 4.728 acres, Lot 2 - 7.261 acres, and Lot 3 - 3.240 acres with a 1.061 acre tract for the construction of a new road. The new road will have an entrance off U S Hwy 641 North and Robert O. Miller Road. Ms. Dowdy noted to the Commissioners that the reason this is being reviewed as a major subdivision is because there will be a new street constructed and utilities will need to be extended to the property. She also explained that sidewalks are typically required in a subdivision that is developed within the corporate city limits of Murray; however, the developers will be asking the commissioners to waive that requirement as there are no other sidewalks in this area to connect to. Ms. Dowdy noted that the distance from the intersection of North 4th Street to the entrance of the new proposed street off Hwy 641 North and the distance from Hwy 641 North back to the new entrance off Robert O. Miller Road meet city requirements. The Planning Department received a response from Joe Nanny, owner of Circus Skate and he indicated that he was in favor of the proposal.

Chairman Pavlick asked if there was anyone that had any comments related to this item.

Rick Johnston from BFW came forward. He stated that the property consists of a three lot commercial subdivision. Utilities are available and will be extended to the site. The proposed road will be three lanes. Mr. Johnston explained that the new David Taylor Chrysler dealership will be located on Lot 1 and at this time he is not aware of any proposals for the other two lots. Commissioner Marc Peebles asked if there was currently a road that goes back to the cemetery.

Mr. Johnston stated that there is currently a right of way easement that goes back to the Bogard Cemetery; however, that will be relocated within a new combined utility and ingress/egress easement where a road will be constructed that goes back to the cemetery.

Sue Hood came forward and was sworn in. She stated that she was against the waiving of the sidewalk requirements and thought they should be put in for future connections along Hwy 641 North.

Jim Foster made a motion to approve the preliminary subdivision plat for Taylor Court and to waive the requirements for sidewalks contingent upon all other city regulations being met. Ed Davis seconded the motion and the motion carried with a 6-2 roll call vote. Loretta Jobs and Mary Anne Medlock voted no. Ed Pavlick abstained, the abstention was counted with the majority vote.

Review: Preliminary plat for Chestnut Village Subdivision located at 402 Chestnut Street – Robert Bourque: Robert Bourque is proposing to purchase and develop the former Gaylord Forrest property located at 402 Chestnut Street. He has submitted a preliminary plat for Chestnut Village Subdivision to the Planning Department for a single family residential subdivision. The 16.59 acres are situated on the north side of Chestnut and west of North 4th Street. The property adjoins the City Cemetery to the west. Mr. Bourque is proposing to subdivide the land into 40 residential lots ranging in size from 10,000 square feet to 26,298 square feet. The developers will be constructing homes that are approximately 1600 square feet and then selling them. The detention area will be located in the northeast corner of the property, as well as a 2.34 acre green space area that will incorporate a walking trail within this area. A new street is proposed to loop around the subdivision with two entrances off Chestnut Street. Ms. Dowdy mentioned that Planning Staff had encouraged the developers to contact the Kentucky Department of Transportation regarding any access off North 4th Street. She explained that there is a 12 foot elevation difference in this property along North 4th Street and that there is an existing retaining wall behind two of the lots closer to the 4th and Chestnut intersection. All of the property is currently zoned R-2 (Single Family Residential) except for five lots located on the northeast corner and the detention area which are zoned B-2 (Highway Business). Mr. Bourque plans to submit a request to the Planning Commission to request rezoning of the B-2 area to R-2 in order to develop this entire subdivision as single family residential; however, he has an alternative plan for some mixed use at this location if it is not rezoned. Ms. Dowdy discussed the variance on setbacks that would need to be considered throughout the development. City utilities are available to the property and sidewalks will be provided on both sides of the street.

Chairman Pavlick asked if there was anyone that had any comments related to this item.

John Oliphant came forward and was sworn in. Mr. Oliphant stated that he and Mr. Bourque see the need for a proposal of this nature to target residents that are 55 and older. The property has many unique features and they think the property would be best suited for residential use. Currently they are proposing a 40 lot development but they also have a 34 lot layout with commercial use and green space occupying the remainder of the lots if the B-2 property is not rezoned. Covenants and Restrictions will be included on the final plat.

Bobby Deitz from BFW Engineering came forward and was sworn in. Mr. Deitz stated that he had met with Ron Malay out of the District One Kentucky Transportation Office in Reidland to discuss the entrances of the project. Mr. Dietz stated that the Transportation Department requested that the two

Murray Planning Commission Regular Meeting
Tuesday, April 21, 2015

entrances on Chestnut line up with 5th and 6th Streets (which they do). Mr. Deitz stated that they also discussed putting an entrance to the development on N. 4th Street. The visibility around the retaining wall, incline issues and the grade differential from the property to the street were all valid issues discussed. Mr. Deitz said that his office was previously located on the corner of 4th and Chestnut and it was much easier to pull out on Chestnut than it was on 4th Street. It is Mr. Deitz's opinion that rezoning the B-2 portion of this property with access through the subdivision and back to Chestnut would be an ideal situation. Mr. Deitz concluded that Mr. Malay indicated that he did not foresee a development of this size creating a problem for Chestnut Street.

Linda Grey Houck came forward and was sworn in. Ms. Houck knew the Gaylord Forrest family who previously owned the property. She said that they would be pleased to know that this proposal would be making something useful and pretty for Murray. As a realtor she said that there are so many people that come into Murray to retire and are looking for homes such as these. This development will fill that need and be good for Murray.

Chairman Pavlick recalled that a few years ago there was a session for the council members pertaining to what Murray needed. One of the items an outside expert listed was the availability of more housing suitable for people 55 and older.

JoAnne Roberts came forward and was sworn in. Ms. Roberts stated that her property adjoins this property and that she approves of this proposal. She will be happy to feel like she is part of a neighborhood again.

Sue Hood came forward. Ms. Hood stated that she thinks the concept is a great idea. She is concerned with the opinion of Mr. Malay indicating that there are currently no traffic problems on Chestnut. Ms. Hood thought the developers should focus on adding an entrance on 4th Street.

John Krieb made a motion to approve the preliminary plat for Chestnut Village Subdivision with all city regulations being met. He also recommended that the developer request the rezoning of the B-2 area to R-2. Kevin Perry seconded the motion. The motion carried with an 8-0 roll call vote.

Review: Minor subdivision plat located on King Drive – Bryan Warner and Cadelia Turpin: Loretta Jobs recused herself at 6:04 p.m. Candace Dowdy noted that Bryan Warner and Cadelia Turpin own the property located at 1537 Wiswell Road West. The property owners wish to re-subdivide their property. They plan to sell a portion of the property and retain a portion to construct a new house on. The current plat is creating three new lots shown as Lots 4A-3, 4A-4 and lot 6A. The reason this item is being brought before the commissioners is that Lot 4A-4 would not meet the minimum 75 feet of road frontage for a lot in an R-2 zoning district. David Roberts suggested that if this request is approved that the commissioners consider asking the property owners to put the driveway into a hard surface so this would keep the dust and mud down to the adjacent neighboring properties. Ms. Dowdy noted a couple of encroachments from the adjoining properties on Mr. Warner's property.

Mr. Warner was asked to come forward to make comments.

Bryan Warner stated that they plan to build a house on the new lot where their barn is located. He described the winding old driveway off King Drive and said that they would like to move that driveway to the west to have a straighter driveway which would also eliminate crossing the creek. The proposed

changes will make the lot that faces King Drive larger and more sellable. Mr. Warner stated that he would like to see the adjoining property owner to the west move his building that encroaches onto his property. Ms. Dowdy stated that with the proposed location of Mr. Warner's new home back by the existing barn it would be set back a long distance off King Drive and that the front setback lines are already established in the R-2 zoning district and that the subdivision regulations state that you can't vary that more than ten (10) feet without approval from the Planning Commission.

Ed Davis made a motion to approve the minor subdivision plat for the property located on King Drive, owned by Bryan Warner and Cadelia Turpin. He also moved that the driveway be put into a hard surface and approved the setback variance on the location of the home. Jim Foster seconded the motion and the motion carried with a 5-1 roll call vote, with one abstention. Kevin Perry voted no and Marc Peebles abstained, the abstention was counted with the majority vote. Loretta Jobs re-entered the meeting at 6:30 p.m.

Presentation from Dr. Robin Zhang's Land Use Planning Class on updates to the Base Study Element in Comprehensive Plan: Dr. Zhang's Land Use Planning Class provided information for an update to the Base Study Element in the Comprehensive Plan. The information is based on the 2010 census. Ms. Dowdy stated that the Planning Commission would need to review this information further before holding a public hearing to see if any of it would be relevant to our Base Study Element.

John Krieb recommended that a letter be sent to Dr. Zhang thanking her for the presentation from her students. The commissioners expressed their gratitude for the student's presence.

Questions and Comments: Chairman Pavlick stated there were a number of certificates for the ones who had gone through training to meet House Bill 55.

Marc Peebles made a motion to allow Chairman Pavlick to sign the certificates for training. Loretta Jobs seconded the motion. The motion carried unanimously.

Adjournment: Ed Davis made a motion to adjourn. Kevin Perry seconded the motion and the motion passed unanimously. The meeting adjourned at 7:18 p.m.

Chairman, Ed Pavlick

Recording Secretary, Reta Gray