

**MURRAY PLANNING COMMISSION MINUTES
REGULAR MEETING
TUESDAY, MARCH 15, 2016
5:00 P.M.**

The Murray Planning Commission met in regular session on Tuesday, March 15, 2016 at 5:00 p.m. in the council chambers of City Hall located at 104 North 5th Street.

Commissioners Present: Robin Zhang, John Krieb, Ed Davis, Ed Pavlick, Marc Peebles, Jim Foster, Loretta Jobs and Tom Kind

Commissioners Absent: Jordan Smith

Also Present: Candace Dowdy, Robert Jeffries, Reta Gray, Summer Grogan, David Roberts, Attorney David Perlow, Matt Jennings, Wanda Morgan, John David Morgan, Dustin Turner, MSU students and public audience

Chairman Kind asked if there were any changes, additions or deletions to the minutes from the February 16, 2016 regular meeting.

Ed Pavlick made a motion to approve the minutes from the February 16, 2016 Planning Commission regular meeting as presented. John Krieb seconded the motion and the motion carried unanimously.

Public Hearing: Request to rezone property located at 1806 North 4th Street from R-2 Residential and Agriculture to B-2 Highway Business District, Industrial and Agriculture Zoning: The property (consisting of 42.11 acres) is located at the intersection of North 4th, US Hwy 641 North and Robert O. Miller and is currently one tract of land. The front portion of the property is zoned R-2 with the remaining acreage zoned Agriculture. The property owners are requesting that the zoning be changed to B-2 Highway Business, Industrial, and Agriculture. The applicants have indicated that the property has been in their family for years. They have seen this area change into one of the busiest corridors in Murray and they feel that due to the recent commercial zoning of the property to the north (as well as current and proposed commercial developments by adjacent property owners) that the current zoning is inappropriate and that the proposed zoning is more suitable and more in line with the existing uses of the surrounding properties. The Future Land Use Map shows Tracts 2 and 3 in line with the proposed changes. The proposed rezoning plat shows three tracts. Tract 1 consists of 6.96 acres as B-2 Highway Business; Tract 2 consists of 13.72 acres as Industrial; and Tract 3 consists of 21.43 acres and will remain Agriculture Zoning.

Chairman Kind opened the public hearing and asked if there was anyone that wished to speak in favor or opposition to the request.

Matt Jennings came forward and was sworn in. Mr. Jennings was speaking as a representative for the family. Different family members have resided on this property for generations and one is currently residing there. The house is over 100 years old and is deteriorating to the point that it is not repairable. As new businesses are being developed in the surrounding area, they have

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recognized that things are changing in the area and that the property should no longer be considered as residential. The family members have no plans to develop the property; however, they feel that if the property is rezoned in line with surrounding properties (with the exception of the portion that is Agriculture and lies in the Flood Plain) this will give them a marketing advantage when they put the property up for sale.

Wanda Morgan came forward and was sworn in. Ms. Morgan is one of the applicants for the zoning change request. She stated that her husband Connie passed away in August of 2015 and since that time she has not been able to maintain the upkeep to the property. She reiterated that the house is in disrepair and it should be demolished.

The public hearing was closed and the matter turned over to the commissioners for discussion and a motion.

Ed Pavlick made a motion to forward a recommendation to the City Council to rezone the property located at 1806 North 4th Street (including the portion of right of way to the center line of North 4th Street) from R-2 Residential and Agriculture to B-2 Highway Business, Industrial, and Agriculture Zoning Districts. This recommendation is based on the fact there have been changes in the area due to the recent annexation and commercial zoning of the property to the north and that the current and proposed commercial development of the adjoining properties has influenced the character of this area from a residential nature to that of a commercial nature. Tract 1 will align with the B-2 Zoning to the north and the proposed zoning for Tracts 2 and 3 are in agreement with the Comprehensive Plan. This is contingent upon a minor subdivision plat being submitted to the Planning Department within 30 days. Jim Foster seconded the motion and the motion carried with an 8-0 roll call vote.

Review: Amended Revised Final Plat for The Villas at Hickory Woods located at 170 Utterback Road – Good Works Unlimited: This Residential Planned Development Project consists of approximately 2.6 acres and borders Hickory Woods to the east. Since acquiring an additional 0.74 acre tract of land to the north, Good Works Unlimited has decided to revise the original plan of the project. The revised PDP plat originally planned for a total of 21 units; the amended revised plat displays a total of 27 units which will be divided into 10 separate structures. One and two bedroom units will be available. Density and parking requirements remain within guidelines. This project is advertised as independent living for seniors (which is a step before going into assisted living). There will be a road connecting The Villas at Hickory Woods to Hickory Woods Retirement Center near the northeast corner of the property. The residents of each facility will have the same amenities.

John Krieb made a motion to approve the revised amended final plat for the Planned Development Project known as The Villas at Hickory Woods located at 170 Utterback Road, based on the fact that the density and parking guidelines remain within the previous approved requests. Loretta Jobs seconded the motion and the motion carried with an 8-0 roll call vote.

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Public Hearing: Preliminary Plat for proposed Residential Planned Development Project known as The Villas at Hickory Woods located at 84 Utterback Road – Murray Senior Living: The applicants would like to extend The Villas at Hickory Woods. This proposal will enlarge the current use of the retirement center at Hickory Woods thereby extend the existing conditional use permit. There will be a road connecting The Villas at Hickory Woods to Hickory Woods Retirement Center near the northeast corner of the property. Independent living dwelling units will be located along the north side of the proposed road. The road will wrap around to the existing parking lot. There will be a total of 11 (one and two bedroom) units divided into six structures. Each of the newly proposed units will have a driveway with an attached garage. The parking shown on the preliminary plat complies with the City's parking regulations. The plat connects this project to the residential PDP located to the West.

Chairman Kind opened the public hearing and asked if there was anyone that wished to speak in favor or opposition to the proposal.

Dustin Turner with Site Works Surveying (representative for Mr. Keckley of Hickory Woods) came forward and was sworn in. Mr. Turner stated that his firm's part in this project was to create the plats and an engineering firm actually designed the project. Mr. Turner explained that parts of the connecting road would have curbs and gutters and the remainder of the road would be designed to be flush with the sidewalks to eliminate tripping hazards.

The public hearing was closed and the item was turned over to the commissioners for discussion and a motion.

Marc Peebles made a motion to approve the preliminary plat for the proposed Planned Development Project known as The Villas at Hickory Woods located at 84 Utterback Road. Ed Davis seconded the motion and the motion carried with an 8-0 roll call vote.

Public Hearing: Proposed Text Amendment to Chapter 156 (Zoning Code) of the City of Murray Code of Ordinances as it pertains to Section III Article 10 of the Zoning Ordinance – Transient Business Regulations: Mr. Jeffries reviewed the changes that were being proposed concerning transient businesses, where they were allowed and for how long.

Chairman Kind opened the public hearing and asked if there was anyone that wished to speak in favor or opposition to the changes. There was no one that came forward; therefore, the public hearing was closed and Chairman Kind then turned the item over to the commissioners for discussion and a motion.

Ed Davis made a motion to forward a recommendation of the proposed text amendment to Chapter 156 (Zoning Code) of the City of Murray Code of Ordinances as it pertains to Section III Article 10 of the Zoning Ordinance (Transient Business Regulations) to the City Council. John Krieb seconded the motion and the motion carried with an 8-0 roll call vote.

Questions and Comments: Ms. Dowdy stated that at the previous City Council meeting during the first reading of the rezoning of the Garland property on Vine and Mulberry Streets, one of the councilmen voiced their concern about future rezoning's along the 12th Street corridor. The

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councilmen hoped that this rezoning would not be used as a means of establishing a precedent for future requests. Ms. Dowdy explained to the council that each request reviewed by the commissioners would be considered on an individual basis with its own findings of fact before a recommendation is forwarded to the council for consideration.

Commissioner Davis discussed the Tax Abatement for downtown businesses. He indicated that he had spoken to City Attorney Warren Hopkins to see if that type of abatement process could be considered for residential property as well. David Roberts explained that a previous employee (Peyton Mastera) had been working on something of this nature as an overlay district; however, he did not get very far in the process before he moved.

Commissioner Jobs asked about the status of the Chestnut Village project. Ms. Dowdy explained that because of unforeseen costs, the developers have decided to pursue other options at this time. The preliminary plat is good for 12 months and if they do not come back within that time frame, they will have to start the process over.

The upcoming continuing education workshops are in Paducah on March 23rd and at Kentucky Dam Village on April 20th. If any of the commissioners need a ride, Ms. Dowdy said that they would be taking a city car. Chairman Kind welcomed the MSU students that were in attendance.

Adjournment: Ed Davis made a motion to adjourn. Ed Pavlick seconded the motion. *The meeting adjourned at 5:54p.m.*

Chairman, Tom Kind

Recording Secretary, Reta Gray