

**MURRAY PLANNING COMMISSION MINUTES
REGULAR MEETING
TUESDAY, June 20, 2006**

The Murray Planning Commission met in regular session on Tuesday, June 20, 2006 at 5:00 p.m. in the council chambers of City Hall located at 104 N. 5th Street.

Commissioners Present: Tom Kind, Ed Davis, Howard Koenen, Mike Lovins, Ed Pavlick, Marc Peebles, Dave Ramey, Loretta Jobs and Richard Vanover

Commissioners Absent: Nelson Shroat

Also Present: Candace Dowdy, David Roberts, Peyton Mastera, Mike Pitman, Mayor Rushing, Sam Underwood, and Kristen Taylor

Chairman Vanover called the meeting to order at 5:00 p.m. and requested approval of the May 16, 2006 regular meeting minutes. **Ed Pavlick made a motion to approve the minutes as presented. Dave Ramey seconded the motion and the motion carried with an 8-0 voice vote.**

Annexation Request – Lots 1 and 2 of Cambridge Subdivision Unit 1 – Bailey Road – 1.21 Acres – Sam Underwood: Candace Dowdy gave a brief explanation as to the location of the property being proposed for annexation. Ms. Dowdy noted that the property is contiguous to the city limits across the street on the east side of Bailey Road. Ms. Dowdy stated that Mr. Underwood is in the process of building a ten-plex unit on each lot and has requested city utility services. Ms. Dowdy stated that in order to get city utility services the property must be annexed into the city.

Commissioner Koenen asked why the Planning department would want to take in only a small parcel of that subdivision. David Roberts stated this proposed annexation is not part of Cambridge Subdivision, Unit III which was annexed several years ago and that Mr. Underwood owns the property now and he would like to bring it into the city.

Commissioner Pavlick asked if the two lots to the south are owned by Mr. Underwood. Candace Dowdy stated that he does not and that the houses are single family residences. Commissioner Pavlick expressed concern about a similar scenario taking place as it did on N. 16th Street when a house caught on fire that was located in the city, but the 911 call came from the county and it caused a delay in time getting fire service there. Commissioner Pavlick stated he cannot support this because “people around this will be calling from a county 911 system” and this “could be a liability times 10 as it was on N. 16th.” Commissioner Pavlick feels like the city and/or the Planning Commission should look into annexing all of Cambridge II which is located behind the property in question so that it would all tie in together. Commissioner Pavlick explained that doing this just for utilities is a liability for both the county and city. Mr. Roberts stated that this is not a departure from what the city has done before by annexing a small amount of properties. Commissioner Pavlick acknowledged Mr. Roberts’ remarks, but reiterated the notion it would still be better to bring in all of Cambridge into the city. Mr. Roberts described a possible scenario where the Planning Commission could possibly come up with some

parameters and limits on what they would like annexed; municipal order requires developers to request annexation before receiving utilities. Commissioner Pavlick stated that a developer wanting to come into the city should talk to the adjacent property owners and ask them if they want to be annexed.

Mr. Underwood stated he originally developed the lots in Cambridge Unit II in 1990 with Gene Steely Enterprises. The lots were sold and bought again by Mr. Underwood about a year ago. Mr. Underwood explained that the city does a good job with trash pick up and that the city police respond to Cambridge II during complaints. Mr. Underwood does not foresee a problem but understands it could be confusing. Commissioner Jobs asked how much property he owns in Cambridge Unit II. Mr. Underwood stated he owns probably half of the properties. Commissioner Jobs asked about possibly being annexed into the city (within Cambridge II). Mr. Underwood explained that he is not against it but feels many around the area possibly would be, including the property owners to the south of the proposed annexed area. Mr. Underwood stated that in the Cambridge III area, which is in the city, the city does a much better job of trash pick up than the county. Mr. Underwood stated they provide utilities for their units and it is about 50% less than in the county and that the city police probably do a better job than the county in responding to calls.

Dave Ramey made a motion to forward a recommendation on to the City Council to annex lots 1 and 2 of Cambridge Subdivision into the city. Mike Lovins seconded the motion and it carried with a 6-2 vote. Howard Koenen and Ed Pavlick voted no. Mr. Roberts restated the idea that the Planning Commission possibly needing to look over parameters in what areas need to be annexed.

Discussion of Proposed rezoning west of 16th Street: Peyton Mastera stated this project has been looked at briefly over the past 10-15 years. The proposed rezoning looks to rezone an R-2 zone (single-family residential) to an R-4 zone (multi-family residential); 70% of the property owners within the proposed rezoning area are currently renting out their houses to multiple people. Mr. Mastera also mentioned the rezoning would coincide with the City of Murray's Comprehensive Plan, particularly with the 5-year sidewalk improvement plan. Mr. Mastera stated through the area and back to the 17th Street parking lot owned by Murray State more people walk along these streets than any other in a day's time. Mr. Mastera also explained that the number of conditional use permits and demolition permits being granted through the area show multi-family expansion and Murray State expansion.

Candace Dowdy explained that leaving the proposed boundary line behind the properties facing 17th Street would serve as a buffer and might be more receptive to the property owners. Ms. Dowdy noted that based on the information gathered it seems to show that the majority of properties west of 17th Street is owner occupied with some rental properties along a few of the streets.

Commissioner Ramey pointed out that just because houses are being rented out doesn't mean it is being rented as multiple family uses. Ms. Dowdy agreed and stated that more information would have to be gathered in order to determine that. Mr. Mastera stated that

while the numbers may not exactly mirror what is on the overhead, he feels confident the numbers are reflective of the area.

Ms. Dowdy explained that this proposal is just for discussion purposes and that property owners would have to be notified and a public hearing would have to be held. Ms. Dowdy stated that the city receives requests frequently about constructing duplexes and renting out to students in the area.

David Roberts asked the commission if there were any further questions they would like for planning staff to do some research on other than Commissioner Ramey's question as to the number of owner occupied residents west of 17th Street. Ms. Dowdy explained that all property owners in question would be notified as well as adjoining property owners. A possible letter would be sent to each property owner asking them if they would be in favor of rezoning. Ms. Dowdy stated it would only seem to make sense that the property owners within this area that are renting their properties as multi-family use would be in favor of rezoning since they would otherwise possibly be in violation of the ordinance. Commissioner Jobs stated that it would be making a use legal which is now not legal.

Mr. Roberts explained that the proposed rezoning hopefully would cut down on the number of conditional use permits being requested and open up some additional multi-family housing, which seems to be needed in this area.

The commissioners agreed to further survey and research properties along and around the proposed rezoning area to see if the property owners are interested in having the area rezoned.

Approval of House Bill 55 Continuing Education Credits: Candace Dowdy reviewed what House Bill 55 continuing education requirements were. Ms. Dowdy stated it is required by the state that the Planning Commission approve any continuing education credits completed. **Tom Kind made a motion to approve House Bill 55 continuing education credits. Mike Lovins seconded the motion and the motion carried with a 9-0 vote.**

Ms. Dowdy notified the board of another opportunity to receive continuing education credits on August 23.

Being of no further business, **Mike Lovins made a motion to adjourn. Dave Ramey seconded the motion and the motion carried with a 9-0 voice vote.**

The meeting adjourned at 5:50 p.m.