

**MURRAY PLANNING COMMISSION MINUTES
REGULAR MEETING
TUESDAY, OCTOBER 20, 2015
5:00 P.M.**

The Murray Planning Commission met in regular session on Tuesday, October 20, 2015 at 5:00 p.m. in the council chambers of City Hall located at 104 North 5th Street.

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

Commissioners Absent: None

Also Present: Candace Dowdy, Robert Jeffries, Reta Gray, Summer Grogan, David Roberts, Attorney David Perlow, Justin Phillips, Ryan Stanger, Landon Barrow, and public audience

Chairman Pavlick then asked if there were any changes, additions or deletions to the minutes from the August 18, 2015 regular meeting.

Jim Foster made a motion to approve the minutes from the August 18, 2015 Planning Commission regular meeting as presented. Jordan Smith seconded the motion and the motion carried unanimously.

Subdivision Review: Request for six month extension on Preliminary Plat for Phase I of Deerfield Estates – Justin and Stephanie Phillips: The Planning Commission approved a revised Preliminary Plat October 21, 2014. Subdivision regulations state that a final plat must be submitted to the Planning Commission for review within one year of the Preliminary Plat approval otherwise the Preliminary Plat becomes void. The applicant is requesting a six month extension on the Preliminary approval in order to complete the road and utilities for Phase I (which is currently under construction). Mr. Phillips is proposing to develop the subdivision in three phases with a total of 34 buildable lots with one lot dedicated for stormwater detention purposes. Phase I consists of six lots and a total of 2.3013 acres. The portion of road for Phase I with the temporary “T” turn-around that is being constructed to meet fire department access requirements will be put into a hard surface. The developer may possibly be ready to submit the Final Plat for approval as early as next month.

Justin Phillips came forward and was sworn in. Mr. Phillips explained the progress that had been made to the property and the plans for the stormwater detention.

John Krieb made a motion to approve the six month extension on the Preliminary Plat for Deerfield Estates Phase I, owned by Justin and Stephanie Phillips based on the following findings and facts: Phase I Final Plat will be ready for review within the next several months and the street utility work will be completed this calendar year for Phase I. Loretta Jobs seconded the motion and the motion carried with a 9-0 roll call vote.

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Subdivision Review: Request for a one year extension on Preliminary Plat for Vintage Hills, Phase II – City West LLC and West Wind Rentals LLC: Preliminary approval for Phase II was approved by the Planning Commission on October 21, 2014. Phase II consists of 18.53 acres with a total of 42 lots. The applicants are requesting a one year extension on the Preliminary Plat approval in order to complete the construction of roadway and utilities for Phase II (which is currently underway). Once this is completed they will be requesting Final Plat approval for Phase II. The subdivision is being developed in three phases. Phase I was approved by the Planning Commission on September 17, 2013. Opportunity Drive was constructed and building permits have been issued for all 31 lots in Phase I. City West LLC and West Wind Rentals LLC together own the 49.428 acres along Opportunity Drive and Poor Farm Road known as Vintage Hills Subdivision. The subdivision will allow for both single family and multi-family dwellings and has a total of 116 lots.

Ryan Stanger came forward and was sworn in. He gave a brief description of the status of the roads within the subdivision and the other progresses that have been made.

John Krieb made a motion to approve the one year extension on the Preliminary Plat for Vintage Hills, Phase II, owned by City West LLC and West Wind Rentals LLC based on the following findings and facts: preliminary street work is now underway and utilities will be started as weather permits this year with the completions of the streets and utilities in 2016. Jim Foster seconded the motion and the motion carried with a 9-0 roll call vote.

Discussion: Proposed text amendment to Section IV, Article 2 entitled *Administration, Enforcement, and Violations*: Copies of the proposed amendments were given to the Commissioners. Mr. Jeffries used a Power Point presentation to show the existing text along with the proposed text change. Mr. Jeffries explained that the Code Enforcement Board ordinance already addresses penalties for violations but it does not cover the enforcement of the zoning regulations. Staff has worked on amending the text in the zoning ordinance so that enforcement of the zoning regulations could be handled by the Zoning Official and/or the Code Enforcement Officer. The proposed amendment also addresses a standard for the fines associated with zoning violations. Ms. Dowdy explained that the fines for first and second offenses would be incorporated into the existing Code Enforcement Ordinance Fine Schedule (Ord. 40.39) which would be reviewed and approved by the City Council. Ms. Dowdy stated that any amendment to the text in the Zoning Ordinance has to be reviewed by the Planning Commission with at least one public hearing held before a recommendation is forwarded to the City Council for their consideration. She added that if the Commissioners agreed with the wording for the proposed text amendment, a public hearing would be held at next month's meeting on the proposal. Mr. Jeffries explained that the city attorneys had reviewed the proposed amendments. The proposed text amendment was then read and discussed by staff and Commissioners. A suggestion was made to have slides for the public hearing showing the current Ordinance and the proposed amendment.

Ms. Dowdy stated that the Code Enforcement Department is now taking all complaints instead of the Planning Department so they are able to gather all the necessary information regarding the

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complaint. She continued that it had been determined that a case is considered confidential while it is on-going; however, once the case is resolved, it is subject to open records request.

Ed Davis made a motion to move forward with the proposed text amendment and to set a date of November 17, 2015 to hold a public hearing at the regular Planning Commission meeting. Tom Kind seconded the motion and the motion carried unanimously.

Election of Officers: Ms. Dowdy stated that election of Officers is held each year in October for the upcoming year. She then reviewed the current slate of officers.

- **Ed Pavlick – Chairman**
- **Tom Kind – 1st Vice-Chairman**
- **Ed Davis – 2nd Vice Chairman**
- **Loretta Jobs – Secretary**

Ms. Dowdy explained that Chairman Pavlick had decided to step down from his position as Chairman and has agreed to continue to serve as a Commissioner. She then asked for nominations for the upcoming year. Ms. Dowdy said that there had been some discussion and the following people had agreed to serve in the new positions:

- **Tom Kind – Chairman**
- **Ed Davis – 1st Vice-Chairman**
- **Jim Foster – 2nd Vice-Chairman**
- **Loretta Jobs – Secretary**

Chairman Pavlick said that he appreciated the opportunity that was given to him to be able to serve as Chairman; however, he felt it time to allow some “new blood” to step into the position. The Commissioners applauded him for his dedicated service.

Chairman Ed Pavlick made a motion to accept the aforementioned slate of officers for the upcoming year. Marc Peebles seconded the motion and the motion carried unanimously.

Questions and Comments: None

Adjournment: Ed Davis made a motion to adjourn. Marc Peebles seconded the motion and the motion passed unanimously. *The meeting adjourned at 5:58 p.m.*

Chairman, Ed Pavlick

Recording Secretary, Reta Gray