

MURRAY PLANNING COMMISSION MINUTES
DECEMBER 14, 2004

The Murray Planning Commission met in regular session on Tuesday, December 14, 2004 at 5:00 p.m. in the council chambers of City Hall located at 104 N. 5th Street.

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

Commission Members Absent: None

Also Present: David Roberts, Candace Dowdy, Michael Pitman, Sam Perry and public audience

Chairman Richard Vanover called the meeting to order and welcomed the guests. He asked for approval of the regular meeting minutes from the November 16, 2004 meeting. **Ed Pavlick made the motion to approve the minutes. Marc Peebles seconded the motion. The motion carried by a unanimous voice vote.**

David Roberts introduced Sam Perry, as Planning Assistant, to the Planning Commission.

Review of Final Plat for Deer Meadow Subdivision, Robertson Road South – Sam Lehman: David Roberts stated that water and sewer lines were installed and being tested. Mr. Roberts also stated that the road into the subdivision is partially constructed and graveled. Mr. Roberts stated that Mr. Lehman is requesting final plat approval by providing a letter of credit from an engineer and the lending institution describing the funding and improvements left to be made on the subdivision. Mr. Roberts stated that the objective of the Deer Meadow Subdivision is to provide multi-family housing, of no more than two units per lot. Mr. Roberts stated that the subdivision was zoned R-4. Mr. Roberts stated that the hardwoods in Lot 15 were to be retained as much as possible in combination with the planned detention pond. Mr. Roberts stated that the streets would be curb-and-gutter. Mr. Roberts stated that Mr. Dale Campbell, adjacent property owner to the south, had agreed to approve the road and drainage plan due to water flowing on to his property, although no new ditches would be created. Mr. Roberts stated that Mr. Lehman's intent is to mirror the same type of duplex-homes, similar to The Crossings subdivision which is located just to the south of Deer Meadow. Mr. Roberts presented elevation drawings of the style buildings that would be built in the subdivision. Candace Dowdy presented current photographs of the subdivision. Commissioner Nelson Shroat asked Mr. Lehman how he intended to maintain the cleanliness and appearance of the subdivision. Mr. Lehman stated that he intended for the subdivision to be a community atmosphere. Mr. Lehman stated that he intended to own five of the lots and rent them out. Mr. Lehman also stated that he intended for the wooded area to be used as a park by the residents.

Chairman Vanover called for a motion. **Mike Lovins made a motion to approve the final plat for Deer Meadow Subdivision with variances as shown on the plat and contingent upon all city regulations being met. Dave Ramey seconded the motion. The motion carried with a 10-0 vote.**

Review of Proposed Ordinance for Bed & Breakfasts: Candace Dowdy presented the first revision of the proposed ordinance for Bed & Breakfasts. Ms. Dowdy stated that there was a request at the October 20, 2004 BZA meeting for a conditional use permit to operate a Bed & Breakfast in a single-family residence on Main Street. The item was tabled because there were no guidelines in the Murray Zoning Ordinance at that time concerning Bed & Breakfasts. Ms. Dowdy presented some suggestions for establishing Bed & Breakfasts in residential zoning districts for the Planning Commission to review and noted that there are many issues to consider such as whether a Bed & Breakfast would be considered a home occupation or strictly a business, whether they should be owner-occupied, number of guest rooms available and length of stay, whether meals should be served and what the parking requirements should be. Commissioner Marc Peebles asked if Bed & Breakfasts were required to collect hotel or tourism taxes. Mr. Peebles recommended that Bed & Breakfasts participate in local tourism activities by getting a business license. Commissioner Ed Davis asked if the proposed requirement limiting one per block face could be done with the range of block sizes that Murray has. Mike Pitman stated that requirement does not account for Bed & Breakfasts across the street from each other. Mr. Pitman stated that some areas of Murray may be suited for multiple Bed & Breakfasts. Commissioner Tom Kind suggested that the Planning staff take the comments and suggestions made tonight and rework the proposed ordinance for Bed & Breakfasts and present it to the Planning Commission at a later date.

Chairman Vanover excused himself from the meeting.

Dave Ramey assumed the position as Chairman.

Review of Cell Tower Regulations—Potential adoption into Murray Zoning Ordinance: Mike Pitman stated that there currently are no provisions in the Murray Zoning Ordinance for cell towers. Mr. Pitman stated that the FCC and Kentucky Revised Statutes both have significant text regarding the regulation of cell towers. Mr. Pitman stated that existing regulations encouraged the practice of co-location. Ed Pavlick stated that private individuals commonly construct cell towers in the county and lease the tower for a profit. Ed Pavlick excused himself from the meeting. Mr. Pitman stated that the proposed cell tower permit fee, in accordance with KRS, for a new cell tower is \$2,500. Mr. Pitman presented the cell tower construction application process steps and a list of requirements proposed to be considered with each applicant by the Planning Commission. Mr. Pitman stated that among the steps, the alignment with the Murray Comprehensive Land Use Plan is checked, a public hearing is held and a reply is given to the applicant within 60 days. Sam Perry stated that there is one company interested in co-locating an antenna on a tower in early 2005.

Marc Peebles made a motion to adjourn the meeting. Nelson Shroat seconded the motion. The motion carried with a 10-0 voice vote.

Chairman, Richard Vanover

Recording Secretary, Sam Perry