

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
REGULAR MEETING
MINUTES**

March 11, 2004

The regular meeting was held in the Scott County Courthouse on March 11, 2004. The meeting was called to order by Chairperson Barry Brock at 7:00 p.m. Present were Commissioners Mike Bradley, Robert Hopkins, John Lacy, Omer Lee, William Peters, John Sharpe, Sara Sutton, and Elizabeth Williams, Planning Director Kelley Klepper, Planner Rachel Phillips, Engineer Brad Frazier, and Attorney Charlie Perkins.

Chairperson Brock welcomed John Lacy as the new Planning Commissioner.

Motion by Hopkins, second by Williams, to approve the February invoices.
Motion carried.

Motion by Sharpe, second by Lee, to approve the February 12, 2004 minutes.
Motion carried.

With the addition of a Personnel issue and a Legal issue under Staff Reports, motion by Williams, second by Peters, to approve the March agenda. Motion carried.

Postponements/Withdrawals

Chairperson Brock reported that the Whitaker Zone Change (Lemons Mill Road and Bypass) and Doug Smith Retail Center applications have been postponed to the April meeting. Motion by Sutton, second by Bradley, to accept the items for postponement. Motion carried.

Consent Agenda

Representatives of the Leesburg Landing, Ewashko Property, Old Railroad Place Phase 2 (with the clarification that the applicant is only required to improve his half of Lloyd Road along his road frontage), Rama Investments, Pavilion Courtyards, and Ahnquist Medical Office Complex applications agreed to their respective conditions of approval, and no concerns about the projects were expressed by the Commission or the public.

Motion by Williams, second by Lee, to approve the six applications on the Consent Agenda subject to their respective conditions of approval. Motion carried.

ZMA-2004-03 West Woods (Smith Property - Wright Lane/U.S. 25) - Rezoning request for 422 acres from A-1 Agricultural to R-1C PUD - Single Family Detached Residential Planned Unit Development, located on the north side of Wright Lane, west side of Cincinnati Pike (U.S. 25 North), north of Northern Elementary. PUBLIC HEARING

Chairperson Brock continued the public hearing. Commissioner Sutton recused herself from discussion and voting and left the room due to her relationship with the applicant.

Mr. Klepper reported that an amended zone change request was submitted that includes approximately 24 acres instead of the original 422 acres. He reviewed the changes to the application, including the reduction in the number of lots from 400 to 104, which would reduce traffic on Wright Lane by 75%. He recommended approval based on the 1991 and 1996 Comprehensive Plans and eight conditions of approval. He noted that no further subdivision of the property would be allowed.

Other items noted were compliance with the Comprehensive Plan, the trail and park system, fire protection and water availability. Mr. Klepper also noted that approval of this application will not set a precedent for further development in the area.

Commissioner Lacy felt that a buffer is needed where the road is adjacent to the neighboring property. Mr. Klepper stated that the Commission cannot require a buffer in this instance, but that the applicant can be requested to provide one. Bruce Lankford, representing the applicant, stated that a buffer will be considered when the preliminary subdivision plat is submitted. He stated that Mark Smith, applicant, agrees with and has signed the conditions of approval, and agrees to no further subdivision of the tracts.

Mike Morris, adjacent property owner, asked if the applicant can obtain a variance in the future to further develop the property. Chairman Brock replied that he cannot change the final subdivision plat without coming before the Planning Commission for another rezoning hearing. Mr. Morris also expressed concern about the dam elevation.

Sabra Abshire, adjacent property owner, expressed concern about the lack of a buffer between her home and the proposed homes.

Elizabeth Goble, adjacent property owner, submitted a petition signed by people opposing the development. She expressed concern about the sanitary sewer

system, the safety of her horses near the proposed road, and the risk of injury to children living near livestock. Replacing the common fence and buffering were discussed.

Bruce Lankford stated that this is the most suitable plan for this property.

Commissioner Sharpe suggested requiring a fence around the proposed homes to help protect the farmowners, as is required for cluster developments. Mr. Klepper stated that a note will be placed on the plats stating that there are agricultural uses on the adjacent properties, specifically noting the Kentucky Right to Farm Act and the Kentucky fence law.

Mr. Perkins asked that a condition be placed on the approval requiring a dam breach analysis to be done.

It was clarified that four additional conditions are:

- 9) A dam breach analysis will be performed prior to subdivision plat approval.
- 10) The issue of fencing will be addressed at the Preliminary Subdivision Plat review, i.e, type and location.
- 11) A note will be placed on the plat regarding agricultural practices notice as reference in the Cluster Ordinance.
- 12) A note will be placed on the plat prohibiting further subdivision of the agricultural lots.

Chairman Brock closed the public hearing.

Motion by Williams, second by Sharpe, to recommend approval of the zone change request from A-1 to R-1B for approximately 24 acres based on compliance with the Comprehensive Plan and subject to the twelve conditions of approval. By roll call vote, motion carried 6-2 with Hopkins and Lacy dissenting.

Commissioner Sutton returned to the meeting.

PSP-2004-11 Thoroughbred Acres, Unit 9 (Creekview Townhomes) - Preliminary Development Plan for 48-unit townhouse development on 3.63 acres, located on the east side of Champion Way.

Ms. Phillips reviewed the staff report, including the request for a variance to reduce the front building line from 30' to 20'. She recommended approval of the

variance due to the topographical constraints of the steep slopes and because PUDs allow setback variations.

Rory Kahly, EA Partners and representing the applicant, agreed to the conditions of approval.

Commissioner Williams asked if the variance applies to the entire development. Ms. Phillips replied that it applies to the front building line along Champion Way.

Motion by Hopkins, second by Bradley, to approve the Preliminary Subdivision Plat, including the requested variance, and subject to the twelve conditions of approval. Motion carried.

Proposed amendment to the *Zoning Ordinance* regarding Type I & II daycare facilities in residential areas PUBLIC HEARING

Chairman Brock opened the public hearing.

Mr. Klepper noted a letter from Jan Sharpe in support of the amendment as written.

The goal of the amendment is to be less restrictive and permit additional locations for daycares throughout the city and county. It proposes allowing Type I facilities as a conditional use in R-3 districts and in R-2, R-3, and A-1 districts as a conditional use where the properties front on and access an arterial or collector road. It proposes allowing Type II facilities in R-1A districts as a conditional use.

Discussion continued on the amendment. Mr. Klepper suggested a nine-month review period to determine the appropriateness of the proposed changes.

Chairman Brock closed the public hearing.

Motion by Hopkins, second by Williams, to recommend approval of the proposed amendments to the *Zoning Ordinance* regarding Type I and Type II daycare facilities in residential areas. By roll call vote, motion carried unanimously.

Personnel Handbook Update & Job Descriptions

Mr. Klepper reviewed the proposed changes to the Personnel Handbook and Job Descriptions, which create additional levels allowing opportunities for advancement, classify positions as “exempt” or “non-exempt,” and redefine “part-time” employment. He stated that discussion on part-time employment will be continued to a later date.

Motion by Williams, second by Lacy, to adopt the recommended changes regarding the additional levels within the Development Inspector, GIS Analyst, and GIS Technician job descriptions, and the classification of positions as "exempt" or "non-exempt." Motion carried.

Update of previously approved projects and agenda items

Mr. Klepper reported on the summer intern project coordinated by Ms. Phillips and working with the Historic Preservation Program at the University of Kentucky. Ms. Phillips will supervise an unpaid intern working on one and/or two projects: 1) an historic analysis of structures within the Dry Run Basin, and 2) the historic resource management element of the Comprehensive Plan.

Mr. Klepper also reported on an issue regarding the sewer line easement on the Pioneer Plaza plat on U.S. 25 S. A subsequent plat was approved that left a 15' gap in the easement which prevents First Baptist Church from obtaining sanitary sewer service. He stated that he would like to call a special meeting to discuss the matter. A meeting was set for Thursday, March 25, 2004 at 6:00 p.m. in the Planning Office.

Mr. Klepper then presented a work program outlining all projects being worked on for the next two and one-half years.

The meeting was then adjourned.

Respectfully,


Barry Brook, Chairperson

Attest:


Charlie Perkins, Secretary