

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

**November 10, 2005**

The regular meeting was held in the Scott County Courthouse on November 10, 2005. The meeting was called to order by Chairperson Barry Brock at 6:00 p.m. Present were Commissioners John Carter, Melissa Gregory, Robert Hopkins, John Lacy, William Peters, Jimmy Richardson and Elizabeth Williams, Planning Director Rachel Phillips, Planners Drew Ardary and Rhonda Cromer, Engineer Ben Krebs, and Attorney Charlie Perkins. Absent was Commissioner Mike Bradley.

Motion by Carter, second by Lacy, to approve the October invoices. Motion carried.

Motion by Williams, second by Gregory, to approve the October 13, 2005 minutes. Motion carried.

With the deletion of the Georgetown Development Authority discussion and the addition of the adoption of the Georgetown Annexation Map under Staff Reports/Other Business New, motion by Richardson, second by Carter, to approve the November agenda. Motion carried.

Postponements/Withdrawals

Mr. Brock reported that the Rite-Aid Pharmacy, The Colony Multi-family - Poe Property, the Brooklane Estates, and the Cherry Blossom Village Townhomes, Phase IV applications have been postponed to the December meeting. The House of God application will be postponed until the applicant can obtain the needed information.

**Motion by Williams, second by Gregory, to accept the five items for postponement. Motion carried.**

Consent Agenda

Representatives of the Smith Properties, Crosswind Centre and the Pediatrics Office Building applications agreed to their respective conditions of approval, and no concerns about the projects were expressed by the Commission or the public.

**Motion by Lacy, second by Carter, to approve the two items on the Consent Agenda subject to their respective conditions of approval. Motion carried.**

ZMA-2005-56 Kelly/Owens Property - Rezoning request from A-1 Agriculture to P-1 Professional Office for 7.02 acres located on the south side of McClelland Circle (U.S. 62 Bypass), west of U.S. 25, northeast of U.S. 62. PUBLIC HEARING

Chairman Brock opened the public hearing.

Bruce Lankford, representing the applicant, stated that the documentation regarding notice requirements was submitted at the October meeting.

Ms. Phillips reviewed the staff report. She discussed the designation of the property in the Comprehensive Plan as residential, the lack of any Professional Office designations, and the appropriateness of Professional Office for this site. She noted issues regarding access and traffic generation. She recommended approval for the reasons listed in the staff report and subject to six conditions.

She noted that the Planning Commission needs to decide whether to recommend approval prior to the property being annexed. That issue has been recently discussed by City Council. If approved, a seventh condition should be added requiring annexation.

Mr. Lankford agreed with the conditions of approval. He stated that the annexation request will be heard by City Council the first Thursday in December.

After brief discussion, Chairman Brock closed the public hearing.

**Motion by Carter, second by Richardson, to recommend approval of the rezoning request from A-1 to P-1 for 7.02 acres, for the reasons listed in the staff report and subject to the six condition of approval, plus the seventh condition that the property be annexed by the City of Georgetown. By roll call vote, motion carried 7-0.**

ZMA-2005-67 Mission Gear Indoor Racing - Rezoning request from A-1 Agriculture to B-2 Highway Commercial for 18.5 acres located on the north side of Porter Road (KY 32), west of I-75, west of U.S. 25.

Chairman Brock opened the public hearing.

Ms. Phillips noted that the applicant had submitted the documentation regarding notification requirements.

She then reviewed the staff report. She stated that the City of Sadieville has annexed the property with the intent to provide sanitary sewer service. She stated that the Sadieville Comprehensive Plan designates the interstate interchange area as commercial. Any additional development would have to come before the Planning Commission.

She recommended approval based on its consistency with the Sadieville Comprehensive Plan and because all necessary and required urban services are present and can accommodate the proposed development, and subject to the fourteen conditions of approval, plus the fifteenth condition that the commercial development would have to be connected to sanitary sewer.

Commissioner Williams expressed concern about the rezoning affecting the Board of Adjustment's requirements regarding noise control. Mr. Perkins stated that if rezoned, then the noise issue would be the jurisdiction of the City of Sadieville instead of the Board of Adjustments. That issue was discussed briefly.

Brian Shirey, applicant, stated that his intent for the retail use is to sell motorcycle parts to the people who use the motorcross facility.

Brian Hayes, Porter Road resident, felt that a conditional use under A-1 zoning is preferable to a rezoning. He felt that the cost of installing sanitary sewer service across the interstate is extremely expensive and requested that it be in place before the rezoning is considered. If for some reason the applicant cannot follow through with his plans, then 18.5 acres of B-2 would be a "free-for-all."

Chairman Brock suggested amending the request to keeping the indoor motorcross facility A-1, and rezoning to B-2 the front portion of the property for a second structure to be used for the retail store so that the Board of Adjustments conditions regarding noise control would still apply.

Mr. Shirey stated that a separate retail building detracts from his plan. It was decided to continue the application to the December meeting so that both Mr. Shirey and the Commission can more closely consider their options.

Chairman Brock continued the public hearing to the December meeting.

PSP-2005-53 Kentuckiana Farms - Preliminary Subdivision Plat for 18 cluster residential lots plus two reserved tracts on 100.86 acres, located on the southwest side of Lexington Road (U.S. 25 S), northwest of Coleman Lane, southeast of Etter Lane.

Ms. Phillips reviewed the staff report, including the three variance requests and issues regarding fencing and buffering.

It was noted that a fifteenth condition requires a stream crossing permit from the Division of Water.

It was also noted that the right-of-way for widening U.S. 25 should be shown on the plat.

Tony Barrett, Barrett Partners and representing the applicant, was unsure whether the right-of-way for the widening of U.S. 25 has been determined. It was agreed that that he could note on the plat that the right-of-way will be as determined by the State.

Commissioner Lacy felt that diamond mesh horse fence would provide better protection for the adjacent agricultural property owners than #9 wire. Mr. Barrett agreed to that as a sixteenth condition of approval.

Cynthia Johnson, representing Virginia Reece, adjacent property owner, expressed opposition to the proposal because of the intrusion on the rural character of the area and the precedent that it may set, and because of concern about children and dogs coming onto her property with cattle there.

The buffer along adjacent properties was discussed.

**Motion by Carter, second by Williams, to approve the Preliminary Subdivision Plat, including the three requested variances, subject to the fourteen (14) conditions in the staff report, plus the two additional conditions regarding the stream crossing permit and the diamond mesh horse fence. Motion carried.**

PSP-2005-63 Carrick Pike Estates - Preliminary Subdivision Plat for a 26-lot rural residential subdivision on 168.21 acres, located on the southeast corner of Stone Road and Carrick Pike.

Mr. Ardary reviewed the staff report, including issues regarding access to lot 26 and the maintenance agreement for the pond on lots 3 and 4. He stated that the applicant wishes to eliminate condition #2 regarding signage.

Signage at the entrance of the subdivision was discussed. It was agreed that condition #2 could be eliminated.

Chuck Johnson, applicant, agreed with the remaining eleven (11) conditions of approval.

Rand Marshall, representing Nancy Evans, adjacent property owner, expressed concern about lagoon systems and increased traffic on Stone Road.

Another adjacent property owner expressed concern about being buffered from the development.

Commissioner Lacy asked about requiring a fence around the perimeter of the property. Commissioner Williams also expressed concern about there being no requirement for fencing/buffering for five-acre tracts. Chairman Brock felt that the Commission could require a fence.

Discussion continued on fencing. Mr. Johnson stated that they would be willing to share the cost of the fence. Commissioner Williams wished to add a condition stating the fencing requirement.

It was agreed that the condition would be that the applicant share the cost of a 4' diamond weave fabric fence along the south side of the development, from lots 25 to the outside of lot 26, then northward to Carrick Pike.

A condition regarding improvements to Stone Road was discussed.

**Motion by Carter, second by Richardson, to approve the Preliminary Development Plan subject to the eleven (11) conditions of approval (condition #2 being deleted), and the addition of condition #12 regarding improvements to Stone Road, condition #13 regarding fencing (as noted above), condition #14 regarding the right-to-farm clause being placed on the final plat, and condition #15 regarding the maintenance agreement for the pond on lots 3 and 4. Motion carried.**

FSP-2005-66 Biddle Property - Final Subdivision Plat for three (3) rural residential lots in the Spencer Biddle Farm, located on Eagle Springs Road, west of I-75.

Ms. Cromer reviewed the staff report, including the entrances to each tract.

Brent Combs, representing the applicant, agreed with the eight conditions of approval. Commissioner Williams asked about the odd shape of Parcel C. Mr. Combs stated that the first five-acre tract that was subdivided from the parent tract in 2003 caused the configuration of Parcel C.

Darlene Kidwell, Eagle Spring Road resident, expressed concern about the condition and maintenance of Eagle Spring Road, excessive trash being thrown on the road, and increased traffic on the road. Chairman Brock replied that the road is State-maintained so the County is not responsible for its maintenance. The other concerns were discussed, but are beyond the control of the Planning Commission.

**Motion by Carter, second by Lacy, to approve the Final Subdivision Plat for two additional lots, subject to the eight conditions of approval. Motion carried.**

Update of previously approved projects and agenda items

Ms. Phillips reported generally on the development in progress.

Adoption of Georgetown Annexation Map

Ms. Phillips presented the updated map. Chairman Brock stated that the map is required by KRS 82 and has been accepted by the Secretary of State in Frankfort. It will be presented soon to City Council for adoption.

Commissioner Lacy reported that the Natural Resources Conservation Service is requesting Fiscal Court to implement a Purchase of Development Rights program.

The meeting was then adjourned.

Respectfully,

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Barry Brock, Chairperson

Attest:

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Charlie Perkins, Secretary