

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

OCTOBER 8, 2009

The regular meeting was held in the Scott County Courthouse on October 8, 2009. The meeting was called to order by Chairperson Mike Bradley at 6:00 p.m. Present were Commissioners Janet Holland, Jimmy Richardson, Bias Tilford (arrived late), Melissa Waite, and Steve Woodrum, Planning Director Michael Sapp, Planners Brian Shorkey, Joe Kane, and Bonnie Skinner, Engineer Ben Krebs, and Attorney Charlie Perkins. Absent were Commissioners John Lacy, Greg Hampton, and Ralph Tackett.

Those in attendance intending to speak before the Commission were sworn in by Mr. Perkins.

Motion by Holland, second by Woodrum, to approve the August invoices. Motion carried.

Motion by Richardson, second by Holland, to approve the September invoices. Motion carried.

Motion by Waite, second by Richardson, to approve the August 13, 2009 minutes. Motion carried.

With the addition of Approving Joe Kane for permanent status as Item A, and moving Interviews for Board of Adjustment position to Item C, motion by Waite, second by Woodrum, to approve the October agenda. Motion carried.

Postponements/Withdrawals

Mr. Kane reported that the Minova application, which was also postponed in September and not shown on this agenda, has been postponed to the November meeting. Motion by Waite, second by Richardson, to accept the item for postponement. Motion carried.

Consent Agenda

A representative of the Wiglesworth Property application agreed to their conditions of approval and there were no concerns expressed by the Commission or public. Motion by Richardson, second by Holland, to approve the one item on the Consent Agenda. Motion carried.

Commissioner Tilford arrived at the meeting.

ZMA-2009-16 Land and Timber Zone Change – Rezoning request from A-1 and B-1 to B-2 and Conceptual Development Plan for 13.748 acres located on the northeast corner of Cincinnati Road (U.S. 25 N.) and Rogers Gap Road (KY 620). PUBLIC HEARING

Ms. Skinner reviewed the staff report. She reported that the request for B-2 zoning has been amended from 13.748 acres to 5.2 acres. She noted that although there is not a County land use plan, it is consistent with the rural land use recommendations, and therefore supported by staff.

Jeff Francisco, applicant, was available for questions.

Andy Monroe, Harbor Village resident, expressed concern about what will be proposed in the future, an increase in crime in the area and the subsequent increase in insurance rates, robbers fleeing into the Harbor Village neighborhood, increased traffic blocking the entrance to Harbor Village, tanker truck accidents, and an increase in foot traffic crossing U.S. 25. He stated that a petition was signed by 49 Harbor Village residents opposing the rezoning request.

Brent Combs, Thoroughbred Engineering and representing the applicant, noted that U.S. 25 is three lanes in this area. He also stated that area residents anticipated an increase in crime when the truck stop at Delaplain was proposed, and the crime did not increase.

Mr. Monroe clarified that there is a southbound turn lane into Harbor Village. He also felt that a rural area is more prone to crime.

Mr. Francisco noted that there is already a B-1 area which allows a convenient store and restaurant. Changing the zoning to B-2 would allow for a less traffic intense use.

Commissioner Woodrum expressed concern about the possibility of a horse trailer facility locating at the site and the entering and exiting of horse trailers. He asked if turn lane improvements would be made. He also expressed concern about foot traffic on Rogers Gap Road from the RV Park on the other side of the interstate. Mr. Sapp replied that if the zone change is approved, the road improvement issue will be addressed at the preliminary development plan stage.

Mike Bell, Harbor Village Drive resident and president of the Harbor Village Homeowners Association, stated that he has received 30 to 40 calls from neighbors expressing concern about crime, increased traffic, and the general change in the rural character of the area.

Brent Combs pointed out that the R-3 area across U.S. 25, when developed, will bring more traffic, congestion, etc. to the area.

Mr. Monroe noted the possibility that a new interstate interchange could be constructed in this area in the future.

Chairman Bradley asked why the proposed convenience store can't be constructed in the existing B-1 zoning. Mr. Sapp stated that at the time the B-1 zoning was approved, it was felt that convenience stores and gas stations were neighborhood commercial uses; however, he feels strongly that they are highway commercial uses. Chairman Bradley felt that B-2 zoning could lead to car lots, self-storage units, etc.

Discussion continued on whether B-1 or B-2 is more appropriate.

Mr. Monroe felt that there is no need for an additional convenience store when there is another one two miles down the road.

Mr. Bell felt that this development is being done for the 2010 World Equestrian Games, and questioned what will happen after that. Mr. Francesco replied that he would not make the investment to sell horse trailers for just one year.

Chairman Bradley closed the public hearing.

Motion by Richardson, second by Holland, to recommend approval of the rezoning request from B-1 to B-2, and A-1 to B-2, on the basis that it is consistent with the Comprehensive Plan, and subject to the five conditions. By roll call vote, motion denied 2-3, with Tilford, Woodrum, and Waite dissenting.

Upon failed motion to approve, Chairman Bradley asked Mr. Perkins if a motion to deny was necessary. Mr. Perkins answered no.

PSP-2009-18 Glen Meadow Subdivision – Preliminary Subdivision Plat for fourteen (14) five-acre and larger lots, located on the west side of Gunnell Road, approximately one-half mile north of U.S. 62 (Cynthiana Road).

Mr. Kane reviewed the staff report, stating that the applicant is withdrawing the previous approval for 19 cluster lots on the property due to the expense of the private sewage system, and requesting 14 five-acre and larger tracts.

He reviewed the issues regarding access, drainage easements, and the strip of property connected to Lot 11.

The applicant agreed to the conditions of approval.

Ron Headley, Gunnell Road resident, felt that this proposal is the most workable that has been submitted to date.

Motion by Woodrum, second by Tilford, to approve the Preliminary Subdivision Plat, subject to the twelve (12) conditions of approval. Motion carried.

PDP-2009-12 Old Friends, Inc. – Amended Preliminary Development Plan for eight dwelling units on five acres in a cluster development located on the west side of Paynes Depot Road, one mile south of McClelland Circle.

Mr. Kane reported that the approved preliminary development plan included a gravel-pave system parking lot at the front of the property. The final development plan deviated from that plan. The amended plan reduces the size of the gravel lot, and includes a paved driveway to and around the buildings to provide parking at the buildings.

He stated that the original plan was approved because the pervious drive and parking lot fit better into the rural character of the area. He then stated that an alternative plan was submitted to address that concern. It shows parking between the buildings, with no driveways around them. The paved area is approximately half of what is paved in the amended plan. He recommended approval of the alternate plan, with one additional condition that a handicap parking space be included at the building.

Brent Combs, Thoroughbred Engineering and representing the applicant, stated that the applicant prefers the drive-around configuration, which would not be seen from U.S. 62, but will accept the alternate plan. He also stated that the Fire Department supported the drive-around for better access to the buildings.

Commissioner Woodrum, supportive of the project, suggested a compromise between the amended plan and alternate plan to better navigate the parking lot in the event of full capacity.

Motion by Woodrum, second by Waite, to approve the application and to authorize staff to work with the applicant and determine what plan, or variation in between plans, will best accommodate all concerns. Motion carried.

Approving Joe Kane for permanent status

Mr. Sapp reported that Joe has completed his 6-month probation period, and that he has worked on Board of Adjustment and planning activities, and has done excellent work on the *Subdivision Regulations*. He highly recommended him for permanent status.

Motion by Richardson, second by Holland, to accept Mr. Sapp's recommendation that Joe Kane be approved for permanent status. Motion carried.

Update of previously approved projects and agenda items

Mr. Sapp introduced Brett Clark, a University of Kentucky senior, who is working under the supervision of Ms. Skinner on Board of Adjustment projects.

Group Home Ordinance

He then reported on the status of the Group Home issue. The City Attorney drafted a resolution asking the Planning Commission to hold a public hearing regarding separation of group homes. In the meantime, staff will develop an ordinance, modeled after one from Tulsa, Oklahoma, which the Planning Commission will examine and make a recommendation to City Council. The matter will be on the November agenda.

Cherry Blossom Village road improvements (Oxford Road)

Mr. Sapp provided the Commission with the conditions of approval for the improvements to Oxford Road. It was decided that City Council needed to approve the fees in lieu arrangement before the Planning Commission could release the developer from having to complete the original improvements.

Discussion on modular homes in residential areas

Commissioner Tilford reported that he received a complaint regarding a modular home being located among brick homes and not having a proper foundation. He asked that research be done to determine if this is permitted.

Jim Burgess, Chief Building Inspector, stated that the buildings are factory inspected to HUD standards and are equivalent to mobile homes. If there is a complaint that the home is not anchored properly, the State Fire Marshall would inspect it to determine if it was or not. Additionally, there has been legislation stating that it is discriminatory to prohibit them from locating in neighborhoods unless there are specific design standards for that neighborhood that the modular home cannot meet.

Commissioner Tilford asked what the course of action is if a number of people protest the placement of these homes in their neighborhood. Mr. Perkins further explained situations where homes cannot be placed in neighborhoods because of design standards.

Mr. Burgess further addressed the anchoring and inspection of the homes.

Discussion continued on the matter, but no conclusions were reached.

American Cell Tower – PDP-2009-11

Mr. Sapp stated that the applicant for the cell tower on Green Lane is requesting a waiver of the landscaping requirement on the perimeter of the fence. Because of the remote location of the tower, there is no visibility of the area from any property line or existing roads.

Motion by Waite, second by Holland, to waive the landscaping requirements for the cell tower on Green Lane. The landscaping will be required if the surrounding property ever develops. Motion carried.

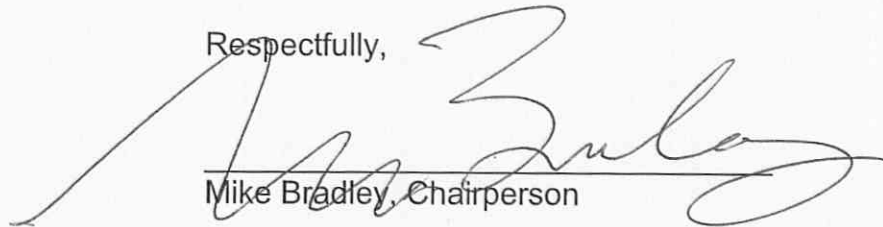
Interviews for Board of Adjustment position

In Executive Session, the Commission interviewed the applicants for the vacant Board of Adjustment position.

Motion by Richardson, second by Holland, to appoint Dr. Lindsey Apple to the Georgetown Board of Adjustment, fulfilling the unexpired term of Nicholas Korsak, which expires December 31, 2009. Motion carried.

The meeting was then adjourned.

Respectfully,

A large, stylized handwritten signature in black ink, appearing to read "Mike Bradley".

Mike Bradley, Chairperson

Attest:

A handwritten signature in black ink, appearing to read "Charlie Perkins".

Charlie Perkins, Secretary