

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

**JUNE 11, 2009**

The regular meeting was held in the Scott County Courthouse on June 11, 2009. The meeting was called to order by Chairperson Mike Bradley at 6:00 p.m. Present were Commissioners Greg Hampton, Janet Holland, John Lacy, Jimmy Richardson, Ralph Tackett, Bias Tilford, Melissa Waite, and Steve Woodrum, Planning Director Michael Sapp, Planners Brian Shorkey, Joe Kane, and Bonnie Skinner, and Engineer Ben Krebs. Absent was Attorney Charlie Perkins.

Those in attendance intending to speak before the Commission were sworn in by Ms. Skinner.

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

Motion by Waite, second by Tackett, to approve the May 14, 2009 minutes. Motion carried.

Motion by Waite, second by Lacy, to approve the May 18, 2009 minutes. Motion carried.

Motion by Lacy, second by Richardson, to approve the June 11 agenda. Motion carried.

Postponements/Withdrawals

Chairman Bradley reported that the Enclave Subdivision and Stonecrest Property applications have been continued to the July meeting. Discussions on the swearing-in process and the Cherry Blossom Village Phase 2 - Oxford Drive improvements have also been continued to July. Motion by Waite, second by Lacy, to accept the items for postponement. Motion carried.

Consent Agenda

A representative of the Dearinger 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.

ZMA-2009-10 Ratliff Zone Change – Rezoning request from I-1 to B-5 and Conceptual Development Plan for 36.6 acres, located on the east side of Cherry Blossom Way between Barkley Lane and Cynthiana Road (U.S. 62). PUBLIC HEARING

Chairman Bradley opened the public hearing. Ms. Skinner reviewed the staff report, noting in particular the traffic generation issue.

Bruce Lankford, representing the applicant, agreed with the staff report and the six conditions of approval.

Kim Menke, Administer of Community Services for Toyota, an adjacent property owner, asked that the property remain industrial, indicated their desire for the property to remain light industrial. He stated that I-1 zoning provides a better transition between I-2 (Toyota) and other zoning.

Mr. Sapp re-iterated that the requested zoning of B-5 is in agreement with the Future Land Use Map.

There were no comments from the public.

Chairman Bradley closed the public hearing.

**Motion by Richardson, second by Holland, to recommend approval of the rezoning request from I-1 to B-5 on the basis that it is consistent with the Comprehensive Plan, and subject to the six (6) conditions of approval. By roll call vote, motion carried 8-0.**

FDP-2008-44 Lemons Mill Project – Amended – Preliminary Development Plan for 50 multi-family units on 7.07 acres zoned R-2 (PUD), located south of East Main Extended, east of McClelland Circle, north of Lemons Mill Road.

Mr. Shorkey reviewed the staff report, including issues regarding the access alleys, lighting, signage, trash pick-up, landscaping, open space, and parking. He explained the parking arrangement and recommended eliminating condition of approval #7 regarding parking. He also recommended amending condition of approval #8 to read “. . . “No Parking” on both side of all private roads *and/or alleys.*”

Commissioner Tilford expressed concern about the number of unresolved issues.

Brent Combs, Thoroughbred Engineering and representing the applicant, stated that sidewalks are provided in the front of the units. He also asked the Commission to allow the width of the alleys to be whatever they can work out with the Fire Department, City Engineer and Public Works, instead of condition #3 stating that the alleys must be 18' in width.

Commissioner Lacy asked about a construction entrance. Mr. Combs stated that they hope to receive a construction entrance permit and permanent entrance permit at the same location off Lemons Mill Road.

Mr. Shorkey supported the request to allow the Fire Department, City Engineer, and Public Works to approve the width of the alleys.

Rick Bowman, Park Place Court resident, expressed opposition to the development due to the negative impact to the residents of Mansion Estates. He felt the units are not compatible with single family homes and felt that construction vehicles will be destructive to the wildlife in the existing pond. He felt the development will endanger children in the area and that property values will decline.

Dick Weir, Santa Barbara Boulevard resident, felt there are too many unresolved issues. He stated that the development is in the area planned for green space. He stated that this day's rain has flooded the pond and the area where the first three units are proposed. He stated that Santa Barbara Boulevard is too narrow to support more traffic.

A Ms. McClanahan expressed her opposition to the project due to traffic, the safety of children, and the concerns already expressed.

Commissioner Woodrum clarified for the neighbors what Mr. Shorkey stated about multi-family homes being allowed on the site by right. Mr. Sapp added that drainage, traffic, and other issues will be addressed before a Final Development Plan is approved.

Chairman Bradley asked why the primary access is off Santa Barbara and not off Lemons Mill Road. Mr. Combs stated that ultimately, the primary access will be off Lemons Mill. Chairman Bradley asked if they would agree that no certificates of occupancy be issued until the access off Lemons Mill is constructed. Mr. Combs stated that the original concept plan for the zone change showed 68 apartments with access to Santa Barbara.

Matt Welch, applicant, stated that there should be no dumping or grading on the property at this time. He stated that his primary reason for using Lemons Mill as the primary access is to alleviate traffic on Santa Barbara.

Another neighbor expressed concern about construction traffic. Chairman Bradley stated that all construction traffic is required to use the Lemons Mill entrance.

Mr. Welch stated that the landscaping will be plantings and pines instead of a wall.

Commissioner Tilford still felt there are too many "ifs." Mr. Shorkey clarified that the conditions are not "ifs," but statements of what is required under certain circumstances. Mr. Combs added that some of the conditions are requirements that apply to the forthcoming final development plan, not this preliminary plan.

Dick Weir asked about the final approval process. Chairman Bradley explained the process.

Gretchen Wright, area resident, asked when the original zone change took place. Mr. Shorkey replied that it was approximately 2000. The property was R-2 (PUD) when the original development plan was done in 2006.

Crystal Wallace, area resident, expressed concern about the distance between the entrance on Lemons Mill and McClelland Circle. She asked if a traffic impact study has been done. Commissioner Woodrum explained that the entrance is approved by KYTC-District 7.

Commissioner Lacy felt that additional buffering should be required along the existing homes (northern edge of lot #141 - #151) in Mansion Estates. Mr. Shorkey recommended a vegetative barrier in addition to the required landscaping from the northern edge of lot #141 to the 20' storm easement at the end of #142, and from that point a 6' wood fence in addition to the required landscaping to the end of lot #151. Mr. Welch agreed to that as condition #23.

Chairman Bradley requested that condition #22 state that the permanent Lemons Mill entrance be completed prior to any occupancy permits being issued.

Chairman Bradley reviewed the amendments to the Conditions of Approval: Condition #3 is amended per above. Condition #7 is deleted. Condition #8 is amended per above. Condition #22 is added regarding the entrance on Lemons Mill. Condition #23 is added regarding the additional landscaping. It was agreed that Condition #22 include turn lanes on Lemons Mill also.

Mr. Welch agreed to the 23 conditions.

**Motion by Lacy, second by Holland, to approve the amended Preliminary Development Plan subject to the 23 Conditions of Approval. Motion carried 7-1 with Tilford dissenting.**

PDP-2009-07 Hunter Townhomes – Preliminary Development Plan for a 28-unit townhouse development in the Colony neighborhood, located on the south side of Colony Blvd., west of U.S. 25.

Mr. Kane reviewed the staff report, including the master plan for the original rezoning. That master plan indicated a neighborhood center that included recreational, community center, office, commercial, townhouse and day care uses. The applicant at that time stated that the center of the development would have lakes, tennis courts, and a pool. Mr. Kane stated that the nature of the current proposal, as an isolated development, highly dense, internally focused and incompatible with surrounding land uses is inconsistent with the original intent.

He reviewed the densities of the existing phases in the Colony, the findings and conditions of the original rezoning, and the development issues of the current proposal. He recommended denial due to three reasons listed in the staff report.

Kern Hunter, applicant, felt that the original intent was to provide diverse housing for all income levels. He stated that there are no deed restrictions attached to the property, and there are numerous multi-family units within 1000'.

Brent Combs, Thoroughbred Engineering and representing the applicant, stated that the R-3 requirements of the Subdivision Regulations have been met.

Paul Curry, North Lafayette Drive resident, cited local vacancy rates for single-family homes, townhomes, and apartments. He felt the units are incompatible with the surrounding area and supported the recommendation for denial.

Michael Borders, North Lafayette Drive resident, also felt the proposed units are incompatible with the surrounding area and will decrease property values.

Lynn Godsey, Jamestown Court resident, expressed concern about lot sizes and increased traffic.

Another resident asked about the reference to a homeowner's association. She stated that there is not currently a homeowner's association, but she would be willing to pay dues for one if a community center were constructed.

Another resident stated that they must keep their trash containers hidden, and felt that having a 4' x 4' pad for trash containers is not compatible with that requirement. Mr. Combs stated that the pad is for the containers only on collection day.

Mr. Hunter asked the Commission if they would require different zoning if he planned for a day care and pool instead of townhomes. Mr. Sapp stated that they would have to be part of a neighborhood center, not stand-alone facilities. Mr. Hunter stated that he researched restrictions on the property before he purchased it and is now confused about what can be done with it. That issue was discussed and Chairman Bradley suggested he meet with staff to discuss the options.

**Motion by Woodrum, second by Waite, to deny the Preliminary Development Plan for the reasons listed in the staff report. Motion carried.**

PDP-2009-11 American Cell Tower – Preliminary Development Plan for a 256' high, self-supporting cellular/microwave tower, located off Green lane, north of Stamping Ground Road (KY 227).

Mr. Shorkey reviewed the staff report. All cell tower regulations have been met except the height requirement, for which a variance is requested. Staff recommended

approval of the variance to accommodate equipment and meet sight requirements.

Tom Briggs, representing the applicant, agreed with the Conditions of Approval.

Danny Judd area neighbor, felt that notice of the proposal was inadequate. He asked why the tower cannot be a monopole, and opposed the height over 200', citing safety reasons.

Lynette Michell, Green Lane resident, also opposed the height of 256'. She asked if the Bluegrass Airport has been consulted. She stated that the property is prime farmland.

Mr. Judd read a statement about the negative effect of self-supporting cell towers on property values.

Mr. Briggs described the lighting system on and around the tower.

Commissioner Woodrum stated that a condition should be added that any entrance abutting a county road should have at least a 15' hard surface entrance. Mr. Briggs agreed to that condition.

Chairman Bradley noted that cell tower applicants are required to have space for co-location, which decreases the number of other towers needed in the county and justifies the increased height.

Mr. Judd asked if a saucer can be placed under the strobe lights so that the light doesn't shine into their homes. Mr. Briggs stated that they flash up, not down, and that will not be a problem.

**Motion by Hampton, second by Holland, to approve the Preliminary Development Plan subject to the six conditions in the staff report, plus the seventh condition regarding the 15' hard surface entrance. Motion carried.**

#### Georgetown Urgent Treatment Center turn lane improvements

Mr. Krebs reported that the original conditions for the site on Oxford Drive, which has been under construction for several years, required turn lanes. The current owner of the property has requested that the requirement be waived. A traffic study has determined that the turn lanes are not necessary at this location. The City Engineer supports the amendment.

**Motion by Richardson, second by Woodrum, to approve the removal of the turn lane requirement due to the study by the traffic engineer and the support of the City Engineer. Motion carried.**