

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION  
REGULAR MEETING  
MINUTES  
December 11, 2014**

The regular meeting was held in the Scott County Courthouse on December 11, 2014. The meeting was called to order by Chairman Greg Hampton at 6:00 p.m. Present were Commissioners Jeff Caldwell, Janet Holland, Rob Jones, Regina Mizell, Byron Moran, John Shirley, Steve Smith, and Frank Wiseman, Director Joe Kane, Planners Megan Chan and Matt Summers, Engineer Brent Combs, and Attorney Charlie Perkins.

Motion by Smith, second by Shirley, to approve the November invoices. Motion carried.

With the addition of Commissioner Jones as making the motion on the Oxford Road bonding discussion, motion by Holland, second by Jones, to approve the November 13, 2014 minutes. Motion carried.

Motion by Caldwell, second by Smith, to approve the December agenda. Motion carried.

Postponements/Withdrawals

It was noted that the Everybody's Auto Sales North application was postponed to the January meeting. Motion by Jones, second by Holland, to accept the postponement. Motion carried.

Consent Agenda

There were no comments from the public or Commission on the Bealmear Property, Devers Property, and Commonwealth Tool & Machine applications. Motion by Shirley, second by Holland, to approve the above three applications subject to their respective conditions of approval. Motion carried.

PDP-2014-33 Bluegrass Pediatrics & Internal Medicine – Preliminary Development Plan for a 7,265 sq. ft. medical facility at 107 Canewood Center Dr.

Commissioner Shirley recused himself from discussion and voting.

All those intending to speak before the Commission were sworn in by Mr. Perkins.

Mr. Summers reviewed the staff report, including the variance requesting a waiver of the required perimeter trees along Frankfort Road and the bypass. He also reviewed access and other landscaping issues. Staff recommended approval, including the requested variance.

Mike Jones, representing the applicant, agreed with the conditions of approval.

**Motion by Smith, second by Holland, to approve the requested variance to waive the requirement for perimeter trees due to the existing utility easements. Motion carried.**

**Motion by Jones, second by Caldwell, to approve the Preliminary Development Plan subject to the eight (8) conditions of approval. Motion carried.**

ZMA-2014-36 Winding Oaks Cluster Subdivision – Rezoning request for a cluster subdivision with twenty-seven (27) residential cluster lots, three (3) preserved tracts, and two (2) non-buildable HOA lots on 150.51 acres zoned A-1, located on the south side of Ironworks Road, east of Cane Run Road. PUBLIC HEARING

Chairman Hampton opened the public hearing.

Mr. Kane reviewed the staff report. He noted that since the last cluster subdivision was approved, a new zoning classification was created, A-5 Rural Residential, for major subdivisions in the county.

He reviewed the concept plan, stating that all 27 lots will front on internal streets. Two non-buildable HOA tracts front on Ironworks and provide green space along that road. One preserved tract also fronts on Ironworks, and two preserved tracts are in the back of the cluster lots. He noted the sinkholes on the property and zoning in the area. He then reviewed the application's conformance with the Comprehensive Plan. He stated that the A-5 zoning classification was added as a further check to ensure that adequate infrastructure serves the development.

Mr. Kane noted that the objectives of the conditions of approval are to protect prime farmland, karst areas, groundwater sources, stone fences, and surrounding agricultural operations. He addressed the capacity of Ironworks Road, stating that the most recent traffic counts put the Level of Service between A and B, with C being the minimum acceptable level. However, the road is hilly causing poor site and passing distance. He stated that a State website indicates that since 2010, there have been 53 traffic collisions on the entire length of Ironworks Road, seven being in the half mile stretch containing this property.

Because of the sinkholes that have been located on the property, Mr. Kane recommended that, if the Commission approves the zone change, to approve the

Concept Plan only and require the Preliminary Subdivision Plat to be re-submitted for further review of the sinkhole and other issues.

Mr. Kane stated that since 2007, preserved acreage has been required to be in one contiguous parcel so that its use for agriculture is more viable. He felt that the two preserved tracts in the back are adjacent to farmland and are large enough to be viable agricultural tracts. The preserved tract in the front of the development creates a buffer along Ironworks Road and is large enough that it can still be farmed. He recommended approval of that variance.

He addressed the entrance location. Because of the water main issue, it may be preferable for the entrance to be re-located.

He then reviewed the nineteen (19) conditions of approval.

Commissioner Shirley asked if the internal roads would be built to County standards. Mr. Kane replied that they would. He also clarified that the geotechnical report would be reviewed by Mr. Combs.

Bruce Lankford, representing the applicant, introduced Tony Barrett of Barrett Partners. Mr. Barrett addressed the water main issue, stating that they prefer the entrance location shown, as it allows for the HOA open space tracts, the pond, and a walking path as amenities for the residents. However, if necessary they will re-locate the entrance.

Kim Jedlicki, Ironworks Road resident directly across from the proposed entrance, expressed her opposition to the proposed development due to the inadequacy of Ironworks to safely handle additional traffic. She stated that inadequate site distance in either direction, a speed limit of 55, and hilly terrain make entering Ironworks at that point extremely dangerous. She cited site distance regulations that she felt are not being met and traffic counts that she felt are unacceptable. She then addressed the sinkhole issue and the impacts to adjacent properties. She stated that additional development will cause stormwater drainage onto her property and other surrounding properties. She also cited current regulations that do not support the re-zoning request.

Andrew Burgoon, Locksley Court resident, presented photographs of stormwater collecting on his and his neighbor's property. He stated that the property across from him is approximately one acre in size and fills with water during a normal rain. He felt there is no need for further residential development at this time and that Ironworks Road cannot safely handle additional traffic. He asked the Commission to deny the re-zoning request.

Jerry Walling, Locksley Court resident, stated that entering Ironworks Road is unsafe now, and will be even more unsafe with additional traffic.

Sandy Jors, Knight Court resident, stated that Ironworks Road is unsafe and asked the Commission to not approve the application.

Lester Sensabaugh, Galahad Drive resident, expressed his opposition to the proposed development because of the loss of farmland and increased traffic on Ironworks Road.

Bob Conley, Ironworks Road resident, expressed his opposition for reasons already stated and also because of inconsistent water pressure in the area.

Daniel Nahum, Cane Run Road resident, agreed with statements already made by other residents, and also stated that the proposed development will have a negative impact on the aesthetics of the area.

Elaine Luhr, Castle Drive resident, expressed concern about water runoff. She listed properties in the area that are flooded after heavy rains. She also opposed the application because of the unsafe condition of Ironworks Road and the loss of the scenic qualities of the area.

Philip Mays, corner of Ironworks and Cane Run Road resident, stated that he is a school bus driver and is concerned about the unsafe condition of Ironworks Road. He added that an additional safety concern on Ironworks in bicyclists. He also expressed concern about the sewage systems in light of the sinkholes in the area.

Barbara Kirkland, area resident, expressed concern about the traffic on Ironworks and flooding on the road after rains.

Lindsay Hale, Locksley Court resident, agreed with the other residents, particularly about flooding in the area.

Steve Zahn, Cane Run Road resident, also agreed with the other residents, citing traffic concerns and aesthetics.

Ayse Nahum, Cane Run Road resident, opposed the project because of the unsafe condition of Ironworks Road.

Mr. Lankford stated that the issues of concern have been addressed by Planning staff. Water runoff is reviewed by professionals who mitigate potential problems, and the same problems were voiced when the existing subdivisions were proposed. He stated that cluster lots have been determined to be preferable to five-acre tracts because they save farmland, and the applicant can develop the same number of five-acre tracts without having to change the zoning classification. He stated that Mr. Welch, the applicant, is also concerned about the aesthetics of the development

Ms. Jedlicki stated that previous development in the area was 30 years ago. She stated that if the property were to development in five-acre tracts, they would have to access Cane Run Road, which would feed to Morris Mill and disperse the traffic.

One of the residents felt that one of the reasons for the creation of the A-5 classification was to get community input and protect the community.

John Jors, Knight Court resident, stated that Mr. Lankford made no mention of making Ironworks Road safer, and felt that adequate infrastructure needs to be in place before development takes place.

Commissioner Holland asked Mr. Combs if the stormwater problems in the area have been addressed. Mr. Combs stated that they are not far enough along in the process to the look at the plans, but they will be reviewed with a preliminary plat.

Matt Welch, applicant, stated that they will preserve the barn and all of the ponds, tree line the streets, construct a stone entrance, and provide a walking trail through the HOA space and around the pond. He plans to make it as attractive as possible and plans to live there himself. He said the water problem will be addressed.

The entrance location was discussed. Mr. Barrett stated that he met with David Treadway, KYTC District 7 representative, regarding the entrance permit, and Mr. Treadway recommended the location shown on the concept plan. The formal application, however, has not yet been approved.

Commissioner Smith asked Mr. Kane about the site distance. Mr. Kane stated that he measured the site distance, which was 450' to the east and approximately 500' to the west. Mr. Barrett further discussed the site distance issue, stating that he paced the distance and was close to (if not more) Mr. Kane's measurements.

The stone fence was discussed.

Ms. Jedlicki felt that a traffic impact study should be completed before any decision is made. Mr. Barrett stated that the proposed development is not large enough to require a traffic impact study.

Mr. Welch stated that he would consider the request if it meant that they would be supportive of the application. Ms. Jedlicki stated that there are more issues than the traffic.

Milton Toby, area resident, stated that a development of 30 lots requires a traffic impact study. The 27 cluster lots plus 3 preserved tracts is 30, so the requirement is open to interpretation. Mr. Perkins stated that because of multiple issues with the application and the apparent need for a traffic study, requiring one can be

justified. Commissioner Smith asked the applicant if he is willing to add the requirement to the conditions of approval. Mr. Welch stated that he would. Commissioner Smith felt that a traffic study might recommend changes to make the road safer.

Commissioner Holland asked if the proposed development will impact the flooding problem in the area. Mr. Barrett noted that he is a Landscape Architect, not an Engineer, but stated that the large majority of the property drains to the south. He stated that they will be required to address drainage with a drainage study as part of the construction plans and quantify what would be necessary to not allow increased water drainage.

Mr. Toby questioned whether a traffic study should be submitted prior to consideration of the application. Mr. Perkins replied that if a traffic study is required, it will be submitted when the Preliminary Subdivision Plat is submitted.

Commissioner Jones asked how much information is known about the sinkholes. Mr. Kane replied that at this stage, only their location is known. After the preliminary review, a geotechnical study is done to determine their extent and what remediation steps can be taken. Mr. Combs further discussed the sinkhole issue.

Commissioner Smith asked if a traffic study could help with any of the concerns expressed by the neighbors. Mr. Combs felt that a traffic study would provide a Level of Service on Ironworks Road. Whether the State would make improvements on Ironworks is unknown.

Mr. Kane stated that because sinkholes are an issue on this property, a geotechnical study could be required up front.

Stormwater drainage was discussed.

Commissioner Shirley stated that cluster developments were started as a way to better preserve farmland, but with the questions surrounding this application, he felt that the traffic and geotechnical studies need to be complete before acting on the rezoning request.

Chairman Hampton continued the public hearing until the February meeting so that the traffic and geotechnical studies can be completed with time for staff review.

ZMA-2014-37 Johnson's Funeral Home – Rezoning request for 3.06 acres from R-1B (Residential) to P-1B (Professional Office), for 641 S. Broadway in Georgetown. PUBLIC HEARING

Bruce Lankford, representing the applicant, introduced Tony Chaney and Grant Bolt, the new owners of Johnson's Funeral Home. He presented a letter from himself to the Commission which was read by Mr. Perkins. The letter stated that the new owners intend to continue the funeral business with no change in use or improvement, and that Mr. Lankford was authorized to withdraw the application. Mr. Lankford asked that the letter be part of the record.

Bevins Motor Company – request to amend condition of approval

Mr. Kane reported that the applicant is requesting to remove a condition that required a monument sign instead of a 30' freestanding sign. Staff recommends that the applicant abide by the condition, but discussed another option for the applicant. They could convert the existing John Deere sign to a monument sign, placed at the entrance, but would need Board of Adjustment approval because the sign exceeds the allowable size.

Bruce Lankford, representing the applicant, stated that the sign at the existing location of Bevins Motor Company on Lexington Road, zoned B-2, conforms to the sign ordinance, and they wish to relocate the sign to a B-2 zone. He stated that not allowing the free-standing sign, which is permitted, and requiring a monument sign, which is not required, is in violation of the sign ordinance. He added that Mr. Bevins intends to construct a four-board fence which would obstruct the view of a monument sign.

Commissioner Shirley asked if the applicant agreed to the condition requiring a monument sign. Mr. Lankford stated that the applicant had a representative who signed the conditions, and that representative was not aware that he had a right not to agree to the condition.

Mr. Perkins suggested that the zone change was granted because the business is a farm-related use and the farming community is dependent upon it. However, it shouldn't conflict with the farming community and it should be supportive of and not conflict with the agricultural area. The Commission's findings were that this project is consistent with the agricultural area, but the 30' Deere sign is not. Therefore, if the Commission feels the sign conflicts with the agricultural area, then a denial might be in order. However, there is not a regulation to back up the decision.

Commissioner Jones cited the U. S. 25 Corridor Plan that recommended monument signs over pole signs, although the plan has not yet been adopted by Fiscal Court. Mr. Perkins stated that adoption by Fiscal Court is not a requirement

of KRS. When the Planning Commission adopted the plan, it became effective. However, it is a guide, not a regulation.

Discussion continued on the matter.

**Motion by Holland, second by Moran, to approve the request to amend the Conditions of Approval by removing Condition #14. By roll call vote, motion carried 4-3 with Caldwell, Jones, and Shirley dissenting.**

Love's Truck Stop – request to amend condition of approval

Mr. Kane explained that there was a condition limiting the height of the light poles to 25' in the parking/convenience store area, and 30' in the truck parking areas because of the high area west of the I-75 interchange. The applicant is requesting, for safety reasons, approval for 36' poles in the convenience store area and 42' poles in the truck parking area.

The applicant's attorney, John Woodall and Engineer Steve Scott discussed the change in elevation from Porter Road to the canopy area requiring a need for taller poles and the safety concerns in the truck parking areas. A photometric plan was displayed. Brent Combs mentioned that typically staff reviews a photometric plan to determine light levels at the edges of the site and no more.

Discussion continued amongst the board on lighting.

**Motion by Shirley, second by Holland, to approve the request for 36' light poles in the convenience store area and 42' light poles in the truck parking area. Motion carried.**

Approval of 2015 Application Deadlines

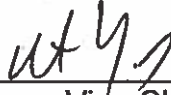
Mr. Kane presented the 2015 Application Deadline schedule.

**Motion by Shirley, second by Holland, to approve the 2015 Application Deadlines. Motion carried.**



The meeting was then adjourned.

Respectfully,



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Rob Jones, Vice-Chairman

Attest:



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Charlie Perkins, Secretary