

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

JULY 10, 2008

The regular meeting was held in the Scott County Courthouse on June 12, 2008. The meeting was called to order by Chairperson Barry Brock at 6:00 p.m. Present were Commissioners Mike Bradley, Melissa Gregory, Greg Hampton, Janet Holland, John Lacy, Jimmy Richardson, Ralph Tackett, and Bias Tilford, Planning Director Michael Sapp, Assistant Director Pat Shoemaker, Planners Drew Ardary, Rhonda Cromer, and Bonnie MacIntyre, Engineer Ben Krebs, and Attorney Charlie Perkins.

Motion by Hampton, second by Holland, to approve the June invoices. Motion carried.

Motion by Gregory, second by Lacy, to approve the June 12, 2008 minutes. Motion carried.

Motion by Richardson, second by Holland, to approve the July agenda. Motion carried.

Postponements/Withdrawals

Chairman Brock reported that the Pinnacle Parkside Shoppes and Action Home Improvement (J & B Automart) applications will be continued to the August meeting, and the Georgetown/Lexington KOA Kampground application has been postponed to the August meeting. Motion by Lacy, second by Gregory, to accept the three items for continuance/postponement. Motion carried.

Commissioner Tilford asked that discussion on sworn testimony be added to the agenda. Motion by Tilford, second by Bradley, to add that item as Item B under Staff Reports New. Motion carried.

Consent Agenda

There were no items eligible for the Consent Agenda.

ZMA-2008-25 Sparks Farm Development – Zoning Map Amendment from A-1 (Agricultural) to R-2 PUD (Residential) for 25.77 acres, located on the west side of Lisle Road (KY 1963), ¼ mile south of Lemons Mill Road (KY 1962). PUBLIC HEARING

Chairman Brock opened the public hearing.

Preston Cecil, representing the applicant, addressed the notification issue. He stated that the notice was re-posted on the property and the neighbors within the 500' boundary were re-notified, and the residents of Cassidy Heights were notified.

Mr. Ardary reviewed the staff report, including issues surrounding land uses, consistency with the Comprehensive Plan, design standards, open space, and traffic and road improvements.

Staff recommended approval with the acknowledgements listed in the staff report, plus the acknowledgement to abide by the Right to Farm Act.

Mr. Cecil agreed with the conclusions and findings of the staff report, and reiterated some of the findings that he felt were most important.

Robert Ryan, Attorney representing some of the residents of Cassidy Heights, Sutton Place, and Harmony Ridge, reviewed the history of the zone change and the concern about lot sizes and density. He stated that this proposal is a significant increase in the number of lots – from 93 to 148. He expressed concern about the parking lots adjacent to Sutton Place, the lack of buffering between the developments, increased traffic on Lisle Road, and the incompatibility with the surrounding developments.

Betty Eades, representing R. McMillan, adjacent property owner, expressed concern about the proposed alley that abuts the McMillan property line. She questioned why there is no buffering along that property line, and read what type of buffering Mr. McMillan is requesting on his property line. He requests a 6 ft. chain link fence with posts on 10' centers prior to commencement of construction, constructed at least 20' south of his property creating a 20' area between the development and his farm property. He requests the developer plant trees from Group A of the Planting Manual where trees do not already exist, every 40' within the buffer area, the entire length of the 20' buffer area, and a privet hedge within the buffer area 5' or less from the chain link fence, and running continuously the entire length of the 20' buffer area. Trees from Group A should be 10' in height or 2" caliper and privet hedge should be at least 1' in height.

Bridget Gaines, Sutton Place resident, opposed the development due to the proposed townhomes. She read a letter from 2002 regarding the Royal Springs water supply recommending that the previous development proposal be single-family homes only. She read another letter from KYTC regarding the previous proposal which recommended substantial improvements to Lisle Road.

Abby Dawson, Harmony Ridge resident, expressed concern about increased traffic and traffic speeding through Harmony Ridge enroute to the bypass.

Jeff Shropshire, Cassidy Heights resident, expressed concern about the R-2 zoning. He requested that the Commission prohibit any blasting on the site, that an 8' privacy fence be constructed from Lisle Road up to Sutton Place, and that the zoning be R-1 instead of R-2 PUD. He also stated that Lisle Road cannot handle more traffic.

There was discussion on impartiality and the sharing of information among the Planning Commissioners. Mr. Perkins stated that any information used in decision-making should be expressed to the full Commission and put into the record.

Howard Testerman, Harmony Ridge resident, expressed concern about the 600+ units already approved for this applicant and the attendant traffic problems considering the inadequacy of the Lisle Road. He felt that the annexation was approved under an R-1C zoning, and now the request is R-2 PUD. He felt that a Preliminary Development Plan should be submitted for a rezoning request which would be more binding than a Conceptual Plan.

Scott Thompson, Sutton Place resident, expressed concern about the housing market and the need for more townhomes.

Karen DeLong, Sutton Place resident, expressed concern about traffic cutting through Sutton Place to the bypass and increased noise.

Chris Gore, Cassidy Heights resident and Fayette County policeman, expressed concern about public safety in regard to police and fire protection.

Another concerned citizen expressed concern about stormwater runoff on Lisle Road.

Preston Cecil explained the requirements for a zone change and stated that they complied with all requirements. He noted that the property is planned for urban residential in the Comprehensive Plan and that the traffic study was reviewed and no issues about the conclusions were raised. He stated that the applicant is willing to review some of the concerns at the development plan stage.

It was noted that the previous approval for R-1C zoning was never approved by City Council because the annexation was denied until improvements were made to Lemons Mill Road. Since then, Lemons Mill Road has been improved to three lanes. In February of 2008, the portion within the City limits was annexed.

It was noted that the data used for traffic study was current and included the number of units already built as well as approved. Discussion continued on the traffic study. Several residents, including Jim Crutcher, Cassidy Heights resident, expressed concern about the times of the day the traffic study was conducted.

Surrounding zoning and lot sizes were discussed. The appropriateness of the R-2 PUD zoning as opposed to R-1C was discussed. Mr. Perkins stated that the R-2 PUD zoning gives the applicant the opportunity to apply for R-2 density, but if the site does not support that density, a lower density is required. Chairman Brock suggested adding a condition stating that the Commission recognizes concerns with the R-2 density and that a lower density may be required. Mr. Perkins felt that such a condition is more appropriate at the development plan stage. The applicant acknowledged that if the R-2 PUD rezoning request is approved, that approval does not guarantee R-2 density.

Ms. Shoemaker noted for the Commission that the R-2 zoning allows a different type of structure than R-1 zoning.

Commissioner Bradley felt that this proposal is not compatible with the surrounding subdivisions. Mr. Perkins stated that the Commission can take that into consideration at this time or at the development plan stage.

Chairman Brock closed the public hearing.

Motion by Gregory, second by Hampton, to deny the application. By roll call vote, motion carried 7-0 with Tilford abstaining.

ZMA-2008-58 JCD Properties/Lankford/Northside Christian Church – Zoning Map Amendment from A-1 (Agricultural) to B-5 (General Commercial Park) and B-2 (Highway Commercial) for 42.243 acres, located at the southwest corner of the intersection of Frankfort Road (U.S. 460 W) and McClelland Circle (U.S. 460 Bypass).
PUBLIC HEARING

Bruce Lankford, applicant, submitted documentation regarding notice requirements.

Ms. Cromer reviewed the staff report in detail, including the reasons the application is in compliance with the Comprehensive Plan.

Commissioner Bradley asked about the design standards that were a part of the previous approval of the B-2 portion of this property. Ms. Cromer stated that B-2 portion of the property must still adhere to the design standards of the West Georgetown Small Area Plan. It was noted that that requirement should be a third acknowledgement under finding #4.

Commissioner Lacy asked that the stone fence be preserved and maintained. Ms. Cromer stated that the stone fence will be addressed at the development plan stage.

Chairman Brock closed the public hearing.

Motion by Bradley, second by Tilford, to recommend approval of the rezoning request from A-1 to B-5 and B-2, based on the findings of the staff. By roll call vote, motion carried 8-0.

Discussion of sworn testimony being taken at Planning Commission meetings

Commissioner Tilford expressed concern that at a previous meeting sworn testimony was taken, and he felt that that practice should be exercised more often. Mr. Perkins agreed that at times it could be helpful, but could be a logistical problem. He stated that the City Board of Adjustment will be implementing a method for taking sworn testimony in August, and if it is successful, it could be used at the Planning Commission meetings.

It was decided to see how the procedure works at the City Board of Adjustment meeting.

Update of previously approved projects and agenda items

The Dry Run Watershed charette on July 25 was discussed briefly. It was noted that attendance will count toward H.B. 55 education credits.

Mr. Sapp announced that Mr. Ardary has accepted a position in Phoenix, Arizona.

Mr. Sapp also announced that he will be making a presentation to the Interlocal Agreement Committee about the Planning Commission's work, accomplishments, and future needs.

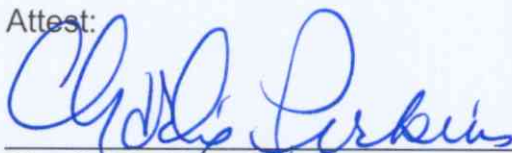
The meeting was then adjourned.

Respectfully,



Barry Brock, Chairperson

Attest:



Charlie Perkins, Secretary