

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

**SEPTEMBER 13, 2007**

The regular meeting was held in the Scott County Courthouse on September 13, 2007. 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, and Ralph Tackett, Planning Director Michael Sapp, Planners Drew Ardary and Rhonda Cromer, and Engineer Ben Krebs. Absent were Commissioner Robert Hopkins and Attorney Charlie Perkins.

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

Motion by Gregory, second by Holland, to approve the August 9, 2007 minutes. Motion carried.

With the addition of a request from Triple A Bypass under Other Business, motion by Richardson, second by Hampton, to approve the September agenda. Motion carried.

Postponements/Withdrawals

Mr. Brock reported that the Pioneer Plaza of Georgetown application has been withdrawn, and the Brown Property Townhomes application has been postponed to the October meeting.

**Motion by Lacy, second by Holland, to accept the two items for withdrawal and postponement. Motion carried.**

Consent Agenda

Representatives of the Black Property, Darnell Property, and the Icon Properties Phase I applications agreed to their respective conditions of approval, and no concerns about the projects were expressed by the Commission or the public.

**Motion by Bradley, second by Holland, to approve the three (3) items on the Consent Agenda subject to their respective conditions of approval. Motion carried.**

ZMA-2007-38 The Villa at Lemons Mill – Rezoning request from A-1 (Agriculture) to R-3 PUD (Multi-family residential) for 5.74 acres, located on the south side of Lemons Mill Road (KY 1962) and east of McClelland Circle (U.S. 62). PUBLIC HEARING

Chairman Brock opened the public hearing.

Ms. Cromer reviewed the staff report, noting that the applicant is pursuing annexation and zone change approval concurrently to meet funding deadlines. She reviewed the Comprehensive Plan Goals and Objectives and traffic generation statistics which support the rezoning request. She recommended approval subject to four conditions of approval.

It was noted that notification requirements had been met.

The annexation issue was discussed. Commissioner Richardson felt that the annexation should be approved before the Commission hears the application.

**Motion by Richardson, second by Holland, to postpone the application until the annexation has been approved by City Council. By roll call vote, motion carried 6-1 with Lacy dissenting.**

Chairman Brock informed the applicant that it is possible to hold a special meeting prior to the October meeting if the annexation is approved by City Council.

ZMA-2007-42 – Lake Forest - Phase 4 – Rezoning request from A-1 (Agriculture) to R-2 PUD (Multi-family residential) and Conceptual Development Plan for 33.34 acres located on the south side of Lemons Mill Road, west of Lisle Road, east side of Harmony Ridge Subdivision. PUBLIC HEARING

Chairman Brock opened the public hearing.

Mr. Ardary reviewed the staff report, including issues regarding density, surrounding zoning, the deviations from standards allowable under the PUD designation, and connection points to adjacent properties. He noted the concerns about pass-through traffic impacts through adjacent neighborhoods and staff's recommendation that a temporary construction entrance be placed on the Perkins property. He discussed traffic impacts to Lemons Mill Road and stated that the Level of Service will decrease, but remain satisfactory.

Mr. Ardary then reviewed the findings that the proposal is compliant with the Comprehensive Plan and recommended approval with ten conditions of approval.

It was noted that notice requirements have been met.

Preston Cecil, attorney for the applicant, agreed to the conditions of approval. He stated that the project is an infill project, compatible with the surrounding development, and in agreement with the Comprehensive Plan.

Rick Curry, Harmony Ridge resident, expressed concern about additional development on Lemons Mill Road because of low water pressure. Chairman Brock stated that the development must meet standards and receive approval from GMWSS.

Don Mather, Harmony Ridge resident, felt that Lemons Mill Road cannot handle additional traffic.

Brandon Brooks, Harmony Ridge resident, expressed concern about anything other than single-family homes lower property values.

Howard Kesterman, Harmony Ridge resident, agreed with the other residents that Lemons Mill Road is not adequate to handle additional traffic and multi-family housing will lower property values.

Notification requirements were discussed.

John Brester, Harmony Ridge resident, stated that he wrote an email to the Police Chief to report speeding that is occurring in Harmony Ridge. He felt the additional traffic through their neighborhood will be extremely dangerous.

Commissioner Bradley expressed concern about the access to the subdivision. He felt that the future access to Lemons Mill through the Perkins property should be in place with this proposal. Lindsey Mosley, applicant, stated that Mr. Perkins is not willing to allow that access at this time. Mr. Mosley felt that some of the Lake Forest traffic will go through Harmony Ridge, but at the same time, some of Harmony's Ridge's traffic may travel through Lake Forest and relieve their access point on Lemons Mill.

The condition of Lemons Mill Road was discussed.

With no additional comments, Chairman Brock closed the public hearing.

**Motion by Bradley, second by Hampton, to deny the rezoning request based on the R-2 PUD classification being inappropriate for the area, and because the access to the property is not yet sufficient. By roll call vote, motion carried 4-3 with Tackett, Richardson, and Gregory dissenting.**

PDP-2007-30 Windsor Path Wellness Community – Preliminary Development Plan for 30,000 sq. ft. office located in two buildings on 1.95 acres zoned P-1B, located on the northwest side of McClelland Circle (U.S. 460 bypass) and west of Windsor Path.

Ms. Cromer reviewed the staff report, including issues regarding access, parking, landscaping, and stormwater detention.

Commissioner Bradley asked if the plan could accommodate potential future plans to extend Fairfax Drive to McClelland Circle. Ms. Cromer stated that Windsor Path would need to be widened approximately 10' to be the same width as Fairfax. Chairman Brock recalled that the residents on Fairfax were opposed to the extension, which is why Windsor Path became a private street. Commissioner Bradley recalled that when the outlots were developed, the extension of Fairfax would be considered.

Commissioner Tackett expressed concern about Windsor Path being one-way in and one-way out.

Brent Combs, Thoroughbred Engineering and representing the applicant, recalled that the emergency services wanted the extension of Fairfax Drive, not the residents. Consequently the mountable bollards were installed for emergency vehicles, which were intended to be permanent. He added that the easement for Windsor Path would accommodate widening to line up with Fairfax Drive.

Chairman Brock felt that if the Commission requires the plan to the road as an extension of Fairfax Drive, it would be a major change that would require review by the full Commission. Mr. Combs added that the applicant has yet to receive letters back from the emergency services regarding Fairfax Drive.

**Motion by Tackett, second by Bradley, to postpone the application in order to resolve the issue of Fairfax Drive. Motion carried.**

PDP-2007-31 Thoroughbred Center – Preliminary Development Plan for a 394,801 sq. ft. retail center on 43.34 acres zoned B-2 (Highway Commercial), located on the north side of U.S. 460 W., east of Connector Road.

Ms. Cromer reviewed the staff report. She addressed the traffic study, roadway connections, and road improvements.

Shawn Baker, applicant, added that a connection to the east will be made for future extension of the road to allow for better traffic flow around the U.S. 460/Connector Road intersection. He noted that the plan is an amendment to a previously-approved site plan.

The connection between U.S. 460 and Connector Road was briefly discussed. Mr. Baker mentioned a traffic signal being proposed at the intersection of that road and the

development entrance. Mr. Krebs was unaware of that proposal. Mr. Baker apologized that it was not shown on this amended plan, but stated that it would be shown on the final plan.

Ronald Trichler, owner of the adjacent Shell Station, asked about ingress and egress and improvements to Connector Road. Mr. Baker stated that they do not plan to affect the Shell Station parking lot in any way. He stated that a decel lane from U.S. 460 in, will be constructed on Connector Road, and the road will be widened in front of the Shell Station.

Commissioner Lacy expressed concern about the distance between the entrance/exit on U.S. 460 and the I-75 exit. Ms. Cromer stated that one of the conditions of approval is that they receive approval from KYTC-District 7, the Planning Commission Engineer, and the City Engineer for that entrance.

**Motion by Richardson, second by Holland, to approve the Preliminary Development Plan subject to the sixteen (16) conditions of approval. Motion carried.**

PDP-2007-43 Scott County Safe Storage – Preliminary Development Plan for a 45,900 sq. ft. mini storage facility on 2.6 acres zoned B-2, located east of Lexington Road (U.S. 25 S.) and south of McClelland Circle (U.S. 460 bypass).

Ms. Cromer reviewed the staff report.

She addressed the issue regarding the access easement on the adjacent property. Children from the adjacent daycare must cross the easement to access their playground. Representatives of the daycare have expressed concern about the safety of the children in doing so with the increased traffic this development will bring.

Ms. Cromer also addressed traffic generation, setbacks, stormwater management, parking, and landscaping. She recommended denial of the application because it does not meet required front yard setbacks, does not meet landscaping requirements, the groundwater recharge facility conflicts with the water and sewer easement, and the applicant either fails to meet parking requirements or fails to provide access to fire trucks with the current land widths.

Brent Combs, Thoroughbred Engineering and representing the applicant, addressed the parking issue. He stated that storage unit users park at the storage unit door for short periods of time. He felt that requiring parking lots is not feasible for mini-storage warehouses. Also, when parking spaces are required, interior landscaping requirements become effective. He asked if a variance could address those issues.

Mr. Sapp agreed that the parking and interior landscaping requirements are not feasible and have been waived with previous similar developments. It was noted that condition

#7 had been amended to read, "Provide Vehicular Use Area interior landscaping that is consistent with Phase 1 of this development."

Teresa Ryan, Chairman of the school board at Providence Christian Academy, presented a Powerpoint presentation describing their school operation. She showed the easement where the children cross to the playground, and where they have placed traffic cones to direct traffic. She stated that they have surveyed cars driving through their parking lot, and have been informed that drivers use it as a cut-through between Lexington Road and the bypass. She showed trucks that pass through, stating that they have driven over the traffic cones. She cited cases where special provisions are made to accommodate school traffic.

Courtney Keller, Providence Christian Academy, also expressed concern about the safety of the children there. She cited two instances where she and her students were almost been hit by cars.

Perry Ryan, Chairman of the Board of Elders at Harmony Christian Church, stated that the church is concerned about liability as well as the safety of the children. He reviewed the history of their obtaining the facility for their church. As an attorney, he addressed the meaning of the access easement. He felt that a detailed description of the easement should have accompanied the development plan. He asked the Commission to limit access as a condition of approval.

Ethel Noel, parent of a Providence Christian Academy student, asked for feedback from Mr. Brock regarding the access easement. Mr. Brock felt that input is needed from Mr. Perkins, who was absent from this meeting.

Ms. Noel felt the matter should be postponed.

**Motion by Lacy, second by Hampton, to postpone the application to the October meeting so that the issue regarding the access easement can be further studied. Motion carried.**

PDP-2007-45 Charlestown Village Townhome – Preliminary Development Plan for a 3-unit townhome in Phase 11 of the Colony Subdivision, off of Windsong Way.

Mr. Ardary reviewed the staff report, including issues regarding access and parking.

Anthony Justice, representing the applicant, asked for clarification about condition #13 regarding subdivision of the lot into three lots after the buildings are constructed. He asked if the lot can be subdivided prior to construction. Mr. Brock felt that if the lot is subdivided prior to construction, there is a good chance the lot line will not fall exactly centered on the wall between the units, thus requiring an amended plat.

Deni Hamilton, applicant, stated that her intent is to sell the units, not rent them. It was clarified that she will be able to subdivide the lot after construction. She agreed to that. Mr. Brock suggested amending the condition to read "After the lot is consolidated, the applicant can apply for a subdivision plat for three townhome units." Staff agreed to that.

Judy Kushner, Colony resident, stated that eight or nine homes in the area have not had work done on them since the Spring to complete them, and the three that are completed are being rented. She felt that misleading statements were made verbally and in marketing brochures to the residents regarding the intended use of the wooded area behind S. Lafayette Drive where these units are being proposed. She presented recent photographs showing the condition of the area. The photos showed full trash bags that had been left for two months after a clean-up of the entrance sign, erosion problems, and construction trash. She asked that the Commission require clean-up of the area before approving additional development for the applicant.

Ms. Hamilton stated that the conditions described are beyond her control.

Ms. Kushner then requested that the Commission require an environmental buffer zone to run along the drainage area behind the townhomes, which would provide an aesthetic buffer, a water quality buffer, and reduce soil erosion during and after construction. Chairman Brock stated that the conditions of approval already address those concerns.

Another neighbor asked if a traffic study has been done. Mr. Ardary replied that the proposed development is not large enough to require a traffic study.

**Motion by Richardson, second by Lacy, to approve the Preliminary Development Plan subject to the fourteen (14) conditions, including the amendment to condition #13. Motion carried.**

#### Triple A Bypass request

Mr. Sapp reported that the applicant showed a paved area on their final development plan which was unable to be paved because of a water line running through it. It was never a requirement that the area be paved. The applicant is requesting approval for an amended final development plan to reflect the area as not being paved.

**Motion by Lacy, second by Holland, to approve the amended Final Development Plan for Triple A Bypass to reflect the area in question as not being paved. Motion carried.**

Amendment of Fee Schedule

Commissioner Richardson felt that the cost for an appeal to the Executive Committee should be raised. That was discussed and Mr. Sapp stated that he would look at the matter.

The cost of reproducing the Comprehensive Plan was discussed. It was agreed to raise the cost to \$35 per volume.


**Motion by Bradley, second by Lacy, to approve the increase in the cost of the Comprehensive Plan to \$35. Motion carried.**

Update of previously approved projects and agenda items

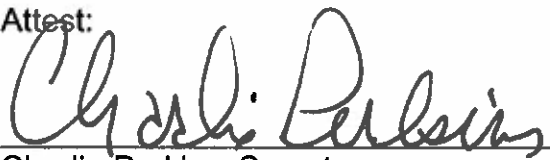
Mr. Sapp reported on the new proposed shopping center that was announced, the kick-off meeting for the transportation study oversight committee, the status of the interviews for Assistant Director, and the status of the Board of Adjustment Planner position.

The meeting was then adjourned.

Respectfully,

  
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Barry Brock, Chairperson

Attest:

  
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Charlie Perkins, Secretary