GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
REGULAR MEETING
MINUTES

June 8, 2000

The regular meeting was held in the Scott Fiscal Courtroom on June 8, 2000. The meeting was called to order by Chairperson Sara Sutton at 7:00 p.m. Present were Commissioners Barry Brock, Pete Gritton, Robert Hopkins, Omer Lee, William Peters, John Sharpe, Elizabeth Williams, Planning Director Kelley Klepper, Attorney Charlie Perkins, Planner Steven Biel, and Engineer Brad Frazier. Commissioner Thomason arrived after approval of the minutes.

Motion by Hopkins, second by Williams, to approve the May invoices. Motion carried.

Motion by Williams, second by Peters, to approve the May 11, 2000 minutes. Motion carried.

With the addition of an Executive Session for personnel and litigation matters at the end of the meeting under Other Business, motion by Sharpe, second by Lee, to approve the June agenda. Motion carried.

Postponements/Withdrawals

Mr. Klepper requested that the Georgetown Community Hospital Expansion and the Trading Post Homes applications be postponed to the July meeting. Motion by Hopkins, second by Gritton, to postpone the above items. Motion carried.

Consent Agenda

Representatives for the Frank Mason Property, Nu-Van Technology (Expansion), and Georgetown Decorating Center applications agreed to staff's conditions of approval, and no concerns about their projects were expressed by the Commission or the public.

Motion by Gritton, second by Thomason, to approve the three applications on the Consent Agenda, subject to their respective conditions of approval. Motion carried.

ZMA-2000-44 Stone Bridge - Rezoning request for 88.12 acres from A-1 Agriculture and C-1 Conservation to R-1C (PUD) and C-1 Conservation, located on the southeast side of Oxford Drive (Old U.S. 62), east of Cherry Blossom Way, north of Connector Road. PUBLIC HEARING

Chairperson Sutton opened the public hearing.

Mr. Biel reviewed the staff report. He noted staff's concern about the floodplain and also the new privilege fee agreement #6 that will apply to the sewer requirements for this development.

The improvements to Oxford Drive were discussed. Mr. Biel stated that the improvements will be a continuation of improvements from Connector Road that are required by the Cherry Blossom Golf Course Development to the south. Mr. Klepper added that there are two properties in between this development and the golf course that may make the improvements piecemeal in the short term, but that eventually the entire road will be upgraded.

Commissioner Williams expressed concern about the secondary access. Mr. Biel stated that it will be used primarily by the owners of lots 13-26, and that it will be reviewed closely after the required hydrological analysis is submitted that will establish the extent of the floodplain. Commissioner Williams requested that a condition be added that requires a stub street be added on the north side for future access to neighboring development.

Bruce Lankford, representing the applicant, stated that all the issues will be addressed, including the stub street, before a Final Development Plan is approved.

Chairperson Sutton closed the public hearing.

Motion by Hopkins, second by Williams, to recommend approval of the zone change based on its consistency with the Comprehensive Plan, subject to the eleven conditions in the staff report, plus the twelfth condition that a stub street be added on the north side for future access. By roll call vote, motion carried 8-0.

PSP-2000-16 Sharpe Property - Amended Cluster - Amended Preliminary Subdivision Plat for a sixteen (16) lot cluster residential development plus the parent tract located on the northwest side of Cane Run Road, south of U.S. 460, west of U.S. 62.

Commissioner Sharpe, who is also the applicant, disqualified himself from voting.

Mr. Biel reviewed the staff report, noting the changes from the previously approved plat and the Health Department concerns.

He recommended approval and that the Final Subdivision Plat be reviewed by the full Commission.

Commissioner Williams expressed concern about the notice requirement being met. Mr. Sharpe stated that the neighbors were notified before the previous approval, and that since the changes are minor, he did not notify them about this amended plat. It was agreed that the neighbors will be notified of the Final Subdivision Plat being heard by the Commission.

The Health Department issue and landscaping was discussed.

Motion by Williams, second by Peters, to approve the Amended Preliminary Subdivision Plat subject to the 14 conditions in the staff report, plus the conditions that the Final Subdivision Plat be reviewed by the full Commission and that the neighbors will be notified before that hearing, and the notation that no mobile homes will be allowed. Motion carried.

PSP-2000-32 Covington Property - Preliminary Subdivision Plat for seven (7) rural residential lots on 38.603 acres, located on the west side of Lisle Road (KY 1963), north of U.S. 25, south of Lemons Mill Road.

Mr. Biel reviewed the staff report, including the access and sinkhole issues.

The drainage easement was discussed. Brent Combs, Thoroughbred Engineering, noted two corrections on the notes on the plat, and stated that the applicant may be agreeable to paving the portion of the road that crosses the drainage easement to prevent gravel from washing away. The Commission wished to add that as a condition of approval.

The Commission also felt that the Final Subdivision Plat should come back before the full Commission.

Motion by Williams, second by Gritton, to approve the Preliminary Subdivision Plat, subject to the fourteen conditions listed in the staff report (number 11 regarding further subdivision of tract 4 being deleted), plus the additional conditions that the road be paved to the point beyond the drainage easement and the Final Subdivision Plat being brought back to the full Commission. Motion carried.

PSP-2000-33 Brashear Cluster - Phase 1 - Preliminary Subdivision Plat (revised) for 14 cluster lots plus the parent tract, located on the west side of U.S. 25 N, north of Burton Road, east of Moonlake Estates.

Mr. Klepper reviewed the staff report, which recommended approval. He noted that sanitary sewer service will be provided by Delaplain Disposal System.

Sara Evans, adjacent property owner, asked what type of fence will be installed. Mr. Brashear replied that it will be 12' spacing with #9 wire.

Following discussion regarding setbacks, lot layout, and the Master Plan, **motion by Brock, second by Sharpe, to approve the Preliminary Subdivision Plat subject to the twelve conditions listed in the staff report. Motion carried.**

FSP-2000-36 Ironworks Estates - Block 8, Section E - Final Subdivision Plat for 32 single family detached residential lots, located on the south side of Ironworks Pike, west side of Lakeview Drive, north of Elkhorn Drive.

Mr. Klepper supplied the Commission with an updated staff report and reported the results of a meeting between himself and Roy and Bob Cornett, applicants, Marvin Virgin, applicant's engineer, and Brad Frazier, Planning Commission Engineer. He stated that staff is agreeable to the drainage plan calculations and that a letter from KU indicates that the electrical easement on lot 202 will be relocated, making that lot buildable. There being 32 lots is no longer a concern due to the revised road layout.

Mr. Frazier discussed the drainage issue. He stated that he wished the applicant's engineer to note that this development could potentially increase the runoff to the existing properties, which lie lower than the proposed properties. He received a letter from the engineer stating that the extra runoff created by the proposed development will not cause excessive structural damage solely and directly related to flooding. Mr. Frazier interpreted this to mean that this development may cause an increase in runoff but that it will go between the homes and not have an adverse impact on them. Mr. Virgin, applicant's engineer, agreed with that interpretation.

Motion by Gritton, second by Sharpe, to approve the Final Subdivision Plat subject to the five conditions listed in the staff report, plus the requirement that the minimum floor elevations on the lots discussed be shown on the plat. Motion carried.

PSP-2000-43 Paul W. Tackett Farm- Preliminary Subdivision Plat for eleven (11) residential lots plus the parent tract on 84.49 acres, located on the northeast side of KY 227 (Stamping Ground Road), east side of Duvall Station Road, west side of Green Lane, southeast of the City of Stamping Ground.

Mr. Biel reviewed the staff report, including the access issue and the improvements required to Green Lane. Mr. Klepper discussed the condition and status of Green Lane.

Paul Tackett, applicant, stated that there are 14 lots on Green Lane beyond his property, and none of those owners or developers were ever requested to upgrade Green Lane at their expense. He stated that the County indicated that they are going to blacktop the road this year with expanded shoulders, which will add two feet on each side, bringing it to 16 feet. If he is required to add three feet to his side, not only will he have to pay for it, he will have to remove several large trees.

Discussion continued on the road. The option of not approving lots H-L until the road is upgraded was suggested. Jim McClanahan, Scott County Magistrate, felt that approving those lots is adding to a problem. He stated that because of the increase in oil prices, Green Lane is not on the list for repaving this year. He also stated that expanding shoulders only adds one foot to each side, not two feet.

Mr. Tackett agreed with all of the conditions except #1 requiring the upgrade to Green Lane. Mr. Klepper stated that if in the future the County widens the road to 15', then Mr. Tackett's requirement is reduced, although he would still be required to widen his side of the road to 9' from centerline plus shoulders and ditches.

Motion by Williams, second by Peters, to approve the Preliminary Subdivision Plat subject to the eight conditions in the staff report, with the first condition reworded to require improving his side of Green Lane to the equivalent of an 18' wide road, measurements to be take from the centerline of the existing road. Motion carried.

PDP-2000-41 Gano Baptist Church Parking - Preliminary Development Plan for an additional parking lot containing 37 spaces on 0.874 acres, located on the south side of Gano Avenue, northwest side of North Hamilton Street.

Mr. Biel reviewed the staff report, which focused on the drainage issue. Serious concerns about the location and size of the drainage basin were raised. Mr. Frazier, Brent Combs of Thoroughbred Engineering and representing the applicant, the Commission, and Mr. Eddie Robinson of Gano Avenue Baptist Church discussed the problem and the applicant agreed to restudy the matter.

Motion by Sharpe, second by Peters, to continue the application to the July meeting for the purpose of allowing the applicant to study the options discussed and return with an amended plan. Motion carried.

Proposed amendments to the *Zoning Ordinance* establishing kennels as a conditional use approval and related standards (PUBLIC HEARING)

Chairperson Sutton opened the public hearing. Mr. Klepper reviewed the staff report. He noted that Farm Bureau does not support the amendment. He felt that their recommendation to keep kennels in commercial areas is too restrictive in that they would be limited primarily to Georgetown in areas where it would be financially difficult to locate a kennel.

Mr. Perkins felt that the Board of Adjustment would not object to kennels becoming a conditional use. He addressed the kennel requirements that were suggested by Virginia Teague, a couple of which he felt were not planning and zoning issues.

Janece Rouet, owner of Shepherd's Crossing kennel in Scott County, stated what the Health Department requirements were for her operation. Mr. Perkins stated that compliance with Health Department regulations should be a requirement, but what those specific regulations are is under the authority of the Health Department.

Commissioner Sharpe felt that regulating the location of kennels should be under the authority of the Planning Commission and not the Board of Adjustment because it is a land use issue. Mr. Perkins stated that, in that case, it would have to be made a permitted use in whatever zone(s) are decided are appropriate. Mr. Klepper stated that if it were made a permitted use, the Commission/Board of Adjustment would lose the ability to review each kennel on a case-by-case basis and allow them to potentially locate in areas very ill-suited for kennels.

Mr. Perkins suggested keeping kennels as a condition use and drawing up land use standards that will reduce the possibility of arbitrary treatment. It was also noted that conditional uses are subject to annual review.

Chairperson Sutton continued the public hearing to the July meeting so that staff can draft land use standards for kennels for the Commission's review.

Motion by Sharpe, second by Thomason, to go into Executive Session for the purpose of discussing personnel and threatening litigation. Motion carried.

Motion by Thomason, second by Sharpe, to come out of Executive Session. Motion carried.

Motion by Hopkins, second by Thomason, to promote Steven Biel to the Planner II position and authorize the related salary increase to $31,000 plus benefits. Motion carried.

Proposed amendment to the *Zoning Ordinance* regarding BP-1 (Business, Research and Technology Park) (PUBLIC HEARING)

Chairperson Sutton opened the public hearing.

Mr. Klepper reviewed the staff report, including the permitted uses, which specifically exclude industry, truck terminals and related trucking facilities, automobile sales and repair, and retail sales. He provided photos of equivalent zones in other cities.

He recommended continuing the public hearing and he will provide formalized guidelines before the next meeting.

Chairperson Sutton continued the public hearing to the July meeting.

Update of previously approved projects and agenda items

Mr. Klepper reported on the problem of developers/contractors modifying their approved development/construction plans without obtaining approval.

Motion by Williams, second by Gritton, to adjourn the meeting. Motion carried.

Respectfully,

Sara Sutton

Sara Sutton, Chairperson

Attest:

Charlie Perkins

Charlie Perkins, Secretary