

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

**July 14, 2005**

The regular meeting was held in the Scott County Courthouse on July 14, 2005. The meeting was called to order by Chairperson Barry Brock at 6:00 p.m. Present were Commissioners Mike Bradley, John Carter (arrived late), Melissa Gregory, Robert Hopkins, John Lacy, William Peters, Jimmy Richardson, and Elizabeth Williams, Planning Director Rachel Phillips, Engineer Ben Krebs, and Attorney Perkins (arrived late).

Chairman Brock welcomed Rachel Phillips as the new Director of Development Services.

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

With a change in wording from "should" to "could" by Commissioner Williams, motion by Williams, second by Bradley, to approve the June 9, 2005 minutes. Motion carried.

Motion by Williams, second by Lacy, to approve the July agenda. Motion carried.

Postponements/Withdrawals

Mr. Brock noted that the Mansion Townhouses, George Davis Farm - Tract 3, and Falls Creek Phase II Master Plan applications have been postponed to the August meeting.

**Motion by Richardson, second by Peters, to accept the three postponements noted above. Motion carried.**

Consent Agenda

There were no items on the consent agenda.

PSP-2005-34 East Main Estates - Preliminary Subdivision Plat for 89 single family residential detached units on 19.98 acres, located south of E. Main Extended, north of Lemons Mill Road, east of McClelland Circle (U.S. 460 Bypass).

Ms. Phillips reviewed the staff report, including the variance request to reduce the cul-de-sac radius, and issues regarding road improvements and rear lot lines.

Mr. Perkins arrived at the meeting.

Fred Easteridge, representing the applicant, agreed with the conditions of approval.

**Motion by Hopkins, second by Bradley, to approve the Preliminary Subdivision Plat, including the requested variance, subject to the thirteen (13) conditions of approval. Motion carried.**

PSP-2005-36 Paynes Landing Section 2 - Preliminary Subdivision Plat for 252 single family detached residential lots on 99.57 acres, located adjacent to the developing subdivisions of Paynes Landing, Section 1 and Canewood, off U.S. 460 W.

Ms. Phillips reviewed the staff report. She specifically addressed the issue regarding road and lot construction in the potential sinkhole area. A remediation plan was submitted as required by the zone change conditions. Commissioner Williams and Chairman Brock expressed concern that the Commission Engineer and the City Engineer had not had sufficient time to review the plan.

Fred Easteridge, Sherman-Carter-Barnhart and representing the applicant, described the area and the findings by the geo-technical engineer. It was his understanding that the remediation plan had been approved. Mr. Krebs reported that the matter was discussed at a meeting with the geo-technical engineer, the City Engineer, and himself, but he has not yet seen a detailed plan of how the area will be treated.

After further discussion, **motion by Williams, second by Hopkins, to postpone the application to give the engineers more time to study the plan for treatment of the sinkhole area. Motion carried.**

PDP-2005-30 Falls Creek Commercial - Preliminary Development Plan for a mixed-use commercial and residential development on 15.7 acres, located on the east side of U.S. 25 North, south side of Champion Way.

Ms. Phillips reviewed the staff report, including the concept of the Traditional Neighborhood Design. She stated that the applicant has proposed voluntary design guidelines, not only for architecture, but the overall layout and orientation of pedestrian and parking areas.

She stated that each phase/unit will be reviewed as a preliminary development plan as well as a preliminary subdivision plat to ensure that the overall design concept for the entire site is maintained.

She also reviewed the parking and landscaping issues.

Doug Smith, applicant, agreed to the thirteen (13) conditions of approval. Steve Austin, representing the applicant, provided photographs of similar projects and addressed the architectural design guidelines.

Tammy Nava, area resident, presented a book entitled *Great Planned Communities* to Ms. Phillips that illustrates developments of this type.

**Motion by Richardson, second by Lacy, to approve the Preliminary Development Plan subject to the thirteen (13) conditions of approval.  
Motion carried.**

Commissioner Carter arrived at the meeting.

PDP-2005-32 Smith Properties - Morgan Mill Road - Preliminary Development Plan for 37,750 sq. ft. two-story retail and office center on 2.15 acres, located on the west side of Cherry Blossom Way, south side of Morgan Mill Road.

Ms. Phillips reviewed the staff report, including issues regarding parking, the cross access easement, signage for the drive-thru areas, landscaping, and lighting with regard to the adjacent residences.

Doug Smith, applicant, agreed to the conditions of approval.

Terry <sup>Wise</sup>Ware, adjacent property owner, stated that the neighbors met with the applicant, and he has concerns about the location of the two proposed dumpsters and the stormwater drainage. Chairman Brock stated that no drainage will leave the site. Mr. <sup>Wise</sup>Ware also expressed concern about increased traffic when there is no traffic light at the intersection of Morgan Mill and Cherry Blossom Way.

Greg King, adjacent property owner, expressed concern about the location of the dumpsters, and the increased traffic at the intersection of Morgan Mill and Cherry Blossom Way.

An Old Mill Road resident expressed concern about the increase in traffic.

Mike Scoggins, Georgetown Newspapers, stated that the cross access easement will help alleviate some of the traffic problem. He also wished to be on the record regarding concern about the stormwater runoff. Because his property is six feet lower than this property, he wished to be informed about their drainage system.

A representative of BFI trash collection addressed the dumpster issue. Commissioner Hopkins asked if they could be located on Morgan Mill Road away from the residences. He responded that their trucks could cause a traffic hazard if located in that area.

Discussion continued on the dumpsters, including installing locks on them so that tenants only have access to them.

Another resident expressed concern about increased traffic at the intersection given the potential number of tenants in the proposed building. Mr. Smith stated that office space will generate less traffic than commercial space. He added that he will work to make sure the dumpsters do not create the problems anticipated by the adjacent residents.

Another resident wanted assurance that children will not be able to get into the dumpsters. The height of the dumpsters was discussed, and the installation of locks was noted.

Mr. Smith stated that they are willing to install a 6' high fence and landscape the property line between the houses and the development. Commissioner Williams asked that that be made condition #12.

**Motion by Williams, second by Peters, to approve the Preliminary Development Plan subject to the eleven (11) conditions, plus the 12<sup>th</sup> condition that the applicant has agreed to install a 6' fence plus the required landscaping between the property and the residences. By roll call vote, motion carried unanimously.**

PDP-2005-35 Mission Gear Indoor Racing - Preliminary Development Plan for a 67,000 sq. ft. indoor racing facility on 31.644 acres, located on the north side of Porter Road (KY 32), west of I-75, west of U.S. 25.

Ms. Phillips reviewed the staff report. She noted that the applicant will be required to obtain a Conditional Use Permit from the Scott County Board of Adjustment for a recreational use in an A-1 zone.

She noted that the changes needing made to the landscaping plan.

The size of the building was briefly discussed.

Brian Shirey, applicant, described how this will be an operation similar to one in Maysville, Kentucky. He stated that he realizes the biggest concern will be noise. He quoted the Judge Executive of the county where that facility is located, who felt that noise was not a problem. He stated that when the motorcycles are not in the building, they must operate at an idling speed.

Discussion continued on noise. Mr. Shirey stated that the building is not insulated.

Mr. Shirey agreed with the conditions of approval.

Sherry Straitiff, Porter Road resident, expressed disapproval for the project because of noise, lights, and traffic. She also expressed concern about waste from the RVs.

Harold Simms, presenting the applicant, stated that the RV area is strictly for patrons of the motorcross facility and there will be no dumping of waste from the RVs. He stated that it will provide an economic boost to the Sadieville area, noise should not be a problem, and the location is ideal because traffic from I-75 will almost immediately turn into the facility.

Another area resident strongly expressed his disapproval for the project because of the noise from the motorcycles, the increased traffic, and the condition of the roads.

Bonnie Parish, Commissioner and Mayor Pro Tem of Sadieville, stated that they voted to annex this property at their meeting on July 12 and will have the second reading in August. She stated that the matter was not presented to the Commission until that meeting and that she and the other Commissioners have no opinion on this proposal at this time. The annexation was approved to generate money so that Sadieville can pave roads and repair their sidewalks and sewer system.

Mark Walsh, who resides 1-1/2 miles from the proposed project, expressed support for the project because kids will have a controlled facility in which to ride.

Paul Bredberg asked Mr. Shirey about the type of building to be constructed, the hours of operation, and about any future expansion plans. Mr. Shirey described the type of building, stated that hours would be from 11 a.m. to 9:00 p.m. weekdays and from 8:00 a.m. to 9:00 p.m. Saturdays. He stated that his expansion plans include bicycle racing in another building.

Connie Bredberg asked if alcohol will be served or allowed at the facility. Mr. Shirey stated that there would be no alcohol.

Rob Evans, Josephine Road resident, expressed concern about the public cost of road maintenance, emergency and other services, and environmental impacts.

Mr. Simms stated that the conditions of approval require drainage studies that need approval by the Planning Commission Engineer and the Division of Water. He also addressed the proposed lagoon system which is similar to the one at Victoria Estates.

C. V. Stidham, Indian Creek Road resident, 5-1/2 miles from the proposed site, stated that on a certain ridge on Indian Creek Road, he can see the lights and hear the gas station that is near the site. He felt the condition of the roads is inadequate for increased traffic and that the noise will travel across the landscape to his property. He discussed the dangers of young people driving four wheelers and ATVs.

Rosala Evans expressed concerns about the type of people who will be attracted to the facility.

Mr. Shirey stated that motorcross is a controlled sport that will not involve the activities mentioned by Ms. Evans. It is a family-oriented activity and facility that will be safer for the kids than if they are riding by themselves.

Lisa Shirey pointed out that the location is immediately off the interstate and no traffic will be directed down Porter Road. She stated it is easily accessed by emergency vehicles, and would help keep dirt bikes off the roads by providing an indoor track.

Another area resident stated that an outdoor motorcross facility at another location on an interstate in Kentucky had to be closed because it became too dangerous.

Greg King, an emergency vehicle worker, stated that the traffic entering the proposed site will delay emergency vehicles reaching people needing help on Porter Road and elsewhere in that area.

Brian Hayes, area resident and civil engineer, expressed concern about the drainage plans. Mr. Krebs stated that he has not received comments from GMWSS about the plans. Mr. Hayes stated that this type of proposed lagoon is seriously impacted by severe peaks and long periods of no drainage in isolated activities such as this, versus residential-type drainage activity. He felt it will be extremely difficult to install an appropriate stormwater quality and quantity drainage system given the size of the site and the fact it will have to compete with the sizeable lagoon system.

Mr. Hayes asked if emergency medical personnel will be on the site. Mr. Shirey responded that a first-aid trained person on site at all times.

Mr. Hayes asked Ms. Parish if the City of Sadieville is prepared to provide increased police protection. She responded that they are preparing to hire a second police officer within the next two or three months. Their hope is that increased revenue will help them do so.

Mr. Hayes felt that because of the topography of the site, dumping will occur from the RVs. He felt that, as a former member of the Comprehensive Plan committee, the proposed use does not comply with the intent or visions of the Plan.

Lisa Shirey stated that they are buying the nearby gas station and will have employees policing the site who can report anyone who might be riding a motorcycle at night.

Mr. Simms stated that the lagoon system has been approved by the Health Department. He felt that the objectives of the Sadieville Comprehensive Plan are to encourage economic growth in the area.

Ms. Phillips added that if the applicant receives approval from the Board of Adjustments, he will have to meet all Health Department requirements and stormwater regulations. Whether the location is appropriate or not, that is for the Board of Adjustments to decide.

Commissioner Gregory, who has lived in the Sadieville area for 38 years, expressed support for the project because of the economic boost for the area and the controlled environment being provided for kids.

Commissioner Williams expressed support for the neighbors who have concerns about the project. She expressed concern about the danger of attracting so many people riding motorcycles that can potentially be ridden on our public roads.

Commissioner Bradley felt the traffic problem at the I-75 intersection is being exaggerated. He felt that development is inevitable at the intersection and that the noise won't be worse than the noise already there from the interstate traffic.

It was noted that there is no County noise ordinance.

Connie Bredberg stated that she has never seen nor heard a four-wheeler on the road past her house on Porter Road, but she has heard motorcycles at the Chevron station, which is over a mile from her house.

Commissioner Bradley stated that the Commission's decision is not whether the land use is appropriate, but whether the development plan meets the regulations.

Commissioner Williams felt that the Commission should ensure that noise is not a nuisance to the area.

Mr. Perkins stated that the Board of Adjustments is authorized to impose such conditions that make a use suitable for a particular location. The Planning Commission, in this case, can only consider whether the application satisfies our development regulations.

Chairman Brock added that the Board of Adjustments has that authority because this specific use requires a conditional use permit in an A-1 zone.

**Motion by Williams to postpone the application to the August meeting to see if the applicant receives approval from the Board of Adjustments and to give the applicant time to address the noise concern. Motion failed for lack of a second.**


**Motion by Gregory, second by Bradley, to approve the Preliminary Development Plan based on staff recommendation and subject to the fourteen (14) conditions of approval. By roll call vote, motion carried 6-2 with Williams and Carter dissenting.**

Ms. Phillips reported that review time has been longer than normal because of the shortage of staff.

She reported on the status of Kohl's and Bruster's Ice Cream.

The meeting was then adjourned.

Respectfully,

  
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Barry Brock, Chairperson

Attest:

  
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Charlie Perkins, Secretary