

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

**February 13, 2003**

The regular meeting was held in the Scott County Fiscal Courtroom on February 13, 2003. The meeting was called to order by Chairperson Sara Sutton at 7:00 p.m. Present were Commissioners Barry Brock, Pete Gritton, Robert Hopkins, David Kenley, Omer Lee, John Sharpe, Elizabeth Williams, Planning Director Kelley Klepper, Planner Rachel Phillips, Engineer Brad Frazier, and Attorney Charlie Perkins. Absent was Commissioner William Peters.

Commissioner Sharpe presented a plaque recognizing Commissioner James Thomason for his service on the Commission from 1994-2002.

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

With one spelling correction, motion by Williams, second by Gritton, to approve the January 9, 2003 minutes. Motion carried.

With the addition of the Dry Run Watershed grant proposal and discussion of a Health Department meeting under Staff Reports/Other Business, motion by Williams, second by Lee, to approve the February agenda. Motion carried.

Postponements/Withdrawals

Chairperson Sutton reported that the Wilder Cluster proposal is postponed until the March meeting. Motion by Sharpe, second by Gritton, to accept the item for postponement. Motion carried.

Consent Agenda

Representatives of the Bluegrass Regional Mental Health Building and Toyota Tsusho Logistics Building Expansion applications agreed to staff's conditions of approval, and no concerns about the projects were expressed by the Commission or the public.

**Motion by Sharpe, second by Brock, to approve the two applications on the Consent Agenda subject to their respective conditions of approval. Motion carried.**

ZMA-2002-82 Rogers Property – Rezoning request for 0.96 acres from R-2 PUD Single Family to B-4 Community Commercial located on the north side of Paris Pike (U.S. 460 E.), east of I-75, north of Crumbaugh Road. PUBLIC HEARING

Chairperson Sutton opened the public hearing.

The applicant submitted notice requirements to Mr. Perkins. Ms. Phillips reviewed the staff report, stating that the zone change will expand the existing B-4 area to include the R-2 PUD area isolated by the relocation of the proposed entrance to the development. It is in agreement with the Comprehensive Plan and compatible with surrounding zoning and land uses.

Commissioner Williams asked about access to the proposed B-4 area. Ms. Phillips stated that access would be from Schneider Drive.

Jason Banks, representing the applicant, agreed with the six conditions of approval.

Chairperson Sutton closed the public hearing.

**Motion by Brock, second by Lee, to recommend approval of the zone change request for 0.96 acres from R-2 PUD to B-4 Community Commercial based on its compliance with the Comprehensive Plan and subject to the six conditions of approval. By roll call vote, motion carried 7-0.**

PSP-2003-01 Hobson Property – Amended Final Subdivision Plat for 11 rural residential lots, located on the west side of Frankfort Pike (U.S. 460 W.), north of Longview Drive, south of White Oak Pike.

Ms. Phillips reviewed the staff report, including the variance to allow the access easement serving lots 3, 4, and 5.

Brent Combs, representing the applicant, addressed the access easement. That issue was discussed in detail. Because of the steep topography and the drainage area, extending the cul-de-sac to tract 5 would require a reconfiguration of the lots. It was noted that a road maintenance agreement for the access easement serving tracts 3, 4, and 5 should be required on the plat and be included in the conditions of approval as number thirteen (13).

It was also agreed that condition number fourteen (14) would state that the road will be constructed to 12' of asphalt, 3' of gravel, and 3' shoulders, and that a note will be added to the plat that the road is privately maintained and not available for road dedication to Scott County.

Mr. Frazier suggested that Brent Combs provide a drawing showing the cul-de-sac extended to tract #5 so that the two can be compared as far constructability in the drain area. After further discussion, Mr. Frazier stated that he is comfortable with the access easement as shown in that it will only serve three residences.

Mr. Combs stated that the applicant is in agreement with the twelve (12) conditions of approval, plus the thirteenth condition regarding a road maintenance agreement and the fourteenth condition regarding the private road and construction standards and its not being available for public dedication.

**Motion by Gritton, second by Brock, to approve the Preliminary Subdivision Plat subject to the fourteen (14) conditions of approval as discussed. Motion carried.**

PSP-2003-03 Jones Property – Preliminary Subdivision Plat for 9 duplex and one single family residential lots, located on the southeast side of Springview Drive, north of KY 227, east of Locust Fork Road.

Ms. Phillips reviewed the staff report, which focused on the access issue. She noted that an eleventh condition state that a note be placed on the plat requiring a no-parking sign on the private drive with a sign detail and location provided. She also noted that a note must be placed on the plat stating that any future subdivision of the duplexes for the purpose of individual ownership is subject to requirements of the Kentucky Residential Building Code for firewall construction standards.

Brent Combs, representing the applicant, agreed with the eleven conditions of approval.

**Motion by Williams, second by Hopkins, to approve the Preliminary Subdivision Plat subject to the eleven conditions of approval as discussed. Motion carried.**

PSP-2003-08 Thoroughbred Acres, Unit 7 – Preliminary Subdivision Plat for 226 single family detached residential lots and one open space lot, located on the southeast side of Champion Way, northwest side (terminus) of Coachman Lane.

Mr. Klepper reviewed the staff report, including the access and the future development area issues. He stated that the applicant agreed that future development of that area will be coordinated with staff review and require full Planning Commission review and approval.

The applicant agreed with the nineteen (19) conditions of approval.

**Motion by Sharpe, second by Brock, to approve the Preliminary Subdivision Plat subject to the nineteen conditions of approval. Motion carried.**

PDP-2003-02 Windsor Gardens – Preliminary Development Plan for a 24,833 sq. ft. assisted-living center, located on the northwest side of McClelland Circle (U.S. 460 Bypass), south side (terminus) of Fairfax Way.

Mr. Klepper reviewed the staff report. He noted the complexity of the application and discussed previous proposals for the property, the Comprehensive Plan recommendations, street connections, support and concerns of the Technical Review Committee, and street re-design options. He added that staff recommends approval subject to the thirteen conditions.

The intersection with the U.S. 460 Bypass was discussed. It was noted that KYTC-District 7 will review it if preliminary approval is received and a detailed design is submitted. Coordination with access to the hospital and the connection to Fairfax Drive was discussed.

Gary Keckley, applicant, stated that the small size of the facility will make construction of the road connection a financial burden that must be passed on to the residents. He stated that the traffic on the connecting road would be dangerous for the elderly residents and suggested speed bumps be placed at the entrance to the parking lot. He had concerns about limiting access to the bypass to right-in, right-out in that it would defeat the need for emergency access. He stated that the hospital indicated to him that the need for emergency access has been from the bypass, not the neighborhood.

Commissioner Williams felt that emergency vehicles are permitted to make otherwise illegal turns if they engage their sirens and proceed safely. She had concerns over blocking all possibility of a future connection with Fairfax Drive if this application is approved without the requirement of making the connection.

Mr. Klepper discussed the possibility of constructing a smaller connecting road, or a series of interconnected parking lots which would discourage everyday through traffic.

Charles Brewer, Fairfax Way resident, wished that Fairfax Way would be left a dead end. He also expressed concern about drainage problems in his yard.

Mary Davis, Westmoreland Court resident, read a statement for the record, which was signed by 26 of the neighbors who oppose the extension of Fairfax Way to bypass. They felt that it would put the children of the neighborhood at risk and

the intersection at the bypass would be dangerous. They stated that they already receive good emergency service without the extension.

Pam Walker, Bridge Creek Court resident, expressed concern about additional traffic in the neighborhood. Mr. Klepper stated that City officials could be asked to install a stop sign at one or more intersections on Fairfax Way to slow the traffic.

It was decided to postpone the application to the March meeting and in the meantime have the Technical Review Committee re-examine the road connection issue. The applicant agreed to have the Committee try to find a design that will solve the access issue and address the concerns over traffic.

Commissioner Brock asked staff to put a condition on the development plan that the right-of-way be dedicated but not have to be constructed until the development of the second lot. Mr. Klepper stated that they would consider that.

**Motion by Williams, second by Gritton, to postpone the application to the March, 2003, meeting in order to further study the emergency access issue. Motion carried.**

The neighbors were advised to contact the Planning office with their contact information if they wish to be informed of any revised plans.

PDP-2003-06 Hollon House – Preliminary Development Plan for a children's home located on the east side of Cincinnati Pike (U.S. 25 N.), west of I-75, north of Rogers Gap Road.

Ms. Phillips reviewed the staff report, including the needed Conditional Use Permit, landscaping, and the proposed lagoon system.

Commissioner Gritton asked about the distance between the entrance and Rogers Gap Road. Ms. Phillips replied that it is approximately ½ mile, and that they have been approved by KYTC-District 7 for an entrance permit.

The applicant agreed with the eleven conditions of approval.

**Motion by Williams, second by Sharpe, to approve the Preliminary Development Plan subject to the eleven conditions of approval. Motion carried.**

Richfield Farms - discussion regarding drainage

Mr. Klepper reported that the developer of Richfield Farms is appealing a staff recommendation regarding drainage. Due to a complaint about drainage by Albert Drake, neighboring property owner, staff examined the drainage plans for the development and determined that they are working properly.

Bruce Lankford, representing Albert Drake, introduced Dr. Drake, who showed pictures of several areas where water flows from Richfield onto his property. Brent Combs of Thoroughbred Engineering addressed the pipe put under the road by the County. This was also discussed by Commissioner Brock. Mr. Combs also stated that his engineering calculations matched those of Richfield Subdivision's engineer.

Discussion continued on drainage in the area.

Mr. Lankford questioned the following people who described the drainage problems that never occurred until the Richfield Subdivision was constructed: Allen Gaines, who has farmed Dr. Drake's farm since approximately 1956; Mr. Clint Davis, who has operated a trucking company since 1988 on Lemons Mill Road; and Mr. Harold Johnson, who has worked on Dr. Drake's farm since 1993.

Mr. Lankford stated that Dr. Drake estimated that he lost between \$5800 and \$6800 in crop damage last year. He stated that in theory, the design of the drainage system is fine, but that it is not working in the field because it may be based upon false assumptions.

David Royce, attorney representing Mayday Hanna, developers of Richfield Farm, stated that all plans for the subdivision were reviewed and approved by the Technical Review Committee and staff, and that construction has been completed as designed. He stated that as a good neighbor gesture, they have put in "speed bumps" which have re-directed and slowed down the water to some extent. He illustrated with Dr. Drake's photographs how the final course of asphalt, which has not yet been laid, should also help the problem. He also addressed the detention basin and water crossing the road.

It was noted that the final course of asphalt will be laid when the development is approximately 80% built, which may be in September or October of this year.

Mr. Combs stated that he needs to check the design of the curb inlets and storm piping, for which he needs more field information.

Dr. Drake stated that he is willing to live with a reasonable amount of water, but is seeking relief from continued damage caused by the amount of water now diverted to his property.

Commissioner Gritton felt that the developer has an obligation to work further with Dr. Drake and his engineer to find a solution to the problem. Discussion continued by the Commission and staff on what action can be taken.

Keith Mays of Mayday Hanna, stated for the record that they tried to work with Dr. Drake from the beginning in negotiating a figure for damages, but could not come to an agreement.

It was agreed to postpone the matter 60 days to the April meeting for all parties to further study the matter.

#### Canewood, Unit 4

Mr. Klepper reported that two significant tree preservation areas that were noted on the Preliminary Subdivision Plat, construction plans, and the Final Subdivision Plat were removed. He presented an illustration of the landscaping proposed by Barlow Homes to replace the trees. He also presented a list of remediation actions that was recommended by the Executive Committee.

Carol Goes of Barlow Homes and Canewood, Inc., agreed to the seven recommendations set forth by staff for replanting and preserving other tree areas.

**Motion by Sharpe, second by Brock, to approve staff's seven recommendations regarding the removal of the tree preservation areas in Canewood and the proposed replanting plan submitted by Barlow Homes. Motion carried.**

#### Approval of FY 03-04 Budget

Mr. Klepper reviewed the increases in the proposed FY 03-04 budget, which were outlined in more detail than in previous years.

Commissioner Gritton felt that the increased detail and justifications are extremely helpful in view of current economy and the cutbacks being requested by the legislative bodies. He felt that fees should be increased so that developers are paying for the highly professional services they are receiving. He questioned whether a special meeting should be held to review and discuss the proposed budget.

GIS software, medical insurance, a fee increase, and travel and education were briefly discussed.

**Motion by Gritton, second by Brock, to approve the proposed FY 03-04 budget and to have staff look at a fee increase for the new fiscal year. Motion carried.**

Planning Commission Elections: Chair, Vice-Chair, Executive Committee Member

Motion by Hopkins, second by Williams, to nominate Sara Sutton for Chairperson.

Motion by Gritton to nominate Barry Brock for Chairperson. Motion died for lack of a second.

Motion by Williams, second by Gritton, to accept by acclamation. Motion carried.

Motion by Williams, second by Sharpe, to nominate Barry Brock for Vice-Chair.

Motion by Hopkins, second by Sutton, to accept by acclamation. Motion carried.

Motion by Williams, second by Sharpe, to nominate Robert Hopkins to the Executive Committee.

Motion by Sutton, second by Williams, to nominate Pete Gritton to the Executive Committee.

Motion by Sharpe, second by Sutton, to accept by acclamation. Motion carried.

Update of previously approved projects and agenda items

Mr. Klepper updated the Commission on the computer networking project in the office.

He then reviewed the grant available from the Division of Water that will fund a project to combine a Land Use Plan, stormwater manual, and drainage study of the entire Dry Run Basin. He stated that it is a 60/40 grant, with a portion of the 40% being in-kind services by staff, and that when completed, will be presented to state and possibly national level planning conferences and engineering publications.


**Motion by Gritton, second by Brock, to authorize staff to proceed with the grant applications. Motion carried.**



Mr. Klepper reported on the upcoming Health Department meeting on Wednesday, February 19 to discuss clusters. Several Commissioners volunteered to attend.

The meeting was then adjourned.

Respectfully,

  
\_\_\_\_\_  
Sara Sutton, Chairperson

Attest:

  
\_\_\_\_\_  
Charlie Perkins, Secretary