

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

April 14, 2005

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

Chairman Brock welcomed Melissa Gregory, the new Planning Commissioner from Sadieville. She was sworn in prior to the meeting.

Motion by Carter, second by Richardson, to approve the March invoices. Motion carried.

Motion by Lacy, second by Carter, to approve the March 10, 2005 minutes. Motion carried.

Motion by Richardson, second by Williams, to approve the April agenda. Motion carried.

Postponements/Withdrawals

Mr. Brock noted that the Hannson Place, Phase 2, Lots 8, 9, 10, and 15 application has been postponed to the May meeting.

Motion by Hopkins, second by Lacy, to accept the postponement of the Hannson Place application. Motion carried.

Consent Agenda

Representatives of the Donald Thompson Farm - White Oak Pike, Bruster's Ice Cream, DJTQ Properties, and White, Greer & Maggard Dental Office 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 Carter, to approve the four items on the Consent Agenda subject to their respective conditions of approval. Motion carried.

PSP-2005-13 Coleman Property - Preliminary Subdivision Plat for ten (10) 5+ acre tracts on 63 acres, located on the north side of Frankfort Pike (U.S. 460 W), north of Craig Lane, south side of Elkhorn Creek.

Ms. Phillips reviewed the staff report. There was brief discussion on the issue of the road connection with Spring Island Drive.

The applicant agreed with the fourteen conditions of approval.

Don Hawkins, owner of Tract 1, asked about restrictions on building types. Chairman Brock stated that the Commission has no authority over that issue.

Motion by Hopkins, second by Williams, to approve the Preliminary Subdivision Plat for ten lots, subject to the fourteen (14) conditions of approval. Motion carried.

PSP-2005-14 Harbor Village - Phase 3 - Preliminary Subdivision Plat for 85 lots located on Harbor Village Drive, west of Lakeside Drive, southwest of Lakeshore Circle.

Ms. Phillips reviewed the staff report, including the history of the amendments to the original master plan and the elimination of Cove Lake, and now the elimination of "Planned Lake." The applicant submitted a letter proposing the donation of the "Planned Lake" area as a park.

Ms. Phillips also noted the variances regarding Harbor Village Drive and Lakeshore Circle, requesting that the width be consistent with the existing sections of those roads.

She noted sanitary sewer availability, the concern about building envelopes, the uncertainty about whether construction of the lake would be permitted, and U.S. Army Corps of Engineers requirements.

Discussion continued on the type of park proposed.

Commissioner Williams felt that letters from the homeowners should be obtained for approval of changes to the Master Plan.

Johnny Saunders, applicant, stated that the lake was removed from the Master Plan before he purchased the property. He stated that he plans to upgrade the park equipment in the existing park.

John Perkins, Lakeside Drive resident, stated that he purchased his home with the understanding there would be a lake adjacent to his property.

Rebecca Hall, Lakeshore Circle property owner, purchased and retained the property because they were informed that it would be a lake front property.

Janie Martin Kemp, Lakeshore Circle property owner, stated that she purchased her property at a higher price than other lots in the area because she was informed that it would be a lake front property within five years.

Sandy Sowers, President of the Homeowners Association, stated that, counting the homeowners present and the proxy votes, there were 51% that approved the change to the master plan. She stated that there was little comment about the change. Commissioner Williams expressed concern that the people who submitted the proxy votes were not fully aware of the change. She wished to receive an official letter following the next meeting of the membership indicating how the homeowners feel about it.

John Perkins was concerned that 51% of the residents are not affected by the change. He also stated that the agenda of the Homeowners meeting that was sent to the residents did not specifically state that the lake would be discussed.

Mr. Saunders stated that attendance at the Homeowners meetings has always been low.

Ms. Phillips clarified that Mr. Saunders is not the original developer.

Discussion continued about obtaining a consensus from the Homeowners Association. Ms. Sowers stated that a meeting will be called for the upcoming weekend.

Motion by Williams, second by Bradley, to postpone the application to the May meeting to allow the Homeowners Association time to submit a letter outlining in detail the neighborhood's wishes regarding the elimination of the Planned Lake. Motion carried.

Proposed amendments to Art. II, Sec. 2.53 of the Zoning Ordinance regarding regulation of signs PUBLIC HEARING

Chairman Brock continued the public hearing.

Mr. Klepper noted a change in the ordinance regarding signage in the B-4 zone. He stated that the proposed ordinance more clearly defines what types of signs

are prohibited and reviewed many of the highlights. He also noted the amortization policy that was of concern at the last meeting.

Commissioner Hopkins asked about signs that direct customers to businesses on nearby streets. Mr. Klepper addressed that issue in regard to the Downtown area.

Commissioner Lacy noted that there are no regulations for signage in A-1 districts. Mr. Klepper stated that that could be looked into.

Commissioner Bradley asked if anyone in the Downtown district who has an internally lit sign has commented on the proposed ordinance, which prohibits them. Mr. Klepper stated that he has not heard from anyone. Darlene Albin, Mainstreet Director, also had not heard from anyone.

Commissioner Richardson expressed concern about business owners being made to take down signs that are no longer in conformance with the ordinance. Mr. Klepper addressed that issue and cited recent court cases involving non-conforming signs. He stated that cases involving amortization clauses have been tried and tested. Generally those having a shorter amortization period are defeated. Those with longer periods and a definite justifiable cause are upheld.

Discussion continued on non-conforming signs. The Commissioners discussed maintaining the visual character of a small town while not imposing hardships on business owners.

Bill Stark, owner of Letterman Signs and member of the sign committee, pointed out deficiencies in the current ordinance. He felt the consensus of the sign committee was to create a friendly and enabling ordinance and to improve the general appearance of the community. He addressed the average life of signs and the fact that some non-conforming signs have long outlived their allowance by the IRS as a tax deduction. He supported a five-year amortization period for replacing non-conforming signs.

Tim Jenkins, member of the sign committee, supported the ordinance as written, but was concerned that restrictions on off-site, small temporary signs that tend to proliferate on major roads also impact real estate signs. He felt that real estate directional or open house signs should be differentiated from other temporary signs.

Chairman Brock continued the public hearing to the May meeting.

West Georgetown Small Area Plan PUBLIC HEARING

Chairman Brock opened the public hearing.

Ms. Phillips gave a brief description of a small area plan in general and the background of the need for this small area plan.

She then reviewed the major points of discussion in the plan, including existing community facilities, annexation policy, sanitary sewer, fire and police protection, emergency management services, and environmental conditions. She noted that the committee's thinking evolved from "subdivision" to "neighborhoods," where the design is functional and includes components such as pedestrian linkages, greenways, neighborhood schools, design aesthetics, architectural elements, and vehicular and pedestrian connectivity.

She reviewed the goals and objectives, and future development recommendations, including neighborhood and commercial design concepts. She reviewed the options of incentive zoning and density bonuses, or a Traditional Neighborhood Design overlay zone and ordinance. She also noted the daycare incentive.

Mr. Estep then reviewed the street design recommendations, including layout, width, alleys, street trees, furniture and lighting, underground utilities, and traffic calming measures. He addressed house design, neighborhood centers and connectivity, neighborhood entry points, and buffering.

Ms. Phillips thanked the advisory committee that worked with staff on the small area plan for their hard work.

Commissioner Williams expressed concern about the bonus density aspect of the plan, feeling that low density should be strictly enforced to maintain the type of neighborhoods that are desired. She also felt that low density will be a help in deterring further development to the south. She expressed concern about the potential parks being a huge operating expense for the City. She felt that land for park dedication should be based on a percentage of the total land instead of a range of acres. She felt that if it is public park land, it should be accessible from external roads in the area. She felt that any policies should be a part of the entire Comprehensive Plan, and not just available to developers who happen to own land in this area.

Mr. Klepper addressed some of Commissioner Williams' concerns, in particular the park land dedication, which he stated would require approval by the City. He explained that small area plans have different design components based on general characteristics of the area. He stated that lower densities do not automatically mean better design from a functional or an aesthetic standpoint,

and that lower densities mean that more farm land will be developed to accommodate the growth.

Discussion continued on Commissioner Williams' concerns.

Tim Jenkins, City Council member, agreed with Commissioner Williams about the recurring costs of park land and also expressed concern about the initial and recurring costs of an additional fire station.

Chairman Brock stated that the Planning Commission can only deal with land use issues, not revenue generation. Ms. Phillips added that revenue issues may be discussed when the Community Facilities element of the Comprehensive Plan is reviewed. She stated that Parks and Recreation is supportive of parks being provided by the developer, rather than residents requesting parks after the developments are complete. Chairman Brock stated that with this plan, parks are provided at the outset of the development where they are most needed and can be incorporated into good design, and are not just undevelopable land that is left after the development is complete.

Tammy Nava, citizen, encouraged all interested parties to attend the New Urbanism seminar on April 29. She supported the concepts in the proposed plan.

Bill Stark of Letterman Signs, felt that much older neighborhoods with narrower lots have remained popular.

Ms. Phillips stated that the plan would be revised taking into consideration the comments heard tonight, and copies would be provided to the Commissioners prior to the May meeting.

Chairman Brock continued the public hearing to the May meeting.

Personnel evaluation


Chairman Brock stated that Melissa Bridges, GIS Technician, had a six-month review, but approval of her permanent status is unnecessary because of her acceptance of a new position in Colorado.

The meeting was then adjourned.

Respectfully,


Barry Brock, Chairperson

Attest.


Charlie Perkins, Secretary