

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

**June 9, 2005**

The regular meeting was held in the Scott County Courthouse on June 9, 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.

Attorney Perkins read a resolution honoring Kelley Klepper. After 7-1/2 years, Mr. Klepper has resigned to take a position in Sarasota, Florida. Motion by Williams, second by Carter, to approve the resolution. Motion carried.

Chairman Brock presented Mr. Klepper with a glass plaque honoring his service to the Planning Commission.

Motion by Richardson, second by Bradley, to approve the May invoices. Motion carried.

Motion by Carter, second by Williams, to approve the May 12, 2005 minutes. Motion carried.

Motion by Hopkins, second by Carter, to approve the June agenda. Motion carried.

Postponements/Withdrawals

Mr. Brock noted that the Mansion Townhouses application has been postponed to the July meeting. He stated that the Hannson Place, Phase 2, Lots 8, 9, 10, and 15, and the Mason Car Wash applications have been withdrawn.

**Motion by Williams, second by Richardson, to accept the postponement and withdrawals of the three items noted above. Motion carried.**

## Consent Agenda

A representative of the Rawlins Truck Wash - Building Addition application agreed to the conditions of approval, and no concerns about the project were expressed by the Commission or the public.

**Motion by Bradley, second by Richardson, to approve the one item on the Consent Agenda subject to its conditions of approval. Motion carried.**

ZMA-2005-25 Payne's Landing Unit 3 - Rezoning request for 22.51 acres from A-1 Agricultural to R-2 PUD - Single Family Residential Planned Unit Development and C-1 Conversation, located east of General John Payne Blvd., north of Shinnecock Hills Drive, south of N. Elkhorn Creek. PUBLIC HEARING

Chairman Brock opened the public hearing.

Mr. Klepper reviewed the staff report, including issues regarding open space, impacts on the golf course, the canoe launch/storage area, and the sinkhole area.

It was noted that discussion on the sinkhole issue will continue at the Preliminary Subdivision Plat stage.

Bruce Lankford, representing the applicant, agreed with the eight conditions of approval. He stated that he notified 106 nearby property owners in accordance with the new ordinance, and that annexation is in progress. Chairman Brock added that a ninth condition will be added regarding annexation.

**Motion by Richardson, second by Carter, to recommend approval of the zone change based on the five reasons listed in the staff report, and subject to the eight conditions, with the addition to condition #8 that the sinkhole area (Variance #1) will be investigated and a remediation plan will be submitted and approved by the Planning Commission Engineer and City Engineer prior to approval of the Preliminary Subdivision Plat, and the addition of a ninth condition that approval is subject to annexation. By roll call vote, motion carried 8-0.**

PSP-2005-18 Cedar Hill Estates - Preliminary Subdivision Plat for 18 rural residential lots, located on the northeast side of Cedar Road (KY 368), north of Switzer Road, west of Stamping Ground Road (KY 227).

Chairman Brock noted that the new name of the subdivision will be Legend Hills Farm.

Ms. Phillips reviewed the staff report. She noted that the issues regarding building lines have been resolved. She reviewed the access easements and stated that approval has been obtained from KYTC-District 7 for all the access points.

She recommended approval subject to fourteen conditions of approval.

A neighboring property owner expressed concern about the types of houses that will be constructed. Chairman Brock stated that the Planning Commission has no authority in that matter.

The applicant agreed to the fourteen conditions.

**Motion by Carter, second by Hopkins, to approve the Preliminary Subdivision Plat subject to the fourteen conditions of approval. Motion carried.**

PSP-2005-24 Jones Property - Preliminary Subdivision Plat for 90 single family residential detached lots, located on the west side of Payne's Landing Blvd., north of Frankfort Road (U.S. 460 W.).

Mr. Klepper reviewed the staff report, including street layout, the variance requesting a reduction in the front yard setback, and the landscape buffer.

It was agreed that it would be noted on the plat the conditions of the variance and which lots were affected by the variance.

Dean Jones, applicant, felt that rear access homes are very desirable. The Commission agreed that this development should set an example for other developments.

**Motion by Williams, second by Lacy, to approve the Preliminary Subdivision Plat based on the twelve conditions of approval, and the variance regarding the front yard setback. Motion carried.**

PSP-2005-26 Edgewater Subdivision - Preliminary Subdivision Plat for 73 single family residential detached units on 23.83 acres, located on the south side of Stamping Ground Road (KY 227), south of Parker's Mobile Home Park.

Ms. Phillips reviewed the staff report, including issues regarding annexation, the lots in the R-1A zone, access, and the pond and drainage easement.

Brent Combs, Thoroughbred Engineering and representing the applicant, stated that the number of lots may be reduced to provide more buffer around the pond after further study of the pond is done.

Tommy Sageser, adjacent property owner, expressed concern about drainage from the property. He showed pictures of the drainage through the 24" pipe under the railroad tracks. He felt that a larger pipe would eliminate any drainage problems cause by this development. Chairman Brock noted that a drainage plan must be approved by the Planning Commission Engineer. Brent Combs stated that there are four or five options for handling increased drainage that will be considered.

Ms. Phillips suggested adding specific wording to condition #7 regarding a drainage study.

Bill Bridges, one of the applicants, also addressed the drainage issue.

An adjoining property stated that they did not received notification of the application. Mr. Perkins suggested adding an eleventh condition stating that the notification list will be re-verified prior to final plat approval.

**Motion by Bradley, second by Richardson, to approve the Preliminary Subdivision Plat subject to the ten (10) conditions of approval plus the eleventh condition regarding re-verification of the notification list. Motion carried.**

#### Revised budget

Mr. Klepper reported on the budget changes based on the increased rates for health and dental insurance.

**Motion by Williams, second by Lacy, to approve the revised budget as presented. Motion carried.**

#### Update of Sign Ordinance

Mr. Klepper reported that the sign ordinance was recommended for approval at the last meeting. He stated that Mr. Perkins has worked on the regulations regarding real estate signs, and also suggested making a spreadsheet that will summarize the ordinance.

Mr. Perkins suggested that real estate open house signs be added to section 3E, which allows temporary signs announcing events such as auctions, civic events, elections, and non-commercial promotions not exceeding an area of 32 sq. ft. He suggesting limiting the time the real estate signs can be posted to a certain number of days prior to the event and no later than the day after the open house closes. The size of the sign should be limited also.

**Motion by Williams, second by Carter, to amend the section of the sign ordinance regarding temporary signs to limit the number of days a real estate open house sign may be posted to five days, and to limit the size of the sign to four square feet. Motion carried.**

Commissioner Bradley made a motion to amend section 4B of the proposed ordinance by deleting the entire sentence regarding the replacement of non-conforming signs within five years. He felt that too many older businesses are affected by the change and that the financial burden on so many businesses does not rise to the level of being for the public good.

Discussion continued on the matter. Signs located in the sight triangle were discussed. Mr. Perkins suggested applying the replacement regulation only to non-conforming signs within the sight triangle. Commissioner Bradley felt that that would still affect too many signs that don't present a safety hazard.

**Motion by Bradley, second by Richardson, to eliminate section 4B of the proposed sign ordinance until such time as the issue can be better researched. Motion denied 7-2 with Brock, Carter, Gregory, Hopkins, Lacy, Peters, and Williams dissenting.**

Commissioner Williams felt that the time period ~~should~~<sup>could</sup> be extended to ten years, and then possibly amended at a later date, but not deleted altogether. Commissioner Bradley asked if the non-conforming sign owners could apply to the Board of Adjustment for a variance. Mr. Perkins was unclear what the standard would be since there are many references in planning law that state that financial hardship is not sufficient for granting a variance for non-compliance.

Discussion continued on aesthetic, sight distance, and safety issues.

Tammy Nava, community resident, had several comments regarding the proposed ordinance.

It was noted that text amendments can be made later on any issues still needing worked out, and that each municipality can adopt, or not adopt, specific regulations as they choose.

Mr. Perkins suggested extending the amortization period and/or stating that signs that are within the sight triangle and are at such size or level or configuration that they impede vision, then they cannot receive an extension on the time period. If the sign does not impede vision or create a safety hazard, then they can receive whatever consistent extension the Commission sets.

**Motion by Williams, second by Bradley, to modify section 4B of the proposed sign ordinance by extending the amortization period from five years to twelve years. Motion denied 6-3 with Brock, Carter, Gregory, Hopkins, Lacy, and Peters dissenting.**

**Motion by Peters, second by Lacy, to recommend approval of the proposed sign ordinance as written. Motion carried with 7-2 with Bradley and Richardson dissenting.**

Update of previously approved projects and agenda items


Mr. Klepper reported that Kohl's has an expected opening date of October/November.

Mr. Klepper reported that Jonathan Britt has been hired to replace Lance Estep. Jonathan is currently the planning administrator for Grant County, and will be starting on July 5.

Mr. Klepper then told the Commission how much his 7-1/2 years here means to him and praised his staff for their competence and dedication. The Commission thanked him and expressed their confidence in the staff to continue the good work.

The meeting was then adjourned.

Respectfully,

  
\_\_\_\_\_  
Barry Brock, Chairperson

Attest:

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