

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

JUNE 10, 2007

The regular meeting was held in the Scott County Courthouse on June 14, 2007. The meeting was called to order by Chairperson Barry Brock at 6:00 p.m. Present were Commissioners Mike Bradley, Melissa Gregory, Greg Hampton, Janet Holland, Robert Hopkins, John Lacy, and Jimmy Richardson, Planning Director Michael Sapp, Assistant Director Eric Larson, Planners Drew Ardary and Rhonda Cromer, Engineer Ben Krebs, and Attorney Charlie Perkins. Absent was Commissioner Ralph Tackett.

Motion by Lacy, second by Holland, to approve the May invoices. Motion carried.

Motion by Gregory, second by Lacy, to approve the May 10, 2007 minutes. Motion carried.

With the addition of Commission Officers and the Dolen Property under New Business, motion by Hopkins, second by Holland, to approve the June agenda. Motion carried.

Postponements/Withdrawals

Mr. Brock reported that the Sycamore Place and Sexton Warehouse Phase II applications have been postponed to the July meeting.

Motion by Bradley, second by Gregory, to accept the two items for postponement. Motion carried.

Consent Agenda

Representatives of the Murphy Property and South Broadway Walgreens applications agreed to their respective conditions of approval, and no concerns about the projects were expressed by the Commission or the public.

Motion by Lacy, second by Holland, to approve the two (2) items on the Consent Agenda subject to their respective conditions of approval. Motion carried.

O'Reilly Automotive, Inc. – Rezoning request from B-1 to B-2 for a 1.832- acre tract for an auto parts retailer, located on the northwest corner of S. Broadway (U.S. 25 S.) and Hawthorne Drive. PUBLIC HEARING

Chairman Brock opened the public clearing.

Mr. Ardary reviewed the staff report, stating that the site is identified as under-utilized due to the restrictive permitted uses in the B-1 zone. He discussed issues regarding surrounding zoning, other B-1 sites, traffic generation, lighting, and access. He also discussed architectural design, recommending that the applicant use building materials and architectural elements that complement the existing neighborhood. He recommended approval based on the application's consistency with the Comprehensive Plan.

Commissioner Hopkins felt the sign posted on the property was small, and he stated that he did not see the notice in the newspaper. The applicant could not provide evidence that the notice was published.

Chairman Brock postponed the application to the July meeting so that documentation of notice requirements can be submitted. Mr. Perkins noted that if any of the notice requirements were not done, then the application could not be postponed; all notice requirements would need to be done again for the July meeting. If the application can show proof that all requirements were met, then the application can be postponed and the requirements would not have to be met again.

John Zumora, area resident, had concerns about the project. Chairman Brock stated that he could attend the next meeting, or submit his concerns in writing.

PDP-2007-01 Brown Property Townhomes – Preliminary Development Plan for 10 townhouses in three buildings on 1.1 acres, located on Royal Spring Avenue, which is approximately 1000' south of West Main Street.

Chairman Brock reported that the application has been recommended for postponement due to the need for the Board of Adjustment to take action on the variance associated with the application. He asked the Commission if they wished to hear the application now, or to wait until the Board of Adjustment has heard it.

Motion by Richardson, second by Lacy, to postpone the application until the Board of Adjustment has taken action on the matter. Motion carried.

PDP-2007-11 Whispering Hills RV Campground – Preliminary Development Plan for 233 RV campsites on 35.53 acres zoned A-1, located on the south side of Rogers Gap Road, east of I-75 and west side of Highview Path.

Chairman Brock reported that the sanitary sewer issue has still not been resolved. He stated that the Commission can hear the application, or postpone the application until the issue is resolved.

Motion by Lacy, second by Holland, to postpone the application until the sanitary sewer issue is resolved. Motion carried 7-1 with Bradley dissenting.

Cluster Ordinance revisions - PUBLIC HEARING

Chairman Brock opened the public hearing.

Commissioner Lacy reported that the Rural Subcommittee of the Comprehensive Plan Committee reviewed the regulations and made amendments that may better fulfill the intent of the ordinance.

Commissioner Hopkins noted that Item H on page three should actually be Item K.

Commissioner Hopkins also asked about the half-acre minimum lot size. Commissioner Lacy explained that if the development is on a public utility septic system, then the minimum size would be .5 acres, even though the density would still be one unit per five acres. He stated that many homeowners do not wish to maintain a full acre.

Chairman Brock suggested amending the last sentence in **Item B** to “Areas devoted to septic treatment for cluster developments with approved public utility septic systems may not be counted as part of any preserved tract.” Commissioner Lacy agreed.

Commissioner Bradley expressed concern about Item C requiring the reserved tract to be one tract only. He felt that the requirement prevents the division of larger farms so that they can be given to sons/daughters. Commissioner Lacy stated that the committee’s intent was to prevent a proliferation of 25-acre tracts. If the tracts remained larger, the land is more likely to stay in agricultural production.

Discussion continued on the matter.

Commissioner Richardson expressed concern about the requirement to provide stub streets to adjacent properties. That issue was discussed. Mr. Perkins suggested keeping the requirement in the proposed ordinance so that the Commission can make judgments on a case-by-case basis if deemed necessary for emergency access or other reasons. Mr. Sapp stated that a major concern of the northeast traffic study is lack of connectivity.

Brent Combs, Thoroughbred Engineering, felt that if it can be shown that it is in the best interest of preserving farmland, any of the requirements should be able to be waived. He also felt that if the regulations restrict the preserved acreage to one tract, it may cause problems on certain farms where soils are better in one area than another.

Tom Bradley, Thoroughbred Engineering, referred to the December Estate plat, stated that a 25-acre tract allowed the cluster lots to be set off the road. Without a separate 25-acre tract, the cluster lots would have been adjacent to the road.

Narrow access easements to serve preserved tracts were discussed (flag lots). Preserving rural views from major arterial roads and environmentally-sensitive areas were discussed.

Commissioner Bradley asked for clarification of **Item E**. Mr. Sapp stated that generally a financial interest in the property is all that is required for an applicant to pursue preliminary development approval. As written, Item E would rule that out. After discussion, it was agreed that the wording should be changed to read, "All property associated with a cluster development should be under the ownership of the applicant/applicants or under contract to the applicant/applicants prior to preliminary approval of the cluster development by the Planning Commission."

Chairman Brock also noted the elimination of the restriction that cul-de-sacs not be longer than 1000'.

It was decided to discuss the flag lot issue with the Executive Committee. Chairman Brock reviewed the changes and discussion thus far:

- Item B – as changed above
- Item C – discuss with Executive Committee (not resolved)
- Item E – as changed above
- Item H – clearly define environmentally-sensitive areas (not resolved)
- Item L – should be part of K and "Item H" should read: in this item"
- Sufficiency of Infrastructure - becomes Item L
- Item 8 – (not resolved)

Rezoning/annexation under Item V was then discussed. It was agreed that **Item V** would be reworded to stated that ". . . unless the entire cluster development is annexed" (instead of rezoned).

Chairman Brock continued the Cluster Ordinance Revisions until the July meeting so that staff can make the agreed upon changes and other items can be discussed further.

Dolen Property

Mr. Sapp reported that both Pokeberry and Porter Roads have access to lots. He stated that two lots access Pokeberry, and therefore, that would be considered a minor subdivision, and the improvements would be not required on Pokeberry. The other lots with an internal road would access Porter Road. The minutes of the meeting do not reflect whether Porter was required to be upgraded. Commissioner Richardson recalled that they did not require improvements to Pokeberry.

Brent Combs, Thoroughbred Engineering, stated that the conditions of approval indicate that Mr. Krebs must make a ruling on the widening of Porter Road. He stated that the road is already 18' feet wide.

After discussion it was decided that the road frontage of any tract to be recorded off Porter Road would not need widening if Porter Road is 18'. Mr. Krebs stated that shoulders may be required if needed. Also, the record will be studied to determine if any improvements were required to Pokeberry Road.

Floodplain Damage Prevention Ordinance – PUBLIC HEARING

Chairman Brock opened the public hearing.

Mr. Larson stated that the amendment to the *Zoning Ordinance* (Appendix B) is recommended because FEMA is re-doing the FIRMs (Flood Insurance Rate Maps) and has asked communities to adopt the minimum standards for a flood damage ordinance. He stated that the State of Kentucky has written a model ordinance and has asked that communities adopt it.

He stated that the new maps are digital-based and more detailed and user-friendly than those in place now. He described the proposed ordinance which has been tailored to fit the current Georgetown-Scott County regulations and Comprehensive Plan.

Mr. Larson also presented the proposal to transfer the floodplain management responsibility from the Building Inspection Office to the Planning Office, where it would be done for Scott County, Georgetown, and Stamping Ground. Sadieville is not yet a member of the National Flood Insurance Program, but anticipates joining soon, and they would also be administered by the Planning Office. He stated that there is general consensus that floodplain management should be done in the Planning Office.

He then reviewed the articles of the ordinance in detail.

Commissioner Lacy asked what elevation determines the floodplain on the Elkhorn Creek. Mr. Larson stated that it fluctuates, and the new maps will show more detail.

After brief discussion, Chairman Brock closed the public hearing.

Motion by Lacy, second by Richardson, to approve the text amendment to the *Zoning Ordinance* regarding floodplain damage prevention. By roll call vote, motion carried 7-0.

Commission Officers

Commissioner Hopkins reported that because of health reasons, he is no longer able to serve on the Executive Committee.

Motion by Hopkins, second by Richardson, to appoint Commissioner Lacy to the Executive Committee. Motion carried.

The meeting was then adjourned.

Respectfully,



Barry Brock, Chairperson

Attest:



Charlie Perkins, Secretary