

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

February 14, 2002

The regular meeting was held in the Scott Fiscal Courtroom on February 14, 2002. The meeting was called to order by Chairman Sara Sutton at 7:00 p.m. Present were Commissioners Barry Brock, Pete Gritton, Robert Hopkins, Omer Lee, William Peters, John Sharpe, Elizabeth Williams, Planning Director Kelley Klepper, Planner Rachel Phillips, Engineer Brad Frazier, and Attorney Charlie Perkins. Absent was Commissioner James Thomason.

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

With one correction to the motion under the Jenkins Property, stating that condition #2 was deleted based on the fact that it is a family farming venture, motion by Brock, second by Gritton, to approve the January 10, 2002 minutes. Motion carried.

Motion by Hopkins, second by Gritton, to accept the February agenda. Motion carried.

Postponements/Withdrawals

There were no items for postponement or withdrawal.

Consent Agenda

A representative of the Longview Land Company/Homestead Master Plan (Amended) application agreed to staff's conditions of approval, and no concerns about the project were expressed by the Commission or the public.

Motion by Williams, second by Lee, to approve the Longview Land Company/Homestead Master Plan (Amended) application subject to the conditions of approval. Motion carried.

ZMA-2002-04 Land & Timber Subdivision – Rezoning request for 53 acres from A-1 Agricultural to R-1B PUD Single-family residential, located on the east side of U.S. 25 N., south side of Rogers Gap Road, north side of Moonlake Estates.
PUBLIC HEARING

Chairperson Sutton opened the public hearing. Mr. Klepper noted that the staff report indicates the requested zoning is R-1C PUD, but that it should read R-1B PUD. The applicant submitted documentation regarding notice requirements.

Mr. Klepper reviewed the staff report, which recommended denial because it is not supported by the Comprehensive Plan. He did recommend approval of the zone change request to R-1B PUD for the 2.88 acres adjacent to Moonlake Estates because of its compatibility with and minimal impact on the area.

Commissioner Williams felt that the proposal is still premature and does not comply with the Comprehensive Plan.

Commissioner Hopkins felt that there is sufficient land already available within the urban service boundary.

Commissioner Sharpe asked about the portion of Moonlake Estates adjacent to part of this proposal.

Harold Simms, representing the applicant, reviewed the merits of the proposal, including the existing sanitary sewer lines on the property, the Goals and Objectives of the Comprehensive Plan, and the surrounding residential development.

Jeff Francisco, applicant, cited statistics on the lack of affordable lots north of Delaplain Road.

Carl Tackett, Scott County resident and real estate broker, stated that the proposal meets the objectives of the Governor's Smart Growth Task Force, and encouraged the Commission to vote favorably.

Jack Sexton, area builder, stated that many of the lots available in the existing subdivisions are not made available to smaller builders like himself, and that most of the lots are not in an affordable price range.

Mr. Simms also stated that it would provide opportunity for independent builders. He concluded that there has been no public opposition, public services are already provided in the area, and that it fits with the Goals and Objectives of the Comprehensive Plan.

Commissioner Sharpe asked the applicant if he would accept an approval of only the 2.88 acres adjacent to Moonlake Estates. Mr. Francisco stated that he would accept that as opposed to a complete denial.

Motion by Williams, second by Hopkins, to recommend denial of the zone change on the balance of the property on the grounds that it is pre-mature because it is not consistent with the adopted Comprehensive Plan, and to recommend approval of the zone change request to R-1B PUD for the 2.88 acres adjacent to Moonlake Estates, on the grounds that it is consistent with the Comprehensive Plan, it is compatible with the previously-approved development and serviced by an existing public road. By roll call vote, motion carried 4-3, with Williams, Hopkins, Peters, and Sharpe voting in favor, and Brock, Lee, and Gritton dissenting.

PSP-2001-78 The Villages of Elkhorn Green – Unit 7 – Amended Preliminary Subdivision Plat for Unit 7, located on the south side of U.S. 460, west side of Crumbaugh Pike.

Mr. Klepper provided the Commission with the previously approved conditions for the development. The applicant submitted documentation of notice requirements as required by those prior conditions.

Mr. Klepper then reviewed the staff report, pointing out the improvements in the proposed amendment. Significant changes include relocation of one of the proposed streets; reconfiguration of the lots facing Crumbaugh to now face into the development; and reconfiguration of the street located at the Stevens driveway to become an internal street within the development. He noted that the original approval was for 670 units; with this amendment, the total units will be 502. He stated that the tree rows on Crumbaugh will be preserved; an earthen berm will be constructed with a double row of pine trees to fill in the gaps in the existing trees; and all drainage will be directed back toward Elkhorn Creek. He also reviewed the two requested variances and the amended conditions of approval.

Rena Wiseman, representing Cutter Homes, the applicant, also reviewed the improvements in the plan.

Ronnie Deskins, adjacent property owner, asked about the money that was given for the tree buffer that was part of the original approval. Ms. Wiseman responded that Cutter homes paid the money to Lisa Stevens. Mr. Deskins expressed concern about trespassing on his property, and asked that his property be buffered from any future development of the Stevens property.

Dorothy Land, Crumbaugh Pike resident, described the condition of that road and felt that additional traffic on it generated by the development will be hazardous. She felt that the developer should be responsible for a major upgrade.

Kim McCumbers, 187 Crumbaugh Pike, asked that certain lots be larger and expressed concern about stormwater drainage.

Karen Mulholland, 381 Crumbaugh Pike, reviewed the neighbors' opposition to the development. She suggested that the access on Crumbaugh be for entry into the subdivision only, not an exit, and expressed concern about the environmental impact of the development.

Margaret Greynolds, 150 Crumbaugh Pike, addressed the proximity of the new lots to the Crumbaugh entrance as opposed to the U.S. 460 entrance. She felt that the upgrade of Crumbaugh needs to be studied and that the concerns of the adjacent property owners should be addressed at this time.

Cecil Bell, area property owner, felt that if Crumbaugh needs to be widened to be safe, it should be done now even if the trees have to be cut down.

The feasibility of widening Crumbaugh was discussed.

Cecil Bell asked, if the road is not widened, that the required trees and berm be put in place before construction. The timeframe for that buffer was discussed.

Possible locations for utility easement were pointed out and discussed for the Deskins and McCumbers properties.

Sara Tuttle, representing the applicant, stated that the applicant will commit to installing the earthen berm and trees at the time of the final grading for the houses. She stated that they will not close on any of the houses with frontage on Crumbaugh without the berm and trees in place. Commissioner Brock suggested that, in order for staff to be able to track that condition, the condition be that the berm and trees be in place prior to issuance of an occupancy permit. Ms. Tuttle agreed.

James Mulholland, 351 Crumbaugh Pike, felt that the development has caused drainage problems for properties on Crumbaugh. He expressed concern over the possibility that Deskins and McCumbers could eventually develop their properties and obtain additional access points onto Crumbaugh. He asked if there are State standards that apply to County roads. Mr. Klepper replied that existing roads do not have to meet the County standard, but when new development occurs on substandard roads, then improvements are an issue. The same applies to City roads.

Ronnie Deskins felt that the wording of the conditions on the development have room for different interpretations, and that the development will decrease his property value.

Commissioner Williams asked if the earthen berm will be located outside of the easement along Crumbaugh should that road be widened. Mr. Klepper replied that it will be.

Commissioner Sharpe asked what action can be taken regarding road improvements. Mr. Klepper replied that the Commission needs to decide whether to require improvement of the road or preservation of the tree rows, which is also part of the regulations. He noted several matters that make the road widening a complex issue, while recognizing that the continued growth has the neighbors more concerned about the safety of the road than preservation of the trees.

The reduction in the size of the lots along Crumbaugh was discussed.

Mr. Perkins reviewed the Commission's options.

Motion by Gritton, second by Sharpe, to approve the Amended Preliminary Subdivision Plat subject to the ten conditions of approval, including the two variances, six design criteria, and rewording of the four conditions as requested by the applicant (#10, 13, 14, and 16); and including the letter to KYTC, the installation of the berm, and a letter of credit covering the cost of installing the berm. Motion carried.

PDP-2002-02 Center for Commerce, Language and Culture (Georgetown College) – Preliminary Development Plan for 40,000 sq. ft. academic building on 1.73 acres, located on the corner of Military and Jackson Streets.

Commissioner Gritton disqualified himself from discussion and voting due to his involvement with Georgetown College and this project.

Ms. Phillips reviewed the staff report, including the parking issue and relocation of the walking track.

The applicant agreed to the eight conditions of approval.

Motion by Brock, second by Lee, to approve the Preliminary Development Plan subject to the eight conditions of approval. Motion carried.

PSP-2002-03 Trinity Assembly of God – Preliminary Development Plan for a new 20,400 sq. ft. building with parking lot, located on the west side of U.S. 25 North, north of Longlick Pike.

Mr. Gritton returned to his seat.

Ms. Phillips reviewed the staff report, including the sanitary sewer and entrance permit issues.

Jim Ford, representing the applicant, agreed with the eight conditions.

Motion by Williams, second by Hopkins, to approve the Preliminary Development Plan subject to the eight conditions of approval. Motion carried.

Proposed amendments to Article II of the Zoning Ordinance regarding regulation of signs PUBLIC HEARING – TABLED UNTIL FURTHER NOTICE

Chairperson Sutton tabled the matter until further notice.

Mallard Point Unit 1, Phase 5 – reconsideration of landscaping and fencing

Commissioner Gritton disqualified himself from discussion and voting due to his residing in Mallard Point.

Mr. Klepper reviewed the request by the homeowners that the required landscaping and fencing not be re-installed, for which the Planning Office is holding the money drawn from the letter of credit. Since staff has not heard from the developer regarding this matter, Mr. Klepper recommended keeping the letter from the homeowners on file until a formal request from the developer to not re-install the landscaping and fencing is received or an explanation of why he has not followed-up on the matter. He also recommended that this developer be required to come back to the full Commission for review and approval of any future development.

The Commission agreed to his recommendations.

FY 2002-03 Budget

Mr. Klepper reported that the proposed budget is not yet finalized. It was agreed that a special meeting at the Planning Office on February 19 at 7:00 p.m. be set to review it.

Planning Commission Election of Officers

Motion by Williams, second by Gritton, to keep the 2001 Officers and Executive Committee members for the year 2002, accepted by acclamation. Motion carried.

The meeting was then adjourned.

Respectfully,



Sara Sutton, Chairperson

Attest:



Charlie Perkins, Secretary