

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

January 10, 2002

The regular meeting was held in the Scott Fiscal Courtroom on January 10, 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 Gritton, second by Hopkins, to approve the December invoices. Motion carried.

Motion by Williams, second by Brock, to approve the December 13, 2001 minutes. Motion carried.

Motion by Sharpe, second by Peters, to accept the January agenda. Motion carried.

Postponements/Withdrawals

Chairperson Sutton reported that the Canewood, Unit 1-C-3 and Trump's Restaurant applications have been withdrawn by the applicants, and that the Mallard Point Unit 1, Phase 5 issue and the public hearing regarding the sign ordinance will be continued to the February meeting. Motion by Hopkins, second by Sharpe, to accept those items for postponement. Motion carried.

Consent Agenda

Representatives of the Shelton Property, Moonlake Subdivision Lots 110-112 Amended, Georgetown Radiation Therapy, and Cherry Blossom Village Townhouses applications agreed to staff's conditions of approval, and no concerns about the projects were expressed by the Commission or the public.

Motion by Williams, second by Gritton, to approve the four applications on the consent agenda subject to their respective conditions of approval. Motion carried.

ZMA-2001-72 Lisa Stevens Property – 147 Crumbaugh Pike – Rezoning request for 5.06 acres from A-1 Agricultural to R-1A PUD Single Family Residential, located on the west side of Crumbaugh Pike, south of U.S. 460/Paris Pike.
PUBLIC HEARING

Chairperson Sutton opened the public hearing.

Mr. Klepper reviewed the staff report, including the history of this request and previous Planning Commission recommendations.

Commissioner Hopkins asked about the applicant's request for annexation at the second City Council meeting in December. Mr. Perkins stated that City Council discussed the matter and no overwhelming dissent was expressed; but they did not wish to vote on the matter until it receives a Planning Commission recommendation.

Discussion continued on the location of the property in relation to Elkhorn Green and the urban service boundary, possible access to Elkhorn Green, the condition of Crumbaugh Pike, and possible access to the Deskins and McCumbers properties.

Richard Murphy, representing the applicant, reviewed the layout of the project, possible access to Elkhorn Green, the discussion with City Council on annexation, and the project's compliance with the Comprehensive Plan. He stated that the road location has been coordinated with Cutter Homes; thus, no additional traffic will be added to Crumbaugh Pike.

Commissioner Sharpe asked about the buffer on the south side of the property. Sara Tuttle, PEH Engineers and representing the applicant, reviewed the buffer and landscape plans.

Mr. Murphy stated for the record that the applicant agrees with the eight conditions of approval.

It was clarified that the zone change is for nine (9) dwelling units shown on the plat presented at the meeting, instead of the ten dwelling units shown on the earlier plat.

Kim McCumbers, adjacent 5-acre tract resident, asked that the Commission deny or postpone the application due to the fact that the upcoming Elkhorn Green plat encompasses the Stevens property and will impact her and the Deskins' properties. She stated that she and the Deskins wish to reach an agreement with Cutter Homes regarding what she stated was a violation of their original agreed-upon terms of development. She then read the terms, which regarded providing access to the cul-de-sac and utility easements for any future potential development to the three adjoining properties.

Ron Deskins, adjoining property owner, also asked for time to negotiate potential access to their property if he decides to develop. Chairperson Sutton stated that recommending the zone change will not prevent him from negotiating with Cutter Homes on details of the subdivision plat.

Dick Murphy stated that Cutter Homes will not necessarily be buying the Stevens property.

Karen Mulholland, 381 Crumbaugh Pike, stated that City Council tabled the discussion on annexation due to the fact that they are in litigation over denying annexation to the Rogers Property. She stated that only a few of the neighbors received notification of this public hearing, and that the sign on the property had been down since Christmas. Mr. Perkins stated that the public hearing was continued from the December meeting, so the notification requirement was met. Ms. Mulholland felt that the lettering on the sign should be larger.

Ms. Mulholland then reviewed the history of the Elkhorn Green zone change and stated that Lisa Stevens fought against it. She stated that when Ms. Stevens agreed to the conditions of the zone change, the other neighbors had no recourse to stop the development. Based on that, she requested that the zone change be denied.

Margaret Greynolds, 150 Crumbaugh Pike, felt that a precedent will be set if the zone change is recommended. She addressed traffic, school capacity, and the floodplain.

Grover Hibberd, 116 Glen Creek Drive, submitted pictures taken from the Stevens driveway on Crumbaugh Pike that showed a blind curve to the south. He did not oppose the development, but cited many reasons why the condition of Crumbaugh is inadequate to handle more traffic.

Kim McCumbers stated that she has opposed the development of Elkhorn Green from the beginning, but feels the only way to maintain her property value is to develop also.

Rudy Garten, 124 Glen Creek Drive, asked how the property got included in the urban service boundary. Mr. Klepper explained that one reason was because the property is within the natural boundary of the drainage basin.

The conditions of approval were read for the public.

Mr. Garten asked that the application be postponed. He also felt that Lisa Stevens should have to discontinue using her present driveway and use the same access as the rest of the future homeowners if her development is approved.

James Mulholland, 351 Crumbaugh Pike, asked about the notice requirements for a zone change and the buffer that was required for the perimeter of Elkhorn Green. Mr. Klepper addressed the buffering question.

Mr. Mulholland also felt that the 5-acre tract regulation should be upheld in this area.

Nell Harvey, 213 Crumbaugh, reiterated Mr. Mulholland's comments.

Kim McCumbers stated that she has never received notice of a zone change for these hearings. Mr. Klepper stated that she is not an adjoining property owner.

Richard Murphy asked the Commission to not postpone the matter and reviewed the merits of the application.

Tim Tillotson, 109 Glen Creek Dr., clarified a point made by Mr. Murphy.

Chairperson Sutton closed the public hearing.

Commissioner Williams suggested amending condition #4 to require the access to the site be via the internal road system of Elkhorn Green. The applicant agreed to that amendment.

Motion by Brock, second by Williams, to recommend approval of the rezoning request based on staff recommendation and its compliance with the Comprehensive Plan, and subject to the eight conditions listed in the staff report, including the amendment to condition #4 requiring access to the site be via the internal road system of Elkhorn Green.

Commissioner Sharpe felt that a postponement might allow time to resolve any misunderstandings about the urban service boundary or notice requirements. Commissioner Gritton felt that most of the neighbors' concerns involve the Elkhorn Green/Cutter Homes property instead of the Lisa Stevens property.

Sharon Muse, 158 Crumbaugh Road and representing the applicant, reviewed notice requirements for the record.

By roll call vote, the above motion carried 5-3 with Sharpe, Peters, and Sutton dissenting.

PSP-2001-62 Jenkins Property – Preliminary Subdivision Plat for 10 rural residential lots, located on the northeast side of Sulphur Wells Road, northeast of Glass Pike, southwest of Burton Road (KY 620).

Ms. Phillips reviewed the staff report, including the multiple access issue and the inadequacy of Sulphur Wells Road. The staff report recommended denial, but she provided conditions of approval to the Commission in the event that they vote to approve the application.

Brent Combs, Thoroughbred Engineering and representing the applicant, explained why he felt the multiple accesses are appropriate. He stated that he discussed with Mr. Perkins the possibility of allowing the applicant to record two lots without making road improvements if they agree to make the road improvements before the third lot is recorded.

Chairperson Sutton asked for clarification on the access points.

Lawanda Jenkins, one of the applicants, stated that Tract 2 would be the first lot to be recorded, and Tract 1 would most likely be the second lot to be recorded. She stated that since the family members already live there, and it is a dead end road, there will be no increase in traffic.

Requiring the road improvements to be completed or bonded at the time the third lot is created was discussed. Commissioner Sharpe suggested requiring the road improvements with the fourth lot, since there are already three residences there and traffic will not increase until there are additional residences.

Hillard Jenkins, one of the applicants, stated that there is no intention to sell any of the lots. Lawanda Jenkins stated that they are willing to place a stipulation on the plat stating that if any lots are sold to anyone outside of the family, then the road improvements will be required. Mr. Perkins cited two problems with that: 1) the Commission has no way to track who the lots are sold to, and 2) if all nine children decide to build homes, the road would still need improved.

Mathew Jenkins stated that four of the nine children now live on the property. He stated that Sulphur Wells Road was originally gravel, and that it should have been improved to County standards when the County paved it. Hillard Jenkins stated that it was paved about ten years ago.

After further discussion, motion by Brock, (second by Sharpe, to approve the Preliminary Subdivision Plat for ten lots, based on the fact that this is a family farming venture and due to the proximity of this property to the deadend of Sulphur Wells Road, and subject to conditions 1, 3, 4, 5, 6, 7, and 8. Any further subdivision of these lots will require full Planning Commission review. Motion carried.

with condition #2 deleted

(see 2/14/02 minutes)

PSP-2001-75 Bruce and Anita Jackson, Lot 19 – Preliminary Subdivision Plat for one (1) rural residential lot located on the west side of Newtown Pike (KY 922), north of U.S. 460 (Paris Pike).

Mr. Klepper reviewed the staff report, which recommended approval. The drainage area for the Seagram's septic tank was discussed.

Motion by Gritton, second by Lee, to approve the Preliminary Subdivision Plat for one rural residential lot subject to the ten conditions of approval. Motion carried.

PDP-2001-76 Luv Mobile Homes – Preliminary Development Plan for a 3.5 acre mobile home sales facility and 14-space parking lot, located on the west side of Connector Road, east of I-75, north of U.S. 460.

Ms. Phillips reviewed the staff report, which recommended denial. She noted the issues discussed by the Technical Review Committee, which were: 1) the sanitary sewer service; 2) the gravel display area; and 3) the landscape design. She explained how the concerns over the sewer service and landscaping have been resolved. She stated that it has been City and Planning Commission policy to not permit gravel sales lots in the city.

Brent Combs, Thoroughbred Engineering and representing the applicant, noted several other gravel sales/parking lots in the city. He felt that gravel is a better surface for the maneuvering of large trucks. He stated that the applicant is in agreement with the ten conditions of approval that were provided in the event that the Commission wished to approve the application. Mr. Klepper discussed the examples of gravel lots cited by Mr. Combs, and informed the Commission that the revised plans were submitted on this date, which makes it difficult for staff to review them.

Commissioner Gritton wished to clarify what the requirement is for the surface of the sales/parking lot. Commissioner Williams asked if a restriction could be placed on the plat stating that if the use of the property changes or enlarges, the plan must be reviewed again by the Commission.

Motion by Williams, second by Sharpe, to approve the Preliminary Development Plan subject to the ten conditions of approval plus an eleventh condition that requires Commission review of plans for any expansion of or change in the use of this property. Motion carried.

Proposed Goals and Objectives for the Growth, Environmental, and Education Elements of the Comprehensive Plan PUBLIC HEARING

Chairperson Sutton opened the public hearing.

Education

Mr. Klepper introduced Jan Sharpe, Chairperson of the Education Committee.

Ms. Sharpe presented the Goals and Objectives of the Education Plan. The Commission discussed one particular recommendation, which calls for a commissioned education committee. This Education Commission would coordinate, support, improve, and enhance the educational elements of the entire community, and would report to the Georgetown City Council and the Scott County Fiscal Court at least twice annually.

Mr. Klepper stated that the full text of the Education Element will be provided for the February meeting and voting on that will take place at the March meeting.

Commissioner Hopkins suggested that an article be submitted to the Georgetown News-Graphic informing the public of the recommendations.

Motion by Sharpe, second by Gritton, to approve the proposed Goals and Objectives of the Education Element, and to recommend that the Education Committee continue with the full text of the element. Motion carried.

Environmental

Brad Frazier reviewed the Goals and Objectives of the Environmental Quality Element.

After brief discussion, **motion by Williams, second by Lee, to accept the proposed Goals and Objectives of the Environmental Element, and to recommend that the Environmental Committee continue with the full text of the element. Motion carried.**

Growth and Urban Land Use

Mr. Klepper reviewed the draft comments and Goals and Objectives. Discussion followed on goals regarding the preservation of the small town character, population growth figures, and the increase in development projects.

Motion by Williams, second by Gritton, to accept the Growth and Land Use Goals and Objectives. Motion carried.

Chairperson Sutton closed the public hearing.

APA National Conference

Mr. Klepper provided cost and schedule information on the upcoming conference in Chicago. The cost difference between driving and flying is minimal. It was agreed that Mr. Klepper can use his own discretion on whether to drive or fly.

Motion by Williams, second by Peters, to approve the expenditures to attend the APA National Conference. Motion carried.

FY 2000-2001 Audit

Mr. Klepper reported that the audit indicated all financial records were in order. The auditors made one suggestion that will be followed.

Personnel

Motion by Gritton, second by Sharpe, to go into Executive Session for a personnel matter. Motion carried.

Motion by Williams, second by Gritton, to come out of Executive Session. Motion carried.

Motion by Gritton, second by Brock, to approve staff's recommendation for the planned salary increase for Brent Pergrem and to grant him full-time employment status per Article II of the employee handbook. Motion carried.

Election of Officers

Mr. Klepper reported that the election for Chair, Vice-Chair, and Executive Committee members will be held at the February meeting.

Update of previously approved projects and agenda items

The meeting was then adjourned.

Respectfully,



Sara Sutton, Chairperson

Attest:



Charlie Perkins, Secretary