

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION  
SPECIAL MEETING  
MINUTES  
August 13, 2020**

The special meeting was held online via Zoom on August 13, 2020. The meeting was called to order by Vice Chairman Steve Smith at 6:00 p.m. Present were Commissioners James Stone, Regina Mizell, Mary Singer, David Vest, Duwan Garrett and Charlie Mifflin, Director Joe Kane, Planner Matt Summers, Engineer Ben Krebs, and Attorney Charlie Perkins. Absent was Commissioners Byron Moran, Mark Sulski, and Duwan Garrett.

Motion by Mizell, second by Stone, to approve the July invoices. Motion carried.

Motion by Stone, second by Vest, to approve the July 9, 2020 minutes. Motion carried.

Motion by Singer, second by Mifflin, to approve the August agenda. Motion carried.

All those intending to speak before the Commission were sworn in by Mr. Perkins individually prior to their comments and questions.

Postponements/Withdrawals

Vice Chairman Smith stated that the applications for Bourbon 30 & ESI (PDP-2020-34) and Mitchell Property (FSP-2020-24) has been postponed until the next regular scheduled meeting.

Consent Agenda

A representative of the Graves Property application (FSP-2020-31) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by Mifflin, second by Mizell, to approve the application. Motion carried.

A representative of the Broughton Property application (FSP-2020-32) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by Stone, second by, to approve the application. Motion carried.

A representative of the Baker Property application (FSP-2020-33) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by Stone, second by Mizell, to approve the application. Motion carried.

FSP-2020-10 Hunt Property – Final Subdivision Plat to subdivide a 25-acre lot into 3 lots located on Cincinnati Pike.

Mr. Summers stated the history of the property.

He stated the entrances for the proposed lots are from US Hwy 25 (Cincinnati Pike). He stated Mr. Hunt has agreed to abandon the access easement if the lots are approved and KYTC approves the entrances.

He stated when phase 2 of Cedar Hills was platted, the preserved area of the property was along the northern edge of the property.

Commissioner Mifflin questioned the location of the preserved area for lot 62C.

Mr. Perkins stated that if the entrances for the three lots are not approved by KYTC, then the plat cannot be recorded.

Redford Hunt, applicant, stated he did not have anything to add.

Alan Handleman, neighbor, stated the easement is on his deed for lot 63.

Mr. Perkins stated this plat only concerns the easement for lot 62.

Robert Ryan, attorney for Mr. Murphy, stated that the easement for Mr. Handleman was obtained after Mr. Murphy bought his property. He stated Mr. Murphy disagrees with Mr. Handleman that he has an easement to his property.

Commissioner Stone asked for a clarification that this plat would not change the other preserved area.

After further discussion, **Motion by Mizell, second by Mifflin, to approve the Final Subdivision Plat (FSP-2020-10) subject to five (5) conditions of approval and one (1) variance. Motion carried.**

FSP-2020-13 Snowball Trust Property Amended – Final Subdivision Plat to subdivide one 5.8-acre lot amend the property lines for an existing 5.0-acre lot, leaving a remainder tract of roughly 26 acres located at 4476 Frankfort Road (US 460).

Mr. Summers stated the property is zoned A-1.

He stated the proposed access is from Frankfort Road. He stated the proposed plat shows the access easement going through the remainder tract to the previously divided two tracts plus the proposed new tract division. He stated the applicant has added a note to the plat stating the remaining property cannot use the access easement. He stated more than 3 tracts sharing the same easement means the road should meet county road standards.

Commissioner Mifflin questioned Mr. Summers reason he recommended denial of the project.

Alvin Humphries, applicant, stated he has an existing entrance to his property at 4476 Frankfort Pike. He stated the only time he would use the access easement is to go across it to reach his horses.

Vice Chairman Smith questioned applicant if he understood the concern the Planning Commission has with the access easement.

Mr. Perkins stated that if the remaining tract was ever divided again it would have to come back before the Planning Commission for approval. He stated at that time a condition could be placed that the access easement had to be brought to county road standards.

Commissioner Mifflin verified with the applicant that he gets his mail at his entrance located at 4476 Frankfort Pike.

Commissioner Singer stated that Mr. Perkins recommendation was a good solution.

After further discussion, **Motion by Singer, second by Mizell, to approve the Final Subdivision Plat (FSP-2020-10) subject to four (4) conditions of approval. Motion carried 4-2.**

PDP-2020-35 Liberty Baptist Church Expansion – Preliminary Development Plan to construct a 1,300 square foot addition to an existing church located at 100 Hillside Drive.

Mr. Kane stated the property is zoned A-1. He stated after workshop he verified that the church has been annexed into the city.

He stated the parking is adequate and the proposed addition, which is for classroom space and kitchen, does not generate a requirement for additional parking.

He stated the applicant is requesting a variance for the building setback for the building addition.

He stated he did receive one complaint regarding water runoff from the site.

Steve Baker, Midwest Engineering, stated the project would not increase the impervious area. He stated the applicant agrees to the conditions of approval.

Vice Chairman Smith questioned if the applicant would be willing to work with the Planning Commission Engineer regarding the runoff. Mr. Baker and Pastor Henry both agreed.

Kay Bechel, neighbor, stated she gets water from the church and Trinity Drive. Mr. Krebs stated he will contact Ms. Bechel and meet her at the site.

After further discussion, **Motion by Stone, second by Mifflin, to approve the Preliminary Development Plan (PDP-2020-35) subject to five (5) conditions of approval and one (1) variance. Motion carried.**

## Small Cell Towers Ordinance

Vice Chairman Smith opened the public hearing.

Mr. Kane stated this hearing is to add a small cell tower section to the zoning ordinance. He stated small cell towers are usually 30-foot to 40-foot tall and located in utility easements or road right-of-way.

He stated the ordinance is divided into four main parts, definitions, application content, design regulations and an evaluation section.

He stated a preconstruction meeting will be required with staff, staff is given the ability to approve applications unless a waiver is requested, then the application would require approval by the Planning Commission.

He stated if equipment is being adding to existing structures, application and an administrative review is not required. He stated all towers are required to be designed for at least two service providers and must not exceed the height for the district.

He stated equipment in residential areas must use stealth technology, cannot be closer than thirty feet to a residential structure, and need to be a minimum of 500 feet apart.

He stated towers in non-residential zones are encouraged to use existing structures, maintain distance of 500 feet apart, and if within 100 feet of a residential zone use stealth technology.

Commissioner Mifflin questioned if the maximum height of 75 feet included the pole and the antenna. Mr. Kane stated that included both.

Commissioner Mifflin questioned the height of the antenna itself. Mr. Kane stated he would have to check typical height.

Commissioner Mifflin questioned the wording of the definition of a small cell tower. Mr. Summers stated the wording had been borrowed from Kenton County's ordinance and it was to ensure a pole was not constructed, then an application turned in months later.

Mr. Brown, concerned citizen, stated he has concern where a proposed pole is being in his yard. Mr. Kane stated citizen concerns are the reason this ordinance has been introduced.

Tim Tillotson, concerned citizen, stated he had questions about small cell towers.

Mr. Tillotson stated he had concern about staff level approval of small cell towers. Mr. Kane explained presently what applications can be approved by staff. Mr. Perkins explained that the Planning Commission hears applications in order that the public stays informed and can have input on applications.

Mr. Tillotson stated he approves of the aesthetic language of the ordinance, but he feels the public will not have any say on the small cell towers. Vice Chairman Smith stated he feels the ordinance gives more control than not having an ordinance.

Mr. Tillotson stated that in Kenton County the Planning Commission hears all the applications. He stated he still has concern over staff being able to approve applications. Vice Chairman Smith stated with multiple applications coming in there is a time factor to think about.

Mr. Tillotson questioned if having staff approve the applications is to reduce public interaction for the applications. Vice Chairman Smith stated it is a matter of trying to remain as unbiased as possible for the applications. He stated everyone will argue they do not want a cell tower in their yard.

Mr. Tillotson stated he had concern that the way the ordinance is written, staff has authority to approve waivers. Mr. Kane stated his understanding is that it does not relate to the regulations but applications.

Mr. Tillotson stated he thinks the amount of days to appeal needs to be checked with State regulations.

He stated he has concern with a few more sections of the ordinance and the wording. He stated he thinks staff needs to review before making a decision. Mr. Kane stated he took notes of the concerns and will address them.

Mr. Perkins stated he does not think Kentucky has a statute that applies to small cell towers.

After further discussion, Motion by Mizell, second by Mifflin, to continue the public hearing at the next regularly scheduled meeting.

#### Proposed Development Fee Increase

Mr. Krebs stated that he requests to increase the engineering review inspection fee for commercial property to \$500.00 an acre plus \$100.00 an acre for anything over an acre.

After further discussion, Motion by Mizell, second by Stone, to approve an increase to the engineering review inspection fee for commercial property. Motion carried.

The meeting was then adjourned.

Attest:



Charlie Perkins, Secretary



Mark Sulski, Chairman