

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

December 9, 2004

The regular meeting was held in the Scott County Courthouse on December 9, 2004. The meeting was called to order by Chairperson Barry Brock at 6:00 p.m. Present were Commissioners Mike Bradley, John Carter, Robert Hopkins, Omer Lee, William Peters, Jimmy Richardson, and Elizabeth Williams, Planning Director Kelley Klepper, Planner Rachel Phillips, Planner Lance Estep, Engineer Ben Krebs and Attorney Charlie Perkins. Absent was Commissioner John Lacy.

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

With the clarification that the one-way drive is not to be used for outbound traffic, motion by Williams, second by Peters, to approve the November 9, 2004 minutes. Motion carried.

With the addition of appointing two Commissioners to serve on the Comprehensive Plan Executive Committee under New Business, motion by Williams, second by Carter, to approve the December agenda. Motion carried.

Attorney Perkins arrived at the meeting.

Postponements/Withdrawals

Mr. Brock noted that the H & W Land Development, Faul/Adair Property Zone Change, and Paynes Landing Section 3 applications are postponed to the January meeting:

Motion by Williams, second by Lee, to accept postponement of the three items mentioned above. Motion carried.

Consent Agenda

Representatives of the Cherry Blossom Golf and Country Club Units 4A & 7A, Quinland Estates Phase 4, Lot 24, and the Pilot Travel Center - Triport Road applications agreed to their respective conditions of approval, and no concerns about the projects were expressed by the Commission or the public.

Motion by Hopkins, second by Williams, to approve the three applications on the Consent Agenda, subject to their respective conditions of approval. Motion carried.

Chairman Brock noted that all notification requirements for applications on the Consent Agenda had been met.

ZMA-2004-66 Sutton Place Phase III (Sparks Property) - Rezoning request for 25.77 acres from A-1 Agricultural to R-1C PUD Single Family Detached Residential Planned Unit Development, located on the west side of Lisle Road, south of Lemons Mill Road. PUBLIC HEARING

Chairman Brock opened the public hearing.

Mr. Klepper provided the Commission with a revised staff report. He reviewed the surrounding uses, sanitary sewer service, and Lemons Mill Road improvements. He recommended approval based on its compliance with the Comprehensive Plan, availability of infrastructure, approval by the Technical Review Committee, its provision of an important link between Lisle Road and the bypass, and its compatibility with the existing and proposed surrounding land uses. He also noted the agreement with the developer that the road would need to be constructed as part of Phase 1.

Commissioner Williams asked about the improvements to Lemons Mill Road. Mr. Klepper reported that KYTC-District 7 plans to widen it to three lanes, including turn lanes, accel/decel lanes, etc. The existing developments in the area will start constructing their required improvements next year. He noted that the Commission has been requested to not approve any additional units in existing developments until these improvements have begun on Lemons Mill Road.

Commissioner Hopkins asked about the buffer between the development and the adjacent farming operation. Mr. Klepper stated that the buffer still needed to be worked out with Mr. McMillen, the adjacent farmowner.

Bruce Lankford, representing the applicant, agreed with the conditions of approval. He stated that they will work with Mr. McMillen to make sure he is satisfied with the fence and buffer.

Melissa Adkins, Cassidy Heights resident, asked about the lot sizes and fencing. Mr. Lankford stated that they would work with her on fencing. Mr. Klepper informed her that she would be notified of future plans coming before the Commission.

Jeff Shropshire, Cassidy Heights resident, asked about the buffer and the type of homes to be built, and expressed concern about the condition of Lisle Road and the natural drainage area near his home.

Everitt Cord, Cassidy Heights resident, asked about the time frame for road improvements and annexation.

Commissioner Williams discussed the ^{FENCE AND} buffer. Chairman Brock suggested adding to condition #7, “. . . subject to Mr. McMillen’s approval.” K. Williams
1-13-03

Chairman Brock also suggested adding to condition #4 that the applicant will work with the neighbors at the Preliminary Subdivision Plat stage on a suitable transition, including fencing and landscaping, to Cassidy Heights.

Chairman Brock closed the public hearing.

Motion by Hopkins, second by Williams, to recommend approval of the rezoning request for 25.77 acres to R-1C PUD, on the basis that it is consistent with the Comprehensive Plan, and subject to the fourteen conditions, including the additions made above to conditions #4 and #7. By roll call vote, motion carried 8-0.

Commissioner Williams wished to be on record as noting that buffering subdivisions should be addressed in the upcoming Comprehensive Plan.

PSP-2004-64 Duncan Homes Cluster Development - Preliminary Subdivision Plat for 18 cluster residential lots, plus the parent tract, located on the north side of Long Lick Road (KY 32), southeast of Glass Pike, northwest of Lloyd Pike.

Ms. Phillips noted that the applicant has met the notice requirements.

She reviewed the staff report, including issues regarding site distance, the length of the cul-de-sac, the variance to allow a greater than 2:1 depth-to-width ratio for 3 lots, and landscaping. She recommended approval, including the two requested variances, subject to the fifteen conditions of approval.

Commissioner Williams asked about the blue-line stream and the building site on lot #13. Ms. Phillips replied that there is adequate building space, but a finish floor elevation will need to be established for this lot.

Bruce Lankford, representing the applicant, clarified with Ms. Phillips that the “driveway” into lots #11 and #12 is part of the right-of-way and would be adopted by the County if the main road is adopted. She suggested adding a condition that if it is not adopted by the County, then it would be maintained privately by the owners of lots #11 and #12.

Mr. Lankford agreed with the fifteen (15) conditions of approval.

Steve Ketter, adjacent property owner, expressed concern about increased traffic on Longlick Pike since Champion Way was opened, and the entrance to this subdivision being located where cars have the opportunity to pass slow-moving farm vehicles. Chairman Brock stated that an entrance permit must be approved by KYTC-District 7. Ms. Phillips added that the stone fence will be relocated to improve site distance. Mr. Klepper addressed the possibility of the State widening the road.

Motion by Richardson, second by Carter, to approve the Preliminary Subdivision Plat, including the two requested variances, subject to the fifteen (15) conditions of approval, plus the sixteenth condition that if the road is not accepted by the County, a maintenance agreement for the entire road, including the stub between lots #11 and #12, will be filed between those lot owners. Motion carried.

Correction to Stamping Ground Zoning Map

Chairman Brock reported that the matter will be postponed to the January meeting.

Variance Request by Mr. Mark Smith - West Woods Development

Mr. Klepper reviewed the variance request regarding bonding requirements. The previous policy allowed developers to bond the road construction after the initial layers of gravel were installed and inspected. In 2003, after considerable discussion, that became prohibited. Mr. Smith is asking for a waiver to be able to file the final plat, with conditions, including approval to submit a bond for construction of the entire road. Mr. Smith submitted a letter of support from County Judge Executive Lusby.

Bruce Lankford, representing Mr. Smith, was present.

Mr. Smith stated that bonding the infrastructure was his common practice when developing Mallard Point. He stated that inclement weather has prevented the paving of the road in West Woods. The initial construction of the road, as well as the sewer lines, is complete. Only the final blacktop remains. The additional gravel they will install in order to use the road during the winter will only benefit the road when the final blacktop is installed.

Commissioner Williams felt that this project cannot be considered a continuation of Mallard Point, as was determined in previous hearings. She felt the problem is

one faced by all developers and approval would set a precedent for all developers to make the same request.

Mr. Lankford stated that Mr. Smith is the only developer to file such a request; but if others do make similar requests, each case should be discussed and judged on its own merit.

Chairman Brock stated that in order to grant a variance, there must be some site-specific issue that would not be the circumstance of another development.

Mr. Smith cited a site-specific issue regarding a property ownership dispute that delayed the project for a month. Chairman Brock stated that site-specific issues involve topographic concerns.

Mr. Smith maintained that approval would be a continuation of bonding over the past 25 years since Mallard Point was begun.

Mr. Klepper noted the County ordinance that states if a developer is not in compliance with any ordinance or any bond, that they are prohibited from filing for any building permits or plat/plan approvals until that situation has been addressed.

Mr. Lankford reminded the Commission that the request only includes the surface portion of the roadway.

Motion by Richardson, second by Lee, to approve the variance request.

Chairman Brock suggested adding condition to the approval that the bond be held for one year after the surface was laid. Mr. Smith stated that they have a one-year warranty from the contractor, and that he is responsible for two years before the County will accept the road. Chairman Brock agreed that that was sufficient. Mr. Smith agreed that the bond would be 125% of the completion cost and that no certificates of occupancy would be issued until the road is complete.

The above motion, including the conditions agreed to by Mr. Smith, was denied 5-3.

Election of Officers - Chair, Vice Chair, Executive Committee Members (2)

Current officers:

Chairman - Barry Brock

Vice Chairman - Mike Bradley

Executive Committee Members - Robert Hopkins and William Peters

Motion by Richardson, second by Williams, to retain the current officers as listed. Motion carried unanimously.

Update of previously approved projects and agenda items

Mr. Klepper noted Ms. Phillips' memo on the progress of the West Georgetown/Ward Hall Small Area Plan.

He reported that Golden Corral is almost ready to open and the Callafel property zone change was approved at first reading.

Comprehensive Plan Executive Committee

Chairman Brock reported that two Commissioners are needed for the Comprehensive Plan Executive Committee. Mr. Klepper stated that they would oversee the entire process, provide appointments for the various subcommittees, and be the sounding board for any issues that may develop, much like the Commission's Executive Committee.

Chairman Brock and Commissioner Williams volunteered.

Motion by Peters, second by Hopkins, to appoint Chairman Brock and Commissioner Williams to the Comprehensive Plan Executive Committee. Motion carried.


The meeting was then adjourned.

Respectfully,



Barry Brock, Chairperson

Attest:

Charlie Perkins, Secretary


Kasey Klepper, Director