

**MINUTES OF REGULAR MEETING  
OLDHAM COUNTY  
PLANNING AND ZONING COMMISSION**

**Tuesday, June 23, 2015**

At 9:00 a.m., local time on the above date, this meeting of the Oldham County Planning and Zoning Commission, hereinafter called the Commission, was called to order in the Courtroom of the Oldham County Fiscal Court Building, LaGrange, Kentucky, by Vice Chairman Greg King.

Other Commission members present were:

Joyce Albertsen	John Falvey	Kevin Mesker
Bob Arvin	Sam Finney	Mary Ann Smith
Laura Bohne	Jan Horton	
Denia Crosby	Bob Klingenfus	
William Douglas	Joe McWilliams	

Others present and sworn in were Planning and Development Services Director Jim Urban, Community Planner Brooke Radcliffe and County Attorney John Carter.

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**Approval of Minutes – April 28, 2015**

Motion was made by Commissioner Albertsen and seconded by Commissioner Horton to approve the April 28, 2015 minutes as submitted.

Motion carried by unanimous voice vote.

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**Secretary Radcliffe called and read Docket PZ-15-009:**

**DOCKET PZ-15-009** - Application has been filed by Kroger at Buckner Crossings for the approval of a Program for Signs (Section 290-140 of the Oldham County Zoning Ordinance). The property is located at 2835 South Highway 393, LaGrange and zoned PUD Planned Unit Development District.

**(1) Introduction of the application by staff and questions by the Commission:**

Director Jim Urban presented the following:

- Summary of application

- Notes and Issues (Exhibit A: Staff Report dated June 23, 2015)
- Site history
- Aerials and photos of site

Jim Urban responded to questions by the Commission:

- Compared to the Tri-County Ford sign facing the highway, the proposed Kroger sign that faces the highway is shorter with a larger area.
- In reference to Part D of Section 290-140 of the Oldham County Zoning Ordinance, if the Commission approves this application for a Program for Signs, it is approving it in its entirety. This sign package will supersede the sign regulations set forth in the Zoning Ordinance.
- There are many situations where a particular development might exceed the requirements in a specific zoning classification.
- The Commission should consider whether the Program for Signs would negatively or positively impact the community if the application was granted.
- The Buckner Crossings Master Plan states that each individual use is allotted 32 square feet of permanent signage. This is a shopping center that contains multiple uses, which will allow 30 square feet for each of the other uses (Outlot 1 and 2). There are no detailed sign regulations in the Master Plan.
- The applicant has confirmed that the corner lot, which was originally a detention basin, will be a permanent park and ride lot. This is a great service to the community.
- The setback for this zoning classification is zero, which allows sign number two to be three feet from the property line.
- Kroger is working with KYTC and the county on the final design of the intersection at Highway 393 and Commerce Parkway.

John Carter, County Attorney, clarified that if the Commission approved the Program for Signs, they would approve a sign program that is compatible with the regulations and not need to grant a variance.

**(2) Presentation by the applicant or representative and others in support of the application:**

Scott Hannah, Heritage Engineering, 642 South Fourth Street, Louisville, was present and sworn prior to speaking on behalf of this application.

- Like signs two and three, sign number one is internally illuminated.
- Signs one and three are set further back from the property lines to accommodate utility easements and the right-of-way.

- Kroger is in the process of finalizing the deal with the owner of the property, Jass Realty Company, LLC.
- The two outlots will not have individual signs, their signage will be included in the shopping center sign.

Danny Lethco, Real Estate Manager with Kroger, 1600 Ormsby Station Court, Louisville, was present and sworn prior to speaking on behalf of this application.

- This Kroger store will be a new Kroger prototype, which is moving away from a traditional looking grocery store. This is one reason why the Program for Signs is important, because they want customers to know that the development is a Kroger.
- The highway signage is different from a normal sign that Kroger would build.
- The proximity to I-71 is one of the reasons that Kroger was drawn to this location because it will allow them to pull people off of the interstate to shop and fill up the gas tank.

**(3) Testimony and questions by those opposing the application:** None.

**(4) Questioning of the applicant and those opposing the application by the Commission:**

Scott Hannah responded to questions by the Commission:

- The height of sign one is fifty feet, which is 15 feet below the Tri-County Ford sign.

**(5) Rebuttal evidence and Cross Examination by the Applicant:** None.

**(6) Rebuttal evidence and Cross Examination by the Opposition:** None.

**(7) Final statement of the Opposition:** None.

**(8) Final statement of the Applicant:** None.

**END OF PUBLIC HEARING**

## **FINDINGS AND DECISIONS**

**PZ-15-009**

### **Program for Signs**

Motion was made by Commissioner McWilliams and seconded by Commissioner Horton to approve Docket PZ-15-009, application for a Program for Signs for Kroger at Buckner Crossings because:

1. It is not in conflict with the Comprehensive Plan.

2. It is consistent with the Zoning Ordinance.
3. It is compatible with the area.
4. It is consistent with decisions that the Commission has made regarding previous Program for Signs applications.

Binding Elements:

- 1.) There shall be no changes to the Program for Signs without review by the Oldham County Planning Commission.
- 2.) Signage lighting shall be designed to not shine in the eyes of drivers.
- 3.) Any temporary signage must be in compliance with Section 290 and only permitted upon submittal and approval of a sign permit application.

The vote was as follows:

**YES: Commissioners Albertsen, Arvin, Bohne, Crosby, Douglas, Falvey, Finney, Horton, Klingenfus, McWilliams, Mesker, and Smith.**

**NO: NONE**

**ABSTAIN: NONE**

**ABSENT: Commissioner Zimlich**

Motion passed on a vote of 12-0.

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**OTHER BUSINESS:**

The June Study Review Committee meeting is cancelled and will meet again in July.

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There being no further business, the meeting adjourned at 9:40 a.m. The next regular meeting is scheduled for Tuesday, July 28, 2015, at 9:00 a.m. in the courtroom of the Oldham County Fiscal Court Building, LaGrange, Kentucky.

Respectfully Submitted:

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Brooke Radcliffe, Secretary

Approved:

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Kevin Jeffries, Chairman