

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

Tuesday, September 22, 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 Chairman Kevin Jeffries.

Other Commission members present were:

Joyce Albertsen	Bob Arvin	William Douglas
Sam Finney	Mary Ann Smith	Jan Horton
Laura Bohne	Sam Finney	

Others present and sworn in were Planning and Development Services Director Jim Urban, Senior Planner Amy Alvey. County Attorney John Carter was present. Community Planner Brooke Radcliffe was the Secretary for the meeting.

Approval of Minutes – August 25, 2015

Motion was made by Commissioner Arvin and seconded by Commissioner Smith to approve the August 25, 2015 minutes as submitted.

Motion carried by unanimous voice vote.

Secretary Radcliffe called and read Docket PZ-15-016 and PZ-15-017:

DOCKET PZ-15-016 - Application has been filed by Randy Troutman for the approval of a Zoning Map Amendment on approximately .344 acres. The property is located at 308 West Jefferson Street, LaGrange. The proposed change is from R-4 Residential to C-N Commercial Neighborhood.

DOCKET PZ-15-017 – Application has been filed by Randy Troutman for the approval of a Development Plan on approximately .344 acres. The property is located at 308 West Jefferson Street, LaGrange. The proposed zoning is C-N Commercial Neighborhood.

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

Senior Planner Amy Alvey presented the following:

- Summary of application
- Notes and Issues (Exhibit A: Staff Report dated September 22, 2015)
- Site history
- Aerials and photos of site
- Site plan and floor plan for property

Mr. Urban responded to questions by the Commission:

- The property line seems to overlap roof of house. GIS lines are not always accurate so staff relies on the information provided by the applicant. The property has been staked.
- Clarification from the applicant will be needed to better understand plans for parking.
- According to the plan there is enough space for parking.
- There are no local binding elements proposed by staff.
- There are no local regulations for bed and breakfasts.
- They meet parking requirements and are not asking for any other variances because structure is already existing.
- Vote for zoning change first and then a second separate vote for the development plan.

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

Randy and Ellie Troutman, 1309 Bluegrass Parkway, LaGrange were present and sworn prior to speaking on behalf of this application:

- The driveway for the property is existing. It is gravel and overgrown. The next door neighbor's driveway is also partially on their property. There is also a driveway in the backyard. They have not yet decided which entrance they are going to use.

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

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

Mr. and Mrs. Troutman responded to questions by the Commission:

- There are no plans to add an additional bathroom.
- There will not be an on-site caretaker.
- Meal vouchers for breakfast or dinner will be offered to visitors. They do not plan on serving food.

- The applicants' driveway does not cross over onto the neighboring property and there is room for ingress and egress on the applicants' property.
- The existing parking does not violate any parking setbacks. There is a tree buffer that they will not remove even though it is not required.
- There is a light on the house and a dusk to dawn light on the property. No additional are proposed.
- They have not researched state requirements yet because the zoning is not in place.

Mr. Urban responded to questions by the Commission:

- The fire code requires an egress window in each bedroom and each bedroom meets that requirement. It would be worthwhile for the applicant to check with fire department to make sure they meet all applicable codes. Meeting the codes will fall under the purview of the Certificate of Occupancy.
- When the Planning Commission considers approving the site plan, they should consider if it complies with the goals and objectives of the Comprehensive Plan, the proposed zoning is appropriate and the existing zoning is inappropriate, and/or there have been major changes of economic, physical or social nature.
- The state will inspect and approve the application for the bed and breakfast.
- The application does not require any waivers or variances.
- If the zoning change is recommended to the legislative body but the development plan is not, they will have to come back for development plan review.
- Zoning change will be voted on first, if it does not get approval the development plan will not be considered.
- The applicants cannot request approval for bed and breakfast until zoning change has been approved.

Ms. Alvey responded to questions by the Commission:

- Businesses permitted in the C-N Commercial Neighborhood district include; professional offices, retail establishments under 10,000 square feet, etc.

(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:

The concept for the bed and breakfast is for one family (or a single group of people) to rent the facility at a time. Their intention is not for multiple unrelated groups to be renting

individual rooms at the same time. This is why a caretaker and multiple bathrooms will not be an issue.

END OF PUBLIC HEARING

FINDINGS AND DECISIONS
PZ-15-016
Zoning Map Amendment

Mr. Urban clarified that there is a framework for approval or denial that all decisions should be based on. This is a recommendation to the LaGrange City Council for final action.

Motion was made by Commissioner Bohne and seconded by Commissioner Douglas to recommend approval to the City of LaGrange for Docket PZ-15-016, application for a Zoning Map amendment on approximately .344 acres, from R-4 Residential to C-N Commercial Neighborhood, located at 308 West Jefferson Street, LaGrange because:

- It complies with the objectives of the Comprehensive Plan as outlined in the application and testimony.
- It provides a unique lodging opportunity in the existing area and takes advantage of the existing structure, and is an appropriate zoning based on uses of other buildings nearby.

Discussion:

- Ms. Bohne stated that she felt that if the building did not become and/or stay a bed and breakfast that the other approved uses for C-N would not be objectionable to the area.
- Mr. Jeffries advised to keep discussion narrowed down to only issues regarding the rezoning request.
- Ms. Albertsen said she felt the proposed use was appropriate.

Binding Elements: none

The vote was as follows:

YES: Commissioners Smith, Albertsen, Arvin, Bohne, Finney, Douglas and Horton

NO: NONE

ABSTAIN: NONE

ABSENT: Commissioners King, Klingenfus, McWilliams, Crosby, and Falvey

Motion passed on a vote of 7-0.

FINDINGS AND DECISIONS
PZ-15-017
Development Plan

DOCKET PZ-15-00-17 - Application has been filed by Randy Troutman for the approval of a Development Plan on approximately .344 acres, the property is located at 308 West Jefferson Street, LaGrange. The proposed zoning is C-N Commercial Neighborhood.

Motion was made by Commissioner Arvin and seconded by Commissioner Bohne to recommend approval to the City of LaGrange for Docket PZ-15-00-17, a Development Plan on approximately .344 acres, from R-4 Residential to C-N Commercial Neighborhood, located at 308 West Jefferson Street, LaGrange with the binding elements.

Binding Elements:

1. The development plan will remain as presented today with the exception of any binding elements added by the legislative body and will comply with all relevant local and state agencies
2. It will comply with all building codes.
3. There will be clear access from West Jefferson Street to the property.

Discussion:

Mr. Urban responded to questions by the Commission:

- He does not know if a coffee maker can be in each room. Generally a coffeemaker would not constitute cooking facilities.

Mr. Carter responded to questions by the Commission:

- A state statute defines a bed and breakfast as having a caretaker in residence but this is outside of the Planning Commission's purview.

Ms. Alvey responded to questions by the Commission:

- State regulations are very specific as to what is allowed in bed and breakfasts.

The vote was as follows:

YES: Commissioners Arvin, Bohne, Finney, Douglass, and Horton

NO: Commissioners Albertsen and Smith

ABSTAIN: NONE

ABSENT: Commissioners King, Klingenfus, McWilliams, Crosby, and Falvey

Motion passed on a vote of 5-2.

At 10:02 a.m. Chairman Jeffries called a brief recess to set up for the next docket item.

Session resumed at 10:12 a.m.

Secretary Radcliffe called and read Docket PZ-15-018

DOCKET PZ-15-018 - Application has been filed by Oldham County Ambulance Taxing District for approval of a Community Facility Review for an office/training center to be located at 1101 New Moody Lane, LaGrange. The zoning is C-3 Commercial and R-4 Residential.

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

Senior Planner Amy Alvey presented the following:

- Summary of application
- Notes and Issues (Exhibit A: Staff Report dated September 22, 2015)
- Site history
- Aerials and photos of site
- Site plan and floor plan for property

Ms. Alvey responded to questions by the Commission:

- This is a community facility review.
- This is only a review. The Commission will not make a motion to approve or disapprove the plan.
- She does not know if utility lines will have to be moved. The applicant should answer that question.

Mr. Urban responded to questions by the Commission:

- Any question that applies to whether or not the project complies with the Comprehensive Plan is relevant to the discussion.
- The Commission may accept or accept with revisions.
- Staff tries to be efficient in sending out plan sets and send digital copies. If the smaller copy is hard to read, please ask staff questions.

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

Stan Clark, 116 Ash Avenue, Pewee Valley was present and sworn prior to speaking on behalf of this application:

- The architect is not present.
- 60% of runs are within a two mile radius of the hospital causing an extreme need for the facility.
- There will be offices and a training center.
- This is a four ambulance bay facility. Designed for future growth.
- There is no public drive around/through the parking lot and do not want to cause confusion with Emergency Room drive up.
- Two ambulance crews will be stationed there.
- The building is one story with windows all on one side with concrete form construction.
- Extremely energy efficient structure.
- Elevation change on property requires some drainage modifications. Will be made to look like part of the hospital campus.
- The facility can be used for an emergency shelter.

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

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

Mr. Clark responded to questions by the Commission:

- Baptist Hospital is very supportive of the facility.
- There will not be signage for the facility on New Moody Lane. There will not be a sign so as not to confuse the public.
- The intention is that ambulances will go to the emergency room drop patients and then come into the bay. Ambulances will leave onto New Moody Lane, or they can go behind the hospital onto KY 53.
- It is a public building so it is open to the public but there is no reason for the public to go there.
- He does not believe that the facility will need to be expanded in the future. If population growth requires more ambulances than the 4 bays will hold, an additional substation will probably be built in Ballardsville.
- Anticipated that the facility will open next spring.
- This is a public facility built with tax dollars.
- One of the bays will be used to house the hazmat trailer and other equipment that is currently stored outdoors as well as other ambulances.
- Kitchen will include work stations and a lounge.
- Ambulances should be ready to deploy at all times with a medic and an EMT, employees should be at the EMS Building and not use restaurants, etc. while on duty.
- Training sessions can be single or multi-day. The rooms can hold up to 60 people.

- Training groups will have access to the kitchen.
- There will be a backup generator and can be opened to the public if needed in emergency situations.
- There is hazardous material disposal and cleaning equipment built into the facility to meet all requirements and also multiple levels of security.
- There is one ambulance stationed at North Oldham Fire Station.
- The slowest response time in the County is Westport.

(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-15-018 Community Facility Review

Mr. Urban clarified that the Commission can accept the community facility review as in agreement with the Comprehensive Plan or state reasons for disapproving and make suggestions for changes which will better accomplish the objectives of the Comprehensive Plan within 60 days of its receipt.

A motion was made by Commissioner Horton and seconded by Commissioner Albertsen to accept the community facility review for an office/training center to be located at 1101 New Moody Lane, LaGrange as presented because it is in accordance with the Comprehensive Plan.

Discussion: none

Binding Elements: not applicable

The vote was as follows:

YES: **Commissioners Smith, Albertsen, Arvin, Bohne, Finney, Douglas and Horton**

NO: NONE
ABSTAIN: NONE
ABSENT: Commissioners King, Klingenfus, McWilliams, Crosby, and Falvey

Motion passed on a vote of 7-0.

OTHER BUSINESS:

Dogwood Estates' plan expired in September of 2013. They have applied for a two year extension. TRC agencies were notified, and there were no comments or concerns raised. This is to put on record that Dogwood Estates has been approved for a two year extension that will end on September 30, 2017.

There being no further business, the meeting adjourned at 11:00 a.m. The next regular meeting is scheduled for Tuesday, October 27, 2015, at 9:00 a.m. in the courtroom of the Oldham County Fiscal Court Building, LaGrange, Kentucky.

Respectfully Submitted:

Brooke Radcliffe, Secretary

Approved:

Kevin Jeffries, Chairman