

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

September 8, 2011

The regular meeting was held in the Scott County Courthouse on September 8, 2011. The meeting was called to order by Chairman John Lacy at 6:00 p.m. Present were Commissioners Greg Hampton, Rob Jones, Jimmy Richardson, Ralph Tackett, Bias Tilford, Melissa Waite, and Horace Wynn, Director Earl Smith, Planners Brian Shorkey and Joe Kane, Engineer Brent Combs, and Attorney Charlie Perkins. Absent was Commissioner Janet Holland.

Motion by Hampton, second by Waite, to approve the August invoices. Motion carried.

With a correction of the vote on Townhomes of Falls Creek (roll call vote was 5-2 with Tilford and Hampton dissenting), motion by Waite, second by Hampton, to approve the August 11, 2011 minutes. Motion carried.

With the addition of Habitat for Humanity under Other Business, motion by Richardson, second by Holland, to approve the September agenda. Motion carried.

Postponements/Withdrawals

There were no items for postponement or withdrawal.

Consent Agenda

Representatives of the Kiser Property application agreed to their conditions of approval and there were no concerns expressed by the Commission or public. Motion by Richardson, second by Holland, to approve the one item on the Consent Agenda. Motion carried.

Commissioner Tilford arrived at the meeting. Those intending to speak before the Commission were sworn in by Mr. Perkins.

PDP-2011-19 Advanced Eye Care Center – Preliminary Subdivision Plat and Preliminary Development Plan for a 3,600 sq. ft. eye care office building on .48 acres, located on the southwest corner of Morgan Mill Drive and Cherry Blossom Way.

Mr. Shorkey distributed an email from the City Engineer regarding the private access road. He then reviewed the staff report, including that issue. The City Engineer recommends moving the access road to the western side of the property to avoid

queuing traffic on Morgan Mill (making a left turn onto Cherry Blossom Way) blocking the intersection at the access road.

Doug Smith, applicant, stated that he had not been informed before the meeting of the request to relocate the access road. He asked that the plan be approved subject to that issue being worked out.

Bruce Lankford, representing the applicant, asked the Commission to keep in mind that a professional office does not generate as much traffic as commercial stores.

It was clarified that staff is not asking for two entrances, but to relocate the proposed road.

Dr. Tessa Habash, applicant, stated that they have approximately 15 eye exams per 8-hour day.

Terry Wise, Old Mill Road resident, expressed his concern about increased traffic, trash, and stormwater drainage. Brent Combs noted the two options for drainage plans. Mr. Wise felt that vacant buildings should be utilized rather than building new buildings.

Dr. Kefah Habash, one of the owners of Advanced Eye Care, stated that their business would have more visibility in the proposed location. It was noted that not enough trash will be generated to warrant a dumpster.

The access road was discussed further. Doug Smith stated that his future plan is to construct a second road on the western side of the property, but there is no need to do so at this time. If problems arise with the access road in the location shown, he will work to resolve the problem at that time. Mr. Shorkey added that the road is now within the 50' building setback. If the road is moved, it will cut into developable area.

Motion by Jones, second by Hampton, to approve the Preliminary Subdivision Plat and the Preliminary Development Plan, subject to the seventeen (17) conditions of approval and with the understanding that the applicant will need to work with the City Engineer on the location of the access road. Motion carried 8-0.

Commissioner Wynn arrived at the meeting.

PDP-2011-21 Boyd Collins Auto Sales – Preliminary Development Plan for a 3,600 sq. ft. used auto sales facility and associated parking area on 0.7 acres, located at 113/109 Eastside Drive.

Mr. Shorkey reviewed the staff report, including the traffic and road improvement issue. A previous condition of approval for a 2008 application for the property required a traffic study be done. Mr. Shorkey stated that, because projected traffic for this application is less than half of what was forecasted for the 2008 application, traffic improvements are not being required, and a traffic study must be shared with any future Eastside Drive

developers. He further stated that the two lots must be either consolidated, or an easement must be recorded giving permanent access to Lot 5 from Lot 6, and a note be placed on the plat saying Lot 5 has no future development potential because the parking on that lot is required for the development of Lot 6.

Kim Ferrero, representing the applicant, stated that neither a consolidation plat nor recording an easement will be a problem. She stated that Mr. Collins does not wish to commit to sharing the cost of a traffic study because 1) the cost is unknown, and 2) his development will be generating very little traffic.

Brent Combs stated that a traffic study would be approximately \$2,000 to \$3,000. It was clarified that the developer of another Eastside Drive tract will also be required to have a traffic study done, and the study should be coordinated and the cost shared/pro-rated between Mr. Collins and that developer.

Discussion continued on a traffic study. Brent Combs discussed their usefulness. Several Commissioners felt that Mr. Collins shouldn't have to bear the burden when there are many other businesses on Eastside Drive. Who bears the cost of actual recommended improvements was discussed.

Motion by Richardson, second by Holland, to approve the Preliminary Development Plan subject to the eleven (11) conditions of approval, with condition #7 amended to read, "If there is a future change of use on this property which is more intense in traffic generation, then this plan shall be reviewed for the need of a traffic study." Motion carried unanimously.

GIS Commendment

Mr. Smith reported on the commendation of Matt Tolar for his invaluable help to the Scott County Clerk in the process of reapportioning the magisterial districts.

Commissioner Richardson stated that this type of service will help other governmental bodies and the public become better aware of the importance of GIS. The Commission asked that the letter be forwarded to City Council and Fiscal Court.

Habitat for Humanity

Mr. Shorkey reported that Habitat for Humanity has gone before the Board of Adjustment in the past for variances regarding lot size and building setbacks. Their variance request at the last Board of Adjustment meeting was tabled with instructions for Mr. Shorkey to address the following issue before the Planning Commission: KRS Section 100.247 states, "The Board shall not possess the power to grant a variance of permitted use with any land, building, or structure which is not permitted by the zoning regulation in the zone in question, or to alter the density requirements in the zone in question."

The Board of Adjustment wished to ensure that the Planning Commission is aware of the issue. Mr. Perkins felt the intent of the regulation is to prevent avoiding a major zone change. But the approval of the Habitat variances is not going to create a body of lots that look different in character than the surrounding area. The Habitat homes are a very good use of the property. They fit with the neighboring property, create affordable housing, and improve the drainage problem in the area. The variances clearly do not take the place of a zone change.

Mr. Perkins recommended that the Commission issue a statement that they give unqualified support of the project and variances.

Motion by Wynn, second by Tilford, to support the granting of the Habitat for Humanity requested variances regarding lot size and setbacks. Motion carried unanimously.

Motion was made to adjourn. Motion carried.

Respectfully,

John Lacy, Chairperson

Attest:

Charlie Perkins, Secretary