

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION  
REGULAR MEETING  
MINUTES  
October 8, 2015**

The regular meeting was held in the Scott County Courthouse on October 8, 2015. The meeting was called to order by Chair Rob Jones at 6:00 p.m. Present were Commissioners Jeff Caldwell, Byron Moran, Steve Smith, Mark Sulski, and Frank Wiseman, Director Joe Kane, Planners Megan Chan and Matt Summers, Engineer Brent Combs, and Attorney Charlie Perkins. Absent were Commissioners Janet Holland, Regina Mizell, and John Shirley.

Motion by Caldwell, second by Wiseman, to approve the September invoices. Motion carried.

Motion by Wiseman, second by Caldwell, to approve the September 10, 2015 minutes. Motion carried.

With the addition of the Toyota Container Yard Variance as Item A under Other Business, motion by Sulski, second by Moran, to approve the October agenda. Motion carried.

Postponements/Withdrawals

The Oakleaf Townhomes and the Coretrans Drop Yard applications were withdrawn.

Consent Agenda

A representative of the Country Boy Brewing application agreed to their conditions of approval and there were no comments from the public or Commission. Motion by Sulski, second by Wiseman, to approve the Country Boy Brewing application. Motion carried.

PSP-2015-22 Golf Townhomes of Cherry Blossom, Phase 5 - Preliminary Development Plan and Subdivision Plat for 29 single-family and townhome units, located east of Riviera Drive, west of Lanes Run Creek, northwest of Old Oxford Road.

Mr. Kane reviewed the staff report. He briefly reviewed the previous phases and stated

that this plan follows the master plan and meets the underlying density for R-2 zoning and the townhome requirements regarding lot size and building area coverage. He stated that staff has some minor concerns regarding the width of lots 19, 42, and 50A. In order to accommodate homes that are similar to the homes in previous phases, he recommended that those lots be a minimum of 50' wide, or be reserved for attached duplexes.

The other concern is that phase one of the townhomes included a private street (Shadow Creek Path) that is connecting into this new phase. This plan shows the end of the private road at the curve on Ikebana Drive, but he felt that the private section of Shadow Creek Path should end at the existing property line, back from the intersection. This would make clear the responsibility of the homeowners association for the private road, which will be separate from the homeowners association for phase 5. It would also provide a turnaround area for public traffic at the intersection, and allow for a driveway on the corner lot that is not encroaching on the private street.

He recommended approval subject to the eleven (11) conditions plus the three variances. Two variances are standards for lot sizes, and one is a reduction of the front setback from 30 to 20 feet, which is in keeping with the front setback in earlier phases.

He noted the recently enacted HOA ordinance passed by the City, which requires that the HOA restrictions of each phase of a phased developments must match the restrictions of the nearest contiguous phase, which in this case would be phase 4.

Those intending to speak before the Commission were sworn in by Mr. Perkins.

Rory Kahly, EA Partners and representing the applicant, noted their request to increase the lot coverage percentage on the triplex lots from 40% to 49%. Mr. Kane agreed that a variance should added regarding the minimum lot area coverage for the middle townhome units.

Mr. Kahly agreed with the conditions of approval.

Paul Kemper, Riviera Drive resident, objected to the application because there are only two ways into, or out of, the development -- Oxford Road and Blossom Park Road. Both roads intersect with Connector Road, which is not adequate to handle the traffic. Even when the development is opened up to Old Oxford Road, Old Oxford, again, exits onto Connector Road. He felt that the new interchange will not help the situation, and asked that the traffic problem on Connector be solved before adding more units in Cherry Blossom.

Commissioner Smith stated that the State predicts that the new interchange will decrease the traffic on Connector.

**Motion by Smith, second by Caldwell, to approve the Preliminary Development Plan subject to the eleven (11) conditions of approval and including the three variances, plus a fourth variance to increase the minimum lot area coverage from 40% to 49% for the middle triplex lots. Motion carried 4-1, with Wiseman dissenting.**

PDP-2015-26 Windsor Gardens Expansion – Preliminary Development Plan for an 11,006 sq. ft. addition for 18 assisted living units, located at 100 Windsor Path.

Mr. Summers reviewed the staff report. He noted the variance to reduce the minimum square footage of the assisted living units from 400 sq. ft. to 238 sq. ft. and 378 sq. ft. He stated that staff is requesting a sidewalk connection to the hammerhead turnaround to provide better connectivity through the entire site. He reviewed the landscaping plan, and recommended approval subject to the eight (8) conditions, and including the variance.

Chairman Jones asked about the elimination of on-street parking. Mr. Summers stated that the new parking will eliminate the need for it, and the applicant plans to install no parking signs on the street. It was agreed to add a ninth condition prohibiting parking on Windsor Path.

Josh Lyon, Klobner Engineering and representing the applicant, agreed to the conditions of approval.

Charles Brewer, adjoining property owner on Fairfax Dr., asked if the applicant could install a privacy fence on the property line. He stated that the bollards have not kept cars from crossing to Fairfax. Mr. Summers stated that ordinance provides an option of a 15' landscape buffer of hedges and trees, or a 5' landscape buffer with a privacy fence. The applicant is providing the 15' buffer. He stated that the dumpster will be in the corner, and additional trees. Discussion continued on the matter. It was agreed that condition #10 would state that Mr. Summers would work with the applicant on a solution to the problem.

**Motion by Moran, second by Smith, to approve the Preliminary Development Plan subject to the ten (10) conditions of approval and including the variance regarding the size of the units. Motion carried.**

PSP-2015-29 Sutton Place Phase 3 – Preliminary Subdivision Plat for 77 single family lots on 20.6 acres, located in the Sutton Place subdivision.

Ms. Chan reviewed the staff report, including the issue regarding the temporary access road between the two local roads four and five. She stated that the applicant has agreed to maintain the road if it constructed, although they may develop further south and not

need the temporary road. She addressed the width of Sutton Place Boulevard. The applicant proposes that it continue to be the 41' width of the existing section. Ms. Chan recommended that it either be constructed with the center median, or that parking be allowed on both sides to slow traffic and alleviate parking problems.

Regarding landscaping, Ms. Chan recommended that the applicant plant street trees, as was done for the original phase of the development. Unfortunately, there was a conflict with GMWSS about the placement of the original trees, but GMWSS is willing to work with the applicant on more appropriate placement.

She then addressed the extension of Pleasant View Drive. Because it is a collector street connecting to the bypass, and because the street has no lot frontages in the Harmony Ridge subdivision, she originally recommended 60' lot widths in her staff report (as was shown on the 2002 preliminary plat) to reduce the number of driveways and potential conflicts on a street that will be used as a cut-through. She added, however, that allowing parking on one side, or narrowing the road to 28', would reduce the traffic speed and that the number of lots would not have as significant impact if the traffic calming measures were applied.

Ms. Chan then addressed the traffic circle and lot sizes and setbacks. She recommended approval, with the deletion of condition #1 requiring the 60' lot widths on Pleasant View Drive. She also reviewed conditions 2-5, and noted condition #10, which states that the temporary connection between the local four and local five streets, if built, will be maintained by the applicant.

Commissioner Wiseman supported the 60' lot widths to reduce the number of driveways and the traffic. Ms. Chan stated that there are other measures that will slow traffic (the traffic circle, street width, and parked cars) and the 60' width will decrease the lots by only 5-7. Chairman Jones expressed concern that allowing 49' lot widths will set a precedent for Pleasant View Drive if it is extended through the Lake Forest subdivision to the east. Ms. Chan stated that the current Lake Forest preliminary plan does not have as many frontage access points as this proposal.

Chairman Jones asked how many units need to be built before a second access point is required. Ms. Chan replied that it is 200, and the applicant stated that this proposal brings the number of units to 110.

Dennis Anderson, applicant, stated that varying the size of the lots gives homeowners a choice and provides a more attractive streetscape because the houses are varied.

Commissioner Sulski supported the 60' lot width. Ms. Chan stated that because the project is a Planning Unit Development, increased density is one of the trade-offs made for other amenities.

Mike Craft of Anderson Communities, applicant, stated that condition #10 regarding maintenance of the temporary road can be removed because it will not be built. He stated that the local road 5 will not be built until they finish phase 4. Chairman Jones suggested then that the lots (40-49) on local road 5 be removed from the plat. The applicant agreed. Any approval will be for 67 lots instead of 77, and condition #10 will be removed.

Mr. Craft agreed to work with staff on the street section, street parking, and street trees.

Ryan Barns, Jolomic Lane resident, expressed concern about increased traffic and safety on Lemons Mill and Lisle Roads, and opposed the smaller lot sizes. Ms. Chan stated that larger lots are proposed adjacent to Cassidy Heights. Mr. Barns felt there should be a buffer between the subdivisions.

Vernon Nunemaker, Sutton Place Blvd. resident, expressed concern about traffic and felt there should be a second entrance into the subdivision. He also expressed concern about there being rental houses. He was assured that there would be no rental homes.

Michelle Simon, High Point Drive resident, also expressed concern about rental homes. She stated that she signed a contract when purchasing her home that it would not be rented, but there are many rental houses on High Point and Meadowcrest, and they are not well maintained. She stated that there are also more than one family living in some of them. She expressed concern about the developer not cleaning up the building sites. Mr. Perkins stated that the Planning Commission has no authority to regulate whether homes are rented.

Tracy Miller, Cassidy Heights resident, asked if the property adjacent to her is still planned for one-acre lots as originally agreed upon. Ms. Chan stated that it is. Ms. Miller asked when construction would start on those lots. Mr. Anderson stated that they hope to start the first of November.

Jeff Shropshire, resident of Cassidy Heights, expressed concern about the plan adjacent to his home, which is not adjacent to this application.

Commissioner Smith asked the applicant about a second entrance into the subdivision.

Mr. Anderson stated that the ideal connection would be across the Perkins farm, and come Pleasant View up to the bypass.

Mr. Anderson also stated that he would like to continue the parking on both sides of the street on Sutton Place Blvd. and that they will plant street trees in the winter.

**Motion by Sulski, second by Wiseman, to deny the Preliminary Development Plan on the grounds that the development is too dense and not needed in Georgetown. Motion carried 4-1 with Smith dissenting.**

Mr. Kane stated that there is a Master Plan which clearly approved this density. Commissioner Sulski stated that the Master Plan can be brought back for reconsideration. He also felt the streets are too narrow.

Mr. Anderson stated that the road widths are the standard in the Subdivision Regulations, and the PUD designation allows the lot sizes. He felt that the Commission cannot legally deny the application.

Mr. Kane stated that the Master Plan was changed along Pleasant View. The Commission may be able to deny the application if they give instruction on how to make it better.

Mr. Anderson agreed to give up the four lots on Pleasant View that were gained by smaller lot sizes, but wished to still vary the lot widths. He stated that that will still give potential homebuyers choice and will make for a more interesting streetscape.

Discussion continued on the process of submitting a revised plan. Mr. Anderson agreed to make Sutton Place Blvd. and Local 4 road a future phase, and that this application will be for Pleasant View Drive only. Mr. Perkins stated that the Commission approved the limits on lot sizes and road widths, and the applicant is within those limits.

**Motion by Wiseman, second by Caldwell, to rescind the previous vote to deny the application. Motion carried 4-1 with Sulski dissenting.**

**Motion by Smith, second by Caldwell, to approve the Preliminary Subdivision Plat for the lots fronting on Pleasant View Drive only, with the conditions that four lots be removed so that the average lot width is 60', all lots on Local 4 and Local 5 roads be removed, condition #1 be amended to state that the lots have an average width of 60 ft., and subject to the nine (9) condition of approval. Motion carried 4-1 with Sulski dissenting.**

ZMA-2015-30 Ramsey Property Zone Change – Rezoning request for 1.137 acres from A-1 to R-1A in order to divide a 6.137-acre tract into two tracts, one 5-acre tract and a 1.137-acre tract for the existing house, located on the west side of Cincinnati Pike (U.S. 25 N.), north of Wise Path.

Ms. Chan reviewed the staff report, stating that the request complies with the KRS requirements for a zone change. She stated that generally speaking, the Comprehensive Plan does not encourage urban levels of growth outside of the Urban Service Boundary or zone changes in the County; however, the surrounding area has developed into a residential area and this 1.137-acre lot is compatible with the surrounding lots.

She felt that this same type of zone change would not be appropriate on the edge of this residential area, but this specific location is centrally located in the area and is similar in character and size.

She then addressed access, recommended that the 1.137-acre lot tie into the sanitary sewer line, and reviewed the conditions of approval.

Brian Hayes, Thoroughbred Engineering and representing the applicant, was sworn in by Mr. Perkins and available for questions.

Pam Wise, previous owner of the property, addressed its history, including the driveway, easements, and septic tank location. She stated that she and her husband petitioned the Planning Commission to rezone the 1.137 acres in 1988 and were denied. She opposed the current zone change request because of that.

Who actually owns the property was discussed. An affidavit was received by the applicant (Gary and Bonnie Smith), but not the owner (Ramsey). It was clarified that Bonnie Smith was previously Bonnie Ramsey.

Mr. Perkins stated that previous requests to subdivide less than 10 acres in the County have been denied.

Commissioner Smith expressed concern about setting a precedent. Ms. Chan stated that she tried to demonstrate that because of the location, this rezoning is different and would not set a precedent.

Ms. Wise stated that the traffic on U.S. 25 is unsafe, and that approving this rezoning request would detract from the character of the area.

Commissioner Wiseman expressed concern about setting a precedent.

**Motion by Smith, second by Caldwell, to deny the rezoning request on the grounds that it will set a precedent for tracts of less than 10 acres being subdivided. Motion carried 5-0.**

#### Toyota Container Yard Variance

Mr. Kane reported that this is one of the plans related to the Lexus project and was considered a minor plan requiring staff review. But as part of this project, they are relocating the ring road and the container yard, and wish to leave an area graveled that is used for container storage. Typically, allowing non-paved surfaces requires a variance. So even though this is a minor development plan, Mr. Kane felt it was appropriate to have the full Commission review the request for a gravel surface on this portion of the container yard.

Commissioner Smith stated that the main reason gravel has been denied is because of dust, and in this case, any dust will only affect Toyota. Chairman Jones stated that it is gravel now.

**Motion by Wiseman, second by Moran, to approve the requested variance regarding a partially graveled container storage yard at the rear of the Toyota plant. Motion carried 5-0.**

Comprehensive Plan Steering Committee

Mr. Kane reported that all the appointments have been made to the Steering Committee except for the three at-large members. He stated that there has been enough interest in participation that he is requesting that the committee have five at-large members instead of three.

Commissioner Sulski supported increased community involvement.

**Motion by Sulski, second by Moran, to approve an increase in at-large members on the Comprehensive Plan Steering Committee from three to five. Motion carried 5-0.**

The first Steering Committee meeting is set for Tuesday, October 13.

Chairman Jones stated this is the last meeting that Kayla Pickerell will be covering for the News-Graphic, and he commended her on a good job.

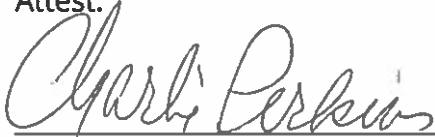
The meeting was then adjourned.

Respectfully,



\_\_\_\_\_  
Rob Jones, Chair

Attest:



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Charlie Perkins, Secretary