

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

February 13, 2014

The regular meeting was held in the Scott County Courthouse on February 13, 2014. The meeting was called to order by Chairman Greg Hampton at 6:00 p.m. Present were Commissioners Jeff Caldwell, Cindy Foster, Janet Holland, Rob Jones, Steve Smith, and Frank Wiseman, Director Joe Kane, Planner Megan Enyeart, Engineer Brent Combs, and Attorney Charlie Perkins. Absent were Commissioners Byron Moran and John Shirley.

Motion by Holland, second by Jones, to approve the January invoices. Motion carried.

Motion by Jones, second by Holland, to approve the January 9, 2014 minutes and the January 27, 2014 special meeting minutes. Motion carried.

With the moving of the Family Dollar Store discussion to Section IV, Other Business, and the postponing of Other Business, Item E, Ted Talk, motion by Smith, second by Wiseman, to approve the February agenda. Motion carried.

Postponements/Withdrawals

Chairman Hampton stated that the Bluegrass Baptist Church and Ward Hall (Buchanan) Townhomes applications have been postponed to the March meeting. Motion by Jones, second by Caldwell, to accept the postponements. Motion carried.

Consent Agenda

There were no items for the Consent Agenda.

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

PDP-2014-01 Love's Travel Stop – Preliminary Development Plan for a truck stop, convenience store, fast food restaurant and tire changing facility on 16 acres zoned B-2 and I-1, located on the north side of Porter Road (KY 32), west of I-75 and U.S. 25.

Mr. Kane reviewed the staff report. He noted that approval of this plan will revoke the previously approved plan for an indoor motocross facility and RV campground on the site. He also noted the area that needs to be rezoned to B-2.

He addressed the re-zoning, parking, and landscaping, including the perimeter screening and the requested variance to the interior landscaping, for which he recommended denial. He also addressed traffic and circulation, lighting, and stormwater, and noted that the applicant will need to meet the noise ordinance. He briefly reviewed the 17 conditions of approval.

Commissioner Holland expressed concern about fencing. Mr. Kane stated that there will be a privacy fence or hedge adjacent to the A-1 property. If there is need for a farm fence, staff can address that issue.

John Woodall, Attorney representing the applicant, agreed to the landscaping on the eastern boundary as long as it does not conflict with the fiber optic line that is there. He agreed with the land banking of some of the interior parking spaces, and addressed the need for the 1.57-acre area that is to be re-zoned.

Claude Christianson, Mayor of Sadieville, spoke in support of the application, stating that a lot of work went into preparing the interchange area for development. He stated that it would provide many day-to-day services that are needed in Sadieville, and fits into the Sadieville Plan and the Comprehensive Plan. He requested that the Commission approve the application.

Jim Calloway, adjacent property owner, expressed concern about the fencing, landscaping, and compatibility with the rural area. He asked that the entire north and west side of the property be fenced. He also asked about a turn lane into the site. Mr. Kane stated that Porter Road is a State road and the applicant will have to comply with all road improvements required by KYTC. The request for a turn lane could be added as a condition of approval.

William Gleason, representing the applicant, agreed with constructing a right turn lane coming off the Interstate ramp. He also stated that they will construct a 4' chain link fence on all adjacent property boundaries.

Steve Scott, Mindel, Scott & Associates, representing the applicant, addressed the screening issue. He stated that he accepts staff's recommendation as long as it can be accommodated without disturbing the existing utilities. Mr. Calloway agreed to a fence meeting the cluster fencing standards along the northern boundary.

Steve Price, Georgetown resident, expressed his opposition to the application due to the depletion of petro fuels upon which this project is based. He spoke about the decline of farming, noise pollution, and Comprehensive Plan recommendations, and distributed literature which supported his views.

Commissioner Jones asked about moving the picnic area from along Porter Road to where the parking spaces will be changed to landscaping. Mr. Kane said he could look at that, but was not sure it would work since that would be adjacent to the drive thru lane.

Commissioner Foster stated that she works for the City of Sadieville, but has no personal or financial interest in the development.

Motion by Jones, second by Caldwell, to deny the two requested variances regarding landscaping. Motion carried 6-1 with Wiseman dissenting.

Motion by Jones, second by Wiseman, to approve the Preliminary Development Plan subject to the seventeen (17) conditions of approval, plus the eighteenth (18) condition that a fence be placed on the northern and western boundaries of the development, plus the recommendation that staff forward a letter to KYTC-District 7 suggesting a right turn lane into the development. Motion carried.

FDP-2014-03 ICI Building Addition – Amended Development Plan for an expansion to an existing industrial facility on 7.37 acres, located at 106 Supply Court in the Lane’s Run Business Park.

Ms. Enyeart reviewed the staff report. She reviewed parking and circulation, landscaping, stormwater, and lighting issues.

Josh Banks, representing the applicant, agreed with the fifteen conditions of approval.

Steve Wells, Barkley Lane resident, confirmed that access would not be from Barkley Lane. He also expressed concern about dumping fill in the creek below his property and noise and lighting impacts. Mr. Banks responded that a photometric plan will be submitted that will show there will be no off-site impacts.

Steve Price, concerned citizen, asked what the facility produces. Mr. Banks replied that it produces robotic systems for the Toyota plant.

Motion by Caldwell, second by Holland, to approve the Amended Development Plan subject to the fifteen (15) conditions of approval. Motion carried.

PDP-2013-34 Family Dollar Store – Preliminary Development Plan for a 9,180 sq. ft. commercial building on 1.836 acres, located on the northwest corner of South Broadway and Hawthorne Dr. **DISCUSSION ONLY**

Mr. Kane reported that the application is on the agenda for discussion because the notification requirement was not fully met. He reviewed the history of the property and stated that the responsibility of notification lies with the applicant. The applicant submitted a list of property owners who were notified, but staff did not realize that the list did not include all property owners within 500’. When the mistake was

realized, staff sent a letter along with the site plan to all neighboring property owners who should have received the original notice, informing them that the application would be on tonight's agenda.

He reviewed the status of the project, noting that work has been stopped until the final KYTC entrance permit has been received. He stated that several trees have been removed because they were located in the driveway area, but 42 new trees will be planted, plus additional required landscaping.

The main entrance will be from U.S. 25, so there will be no truck traffic on Hawthorne Drive. That entrance was designed so that it could not accommodate trucks. He briefly reviewed the fencing and traffic generation.

Mr. Perkins stated that the notice requirement we impose is not a requirement of State law, the application did not require a public hearing like a zone change application would, and if the application complies with the regulations, it cannot be denied.

John Zamora, Hurston Court resident, described his knowledge of Family Dollar Stores from his job of selling them electric pallet jacks. He stated that when a large truck will not fit into the entrance on U.S. 25, the driver will drive down Hawthorne Drive and use his electric pallet jack to unload his truck. Mr. Zamora also expressed concern about the notice requirement not being met.

Tim Brett, Hawthorne Court resident, also expressed concern about the notice requirement not being met. He felt that if the two previous applicants could be denied, then the Family Dollar Store could be denied also, and that the store will not be compatible with the neighborhood. He expressed concern about the project lowering the neighbors' property values.

Mr. Perkins explained the difference between B-1 and B-2 zoning. Mr. Brett disagreed with the Family Dollar Store being determined a B-1 use.

Wayne Currier, Hawthorne Court resident, expressed concern about the increase in traffic causing drivers to be unable to exit onto U.S. 25 and therefore using the neighborhood streets, making it unsafe for kids and pedestrians. He felt that the Commission has the authority to deny the project.

Mr. Perkins further explained notice procedures.

Commissioner Wiseman asked if the entrance on Hawthorne could be made entrance only. Mr. Kane stated that signs can be posted on Hawthorne stating no parking, which would prevent trucks from unloading there, but connectivity is important for traffic flow.

Hector Moyer, representing the applicant, was sworn in by Mr. Perkins. Mr. Moyer stated that trucks cannot use the Hawthorne Drive entrance without causing property damage.

David Clay, Hawthorne Drive resident, also felt that something can be done to change the plan. He felt the increase in traffic will negatively impact the neighborhood and property values will decline.

Mr. Perkins again stated the authority of the Planning Commission.

Delores Vinegar, daughter of a neighboring property owner, was sworn in by Mr. Perkins. She expressed concern about not being notified and the increase in traffic.

Commissioner Smith stated that the Commission cannot decide what kind of business can locate on the property.

Jack Brooks, Hawthorne Court resident, stated that his cul-de-sac has become a turnaround for drivers wanting to get back to U.S. 25. He also felt that the subdivision will become a cut thru to U.S. 460. He asked that there be no entrance or exit on Hawthorne Drive, and felt that the increase in traffic will make the streets unsafe for children on bicycles and pedestrians.

Commissioner Foster suggested that notification requirements be amended in some manner to ensure that all interested parties are aware of the proposed project.

Discussion continued on traffic and who is responsible for managing it.

Mark S., Bronte Place resident, asked if more of the neighbors than those within 500' can be notified. He also expressed concern about traffic, and asked that rooflines of new development be compatible with the neighborhood. A representative of Family Dollar stated that the roof will be flat.

Steve Price, concerned citizen, expressed concern that construction has started before the Final Development Plan has been submitted. Mr. Kane stated that the Final Development Plan is part of the construction plan package, and when the grading and erosion control plan is approved, they are permitted to start putting in their silt fencing and construction entrance and prepare the site for development. Mr. Price asked if they are allowed to cut down trees. Mr. Kane stated that clearing the trees is part of preparing the site for construction. Mr. Price continued to express opposition to the project due to environmental reasons. He read excerpts from the Comprehensive Plan that encourage conservation of natural resources and re-use of existing buildings.

Charles and Megan Miller, Hurston Court residents, stated that their property is higher than the applicant's property, and asked that the property boundary fencing and dumpster fencing be higher than 6' to help screen the commercial use from their

yard and deck. Mr. Miller also expressed concern about truck lights shining in their window, and the dumpster being emptied in the morning hours. They asked that the privacy fence extend around to the northern boundary to stop people from cutting through the corner of their yard.

Mr. Kane suggested that an affidavit be drafted that states the notification requirements, and that the affidavit be signed and notarized by the applicant. The affidavit, the 500' buffer map, a list of all the property owners, and a copy of the letter that was sent must be submitted to the Planning Office fourteen (14) days prior to the Planning Commission meeting. Mr. Perkins supported a sign being posted on the property to help ensure that neighbors are made aware of a proposed project.

Commissioner Wiseman asked staff to work with the applicant on possibly making the entrance on Hawthorne Drive one-way in or out.

Motion by Jones, second by Foster, to require an additional notice requirement of a sign being posted on the property for all future Planning Commission applications (including subdivision plats, development plans, and zone changes), readable from the street, stating the intent of the applicant and with contact information, at least fourteen (14) days prior to the hearing at the Planning Commission meeting. Motion carried.

Sunset clause

Mr. Kane reported that, after discussions with Mr. Perkins, he recommends that preliminary subdivision plats and preliminary development plans expire after two years. Approval of construction plans for subdivision plats would extend the approval for two years. If phased, each final plat would start another two-year extension. Once final plats/plans are approved, their approval would be permanent.

There was discussion on specific subdivisions that have sat idle.

It was agreed that the amendment to the Subdivision Regulations would be advertised for public hearing.

Agricultural-Commercial zone district update

Mr. Kane reported that he discussed the proposed zone district with the Rural Land Management Board, and they requested some changes, including increasing the maximum building height from 30' to 45', and adding a restaurant (without a drive-thru) as a permitted use so that local farm products can be sold. He asked for suggestions that might better define the district and not allow inappropriate commercial uses.

Commissioner Smith asked how much acreage is needed for a parcel to be classified as a farm. Commissioner Jones was concerned about allowing restaurants. Ms. Enyeart stated that more specifics are needed to define farm-related restaurants, and that wineries, orchards, etc., could be added to the permitted uses.

It was agreed that staff would further refine the restaurant issue and bring the matter back to the Commission.

FY 14-15 Budget

Mr. Kane reported that the budget needs to be approved and given to Fiscal Court by March 3. He felt that there are no issues with most line items. He stated that the overall salaries have decreased, but a part-time receptionist is being requested, which brings salaries back to the same level as FY 13-14.

He stated that more information is needed for the IT and server situation. The server in City Hall is being brought back to the Planning Office, and he was uncertain as to whether quotes can be obtained before March 3.

It was agreed that a special meeting will be held on February 27 at 6:00 p.m. to give Mr. Kane time to obtain preliminary quotes for the IT work that needs done.

Ted Talk – H.B. 55 Continuing Education credit

Mr. Kane reported that Ms. Enyeart suggested having a 30-minute H.B. 55 presentation using Ted Talks at the end of each meeting. The Commission was receptive to the idea.

The meeting was then adjourned.

Respectfully,

Attest:

Greg Hampton, Chairman

Charlie Perkins, Secretary