

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
SPECIAL MEETING
MINUTES
December 10, 2020**

The special meeting was held online via Zoom on December 10, 2020. The meeting was called to order by Chairman Mark Sulski at 6:00 p.m. Present were Commissioners James Stone, Charlie Mifflin, Steve Smith, Duwan Garrett, Mary Singer, Regina Mizell, and David Vest, Director Joe Kane, Planner Matt Summers, Engineer Ben Krebs, and Attorney Charlie Perkins. Absent was Commissioner Byron Moran.

Motion by Mizell, second by Mifflin, to approve the November invoices. Motion carried.

Motion by Smith, second by Stone, to approve the November 12, 2020 minutes. Motion carried.

Motion by Smith, no second was made, to approve the December agenda. No action taken.

All those intending to speak before the Commission were sworn in by Mr. Perkins individually prior to their comments and questions.

Postponements/Withdrawals

Chairman Sulski opened the Public Hearing.

Chairman Sulski stated that the Small Cell Tower Ordinance Amendment has been postponed until the next regularly scheduled meeting due to missing the newspaper deadline for required public notice. Motion by Smith, second by Vest to continue until the regularly scheduled January meeting.

Chairman Sulski closed the Public Hearing.

PDP-2020-41 The Villages at Falls Creek Amended Master Plan – Request to amend the Master Plan for remaining lots in Phase 2 located east side of Falls Creek Development.

Mr. Kane stated that Planning Commission staff requested the Amended Master Plan because the applicant is wanting to change from single family homes to duplex townhomes and townhomes of 5 to 8 units to a building.

He stated the original concept plan was for a neighborhood development that included a downtown combination of retail, office and residential. He stated there was also a townhome area, single family homes and apartments across the creek.

He stated a year later the concept plan was amended. He stated eventually the downtown area was removed and two apartment buildings were built. He stated townhomes were approved and built. He stated they did not require an updated master plan before since most residences were built in the originally designated area.

He stated in 2013 an updated FEMA flood plain map increased the flood plain area in the section designated for single family. He stated when the applicant wanted to build townhomes in that area, staff asked the applicant to update their master plan. He stated if the master plan was approved then the applicant could submit a preliminary development plan for townhomes. He stated in the interim the City adopted a Common Scheme of Development Ordinance that regulates requirements for covenants, deed restrictions, and Homeowners Associations.

He stated staff does support townhomes but does ask that if approved, staff requests the density to be reduced at a capacity of no more than 52 units. He stated one new condition of approval he requested is that all townhomes face a public street.

He stated he did receive a petition of 23 property owners against multi-family units.

Nathan Billings, representing applicant, stated that according to subdivision regulations the Planning Commission cannot decide on the application tonight. He stated in Articles 3 and 4 of the Subdivision Regulations it states that the applicant can submit a concept plan, but it is not required. He stated that this meeting is a staff review meeting, but a decision cannot be made on the master plan.

Mr. Perkins stated he agrees with Mr. Billings. He stated when a preliminary development plan is presented than changes can be addressed.

Chairman Sulski questioned if the Planning Commission should hear the application if no action could be taken. Mr. Perkins stated that since all staff is together it could be discussed but staff cannot vote.

Mr. Kane stated that he feels staff will not change their position. He stated that the Planning Commission might want to go ahead and hear public opinion.

Commissioner Smith stated that he thinks hearing public opinion might help shape the planning process.

Commissioner Mifflin questioned Mr. Billings that he understands correctly they could hear public opinions now. Mr. Billings stated that since the meeting was already publicized, he thinks hearing public opinion could be addressed.

Commissioner Mifflin questioned Mr. Kane that staff approves of townhomes just not the layout. Mr. Kane stated that the layout and density is staff's main concern.

Steve Brukwicki, Falls Creek resident, stated that he bought his residence based on the plan that from the entrance to the first stop sign is to all be single family homes. He stated he does not agree that the change to the flood plain caused a change in market. He stated the six-plexes built between the stop signs cause traffic

congestion. He stated he also has concern that units built close to the flood plain will end up vacant due to flood insurance being required.

Tommy Sageser, Falls Creek resident, stated he would like more information made available to the public about the cost of flood insurance if someone buys a lot in the flood zone area.

Kourtney Roe, Falls Creek resident, stated that the neighborhood does not have control over the HOA due to Mr. Smith still owning the HOA. She stated as being a previous resident of Mississippi, flood insurance raised their insurance rate 25% for a small home. She stated the police had been called on residents in the apartments several times. She stated the residents have had to contact Code Enforcement before on Mr. Smith for lack of care of empty lots. She stated she does not want duplexes, multi-plexes, or apartments in the neighborhood.

Commissioner Smith questioned how the flood plain changing affects the neighborhood. Mr. Perkins stated the Planning Commission is not obligated to give the applicant more units but to make sure it complies with the Ordinance.

Mr. Brukwicki stated that the residents would like all parties involved to have a meeting to discuss the changes.

Paul Kinzer, Falls Creek resident, questioned if the 100-year flood plain or 500-year flood plain is shown on the plat. Mr. Krebs stated he thinks the plat is showing the 100-year flood plain. Mr. Kinzer stated that since he has lived there the area has flooded twice. Mr. Krebs stated that FEMA dictates flood zones.

Chairman Sulski questioned if area 4 on the plat is unbuildable. Mr. Kane stated that area 4 is unbuildable due to flood plain.

Mr. Billings stated the plat is showing the 100-year flood plain. He stated the flood plain area would be addressed when the applicant presents a preliminary development plan.

Mr. Brukwicki stated his concern if homes are built, then homeowners realize they are required to have flood insurance.

Brent Combs, Thoroughbred Engineering, stated he is only aware of insurance companies requiring flood insurance for homes in the 100-year flood plain area.

Commissioner Smith stated his understanding from the residents is that they only want single family homes. Chairman Sulski questioned if the area is zoned for multi-family homes. Mr. Perkins stated it is zoned for multi-family homes. Mr. Summers stated the area is zoned single family but as part of the PUD zone change approved in 2004, multi-family was permitted.

Kristine Hoskins, Falls Creek resident, stated that she had been a Falls Creek resident since 2007 and purchased her home knowing that the development was for single family and multi-family homes. She stated her main concern is that the homes are built tastefully and do not detract value from the neighborhood. She

stated single family homes continue to sell quickly in Scott County and she does not see a change in the market.

After further discussion, Chairman Sulski suggested all involved parties meet before a Preliminary Plan is submitted for approval.

Approval of 2021 Application Deadlines

Motion by Mizell, second by Vest, to approve the 2021 Application Deadlines. Motion carried.

The meeting was then adjourned.

Attest

Charlie Perkins, Secretary


Mark Sulski, Chairman