

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
REGULAR MEETING
MINUTES
December 8, 2016**

The regular meeting was held in the Scott County Courthouse on December 8, 2016. The meeting was called to order by Chair Rob Jones at 6:00 p.m. Present were Commissioners Johnny Cannon, Byron Moran, John Shirley, 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 Jeff Caldwell and Regina Mizell.

Motion by Shirley, second by Cannon, to approve the November invoices. Motion carried.

Motion by Smith, second by Moran, to approve the November 10, 2016 minutes. Motion carried.

Motion by Moran, second by Cannon, to approve the December agenda. Motion carried.

Consent Agenda

There were no applications on the Consent Agenda.

Postponements/Withdrawals

FSP-2016-60 Crosswinds Center Subdivision – Final Subdivision Plat to create a 0.30-acre tract and a 1.35-acre tract from a parent tract of 1.65 acres, located on the southwest corner of Cherry Blossom Way and Morgan Mill Drive.

PDP-2016-61 Crosswinds Center Development Plan – Preliminary Development Plan for a 960 sq. ft. grocery and a 10,758 s. ft. commercial building, located on the southwest corner of Cherry Blossom Way and Morgan Mill Drive.

Bruce Lankford, representing the applicant, stated that the applicant is continuing both applications to the January meeting.

Chairman Jones opened the public hearing and informed the interested parties that the application would be heard in January. Mr. Summers stated that he reserves his

comments on the Crosswinds applications until the January meeting, and Mr. Jones and continued the public hearing until then.

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

PSP-2016-51 Abbey at Old Oxford (Price Farm) – Preliminary Subdivision Plat for 129 townhomes and 373 single-family lots on 125.69 acres, located on the northwest side of Old Oxford Road.

Chairman Jones recused himself from discussion and voting.

Mr. Kane reviewed the staff report, stating that the current application amends the application that was heard in November. The two issues of concern were the condition of Old Oxford Road and the location of the townhomes. The amendments include a reduction in the number of townhome units from 129 to 116, reducing the density to 3.7 units per net acres, and providing a stronger buffer between the townhomes and the single-family homes along Herndon and along Old Oxford Road. The applicant proposes a 50' wide buffer with a 7' high berm with a mix of deciduous and evergreen trees planted along the top.

He recommended condition of approval #1 be amended to state that all non-cul-de-sac lots shall have a minimum lot width of 55' at the building line, and cul-de-sac lots can be 50' in width but must maintain the 6,000 sq. ft. minimum lot size. He recommended two additional conditions of approval: 14) the maximum number of lots allowed is 463; and 15) plans for a construction entrance off Old Oxford Road be reviewed at the time of construction plan review.

Mr. Kane stated that he and Chairman Jones met with City representatives regarding improvements to Old Oxford Road. Although there is no money budgeted for improvements at this time, the City Engineer is going to prepare a cost estimate for widening Old Oxford Road, and also for straightening out the curve near the site.

Nick Nicholson, representing the applicant, agreed with the conditions of approval. He described the amended buffer area, stating that the area will be heavily planted. He briefly reviewed the amendments.

Larry Roach, Rhodes Lane resident, acknowledged the compromises that have been made in the plan. He asked for clarification on the HOA requirements and on the progress that has been made on the City making Old Oxford Road improvements. He stated that the construction access is a serious concern, and asked the Commission to continue the application until the City can guarantee that the road improvements will eventually be made.

Melissa Kramer, Rhodes Lane resident, stated that she is still opposed to the plan even with the amendments, because of the condition of Old Oxford Road and the inclusion of townhomes. She stated that there are many other Ball Home developments with no townhomes, and that there are vacant townhome units in developments that do not include single-family homes.

Michael Curtis, Rhodes Lane resident, expressed concern about the unsafe condition of Old Oxford Road.

Deearnest Thomas, Rhodes Lane resident, asked where Old Oxford Road becomes a County road.

Mr. Nicholson stated that Phase I does not include the townhomes. He stated that the HOA documents have been submitted to Planning staff. He stated that, generally speaking, roads are upgraded after houses are built. There is no urgency to build them until the traffic increases. He stated that the construction entrance will be addressed when the construction plans are submitted.

Buddy Goodwin, representing Ball Homes, stated that a construction entrance off Old Oxford will definitely be considered.

The HOA issue was briefly discussed.

Commissioner Wiseman felt that the City should commit to upgrading Old Oxford Road before subdivisions are approved. Mr. Perkins explained that approvals are based on the regulations and zone changes, which are based on the Comprehensive Plan, and that appropriate consideration was given to Old Oxford Road.

Commissioner Smith added that multiple approvals have been given on Old Oxford Road, prior to 2008, and it was anticipated that improvements would have been made; but the slowdown of 2008 delayed that process.

Mr. Roach felt that the Commission has the authority to obtain a commitment from the City to improve the road before approving more development.

Commissioner Shirley commended Ball Homes on their willingness to compromise. He stated that no one disagrees that Old Oxford needs to be upgraded, and he feels it is the Commission's responsibility to communicate that need to City Council, which he and others have done. He hopes the urgency of the matter now helps make the upgrade happen soon.

Commissioner Smith stated that everyone is well aware of the need and hopefully it will be addressed next year.

Motion by Moran, second by Smith, to approve the Amended Preliminary Subdivision Plat subject to the fourteen (14) conditions of approval, and to deny the requested variance regarding the length of the cul-se-sac. Motion carried 5-1, with Sulski dissenting.

ZMA-2016-62 Sagester Zone Change – Rezoning request from R-1B to B-3 for .361 acres, located at 350 Pike Street in Sadieville. PUBLIC HEARING

Chairman Jones opened the public hearing.

Mr. Kane reviewed the staff report. He stated that the C-1 (Conservation) area should remain C-1, but the request to rezone the remainder of the tract to B-3 (Downtown Commercial) is consistent with the Comprehensive Plan. The use proposed by the applicant is similar to the previous use. Any different use in the future may require a development plan.

He recommended approval with the one condition that the floodplain area remain C-1.

Bruce Lankford, representing the applicant, agreed with the condition.

Chairman Jones closed the public hearing.

Motion by Shirley, second by Sulski, to recommend approval of the rezoning request on the basis that it is consistent with the Comprehensive Plan, and subject to the one condition of approval. By roll call vote, motion carried unanimously.

PDP-2016-63 Clarks Pump 'n Shop Store – Preliminary Development Plan for a new gas station/convenience store with drive-thru, located on the southwest corner of Paris Pike and McClelland Circle.

Mr. Kane reviewed the staff report. He stated that most of the development issues are in order. One area of note is that because the pavement extends to the edge of the State right-of-way, a portion of the perimeter landscaping will be in the right-of-way. Staff is requesting that the applicant acquire a letter from the State approving the location of the buffer and the plantings.

He also noted that the canopy requirement is met, partially by off-site trees. He has requested the applicant to place a statement on the Final Development Plan that if any of the off-site trees die or are removed, new plantings shall be required on the site to meet the canopy requirement.

He then addressed the access issue. Because the existing entrance is close to McClelland Circle, he included a condition that the applicant make a reasonable effort to acquire a

cross-access easement and driveway connection to the adjoining Valero site. He asked Mr. Perkins if a cross access easement can be forced on an already-developed property. Mr. Perkins stated that the Commission has no authority to require the adjacent property to make changes.

Mr. Kane noted that the Fire Department is requiring a hydrant at the entrance because the nearest hydrant is across the street.

Jason Harrod, Engineer and representing the applicant, stated that the existing fuel tanks will remain and be tested by the State. If necessary, they will be replaced. He stated that the applicant hopes to obtain a cross access easement with the adjoining property owner and will bear whatever costs are involved.

Chairman Jones expressed concern about traffic congestion with RVs when Camping World opens.

Commissioner Smith asked about sidewalks. That issue was discussed briefly.

Mr. Harrod expressed concern about the requirement and expense to install a fire hydrant. He stated that the hydrant across the road has the capacity to serve the site. He felt the hydrant placement was requested to serve other properties. Mr. Perkins felt that the Commission does not have the authority to require a single commercial development to install a fire hydrant that also serves other properties. Discussion continued at length on the fire hydrant.

Motion by Sulski, second by Wiseman, to approve the Preliminary Development Plan, subject to the ten (10) conditions of approval. Motion carried.

2017 Filing and Application Deadline schedule

Motion by Sulski, second by Shirley, to approve the Filing and Application Deadline Schedule for 2017. Motion carried.

The meeting was then adjourned.

Attest:


Charlie Perkins, Secretary

Respectfully,


Rob Jones, Chair