

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
REGULAR MEETING
MINUTES
April 11, 2019**

The regular meeting was held in the Scott County Courthouse on April 11, 2019. The meeting was called to order by Chairman Mark Sulski at 6:00 p.m. Present were Commissioners Charlie Mifflin, Regina Mizell, Jeff Caldwell, Frank Wiseman, Byron Moran, Steve Smith, and David Vest, Director Joe Kane, Planners Matt Summers and Mikaela Gerry, Engineer Ben Krebs, and Attorney Charlie Perkins. Absent was James Stone.

Motion by Mizell, second by Smith, to approve the March invoices. Motion carried.

Motion by Mifflin, second by Caldwell, to approve the March 14, 2019 minutes. Motion carried.

Motion by Moran, second by Vest, to approve the April agenda with two additional other business items. Motion carried.

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

Postponements/Withdrawals

Chairman Sulski stated that the application for Cherry Blossom Village Amended Master Plan (PDP-2019-07) has been postponed to the regular May meeting.

Motion by Mizell, second by Caldwell to postpone Cherry Blossom Village Phase 9 (PSP-2019-01) to the regular May meeting.

Consent Agenda

A representative of the Titan Project application (PDP-2019-14) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by Vest, second by Wiseman, to approve the Preliminary Development Plan. Motion carried.

A representative of the Crew Building Services application (PDP-2019-15) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by Smith, second by Vest, to approve the Preliminary Development Plan. Motion carried.

FSP-2019-11 Sanderson Property - Final Subdivision Plat to divide one tract into two tracts, creating one 5.000-acre tract and a 6.823-acre remainder tract located on White Oak Road.

Ms. Gerry stated this property is zoned A-1.

She stated that staff does not feel the existing entrance for parcel 1 qualifies as an entrance. She stated the entrance does not meet site distance requirements. She stated that staff requests that on the final subdivision plat, that a new entrance is proposed and labeled.

Mr. Krebs stated that due to a liability issue of site distance requirements, he cannot recommend approval unless entrance is moved.

Tina Sanderson, applicant, stated she would move entrance if that would get plat approved.

After further discussion, **Motion by Mizell, second by Smith, to approve the Final Subdivision Plat (FSP-2019-11) subject to seven (7) conditions of approval. Motion carried.**

PDP-2019-12 Slainte Public House Renovation – Preliminary Development Plan to construct a 1,240 square foot covered pavilion located at 320 East Main Street.

Ms. Gerry stated the site is zoned B-3 and R-2. She stated the site is 0.33 acres.

She stated that the project has already been heard before the Board of Adjustment and granted a reduction in the side yard setback from 25 feet to 5 feet.

She stated the proposed pavilion would take away the existing parking for the applicant but that the B-3 zoning district does not specify parking requirements.

She stated that the landscaping buffer area can be reduced to 5-feet due to an existing 6-foot privacy fence.

Mr. Wiseman questioned why the plan is required to be heard before the Planning Commission instead of just obtaining Building Inspection approval. She stated because of the project being commercial development and that it is expanding beyond the 10% building area.

Matthew Nunn, applicant, stated the structure will be wooden with the sides enclosed and resemble structures you see at the park.

Griff Ray, 123 Water Marq Path, stated he previously lived in downtown Lexington in a similar area. He stated it is a community place that he has used for meetings and enjoys.

Audrey Carr, 356 East Main Street, stated she has concerns with traffic, parking, and noise after hours. She stated the increase of people at the business will only worsen the problem.

Glenn Burns, 601 East Main, stated he feels that the business promotes community.

Martha Smith, 355 East Main, questioned why the variance was allowed. She has concern with the noise and design of the structure.

Mr. Nunn, applicant, stated he does have to install a landscape barrier.

Noah Western, 517 East Main, stated he supports small business. He stated either the city continues to grow or not.

Homer White, 198 Hiawatha Trail, stated he supports the proposed structure from a customer's view. He stated there are parking options.

Candace Whitehouse, 121 Warrendale, stated she enjoys the atmosphere and sense of community that Slainte brings to Georgetown.

Whitley Hilterbrand, 471 Glass Pike, stated she supports Slainte due to the backing they give to the community.

Charlie Hoffman, 336 East Main Street, stated he could hear the music from Bourbon Street at his previous residence. He has concerns with the traffic and parking.

Chairman Sulski questioned if anyone had called the police when music went past the ordinance time limit.

Commissioner Smith questioned if the noise is constant every day. It was answered by the applicant who stated music is usually 3 days a week.

Heather Johnson, 529 East Main Street, stated she supports expansion of businesses downtown.

Bruce Lankford, 300 East Main, questioned when the variance was approved.

Ms. Smith stated that not all neighbors were aware of the application.

Jason Olbenmeyer, 428 Military Street, stated the problem started when Slainte's building was zoned for business. He stated he supports the business.

Mr. Hoffman stated approval would deteriorate the property values and business downtown.

James Dougood, 321 East Main Street, stated he has concern with parking and noise from the generator.

Kelly McEuen, 409 East Main Street, stated he only received one notice for the Board of Adjustment meeting. He stated he walks downtown frequently and does not hear noise from the business. He stated he supports the application.

Mr. Nunn stated he has checked with the apartments next door and was told there has not been any complaints.

He stated he has asked his employees and regular customers to not park across the street.

He stated he just learned about a generator box that can be placed over the generator to muffle noise. He stated he plans to purchase one to help with the generator noise.

He stated he followed the notification requirements.

He stated his fence is 6-foot because of the City Ordinance.

He stated historian Ann Bevins has written about the Slainte building in her book on the history of Georgetown. He stated the building has always been a community place.

Commissioner Wiseman questioned how many additional patrons would be expected. Mr. Nunn stated approximately 40.

Commissioner Wiseman questioned how many patrons Slainte presently has. Mr. Nunn stated they can accommodate approximately 120.

Commissioner Wiseman questioned if the music could be stopped at 9:00 pm.

Commissioner Smith questioned if the electric service could be upgraded for the food trucks to plug directly into Slainte for electric.

Commissioner Smith questioned if permit parking could be made available to residents.

Ms. Gerry clarified the landscaping requirement. It was stated the 6-foot fence along with a few additional trees would meet the requirement.

Commissioner Mifflin questioned if the outdoor seating requires fire marshal approval.

Ashley Nunn, 320 East Main, stated that they have plans to make a map for their patrons of Georgetown that shows available public parking.

Mr. Hoffman responded to a prior speaker and stated that he did hear the music at his previous Bourbon Street residence. He stated the Planning Commission staff has not helped the surrounding neighbors.

Mr. Kane stated that staff does not take sides on applications. He stated they present the facts about the applications.

Commissioner Smith stated he believes the neighbors have concerns about noise.

Mr. Kane explained the landscape ordinance.

Mr. Nunn explained that this application is a compromise.

Commissioner Mifflin stated that he feels there are still too many unanswered questions.

Mrs. Nunn stated that they are willing to sound proof the pavilion.

Commissioner Vest stated that is not the Planning Commission's responsibility to require sound proofing.

After further discussion, **Motion by Wiseman, second by Caldwell, to approve the Preliminary Development Plan (PDP-2019-12) subject to five (5) conditions of approval. Motion carried 7-1.**

PDP-2019-13 Golf Townhomes of Cherry Blossom Phase 6 - Preliminary Development Plan for Golf Townhomes of Cherry Blossom, for 32 single-family or attached townhomes units located east of Riviera Drive, west of Lanes Run Creek, northwest of Old Oxford Road.

Commissioner Moran recused himself.

Mr. Kane stated the property is zoned R-2(PUD). He stated this area was shown for informational purposes on the amended master plan that was postponed, but it is a separately zoned portion of Cherry Blossom with a master plan that was approved separately.

He stated that there are karst areas still need to be studied to the east of the subject property that affect the proposed road alignment of this phase.

He stated previously that the Planning Commission had required as a condition of approval, a connection to Old Oxford made with Phase 6. He stated that because of the construction of Ikebana Road they are still under the limit of 100 lots before another access connection must be built.

He stated that one of the added conditions of approval is for construction plans for the upgrade of Old Oxford Road.

Glenn Hoskins, applicant, stated that they agree with the conditions of approval. Bob Schindler, 230 Ikebana Drive, stated that he has concern with stormwater.

Mr. Krebs stated that the grading for the lots in the previous phase should have been directed towards the street.

Fred Eastridge, applicant's engineer, stated that they cannot undo previous grading but that the existing swale on the rear of the existing lots was added to help with the stormwater issues.

He stated that the grading for this phase will direct stormwater towards the street.

Paul Haddix, builder, stated that they try to adjust the grade as houses are built.

Commissioner Smith stated that Old Oxford upgrades need to be addressed. Mr. Hoskins stated that they delayed their other two applications that were scheduled to be heard because of the need to upgrade Old Oxford.

Jeffrey Much, 238 Ikebana Drive, questioned the location of the phases. Mr. Hoskins explained the locations of the phases.

Temple Juett, 1035 Old Oxford Road, questioned the location of phase 6 and the required landscape buffer between his home and the development. Mr. Kane stated that he would check the landscape requirement.

After further discussion, **Motion by Mifflin, second by Mizell, to approve the Preliminary Development Plan (PDP-2019-13) subject to eleven (11) conditions of approval and three (3) variances. Motion carried.**

Ms. Mizell left the meeting.

ZMA-2019-16 Drake Zone Change – Zone change request for approximately 20 acres from A-1 to B-5 & C-1 located at the northwest corner of the intersection of McClelland Circle and East Main Street Extended.

Chairman Sulski opened the public hearing.

Mr. Summers stated part of the property was rezoned to B-2 and annexed into the City in 2008.

He stated part of the property is in flood plain. He stated those areas, including areas previously zoned B-2, should be rezoned to C-1.

He stated this application complies with the Comprehensive Plan.

He stated a traffic study has been completed.

He stated Wells Avenue appears to be a private driveway.

He stated the site has two historical buildings that are planned to be relocated.

Commissioner Mifflin asked for explanation on annexing of property.

Bruce Lankford, representing applicant, stated applicant agrees with the proposed rezoning and that applicant will request annexation from the City.

Commissioner Smith questioned what will happen to the historical buildings.

Jonathan Hale, Thoroughbred Engineering, stated that the owner has the options of leaving the house at the present site, moving the house to a different location on the property, or selling to a buyer to relocate the house. He stated the springhouse most likely will stay where it is presently located.

Chairman Sulski closed the public hearing.

Motion by Vest, second by Mifflin, to recommend approval of the rezoning request (ZMA-2019-16) on the basis that it complies with the Comprehensive Plan, and subject to four (4) conditions of approval. By roll call vote, motion carried 5-2.

Lot Line Discussion

Mr. Kane stated that he has developed two options to present to the commissioner for discussion concerning zero lot lines.

He stated option 1 would be to require a 5-foot setback in all districts commercial except downtown. He stated if an applicant wanted a zero-lot line, they would have to apply for a variance with the Board of Adjustment.

He stated option 2 would be to add language in the commercial districts section of the zoning ordinance, that states when you have two different adjoining property owners, zero side and rear lot lines would be permitted if an agreement is in place for access, construction and maintenance otherwise a minimum 5' setback shall be maintained.

After further discussion, Option 2 was the preferred option, language will be developed by staff and presented at the next regular meeting.

Subdivision Plat Revocation

Chairman Sulski stated that at Monday's workshop on April 8, 2019, Bruce Lankford requested a revocation of Plat, Cabinet 7, Slide 238.

A motion was made by Smith, seconded by Wiseman and the Planning Commission unanimously approved in accordance with KRS 100.285 to revoke the Plat, Cabinet 7, Slide 238.

The meeting was then adjourned.

Attest:

Charlie Perkins, Secretary


Mark Sulski, Chairman