

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
REGULAR MEETING
MINUTES
July 14, 2016**

The regular meeting was held in the Scott County Courthouse on July 14, 2016. The meeting was called to order by Chair Rob Jones at 6:00 p.m. Present were Commissioners Jeff Caldwell, Johnny Cannon, Regina Mizell, 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.

Motion by Mizell, second by Caldwell, to approve the June invoices. Motion carried.

Motion by Moran, second by Mizell, to approve the June 9, 2016 minutes. Motion carried.

Motion by Sulski, second by Shirley, to approve the July agenda. Motion carried.

Postponements/Withdrawals

Chairman Jones stated that the Clark's Pump 'n Shop Store application (PDP-2016-08) has been withdrawn by the applicant, and the Smith-Wainscot Duplexes (PDP-2016-29), Haddix Property (PDP-2016-44), and Risk Property Zone Change (ZMA-2016-41) applications have been postponed to the August meeting. Bruce Lankford, representing the Wise Property Zone Change application (ZMA-2016-36), requested that their application be continued (with amended notices) to the August meeting.

Motion by Sulski, second by Moran, to approve the withdrawal, postponements and continuation. Motion carried.

Consent Agenda

A representative of the Concept Packaging application (PDP-2016-35) agreed to their conditions of approval and there were no comments from the public or Commission. Motion by Smith, second by Shirley, to approve the Concept Packaging application. Motion carried.

A representative of the Cyron Holdings application (PDP-2016-38) agreed to their conditions of approval and there were no comments from the public or Commission. Motion by Caldwell, second by Sulski, to approve the Cyron Holdings application. Motion carried.

FSP-2016-34 The Colony, Unit 11 – Amended Final Subdivision Plat for lots on the south side of Castleford Drive, west of King George Drive, north side of Elkhorn Creek.

Mr. Kane reviewed the staff report. He stated that the applicant is requesting to amend the text on the final plat, not to make any physical changes to the plat. The amendment would allow attached duplex townhomes on four pairs of lots (eight total) on Cornwallis Drive. The lots in Unit 11 were originally configured for a more neo-traditional housing product. The lots on the interior blocks included alleys in the rear so that there were no front facing garages. In 2012, the Commission gave the developer approval to remove the alleys. The narrow lots are now making it difficult to have front-facing garages, and there is little room for construction equipment and debris.

If duplex townhomes are approved, there would still be one dwelling unit per lot, but they would share a wall on one side and then be separated by 15' on the opposite side, instead of the standard 7-1/2'. (These lots are not on the blocks where alleys were previously removed.) The change to permit duplex townhomes would allow for larger homes to be constructed that would fit better on to these undersized lots.

Mr. Kane noted that the City passed an ordinance in 2012 requiring a developer/builder to notify the neighbors of any changes in a plat or change in scheme. The applicant complied with that notification policy.

He recommended that if the request is approved, no other changes be made in the covenants and restrictions in this phase other than the change in the setbacks.

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

Paul Haddix, applicant, stated that the request is being made because the size of the lots, without the amendment, requires small homes, which are more prone to become rental property. He prefers to build larger homes that address the current market and be a better addition to the subdivision.

Gary Leslie, Cornwallis Drive resident, expressed concern about the units being rented. He stated that some of the lots are unbuildable because of sinkholes, and the electrical conduits for every house in the neighborhood are within 50' of where

one of the townhomes would be constructed. He also expressed dissatisfaction about townhomes being permitted among single-family homes.

Joleen Jogger, Cornwallis Drive resident, stated that she offered to buy the property adjacent to her home, but was told that she could not build there. She also stated that she was told she would have to keep access open to a utility easement and asked if the applicant would have to do the same.

Ashley Arnold, Cornwallis Drive resident, stated that, when they bought their home (on lot 19), she was informed that the lot on their left side would not be built upon. If this request is approved, they will be sandwiched in between duplexes.

Mr. Haddix stated that he has built single-family homes in this section 11 of the Colony that have sold (not as rental property), and he wishes to maintain the ability to build and sell homes here. He felt that a larger twin townhome will be less likely to be sold as rental property than a smaller single-family home.

Commissioner Wiseman asked him why he should be able to build there when others were told they could not. Mr. Haddix stated that the neighboring lots that back up the creek are built upon, so there is no reason that these lots cannot be built upon.

Mr. Leslie asked why the configuration and size of the lots can't be changed so that larger single-family homes can be built.

Mr. Haddix stated that they are twin townhomes that are sold individually as homes. There will be off-street parking and one-car garages.

Ms. Jogger asked why she was not able to buy the lot from Mr. Haddix. He replied that he decided to build on it rather than sell it.

Commissioner Sulski asked why Ms. Arnold (on lot 19) was told that one of the lots would not be built upon. Mr. Kane stated that it has always been an approved lot.

Commissioner Shirley stated that it would not be economically feasible to combine two lots to build one house. He understood the dilemma of having to building a single-family home on lots of this size.

The easements on the properties were discussed.

Motion by Moran, second by Shirley, to approve the Amended Final Subdivision Plat subject to the six (6) conditions of approval. Motion carried 8-1 with Wiseman dissenting.

FSP-2016-37 James and Elena Moore Property - Final Subdivision Plat to create one new tract of 5.001 acres, with 17.696 acres remaining in the parent tract, located at the end of Pratt Lane on the west side of North Elkhorn Creek.

Mr. Summers reviewed the staff report. He stated that the plat meets all requirements for setbacks, lot width, and lot size. The only issue of concern is the access easement. The easement/driveway already serves three tracts, the maximum number allowed by the Subdivision Regulations before the road must be upgraded to County road standards. Approval of this proposed subdivision requires that an approximately 250' section of the easement be upgraded.

Elena Moore, applicant, described the property, their farming operation, and the bridge. She stated that they wish their daughter and son to have five acres each to continue to farm, so three of the tracts are owned by family members, and the fourth tract does not have a residence. The owner of the fourth tract lives in Nicholasville and comes to farm his property. She asked that a waiver be granted so that the proposed subdivision can be approved without the upgrade to the road. She stated that she and her husband maintain the road and the bridge.

After discussion, it was clarified that another access exists to the rear of their property.

Michael Moore, the applicant's son, emphasized that his father does an excellent job of maintaining the road. He stated that they are currently looking to build a bigger bridge and that the farm will remain in the family.

Motion by Sulski, second by Wiseman, to approve the Final Subdivision Plat subject to the five (5) conditions of approval, plus the sixth (6) condition that the access easement off White Oak Road that serves one of the tracts be verified. Motion carried 8-1 with Jones dissenting.

PDP-2016-39 Vuteq Corporation Warehouse Expansion - Preliminary Development Plan for a 94,458 sq. ft. building addition, located at 100 Carley Drive.

Ms. Chan reviewed the staff report. She stated that the applicant applied for a setback variance from the Board of Adjustment and the BOA postponed their decision until the applicant receives Planning Commission approval for their development plan. One of the conditions of approval is that it is contingent upon receiving that BOA approval.

She stated that the development is on two tracts, and they must consolidate the tracts before the Final Development Plan is submitted. She reviewed parking and

landscaping. The applicant is requesting variances for approval to provide VUA perimeter screening instead of providing landscape islands. She described the landscape proposal in detail and recommended approval since it would provide substantial screening without having to tear up the parking lot and would accomplish much of the same effect.

Ms. Chan stated that they are also asking for a waiver to some of the perimeter landscaping along McClelland Circle. After discussions, they have agreed to place 78 evergreens 10' on center along McClelland Circle and wrapping around on Lemons Mill to soften the impact of the 35' high building.

Chairman Jones expressed concern about the 35' high building being so close to the intersection of Lemons Mill and McClelland Circle.

Brian Ward, Palmer Engineering and representing the applicant, stated that the building will be 36' from the right-of-way line, where it normally would have been 50'. He felt that the 14' difference, looking from the road, will not make much difference. He stated that there are two crane rails that run the length of the existing building, and in order to maintain the interior operations, they need to extend the existing crane rails through this proposed building. The size of the building is critical to their operation.

Commissioner Sulski felt that the landscaping is sufficient.

Richard Williams, representing the church that owns the adjacent property, was sworn in by Mr. Perkins. Mr. Williams asked if the traffic on the Spring Court extension will be semi-trucks or cars. Ms. Chan stated that judging by the size of the turnaround space, it will probably be used by semi-trucks. Mr. Williams expressed concern about that. Mr. Ward stated that it would be used for trucks, but at a much lower frequency than in the existing parking and loading area on site. Commissioner Smith stated that semi-truck traffic has to be expected in an Industrial Park.

Motion by Shirley, second by Mizell, to approve the Preliminary Development Plan subject to the nine (9) conditions of approval, and including the requested landscape variances. Motion carried.

FSP-2016-40 Westwoods, Lots 79A & 79B – Final Subdivision Plat to create one new tract of 10 acres, with 25.259 acres remaining in the parent tract, located on the east side of Westwoods Drive and west side of Cincinnati Road.

Ms. Chan reviewed the staff report. She pointed out the floodplain area and the original concept plan of the subdivision. The plan was for 400 lots, three parks and a

trail system around all of the residential R-1B lots. It was later reduced to a little over 104 lots and didn't show the parks or the trail, but the intent was still to include park space and a trail system around the residential lots. That was a major component that was considered a requirement of the cluster regulations, which were different when this application was initially approved.

She stated that the plat lost the pedestrian access easement designation that was originally stated on the concept plan, but there is clearly a 10' separation with a woven wire farm fence placed 10' from the agricultural lots surrounding the residential area. As each of the residential lots are built upon, the owners are placing their own plank fences along the 10' buffer area that the applicant has indicated is for pedestrian access. She recommended adding a condition that a pedestrian access easement be shown on lots 79A and 79B in the 10' buffer area between fences.

She recommended approval subject to the nine (9) conditions of approval. The exact number of lots that have been approved was discussed.

Joel Day, representing the applicant, agreed that the 10' fenced, buffer area is intended to be a pedestrian trail.

Cindy Hutcheson, Westwoods Drive resident, asked for clarification on the entrances to the tracts, the pedestrian trail, and the zoning. She asked if the owners of lots 79A and 79B will be members of the Homeowners Association. Ms. Chan stated that they will be.

Jerry Coleman, Westwoods Drive resident, expressed concern about the pedestrian trail. Ms. Chan stated that the applicant has no intent to construct a trail or walkway at this time, but that now is the time to get the easement for possible future plans.

Discussion continued on the access points and the fact that the park has yet to be constructed.

Motion by Smith, second by Sulski, to approve the Final Subdivision Plat subject to the nine (9) conditions of approval. Motion carried.

Update of previously approved projects and agenda items

Mr. Kane reminded the Commission of the training session on Tuesday, August 2.

The meeting was then adjourned.

Respectfully,



Rob Jones, Chair

Attest:



Charlie Perkins, Secretary