

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
REGULAR MEETING
MINUTES
November 9, 2017**

The regular meeting was held in the Scott County Courthouse on November 9, 2017. The meeting was called to order by Chair Rob Jones at 6:00 p.m. Present were Commissioners Jeff Caldwell, Steve Smith, Mark Sulski, Regina Mizell, and John Shirley, Director Joe Kane, Engineer Ben Krebs, Planners Matt Summers and Mikaela Gerry and Attorney Charlie Perkins. Absent were Commissioners Frank Wiseman, Johnny Cannon and Byron Moran.

Motion by Regina Mizell, second by Steve Smith, to approve the October invoices. Motion carried.

Motion by Mark Sulski, second by Regina Mizell, to approve the October 12, 2017 minutes. Motion carried.

Motion by Jeff Caldwell, second by Steve Smith, to approve the November agenda. Motion carried.

Postponements/Withdrawals

Chairman Jones stated that the Shoppes at Cherry Point (PDP-2017-44) application has been postponed to the December meeting.

Consent Agenda

A representative of the Barnett Property application agreed with their conditions of approval, and no comments were made by the Commission or public. Motion by Sulski, second by Smith, to approve the Final Subdivision Plat (FSP-2017-39) subject to six (6) conditions of approval. Motion carried.

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

ZMA -2017-36 Yancey Griffith Zone Change – Rezoning request for 122.2 acres from A-1 to R-2 PUD, R-1C PUD, and C-1 (Conservation), located on the east side of Cincinnati Road, north of Champion Way.

Chairman Jones opened the public hearing.

Director Joe Kane stated the property is located across US 25 (Cincinnati Pike) from Stonehedge Subdivision. It is bounded on the north by the Georgetown Urban Service Boundary and on the east by the Norfolk Southern Railroad. Anne Mason Elementary and Royal Spring Middle School border the southern boundary of the farm. The property has a floodplain area along Dry Run Creek to the railroad boundary. The floodplain area is proposed zoning of C-1 (Conservation). The applicant is seeking rezoning of R-2 (PUD) and R-1C (PUD) on the remainder of the property. He stated that the zone change proposal to Urban Residential agrees with the adopted Comprehensive Plan. The newest concept has reduced the number of proposed residential dwellings to 536. There are two proposed entrances located on US 25.

Mr. Kane stated that a traffic study had been completed. The study recommended a right and left turn lane into the development at the two entrances from US 25. A signal timing adjustment was recommended at the intersection of US 25 (Cincinnati Pike) and KY 32 (Champion Way).

Mr. Kane recommended denial for the R-2 (PUD) due to lack of detail shown for this area on the concept plan and approval of the zone change request to R-1C (PUD) for the majority of the property and C-1 for the flood plain area. He also recommended that they maintain an average of 7500 square foot lot size, provide a trail system linking to the school, and maintain a 150-foot landscape buffer along US 25 and 15-foot landscape buffer around the remaining perimeter of the site.

Nathan Billings, representing the applicant, stated that according to the Comprehensive Plan, the future land use map labels this area urban residential. Therefore, according to KRS 100.213 the area is appropriate for this type of zoning.

He stated there had been discussions with the school system regarding access to the schools. Stating safety as a concern, they did not want direct access to the development.

Mr. Billings stated that the current concept plan for the development depends on the density that will be allowed. He stated that the applicant has agreed to the conditions of approval except for the density of 4.4 units per net acre. The applicant is asking for 5.2 units per net acre. The R-1C zone would be for different types of single-family homes and the R-2 zone would be for apartments and townhomes. The R-2 zone will not be developed for three to four years.

Darrin Croucher, Thoroughbred Engineering, conducted the traffic study for the applicant. There were two studies done, one in the summer months, and one after school started. He stated that the traffic light at the intersection is causing the traffic congestion. He recommended contacting the State to see if the timing could be changed.

Commissioner Shirley asked that if having failing traffic at the intersection and adding more traffic to the situation, would the State remedy the problem? Mr. Croucher suggested sharing the Comprehensive Plan with the State to show that the problem will only worsen in the future.

Mr. Billings suggested that as the applicant works with the State regarding the right-of-way, the opportunity will be there to work on the traffic issue at the intersection. They will be adding a deceleration lane and a turn lane into the subdivision.

He stated that the adjoining property owner, Whitaker Land Company, provided a letter of support for approval of the development.

Mr. Billings stated that the applicant offered to meet with Stonehedge Subdivision residents to hear their concerns but the offer was declined.

Commissioner Smith asked if the northern entrance is located directly across from Stonehedge Subdivision entrance, would a traffic light be installed? Mr. Billings stated that if the State says a light is needed, they will install one as part of the off-site improvements.

Commissioner Smith asked if a reduced speed limit for US 25 will be necessary? Mr. Billings stated that as the US 25 area has more residential growth, a reduced speed will be necessary.

Commissioner Smith felt that a larger lot size of approximately an acre is the appropriate size for that area.

Al Mullannix, Stonehedge resident, stated that traffic is the main concern he has with the application.

Ruby Troyer, Stonehedge resident, submitted a petition from the residents of Stonehedge regarding the application. She said the residents have major concerns. The main concern is that according to the 2016-2017 Comprehensive Plan, high-density residential neighborhoods should be built on major roadways with walkable/bikeable access to commercial, employment and community activity centers. She also stated that the residents strongly oppose the R-2 PUD zoning.

Stephen Price, Georgetown resident, stated that all future developments should provide the ability to walk or bike to any location and the ability to grow crops on your land.

Ross Bowen, Stonehedge resident, stated that in his opinion larger lots are more desirable. He also stated that US 25 needs improvements before the Planning Commission approves any additional development.

Tina Elliott, Stonehedge resident, stated the R-2 PUD is a safety concern with schools being close. She recommended larger lots, more green space, and more trails to promote a healthier lifestyle.

Brad Anheiser, Stonehedge resident, stated the traffic is a concern for him. He also agreed if larger lots were available, they would sell easier.

Mr. Billings stated that the applicant has reduced the density from the original proposal.

Commissioner Mark Sulski had asked for calculations on the average lot size from Brent Combs of Thoroughbred Engineering. His calculations looking at the current concept plan came up to an average 6700 square foot lot size in the R-1C PUD zone.

Mr. Price asked for clarification of the size of the lots.

Chairman Jones closed the public hearing.

Commissioner Mizell stated that the road improvements should help improve the traffic flow.

Commissioner Smith stated that he feels we need larger lots to attract and keep people here in the county.

Commissioner Shirley agreed with the larger lot sizes but stated that not everyone can afford that size lot. He said that younger people need affordable lots to be able to buy a house they can afford in the county.

Chairman Jones stated that growth is inevitable. He agreed that there is a need for affordable lots in the county and thinks the proposed road improvements will help with the traffic problem in that area. He asked the question if a condition of approval could be added stating that the applicant work with the State on traffic improvements suggested by the traffic study.

Commissioner Smith asked if any developments are being built that are zoned R-1A or R-1B presently in the city.

Mr. Kane stated that the traffic study could be presented to the State, and that when the applicant comes back for preliminary subdivision plat approval, make traffic improvements a part of the requirement for approval.

Commissioner Smith asked if they could require the rezoning request to be R-1A or R-1B. Mr. Perkins stated that this application would have to be denied and the applicant apply again for the R-1A or R-1B zoning.

The question was asked of Mr. Perkins if the density could be limited in the R-2 zone. He replied it could be done but must be supported by physical evidence of why the Commission decided on a limit.

Commissioner Sulski stated that there is a need for starter homes in this community.

Chairman Jones stated that there are few lots available to build on.

Commissioner Shirley stated that reducing the density could make it not financially reasonable for the applicant to develop the property.

Motion by Smith to deny approval of the rezoning request (ZMA-2017-36) based on the traffic study showing a traffic level of service (LOS) C in the mornings and a LOS D in the evenings, the traffic level at the intersection being a LOS F, the number of accidents in the area, and the flooding he has witnessed in the area proposed for R-2 PUD. Failed for lack of a second.

Motion by Shirley, second by Mizell, to deny the rezoning for R-2 PUD and approve the rezoning request (ZMA-2017-36) for 105.17 acres to R-1C PUD and 17.09 acres to C-1 on the basis that it is consistent with the Comprehensive Plan and subject to conditions of approval two (2) through fourteen (14). By roll call vote, motion carried 4-1, with Smith dissenting.

ZMA-2017-37 Pleasant Valley Subdivision Zone Change – Rezoning request for approximately 16.299 acres from R-1C PUD to R-2 PUD, located at the end of Schneider Blvd. in the Pleasant Valley Subdivision.

Chairman Jones opened the public hearing.

Planner Matt Summers stated that this application is for the southern section of Pleasant Valley Subdivision. In 2008 a Preliminary Subdivision Plat was approved for this area. This application is to allow the developer to build townhomes. The applicant is willing to donate right-of-way for a possible extension of Lexus Way. Therefore, the applicant is seeking this rezoning to offset the proposed 90 foot of right-of-way loss.

He stated the potential extension of Lexus Way from Cherry Blossom through to Old Oxford Road, qualifies as a major change in the area that was not considered with the Comprehensive Plan.

Mr. Summers stated the applicant will need to comply with City of Georgetown Ordinance 2015-014 regarding the common scheme of development. Applicant intends to show that market conditions have changed.

He stated that residents are mainly concerned with traffic. Mr. Summers showed an example of traffic comparing single family and townhome units.

Nathan Billings, representing the applicant, stated that the market has changed since the Preliminary Subdivision Plat was approved. The growth of Scott County and the need for more entry level homes creates a need for this type of housing.

He stated the Pleasant Valley Homeowner's Association was dissolved in 2014 due to financial hardship. The townhomes will have their own homeowner's association.

He stated that the application agrees with the Comprehensive Plan because they are changing the residential use inside an existing zone, because of the proximity to Toyota and transportation, and because the expansion of Lexus Way will alter the character of the area.

Mr. Billings stated that they agree with the staff on the conditions of approval except they calculated traffic volume differently. The applicant believes up to 99 units can be developed without adding a significant volume of traffic.

He stated that they did meet with homeowners from Pleasant Valley and Cherry Blossom earlier in the week to address concerns. Most of the residents' concerns regard traffic. He feels the expansion of Lexus Way will alleviate much of the traffic problem on Old Oxford Road.

Another concern was that residents did not want townhomes. Mr. Billings stated that the townhomes will be better aesthetically than if they was single family homes.

Commissioner Smith asked if the townhomes would be maintained by the Townhomes Homeowner's Association.

Harry Hageman, Cherry Blossom resident, stated his main concern is the traffic. He stated that Scott County is a growing county but it needs controlled growth. He questioned how many starter homes are needed.

Luther Conley, Cherry Blossom Golf Course owner, is concerned about property values if townhomes are built and the traffic.

Glenn Hoskins, Developer of Cherry Blossom Village and Attorney for the Cherry Blossom Village Homeowner Association, stated that the Homeowner Association wish that the development would stay single-family homes. He stated the association worries that if a zone change is granted that surrounding property owners might file for zone changes also. If the zone change is approved, the Homeowner Association requests a condition that townhomes or condominiums must be built.

Mr. Hoskins was asked how the homeowners feel about the expansion of Lexus Way. He stated they are concerned about the noise and traffic it would create.

Greg Jones, Pleasant Valley resident, asked about the proposed connection of Lexus Way. Chairman Jones stated it would connect Old Oxford to Cherry Blossom.

Mr. Jones stated that if he knew that townhomes were going to be built, he would not have bought his home. He is also concerned about the additional traffic.

Patrick Farley, Pleasant Valley resident, asked if Schneider Boulevard will connect to Abbey at Old Oxford. He felt a traffic study should be done regarding the number of vehicles that would come from Abbey at Old Oxford into Pleasant Valley.

He stated that when developers are granted a zone change, they know that they can ask for what they want. He stated it makes them look bad to come back and change their original plans.

Billy Cotner, Pleasant Valley resident, stated he bought his house on the fact it was all single-family homes and in the school district he wanted. He is concerned about the value of his home if the application is approved.

Commissioner Smith asked if the developer declares bankruptcy do the deed restrictions continue. Attorney Charlie Perkins stated once a certain number of homes are sold, the management should go to the Homeowner's Association. The problem occurs when not enough homes are sold and the Homeowner's Association is never formed.

Mark Webb, Cherry Blossom resident, stated that he feels a change has not occurred that warrants a zone change.

Ron Fannin, Cherry Blossom resident, stated that the traffic will be a problem if additional townhomes are built. He stated when he bought his home the land was zoned residential and he would like to see it stay that way.

Sherry Gillispie, Pleasant Valley resident, stated that the original plan was for higher density but now the proposal is more acreage with more units. She thinks the decision needs to be based on the current traffic. She submitted a petition with approximately 300 names opposing the zone change.

Ed Cotterell, Pleasant Valley resident, stated that the zoning should not be changed.

Brent Combs, Thoroughbred Engineering, stated that the developer was approached about giving right-of-way for the creation of Lexus Way. If the developer built single-family homes and then the road was built, some of the lots would have to be condemned.

Neal Thompson, Cherry Blossom resident, stated that the townhomes will be the same price as single-family homes in the neighborhood. He thinks the decision should not be influenced by the possibility of Lexus Way being built.

Mr. Billings stated that notices were sent as required by law to everyone within the area notifying them about the zone change.

He also stated that the deed of restrictions from the original plat applies to the entire area even if homeowners did not receive the deed of restrictions when purchasing their home.

Commissioner Smith asked if the extension of Lexus Way warrants a zone change.

Commissioner Sulski stated that every property surrounding the application is zoned R-1C according to the map.

Robert Kidwell, Pleasant Valley resident, stated that this application is just adding more vehicles to the traffic problem.

Jason Barnett, Pleasant Valley resident, stated that he moved to Pleasant Valley thinking it was a middle-class neighborhood. He questioned if the townhomes will look like the homes that are being built currently. He stated that those do not fit the description of homes in the deed of restrictions that he received. He stated that there is currently a lot of traffic.

Mr. Billings stated there have been major economic and physical changes to the area since the current zoning was established in 2005.

Sherry Little, Stonebrook resident, asked for clarification of where Lexus Way will be built. She stated that approving the zone change lessens property values and adds traffic which does not help the residents but only helps the developer.

Chairman Jones closed the public hearing.

Commissioner Smith asked if, in the future the owner changes, could apartments be built.

Mr. Billings stated that it could only be townhomes or condominiums.

Commissioner Sulski asked what the difference in the traffic count would be for single-family and townhomes. Mr. Billings said his understanding is that single-family might have more drivers in the family than townhome owners.

Darrin Croucher, Thoroughbred Engineering, stated that the traffic numbers came from the Transportation manual.

Charlie Perkins stated that he has never seen the City condemn property that has a residence on it.

He questioned Mr. Billings why he believes the common scheme of development change vote should be first before voting on the zone change. Mr. Billings stated a yes vote on common scheme of development change opens the door to a zone change.

Motion by Smith, second by Sulski, to deny approval of the rezoning request (ZMA-2017-37) based on Lexus Way not completed. By roll call vote, motion denied 3-2, with Sulski and Smith dissenting.

Motion by Mizell, second by Caldwell, to approve the rezoning request (ZMA-2017-37) on the basis it is consistent with the Comprehensive Plan, and subject to the four (4) conditions of approval. By roll call vote, motion carried 3-2, with Sulski and Smith dissenting.

Motion by Shirley, second by Sulski, to approve the Common Scheme of Development Change for Pleasant Valley Section 2 Phase 3. By roll call vote, motion carried 4-1, with Smith dissenting.

ZMA-2017-40 MRM Precision Machining, LLC – Rezoning request for 3.014 acres from I-1 (Light Industrial) to B-2 (Highway Commercial), located at 110 E. Showalter Dr., north of Washington Square Shopping Center. PUBLIC HEARING

Mr. Kane stated the property is industrially-zoned and within the city limits, and is surrounded on three sides by commercially-zoned property. The applicant is seeking the zone change to allow for commercial retail use.

He stated the zone change request to Commercial agrees with the Comprehensive Plan Future Land Use Map.

Commissioner Sulski asked if the change of zoning would affect the current business. Mr. Kane stated the business is grandfathered in.

Commissioner Smith asked about requiring landscaping. The applicant stated he was not opposed to landscaping but does not want to spend the money if utility trailer sales does not work. The Commission decided to let Planning Commission staff regulate landscaping once it is decided if the trailer sales are successful.

Motion by Sulski, second by Mizell, to recommend approval of the rezoning request (ZMA-2017-40) on the basis that it complies with the Comprehensive Plan, and subject to the four (4) conditions of approval. By roll call vote, motion carried 4-0.

PDP-2017-41 Tri-Village Storage - Preliminary Development Plan for an 800-sq. ft. office and 53,241 sq. ft. self-storage facility, located on the west side of Connector Road, adjacent to the car wash.

Mr. Summers stated that the property is zoned B-2. He stated the driveway does not meet the Subdivision & Development Regulations and feels it is not a defined entrance or exit. He stated that the building is too large for the area.

Daniel Rehner, Thoroughbred Engineering, stated the applicant feels the entrance is clearly defined.

Commissioner Smith stated he feels it is on a private road but accessible to everyone.

Commissioner Sulski asked what if the property owner decided to block the private road by the car-wash.

Brent Combs, Thoroughbred Engineering, stated the private road would be hard to block because of the access easement and stated that parking on Main Street is the same as this application. In both cases, you have to back out into traffic.

Darrin Croucher, Thoroughbred Engineering, stated the applicant would be willing to change the parking to parallel instead of pull-in for traffic safety.

Commissioner Sulski felt that it will be low traffic and it does not concern him.

Motion by Sulski, second by Caldwell, to approve the Preliminary Development Plan (PDP-2017-41) including the four (4) variances and subject to seven (7) conditions of approval. By roll call vote, motion carried 3-1, with Smith dissenting.

PDP-2017-42 Time to Shine Carwash – Amended Final Development Plan to remove self-service bays, enlarge full service by 650 sq. ft., and re-work vacuum station area at the carwash located on Osborne Way in front of Walmart.

Planner Mikaela Gerry stated that the property is zoned B-5 and 0.97 acres in size. The applicant is wanting to expand the existing building, remove the self-service bays and add to the vacuum station area.

Mr. Croucher stated the applicant is asking for a variance for the proposed canopy. The canopy is needed for the vacuums and protection from weather. He provided a letter from the utility company showing approval for the easement.

Motion by Sulski, second by Mizell, to approve the Preliminary Development Plan (PDP-2017-42) including the one (1) variance and subject to five (5) conditions of approval. By roll call vote, motion carried.

PSP-2017-43 Fox Run Subdivision – Preliminary Subdivision Plat to create 121 single-family residential lots, located on the south side of Lemons Mill Road, between Harmony Ridge and Sutton Place subdivisions.

Mr. Summers stated the application is amending the original plat from 2008. The property is zoned R-1C PUD.

He stated that access will be by Pleasant View Drive from both Harmony Ridge and Sutton Place and via Meadowcrest Drive and Rose Street. Construction traffic will not be allowed through Harmony Ridge. That was a condition placed when the project site was rezoned to R-1C PUD.

Rory Kahly, EA Partners and representing the applicant, agreed with the variances and conditions of approval.

Eddie Carter, Harmony Ridge resident, asked that the developer try to leave as much of the tree coverage between Harmony Ridge and Fox Run as possible. Mr. Kahly stated it will be decided by the utilities because a utility easement was proposed in that area.

Mike Craft, Anderson Communities, requested that Pleasant View Drive be constructed first. It would connect Lisle Road to the Bypass.

Motion by Sulski, second by Caldwell, to approve the Preliminary Subdivision Plat (PDP-2017-43) including the four (4) variances and subject to fourteen (14) conditions of approval. By roll call vote, motion carried.

The meeting was then adjourned.

Respectfully,



Rob Jones, Chair

Attest:



Charlie Perkins, Secretary