

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
REGULAR MEETING
MINUTES
December 13, 2018**

The regular meeting was held in the Scott County Courthouse on December 13, 2018. The meeting was called to order by Chair Rob Jones at 6:00 p.m. Present were Commissioners Charlie Mifflin, Mark Sulski, Byron Moran, Frank Wiseman, Regina Mizell, Jeff Caldwell, James Stone and Steve Smith, Director Joe Kane, Planners Matt Summers and Mikaela Gerry, Engineer Ben Krebs, and Attorney Charlie Perkins.

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

Motion by Mifflin, second by Sulski, to approve the November 8, 2018 minutes. Motion carried.

Motion by Sulski, second by Smith, to approve the December agenda. Motion carried.

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

Postponements/Withdrawals

Chairman Jones stated that the application for Villages at Lanes Run (PSP-2018-61) has been withdrawn.

Consent Agenda

A representative of the Collins & Dawson Property application (FSP-2018-58) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by Sulski, second by Mizell, to approve the Final Subdivision Plat. Motion carried.

PSP-2018-57 Abbey at Old Oxford – Amended Preliminary Subdivision Plat to remove the condition that no lots directly access Herndon Boulevard located at Old Oxford Drive and Herndon Boulevard.

Chairman Jones recused himself.

Mr. Kane reviewed the staff report. He stated that Phase 1 has been developed and that this remainder application is regarding the rest of the property. He stated that in 2016 an Amended Preliminary Subdivision Plat was approved. He stated this application is to remove one of the conditions of approval that restricted lot access to Herndon Boulevard. He stated Herndon Boulevard is divided by a median, but the road tapers down to a local road width with a 4-way stop intersection after the median section. He stated the condition can be changed to not allow

access to the boulevard section but that the 5 lots can still be on sections of Herndon Boulevard where there is not a median.

Rory Kahly, EA Partners, representing Ball Homes, stated applicant agrees with conditions.

Commissioner Sulski questioned if previous approval included the 5 lots. Mr. Kahly stated it is the same number of lots.

Commissioner Mifflin questioned if the 5 lots are part of the next phase.

Motion by Wiseman, second by Mifflin, to approve the Preliminary Subdivision Plat (PSP-2018-57) subject to fifteen (15) conditions of approval with the change to condition 7 to allow lot access on Herndon Boulevard. Motion carried 6-2.

ZMA-2018-59 ICI Expansion - Zone Change request for approximately 26 acres from A-1 to I-1 located south of Lemons Mill Road and west of the current International Crankshaft development.
PUBLIC HEARING

Commissioner Jones opened the public hearing.

Mr. Summers reviewed the staff report. He stated the Future Land Use Map designates the area industrial. He stated the property is located outside of the city limits.

He stated the concept plan is similar to the adjoining site. He stated the primary access is proposed through the current site. He stated a possible entrance to Lemons Mill Road is shown, but if constructed, will be for emergency use only. He stated if a Preliminary Development Plan is submitted with an entrance from Lemons Mill Road, a traffic study would be required.

He stated if in the future, the applicant needs outdoor storage, a conditional use permit must be obtained.

Commissioner Mifflin questioned condition three and the need for a traffic study. Mr. Summers stated it is only applicable if a new entrance is proposed.

The landscaping on the west side was questioned. Mr. Summers stated it screens the parking lot.

Tim Martin, attorney representing applicant, stated surrounding property is industrial and residential. He stated the rezoning would follow the Comprehensive Plan. He stated the availability of utilities and public services, and the economic growth would benefit the community. He stated applicant agrees with the Conditions of Approval.

Mike Justice, pastor of Georgetown Church of the Nazarene, stated he had concerns about the storm water runoff.

Ben Krebs stated Condition 4 referred to runoff towards South Broadway.

Jason Mollette, ICI, stated they will address concerns.

Commissioner Smith questioned if the business ever changed would the Planning Commission have any control regarding the railroad having a spur. It was stated a development plan would have to be presented.

Commissioner Mifflin questioned if the land is currently being farmed.

Chairman Jones closed the Public Hearing.

Motion by Moran, second by Sulski, to recommend approval of the rezoning request (ZMA-2018-59) on the basis that it complies with the Comprehensive Plan, and subject to six (6) conditions of approval. By roll call vote, motion carried.

PSP-2018-60 Pinnacle at Mallard Point Amended – Amended Preliminary Subdivision Plat for the Pinnacle at Mallard Point located on Mallard Point Drive.

Mr. Summers reviewed the staff report. He stated this application was previously approved in 2017, but the difference is that the applicant is adding 5 lots. He stated the property is zoned R-2 PUD. He stated the applicant is proposing 50 total lots and two cul-de-sacs would be constructed for access.

He stated staff has concerns about using access easements to access Lots 44 – 49. He stated GMWSS has concerns regarding the access easement adjoining GMWSS owned property.

He stated the applicant has requested 5 waivers. Staff agrees with the waivers except waiver number 4 for lots 44 – 48 facing north instead of Mallard Point Drive.

Commissioner Sulski questioned location of homes on lots 44 – 48 and visibility to Mallard Point Drive.

Commissioner Sulski questioned lots 50 – 52 if they are included in the lot size calculations. Mr. Summers stated lot 50 is included but lots 51 and 52 are part of the green space.

Commissioner Sulski questioned if lot 50 is residential and location of access for lots 50 - 52. Mr. Summers stated it is residential and access is from the access easement.

Commissioners Mifflin and Wiseman questioned if lot 50 was removed from the average lot size calculations what the size would be. Mr. Summers stated he did not do that calculation.

Commissioner Wiseman questioned if the lots were steep. Mr. Summers stated they are similar to other lots in Mallard Point.

Fred Eastridge, ECSI, representing applicant, stated as weather has permitted, construction on the two cul-de-sacs has started. He stated Paul Haddix is trying to build on the level area of the lots. He stated there is a tree line and vegetation to provide a buffer for the lots.

He stated GMWSS has concerns with the access easement adjoining their property. He stated there are concerns with runoff and the pump station.

Mr. Eastridge stated Mr. Haddix wants to be able to build townhomes if there is an interest.

Paul Haddix, applicant, stated his reasoning for the rear facing lots is to keep the driveway level.

Commissioner Sulski had concern about condition 13 and the landscaping for lots 18 - 25. It was stated there is an existing treeline.

Chairman Jones questioned the lots with shared driveways and who would maintain them. It was stated the driveways are private.

Commissioner Sulski questioned if the lots would be part of the existing HOA or separate. It was stated the lots would follow existing HOA rules.

Commissioner Smith questioned if the access easements would be paved. It was stated they would.

Commissioner Mifflin questioned the narrower lots. It was stated the townhomes would be built on two lots with a zero lot line instead of building two single-family homes on the lots.

Mr. Haddix stated sales will determine if a single-family home or townhome is built on the lots.

Bruce Kohnz, President of the Mallard Point HOA, stated the HOA supports the application. He stated residents of the Pinnacle will have a dual HOA.

Daryl Mulder, GMWSS, stated Mr. Eastridge and questions asked by Commissioners answered the concerns GMWSS had.

Motion by Sulski, second by Smith, to approve the Amended Preliminary Subdivision Plat (PSP-2018-60) subject to twelve (12) conditions of approval and six (6) waivers. Motion carried.

Tri-Village Storage

Mr. Summers stated the applicant is wanting to remove one of the conditions of approval. He stated there is a 65-foot access easement that contains the access road for the lots.

He stated during preliminary development approval there was discussion regarding the open ingress/egress for the lot.

He stated Condition 7 is what the applicant wishes to discuss. He stated the reasoning for the condition was to make sure the other lot owners were aware that access might be blocked for short periods of time and that vehicles might be backing into the access.

He stated applicant had met with the staff during the afternoon and they are proposing to reconfigure the parking and to move the gated entrance back onto the property.

Melanie Wollenberg, applicant, stated they have made changes to address the safety concerns that Planning staff had.

She stated that they had met with the neighbors on November 28, 2018. She stated neighbors did not have concern with the access easement but with the visibility and the zero lot lines.

She stated they offered to sell the project to the neighbor at the price of what they have spent.

She stated they offered to maintain the landscaping of the neighbor and to add the neighboring carwash to their sign.

She stated storage is the best use of the property with the least amount of traffic.

She stated they are willing to help with maintenance of the access road.

Bruce Lankford, representing Greg Johnson, David Lusby, and Robert Anderson, the adjoining property owners. He stated he has a letter from the Commander of the American Legion in opposition to the plan. He stated there is no maintenance agreement in place and has concern about traffic.

He stated he has a letter from Jane Allen Offutt regarding the cemetery on the property.

He stated the proposed plan does not take into consideration the maintenance agreement or the cemetery. He stated several years ago when a development plan was approved for the property one of the requirements was that a maintenance agreement be in place.

He stated the zero lot lines is a concern. He stated there is no agreement in place to be on the neighboring properties.

Greg Johnson, neighboring property owner, stated the plan was approved thirteen months ago with the condition. He stated he never heard from the applicant. He tried calling the applicant in June and never received a return call. He stated a month ago he received a call from Craig Abbott regarding the easements.

He stated they met, along with Rob Anderson, but nothing was ever discussed about the access easement.

He stated on the 27th they called a meeting and they met at the American Legion. He stated Rob Anderson, David Lusby, Shawn Johnson, Jim Woodrum, Melanie Wollenberg, Craig Abbott and himself were present. He stated nothing was discussed regarding the access easement.

He stated the neighbors do not have a problem with a storage development but with the development plan. He stated the applicant has not taken into consideration blocking the view of their business. He stated the applicant also never addressed the cemetery.

Ms. Wollenberg stated they have paperwork stating there is no cemetery on the property.

She stated they had a partner who was handling the project in the early stages. She stated that employee is no longer employed there. She stated they have paperwork showing they tried contacting the neighboring property owners during the summer.

She stated when the meeting occurred they offered to add a sign for the carwash onto their sign and to maintain the landscaping. She stated the plan did not change from the notifications mailed before the Planning Commission meeting. She stated the neighbors wanted to change the plan and they did not get to discuss the access easement.

Charlie Perkins stated he does not remember any mention of zero lot lines or a cemetery at the previous Planning Commission meeting for the project.

Mr. Johnson stated there was a plan mailed with the notification and it did not show zero lot lines on the plan. He stated four of the neighbors received it.

Jewell Meade, neighbor, stated she was not aware of this plan until two days ago. She stated she has not received any calls or been invited to any meetings even though she has owned the property several months.

Bruce Lankford stated by coming back before the Commission the applicant has reopened the plan for discussion.

David Lusby, neighbor, stated the reason the neighbors did not go to the previous meeting was the plan received did not have buildings shown on the side property lines.

He stated he and Robert Anderson did offer to buy the property at a reasonable amount.

Motion by Sulski, second by Mifflin, to discuss the application at the next regular Planning Commission meeting in January. Motion carried.

Approval of 2019 Application Deadlines

Motion by Sulski, second by Mizell, to approve the 2019 Application Deadlines. Motion carried.

Chairman Jones stated this is his last meeting. Commissioner Sulski will become acting chairman until officer elections.

The meeting was then adjourned.

Attest:

Charlie Perkins, Secretary


Mark Sulski, Acting Chair