

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
REGULAR MEETING
MINUTES**

November 13, 2014

The regular meeting was held in the Scott County Courthouse on November 13, 2014. The meeting was called to order by Chairman Greg Hampton at 6:00 p.m. Present were Commissioners Jeff Caldwell, Janet Holland, Rob Jones, Regina Mizell, John Shirley, Steve Smith, and Frank Wiseman, Director Joe Kane, Planners Megan Chan and Matt Summers, Engineer Brent Combs, and Attorney Charlie Perkins. Absent was Commissioner Byron Moran.

Motion by Holland, second by Shirley, to approve the September invoices. Motion carried.

Motion by Holland, second by Smith, to approve the October invoices. Motion carried.

Motion by Jones, second by Wiseman, to approve the September 11, 2014 minutes. Motion carried.

Motion by Shirley, second by Jones, to approve the November agenda. Motion carried.

Postponements/Withdrawals

There were no items for postponement or withdrawal.

Consent Agenda

There were no items on the consent agenda.

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

FSP-2014-26 Smith Property – Final Subdivision Plat to divide one 24.22-acre and one 13.749-acre tract from the 36.77-acre remaining parent tract, located on Eagle Bend Drive in Sadieville.

Commissioner Jones recused himself from discussion and voting.

Mr. Summers reviewed the staff report, including the issue regarding the access road. At a minimum, the access road will need to be brought to County road standards up to the access point for Tract 4. The applicant will also provide a suitable turn-around at the end of Eagle Bend Drive.

Bruce Lankford, representing the applicant, was available for questions.

Claude Christensen, Mayor of Sadieville, stated that the Sadieville City Commission is in support of the proposal.

Motion by Holland, second by Wiseman, to approve the Final Subdivision Plat subject to the five conditions of approval. Motion carried.

PDP-2014-30 Camping World – Preliminary Development Plan for commercial sales of RV's on 12.91 acres zoned B-2, located on the southwest corner of the intersection of I-75 and U.S. 460 (off Elkhorn Meadows Drive).

Mr. Kane reviewed the staff report, including the background of the property and the traffic study that was done by the previous applicant, and the proposed access and layout.

He reviewed the landscape plan and the requested variance for a waiver of perimeter VUA trees along I-75. They are requesting to plant only half the required trees on the remainder of the site and not plant any trees along I-75 partly because there is an AT&T fiber optic line that runs along that property boundary. He recommended approval of re-locating the trees as requested, but requiring the total number be re-located, not half the number.

The second variance for a waiver of interior VUA landscaping in the display and service areas is being requested because of the need to maneuver the RVs in those areas. He recommended approval of that variance subject to providing at least 1,800 sq. ft. of interior landscape area (as feasible around light poles, at the end of aisles or the edges of the inventory or service lot) and 47 trees planted as shown on the Preliminary Development Plan.

Mr. Kane also addressed dumpster location and signage. He stated that a Conditional Use Permit will need to be obtained for the interstate sign, which will be a maximum of 110 feet. A 130' flag pole will also be installed with a large American flag, which will also require a Conditional Use Permit.

He then reviewed the stormwater issue.

Regarding the traffic study, the proposed development does not meet the threshold of 100 peak-hour trips required for a study, but since a study had already been done, they were asked to update the numbers. They were not

asked to look at any increase in area-wide traffic would affect the Level of Service at the intersections. The one improvement that was recommended in the study is the addition of a left-turn lane into Elkhorn Meadows Drive. Mr. Kane suggested the possibility of a median being constructed to prevent exiting left onto U.S. 460 and potentially blocking traffic. He stated that KYTC may have other recommendations.

He recommended approval, with the two variances amended as discussed, and subject to the thirteen (13) conditions of approval. He noted the conditions that are specific to the proposal.

Commissioner Wiseman expressed concern about the appearance of the development since it is at the entrance to the city. Mr. Kane described the building materials and stated that it will look like an RV parking lot, but the landscaping will soften the appearance.

Commissioner Jones asked about the hours of operation, being concerned about the service bays being close to the adjacent apartments. The store hours are 8-5 Monday through Saturday, closed on Sunday. Dealership hours range from 8-5 to 8-6. The store hours extend to 7:00 in the summer.

Commissioner Holland asked if the business is seasonal. Greg Feller stated that traffic does drop over the winter months.

Chairman Hampton expressed concern about the turn-in and turn-out lanes being too narrow. He felt that turning with an RV will take up two lanes.

Greg Feller, representing the applicant, showed photos of the facility elsewhere. He reviewed the operation, stating that it will provide approximately 50 high paying jobs. He agreed with the conditions of approval with the exception of #11 regarding the traffic study. He stated that the site will generate about 78 peak hour trips, so that they are below the threshold of 100 trips for a traffic study. He stated that they updated the previous traffic study, and with this proposed use, the traffic generated by the entire development is about 6% less.

Mr. Feller felt that there is sufficient stacking space available on U.S. 460 to make the entrance safe. He felt that traffic congestion in the area is caused by shift changes at Toyota, and Camping World will not add to that issue. He felt that normal peak hour traffic is not a problem, and noted that the proposed interchange will take care of much of the shift-change congestion.

Chairman Hampton asked if they have applied for a Conditional Use Permit for the sign. Mr. Feller stated that they are waiting to receive Preliminary Development Plan approval before applying.

Commissioner Smith expressed concern about the width of the entrance lanes. Mr. Feller stated that the longest RVs are 45', so they are not as large as a semi-truck.

Commissioner Jones felt that a new traffic study should be required since the previous one was done in 2006.

Commissioner Shirley felt that since they are under the threshold for a traffic study being required, they should not be required to submit a new one. He also felt that because the original approved development for thirteen (13) lots has been reduced to this large lot and three smaller lots, it is probable that the entire development will generate less traffic.

Chairman Hampton felt that the increase in traffic in the area outweighs any possible decrease in traffic from that site.

Commissioner Smith expressed concern about the center turn lane being too busy.

Commissioner Wiseman asked how long a traffic study will take. Commissioner Shirley felt that a traffic study shouldn't be required because the property has been zoned B-2, there are two RV parks and the Horse Park close by, and they will create 50 jobs.

Discussion continued on the traffic. Mr. Feller stated that they will take a look at the turn lanes and make them a little wider and as safe as possible.

Commissioner Smith expressed concern about the appearance from the interstate. Mr. Feller stated that they are able to put shrubs in the fiber optic easement and they are willing to do that.

Commissioner Jones asked if traffic leaving the site could be directed left toward Dairy Queen and the traffic light on the bypass. Mr. Feller felt that they would not have a problem with installing a sign directing traffic that way. Commissioner Wiseman asked if they could widen Elkhorn Meadows Drive from U.S. 460 to Finley Drive. Mr. Feller stated that they could provide turn radii on the construction plans so that the City can approve them. Mr. Combs stated that the only thing to be gained from a traffic study is the Level of Service at Elkhorn Meadows and U.S. 460. He suggested making the three lanes a little further to the south so that more vehicles could stack on Elkhorn Meadows to make a left turn.

Steve Woodrum, Cherry Hill Drive resident and owner of the insurance agency on the corner of Elkhorn Meadows and Finley Drives. He stated that the intersection of Elkhorn Meadows Dr. and U.S. 460 is in poor shape. He also stated that the City does not own Finley Drive. It is supposedly owned cumulatively by all the

building owners, but it is narrow and no one claims responsibility for it. He described how congested the traffic is at certain times, and stated that the traffic counts from the traffic study from 2006 are extremely outdated. He felt that the larger picture should be considered so that dangerous traffic problems are not created and then solutions are difficult, if not impossible to find.

Roy Cornett, resident, supported the application, stating that Camping World knows how to operate a successful business.

Notification of the proposed project was discussed. For the record, Mr. Perkins stated that PVA records are relied upon for property owner information and that proper procedure was followed.

Ownership of Finley Drive was discussed.

Mr. Feller stated that Camping World would be willing to help repair Elkhorn Meadows Dr.

Commissioner Smith felt that several restaurants on the site would generate more traffic than Camping World.

Motion by Shirley, second by Smith, to approve the Preliminary Development Plan subject to the two variances and twelve (12) conditions of approval (excluding number eleven regarding the traffic study), review of the turn radius at each of the intersections, and the addition of condition #14 to repair the pavement on Elkhorn Meadows Dr. By roll call vote, motion tied, with Wiseman, Holland, Jones, and Hampton dissenting.

Motion by Jones, second by Mizell, to approve the Preliminary Development Plan subject to the two variances and thirteen (13) conditions of approval, review of the turn radius at each of the intersections, and the addition of condition #14 to repair the pavement on Elkhorn Meadows Dr. Requiring a traffic study to gauge the impact of this development is appropriate due to increased traffic loads since 2006 when the previous traffic study was done. By roll call vote, motion tied, with Wiseman, Holland, Caldwell, and Hampton dissenting.

Commissioner Shirley felt that the Commission cannot deny an application that is an appropriate use for the zone, effectively telling a property owner that he can't sell or use his property for the proper use. Mr. Perkins agreed.

Mr. Kane noted that the traffic study should also include the impact of the four remaining lots, in which case the traffic would surely exceed the threshold for the requirement of a study. Thus, looking at the entire site justifies requiring the traffic study be updated.

Mr. Woodrum felt that an application meeting the regulations does not mean it should be automatically approved. If it did, there would be no reason for public comment. He also disagreed with the notion that you can't penalize an applicant for an existing traffic situation, and felt that the problems that will be created by approving this application outweigh the good.

Mr. Perkins stated that if there is a dramatic change in circumstances, the court may find that as a basis to deviate from the regulations. But if there has not been a dramatic change, and the application complies with the regulations, as staff says this application does, then the regulations must be upheld.

Mr. Feller reiterated the benefits of Camping World becoming part of the community.

Motion by Smith, second by Shirley, to approve the Preliminary Development Plan subject to the two variances and thirteen (13) conditions of approval, review of the turn radius at each of the intersections, and the addition of condition #14 to repair the pavement on Elkhorn Meadows Dr. Requiring a traffic study to gauge the impact of this development is appropriate due to increased traffic loads since 2006 when the previous traffic study was done.

Mr. Feller had it clarified that any traffic improvements recommended by a traffic study that are global in nature will not be the responsibility of Camping World. Mr. Perkins stated that the traffic study will be updated not to determine global needs, but needs that will be required by and the responsibility of Camping World.

By roll call vote, the above motion carried 6-2, with Wiseman and Hampton dissenting.

Variance for Scott County Veterinarian Clinic - PUBLIC HEARING

Chairman Hampton opened the public hearing.

Mr. Kane reviewed the staff report, stating that three landscape islands that were shown on the Final Development Plan were omitted during construction, and the paving extends up to the curb, where the plans show they were to pave to the bottom of the sidewalk, with the sidewalk forming the curb.

Since they deviated from the Final Development Plan, the applicant is asking for a variance to waive the interior landscaping requirement. Mr. Kane showed pictures of the site and the landscaping that was installed, most of which does not qualify for interior VUA landscaping.

Commissioner Shirley asked Mr. Combs how the situation progressed as far as it did without the inspectors noting the deviation from the plan. Mr. Combs stated that our inspectors periodically inspect the erosion control measures, but don't inspect construction until a final inspection is requested. And typically the gravel is laid one day and the paving the next day, so if the inspectors aren't there every day, it can be easily missed.

The construction process was discussed.

Tony Hancock, representing the applicant, stated that money is limited and they have tried to construct the facility as reasonably as possible. It is an agricultural-based business in an agricultural area, and they felt that a curb in that setting was not needed. He stated that some animal patients have trouble stepping up on a curb and their intent was to make it easily accessible by having no steps.

Regarding the landscape islands, Mr. Hancock stated that since they had so much green space and so many trees surrounding the facility, they felt that the islands were not needed, as they make it more difficult for trailers with large animals to access the parking spaces.

Commissioner Smith asked if many large animals are treated at the facility. Mr. Hancock replied that cattle, horses, goats, llamas, alpacas, etc. are treated there. Commissioner Smith agreed that the landscape islands are an obstacle for trailers.

Commissioner Jones felt that the approved plan should be followed.

Motion by Holland, second by Wiseman, to approve the requested variance regarding the landscape islands and curb. Motion carried 6-1 with Jones dissenting.

Wellhead Protection Plan update

Mr. Kane stated that a Wellhead Protection Plan is required by the Division of Water for any public drinking source. It was originally adopted in 2003 and has to be updated every five years. He reported that an update is underway for the Royal Spring aquifer, which covers 16,000 acres, 85% of which are in Fayette County. The area is half urban, half rural.

He briefly reviewed the 2003 plan, which focuses on strategies to protect water quality and quantity in the aquifer recharge area. He stated that GMWSS is leading the effort to identify areas that need to be updated in the plan. Since there will not be substantial changes, they have decided that the update will be in the form of an appendix and updated maps. The update is almost complete and will be sent to the Division of Water for comments. After they approve the plan, it

will need to be adopted by the Planning Commission, City Council, Fiscal Court, and the Lexington-Fayette County Urban Government.

Roy Cornett, County resident, asked about the sewer issue at the trailer park on Lisle Road. He was supportive of sewer lines be extended there so that the sewage disposal plant used by the park and that fails regularly can be put out of use. He also asked that the reservoir be kept in mind, even though the Corps of Engineers has denied it.

Bike/Pedestrian Plan kick-off

Ms. Chan reported that the Bike/Pedestrian plan will be kicked-off on November 20. They will examine non-motorized transportation options on a county-wide scale, including what exists now and what can be done to make improvements. She stated that it will focus on both transportation and recreational uses. The advisory committee will be made up of representatives of government, the Planning Commission, and interested citizens. The study should be completed by May of 2015 and approved by June 2015.

Commissioners Smith and Jones volunteered to be on the advisory committee.

Oxford Road bonding discussion

Mr. Kane stated that in 2009, the developer of Cherry Blossom subdivision was required to widen Oxford Road two feet along their frontage. They asked if they could pay a fee in lieu of the widening because of complications involving the gas line that was installed after they began their development. The last decision of the Planning Commission was that the developer should take the request to City Council and the City Engineer and secure an agreement as to the amount of the fee in lieu of making the road improvement. If the City approved of the amount of the fee in lieu of the widening, then the Planning Commission could release the bond amount held for the project.

The reason for paying the fee in lieu of the work was that widening the road 2' might not improve the safety of the road because of the existing fences and the gas line. The fee would go to other road improvements that could be made to make the area safer. The developer is now asking for the bond to be released.

Mr. Kane asked the Commission if the last decision should stand, sending the request to City Council for an agreement of the amount it would cost to do the widening. The City would accept that amount for road improvements in the area, which might not be the widening of Oxford Road. Or the Planning Commission can hear the issues again and decide whether to release the bond.

After brief discussion, **motion by Smith, second by _____, to uphold the previous decision to direct the developer to take the matter to City Council for an agreement on the cost of widening the road, to be paid as a fee for other safety improvements. Motion carried.**

Personnel

Mr. Kane reported that the 6-month probation period for Matt Summers and Ryan Cooper has ended. He stated that they have both done an exceptional job.

Motion by Jones, second by Shirley, to approve permanent status for Matt Summers and Ryan Cooper. Motion carried.

The meeting was then adjourned.

Respectfully,

Greg Hampton, Chairman

Attest:

Charlie Perkins, Secretary