

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
REGULAR MEETING
MINUTES
May 12, 2022**

The regular meeting was held in the Scott County Courthouse on May 12, 2022. The meeting was called to order by Chairman Mark Sulski at 6:00 p.m. Present also were Commissioners Duwan Garrett, David Vest, Rhett Shirley, Mary Singer, Charlie Mifflin, James Stone, Dann Smith, Brad Green, Director Joe Kane, Planners Matt Summers and Elise Ketz, Engineer Ben Krebs, and Attorney Charlie Perkins. No Commissioners were absent.

Motion by Mifflin, second by Smith, to approve the April invoices. Motion carried.

Motion by Stone, second by Smith, to approve the April 14, 2022 minutes. Motion carried.

Motion by Garrett, second by Mifflin, to approve the May agenda. Motion carried.

Consent Agenda

A representative of the Graves Property (FSP-2022-26) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by Stone, second by Smith, to approve the application. Motion carried.

A representative of the Best Pets Animal Clinic (PDP-2022-28) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by Vest, second by Garrett, to approve the application. Motion carried.

A representative of the Chick-Fil-A (PDP-2022-29) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by Smith, second by Mifflin, to approve the application. Motion carried.

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

FDP-2019-45 Bluegrass Campground – Final Development Plan for 88 RV camping sites located east of Connector Road.

Mr. Summers stated the application received preliminary approval in 2020 and Board of Adjustment approval in 2019. He stated typically final development plans do not return to the Planning Commission but the plan had changes to the traffic flow that would impact the area.

He stated the application is for 88 RV camping sites behind the RV dealership. He stated the current zoning is B-2 with surrounding zones being R-2, B-2, and B-4. He stated the project site is close to 22 acres with the first phase being approximately 15 acres.

He stated the preliminary development plan had the entrance being on Connector Road. He stated the final development plan wants to use the RV dealership as the entrance and Connector Road as the exit. He stated Phase 1 will be the campsites and Phase 2 will have the access and guard building.

He stated staff had requested the applicant to update their traffic study. He stated RV campgrounds are usually low traffic volume. He stated staff requested the applicant to contact the state for comments. He stated the state agreed to US 460 being the entrance and Connector Road being the exit.

He stated the application showed adequate parking.

He stated the preliminary development plan received a variance to the landscaping buffer along the eastern property boundary because of the plan to use Connector Road as the entrance and exit. He stated with the change to the entrance that staff thinks the driveway should be moved over and landscaping installed.

He stated the state had voiced concern over the length of the left turn into the property from US 460. He stated he did check the length since workshop and the turn lane is about 140 feet.

He stated the applicant's engineer feels the traffic change makes the site flow better. He stated the drive isles would be one way traffic.

Brad Boaz, CMW Engineering, stated they felt having all vehicles move one way through the development was safer. He stated the state is actively studying Connector Road and hopefully some improvements will be made to the road.

Chairman Sulski questioned if any of the features shown on the preliminary development plan are still going to be included. Mr. Boaz said the developer is doing the pads first for the camping sites and if that is successful then other features might be built.

Commissioner Mifflin questioned if both of the left side parcels will be campsites and the location of the dump stations. Mr. Boaz stated both parcels will be camping, and each lot will have its own dump station, water, electric, and fire pit.

Barry DeRossett, Weisenberger Mill Road, stated there are new apartments that will be opening on the other side of US 460 in the next year. He questioned if a traffic light will be considered for US 460 and Scotland Drive? Mr. Summers stated it is a state-controlled road, but he thinks it is probably too close to the other light for another signal to be installed.

Mr. Kane stated the apartments were approved over 20 years ago before the sunset clause was added.

Commissioner Mifflin stated he still has concern with left turns onto Connector Road. Mr. Boaz stated that you will be able to exit onto US 460.

After further discussion, **Motion by Mifflin, second by Singer to recommend approval of the Final Development Plan (FDP-2019-45) subject to ten (10) conditions of approval and Revocation of one (1) waiver. Motion carried unanimously.**

FSP 2022-17 Courtney Property - Final Subdivision Plat to subdivide a 52.75-acre parent tract into five (5) parcels located at 2603-2780 Weisenberger Mill Road.

Ms. Ketz stated the application divides the property into five lots with access from Weisenberger Mill Road. She stated parcel 3 has a proposed entrance, and parcel 1 and parcel 2 will share a proposed entrance and there is an existing entrance at parcel 5.

Rita Jones, realtor, stated parcel 1 and 2 will be sold to brothers. She stated the brothers decided how to split the lots and decided on the access road for parcel 1 and parcel 2.

John Courtney, 2786 Weisenberger Mill Road, stated he is one of the sons of Wilma Courtney. He stated his other brother and the realtor have done this without his knowledge. He stated the property was never offered to him. He stated he has concern that one of the brothers who purchased the property wants to have a glider. Attorney Perkins stated the Planning Commission cannot enforce anything regarding the glider.

Peggy Columbia, 2782 Weisenberger Mill Road, stated she has concern regarding the access to parcel 1 being beside her property.

Commissioner Mifflin questioned if Ms. Columbia had talked to Ms. Jones or the purchasers about her concerns. She stated she had before the meeting, and they did not seem interested in moving the access.

Maggie Zagula, 111 Bueno Crossing and future property owner, stated her husband is out of town on business and she cannot make the decision herself but there is a possibility of moving the access. She stated the utilities will be underground.

Commissioner Shirley questioned if Ms. Zagula already had their house location picked out. She stated they do, and the garage will face the access.

Ms. Zagula stated her husband does have a paraglider, but he is not building an airport.

Susan Burrows, 2933 E Leestown Road, stated the glider has been right over her property and not at the proper height regulation.

Colin Hattrick, 2931 Leestown Road, stated his home faces parcel 1 and is concerned about the planned layout of parcel 1.

Ms. Zagula stated her brother plans to leave the tree line and the house will be in the middle of parcel she believes facing their house. She stated he lives in Colorado presently and it might be a year or two before he moves here.

Commissioner Mifflin questioned if it would be better to continue the application until the parties could work out the location of the driveway for parcel 1 and parcel 2. Attorney Perkins stated those are issues the Planning Commission has no jurisdiction over.

Chairman Sulski questioned Ms. Columbia if her horse arena is by the property line. She stated the arena is by the property line. Attorney Perkins stated the driveway is a private matter. Mr. Kane stated the Planning Commission can regulate the number of lots served by a driveway or if it goes through a flood plain or creek.

Ms. Columbia asked what her recourse is if the driveway is not moved on parcel 2. Attorney Perkins stated there is nothing the Planning Commission can dictate.

Mr. Hattrick asked if a driveway is considered an easement. Attorney Perkins stated a private driveway can serve three lots, but the location is not controlled by the Planning Commission.

Mr. Hattrick questioned if utilities can be made to be underground. Attorney Perkins stated that also is a private issue.

After further discussion, **Motion by Singer, second by Green to recommend approval of the Final Subdivision Plat (FSP-2022-17) subject to six (6) conditions of approval. Motion carried 8-1 with Vest opposed.**

PDP-2022-21 Finley Property – Preliminary Development Plan approval for a 142-unit apartment home development located at 1202 Old Oxford Road.

Mr. Kane stated this property was part of a rezoning done in 2021 that included split zoning of the property to B-4 and R-2. He stated this application is for the residential portion of the property.

He stated the builder has changed but the concept is still the same. He stated a traffic study was submitted with the zone change. He stated the traffic study proposed a left turn lane, widening Old Oxford Road, and improvements to the entrance. He stated the road improvements should be completed during the first phase of development.

He stated the residential portion adjoins about 8 lots in Rocky Creek, the storage units and the stormwater portion of Rocky Creek adjoins the rest of the residential area.

He stated there will be two entrances to the residential area.

He stated there will be 142 units in 19 single story buildings. He stated the density will be under the allowed amount.

He stated there is 462 proposed parking spaces when only 355 parking spaces is required.

He stated staff has some concern with location of dumpsters near Rocky Creek property. He stated he has requested the dumpsters be moved at least 250 feet away from the property line and dumpsters should have screening.

He stated the applicant is proposing sidewalks along one side of the street. He stated staff will support the variance if the sidewalks provide access to all homes, overflow parking and public street access to the development.

He stated the tree lines should be protected if possible. He stated most internal trees will not be saved due to the density of the development. He stated the applicant is proposing new tree planting to meet the canopy requirements. He stated staff has also requested a fence along Rocky Creek subdivision.

Chairman Sulski questioned if there is room for a fence along the property line with Rocky Creek. Mr. Kane stated there is presently a chain link fence and should be enough room to fit the fence behind the trees.

Mr. Kane presented pictures of the proposed units. He stated the facade will be either stone or brick. He stated no on street parking will be allowed.

Chairman Sulski questioned if green space is only required for a PUD. Mr. Kane stated it is, but staff can recommend green space for the development.

Commissioner Mifflin questioned why a privacy fence needs to be between residential use. Mr. Kane stated because the residential use is multi-family.

Doug Charles, developer, stated the original company backed out due to rising interest rates and lack of employees, but he has since entered into an agreement with another company.

He stated of the approximate 18.5 acres development about 6.7 acres will be green space.

He stated they plan to keep every tree in the fence line that they can and that every unit will have a back patio.

Chairman Sulski questioned if a fence would fit along the property line with Rocky Creek subdivision. Mr. Charles stated they are willing to do whatever they need to provide a buffer.

Mr. Charles stated he is aware of the traffic problems and is willing to contribute to improvements but stated the state is also designing improvements to the area.

Brent Combs, Thoroughbred Engineering, pointed out there is two areas that are very flat that could be used for gazebos, benches and other outdoor space for residents.

Commissioner Mifflin questioned why the bottom road on the concept plan did not go through the development. Mr. Charles stated there is future planned connectivity.

Commissioner Shirley asked if condition number 16 should be deleted. Mr. Charles stated he agrees with providing open space.

After no further discussion, **Motion by Mifflin, second by Stone to recommend approval of the Preliminary Development Plan (PSP 2022-21) subject to seventeen (17) staff conditions of approval and one (1) variance. Motion carried unanimously.**

FSP 2022-27 Varellas Property - Final Subdivision Plat to subdivide a 69.9-acre tract into six (6) lots located at 256 Carrick Pike.

Mr. Summers stated this property is to the east of the Varellas property discussed last month and is zoned A-1. He stated all the lots meet the requirements.

He stated the access for the lots would be from Carrick Pike with parcel 1 using the existing entrance for the house. He stated a new access easement on the adjoining property will serve tracts 2 and 3 and tracts, 4, 5, and 6 will share an access easement off Carrick Pike.

Sandra Varellas, 2076 Bridgeport Drive, stated they could not get this plat done in time to present it along with last month's plat.

Commissioner Mifflin questioned the access location for tracts 4, 5, and 6.

After further discussion, **Motion by Stone, second by Vest to recommend approval of the Final Subdivision Plat (FSP-2022-27) subject to six (6) conditions of approval. Motion carried unanimously.**

FDP-2002-62 Barbara Boulevard - Minnifield Townhomes - Amended Final Development Plan to construct eight (8) townhome units located at 117-123 Barbara Boulevard and 125-131 Barbara Boulevard.

Ms. Ketz stated this application is for 4 units on two lots. She stated the zoning is R-3. She stated the site is 0.54 acres and access will be from Barbara Boulevard. She stated 22 total parking spots are proposed.

She stated the applicant is requesting two variances. She stated the first variance is for 4 driveways and the second variance is for building height to be 3 stories.

She stated the area had been platted in 1997 but just never developed.

She stated each unit has a private one car garage and individual driveway. She stated if the applicant wishes to sell the units in the future, they must be built to fire code and unit separation standards.

She stated some neighbors have had concerns about parking. She stated the applicant meets the parking requirements.

Mary Domigan, Geisler Domigan Engineers, stated the original plan had the two buildings adjoined with a parking lot. She stated the applicant has decided this plan would work better.

Chairman Mifflin questioned if the applicant was not requesting variances would the application have had to return to the Planning Commission. Mr. Kane stated no to the question.

After further discussion, **Motion by Smith, second by Garrett to approve the Final Development Plan (FDP-2002-62) subject to ten (10) conditions of approval and two (2) variances. Motion carried unanimously.**

Rural/Urban Buffer discussion

Mr. Kane stated he is presenting this because the Scott County Conservation District had come to him with ideas for the Comprehensive Plan. He stated he thought some of the ideas could be addressed now instead of waiting for the Comprehensive Plan to be finished. He stated he wanted the Planning Commission's feedback and to address any questions.

He stated one of the requests is that any land developed in the A-1 zone adjoining the urban service boundary should install a diamond mesh wire fence. He stated in the past the Planning Commission has allowed applicants to fix existing fence.

He stated the Scott County Conservation District is requesting a 50' setback minimum on urban lots adjoining A-1 parcels. He stated then they are asking for a double row of fence that includes a secondary fence 50' inside the boundary fence that the landowner must maintain. He stated if the adjacent farmland develops then the secondary fence can be removed.

Commissioner Singer raised concern over raising lot size from 5 acres to 40 acres. The Commissioners discussed affordable housing, stopping growth, and limiting existing property owners with options for their land.

Mr. Kane stated items 3, 4, and 5 could be decided by changing the ordinances.

Mr. Kane stated he wanted the Commissioners opinion on changing the setback to 50' on urban lots that adjoin ag property. He stated he felt most of the changes address properties on the edge of the urban service boundary.

Chairman Sulski stated he feels these issues should be addressed at the public Comprehensive Plan meetings coming up.

Attorney Perkins stated he thinks more facts are needed before making decisions on the proposed changes.

Isaac Hughes, Zion Hill Lane, questioned the difference of the value between 5 and 40 acres.

Chairman Sulski adjourned the meeting.



Mark Sulski, Chairman

Attest:



Charlie Perkins, Secretary