

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
REGULAR MEETING
MINUTES
November 9, 2023**

The regular meeting was held in the Scott County Courthouse on November 9, 2023. The meeting was called to order by Chairman Charlie Mifflin at 6:00 p.m. Also present were Commissioners James Stone, Duwan Garrett, Dann Smith, Harold Dean Jessie, Mary Singer, David Vest, Rhett Shirley and Brad Green and Director Joe Kane, Planner Elise Ketz, Engineer Ben Krebs, and Attorney Charlie Perkins.

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

Motion by Stone, second by Green, to approve the October 12, 2023 minutes. Motion carried.

Motion by Singer, second by Smith, to approve the November agenda. Motion carried.

Postponements/Withdrawals

Chairman Mifflin stated that the applications for Huck's Market (PDP-2023-50) and Graves Property (FSP-2023-53) have been postponed until the next regularly scheduled meeting. Chairman Mifflin opened the public hearing for Limestone Farms Distillery (ZMA-2023-55) and continued the application until the next regularly scheduled meeting.

Consent Agenda

A representative of South Crossing Amended (PSP-2023-48) and Phoenix Transportation Property (PSP-2023-52) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by Jessie, second by Singer, to approve the applications. Motion carried unanimously.

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

PDP-2023-38 Online Transport – Preliminary Development Plan for a 162,848 SF gravel storage area located at 656 Old Delaplain Road.

Mr. Kane stated the application is for trucking and trailer storage use on I-1 zoned property of approximately 10 acres on the corner of Old Delaplain and Sims Road. He stated this application has been postponed several times and was originally approved in 2016 but preliminary approval expired. He stated in 2022 the applicant submitted an amended plan that was denied.

He stated the request is to use the site for truck and trailer storage on a gravel lot. He stated it is the only light industrial zoned property in the area. He stated the applicant owns four parcels and operates

a business on all four parcels. He stated the other three parcels are zoned A-1 with lawfully non-conforming trucking use.

He stated the staff's first thought was to request a rezoning application on all the parcels but there is no infrastructure in place to support that. He stated surrounding property is zoned A-1 except this corner lot. He stated the applicant had installed gravel without approval. The Planning Commission office received a complaint and started the process of requiring the development plan. He stated the applicant was not aware that development plan approval was needed before gravel was installed.

Mr. Kane stated that access is from Old Delaplain Road. He stated that residents of Sims Road have testified previously that the truck traffic sometimes blocks the intersection at Cherry Blossom Way when traffic is busy during peak hours.

He stated staff has met with the applicant on site to discuss solutions. He stated the applicant is proposing an asphalt apron at the entrance with a chip-and-seal driveway into the parking area. He stated the applicant says the driveway will be one-way in the property and outgoing traffic will be offsite through an adjoining property to the west that the applicant owns.

He stated that proposed landscaping does meet requirements but only along Sims Road will be required as an adjoining property owner, the applicant can waive screening to the north.

He stated that staff identified an issue with sight distance when looking north at Sims and Old Delaplain Road when staff performed a site visit. He stated some of the undergrowth is going to be cleared out.

He stated the applicant has proposed some site improvements. He stated adding 10' of asphalt on east side of Sims Road to improve truck turning, removing vegetation, adding stop signs at the intersections, and adding do not block intersection and stop bars on the road.

He stated the L-shaped lot adjoining the project site to the north had the condition that only cars were supposed to use the entrance. He stated the applicant will address the problem by adding a bar and barricade that would prevent trucks from using the entrance.

He stated traffic will be one-way onto the site and lighting will be interior to the property.

He stated he added a condition of approval requiring a Traffic Engineer to review the recommendations for the intersection.

Commissioner Jessie questioned if there are future problems again what could be done. Mr. Kane stated the applicant could be cited and subject to fines.

Commissioner Jessie questioned who would be responsible for paying if the rock ledge at the intersection needs to be cut down. Mr. Kane stated the applicant would be responsible.

Commissioner Green requested clarification of the drawing of the site.

Nathan Billings, Billings Law Firm representing applicant, stated the applicant agrees with the conditions of approval. He stated the traffic improvements proposed will improve the traffic flow and safety.

Commissioner Jessie questioned if any neighbor besides Mr. Watson was met with. Mr. Billings stated he was the neighbor who spoke last year at the hearing, so he was the person they contacted.

Steve Watson, 714 Delaplain Road, stated nothing that was promised in 2016 happened. Commissioner Singer questioned what was promised that the applicant did not fulfill. Mr. Watson stated they did not plant evergreens along Sims Pike. He stated they finally redirected the lights, but it took them 2 to 3 years. He stated he wants to make sure the applicant is held accountable for what they are supposed to do.

Commissioner Jessie questioned what the Planning Commission can do to enforce conditions of approval.

Attorney Perkins suggested assigning a timeline and coming back for another hearing to make sure the applicant has followed through with the conditions of approval.

Mr. Kane stated the applicant never proceeded to the final development plan with the previous 2016 approval, which is why the evergreens were not planted.

Mr. Watson questioned how the gravel was allowed. Mr. Kane stated that was a violation and that is what started this process of requiring development plan approval. He stated the Planning Commission wants the applicant to become compliant instead of having the applicant return the land to the previous state.

Mr. Billings explained the history of the site and further discussion of the timeline of events was discussed. Mr. Billings stated the best protection for the future for the applicant to follow through is to add a note on the plat. He stated that gives the Planning Commission the power to enforce the conditions of approval.

Commissioner Singer expressed concern of holding the applicant responsible for the improvements.

Mr. Watson requested a traffic study be completed before a decision is reached.

Commissioner Green stated the proposed improvements would help the area.

Mr. Billings stated the county road department is going to clear the brush in the county row at the corner of Old Delaplain and Sims Road.

Mr. Billings stated the Planning Commission has the jurisdiction to review a plan at any time.

Mr. Billings stated that a traffic study would be a traffic count based on the existing conditions and proposed development and would not address the current traffic problems.

Commissioner Jessie questioned the process and number of fines.

Mr. Watson stated again he would like to see a traffic engineer address the situation.

Chairman Mifflin stated by approving the preliminary development plan then the Planning Commission could check the progress of the improvements.

Commissioner Singer stated she would like to make sure the applicant must be reviewed by the Planning Commission again to check on the status of the improvements.

Commissioner Shirley stated that condition two goes beyond the usual conditions and gives the Planning Commission leverage to make sure the problems are fixed.

After further discussion, **Motion by Singer, second by Smith to approve the Preliminary Development Plan (PDP-2023-38) subject to (14) conditions of approval and one waiver. Applicant must return before the Planning Commission with the Traffic Review Analysis of the proposed improvements. Motion carried 8-1 with Jessie dissenting.**

ZMA-2023-49 The Village at Lemons Mill - Zone change request for property currently zoned R-2 to B-2 located south of East Main Street Extended, north of Lemons Mill Road, and east of McClelland Circle.

Chairman Mifflin opened the public hearing.

Mr. Kane stated this application is to amend the zoning on a lot of 1.9 acres. He stated the overall property was rezoned in 2019. He stated a change in the proposed road alignment has caused the need for rezoning and rezoning would create a contiguous B-2 zone on all three commercial lots.

He stated on the Future Land Use Map that the area at the corner of Lemons Mill Road and the Bypass was designated as commercial. He stated approval would amend the zoning boundary to follow the guidelines for zoning boundaries.

Richard Smith, representing Matt Welch, stated the applicant agrees with staff recommendations.

Chairman Mifflin closed the public hearing.

After further discussion, **Motion by Jessie, second by Smith to recommend approval of the rezoning request (ZMA-2023-47) on the basis of staff recommendation that it complies with the comprehensive plan . Motion carried unanimously.**

PDP-2023-51 Triport Circle Truck Wash – Preliminary Development Plan for a 6,000 SF semitruck truck wash facility with overnight trailer parking located at 107 Triport Circle.

Ms. Ketz stated there had been some minor amendments to the staff report. She stated the project site is 1.7 acres. She stated the applicant has requested a variance to the tree canopy requirement.

She stated this is one of the remaining undeveloped lots in the Triport Industrial Park. She stated that Triport Circle is a privately maintained road.

She stated the original parking requirements were calculated incorrectly. She stated the applicant shows adequate provisions for parking.

She stated two detention basins shown between the driveways. She stated the staff report showed drainage to sanitary sewer and that has been corrected to a trench drain close to the building.

She stated the applicant would have to remove screening to allow truck movement on site. She stated screening and interior landscaping does meet requirements. She stated that tree canopy requirements could be met by proposing larger trees without needing the variance.

She stated the applicant has a letter from Bluegrass Water & Utility, but the letter is very vague whether the site can be served by sewer. She stated staff recommended postponement due to the lack of certainty of sewer capacity. She stated the two-year sunset clause could provide time to secure sewer service.

She stated the site would be expected to annex into the City of Georgetown when that is available.

Daniel Rehner, Thoroughbred Engineering, stated the landscaping requirement will not be a problem. He stated the trench drain is only for stormwater. He submitted a letter without a signature that states Bluegrass Water will provide service to the site.

After further discussion, **Motion by Jessie, second by Singer to approve the Preliminary Development Plan (PDP-2023-51) subject to (10) conditions of approval. Motion carried unanimously.**

ZMA-2023-54 Mullins Property – Zoning Map Amendment to change the zoning district from A-1 and R-1A to R-1B located at 129 Mulberry Street.

Chairman Mifflin opened the public hearing.

Ms. Ketz stated this zone change is to address multiple split zoned parcels. She stated there are five vacant parcels that the applicant would like to consolidate into two residential lots. She stated three of the five parcels are within the City of Stamping Ground city limits. She stated if approved staff would recommend annexing into city limits. She stated the Future Land Use Map shows the property having Urban Residential future use.


Harold Simms, representing the applicant, stated his client is planning a home for his family and possibly mother in the future. He stated at TRC there was concern about the condition of Mulberry Street. He stated his client is willing to put a note on the plat that would limit the number of units on the site to two.

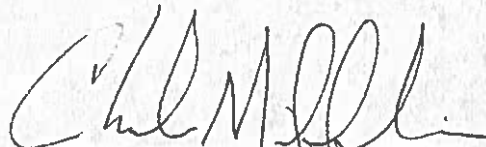
Chairman Mifflin closed the public hearing.

After further discussion, Motion by Vest, second by Jessie to recommend approval of the rezoning request (ZMA-2023-54) on the basis of staff recommendation that it complies with the comprehensive plan. Motion carried unanimously.

Chairman Mifflin adjourned the meeting.

Attest:


Charlie Perkins, Secretary


Charlie Mifflin, Chairman