

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

**March 13, 2014**

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

Motion by Jones, second by Holland, to approve the February invoices. Motion carried.

Motion by Moran, second by Caldwell, to approve the February 13, 2014 minutes. Motion carried.

Motion by Holland, second by Smith, to approve the March agenda. Motion carried.

Postponements/Withdrawals

There were no items for postponement or withdrawal.

Consent Agenda

A representative of the Falls Creek Commercial Lot application agreed with their conditions of approval and there were no concerns expressed by the Commission or public. Motion by Foster, second by Smith, to approve the one item on the consent agenda. Motion carried. For the record, Commissioner Jones recused himself from the vote.

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

PDP-2013-38 Bluegrass Baptist Church – Preliminary Development Plan for a 16,000 sq. ft. church building on 3.43 acres, located on the southwest corner of Coleman Lane and Lexington Road (U.S. 25 S).

Ms. Enyeart reviewed the staff report. She noted that the applicant obtained conditional use approval from the Board of Adjustment to construct a church. She addressed the variances regarding the maximum building height and the internal VUA trees. She also addressed the fencing issue. As part of the conditional use

permit, the applicant is required to construct a fence adjacent to agricultural zones if they operate a daycare or school.

Staff recommended denial of the requested variance to increase the building height without increasing the side setback. Staff recommended approval of the requested variance to locate some of the internal VUA trees along the VUA perimeter.

Ms. Enyeart stated that condition #1 is valid only if the variance regarding building height is approved. She also stated that a condition could be added that requires handicap accessibility to the pavilion if the pavilion is ever paved.

It was noted that no signage has been proposed, and that any future requests for signage would need to be reviewed by Building Inspection.

Rory Kahly, EA Partners and representing the applicant, stated that the architect can keep the building height at 35' or below, so that the first variance and condition #1 are not needed. He agreed with the remaining conditions. He stated that the church will make the pavilion handicap accessible if the pavilion is ever paved.

**Motion by Wiseman, second by Jones, to approve the Preliminary Development, subject to conditions #2 through #11, with the removal of the first requested variance and condition #1 regarding the building height, with the addition of condition #12 requiring handicap accessibility to the pavilion if paved, and including approval of variance #2 regarding VUA landscaping. Motion carried.**

PDP-2014-02 Ward Hall (Buchanan) Townhomes – Preliminary Development Plan for 42 townhomes on 5 acres, located on the south side of U.S. 460, west of Ward Hall.

Commissioner Jones recused himself from discussion and voting.

A member of the Ward Hall Foundation requested that the application be heard later in the meeting because the chairman of the foundation was not yet present. The application was moved to later in the agenda.

ZMA-2014-04 Bevins Motor Company Zone Change – Rezoning request from A-1 (Agriculture) to B-2 (Highway Commercial) for 0.696 acres that is at the rear of the existing Bevins Motor Company operation at 1175 Lexington Road. PUBLIC HEARING

Chairman Hampton opened the public hearing.

Mr. Kane reviewed the staff report. He suspected that the parcel was never zoned B-2 because of how it was divided and sold over time, and because it is outside the City limits. As the City grew around this parcel, which was part of the B-2 use, it was a lawfully non-conforming commercial use.

He stated that the Future Land Use Map designates the property as commercial, so it is in conformance with the Comprehensive Plan. It is generally surrounded by commercial uses and accessed by a major arterial road.

Staff recommended approval, with three conditions: that redevelopment of the property shall require approval of a Preliminary Development Plan by the full Planning Commission; that redevelopment of the property will be conditioned upon annexation into the City of Georgetown; and that development of the property shall conform with the Zoning Ordinance and Subdivision Regulations.

Bruce Lankford, representing the applicant, stated for the record that he submitted documentation regarding notice requirements. He agreed with the staff report and conditions of approval.

There were no questions from the Commission or public.

Chairman Hampton closed the public hearing.

**Motion by Shirley, second by Holland, to recommend approval of the zone change from A-1 to B-2, on the basis of the findings, and subject to the three conditions of approval. By roll call vote, motion carried 8-0.**

ZMA-2014-08 Loves Travel Stop Zone Change – Rezoning request for 1.57 acres from A-1 (Agriculture) to B-2 (Highway Commercial) located on the northwest side of Porter Road and I-75 (Exit 136 Sadieville interchange). PUBLIC HEARING

Chairman Hampton opened the public hearing.

Mr. Kane reviewed the staff report. He stated that there is a segment of land that includes the driveway on the Preliminary Development Plan of the Love's Travel Stop that was not included in the prior rezoning. It will largely remain undeveloped, but will include a portion of the main access road for the site.

He stated that the parcel is planned for commercial use on the City of Sadieville Future Land Use Map and is in conformance with the Comprehensive Plan. He recommended approval subject to four conditions of approval, one being preservation of the existing trees outside the driveway area to serve as a buffer from Porter Road.

John Woodall, representing Love's Travel Stop stated that preservation of the existing trees outside the driveway area should not be a problem unless the right turn lane necessitates their removal. Mr. Kane stated that the condition can be amended to reflect that concern. Mr. Woodall agreed to the remaining conditions.

Claude Christiansen, Mayor of Sadieville, supported the zone change.

Mike Mizell, Sadieville City Commissioner, also supported the zone change.

Chairman Hampton closed the public hearing.

**Motion by Jones, second by Holland, to recommend approval of the zone change on the basis that it is in conformance with the Comprehensive Plan, and subject to the four conditions, with condition #2 subject to the conflict with the State-approved turn lane. By roll call vote, motion carried 8-0.**

PDP-2014-07 Bypass Rental Center of Georgetown – Preliminary Development Plan for a construction equipment rental center on 2.789 acres located at 250 Connector Road.

Ms. Enyeart reviewed the staff report and the preliminary plan. She stated that the applicant is requesting a waiver to the Subdivision Regulations to allow the outdoor storage area to be gravel due to the wear and tear of heavy equipment on pavement.

Ms. Enyeart recommended that the Board of Adjustment review the application due to the outdoor storage in a B-2 zone.

She stated that the gravel outdoor storage is over 10,000 sq. ft. or 8.4% of the total lot, and a liner should be placed underneath the entire gravel area, feeding into an oil water separator before entering the detention basin. She also addressed landscaping and screening.

She recommended approval of the requested waiver and of the Preliminary Development Plan, subject to twelve (12) conditions of approval.

Commissioner Jones expressed concern about the access points and maintenance of the service road. Mr. Perkins suggested hearing from neighboring property owners to determine what issues might be of concern. Brent Combs recalled that a former motel close to this site had a 65' access easement along its service road and that carried forward to the more recent plats on Connector Road. To his knowledge there was no language regarding shared maintenance.

Commissioner Holland expressed concern about increased traffic. Chip Culton, applicant, stated that they have three vehicles to bring equipment in and out, and they normally have no more than 6-7 cars at a time at the business.

Commissioner Smith expressed concern about tractor trailer trucks being able to pull into the drive near the office.

Commissioner Holland asked about screening the site from the interstate. Mr. Culton stated that they will have a privacy fence near the existing dumpster pad and that they will plant evergreens along the ramp. It was noted that condition #1 addressed screening.

David Lusby, neighboring property owner, expressed concern about drivers coming off the interstate seeing port-a-potties. He asked if they could be re-located so that they are not visible from the off ramp and from the drivers of the cars coming out of the carwash. Mr. Lusby also wished to see the building design, and said he would be receptive to an agreement for the shared access road. He expressed concern about dust settling on cars that have been detailed and waiting for their owners to pick them up, and the mud and dust that could accumulate on the road.

Mr. Lusby asked if they will be permitted to park equipment along Connector Road to market their business.

Greg Johnson, neighboring property owner, expressed concern about there being no provision to maintain the service road. He stated that the road will need repaired eventually without this rental center, but its failure will be hastened by the heavy equipment being brought to this site. He also expressed concern about mulch being stored and loaded next to the car wash property due to the dust settling on washed cars, odor from the port-a-potties, and the visibility of equipment, port-a-potties, and mulch from the interstate.

Commissioner Holland felt that the application should be continued to allow time for the two parties to work on an agreement for the road maintenance and any other issues. Mr. Perkins stated that it would be helpful to know that the road will be maintained, and also to know how the Board of Adjustment rules on the outdoor storage.

Commissioner Foster added that she would like to see the design of the building.

Mr. Culton agreed to have the matter continued.

Commissioner Shirley asked if there are any specific restrictions in the B-2 district that would limit the applicant in this use of the property. Ms. Enyeart stated that outdoor storage needs Board of Adjustment approval. Regarding landscaping and buffering, the regulations do not address screening of specific storage areas, but the Board of Adjustment may be able to address that issue also.

Greg Johnson asked if the use should be an I-1 use, instead of B-2. Mr. Perkins stated that the Board of Adjustment will discuss that issue, but outdoor storage is a conditional use in a B-2 district.

Mr. Culton described the retaining wall and building design.

Chairman Hampton continued the matter until the April meeting.

PDP-2014-02 Ward Hall (Buchanan) Townhomes – Preliminary Development Plan for 42 townhomes on 5 acres, located on the south side of U.S. 460, west of Ward Hall.

The applicant requested the matter be postponed to the April meeting.

**Motion by Holland, second by Shirley, to postpone the Ward Hall Townhomes application to the April meeting. Motion carried, with Commissioner Jones recusing himself.**

Sunset clause - amendment to the Subdivision and Development Regulations -  
**PUBLIC HEARING**

Chairman Hampton opened the public hearing.

Mr. Kane reviewed the addition to the Subdivision and Development Regulations. In summary, major plats and plans would expire after two years. Approval of construction plans would extend the approval for two years. If phased, each Final Plat would extend the approval for another two years.

He stated that the regulation will only affect plats and plans approved from this date forward. If the Commission approves the proposed amendment, it will be need approval from Fiscal Court and City Council.

Mr. Perkins stated section 306C should be amended to read that an applicant may extend the approval of the Preliminary Plat for one (1) year upon written request, if the Planning Commission's Planning Director determines that changes have occurred in the area which warrant re-submission of the Preliminary Plat or Plan to the Commission. Such findings shall be in writing and subject to review by the full Commission.

There being no comments from the public, Chairman Hampton closed the public hearing.

**Motion by Smith, second by Moran, to recommend approval of the sunset clause, including the amendment to section 306C that the Planning Director or**

**his/her designee shall determine if changes have occurred in the area that warrant re-submission of the Preliminary Plat or Plan, and that the findings of appreciable changes be put in writing for the record and subject to review by the full Commission. By roll call vote, motion carried 8-0.**

### Election of Officers

Mr. Kane stated that the offices of Chairman, Vice-Chairman, and Executive Committee need to be elected. The Executive Committee is made up of two City and two County appointees. The Joint appointee can fill either seat. The Chairman and Vice-Chairman are automatically on the Executive Committee.

Commissioner Caldwell nominated Commissioner Jones for Chairman.  
Commissioner Holland nominated Commissioner Hampton for Chairman.

**By ballot vote, Commissioner Hampton was re-elected.**

Commissioner Holland nominated Commissioner Jones for Vice-Chairman.

**Motion by Smith, second by Wiseman, that nominations cease and Commissioner Jones is elected Vice Chairman by acclamation. Motion carried unanimously.**

Commissioner Smith nominated Commissioner Shirley for Executive Committee (City seat).

Commissioner Jones nominated Commissioner Holland for Executive Committee (County seat).

**Motion by Smith, second by Wiseman, that nominations cease and Commissioners Shirley and Holland are elected to the Executive Committee by acclamation. Motion carried unanimously.**

### Notification Policy

Mr. Kane reported that, regarding the notification policy that was discussed at the last meeting, no new applications were submitted in March to which the new requirements would be applied. Mr. Perkins suggested the Commission vote for the record to approve the new policy.

**Motion by Foster, second by Caldwell, to approve the change in notification policy that has been implemented by Planning Staff. Motion carried.**

Commissioner Jones asked about the two-year extensions for developers to pave new streets. Mr. Combs replied that he will make a presentation to City Council and Fiscal Court to inform them that they may be getting several requests for street dedications where almost no houses have been built. Because of that, the ordinance may be revised.

Commissioner Smith noted an issue on Autumn Lane regarding the road being in disrepair. Mr. Combs explained the situation and stated that the road was never dedicated to the County. Discussion continued on the matter but nothing was resolved.

The meeting was then adjourned.

Respectfully,

  
\_\_\_\_\_  
Greg Hampton, Chairman

Attest:

  
\_\_\_\_\_  
Charlie Perkins, Secretary