

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
REGULAR MEETING
MINUTES
January 12, 2017**

The regular meeting was held in the Scott County Courthouse on January 12, 2017. The meeting was called to order by Chair Rob Jones at 6:00 p.m. Present were Commissioners Johnny Cannon, Regina Mizell, Byron Moran, Steve Smith, Mark Sulski, and Frank Wiseman, Director Joe Kane, Planners Megan Chan and Matt Summers, and Attorney Charlie Perkins. Absent were Commissioners Jeff Caldwell and John Shirley.

Motion by Sulski, second by Cannon, to approve the December invoices. Motion carried.

Motion by Mizell, second by Sulski, to approve the December 8, 2016 minutes. Motion carried.

With the changes of moving Items B and C under Other Business to the beginning of Old Business, motion by Wiseman, second by Moran, to approve the January agenda. Motion carried.

Postponements/Withdrawals

There were no items for postponement or withdrawal.

Consent Agenda

A representative of the Indian Creek Farms Property (FSP-2016-64) application agreed to their conditions of approval and there were no comments from the public or Commission. Motion by Sulski, second by Cannon, to approve the Indian Creek Farms Property application. Motion carried.

FY 15-16 Audit

Greg Miklavcic, Charles T. Mitchell Company, briefly reviewed the FY 15-16 audit. He explained the CERS unfunded pension liability issue which makes the Commission

appear to owe money when it does not. He responded to questions from Vice-Chair Sulski about that liability, and stated that we were under budget for the year.

Chairman Jones suggested postponing the vote to accept the FY 15-16 budget until the February meeting so that the Commission has more time to review it.

Mass transit discussion with Bluegrass Community Action, Taylor Veatch

Taylor Veatch, deferred the presentation to Roger Kirk, Transportation Director of Bluegrass Community Action. Mr. Kirk stated that they have studied Georgetown for several years to see if public transportation within the City of Georgetown and to and from Lexington is feasible. He stated that it will be a two-bus system and asked for input from the Planning Commission regarding the type and location of bus stops, etc. He stated that in order to receive federal funding, a tremendous amount of data and rationale need to be submitted supporting the plan. He stated that on March 1, a public meeting will be held at the Scott County Public Library at 12:00 to receive input from citizens.

Mr. Kirk stated that the proposed route is a deviated fixed route, meaning that, with sufficient notice, the bus will come to a rider's home if it is within one-half mile of the bus stop.

He stated that the Commission can help identify where bus stops should be located in order to provide the most benefit to the community. Chairman Jones stated that the plan can be put on the Commission website to help inform the community of it.

Motion by Wiseman, second by Jones, to ask Attorney Perkins to prepare a resolution supporting the concept. Motion carried.

Mr. Perkins stated that he will draft a resolution in general support for the proposition, stating the need for it in Georgetown and Scott County, and pledging cooperation with the efforts of Bluegrass Community Action.

FSP-2016-60 Crosswinds Center Subdivision - Final Subdivision Plat to create a 0.30-acre tract and a 1.35-acre tract from a parent tract of 1.65 acres, located on the southwest corner of Cherry Blossom Way and Morgan Mill Drive.

and

PDP-2016-61 Crosswinds Center Development Plan – Preliminary Development Plan for a 960 sq. ft. grocery and a 10,758 s. ft. commercial building, located on the southwest corner of Cherry Blossom Way and Morgan Mill Drive.

Chairman Jones recused himself from discussion and voting.

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

Mr. Summers reviewed the staff report, stating that appropriate setbacks and landscaping buffers are shown. He stated that a note shall be included on the final plat stating that the landscaping buffer along the western property line shall be increased to 15 feet if a 6' privacy fence is not used in conjunction with trees to meet the landscaping requirements.

Jon Woodall, representing the applicant, was available for questions.

Mark Smith, local developer, stated his objection to the application based on the applicants' unresolved issues with existing and previous developments. He stated that the applicants have demonstrated on numerous occasions their lack of financial viability to complete any projects that they've done in the recent past. He cited examples of incomplete infrastructure on their projects.

Mr. Perkins spoke to the issue of whether Mark Smith's concerns are relevant to the Commission's approval of the application before them. He felt it is appropriate for the Commission to receive information that effects the applicants' ability to complete the project.

Mark Smith continued to cite instances where the applicant has not completed required infrastructure.

Susan Mahoney, Old Mill Road resident, expressed concern about the notification process, increased traffic, lighting, and the buffer between commercial and residential properties.

Mr. Summers then reviewed the development plan. He stated that the proposed uses are appropriate in a B-2 zone, and that the applicant is working with KYTC to receive an entrance permit onto Cherry Blossom Way. He addressed the parking and circulation, sidewalk, and landscape issues.

Commissioner Smith asked if the proposed right-in/right-out entrance has been approved. Mr. Summers stated that he did not know if final approval has been received.

Vice Chair Sulski asked Mr. Kane if the applicants' bonding deficiencies disallow the Commission to vote on this application at this time. Mr. Kane stated that notices were sent to the applicant about those deficiencies and the corrections were made. The issue

of the turn-around at Eagle Bend has not been corrected, but a design that works has not yet been determined.

Mr. Perkins stated that the ordinance that authorizes a block on further approvals requires written notice, a definite time period for correction, and the failure to correct. The only notice of failure he is aware of that has been sent to the applicant was for a deficiency that has been corrected.

Doug Smith, applicant, stated that the approved plat was followed and he has not been aware that it wasn't satisfactory.

Mr. Summers reviewed the buffer, lighting, and traffic issues.

James Leito, Old Mill Road resident, expressed concern about the dirt that has been dumped behind his property. He stated that it has become an 8' wall overlooking his property, and any fence that is constructed will need to be on top of the dirt mound.

Jennifer Leito, Old Mill Road resident, further described the dirt mound, stating that when it rains, the dirt washes into their backyard. She stated that they have constructed a 6' privacy fence, and the mound can be seen above the fence. She expressed concern about increased traffic, the ability to build on the lot due to all the dirt that has been hauled in, and the type of business that will occupy the building.

Mr. Woodall stated that the applicant does not know what business will occupy the larger building.

Ms. Leito asked about the approval process and being notified of further hearings. Mr. Summers explained the process to her.

Josh Banks, Banks Engineering, stated that when they submit a Final Development Plan, it will include a grading plan that addresses the issue of the dirt against the Leito property, and the landscape plan will address what type of fence and plantings will be installed.

Ms. Mahoney stated that a 6' fence or 6' trees will offer no privacy or protection from lighting or sound. She asked that the ordinance be changed to protect residents from situations such as this.

Commissioner Wiseman asked about the erosion issue. Mr. Doug Smith stated that when the State built the road, they moved fill onto this lot.

Mr. Perkins suggested that the residents contact staff and they will look into the issue.

Ms. Mahoney expressed her dissatisfaction with the neighbors not having input into the buffer issue, especially with the Raising Cane's project. Mr. Kane stated that Raising

Cane's was willing to work with the neighbors, and Mr. Perkins stated that there were many neighbors at the Board of Adjustment hearing and details were worked out then.

Mr. Leito complained about a trench that was dug into his backyard. It was filled in later, but water continues to drain through it. Mr. Perkins stated that if the erosion control regulations are violated, a stop work order can be issued.

Ms. Mahoney felt that the Commission should be able to determine what kind of businesses can locate adjacent to residential areas.

Commissioner Smith asked for clarification about the five-foot buffer along the residential boundary. Discussion continued on that boundary and what the neighbors can do if runoff or erosion occurs onto their property.

Steve Price, Georgetown resident, stated that he was appointed to the Community Garden project in 2002. He asked if the Commissioners have a personal interest in seeing that the two properties are commercial. The Commissioners replied that they did not. He stated that the residents would benefit if they used the properties as a community garden.

Commissioner Smith agreed that it would be beneficial if commercial property owners allowed their property to be gardened instead of paying to have it mowed, but the Commission cannot deny those property owners full use of their property.

Motion by Mizell, second by Smith, to approve the Final Subdivision Plat (FSP-2016-60) subject to the five (5) conditions of approval. By roll call vote, motion carried 6-0.

Motion by Mizell, second by Cannon, to approve the Preliminary Development Plan (PDP-2016-61), subject to the nine (9) conditions of approval. By roll call vote, motion carried 6-0.

Revocation of Electro-Shield Transfer and Consolidation Plat

Bruce Lankford presented a plat for Electro-Shield that Mr. Perkins explained was filed out of order with the deed. The same plat has been re-recorded which puts it in proper order with the deed.

Motion by Sulski, second by Mizell, to approve the revocation of the plat currently of record in plat cabinet 11, slide 362 in the County Clerk's office, upon the condition that Mr. Lankford's clients, who are the 2 current owners and one prior owner of the three parcels, sign the Plat Revocation as well as the Chairman and Secretary of the Planning Commission, and the Plat Revocation is attached to the plat that is being revoked. Motion carried.

Future Land Use and Urban Service Boundary Map presentation

Ms. Chan prefaced her presentation by stating that they are allowing a two-week period for anyone who wishes their property to be included or excluded from the Urban Service Boundary to submit an application to have their requested change considered. The submittal deadline for applications is January 26.

Ms. Chan then updated the Commission on the status of the Comprehensive Plan and presented the proposed Future Land Use and Urban Service Boundary Map. She explained the Urban Service Boundary and how its location should be determined. She stated that the proposed USB contains approximately 700 acres more than the existing USB, and is 4,000 acres larger than the current City limits.

She showed the proposed areas of change and explained the reasoning for the changes, first in the Georgetown USB and then Sadieville and Stamping Ground. The proposed Sadieville USB is 16 acres larger than the current USB. If the City were to annex all the land in the USB, the City would be five times larger than it is now. Stamping Ground's proposed USB contains 17 acres more than the existing USB, and if the City were to annex all of the land in the USB, the City would be four times larger than it is now.

She then stated that Rural Residential is a new land use category that is included on the proposed Future Lane Use Map. Rural Residential would give more guidance when considering zone changes for rural residential use. It would also further support the goals of the Comprehensive Plan to preserve farmland. The first area proposed for Rural Residential use is the one-half mile area surrounding each of the three cities. The second area proposed for Rural Residential use is north of the natural boundary line that divides the prime farmland in the southern portion of the County from the northern portion of the County.

Ms. Chan noted the supplemental maps, addressing one that shows neighborhood center nodes. She then reviewed generally the entire county-wide Future Land Use Map.

Brief discussion continued on particular areas. Applications for inclusion or exclusion will be reviewed at the February 9, 2016 meeting.

Closed Session

Mr. Kane requested that the Commission go into Closed Session to discuss a personnel issue. Motion by Sulski, second by Moran, to go into Closed Session. Motion carried.

The Commission came out of Closed Session. No action was taken.

Ms. Mahoney addressed the Commission regarding clarification of notices for projects to be heard by the Commission. She requested the language more clearly describe the type of projects and due process/how the public should respond. She also asked the Commission the process for ordinance amendments, particularly relating to landscape buffers and types of commercial uses permitted next to residential uses.

The meeting was then adjourned.

Respectfully,



Rob Jones, Chair

Attest:



Charlie Perkins, Secretary