

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

August 9, 2012

The regular meeting was held in the Scott County Courthouse on August 9, 2012. The meeting was called to order by Chair Melissa Waite at 6:00 p.m. Present were Commissioners Jeff Caldwell, Greg Hampton, Janet Holland, Rob Jones, John Shirley, Stephen Smith, Frank Wiseman, and Horace Wynn (arrived late), Planner Joe Kane, Engineer Brent Combs, and Attorney Charlie Perkins. Absent was Planning Director Earl Smith.

All those intending to speak before the Commission were sworn in by Chairperson Waite.

Motion by Hampton, second by Shirley, to approve the July invoices. Motion carried.

Motion by Holland, second by Wiseman, to approve the July 12, 2012 minutes. Motion carried.

Motion by Jones, second by Holland, to approve the August agenda. Motion carried.

Postponements/Withdrawals

There were no items for postponement or withdrawal.

Consent Agenda

There were no items for the Consent Agenda.

PSP-2012-08 Golf Townhomes of Cherry Blossom, Lots 10, 23-28 – Preliminary Subdivision Plat for seven (7) residential lots on 1.02 acres at the end of Riviera Drive and on the future Ikebana Path.

Mr. Kane reviewed the staff report, including a brief history of the multi-family area and the findings of the Northeast Georgetown Area Traffic Study done in 2007, which included road improvement projects that affect this development. The lots in this application are adjacent to the planned extension of Osborne Way to Old Oxford Road. The development plan for Lifestyle Communities, behind Lowes, reserved a 30' right-of-way along their northern boundary, adjacent to that planned collector road.

When the application for the seven (7) lots in question was submitted, Mr. Kane stated that a concept plan was requested to ensure that the applicant was accounting for the planned collector road.

Mr. Kane discussed several issues raised by this application. He stated that double frontage lots are not ideal, but that the lots are deep enough to allow a sufficient landscape buffer along the proposed collector road. Another issue involves the need for right-of-way along the Spade Corporation property, for which they are not willing to provide at this time. Also, there is concern about cut-through traffic to Old Oxford Road, so the applicant addressed that concern by severing the through connection, requiring traffic to take a less convenient route to Old Oxford.

He reviewed the front yard variance request, for which staff recommended approval. He also recommended that the applicant submit an overall master plan for Planning Commission approval prior to any future platting beyond this application.

It was noted that the 15' building line shown on lots #10 and #35' should be 20'.

Commissioner Shirley expressed concern that if the right-of-way from the Spade property is never obtained, and these seven lots are developed, then there will be no options for aligning Ikebana Path into the collector road. Mr. Kane stated that there would still be room for the alignment beyond the lots, but that the road design may change. Commissioner Jones stated that connecting Ikebana Path to the collector road would route traffic through a residential area, which defeats the purpose of having the applicant revise the original alignment.

Discussion continued on the location of the future collector road.

Bruce Lankford, representing the applicant, asked the Commission to focus on the seven (7) lots because they do not interfere with the Ikebana extending straight through or with it connecting to the proposed collector street just beyond the seven lots. He stated that no lots will be proposed beyond these seven until a decision is made on the road alignment.

Temple Juett, Old Oxford Road resident, felt that the road plan for the area is insufficient to continue approving lots. He reviewed statistics from the North Georgetown Traffic Study citing an increase in traffic and the resultant decrease in safety which are directly related to the additional residential development that has been approved in the area.

Ed Bringardner, Cherry Blossom Village resident, expressed concern about cut-through traffic, and felt that a permanent solution to the traffic problem should be found before additional lots are approved. He stated that the construction traffic is a problem now, and asked if a construction entrance could be made.

Julie McKee, Cherry Blossom Village resident, expressed concern about the current amount of cut-through traffic and felt that it will only increase, even with the revised

plan. She asked that the landscape buffer be required, not just suggested. She expressed opposition to Ikebana connecting to a future collector road.

Commissioner Wiseman asked who can make a definitive decision on the roads. Mr. Kane explained that the traffic study has made definitive recommendations, but that it is a question of funding.

Commissioner Hampton expressed concern about approving piecemeal development without an overall Master Plan.

Barbara Combs, Cherry Blossom Village resident, expressed support for the Northeast Georgetown Traffic Study, which recommended the extension of Osborne Way.

Linda Huesing, Cherry Blossom Village resident, expressed concern about making Ikebana part of the collector road.

It was clarified that the submitted plan is a concept plan, not a master plan for which they are requesting approval. Fred Eastridge, representing the applicant, stated that the concept plan as shown is the master plan, which was supported by the former City Engineer, and which the Commission can approve if they wish.

Mr. Combs stated for the record that the leg of the proposed collector road that extends from Old Oxford Road to U.S. 460 is not feasible because of existing subdivisions in its proposed path. An extension of Magnolia Drive could serve as a collector to U.S. 460.

Mr. Perkins suggested, since approval of a master plan is not on the agenda, adding a condition, if the Commission wishes to approve the seven lots, that the concept plan is the master plan which will be reviewed by the Commission at the next meeting.

One of the residents suggested placing speed bumps in the townhome area, which would discourage cut-through traffic.

Commissioner Jones expressed concern about approving lots before infrastructure is adequate to handle the increased traffic. Commissioner Shirley agreed.

With no more comments, Chairperson Waite closed the public hearing.

Motion by Hampton, second by Smith, to approve the Preliminary Subdivision Plat, subject to the eleven (11) conditions of approval, and, recognizing that the submitted concept plan is the Master Plan, that it be reviewed for action at the September meeting, and that the front setbacks on lots 23-28 is 30' (lot #10 remains at 20'). By roll call vote, motion ~~denied~~ 3-5, with Wiseman, Wynn, Shirley, Caldwell, and Jones dissenting. *failed*

It was clarified that the applicant is permitted to return to the Commission with more information and that notice requirements would need to be met again.

PSP-2012-12 Ward Hall Property Amended – Amended Preliminary Subdivision Plat for a 30-lot section of a previously approved subdivision on 7.56 acres, located on the southwest corner of U.S. 460 W. (Frankfort Road) and Paynes Depot Road.

Mr. Kane reviewed the staff report, stating that the applicant is requesting a reduction in front setbacks in order to build ranch style homes for the older consumer. The road alignment and lot layout are not changing. The applicant is also requesting a waiver of the requirement that the connection to Frankfort Road be completed prior to the issuance of occupancy permits for lots on Ward Hall Manor Road.

He recommended approval of the setback variance, stating that there are other ranch style homes in the subdivision and the same level of detail and quality of homes will be maintained.

He recommended denial of the request to remove the condition that the connection to Frankfort Road be made prior to issuance of occupancy permits so that a precedent is not set for allowing buildout around a planned connection to a major road that is meant to serve those lots.

Jim Barlow, applicant, addressed the setback issue in regard to the type of homes they wish to build. He stated that the homes are single-family homes “universally” designed, with smaller yards and larger front porches to enable the homeowners to communicate from the porch with others walking in the neighborhood. The smaller setback will be helpful in achieving this. The width of the lots was increased to accommodate this type of home.

Commissioner Hampton asked why the change is requested. Mr. Barlow stated that there is a market for the older consumer. He stated that yard, house cleaning, emergency call, vacation watch, etc. services will be offered.

Bruce Lankford, representing the applicant, asked that the waiver for the completed connection to Frankfort Road be reviewed separately from the rest of the application.

There were no comments from the public.

Commissioner Holland recused herself from voting.

Motion by Jones, second by Wiseman, to approve the variance reducing the front setbacks from 30’ to 20’ on lots 40, 41, and 59, and from 30’ to 25’ for the remainder of the lots on Ward Hall Manor. Motion carried 6-1 with Hampton dissenting.

Mr. Barlow stated that the connection to Frankfort Road requires improvements to that road, and the State Highway Department has plans to widen it. Any improvements done now will be destroyed when the widening occurs. He requested they be allowed to receive occupancy permits without making the connection, but if the State has not widened the road within 2-1/2 years, they will make the connection at that time. In the

meantime, they will not plat any more than the approximately 90 lots platted with the single entrance off Paynes Depot Road.

Mr. Lankford stated that Mr. Kane's concern about allowing buildout around a planned connection will not set a precedent because the slow economy has necessitated the change of plan.

Commissioner Wiseman felt that the economy should not be a factor to consider in approving the request. Mr. Kane stated that his concern is that, if the entrance is not constructed now, there will not be a trigger for when it must be constructed. Mr. Barlow stated that they will construct the entrance in 2-1/2 years whether Frankfort Road is widened at that time or not, or sooner if more lots are platted.

Mr. Perkins reminded the Commission that if the applicant violates a condition of approval, by ordinance he will not be able to obtain building permits for any project. Mr. Combs stated that he is researching how many lots are needed to require turn lanes. If the number of lots has not been reached, then the connection could be made without the turn lanes at this time, which would be a compromise.

Discussion continued on setting a limit on the number of lots that can be approved before the connection is required. Mr. Kane stated that he would feel comfortable approving these lots, but no further lots, until the entrance is constructed. The Commission agreed that two years would be the time limit in which the connection would be made, regardless of the Frankfort Road widening, instead of 2-1/2 years.

There was question about what lots would be approved. It was agreed that all issues will be worked out with staff, and the applicant will return to the full Commission at the next meeting.

ZMA-2012-14 Sikura Zone Change (Sikura Properties) – Rezoning request from A-1 (Agriculture) to B-4 (Community Commercial) for 19.34 acres; A-1 to R-2 (Medium Density Residential) for 5.22 acres; A-1 to R-1A (Low Density Residential) for 25.97 acres; and A-1 to C-1 (Conservation) for 46.99 acres, located on the southwest side of McClelland Circle, west of U.S. 25 S.

Mr. Kane reviewed the staff report, briefly describing the different zones and the walking/biking trail that will buffer the large lot residential area from Etterwood Subdivision and also be a possible connection to future trails. He stated that south of the USB is greenbelt/conservation area. He addressed sanitary sewer service, surrounding uses and the Comprehensive Plan, the required traffic study, and road improvements. He addressed the flow of traffic through Etterwood Subdivision.

He recommended approval based on the area being within the USB and having already been annexed into the City, its being within the expanded commercial area around the bypass and U.S. 25, and its having good access to McClelland Circle with the new traffic light being installed at the Kroger development. It has a natural buffer to the

south and the applicant's commitment to preserving the conservation area will help solidify the greenbelt and lead to its future extension.

It was noted that documentation regarding notice requirements was submitted. Bruce Lankford, representing the applicant, agreed with the staff report and noted that the application was amended several times after meetings with staff and the Commission.

Gary Pearl, Dogwood Drive resident, stated that when the City annexed Etterwood in 2005, they were told that there would be no development south of Etterwood. He expressed concern about the future access to Dogwood Drive shown on the Concept Plan, stating that it would have a negative impact on the subdivision.

Denver Humphrey, Dogwood Drive resident, also opposed traffic from the proposed development having direct access to Etterwood. He stated that the streets are narrow with no sidewalks and that the on-street parking will make it hazardous.

Charlene Cheatham, Glenwood Drive resident, opposed the connection for the same reasons. She also described how difficult it is to turn left onto U.S. 25 out of Etterwood at certain times of the day because of the traffic.

R. C. Giles, Etterwood property owner, asked for clarification about the connection. He felt that safe access to McClelland Circle would be beneficial.

Shannon Cheatham, Glenwood Drive resident, expressed opposition to the zone change.

Ralph Livingood, Hazelwood Drive resident, felt that the roads in Etterwood cannot handle additional traffic. He felt that a traffic light is needed at Etter Lane and U.S. 25.

Linda Perkins, Glenwood Drive resident, described their enjoyment living adjacent to the farmland.

Ron Hargrove, Glenwood Drive resident, expressed concern about the safety of pedestrians on Dogwood Drive. He was very supportive of the pedestrian/bike trail, but opposed upscale homes blocking the view of the farmland from the homes on Glenwood Drive.

Brian Perkins, Glenwood Drive resident, felt that additional traffic through Etterwood will be hazardous.

One of the neighbors asked if the number of homes is limited to twelve. Mr. Kane stated that they could potentially add more homes, but they could not exceed the density allowed in the R-1A zoning classification. Mr. Perkins added that condition #7 states that the subdivision plat shall significantly conform to the proposed Concept Plan. He stated that a condition could be added stating that because of infrastructure constraints, the Concept Plan shows the maximum number of homes allowed.

Commissioner Jones asked if the residents would approve of the connection as a walking/biking trail only. He also felt that if the connecting road is narrow, it might deter traffic from using Etter Lane as a cut-through. Mr. Lankford stated that eliminating the connection into Etterwood would be acceptable to the applicant.

Mr. Kane stated that eliminating the connection might be of concern to emergency services. Such a plan would need further review at the subdivision plat stage.

Commissioner Wynn asked if the traffic study recommended that Etter Lane be widened.

Rory Kahly, representing the applicant, explained that the traffic study addressed the level of service with the existing road conditions before and after complete buildout of the development.

Mr. Lankford stated that the applicant agrees limiting the number of residential lots to twelve.

One of the residents expressed concern about improvements to the intersection of Etter Lane and U.S. 25. Mr. Combs stated that because U.S. 25 is a State highway, the Commission cannot make promises about improvements there.

With no other comments, Chairperson Waite closed the public hearing.

Motion by Jones, second by Shirley, to approve the rezoning request, on the basis that it is in conformance with the Comprehensive Plan, and subject to the eight (8) conditions of approval, with condition seven (7) being amended to limit the number of residential lots to twelve (12) in the R-1A zone, as agreed to by the applicant, and with the addition of condition nine (9) to maintain the connection to Dogwood Drive and the new development as a pedestrian connection. By roll call vote, motion carried 8-0.

Historic District Overlay Ordinance – Public Hearing

Mr. Kane stated that the Main Street Board wishes to see a stronger ordinance in place which will help obtain Certified Local Government status and more funding and also to help protect the Main Street district. The local design guidelines have been amended and contain all the requirements needed to qualify for CLG status.

He asked for a positive recommendation, which will need to be approved by the legislative bodies.

Commissioner Wiseman asked if individual property owners can opt out of the district. Mr. Kane explained that residents must request their neighborhood to be an historic district, so that the designation will not be imposed upon them by the government, but that the ordinance cannot be written to allow individuals to opt out if CLG status is to be obtained.

How the ordinance will work in the County was discussed.

Kitty Dougoud, Main Street resident, noted that the design guidelines were sent to those who attended the public hearing and to Mr. Lankford, asking for comments, and no one contacted her who did not approve of them.

Heidi Franklin, member of the Design Committee, asked for support to preserve historic Main Street.

Commissioner Holland stated that she does not support regulations imposed on residents which may be excessive and too costly.

Commissioner Shirley felt that comprehensive and customized preservation regulations are needed to protect the character of historic properties, and obtaining CLG status will help obtain money to do so.

Mr. Kane stated that general maintenance will not require permits. Replacement of windows, etc. will require review and a permit. The difference between a National Historic District and a Local Historic District was discussed.

Mr. Combs, who owns a building on Main Street, felt that the guidelines are the key. In the interest of energy efficiency, he prefers to replace, maintaining the historic look, rather than repair.

Motion by Shirley, second by Smith, to recommend adoption of the Historic District Overlay Ordinance to the legislative bodies, with review of the design guidelines to come at a later date. By roll call vote, motion carried 5-3 with Wiseman, Holland, and Caldwell dissenting.

Developer request for one-year extension for street improvements

Mr. Combs presented a request by Oxford Place, LLC for a one-year extension for street improvements for Falls Creek Subdivision, Phase 1, Units 1-4.

Commissioners Jones and Shirley recused themselves from voting.

Motion by Hampton, second by Wiseman, to approve a one-year extension for street improvements for Falls Creek Subdivision, Phase 1, Units 1-4. Motion carried.

Update on drawn letters of credit

Mr. Combs briefly reviewed four projects for which letters of credit had been drawn. He stated that all work is going smoothly.

Personnel

Chairperson Waite stated that Mr. Kane was promoted to Senior Planner in January and had a 6-month review with Mr. Smith, Director. She agreed with a letter written by Mr. Smith, stating that his performance has been very positive. Commissioner Shirley added his enthusiastic praise.

**Motion by Jones, second by Caldwell, to approve Joe Kane as the Senior Planner.
Motion carried unanimously.**

The meeting was then adjourned.

Respectfully,



Melissa Waite, Chair

Attest:



Charlie Perkins, Secretary