

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
REGULAR MEETING
MINUTES
October 14, 2021**

The regular meeting was held in the Scott County Courthouse on October 14, 2021. The meeting was called to order by Chairman Mark Sulski at 6:00 p.m. Present were Commissioners Steve Smith, James Stone, Charlie Mifflin, Duwan Garrett, David Vest, and Dann Smith, Director Joe Kane, Planners Matt Summers and Elise Ketz, and Attorney Charlie Perkins. Absent was Commissioner Mary Singer and Engineer Ben Krebs.

Motion by Stone, second by D. Smith, to approve the September invoices. Motion carried.

Motion by Mifflin, second by S. Smith, to approve the September 9, 2021 minutes. Motion carried.

Motion by S. Smith, second by Stone, to approve the October agenda. Motion carried.

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

Postponements/Withdrawals

Chairman Sulski stated that the application for Fairfield Farm Subdivision (FSP-2021-25) is being continued and Leaf & Barrel (ZMA-2021-35) is postponed until the next regularly scheduled meeting.

Consent Agenda

A representative of the Bruin Property (FSP-2021-32) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by S. Smith, second by Mifflin, to approve the application. Motion carried.

Commissioner Singer has joined the meeting.

ZMA-2021-29 Finley Property Zone Change - Zoning Map Amendment to change the zoning district from A-1 to B-4 & R-2 located at 1202 Old Oxford Road.

Chairman Sulski opened the public hearing.

Mr. Summers stated the application is to rezone 28.7 acres. He stated the surrounding zones are A-1, R-2, and B-2. He stated approximately 18 acres is proposed R-2 and approximately 10 acres is proposed B-4.

He stated the proposed residential units are for 32 3-bedroom units and 110 2-bedroom units.

He stated proposed access is via Old Oxford Road.

He stated the property is located outside city limits and if approved would need to be annexed into the City of Georgetown.

He stated the application matches the future land use map which shows commercial and residential in that area.

He stated the Concept Plan shows extending Magnolia Drive towards the Bluegrass RV property.

He stated the applicant did submit a traffic study. He stated the proposed entrance would require improvements to Old Oxford Road. He stated the applicant is proposing a left turn lane at the intersection of Connector Road and widening of Old Oxford Road.

He stated the Zoning Map Amendment is supported by the Comprehensive Plan.

He stated the concept plan does not show enough entrances to the residential development.

He stated the revised Traffic Impact Study submitted shows that with road improvements, the road network can handle the additional traffic.

Commissioner S. Smith questioned the location of Magnolia Drive if extended.

Commissioner Mifflin questioned the road improvements.

Commissioner Singer questioned the number of units and entrances.

Jonathan Hale, Thoroughbred Engineering, stated the applicant has no objections to any of the conditions of approval.

Jay Griffin, 1094 Old Oxford Road, questioned if his property would be annexed into the City of Georgetown. Mr. Summers stated that just the portion of the property that is part of the application.

Mr. Griffin questioned if there would be an entrance from Connector Road. Mr. Summers stated just from Old Oxford Road. Mr. Griffin stated he had concern about Old Oxford Road handling the extra traffic.

He stated he had concern about property values and crime with the residential area being rentals.

Gregory Thurman, representing Redwood, stated the residential will be one-story apartments maintained by Redwood.

Mr. Griffin stated he had concern if the apartments change ownership.

Chairman Sulski closed the public hearing.

After further discussion, **Motion by Stone, second by Mifflin to recommend approval of the rezoning request (ZMA-2021-29) on the basis that it complies with the comprehensive plan. Motion carried unanimously.**

ZMA-2021-30 3364 Main Street – Zoning Map Amendment to change the zoning district from B-1 to B-3 located at 3364 Main Street, Stamping Ground.

Chairman Sulski opened the public hearing.

Ms. Ketz stated the project site is 0.1 acres and stated the application is for commercial frontage and one apartment on the first floor with two more apartments on the second floor. She stated the commercial area would have access from Main Street and the residential from Woodlake Road.

She stated the Zoning Map Amendment is supported by the comprehensive plan. She stated the Future Land Use Map shows the site as commercial.

She stated the current parking lot can fit 2 to 3 cars.

Commissioner Mifflin questioned the difference in zoning. Ms. Ketz stated this zoning would allow commercial and residential.

Terra Schroder, applicant, stated she has no objections to the conditions of approval.

Commissioner Mifflin questioned if windows would be added to the second story apartments. Ms. Schroder stated that renovations would be done, and windows added.

Commissioner Mifflin stated he had concern about parking for the site.

Commissioner Vest questioned how the commercial area would be used. Ms. Schroder stated she would lease it to anyone in the community that is interested, but in the future would like her property management office to locate there.

Commissioner Smith questioned if the parking situation could be remedied. Ms. Schroder stated she is willing to work with the city regarding parking.

Commissioner Singer questioned if any parking is available on Woodlake. Ms. Schroder stated parking is only available on Main Street.

Dale Perry, 3155 Main Street, stated there is no parking allowed in front of the building. He stated he had concern about the safety of the upstairs apartments access. Mr. Kane stated the applicant would have to obtain building permits.

Mr. Perry asked for clarification regarding the findings necessary for a zone change.

Mr. Perry stated he had concern about the lack of parking. Mr. Kane suggested a condition of approval could be added. Mr. Perkins stated the proposed zoning does not require parking.

Commissioner Singer questioned if Stamping Ground had discussed solutions to parking issues. Mr. Perry stated that converting a lot into parking had been discussed.

Mr. Perry had concern regarding signage allowed for the commercial area.

Mr. Kane stated if the commercial use causes parking problems it might be able to be addressed through the Board of Adjustment.

Rob Jones, 132 Mulberry Street, stated he is happy to see new business coming to Stamping Ground. He stated he preferred the first floor to be commercial and the second story to be residential.

Chairman Sulski closed the public hearing.

After further discussion, **Motion by Singer, second by Vest to recommend approval of the rezoning request (ZMA-2021-30) on the basis that it complies with the comprehensive plan. Motion carried unanimously.**

FSP-2021-31 Sozo Church – Amended Final Subdivision Plat to transfer and consolidate two preserved tracts in a cluster subdivision located at 2911 Leestown Road.

Mr. Kane stated normally this application would be a minor plat, but the applicant is requesting a variance. He stated the original plat was approved before 2007 when the cluster regulations changed. He stated the church has had some financial difficulties and wishes to sell some of the land it does not actively use.

He stated staff feels the change will not affect the character of the area.

Brent Combs, Thoroughbred Engineering, stated he was involved in the original cluster subdivision. He stated the original church went into foreclosure and the Bentley's bought the land back. He stated the Bentley's were the developer of South Elkhorn Bend subdivision. He stated Ms. Bentley is financing the church but the church does not need all the land. Mr. Combs stated the farmer would like the land, so they decided to swap land.

Commissioner Mifflin questioned if the septic field goes over into the adjoining tract. Mr. Combs stated he not sure, but an easement can be created, or the lot line moved if needed.

After further discussion, **Motion by Garrett, second by Vest to approve the Final Subdivision Plat (FSP-2021-31) subject to four (4) conditions of approval and one (1) variance. Motion carried.**

FDP-2021-33 Midas of Georgetown - Final Development Plan for a 320 square foot storage building located at 107 Finley Drive.

Mr. Summers stated the applicant is zoned B-2 and the site is 0.8 acres. He stated the applicant is requesting to add a storage building at the rear of the existing building. He stated the site has road frontage on three sides.

He stated the applicant has requested a variance to reduce the front yard setback from 50 feet to 40 feet. He stated the building is exactly 50 feet from the property line and any addition would require a variance.

Dan Bourne, applicant, stated he does not own the property but does have permission from the owner to add the storage container.

After further discussion, **Motion by S. Smith, second by D. Smith to approve the Final Development Plan (FDP-2021-33) subject to three (3) conditions of approval and one (1) variance. Motion carried.**

ZMA-2021-35 Regal Springs Senior Community - Zone change request for 54.86 acres from A-1 to R-2 (PUD) and C-1 (Conservation) located north side of Frankfort Road, east of Paynes Landing subdivision.

Chairman Sulski opened the public hearing.

Mr. Kane stated the concept plan shows 56 duplexes. He stated the concept plan shows two access points. He stated one was from Delissa Drive and the other from Belvoir Park Drive.

He stated the future land use map shows the area urban residential. He stated the comprehensive plan shows flood plain areas should be designated conservation. He stated along the creek is floodplain area.

He stated the proposed density is less than White Oak and Paynes Landing subdivisions.

He stated the proposed development meets several of the goals and objectives of the Comprehensive Plan.

He stated the property is currently three separate parcels, but the developer will need to combine into one parcel.

He stated the cottages will be owned and maintained by the homeowner and the rest of the property will be maintained by a HOA. He stated all streets will be private but built to city street standards.

He stated the applicant proposes gated entrances, a clubhouse, walking path, amphitheater, sports courts, and a community garden area.

He stated the applicant proposes a board fence with mesh and trees planted 30 feet apart along the boundary with the existing residential areas. He stated the steep slope area is the wooded area along the creek.

He stated this project did not require a Traffic Study but widening of Delissa Drive to meet city standards would be required.

Commissioner Singer questioned if more connectivity had been discussed. Mr. Kane stated the project site has two entrances.

Harold Simms, representing applicant, stated the applicant agrees with the conditions of approval.

Glen Delavalle, Regal Springs, stated this will be a residency for active seniors. He stated it will be a gated community.

He stated a meeting was held for the surrounding property owners at the barn located on the property. He stated they addressed concerns of neighboring residents.

Chairman Sulski questioned what the residences would look like. Mr. Delavalle stated he had pictures to present.

Commissioner Singer questioned the size of the fence. Mr. Delavalle stated they planned to build a standard horse fence.

Commissioner Smith questioned how many other developments have been done. Mr. Delavalle stated this would be the first development.

Commissioner Mifflin questioned if the horse paddocks are presently on the property. Mr. Delavalle stated the horse paddocks will be built.

Megan Parido, 1055 Swilcan Bridge Way, presented a petition against the development. She had concern about the number of units, increased traffic, and impact on the conservation area.

Katelyn O'Nan, 224 Paynes Landing Boulevard, stated she has environmental concerns about the property.

Libby Caudill, 229 Paynes Landing Boulevard, questioned where the buffer would be located.

She stated there is a drainage area in the middle of the farm.

She stated the golf carts would have to go through Paynes Landing to access the golf course.

Commissioner Singer questioned location of the drainage area.

Ashley McKnight, 220 Paynes Landing Boulevard, asked for clarification of a buffer zone.

Bill Cross, 107 Acorn Path, stated he has concern about the traffic impact on Delissa Drive and the noise level the development might create.

Larry Oser, 119 Chrystal Drive, stated he had concern about building near the flood zone.

He stated he also has concern about the traffic impact to White Oak subdivision and Delissa Drive.

Ms. Caudill stated she has concern that the concept plan may change.

Ms. O'Nan stated she concern about the water drainage and traffic.

Ms. Parido stated that Delissa Drive is a hidden entrance. She stated she has concern about White Oak and the proposed development both using Delissa Drive as an entrance.

Gretchen Soards, 115 Delissa Drive, expressed her support for the proposed development.

Mr. Simms stated he felt that the project had been truthful about the concept plan.

He stated that the proposed development should not cause traffic problems.

He stated that the floodplain will be clearly stated on the plat.

He stated that the buffer will consist of a fence and trees even though a buffer is not required for the zoning.

Jihad Hallany, Vision Engineering, stated there will be no building in the 100-year floodplain area. He stated every structure will be built two feet above the 100-year floodplain level. He stated the drainage will flow towards the proposed development, not the other subdivisions.

He stated senior housing produces the least amount of traffic.

Mr. Delavalle stated he contacted the neighbors.

He stated even though a buffer is not required it will be done.

He stated if White Oak had concerns about Delissa Drive why have they not been addressed.

He stated they have addressed the concern regarding the gates.

He stated the clubhouse area is distanced away from the neighboring subdivision.

He stated he is willing to have a community meeting with the neighboring subdivisions.

Ms. Parido presented a letter stating a different number of units that had been mailed.

She stated concern that the residents will use Paynes Landing entrance and cause more of a traffic problem.

Virginia Teague, 103 Christal Drive, stated the first notice she received stated 150 units.

Roy Cornett, property owner, stated they have had others approach them about the property, but that Mr. Delavalle is the only person who presented a plan, and he feels it is a good plan.

Ms. O'Nan stated her concern about the stormwater runoff was not addressed. She stated that she was originally told at most only two homes could ever be built on that property.

Mr. Hallany explained how the stormwater would be addressed.

Commissioner Singer questioned if the development was annexed into the city, could the applicant have horses at the development. Mr. Kane stated he was unsure.

Commissioner Mifflin stated there is more accidents on Frankfort Pike then the traffic report stated. He stated traffic is an ongoing concern in the city.

He stated the stormwater will be addressed for each development.

Commissioner Smith stated he thinks when building near a floodplain to build higher than is suggested.

Chairman Sulski stated people buying the lots closest to the floodplain might have concern.

Commissioner Smith stated he feels this development would be the least amount of traffic that could be developed. He stated during the construction would be the best time to address problems on Delissa Drive.

Ms. Soards stated one thing she asked about at the community meeting was if the development could bring the traffic closer to Regal Springs instead of White Oak.

Chairman Sulski closed the public hearing.

After further discussion, **Motion by D. Smith, second by Stone to recommend approval of the rezoning request (ZMA-2021-35) on the basis that it complies with the comprehensive plan. Motion carried unanimously.**

ZMA-2021-36 R & L Carriers - Zone Map Amendment to change the zoning district from A-1 to I-1 located south of Cherry Blossom Way Spur, west of the railroad and east of I-75.

Commissioner Singer recused herself from this application.

Chairman Sulski opened the public hearing.

Mr. Summers stated this application is to rezone approximately 43 acres. He stated surrounding properties were zoned, A-1, B-2 or I-2. He stated access would be from Cherry Blossom Way Spur.

He stated the future land use map shows the site as industrial.

He stated the applicant did do a traffic study. He stated the road was recently repaved by the state but there is a possibility of the road being taken over by the county. He stated the intersection of Cherry Blossom Way and Triport Road is anticipated to get worse but not enough to warrant a denial to the application. He stated the traffic report did recommend some road improvements.

Stan Richards, R & L Carriers, stated presently there is a location in Lexington, but the property is landlocked. He stated after doing research they found this property and it meets their requirement of being less than a mile to the interstate. He stated they are a freight distribution center.

Chairman Sulski questioned if there would be room for expansion at the site. Mr. Richards stated the building would be bigger than what they are currently working out of, and there would be room to expand if needed.

Commissioner S. Smith questioned if there could be another entrance to the site. Mr. Richards stated they have learned there is a railroad easement at the end of the property but there are buying the property next to Sleep Inn also because it has road access.

Commissioner S. Smith stated he feels that the traffic signal might have to updated at Triport Road.

Teddy Clark, 507 Cherry Blossom Way, stated he is speaking for his himself and his neighbor. He stated the proposed entrance would be close to his neighbor's home. He stated the road is substandard, and in the past, has not been cared for. Mr. Summers stated there was a disagreement for awhile as to who owned the road.

Mr. Clark questioned how soon the new access would be used.

Carlene Sharp, 525 Cherry Blossom Way, stated her house is less than 20-foot from the road. She stated she has concern about the dust and dirt during construction. She questioned if they would use both accesses to the road.

Joe Iovielli, Manhard Consulting, stated with the additional property purchase the applicant would have an easement to use that access.

He stated in the last few weeks it has been determined the state owns the road so maintenance of the road should improve.

He stated they do not intend to use the access along the railroad. They intend to acquire property with access to the spur road closer to the intersection.

Commissioner S. Smith questioned the number of employees. Mr. Richards stated 65 to 70 employees.

Chairman Sulski closed the public hearing.

After further discussion, **Motion by Mifflin, second by D. Smith to recommend approval of the rezoning request (ZMA-2021-36) on the basis that it complies with the comprehensive plan. Motion carried unanimously.**

Chairman Sulski adjourned the meeting.

Attest


Charlie Perkins, Secretary


Mark Sulski, Chairman