

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
REGULAR MEETING
MINUTES
January 11, 2018**

The regular meeting was held in the Scott County Courthouse on January 11, 2018. The meeting was called to order by Chair Rob Jones at 6:00 p.m. Present were Commissioners Jeff Caldwell, Regina Mizell, Steve Smith, Mark Sulski, Byron Moran, Johnny Cannon and Frank Wiseman, Director Joe Kane, Planners Matt Summers and Mikaela Gerry, Engineer Ben Krebs, and Attorney Charlie Perkins.

Motion by Moran, second by Mizell, to approve the December invoices. Motion carried.

Motion by Mizell, second by Wiseman, to approve the December 14, 2017 minutes. Motion carried.

Motion by Smith, second by Caldwell, to approve the January agenda with the exclusion of PSP-2017-55 from the agenda. Motion carried.

Consent Agenda

A representative of the Rains Property application (FSP-2017-50) agreed with their conditions of approval, and no comments were made by the Commission or public. Motion by Wiseman, second by Caldwell, to approve the Final Subdivision Plat subject to the seven (7) conditions of approval. Motion carried.

A representative of the Southland Christian Church application (PDP-2017-56) agreed with their conditions of approval, and no comments were made by the Commission or public. Motion by Sulski, second by Smith, to approve the Preliminary Development Plan subject to the seven (7) conditions of approval and one (1) variance. Motion carried.

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

PSP-2017-51 Mallard Point Tract #4 and Unit 1, Block A – Preliminary Subdivision Plat to subdivide an 81.397-acre tract into four new tracts of 20.057, 10.355, 38.017, and 12.968 acres, located on US 25 N, just north of Mallard Point Drive.

Mr. Summers reviewed the staff report and stated the current zoning for the property is R-1A and B-1. The property had been rezoned in the 1980's. The previous approvals for this development were conditioned on no development taking place closer to US 25 than the 900-foot contour line and prohibited the removal of trees from this area.

Brent Combs, Thoroughbred Engineering, stated a quote from a previous Mallard Point plat. He stated that he interpreted it as describing R-1A lots with access from internal streets with a buffer between the lots and US 25. He stated that for this application they are treating it as A-1 zoning with the access being from US 25.

Mr. Combs stated they would like to put a note on the plat that if the buyer wants to subdivide the lot it would need Planning Commission approval.

Rita Jones, realtor for the applicant, stated that the property is being marketed as four lots each with one home site. She stated that the applicant would prefer 200-foot setback because of the reduced utility costs to the buyer and the better building sites in that area.

Ms. Jones stated that the applicant did not realize that a house could not be built in B-1 zoning area. Chairman Jones asked Charlie Perkins to clarify the B-1 zoning regarding a residence. Mr. Perkins stated the ordinance does not allow a residence in that district.

Harold Sims, representing applicant, stated that the applicant would be willing to rezone if Planning Commission supports a rezoning.

Bruce Kuhnz, Mallard Point Homeowner's Association, stated that the Mallard Point Homeowner's Association are supportive of the proposed four lots, the R-1A zoning and the tree preservation area.

Commissioner Smith stated that if the B-1 zoning is going to be rezoned to A-1, that the whole property should be rezoned to A-1.

Commissioner Sulski stated that the 315 feet setback leaves little area in Tract 4B suitable for building.

Commissioner Sulski asked can the Planning Commission approve the Preliminary Subdivision Plat before the B-1 zoning is rezoned.

Mr. Kuhnz stated that the Mallard Point Homeowner's Association prefers the R-1A zoning over A-1.

Commissioner Sulski asked if the Planning Commission ever initiated a zone change before an applicant. Mr. Perkins stated it had been done before.

Mr. Kuhnz stated that if the lots could be sold with a restriction of only one home per lot the Homeowner's Association would approve, but if not, they would prefer the A-1 zoning.

The Planning Commission asked if the applicant would be willing to file for a zone change as a condition of approval. Ms. Jones stated she would if the setback could be lowered to 225-feet from US 25.

Motion by Sulski, second by Mizell, to approve the Preliminary Subdivision Plat (PSP-2017-51), subject to the seven (7) conditions of approval plus condition eight (8) that the owner will apply for a zone change from R-1A and B-1 to A-1 and that condition one (1) the setback be reduced to 225 feet plus removing the notes from page 2 of the staff report. Motion carried.

PDP-2017-52 Lifestyle Communities, Mills Apartments, Amended - Amended Preliminary Development Plan to add 32 parking spaces at the park area of the Mills Apartments on Magnolia Drive.

Mr. Kane reviewed the staff report, stating that the park is located on a previously identified sinkhole area.

A second entrance from Old Oxford Road was constructed as an emergency access only with bollards placed across entrance. The road improvement requirements that is the applicant's responsibility must be constructed if the City opens the second entrance.

Fred Eastridge, representing the applicant, stated the fire department requested that the lanes be kept open so the applicant is adding more parking spaces.

Jay Griffin, Old Oxford Road resident, stated that he had concerns with the development. He had complaints regarding trash, mosquitoes, and weeds. Planning Commission advised Mr. Griffin to talk to Code Enforcement regarding the issues.

Motion by Moran, second by Cannon, to approve the Preliminary Development Plan (PDP-2017-52) subject to six (6) conditions of approval. Motion carried.

PDP-2017-53 Top Gun Auto Sales - Preliminary Development Plan for a 2,786-sq. ft. office and 24,393 sq. ft. parking area for a car dealership, located on the south side of Paris Pike, east of Arby's.

Mr. Summers reviewed the staff report and the property consists of a 0.96-acre tract zoned B-2. Most of the site is located below the 100-year Floodplain. If a sidewalk is constructed it would be in the right-of-way of Paris Pike.

Some of the existing trees would count as part of the landscape ordinance.

Jamie Tackett, applicant, asked for clarification regarding landscaping in front of building. He stated he does not want any landscaping blocking the view of the cars for sale.

Baron Gibson, architect for applicant, stated presently there is not a sidewalk on Paris Road.

He stated he feels the existing trees meet the canopy requirement.

Kenneth Tracy, neighboring business owner, stated he would like the elevation numbers for the site. Ben Krebs stated that they are proposing to build at grade level. The Planning Commission stated that the elevation would be on the final development plan. Mr. Tracy stated he would like to see the elevation numbers before it is built. He was advised he could review the final development plan after it is turned in.

Motion by Sulski, second by Cannon, to approve the Preliminary Development Plan (PDP-2017-53), subject to the seven (7) conditions of approval and three (3) waivers of sidewalk requirement, new tree planting, and new shrubs. Motion carried.

ZMA-2017-54 Wyndamere Apartments, Phase 3 - Rezoning request from B-2 (Highway Commercial) to R-3 (Residential) for 6.039 acres, to allow for multi-family apartments, located on the south side of Paris Pike, east of I-75.

Chairman Jones opened the public hearing.

Mr. Summers stated the name of the application has been changed to The Crossings at Wyndamere.

He stated there are three accesses via Paris Pike, Wyndamere Path and Caroline Path to the development.

He stated the applicant has requested three variances.

Mr. Summers stated the previous phases were approved with a conditional use permit for a residential use in B-2 zoning district, but the applicant has been advised to rezone to a residential district because residential is not listed as a conditional use in the B-2 district.

He stated this application complies with the Comprehensive Plan. This application shows the area to be located within a Neighborhood Center, which allows for high density residential in conjunction with accessible commercial areas.

Nick Pregliasco, representing the applicant, stated this is the third phase of Wyndamere Apartments but will be a separate apartment community. The front lots will remain zoned commercial.

He stated the requested variance for the reduction of the rear and side yard setbacks for the internal apartment buildings will be comparable to the buildings in Phase 1 and Phase 2 of the development.

He stated a previous traffic study was completed. A right turn lane into the development exists to help with traffic flow.

He stated the variance for required parking is consistent with parking from the previous phases.

Brad Boaz, representing the applicant, stated lot 1 and lot 3 exceeds the parking requirements. He stated the requested variances are to help applicant proceed with planning the development of the Project Site.

Angela Schall, represents the management of the current Wyndamere Apartments, stated she does not agree with more apartments being built adjacent to the current apartments. She also does not agree with the use of the Wyndamere name for the development.

She stated there are problems currently with traffic. She questioned the access to Caroline Path.

Mr. Pregliasco stated there is a gate between this phase and the previous two phases that allows public access. This development would add an additional exit.

Ms. Schall questioned the need for more apartments in the community.

Commissioner Wiseman stated he has reservations about allowing more urban residential development in Scott County. ~~He stated it is their responsibility to control to an extent.~~

Chairman Jones closed the public hearing.

Motion by Sulski, second by Mizell, to approve the rezoning request (ZMA-2017-54) on the basis it is consistent with the Comprehensive Plan, and subject to the three (3) variances and two (2) conditions of approval. By roll call vote, motion carried 6-2, with Wiseman and Smith dissenting.

The meeting was then adjourned.

Respectfully,



Rob Jones, Chair

Attest:



Charlie Perkins, Secretary