

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

May 8, 2014

The regular meeting was held in the Scott County Courthouse on May 8, 2014. The meeting was called to order by Chairman Greg Hampton at 6:00 p.m. Present were Commissioners Cindy Foster, Janet Holland, Rob Jones, Byron Moran, Steve Smith, and Frank Wiseman, Director Joe Kane, Planner Megan Enyeart, Engineer Brent Combs, and Attorney Charlie Perkins. Absent were Commissioners John Shirley and Jeff Caldwell.

Motion by Holland, second by Moran to approve the April invoices. Motion carried.

Motion by Holland, second by Smith, to approve the April 10, 2014 minutes. Motion carried.

With the postponement of the Bypass Rental Center of Georgetown and Crosswinds Center applications, motion by Smith, second by Jones, to approve the May agenda. Motion carried.

Postponements/Withdrawals

Mr. Kane reported that the Bypass Rental Center of Georgetown and Crosswinds Center applications have been postponed.

Consent Agenda

There were no items for the Consent Agenda.

PSP-2013-37 Village at Lanes Run, Amended Master Plan and Preliminary Subdivision Plat for Phase 2, Section 3 – Amended Preliminary Subdivision Plat to reduce the minimum lot width from 65 ft. to 60 ft. and remove proposed alley system within Phase 2, Section 3 of a previously approved plat, located in the Village at Lanes Run, east of Old Oxford Road.

Ms. Enyeart reviewed the staff report, stating that the plat was approved at the January, 2014 meeting, but the Commission requested clarification of the tree preservation area and surrounding lot lines. The applicant has revised the plan to

show a separate parcel for the tree preservation area, which will be owned and maintained by a homeowners association. Ms. Enyeart addressed several issues which are still in question.

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

Tony Justice, representing the applicant, discussed the change in the plan, stating that the plat creates 1.8 acres of common area for the community. He stated that lots 41-43 were reconfigured to make them more buildable. Regarding condition #12, that the final plat come back before the full Commission, he requested that the final plat be approved in house by staff. Ms. Enyeart stated that the reason for condition #12 was to give the Commission more information about access to the tree preservation area.

Ms. Enyeart reviewed the revised conditions. Regarding condition #6, it was agreed that the tree preservation area should be designated C-1, Conservation.

Motion by Smith, second by Jones, to approve the Amended Master Plan and Preliminary Subdivision Plat subject to the eleven (11) conditions (deleting condition #12). Motion carried 5-2 with Holland and Hampton dissenting.

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.

Ms. Enyeart reviewed the staff report. She noted the requested variance to allow the VUA trees to be placed along the VUA perimeter. She addressed issues regarding the access from U.S. 460, open space, parking, the detention area, and building facades.

It was noted that the Ward Hall Foundation is aware of this plan.

Commissioner Holland asked if a traffic study had been done. Ms. Enyeart stated that a study was not required.

Rena Wiseman, representing the applicant, agreed with the conditions of approval. She had concern about condition #6 stating that the applicant shall label the potential "road" connection to the adjacent B-2 parcel. She stated that they would prefer it to read "vehicular" connection so that they are not committed to making it a public street. She stated that Rory Kahly of EA Partners is also present to answer any questions.

Motion by Holland, second by Moran, to approve the requested variance to allow VUA trees to be placed along the VUA perimeter. Motion carried.

Motion by Holland, second by Smith, to approve the Preliminary Development Plan subject to the sixteen (16) conditions of approval, including the amendment to condition #6 to replace the word “road” with “vehicular.” Motion carried.

PDP-2014-10 and PSP-2014-11 Amerson Commercial Lot – Preliminary Subdivision Plat and Preliminary Development Plan for 1.10 acre commercial lot, located east of McClelland Circle, south of Lemons Mill Road.

Mr. Kane reviewed the staff report. He discussed access to the site, the landscape and trail easement, the aquifer recharge area, the cross access easement, and the right-in only entrance. He stated that they meet all the design requirements of the B-4 zone, and explained the need for the requested variance regarding the VUA landscaping. He recommended approval of the variance.

Commissioner Foster asked if the Legacy Trail route is close to the trail easement on this site. Mr. Kane stated that it will come into the Lemons Mill Elementary School property, cross this site and then cross Lemons Mill Road.

Chairman Hampton expressed concern about the location of the dumpster. It was agreed that there is not an ideal place for it because of the access points and surrounding roads.

The right-in only entrance was discussed.

Mike Craft, representing Anderson Communities, agreed with the conditions of approval.

Commissioner Jones expressed concern about the traffic on Lemons Mill Road and also about the dumpster location being adjacent to McClelland Circle. Mr. Craft stated that the dumpster will be screened, and there is also a 30' trail easement between the property and the bypass.

Mr. Kane addressed the traffic issue.

Commissioner Moran asked what uses are permitted in the B-4 zone. Mr. Kane stated that any type of retail or service uses are permitted, but the zone limits the size of buildings to 100,000 sq. ft., which would deter big box or super stores.

Chris Hayes, President of the Mansion Estates HOA, expressed concern about traffic on Lemons Mill. That issue was discussed. Mr. Hayes also requested that more trees be required for screening, and expressed concern about the wildlife in

the nearby pond. Brent Combs stated that the drainage plans have not been submitted yet, but typically on commercial sites underground retention systems are used. He stated that the lot runoff must go through filters before it leaves the site.

Scott Sharp, Mansion Estates resident, stated that the traffic going out of Mansion Estates toward McClelland Circle is backed up every evening. He added that bicyclists/bicycle clubs use Lemons Mill Road quite often. He requested that the corner lot be left vacant for safety and welfare of the community.

Ben Noble, Mansion Estates resident, also stated that traffic is backed up on Lemons Mill every evening. He expressed concern about the possibility of the convenience store having drive-thru liquor sales, which would increase traffic even more. He expressed concern about the store being open 24 hours, noise, and gas fumes. He felt the store should be located on a parcel that is not adjacent to the single-family homes.

Commissioner Holland asked if the development can be moved to another tract. Mr. Craft replied that it cannot.

Commissioner Wiseman asked about the traffic study. Mr. Kane explained how traffic studies are conducted. He stated that the application could be postponed so that the Commission can get a clear idea of what traffic improvements will be made at the next meeting. Mr. Craft stated that the traffic study considered total buildout of the entire 90 acres of the development, including all apartment units and all commercial tracts. He clarified that the right-in only entrance on Lemons Mill has been approved by the State, as well as the distance of the entrance on proposed road "A" from Lemons Mill. The plan for turn lanes and signals has not yet been finalized. Those improvements will be made as needed as additional development is proposed.

Commissioner Foster also expressed concern about traffic on Lemons Mill Road. Commissioner Holland felt that the application should be continued in order to better look at the traffic situation. Mr. Craft asked that the Preliminary Plan be approved with a note that the traffic improvements be addressed on the Final Plan.

Mr. Craft pledged to complete the northernmost entrance to the development on McClelland Circle as per the concept plan at the time the construction on this lot was being completed.

Motion by Jones, second by Holland, to approve the Preliminary Subdivision Plat and the Preliminary Development Plan subject to the twelve (12) conditions plus the thirteenth (13) condition that a right-in, right-out entrance be constructed on McClelland Circle as part of this development plan. Motion carried 5-2 with Foster and Wiseman dissenting.

Motion by Smith, second by Wiseman, to approve the requested variance to reduce the VUA landscaping area from 2,306 feet to 2,103 feet. Motion carried 6-1 with Foster dissenting.

PDP-2014-12 Willowbrooke Apartments – Preliminary Development Plan for 32 apartment units in three buildings on 2.656 acres, located in the southeast portion of The Colony, at 95, 96, and 97 Stony Point Drive.

Ms. Enyeart reviewed the staff report, including the three requested variances.

She addressed issues regarding density, setbacks, and the utility and trail access easement. She noted that the applicant has stated that Kentucky Utilities is willing to relocate the overhead utility lines so that they are within the utility easement.

Ms Enyeart recommended approval including the requested variances regarding reduction in parking and reduction of the front setback, and subject to the eleven (11) conditions of approval.

Commissioner Wiseman asked about the density being higher than what was approved on the original Master Plan. Ms. Enyeart stated that there have been prior approvals for slightly higher densities, particularly for apartments, but not unreasonably higher. Discussion continued on the density issue.

The parking issue was discussed. Because the plan was amended to meet the 25' setback adjacent to the single-family homes, four parking spaces were lost, leaving total parking spaces at 75. Eighty (80) are required. Whether parking on King George Drive is allowed was discussed.

Fred Eastridge, ECSI and representing the applicant, submitted renderings of the buildings. He discussed the utility easement, the parking requirement (stating that other areas require one space per bedroom, which is less than our requirement), and density (the density of the overall development is not being exceeded). He agreed with the conditions of approval.

Commissioner Foster asked if there was a sinkhole issue. Mr. Eastridge stated that there is closed area that may be a high or low spot, but no evidence on the contours of a sinkhole.

With no other comments, **motion by Wiseman, second by Holland, to approve the variance reducing the parking requirement from 80 to 75, and the variance reducing the front setback. Motion carried.**

Motion by Jones, second by Holland, to approve the Preliminary Development Plan subject to the eleven (11) conditions of approval. Motion carried.

PDP-2014 Pinehurst Wireless Communications Facility – Preliminary Development Plan for a 199' monopole telecommunication tower located on a 10,000 sq. ft. lease area zoned A-1, located on the west side of Cincinnati Pike (U.S. 25 N), across from H & R Mechanical Contractors, Inc.

Commissioner Smith recused himself from discussion and voting.

Ms. Enyeart reviewed the staff report. She stated that the applicant is requesting a variance to waive the landscape requirement. The applicant provided written documentation showing their attempts to co-locate and their finding that there are no suitable towers or existing tall structures that meet the requirements necessary to provide adequate service to the area. She noted that three additional carriers can co-locate on this tower.

Ms. Enyeart stated that the applicant is requesting a waiver of the landscaping requirement because the tower is located in an agricultural area far from existing residences, the surrounding property is utilized by cattle.

Keith Brown, Pike Legal Group and representing the applicant, distributed exhibits, including a radiofrequency report, and reviewed the application and their efforts to co-locate. He stated that because the tower is under 200', it does not require FAA lighting. Regarding the landscaping requirement, he felt that because the tower is located so far from any residences, landscaping would not be beneficial to anyone. Regarding the environmental effects of radio frequency emissions, Federal statutes and KRS state that they cannot be considered by Planning Commissions, but rather by the FCC.

Gerald Winters, Electrical Engineer, stated that he performed the testing for the radio frequency report that was submitted and supports its findings.

Price Smith testified that he is one of the owners of the property in question. He stated that if landscaping is required, a chain link fence will need to be constructed around it to protect it from the livestock.

Mr. Winters discussed the coverage area for the tower.

Rick Hostetler, adjacent property owner, was sworn in by Chairman Hampton. Mr. Hostetler stated that a tower on I-75 is visible from his back window, and flashing lights are visible from his front window. He clarified that the tower will have no lights. Mr. Brown stated that they will not install a light unless it becomes a legal requirement. Mr. Hostetler asked if they anticipate raising the tower. Mr. Winters explained, in technical terms, why towers should become shorter, not taller.

Motion by Holland, second by Jones, to approve the Preliminary Development Plan subject to five (5) conditions of approval (deleting condition #1 regarding landscaping). Motion carried.

Update of previously approved projects and agenda items

Mr. Kane thanked Commissioner Holland for participating in the interview process for the new Planner. He stated that the position has been offered to Matt Summers, who starts on May 12.

Mr. Kane reported that the sunset clause amendment was taken to City Council for first reading, and second reading is at their next meeting. If passed by City Council, he will present it to Fiscal Court for their approval.

He then updated the Commission on the interactive map viewer on the GIS website. He asked for authorization to write a letter to the City requesting a timeline on when, or if, the networking problem can be fixed. If it cannot be fixed, our server may need to be moved to our office to host the site. The cost for us hosting the site will include AT&T running a fiber optic line to the building. The City and County will share in that cost. The timeframe for getting the line installed is 120-180 days. The Commission authorized Mr. Kane to write the letter to the City.

Mr. Kane reported on several upcoming HB 55 opportunities.

The traffic study for the Amerson property was discussed further.

Mr. Kane then asked the Commission if they would like to consider design guidelines for commercial buildings. There was brief discussion on the issue and Chairman Hampton stated that they are supportive of reviewing such guidelines.

Mr. Kane asked if they would like to consider updating landscaping requirements. Commissioner Wiseman stated that he would like for that to be done.

Commissioner Jones complimented Mr. Kane on his performance as Director, and also complimented Mr. Combs and Ms. Enyeart. He felt that staff is doing an excellent job.

The meeting was then adjourned.

Respectfully,



Greg Hampton, Chairman

Attest:



Charlie Perkins, Secretary