

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

November 8, 2012

The regular meeting was held in the Scott County Courthouse on November 8, 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, Planning Director Earl Smith, Senior Planner Joe Kane, Engineer Brent Combs, and Attorney Charlie Perkins.

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

Motion by Jones, second by Holland, to approve the October invoices. Motion carried.

Motion by Wynn, second by Wiseman, to approve the October 11, 2012 minutes. Motion carried.

Motion by Hampton, second by Caldwell, to approve the November agenda. Motion carried.

Postponements/Withdrawals

Chairperson Waite stated that the Ward Hall Property Amended application has been withdrawn, and the Stoeckinger Property application has been postponed to the December meeting. Motion by Jones, second by Smith, to approve the items for withdrawal and postponement. Motion carried.

Consent Agenda

There were no items for the Consent Agenda.

FDP-2012-19 Landmark Development Group, LLC (Matt Welch) – Amended Final Development Plan for two 4-unit townhomes, located at 133-147 Barbara Blvd. in Elkhorn Meadows Subdivision.

Mr. Kane reviewed the staff report. The site was approved for duplex lots in 1998. In 2006, a preliminary plan was approved for two 4-unit buildings that were oriented differently, with a shared parking lot between the buildings. The current proposal has

the buildings facing the street, giving it more of a single-family townhome look. He addressed the garage and parking issue, stormwater drainage, landscaping, the requested variance regarding the front setback on Elkhorn Meadows Drive, and on-street parking.

It was noted that the variance request shown on the plat is not part of this application, but was part of the previously approved subdivision plat.

Bill Oaxaca, Barbara Blvd. resident, expressed concern about the development being fourplexes, the landscaping, the setback reduction, and on-street parking. On-street parking was discussed at length.

Tom Lambdon, Midwest Engineering and representing the applicant, stated that stormwater drainage is being addressed. He stated that the applicant will be happy to provide landscaping along the front once the driveways are tapered, which will also provide more green space. He stated that they will do whatever is required regarding on-street parking.

Commissioner Shirley supported staff's recommendation to taper the driveways because it will provide more green space and also enable the on-street parking to remain (and allow fewer parked cars) on that side of the street.

Commissioner Holland expressed concern about emergency access if there is excessive parking on the street.

Commissioner Hampton asked why parking wasn't in the back of the units. Mr. Lambdon responded that the way the units are designed for lower level garages necessitates the parking in front, and that an impervious drive to the back of the units could add to stormwater runoff.

Mr. Lambdon agreed to the conditions of approval.

Motion by _____, second by Shirley, to approve the requested variance on the secondary front setback from 30' to 20'. Motion carried.

Motion by Wiseman, second by Wynn, to approve the Amended Preliminary Development Plan, subject to the eight (8) conditions of approval. Motion carried.

PDP-2012-20 McCormick Equipment Company – Preliminary Development Plan for a manufacturing/warehouse building with office on 1.58 acres, located at 101 Demand Court in the Lanes Run Business Park.

Mr. Kane reviewed the staff report. He addressed the stormwater detention, landscaping, and signage issues. He noted the conditions set by the BIT Park Authority, which included obtaining a waiver from the Planning Commission for the

orientation of the dock and its location in the front yard. He explained why they supported the waiver.

Fred Eastridge, representing the applicant, agreed with the eight (8) conditions of approval.

Motion by Hampton, second by Holland, to approve the Preliminary Development Plan, including the waiver regarding the loading/unloading area, subject to the eight (8) conditions of approval. Motion carried.

PDP-2012-21 Subway Restaurant – Preliminary Development Plan for a Subway restaurant on 1.7 acres, located on Cherry Blossom Way, east of I-75, adjacent to Waffle House.

Mr. Kane reviewed the staff report. He addressed the issues regarding the possibility of a sinkhole on the south side of the property, stormwater detention, parking, and landscaping.

Himanshu Pater, representing the adjacent Motel 6, expressed concern about the loss of parking space on the motel property due to the proposed adjoining driveway. He also stated that semi-truck drivers park in their lot to eat at the adjacent Waffle House, and that it is an expense to him to maintain the lot. It is his concern that more trucks will park in his lot because of this Subway.

Mr. Kane stated that staff would like to see a cross-access agreement, but both property owners must agree to the connection. Commissioner Smith asked if the connection could be made to the Waffle House property.

Carlene Sharpe, Cherry Blossom Way resident, expressed concern about the additional traffic at the access point to Cherry Blossom. She stated that the intersection is not safe.

Greg Hillan, representing the applicant, stated that he has not yet discussed the driveway connection to the Motel 6 with the motel owner, but that they have created within the connection the same number of spaces that are lost in the motel lot. He also stated that the connection provides the motel customers with safe access to a restaurant. Mr. Pater stated that the space is also used for semi-truck parking, and the connection will cause the loss of a semi-truck parking space. He suggested locating the driveway at the end of the parking lot. After discussion, the two parties agreed to locate the connection at the back of the property, with the added parking spaces on the north side of the driveway.

The concerns of Ms. Sharpe were discussed. Mr. Combs suggested reviewing the plans for Waffle House and Motel 6 to see if a stop sign at Cherry Blossom was required or parking was prohibited along the spur road. Jeffery Peck, designer of the

Subway plan, stated that he needs to obtain an encroachment permit and will add the signage to the encroachment permit.

It was noted that the eighth condition will be that they shall provide cross access with the motel site.

Motion by Smith, second by Jones, to approve the Preliminary Development Plan, subject to the eight (8) conditions of approval. Motion carried.

Developer's request for one-year extension for street improvements

Mr. Combs presented three requests for a second one-year extension: East Main Estates, Cherry Blossom Village Phase 7, and Cherry Blossom Village Phase 8. He gave the buildout statistics and stated that he is still working on a survey to get public input as to when they feel it is necessary for improvements to be completed.

Motion by Wynn, second by Wiseman, to grant a one-year extension for street improvements for East Main Estates, Cherry Blossom Village Phase 7, and Cherry Blossom Village Phase 8. Motion carried. Commissioner Shirley recused himself from voting.

Meeting compensation

Mr. Smith distributed a recent survey done by the Woodford County Planning Office detailing the compensation received by area Planning Commissioners and Board of Adjustment members. He then turned the discussion over to the Commission.

Commissioner Jones stated that his one concern is that other Planning Commissioners do not receive pay if they do not attend their meeting.

Mr. Perkins explained that our budget is based on a yearly amount, where the Commissioners get paid so much per month regardless of how many meetings are attended, or not attended. In other counties, they must anticipate how many meetings will be held, and if it is not accurate at the end of the year, they have to amend their budget. Our Commission decided long ago to not operate that way.

Commissioner Shirley agreed with Commissioner Jones. Commissioner Holland stated that the time spent visiting project sites, taking phone calls, etc. is a factor in the compensation. Commissioner Wynn agreed.

Mr. Perkins suggested that a Commissioner return the pay (cashed or endorsed check) to the office if he/she is not comfortable accepting it for particular month for some reason.

It was agreed that the matter will be addressed again during the next budget process.

Sunset clause

Mr. Kane reported that staff researched how other area counties address a sunset clause on development. He passed out a chart showing the findings. The consensus is that if they do have a sunset clause, it is for one year. He felt that is a relatively short timeframe.

Whether a sunset clause can apply to a development that received final approval before the clause was adopted was discussed. Mr. Perkins stated that if significant work has not been done on a development, a new sunset regulation can be imposed upon them.

It was clarified that a sunset clause is the expiration of a preliminary approval if the final approval is not achieved by a set time. Further, it is reasonable for a development plan with final approval to be subject to a sunset clause, but not a subdivision plat with final approval.

Discussion continued on different situations, including situations where the clause would have prevented problems. Mr. Perkins stated that the clause could affect financing for projects and needs to be carefully considered so as to not drive business from the county.

After further discussion, it was agreed that staff will gather more information and it will be discussed again.

U.S. 25 S. Small Area Plan

Mr. Kane reported on the progress of the study and noted the mobile home park sewage treatment system and greenbelt issues. He stated that a steering committee of seven to nine members, including two Planning Commissioners, will meet once or twice a month to help guide the plan. Ultimately, a land use plan that will address all the issues of the area will be incorporated into the Comprehensive Plan.

Mr. Smith asked for volunteers. Chairman Waite affirmed Commissioners Jones and Shirley as the representatives.

Update of previously approved projects and agenda items

Mr. Smith reported that the City and County passed the Sikura zone change on McClelland Circle.

He also distributed the Managing Government Records information as mandated by State law.

The meeting was then adjourned.

Respectfully,



Melissa Waite, Chair

Attest:



Charlie Perkins, Secretary