# SPECIAL MEETING GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION AGENDA FEBRUARY 11, 2021 6:00 p.m.

#### I. COMMISSION BUSINESS

- A. Approval of January invoices
- B. Approval of January 14, 2021 minutes
- C. Approval of February agenda
- D. Items for postponement or withdrawal
- E. Consent Agenda

#### II. OLD BUSINESS

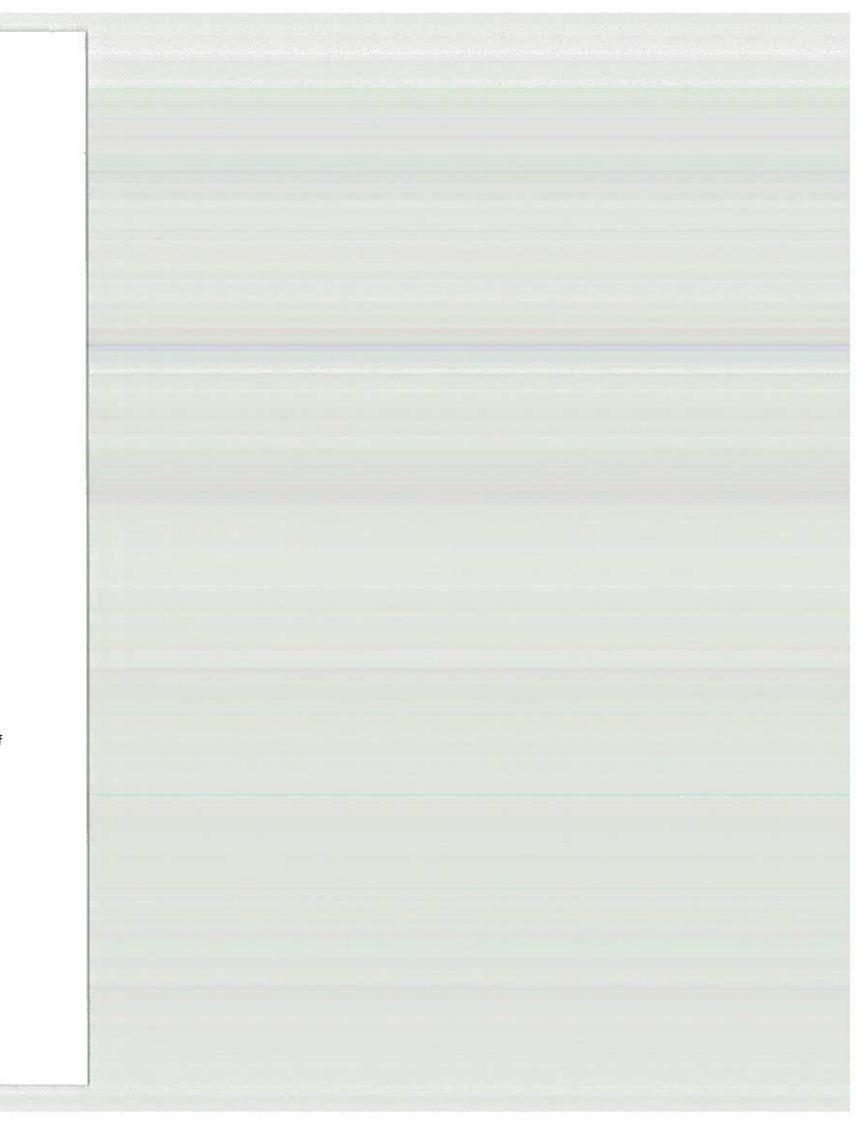
- A. FSP-2020-46 <u>Wireman & Filowiat Property</u> Final Subdivision Plat to subdivide a parent tract of approximately 20.6 acres into two 10+ acre tracts located west side of Long Lick Pike, north of Skinnersburg Road.
- B. FSP-2020-49 Bolton Property POSTPONED

#### **III. NEW BUSINESS**

- A. FSP-2021-01 <u>Simply Southern Properties</u> Final subdivision plat to subdivide a 0.78-acre parcel into four (4) lots with access from Hickman Street and Martin Luther King Jr Drive.
- B. FSP-2021-02 <u>Teamceo LLC</u> Final Subdivision Plat to subdivide a 30.686-acre parcel into two (2) lots located on Coleman Lane.
- C. FSP-2021-03 <u>Stone Lane Development</u> Final Subdivision Plat to subdivide 176 acres into 10 lots located on Stone Lane (KY 356).
- D. PSP-2021-04 <u>Falls Creek. Phase 2</u> Request for Preliminary Subdivision Plat approval for 23 single-family lots, 6 duplex lots, and an open space lot in Phase 2 of Falls Creek Village located east side of Falls Creek Development.

#### **IV. OTHER BUSINESS**

- A. Presentation of 21-22 Draft Budget
- B. Update of Previously Approved Projects and Agenda Items



### WIREMAN AND FILOWIAT PROPERTY FINAL SUBDIVISION PLAT

# Staff Report to the Georgetown-Scott County Planning Commission February 11, 2021

FILE NUMBER: FSP-2020-46

**PROPOSAL:** Final Subdivision Plat to

> subdivide a parent tract of approximately 20.6 acres into two 10+ acre

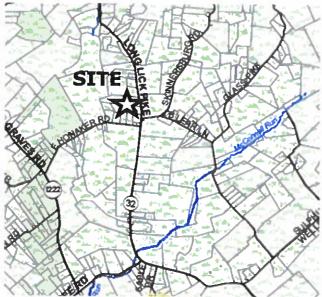
tracts.

LOCATION: West side of Long Lick

> Pike, north of Skinnersburg Road

**APPLICANT:** Phillip Wireman

CONSULTANT: Bocook Engineering, Inc.



#### **STATISTICS:**

Zone A-1 (Agricultrual)

Surrounding Zone(s)

Site Acreage Tract 1: 10.059 acres; Tract 2: 10.057 acres

Access Long Like Pike (KY 32)

Variances/Waivers None

#### **BACKGROUND:**

The application before the Planning Commission is a Final Subdivision Plat to subdivide one 20.6-acre lot into two 10-acre tracts along Long Like Pike, a state rural arterial road (KY 32). The parent tract was previously subdivided in 2006. Thus, this resubdivision of a previously subdivided tract requires approval of the Planning Commission Board.

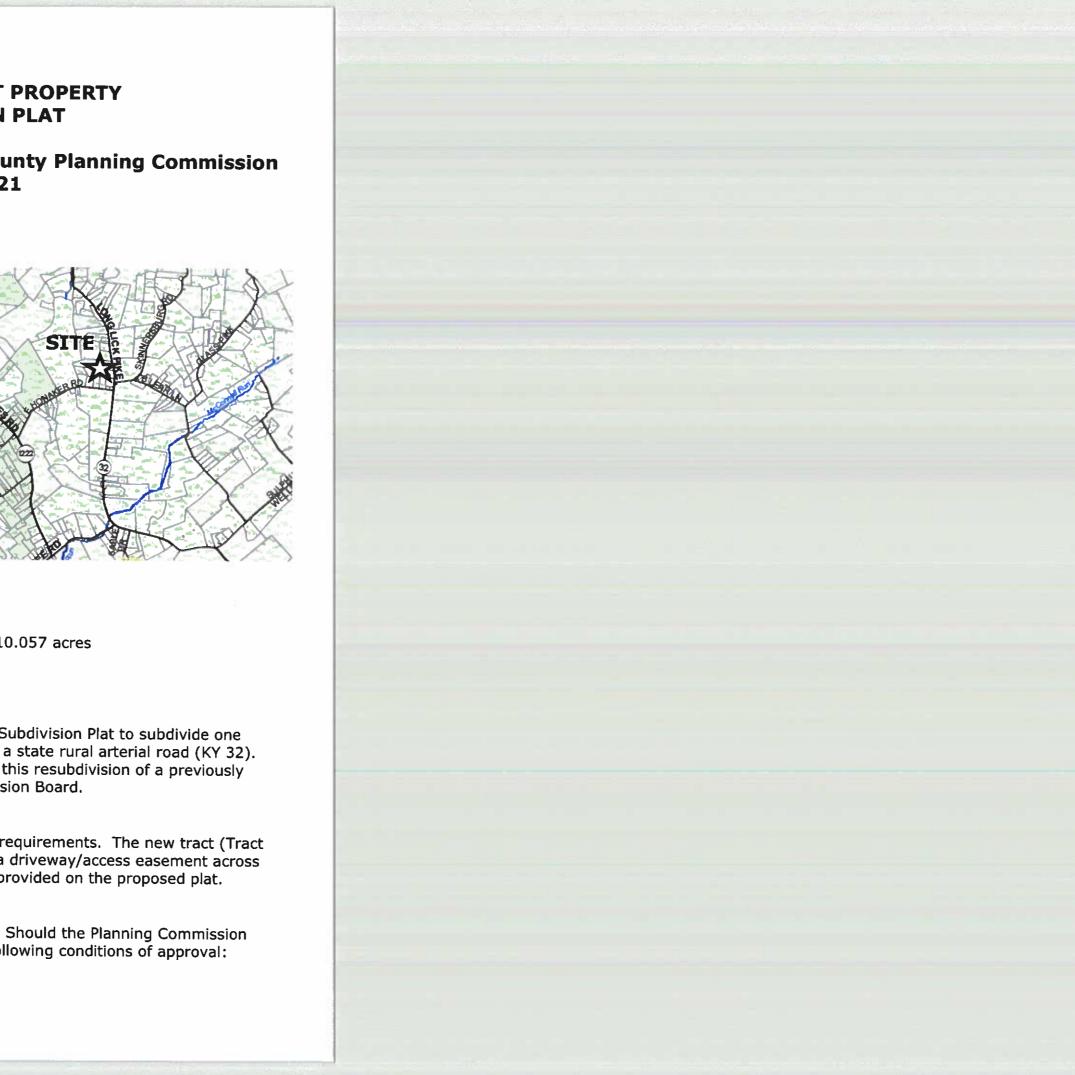
#### **Plat Review:**

The proposed plat meets the setbacks, lot size, and width requirements. The new tract (Tract 2) does not have road frontage and will get its access via a driveway/access easement across Tract 1. An access and maintenance agreement has been provided on the proposed plat.

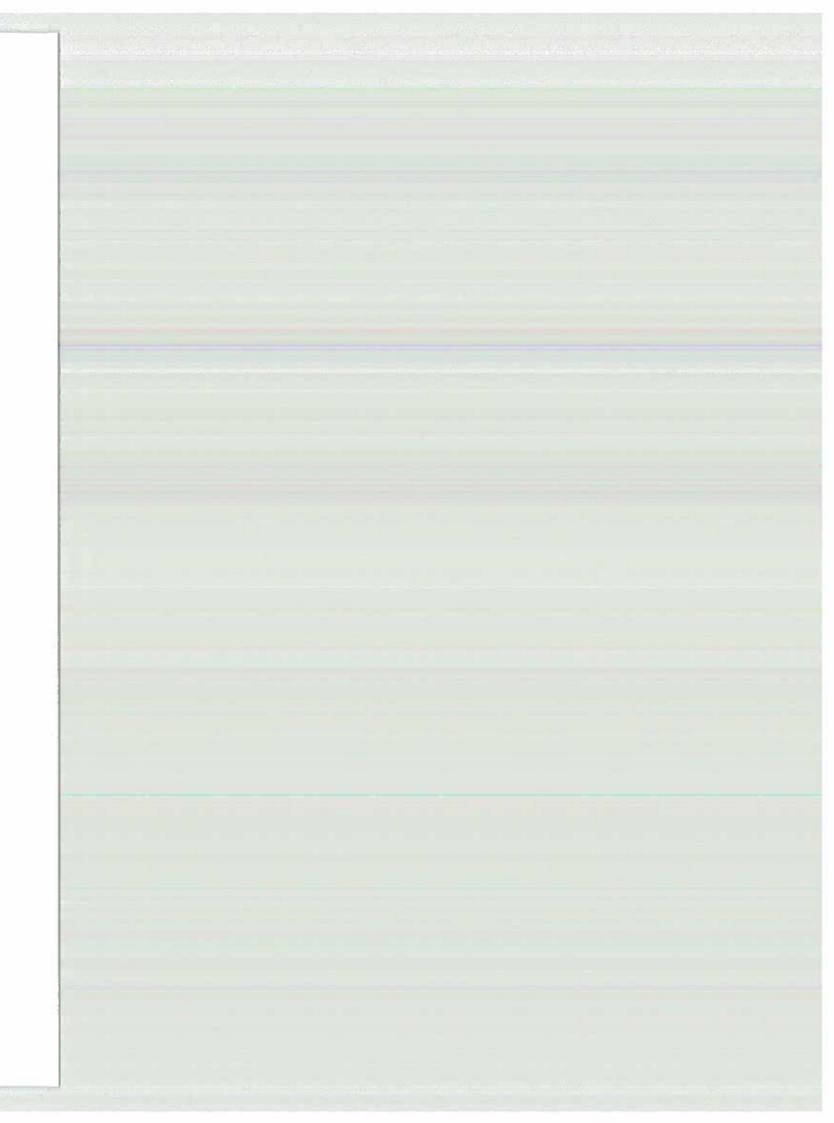
#### **RECOMMENDATION:**

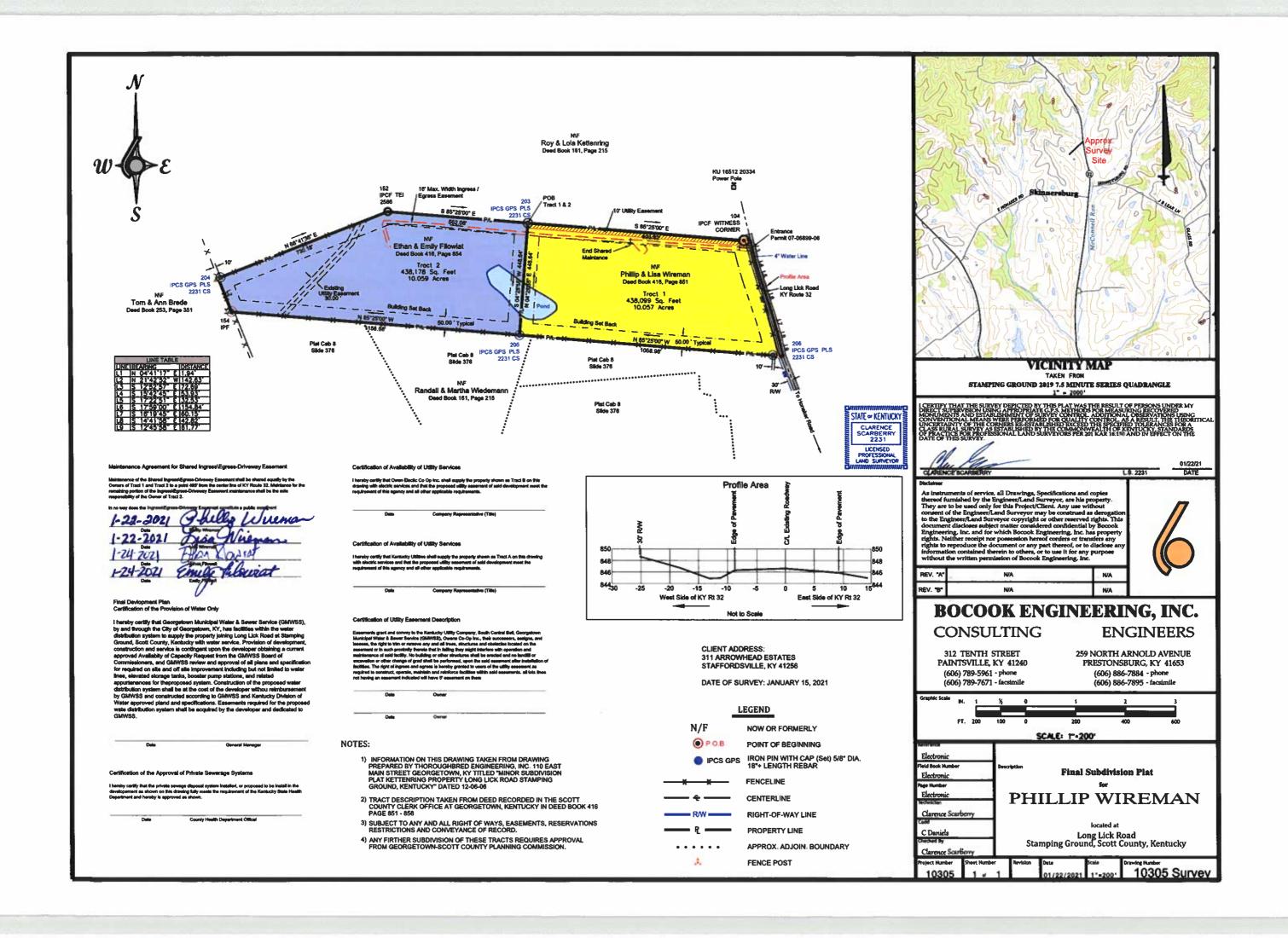
Staff recommends Approval of the Final Subdivision Plat. Should the Planning Commission approve the application, staff recommends including the following conditions of approval:

Conditions of Approval:



- 1. All applicable requirements of the *Zoning Ordinance* and *Subdivision & Development Regulations*.
- 2. Any revisions or amendments to the approved Preliminary Subdivision Plat shall be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
- 3. An access maintenance agreement is required on the plat for the shared access easement.
- 4. Prior to (as part of) the Final Subdivision Plat approval, the applicant shall provide the Planning Commission staff (GIS division) with a digital copy of the approved plat.
- 5. This Preliminary Subdivision Plat approval is valid for two years, subject to the requirements of Article 306 section A of the Subdivision and Development Regulations.





### SIMPLY SOUTHERN PROPERTIES, LLC FINAL SUBDIVISION PLAT

# **Staff Report to the Georgetown-Scott County Planning Commission** February 11, 2021

**FILE NUMBER:** FSP-2021-01

**PROPOSAL:** Final Subdivision Plat to

> subdivide a 0.78-acre parcel into four (4) lots.

LOCATION: Parcel # 166-20-301.000

**APPLICANT:** Simply Southern

Properties, LLC

**CONSULTANT:** Joel Day

Meridian Associates, LLC



#### **STATISTICS:**

Zone R-2 (Medium Density Residential)

Surrounding Zone(s)

Site Acreage Total: 0.78 acres (Lot 1: 7,126 SF; Lot 2: 7,100 SF; Lot 3: 7,999 SF; Lot 4:

11,684 SF)

Access

Hickman Street & Martin Luther King Jr Drive

Variances/Waivers 1. Variance to reduce the minimum lot size for Lots 1 & 2

2. Variance to reduce the minimum lot width for Lots 1, 2, & 3

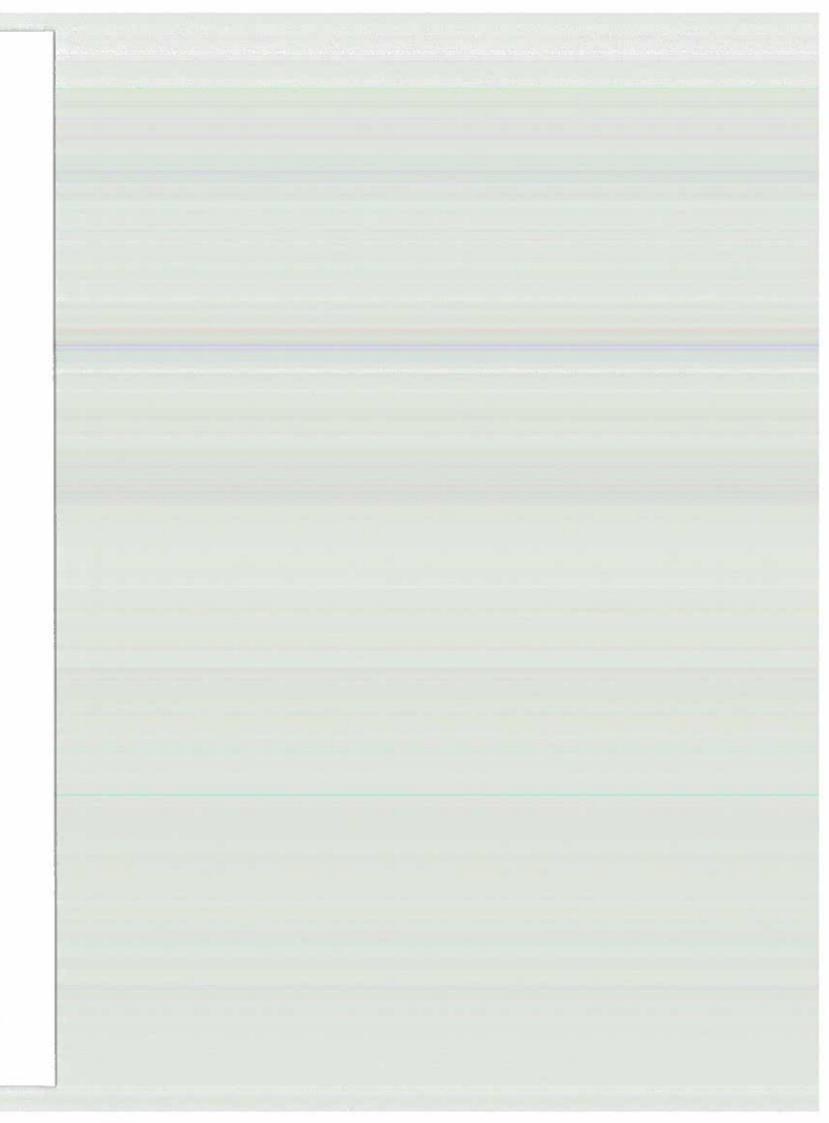
#### **BACKGROUND:**

The application before the Planning Commission is a Final Subdivision Plat to subdivide a parent tract of approximately 0.78 acres into four (4) lots. The Project Site is a 'T' shaped lot that has road frontage along both Hickman Street and Martin Luther King Jr. Drive.

#### **Plat Review:**

The plat does not propose any new road construction. Lots 1, 2, and 4 are shown to have direct access to Hickman Street. Lot 3 would have direct access to MLK Jr. Drive.

Lots 1 & 2 require variances to the minimum lot size for single-family lots. Lots 1, 2, and 3 require variances to the lot width requirements for single-family lots in the R-2 zoning district. The minimum lot size for the R-2 district is 7,500 square feet, and the minimum lot width is 60 feet. Table 1, below, shows the lot sizes and widths for the proposed lots. Staff supports these variances. While it is typically not



desirable to create undersized or narrow lots, in this case it would allow the lots to fit in with the character of the surrounding area. Approval of these variances would not adversely impact the public health, safety, or welfare. It would also not change the character of the properties in the general vicinity.

Table 1

| Lot   | Lot Size (ft²) | Lot Width (ft) |
|-------|----------------|----------------|
| Lot 1 | 7,126          | 50             |
| Lot 2 | 7,100          | 50             |
| Lot 3 | 7,999          | 53             |
| Lot 4 | 11,684         | ~150           |

Most of the concerns that staff has with this application surround Lot 4. This lot has 10 feet of road frontage on Hickman Street, and the plat seeks to combine this with an access easement on the property to the west for a 15 feet wide access and utility easement. This is to provide access to a lot which, if this application is approved, will sit in the middle of the block surrounded by other houses and lots. It would create an odd or uncomfortable situation where the front of the house on Lot 4 would face the rear of one or more houses.

The Project Site is within the "Downtown Georgetown" area designated in the Community Form chapter in the Comprehensive Plan. This section states, "New buildings should be constructed to the sidewalk and/or follow setback patterns of the immediately adjoining and surrounding buildings." To maintain the current aesthetics of the neighborhood, newly platted lots and new homes should fit in with the surrounding area. In some instances, this means granting variances for reduced setbacks and smaller lots because that is how many of the lots in this area were developed. In other instances, it means not allowing a new lot where the house will not be able to address the public right-of-way.

Staff has spoken to the Fire Department about the access to Lot 4. The Fire Department does not think that the 15 feet of width will be sufficient for their vehicles to provide fire protection. The Fire Department is also concerned that part of the width of the access relies upon an easement from a neighboring property, which may not always be kept clear for emergency access.

Georgetown Municipal Water and Sewer Service does not support the shared access and utility easement for Lot 4. GMWSS does not want the water meter and sewer cleanout located in the driveway/access easement.

Planning Commission Staff and the Comprehensive Plan support the creation of Lots 1-3. Staff does not support the creation of Lot 4. It is out of character with other properties in the area. It will reduce the privacy enjoyed by residents in the area to have a house facing the rear of their homes and backyards. It is not supported by the Fire Department or GMWSS. The best solution for the applicant is to split up what would have been Lot 4 and consolidate it with Lot 1 and the applicant's properties at 301 & 305 Hickman Street. Below, Figure 1 shows staff's recommendation.

Figure 1



#### **RECOMMENDATION:**

Staff recommends **approval** of Lots 1, 2, and 3 and the variances listed below. Staff recommends **denial** of Lot 4. Should the Planning Commission approve the application, staff recommends including the following conditions of approval:

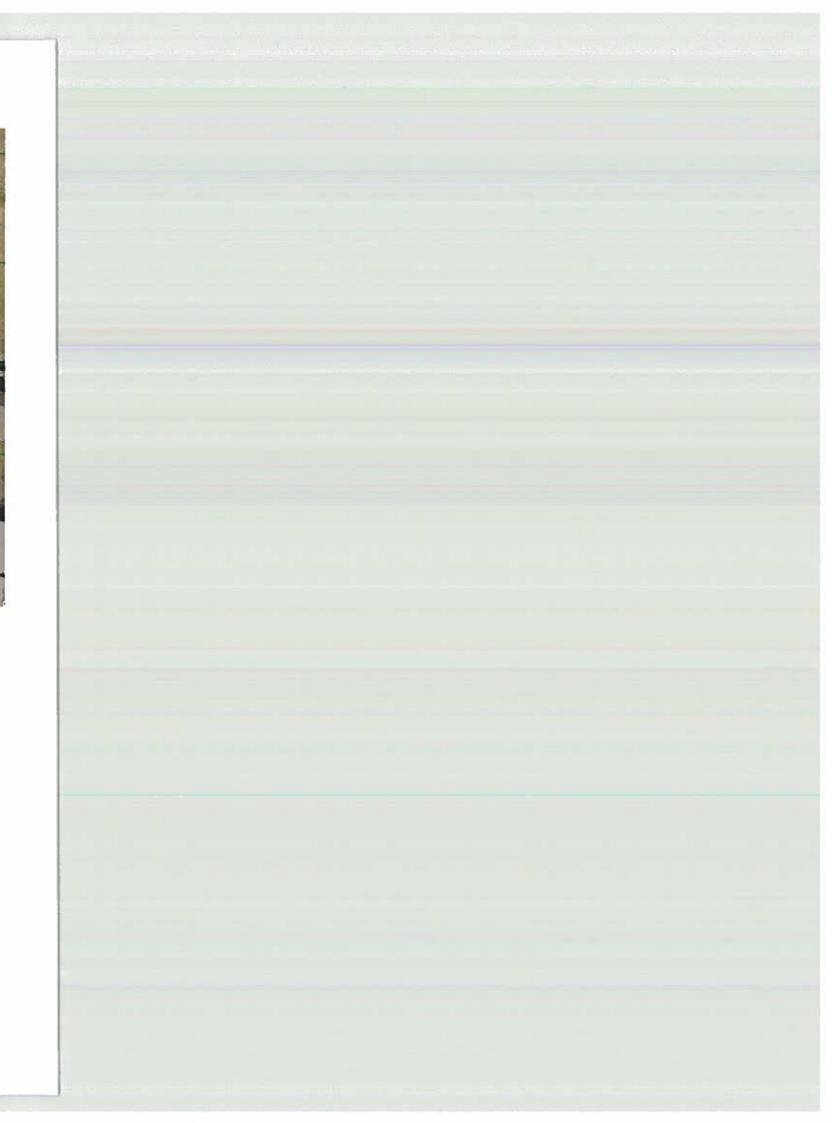
#### Variances:

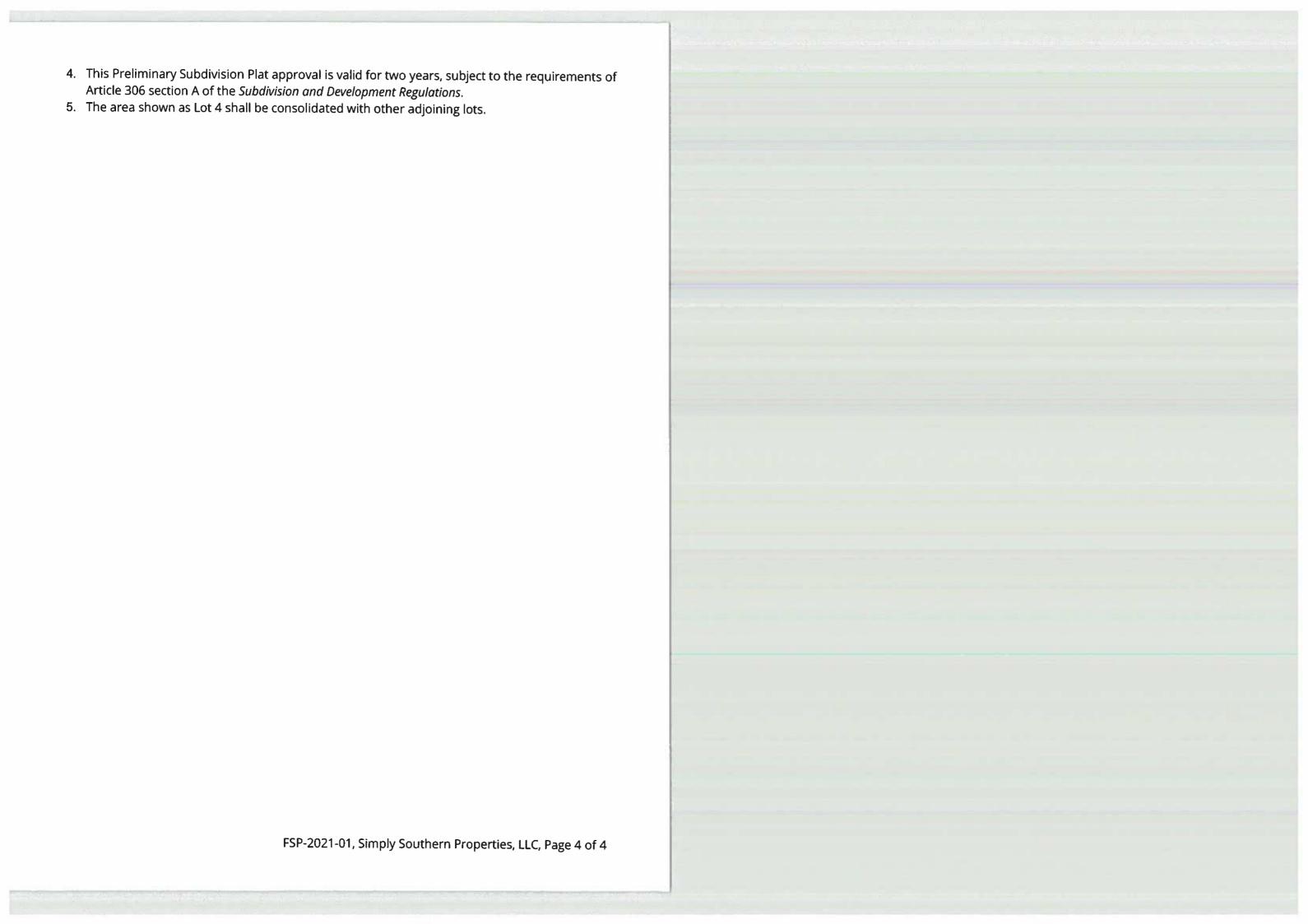
- 1. Reduce the minimum lot size for Lots 1 and 2 from 7,500 square feet to 7,126 SF and 7,100 SF, respectively.
- 2. Reduce the minimum lot widths for Lots 1, 2, and 3 from 60 feet to 50 feet, 50 feet, and 53 feet, respectively.

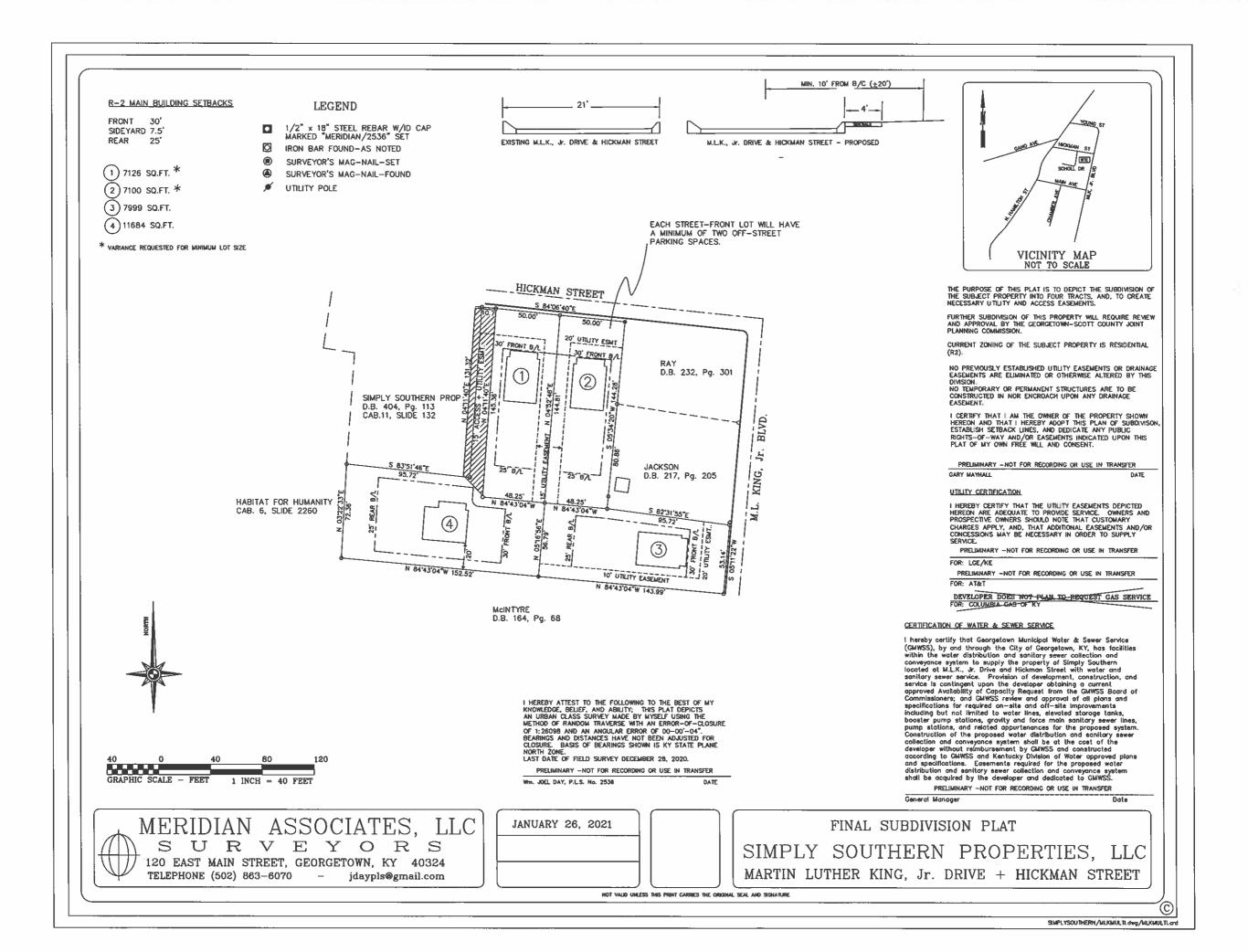
#### **Conditions of Approval:**

- 1. All applicable requirements of the Zoning Ordinance and Subdivision & Development Regulations.
- 2. Any revisions or amendments to the approved Preliminary Subdivision Plat shall be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
- 3. Prior to (as part of) the Final Subdivision Plat approval, the applicant shall provide the Planning Commission staff (GIS division) with a digital copy of the approved plat.

FSP-2021-01, Simply Southern Properties, LLC, Page 3 of 4







# TEAMCEO, LLC FINAL SUBDIVISION PLAT

# Staff Report to the Georgetown-Scott County Planning Commission February 11, 2021

FILE NUMBER: FSP-2021-02

**PROPOSAL:** Final Subdivision Plat to

subdivide a 30.686-acre parcel into two (2) lots.

**LOCATION**: Pa

Parcel # 170-10-005.000

**APPLICANT:** TeamCEO, LLC

CONSULTANT: Malcolm Endicott



#### **STATISTICS:**

Zone A-1 (Agricultrual)

Surrounding Zone(s) A-1 & A-5

Site Acreage Total: 30.686 acres (Tract 2A: 15.092 acres; Tract 2B: 15.594 acres)

Access Coleman Lane

Variances/Waivers None

#### **BACKGROUND:**

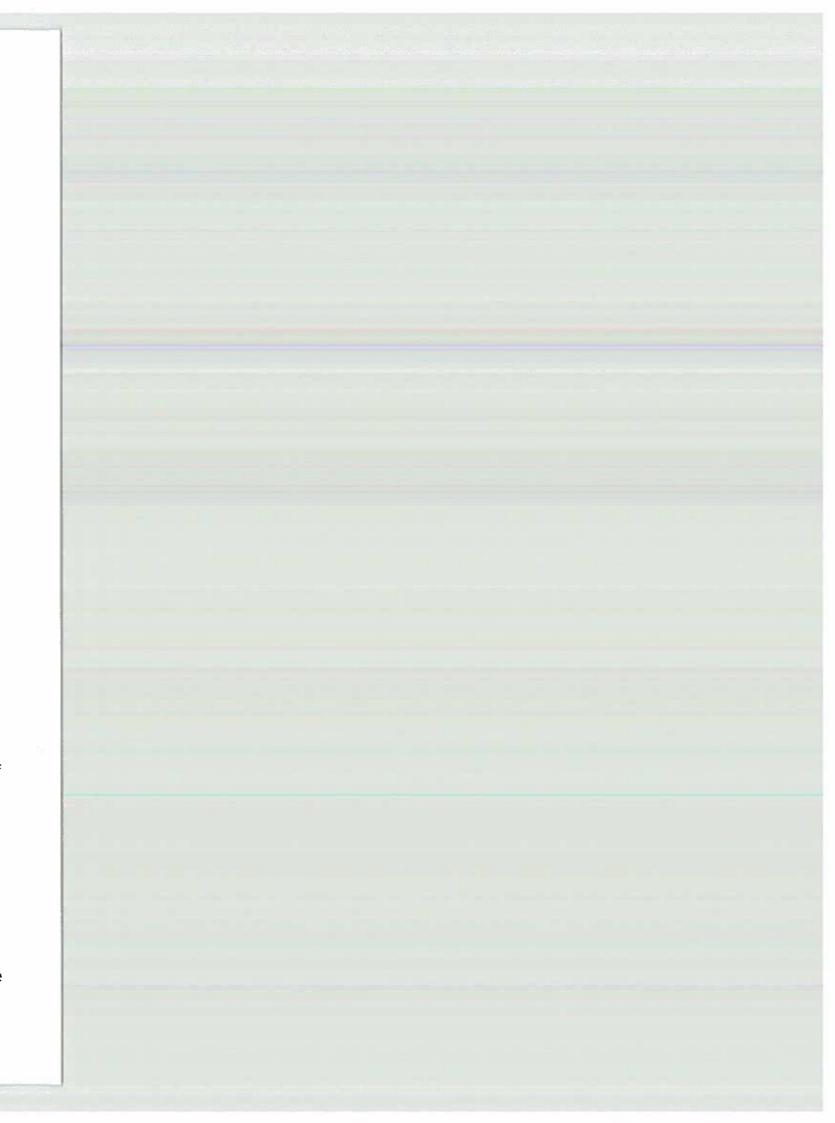
The application before the Planning Commission is a Final Subdivision Plat to subdivide a parent tract of approximately 30.7 acres into two lots.

#### **Plat Review:**

The proposed plat shows the appropriate the setbacks, and the proposed lots meet the lot size and width requirements. Both proposed lots would have road frontage on and separate entrances from Coleman Lane. The Planning Commission Engineer has reviewed the proposed entrance locations and found them to be acceptable.

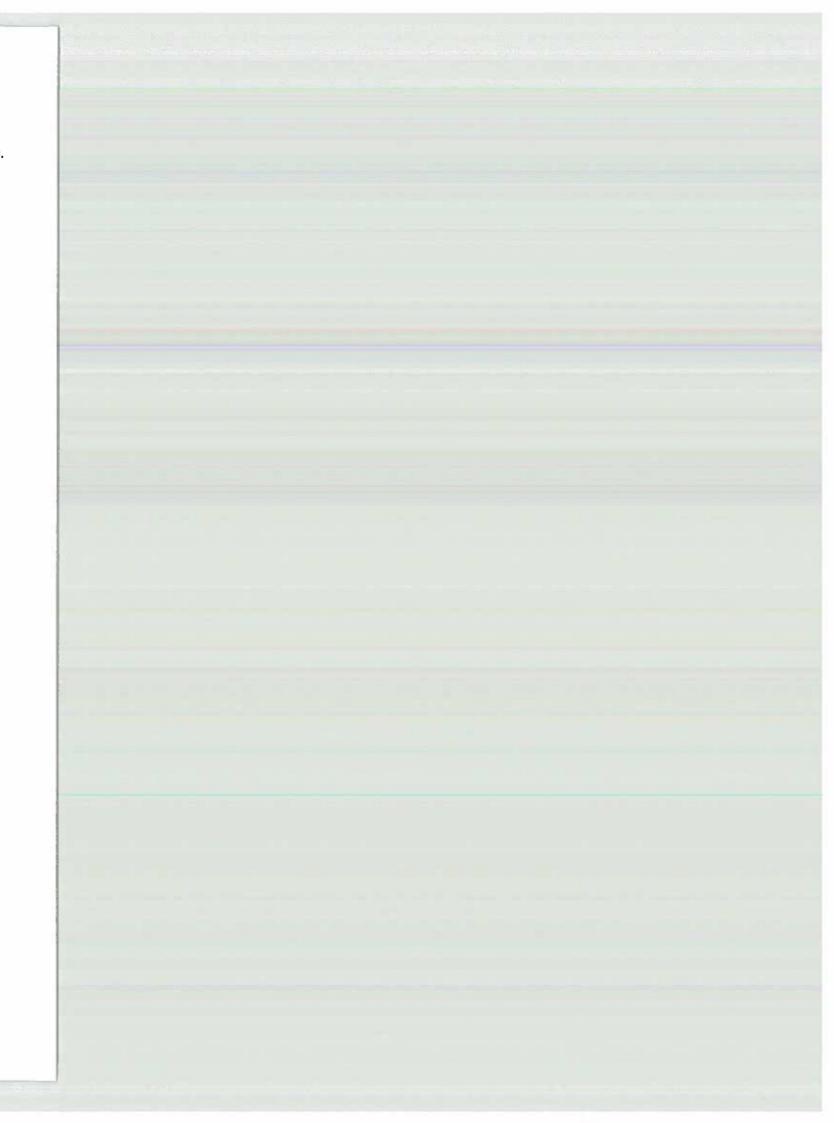
#### **RECOMMENDATION:**

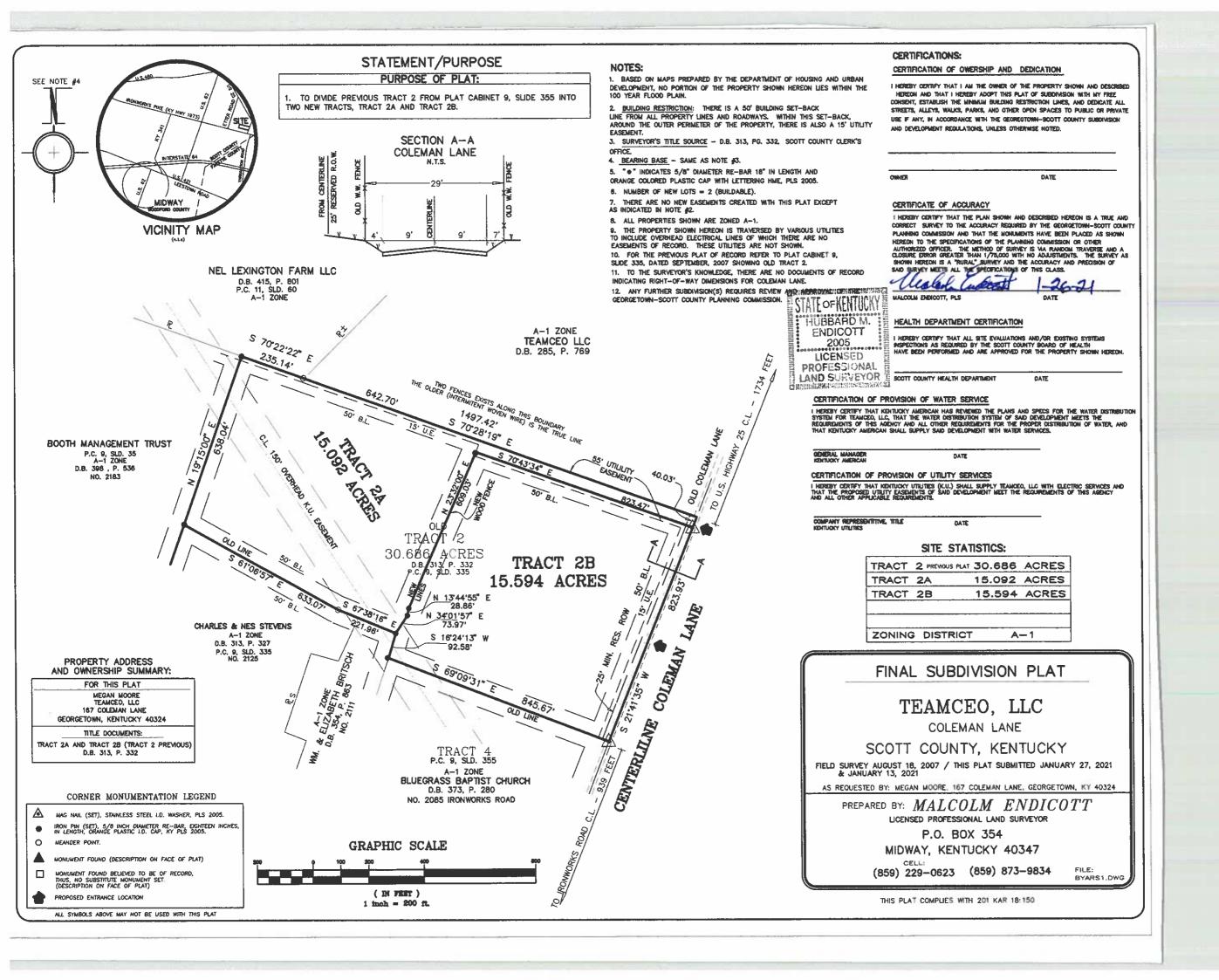
Staff recommends **approval** of the Final Subdivision Plat. Should the Planning Commission approve the application, staff recommends including the following conditions of approval:



### Conditions of Approval:

- 1. All applicable requirements of the Zoning Ordinance and Subdivision & Development Regulations.
- 2. Any revisions or amendments to the approved Preliminary Subdivision Plat shall be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
- 3. Prior to (as part of) the Final Subdivision Plat approval, the applicant shall provide the Planning Commission staff (GIS division) with a digital copy of the approved plat.
- 4. This Preliminary Subdivision Plat approval is valid for two years, subject to the requirements of Article 306 section A of the *Subdivision and Development Regulations*.





# STONE LANE DEVELOPMENT FINAL SUBDIVISION PLAT

# Staff Report to the Georgetown-Scott County Planning Commission February 11, 2021

FILE NUMBER: FSP-2021-03

**PROPOSAL:** Final Subdivision Plat to

subdivide 176 acres into

10 lots.

**LOCATION:** Parcel # 150-00-014.000

**APPLICANT:** Big Pine Land, LLC

**CONSULTANT:** Pat McLafferty



#### **STATISTICS:**

Zone A-1 (Agricultrual)

Surrounding Zone(s) A-

Site Acreage Total: 176.15 acres (Tract 1: 20.34 acres; Tract 2: 10.30 acres; Tract 3: 8.09

acres; Tract 4: 27.17 acres; Tract 5: 52.49 acres; Tract 6: 9.22 acres; Tract 7: 12.54 acres; Tract 8: 18.14 acres; Tract 9: 6.90 acres; Tract 10: 10.95 acres)

Access Stone Lane (KY 356)

Variances/Waivers None

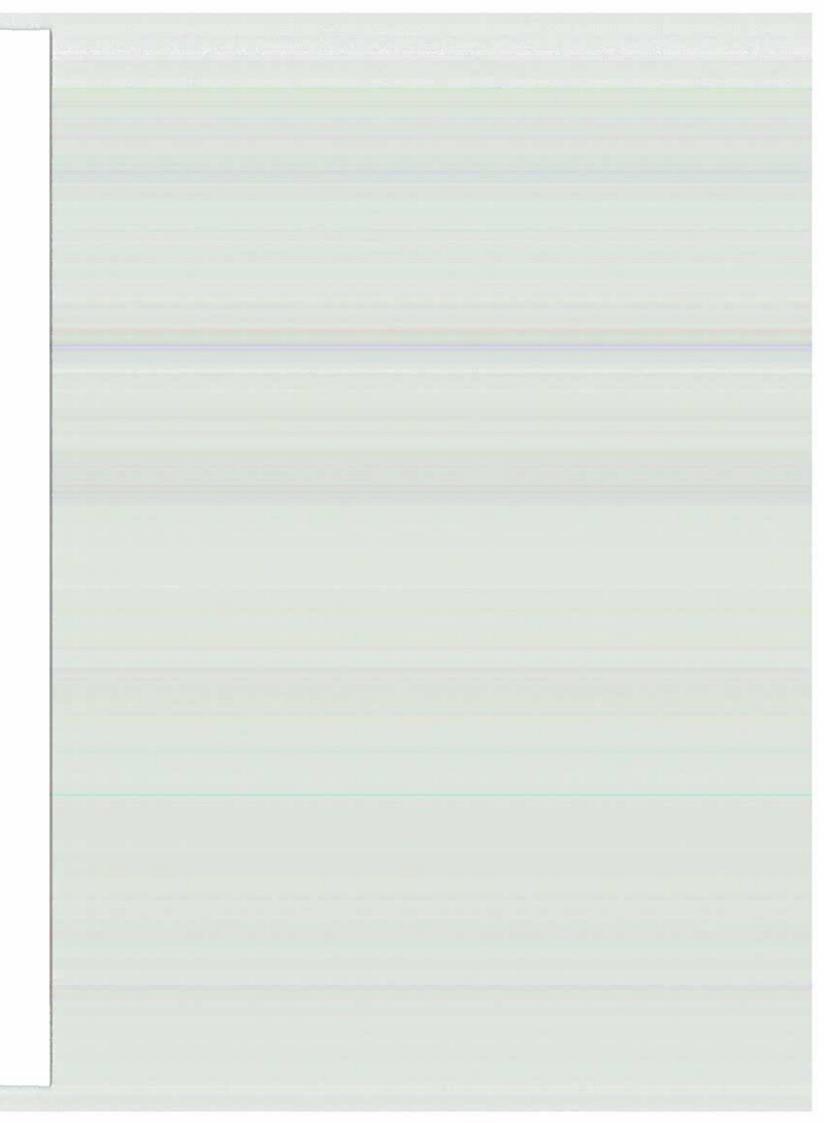
#### **BACKGROUND:**

The application before the Planning Commission is a Final Subdivision Plat to subdivide a parent tract of approximately 176 acres into ten lots. The plat also proposes a new 40' access and utility easement for the benefit of Tracts 3, 4, and 5.

#### Plat Review:

The proposed plat meets the setbacks, lot size, and width requirements. The Applicant has already worked with KYTC regarding the entrance locations.

The Access easement proposed by this plat needs to be removed from Tract 2. Tract 2 is not being served by this access easement and would put the easement over the maximum of 3 established by the *Subdivision & Development Regulations*. Staff had mentioned during the TRC meeting that this access easement needed to be removed from Tract 2 to bring the plat into compliance

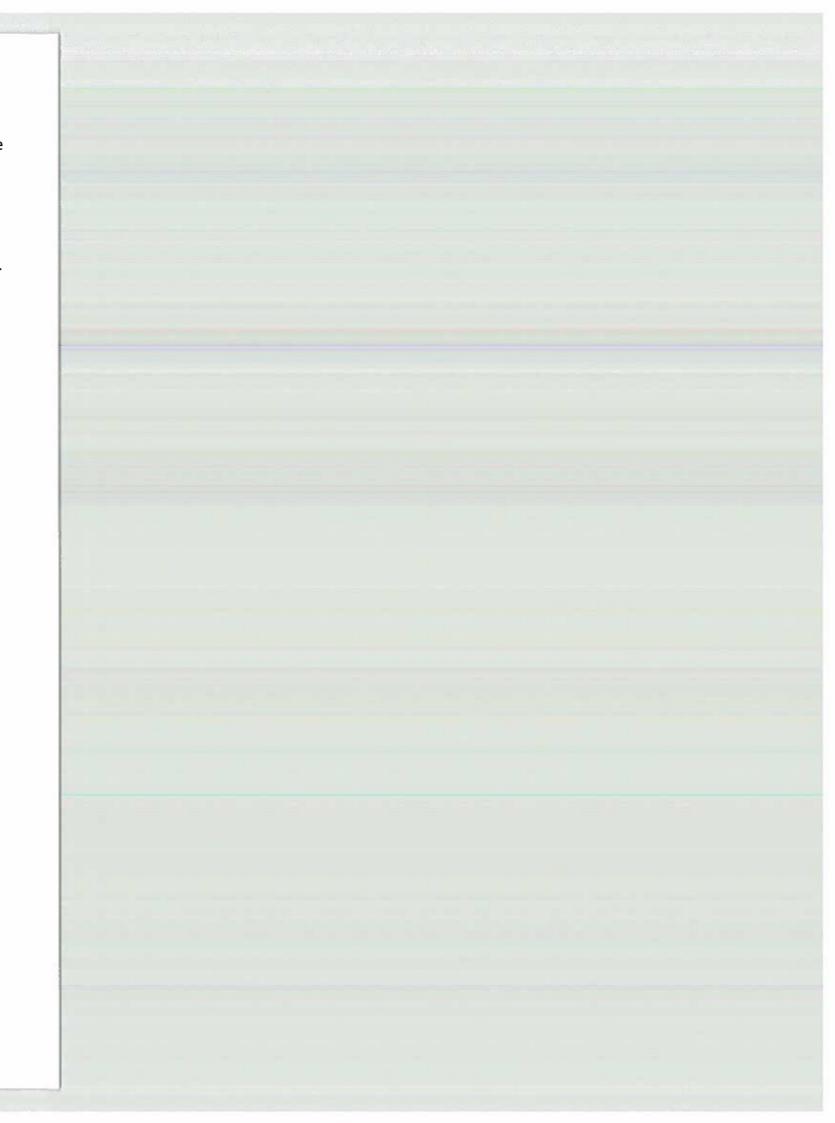


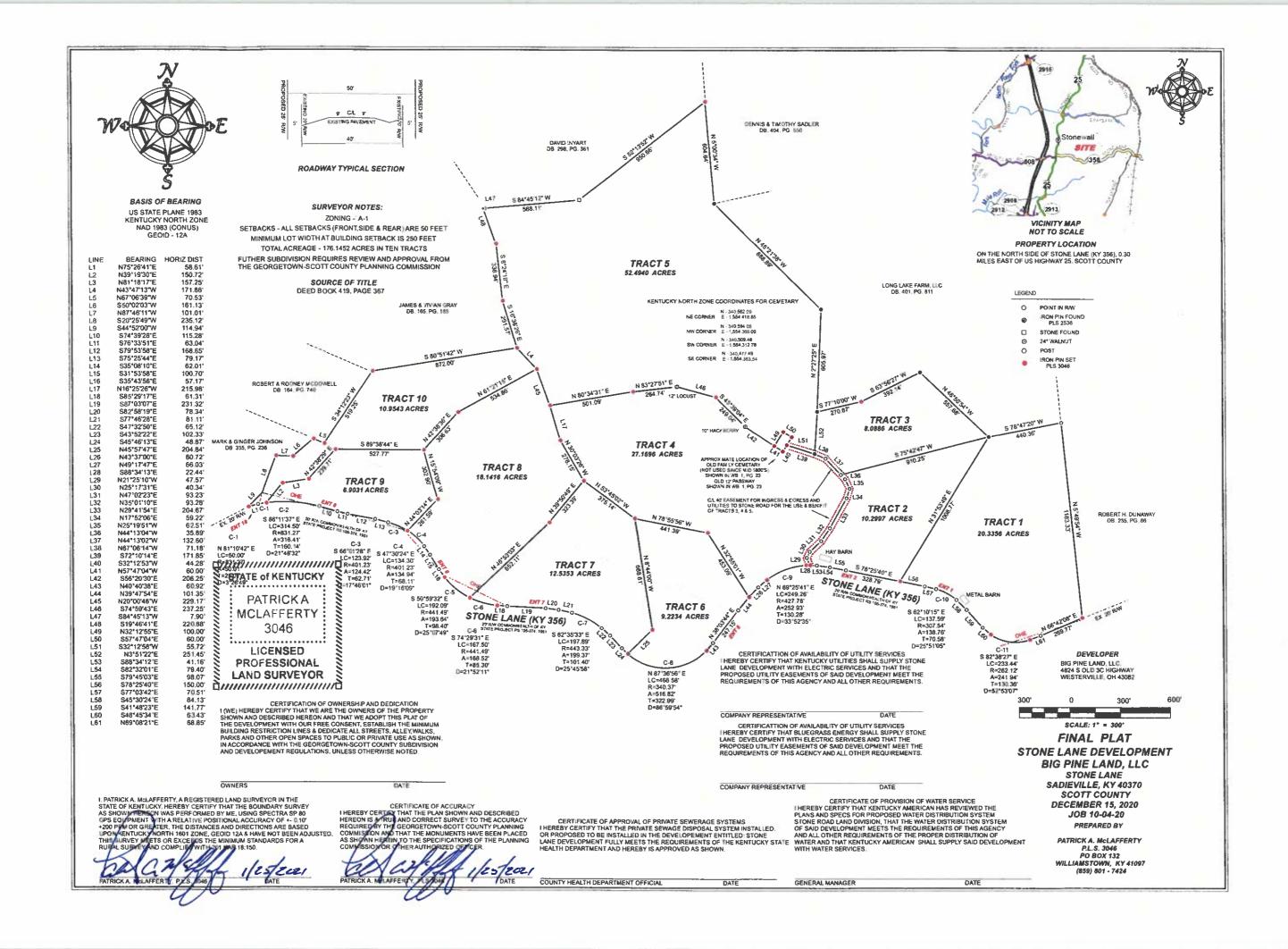
### **RECOMMENDATION:**

Staff recommends **approval** of the Final Subdivision Plat. Should the Planning Commission approve the application, staff recommends including the following conditions of approval:

### **Conditions of Approval:**

- 1. All applicable requirements of the Zoning Ordinance and Subdivision & Development Regulations.
- 2. Any revisions or amendments to the approved Preliminary Subdivision Plat shall be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
- 3. Prior to (as part of) the Final Subdivision Plat approval, the applicant shall provide the Planning Commission staff (GIS division) with a digital copy of the approved plat.
- 4. This Preliminary Subdivision Plat approval is valid for two years, subject to the requirements of Article 306 section A of the *Subdivision and Development Regulations*.
- 5. The proposed access easement shall not be on Tract 2.





# VILLAGES OF FALLS CREEK **PRELIMINARY SUBDIVISION PLAT, PHASE 2**

# Staff Report to the Georgetown-Scott County Planning Commission February 11, 2021

FILE NUMBER: PSP-2021-04

**PROPOSAL: Request for Preliminary** 

> Subdivision Plat approval for 23 single-family lots, 6 duplex lots, and an open space lot in phase 2 of Falls

Creek Village.

**LOCATION:** East side of Falls Creek

Development

**APPLICANT:** Oxford Place, LLC

Thoroughbred Engineering,

# **ENGINEER:** Brent Combs, PE

## **STATISTICS:**

Zone R-1C (PUD) **Surrounding Zones** R-1C (PUD) Acreage 11.98 acres

**Dwelling Units Existing** 246 Dwelling Units built or approved

**Dwelling Units Proposed** 35 Dwelling Units (23 single family lots, & 12 attached duplex units)

Dwelling units per acre 3.49 units/acre

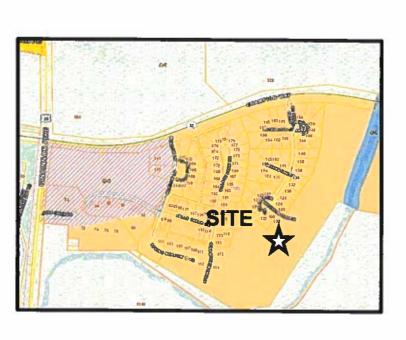
Water/sewer available Yes/Yes

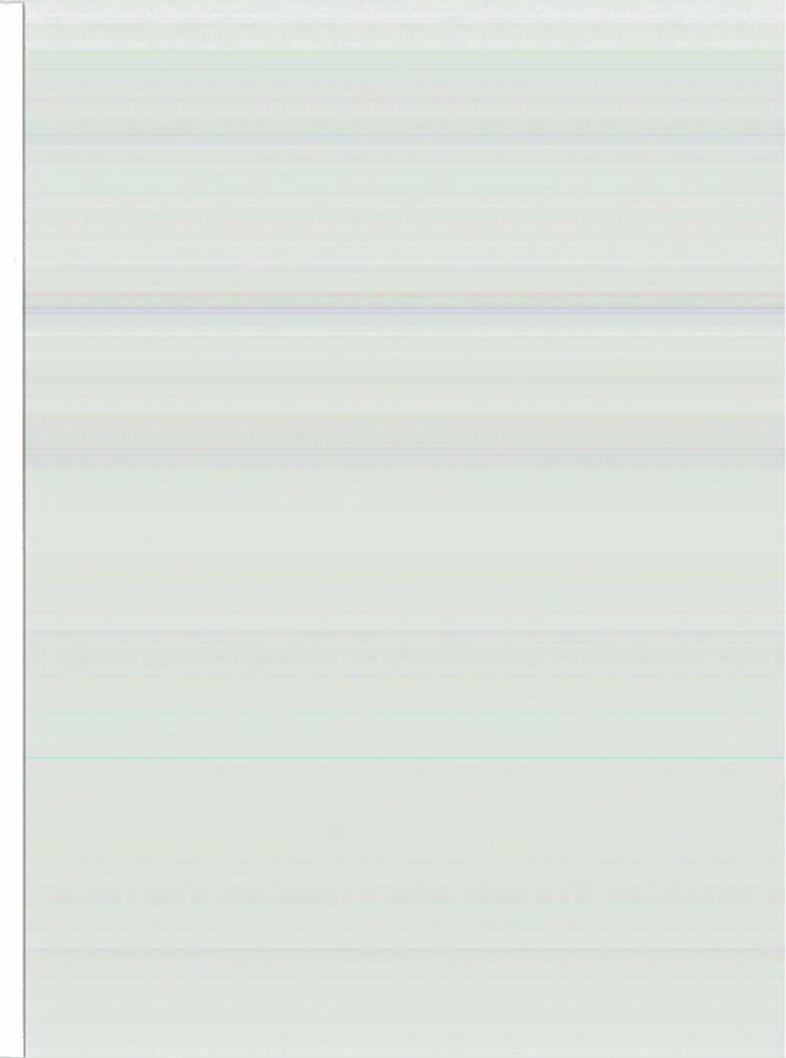
Access Falls Creek Drive

Variances None

#### **BACKGROUND:**

The applicant is requesting Preliminary Plat approval for a section of phase 2 of the Villages of Falls Creek. The request is to construct a public street to city street standards beginning at the end of Waterson Park Drive, extending it to a T-intersection with the new street continuing to the north and south ending in cul-de-sacs at





each end. The street will contain 20 single-family lots 60'-70'in width with a 2.88 open space area on the northeast corner of the property. There is proposed a walking trail around the outer perimeter of the park/open space. On the southern leg of the new street, six duplex lots are proposed, 80' wide at the building line. Three additional lots are proposed fronting on Falls Creek Drive, where a pocket park was previously proposed parallel to the street. There is a vacant remnant of land to the southwest of the new street to the south. The applicant intends to submit a Preliminary Development Plan on this remnant, at a later date, presumably for a townhome project.

The single-family lots and attached duplex townhome lots meet the minimum residential standards. Twenty foot front setbacks are proposed, which is typical for this development. It is recommended that the singlefamily lots be a minimum of 60' wide at the building line and the duplex lots be a minimum of 80' at the building line. It is also recommended that the open space lot with the walking trail be dedicated to the applicable HOA and a maintenance plan be in place for continuing maintenance of the open space area. It is also recommended that the open space remain accessible to all residents of the subdivision.

The 2005 Master Plan designated the area of Phase 2, being considered with this application, as planned for 52 single-family lots on 60' wide and 70' wide lots. Updated FEMA flood maps were adopted for this area in 2013. This significantly increased the amount of floodplain along Dry Run Creek and rendered many of the lots previously planned for phase 2, unbuildable.

At the December 2020 Planning Commission meeting, the applicant submitted an amended Master Plan for review. The Amended Master Plan showed a combination of single-family lots and townhomes in phase 2, with a total of 65 dwelling units. Planning Commission did not take action on the Master Plan, but staff noted its objection to allowing more than the previously approved 52 dwelling units in the remainder of the phase 2 area.

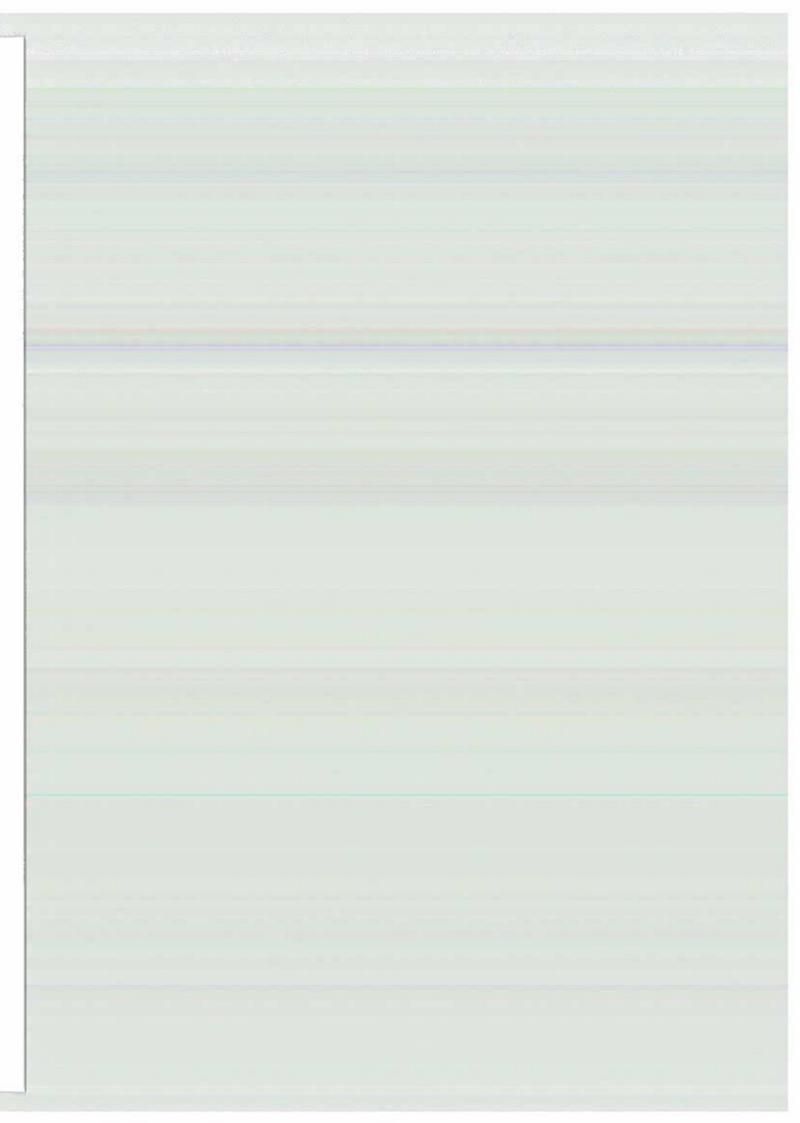
The proposed Preliminary Plat shows duplex lots in an area that was previously planned for single-family lots. Therefore, it may be necessary for the applicant to comply with the City of Georgetown Common Scheme of Development Ordinance. This requirement is ambiguous due to the fact that the overall project was approved as a mixed-use commercial/residential project with a range of housing types from single-family to Apartments. Compliance is requested by planning staff, but staff would defer to the Planning Commission Attorneys legal opinion.

#### **Common Scheme of Development:**

City of Georgetown Ordinance 2015-014 requires the Applicant to receive approval from the Planning Commission when amending the Common Scheme of Development in existing developments or subdivisions. This ordinance requires the Applicant to:

- 1. Show that market conditions have changed substantially, necessitating a change in the Common Scheme of Development for the existing development or subdivision;
- 2. Submit a sworn statement that the Applicant has notified in writing every owner of every lot within the existing development or subdivision.

Staff has received a signed affidavit that the Applicant has complied with Planning Commission notification requirements and staff has been informed that a neighborhood meeting was held in January.



Staff does not oppose the construction of duplex townhomes for this area south of Waterson Park Drive. These lots have not been platted, and there has been a change in the floodplain boundary along Dry Run Creek. An updated flood study was completed by FEMA since the original approval, and many of the original lots shown on the Concept Plan would be unbuildable.

The idea of attached townhomes is not incompatible with a TND concept and can be done in a sensitive manner. This area, however, does partially back up to lots that have been sold and built upon, as single-family lots. There are individuals who purchased lots in Phase 1, Units 1 & 5, some of whom built homes with the understanding that they were purchasing lots in a single-family area of a mixed-use development. It is the responsibility of the applicant to provide reasonable justification for this proposed change.

Please note, the ordinance requires that the Planning Commission determine that the changes in the market conditions be "substantial". It also requires that these substantial changes "necessitate" a change in the Common Scheme of Development. If applicable, the Applicant will need to show the Commission that the proposed change from single-family lots to duplex lots are absolutely needed because of significant changes in the market conditions. This standard is different than a desired change for convenience or increased value.

#### **Issues to Consider:**

Falls Creek was approved as a Planned Unit Development (PUD). Planned Unit Developments allow for some diversion from the requirements of the Zoning Ordinance, as can be seen in this development with the mixture of apartments, duplexes, and townhomes that are typically not permitted in this zoning district.

Single-family lots are shown behind all the existing platted lots north of Waterson Park Drive. These lots are similar in size to those proposed in the 2005 Master Plan (60' width) and are fewer in total number due to the increase in floodplain area. A large 2.880-acre park is shown along Dry Run Creek in the northeast corner of the development, with a trail/path within its perimeter. It is recommended the road right-of-way still include a sidewalk on both sides, which could be connected to the walking path in at least a couple of locations.

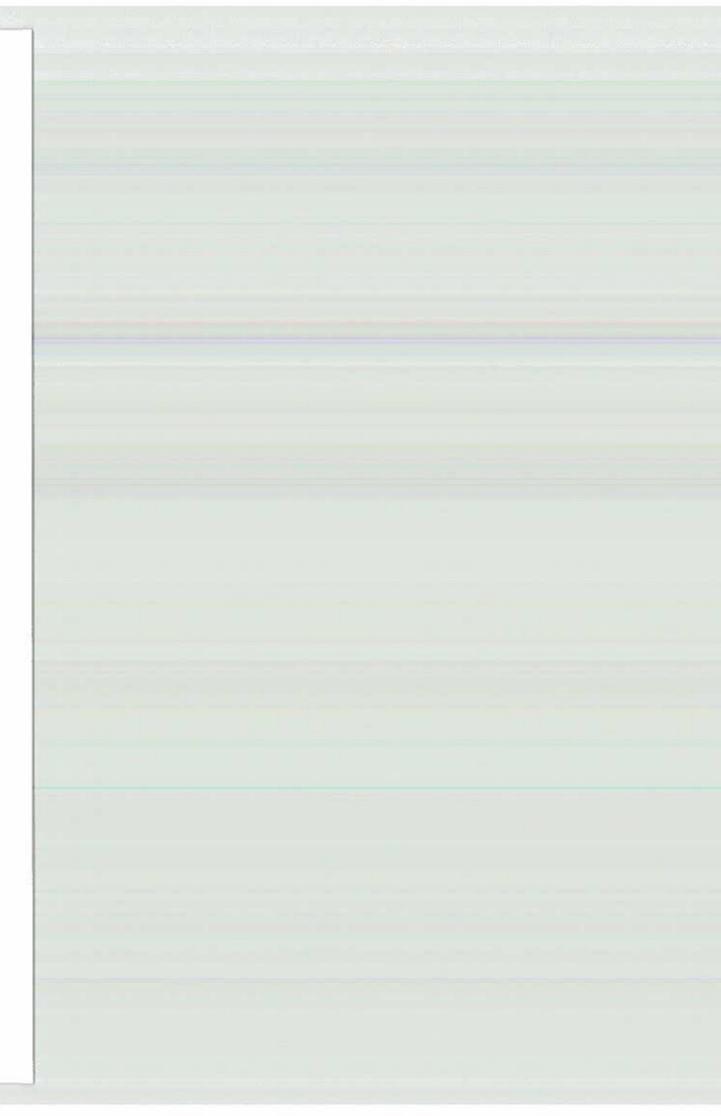
A road, also ending in a cul-de-sac is shown to the south of the stub road that has six attached townhome, "duplex" lots (80' width) backing up to the creek. Floodplain boundary changes would make much of this area unbuildable as previously approved. A park area has been removed along Falls Creek Drive, along with a note that walking trail would be relocated to creek. It is recommended that public access to the creek be maintained behind the duplex lots.

The developers of this property do not own all the way to the creek. For unknown reasons Whitaker Land Company owns some land on the west side of Dry Run Creek. There is additional land in the floodplain that will be open space, that is not owned by the developers of Falls Creek.

It is recommended that the open space network be contiguous and continue along the back of the lots along the creek to provide public access to the creek. In addition, staff would recommend the maximum number of dwelling units in the remaining area shown west of Dry Run Creek be capped at 52 dwelling units, the number shown in this area on the 2005 Master Plan.

#### **PROCEDURE:**

The Planning Commission will take two (2) separate votes for the associated applications:



1. The Planning Commission will need to vote on whether or not to allow an amendment to the Common Scheme of Development.

#### **RECOMMENDATION:**

If the Planning Commission approves the change in Scheme of Development, if required, staff recommends **Approval** of the Preliminary Plat for the Villages of Falls Creek, Phase 2. Staff recommends the Planning Commission attach the following conditions:

- 1. All previous applicable conditions from the zone change for Falls Creek (ZMA-2004-23).
- 2. Single-family lots shall be built north of Waterson Park Drive. South of Waterson Park Drive attached single-family duplex townhomes shall be permitted with building fronts facing onto a public street.
- 3. Single-family lots shall be 60' minimum width at the building line, duplex lots shall be 80' minimum width at the building line.
- 4. A minimum 10' Pedestrian easement shall be provided along the rear of lots backing up to Dry Run Creek.
- 5. Open space areas shall be owned and maintained by the HOA and be open and accessible to all residents of the subdivision.
- 6. All previous architectural standards for Falls Creek shall apply to all phases.
- 7. The maximum number of dwelling units in the remaining area of phase II shall not exceed the number of units previously approved in the 2005 Master Plan. That plan approved 52 single-family dwelling units.
- 8. A Preliminary Subdivision Plat and/or Development Plan shall be submitted for review and approval of the Planning Commission for all remaining areas prior to development.
- 9. Any revisions or amendments to approved Preliminary Plats and Plans must be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
- 10. All applicable requirements of the Zoning Ordinance and Subdivision & Development Regulations.
- 11. Prior to (as part of) the Final Plat approval, the applicant shall provide the Planning Commission staff (GIS Division) with a digital copy of the approved Plat.

