

GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
REGULAR MEETING
MINUTES
October 10, 2019

The regular meeting was held in the Scott County Courthouse on October 10, 2019. The meeting was called to order by Chairman Mark Sulski at 6:00 p.m. Present were Commissioners Regina Mizell, James Stone, Charlie Mifflin, Frank Wiseman, and Steve Smith, Director Joe Kane, Planner Mikaela Gerry, Engineer Ben Krebs, and Attorney Charlie Perkins. Absent was Commissioners David Vest, Byron Moran and Jeff Caldwell.

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

Motion by Mizell, second by Smith, to approve the September 12, 2019 minutes. Motion carried.

Motion by Smith, second by Stone, to approve the October agenda with two additional items added. Motion carried.

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

PDP-2019-31 Hotel Development - Ikebana Path - Preliminary Development Plan for a 93-room extended stay hotel on 1.8 acres located southeast of Blossom Park Drive and Ikebana Drive.

Mr. Kane stated the project is located next to the old Golden Corral building. The property is zoned B-5. He stated the property has access from Ikebana Drive.

He stated when the application was submitted there were concerns about the height of the building, dumpster location, parking layout, entrance and the proximity to the homes in Cherry Blossom.

He stated the revised plan had moved the dumpster and entrance away from the homes and expanded the buffer in between.

He stated that a reservation of right-of-way was requested to be shown on the development plan, due to the Northeast Georgetown traffic study proposing a possible extension of Connector Road along the Southern boundary of the property.

He stated the current plan complies with all the regulations. He stated the only remaining issue is the traffic, especially the traffic at the Connector Road and Blossom Park Drive intersection. He stated the traffic study showed that in the AM peak the traffic is functioning at a service level C and the PM peak is functioning at a service level F.

He stated a hotel is one of the lower activity level businesses that could be built in that area.

He stated the state has made some recent improvements to Connector Road. He stated they have repaved and restriped the road, added turn lanes and proposed to make Oxford Road intersection at Connector Road a right-in and right-out only.

He stated Planet Fitness constructed a road from Oxford Road to Blossom Park Drive to help with connectivity.

Commissioner Wiseman questioned the traffic study and how the hotel would affect traffic. Mr. Kane stated that the traffic study was based on Planet Fitness and the proposed hotel in the B-5 zone. He stated that Planet Fitness would be approximately 30% of the total traffic generated.

Commissioner Mifflin questioned the location of the reserved right-of-way on the property. Mr. Kane stated part of the planned road corridor is on the Spade Corporation, Cherry Blossom and Mill Apartment property.

Bruce Simpson, applicant's attorney, stated the applicant met with the neighbors a few months ago. He stated the property has been zoned commercial since 2000. He stated the surrounding homes and some businesses on Connector Road have developed since the zone change of the property.

He stated the proposed hotel is an extended stay Marriott that will have businesspeople staying from several days to weeks. He stated they used the highest level road for a hotel when preparing the traffic study. He stated they also did not add in the new road connection between Blossom Park and Oxford Drive when preparing the traffic study. He stated the state has made the changes and updates to Connector Road since the applicant met with them.

Neil Thompson, Cherry Blossom resident, stated the changes to Connector Road did not help the traffic situation.

He stated he does not understand the concept of different hotel levels and the differences in traffic they generate.

He questioned when the traffic study was completed. It was stated that it was completed in July. He stated that the study was completed before Planet Fitness opened.

Mark Webb, 131 Birkdale, stated the Connector Road changes did not help the traffic situation. He questioned if another development would be approved before the traffic situation is corrected.

Linda Angel, 100 Spyglass Drive, stated she has concern with the proposed lighting and traffic issues.

Patricia Fannin, Birkdale Drive, HOA President, stated she still has concern with the traffic even though she favors the proposed Marriott. She questioned if a roundabout had ever been considered to help keep the traffic flowing.

Brenda Holt, 202 Ikebana Drive, stated she approves of the proposed Marriott but still has concern about the traffic situation.

Mr. Simpson again stated the plan meets all regulations and the applicant wants to accommodate all the concerns of the neighbors.

Jihad Hallany, Vision Engineering, stated that a roundabout is not appropriate for the area according to the state.

Commissioner Smith stated that due to Connector Road being a state road the Commission can only request help with the traffic situation.

Chairman Sulski stated he has requested a traffic light numerous times for the area.

Mr. Perkins stated the Commission should keep requesting help with the traffic problems on Connector Road.

Chairman Sulski asked Mr. Perkins if he could send another letter to the state requesting a traffic light.

Commissioner Wiseman stated he feels just because a development plan meets all the requirements that the commission can still say not right now.

Mr. Perkins explained that there needs to be a serious situation to justify denying an application when all criteria is met.

Commissioner Mifflin stated that the applicant has completed the items the commission requested.

Mr. Thompson stated that when the plan was first on the agenda it had a recommendation of denial. He questioned if that is still the staff's recommendation.

Mr. Kane explained that the applicant had made the changes staff recommended.

Commissioner Wiseman questioned if developments do not comply with conditions, how should the commission address that.

Mr. Kane stated that they must comply with the conditions of approval.

After further discussion, **Motion by Stone, second by Mifflin, to approve the Preliminary Development Plan (PDP-2019-31) subject to seven (7) conditions of approval. Motion carried 4-2.**

ZMA-2019-38 Ramsey Property Zone Change – Zone change for 1.137 acres from A-1 to R-1A located at 2394 Cincinnati Pike.

Chairman Sulski opened the public hearing.

Ms. Gerry stated that the tract is 6.137 total acres. She stated the applicant plans to keep the existing residence on the 1.137 acres and build a house on the other 5 acres.

She stated that the applicant has stated that they will connect to Delaplain Disposal for sewer.

She stated that the Comprehensive Plan shows that area remaining rural residential. She stated that the current zoning is appropriate. She stated that there has not been a major change in the area to justify a zone change.

Jacob Walbourn, applicant's attorney, stated that the applicant has a medical condition and needs a handicapped-accessible home. He stated that the current home on the property has a long-term tenant and the applicant does not want to make them move.

He stated the applicant wants to build one home on the proposed 5-acre remainder parcel. He stated the applicant went before the commission regarding this matter several years ago.

He stated several of the neighbors are present at the meeting to support the applicant. He stated he has a petition to submit from the neighbors to show their support.

He stated that he feels the comprehensive plan does not specifically state the acreage considered rural residential.

He stated the application would not burden any infrastructure for the proposed home but would provide housing for the applicant.

He stated the proposed zoning would be appropriate and would fit the surrounding area.

He stated according to state law you must own at least 10 acres to be taxed as a farm.

Chairman Sulski questioned Mr. Perkins on his thoughts about the application. Mr. Perkins stated he agreed with Ms. Gerry and her presentation on the application, but he also agrees with the applicant that the area is no longer agricultural in nature.

Chairman Sulski questioned Commissioner Smith if he would farm the applicant's land. Commissioner Smith stated he would not farm the land by itself.

Pamela Wise, neighbor, stated she was the original owner and developer of the land and created Wise Path.

Chairman Sulski closed the public hearing.

After further discussion, **Motion by Wiseman, second by Mizell, to recommend approval of the rezoning request (ZMA-2019-38) on the basis that the current zoning is inappropriate for the area. By roll call vote, motion 5-1.**

PSP-2019-39 & PSP-2019-40 Harbor Village Phase 3C Amended & Phase 4 - Amended Preliminary Subdivision Plat for Unit 1, Phase 3 and Phase 4 located west side of US 25 (Cincinnati Pike) at Rogers Gap.

Mr. Kane stated this application is for the property at the back of Harbor Village. He stated Harbor Village was originally developed around the same time as Mallard Point. He stated originally the two developments were supposed to be connected with a road.

Mr. Kane reviewed the history of the subdivision.

He stated the 2012 amended plan approved by the Planning Commission was appealed to Circuit Court by several homeowners of the subdivision. He stated in 2017 the case was decided in favor of the Planning Commission.

He stated in 2018 a new buyer submitted an Amended Preliminary Plat. He stated it was similar to the 2005 plan but removed lake three and replaced the lake with a large buildable lot and two smaller HOA stormwater lots. He stated as part of the conditions of approval and before Phase 4 could be approved, the Planning Commission had requested an amendment of the Master Plan.

He stated that due to the topography the applicant has requested moving the road connecting phase 3 and 4 and by doing that they lose a couple of lots.

He stated that since there would be common area, lots should join the existing HOA or create a new HOA.

He stated the Planning Commission's concern with Phase 4 is the lack of a second entrance. He stated that including Phase 3 there are 239 platted lots preliminary approved.

Nathan Billings, applicant's attorney, stated that the applicant requests to postpone the Preliminary Subdivision Plat for Phase 4.

He stated that by moving the road connection the applicant will lose three lots in phase 3.

He stated that according to Harbor Village HOA documents, the HOA would have to amend their documents for phase 3 to join the existing HOA. He stated either phase 3 will join the existing HOA or a new HOA will be formed.

Gary Kincaid, 108 Lakeside Court, stated he has concern with traffic and there being only one entrance to the subdivision.

Mr. Billings stated that the applicant is working on joining Harbor Village and Mallard Point.

Chairman Sulski stated that before Phase 4 will be heard the second access needs to be completed.

Mr. Billings stated that there is land between the two subdivisions and an agreement must be reached before the access to Mallard Point can be completed.

Commissioner Mifflin stated that originally Harbor Village and Mallard Point were the same developer.

Commissioner Smith questioned Mr. Krebs if both phases are in the Dry Run watershed. Mr. Krebs stated that the area is in the Dry Run watershed.

Commissioner Smith questioned if there is enough storm water control proposed. Mr. Krebs stated that the applicant must meet the stormwater requirements.

Mr. Billings stated that phase 3 has larger lots so more land will stay greenspace.

Mr. Hallany stated that the applicant has went through several steps including Corps of Engineers, culvert approval, Kentucky Division of Water, and Fish and Wildlife along with the stormwater design.

After further discussion, **Motion by Mizell, second by Mifflin, to approve the Preliminary Subdivision Plat (PSP-2019-39) subject to twelve (12) conditions of approval and two (2) variances. Motion carried.**

Homestead Unit 8 Plat Revocation

Mr. Kane stated a homeowner from Homestead Subdivision has requested to revoke a minor consolidation plat. He stated the homeowner owns two lots and had previously consolidated them. He stated the homeowner had not built anything on the lots and now wants to divide the lots.

After further discussion, **Motion by Mizell, second by Smith, to approve the revocation of Homestead Unit 8 plat for lots 251 and 252. Motion carried.**

Discussion of Conditions of Approval Tri-Village Storage

Mr. Kane stated that the office has received a complaint against Tri-Village Storage. He stated on the conditions of approval, building A was to not have any opening onto the access road.

He stated the building is currently being built. He stated he thought the Planning Commission had not wanted any garage style doors on the front of building A.

He stated when the conditions of approval were signed, Mr. Perkins had written no units in building A opening on access roadside. He stated there was an amendment to the conditions of approval.

Mr. Perkins stated Harold Simms requested a clarification six days after the meeting regarding the style of door. He stated he wrote on the applicant's copy what his interpretation of the condition had intended. He stated he wrote overhead door openings. He stated Mr. Simms was to send a copy of the conditions to Mr. Kane.

Mr. Simms stated his client thought that when she was signing the conditions of approval, she was agreeing to no overhead doors on the front of building A.

He stated there will be landscaping and sidewalk along the front to keep customers from parking along the front of the building. He stated his client submitted building plans and received a building permit.

Chairman Sulski questioned if the project should be stopped until the matter can be heard again by the commission.

Greg Johnson, neighbor, stated he understood no openings on the front of the building due to his concern of trucks blocking the access road.

After further discussion, it was decided to schedule an Executive Committee meeting to discuss the matter.

The meeting was then adjourned.

Attest:



Charlie Perkins, Secretary



Mark Sulski, Chairman