



**Kingston Springs Regional Planning Commission
Meeting Minutes
October 14, 2021**

The meeting was called to order by Mike Patenaude at 7 pm.

1. Roll Call of Voting Members:

Keith Allgood	Present
Tony Campbell	Present
Josh Eatherly	Absent
Tony Gross	Present
Lauren Hill	Absent
Brian McCain	Present
Mike Patenaude	Present
Chuck Sleighter	Present
Bob Stohler	Absent

2. Non-Voting Staff:

Sharon Armstrong	Present
John Lawless	Present
Martha Brooke Perry	Absent
Brittney Stanley	Absent

3. Declaration of Quorum by Chairperson.

Declaration of Quorum by Chairman Patenaude

4. Motion to approve September 9, 2021 Planning Commission meeting minutes.

Motion to approve September 12, 2021, Planning Commission meeting minutes made by Chuck Sleighter, second by Tony Campbell, motion passed unanimously.

5. Motion to approve October 14, 2021 Planning Commission meeting agenda.

Motion to approve October 14, 2021, Planning Commission meeting agenda made by Chuck Sleighter, second by Tony Gross, motion passed unanimously.

6. Community Input

Cathy Forrester – 106 Madeline Way. Comments on Ellersly Subdivision stormwater infiltration.

7. Old Business

A. Update on Ellersly Subdivision, Ron Merville – Notice of Violation for Erosion and Sediment Control – PUD approval lapse, Code Enforcement Complaints; and HOA documents.

- **Soil and Erosion occurring on the lot causing damage to the road surface, curbing, adjacent lots and water intrusion into adjacent structures. Enforcement actions taken and staff recommendation will include consideration of As Built Performance Bonding in favor of the city, a revised Grading Plan, street, curb, guttering, and detention areas for the currently vacant lots, and Phase 2 & 3 undeveloped areas.**
- **Expired PUD - consideration of staff recommendations requiring reapplication for PUD approval for Phase 2 & 3 undeveloped areas.**
- **HOA transfer to property owners - HOA transfers occurred without Planning Commission input and approval. Consideration of staff recommendations to rescind the HOA agreements in favor of approved HOA documents and conditions recommended to the City Commission.**
- **PUD Agreement addressing Grading, soil and erosion, streets, curb, gutters, stormwater retention, and infrastructure maintenance requirements for all private and public improvements to the built environment and undeveloped Phase 2 & 3 of the property.**
- **Consideration of Construction Bond requirement, Phase 2 and 3 development plan requirements.**

City Planner Armstrong outlined the current Notice of Violation for erosion and sediment control in this development as well as issues related to the development's PUD approval lapse, code enforcement complaints, and documentation related to the HOA. Attorney Davide Risner, representing the developer Ron Merville, then spoke on behalf of the developer with Mr. Merville also joining the conversation. Planner Armstrong then spoke and requested from the Planning Commission specific items related to deficiencies in the current development.

The following items were required by the Planning Commission 10 days prior to the 9 December 2021 meeting:

1. A Grading & Soil and Erosion Plan and Stormwater Plan for Phases 1, 2, and 3.
2. The Applicant will submit a plan of development for Phase 2 & 3 of the property sufficient to update the PUD Agreement and to meet the minimum requirements to determine the number of lots, road locations, proposed utility locations and all other requirements for a Preliminary Plat.
3. A revised PUD Agreement addressing Grading, soil and erosion, streets, curb, gutters, stormwater retention, and infrastructure maintenance requirements for all private and public improvements to the built environment and undeveloped Phase 2 & 3 of the property must be drafted by town staff and approved for recommendation by the Planning Commission to the City Commission for consideration of approval. No transfers of Open Space or Infrastructure Improvements can occur until the PUD Agreement requirements are satisfied.
4. An as-built Development Bond in the amount of \$390,000 in favor of the Town of Kingston Springs must be supplied by the developer and presented to the Planning Commission for review and recommendation to the City Commission for consideration of approval.

Motion to approve items outlined as requirements be submitted 10 days prior to the December 9, 2021 KS Regional Planning Commission meeting made by Tony Campbell and seconded by Chuck Sleighter. Roll call vote was held with Keith Allgood voting yes, Tony Campbell voting yes, Tony Gross voting yes, Brian McCain voting yes, Mike Patenaude voting yes, Chuck Sleighter voting yes, and Bob Stohler voting yes. Josh Eatherly and Lauren Hill were absent. Motion passed.

B. Roy B. McPherson - 115 E. Kingston Springs Road, adjacent to the Stuff It Storage business and Luyben Hills Road.

1) Recess for Design Review Committee.

Tony Gross made a motion to recess the Regional Planning Commission meeting, seconded by Chuck Sleighter. Motion passed unanimously and the Regional Planning Commission meeting was recessed at 7:58PM.

2) Consideration of Design Review Committee approval of proposed Building Materials, Lighting, Landscape, and Security Plans for the PUD 40 Unit Multi-Family Development.

Chairman Patenaude reconvened the Regional Planning Commission meeting at 8:08PM. Approval of the Design Review Committee recommendation approval of proposed Building Materials, Lighting, Landscape, and Security Plans for the PUD 40 Unit Multi-Family Development made by Tony Campbell, seconded by Chuck Sleighter. Motion passed unanimously.

8. New Business

A. Brian McCain - Representing TRUSTEES OF THE 380 MOORE LAND TRUST - Final Plat to subdivide 380 Moores Circle into 2 lots. Property lies on W. Kingston Springs Rd. Downtown, adjacent to Westview Drive and the Commercial strip development block at 385 N Main St. Consideration of Final Plat - Commercial Subdivision.

Motion to approve Final Plat-Commercial Subdivision, subdividing 380 Moores Circle into 2 lots made by Chuck Sleighter and seconded by Tony Campbell. Brian McCain recused himself from the vote, all other members in favor and the motion passed.

B. SR249 Corridor Study – Transportation Planning Report. Recommendation of the Kingston Springs Regional Planning Commission to the Kingston Springs Board of Commissioners Resolution of approval of study.

City Manager Lawless and City Planner Armstrong reviewed the process that had recently taken place with TDOT regarding this study that resulted in supplying TDOT with comments resulting in multiple final drafts, primarily related to adding verbiage on the need to widen East Kingston Springs Road as well as a potential secondary corridor to relieve traffic pressure on Luyben Hills Road. It was also noted that while the final cost estimate TDOT included in the study for widening East Kingston Springs Road is higher than the Town would like to see, it is a reduction of their initial estimate as a result to our challenge to their initial project scope. Motion to approve recommendation of the SR249 Traffic Study to to the Kingston Springs Board of Commissioners with the condition that sometime in the near future the Town consult with a TDOT approved engineering firm to provide a second estimate of potential cost of widening SR249 to three lanes, and once that additional estimate is produced it will be included with the study as an additional addendum made by Tony Campbell, seconded by Tony Campbell. Motion passed unanimously.

C. Discussion on traffic speeding mitigation in Kingston Springs.

City Planner Armstrong explained that any changes to speed limits has an impact on the Town's Subdivision Regulations for road and street design, specifically the details found in table 4-1 and 4-3 of General Design and Intersections of those regulations. City Manager Lawless then discussed recommendations speeding mitigation presented to the Commission. Motion to recommend staff report on speeding mitigation to the Kingston Springs board of Commissioners made by Tony Campbell, seconded by Chuck Sleighter. Motion passed unanimously.

D. Town of Kingston Springs Splash Pad Expansion – L.L. Burns Park.

City Planner Armstrong stated the splash pad expansion has been vetted by staff and recommended the Planning Commission approve the updated park site plan. Motion to approve the updated site plan made by Chuck Sleighter, seconded by Bob Stohler. Motion passed unanimously.

9. Other (For Discussion Only).

City Planner Armstrong discussed the TMU PUD between the Town of Kingston springs and the Golf Club of DBI LLC. She stated the Planning Commission had approved the four-corners of the content of this agreement. The full agreement has now been completed and will go to the KS Board of Commissioners for their review and potential approval. If approved by the Board of Commissioners, the document comes back to the Planning Commission for signature by the Planning Commission Secretary only.

10. Motion to Adjourn.

Motion to adjourn made by Keith Allgood, seconded by Tony Campbell with all in favor. Meeting was adjourned at 8:35PM.

Mike Patenaude
Planning Commission Chair

Jamie Dupré
City Recorder