

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

MAY 14, 2009

The regular meeting was held in the Scott County Courthouse on May 14, 2009. The meeting was called to order by Chairperson Mike Bradley at 6:00 p.m. Present were Commissioners Greg Hampton, Janet Holland, John Lacy, Jimmy Richardson, Ralph Tackett, Bias Tilford, Melissa Waite, and Steve Woodrum, Planning Director Michael Sapp, Planners Brian Shorkey and Joe Kane, Engineer Ben Krebs, and Attorney Charlie Perkins.

Those in attendance intending to speak before the Commission were sworn in by Mr. Perkins.

Chairman Bradley welcomed Steve Woodrum to the Planning Commission.

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

Motion by Lacy, second by Waite, to approve the April 2, 2009 minutes. With two corrections to the April 9, 2009 minutes regarding who made motions, motion by Richardson, second by Holland, to approve the April 9, 2009 minutes. Motion carried.

Commissioner Tilford reminded the Commission that he requested further discussion on the swearing-in process to be on the agenda. That item was added as Item B under Other Business - Old. Motion by Waite, second by Tilford, to approve the May 14 agenda. Motion carried.

Postponements/Withdrawals

Chairman Bradley reported that the Pleasant Valley Section II, Phase II application has been withdrawn and the Dearinger Property application has been postponed. Motion by Lacy, second by Hampton, to accept the two items for withdrawal/postponement. Motion carried.

Consent Agenda

A representative of the New Kingdom Hall application agreed to their conditions of approval and there were no concerns expressed by the Commission or public. Motion by Hampton, second by Waite, to approve the one item on the Consent Agenda. Motion carried.

ZMA-2009-5 The Enclave Subdivision – Rezoning request from R-1C PUD to R-2 PUD and Conceptual Development Plan for 25.73 acres located on the northwest corner of the intersection of Frankfort Road (U.S. 460 W.) and Paynes Landing Blvd. PUBLIC HEARING

Chairman Bradley opened the public hearing. Bruce Lankford, representing the applicant, stated that the notification sign on the property was updated.

Mr. Shorkey reported that he received 45 letters in opposition to the project. He then reviewed the staff report, including the history of the zone changes of this and surrounding properties, the increase in traffic if the zone change is approved, and the original intent of the Planning Commission and the deed restrictions. He suggested that the applicant move the 20 townhouses from being adjacent to the Canewood Golf Course to being between Delissa and Riddle Drives. This would keep all of the townhomes clustered together on the southern portion of the site.

Mr. Shorkey discussed traffic control devices and landscaping, and pointed out reasons for both approval and denial.

Mr. Lankford agreed with the staff report, Conditions of Approval, and the suggestion to move the 20 townhomes.

Larry Oser, Christal Dr. resident, felt that the Comprehensive Plan has made mistakes and to allow an increase in traffic in a retirement area would be a mistake. He described the shortcuts drivers will make in getting out to U.S 460.

Dennis Clark, Paynes Landing Blvd. resident, felt the traffic is already excessive on Paynes Landing Blvd. because of drivers cutting through to Canewood. He stated that when he purchased his home, he was told that The Enclave would be single-family only.

Ann Bevins, Frankfort Road resident, stated that the residents in White Oak Village bought their homes with the understanding that the neighborhood would be single-family.

John Shirley, developer of White Oak Village and current president of the White Oak Village Homeowners Association, felt that the property should remain R-1C PUD and not rezoned because of a temporary slump in the economy.

Obey Wallen, concerned citizen and real estate broker, stated that the original intent of Mr. Bevins was to have 100% brick, single-family homes and later he agreed to the White Oak Village concept. He felt that intent should be respected, and that the density of R-2 zoning would be too great for the area.

Julie Lush, Canewood Subdivision resident, expressed her opposition to the project.

David Stuart, Chairman of the Ward Hall Preservation Foundation, expressed opposition to the increased density and traffic, stating that it will have a negative affect on the marketing of Ward Hall. He added that a rezoning should not be used to salvage a bad investment.

Joyce Wilder, Delissa Drive resident, expressed concern about cut through traffic. She stated that when she moved to White Oak Village, she was informed the area would be single-family.

Mr. Lankford recalled when the Planning Commission rezoned Armstrong Place, against the wishes of many citizens, because it was right thing to do. He stated that staff addressed all the concerns expressed by the citizens. He felt the greatest property rights should belong to the owner of that property, not the neighbors, even though the neighbors should be considered by lessening the impacts.

Mike Easley, representing the applicant, stated that United Bank acquired the property and requested the zone change, not because of the economy, but to implement the best use and best quality development for the property. He stated that landscaping will completely hide the development from U.S. 460, and that the townhomes will face Ward Hall and U.S. 460.

Mr. Lankford stated that White Oak Village was not part of the original intent, but an adjustment was made to fill a need.

Crit Murphy, President of United Bank, reviewed their history with the property and desire to provide a quality development.

Commissioner Lacy stated that the density has been increased once already, and expressed concern about increasing it again.

Mr. Murphy noted that there is considerable open space making the townhomes more desirable.

Donna Oser, Christal Drive resident, talked about the effect on the investment of the White Oak Village residents.

Mr. Lankford stated that if the Planning Commission will approve 128 single-family units, which is less density than White Oak Village, the applicant will submit a development plan showing that density with single-family homes. Mr. Shorkey suggested that such a proposal should be postponed so that the applicant can submit a revised Concept Plan that can be reviewed by the Technical Review Committee.

Discussion continued on whether to allow 128 single-family units in an R-2 PUD zone. Mr. Lankford stated that if the R-2 PUD zoning request is approved, they will submit a development plan at the next meeting showing the 128 units. Mr. Perkins suggested

the public hearing be continued to the July meeting based upon offer that the density be limited to 128 single-family units and subject to the submittal of a development plan showing that density.

Motion by Lacy, second by Holland, to continue the public hearing to the July meeting with the understanding that a revised Concept Plan be submitted June 1 and be reviewed by the Technical Review Committee. By roll call vote, motion carried 7-1 with Richardson dissenting.

Mr. Shorkey agreed to post the revised plan on the office website prior to the July meeting. Mr. Lankford stated that the applicant will be happy to meet with the neighbors to show them the revised plan when it is available. He also agreed to update the notification sign on the property.

The public hearing was continued to the July meeting.

Proposed Sign Ordinance - Public Hearing

Mr. Shorkey noted the revisions that were made and two minor corrections. He briefly reviewed the ordinance. Several specific issues were discussed and Mr. Shorkey made several minor changes.

Mr. Perkins suggested taking photographs around the City and County that show, for future reference, what signs are existing as of a certain date.

There being no other comments, Chairman Bradley closed the public hearing.

Motion by Hampton, second by Woodrum, to recommend the sign ordinance, including the changes that were agreed upon, to City Council and Fiscal Court. By roll call vote, motion carried 8-0.

Discussion on taking sworn testimony

Commissioner Tilford requested that the rules for speaking in front of the Commission be available in writing. Mr. Perkins stated that the rules that were adopted are the same as for the Board of Adjustment, and they address latecomers, but not time limits or repetitious testimony. The order of speakers (staff, applicant, public) was discussed. It was agreed that there would not be a time limit for speakers. Mr. Perkins will make amendments to the rules for taking sworn testimony.

Continuing Education hours for Mr. Sapp

Mr. Sapp had available a list of his continuing education hours, which was called in to question by an applicant. The Commission was satisfied that he is in compliance with State regulations.

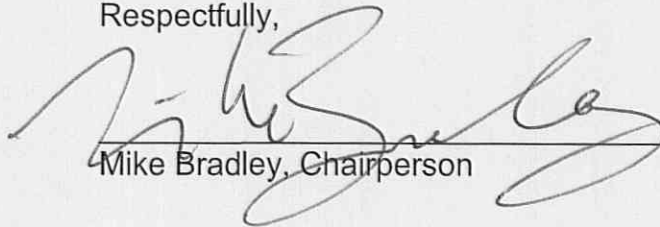
Commissioner Richardson asked that each Commissioner be provided with a list of their own continuing education hours.

Update of previously approved projects and agenda items

Chairman Bradley reported that posting the Commission packet on the website so that it is available to the public has been discussed, along with the possibility of providing the Commissioners with a digital copy only of the packet.

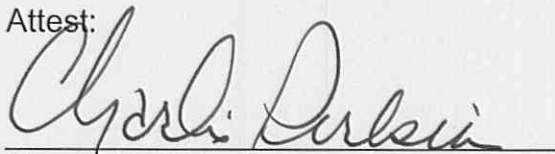
The meeting was then adjourned.

Respectfully,

A handwritten signature in black ink, appearing to read "Mike Bradley", written over a horizontal line.

Mike Bradley, Chairperson

Attest:

A handwritten signature in black ink, appearing to read "Charlie Perkins", written over a horizontal line.

Charlie Perkins, Secretary