

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

**MARCH 11, 2010**

The regular meeting was held in the Scott County Courthouse on February 11, 2010. The meeting was called to order by Chairperson Mike Bradley at 6:00 p.m. Present were Commissioners Greg Hampton, John Lacy, Jimmy Richardson, Ralph Tackett, Bias Tilford, Melissa Waite, and Steve Woodrum, Planning Director Michael Sapp, Engineer Ben Krebs, Planners Brian Shorkey, Joe Kane, and Bonnie Skinner, and Attorney Charlie Perkins. Absent was Commissioner Janet Holland.

Mr. Sapp announced that the Planning staff was sponsoring an open house the next day, March 12, to which the Commission, legislative bodies and candidates for those bodies in the upcoming election have been invited. The purpose is to inform them of the services provided by the Planning Office.

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

Motion by Lacy, second by Waite, to approve the February invoices. Motion carried.

Motion by Richardson, second by Waite, to approve the February 11, 2010 minutes. Motion carried.

With the addition of Discussion of Litigation in a closed session, motion by Waite, second by Hampton, to approve the March agenda. Motion carried.

Postponements/Withdrawals

There were no items for postponement or withdrawal.

Consent Agenda

A representative of the Greathouse-Sutherland Property application agreed to their conditions of approval and there were no concerns expressed by the Commission or public. Motion by Hampton, second by Tackett, to approve the one item on the Consent Agenda. Motion carried.

ZMA-2009-21 Amerson Orchard Zone Change – Rezoning request and Conceptual Development Plan for 91.87 total acres, from A-1 to R-3 PUD for 72.07 acres and 475 dwelling units, and from A-1 to B-4 PUD for 19.8 acres, located on the southeast corner of the U.S. 460 bypass (McClelland Circle) and Lemons Mill Road.

Mr. Kane reviewed the staff report, including issues regarding density, open space, and landscaping. He addressed the Southern Greenbelt Area, the difficulty in farming the property, the Royal Spring Aquifer Recharge Area, annexation, access, design guidelines, public services, the Traffic Impact Study, and conformance with the Comprehensive Plan. Staff recommended approval, subject to fourteen (14) conditions of approval.

Rena Wiseman, representing the applicant, submitted documentation regarding notice requirements. She emphasized the points of the plan which will benefit the surrounding area, and the advantages of having mixed-uses. She addressed buffering, design standards, and future road connections, and showed photographs of a similar development in Lexington done by the applicant.

Rick Curry, Harmony Ridge resident, expressed concern about the Royal Spring aquifer. Mr. Krebs stated that when the drainage plan is submitted, it will be reviewed by the Royal Spring Wellhead Protection Committee. Mr. Curry stated that he opposes the project as presented, and wishes to see either R-1C or R-2.

Justin Harville, Harmony Ridge resident, expressed concern about Pleasant View Drive connecting to McClelland Circle and increased traffic flow. Mr. Sapp stated that the only reason drivers would cut through an extended Pleasant View Drive would be because they live in the neighborhood, which would not mean an increase in traffic.

Brandon Brooks, Harmony Ridge resident, expressed concern about the need for additional homes in Georgetown when existing homes aren't being sold. He also expressed concern about increased traffic, driving at excessive speed through the neighborhoods. He asked if speed bumps could be constructed going into the neighborhoods. Chairman Bradley stated that traffic calming devices could be considered.

Dennis Anderson, applicant, described the development. He stated that the amenities will be open to anyone in the community. He stated that they use different paving surfaces and diagonal parking, which act as traffic calming devices.

Commissioner Tilford expressed concern about the background checks on applicants for apartments. Mr. Anderson stated that the leasing agents do not approve their own leases. Computer software is used for credit and criminal background checks. He then described the security measures that are taken.

Commissioner Lacy expressed support for the mixed-uses that will promote walkability.

Chairman Bradley closed the public hearing.

Commissioner Woodrum asked about access to the applicant's similar development on Leestown Road. Mr. Anderson replied that there is one main access and one right-in/right-out access point.

Commissioner Woodrum also expressed concern about school bus access and whether the commercial uses will back up to the bypass. Mr. Anderson discussed school bus access and described the design and buffering that will prevent the backs of the commercial buildings from being unsightly from the bypass. Commissioner Woodrum asked how the drainage areas will be seeded. Mr. Anderson stated that the trails will be paved.

Commissioner Woodrum felt that ultimately the density is too great for the area.

**Motion by Lacy, second by Richardson, to recommend approval of the rezoning request for 64.8 acres from A-1 to R-3 PUD and 26.5 acres from A-1 to B-4, based upon its consistency with the Comprehensive Plan, the finding that the current zoning is no longer appropriate, and the two proposed zoning classifications are appropriate, based upon the evidence in the staff report, and subject to the fourteen (14) conditions of approval. By roll call vote, motion tied 4-4, with Waite Woodrum, Hampton, and Tilford dissenting.**

Mr. Perkins clarified that there will be no recommendation to City Council, and it was noted that any future plan before the Planning Commission must have significant changes.

**Motion by Woodrum, second by Hampton, to recommend denial of the rezoning request based on his feeling that the current land use map and planning do not support the plan. By roll call vote, motion tied 4-4, with Lacy, Richardson, Tackett, and Bradley dissenting.**

No recommendation will be forwarded to City Council.

#### Reduction of Letter of Credit for Jeff Brashear/Rifton Meadows

Bruce Lankford, representing Jeff Brashear, explained that Mr. Brashear constructed the road improvements in Rifton Meadows, including the final paving. He is now asking for the bond to be released. Mr. Lankford sent notices to the property owners on the road informing them of the request. If the Planning Commission will release the bond, another bond will be obtained for maintenance and repairs of the road until 50% of the lots have a Certificate of Occupancy.

Mr. Krebs explained that the final surface should not have been put on until 50% of the lots have occupancy permits. At that time, the final surface should be put on, and two years later, the road will be eligible for dedication. He stated that putting the surface

on early does not meet the requirements; therefore, he did not recommend releasing the bond.

Mr. Krebs distributed proposed changes to the bonding procedures, including a statement prohibiting putting on the final paving until 50% of the lots have occupancy permits or two years have passed. He also proposed that during the two year time period, a 10% performance bond be held to assure maintenance or repair of any problems that may surface.

Mr. Lankford stated that Mr. Brashear would like to submit the 10% bond for repairs and maintenance, which would be \$5200. The landscaping was also discussed.

After further discussion, **motion by Tilford, second by Richardson, to release the bond and accept another bond for \$5200 for future repairs and maintenance of the road. By roll call vote, motion carried 6-1 with Woodrum dissenting. Commissioner Lacy recused himself.**

### Sadieville Comprehensive Plan

Claude Christensen, Mayor of Sadieville, presented the update of the Sadieville Comprehensive Plan. He emphasized that they are interested in patient, consistent, systematic re-development of the city, and gave a brief overview of the plan. A few of the goals include a community center, repairs on the sewer system, proactive, intentional development of the interstate area, street improvements, a walkable downtown area with emphasis on the historic structures, public safety, consistent code enforcement, and the upgrade of housing.

Renovation of the old Sadieville school and the historic church was discussed.

**Motion by Woodrum, second by Waite, to approve the 2010 Sadieville Comprehensive Plan. Motion carried.**

### FY 10-11 Budget

Mr. Sapp explained the instruction of the County Judge in preparation of the 2010-11 budget.

The office work load was discussed. Mr. Sapp briefly reviewed the projects that have been completed in addition to routine application review.

Commissioner Tilford expressed concern about requesting more funding than was allocated in FY 09-10 when development activity has decreased.

Chairman Bradley requested that the final budget as passed by the City, which is often different from the proposed budget as presented at this time, be re-evaluated and approved by the full Commission.

Commissioner Woodrum felt that full-time positions in relation to the budget should be discussed in Executive Session. Motion by Woodrum, second by Hampton, to go into Executive Session. Motion carried.

The Commission came out of Executive Session.

Discussion continued on line items in the budget. The Commission wished to see the previous year budget along with actual line item expenses.

**Motion by Lacy, second by Richardson, to approve the proposed budget so that it can be presented to Fiscal Court.**

Discussion continued on the budget process.

**By roll call vote, the above motion was tied 4-4, with Tilford, Tackett, Hampton, and Bradley dissenting.**

It was agreed to hold a special meeting on Wednesday, March 17 at 5:00 p.m. so that the Commission can examine line items and have more time to study the budget.

Discussion of litigation regarding Margaux Farms

Motion by Lacy, second by Woodrum, to go into Executive Session to discuss Margaux Farms litigation. Motion carried.

The Commission came out of Executive Session. No action was taken.

The meeting was then adjourned.

Respectfully,

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Mike Bradley, Chairperson

Attest:

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Charlie Perkins, Secretary