

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

**July 12, 2012**

The regular meeting was held in the Scott County Courthouse on July 12, 2012. The meeting was called to order by Chair Melissa Waite at 6:00 p.m. Present were Commissioners Jeff Caldwell, Greg Hampton, Janet Holland, Rob Jones, John Shirley, Stephen Smith, and Frank Wiseman, Planning Director Earl Smith, Planner Joe Kane, Engineer Brent Combs, and Attorney Charlie Perkins (arrived late). Absent was Commissioner Horace Wynn.

Chairperson Waite introduced Stephen Smith as the new Planning Commissioner. It was noted that he had not yet been sworn in.

All those intending to speak before the Commission were sworn in by Chairperson Waite.

Motion by Jones, second by Caldwell, to approve the June invoices. Motion carried.

Commissioner Wiseman made one correction in the Historic District Ordinance discussion regarding his suggestion for an addition to Section 10A that states no one would be required, against their wishes, to be in the district. With that correction, motion by Wiseman, second by Shirley, to approve the June 14, 2012 minutes. Motion carried.

Motion by Hampton, second by Holland, to approve the July agenda. Motion carried.

Postponements/Withdrawals

Chairperson Waite reported that the Golf Townhomes of Cherry Blossom, Lots 10, 23-28 application and the Historic District Overlay Ordinance Public Hearing have been postponed to the August meeting. Motion by Holland, second by Caldwell, to postpone the above two items. Motion carried.

Consent Agenda

There were no items for the Consent Agenda.

PSP-2012-12 Ward Hall Property Amended – Amended Preliminary Subdivision Plat for a 30-lot section of a previously approved subdivision on 7.56 acres, located on the southwest corner of U.S. 460 W. (Frankfort Road) and Paynes Depot Road. Chairperson Waite swore in Bruce Lankford, representing the applicant.

Mr. Kane stated that Mr. Lankford informed him that the applicant wishes to postpone the application to the August meeting.

FSP-2012-13 The Colony, Unit 11 – Amended Final Subdivision Plat for two blocks on the south side of Castleford Drive and west of Keelridge Dr., on the north side of Elkhorn Creek.

Mr. Kane reviewed the staff report, explaining the request to remove two alleyways because the types of homes requiring rear access have not sold well. He stated that if approved, the applicant will be responsible for relocating utility easements, amending site drainage and adjusting existing utility manholes and inlets, and removing asphalt and repairing curbs as needed. He presented photographs of the area showing how these issues will be affected.

He stated that because the applicant is trying to improve the situation by removing the asphalt, grading the area, and bringing in topsoil and planting grass, he is reluctantly recommending approval.

A resident of the Colony expressed concern about additional parking on the streets if the alleyways are removed and requested that signs be posted allowing parking on one side only. Mr. Kane stated that parking was restricted to one side of the street with the previously approved plat.

Keith Nally, applicant, stated that because the lots are so small and provide little space for garages and yards, that the alleyways have become an eyesore with people's possessions. He feels the neighborhood would be better served to convert the alleyways to yards.

Chairperson Waite asked that a condition be added regarding the parking signs.

Mr. Nally stated that the residents have agreed to the change.

**Motion by Jones, second by Holland, to approve the Amended Final Subdivision Plat subject to the ten (10) conditions of approval, plus an eleventh condition that signs be placed on the streets immediately regarding parking on one side only. Motion carried.**

Developer requests for one-year extension to complete streets and sidewalks

Mr. Combs explained the new bonding requirement that infrastructure be completed within one year from the date the plat is recorded, with the provision that developers

could request two 1-year extensions, with potential approval being granted by the Planning Commission. He stated that the first one-year extension was granted as a blanket extension in November 2011 because the ordinance was new and the housing market was down. He recently suggested to affected developers that if they wait until November to ask for a second extension and don't receive it, time has run out to make the improvements. Six developments are requesting extensions.

Bruce Lankford, representing Barlow Homes (Paynes Landing, Spicewood Development, Ward Hall Estates, and Pleasant Valley), asked for clarification of the ordinance. He stated that the housing market is still down and since developers are not selling lots, it stands to reason that that would be a valid reason for granting the extension. He stated that if the improvements are made (correctly) before a significant number of lots are built out, the streets become the property of the City. In that event, future construction vehicles will likely damage the streets, which will become a liability to the City.

Mr. Combs disagreed with the assumption that the streets will fail. He stated that the final course of asphalt is 12-15% of the strength of the street. Often when streets are damaged from construction vehicles, the streets are not at full strength.

Mark Hammel, representing Dominion Homes (Paynes Crossing, Rocky Creek Farm, and Rocky Creek Reserve), showed a photograph of a sidewalk, after dedication to the City, which was virtually destroyed by construction vehicles. He felt that it does not make sense to require completed sidewalks when there are still a lot of vacant lots.

Mike Craft, representing Sutton Place, expressed the same concerns.

Mr. Combs stated that it was his understanding that when the ordinance was written, the concern was that if the houses are sparse and the subdivision is developing slowly, the residents would have no sidewalks to walk on for an indefinite amount of time.

Commissioner Jones understood the concerns of the developers, but felt that the Commission has to enforce the existing ordinance. He stated that he drove through the six developments in question and felt that the final course of blacktop should be laid with no extension granted.

Mr. Craft asked the Commission to consider that when the developments were originally approved, they were subject to the previous 80% buildout rule. He stated that in Lexington, and he was not sure about Georgetown, no dumpsters or construction parking is allowed on completed streets. He also stated that future phases may be as small as five lots under this situation.

Mr. Lankford noted that the ordinance will still be followed if they grant the extension. He stated that six developers asking for an extension should be an indication of the need for it.

The original drafting of the ordinance was discussed. One of the developers stated that he was not asked for input before the ordinance was passed. Commissioner Hampton felt that the ordinance needs reviewed again in light of the current problems. Commissioner Jones asked if the matter can be postponed to the August meeting so that the ordinance can be reviewed with City Council. Commissioner Hampton felt that the extension should be granted to all six developers. Chairperson Waite asked Mr. Craft how many lots on the plat he was showing would have been platted if the ordinance had been in effect at the time that plat was approved. He responded that they would have only platted ten or fifteen lots.

Commissioner Shirley recused himself from voting on the matter, but expressed his opinion from personal experience that the developers have good reason to request an extension. He felt the concern about completing sidewalks is especially valid.

Commissioner Holland felt the extensions should be granted. Commissioner Jones felt that some of the streets are in such disrepair that they should be completed as soon as possible.

**Motion by Holland, second by Hampton, to grant the requests for a one-year extension for street improvements for the six projects listed in the letter dated July 2, 2012 by Mr. Combs. Motion carried 5-1 with Jones dissenting.**

#### KLEAR Final Report

Mr. Kane presented the final report from the University of Kentucky Landscape Architecture students on sustainable development, open space, greenways, and trail connectivity in Scott County. He stated that much of the background information they generated will be used in the Comprehensive Plan update. The report will help with ways to handle growth, improve ordinances, and generate ideas, guidelines, and recommendations for both the development and conservation of our cultural landscape.

The students gathered information regarding ecology, topography, transportation systems, etc., and held three public meetings to present their findings and receive input from the stakeholders. Mr. Kane reviewed the highlights and emphasized how useful the data and visual components will be in future presentations and studies. The full study is available on line, through a link on the Commission's website.

#### FY 12-13 Budget

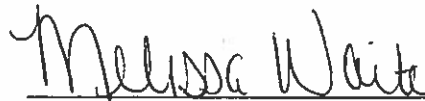
Mr. Smith reported that the budget previously adopted by the Planning Commission has been adjusted with updated benefit rates and more accurate projections. The funding request to the City and County each has been decreased from \$375,000 to \$348,000, with a total budget of \$802,396. This includes filling the Planner and GIS Technician vacancies, and a 3% raise for employees which is consistent with what the City employees will receive.

After brief discussion, **motion by Jones, second by Shirley, to approve the FY 12-13 budget as presented. Motion carried unanimously.**

Mr. Perkins swore in new Planning Commissioner Steve Smith.

The meeting was then adjourned.

Respectfully,



Melissa Waite, Chair

Attest:



Charlie Perkins, Secretary