

ON THURSDAY, AUGUST 12, 2021, THE VERSAILLES-MIDWAY-WOODFORD COUNTY PLANNING AND ZONING COMMISSION HELD THEIR REGULAR SCHEDULED MEETING AT 6:30 PM IN THE 2ND FLOOR COURTROOM OF THE COURTHOUSE.

Madam Chair Perry called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

Members Present: Patty Perry, Jeri Hartley, Tim Parrott, Chad Wells, Rich Schein, Barry Drury, Randal Bohannon, Floyd Greene. **Members Absent:** Chantel Bingham.

Minutes: Motion was made by Mr. Greene, as seconded by Mr. Drury to approve the July 8, 2021 minutes, as submitted. Motion carried with eight (8) aye votes.

NEW BUSINESS

PUBLIC HEARING - Zoning Map Amendment/Preliminary Development Plan/Final Record Plat – Margaret M. Entrekin – 9125 & 9127 Clifton Road – A-1 to A-4 District

Madam Chair opened the Public Hearing and called upon Pattie Wilson, Planning Director for comments. Mrs. Wilson entered the following exhibits into the record:

- A. Zone Change Application
- B. Preliminary Development Plan/Final Record Plat
- C. TRC Agenda – July 13, 2021
- D. Letter to Engineer of TRC Deficiencies – July 13, 2021
- E. Notice to Woodford Sun – July 23, 2021
- F. Copies of Notification Letters to Neighbors – July 22, 2021
- G. Photographs of Zone Change Sign (1)
- H. Staff Report
- I. P&Z Meeting Agenda – August 12, 2021

Mrs. Wilson noted that this was a Zone Change from A-1 to A-4 for 6.491 acres within the small community district of Millville. The property is located on the west side of Clifton Road approximately .8 mile south of Hippe Agee Road. There is also a 2.0 acre parcel to the north that is zoned Residual Farmland; this was not a part of this zone change request and will remain Residual Farmland. Currently the 6.5 acres has a residence with an attached garage and a barn located on it. Mrs. Wilson provided the allowed uses in the A-1 Zone. The applicant wished to change the zone so they can subdivide a 1.596 acre lot off in order for her family to build a single family residential home on the rear of the tract. There was not enough overall acreage for them to utilize the In-family conveyance provision that the Ordinance allows in certain instances. Each will have over 150 feet of existing public road frontage, above the minimum requirement of 150 feet. There can be no further divisions of either tract if rezoned and each can only have one single-family dwelling. Mrs. Wilson provided the adjoining zoning and uses as well as the Goals and Objections from the Comprehensive Plan, Policies and Guidelines related to the Small Community District,

information on Clifton Road and the Natural Environment. Mrs. Wilson addressed Community Facilities and Services. The property is located within the Small Community of Millville which is recognized by the Comprehensive Plan, and supports the goals and objectives allowing limited low-density residential expansion within an established rural settlement. The small communities are acknowledged in the text of the Comprehensive Plan and the A-4 Zone in the Ordinance. The property is located on Clifton Road and is accessed by an existing driveway (Firegate #21) which serves the existing residence. Existing water was available and adequate water pressure as verified by the Frankfort Plant Board. A Site Evaluation for a new on-site sewage treatment system has been approved for the proposed residence and the Woodford County Health Environmentalist has signed off on the plat. Fire protection is provided by the Woodford County Fire Department from the Millville Fire Station #2. Police protection is provided by the Versailles Police Department, Sheriff Department, and the Kentucky State Police. With this zone change to Small Community and the associated Final Record Plat no other divisions could occur. It appeared that the requests met the Comprehensive plan as noted. the property lies within the 1½ mile planning radius for the Small Community of Millville; the site is not in the Agricultural/Equine Preservation Area of the county; the Frankfort Plant Board water district has addressed the availability of water and adequate pressure; the Health Department has addressed adequate septic (existing and proposed) on the property; and the access is existing. Mrs. Wilson provided requirements of KRS 100.213, Findings Necessary for a Zone Change.

Madam Chair asked if any members had questions for Mrs. Wilson. Mr. Wells asked for clarification on the road frontage requirement. Mrs. Wilson noted that they have to have it for the lot to exist but would not be using it.

Madam Chair asked if the applicant or Malcolm Endicott, Surveyor, would like to speak. Neither had any additional comments.

Madam Chair asked if anyone from the public wished to speak. Hearing none, Madam Chair closed the public hearing.

Madam Chair asked if anyone was prepared to take action.

Motion was made by Mr. Wells, as seconded by Mr. Parrott to recommend approval to the Woodford County Fiscal Court, the Zoning Map Amendment/Preliminary Development Plan/Final Record Plat – Margaret M. Entrekin – 9125 & 9127 Clifton Road – A-1 to A-4 District, based on the record and staff report. Motion carried with eight (8) aye votes.

PUBLIC HEARING – Preliminary Townhouse Subdivision Plat – Townhomes at Macey Avenue - Joseph Crabbe (Platinum Developments, Inc) – 150 Macey Ave – R-3 District

Madam Chair opened the Public Hearing and called upon Mrs. Wilson for comments. Mrs. Wilson noted that this was a vacant piece of property on Macey Avenue behind the old Versailles Elementary School and is in the proper zone for single family townhouses. The applicant was seeking eight single family townhouses off of an interior common driveway. The units have garages within in the building but also

have an extra parking space off of the parking lot. There is a proposed storm water management basin on the northeast corner of the site. The plat was reviewed at TRC and all deficiencies were addressed.

Madam Chair asked if any members had questions for Mrs. Wilson. Hearing none, Madam Chair called upon Liz McCullough and William Horton with Thoroughbred Engineering to address the Commission. Mr. Schein asked Mr. Horton to address the detention basin. Mr. Horton noted that they had taken a preliminary look at the basin and it had been preliminarily sized for the development but do not have the final numbers for the volume at this time that would be required for storage and believe they can make it work. Mrs. Wilson noted that the next step would be site construction plans that would be reviewed at TRC and by the City's Consulting Engineer and City Public Works.

Madam Chair asked if anyone from the public wished to speak. Hearing none, Madam Chair closed the public hearing.

Madam Chair asked if anyone was prepared to take action.

Motion was made by Mrs. Hartley, as seconded by Mr. Bohannon to approve the Preliminary Townhouse Subdivision Plat – Townhomes at Macey Avenue - Joseph Crabbe (Platinum Developments, Inc) – 150 Macey Ave – R-3 District. Motion carried with eight (8) aye votes.

1st Amended Final Development Plan – Bluegrass Distillers – 158 W. Leestown Road – A-1 & I-1 Districts

Madam Chair called upon Mrs. Wilson for comments. Mrs. Wilson noted that the Planning Commission reviewed the Development Plan several months ago. And since that time, Bluegrass Distillers has been working on their site construction plans and have been working with the State Historic Preservation Office and in discussion with that office they have found reason to relocate some of the buildings to help protect some of the historic areas. Sam Rock with Bluegrass Distillers was present to discuss and answer specific elements.

Mr. Rock noted that they moved the distillery from being around the house down into the industrial area. The house is on the National Historic Registry and that is why the Preservation Office was involved and the house was listed as possibly being an enslaved house on the registry. Mr. Rock noted that they did have a Conditional Use permit to put the distillery in the Agricultural Zone but now they will be placing it in the Industrial Zone. Mr. Schein asked why they would go to State Historic Preservation Office. Mr. Rock stated that they applied for a grant. Mr. Rock noted that they have had positive community input. Mr. Rock noted that they did an archeological dig and noted that the area was clear in the proposed area for the distillery.

Madam Chair asked if there were any further questions for Mr. Rock.

Motion was made by Mr. Schein, as seconded by Mr. Drury to approve the 1st Amended Final Development Plan – Bluegrass Distillers – 158 W. Leestown Road – A-1 & I-1 Districts. Motion carried with eight (8) aye votes.

FINANCIAL REPORT AND BILLS - July

The report was accepted

MONTHLY BUDGET REPORT - July

The report was accepted

REPORT TO COMMISSION - July

The report was accepted.

COMMUNICATIONS:

Public Meeting Procedures

Madam Chair called upon Mrs. Wilson for comment. Mrs. Wilson noted that the current by-laws state a 3 minute limit for public speaking and do not address the applicant's presentation or the opposing public or represented public comments. The current by-law gives the chair the opportunity to allocate additional time at their discretion. Mrs. Wilson noted that when Mr. Wells was chair he allowed 5 minutes and that is what we have been doing since then and encouraging written comments to be submitted. Mrs. Wilson proposed the following:

Applicant's Opening Presentation and Presentation of Witnesses – 30 minutes – Cross-examination or questions from the Commission can follow related to the presentation.

Represented Public or Opposition's Legal Opening Presentation and Presentation of Witnesses – 30 minutes – Cross-examination or questions from the Commission can follow related to the presentation.

Individual Public Comment – 5 minutes – Redundant comments will be limited but there is no limit on the number of persons wishing to speak.

Closing Statement- 5 minutes for Applicant.

Mrs. Wilson provided some notes to take into consideration when amending the by-law. Those representing the public and individuals wishing to speak must sign up upon arriving at the meeting and will be called upon to speak in that order. Time cannot be yielded to others. Written comments can be submitted prior to or at the meeting and will be made part of the public record. If more than one "organized" or represented opposition group, the 30 minutes shall be split between groups. Mrs. Wilson noted that this needs to be formally adopted.

Preston Worley, Planning Commission Legal Counsel, noted that a Neighborhood Association President representing a neighborhood association will generally only speak for 5 minutes. The applicant should get 30 minutes and the attorney representing opposition should get 30 minutes. Mr. Worley noted that a formal corporation must have an attorney speaking on their behalf in proceedings. Mr. Parrott questioned how would it be determined if the individual wishing to speak also was represented by legal counsel. Mr. Worley noted that the chair can determine if they are being redundant.

The Commission agreed to add the following: **If more than one opposition group has legal representation, the 30 minutes shall be split between groups.**

Motion was made by Mr. Parrott, as seconded by Mrs. Hartley to amend Article V, Section 2 of the Planning Commission's By-Laws - Procedures for Public Hearings as proposed and modified. The motion carried with eight (8) aye votes.

Budget Revision

Mr. Schein noted that when salary raises were addressed for 2021-22, Josh was taken out of the pool based on the fact that he was getting a raise for expanded jurisdiction. Mr. Schein recommended that the Commission place Josh back into the raise pool based on Josh's request. Mrs. Wilson noted that it would be a \$1,650 increase based on 3% of what his salary was when the budget was prepared.

Motion was made by Mr. Schein, as seconded by Mr. Drury to approve placing Josh Stevens back into the raise pool and allot him the \$1650 (3%) raise for Budget Year 2021-22 and to be retroactive to July 1, 2021. The motion carried with eight (8) aye votes.

Mrs. O'Reel noted a clarification in the 2021-22 Budget. The total Health Insurance amount was incorrect and did not include the expense for Kenneth Johns so the total amount should stand as \$70,604.

Motion was made by Mrs. Hartley, as seconded by Mr. Schein to approve the total amount for Employee Health Insurance at \$70,604 for Budget 2021-22. The motion carried with eight (8) aye votes.

Mrs. Wilson noted that the computer for the scanner needs to be replaced. P&Z shares the scanner with the County Clerk's Office and they have agreed to share the cost of a new laptop for the scanner so Mrs. Wilson requested spending \$1200 for our part.

Motion was made by Mr. Schein, as seconded by Mrs. Hartley to approve spending \$1200 for laptop for scanner. The motion carried with eight (8) aye votes.

Motion was made by Mrs. Hartley, as seconded by Mr. Wells to adjourn the meeting at 7:17 p.m. The motion carried with eight (8) aye votes.

Patty Perry, Chair

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