

ON THURSDAY NOVEMBER 10, 2022, 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 6:33 p.m.

PLEDGE OF ALLEGIANCE

Members Present: Patty Perry, Tim Parrott, Chad Wells, Rich Schein, Jeri Hartley, Floyd Greene.

Members Absent: Chantel Bingham.

Minutes: Motion was made by Mrs. Hartley, as seconded by Mr. Greene to approve the October 13, 2022 minutes, as submitted. Motion carried with six (6) aye votes.

NEW BUSINESS

Final Record Plat – Northside Homes, LLC – 314 N. Winter St - R-1A/R-1B/R-1C Districts

Madam Chair called upon Steve Hunter, Planning Director, for comments. Mr. Hunter shared the plan and aerial photo on the monitor for the Commissioners. Mr. Hunter noted that this was basically a consolidation plat. Mr. Hunter noted that the plat went through Technical Review and all deficiencies had been addressed.

Rick Nunnery with EA Partners and Mike Bradley, developer/owner, were present. Madam Chair asked the Commission if they had any questions for Mr. Hunter or Mr. Nunnery. Mr. Schein asked what happened. Mr. Bradley noted that due to increase in construction costs, they decided to separate it and give the detention basin to the H.O.A., sell off the old farmhouse property and keep the rest of the property that divides the thirteen lots. Mr. Nunnery noted that there is still a Preliminary Plat and Construction Plans ready to go.

Madam Chair asked if anyone was prepared to take action.

Motion was made by Mr. Schein, as seconded by Mr. Wells, to approve the Final Record Plat – Northside Homes, LLC – 314 N. Winter St - R-1A/R-1B/R-1C Districts, as submitted. No further discussion. Motion carried with six (6) aye votes.

2nd Amended Final Development Plan – F146 Holding LLC/Bluegrass Distillers – 158 W. Leestown Rd – A-1/I-1 Districts

Madam Chair called upon Mr. Hunter for comments. Mr. Hunter shared the map/plan on the monitors for all to view. Mr. Hunter noted that this should look familiar because they just re-zoned ten acres on the north side of the property. Mr. Hunter noted that plan went through Technical Review and all deficiencies had been addressed and the Plan was in order for Commission's action.

Sam Rock, owner, was present.

Madam Chair asked the Commission if they had any questions for Mr. Hunter or Mr. Rock. Hearing none, Madam Chair asked if anyone was prepared to take action.

Motion was made by Mr. Schein, as seconded by Mrs. Hartley to approve the 2nd Amended Final Development Plan – F146 Holding LLC/Bluegrass Distillers – 158 W. Leestown Rd – A-1/I-1 Districts, as submitted. No further discussion. Motion carried with six (6) aye votes.

PUBLIC HEARING - Zoning Map Amendment and Preliminary Development Plan/Preliminary Subdivision Plan – Springs of Versailles, LLC (Estate of Josephine Barrows) – 581 Falling Springs Blvd – 95.210 Gross Acres - A-1 to R-1B District

Mr. Wells was recused.

Madam Chair opened the public hearing. Madam Chair called upon Mr. Hunter for comments. Mr. Hunter noted that this request started back in August. Mr. Hunter shared the revised map/plan on the monitors for all to view and distributed a revised staff report. The applicant removed the PUD overlay from the request. Mr. Hunter noted that Technical Review Committee had a special meeting and reviewed the plan and all deficiencies had been addressed and it meets everything in the Sub Regs and Zoning Ordinance. Mr. Hunter noted that the staff engineer, Mary Beth Robson, was present because she reviewed this in TRC.

Chair Perry asked if any members had questions for Mr. Hunter. Hearing none, Chair Perry called upon the applicant.

Robert Stilz, representing the applicant, was present. Members of EA Partners were present as well as representatives of the Josephine Barrows Estate. Mr. Stilz noted that they had already made an extensive record and had shown compliance with the Comprehensive Plan. Mr. Stilz asked to use the time he had left for rebuttal. Mr. Stilz noted that they had listened to comments from the previous hearing of the adjoining property owners and revised the Preliminary Subdivision Plan and removed the PUD overlay. Mr. Stilz noted that they had completed a full drainage analysis and reviewed it with Mrs. Robson and also reviewed the traffic report with her and she was satisfied with it. The proposed zoning classification is R-1B and it is identical to what exist in adjacent Adena Woods and Adena Trace. The property was annexed by the City of Versailles and is in the Urban Service Boundary and has been shown in at least two to three Comprehensive Plans within the USB, available for residential housing development. Mr. Stilz noted that they had shown compliance and went above and beyond to address concerns and taken steps that are normally not required at this level of review. Chair Perry noted that Mr. Stilz would have 12:20 left for rebuttal.

Hank Graddy, representative for neighbors on the west in Adena Woods and couple others in the community in opposition to the proposal. The clients previously, before representing them, communicated their opposition to the PUD and they are relieved that the PUD is removed. Mr. Graddy distributed his comments. Mr. Graddy noted that they remain in opposition for the following reasons.

The staff report noted that the subject property is currently zoned and used for Agriculture. The staff report notes that the property is bounded by land zoned and used for Agriculture on the North (A-1 Agriculture and Residential), South (Agriculture A-1 and A-2) and East (Agriculture A-1). On the West the land has been developed into Adena Trace and Adena Woods (A-1 and R-1B – Agriculture and Residential). Mr. Graddy noted that his clients are primarily residents and property owners of Adena Trace and Adena Woods subdivisions. The staff report states the purpose of the Preliminary Development Plans as follows: “The Preliminary Development Plan is intended to demonstrate to the Planning and Zoning Commission the character and objectives of the proposed development in adequate detail for the Planning and Zoning Commission to evaluate the effect the proposed development would have on the community and determine what provisions, if any, should be altered for the protection and promotion of the general public welfare.” Mr. Graddy asked the Commission to find that the amended Preliminary Development Plan did not provide adequate detail for the Planning Commission to evaluate the effects this proposed development would have on the neighborhoods and on the community in the areas of traffic safety, traffic level of service, storm water management, flood protection, and the provision of urban services, including schools. They asked the Commission to find that the proposed development adds to a serious oversupply of undeveloped approved residential lots in Versailles that far exceeds the need for residential lots as determined by the Comprehensive Plan and puts in jeopardy the community’s ability to carefully plan our growth in Versailles to match our urban services capacity and our workplace opportunities. In summary, it is premature to consider rezoning this property at this time. Mr. Graddy noted that the staff report indicated the amended Preliminary Development Plan was for 237 residential lots and an additional 5 HOA lots for open space and stormwater management. The staff report indicated that 2,394 vacant lots zoned for residential in Woodford County/Versailles and 129 that are eligible for building permit issuance, based upon an October 6, 2021 analysis. In 2016, Mr. Graddy wrote to the Planning Commission on behalf of Woodford Coalition, in opposition to the rezoning of Backer I (Wilmot Farm). At that time the staff report indicated there were 1,151 vacant zoned unit in Versailles. Mr. Graddy argued that with over 1,000 vacant zoned lots, including 132 already platted, there was no need at that time to add 540 more residential lots; they based their argument on the 2011 Comprehensive Plan. Mr. Graddy stated in retrospect, the Staff report in this case indicating 2,394 vacant lots was dated October 6, 2021, and was outdated. Recently, on August 15, 2022, the Planning Commission staff updated the inventory of available zoned lots and determined that there were 4,332 undeveloped zoned residential lots, which he included as an attachment. Mr. Graddy reviewed the attachments that he provided the Commission and were entered into the record. Mr. Graddy noted that both of the numbers far exceed the 2018 Comprehensive Plan projected number of units needed in Versailles by 2030 and 2040. The community need by 2030 is 905 units, now there are 4,332, which exceeds about 4 times the actual need of the community. The total number of lots needed by 2040 based on the population growth is 1,581 lots. We already have 4,332 zoned and ready to be developed lots. This Community, this Planning Commission has recommended and the City Council has approved, enough rezoned lot to increase the population of Versailles by 9,660 people now. Mr. Graddy noted that we have not planned for urban services for another 9,000 people and we are way over in supplied residential land. Mr. Graddy noted that this was not smart growth or controlled growth and the Planning Commission and City Council has ignored the numbers for way too long. Now they are being asked to add 237 units to a supply that is 4 times the planned growth between now and 2030. Mr. Graddy noted that the Planning Commission has and is being asked to defeat the Comprehensive Plan, that is supposed to be the guide, not just for housing/residential but for the entire community. Mr. Graddy noted that his clients oppose interconnectivity and would like to see a barrier between the two neighborhoods. They complain that the proposed drainage and stormwater controls are not state of the art and are not adequate, specifically homeowner associations should not be put in

charge of stormwater management facilities. Mr. Graddy asked the Commission to turn down the request and asked to work with the City to develop a state of the art stormwater management system that includes a role for the government to manage and maintain these and not drop the role on inadequate homeowner associations. Mr. Graddy noted that lack of school capacity and complained about the inadequacies of the traffic study. Mr. Graddy distributed Findings of Fact to deny.

Chair Perry called upon the public to speak and noted there were four persons to sign-up. Chair Perry noted that if Mr. Graddy represented a person then they aren't supposed to speak because he spoke on their behalf.

Scott Parkinson, noted that Mr. Graddy did represent him. Mr. Parkinson noted that the plan that was distributed shows that Flint Ridge connects to the development but Dylan Place does not, is that true (he asked this question of Mr. Stilz)? Mr. Parkinson noted that a traffic study was currently taking place, commissioned by the City of Versailles, and believes that needs to be seen before action can be taken on this request. He noted that the traffic flow is in an "F" position. This development will negatively impact the road. Safety is a concern because cars go too fast on Flint Ridge Road and the two subdivisions should not be connected.

John Novak noted that he was opposed to the zoning request and urged the Commission to deny. High density housing is not needed. Mr. Novak was asked by Van Sudduth to review some stormwater management issues. [Giving the maintenance of detention basins to the City will be an added cost to the City Government and covering up existing sinkholes. Mr. Novak shared an exhibit of the karst land in Woodford County and discussed the sinkhole in Adena Woods and had not received any maintenance because their HOA does not exist. Mr. Novak stated that the Springs development has planned to build six homes directly over top of a sinkhole, which is unconscionable. Mr. Novak noted that the State of Florida does not allow HOA's to manage sinkholes. It was noted by Mr. Sudduth that there are some procedural Planning and Zoning practice that should be changed by the City Council. The professional engineer is not scheduled to review the developer's submitted plat until after it is approved by Planning and Zoning. This does not allow the neighbors to see the stormwater flow and understand the risks to the neighboring properties. This could be a severe problem for Adena Trace and Adena Woods, where stormwater runoff is routed through a very large karst area that some people feel is already a problem.] Mr. Novak deferred the rest of his time to Will Sudduth.

Will Sudduth, spoke at the last hearing and is from Woodford County. Mr. Sudduth lives in Adena Woods and has been there since 2007. Mr. Sudduth was still concerned with water drainage issues. Mr. Sudduth noted that he was concerned with standing water behind another house on the street and could be dangerous to kids playing in the area. When adding more houses it would make the issue worse and was concerned about erosion around the sinkhole.

Diane Sage of Lancaster Place has lived there since 2004. Mrs. Sage noted that she was concerned with the traffic and safety on Falling Springs Boulevard. Water is a concern and floods the road. Concerned if the schools can handle additional housing and is there support.

Chair Perry invited Mr. Stilz for rebuttal. Mr. Stilz noted that Al Gross with EA Partners would address a few items.

Mr. Gross noted that there were a lot of consternation and concern from the neighbors in Adena Woods that live in almost the identical setting that is being proposed to be built in the Springs, was not surprising to him, but interesting. Mr. Gross noted that Mr. Graddy said there were 129 platted lots available to build a home on in this community; seems to be a small number. Mr. Graddy did talk about the number of lots that had been approved but there is a great deal of effort, time and money to spend to get those zoned and approved lots platted and ready to build. Mr. Gross noted that they had delivered a detailed stormwater management plan to the Planning Commission's engineer and reviewed it and did not believe there was anything negative to any of the surrounding properties. Mr. Gross offered to have the concerned neighbors or others to conference with him, staff and Commission's engineer regarding the stormwater management to make reasonable suggestions and they would consider those. Mr. Gross noted that traffic is always an issue when developing but there would not be an inadequacies that the Springs would affect. Most or all LOS are at or below Level "D". Sinkholes can be managed and handled and no lots will be on top of sinkholes. All sinkholes will be protected and evaluated. Mr. Gross noted that the Comprehensive Plan is the element in its long range and vision, since the past three Comp Plans.

Mr. Stilz asked the Commission to vote tonight since this has been ongoing since August. Mr. Stilz noted that the request is in compliance with 2018 Comprehensive Plan, they have a detailed drainage analysis and listened to the neighbors, removed the PUD and did a traffic summary. This justifies that public services are available. Mr. Stilz noted that the Barrows family has had this property and has been slowly developing it for fifty years. Mr. Stilz noted that connectivity is required. The plan shows that Flint Ridge connects and Dylan Place does not noted Mr. Parkinson. Mr. Gross noted that the plan is what it is.

Chair Perry closed the public hearing. Chair Perry asked if any Commissioners had questions or comments.

Mrs. Hartley asked Mrs. Robson if she had reviewed the drainage and traffic study. Mrs. Robson agreed that she had and everything looked to be sufficient. All Commissioners received the drainage study via email. Mrs. Hartley questioned who looks at or checks on the sinkholes. Mr. Nunnery noted that it is evaluated by Geo Technical Engineer, there is excavation done and treated with filter and rock and same as Adena Woods; they establish non-build areas as well.

Chair Perry asked if anyone was prepared to take action.

Mr. Schein questioned if there was a quorum and Chair Perry noted that there was. Mr. Schein preferred not to make a decision tonight given the amount of new information given today.

Motion was made by Mr. Parrott, as seconded by Mrs. Hartley to recommend approval to the City of Versailles the Zoning Map Amendment and Preliminary Development Plan/Preliminary Subdivision Plan – Springs of Versailles, LLC (Estate of Josephine Barrows) – 581 Falling Springs Blvd – 95.210 Acres - A-1 to R-1B District based on the record and the staff report as presented. No further discussion. Motion carried with three (3) aye votes (Perry, Hartley, Parrott); one (1) nay vote (Schein); one (1) abstention vote (Greene) by a show of hands.

Zoning Ordinance Text Amendment related to Articles II, V and XI

Madam Chair called upon Mr. Hunter for comments. Mr. Hunter noted that the Planning Commission subcommittee met and reviewed/revised the amendments. Mr. Hunter noted that several text

amendments were in the works when he came to the position; one was from the City of Versailles, one from AARC, one from City of Midway. Article XI was related to the Landscape Ordinance in the Urban Service Boundary and City of Versailles has requested that we remove the PUD overlay from the ordinance. The subcommittee will continue to work on the other text amendments. Mr. Hunter reviewed the changes to the Article XI, II and V. Mr. Hunter noted that the Plant List/Guide that was being used was from 2015 and had a footnote that stated if you want to know what to plant, look at Lexington's Planting Manual. He felt that the Woodford County needed their own so he created one with the assistance of Faye Kousman at the Extension Office, same as he had done in two other counties. Mr. Hunter shared the list. It will be listed in the Zoning Ordinance as Appendix B as the Master Plant List. There was some housekeeping language that needed to be cleaned up in definitions.

Motion was made by Mrs. Hartley, as seconded by Mr. Parrott to approve the Zoning Ordinance Text Amendments related to Articles II, V and XI, as submitted. No further discussion. Motion carried with six (6) aye votes.

FINANCIAL REPORT AND BILLS – October

The reports were accepted

MONTHLY BUDGET REPORT - October

The report was accepted

REPORT TO COMMISSION - October

The report was accepted.

COMMUNICATIONS:

Mrs. O'Reel noted that staff would be purchasing a new CPU for the Planning Director (as approved in the budget) and replace a laptop to be shared by GIS and Planning & Zoning Office.

Motion was made by Mr. Schein, as seconded by Mr. Wells to adjourn the meeting at 8:03 p.m. The motion carried with six (6) aye votes.

Patty Perry, Chair

PP:ko