

ON THURSDAY, SEPTEMBER 29, 2011, THE VERSAILLES-MIDWAY-WOODFORD COUNTY PLANNING AND ZONING COMMISSION HELD A MEETING IN THE 2ND FLOOR COURTROOM OF THE WOODFORD COUNTY COURTHOUSE AT 4:30 P.M.

MEMBERS PRESENT: Jim Boggs, Ed McClees, Tim Parrott, Patty Perry, Brian Traugott, Rich Schein, Chad Wells, J.D. Wolf

MINUTES: A motion was made by Mr. McClees, as seconded by Mrs. Perry, to approve the August 11, 2011 minutes, as submitted. The motion carried with seven (7) aye votes. VOTING IN FAVOR: Jim Boggs, Ed McClees, Tim Parrott, Patty Perry, Brian Traugott, Rich Schein, J.D. Wolf. ABSTAINING: Chad Wells.

Mr. Wells explained that he would not vote because he had not had the opportunity to read the minutes, due to a mix up in receiving his mail since moving.

INTRODUCTION – GIS COORDINATOR

Chairman Wolf introduced Kenneth Johns as the new GIS Coordinator and stated that he is doing a great job.

Mrs. Wilson stated that Kenneth has come in with great enthusiasm and has been very productive. He is presently working trying to get the City on board with a small project.

Kenneth stated that he grew up in Versailles and went to school with Brian Traugott. He explained that the job is going great and he came in early working with the Magisterial Districts and assisted in getting the reapportionments completed. Kenneth stated that he went from that to diving into working on the Comprehensive Plan maps, which needed some work. In the midst of this Kenneth explained that he has aggressively been working with Bart Miller at the City and has been trying to get involved with some of the things they need to have done. Kenneth stated that this is going better than he had imagined and felt very positive about that relationship. Kenneth stated that other than those particular things, he is reviewing files and programs to get a better understanding of what and how Niki was doing things.

Mrs. Wilson stated that he is asking a lot of good questions of her and many of the different departments. Mrs. Wilson stated that he is going forward in a positive way.

Work Session – Comprehensive Plan Update Draft

Chairman Wolf stated that the Planning Commission will begin the work session on the draft and no public comment will be allowed at this time.

Mr. McClees commended the Committee on a job well done. Chairman Wolf agreed and stated that Mr. Butler and Mrs. Wilson have also done a good job and have worked very hard.

Chairman Wolf stated that tonight a new section was handed out; Chapters V and VI, and that will be discussed at the regular meeting on October 13th. Chairman Wolf stated that they have been talking about November 3rd for a public hearing. He questioned if that works for Mr. Butler? Mr. Butler stated that he would be available. Chairman Wolf stated that during the public hearing each person will be allowed three minutes to speak or they can submit comments in writing by November 3rd.

Mr. Schein questioned if the procedures can be advertised? Mrs. Wilson stated that they can. Mr. Schein stated that he is saying that because in the past there have been people who complained that they did not know the procedure.

Mr. Schein stated that he really appreciates all the amazing amount of work that has gone into the update to the Comprehensive Plan. Mr. Schein requested that Mr. Traugott give them an overview of the procedures and how they got from 400 pages to 100 pages.

Mr. Traugott stated that a lot of the meat and potatoes of the Comprehensive Plan are in the pages that were handed out tonight so there has been some rewording that he is not yet familiar with. One of the major goals was shrinking the document and that has been achieved primarily by taking out a lot of fluff and repetitive things. The opinion statements have been consolidated into one eight page section. Mr. Traugott stated that the policy changes can be counted on one hand. Mr. Traugott stated that one of those changes was removing the equine preserve district. That was driven by an effort to make all agricultural land equal. Mr. Traugott felt with the Agricultural Land Board now being in existence that it was overkill to have the equine preserve district when it is obvious those areas are not going to be developed. The second big change was the view shed on US 60. Mr. Schein stated that he also noticed a view shed missing in Midway that was on the 2005 document. Mr. Traugott stated that is just an oversight and they need to correct that. Mr. Traugott stated that the US 60 view shed was eliminated because there is development on one side, the Bluegrass Parkway, and on the other side there is already a neighborhood. The view shed was in the middle of development. Mr. Traugott stated to compensate for adding that land in the Urban Service Boundary; they took out some land that the County owns that is now a park. Mr. Traugott stated that there were some consolidations between the commerce districts. Mr. Schein stated that he noticed the elimination of the architectural landscape standards for commercial and housing developments. Mr. Traugott stated that was not an oversight, but they did add some flexibility to the commerce districts. The Plan Implementation has the opinions in there.

Mr. Schein questioned when they include the previous Transportation Plans by reference, will they be an Appendix for historical information or are they policy statements that they want to continue to do? Mr. Schein stated that he is in particular thinking of the Falling Springs extension. Mr. Traugott stated that they are included as a reference and will not be attached as an Appendix. Mr. Schein questioned if they are a spirit to be continued in the Plan? Mr. Traugott stated that he feels that all three of the studies have information that need to be supported or endorsed in this Plan and their inclusion is a half attempt to do that.

Mrs. Wilson stated that the view shed on Weisenberger Mill Rd. was where they expanded the Urban Service Boundary for the nursing home property and they just failed to put that view shed back on there. Mrs. Wilson stated that she has noted that needs to be corrected.

Mr. Boggs stated that he could not find the existing Urban Service Boundary to compare to this one so he can see the changes. Mr. Boggs questioned about how much land was changed, although he had no problem with where it was added. Mrs. Wilson stated that it was about a 50 acre swap. Mrs. Wilson pointed it out on the map.

Mr. Traugott questioned if Mr. Boggs had any issues with the other changes? Mr. Boggs stated that there are some words that he wished were different, but overall he felt a lot of restraint was used considering the makeup of the Board. Mr. Boggs stated that he appreciates the work. Mr. Traugott stated that in the backs of their minds, they were thinking of avoiding litigation.

Chairman Wolf stated that the previous Comprehensive Plan was very costly and this time they are doing it in house and it will be substantially less. Chairman Wolf stated that Mr. Butler and Mrs. Wilson have worked hard on this so it is a defensible document.

Mr. Schein stated that he agrees with Mr. Traugott that there is so much that was in the 2005 Comprehensive Plan that is not needed today; however, eight years ago it was needed. Mr. Schein stated that the process that was created where people got together and talked and they had the charrettes was very important. Many of those organizations are still talking to each other whereas before they were not. There is now a spirit of conversation. Mr. Traugott stated that the problem he has with all that is that the fringe elements are always going to be represented, but 80% of those in the middle are never going to show up. Mr. Schein stated that is a good point. Mr. Schein stated that in the sections they are looking at tonight, he does have a few word suggestion changes but they are minor. Mr. Traugott stated that he should email those to Mrs. Wilson.

Mr. Butler stated that the section that was handed out tonight is the land use section. Mr. Butler stated that he reorganized and cut some things out. He tried to make it where it flowed better. Mr. Butler stated that the previous Plan was so hard to follow and they wanted to make this easy to understand and easy to find areas that you might be looking for. Mr. Butler stated that Mrs. Wilson did a lot of the work and he came in afterwards and tried to help organize and explain how the Plan is to be used. Mr. Butler stated that the charge early on was to make this a useable Plan. When people understand a Plan they tend to have respect for it whether they agree with it or not. Mr. Butler stated that this was an extremely frustrating Plan to work through even with all his years of Planning and being an Attorney. The intent was there to do some good things and it did. Even though some of the design things are out, it does not mean that someone could not come in and do a town and country type development. There is nothing that prohibits that. The previous process was good and it did get people communicating, but a 400 page document is very daunting when it has to be legally defended or understood. This document is on the website for the public to review and it should flow better.

Mr. Schein stated that in what was mailed to them, there is a paragraph that talks about policies and guidelines and positions and standards. He questioned if that was cut or changed? Mr. Butler stated that it was. Mr. Schein stated that it would have been one of his suggestions.

Mr. Butler stated that he tried to make zero policy changes. He might have clarified the wording, but did not want to change the meaning. Mr. Butler stated that he did add the area wide development policies which basically say these are things that apply to all development.

Mr. Schein stated that a land use map does not look like a zoning map. He questioned what he should tell people in Midway when they look at the relationship between the two maps? The EDA property shows up as a workplace, but it has houses on it. Mrs. Wilson stated that she actually went to an EDA Board meeting and gave them the opportunity to say if they wanted the land use to change. Since the property is already zoned, they will not be looking at the Comprehensive Plan anymore on that sight. If for some reason that project did not move forward in that fashion and they wanted to change it to an industrial zone, they have that option available to them. Mr. Schein stated that the Comprehensive Plan shows it as a work place, but it is zoned R-1B. He questioned if that is ok? Mrs. Wilson stated that it is.

Mr. Traugott questioned if Mr. Schein is still of the view that they should not have oriented the Goals and Objectives so much towards the current economy situation? Mr. Schein stated that he is over that and has no problems. Mr. Schein stated that if he is being asked his views personally; he still has some issues with view sheds and he does not want to drive into Midway and see a parking lot that does not have a single tree in it. There is an environmental and an aesthetic argument that is not in the Plan and it does worry him a bit. Mr. Butler stated that one of the problems legally, and it comes from a case out of

Jefferson County that says that the Comprehensive Plan is not law, it is only policy. A lot of things that were quasi regulation in this policy document should have been implemented through an Ordinance. A prime example is that there are fairly rigid regulations for architectural standards in all of Nelson County for commercial construction; however, there is only a passing mention of that in the Comprehensive Plan. All they said was that they wanted the appearance of their community to be good. That was marching orders for them to make the decisions of what they wanted and then implement that through ordinances. Mr. Butler stated that the same principle applies to the view shed. It should be implemented through an overlay district or some sort of regulatory technique. Mr. Schein stated that he agrees and because Mr. Butler is a lawyer and a planner he knows that he understands; however, this document does have a symbolic purpose and you must question will that still exist in the slimmed down version. Mr. Butler stated that does not mean that some things cannot be done to address how the community wants to look and a good place to start may be with a new sign ordinance. Mr. Butler stated that he believes the document still encourages for a lot of those things to occur whether it is spelled out or not.

Mr. Traugott stated that he would hope after this process is complete that the Chairman would request that the Zoning Ordinance be reviewed. Mr. Butler stated that he calls this the "Planning & Zoning Circle of Life", which means that you plan for the community and then you look at your regulations and just about the time you complete that it is time to look at the Comprehensive Plan again. People always say they are done, but it is an ongoing process and this most recent economic downturn should point that out. As you get more refined, it should get easier to do, but you will never be done.

Mr. Schein questioned if there will be one more work session? Mr. Traugott stated that it is a full Planning Commission work session on what was handed out tonight. Chairman Wolf stated that after that they will have a public hearing.

Mrs. Wilson stated that at the next regular meeting on October 13, 2011 they will have the work session on the last two sections.

Chairman Wolf introduced Mr. McLean as the new EDA Chairman. Mr. McLean stated that he will be speaking on behalf of the EDA at the public hearing in support of the Comprehensive Plan.

FINANCIAL REPORT AND BILLS

The report was accepted administratively.

Mr. Parrott questioned why they paid Mr. Hume for inspections? Mrs. Wilson stated that Mr. Noel was off work for a while because his wife was ill and Mr. Hume filled in. Chairman Wolf stated that they are looking for someone who would do it cheaper in the future.

MONTHLY BUDGET REPORT

The report was accepted administratively.

REPORT TO COMMISSION

The report was accepted administratively.

BOND STATUS REPORT

Mr. McClees questioned if there has been any progress on Cedar Ridge and Rose Ridge? Mrs. Wilson stated that the City is in discussions with Mr. Nave and she was uncertain what they have concluded. Mr.

McClees stated that he was waiting for some communication from Mr. Moore, but has not heard from him.

COMMUNICATIONS:

Mr. Butler handed out his quarterly report for lawsuits and stated that there are two that he is not reporting on anymore one being Backer and the other is Covington. On the Backer case the Supreme Court upheld the Fiscal Courts decision to deny the zone change and the Covington case was settled and has been dropped. There are only three that are active and not much is going on with those.

A motion was made by Mr. Traugott, as seconded by Mr. Wells, to adjourn the meeting at 5:15 p.m. The motion carried with eight (8) aye votes.

J.D. Wolf, Chairman

JW:pc