

ORDINANCE NO # 1 - 2023

COUNTY OF FRANKLIN, KENTUCKY

AN ORDINANCE AMENDING THE TABLE OF SPECIAL ORDINANCES, SECTION 1 ZONING MAP CHANGES OF THE FRANKLIN COUNTY CODE OF ORDINANCES FOR 9.26-ACRES OF PROPERTY, BEING ALL OF LOTS 3, 14, 20, 21 AND 22 OF THE ENGLEWOOD PARK SUBDIVISION OF RECORD IN PLAT CABINET A, SLIDE 330 IN THE OFFICE OF THE FRANKLIN COUNTY CLERK, FROM PROFESSIONAL OFFICE DISTRICT (PO) TO GENERAL COMMERCIAL DISTRICT (CG)

WHEREAS, The Franklin County Fiscal Court, having heretofore enacted an Ordinance relating to zoning regulations and zoning district maps in accordance with a Comprehensive Plan and KRS 100; and

WHEREAS, the aforesaid Ordinance provides for amendments to the zoning ordinance text and maps and requires the Frankfort/Franklin County Planning Commission to forward their recommendations for approval or denial of the zone map amendment, along with their findings of fact, to the Franklin County Fiscal Court for action; and

WHEREAS, The Frankfort/Franklin County Planning Commission held a public hearing on October 13, 2022 and adopted a summary of the evidence and findings of fact on November 10, 2022 as required by K.R.S. 100; and

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY OF FRANKLIN, COMMONWEALTH OF KENTUCKY, THAT:

SECTION I. The Code of Ordinances, Table of Special Ordinances Section 1 Zoning Map Changes, is hereby amended to read as follows:

That 9.26-acres of property on Democrat Drive, being all of lots #3, #14, #20, #21 and #22 of the Englewood Office Park subdivision, of record in Plat Cabinet A, Slide 330 in the office of the Franklin County Clerk, is hereby amended from Professional Office District (PO) to General Commercial District (CG), based on the following findings of fact:

- a) The Comprehensive Plan, Future Land Use Plan, designates the property for Regional Retail and Employment Center.
- b) The General Commercial (CG) zone district is an appropriate zone district for the Regional Retail land use designation.
- c) The proposed zone map amendment is in agreement with the Comprehensive Plan.
- d) That the developer adds sidewalks on the development plan

SECTION II. CODIFICATION. The provisions of Section I of this Ordinance shall be published as appropriate in the Franklin County Code of Ordinances as soon as practicable.

SECTION III. SEVERABILITY CLAUSE. If any section, part of provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, then it is expressly provided and it is the intention of the Franklin County Fiscal Court in passing this Ordinance that its parts shall be severable and all other parts of this Ordinance shall not be affected thereby and they shall remain in full force and effect.

SECTION IV. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and publication according to law.

INTRODUCED AND GIVEN FIRST READING IN SUMMARY at a duly convened meeting of the Fiscal Court of Franklin County, Kentucky, held on the 18th day of January, 2023.

GIVEN SECOND READING AND APPROVED at a duly convened meeting of the Fiscal Court of Franklin County, Kentucky, held on the 31 day of January, 2023 and of record in Fiscal Court Order Book 33, Page 278.



Michael Mueller
Franklin County Judge/Executive

ATTESTED TO:



Fiscal Court Clerk

SUMMARY

This ordinance approves a zone map amendment for 9.26-acres of property on Democrat Drive, being all of lots #3, #14, #20, #21 and #22 of the Englewood Office Park subdivision, of record in Plat Cabinet A, Slide 330 in the office of the Franklin County Clerk, is hereby amended from Professional Office District (PO) to General Commercial District (CG)

EXHIBIT "A"

All that certain property situated in Franklin County, Kentucky, and being more particularly described as follows, to-wit:

Being all of Lots 3, 14, 20, 21 and 22 as shown on that certain plat recorded as Final Plat Englewood Office Park, of record in Plat Cabinet A, Slide 330, in the Franklin County Clerk's Office.

Being a part of the same property conveyed to John W. Bizzack, by John W. Bizzack as Executor of the Estate of John Bizzack, by deed dated February 26, 2002, of record in Deed Book 456, page 187, in the Franklin County Clerk's Office.

STAFF REPORT

TO: Frankfort/Franklin County Planning Commission
FROM: Ben Judah, Planning Supervisor
MEETING DATE: October 13, 2022



GENERAL INFORMATION

Applicant: TT of F., Frankfort, INC
505 South Flagler Drive, Ste. 1400
West Palm Beach, FL 33401

Request: TT of F, Frankfort Inc. is requesting a zone map amendment of 9.26-acres on Democrat Drive from Professional Office District "PO" to General Commercial District "CG". Being all of lots #3, #14, #20, #21 and #22 of the Englewood Office Park subdivision, of record in Plat Cabinet A, Slide 330, in the office of the Franklin County Clerk.

Size of Property: 9.26 acres

Purpose: Auto Retail and Service

Surrounding Land Use & Zoning

North: Zone- CG; Interstate 64, Vacant
South: Zone- IG; Duncan Road, Industrial (Montaplast of North America)
East: Zone- CH; Bizzack Blvd, Commercial
West: Zone-PO; Office

Background

The subject property is located in the southeast quadrant of Franklin County on Democrat Drive. The subject properties currently comprise of five (5) indivual tracts that are zoned Professional Office in the Englewood Office Park. According to the Franklin County Land Use Table, automotive dealerships are not listed as a permitted use in the PO- Professional Office zone. The applicant is therefore requesting to rezone the property in order develop a car dealership and service facility.



Existing Zoning: Professional Office (PO)

§155.145 (A) Purpose.

To establish and provide for office and related uses serving as an incentive to remodel older residential structures which may not be appropriate to maintain as dwellings. Retail sales shall be prohibited.

Proposed Zoning: General Commercial (CG)

§155.147 (A) Purpose.

To permit community-oriented commercial development predominantly in areas already developed and where a change in development pattern is in accordance with the Comprehensive Plan. To preserve the carrying capacity of streets and to ensure adequate parking. To provide concentrations of general commercial activities.

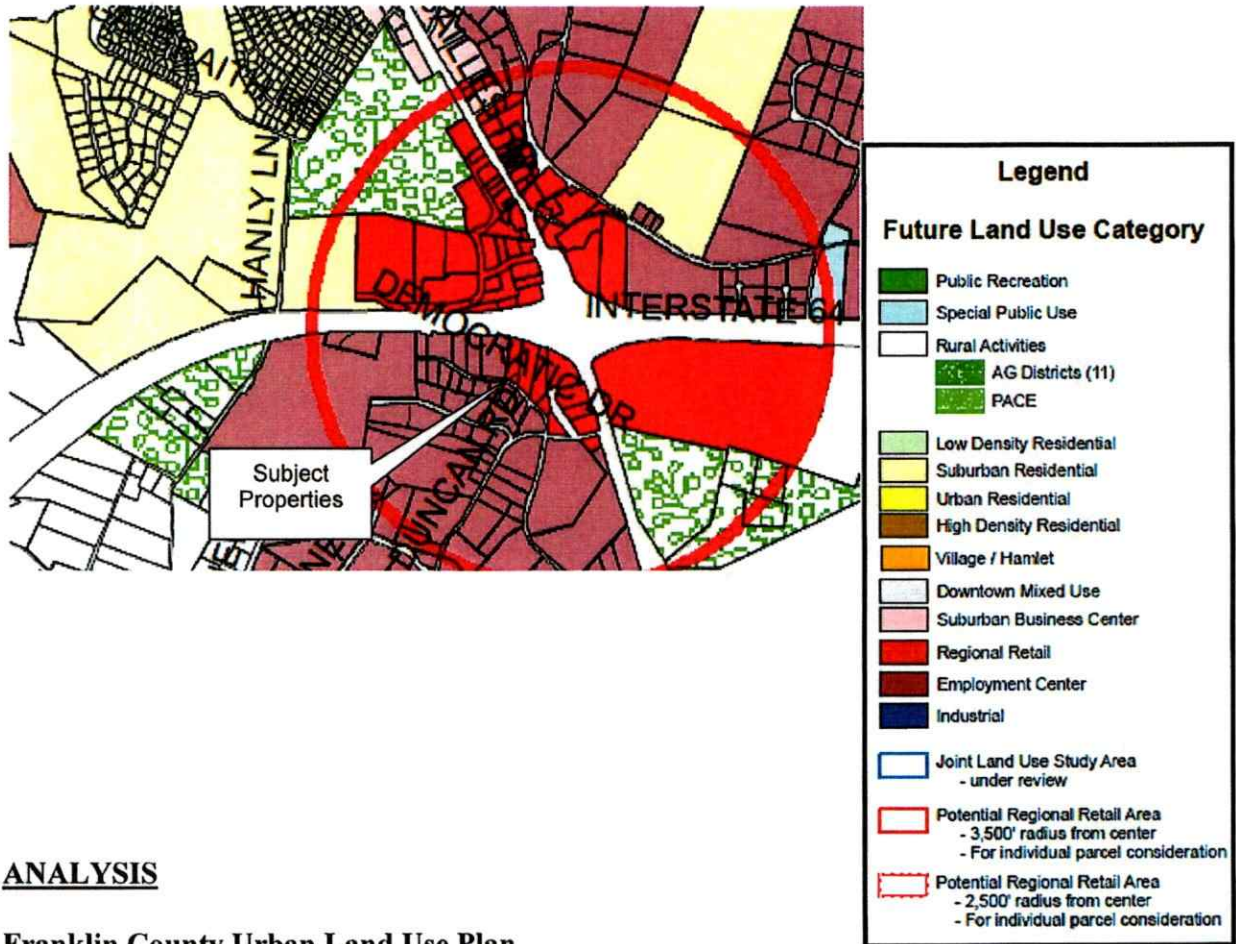


APPLICABLE REGULATIONS

K.R.S. 100.213, Findings Necessary for a Zone Change

Before any map amendment is granted, the Planning Commission or legislative body or fiscal court must find that the map amendment is in agreement with the adopted Comprehensive Plan, or in the absence of such a finding, that one or more of the following apply:

- a. That the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate.
- b. That there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in the adopted Comprehensive Plan and which have substantially altered the basic character of such area.



ANALYSIS

Franklin County Urban Land Use Plan

Lots 14, 20, 21 and 22 are identified on the Countywide Land Use Plan map as Regional Retail. Lot 3 on the south side of Democrat Drive is in the Employment Center Future land use designation. However, it is within the 3500-foot radius for Potential Regional Retail. The land use category Regional Retail is described in the following manner:

Regional Retail Center

Regional Retail Centers are the large-scale commercial centers that service the entire region and beyond. These uses are located along major highway corridors near the interstate to accommodate the large amount of traffic generated by such uses. These uses play an important role in the region’s economy and may be expanded when the market and infrastructure allow.

Land Use Guidelines

- The primary land use in these areas should be retail, commercial, personal services and professional office spaces that are targeted toward residential neighborhoods and employees in Frankfort and Franklin County as well as in the surrounding region.
- Residential uses, including multi-family housing should be discouraged in these retail centers unless part of a Planned Development.
- All quadrants of I-64 may be appropriate for Regional Retail Center uses within a radius not greater than 3500 feet as shown on the future land use map.

General Development Guidelines

1. New development should occur in areas where water and sewer services are available from public agencies and can meet any additional demand.
2. No new development shall occur where there is not an adequate water supply and water pressure for fire protection services.
3. Regional Retail Centers should be located along major highways near the interstate to accommodate the large traffic volumes generated by the uses to prevent traffic congestion on the area's internal arterial and collector roadways.
4. The City/County should work to redevelop underutilized and vacated properties prior to the construction of a new development. Emphasis should be placed on rehabilitating and adaptive reuse of underutilized properties.
5. Signage and lighting should be placed to ensure visibility without creating visual pollution.

6. Where infill development occurs, the density and character of the development should reflect the goals of creating attractive, accessible marketplaces that serve the needs of residents and employees in Frankfort and Franklin County and the surrounding region.
7. Structures should be developed according to specific design guidelines (such as compatibility design standards for large buildings) to be developed by the City and County.
8. Traffic Impact Studies should be required by the Planning Commission for larger projects to help determine what improvements need to be made (turn lanes, etc.) to minimize traffic congestion. (See Additional design standards within the Transportation Element)
9. New development should incorporate public transit, bike, pedestrian and other multi-modal connections.

For lot 3, the land use category of Employment Center is described in the following manner:

Employment Center

Office employment and light industrial uses can and are being developed in a way that still provides a diverse economic base while blending in with residential and commercial area. Employment Centers are areas that encompass primarily office, warehousing, and light manufacturing area in a campus style development. This style of development places buildings on larger lots with landscaping and greenspace that are attractive and relatively free of offense.

Land Use Guidelines

- The primary land use in these areas should be light industrial uses that are completely enclosed within a building as well as warehousing or professional office space or research and development.
- Retail uses associated with any of the light industrial, warehousing, or office uses may be appropriate if the retail use do not exceed 7% of the total building area.
- Residential uses, including multi-family housing should be discouraged in these business centers.

General Development Guidelines

1. New development should occur in areas where water and sewer services are available from public agencies and can meet any additional demand.
2. No new development shall occur where there is not an adequate water supply and water pressure for fire protection services.
3. Employment Centers should be located near major thoroughfares to accommodate excess truck and automobile traffic.
4. Where infill development occurs, the density and character of the development should reflect the existing uses that surround the proposed site.
5. Larger sites with extra landscaping and buffer strips should be used in areas adjacent to residential uses to provide a transitional area.
6. Traffic Impact Studies should be required by the Planning Commission for larger projects to help determine what improvements need to be made (deceleration, acceleration lanes, etc.) to minimize traffic congestion. (See Additional design standards within the Transportation Element)
7. The City, County, and any new prospective business owner should utilize the information, research, and assistance available through the jointly funded Economic Development Authority.
8. Both the City and County should encourage the development of high-tech industries, "dot com" facilities, and other computer and technology oriented businesses.

Goal 1: Grow by Design

Growth in Frankfort/Franklin County will be responsibly designed, planned and managed to create a sustainable community that provides for a quality lifestyle for all residents of Frankfort and Franklin County. Future growth will be based on a long-term vision for our community, public service availability, the suitability of land for development, and a thorough understanding of the cultural and ecological features of the area. Among other things, decisions on future growth should be considered with awareness for energy conservation, the public need for greenspace and walkability and the need for ties to historic resources, tourism opportunities, and the Kentucky River, including its tributaries.

Staff finding: Positive-The subject property is located within the 3500-foot radius from the interstate interchange for potential regional retail. The surrounding land uses are a

mixture of office, retail, and industrial. There is an age-restricted senior apartment complex being constructed approximately 650-feet west of the subject property along Democrat Drive. Comments from the utility companies that can serve the site are attached to this report.

Policies #1 & #2 is applicable to this request.

Policies:

1. Recognize that growth is healthy and necessary, but that growth should be managed pursuant to the community's Comprehensive Plan.
2. Approve new development only when the public facilities and public services needed to serve the development will be available.
3. Develop standards that require the developer to provide for the increased costs in providing public services for the new development as appropriate. The public services may include, but not be limited to, water, sewer, schools, transportation, emergency services, and parks as appropriate.
4. Provide a level of public service in rural areas that complements the rural settings.
5. Continue the enforcement of storm water regulations to minimize runoff from new developments.
6. Provide overlays within the city and county that identify aspects of the landscape that are of cultural, ecological and historical significance (for example, mature woodlands, old railroad tracks, stone walls, historic buildings, wetlands, steep slopes, etc.).
7. Develop an urban growth plan with designated growth areas that can accommodate new moderate- and high-density housing units. The size and location of the growth areas should be based on projected population growth, current housing stock and demographics.
8. Encourage developments that provide a mix of uses such as different housing types, affordable housing, commercial establishments, restaurants, recreational areas and open space that will encourage the development of a sense of place.
9. Encourage the redevelopment of brownfield and grayfield properties and the reuse of vacant/underutilized existing industrial or commercial buildings.
10. Recognize the need for energy conservation in modes of transportation.
11. Encourage developments to provide greenspace within neighborhoods and linking neighborhoods and other appropriate sites together.
12. Plan for public services and facilities that adequately serve current needs as well as demand generated by the additional growth as detailed above.

Goal 2: Distinguish Town and Country Identity

Preserve and reinforce the distinction between the urban and rural areas of Franklin County.

Staff finding: Positive-The property is located within the Suburban area as depicted on the map contained with the Subdivision and Development Plan Regulations. The Suburban development standards contained within Part 3 of the Subdivision Regulations would be applicable to improvements on the site. There is no minimum lot size of General Commercial District properties; the minimum lot size of Professional Office District properties is 7,000 square feet. The property is classified as Regional Retail and Employment Center in the Future Land Use Map of the Comprehensive Plan. Other commercial uses are in the area.

Policies # 2, #7, & #8 are applicable to this request.

Policies:

1. Promote a compact urban area, and recognize and encourage small, compact, rural villages to promote cost effectiveness and efficiency.
2. Identify urban growth boundaries that are compatible with the goal of preserving community character.
3. Define in-fill development as it relates to development in the urban areas of Frankfort, recognizing that in-fill development may not be an appropriate term for developments that may occur in the unincorporated portions of Franklin County.
4. Support and provide incentives for in-fill development on properties that were skipped over within urban areas.
5. Encourage the preservation of existing farms and rural lands outside of existing and planned urban areas.
6. Promote the need to provide incentives for and support the revitalization of the downtown and other already developed areas.
7. Encourage rural land use outside of the urban growth area.
8. Avoid and contain urban sprawl, to preserve the distinction between the rural landscape and Urban/Suburban environment.

Goal 3: Use Infrastructure as a Planning Tool

Utilize the provision of infrastructure in supporting and influencing growth into areas most suitable for development.

Staff finding: Positive-The existing public utilities in the area are capable of supporting the commercial use of the land in the suburban setting. A facility review was performed and services can or are provided to the property. Copies of the reviews are attached. A Traffic Impact Study dated September 22, 2022 was prepared by Dianne B. Zimmerman and was presented to the Kentucky Transportation Cabinet for review. The Planning Commission's traffic engineer Mr. Brad Johnson P.E. PTOE was also provided a copy of the study.

This traffic study incorporates future conditions including a proposed 750,000 square foot industrial structure and the active construction project at the Interstate 64

interchange with Versailles Road. The Traffic Impact Study concludes that the build condition will have minimal impact to the existing highway network and levels of service remain within the acceptable limits.

Policy #3 of this goal supports the applicant's request.

Policies:

1. Develop a Capital Improvements Plan as a means of coordinating public services/utilities, infrastructure improvements, and development, including pedestrian ways, bikeways, public transit, etc.
2. Direct development into areas within or in close proximity to the existing infrastructure service areas.
3. Encourage the extension of public utilities and public facilities capable of supporting rural densities outside of the planned urban growth area.
4. Plan and build a safe and efficient transportation system, through access management, required roadway interconnections, traffic systems management, development impact analysis, transit, sidewalks and bicycle facilities.
5. Encourage development to occur in a manner respective of emergency response and in compliance with emergency preparedness plans.
6. Encourage the development of a county-wide bicycle and pedestrian master plan.

Goal 4: Promote Economic Health

Recognizing that our economic health is inextricably linked to the health of our environment and our citizens, we will provide for the economic health of the community by continuing to implement this plan and by providing an environment for quality jobs, supporting local business and promoting sustainable businesses and industries that have a low environmental impact.

Staff finding: Positive-Commercial zoning at this location would allow for a mix a uses in the area without creating conflicts between the various uses. It also generates ability for increased services to the local community and surrounding region.

Policies #2, #3, & #8 of this goal supports the applicant's request.

Policies:

1. Continue to promote the development and expansion of quality, environmentally sustainable and economically productive industry in existing industrial parks.
2. Direct additional industrial and/or commercial growth onto land that is suited for industrial and/or commercial development.
3. Promote concepts such as mixed land uses, increased density and connectivity within and between developments.
4. Promote new commercial activity within compact, mixed-use areas and in close proximity to residential areas.

5. Emphasize tourism, including heritage related tourism, as an important economic development asset in the community, including the Kentucky River and its tributaries.
6. Promote local farms and their markets within Franklin County.
7. Work with and encourage state government to coordinate its facility needs consistent with community interests.
8. Encourage the development of businesses that can provide needed products, services and jobs for existing neighborhoods, as well as appropriate expansion opportunities of unique, local industry.

Goal 5: Protect Environmental Health

Protect the integrity of the natural environment, including water, air, and land quality, by ordinance and by overlay planning.

Staff finding: Positive- Portions of Lots 14, 20 and 22 are located within a Special Flood Hazard area (i.e. 1% Annual Chance Flood) as depicted on the Flood Insurance Rate Maps for Franklin County (adopted December 21, 2017). The Subdivision Regulations, Zoning Ordinance, stormwater ordinance and associated regulations are written in such a manner that either encourage or require that the policies within this goal are addressed. Slickway Branch flows through the property with a 100-year flood zone. Development proposals within a flood hazard area are subject to additional regulations by the Kentucky Division of Water and Franklin County Ordinance Sections 155.295 through 155.317.



Policies #1, and #5 are applicable to this request

1. Preserve streams and drainage ways to manage stormwater runoff, prevent flooding, or to create a system of greenways.
2. Promote the development of regulations to reduce air, noise, light, water, and other pollution.
3. Promote building design that utilizes recycled material, encourages energy conservation, and low impacts on the environment.
4. Protect scenic viewsheds along rural roadways and protect rural character and viewsheds by supporting developments that create scenic overlays or easements.
5. Encourage new development to be designed in a manner that preserves the natural topography and other natural features such as trees, woodlands, wildlife, rare species, streams, ponds, and drainage ways.
6. Support the development of a countywide greenways plan.
7. Encourage the reduction of energy costs through more efficient development patterns and transportation modes.

Goal 6: Preserve Existing Neighborhoods

Promote the stability, preservation, and vitality of existing residential neighborhoods.

Staff finding: Positive- The immediate surrounding area contains few residential uses. There is an age restricted senior apartment complex located approximately 650 linear feet west of the subject property. The proposed commercial use similar to other uses in the vicinity and should fit the general character of the area. There is an existing auto dealership approximately 2000 linear feet to the north along Versailles Road. No residential uses are proposed with this request.

Policies:

1. In existing neighborhoods, encourage the retention of product and service providers.
2. Establish programs to stabilize, improve, and revitalize existing neighborhoods.
3. Promote maintenance of existing structures and provide incentives for the rehabilitation of deteriorating structures.
4. Encourage appropriate infill housing as a tool to preserve neighborhoods.
5. Preserve historic buildings and neighborhoods to maintain community character.
6. Encourage new development to fit the character of existing neighborhoods.
7. Encourage appropriate mixed-use development in existing neighborhoods to promote energy conservation and more walkable neighborhoods.
8. Encourage the preservation of the existing rural villages in Franklin County.

Goal 7: Enhance Community Quality and Character

Promote quality development that strengthens community character and pride.

Staff finding: Positive- Currently, any development on this property would be subject to the standards established in the Zoning Ordinance and Subdivision Regulations. The zone change request is consistent with existing commercial activities in the general area. The properties are in close proximity to Interstate 64 and interchange with US 60/Versailles Road.

Policy #1 is applicable to this request.

Policies:

1. Identify all quadrants of the I-64 interchanges as Regional Retail Center.
2. Support and enhance the rural gateways into the community by preserving their natural scenic beauty.
3. Improve standards for site design- including trees and other landscaping, access management, signage, and other design components.
4. Preserve rural character where appropriate.
5. Encourage the conversion of overhead utilities to underground.
6. Encourage small area overlay plans for high priority areas, including Holmes Street, Second Street, East Main Street, Versailles Road, Benson Valley, Bridgeport, Bellpoint, Peaks Mill, Louisville Road, and US 127 North and South Corridors.
7. Develop flexible tools for alternative rural development, such as cluster development, that preserves rural character.
8. Identify and preserve unique park, recreational, and historic opportunities including those along the Kentucky River and its tributaries.
9. Continue to provide adequate and improved community services such as schools, police and fire protection, and parks and recreational opportunities that serve existing and planned growth.
10. Promote public art and encourage community art activities.

The Future Land Use map of the Comprehensive Plan property identifies the subject property with a Regional Retail and Employment Center Future Lane Use Designations. As indicated in the Comprehensive Plan section of this report, the primary land use within that Future Land Use designation is large-scale commercial centers that service the entire region including retail, commercial, personal services and professional office land uses. The "GC" zoning district permits a wide range of commercial, retail, and personal services (see use table).

CONCLUSION

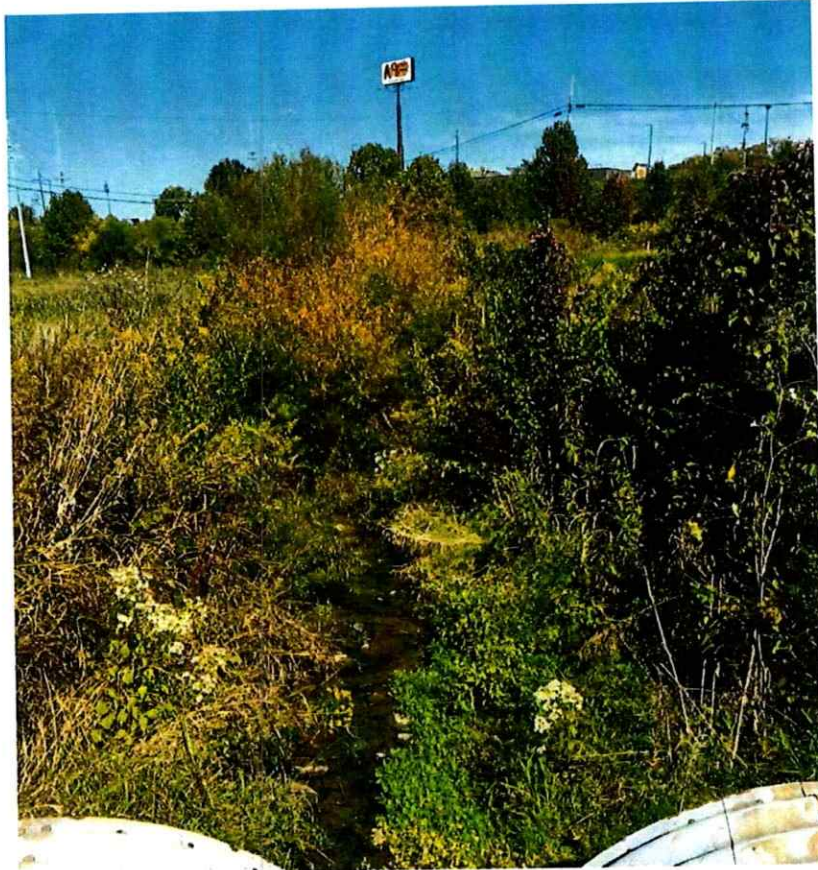
Staff recommends the following findings of fact:

1. The Comprehensive Plan, Future Land Use Plan, designates the property for Regional Retail and Employment Center.
2. The General Commercial (CG) zone district is an appropriate zone district for the Regional Retail land use designation.
3. The subject property is within the 3500-foot radius of regional retail area.
4. The proposed zone map amendment is in agreement with the Comprehensive Plan.

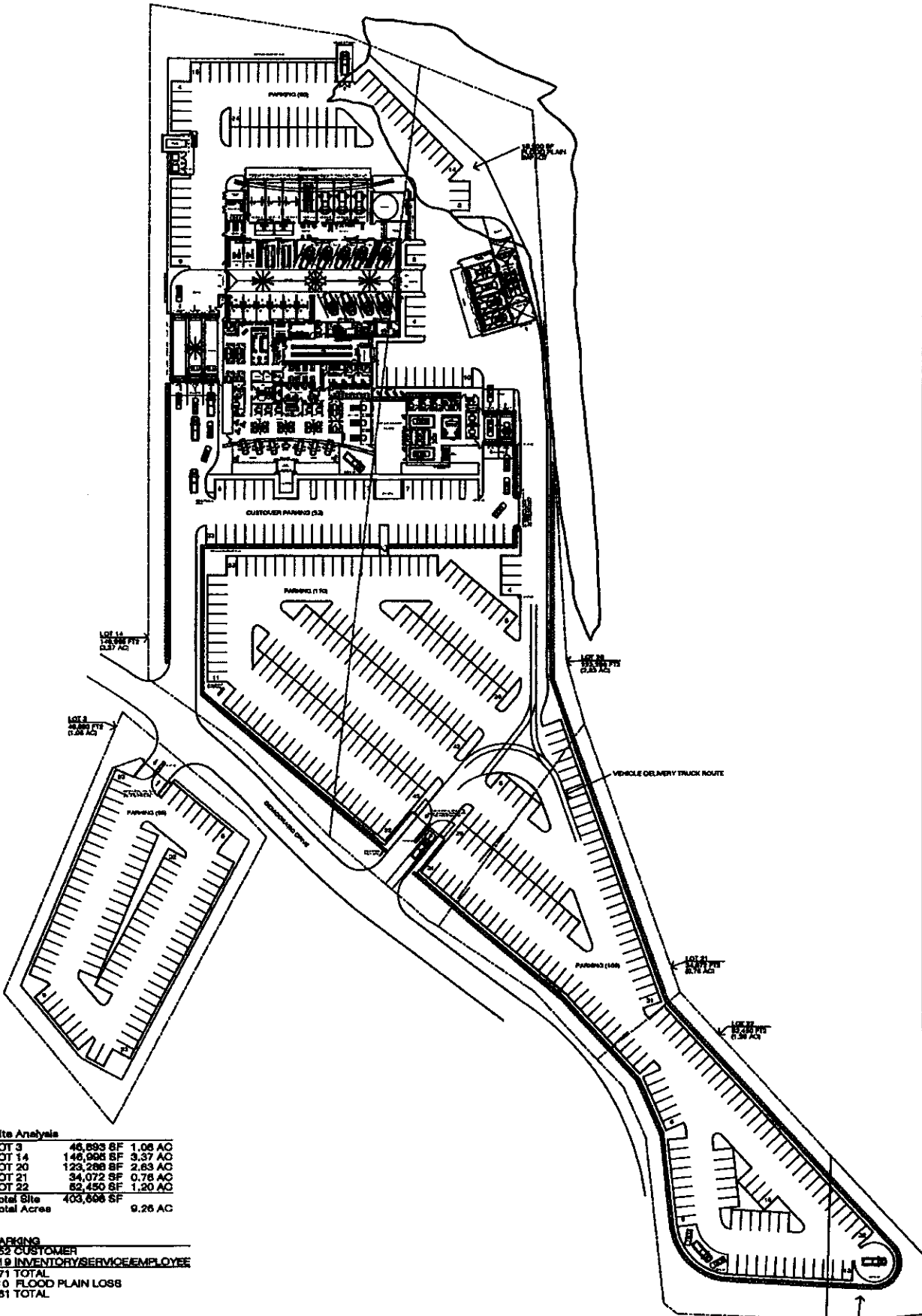
Based upon these findings of fact, staff recommends **APPROVAL** of this zone map amendment.



Subject property facing north



View of Slickway Branch through the subject property.



Site Analysis

LOT 3	46,893 SF	1.06 AC
LOT 14	146,998 SF	3.37 AC
LOT 20	123,288 SF	2.83 AC
LOT 21	34,072 SF	0.78 AC
LOT 22	82,450 SF	1.20 AC
Total Site	403,698 SF	9.26 AC

PARKING
 82 CUSTOMER
 819 INVENTORY/SERVICE/EMPLOYEE
 871 TOTAL
 -10 FLOOD PLAIN LOSS
 861 TOTAL


SEE PLAN
 05/16/22

10/6/22, 8:55 AM

RE: Dealership on Democrat Drive TIS - Ben Judah - Outlook

⏪ Reply all ▾ 🗑 Delete 🚫 Report ▾ ...

RE: Dealership on Democrat Drive TIS

BJ Brad Johnson <bcjohnson@hmbpe.com> 
To: Ben Judah; Young, Tara M (KYTC-D05) <tara.young@ky.gov>
Cc: Jonathan Otis <otisengineeringllc@gmail.com>; Robert Hewitt

    ...

Wed 10/5/2022 7:06 AM

Ben, I have reviewed the traffic study and only had one question, which I have sent to Diane in a separate email. I asked her if she checked the right turn warrant along Duncan Road at Democrat Drive. Otherwise my review found the analysis to be accurately conducted. I think the biggest concern is the same we have had for all the studies in this area and that is the queue on Duncan Road at US 60. The report shows a 95th percentile queue of 18.8 vehicles/lane (470 feet) in the 2024 PM No Build and 22.2 vehicles/lane (555 feet) in the 2024 PM Peak Build. Basically, with or without this project, the worst afternoon queue will back beyond Bizzack Blvd making it more difficult to turn off Bizzack Blvd than the analysis illustrates. If you would like to discuss further, just let me know. I am at a conference today, but should be available most of the day tomorrow.

Thanks, Brad



Bradford C. Johnson, PE
PLANNING PRINCIPAL-in-CHARGE
3 HMB Circle
Frankfort, KY 40601
P: (502) 695-9800
C: (859) 797-9658
www.hmbpe.com

From: Ben Judah <ben.judah@franklincounty.ky.gov>
Sent: Tuesday, October 4, 2022 12:22 PM
To: Brad Johnson <bcjohnson@hmbpe.com>; Young, Tara M (KYTC-D05) <tara.young@ky.gov>
Cc: Jonathan Otis <otisengineeringllc@gmail.com>; Robert Hewitt <robert.hewitt@franklincounty.ky.gov>
Subject: Fw: Dealership on Democrat Drive TIS

Brad and Tara,

Have you had the chance to review the TIS for Democrat Drive? The staff report for the zone change request is due Thursday and I would like to include any comments you may have in regards to the TIS report and the overall traffic in the area.

Sincerely,
Ben


From: dianeblz@att.net <dianeblz@att.net>
Sent: Thursday, September 29, 2022 10:02 AM
To: 'Brad Johnson' <bcjohnson@hmbpe.com>
Cc: Ben Judah <ben.judah@franklincounty.ky.gov>; 'Preston Cecil' <pcecil@BullockCoffman.com>; 'John Addington' <jaddington@bowman.com>
Subject: Dealership on Democrat Drive TIS

6/28/22, 1:57 PM

RE: Facility Review Request- Democrat Drive- Englewood Office Park- PO-CG - Ben Judah - Outlook

 Reply all   Delete  Junk  Block 

RE: Facility Review Request- Democrat Drive- Englewood Office Park- PO-CG

 The message sender has requested a read receipt. To send a receipt, [click here](#).

JM **Jon Mitchell**
To: Ben Judah

Tue 6/28/2022 1:26 PM

I have no issues with the proposed zone change at this time.

Jon Mitchell
Franklin County Road Supervisor
100 Lewis Ferry Road
P.O. Box 280
Frankfort, KY 40601
502-875-8760

From: Ben Judah
Sent: Tuesday, June 28, 2022 12:35 PM
To: Jon Mitchell <jon.mitchell@franklincounty.ky.gov>; Jonathan Otis <otisengineeringllc@gmail.com>; Michael Hesse <mhesse@frankfort.ky.gov>
Subject: Fw: Facility Review Request- Democrat Drive- Englewood Office Park- PO-CG

Jon, Michael, and Jonathan,

Please see the attached facility review request for a zone change for a proposed car dealership. Please provide comments to me via email.

Sincerely,
Ben

From: Ben Judah
Sent: Friday, June 10, 2022 12:37 PM
To: Jonathan Otis <otisengineeringllc@gmail.com>; Richardson, Jason R (KYTC-D05) <Jasonr.richardson@ky.gov>; Jon Mitchell <jon.mitchell@franklincounty.ky.gov>; Michael Hesse <mhesse@frankfort.ky.gov>; Brian Brewer <brian.brewer@franklincounty.ky.gov>; JCHRISTOPHERBOWLIN@nisource.com <JCHRISTOPHERBOWLIN@nisource.com>; Carter, Jim <jcarter@fewpb.com>; STROBL, ARTHUR G <as7779@att.com>; Dutta, Sharmista <sdutta@fewpb.com>; Harrod, Mike <mikeharrod@fewpb.com>
Cc: Robert Hewitt <robert.hewitt@franklincounty.ky.gov>
Subject: Facility Review Request- Democrat Drive- Englewood Office Park- PO-CG

TRT members,

Reply all Delete Junk Block ...

RE: Facility Review Request- Democrat Drive- Englewood Office Park- PO-CG

HM Harrod, Mike <mikeharrod@fewpb.com>

Share Reply Reply All Forward ...

To: Ben Judah

Fri 6/10/2022 4:25 PM

Cc: Carter, Jim <jcarter@fewpb.com>; Dutta, Sharmista <sdutta@fewpb.com>;

Ben,
FPB Telecom has no objections to the zone change request. FPB telecom is currently able to serve the property with CATV, Telephone, High Speed Internet, Security, and Metro Ethernet (Dedicated Internet Access). Thanks,



Mike Harrod
Frankfort Plant Board
Telecom Engineering Supervisor
PO Box 308, 306 Hickory Dr, Frankfort, KY 40602
[T] 502.352.4443 [M] 502.395.2650 [E] mikeharrod@fewpb.com

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From: Ben Judah <ben.judah@franklincounty.ky.gov>
Sent: Friday, June 10, 2022 12:38 PM
To: Jonathan Otis <otisengineeringllc@gmail.com>; Richardson, Jason R (KYTC-D05) <Jasonr.richardson@ky.gov>; Jon Mitchell <jon.mitchell@franklincounty.ky.gov>; Michael Hesse <mhesse@frankfort.ky.gov>; Brian Brewer <brian.brewer@franklincounty.ky.gov>; JCHRISTOPHERBOWLIN@nisource.com; Carter, Jim <jcarter@fewpb.com>; STROBL, ARTHUR G <as7779@att.com>; Dutta, Sharmista <sdutta@fewpb.com>; Harrod, Mike <mikeharrod@fewpb.com>
Cc: Robert Hewitt <robert.hewitt@franklincounty.ky.gov>
Subject: Facility Review Request- Democrat Drive- Englewood Office Park- PO-CG

CAUTION: This email has originated from an External Source. Please use EXTRA caution when opening attachments, clicking links, or responding to this email.

TRT members,







Please see the attached facility review request for a zone change for property along Democrat Drive. The zone change request is scheduled to go before the planning commission at the July meeting. Please provide comments by June 20, 2022.

Sincerely,

Ben Judah, Planning Supervisor

6/10/22, 2:37 PM

RE: Facility Review Request- Democrat Drive- Englewood Office Park- PO-CG - Ben Judah - Outlook

 Reply all   Delete  Junk  Block 

RE: Facility Review Request- Democrat Drive- Englewood Office Park- PO-CG

 **Carter, Jim** <jcarter@fewpb.com>     
To: Ben Judah; Jonathan Otis <otisengineeringllc@gmail.com>; Richardson, Ja: Fri 6/10/2022 2:37 PM
Cc: Robert Hewitt; McCullar, Travis <tmccullar@fewpb.com>

FPB Electric has no issue with the zone change.

Thanks.

James R. Carter, P.E.
FPB Electrical Engineer
305 Hickory Drive
PO Box 308
Frankfort, KY 40602
jcarter@fewpb.com
502-352-4401 o

From: Ben Judah <ben.judah@franklincounty.ky.gov>
Sent: Friday, June 10, 2022 12:38 PM
To: Jonathan Otis <otisengineeringllc@gmail.com>; Richardson, Jason R (KYTC-D05) <Jason.richardson@ky.gov>; Jon Mitchell <jon.mitchell@franklincounty.ky.gov>; Michael Hesse <mhesse@frankfort.ky.gov>; Brian Brewer <brian.brewer@franklincounty.ky.gov>; JCHRISTOPHERBOWLIN@nisource.com; Carter, Jim <jcarter@fewpb.com>; STROBL, ARTHUR G <as7779@att.com>; Dutta, Sharmista <sdutta@fewpb.com>; Harrod, Mike <mikeharrod@fewpb.com>
Cc: Robert Hewitt <robert.hewitt@franklincounty.ky.gov>
Subject: Facility Review Request- Democrat Drive- Englewood Office Park- PO-CG

CAUTION: This email has originated from an **External Source**. Please use EXTRA caution when opening attachments, clicking links, or responding to this email.

TRT members,

Please see the attached facility review request for a zone change for property along Democrat Drive. The zone change request is scheduled to go before the planning commission at the July meeting. Please provide comments by June 20, 2022.

Sincerely,

Ben Judah, Planning Supervisor
Franklin County Planning & Building Codes Dept.
321 W. Main Street
Frankfort, KY 40601
Ph 502-875-8701

MEMORANDUM

DATE: June 13, 2022

TO: Ben Judah
Planning Supervisor
Franklin County Planning & Building Codes Department

FROM: Sharmista Dutta
Water Engineer
Frankfort Plant Board

RE: Water comments for the following item:

Democrat Drive – Zone Change Request for a Car Dealership

- a. FPB Water has no issues with the zone change request.
- b. Note: There is an existing waterline between two of the lots. The development will need to be designed to avoid any permanent structures within the utility easement or the line will need to be relocated. The developer can contact this office to further discuss as necessary. A facility map is attached for reference.
- c. The Frankfort Plant Board reserves the right to modify these comments based on other agency reviews and changes to the plat or plan resulting from required or voluntary revisions.

Should you have any questions or comments, please do not hesitate to contact me at (502) 352-4407 or sdutta@fewpb.com.

Reply all Delete Junk Block ...

RE: Facility Review Request- Democrat Drive- Englewood Office Park- PO-CG

SG **STROBL, ARTHUR G <as7779@att.com>**
To: Ben Judah

Like Reply Reply All Forward ...
Fri 6/10/2022 12:41 PM

At&t has no issues with this Zone Change

Art Strobl
Mgr OSP Plng & Engrg Design
Access Construction & Engineering
Tennessee/Kentucky District

AT&T Kentucky – Bellsouth Telecommunications, LLC
1535 Twilight Trail, Frankfort, KY 40601
m 502.221.5271 | o 502.875.3094 | as7779@att.com

From: Ben Judah <ben.judah@franklincounty.ky.gov>
Sent: Friday, June 10, 2022 12:38 PM
To: Jonathan Otis <otisengineeringllc@gmail.com>; Richardson, Jason R (KYTC-D05) <Jasonr.richardson@ky.gov>; Jon Mitchell <jon.mitchell@franklincounty.ky.gov>; Michael Hesse <mhesse@frankfort.ky.gov>; Brian Brewer <brian.brewer@franklincounty.ky.gov>; JCHRISTOPHERBOWLIN@nisource.com; Carter, Jim <jcarter@fewpb.com>; STROBL, ARTHUR G <as7779@att.com>; Dutta, Sharmista <sdutta@fewpb.com>; Harrod, Mike <mikeharrod@fewpb.com>
Cc: Robert Hewitt <robert.hewitt@franklincounty.ky.gov>
Subject: Facility Review Request- Democrat Drive- Englewood Office Park- PO-CG

TRT members,

Please see the attached facility review request for a zone change for property along Democrat Drive. The zone change request is scheduled to go before the planning commission at the July meeting. Please provide comments by June 20, 2022.

Sincerely,

Ben Judah, Planning Supervisor
Franklin County Planning & Building Codes Dept.
321 W. Main Street
Frankfort, KY 40601
Ph 502-875-8701

6/10/22, 2:38 PM

RE: Facility Review Request- Democrat Drive- Englewood Office Park- PO-CG - Ben Judah - Outlook

Reply all Delete Junk Block ...

RE: Facility Review Request- Democrat Drive- Englewood Office Park- PO-CG

BC Bowlin \ John \ Christopher
<jchristopherbowlin@nisource.com>



Fri 6/10/2022 1:44 PM

To: Ben Judah

Cc: Elliott \ Paul Andrew \ King <elliott@nisource.com>

Ben,
No comments on the zone change.

CKY does have gas lines in the area. If the developer/owner wishes for Columbia to do a feasibility of service analysis and discuss further terms and conditions of service, if any, please contact Andy Elliot, Lead Development Manager, at (859) -537-2202. I have also copied Andy on this email.

Feel free to call me if you have any other questions. Have a good weekend.

Many Thanks,

J. Christopher Bowlin

Land Agent II | NiSource Inc. | Columbia Gas of Kentucky, Inc.
Office 859-288-0289 | Mobile 859- 404-5737|

From: Ben Judah <ben.judah@franklincounty.ky.gov>

Sent: Friday, June 10, 2022 12:38 PM

To: Jonathan Otis <otisengineeringllc@gmail.com>; Richardson, Jason R (KYTC-D05) <Jasonr.richardson@ky.gov>; Jon Mitchell <jon.mitchell@franklincounty.ky.gov>; Michael Hesse <mhesse@frankfort.ky.gov>; Brian Brewer <brian.brewer@franklincounty.ky.gov>; Bowlin \ John \ Christopher <jchristopherbowlin@nisource.com>; Carter, Jim <jcarter@fewpb.com>; STROBL, ARTHUR G <as7779@att.com>; Dutta, Sharmista <sdutta@fewpb.com>; Harrod, Mike <mikeharrod@fewpb.com>

Cc: Robert Hewitt <robert.hewitt@franklincounty.ky.gov>

Subject: Facility Review Request- Democrat Drive- Englewood Office Park- PO-CG

USE CAUTION: This email was sent from an external source. Think before you click links or open attachments. If suspicious, please forward to security@nisource.com for review.

TRT members,

Please see the attached facility review request for a zone change for property along Democrat Drive. The zone change request is scheduled to go before the planning commission at the July meeting. Please provide comments by June 20, 2022.

Sincerely,

Ben Judah, Planning Supervisor

6/28/22, 12:30 PM

Re: Facility Review Request- Democrat Drive- Englewood Office Park- PO-CG - Ben Judah - Outlook

 Reply all   Delete  Junk  Block ...

Re: Facility Review Request- Democrat Drive- Englewood Office Park- PO-CG

BB Brian Brewer
To: Ben Judah

    ...
Mon 6/13/2022 1:59 PM

Ben,

The Fire Department does not have an issue with the zone change.

Best Regards,

Chief Brewer

Brian Brewer
Fire Chief
Franklin County Fire Department
106 Darby Shire Circle
Frankfort, KY. 40601
Work: 502-695-1617
Cell: 502-219-0265

From: Ben Judah <ben.judah@franklincounty.ky.gov>

Sent: Friday, June 10, 2022 12:37 PM

To: Jonathan Otis <otisengineeringllc@gmail.com>; Richardson, Jason R (KYTC-D05) <Jasonr.richardson@ky.gov>; Jon Mitchell <jon.mitchell@franklincounty.ky.gov>; Michael Hesse <mhesse@frankfort.ky.gov>; Brian Brewer <brian.brewer@franklincounty.ky.gov>; JCHRISTOPHERBOWLIN@nisource.com

<JCHRISTOPHERBOWLIN@nisource.com>; Carter, Jim <jcarter@fewpb.com>; STROBL, ARTHUR G <as7779@att.com>; Dutta, Sharmista <sdutta@fewpb.com>; Harrod, Mike <mikeharrod@fewpb.com>

Cc: Robert Hewitt <robert.hewitt@franklincounty.ky.gov>

Subject: Facility Review Request- Democrat Drive- Englewood Office Park- PO-CG

TRT members,

Please see the attached facility review request for a zone change for property along Democrat Drive. The zone change request is scheduled to go before the planning commission at the July meeting. Please provide comments by June 20, 2022.

Sincerely,

Ben Judah, Planning Supervisor
Franklin County Planning & Building Codes Dept.
321 W. Main Street
Frankfort, KY 40601
Ph 502-875-8701



Layne Wilkerson, Mayor

Kelly May, Commissioner
Leesa Unger, Commissioner
Katrisha Waldrige, Commissioner
Anna Marie Rosen, Commissioner

June 10, 2022

Ben Judah
Planning Supervisor
Franklin County Planning & Building Codes Dept.
321 W. Main Street
Frankfort, Kentucky 40601

RE: Lots 3, 14, 20, 21, and 22 of Englewood Office Park
Democrat Drive
Facility Review Request

Ben,

The Frankfort Sewer Department has received the request for a Facility Review for Lots 3, 14, 20, 21, and 22 of Englewood Office Park located off of Democrat Drive. FSD has the following comments:

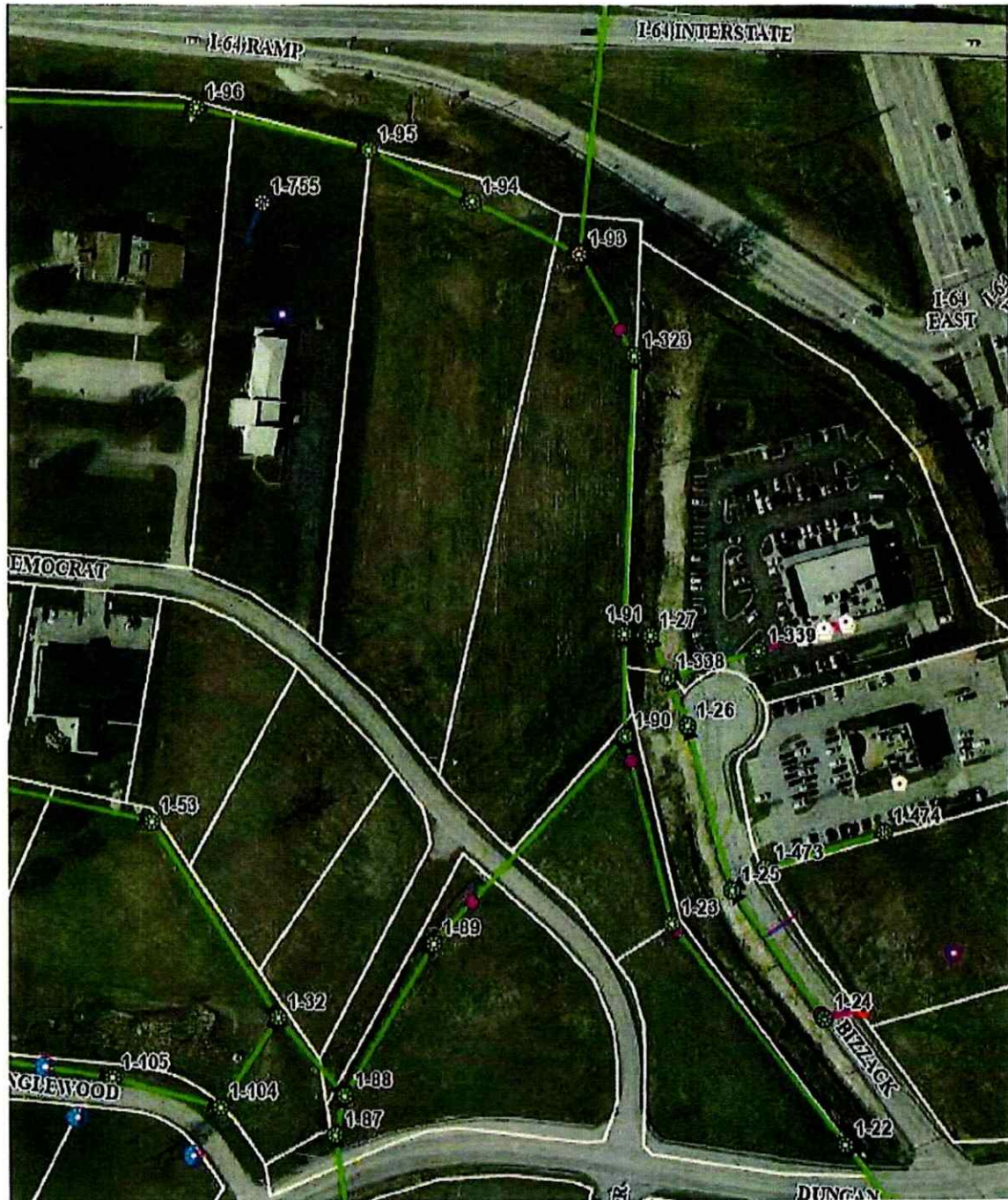
1. Each lot is able to receive sanitary sewer service from FSD from the existing sewers serving the properties. See attached map.
2. FSD is currently in the preliminary design process of increasing the sanitary sewer capacity along Duncan Road to I-64.
 - a. One of the project's objectives is to reduce infiltration and inflow into the sanitary sewer. This will likely require relocation of the existing sanitary sewer out of the Slickaway Branch creekbed.
 - b. FSD is expecting to request new easements on one or more of the properties being rezoned.
3. FSD would like to work with the Developer to locate the sanitary sewers with their proposed Development Plan.
 - a. Based on the Preliminary Development Plan, there may conflicts with the existing and proposed sanitary sewers. With coordination, FSD believes the location of the buildings and sanitary sewers can be resolved.
4. FSD has no objection to the proposed zone change.
5. The Sewer Department reserves the right to modify these comments based on applicable regulations / ordinances, other agency reviews, and changes to the plat or plan resulting from required or voluntary revisions.

Please feel free to contact this office, 502.875-2448 should you have any questions.

Sincerely,
Frankfort Sewer Department

Michael Hesse, PE
Design Engineer

CC: Kenny Hogsten, FSD
Robert Barker, FSD



Otis Engineering, LLC

234 W. Main Street, Ste. 2

Frankfort, KY 40601

Phone: (502) 352-2808

Email: otisengineeringllc@gmail.com

July 26, 2022

Mr. Ben Judah, Planning Supervisor
Franklin County Planning and Zoning
321 West Main Street
Frankfort, Kentucky 40601

Re: Democrat Drive Zone Change request
County Engineer comments

Mr. Judah:

Please accept the following comments regarding the proposed zone change from "PO" Professional Office District to "CG" General Commercial District for five (5) lots along Democrat Drive in Englewood Office Park:

1. A portion of these parcels was previously slated as an upstream location for detention to mitigate long established downstream flooding issues.
2. Each new project is an opportunity for making positive improvements to this watershed.
3. I continue to advocate that all projects that contribute runoff in the Slickway watershed should be done well above the stated regulations.
4. I will require a watershed analysis from the developer.
5. Required pervious parking spaces should be based on parking spaces/total impervious areas and not number of employees. For example, two acres of light industrial paving for semi-trailers, warehousing, etc. does not in itself require any pervious paving.
6. Many development concerns can generally be addressed during the Development Plan process.
7. The area adjacent to the Special Flood hazard Area (flood plain) is fairly flat and will be subject to flooding.

I don't have an issue with a zone change to "CG" in this area. If you have any questions or concerns about the above comments please don't hesitate to contact me.

County Engineer



FRANKLIN COUNTY
 PLANNING & BUILDING CODES
 DEPARTMENT
 321 West Main Street
 Frankfort, KY 40601
 Phone: (502) 875-8701
 Fax: (502) 875-8737
 www.franklincounty.ky.gov

OFFICE USE ONLY

Received: 5/31/22
 Payment Amt: \$ _____
 Receipt #: _____
 Meeting: _____

APPLICATION FOR ZONE MAP AMENDMENT

MEETING DATE: _____ FILING DEADLINE: _____

The undersigned owner(s) of the following described property hereby request(s) the consideration of change in zone district classification as specified below:



GENERAL INFORMATION

1. Property Owner (The owner must be the applicant):
 TT of F., Frankfort, Inc., contract holder

2. Mailing Address:
 505 South Flagler Drive, Ste. 1400
 West Palm Beach, FL 33401

3. Phone Number:
 Home: _____ Work: 561-655-8900

SITE INFORMATION

4. General Location of Property: Lots 3, 14, 20, 21 and 22 of Englewood Office Park

5. Subdivision Name: (if applicable) Englewood Office Park

6. Street Address: N/A
 Not assigned yet

ZONING INFORMATION

7. Present Zoning of Property: PO
8. Proposed Zoning of Property: CG
9. Existing Use of Property: Agricultural

10. Proposed Use of Property: Auto Retail and Service

11. Size of Property: Acres: 9.26 Sq. Ft. _____

SUPPORTING INFORMATION:

The following items must be attached to the application as supporting information to this request:

- A. A vicinity map showing the location of the request.
- B. A list of all property owners and their mailing addresses within, contiguous to, and directly across the street from the proposed rezoning.
- C. Legal Description of the Property. If proposed change involves only a portion of a parcel the applicant must attach a survey conducted by a registered land surveyor.
- D. Statement of Fact that the proposed change meets the minimum requirements of KRS 100.213.
- E. Preliminary Development Plan or Preliminary Subdivision Plat, as required in Articles 5 & 7 of the Franklin County Zoning Ordinance or the Subdivision Regulations. Checklists for the Preliminary Development Plan or the Preliminary Subdivision Plat are attached.
- F. **Filing Fee \$300** (Checks should be made payable to the Frankfort/Franklin County Planning Commission.)

5/8/22 _____
Date Signature of Property Owner

Note: One (1) copy of this form and the Supporting Information, Items A through E, must be filed with the Frankfort/Franklin County Planning Commission at the Franklin County, Department of Planning and Building Codes by 1:00 p.m. on the deadline date.

100.213 FINDINGS NECESSARY FOR PROPOSED MAP AMENDMENT

- (1) Before any map amendment is granted, the planning commission or legislative body or fiscal court must find that the map amendment is in agreement with the adopted comprehensive plan, or, in the absence of such a finding, that one (1) or more of the following apply and such finding shall be recorded in the minutes and records of the planning commission or the legislative body or fiscal court:
 - (a) That the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate;
 - (b) That there have been major changes of an economic, physical or social nature within the area involved which were not anticipated in the adopted comprehensive plan and which have substantially altered the basic character of such area.

BULLOCK & COFFMAN, LLP

ATTORNEYS AT LAW

PRESTON S. CECIL##
MAX COMLEY
GEOFFREY GREENAWALT

ROBERT V. BULLOCK ‡
Of Counsel

FRANKFORT OFFICE
415 W. MAIN STREET
FRANKFORT, KENTUCKY 40601
(502) 226-6500 TELEPHONE
(800) 611-7779 TOLL FREE
(502) 226-1101 FACSIMILE

‡ Licensed in Ohio
Licensed in Maryland and West Virginia

THOMAS D. BULLOCK
J. ERIC COFFMAN
RACHELE YOHE

KERRY T. CAUTHEN
Of Counsel

LEXINGTON OFFICE
234 N. LIMESTONE STREET
LEXINGTON, KENTUCKY 40507
(859) 225-3939 TELEPHONE
(859) 225-5748 FACSIMILE

June 16, 2022

VIA HAND DELIVERY

Franklin County Planning
& Building Codes Department
ATTN: Robert Hewitt
321 W. Main Street
Frankfort, KY 40601

RE: Application for Zone Map Amendment
Lots 3, 14, 20, 21 and 22 Englewood Office Park (the "Property")

Dear Robert:

Please accept this letter and the attached items as the required documents and information to support the above Application. To that end, I include a Vicinity Map showing the location of the Property as well as a list of all property owners and their mailing addresses within, contiguous to, and directly across the street from the proposed rezoning. I also enclose an Exhibit "A", which sets forth the legal description of the Property and the required filing fee.

Finally I incorporate the following Statement of Fact pursuant to KRS 100.213:

The proposed zone change of the Property from the current zoning of "PO" (Professional Office) to a zone classification of "CG" (General Commercial) is in agreement with the Comprehensive Plan because the Property is located in a zone slated for "Regional Retail Centers". The Comprehensive Plan defines "Regional Retail Centers" as "large-scale commercial centers that service the entire region and beyond. These uses are located along major highway corridors near the interstate to accommodate the large amount of traffic generated by such uses. These uses play an important role in the region's economy and may be expanded when the market and infrastructure allow."

According to the "Land Use Guidelines" in the Comprehensive Plan for Regional Retail Centers, "The primary land use in these areas should be retail, commercial, personal services and professional office spaces that are targeted toward residential neighborhoods and employees in Frankfort and Franklin County as well as in the surrounding region." The applicant's proposed uses fit squarely within these parameters.

Thank you for your kind assistance in this matter. If you have any questions or comments, or require any additional information, please don't hesitate to contact me.

With kind regards,

BULLOCK & COFFMAN, LLP

A handwritten signature in blue ink, appearing to read "Preston Scott Cecil". The signature is fluid and cursive, with a large loop at the end.

Preston Scott Cecil

cc/JK, Encl.

EXHIBIT "A"

All that certain property situated in Franklin County, Kentucky, and being more particularly described as follows, to-wit:

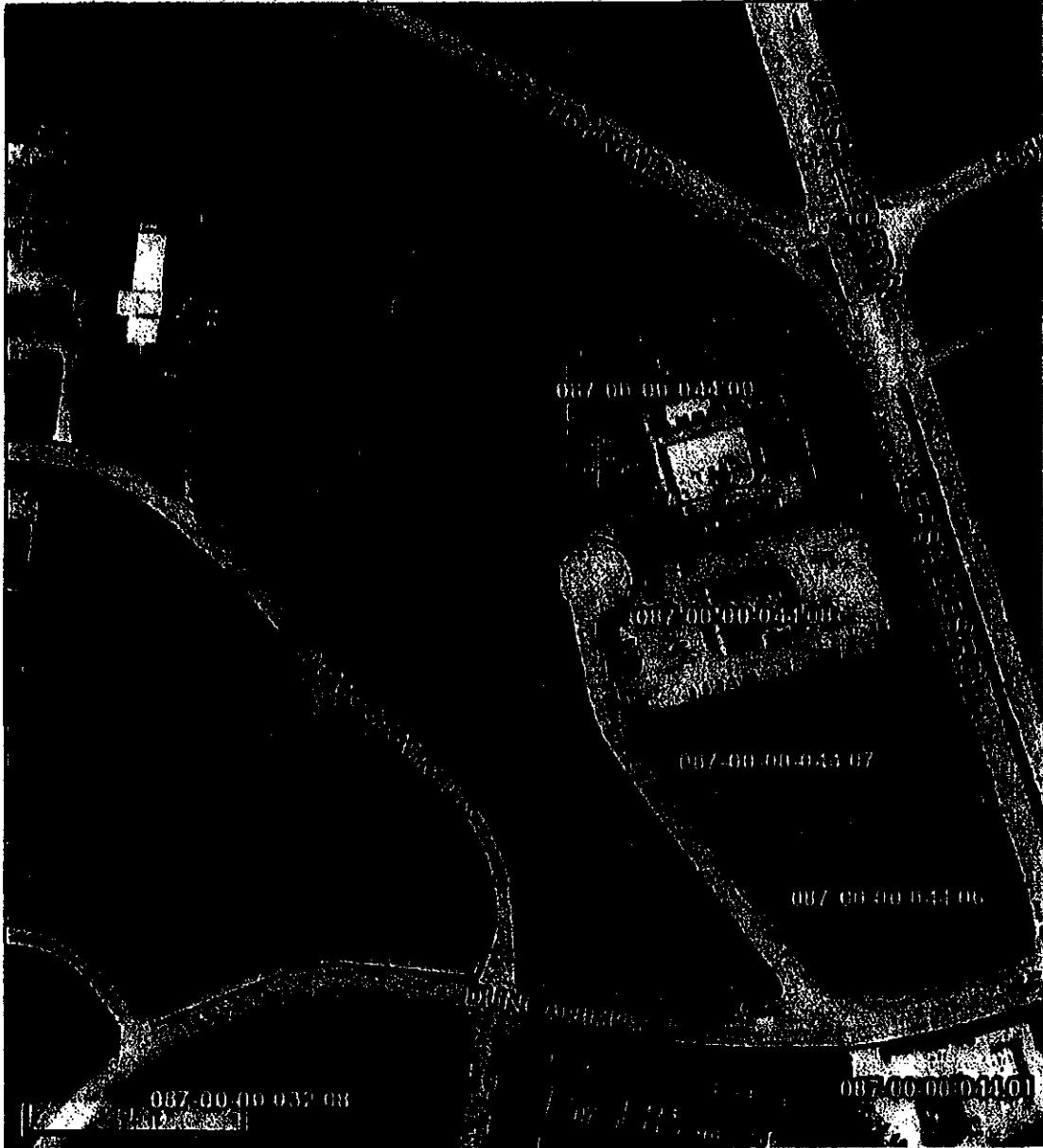
Being all of Lots 3, 14, 20, 21 and 22 as shown on that certain plat recorded as Final Plat Englewood Office Park, of record in Plat Cabinet A, Slide 330, in the Franklin County Clerk's Office.

Being a part of the same property conveyed to John W. Bizzack, by John W. Bizzack as Executor of the Estate of John Bizzack, by deed dated February 26, 2002, of record in Deed Book 456, page 187, in the Franklin County Clerk's Office.

EXHIBIT "A"

PROPERTY LEGAL DESCRIPTION AND DEPICTION

Approximately 9.3 acres of real property located on Democrat Drive, Frankfort, KY 40601, consisting of all of Franklin County, KY PVA Parcel #'s 087-00-00-044.05, 087-00-00-044.04, 087-00-00-044.03, 087-00-00-044.02, and 087-00-00-040.03, marked and depicted as:



112483.172428/8711728.4

SUMMARY OF PUBLIC HEARING

TT Of F, Frankfort, Inc.
Zone Map Amendment Request
FROM:
Professional Office District "PO"
TO:
General Commercial District "CG"
Lots 3, 14, 20, 21 & 22 of the Englewood Office Park Subdivision

October 13, 2022

Russell Wright, Chairman

Planning Commission Members Present:

David Boggs
Patti Cross
Sherron Jackson
Keith Lee
Paul Looney
Timothy Luscher
William May, Jr.
Darrell Sanderson
Charles Stewart
Brent Sweger
Russell Wright, Chairman

County Staff:

Ben Judah
Jonathan Otis, County Engineer
Brad Johnson, Traffic Engineer

Applicant's Representative:

Preston Cecil

The Secretary swore in all speakers.

Mr. Logan qualified Mr. Judah. Under questioning, Mr. Judah stated that he was employed as the Planning Supervisor with Franklin County Department of Planning & Building Codes and had been in that position for approximately four years. He stated that he had reviewed the rezoning request and had prepared the staff report for the request. He stated that he had based his recommendation on his education, training and experience as a planner. Mr. Logan asked if there were any additions, deletions or changes to his staff report. Mr. Judah stated that on page ten of the staff report under Goals & Policies, Use Infrastructure as a Planning Tool, the policy should have stated #2 and not #3. Mr. Judah added that he had

received a letter from the applicant's attorney and asked that the letter be entered into the record. Without objection, the letter was entered into the record.

Mr. Logan asked Mr. Judah to provide a summary of his staff report. Mr. Judah stated that the applicant was proposing to consolidate the lots into one single lot and construct a new automobile dealership. Mr. Judah stated that the Concept Plan had been reviewed by the Technical Review Team and that the Technical Review Team had no negative comments.

Under Commission questioning, Mr. Luscher asked how this development would affect the Slickaway watershed. Mr. Judah stated that the Concept Plan proposes subgrade onsite detention. Mr. Judah added that the Commission had determined previously that the Slickaway watershed was of critical importance and would be developed with higher standards.

Mr. Judah then deferred to Mr. Jonathan Otis. Mr. Otis stated the applicants had provided the concept plan and there would be three large underground boxes to hold the water so there would be very little sheet flow from the site.

Mr. Looney asked if the plans by the State of Kentucky to construct a series of retention areas for the Slickaway watershed had been changed. Mr. Otis responded that in a further review of that proposal, the State felt that that proposal would not be as helpful and that the State had decided not to go through with that proposal.

Mr. Sweger asked what percentage of pervious pavement is required to be permeable. Mr. Otis responded that it 25 percent. Mr. Sweger asked if the 25 percent included the entire parking lot. Mr. Otis responded that the 25 percent would apply to only required parking.

Mr. Sweger asked if there were sidewalks along Democrat Drive. Mr. Otis stated that there were not sidewalks along Democrat Drive.

Mr. Looney asked if Staff could elaborate on the queuing issue along Duncan Road. Mr. Brad Johnson, with HMB Consulting Engineers, was present to respond to the question. He stated that there is concern about the back-up of traffic on Duncan Road. He stated that he had reviewed the Concept Plan for the development and that the requirement for additional turn lanes had not been met.

Mr. Looney asked if the most recent construction in the area had been included in the review. Mr. Johnson stated that it had.

Mr. Jackson asked if Democrat Drive split the property. Mr. Judah responded that there were five separate tracts and one lot is bisected by Democrat Drive. Mr. Jackson asked if there were any sidewalks in the area. Mr. Judah stated that there were some sidewalks in the area, but that there were definitely holes in the sidewalk network in the area.

Under audience questioning, the owner of Glenss Creek Manor, an adjoining property to the request, stated that her property was an Assisted Living Facility and that she was concerned with loud speaker sound issues. Mr. Judah stated that that would be looked into at the development plan stage.

Mr. Preston Cecil, attorney for the applicant, stated that he had reviewed the Staff Report for the request and that he was in agreement with the Staff's Recommendation. Mr. Cecil stated that the proposed use will be less of an impact on the area than the existing Professional Office developments of the five separate lots.

Mr. Cecil stated that the stormwater is being addressed on the development plan and that his clients would agree to meet the development plan requirements. Mr. Cecil added that the new auto dealership will increase the labor force in the area.

Mr. Sweger asked if the auto dealership would provide Fast Charging Electrical Stations. Mr. Cecil stated that he was not sure. Mr. Cecil added that the sound issue will be taken up at the development plan stage.

After further discussion, Mr. Jackson asked if the testimony presented at the meeting required that the Planning Commission table the item for a Summary. Mr. Logan stated that there had definitely been testimony that was not contained in the Staff Report presented at the Public Hearing and recommended that the Commission table the Item until a Summary of the Public Hearing could be prepared.

Mr. Jackson made a motion to close the Public Hearing and table the item until a Summary of the Public Hearing could be prepared. The motion was seconded by Mr. Lee and passed unanimously.

FRANKFORT/FRANKLIN COUNTY PLANNING COMMISSION

**November 10, 2022
5:30 PM**

RUSSELL WRIGHT, CHAIRMAN -- PRESIDING

The meeting was called to order at 5:30 p.m.

Chairman Wright asked the Secretary to Call the Roll.

MEMBERS PRESENT:

David Boggs
Patti Cross
Sherron Jackson
Keith Lee
Paul Looney
Timothy Luscher
William May
Darrell Sanderson
Charles Stewart
Brent Sweger

Russell Wright, Chairman

(11)

Also Present:

Edwin Logan, Commission Attorney
Eric Cockley, Director, Frankfort Department of Planning & Community Development
Robert Hewitt, Director, Franklin County Planning & Building Codes Department
Ben Judah, Planning Supervisor, Franklin County Planning & Building Codes Department

There being a quorum, the meeting was called to order.

Chairman Wright asked for a motion to approve the minutes of the September 8, 2022 meeting. Mr. Luscher made a motion to approve the minutes, with a correction on page three of the minutes to reflect that the corrected motion should have been to consider and make a recommendation. The motion was seconded by Mr. Sanderson. The motion was approved unanimously.

Chairman Wright asked for a motion to approve the payment of bills. Mr. Sanderson made a motion to approve the following bills:

Edwin Logan (Legal Fee, PC & BZA)	\$ 1,500.00
Vickie Sewell (Secretarial – PC – 10/13/22)	\$ 300.00
Frankfort NewsMedia (Legal Advertising)	\$ 416.38
McBride Dale Clarion (Invoice #4595-9)	\$18,579.18

The motion was seconded by Mr. Looney and passed unanimously.

There were no staff items.

Under Reports of Standing Committees, Mr. Cockley provided an update on the Comprehensive Plan process. He stated that the Open House held on November 9, 2022 had 74 people to participate. He stated that there will be a series of Satellite Committee meetings throughout the community for the next public engagements.

Under Other Business, Mr. Sweger stated that the Planning Commission had recommended the denial of the Duncan Road zone map amendment proposed by Mr. Tierney, but the Franklin County Fiscal Court had overturned that denial and had approved the zone map amendment. He stated that he would like to make a motion to request that a development plan be submitted for review and approval by the Planning Commission.

Under discussion, Mr. Logan stated that the Planning Commission could not request that of the Fiscal Court. Mr. Logan stated that the Planning Commission should have asked for that at the time of the zone map amendment vote. He added that the Planning Commission could request that the Fiscal Court send the plan for consideration, instead. The motion failed by a vote of eight to three. Those voting in favor of the motion were Mr. Jackson, Mr. Looney and Mr. Sweger. Those voting against the motion were Mr. Boggs, Ms. Cross, Mr. Lee, Mr. Luscher, Mr. May, Mr. Sanderson, Mr. Stewart and Chairman Wright.

Mr. Luscher made a motion to request that Fiscal Court send the plan to the Planning Commission for review and action. The motion was seconded by Mr. Stewart and passed by a vote of nine to two. Those voting in favor were Ms. Cross, Mr. Jackson, Mr. Looney, Mr. Luscher, Mr. May, Mr. Sanderson, Mr. Stewart, Mr. Sweger and Chairman Wright. Those voting against the motion were Mr. Boggs and Mr. Lee.

Chairman Wright asked for a motion to Suspend the Rules to allow for more than two Public Hearings on the agenda. Mr. Luscher made a motion to suspend the rules in order to consider more than two public hearings at the meeting. The motion was seconded by Mr. Sweger and passed by a vote of 10-0. Mr. Jackson abstained from the vote.

Chairman Wright asked for a motion to combine Items two and three, under Old Business, for consideration. The motion was made by Mr. Sanderson and seconded by Mr. Jackson and passed unanimously.

The Chairman asked the Secretary to introduce the first item on the agenda:

PUBLIC HEARING: Proposed Text Amendment to the City of Frankfort Zoning Ordinance to amend Article 7 Landscape Ordinance “Plant Lists”.

The Secretary swore in all speakers.

Mr. Logan qualified Mr. Cockley, who stated that he had prepared the Staff Report and that he was recommending approval of the proposed amendment. He stated that the Landscape Advisory Board had reviewed the changes and were in agreement with the amendment.

Under Commission questioning, Mr. Luscher asked what projects and properties the Landscape Regulations apply to. Mr. Cockley responded that they are generally for parking lots and larger projects that require a development plan or a large subdivision, but that they do not apply to individual Single Family Residences.

Mr. Boggs asked if an Arborist had been involved in crafting the amendment. Mr. Cockley stated that Andrew Cammack had worked on the regulations with the committee.

Ms. Chris Schimmoeller was present and testified that the changes being recommended to the Plant List will remove many invasive species from the required plantings list. She stated that she was in support of the changes and urged the Commission to approve the amendment.

Andrea Mueller testified that she would echo the testimony of Ms. Schimmoeller.

Mr. Luscher made a motion to Close the Public Hearing. The motion was seconded by Mr. Looney and passed unanimously.

Mr. Lee made a motion to adopt the Staff Report as the Summary of the Public Hearing and to recommend to the Frankfort City Commission that the proposed Text Amendment to Article 7, Landscape Ordinance, "Plant Lists" be approved. The motion was seconded by Ms. Cross and passed unanimously.

The Chairman asked the Secretary to introduce the next item:

CONTINUATION OF PUBLIC HEARING: Proposed Text amendment to Article 4 and 19 of the City of Frankfort Zoning Ordinance related to the addition of *Bourbon Barrel Warehouse* as a sub-category of LUC 461 *Farm Product Warehousing and Storage* as a Conditional Use in the "AG" Zoning District and establishing conditions governing such land use in the "AG" zone.

CONTINUATION OF PUBLIC HEARING: Proposed Text amendment to Article 4 and 19 of the Franklin County Zoning Ordinance related to the addition of *Bourbon Barrel Warehouse* as a sub-category of LUC 461 *Farm Product Warehousing and Storage* as a Conditional Use in the "AG" Zoning District and establishing conditions governing such land use in the "AG" zone.

Mr. Luscher made a motion to send the two proposed Text Amendments to the Frankfort City Commission and the Franklin County Fiscal Court for their consideration and adoption. Due to the fact that the regulations currently provide no oversight for the location and site development plan by the Planning Commission and the proposed Text Amendment will grant the Planning Commission the necessary oversight for the approval of the locating of Bourbon Warehousing in Frankfort and Franklin County. The motion was seconded by Mr. Lee.

Mr. Sanderson offered an amendment to the motion to require that all structures within 15 miles, as a crow flies, of any Bourbon Warehouse located within an "AG" -zoned property be cleaned by Buffalo Trace. The motion did not get a second.

Mr. Jackson stated that if Mr. Sanderson would change the wording to require the actual property owner and not just Buffalo Trace, he would second the motion. Mr. Sanderson stated that he would consent to the change of the property owner will be required to clean any structure, sign or car within 15 miles, as a crow flies, of any Bourbon Warehouse. The motion was seconded by Mr. Jackson and passed by a vote of six to five. Those voting in favor were Ms. Cross, Mr. Jackson, Mr. Looney, Mr. Sanderson, Mr. Stewart and Mr. Sweger. Those voting against the motion were Mr. Boggs, Mr. Lee, Mr. Luscher, Mr. May and Chairman Wright.

Mr. Looney requested a point of order, stating that the request for reconsideration was out of order and that the Commission should not even be considering the items. He stated that Robert's Rules of Order states that a motion to reconsider must be made at the same meeting of the original vote. It was ruled that the request for reconsideration was valid and within the timeframe (24-hour) allowed by Robert's Rules of Order.

Mr. Sanderson made a motion to add Amendment #2 to the motion to require each Bourbon Warehouse to have a Thermal Oxidizer Filtration system installed. The motion was seconded by Mr. Jackson and passed by a vote of six to five. Those voting in favor were Mr. Boggs, Ms. Cross, Mr. Jackson, Mr. Sanderson, Mr. Stewart, and Mr. Sweger. Those voting in opposition were Mr. Lee, Mr. Looney, Mr. Luscher and Chairman Wright.

Mr. Looney made a motion to add Amendment #3 to require the same standards of review for the Bourbon Warehouse use as is currently required for zone map amendments, in addition to the regulations contained within the proposed text amendment. The motion was seconded by Mr. Luscher and passed unanimously.

Mr. Jackson made a motion to add Amendment #4 to change the language and add to the Section 19.161 Purpose Statement the language that states "this type of use shall not be considered as altering the agricultural or residential character of its particular area and shall not be justification for zoning map amendments. Conditionally Permitted Horticultural, Agricultural and Silvicultural industries shall be subject to the specific conditions." The motion was seconded by Ms. Cross and passed with a vote of ten to one. Those voting in favor were Mr. Boggs, Ms. Cross, Mr. Jackson, Mr. Looney, Mr. Luscher, Mr. May, Mr. Sanderson, Mr. Stewart, Ms. Sweger and Chairman Wright. Mr. Lee voted no.

Mr. Sweger made a motion to add Amendment #5 to limit the height of buildings to no taller than forty feet. The motion was seconded by Mr. Looney and passed by a vote of six to five. Those voting in favor were Ms. Cross, Mr. Jackson, Mr. Looney, Mr. Sanderson, Mr. Stewart and Mr. Sweger. Those voting against the motion were Mr. Boggs, Mr. Looney, Mr. Luscher, Mr. May, and Chairman Wright.

Mr. Sweger made a motion to add Amendment #6 to limit impervious surface to no more than twenty percent of the total land. The motion failed by a vote off seven to four. Those voting in favor were Ms. Cross, Mr. Looney, Mr. Sweger and Chairman Wright. Those voting in opposition were Mr. Boggs, Mr. Jackson, Mr. Lee, Mr. Luscher, Mr. May, Mr. Sanderson and Mr. Stewart.

Chairman Wright asked the Secretary to call the roll on the motion to send the Text Amendment, with the approved five amendments, to the Frankfort City Commission and the Franklin County Fiscal Court for their consideration. The motion passed by a vote of eight to three. Those voting in favor were Mr. Boggs, Mr. Jackson, Mr. Lee, Mr. Looney, Mr. Luscher, Mr. May, Mr. Stewart and Chairman Wright. Those voting no were Ms. Cross, Mr. Sanderson and Mr. Sweger.

Chairman Wright asked the Secretary to introduce the next item:

CONTINUATION OF PUBLIC HEARING: TT of F, Frankfort, Inc. is requesting a zone map amendment of 9.26 acres on Democrat Drive from Professional Office District "PO" to General Commercial District "CG". Being all of lots #3, #14, #20, #21 and #22 of the Englewood Office Park subdivision, of record in Plat Cabinet A, Slide 330, in the office of the Franklin County Clerk.

Mr. Sweger made a motion to take the item from the table and to adopt the Summary of the Public Hearing. The motion was seconded by Mr. Luscher and passed unanimously.

Mr. Sweger made a motion to adopt the Staff's proposed Findings of Fact numbers one, two and four. The motion was seconded by Ms. Cross and passed unanimously.

Mr. Lee made a motion to cease the making of Findings of Fact. The motion was seconded by Mr. Jackson and passed unanimously.

A motion was made by Mr. Sweger to add an amendment to the approval that the developer add sidewalks on the development plan. The motion was seconded by Mr. Looney and passed by a vote of eight to three. Those voting in favor were Mr. Boggs, Ms. Cross, Mr. Looney, Mr. Luscher, Mr. May, Mr. Sanderson, Mr. Stewart and Mr. Sweger. Those voting in opposition were Mr. Jackson, Mr. Lee and Chairman Wright.

Mr. Lee made a motion to recommend to the Franklin County Fiscal Court that the Zone Map Amendment request of TT of F, Frankfort, Inc. for 9.26 acres of property on Democrat Drive, being all of lots #3, #14, #20, #21 and #22 of the Englewood Office Park subdivision, of record in Plat Cabinet A, Slide 330, in the office of the Franklin County Clerk from Professional Office "PO" to General Commercial "CG" be approved with the amended condition that sidewalks be provided and shown on the development plan. The motion was seconded by Ms. Cross and passed unanimously.

Chairman Wright asked the Secretary to introduce the next item:

PUBLIC HEARING: Cardwell 827, LLC is requesting a zone map amendment from Rural Residential "B" District "RB" to Rural High Density Multifamily District "RH" of a 25.45-acre property at 827 Cardwell Lane. The property is more specifically identified as PVA Map Number 071-00-00-024.00 (County Item)

The Secretary swore in all speakers.

Mr. Jackson left the meeting.

Mr. Logan qualified Mr. Ben Judah, Planning Supervisor for Franklin County Fiscal Court, who stated that he had reviewed the request and prepared the Staff Report for the request. Mr. Judah stated that he had one correction to his Staff Report and stated that he had referenced Section 2.03.07 "D" of the Subdivision and Design Guidelines on page 13 of the Staff Report. He stated that it should have been Section 3.03.07 "D", instead. He stated that he had no other changes, additions or deletions to the report.

Mr. Judah stated that he had made three positive findings within the Staff Report and that staff was recommending approval of the request. He then asked that the Staff Report be entered into the record. Without objection the Staff Report was entered into the record.

Under Commission questioning, Mr. Sweger stated that the Comprehensive Plan proposed a mixture of residential uses and asked how only apartment buildings met that guideline. Mr. Judah stated that the proposed land use would provide a transition between the single-family development from the north to the office and medical uses to the south.

Mr. Lee asked how many units would be constructed. Mr. Judah stated that the applicant is proposing to construct 384 apartment units on the property.

Mr. Looney asked how the proposed development provided a buffer. Mr. Judah stated that the different land uses provided a north to south transition from the less dense residential north of the property to the more dense office and medical uses to the south of the property.

Mr. Looney stated that the Concept Plan shows only one entrance. Mr. Judah stated that a second entrance will be required.

Mr. Sweger asked if the developer could stub out the second entrance but not build it or ask for a waiver. Mr. Judah responded that waivers are not allowed within the Subdivision Regulations.

Mr. Looney asked about the sight distance for the entrance. Mr. Brad Johnson, Traffic Engineer for HMB, stated that he had prepared the traffic study for the development, but that he had not measured the sight distance. Mr. Looney asked if the traffic study had been prepared for the Planning Commission or the developer. Mr. Johnson stated that he had prepared it for the developer.

Mr. Lee asked the traffic study was based on the maximum density of the property or by the Concept Plan. Mr. Johnson stated that the traffic study was based on the Concept Plan that the applicant had provided.

Under audience questioning, Ms. Jane Julian stated that Goal 7, Policy 4 stated "Preserve Rural character where appropriate. Mr. Julian then asked Mt. Judah who decides what is appropriate. Mr. Judah stated that would be determined by the Planning Commission. Ms. Julian

asked if the water flowing from this property to her property was considered. Mr. Judah stated that it would be considered at the development plan phase.

An unidentified gentleman stated that the staff report indicated that there would be 2,588 daily trips generated. He asked what the definition of a "trip" is. Mr. Johnson stated that it is one car leaving the site. He added that the same car returning to the site is a second trip.

Bruce Sira asked if the appropriateness of the land use proposed was addressed, given that only one entrance was being proposed. Mr. Judah responded that the subdivision regulations determine the number of entrances required. He stated that the development of more than 1000 units requires that a second entrance be constructed.

There were no more questions of Staff.

Mr. Brian Hix, attorney for the applicant stated that he had read the staff report and was in agreement with the report.

Mr. Hix stated that Frankfort and Franklin County needed more affordable housing. He stated that the current housing supply is older and that newer product needs to be provided. Mr. Hix stated that his client is willing to limit the density to no more than 15 units per acre and to provide a greater buffer to the Julian farm.

The applicant, Mr. Jason Taylor stated that he wanted to add to the housing supply in Frankfort. He stated that he was a Nation-wide developer and that it was not his intent to overbuild the property. He stated that he would have a second entrance to the property.

Mr. Looney stated that the current Average Daily Trip on Cardwell Lane is 2,532 and that the proposed new trips of 2,588 will more than double that number. He asked if the Traffic Analysis had considered the roadway geometry. Mr. Johnson stated that it had not.

Mr. Sweger asked the applicant to provide his vision of what he wanted to construct. Mr. Taylor stated that he would be constructing two bedroom, garden style apartment units with amenities. He stated that each building would be three stories. He provided the name of a recent development he had completed on Hurstbourne Lane.

Mr. Stewart asked if retention was being provided. Mr. Taylor stated that his development will provide retention.

Mr. Hicks stated that there currently is development adjacent to Ms. Julian's property.

Mr. Looney asked if the number of stories of the buildings could be reduced. Mr. Hicks stated that the regulations allow for 30% lot coverage but the developer is only going to have 13.9% lot coverage.

Mr. Jeff Bibb stated that there were three other entrances on Cardwell Lane besides the one the applicant is proposing.

Mr. Jonathan Otis County Engineer was present and stated that he had provided a review of the Concept Plan, but that it was omitted from the Staff Report. He stated that, as with all of his reviews, he has to wait until the development plan stage to provide comments, but that he will require the development to meet the requirements of the regulations. He stated that the direction of water flow from this property goes from West to South and stated that there are sinkholes in the area.

Under Citizen testimony, Mr. Al Wink stated that he has been a residential developer for a number of years and that he had built his personal home in Augusta Subdivision. He stated that he had several concerns about the entrance. He stated that the approximate distance from the roundabout to the proposed entrance is approximately 150 yards. He stated that cars speed along Cardwell Lane. He stated that currently, from C. Michael Davenport Drive to Cardwell Lane there are 370 homes. He stated that the development being proposed will be larger than all of the subdivisions combined. He stated that Cardwell Lane is not a safe roadway. He stated that it is hilly and curvy and that people speed along the road.

Mr. Wink stated that he had spoken with Brad McKinney who is the Traffic Engineer for Franklin County School System. He stated that Mr. McKinney was not aware of this proposed development. He stated that buses currently stop along Cardwell Lane and more development will increase the number of stops the buses must make.

Mr. Wink stated that their neighborhoods are concerned about the existing traffic and the Bus traffic and how unsafe Cardwell Lane is and the impact that the proposed development will have on the roundabout.

Mr. Herb Goff stated that he lives in Willowcrest Subdivision and that there are currently no more single family lots for sale. He then read a letter into the record.

Ms. Jane Julian stated that she owned an historic farm on Louisville Road that adjoins the property. She then read her prepared statement into the record.

Mr. Doug Booth stated that the plan needs more work. He stated that there is not enough room for the size of development being proposed. He stated that there is not enough room for the development that is being proposed.

Ms. Donna Harrod stated that she lives on Old Station Road and stated that because of the lay of the land three-story buildings will dwarf the homes in Augusta. She stated that the development guidelines promote landscape, larger setbacks and providing greenspace. She then entered a written statement into the record.

Ms. Chris Schimmoeller, on behalf of Envision Franklin County stated that she appreciates the need for more housing in the county at the edge of the Community. She stated that she felt it was misplaced to push high density residential apartment development into the more rural areas. She stated that the impacts to the Julian farm cannot be understated. She stated that the drainage from the property drains on to the Julian farm. She stated that she felt it would be ill advised to

approve the zone map amendment because it does not meet the Comprehensive Plan Land Use Designation.

Mr. Mahesh Devata stated that he lives in the August Subdivision and that there are too many hills and too many blind spots to allow more traffic. He stated that the entrance at Augusta is already dangerous and this development will make it more dangerous.

Mr. Brian Fitzgerald stated that he felt 380 apartment units would be an extreme change in the area. He stated that it would double the traffic at the roundabout and make Cardwell Lane more dangerous.

Mr. Neeraja Gunna stated that he lives in Augusta He stated that his children walk to school and more traffic makes it more unsafe.

Ms. Stacy Dennis, representing the owner of Morning Pointe and the Lantern. She stated that she was concerned about the safety and noise levels for the residents.

Ms. Susan Smith stated that she lives in the Heritage Subdivision. She stated that there are too many unanswered questions in the request. She suggested that the guarantees should be provided in writing.

In rebuttal testimony, Mr. Jason Taylor stated that he is a green builder. He stated that he will cover less land with his proposal than if he developed single family residences. Mr. Hix concluded his remarks stating that this development is needed and that all concerns brought up by the residents will be addressed at the development plan stage.

Mr. Lee made a motion to close the Public Hearing so that a Summary of the Public Hearing could be prepared. The motion was seconded by Mr. Sanderson and passed unanimously.

Chairman Wright asked the Secretary to introduce the next item:

PUBLIC HEARING: Pipedream Farm, LLC is requesting a Zone Map Amendment from Rural Residential "RR" to Agricultural District "AG" of a 131.69 acre property located at 4325 Shadrick Ferry Rd. The property is more specifically described as Property Valuation Administrator map ID #071-00-00-024.00 (County Item)

Mr. Ben Judah was qualified by Mr. Logan. He stated that he had prepared the staff report and that he had recommended approval of the request. He stated that he had no additions or deletions to the staff report. Mr. Logan asked Mr. Judah then to give a summary of the request.

Mr. Judah stated that the owners were requesting approval to provide five "glamping" sites on the property. He stated that the entire property was 131.69 acres. Mr. Judah stated that he made all positive findings and was recommending approval of the zone map amendment.

Under audience questioning, Mr. Peffer asked if this change would allow for Bourbon Warehouses to be built on it. Mr. Judah stated they would have to get approval of the Planning Commission in order to do that.

Mr. Rick Hardy asked who monitors sewer runoff. He stated that West Sixth Brewing has created issues. Mr. Judah responded that the Health Department is working on the problem.

Mr. William Martin, applicant, stated that he had reviewed the staff report and was in agreement with the staff report. He stated that they were interested in taking care of the land.

Mr. Sanderson asked if they were proposing camp sites and not RV sites. Mr. Martin responded that they were going to be camp sites.

Mr. Nat Colton stated that he was in support of the use of the property as agricultural and that they will be conscientious of the land.

There was no further testimony.

Mr. Lee made a motion to close the Public Hearing, to adopt the Staff Report as the Summary and to adopt Findings of Fact 1, 2 and 3 of the Staff Report and to recommend to the Franklin County Fiscal Court that Pipedream Farm, LLC's request for a Zone Map Amendment from Rural Residential "RR" to Agricultural District "AG" for 131.69 acres of property located at 4325 Shadrick Ferry Road, and is more specifically described as Property Valuation Administrator map ID #071-00-00-024.00 be approved. The motion was seconded by Mr. Sweger and passed unanimously.

Chairman Wright asked the Secretary to introduce the next item:

In accordance with Sections 155.085 and 155.105 of the Franklin County Code of Ordinances, Pipedream Farm, LLC is requesting approval of a Conditional Use Permit to allow the operation of a campground at 4325 Shadrick Ferry Rd. The property is more specifically described as Property Valuation Administrator map ID #071-00-00-024.00 (County Item)

Mr. Ben Judah provided a Summary of the Staff Report. He stated that the request was for approval of a Conditional Use Permit to provide "glamping" campsites on the property. He stated that the entire property is 131.69 acres but only a small portion would be used for the actual campground. He stated that staff was recommending approval of the request with seven conditions that were outlined on pages four and five of the Staff Report.

Mr. William Martin, applicant, stated that he was in agreement with the Staff Report and the seven conditions being proposed by staff. Under audience testimony, Mr. Dan Peffer stated that he felt it would be a benefit to the community with no negative impact to the neighbors.

Mr. Lee made a motion to approve the Conditional Use Permit to allow for the operation of a campground at 4325 Shadrick Ferry Rd, with the seven conditions outlined within the Staff Report. The motion was seconded by Ms. Cross and passed unanimously.

Chairman Wright asked the Secretary to introduce the next item:

Buffalo Trace Properties, LLC is requesting approval of a Final Development Plan for the construction of bourbon warehouses “RR” and “SS” on the property located at 5701 US Hwy. 127 North and 1078 Lewis Ferry Road. The property is more specifically described as PVA map #060-00-00-025.00, PVA map #060-00-00025.01 and PVA map #073-00-00-024.00

Mr. Robert Hewitt, Franklin County Planning Director presented the Staff Report for the request. He stated that in 2016, the Planning Commission rezoned the land, which contained 347 acres. Mr. Hewitt stated that the two warehouses being proposed are the same size and shape as the others that are already located on the property.

Mr. Hewitt stated that warehouse “RR” will be located on the northeast corner of the True property. He stated that warehouse “SS” will be located directly behind the “RR” warehouse. He stated that the warehouses are 96’ x 235’. He stated that the development will not disturb the existing tree canopy.

Mr. Hewitt stated that all review agencies are in agreement with the request. He stated that staff is recommending approval of the request.

Mr. Sanderson stated that he thought the Commission had restricted tractor trailers from Lewis Ferry Road. He added that the drivers were coming down Manley Leestown Road and turning onto Lewis Ferry Road. Mr. Hewitt stated that he would check into the issue.

Mr. Charles Jones, attorney for the applicant, stated that he was in agreement with the Staff Report and its recommendation of approval. He stated that he would also check into the truck issues.

After further discussion, Mr. Lee made a motion to approve Buffalo Trace Properties, LLC’s request for approval of a Final Development Plan for the construction of bourbon warehouses “RR” and “SS” on the property located at 5701 US Hwy. 127 North and 1078 Lewis Ferry Road. The property is more specifically described as PVA map #060-00-00-025.00, PVA map #060-00-00025.01 and PVA map #073-00-00-024.00. The motion was seconded by Mr. Sanderson and passed unanimously.

There being no further business, Mr. Sanderson made a motion to adjourn. The motion was seconded by Ms. Cross.

Russell Wright, Chairman

Vickie Sewell, Recording Secretary