

ORDINANCE # 10 - 2022

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 A 4.09-ACRE PROPERTY, BEING ALL OF LOT 1, PARCEL 2 AS SHOWN IN PLAT CABINET M, SLIDE 131, FURTHER IDENTIFIED AS PVA MAP #086-30-11-001.00, LOCATED AT THE INTERSECTION OF ISAAC SHELBY CIRCLE WEST AND METCALF DRIVE, FROM LIMITED COMMERCIAL DISTRICT (CL) TO TWO DWELLING DISTRICT (RD)

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 July 14, 2022 and adopted a summary of the evidence and findings of fact on August 11, 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:

A 4.09-acre property located at the corner of Isaac Shelby Circle West and Metcalf Drive in Franklin County, Kentucky, identified as PVA map #086-30-11-001.00 is hereby amended from Limited Commercial District (CL) to Two Dwelling District (RD), based on the following findings of fact:

- a) The Comprehensive Plan, Future Land Use Plan, designates the property as Suburban Business Center.
- b) The request is in agreement with the policies listed in the goals section of the Comprehensive Plan.
- c) The proposed zone map amendment will allow for a buffer between less compatible uses.

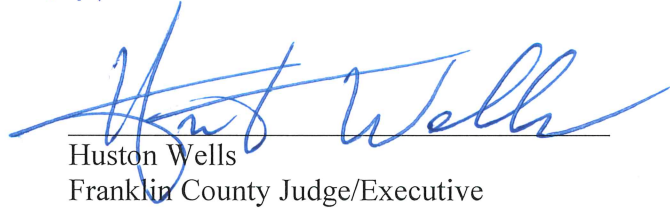
SECTION II. CODIFICATION. The provisions of Section I of this Ordinance shall be published as appropriate in the Franklin County Code of Ordinances as soon as practicable.

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.

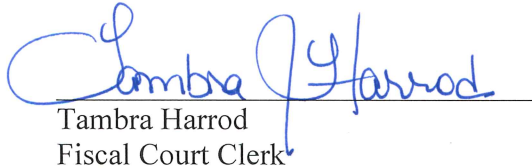
SECTION IV. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and publication according to law.

INTRODUCED AND GIVEN FIRST READING IN SUMMARY at a duly convened meeting of the Fiscal Court of Franklin County, Kentucky, held on the 27th day of October, 2022.

GIVEN SECOND READING AND APPROVED at a duly convened meeting of the Fiscal Court of Franklin County, Kentucky, held on the 4 day of November, 2022 and of record in Fiscal Court Order Book 33, Page 141.


Huston Wells
Franklin County Judge/Executive

ATTESTED TO:


Tambra Harrod
Fiscal Court Clerk

SUMMARY

This ordinance approves a zone map amendment for a 4.09-acre property located at the corner of Isaac Shelby Circle West and Metcalf Drive in Franklin County, Kentucky, identified as PVA map #086-30-11-001.00 from Limited Commercial District (CL) to Two Dwelling District (RD)

STAFF REPORT

TO: Frankfort/Franklin County Planning Commission

FROM: Ben Judah, Planning Supervisor

MEETING DATE: July 14, 2022



GENERAL INFORMATION

Applicant: Moore Land Investments, LLC
c/o Charlie Jones
315 W. High Street
Frankfort, KY 40601

Request: Moore Land Investments, LLC is requesting approval of a zone map amendment from Limited Commercial District "CL" to Two Dwelling District "RD" for 4.09-acres of property at the corner of Isaac Shelby Circle West and Metcalf Drive, being all of Lot 1, Parcel 2 as shown in Plat Cabinet M, Slide 131. The property is more specifically identified as PVA Map Number 086-30-11-001.00

Size of Property: 4.09

Purpose: Single Family Townhomes

Surrounding Land Use & Zoning

North: Zone- RB; Residential (Governors Place)
South: Zone- CL; Vacant
East: Zone- RB; Residential (Governors Place)
West: Zone-CL; Commercial/ office

Background

The subject property is located in the south east quadrant of Franklin County. The location is east of the City of Frankfort in a suburban area. The subject property is currently vacant. The parent tract for the Governors Place subdivision was created in 1987 (Plat Cabinet D, slide 14). The subject parcel has had various configurations since originally being created as a section of Governors Place. The front of Governors Place had a two lot commercial zone configuration as of August 2004 (Plat Cabinet G, slide 197). The most recent plat was recorded July 6, 2022 (Plat Cabinet N, Slide 61) which dedicated sewer easements across the property. The applicant has applied for the zone map amendment in order to develop 30-40 residences on site.



Existing Zoning: Limited Commercial (CL)

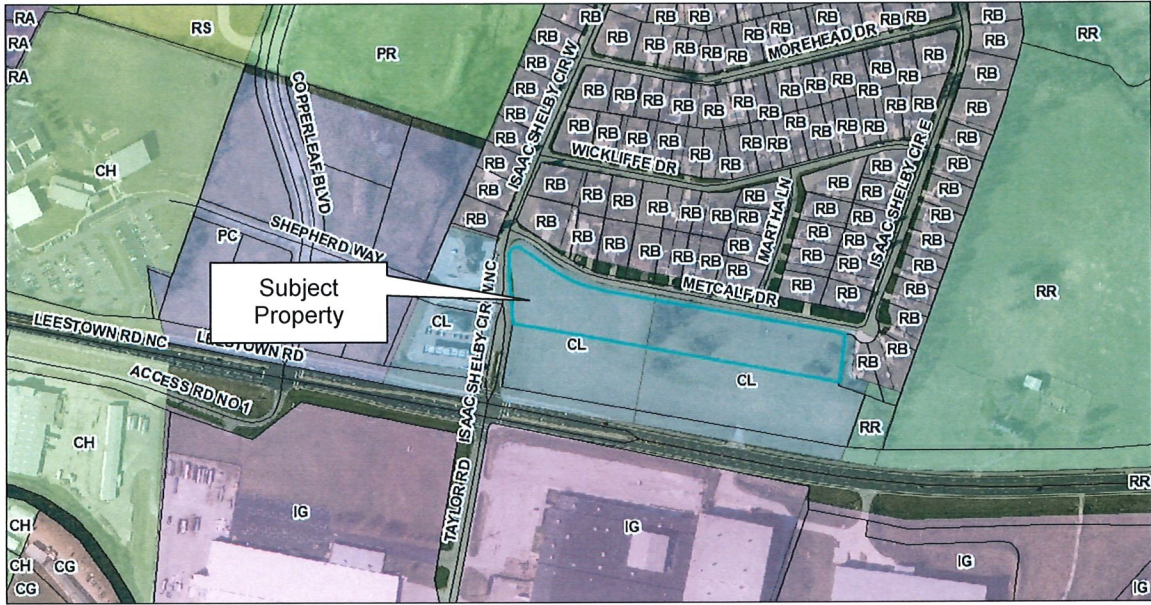
§155.146 Purpose.

To establish and preserve districts of limited and low intensity commercial uses. This zone is intended to provide retail goods and services required for the regular convenience of neighborhood residences or to provide a transition between residential development and other more intense land uses districts.

Proposed Zoning: Two Dwelling District (RD)

§155.141 Purpose.

This district is intended to establish and preserve quiet neighborhoods of single and two family homes, free from other uses, except those kinds which are both compatible with and convenient to the residents of such districts. The expected overall density of the RD Districts will be relatively low averaging about ten (10) units per acre to include sewers, curbs, and gutters.

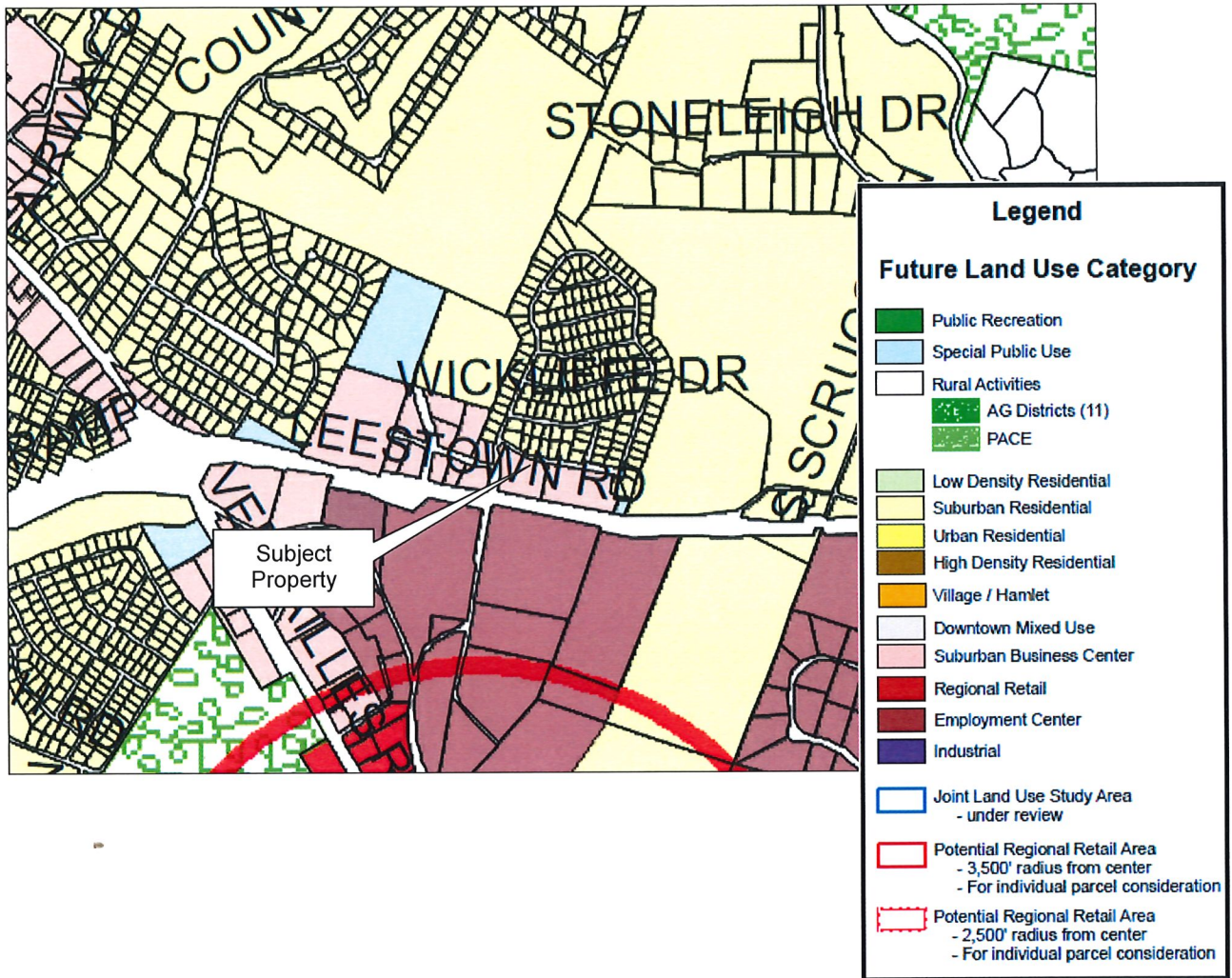


APPLICABLE REGULATIONS

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

The subject property is identified on the Countywide Land Use Plan map as Suburban Business Center. The land use category Suburban Business Center is described in the following manner:

Suburban Business Center

Suburban business centers are the commercial areas and corridors of Frankfort and Franklin County that serve the needs of the local residents. While the primary focus of these areas is retail sales and personal services, some office space may be intermixed. The size of suburban business centers should be controlled to limit expansion of commercial development and the increasing number of vacant buildings while providing flexibility to accommodate changes in the market.

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 and employees in Frankfort and Franklin County.

- Mixed use development of commercial/office on lower floors with residential on upper floors is encouraged when compatible to surrounding neighborhoods/development.

- These areas should be designed to be accessible by car, pedestrians, bikes, and transit from nearby residential and office uses.

Development Guidelines

1. Suburban business centers should be located along highway corridors to accommodate the large amount of traffic generated by these uses.
2. New development should occur only in areas where public water and sewer services have sufficient capacity to serve and can meet any additional demand.
3. No new development shall occur where there is not an adequate water supply and water pressure for fire protection services.
4. Developers should be encouraged to develop creative business centers that do not place focal emphasis on the parking areas but on the commercial uses themselves. This can be accomplished by placing some parking behind buildings and internal landscaping throughout the parking areas.
5. Signage and lighting should be placed to ensure visibility without creating visual and light pollution.
6. Emphasis should be placed on rehabilitating and adaptive reuse of underutilized properties.
7. Compatibility standards for the exterior design, site location, and interconnectivity should be emphasized and provided for new and infill developments.
8. Structures should not exceed 20,000 square feet in size.
9. 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)

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 in a suburban part of the County. The surrounding area is a mixture of both single-family residences and commercial uses. There are industrial uses south of Leestown Road.

Policy #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. The minimum lot size of Limited Commercial District properties is 1.5 acres on septic and none on sewer; the minimum lot size of Two Dwelling District properties is 6000 square feet for the first unit and 2500 feet for the second unit. The property is classified as Suburban Business Center in the Future Land Use Map of the Comprehensive Plan. The location is surrounded by development in every direction, and does not contribute to sprawl.

Policies #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 residential and commercial uses in the area. A facility review was performed and services can or are provided to the property. Copies of the reviews are attached. There is a six inch water line along Metcalf Drive according to the Kentucky Infrastructure Authority. There is also sanitary sewer and natural gas service available.

Policy #2 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 respectful 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- The proposed use would provide for additional housing stock and an increased mix of housing types in the area. Similar uses to the proposed use are in the area.

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

Policies:

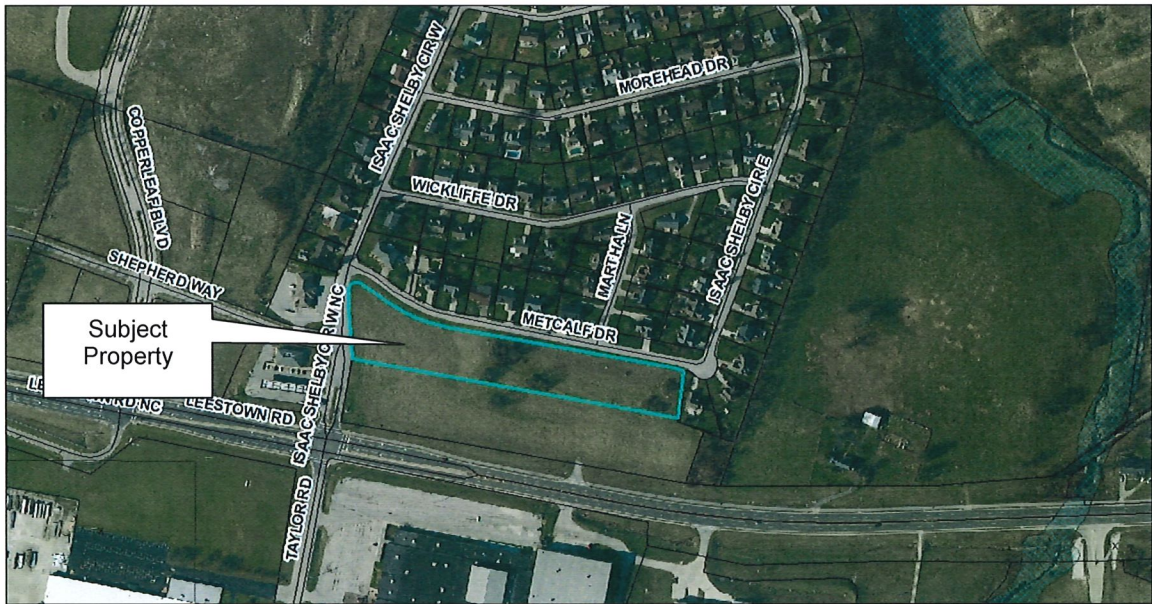
1. Continue to promote the development and expansion of quality, environmentally sustainable and economically productive industry in existing industrial parks.
2. Direct additional industrial and/or commercial growth onto land that is suited for industrial and/or commercial development.
3. Promote concepts 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- The subject property is not 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. Slickaway Branch is approximately 1300-feet to the east of the subject property.



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 proposed zone change request will allow for a buffer and ideal transition between the industrial uses south of Leestown Rd, commercial uses to the south of the subject property and lower density single family residential to the north.

Policies #4 and #6 are applicable to 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 activities in the general area.

Policies #4 and # 5 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 Suburban Business Center Future Lane Use Designation. As indicated in the Comprehensive Plan section of this report, the primary land use within that Future Land Use designation is retail, commercial, personal services and professional offices targeted toward residential and employees in Frankfort and Franklin County. Although, the request is not completely consistent with the Future Land Use map of the Comprehensive Plan, the request is consistent with the goals and policies of the Comprehensive Plan as outlined above. The proposed use will create a good transition between more intense uses to the south and single family homes to the north.

A traffic study and concept plan was not required for this request to appear before the Planning Commission

CONCLUSION

Staff recommends the following findings of fact:

1. The Comprehensive Plan, Future Land Use Plan, designates the property as Suburban Business Center.
2. The request is in agreement with the policies listed in the goals section of the Comprehensive Plan.

3. The proposed zone map amendment will allow for a buffer between less compatible uses.

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



Subject property facing southwest



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: ___/___/___
 Payment Amt: \$ 300
 Receipt #: 28505
 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):
MOORE LAND INVESTMENTS, LLC
2. Mailing Address:
c/o Charles E. Jones
315 High Street, Frankfort, Kentucky 40601
3. Phone Number:
 Home: _____ Work: 875-8808

SITE INFORMATION

4. General Location of Property: Corner of Isaac Shelby Circle West and Metcalf Drive
5. Subdivision Name: (if applicable) Gov. Place
6. Street Address: Isaac Shelby Circle West

ZONING INFORMATION

7. Present Zoning of Property: CL - Rural Commercial Limited
8. Proposed Zoning of Property: RD - Rural Two Family Dwelling
9. Existing Use of Property: Vacant

10. Proposed Use of Property: Single Family Residential


11. Size of Property: Acres: 4.09 Sq. Ft. _____

SUPPORTING INFORMATION:

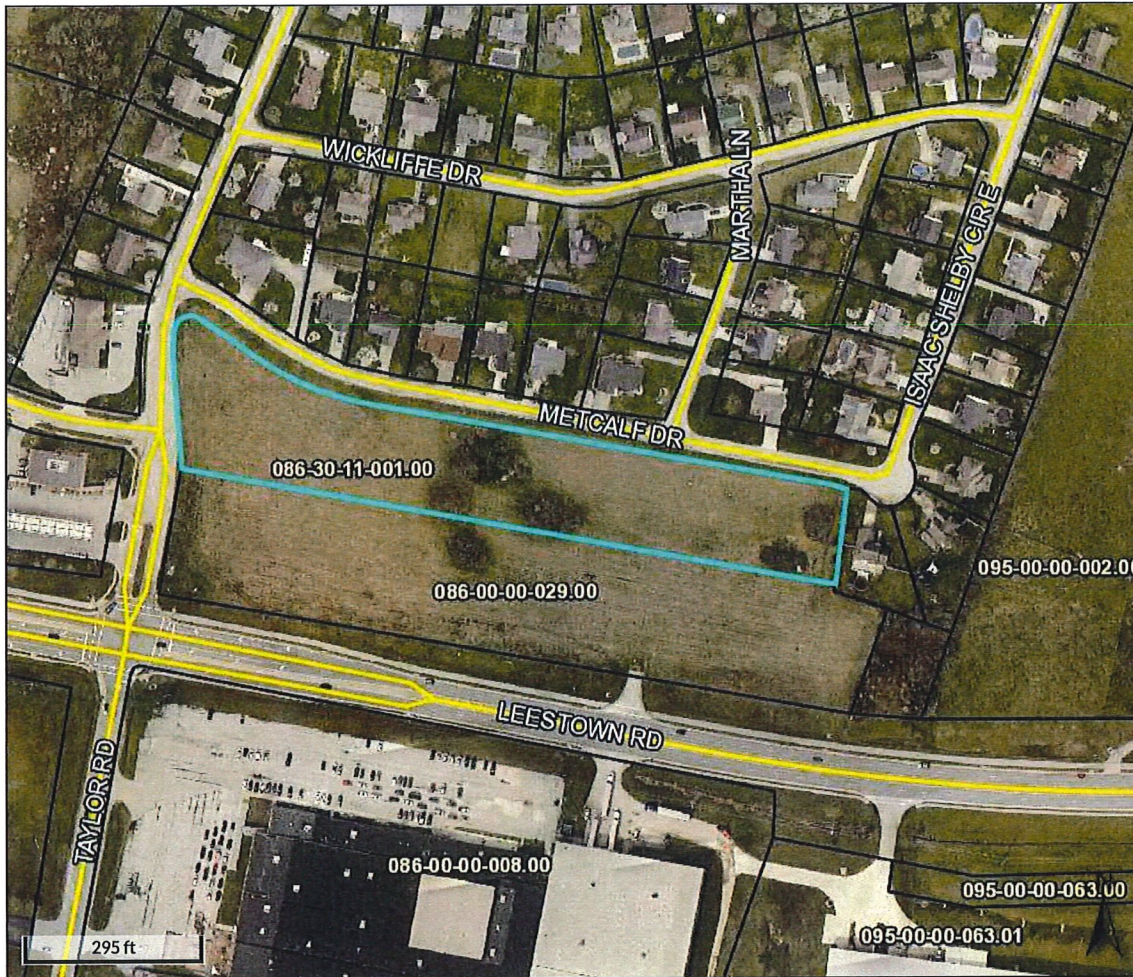
The following items must be attached to the application as supporting information to this request:

- 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.)

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.



Overview



Legend

-  Parcels
-  Roads

Parcel ID	086-30-11-001.00	Physical Address	ISAAC SHELBY CIR W	Land Value	\$175,000	Last 2 Sales			
Property Class	Commercial	Mailing Address	MOORE LAND INVESTMENTS LLC	Improvement Value	\$0	Date	4/1/2022	Price	0
Taxing District	County		895 ELKHORN HILLS LANE	Total Value	\$175,000		4/1/2022	0	
Acres	n/a		FRANKFORT, KY 40601						Reason Affiliated Organizations
									Qual U

Date created: 4/21/2022
 Last Data Uploaded: 4/20/2022 8:47:49 PM

Developed by  Schneider GEOSPATIAL

Isaac Shelby Circle W., Frankfort: Being all of Lot 1, Parcel 2, of the property of 421 Prime Properties, LLC, a Kentucky limited liability company, containing 4.09 acres (+/-), as shown upon a Minor Subdivision Plat of Lot 1, Block B, Section 10, Governors Place Subdivision, which map or plat is of record in Plat Cabinet M, Slide 131, in the Office of the Franklin County Clerk, to which reference is made for a more particular description.

Application for Zone Map Amendment

Statement of Fact

The requested zone map amendment from CL (Rural Commercial Limited) to RD (Rural Two Dwelling District) meets the minimum requirements of KRS 100.213, as it agrees with the currently adopted comprehensive plan.

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.

FOR OFFICE USE ONLY

DATE FILED: _____

FEE PAID: _____ RECEIPT #: _____

DATE OF NOTICE IN NEWSPAPER: _____

DATE OF NOTICE TO ADJOINING PROPERTY OWNERS: _____

DATE OF PUBLIC HEARING: _____

PLANNING COMMISSION RECOMMENDATION:

APPROVAL: _____ DENIAL: _____

MINUTE BOOK: _____ PAGE #: _____

CERTIFICATE OF LAND USE RESTRICTION FILED IN COUNTY CLERK'S OFFICE
ON: _____

DATE

Reply all Delete Junk Block sender ...

RE: TRT Facility Review- Governors Place - Zone Change CL-RD



Carter, Jim <jcarter@fewpb.com>



Thu 4/21/2022 5:04 PM

To: Ben Judah; Brian Brewer; JCHRISTOPHERBOWLIN@nisource.com; Jon Mitchell; Jonathan Otis <oti...>
Cc: Robert Barker <rbarker@frankfort.ky.gov>; 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: Thursday, April 21, 2022 3:59 PM
To: Brian Brewer <brian.brewer@franklincounty.ky.gov>; Carter, Jim <jcarter@fewpb.com>; JCHRISTOPHERBOWLIN@nisource.com; Jon Mitchell <jon.mitchell@franklincounty.ky.gov>; Jonathan Otis <otisengineeringllc@gmail.com>; Dutta, Sharmista <sdutta@fewpb.com>; STROBL, ARTHUR G <as7779@att.com>; Michael Hesse <mhesse@frankfort.ky.gov>; 'Brad Johnson' <bcjohnson@hmbpe.com>; Harrod, Mike <mikeharrod@fewpb.com>
Cc: Robert Barker <rbarker@frankfort.ky.gov>; Robert Hewitt <robert.hewitt@franklincounty.ky.gov>
Subject: TRT Facility Review- Governors Place - Zone Change CL-RD

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. Please identify any issues that you think may be relative to the project. If possible, please review and provide any written comments by e-mail at ben.judah@franklincounty.ky.gov by April 29, 2021.

Sincerely,

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

Reply all Delete Junk Block sender

Re: TRT Facility Review- Governors Place - Zone Change CL-RD

JO **Jonathan Otis** <otisengineeringllc@gmail.com>

Fri 4/22/2022 3:46 PM

To: Ben Judah

Cc: Brian Brewer; Carter, Jim <jcarter@fewpb.com>; JCHRISTOPHERBOWLIN@nisource.com; Jon Mitcl

Ben,

As usual my concern will be primarily with storm water management. I will be interested in how the more concentrated discharge is to be routed to and through Governor's Place Subdivision. I have no objection to the zone change request at this time.

County Engineer

On Thu, Apr 21, 2022 at 3:59 PM Ben Judah <ben.judah@franklincounty.ky.gov> wrote:

TRT Members,

Please see the attached Facility Review Request. Please identify any issues that you think may be relative to the project. If possible, please review and provide any written comments by e-mail at ben.judah@franklincounty.ky.gov by April 29, 2021.

Sincerely,

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

--

Jonathan K. Otis, P.E.
Otis Engineering LLC
234 W. Main Street, Suite 2
Frankfort, KY 40601
Office: (502) 352 - 2808
Mobile: (502) 803 - 7311

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RE: TRT Facility Review- Governors Place - Zone Change CL-RD

HM

Harrod, Mike <mikeharrod@fewpb.com>



Fri 4/22/2022 1:05 PM

To: Ben Judah

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

FPB Telecom has no issues with the proposed zone change. 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

The information and attachments contained in this e-mail are intended for the exclusive use of the original recipient(s) and may contain confidential and/or legally privileged information. Unless otherwise noted, any disclosure or forwarding of this information outside of Frankfort Plant Board is strictly prohibited. If you are not the intended recipient, we respectfully request that you delete this message and not further distribute its contents. Thank you.

From: Ben Judah <ben.judah@franklincounty.ky.gov>
Sent: Thursday, April 21, 2022 3:59 PM
To: Brian Brewer <brian.brewer@franklincounty.ky.gov>; Carter, Jim <jcarter@fewpb.com>; JCHRISTOPHERBOWLIN@nisource.com; Jon Mitchell <jon.mitchell@franklincounty.ky.gov>; Jonathan Otis <otisengineeringllc@gmail.com>; Dutta, Sharmista <sdutta@fewpb.com>; STROBL, ARTHUR G <as7779@att.com>; Michael Hesse <mhesse@frankfort.ky.gov>; 'Brad Johnson' <bcjohnson@hmbpe.com>; Harrod, Mike <mikeharrod@fewpb.com>
Cc: Robert Barker <rbarker@frankfort.ky.gov>; Robert Hewitt <robert.hewitt@franklincounty.ky.gov>
Subject: TRT Facility Review- Governors Place - Zone Change CL-RD

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. Please identify any issues that you think may be relative to the project. If possible, please review and provide any written comments by e-mail at ben.judah@franklincounty.ky.gov by April 29, 2021.

Sincerely,

Ben Judah, Planning Supervisor
Franklin County Planning & Building Codes Dept.

MEMORANDUM

DATE: April 25, 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:

Governor's Place – Zone Change Request

- a. We have no issues with the request. Water service will be provided in accordance with the tariff and local regulations.
- b. 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 sender ...

Re: TRT Facility Review- Governors Place - Zone Change CL-RD

BB **Brian Brewer**
Mon 4/25/2022 12:02 PM
To: Ben Judah

    ...

Ben,

The Fire Department does not have any objection to the zone change at this time.

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: Thursday, April 21, 2022 3:59 PM
To: Brian Brewer <brian.brewer@franklincounty.ky.gov>; Carter, Jim <jcarter@fewpb.com>; JCHRISTOPHERBOWLIN@nisource.com <JCHRISTOPHERBOWLIN@nisource.com>; Jon Mitchell <jon.mitchell@franklincounty.ky.gov>; Jonathan Otis <otisengineeringllc@gmail.com>; Dutta, Sharmista <sdutta@fewpb.com>; STROBL, ARTHUR G <as7779@att.com>; Michael Hesse <mhesse@frankfort.ky.gov>; 'Brad Johnson' <bcjohnson@hmbpe.com>; Harrod, Mike <mikeharrod@fewpb.com>
Cc: Robert Barker <rbarker@frankfort.ky.gov>; Robert Hewitt <robert.hewitt@franklincounty.ky.gov>
Subject: TRT Facility Review- Governors Place - Zone Change CL-RD

TRT Members,

Please see the attached Facility Review Request. Please identify any issues that you think may be relative to the project. If possible, please review and provide any written comments by e-mail at ben.judah@franklincounty.ky.gov by April 29, 2021.

Sincerely,

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

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RE: TRT Facility Review- Governors Place - Zone Change CL-RD

BJ Brad Johnson <bcjohnson@hmbpe.com>
Tue 4/26/2022 10:50 AM
To: Ben Judah



Ben, it looks like this will most likely be an additional row of houses so would anticipate a minor increase in trips. No additional traffic analysis is recommended.

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: Thursday, April 21, 2022 3:59 PM
To: Brian Brewer <brian.brewer@franklincounty.ky.gov>; Carter, Jim <jcarter@fewpb.com>; JCHRISTOPHERBOWLIN@nisource.com; Jon Mitchell <jon.mitchell@franklincounty.ky.gov>; Jonathan Otis <otisengineeringllc@gmail.com>; Dutta, Sharmista <sdutta@fewpb.com>; STROBL, ARTHUR G <as7779@att.com>; Michael Hesse <mhesse@frankfort.ky.gov>; Brad Johnson <bcjohnson@hmbpe.com>; Harrod, Mike <mikeharrod@fewpb.com>
Cc: Robert Barker <rbarker@frankfort.ky.gov>; Robert Hewitt <robert.hewitt@franklincounty.ky.gov>
Subject: TRT Facility Review- Governors Place - Zone Change CL-RD

TRT Members,

Please see the attached Facility Review Request. Please identify any issues that you think may be relative to the project. If possible, please review and provide any written comments by e-mail at ben.judah@franklincounty.ky.gov by April 29, 2021.

Sincerely,

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

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Re: TRT Facility Review- Governors Place - Zone Change CL-RD

MH **Michael Hesse** <mhesse@frankfort.ky.gov>



Tue 4/26/2022 10:50 AM

To: Ben Judah

Cc: Brian Brewer; Carter, Jim <jcarter@fewpb.com>; JCHRISTOPHERBOWLIN@nisource.com; Jon Mitcl

2022-04-26 Isaac Shelby Circ... 412 KB

FSD has no issues with the zone change.

Michael Hesse, PE
Design Engineer
502.352.2012 Office 502.229.6313 Cell

On Thu, Apr 21, 2022 at 3:59 PM Ben Judah <ben.judah@franklincounty.ky.gov> wrote:

TRT Members,

Please see the attached Facility Review Request. Please identify any issues that you think may be relative to the project. If possible, please review and provide any written comments by e-mail at ben.judah@franklincounty.ky.gov by April 29, 2021.

Sincerely,

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

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RE: TRT Facility Review- Governors Place - Zone Change CL-RD

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

JM **Jon Mitchell**
Thu 4/28/2022 12:05 PM
To: Ben Judah

...

Road department has 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: Thursday, April 21, 2022 3:59 PM
To: Brian Brewer <brian.brewer@franklincounty.ky.gov>; Carter, Jim <jcarter@fewpb.com>; JCHRISTOPHERBOWLIN@nisource.com; Jon Mitchell <jon.mitchell@franklincounty.ky.gov>; Jonathan Otis <otisengineeringllc@gmail.com>; Dutta, Sharmista <sdutta@fewpb.com>; STROBL, ARTHUR G <as7779@att.com>; Michael Hesse <mhesse@frankfort.ky.gov>; 'Brad Johnson' <bcjohnson@hmbpe.com>; Harrod, Mike <mikeharrod@fewpb.com>
Cc: Robert Barker <rbarker@frankfort.ky.gov>; Robert Hewitt <robert.hewitt@franklincounty.ky.gov>
Subject: TRT Facility Review- Governors Place - Zone Change CL-RD

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Sincerely,

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

FRANKFORT/FRANKLIN COUNTY PLANNING COMMISSION

JULY 14, 2022
5:30 PM

RUSSELL WRIGHT, CHAIRMAN

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
Timothy Luscher
William May, Jr.
Darrell Sanderson
Brent Sweger
Russell Wright, Chairman

(9)

MEMBERS ABSENT:

Paul Looney
Charles Stewart

(2)

Also Present:

Edwin Logan, Commission Attorney
Eric Cockley, Director, Frankfort Department of Planning & Community Development
Jordan Miller, Senior Planner, 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 June 9, 2022 meeting. Mr. Sanderson made a motion to approve the minutes of the June 9, 2022 Planning Commission meeting. The motion was seconded by Mr. Luscher and passed by a vote of seven unanimously.

Chairman Wright asked for a motion to approve the payment of bills from the Amended Agenda. Mr. Luscher made a motion to approve the following bills:

Ed Logan (Legal fee, July)	\$1500.00
Logan Burch & Fox (Re: Duckers)	\$2706.00
Logan Burch & Fox (Re: Big Eddy Rehab)	\$ 693.00
Kentucky.gov (SPGE Registration)	\$ 250.00
Dawn McDonald (BZA – 6/14/22)	\$ 75.00
Vickie Sewell (PC – 06/09/22)	\$ 300.00
Frankfort NewsMedia(Legal Advertising)	\$ 777.84
Sherron Jackson (11 - PC 21/22 Meetings)	\$ 825.00
Patti Cross (9 – PC 21/22 Meetings)	\$ 675.00
James Terrell (1 – PC 21/22 Meetings)	\$ 75.00

Timothy Luscher (9 – PC 21/22 Meetings)	\$ 675.00
David Boggs (9 - PC 21/22 Meetings)	\$ 675.00
Keith Lee (9- PC 21/22 Meetings)	\$ 675.00
Charles Stewart (6- PC 21/22 Meetings)	\$ 450.00
Russell Wright (9- PC 21/22 Meetings)	\$ 675.00
Darrell Sanderson (10- PC 21/22 Meetings)	\$ 750.00
Paul Looney (9- PC 21/22 Meetings)	\$ 675.00
William May Jr (9- PC 21/22 Meetings)	\$ 675.00
Brent Sweger (10- PC 21/22 Meetings)	\$ 750.00
Mitch Buchanan (9 – BZA 21/21 Meetings)	\$ 450.00
Ashley Kennedy (3– BZA 21/21 Meetings)	\$ 150.00
Johnny Keene (7– BZA 21/21 Meetings)	\$ 350.00
Brandon White (9– BZA 21/21 Meetings)	\$ 450.00
Margaret Townsley (7– BZA 21/21 Meetings)	\$ 350.00
Barry Holder Jr (9– BZA 21/21 Meetings)	\$ 450.00
Lauren Coltrane (2– BZA 21/21 Meetings)	\$ 100.00
Jim Roberts (CUP Refund)	\$ 150.00

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

Chairman Wright made a motion to suspend the Planning Commission Bylaws to allow for the Commission to hold three public hearings and to amend the agenda to be changed to allow for New Business first and that New Frankfort Development’s Public Hearing would be the first public hearing and that Johnson Browning Investments’ Public Hearing would be the second public hearing. The motion passed unanimously. The motion was seconded and passed unanimously.

Keith Lee and Patti Cross entered the meeting.

Under Staff Items, Eric Cockley, gave an update on the Comprehensive Plan update. He stated that the first of the two kick-off meetings had been held. He stated that the next kick-off meeting would be on July 27th at Franklin County High School. He stated that the consultant would be moving into the next phase after that meeting.

Under New Business, Mr. Luscher stated that he had spoken with the Planning Commission Attorney and, given recent legal clarifications regarding agricultural storage in the AG zone, he made a motion to ask the City to prepare a text amendment to move the storage of the Agricultural product “Distilled Spirits” into a Conditional Use category and leaving all other agricultural product storage as currently permitted. The motion was seconded by Mr. Lee.

During discussion, it was brought up that there was an existing text amendment that was similar in nature and had had not yet been acted upon. After further discussion, it was decided that the Franklin County Zoning Ordinance should also be amended at the same time if the applicant for the existing Text Amendment would agree to remove their application for the text amendment. Mr. Charles Jones was present and stated that, if the motion passed, he would send a letter on behalf of the applicant to remove their application for the text amendment.

Under voice vote, the motion passed unanimously.

Chairman Wright asked the Secretary to introduce the next item on the agenda:

PUBLIC HEARING: New Frankfort Development LLC is requesting approval of a zone map amendment from “SG” Special Government to “UM” Urban Mixed Use for 11.88 acres of property located on the corner of Wilkinson Blvd and W. Broadway Street and on Wilkinson Blvd between St. Clair Street and Mero and Clinton Streets respectively. The properties may be more specifically described as PVA Map #061-00-00-103,18, PVA Map #061-00-00-104.00 and PVA Map #061-00-00-103.18. (City Item)

The Secretary swore in all speakers.

Under questioning by Mr. Logan, Mr. Cockley stated that he was the Director of the City of Frankfort’s Department of Planning & Community Development and had been in that position for four years. He stated that he had a vita on file. He stated that there were no changes, additions or deletions to the staff report.

Mr. Logan asked Mr. Cockley to provide a brief summary of the staff report. Mr. Cockley stated that the zone change being requested was for what is commonly known as Parcels B & C of the area where the Civic Center and YMCA and Parking Garage had been. He stated that the request was to change the zoning from Special Government to the Urban Mixed zone district and that the Urban Mixed zone district allowed for a mix of residential, office and retail uses, which is what the applicant is proposing. Mr. Cockley stated that the staff had recommended positive findings of fact within the Staff Report and that he was also recommending approval of the Zone Map Amendment. Mr. Logan asked that the Staff Report be entered into the Record, in lieu of additional testimony. Without objection, the Staff Report was entered.

Under Commission questioning, Mr. Jackson stated that, in looking at the City’s website, there is no Urban Mixed zone district and asked Mr. Cockley to explain what the Urban Mixed zone district is. Mr. Cockley stated that the City had developed a downtown master plan which provided for the provision of land uses similar to those found in the Urban Mixed zone district. He stated that the Urban Mixed zone could be utilized as an infill development tool for the subject area, but also for other areas that could be redeveloped. He stated that there are design standards provided for within the district that will add to and not detract from historic properties within the area. There were no further questions of Mr. Cockley.

Mr. Craig Turner with CRM Engineering Services was present to represent the applicant. He stated that he had reviewed the staff Report and was in agreement with it. He stated that his client was proposing to provide a mixture of housing, retail and limited office uses on the property. He stated that Washington Street would be extended under this proposal. He stated that, if the zoning were approved, a market study and housing needs analysis would be completed to determine the exact needs for the area.

Mr. Sweger asked if any of the housing would include rental properties. Mr. Turner stated that it would, but the applicant will rely on the study to determine the uses.

There was no one else to speak on the matter.

Mr. Lee made a motion to close the public Hearing, to adopt the Staff Report as the Summary of the Public Hearing and to adopt findings of facts one through eight, as contained in the Staff Report and to recommend to the Frankfort City Commission that New Frankfort Development, LLC’s request for zone map amendment from “SG” Special Government to “UM” Urban Mixed Use for 11.88 acres of property located on the corner of Wilkinson Boulevard and West Broadway and on Wilkinson Boulevard between St. Clair Street and Mero and Clinton Streets and identified by the PVA as being Map Numbers 061-00-00-103.18, 061-00-00-104.00 and 061-00-00-013.18 be approved. The motion was seconded by Mr. Sanderson and passed unanimously.

Chairman Wright asked the Secretary to introduce the next item:

PUBLIC HEARING: Johnson Browning Investments is requesting approval of a zone map amendment from “IC” Industrial Commercial and “CG” General Commercial to “IC” Industrial Commercial for .326 acres of property located at the corner of Holmes Street and Barrett Avenue. The properties may be more specifically identified as PVA Map #061-44-04-008.00, PVA Map #061-44-04-007.00, PVA Map #061-44-04-006.00, PVA Map #061-44-04-010.00 and PVA Map #061-44-04-009.00. (City Item)

The Secretary swore in all speakers.

Mr. Jordan Miller presented the Staff Report for the request. Under questioning by Mr. Logan, he stated that he had been employed by the City of Frankfort for seven years and that he had a Vita on file with the Commission. He stated that he had reviewed the application and prepared the staff report for the request. He stated that he had made positive findings of fact and had recommended approval of the request. He stated that there were no changes, additions or deletions to the staff report. Mr. Miller stated that the request was in agreement with the Comprehensive Plan.

Mr. Logan asked that the Staff Report be entered into the Record, in lieu of additional testimony. Without objection the Staff Report was entered.

Under Commission questioning, Mr. Sweger stated that the property is designated in the Comprehensive Plan as Suburban Business Center and that the land use guidelines of the Comprehensive Plan do not include warehousing. Mr. Miller stated that self-storage facilities are not warehousing uses. Mr. Sweger stated that the property would need to provide landscape buffering.

There were no further questions of staff.

The owners, Mr. Joe Johnson and Mr. Rick Browning were present and stated that they had read the staff report and were in agreement with staff's recommendation.

Under Commission questioning, Mr. Sweger asked if they were still proposing the plan contained within the staff report. Mr. Johnson stated that they were. Mr. Sweger stated that self-storage facilities require screening and that no screening is being proposed.

There was no one else to speak on the matter.

Mr. Jackson made a motion to close the Public Hearing, to adopt the Staff Report as the Summary and to adopt the four findings of fact recommended within the Staff Report and to recommend to the Frankfort City Commission that the request by Johnson Browning Investments for a zone map amendment from “IC” Industrial Commercial and “CG” General Commercial to “IC” Industrial Commercial for .326 acres of property located at the corner of Holmes Street and Barrett Avenue and identified by the PVA as Map Numbers 061-44-04-008.00, 061-44-04-007.00, 061-44-04-006.00, 061-44-04-010.00 and 061-44-04-009.00 be approved. The motion was seconded by Mr. Lee and passed by a vote of eight to one. Those voting in favor were Mr. Boggs, Ms. Cross, Mr. Jackson, Mr. Lee, Mr. Luscher, Mr. May, Mr. Sanderson and Chairman Wright. Mr. Sweger voted against the motion.

The Chairman asked the Secretary to introduce the next item:

PUBLIC HEARING: Moore Land Investments, LLC is requesting approval of a zone map amendment from Limited Commercial District “CL” to Two Dwelling District “RD” for 4.09-acres of property at the corner of Isaac Shelby Circle West and Metcalf Drive, being all of Lot 1, Parcel 2 as shown in Plat Cabinet M, Slide 131. The property is more specifically identified as PVA Map Number 086-30-11-001.00 (County item)

The Secretary swore in all speakers.

Mr. Ben Judah, Planning Supervisor for the Franklin County Department of Planning & Building Codes presented the staff report. Under questioning by Mr. Logan, Mr. Judah stated that he had worked for Franklin County for three and one-half years and that he had a current Vita on file. He stated that he had no changes, additions or deletions to the staff report.

Mr. Logan asked Mr. Judah to provide a brief summary of the request. Mr. Judah stated that applicant’s request was to rezone the property from “CL” Limited Commercial to “RD” Two-Dwelling District. He stated that the original property had been subdivided into two lots and the request was for the lot facing Metcalf Drive, only. Mr. Judah stated that he had proposed three positive findings, as indicated within the staff report and was recommending approval of the request.

Under Commission questioning, Mr. Sweger asked what the proposed use would be. Mr. Judah stated that there would be townhomes with up to 30 or 40 homes and that use is consistent with the Comprehensive Plan.

Mr. Jackson asked if townhomes was considered single family. Mr. Judah stated that it could be.

Under Audience questioning, Ms. Cheryl Thompson asked if the units would be rental or owner occupied. Mr. Judah stated that he didn’t have an answer to the question.

Ms. Gwen Cobb asked if the townhomes would have to adhere to the subdivision restrictions. Mr. Judah stated that he was not aware of any restrictions.

Mr. Jay Thompson asked how the townhomes would be sited. Mr. Judah stated that no development plan had been provided.

Ms. Janie Staples asked if a traffic review had been conducted. Mr. Judah stated that the Traffic Engineer had reviewed the request and indicated that no additional study was necessary.

Ms. Staples asked if there would be a buffer between the homes on Metcalfe and the townhomes. Mr. Judah stated that matter would be addressed on the development plan.

Ms. Jenny Neat asked if there had been a study on water run-off. Mr. Judah stated that matter would be addressed on the development plan.

Ms. Joe Conway asked when the residents would be able to see the development plan. Mr. Judah stated that that would be after the zone change had been approved.

Mr. Eric Kennedy asked if the Planning Commission would require a development plan and if it would come before the Planning Commission. Mr. Judah stated that staff would review and approve the plan, unless the Planning Commission required the development plan to be brought back to the Commission for approval.

Mr. Kennedy asked if parking requirements could be varied. Mr. Judah stated that the Board of Zoning Adjustments would consider any variances being requested.

Ms. Staples stated that Frankfort and Franklin County have had minimal growth in the last ten years and asked where the need for more housing had come from.

Mr. Rick Cobb asked if parking would be required on site. Mr. Judah stated that it would.

Mr. Dallas Meek questioned the need for the townhome development.

Ms. Stacy Jacobs asked if the townhomes would each have their own driveway entrance, stating that thirty or forty entrances on Metcalfe would not be beneficial to the area.

Mr. Charles Jones, attorney for the applicant was present and stated that he had reviewed the Staff Report and his client was in agreement with the report. He stated that there is no actual proposal being considered by his client. He stated that his client has considered townhomes, but that it may also be possible that his client would develop single family lots, as well. He stated that there could be up to 17 lots. He stated that his client is willing to enter into a Certificate of Land Use Restriction to restrict the use to single family lots.

Mr. Jones stated that his client did not intend to develop rental units. He stated that the property was not a part of the Governor's Place Subdivision and so is not subject to the subdivision restriction. Mr. Jones stated that each home will have garages and that his client did not want to encourage on-street parking.

Mr. Jones stated that townhomes and single-family residences will not reduce the value of the existing homes but will provide for a nice buffer to transition to the larger single-family residences along Metcalfe Lane. He stated that his client intended for the homes to face on to Metcalfe Lane.

Mr. Jones stated that the request is in compliance with the written text within the Comprehensive Plan.

Under Commission questioning, Mr. Lee asked if the applicant had done a stormwater review of the area. Mr. Jones responded that a stormwater review will be required with the development plan.

Mr. Sweger asked if his client had considered alley access instead of separate driveways along Metcalfe. Mr. Sweger asked Mr. Jones to explain how this development will fit with the existing subdivision. Mr. Jones stated that it will provide for more housing.

Under audience questioning, Ms. Cobb asked if the applicant was providing for a separate entrance instead of using Governor's Place. Mr. Jones stated that there were not.

Ms. Jennie Neat asked if the applicant would consider less than 17 lots. Mr. Jones stated that that was not a concession he was prepared to make.

Mr. Joe Conway stated that the development of the property would increase water runoff in the lower area of the subdivision.

Ms. Janie Staples asked when the concept plan would be ready to be viewed by the neighborhood. Mr. Jones responded that he expected that the plan would be ready in the new year.

Ms. Gwen Cobb asked if there was a copy of a conceptual plat that could be reviewed. Mr. Jones stated that there was not.

Ms. Cheryl Thompson asked Mr. Jones if he could talk to his client and relay the neighborhood's concerns of being more concerned with townhouses than single-family residences.

Mr. Joe Conway stated that he was against the request totally. He stated that he felt the Planning Commission should not give any approval until a traffic study and stormwater study had been provided and reviewed. He stated that all water runoff will go between Metcalfe Lane and Morehead Drive.

Mr. Conway stated that more townhomes are not needed. He stated that the existing roadways in the subdivision cannot handle the increased traffic.

Mr. Conway stated that he had lived in many subdivisions within the city and each one had been ruined by the eventual development of rental units within the subdivision. He stated that the developers needed to be made to do the right thing.

Mr. Dallas Meek stated the corner of Metcalfe and Isaac Shelby East is relatively low density with no sidewalks. He stated that traffic is a concern because of the people who walk within the subdivision.

There was no further testimony.

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

There being no further business, a motion was made by Mr. Sanderson and seconded by Mr. Luscher to adjourn the meeting.

Russell Wright, Chairman

Vickie Sewell, Recording Secretary

FRANKFORT/FRANKLIN COUNTY PLANNING COMMISSION

August 11, 2022
5:30 PM

RUSSELL WRIGHT, CHAIRMAN

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

Chairman Wright asked the Secretary to Call the Roll.

MEMBERS PRESENT:

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

(9)

MEMBERS ABSENT:

David Boggs
Charles Stewart

(2)

Also Present:

Edwin Logan, Commission Attorney
Eric Cockley, Director, Frankfort Department of Planning & Community Development
Jordan Miller, Senior Planner, 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 July 14, 2022 meeting. Mr. Luscher made a motion to approve the minutes of the July 14, 2022 Planning Commission meeting. The motion was seconded by Mr. Sanderson and passed unanimously.

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

Ed Logan (Legal fee, August)	\$1500.00
Dawn McDonald (BZA – 7/01/22)	\$ 75.00
Vickie Sewell (PC – 07/14/22)	\$ 300.00
Frankfort NewsMedia (Legal Advertising)	\$1132.59
Logan Burch & Fox (Big Eddy Rehab)	\$1485.00
Logan Burch & Fox (Baldwin)	\$ 214.50
Logan Burch & Fox (Duckers)	\$ 346.50

The motion was seconded by Ms. Cross and passed unanimously.

Chairman Wright asked for a motion to combine the two Text Amendment public hearings into one public hearing. The motion was made by Mr. Luscher and seconded by Mr. Looney and passed unanimously.

Chairman Wright indicated that the Continuation of Public Hearing on the Zone Map Amendment would be heard under Old Business.

Mr. Cockley provided an update on the work on the Comprehensive Plan to the Planning Commission. He stated that on August 16, 2022, a series of three open house meetings would be held at the Paul Sawyer Public Library in order to give the public the opportunity to have input into the vision statement and the goals and objectives of the Comprehensive Plan. Mr. Cockley stated that the meetings would not be held as a Public Hearing.

Mr. Jackson asked Mr. Cockley how the public had been informed of the meeting. Mr. Cockley responded that the website was updated to include the schedule for those meetings. Ms. Cross asked how those persons who did not have internet access would know of the meetings. Mr. Logan suggested that Mr. Cockley make a subsequent notice to allow for the community to provide written statements for the Committee to review.

Mr. Hewitt provided the Planning Commission with a copy of a preliminary subdivision plat for the property being considered for zone map amendment at the corner of Isaac Shelby Circle West and Metcalf Drive.

Chairman Wright asked the Secretary to introduce the first item:

CONTINUATION OF PUBLIC HEARING: Moore Land Investments, LLC is requesting approval of a zone map amendment from Limited Commercial District "CL" to Two Dwelling District "RD" for 4.09-acres of property at the corner of Isaac Shelby Circle West and Metcalf Drive, being all of Lot 1, Parcel 2 as shown in Plat Cabinet M, Slide 131. The property is more specifically identified as PVA Map Number 086-30-11-001.00 (County item)

Chairman Wright asked for a motion to take the item from the table. Mr. Sanderson made a motion to take the item from the table. The motion was seconded by Mr. Luscher and passed unanimously. Mr. Looney noted that he had not been present at the Public Hearing and would not be voting on the item.

Mr. Luscher made a motion to adopt the Summary of the Public Hearing. The motion was seconded by Mr. Sanderson and passed unanimously.

Mr. Luscher made a motion to adopt the findings of fact number one, two and three that were contained within the staff report. The motion was seconded by Mr. Jackson.

Mr. Sanderson made a motion to cease the making of findings of fact. The motion was seconded by Mr. Luscher and passed unanimously.

A voice vote was held separately on each finding. Findings of fact one and two were approved unanimously. Finding of fact number three passed by a vote of seven to one. Those voting in favor were Mr. Jackson, Mr. Lee, Mr. Luscher, Mr. May, Mr. Sanderson, Mr. Sweger and Chairman Wright. Ms. Cross voted against the motion.

Mr. Luscher made a motion to recommend to the Franklin County Fiscal Court that the zone map amendment request by Moore Land Investments, LLC from Limited Commercial District "CL" to Two Dwelling District "RD" for 4.09-acres of property at the corner of Isaac Shelby Circle West and Metcalf Drive, being all of Lot 1, Parcel 2 as shown in Plat Cabinet M, Slide 131 be approved, with the condition that a development plan be brought back to the Planning Commission for approval. The motion was seconded by Mr. Sanderson and passed unanimously.

Mr. Jackson noted that the condition added to the approval of the zone map amendment included bringing a development plan back to the Commission for review and approval. He asked if the subdivision plat would be brought back to the Commission for review and approval. Mr. Hewitt stated that the preliminary plat would be submitted for review by the Technical Review Team and then the Final Plat would be provided to the Technical Review Team to review and if it met subdivision requirements, it would be approved administratively.

Based upon that information, Mr. Luscher made a motion to amend the previous motion to clarify that the Final Subdivision Plat instead of the Development Plan be brought back to the Planning Commission for review and approval. The motion was seconded by Mr. Sanderson and passed unanimously.

Chairman Wright asked the Secretary to introduce the next item.

PUBLIC HEARING: Proposed Text amendment to Articles 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.

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The Secretary swore in all speakers. Mr. Logan asked the Chairman to establish the ground rule that the item being considered is not for a specific location, but only the actual amendment to the text of the City's and County's Zoning Ordinances. He stated that testimony should only address the text amendments being proposed and not a specific location for the use.

Mr. Logan qualified Mr. Cockley and Mr. Hewitt. Mr. Cockley stated that he had been the Planning Director for the City of Frankfort for four years and held a Master's Degree in Public Administration from the University of Louisville. He stated that he had been a public planner for over 15 years.

Mr. Hewitt stated that he had been a planner for 23 years and held a Bachelor of Science Degree from Western Kentucky University. Both Mr. Cockley and Mr. Hewitt stated that they had prepared the text amendments and staff reports and that they agreed to the two hearings being combined into one item.

Mr. Logan asked that the City and County Staff Reports and proposed Text Amendments be entered into the record. Without objection, the Staff Reports and Text Amendments for the City and County were entered into the record.

Mr. Logan asked for staff to provide a summary of the proposed text amendment. Mr. Hewitt stated that at the last meeting the Planning Commission directed staff to prepare a text amendment for Bourbon Warehousing to be permitted as a Conditional Use in the Agricultural zone district. He stated that he and Eric Cockley had worked together to prepare the proposal. He stated that the use is not permitted “by right,” but would require approval by the Planning Commission.

Mr. Hewitt stated that in 2018, the Kentucky Building Code was amended to include regulations for the storage of distilled spirits. He stated that the construction standards for bourbon warehousing fall under the state’s jurisdiction for conformance with the building code.

Mr. Jackson asked staff to review the requirements within the proposed text amendment. Mr. Cockley stated that the proposal was for the bourbon warehousing land use to be permitted as a Conditional Use within the Agricultural zone district. He stated that the text amendment being considered contained eleven conditions that would have to be met prior to the Planning Commission approving the Conditional Use Permit. Mr. Cockley added that additional requirements could also be added that are site specific.

Mr. Luscher stated that the amendment gives oversight and provides for public input for the use.

Chairman Wright added that currently, the uses are permitted by staff without any other approval process.

Mr. Luscher asked why 200 acres size limit was chosen. Mr. Cockley responded that there would be a gap between a craft distillery and a large scale bourbon making activity such as Buffalo Trace and Jim Beam.

Mr. Hewitt stated that it could be possible to change the acreage to 100 acres, if the Commission would like. He then asked if the Commission would like for staff to prepare that change. Mr. Luscher stated that the Commission would like for staff to make that change.

Mr. Luscher asked if there was a specific setback for the use. Mr. Hewitt stated that the setbacks for each warehouse is 50’ from right-of-way and 25’ on the sides and rear. Mr. Luscher asked if the Planning Commission could increase the setback. Mr. Hewitt stated that they could.

Chairman Wright asked about the secondary access requirements. Mr. Hewitt responded that it was for emergency vehicle access if the other entrance were blocked.

Ms. Cross stated that other communities had included standards to ensure that the character of the area is protected. Mr. Hewitt responded that staff could make that change and add that restriction as condition number 13. Mr. Cockley added that staff does do that type of review on Conditional Use Permits, in every instance. But, the specific condition could be added.

Mr. Looney asked how the Commission got to this text amendment. He stated that there was nothing within the minutes concerning that. Mr. Logan stated that the Commission had voted at the last meeting to have staff to prepare a text amendment to allow for Bourbon Warehousing to be a Conditional Use within the Agricultural District. He stated that staff had prepared the text amendment based upon that vote.

Mr. Sweger asked if there would be an additional environmental review for the warehouse development. Mr. Hewitt stated that only through what would be considered at the Conditional Use Permit review. Mr. Cockley added that there will be an environmental review according to the development plan requirements.

Mr. Sweger asked if the 1 ½ miles in minimum distance from an arterial was correct. Mr. Cockley stated that that was a typographical error and should instead be maximum. Mr. Hewitt stated that the requirement would make sure that the buildings would be closer to main water lines for fire suppression purposes.

Mr. Sweger noted that the proposal provided for narrow roadways. Mr. Hewitt stated that the roadway width would be reviewed and possibly changed during site specific review.

Mr. Sweger asked if water pressure requirements were already within the Kentucky Building Code requirements. Mr. Hewitt stated that there were and that the Development Plan regulations had minimum sizes for fire hydrants, as well.

Mr. Sweger asked what the density requirement for each warehouse was. Mr. Cockley stated that one warehouse per eight acres was the requirement. Mr. Sweger asked how much impervious acreage per warehouse there would be. Mr. Hewitt also stated that the density requirement is based upon gross acreages. He added that more land is required for the additional requirements for containment areas, etc.

Mr. Jackson asked if the Zoning Regulations for the City and County were the same. Mr. Cockley stated that they were not. He stated that for the proposed text amendment that the regulations were the same.

Mr. Jackson asked where the Bourbon Warehouse Storage would be located within the zoning regulations. Mr. Cockley stated that it would be within the land use category of Storage/Warehousing listed as Land Use Code 461 "A" and will be indicated as a Conditional Use in the Agriculture zone district and permitted in the General Industrial zone district.

Mr. Jackson asked how the storage of distilled spirits fits into the Agriculture zone district's purpose statement. Mr. Cockley stated that it was made to fit because the Planning Commission asked that it be proposed that specific way.

Mr. Jackson stated that, on page five of the Boyle County zoning code, there is a condition "E" that requires all ancillary activities to be enclosed. Mr. Cockley responded that this proposal is specifically for warehousing only. He added that some communities allow for "Event" venues to be permitted in the Agriculture zone district, but that these specific sites will be used only for warehousing.

Mr. Jackson stated that in the Boyle County regulations, on pages five through 37, letter "h" requires that the distilled spirits use not alter the residential area. Staff stated that the regulations will be amended to contain that requirement.

Mr. Jackson asked if the warehouses could be located within the floodplain. Staff stated that they were not allowed in the floodway but if a warehouse were to be built within 100 year floodplain, each structure would be required to meet the floodplain standards.

Mr. Jackson stated that Shelby County requires warehouses to be located 200 feet from all property lines. Staff answered that they felt the 750' distance to principle structures would provide for the same purpose.

Mr. Jackson asked staff why 25% of acreage had to be designated for Agricultural production. Staff stated that Boyle County requires 50% and other communities' regulations required 25%, so staff chose the 25%. Staff stated that that could be changed if the Commission requested it.

Mr. Jackson stated that Owensboro's regulations required an environmental study. He asked if the Commission should also require an environmental review. Staff responded that they felt that the development plan regulations should suffice. Staff stated that if the Commission wanted to include that requirement, staff could amend the proposal to include it.

Mr. May noted that the opinion letter from the Attorney General referenced section 246.010, which is the definition section, indicated that the process of making distilled spirits is an agricultural use.

Under audience questioning, Mr. Randy Strobo asked who filed for the text amendment. Staff responded that the Planning Commission initiated the text amendment. Mr. Strobo asked if bourbon barrel warehousing. He asked if the Planning Commission could consider a Conditional Use request. Staff responded that they could.

Mr. Strobo asked if a review of the Comprehensive Plan had been conducted to determine if the amendment was in agreement with the Comprehensive Plan. Staff stated that they had.

Mr. Strobo asked if the item had been advertised when it was proposed as a text amendment. Staff responded that it was not.

Ms. Martha Gray asked why there was a vote to allow a permitted use to be a Conditional Use. Staff responded that they were required to follow state law and that the land use code 246 allowed, indirectly, for the marketing of agricultural products. Ms. Gray responded that it was not contained within KRS 100.

Ms. Gray asked if staff had been made aware that the motion to do the text amendment would be brought forward at the last meeting or had any discussion with Mr. Luscher prior to that meeting. Staff responded that they had not.

Under citizen testimony, Mr. Richard Rosen stated that he lived in downtown Frankfort and that the area is heavily dependent on tourism. He asked the Planning Commission to keep in mind that Buffalo Trace is a business. He asked that the Commission help good corporate citizens. He stated that the conditions being proposed were good. He stated that he felt the wetlands should be placed into a Conservation Easement. He added that the open space could be also considered for a pollinator habitat.

Mr. Clay Hulette stated that he supported the proposed amendment. He stated that it would allow the Planning Commission to control the land usage in the future. He cautioned against taking away a property owner's ability to sell their property. He stated that other types of development on the property would be less intense than residential land use. He stated that the tax base will be improved and that it would be easier to re-purpose the land if there were a downturn in the bourbon industry.

Ms. Tacy Groves read an editorial contained in the Courier Journal newspaper.

Mr. George Russell stated that he had worked in the Commerce Cabinet for the Commonwealth and that one of his jobs was to make sure that citizens had a livable income. He stated that one of those ways was to care for existing businesses and their expansion needs.

Mr. Tony Popolillo stated that he was concerned with the roadway hazards from the increased semi-truck traffic. He stated that each semi-truck weighed 49,900 pounds. He stated that each warehouse could hold 60,000 barrels. He stated that the increase in semi-truck traffic to fill the warehouses would increase the likelihood of accidents and that he felt the existing roadways could not handle the additional traffic and weight. Mr. Popolillo provided pictures of the roadway.

Mr. John Carlton stated that the Comprehensive Plan Update Committee should consider this proposal as to how it relates to the Comprehensive Plan. He stated that the 2016 Comprehensive Plan indicated that there was more than five times the acreage of land designated than what was needed for future development. He asked the Commission to conserve agriculture districts and PACE lands solely for agricultural uses.

Mr. Harlan Wheatley stated Buffalo Trace was established in 1773. He stated that Buffalo Trace needed land use to expand its business. He added that many other counties have helped the bourbon industry expand and that Frankfort and Franklin County should, as well.

Mr. Kyle Thompson stated that the regulations under the Kentucky Administrative Regulations defer to the US Code for processing and storage and warehousing facilities. He stated that his property backs up to bourbon warehouses and that he is fully aware of the issues, but that not approving this amendment will result in the community continuing to have a negative growth rate.

Mr. Richard Jones stated that Mr. Goldring, the owner of Buffalo Trace, wanted our community to change our laws specifically for expansion of his business, which is predatory capitalization. Mr. Jones stated that Elkhorn Creek is one of the prettiest streams in America. He stated that with its desire to expand near the Elkhorn Creek, Buffalo Trace is threatening the way of life in Franklin County.

Mark Schimmoeller stated that the United States government is expected to approve sweeping legislation to deal with climate change. He stated that this proposal will increase further increase the negative aspects from the bourbon industry.

Ms. Trina Peiffer read the remaining portion of Tacy Groves' editorial. She stated that she operates the Farmer's Market and that bourbon is not a farm product. She stated that this proposal was not submitted to the Comprehensive Plan update committee and that there needed to be more consideration of the proposal to amend the Zoning Ordinance.

Mr. Randy Strobo stated that he represented some owners in Peaks Mill area. He urged the Planning Commission to review what the actual change will do to the area. He stated that changing the zoning ordinance without first reviewing how the change complies with the Comprehensive Plan makes the ordinance change invalid.

Mr. Strobo stated that on page 24 of the Comprehensive Plan, bourbon warehousing is not listed as a primary land use in the Rural Activities portion of the plan.

Mr. Strobo stated that the land should be rezoned rather than making a text amendment for the use to be permitted. He added that the conditions of approval should be based on what our community wants and not on what other jurisdictions have done.

Ms. Sally Lanham stated that the current US 127 roadway will have to be upgraded more often to accommodate the increased truck traffic. She stated that the taxpayers would have to pay for the improvements to the road over and over.

Mr. Charles Jones stated that there was no Agricultural-zoned land in southern Franklin County. He stated that he felt the text amendment should also include Rural Residential zoning, as it does for the Craft Distilleries land use. Mr. Jones also stated that he felt the Planning Commission should consider making the tracts smaller. He stated that he felt the Commission should consider making 25 percent requirement for other agricultural uses should be changed to open space, instead. He stated that he thought that the required 750' distance to adjacent principle buildings is too great. He suggested the Commission consider 200' from the property line.

Ms. Martha Gray stated that the communities that were reviewed by staff in preparing the text amendment appeared to want to accommodate the uses without hurting the residents of their communities. She stated that the proposed text amendment is a way to circumvent the zone change process and the Comprehensive Plan process.

Ms. Gray stated that the State Statute for Planning & Zoning allows for Conditional Use Permits to be reviewed by the Board of Zoning Adjustments and not the Planning Commission. She stated that state law trumps local ordinances and regulations. Ms. Gray stated that she hoped that the Commission would direct staff to review Woodford County's regulations before approving the proposed text amendment.

Mr. Jim Daniel stated that water cannot extinguish an alcohol fire. He stated that the water would be trying to cool the warehouse down. He stated that the storage of bourbon in warehouses is a chemical processing stage, which is the most crucial state to the processing of bourbon. He stated that the warehousing use creates few jobs and reduces the tax base. He stated that twenty more warehouses in the same area as neighborhoods and schools is not a wise decision. He stated that today's Bourbon Industry is like Big Tobacco at one time.

Mr. Jimmy McIntosh stated that the Sazerac Company purchased what was then Ancient Age in 1992. He stated that Bourbon is not a farming product. He stated that tobacco warehouses were not located in commercial and industrial zoned areas, but located on the farms where the tobacco was grown. He stated that Woodford County's bourbon warehouses regulations should be reviewed. He stated that the use would create more traffic. He stated that the Building, Density and Height restrictions are not compatible with agricultural use. He stated that Bourbon is not an agricultural product.

Ms. Chris Schimmoeller stated that the proposed text amendment would affect some of the most prized land in Franklin County. She stated the proposed text amendment was possibly the most dramatic change in land use in the area. She stated that the text amendment should have included a review of the

Comprehensive Plan during the writing of the revision. She stated that text amendments should not be used to change zoning requirements. She stated that the proposed text amendment is not in agreement with the Comprehensive Plan. She stated that the amount of impervious surface required by the proposed amendment takes land that needs to be protected.

Shawn Thomas stated that the proper process should be a zone map amendment and not a text amendment and entered a petition with over 177 signatures from citizens who oppose industrial development without a zone change.

Kim Green stated that she was disappointed with the process that has been used to change the character of the area.

There was no further testimony.

Mr. Sanderson made a motion to close the Public Hearing and to table the request in order for a Summary of the Public Hearing could be prepared and to take action on the proposed amendment at the next meeting. The motion was seconded by Mr. Luscher.

Under discussion, Mr. Looney stated that he was concerned about closing the Public Hearing and that he was troubled by the process. Ms. Cross stated that she had several items she would like to discuss. Mr. Sweger stated that he felt there needed to be a discussion on the proposed amendment after the public hearing.

After further testimony, the motion passed by a vote of seven to two. Those voting in favor were Ms. Cross, Mr. Jackson, Mr. Lee, Mr. Luscher, Mr. May, Mr. Sanderson and Chairman Wright. Those voting against were Mr. Looney and Mr. Sweger.

There being no further business, a motion was made by Mr. Sanderson and seconded by Mr. Luscher to adjourn the meeting.

Russell Wright, Chairman

Vickie Sewell, Recording Secretary