

ORDINANCE NUMBER 5 - 2024

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 50.597-ACRE TRACT LOCATED AT 850 HICKMAN HILL ROAD FROM RURAL RESIDENTIAL "A" (RA) TO AGRICULTURAL DISTRICT (AG). THE PROPERTY IS IDENTIFIED AS A PORTION OF PVA MAP #104-00-00-005.00

WHEREAS, The Franklin County Fiscal Court, having heretofore enacted an Ordinance relating to zoning regulations and zoning district maps titled, "The Zoning Ordinance of Franklin County," 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 amendments, 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 March 14, 2024, and adopted a summary of the evidence and findings of fact on April 11, 2024, as required by K.R.S. 100; and

WHEREAS, the Frankfort/Franklin County Planning Commission recommended to the Franklin County Fiscal Court denial of the Zone Map Amendment; 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 50.597-acre portion of property located at 850 Hickman Hill Road in Franklin County, Kentucky, identified as PVA map #104-00-00-005.00 is hereby amended from Rural Residential "A" District (RA) to Agricultural District (AG), based on the following findings of fact

1. The existing zoning classification given to the property is less appropriate and the proposed zoning classification is more appropriate.

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.

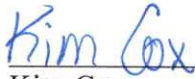
INTRODUCED AND GIVEN FIRST READING IN SUMMARY at a duly convened meeting of the Fiscal Court of Franklin County, Kentucky, held on the 26th day of June, 2024.

GIVEN SECOND READING AND APPROVED at a duly convened meeting of the Fiscal Court of Franklin County, Kentucky, held on the 10 day of July 2024 and of record in Fiscal Court Order Book 35, Page 41.



Michael Mueller
Franklin County Judge/Executive

ATTESTED TO:



Kim Cox
Fiscal Court Clerk

SUMMARY

This ordinance is a first reading to approve or deny a zone map amendment from Rural Residential "A" (RA) to Agricultural District (AG) for a 50.597-acre property, located at 850 Hickman Hill Road, in Franklin County, Kentucky and more specifically identified as PVA Map Number #104-00-00-005.00.

Agricultural Zoning "AG"

TRACT "C"

50.597 ACRES

Hickman Hill Road

Being a tract of land located approximately 775 feet North of U.S. 421 (a.k.a. Loestown Road) and on the East side of Hickman Hill Road (CR 1113G) in Franklin County, Kentucky and more particularly described as follows:

Beginning at a ½ inch rebar (found) @ metal T-post with cap stamped "Sibole-3869", in the Eastern Right-Of-Way of Hickman Hill Road (no deed recovered) at approximately 25 feet from the centerline of a 18 ft. asphalt roadway (as constructed), said rebar being the Southwestern corner of Lot #4 (Plat Cabinet "M", Slide 14) recorded in D.B. 592, Pg. 652 (Reed & Karen Rhorer) and also being in the Western Line of "Residual Lands" (Plat Cabinet "M", Slide 14) recorded in D.B. 598, Pg. 258 (K. T. Holdings, LLC) to be known hereafter as Tract "C";

- Thence leaving the Right-Of-Way of Hickman Hill Road and with the Southern line of Lot #4, South 65 degrees, 23 minutes, 52 seconds East, 435.46 feet to a ½ inch rebar (found) @ metal T-post with cap stamped "Sibole-3869", said rebar being the Southeastern Corner of Lot #4, aforementioned;
- Thence with the Western line of the Tract "C" and with the Eastern lines of Lot #4, Lot #3 as recorded in D.B. 593, Pg. 545 (Rhodney & Heather Harris), & Lot #2 as recorded in D.B. 590, Pg. 494 (Michael & Melissa Adkins) North 23 degrees, 36 minutes, 41 seconds East, passing a ½ inch rebar (found) with cap stamped "Sibole-3869" at 157.49 feet and also another ½ inch rebar (found) with cap stamped "Sibole-3869" at 473.06 feet, a total distance of 625.07 feet to a ½ inch rebar (found) with cap stamped "Sibole-3869" at metal T-post, said rebar being the Northeastern corner to Lot #2 and also in the Southern line of Lot #1 recorded in D.B. 589, Pg. 575 (Deborah Stromberg & Mark Flora) - Lot #2, #3, & #4 shown on (Plat Cabinet "M", Slide 14);
- Thence with Lot #1 and continuing in the Western Line of Tract "C" for the following two calls & distances:
 - South 87 degrees, 17 minutes, 31 seconds East, 200.22 feet to a ½ inch rebar (found) with cap stamped "Sibole-3869" @ metal T-post,
 - North 02 degrees, 43 minutes, 25 seconds East, 201.19 feet to a ½ inch rebar (found) with cap stamped "Sibole-3869" in the Southern line of D.B. 242, Pg. 510 (Patsy Harris) and also being the Northwestern corner of Tract "C";
- Thence continuing with the Northern Line of Tract "C" and with the Southern lines of Harris & the line of D.B. 461, Pg. 248 (Barbara Jones), South 87 degrees, 59 minutes, 33 seconds East, 1160.55 feet to a ½ inch rebar (found) with cap stamped "Semones-3141", said rebar being the Northeastern corner to Tract "C", the Southeastern corner to Jones and in the Western line of D.B. 308, Pg. 200 (Kevin & Sara Perdue);
- Thence leaving Jones and continuing with the Western line of Perdue and being the Eastern Line of Tract "C" for the following two calls & distances:
 - South 09 degrees, 08 minutes, 46 seconds West, 829.04 feet to a ½ inch rebar (found) with cap stamped "Semones-3141",
 - South 11 degrees, 19 minutes, 20 seconds West, 809.90 feet to a ¾" pipe (found) with cap stamped "Maffett-1765" at base of wood corner post, said pipe being the Southwestern corner of Perdue, being in the Northern line of Penwood Estates Subdivision recorded in D.B. 239, Pg. 208, and also being the Southeastern corner to Tract "C";
- Thence leaving Perdue and continuing with the Northern line of Penwood Estates Subdivision & the Southern Line of Tract "C", North 60 degrees, 41 minutes, 12 seconds West to a ¾ inch pipe (found) with no cap, passing a ½ inch rebar (found) with cap stamped "Semones-3141" @ 0.78 feet a total distance of 210.76 feet, said pipe being the Northwestern corner of Lot #1 recorded in D.B. 411, Pg. 135 (Anne Burford) and also being the Northeastern corner of D.B. 383, Pg. 358 (Henry & Sherree Morrow);
- Thence continuing with the Northern line of Morrow and the Southern line of Tract "C" for the following three calls & distances:
 - North 00 degrees, 18 minutes, 10 seconds West, 471.89 feet to a ½ inch rebar (found) with cap stamped "Semones-3141" at base of wood corner post,
 - South 23 degrees, 58 minutes, 12 seconds West, 313.05 feet (Note no bearing nor distance given to this line for "Residual Lands" recorded in Plat Cabinet "M", Slide 14) to a ½ inch rebar (found) with cap stamped "Semones-3141" at base of wood corner post,
 - North 75 degrees, 51 minutes, 09 seconds West, 862.00 feet to a ½ inch rebar (found) with cap stamped "Sibole-3869", said rebar being the Southeastern corner to Tract "A" recorded in D.B. 589, Pg. 264 (Virgil & Michole Chapman);
- Thence leaving Morrow and continuing with Tract "A" & the Southern line of Tract "C" for the next two calls & distances:

- North 19 degrees, 44 minutes, 59 seconds East, 175.99 feet to a 1/2 inch rebar (found) with cap stamped "Sihole-3869" at base of new corner fence post,
- North 74 degrees, 47 minutes, 22 seconds West, passing a 1/2 inch rebar (found) @ 240.55 feet, a total distance of 480.55 feet to a 1/2 inch rebar (found) with no cap, said rebar being South 75 degrees, 28 minutes, 17 seconds East, 9.92 feet from a 1/2 inch rebar (found) with cap stamped "1734", rebar being in the Right-Of-Way of Hickman Hill Road and the Southwestern corner of Tract "C" and being a portion of the "Residual Lands" (Plat Cabinet "M", Slide 14) recorded in D.E. 598, Pg. 258 (K. T. Holdings, LLC) aforementioned;
- Thence leaving Tract "A" and with the Right-Of-Way of Hickman Hill Road, North 24 degrees, 36 minutes, 17 seconds East, 50.68 feet to a new division corner being a 1/2 inch rebar (set), said rebar being the Southwestern corner of Tract "B" having a Zoning of "RA" (Rural Residential "A" District);
- Thence leaving the Right-Of-Way of Hickman Hill Road, severing Tract "B" from the "Residual Lands" (shown on Plat Cabinet "M", Slide 14), and with the Western line of Tract "C" the following three calls & distances:
 - South 74 degrees, 47 minutes, 22 seconds East, 476.56 feet to a 1/2 inch rebar (set),
 - North 20 degrees, 10 minutes, 33 seconds East, 399.31 feet to a 1/2 inch rebar (set),
 - North 65 degrees, 23 minutes, 52 seconds West, 439.33 feet to a 1/2 inch rebar (set), said rebar being in the Eastern Right-Of-Way of Hickman Hill Road, also being the Northwestern corner of Tract "B", and in the Western line of Tract "C";
- Thence leaving Tract "B" and continuing with the Eastern Right-Of-Way Hickman Hill Road and the Western line of Tract "C", North 24 degrees, 36 minutes, 17 seconds East, 50.00 feet to the Point of Beginning (P.O.B.).

Containing 60.697 Acres by survey performed by Christopher T. Smith, PLS #3757 on December 10, 2020 and shown as Tract "C" on attached Plat of Agricultural Division.

Any reference to a 1/2 inch rebar (set) consists of a 1/2 inch diameter steel rebar, 18 inches in length with a yellow plastic cap stamped "C. T. Smith-3757" set this survey.

This boundary survey is subject to all rights of way, easements, conveyances, and restrictions that a title examination would reveal. No title report was provided to Surveyor for this survey.

The title reference for Tract "C" being Deed Book 598, Page 258 conveyed to KT Holdings, LLC on November 13, 2020 and being a portion of "Residual Lands" shown on Plat Cabinet "M", Slide 14, both instruments being recorded in the Office of the Clerk in Franklin County, Kentucky.

Description Prepared By:
Christopher T. Smith, P.E., PLS
Advanced Engineering & Land Surveys, LLC (502-244-3876)
319 Tucker Station Road
Louisville, Kentucky 40243



FRANKFORT/FRANKLIN COUNTY PLANNING COMMISSION

**March 14, 2024
5:30 PM**

WILLIAM MAY, CHAIRMAN -- PRESIDING

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

Chairman May asked the Secretary to Call the Roll.

MEMBERS PRESENT:

Irma Johnson
Timothy Luscher
Todd McDaniel
Reed Mills
Michael Nickles
Darrell Sanderson
Charles Stewart
Brent Sweger

William May, Chairman

(8)

Also Present:

Ed Logan, Planning Commission Attorney
Eric Cockley, Director, City of Frankfort Dept. of Planning & Community Development
Robert Hewitt, Director, Franklin County Planning & Building Codes
Ben Judah, Planning Supervisor, Franklin County Planning & Building Codes
Tina Peck, Planner, Franklin County Planning & Building Codes

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

Chairman May asked for a motion to approve the minutes of February 8, 2024 meeting. Mr. Sanderson made a motion to approve the February 8, 2024 meeting minutes. The motion was seconded by Mr. Stewart and passed unanimously.

Chairman May asked for a motion to approve the Payment of Bills, as amended. Mr. Nickles made a motion to approve the following bills:

Ed Logan (Legal Fee, March 2024)	\$1500.00
Vickie Sewell (February PC)	\$ 300.00
Dawn McDonald (February BZA)	\$ 75.00
Frankfort Newsmedia (Legal Ads)	\$1437.59
Logan Burch & Fox (Baldwin – Inv # 109440)	\$ 297.00
Logan Burch & Fox (Big Eddy Rehab – Inv # 109441)	\$4537.50
McBride Dale Clarion (Inv # 4595-23)	\$3935.00

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

Mr. Sanderson, Chair of the Nominating Committee, provided an update from the Committee. He stated that the committee had reached a stalemate, and was making a recommendation to move that Charles Stewart be nominated as Chairman, Timothy Luscher be nominated as Vice-Chairman and Reed Mills be nominated as Secretary-Treasurer.

Mr. Sweger stated that he felt the committee's recommendation was a change because he is on the nominating committee and had never been contacted to have a meeting.

Mr. Luscher seconded the recommendation.

Mr. McDaniel made a motion to add Mr. Sweger as a nomination for Chairman. The motion was seconded by Mr. Mills and passed unanimously.

Mr. Sanderson made a motion to add Timothy Luscher as a nomination for Chairman. The motion was seconded by Mr. Luscher and passed unanimously.

Mr. Sanderson made a motion to close nominations. The motion was seconded by Mr. Sweger and passed unanimously.

After a written ballot vote, Brent Sweger received five votes, Charles Stewart received two votes and Tim Luscher received two votes.

It was noted that the Vice Chair and Secretary-Treasurer had been elected at the previous month's meeting and that only a vote for Chairman was required. For clarification, Mr. Stewart agreed to be Vice Chairman and Reed Mills agreed to be Secretary-Treasurer.

Under Staff Items, Mr. Cockley provided an update on the Comprehensive Plan. The advisory committee had a scheduled meeting for April 10th, but will most likely be moved to another date. The Advisory Group and Consultant have been working on the remaining chapters of the Comprehensive Plan. He stated that the target date for completion is June or July.

Mr. Sanderson asked what future land uses were being proposed along US 127, South. Mr. Cockley stated that there were some Industrial land uses around the Twilight Trail area and that the Farmdale area and south of that were designated as farmland and residential. He stated that where business uses were existing, they were designated as commercial.

Mr. Sanderson asked about the future expansion of sewer into that area. Mr. Cockley stated that The Frankfort Sewer Department, the Farmdale Sewer Committee and the County were in discussions on providing sewer to the area.

Mr. Sanderson asked about the possibility of industrial land in that area. Mr. Cockley stated that the Committee had brought two maps to the last Comprehensive Plan public meeting, with one having industrial land and one having mixed farm and residential land. He stated that the Committee overwhelmingly objected to industrial land in those areas.

Mr. Sanderson asked where land was already zoned and could be ready for development. Mr. Cockley stated that the land in the Twilight Trail area was, but that getting to the property was challenging.

Under Old Business, the Purchase of a Training Subscription for Board Members was discussed. Mr. Sweger stated that it was Planetzin. Mr. Sweger stated that the plan for nine members would cost around \$3,300. Mr. Sweger made a motion to purchase a Training Subscription for Board Members. Under discussion, Mr. Sanderson stated that he was not in favor of online training.

Chairman May asked Mr. Logan if an individual member wanted to have training, would it be possible for that member to bring that training opportunity to the Commission for approval. Mr. Logan stated that they could. After further discussion, Mr. Sweger removed his motion to purchase the subscription and Chairman May removed his second to the motion.

Mr. Sanderson reminded the Commission that the Planning Commission, by its bylaws, can only hold two public hearings and cannot have a meeting lasting past 10:00 p.m. After further discussion, Mr. Luscher made a motion to push the Public Hearing on the Goals and Policies to the next month's meeting and have staff provide all comments they have received so that Commission members could review those documents and then vote on the item at the next meeting. The motion was seconded by Ms. Johnson. The motion failed by a vote of four in favor and five against the motion. Those voting in favor were Ms. Johnson, Mr. Luscher, Mr. McDaniel and Mr. Mills. Those voting against the motion were Mr. Nickles, Mr. Sanderson, Mr. Stewart, Mr. Sweger and Chairman May.

Mr. Sanderson made a motion to hold Public Hearings one and two. The motion was seconded by Mr. Stewart. The motion failed by a vote of four in favor and five against. Those voting in favor of the motion were Mr. McDaniel, Mr. Mills, Mr. Sanderson, and Mr. Stewart. Those voting against were Ms. Johnson, Mr. Luscher, Mr. Nickles, Mr. Sweger and Chairman May.

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

PUBLIC HEARING: In accordance with KRS 100.193 the Planning Commission is holding a public hearing to take public input and consider the adoption of the Goals and Policies that have been drafted as part of the ongoing Comprehensive Plan rewrite.

The Secretary swore in all speakers.

Mr. Logan qualified Mr. Cockley. Under questioning, Mr. Cockley stated that he has been in the position of Director of Planning and Community Development for five and one-half years. He stated that he had prepared the staff report for the item. Mr. Cockley stated that the consultant, after several open/public meetings had drafted the goals and policies. He stated that the draft document was required to be reviewed at a Public Hearing after which they would be sent on to the City and County Legislative bodies to be adopted. Mr. Logan asked that the draft

document be entered into the record. Without objection the draft Goals and Policies was entered into the record. There were no further questions of Mr. Cockley.

Under audience testimony, Ms. Chris Schimmoeller stated that she lived at 660 Mt. Vernon Road in Franklin County. She stated that she was a member of the Advisory Committee and that she supported the adoption of the document. She entered into the record written comments which she indicated were edit recommendations in the nature of brevity, clarity and grammar. There were no questions of Ms. Schimmoeller.

Ms. Melanie Van Houten stated that she lived on Lawrenceburg Road and that she was in agreement with the proposed document. There were no questions of Ms. Van Houten.

Ms. Ashley Winn stated that she seconded everything other speakers had stated.

Ms. Jane Julian stated that she lived on Louisville Road and that she was supportive of land use planning and to finding and practicing the highest and best uses for properties in Franklin County. She then read from a prepared statement.

Mr. Brent Simpson provided a written handout, which is attached to the minutes.

Mr. Gene Roach stated that he did not want the Commission to take agriculture land for industrial land use.

Ms. Carla Hawkins of Wash Road thanked the Advisory Committee for their work.

Mr. Larry Ballard of Wash Road stated that he was not in favor of an Industrial Park in the southern part of Franklin County. He stated that any development on farmland in that area would flood.

Mr. Larry Arnett of Boone Estates Road stated that he lived in the southern end of the County. He stated that the Goals and Policies being proposed are good and does not impede development. He stated that Goal four was designed to preserve and protect farmland and stated that the Commission should not consider anything that would be taking away farmland. He encouraged the Commission to recommend the adoption of the Goals and Policies.

There were no further speakers.

Mr. Sanderson made a motion to table the item in order for a summary of the testimony could be prepared. The motion was seconded by Mr. Stewart. Mr. Sweger offered as an amendment that all the comments received by the Commission be sent back to staff and Consultant and the Advisory Committee for them to review and bring back recommendations on the comments to the Planning Commission for consideration. There was no second to the motion.

Mr. Sweger then made a second amendment recommendation that the staff take all comments received by the public and review them with the consultant and advisory committee

and bring back any recommended changes back to the Planning Commission for consideration. The motion was seconded by Mr. Nickles. The motion failed by a vote of five to four. Those voting in favor of the motion were Ms. Johnson, Mr. McDaniel, Mr. Nickles and Mr. Sweger. Those voting against the motion were Mr. Luscher, Mr. Mills, Mr. Sanderson, Mr. Stewart and Chairman May.

Chairman May asked for a vote on the original motion, which was to table the item in order for a summary of the testimony could be prepared. The motion passed by a vote of eight to one. Those voting in favor were Ms. Johnson, Ms. Luscher, Mr. McDaniel, Mr. Mills, Mr. Nickles, Mr. Sanderson, Mr. Stewart and Chairman May. Mr. Sweger voted against the motion.

Chairman May introduced the next item:

PUBLIC HEARING: Southern Acquisitions LLC is requesting a zone map amendment from Two Dwelling District “RD” to Limited Commercial District “CL” for a .139-acre property located at 608 Taylor Avenue. The property is more specifically identified as PVA Map Number 062-13-02-003.00. (City Item)

The Secretary swore in all speakers.

Under questioning, Mr. Cockley was qualified and stated that he had prepared the report and that there were no additions or deletions to the report. Mr. Cockley stated that he had made a recommendation of approval of the request. Without objection, the Staff Report was entered into the record.

The applicant stated she was in agreement with the recommendation of approval. There was no further testimony.

Mr. Luscher made a motion that the staff report be adopted as the Summary of the testimony. The motion was seconded by Mr. Sweger and passed unanimously.

Mr. Luscher made a motion to adopt findings of fact one through four contained in the staff report and to recommend to the Frankfort Board of Commissioners that the zone map amendment request of Southern Acquisitions, LLC from Two-Dwelling District “RD” to Limited Commercial District “CL” for a .139-acre parcel of property located at 608 Taylor Avenue be approved. The motion was seconded by Mr. Sweger and passed unanimously.

Mr. Luscher made a motion to suspend the rules and to have more than two public hearings and to hear item number three. The motion was seconded by Mr. Luscher and passed unanimously.

Chairman May asked the Secretary to introduce the next item:

PUBLIC HEARING: Marisa Swystun & Amanda McNalley are requesting a zone map amendment from Two Dwelling District “RD” to Limited Commercial District “CL” for the properties located at 619.5 and 625/627 Taylor Avenue respectively. The properties are more specifically identified as PVA Map Number 062-12-01-003.00 and PVA Map Number 062-13-01-001.00. (City Item)

The Secretary swore in all speakers.

Mr. Cockley was qualified by Mr. Logan. Under questioning, he stated that he had prepared the staff report for the requested zone map amendment. He stated that he had no additions or deletions to the report and that he was recommending approval of the request. There were no further questions of Mr. Cockley. Without objection, the Staff Report was entered into the record.

Ms. Amanda McNalley stated that she was in agreement with the Staff Report. She stated that she wanted to have the option to have both short-term and long-term rentals.

There was no further testimony.

Mr. Sweger made a motion to close the Public Hearing, to adopt the Staff Report as the Summary of the Testimony, to adopt the four findings of fact recommended in the Staff Report and to recommend to the Frankfort Board of Commissioners that the zone map amendment being requested by Marisa Swystun and Amanda McNally from Two Dwelling District “RD” to Limited Commercial District “CL” for the properties located at 619.5 and 625/627 Taylor Avenue be approved. The motion was seconded by Mr. Luscher and passed unanimously.

A motion was made by Mr. Sweger to suspend the rules to allow for items four and five on the agenda to be combined into a single public hearing and to hear the item at the meeting. The motion was seconded by Mr. Mills and passed by a vote of eight to one. Those voting in favor were Irma Johnson, Timothy Luscher, Todd McDaniel, Mr. Reed Mills, Mr. Michael Nickles, Mr. Stewart, Mr. Sweger and Chairman May. Voting against the motion was Mr. Sanderson.

PUBLIC HEARING: KT Holdings, LLC is requesting a zone map amendment from Rural Residential “A” District “RA” to Agricultural District “AG” of a 50.597-acre portion of property at 850 Hickman Hill Road. The property is identified as PVA Map # 104-00-00-005.00. (County Item)

PUBLIC HEARING: KT Holdings, LLC is requesting a zone map amendment from Rural Residential “A” District “RA” to Rural Residential District “RR” of a 4.576-acre portion of property at 850 Hickman Hill Road. The property is identified as PVA Map # 104-00-00-005.00. (County Item)

Under questioning by Mr. Logan, Mr. Lindon Smith, of the Bluegrass Area Development District, stated that he had reviewed the zone map amendment request and had prepared the staff report for the request. Mr. Smith provided his educational information and years of experience in the field of planning and zoning. Mr. Smith stated that he had no additions or deletions to the staff report and that he was recommending approval of the request.

Mr. Luscher asked what the planned uses were going to be for the property. Mr. Smith stated that he understood that the owner would be cutting silage, grind it up and remove it from the property.

Mr. Sanderson asked if there were commercial uses that could be undertaken on the property. Mr. Smith stated that there were some commercial uses permitted in the Agricultural zone district.

There were no further questions of Mr. Smith.

Terry Hensley was present on behalf of the applicant and stated that she was in agreement with the staff report.

Mr. Sanderson asked if the property would be used in a commercial manner. Ms. Hensley stated that the owner had no plans to at this time.

Mr. Sanderson asked Mr. Logan if they could put a condition of approval that no commercial uses could be done. Mr. Logan stated that the Commission could not do that.

There were no further questions of Ms. Hensley.

Mr. Sara Perdue stated that the property was considered for Agricultural zoning last year, but that it was not approved. She stated that over 200 residents had signed a petition in opposition to the request. She stated that there had not been any changes to the area to allow it to go to Agricultural zoning.

Mr. Kevin Perdue stated that the zoning request is going through the same process. He stated that he had no problems with agricultural land use, but was concerned with what would happen in the future. He stated that they had concerns with him not being forthright with what he wants to do on the property.

Mr. Sanderson asked if they could put a condition where they get a development plan for review if it changes from Agriculture. Mr. Logan stated that you could do that.

Mr. Brent Simpson noted that many Springhill residential people had been here for this item, but had left. He stated that there would be many unhappy people.

Mr. Mike Adkins stated that he lived right next to the property and that activities other than cutting silage are taking place. He stated that they are hauling topsoil from the property.

Mark Flora stated that he had been told that no soils were to be removed. He stated that cannons have gone off at 3:00 in the morning. He then showed photographs to the Commission. The woods are now gone. The trees that were knocked down were pushed 250' uphill to the adjoining property lines. He stated that he is fine with farming, but he does not believe that he intends to do agricultural activities on the property.

Mr. Sanderson asked Mr. Flora if he lived in the new part of Hickman Hill. He stated that he did.

Ms. Hensley stated that Mr. Tracy had done most of those improvements to the property to actually improve the property.

After additional testimony, Mr. Luscher made a motion to table the public hearing in order for a summary of the testimony to be prepared. The motion was seconded by Mr. Stewart and passed unanimously.

The Chairman asked the Secretary to introduce the next item:

In accordance with Article 1.09 of the Frankfort Zoning Ordinance, Legacy Property Group c/o Will Crumbaugh is requesting approval of a Modification of Standards of Section 3.02.02 (H) of the Frankfort/Franklin County Subdivision Regulations in order to allow the subdivision of the property located at 452 Versailles Road to include a lot with no frontage along Versailles Road. The property is more particularly described as PVA Map #085-00-00-016.01. (City Item)

Mr. Cockley was present and stated that he had reviewed the subdivision plat. He stated that the plat met all requirements, except for the drive on US 60 and Brighton Park Boulevard. He stated that the development plan had received approval from all review agencies and that he had made positive findings in support of the request.

Mr. Sanderson asked if the sewer comments have been addressed. Mr. Cockley stated that the Development Plan will be brought to the Planning Commission at the next month's meeting.

Mr. Bob Pelosi, on behalf of the applicant stated that his client had wanted to reconfigure the property so that two lots had access to Brighton Park Boulevard.

Mr. Sweger made a motion to approve the modification of standards in order to allow the subdivision of the property at 452 Versailles Road. The motion was seconded by Mr. Luscher and passed unanimously.

The Chairman asked the Secretary to introduce the next item:

22 Oaks Apartments, LLC is requesting approval of a Final Development Plan for the construction of 216 residential apartment units on 27.04 acres of property identified as 1550 Leestown Road. (County Item)

Mr. Ben Judah presented the staff report for the item. Mr. Judah stated that he has recommended approval of the request. Mr. Judah stated that the volume of the basins was taken into consideration and that pervious pavement has been proposed. Mr. Judah stated that the developer meets all standards and staff is recommending approval.

Mr. Sweger asked if the house would be demolished. Mr. Judah stated that it would.

There were no further questions of Mr. Judah.

Mr. Preston Cecil, attorney for the applicant stated that his client was in agreement with the recommendations of staff and that all agency approval signatures had been obtained.

Mr. Sweger asked about sidewalks going to Leestown Road.

Mr. Art Harding, of the Caliber Engineering firm stated that the sidewalks to extend to Leestown Road and that there was additional landscaping being proposed.

Mr. McDaniel asked what was being done with the sinkholes. Mr. Harding stated that Sonar mapping has been completed and that all buildings will have a 50" setback from the rim of all sinkholes.

Mr. Stewart asked if the applicant is keeping the current screening. Mr. Harding stated that they were.

Mr. McDaniel stated that they had provided a landscape plan, but it had not been included in the packet.

Mr. McDaniel added that the fire department's trucks would be able to maneuver through the parking lot.

Ms. Johnson asked when the project would be completed. Mr. McDaniel stated that the projected date of completion would be sometime in 2027.

Under audience statements, Mr. J. W. Blackburn stated that Slickway drainage area is a big issue for the area and stated that he hopes it is being considered in this development.

There being no further discussion, Mr. Luscher made a motion to approve the Final Development Plan for 22 Oaks Apartments, LLC for the construction of 216 residential apartment units at 1550 Leestown Road. 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 Mr. Luscher and passed unanimously.

William May, Chairman

Vickie Sewell, Recording Secretary

SUMMARY OF PUBLIC HEARING

KT Holdings, LLC
Zone Map Amendment Request

FROM:
Rural Residential "A" District "RA"
TO:
Agriculture District "AG" and

FROM:
Rural Residential "A" District "RA"
TO:
Rural Residential District "RR"

850 Hickman Hill Road

March 14, 2024

William May, Chairman Presiding

Planning Commission Members Present:

Irma Johnson
Timothy Luscher
Todd McDaniel
Reed Mills
Michael Nickles
Darrell Sanderson
Charles Stewart

County Staff:

Lindon Smith, Bluegrass Area Development District

Applicant's Representative:

Terry Hensley

Other Speakers:

Sara Perdue
Kevin Perdue
Brent Simpson
Mike Adkins
Mark Flora

The Secretary swore in all speakers.

Under questioning by Mr. Logan, Mr. Lindon Smith, of the Bluegrass Area Development District, stated that he had reviewed the zone map amendment request and had prepared the staff report for the request. Mr. Smith provided his educational information and years of experience in the field of planning and zoning. Mr. Smith stated that he had no additions or deletions to the staff report and that he was recommending approval of the request.

Mr. Luscher asked what the planned uses were going to be for the property. Mr. Smith stated that he understood that the owner would be cutting silage, grind it up and remove it from the property.

Mr. Sanderson asked if there were commercial uses that could be undertaken on the property. Mr. Smith stated that there were some commercial uses permitted in the Agricultural zone district.

There were no further questions of Mr. Smith.

Terry Hensley was present on behalf of the applicant and stated that she was in agreement with the staff report.

Mr. Sanderson asked if the property would be used in a commercial manner. Ms. Hensley stated that the owner had no plans to at this time.

Mr. Sanderson asked Mr. Logan if they could put a condition of approval that no commercial uses could be done. Mr. Logan stated that the Commission could not do that.

There were no further questions of Ms. Hensley.

Mr. Sara Perdue stated that the property was considered for Agricultural zoning last year, but that it was not approved. She stated that over 200 residents had signed a petition in opposition to the request. She stated that there had not been any changes to the area to allow it to go to Agricultural zoning.

Mr. Kevin Perdue stated that the zoning request is going through the same process. He stated that he had no problems with agricultural land use, but was concerned with what would happen in the future. He stated that they had concerns with him not being forthright with what he wants to do on the property.

Mr. Sanderson asked if they could put a condition where they get a development plan for review if it changes from Agriculture. Mr. Logan stated that you could do that.

Mr. Brent Simpson noted that many Springhill residential people had been here for this item, but had left. He stated that there would be many unhappy people.

Mr. Mike Adkins stated that he lived right next to the property and that activities other than cutting silage are taking place. He stated that they are hauling topsoil from the property.

Mark Flora stated that he had been told that no soils were to be removed. He stated that cannons have gone off at 3:00 in the morning. He then showed photographs to the Commission. The woods are now gone. The trees that were knocked down were pushed 250' uphill to the adjoining property lines. He stated that he is fine with farming, but he does not believe that he intends to do agricultural activities on the property.

Mr. Sanderson asked Mr. Flora if he lived in the new part of Hickman Hill. He stated that he did.

Ms. Hensley stated that Mr. Tracy had done most of those improvements to the property to actually improve the property.

After additional testimony, Mr. Luscher made a motion to table the public hearing in order for a summary of the testimony to be prepared. The motion was seconded by Mr. Stewart and passed unanimously.

FRANKFORT/FRANKLIN COUNTY PLANNING COMMISSION

April 11, 2024

5:30 PM

BRENT SWEGER, CHAIRMAN - PRESIDING

Chairman Brent Sweger asked the Secretary to call the roll.

Members Present:

Irma Johnson
Timothy Luscher
Todd McDaniel
Reed Mills
Michael Nickles
Charles Stewart

Brent Sweger

(7)

Also Present:

Edwin Logan, Planning Commission Attorney
Eric Cockley, Director, City of Frankfort Dept. of Planning and Community Development
Jordan Miller, Planner, City of Frankfort Dept. of Planning and Community Development
Ben Judah, Planning Supervisor, Franklin County Planning & Building Codes

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

Chairman Sweger asked if there were any changes to the minutes. There were no changes and Mr. Sweger said the minutes were approved as submitted.

Chairman Sweger asked for a motion to approve the Payment of Bills, as amended. Mr. Stewart made a motion to approve the following bills:

Ed Logan (Legal Fee, April 2024)	\$1500.00
Vickie Sewell (March PC)	\$450.00
Dawn McDonald (March BZA)	\$75.00
Dawn McDonald (April BZA)	\$75.00
Logan Burch & Fox (Big Eddy Rehab, Inv # 109729)	\$891.00
McBride Dale Clarion (Inv # 4595-24)	\$9306.29

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

Chairman Sweger mentioned that there will be a Zoning Update Committee meeting on April 23, 2024 and they will be discussing Special Capital proposed historic guidelines.

Under staff items, Mr. Cockley provided an update on the Comprehensive Plan. He stated that work continues on the Comp Plan and they have the Goals and Policies in front of them this evening. At the last advisory committee meeting they went over both the amended goals and policies that was shared with them for tonight's meeting and the comments associated, as well as their first look at the implementation chapter. Staff has continued to look at the draft implementation chapter and they plan on sending an email tomorrow to schedule the next advisory committee meeting. Meanwhile they had their every other week call with the consultant and continue to work on the templates of the drafts with maps. Mr. Cockley stated that they hope to have it before the Planning Commission by June.

Mr. Luscher made a motion to combine items two and three into a single public hearing. The motion was seconded by Mr. Stewart and passed unanimously.

OLD BUSINESS

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

CONTINUATION OF PUBLIC HEARING: In accordance with KRS 100.193 the Planning Commission is holding a public hearing to take public input and consider the adoption of the Goals and Policies that have been drafted as part of the ongoing Comprehensive Plan re-write.

Chairman Sweger mentioned that at the last meeting they had an opportunity to speak on any suggestions regarding the goals and policies. Additionally, they had the opportunity to submit any comments in writing. All of those were given to the Commission. Since that meeting staff, consultants and the advisory committee have had a chance to integrate some of those changes into a revised draft. He mentioned that they would be discussing this tonight and seeing if there are any other amendments suggested by Commission members.

Mr. Stewart made a motion to approve the proposed goals and policies as revised. The motion was seconded by Mr. Nickles. The motion passed by a vote of six in favor and one against the motion. Those voting in favor were Ms. Johnson, Mr. McDaniel, Mr. Mills, Mr. Nickles, Mr. Stewart, and Mr. Sweger. Those voting against the motion were Mr. Luscher.

Mr. Sweger mentioned there were four sections: Identity and Character, Natural and Cultural Resources, Transportation and Infrastructure, and Growth and Development. He suggested that they take each section one by one to see if members had any proposed amendments.

Starting with Identity and Character, goal one, bullet point four Mr. Luscher stated that he would like to amend it to read “Cultivate the distinction between the rural landscape of Franklin County and the urban and suburban environments to help guide future development”. He stated that they needed to define “Rural”. He wanted to know how they are defining rural verses urban in this plan. Mr. Cockley stated that they had several comments since last month about the definition of different terms in the plan. He mentioned that was part of the conversation they had with the consultant about the chapters they have left to draft which includes a definition/glossary section. They have every intention as they come up with the terms that we think are important to be defined and included that in that section. Mr. Luscher asked if they have a definition for rural yet under that section. Mr. Cockley replied that they haven’t done the definition section yet.

Concerning goal one, bullet point eleven Mr. Luscher stated that we have not discussed form-based zoning this drastically changes the zoning regulations in the County and the City, he didn’t feel that should be included in the goals and objectives. Mr. Luscher made a motion to strike number 11. There was no second to the motion.

Concerning goal two, bullet point four, Ms. Johnson made a motion to strike “engage members of minority groups” and amend it to read “Include voices and perspectives of underrepresented communities when conducting planning and community development activities”. The motion was seconded by Mr. Stewart and passed unanimously.

Concerning goal three, bullet point one, Mr. Luscher made a motion to amend it to read “Protect culturally, historically, archeologically, and environmentally sensitive industries, lands, viewsheds, and buildings that are of cultural, ecological, or historical significance through the use of easements, historic designations, zoning regulations, design guidelines, or similar tools”. The motion was seconded by Mr. Stewart and passed unanimously.

Concerning goal four, bullet point one, Mr. Luscher made a motion to amend it to read “Support existing farms and policies to encourage farming in zonings designated agricultural”. The motion was seconded by Mr. Mills and passed by a vote of five to two. Those voting in favor were Mr. Luscher, Mr.

McDaniel, Mr. Mills, Mr. Nickles, and Mr. Stewart. Those voting against the motion were Ms. Johnson and Mr. Sweger.

Mr. Luscher suggested that there needs to be a Goal 5 that would include the economic side of these goals and procedures. He mentioned that we do have historic and cultural industries. He believes there needs to be a Goal 5 that specifically addresses that economic benefit to this county as it is a driver to our tax base. He stated that he does not have any policies underneath it but believes they should have a goal that could be written by the City and County staff. Mr. Luscher made a motion to add a Goal 5 with the verbiage created by the City and County staff with the heading "Promote to protect the counties historic and cultural industries including any ancillary industries." The motion was seconded by Mr. Stewart and passed unanimously.

Moving on to Natural and Cultural Resources, Mr. Luscher wanted to add an additional policy related to the interaction of the State Transportation Cabinet. Mr. Luscher made a motion to add the following policy "Involve State Transportation Cabinet for Frankfort specific traffic guidelines. Emphasize entry to Frankfort and Franklin County including the beautification of City entryways". Mr. Luscher provided some background stating that Frankfort is unique in fact that we have five interstates converging downtown to where nearly every street in the City is a state highway. Other cities that have their entryways that are not state highways, the City is in charge of keeping those up and making them attractive. In our case they are all state highways so they are viewed as highway, not a grand entrance. For example 127 South coming into the City is narrower than Hurstbourne Lane in Louisville which is very well landscaped in our case it is a four lane highway with a shoulder that should be pedestrian sidewalks. Because we are the State Capital, he would like to encourage the City and County to work with the State to create better entrance ways to the county. After discussion, Mr. Luscher amended his motion to "Work with the Transportation Cabinet to beautify and improve walkability of the gateway highways" The motion was seconded by Ms. Johnson and passed unanimously.

Concerning bullet point seven Mr. Luscher stated that it seems redundant. He stated that multi-modal transportation options, isn't really well defined in the policies and he made a motion to strike bullet point seven. He stated that there is no definition behind it, he believes it had been handled in other places and that it is a bit broad. Mr. Cockley stated that they could include it in the definitions. He said the whole idea behind multi-modal is to be broad whether that is bicycle, pedestrian, or rail. He cautioned against cornering yourself into a definition if there is some mode that has not been invented yet. Mr. Luscher withdrew his motion.

Concerning bullet point eight "Consider the merging of City and County community services and departments to reduce expenses, to make services more efficient, and to eliminate redundant services". Mr. Luscher stated that he agreed with the statement, but it seems out of the scope of the Planning Commission. Chairman Sweger said that this is a document with goals and policies that the City and County governments have to adopt as part of Comp Plan process. A lot of these things are not just directly planning and zoning matters but different departments whether it's the road department or sewer department, etc. Chairman Sweger stated that he thinks this is supposed to be a guiding not just of Planning Commission decisions but other bodies as well.

Moving on to Grown and Development goal one bullet point three Mr. Luscher mentioned possible rewording he said it all comes back to the definitions of rural, farmland, etc. He made a motion to change it to "Identify all potential land uses with an emphasis on preserving the county's cultural and rural character". He stated that means that it's not prime farmland it is prime land but it needs to be defined, it could be multiple things. Mr. McDaniel stated that prime farmland is defined by the USDA so you'd have to go to their website. Mr. Cockley stated that there was discussion about the fact that there is a USDA definition. He said the reason for the policy is specific of preservation of farmlands whether they are currently being farmed or not. If they are available for farming the thought process is that we need to consider when you develop these things, they are no longer farmland and may not be able to return to that. Mr. McDaniel stated that he thinks the wording may need to stay in there so that if they

have a property come up for them later as planning and zoning then it may already be defined as prime farmland. Mr. Cockley stated that he didn't believe it presupposes that there are no farmlands in the County could ever be developed because of that one policy. He thinks it's a way of reminding them when they consider future development that they have chosen that there is some value to preserving prime farmland where appropriate. Mr. Luscher stated that his concern is that it does limit them as a County or City for growth. Going forward over the next five years would that also be a restriction being viewed as a much more stringent definition. His intent was to relieve that restriction, we need to preserve our cultural and rural character, but he doesn't think there needs to be restrictions on the land itself. Mr. Cockley stated that when you talk about the rural character and preserving some of those rural and farmlands, is that those are concerns that when developments come to the Planning Commission they are going to be discussed and debated regardless of whether this policy exist. He stated that we can all agree in the value of doing those things. When we get to the details of a particular property potentially developing, we are going to have different opinions about whether is appropriate and whether it's on the USDA list or not, people are going to have different opinions about whether it is in fact prime farmland. Mr. Cockley stated that language like this in communities like ours is very typical in the goals and policies even in communities that have experienced a large amount of growth, including a draft goals and policies draft document from Georgetown and Scott County. It has very similar language talking about preserving rural character and farmland and as you know they have been growing. It's also about how we use this document in addition to what the language actually says. Not to cut down the importance of the document itself but it will be down to folks in the Boards position, his position and legislative bodies to use it as well. Chairman Sweger stated that something like that he thinks there are probably examples of different things throughout this document that could guide different efforts. Mr. Cockley stated that you might have grant opportunity for something to support a local farm and it strengthens your application to have language like this in your comp plan. Mr. Luscher stated that in his opinion it hurts the City and County officials that are trying to attract additional businesses. We have a lot of potential land that the owners are willing to sell is not hamstrung by language within the comp plan. There was no second to the motion.

Concerning goal two bullet point five, Mr. Luscher mentioned adding verbiage when it says, "Target diverse opportunities to increase investment in bourbon, IT, government, finance and healthcare sectors". He would like to add after sectors "by setting a growth rate to attract these industries". Mr. Luscher stated that the back story of that is that there has been discussion on what the growth rate for Franklin County should be. The Steering Committee directed to be 1% which was the consensus of the Mayor and Judge Executive. The Advisory Committee wanted to do .2% which is a flat rate which is just a sensory rate that shows people living and dying. If we as a community want to pay for our teachers, firefighters, etc., we need to grow as a county and if you are attracting businesses you need to know that the County wants businesses there. We need to have a growth rate that reflects that we want those businesses here. Mr. Luscher made a motion to amend it to read "Target diverse opportunities to increase investment in bourbon IT, government, finance, and healthcare sectors by setting a growth rate to attract these industries". There was no second to the motion.

Concerning goal three bullet point eight, "Discourage the conversion of first-floor commercial storefront spaces in historic two-part commercial block buildings". Mr. Luscher asked staff if this is something that should be in the comp plan or just handled in P&Z as a zone change. Mr. Cockley replied that we have existing requirements referencing when people want to take one of the mixed-use buildings in the Central Business District and put residential on the first floor. Mr. Cockley stated that there are ways in which you can do that, but we limit it and restrict it and require things like you can't remove the storefront. The value here is that the commercial store front is highest and best use for the particular spot in a central business district. Now if the choice is vacant building or a temporary residential use on the first floor then it's better than being vacant. He thinks that one of the reasons that staff and the Historic Preservation Officer thought this was important enough to mention here is because we have been fortunate enough to see our Central Business District really improving. We want to the ability to promote and support commercial uses going into those as the highest and best use rather than residential.

Mr. Stewart made a motion to approve the Goals and Policies with the five amendments that have been passed and approved. The motion was seconded by Mr. Luscher and passed unanimously.

Chairman Sweger asked the Secretary to introduce the next item:

CONTINUATION PUBLIC HEARING: KT Holdings, LLC is requesting a zone map amendment from Rural Residential "A" District "RA" to Agricultural District "AG" of a 50.597-acre portion of property at 850 Hickman Hill Road. The property is identified as PVA Map # 104-0000-005.00 (County Item)

CONTINUATION PUBLIC HEARING: KT Holdings, LLC is requesting a zone map amendment from Rural Residential "A" District "RA" to Rural Residential District "RR" of a 4.5796-acre portion of property at 850 Hickman Hill Road. The property is identified as PVA Map # 104-00-00-005.00 (County Item)

Mr. Sweger stated that at the last meeting they had testimony on these two cases. He thinks that there was some confusion at the beginning of the meeting on whether or not these cases would be heard that night. He believed there was a number of people who were potentially interested in testifying that left early under the impression that they were not going to hear these cases.

Mr. Luscher made a motion to take these off the table and reopen public comment. The motion was seconded by Ms. Johnson and passed unanimously.

Jane Knits was present and sworn in by the Secretary. She stated that since no one knows what the land is going to be used for, they can only speculate. Based on what their business is she is deducing that there could be a concern if the property were to be used for financial gain. She stated that she could see noise pollution as a problem, big trucks backing up and beeping. This is a neighborhood of families with children, noting that children sleep at all times of day and the possible noise could be a problem. She stated that commercial activity is not conducive.

Ms. Knits stated that she believes that the Planning Commission exists to improve the community living situations and not to have a huge hodge podge of various situations in any particular location. She mentioned that they had this discussion two years ago, petitions were presented, and people voiced their concerns. She didn't understand why this would come up again since there really haven't been any changes. She mentioned that from an economic perspective it would seem that if they are interested in bringing more people to our community and building Franklin County, then building sixty homes on that property would yield benefits of an increase tax in base to our community. Ms. Knits stated that changing the zoning would make one person happy, but it would make one hundred plus people unhappy. Ms. Knits mentioned that they have boost guns going off all hours of the night and day with no regards to the neighbors.

Ms. Knits stated that she hopes they will consider one hundred families and not approve the zone change. Additionally, she proposed that there be a discussion to determine the owner's intended use of the property.

Michael Oerther was present and sworn in by the Secretary. Mr. Oerther mentioned that he is concerned about apartment buildings and sewer issues. Mr. Oerther mentioned that if the property is used commercially with Hickman Hill Road as the access, then it will need to be widened and repaved.

David Redford was present and sworn in by the Secretary. He stated that there have been no large changes since the last application two years ago. He stated that they have no morals or concern for the wellbeing of the neighborhood. He feared that buffering would not be enough to make this a positive. They are endangering traffic by driving unnecessarily through the neighborhood. He mentioned that

recently the owner was shooting bird cannons and when asked about it they were told it was to protect crops. However, the land is currently residential and should not have crops on it.

Mr. Luscher made a motion to close the public hearing. The motion was seconded by Mr. Nickles and passed unanimously.

Chairman Sweger mentioned that we have two cases regarding this property so he wanted to make Findings of Fact on one then move onto the other. They started with the 50.597-acres of property located at Hickman Hill Road requesting a zone change from "RA" to "AG"

Chairman Sweger made a motion to make a Finding of Fact that The Future Land Use Map designates this property as Suburban Residential. The motion was seconded by Mr. Luscher and passed unanimously.

Mr. Sweger made a motion to make a Finding of Fact that "AG" zoning is not supported within the definition of the Suburban Residential Future Land Use. The motion was seconded by Mr. Stewart and passed unanimously.

Based on the Findings of Fact, Mr. Luscher made a motion to deny the request from KT Holdings, LLC for a zone map amendment from Rural Residential "A" District "RA" to Agricultural District "AG" of a 50.597-acre portion of property at 850 Hickman Hill Road until the applicant provides clarity of the intended use. The motion was seconded by Mr. Stewart and passed unanimously.

The next item for consideration was the 4.576-acres of property on Hickman Hill Road requesting a zone change from "RA" to "RR".

Mr. Sweger made a motion to make a Finding of Fact that The Future Land Use Map designates this property as Suburban Residential. The motion was seconded by Mr. Stewart and passed unanimously.

Mr. Sweger made a motion to make a Finding of Fact that "RR" zoning is not supported within the definition of the Suburban Residential Future Land Use. The motion was seconded by Mr. Stewart and passed unanimously.

Based on the findings of fact, Mr. Luscher made a motion to deny the request from KT Holdings, LLC for a zone map amendment from Rural Residential "A" District "RA" to Rural Residential District "RR" of a 4.576-acre portion of property at 850 Hickman Hill Road until the applicant provides clarity of the intended use. The motion was seconded by Mr. Stewart and passed unanimously. The motion was seconded by Mr. Stewart and passed unanimously.

NEW BUSINESS

Chairman Sweger asked the Secretary to introduce the next item:

In accordance with Sections 8.30, Requirements for Planned Commercial District, Franklin Square Investments, LLC is requesting approval of a Development Plan for the construction of a restaurant and bank on the property referred to as out lots 3A & 3B at 1301 US HWY 127 South. The property is more specifically described as PVA Map # 050-00-00-019.02. (City Item)

Eric Cockley, Director, City of Frankfort Dept. of Planning and Community Development was present and explained that this application for a development plan was before the Commission because it is in a Planned Commercial Development zoning district.

Mr. Cockley stated that the development plan meets the requirements of the zoning regulations. Mr. Cockley stated that TRT has already signed off on the development plan.

Mr. Cockley stated that the developer intends to repurpose a portion of the shopping center parking lot to construct a restaurant (Jaggers) and a bank (Wes Banco). The existing bank will be demolished to prepare the site for both proposed buildings.

Mr. Cockley stated that staff was recommending approval.

Chairman Sweger mentioned that the backs of the buildings will be facing 127 South and asked if any screening would be required. Mr. Cockley replied that he shared the renderings that have been shared with him which depict that both of buildings have multiple fronts to the buildings which should help. The drive through for both the bank and restaurant will face Highway 127. However, they do have required landscaping being provided per direction.

Chairman Sweger mentioned that there were some changes the parking regulations years ago that reduced the requirements on how much parking is needed in these commercial areas and shopping centers. Which by reducing that allowed more of the land to be available for additional development.

The applicant Phil Gambrell was present and mentioned that they are redeveloping the property. They plan to demolish the existing bank and build a restaurant in it's place, then build a bank with a more modern design closer to the Qdoba restaurant.

Mr. Gambrell mentioned that both the bank and restaurant have their own landscape requirements. He mentioned that they have also added as many shrubs and trees as possible without affecting the site triangle.

Mr. Luscher made a motion in accordance with Sections 8.30, Requirements for Planned Commercial District, to approve the request from Franklin Square Investments, LLC for a Development Plan for the construction of a restaurant and bank on the property referred to as out lots 3A & 3B at 1301 US HWY 127 South. The motion was seconded by Mr. Stewart and passed unanimously.

Chairman Sweger asked the Secretary to introduce the next item:

SHJ Construction Group is requesting approval of a Final Development Plan for the construction of a car wash on the property located at 452 Versailles Road. The property may be more specifically identified as PVA map #085-00-00-016.00.

Eric Cockley, Director, City of Frankfort Dept. of Planning and Community Development was present and mentioned that the applicant is proposing to construct a Tidal Wave Auto Spa on the property that used to be Ken Virons.

Mr. Cockley mentioned that a zone change happened on this property a few years ago and at the time the Commission required any development plans to come back to them.

Mr. Cockley stated that they have reviewed the development plan and other than some remaining technical issues that they are working through, it meets the requirements and staff recommended approval.

Chairman Sweger mentioned that he was concerned because the access to Versailles Road was close to the intersection and it is a very busy road. He stated that the ability to turn left from there raises another safety concern along that corridor. Mr. Cockley replied that's why it's a good thing that the Commission also approved the modification of standards on the subdivision plat last month, which enables them to have that connection to Brighton Park and is an improvement.

The applicant was not present.

Mr. Luscher made a motion to approve the request from SHJ Construction Group for a Final Development Plan for the construction of a car wash on the property located at 452 Versailles Road.

Under discussion Chairman Sweger mentioned that he was concerned about the traffic on Versailles Road considering how close the entrance is to the stop light and asked if they could require that it be a "right in" and "right out". Mr. Cockley mentioned the property has another exit onto Brighton Park Blvd which can be used. He further cautioned placing such a requirement because it was a state road. Mr. Luscher stated that he did not want to change his motion because it is a state road.

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

Chairman Sweger asked the Secretary to introduce the next item:

In accordance with Section 8.30, Requirements for Planned Commercial District, Fair Oaks Properties LLC is requesting approval of a Development Plan for the construction of a parking lot on the property located at 350 Fair Oaks Lane. The property may be more specifically identified as PVA Map#060-00-00-026.00.

Eric Cockley, Director, City of Frankfort Dept. of Planning and Community Development was present and mentioned that this request was before the Commission because it is in the Planned District. A portion of Buffalo Trace in the Planned District in the City and the remainder of their campus is in the unincorporated areas of Franklin County.

Mr. Cockley stated that they reviewed the development plan. It is simply for a parking lot where the gas station used to be on Fair Oaks Lane.

Mr. Cockley stated that they have reviewed the plan, and it meets the requirements. The property is in the regulatory floodplain but the applicant has already applied for and been granted a stream construction permit with the Division of Water so he will be able to issue a local floodplain permit pursuant the approval of this development plan.

Bob Pelosi the Engineer for the project was present on behalf of applicant and mentioned that they agree with the staff report.

Mr. Luscher made a motion in accordance with Section 8.30, Requirements for Planned Commercial District, to approve the request from Fair Oaks Properties LLC for a Development Plan for the construction of a parking lot on the property located at 350 Fair Oaks Lane. The motion was seconded by Mr. McDaniel and passed unanimously.

There being no further business, Mr. Sweger made a motion to adjourn. The motion was seconded by Mr. Stewart and all were in favor.

_____, Brent Sweger, Chairman

_____, Recording Secretary, Dawn McDonald.

STAFF REPORT

TO: Frankfort/Franklin County Planning Commission

FROM: Linden Smith, BGADD Senior Regional Planner

MEETING DATE: April 11, 2024



GENERAL INFORMATION

Applicant: KT Holdings, LLC
c/o Kenneth Tracy
6700 US HWY 127 N
Frankfort, KY 40601

Request: CONTINUATION OF PUBLIC HEARING - KT Holdings, LLC is requesting approval of a zone map amendment from Rural Residential "A" District "RA" to Agricultural "AG" for 50.597-acres of property on Hickman Hill Rd. The property is more specifically identified as PVA Map Number 104-00-00-005.00.

Size of Property: 50.597 ac.

Purpose: Agricultural

Surrounding Land Use & Zoning

North: Zone- RA Residential
South: Zone- RR; Residential
East: Zone- RR; Residential, Agriculture
West: Zone- RA; Residential

Background

The subject property is located in the eastern portion of the County along Hickman Hill Lane. In May 2007, the subject property was rezoned from Rural Residential (RR) to Rural Residential "A" (RA). In August 2019, the previous owner subdivided and cut off four (4) lots from the parent tract on the west side of the property along Hickman Hill Road. The shape and size of the 4 new lots indicates they are intended for single family residential development. The site is currently vacant.



Existing Zoning: Rural Residential District (RA)

4.121 Purpose.

The purpose of this district is to establish and preserve a quiet single family dwelling neighborhood, free from other uses except those which are convenient to and compatible with the residences of such neighborhood. This district is a low density, large lot, single family dwelling district but requires a full range of community facilities, including being served by public sewer or approved sewage treatment facility.

Proposed Zoning: Agricultural District (AG)

4.101 Purpose

This district is intended to recognize agricultural land to establish regulations which emphasize agricultural production and preserve a rural character.

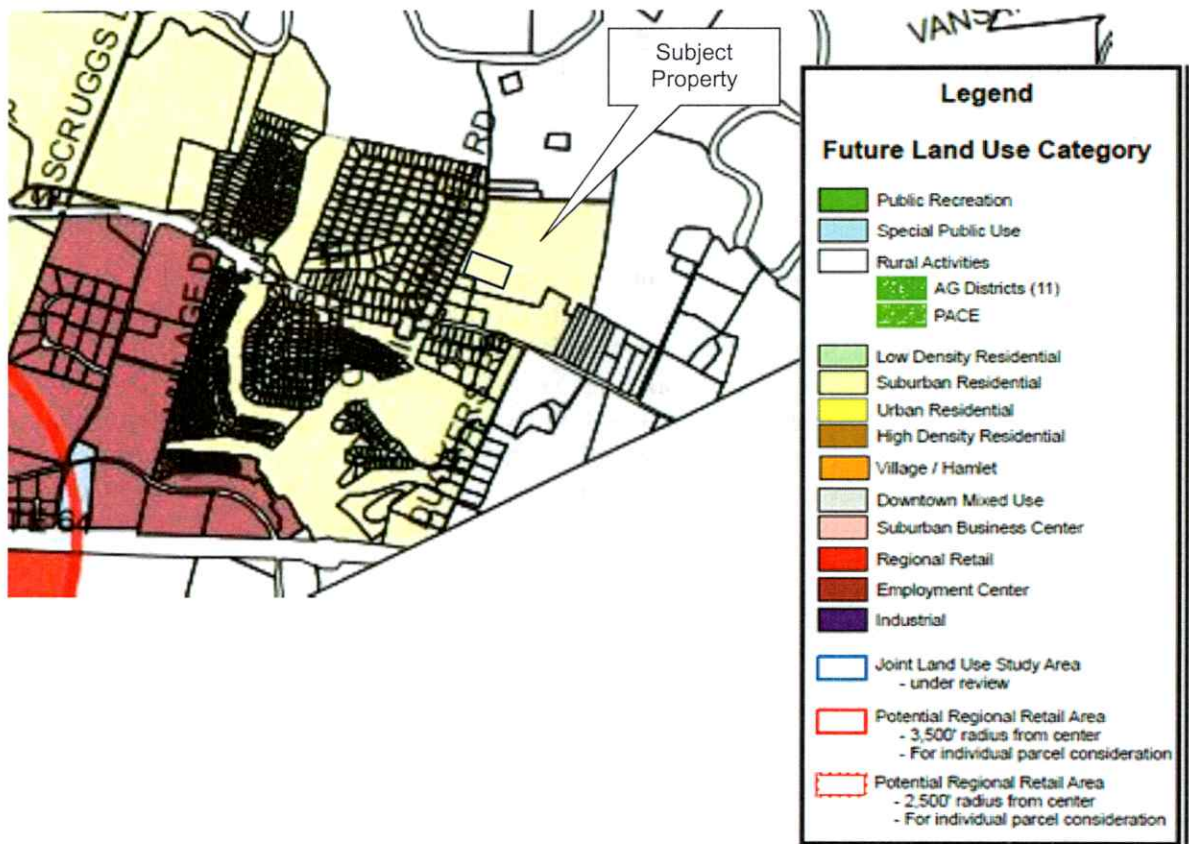
APPLICABLE REGULATIONS

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.

Future Land Use



ANALYSIS

Franklin County Existing Land Use Plan

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

Suburban Residential:

Suburban residential areas are those that were most likely developed as part of a larger subdivision development; they are single family dwellings that are connected to a series of cul-de-sac roads along with access to local and collector roadways.

Land Use Guidelines

Rural Activities

There are large areas of Franklin County that are undeveloped and will most likely remain undeveloped well into the future. There are many reasons for leaving these areas undeveloped ranging from public service availability to other development constraints. The natural and undeveloped areas provide many important benefits to the residents of the County including water filtration, flood protection, wildlife habitat, recreation and natural beauty. Agriculture is also an important part of the history and economy of Franklin County. Growth in these areas should be closely considered with an awareness of the value of the ecosystem services which they provide. Given that these areas are considered undeveloped, they may be suited for some types of very low intensity development including large lot residential uses, cluster/conservation subdivisions and agriculture. In some cases, these lands may also remain in their natural undeveloped state indefinitely.

Development Guidelines

1. Development in Rural Activities areas that is served by public/private water and private sewer should not exceed 1 unit per 10 acres. Development that is served by public water and public sewer should not exceed 1 unit per 1.5 acres, provided that there is sufficient capacity to serve those units. C
2. Flexibility should be given when special circumstances are presented and where the proposed development will not have an adverse effect on the surrounding uses. Such circumstances may include the division of property for the purpose of building a home for a relative, etc.
3. No new development shall occur where there is not an adequate water supply and water pressure for fire protection services.

4. Emphasis should be placed on clustered/conservation subdivisions to help minimize the need for infrastructure improvements and manage urban sprawl, and preserve natural and cultural features.

5. Developers should incorporate the protection of natural resources, including the floodplain, into the development to create unique neighborhoods while protecting the natural environment. 6. Non-residential uses should be at a size and scale that reflects the rural character of surrounding uses

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:

It appears that no policy 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:

It appears that policy number 5 of these policies is 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:

It appears that no policies 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:

It appears that no policy 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.



It appears that policies 1 and 4 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:

It appears that no policy is 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:

It appears that policy 4 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 Rural Residential Future Lane Use Designation. The “AG” zoning district generally permits the raising of agricultural crops or livestock, forestry and hunting or game preserves. Ancillary services inherent to farming are also permitted (see use table).

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

CONCLUSION

Given the nature of the request, to reduce the capacity for development on 50 acres, the staff finds;

That the existing zoning classification given to the property is less appropriate and that the proposed zoning classification is more appropriate.

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

View of property facing east



View facing north



INSERT FACILITY REVIEWS



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: 1/13/24
 Payment Amt: \$ 200
 Receipt #: 260
 Meeting: _____

APPLICATION FOR ZONE MAP AMENDMENT

MEETING DATE: 3-14-2024 FILING DEADLINE: 2-1-2024

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):
KT Holdings, LLC
2. Mailing Address:
c/o Kenneth Tracy, 6700 US Hwy 127 North
Frankfort, Ky 40601
3. Phone Number:
Home: 502-803-5035 Work: 502-352-2158

SITE INFORMATION

4. General Location of Property: Former Gasser Farm
Hickman Hill Rd Property
5. Subdivision Name: (if applicable) N/A
6. Street Address: 850 Hickman Hill Road
Frankfort, Ky 40601

ZONING INFORMATION

7. Present Zoning of Property: RA
8. Proposed Zoning of Property: Tract C: AG
9. Existing Use of Property: Farming

11/09/00

10. Proposed Use of Property: Tract C: AG

11. Size of Property: Acres: 50.597 Sq. Ft. 2,203,989

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.)

Jan. 23, 2024
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.

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





11/09/00



Overview



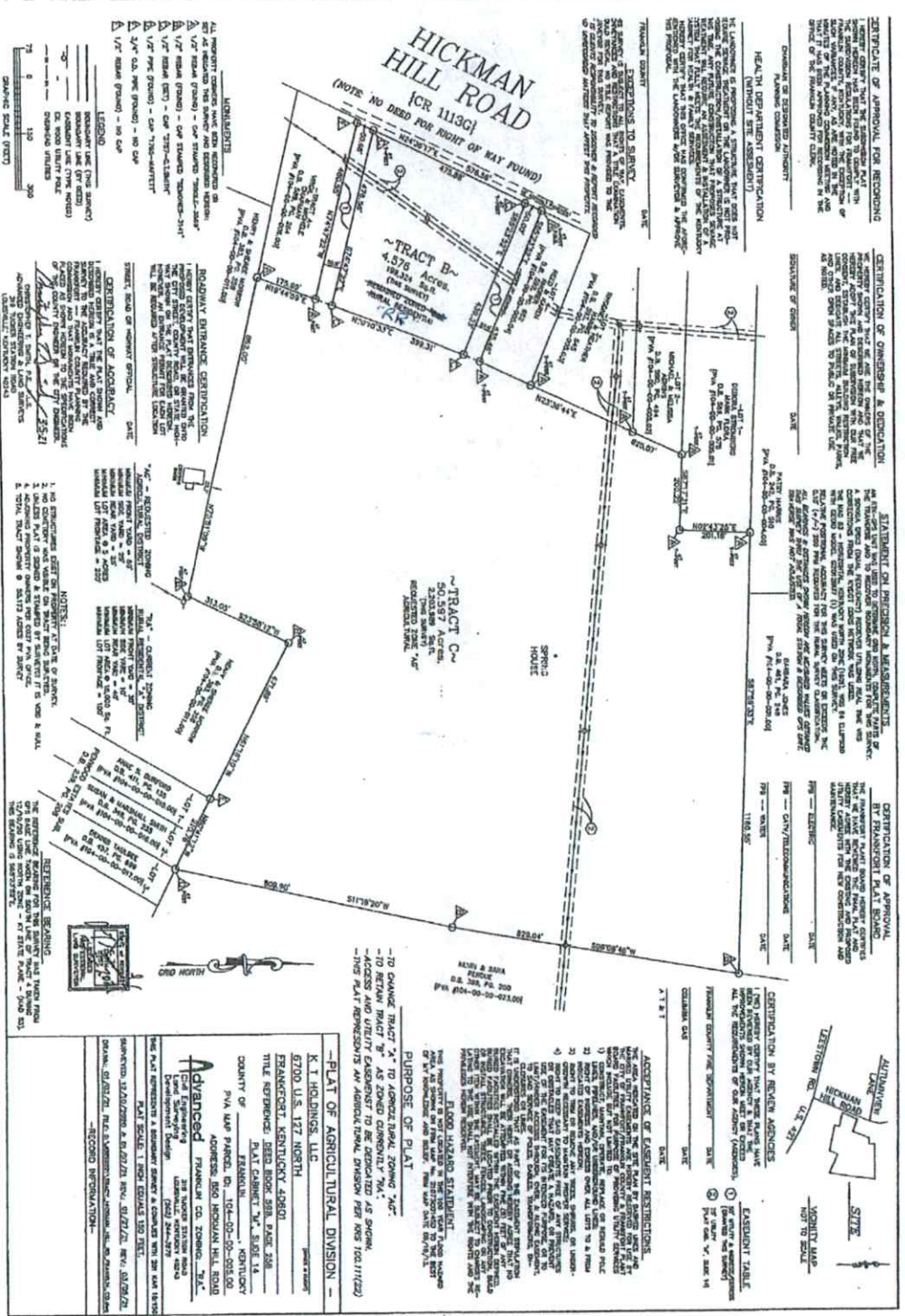
Legend

-  Parcels
-  Roads
- County Outlines**
-  Franklin
-  <all other values>

Parcel ID	104-00-00-005.00	Physical Address	HICKMAN HILL RD 850	Land Value	\$535,000	Last 2 Sales			
Property Class	Farm	Mailing Address	KT HOLDINGS LLC 6700 OWENTON RD	Improvement Value	\$0	Date	4/18/2023	Price	0
Taxing District	County	Address	RD FRANKFORT, KY 40601	Total Value	\$535,000		11/13/2020	\$535,000	
Acres	55.181							Reason	Qual
								Other Arms-Length Transaction	U

Date created: 1/23/2024
 Last Data Uploaded: 1/22/2024 8:43:39 PM

Developed by  Schneider GEOSPATIAL



CERTIFICATE OF APPROVAL FOR RECORDING
 THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, KENTUCKY, HAS REVIEWED THE PLAT AND FINDS THAT THE SAME COMPLY WITH THE REQUIREMENTS OF THE KENTUCKY PLAT ACT AND THE KENTUCKY PLAT ACT REGULATIONS. THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, KENTUCKY, HAS REVIEWED THE PLAT AND FINDS THAT THE SAME COMPLY WITH THE REQUIREMENTS OF THE KENTUCKY PLAT ACT AND THE KENTUCKY PLAT ACT REGULATIONS. THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, KENTUCKY, HAS REVIEWED THE PLAT AND FINDS THAT THE SAME COMPLY WITH THE REQUIREMENTS OF THE KENTUCKY PLAT ACT AND THE KENTUCKY PLAT ACT REGULATIONS.

STATEMENT OF PERSONS & MEASUREMENTS
 THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, KENTUCKY, HAS REVIEWED THE PLAT AND FINDS THAT THE SAME COMPLY WITH THE REQUIREMENTS OF THE KENTUCKY PLAT ACT AND THE KENTUCKY PLAT ACT REGULATIONS. THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, KENTUCKY, HAS REVIEWED THE PLAT AND FINDS THAT THE SAME COMPLY WITH THE REQUIREMENTS OF THE KENTUCKY PLAT ACT AND THE KENTUCKY PLAT ACT REGULATIONS. THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, KENTUCKY, HAS REVIEWED THE PLAT AND FINDS THAT THE SAME COMPLY WITH THE REQUIREMENTS OF THE KENTUCKY PLAT ACT AND THE KENTUCKY PLAT ACT REGULATIONS.

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CERTIFICATION BY REVIEW AGENTS
 THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, KENTUCKY, HAS REVIEWED THE PLAT AND FINDS THAT THE SAME COMPLY WITH THE REQUIREMENTS OF THE KENTUCKY PLAT ACT AND THE KENTUCKY PLAT ACT REGULATIONS. THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, KENTUCKY, HAS REVIEWED THE PLAT AND FINDS THAT THE SAME COMPLY WITH THE REQUIREMENTS OF THE KENTUCKY PLAT ACT AND THE KENTUCKY PLAT ACT REGULATIONS.



ACCEPTANCE OF EASEMENT RESTRICTIONS
 THE APPLICANT HAS REVIEWED THE PLAT AND FINDS THAT THE SAME COMPLY WITH THE REQUIREMENTS OF THE KENTUCKY PLAT ACT AND THE KENTUCKY PLAT ACT REGULATIONS. THE APPLICANT HAS REVIEWED THE PLAT AND FINDS THAT THE SAME COMPLY WITH THE REQUIREMENTS OF THE KENTUCKY PLAT ACT AND THE KENTUCKY PLAT ACT REGULATIONS. THE APPLICANT HAS REVIEWED THE PLAT AND FINDS THAT THE SAME COMPLY WITH THE REQUIREMENTS OF THE KENTUCKY PLAT ACT AND THE KENTUCKY PLAT ACT REGULATIONS.

PLAT OF AGRICULTURAL DIVISION
 K.T. HOLDINGS, LLC
 6700 U.S. 127 NORTH
 FRANKFORT, KENTUCKY 40601
 TITLE REFERENCE: DEED BOOK 598, PAGE 288
 PLAT CABINET: "A", SHEET 14
 COUNTY OF: FRANKLIN, KENTUCKY
 PVA MAP NUMBER: 01-104-00-00-00-00
 ADDRESS: 850 HICKMAN HILL ROAD
 ADVANCED EQUIPMENT DESIGN
 2025 2nd Street
 FRANKFORT, KY 40601
 (502) 224-2777

MONUMENTS
 ALL MONUMENTS SHOWN HAVE BEEN RECORDED WITH THE COUNTY CLERK'S OFFICE. MONUMENTS NOT SHOWN ARE NOT TO BE CONSIDERED AS PART OF THIS PLAT. MONUMENTS NOT SHOWN ARE NOT TO BE CONSIDERED AS PART OF THIS PLAT. MONUMENTS NOT SHOWN ARE NOT TO BE CONSIDERED AS PART OF THIS PLAT.

ROADWAY DISTANCE CERTIFICATION
 THE DISTANCES SHOWN ON THIS PLAT ARE BASED ON THE DISTANCES MEASURED ON THE GROUND. THE DISTANCES SHOWN ON THIS PLAT ARE BASED ON THE DISTANCES MEASURED ON THE GROUND. THE DISTANCES SHOWN ON THIS PLAT ARE BASED ON THE DISTANCES MEASURED ON THE GROUND.

CERTIFICATION OF APPROVAL
 THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, KENTUCKY, HAS REVIEWED THE PLAT AND FINDS THAT THE SAME COMPLY WITH THE REQUIREMENTS OF THE KENTUCKY PLAT ACT AND THE KENTUCKY PLAT ACT REGULATIONS. THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, KENTUCKY, HAS REVIEWED THE PLAT AND FINDS THAT THE SAME COMPLY WITH THE REQUIREMENTS OF THE KENTUCKY PLAT ACT AND THE KENTUCKY PLAT ACT REGULATIONS.

NOTES
 1. NO ENCUMBRANCES EXIST ON THIS PLAT.
 2. ALL MONUMENTS SHOWN HAVE BEEN RECORDED WITH THE COUNTY CLERK'S OFFICE.
 3. THE DISTANCES SHOWN ON THIS PLAT ARE BASED ON THE DISTANCES MEASURED ON THE GROUND.

REFERENCE EASING
 THE DISTANCES SHOWN ON THIS PLAT ARE BASED ON THE DISTANCES MEASURED ON THE GROUND. THE DISTANCES SHOWN ON THIS PLAT ARE BASED ON THE DISTANCES MEASURED ON THE GROUND. THE DISTANCES SHOWN ON THIS PLAT ARE BASED ON THE DISTANCES MEASURED ON THE GROUND.


GRAPHIC SCALE (FEET)
 0 100 200 300

PROPOSED STATEMENT OF FACT

The existing zone classification for the property is inappropriate. Specifically, the property has been used for agricultural purposes. The Applicant does not wish to develop the property as a rural subdivision and the Applicant wishes to return the zone designation to its original zone designation of agricultural with lesser intrusive uses than a rural subdivision.

Dated: Jan. 22nd, 2024.

KT HOLDINGS, LLC


By: Kenneth Tracy, Member

ParcelID	Acres	ParcelClass	TaxoDistrict	HouseNum	PropertyAddress	LegalDesc	OwnerAddress1	OwnerAddress2	OwnerAddress3	Assess Book	Page	RefNum
104-00-00-005.03	2.318	Residential	County	0	HICKMAN HILL RD	LOT 3 2.318 ACRES	HARRIS RHODNEY & HEATHER	100 SUMMERTREE DR	NICHOLASVILLE, KY 40336	75000 593	545	593-545
104-00-00-001.00	214.891	Farm	County	0	HICKMAN HILL RD		JONES BARBARA M	968 HICKMAN HILL RD	FRANKFORT, KY 40601-	45000 461	248	461-248
095-30-10-004.00	0.0	Residential	County	837	HICKMAN HILL RD 837	SPRINGHILL EST 1 LOT 24	GUFFEY TERRY LYLE & DIANA LEE G	837 HICKMAN HILL RD	FRANKFORT, KY 40601-	22400 455	430	495-430
095-40-03-012.00	0.0	Residential	County	816	HICKMAN HILL RD 816	SPRINGHILL EST 1 LOT 19	PERRY ASHLEY NICOLE	816 HICKMAN HILL RD	FRANKFORT, KY 40601	27490 606	380	606-380
104-00-00-006.00	0.0	Residential	County	816	HICKMAN HILL RD 816		CHAPMAN VIRGIL & MICHELE	816 HICKMAN HILL RD	FRANKFORT, KY 40601	20325 589	264	589-264
104-00-00-015.00	0.0	Residential	County	2676	LEESTOWN RD 2676	PENWOOD EST LOT 1	BURFORD ANNE S	2676 US HWY 421	MIDWAY, KY 40347	13300 411	135	411-135
104-00-00-004.00	0.0	Residential	County	994	HICKMAN HILL RD 930 & 934		HARRIS PATSY J ESTATE	954 HICKMAN HILL RD	FRANKFORT, KY 40601	16300 242	510	242-510
104-00-00-011.00	19.4	Farm	County	2600	LEESTOWN RD 2600		MORROW HENRY & SHEREE	5175 HWY 22 EAST	OWENTON, KY 40359	92800 383	358	383-358
104-00-00-005.00	55.181	Farm	County	850	HICKMAN HILL RD 850	55.181 ACRES	KT HOLDINGS LLC	6700 OWENTON RD	FRANKFORT, KY 40601	53500 620	056	620-056
095-30-10-006.00	0.0	Residential	County	829	HICKMAN HILL RD 829	SPRINGHILL EST 1 LOT 22	COYLE RONALD L & SUSAN A	829 HICKMAN HILL RD	FRANKFORT, KY 40601	23500 586	672	586-672
095-30-10-007.00	0.0	Residential	County	825	HICKMAN HILL RD 825	SPRINGHILL EST 1 LOT 21	CONWAY BRYAN THOMAS	825 HICKMAN HILL	FRANKFORT, KY 40601	14000 611	132	611-132
095-30-10-008.00	0.0	Residential	County	821	HICKMAN HILL RD 821	SPRINGHILL EST 1 LOT 20	STARCHER BRENDA	821 HICKMAN HILL RD	FRANKFORT, KY 40601	24800 611	132	611-132
104-00-00-005.01	3.0	Residential	County	854	HICKMAN HILL RD 854	LOT 1 3.0 ACRES	FLORA MARK & DEBORA STROMBERG	854 HICKMAN HILL RD	FRANKFORT, KY 40601	26550 589	575	589-575
104-00-00-023.00	104.406	Farm	County	2830	LEESTOWN RD 2822 & 2830	PT TRACT 6	PERRUE KEVIN D & SARA J	2822 HWY 421 S	MIDWAY, KY 40347	67100 398	200	398-200
104-00-00-005.04	1.533	Residential	County	0	HICKMAN HILL RD	LOT 4 1.533 ACRES	PERRY DARRELL & CHRISTINE SULLIVAN	302 MALLARD DR	FRANKFORT, KY 40601	75000 617	597	617-597
095-30-10-005.00	0.0	Residential	County	833	HICKMAN HILL RD 833	SPRINGHILL EST 1 LOT 23	JEWELL TONY R	833 HICKMAN HILL RD	FRANKFORT, KY 40601	13000 297	117	297-117
104-00-00-005.02	1.571	Residential	County	842	HICKMAN HILL RD 842	TRACT 2 1.571 ACRES	ADKINS MICHAEL & MELISSA F	842 HICKMAN HILL RD	FRANKFORT, KY 40601	35950 590	494	590-494
104-00-00-016.00	0.0	Residential	County	2696	LEESTOWN RD 2696	PENWOOD EST LOT 2	SMITH SUSAN HILL & MARSHALL R	2696 U S HWY 421	MIDWAY, KY 40347	12200 348	235	348-235

Agricultural Zoning "AG"
TRACT "C"
50.697 ACRES
Hickman Hill Road

Being a tract of land located approximately 775 feet North of U.S. 421 (a.k.a. Leestown Road) and on the East side of Hickman Hill Road (CR 1113C) in Franklin County, Kentucky and more particularly described as follows:

Beginning at a ½ inch rebar (found) @ metal T-post with cap stamped "Sihole-3869", in the Eastern Right-Of-Way of Hickman Hill Road (no deed recovered) at approximately 25 feet from the centerline of a 18 ft. asphalt roadway (as constructed), said rebar being the Southwestern corner of Lot #4 (Plat Cabinet "M", Slide 14) recorded in D.B. 692, Pg. 052 (Reed & Karen Khoror) and also being in the Western Line of "Residual Lands" (Plat Cabinet "M", Slide 14) recorded in D.B. 598, Pg. 258 (K. T. Holdings, LLC) to be known hereafter as Tract "C";

- Thence leaving the Right-Of-Way of Hickman Hill Road and with the Southern line of Lot #4, South 65 degrees, 23 minutes, 52 seconds East, 435.46 feet to a ½ inch rebar (found) @ metal T-post with cap stamped "Sihole-3869", said rebar being the Southeastern Corner of Lot #4, aforementioned;
- Thence with the Western line of the Tract "C" and with the Eastern lines of Lot #4, Lot #3 as recorded in D.B. 593, Pg. 645 (Rhodany & Heather Harris), & Lot #2 as recorded in D.B. 690, Pg. 494 (Michael & Melissa Adkins) North 23 degrees, 36 minutes, 44 seconds East, passing a ½ inch rebar (found) with cap stamped "Sihole-3869" at 157.49 feet and also another ½ inch rebar (found) with cap stamped "Sihole-3869" at 473.09 feet, a total distance of 625.07 feet to a ½ inch rebar (found) with cap stamped "Sihole-3869" at metal T-post, said rebar being the Northeastern corner to Lot #2 and also in the Southern line of Lot #1 recorded in D.B. 589, Pg. 576 (Debra Strouberg & Mark Flury) - Lot #2, #3, & #4 shown on (Plat Cabinet "M", Slide 14);
- Thence with Lot #1 and continuing in the Western Line of Tract "C" for the following two calls & distances:
 - South 87 degrees, 17 minutes, 31 seconds East, 200.22 feet to a ½ inch rebar (found) with cap stamped "Sihole-3869" @ metal T-post,
 - North 02 degrees, 43 minutes, 25 seconds East, 201.19 feet to a ½ inch rebar (found) with cap stamped "Sihole-3869" in the Southern line of D.B. 242, Pg. 510 (Patsy Harris) and also being the Northwestern corner of Tract "C";
- Thence continuing with the Northern Line of Tract "C" and with the Southern lines of Harris & the line of D.B. 461, Pg. 248 (Barbara Jones), South 87 degrees, 50 minutes, 33 seconds East, 1189.55 feet to a ½ inch rebar (found) with cap stamped "Semones-3141", said rebar being the Northeastern corner to Tract "C", the Southeastern corner to Jones and in the Western line of D.B. 398, Pg. 200 (Kevin & Sara Purdue);
- Thence leaving Jones and continuing with the Western line of Purdue and being the Eastern Line of Tract "C" for the following two calls & distances:
 - South 08 degrees, 08 minutes, 46 seconds West, 829.04 feet to a ½ inch rebar (found) with cap stamped "Semones-3141",
 - South 11 degrees, 19 minutes, 20 seconds West, 909.90 feet to a ½" pipe (found) with cap stamped "Maffett-1766" at base of wood corner post, said pipe being the Southeastern corner of Purdue, being in the Northern line of Penwood Estates Subdivision recorded in D.B. 239, Pg. 208, and also being the Southeastern corner to Tract "C";
- Thence leaving Purdue and continuing with the Northern line of Penwood Estates Subdivision & the Southern Line of Tract "C", North 60 degrees, 41 minutes, 12 seconds West to a ½ inch pipe (found) with no cap, passing a ½ inch rebar (found) with cap stamped "Semones-3141" @ 0.78 feet a total distance of 210.76 feet, said pipe being the Northwestern corner of Lot #1 recorded in D.B. 411, Pg. 186 (Anne Burford) and also being the Northeastern corner of D.B. 353, Pg. 358 (Henry & Sheree Morrow);
- Thence continuing with the Northern line of Morrow and the Southern line of Tract "C" for the following three calls & distances:
 - North 60 degrees, 18 minutes, 10 seconds West, 471.89 feet to a ½ inch rebar (found) with cap stamped "Semones-3141" at base of wood corner post,
 - South 23 degrees, 53 minutes, 12 seconds West, 313.05 feet (Note no bearing nor distance given to this line for "Residual Lands" recorded in Plat Cabinet "M", Slide 14) to a ½ inch rebar (found) with cap stamped "Semones-3141" at base of wood corner post,
 - North 76 degrees, 51 minutes, 09 seconds West, 862.00 feet to a ½ inch rebar (found) with cap stamped "Sihole-3869", said rebar being the Southeastern corner to Tract "A" recorded in D.B. 589, Pg. 264 (Virgil & Michele Chapman);
- Thence leaving Morrow and continuing with Tract "A" & the Southern line of Tract "C" for the next two calls & distances:

- North 19 degrees, 44 minutes, 59 seconds East, 175.99 feet to a ½ inch rebar (found) with cap stamped "Sibole-3869" at base of new corner fence post,
- North 74 degrees, 47 minutes, 22 seconds West, passing a ½ inch rebar (found) @ 249.55 feet, a total distance of 480.65 feet to a ½ inch rebar (found) with no cap, said rebar being South 75 degrees, 28 minutes, 17 seconds East, 9.92 feet from a ½ inch rebar (found) with cap stamped "1734", rebar being in the Right-Of-Way of Hickman Hill Road and the Southwestern corner of Tract "C" and being a portion of the "Residual Lands" (Plat Cabinet "M", Slide 14) recorded in D.B. 698, Pg. 256 (K. T. Holdings, LLC) aforementioned;
- Thence leaving Tract "A" and with the Right Of Way of Hickman Hill Road, North 24 degrees, 36 minutes, 17 seconds East, 50.68 feet to a new division corner being a ½ inch rebar (set), said rebar being the Southwestern corner of Tract "B" having a Zoning of "RA" (Rural Residential "A" District);
- Thence leaving the Right-Of-Way of Hickman Hill Road, severing Tract "B" from the "Residual Lands" (shown on Plat Cabinet "M", Slide 14), and with the Western line of Tract "C" the following three calls & distances:
 - South 74 degrees, 47 minutes, 22 seconds East, 476.56 feet to a ½ inch rebar (set),
 - North 20 degrees, 10 minutes, 33 seconds East, 399.31 feet to a ½ inch rebar (set),
 - North 65 degrees, 23 minutes, 52 seconds West, 439.33 feet to a ½ inch rebar (set), said rebar being in the Eastern Right-Of-Way of Hickman Hill Road, also being the Northwestern corner of Tract "B", and in the Western line of Tract "C";
- Thence leaving Tract "B" and continuing with the Eastern Right-Of-Way Hickman Hill Road and the Western line of Tract "C", North 24 degrees, 36 minutes, 17 seconds East, 69.00 feet to the Point of Beginning (P.O.B.).

Containing 60.597 Acres by survey performed by Christopher T. Smith, PLS #3767 on December 10, 2020 and shown as Tract "C" on attached Plat of Agricultural Division.

Any reference to a ½ inch rebar (set) consists of a ½ inch diameter steel rebar, 18 inches in length with a yellow plastic cap stamped "C. T. Smith-3767" set this survey.

This boundary survey is subject to all rights of way, easements, conveyances, and restrictions that a title examination would reveal. No title report was provided to Surveyor for this survey.

The title reference for Tract "C" being Deed Book 698, Page 258 conveyed to KT Holdings, LLC on November 13, 2020 and being a portion of "Residual Lands" shown on Plat Cabinet "M", Slide 14, both instruments being recorded in the Office of the Clerk in Franklin County, Kentucky.

Description Prepared By:
 Christopher T. Smith, P.E., PLS
 Advanced Engineering & Land Surveys, LLC (502-244-3876)
 319 Tucker Station Road
 Louisville, Kentucky 40243



Linden,
FPB Telecom has no objections to 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

Thanks for the clarification. I have no concerns with the application.

Brad



Brad Johnson, PE
PLANNING PRINCIPAL-IN-CHARGE
101 Helm Street, Suite 170
Lexington, KY 40505
P: (502) 695-9800 ext. 1183
C: (859) 797-9658
www.hmbpe.com

Columbia Gas has no issue with the zone change.

Autumn Dmytrewycz
Team Fishel contractor
Land Services Division
Columbia Gas of Kentucky, Inc.
2001 Mercer Road
Lexington, KY 40511
Cell: 859-361-1589
Email: agdmytrewycz@teamfishel.com
Email: admytrewycz@nisource.com

Mr. Smith,

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

CAPITAL OF KENTUCKY

February 22, 2024

Linden Smith
Bluegrass Area Development District
lsmith@bgadd.org

RE: PVA Parcel 104-00-00-005.00
Zone Change

Dear Linden,

The Frankfort Sewer Department does not provide sanitary sewer service to the property owned by KT Holdings, LLC, identified as PVA Parcel 104-00-00-005.00.

If you need additional information, please contact this office.

Sincerely,
Frankfort Sewer Department



Michael Hesse,
Design Engineer

CC: Kenny Hogsten, FSD
Robert Barker, FSD

315 W Second Street, Frankfort KY 40602
502-875-8500
www.frankfort.ky.gov

EQUAL OPPORTUNITY EMPLOYER
EQUAL HOUSING OPPORTUNITY



Layne Wilkerson, Mayor

Kelly May, Commissioner
Katrisha Waldrige, Commissioner
Leesa Unger, Commissioner
Kyle Thompson, Commissioner

