

ON THURSDAY, SEPTEMBER 12, 2019, THE VERSAILLES-MIDWAY-WOODFORD COUNTY PLANNING AND ZONING COMMISSION HELD THEIR SCHEDULED MEETING AT 6:30 PM IN THE 2ND FLOOR OF THE WOODFORD COUNTY COURTHOUSE.

Chairman Wells called the meeting to order at 6:30 p.m.

Members Present: Randal Bohannon, Rich Schein, Ed McClees, Patty Perry, Chad Wells, Jeri Hartley, Chantel Bingham, Tim Parrott, Barry Drury.

Minutes: Motion was made by Mrs. Bingham, as seconded by Mr. McClees to approve the August 8, 2019 minutes, as submitted. Motion carried with nine (9) aye votes.

PUBLIC HEARING - Zoning Map Amendment & Preliminary Development Plan/Preliminary Subdivision Plat – Grandview – 2579 Cummins Ferry Rd – 1.193 Acres - A-1 to A-4 District

Chairman Wells opened the hearing and called upon Pattie Wilson, Planning Director for comments. Mrs. Wilson entered the following exhibits into the record:

- A. Zone Change Application
- B. Preliminary Development Plan
- C. TRC Agenda – August 13, 2019
- D. Letter to Engineer of TRC Deficiencies –August 13, 2019
- E. Notice to Woodford Sun – April 26, 201
- F. Copies of Notification Letters to Neighbors – April 26, 2019
- G. Photograph of Zone Change Signs (2)
- H. Staff Report
- I. Letters from South Woodford Water District and Engineer
- J. Draft of Deed Restrictions
- K. Commission Agenda – September 12, 2019

Mrs. Wilson summarized the staff report. The owner is requesting a change in zoning of 1.001 gross acres and 0.192 gross acres from A-1 (Agricultural) to A-4 (Small Community) in order to have the storm water detention area and street proposed to serve 13 lots to all lie within the A-4 zone. In 2006 the previous owner of this property had 63.9 acres and requested a zone change from A-1 to A-4 on 33 acres for 13 lots; the property fell within the Nonesuch Small Community District. The Planning Commission recommended denial of the request to the Fiscal Court. The Fiscal Court did not agree with the recommendation and approved the zone change to A-4. An adjoining property owner filed an appeal in the Woodford Circuit Court. In December of 2010 the Circuit Court affirmed the rezoning to A-4. The remaining matter associated with this rezoning was regarding the Open Space requirement for subdivisions. The Fiscal Court addressed approving a waiver on this but it was determined that they did not have the authority to do so, it was the Commission who had to address that. This waiver is being sought in conjunction with this preliminary subdivision plat. (Attachment #3) Mrs. Wilson noted that currently the property is vacant agricultural land. It has no existing structures on it. Mrs. Wilson provided the Commission with the existing and current use and zoning. The purpose of this zone change request is to change two parcels of land totaling 1.193 gross acres from A-1 to A-4 so that all of the proposed storm

water detention basin and street can be located within the A-4 zoned area. This is in addition to the previously zoned 33 acres of A-4 land where 13 lots will be located. A Preliminary Development Plan and Preliminary Subdivision Plat show the areas being rezoned as well as the layout and infrastructure for the 13 single family residential lots and open space. (Attachment #4) Mrs. Wilson provided the surrounding zoning and land uses and noted that to the west it was A-4. Mrs. Wilson noted the appropriate Goals and Objectives from the 2018 Comprehensive Plan. Mrs. Wilson explained that the property is located on Cummins Ferry Road and is accessed by an existing driveway (Firegate #30). This location was approved by the Woodford County Road Department for access to the 13 tracts being created; all of the lots will share a common access point. Mrs. Wilson noted that public water was approved through South Woodford Water District and individual Site Evaluations have been approved by the Woodford County Health Department. Fire protection was provided by the Woodford County Fire Department from the Nonesuch Fire Station #3. Police protection was provided by the Versailles Police Department for countywide service. Mrs. Wilson noted that there was an open space matter that needed to be considered and she provided the wording for the open space and it states that the open space area shall have at least sixty (60%) percent of its perimeter abutting a public street edge. Mrs. Wilson noted that was in conflict with the A-4 zone because new public streets are not allowed in the A-4 zone; you have to utilize existing public streets. The plan designates 2.028 acres as Open Space (6.13%) but it has no public road frontage. It is located behind Lots 6 – 13, surrounds an existing pond, and has a 15 foot wide access easement to provide a means to access it by all 13 lots. Mrs. Wilson noted that in the Subdivision Regulations, Article VI, Section B-1, denotes that storm water basins have to be on separate lots, not on the lots where there are residential homes. It appeared that the proposed zone change is in agreement with the 2018 Plan Update because of the previously noted areas of the 2018 Plan with regard to Goals and Objectives, and Policies and Guidelines; the property is in the Rural Service Area; the property lies within the 1 mile planning radius for the Small Community of Nonesuch; the site is not in the Agricultural/Equine Preservation Area of the county; the Woodford County Health Department preliminarily approved individual onsite sewage disposal systems; South Woodford Water District verified public water is available with adequate pressure; and, access to the property has been approved by the Woodford County Road Department. This change of 1.193 acres will enable the owner to contain all proposed infrastructure needed to serve the existing A-4 zoned area. The applicant's reasons and findings were attached hereto as Attachment #5 and Attachment #6. Mrs. Wilson provided the Commission with the Zone Change criteria in KRS 100.213.

Mr. Drury asked for clarification on the access to Cummins Ferry Road. Mrs. Wilson noted that there would be one private road that would lead into the subdivision with two cul-de-sacs. Mr. Drury also asked for clarification regarding meeting the 4% open space having road frontage. Mrs. Wilson noted that the open space area was supposed to have 60% of its frontage on a public street and there was no way to obtain that because the Small Community District prohibits that; you have to build all lots on existing public roads. Mrs. Wilson noted that in the Small Community Zone each lot has to have 150 feet of frontage for each lot and each lot has to be at least an acre and that can't be created by building a new road. Mrs. Wilson noted that the Commission had approved several of these developments in the past. Chairman Wells asked if there were any further questions for Mrs. Wilson. Mr. Schein asked for clarification of the remaining 14 acres in the A-1 Zone, an illegal non-conforming tract; where did the 14

acres come from? Mrs. Wilson noted that shown on Exhibit 1, the land outside of the Small Community Zone was less than 30 acres, making the parcel non-conforming. The owner was aware of that and will be transferring it to a contiguous piece of land.

Chairman Wells called upon the applicant or a representative.

William Moore, attorney representing Bob Radtke, was present. Mr. Moore noted that he was present on behalf of Mr. Radtke who purchased the property after the previous Zone Change proceedings had been completed and appeals through the court system which affirmed the rezoning of the property to A-4, Small Community Development. Mr. Moore noted that Mr. Radtke had decided to move forward in developing the subdivision and had hired an engineer to review what had previously been done; to look where the lots were and the detention basin, to see what needed to be done. As the engineer was drawing the plans, he noticed that where the road was intended to be located; if it could be moved a little, then it would lay better with the land and the features of the property and the best area for the drainage of the property would be the swale that was shown. Mr. Moore noted that this zone change was for storm water retention and not changing any of the lots and to better lay out the road. This will be maintained by the homeowners association and has to be on a separate lot under the regulations and that was the request. Mr. Moore noted that the other request was the waiver for the open space requirement because it was impossible to put 60% of the open space on the existing public road; they have to be able to build new public roads to bound the open space requirements more than 50%. Mr. Moore requested that the Commission approve the waiver and the zone change requests.

Chairman Wells opened the floor for public comments and noted that comments would be limited to five minutes.

Christina Orr of Cummins Ferry Road distributed photos and noted that she was speaking on behalf of the four families that live directly across the street from the proposed detention basin. Mrs. Orr noted that they were not disputing the detention basin and agree that the proposal was the most natural way for the water to flow. Mrs. Orr gave a description of the photos she brought to the meeting (Exhibit 2) and how the water would flow down the hill into several ponds and lake across the road and through culverts. They were concerned about the initial building of the basin and that everything on that property runs off across the road onto their properties and did anyone know how much 13 lots would cause increase in run off. She questioned if the proposed retention pond would be able to stop the water from washing out their driveway and then washing out through the natural spring and down into the lake. Mrs. Orr asked who will maintain the basin after homes are built and will the homeowners know how the people across the road will be greatly impacted by the run off and that the new homeowners will be ultimately responsible for the retention pond. Mrs. Orr asked if the retention pond was not being taken care of then who would that be reported too; who makes sure that the basin continues to function and stays maintained through the life of the community and also with them living there. Mrs. Orr was concerned about water quality with placing thirteen septic tanks on the hill and all the water will run off, new roads, driveways and all runs into a natural spring on her property and then to Mr. White's property. Mrs. Orr

noted that a poorly planned, poorly built and poorly managed retention pond would be catastrophic for those on the other side of the road.

Jack White of Cummins Ferry Road noted that he lives downhill from the entire development and everything that runs downhill will end up in his pond. The entire proposed development is on a rocky hillside and everything that comes out of there will be in the ground water. When it leaves his property it will end up in Clear Creek and then the Kentucky River. He noted that he was concerned about the thirteen properties, the septic systems, fertilizer and other things that will get in his pond and will make it difficult to maintain water quality in the pond.

Lenny Shulman of Cummins Ferry Road noted that he was also downhill from the development and noted that Planning and Zoning was correct in denying the Zone Change originally before it was overturned and that this is a vertical property and was unsuited for the amount of development that was proposed and as far as the historic community of Nonesuch goes, if the purpose of the Comprehensive Plan is to destroy a historic community that's been rural for a hundred years, then this would accomplish that. Mr. Shulman noted that this should not be approved and shouldn't have been approved 8-10 years ago when the Planning Commission was overturned and this is destroying the rural nature and community of the people of Nonesuch. This was unwanted by everybody except for one person.

Chairman Wells closed the public comment portion and asked if any Commissioners had questions for the representative of the property owner. Mr. Schein asked Mrs. Wilson for clarification of the location of the proposed retention pond. Mrs. Wilson stated that it was the shaded area on the proposed Development Plan/Preliminary Subdivision Plat; labeled as drainage easement. Mr. Moore asked Mrs. Wilson to describe how the natural flow of the water would be based on the topography. Mrs. Wilson noted that's what Mrs. Orr was describing with the photographs. It's a swale now that goes down to the pipe that Mrs. Orr was referring too and they would build a dam in front of that and the amount of water that is currently generated on the site would continue to be allowed to pass through and engineer the size of pipes to let the current rate of runoff be the same and would detain any excess runoff; it would back up that water and store it on the property. All of that detail and drainage calculations will be reviewed when construction plans are submitted for the subdivision at the Technical Review Committee meeting by the County's consulting engineer and they will make sure that she is satisfied by the County and make sure they have enough volume and that the pipes are sized to manage those types of structures. Mr. Bohannon questioned who will maintain the detention basin. Mrs. Wilson noted that will be setup in restrictive covenants and those will have to be recorded before the Plat can be recorded. Mr. Schein asked if the property contained pasture land and is not tree covered. Mrs. Wilson stated that was correct. Mr. Schein asked if there was a requirement that the plan account for drainage/engineering survey at this point. Mrs. Wilson stated that the proposed location for the detention basin was the engineer's recommendation. Mr. Schein was concerned that Lot 5 would not drain into the basin and wasn't sure where it would go. Mrs. Wilson noted that information would come with the Construction Plans and they have done a preliminary drainage analysis that the County's consultant did review and that was the limit that is required at this Preliminary Plat stage. Mr. Schein asked Mr. Moore how many conversations have been had with the homeowners explaining the drainage pattern and what will be going on in the

subdivision. Mr. Moore noted that he didn't know if any conversations had occurred. Chairman Wells asked Mrs. Wilson, procedurally, that in 2006 there was a recommendation of denial that the Fiscal Court overturned but there are modifications so it comes back to the Planning Commission. Mrs. Wilson stated that in November of 2018, Mr. Moore wrote a letter asking Mrs. Wilson to place the open space waiver on the Commission's docket and she told him that it had been too long and the Subdivision Regulations had been amended and things had changed and would need to submit the request to the Technical Review Committee. At that time they had switched surveyors and hired Andy Layson and he did a more detailed study because he was an engineer. To meet the Subdivision Regulations, he also submitted a Preliminary Subdivision Plat with the Development Plan. Mr. Drury asked for clarification on the recommendation of the zone change and waiver. Jacob Walbourn, Planning Commission Attorney, stated that the Commission can take action on the Zone Change (drainage) before action on the waiver, because they are entirely two separate issues. Mrs. Wilson stated that the Zone Change was a recommendation to the Fiscal Court and action on the Preliminary Plat is separate and can be approved contingent upon the rezoning or can wait until the Court's decision comes back and then place it back on the Commissions agenda. Mr. Walbourn gave a summary of the previous Zone Change and noted that the Fiscal Court cannot grant waivers.

Chairman Wells asked if any Commissioner was prepared to take action.

Motion was made by Mr. Parrott, as seconded by Mr. McClees to close the public hearing and table the decision on the Zoning Map Amendment & Preliminary Development Plan/Preliminary Subdivision Plat – Grandview – 2579 Cummins Ferry Rd – 1.193 Acres - A-1 to A-4 District, until the following Commission meeting. Motion carried with six (6) aye votes (Wells, Perry, Bingham, Parrott, McClees, Hartley) and three (3) nay votes (Bohannon, Drury, Schein).

PUBLIC HEARING - Zoning Map Amendment & Amended Final Record Plat – Curry's Place View – 1011 Curry Place Drive – 1.435 Acres - RR to Residual Farmland District and 1.435 Acres - Residual Farmland to RR District

Chairman Wells opened the hearing and called upon Mrs. Wilson for comments. Mrs. Wilson entered the following exhibits into the record:

- L. Zone Change Application
- M. Amended Final Record Plat
- N. TRC Agenda – August 13, 2019
- O. Letter to Engineer of TRC Deficiencies – August 13, 2019
- P. Notice to Woodford Sun – April 26, 201
- Q. Copies of Notification Letters to Neighbors – April 26, 2019
- R. Photograph of Zone Change Sign
- S. Staff Report
- T. Site Evaluation from Health Dept
- U. Landscape Plan by L Senn
- V. Commission Agenda – September 12, 2019

Mrs. Wilson summarized her staff report and noted that the applicant was exchanging parcels for the same amount of acreage. This property was rezoned to Rural Residential in September 2000. The owner/applicant purchased the vacant Rural Residential lot consisting of 1.435 acres and 19.738 acres of Residual Farmland adjacent to it in May of 2017. The total tract is 21.173 acres. There is one barn located on the property in the Residual Farmland area. Mrs. Wilson noted that they were proposing the equal exchange of Rural Residential land with Residual Farmland in order to enable the owner/applicant to build their residence on the lot within a more buildable area, still meeting all of the required zoning setbacks. (Attachments 3 & 4). Mrs. Wilson included the Rural Residential requirements and provided the zoning uses in the area and in the surrounding areas. Mrs. Wilson addressed the components of the Comprehensive Plan and the zone exchange proposed supports the 2018 Plan and the Rural Residential Zoning District, in that the property does not fall within the designated Agricultural/Equine Preserve District; the acreage of the residual farmland is the same; public water is available with adequate pressure from the South Woodford Water District; and fire protection is provided by the Woodford County Fire Department. A site evaluation has been approved by the Health Department for the relocated residential area. The proposed lot is accessed by an existing shared private roadway. It appeared that applicable Guidelines of the Rural District were being met. It appeared that the zone change was in agreement with the 2018 Comprehensive Plan because of the noted areas of the Plan with regard to the Goals and Objectives and Policies and Guidelines and as noted in the staff report. The property is in the Rural Service Area and not in the Agricultural/Equine Preserve District; the acreage of the residual farmland is being maintained; water is existing with adequate pressure; and fire protection is provided by the Woodford County Fire Department; a site evaluation has been approved by the Health Department; the proposed property is accessed by an approved entrance; and, the plan and lot meet the minimum dimensional requirements established by Section 703 of the Zoning Ordinance for Rural Residential. Mrs. Wilson provided the Zone Change Criteria as requirement of KRS 100.213.

Chairman Wells asked if a representative for the applicant wished to speak. Tim Thompson, Engineer for the applicant was present. Mr. Thompson noted that the owner purchased Lot 4 and the residual farmland a couple of years ago and after looking at the location to build their house on Lot 4 they decided that due to the topography of the lot it would be better to change Lot 4 to the top of the hill.

Chairman Wells asked if there were any public comments. Hearing none, Chairman Wells closed the Public Hearing and asked if the Commissioner's had any questions or were prepared to take action.

Motion was made by Mrs. Perry, as seconded by Mr. Bohannon to recommend approval to the Woodford County Fiscal Court the Zoning Map Amendment – Curry's Place View – 1011 Curry Place Drive – 1.435 Acres - RR to Residual Farmland District and 1.435 Acres - Residual Farmland to RR District and approval of the Amended Final Record Plat contingent upon rezoning based on the Findings of Fact provided by the applicants:

The original zone change for this four-lot Rural Residential subdivision was approved in 2000. Nothing has changed that would invalidate the approvals granted at that time. The requested Zone Change is in compliance with the 2018 Comprehensive Plan Update. The property does not lie within the Agricultural/Equine Preservation District. The property has an existing

entrance onto Lillard's Ferry Road. Sewage disposal is by private on-site septic system. Site evaluation have been preliminarily approved by the Woodford County Health Department. The property is served by the South Woodford Water District and water is already on the applicants property. An Amended Final Record Plat was filed with the Planning Commission with the Zone Change application. The plan was reviewed by the Technical Review Committee and all deficiencies were addressed. The Zone Map Amendment application, notification and procedures have been complied with.

Motion carried with nine (9) aye votes.

PUBLIC HEARING - Zoning Map Amendment and Preliminary Development Plan – Homer Michael Freeny, Jr. Trust – 1132 Georgetown Road - 137.743 gross acres - A-1 District to I-1 District

Chairman Wells opened the hearing and called upon Mrs. Wilson for comments. Mrs. Wilson entered the following exhibits into the record:

- W. Zone Change Application
- X. Preliminary Development Plan
- Y. TRC Agenda – August 13, 2019
- Z. Letter to Engineer of TRC Deficiencies –August 13, 2019
- AA. Notice to Woodford Sun – April 26, 201
- BB. Copies of Notification Letters to Neighbors – April 26, 2019
- CC. Photograph of Zone Change Sign
- DD. Staff Report
- EE. Letter from City of Midway on Water & Sewer
- FF. Commission Agenda – September 12, 2019

Mrs. Wilson noted that she had provided the Commissioners with an extensive Zone Change Staff Report and that the Commissioners could refer to it as she summarized it. The applicants are requesting a change in zoning of 137.734 gross acres from A-1 (Agriculture) to I-1 (Light Industrial). The property is located on the east side of Georgetown Road, lying within the Midway City Limits and adjacent to Midway Station within the existing Midway Urban Service Boundary as adopted in the 2018 Versailles-Midway-Woodford County Comprehensive Plan Update; Mrs. Wilson provided a copy of the map as an attachment. Mrs. Wilson provided history of the property in her staff report as well as the existing Zoning Ordinance in regards to Agriculture and uses in the proposed I-1 zone. At this time they did not specify a specific use or user and that is why the Development Plan was general but met the requirement. Mrs. Wilson provided the current zoning and uses of the adjacent/surrounding properties. Mrs. Wilson noted that the Bourbon Barrel Warehouses were to the north and Midway Station was to the south. Mrs. Wilson noted that the property has been annexed into the City Limits of Midway. The Midway Urban Service Boundary includes this property and it is recommended as a Workplace/Employment Land Use District. This District is planned for employment uses. Mrs. Wilson addressed the Transportation, Public Facilities and Natural Resources. Mrs. Wilson noted that it appeared that the proposed zone change is in agreement with the 2018 Plan with regard to the Workplace Land Use District, as well as the Goals and Objectives previously noted. The site is contiguous to Industrial zoned land, within Midway City Limits, and within the

Workplace/Employment District. The I-1 District in Section 718.1 specifically states that “The Comprehensive Plan should be used to determine the appropriate locations for this zone. Consideration should be given to the relationship of this zone to the surrounding land uses and to the adequacy of the street system to serve the anticipated traffic needs.” The proposed zoned area is an extension of an existing I-1 area. Public services appeared to be available and adequate. The applicant provided their reasons for agreement with the 2018 Comprehensive Plan and justification for the Zone Change. Mrs. Wilson provided KRS 100.213, Findings Necessary for Map Amendments, to make a recommendation.

Chairman Wells asked if any Commissioner’s had questions for Mrs. Wilson. Hearing none, Chairman Wells called upon the applicant or their representative.

William Moore, Attorney, representing Michael Freeny and Woodford County Economic Development Authority noted that the Zone Change extension was a natural extension of the Industrial Zoned land, north of Midway Station surrounded by industrially used properties to the south and the property that is occupied by Brown-Forman to the north. The property is within the City of Midway, it’s inside the Urban Service Boundary, and it’s in the Comprehensive Plan as being planned for future industrial use. The EDA was involved because they intend to solicit users for the property. Mr. Moore noted that it would not compete with the Midway Station properties, which have relatively small lots. The plan was to market this property to large industrial users. Mr. Moore noted that he had tendered Findings of Fact and a motion for consideration of recommendation approval of this request. Mr. Schein questioned where the potential road access was from Midway Station. Mr. Moore explained that the access points were off of McKinney Avenue as noted on Exhibit “B”.

Chairman Wells asked if anyone from the public wished to speak.

Steve Ruschell, Attorney for Brown-Forman Corporation was present and noted that they were not in disagreement with the Zone Change and they understand that the land between Midway Station and Woodford Reserve should be zoned Industrial. Mr. Ruschell noted that they want the right neighbors and asked the Commission to place conditions on the zone change recommendation that the use of this land and the future notice be given to his client be put in the record. Mr. Ruschell noted that Midway Station has certain restrictions and will not allow adult entertainment stores. They were mostly concerned about allowing commercial stock yards on the property and would like this restriction placed as a condition. Woodford Reserve would like to be notified when any future Development Plans are submitted. Mrs. Wilson noted that all meeting agendas are published in the Woodford Sun and adjacent property owners are not notified on Development Plans. Mr. Ruschell noted that the executives are not located in Woodford County and it was important to them as to what was going on in front of them. Mr. Ruschell noted that they have already invested 50 million dollars and they currently occupy two storage facilities and two others under construction and will eventually have a total of ten with an investment of 90 million dollars. Mr. Ruschell stated that they are requesting to be given written notice of future Development Plans and that the uses of the property be restricted not to include commercial stockyard or any of the same restrictions that are contained in Midway Station or as follows: adult arcades, massage parlors, adult bookstores, adult cabarets, adult dancing establishments, adult entertainment establishments and sexual entertainment centers. Mr. Ruschell asked that the Commission include those restrictions when they make their recommendation to the Midway City Council. Mr. Bohannon asked Mr. Ruschell what their concern was against the stockyard. Mr. Ruschell noted there was great controversy concerning it

and they are suggesting that they put an end to it forever by placing the restriction in the condition of the rezoning. Mr. Drury noted that this was an agricultural community but they want to do something to stifle agricultural development. Mr. Ruschell noted that there could be another location for that use. Mr. Schein asked what their objection was to the stockyard. Mr. Ruschell noted that he did not know what his client's objection was. Mrs. Wilson noted that all of the uses that Mr. Ruschell noted are not permitted uses in the I-1 zone and would not be allowed and the term used in the Zoning Ordinance is Agricultural Marketing Center and it is a permitted use in the Industrial Zone. Mr. Schein asked Mr. Ruschell if he had raised the concerns with the applicant and he stated that he had. Mr. Ruschell noted that they had three requests and have taken one off the table and noted that the applicant was not amenable to the other two.

Chairman Wells closed the public hearing. Chairman Wells asked if anyone had follow-up questions on the staff report or questions for the applicant. Mr. Drury asked what percentage of the Industrial Park has been sold. John Soper of the EDA noted that they have sold or have under contract, approximately 15 of 37 acres.

Chairman Wells asked if anyone was prepared to take action. Mr. Schein noted that he appreciated Woodford Reserve and appreciated the concern to notify neighbors but was not prepared to make an exception for a Corporation that can afford a subscription to the paper at this time.

Motion was made by Mr. Schein, as seconded by Mr. McClees to recommend approval to the City of Midway the Zoning Map Amendment for – Homer Michael Freeny, Jr. Trust – 1132 Georgetown Road - 137.743 gross acres - A-1 District to I-1 District and approval of the Preliminary Development Plan contingent upon rezoning based on the Findings of Fact provided by the applicants Attorney:

The applicant seeks to rezone 137.734 acres from the A-1 (Agricultural) zone designation to the I-1 (Light Industrial) zone designation. The property is located in the City of Midway on the east side of Georgetown Road and the north of the Midway Station Development. The property was annexed by the City of Midway during the course of these proceedings. The required notice of the public hearing was properly published, the surrounding property owners were properly notified, and the notice of the public hearing was posted on the subject property in the required timely manner, all in compliance with KRS Chapter 100. All other procedural requirements of the Zoning Ordinance have been satisfied. The property lies within the City limits and the Urban Services Boundary of the City of Midway. All public services, including electricity, city water and sewer are immediately available to this site. The property adjoins the I-1 property owned by the City of Midway and occupied by Lakeshore Warehouse East, LLC and is an extension of an existing I-1 area. The property is bordered on the north by a tract owned by the Woodford Fiscal Court and occupied by Brown-Forman Corporation. The proposed zone change is consistent with the 2018 Comprehensive Plan because: A. The property is located within the Workplace Land Use District in the 2018 Comprehensive Plan and the intended use of the subject property is for a large floor-plan user such as a distribution/manufacturing workplace center; B. The proposed zone change will promote the Goal of Industrial Development by increasing the amount of I-1 land available; C. The proposed zone change will promote the Goal of General Land Development because it does not expand the current urban area and promotes centralized development of industrial uses in the City of Midway; D. The proposed zone change supports the Goal of Employment in that it will provide additional workplace opportunities for Woodford Countians seeking employment; and E. The proposed zone change supports the Plan's Policies concerning Area Wide Development; General

Development in the Workplace District; and Infrastructure of the Workplace District. The proposed zone change is consistent with the Section 718.1 of the Zoning Ordinance which provides that the location of industrial uses should be determined by the Comprehensive Plan.

Motion carried with nine (9) aye votes.

FINANCIAL REPORT AND BILLS - August

The report was accepted

MONTHLY BUDGET REPORT - August

The report was accepted

REPORT TO COMMISSION - August

The report was accepted.

COMMUNICATIONS:

Motion was made by Mrs. Hartley, as seconded by Mrs. Bingham to adjourn the meeting at 8:02 p.m. The motion carried with nine (9) aye votes.

Chad Wells, Chairman
CW:ko