

Henderson City-County  
Planning Commission  
June 7, 2016

The Henderson City-County Planning Commission held their regular meeting June 7, 2016 at 6:00 p.m., at the Henderson Municipal Center, 222 First Street, 3rd floor assembly room. Members present: Chairman Herb McKee, Vice-Chair David Williams, Bobbie Jarrett, Dickie Johnson, Gary Gibson, Mac Arnold, David Dixon, Kevin Richard and Penny Hahn, Kevin Herron and Herb Pritchett. Rodney Thomas was absent.

Staff present: Director Brian Bishop, Assistant Director Claudia Wayne, Theresa Curtis, Heather Lauderdale and Chris Raymer.

*(A summary of the minutes from the meeting on June 7, 2016. A recorded audio tape is on file at the Planning Commission Office)*

**MEETING BEGAN AT 6:00PM**

Chairman McKee: We are back in session. The Chair will entertain a motion to go into public hearing.

***MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY KEVIN RICHARD TO GO INTO PUBLIC HEARING.***

***ALL IN FAVOR: AYE***

***OPPOSED: NONE***

Chairman McKee: Item number one on the agenda are the **May 3, 2016 minutes**, if you have had the opportunity to review them, any amendments or questions?

***MOTION WAS MADE BY KEVIN RICHARD, SECONDED BY MAC ARNOLD FOR THE APPROVAL OF THE MAY 3, 2016 MINUTES AS DISTRIBUTED.***

***ALL IN FAVOR: AYE***

***OPPOSED: NONE***

Chairman McKee: Next on the agenda is the **Henderson City-County Planning Commission amended 2016-2017 Fiscal Year Budget**, Mrs. Wayne are you going to lead that conversation?

Claudia Wayne: Yes.

Chairman McKee: Can we hear you?

Claudia Wayne: I hope so, I'll try. I'm sorry for my voice. The County asked all departments to reduce their budgets. They asked the Planning Commission to reduce their budget by six thousand dollars (\$6,000). So we did that and the places that we reduced was personnel \$500; supplies \$500; services we reduced \$3500; and capital outlay we reduced it down, we reduced \$1500 dollars off of that. So we did reduce so that would make \$3000 less that will come from the county and the city.

Chairman McKee: Each.

Claudia Wayne: Each, yes.

Chairman McKee: Any questions for Mrs. Wayne? The Finance Committee met earlier at a quarter to five (4:45p.m.) and discussed the changes to the budget and we are all in concurrence. Ms. Jarrett do you have any comments to make?

Bobbie Jarrett: No.

Chairman McKee: Would you like to offer a motion?

***MOTION WAS MADE BY BOBBIE JARRETT, SECONDED BY DAVID WILLIAMS TO ACCEPT THE HENDERSON CITY-COUNTY PLANNING COMMISSION AMENDED BUDGET FOR 2016-2017 FISCAL YEAR.***

***ALL IN FAVOR: AYE***

***OPPOSED: NONE***

Chairman McKee: Next on the agenda is **Rezoning #1057 with a Narrative Development Plan**, Mr. Bishop, will you lead this conversation?

Brian Bishop: Yes sir.

Chairman McKee: Thank you sir.

Brian Bishop: This is submitted by A.G. Pritchett Family Farm and KYNDLE for the property located in Henderson County adjacent to 6300 Hwy 425 (PIDN #46-19), and containing approximately 408 acres. Applicants are requesting a zoning change from Agricultural (AG) to Heavy Industry (M-2) with a narrative development plan and approval for a minor subdivision in a special flood hazard area.

This is the site in question and they are also requesting approval for subdivision in a special flood hazard area that you will see here. The property will be divided into two (2) parcels and they will both access Hwy 425 from this portion of the property. This property has to be accessed from this point because the state has limited access points on Hwy 425 and if you've seen the property you'll notice that there is already an existing gap in the fence and this is done so that the state can control the access points. As I said, this is for 408 acres which will encompass this portion that you see here and this smaller portion that is south of Hwy 425. This is an existing lot of record and is not part of the

minor subdivision because it already exists and subdivision is not needed for this parcel.

If you do decide to approve this we would like to request that you have two (2) motions. The first motion would be to approve Rezoning #1057 and the second motion would be to approve the subdivision which is titled Parcel 1 & 2 Revision and Revised Lot 1 of the A.G. and Mary Pritchett Subdivision. Staff recommends approval and I will do my best to answer any questions you have at this time.

Chairman McKee: Questions for staff?

David Dixon: What other access is there to this, road access?

Brian Bishop: The property has frontage on Old Corydon Road but I don't think the applicant would want access to that because the road is not conducive to large traffic. We will also address access and traffic patterns when we have the site plans for these parcels which will also come to the Planning Commission for your approval. David does that make; it adjoins Old Corydon Road right here.

David Dixon: And on the other side?

Brian Bishop: It briefly touches Lovers Lane right here.

Chairman McKee: Other questions for staff?

David Williams: Just one. You said parcels one (1) and two (2) and Revised Parcel three (3), is that what you said?

Brian Bishop: That is the name of the plat you will see in your packet and you can see it here on the screen. The title is right here in the lower right hand corner. Commissioner Williams the exact title is Consolidation Plat of Parcels 1 & 2 and Revised Lot 1 of A.G. and Mary Pritchett Subdivision.

David Dixon: Both parcels would be accessed from 425 at the same point, an existing designated access?

Brian Bishop: Yes sir.

David Dixon: Even though one parcel does not touch that area?

Brian Bishop: They will both touch this area; they will most likely have to share an entrance because there is only one access point. It's hard to see on the map but that point is roughly right here, there is spacing in the fence that the state has designated the access point and that was done when Hwy 425 was developed.

Dickie Johnson: The one south of 425 so that can't be used in the same entrance, it has to be two separate entrances?

Brian Bishop: Yes, I believe that is correct.

Dickie Johnson: I think that's what you were asking.

David Dixon: Actually I was, I guess my question was answered when you said they would share access two (2) sites above 425.

Brian Bishop: Commissioner Dixon there is a possibility that these lots would be consolidated down the road, Mrs. Donna Crooks is here from KYNDLE and she could probably address this better than I can. KYNDLE is looking to market this as one of their larger industrial development sites so if the right developer comes in, they may want the entire parcel. I'll probably let Mr. Pritchett and Mrs. Crooks address that.

Chairman McKee: Are you ready to hear from Mrs. Crooks?

David Dixon: Yes please.

Chairman McKee: Will you please state your name and address?

Donna Crooks: Donna Crooks, Vice President of Economic Development for KYNDLE...

Chairman McKee: And your address?

Donna Crooks: Excuse me?

Chairman McKee: Your address.

Donna Crooks: Oh, that was a hard one, we just changed it. 136 Second Street, Henderson, Ky.

Chairman McKee: Do you swear the statements you are about to make are the truth to the best of your knowledge?

Donna Crooks: Yes sir.

Chairman McKee: Please proceed.

Donna Crooks: Thank you. As we are working with clients, we are always asked for the availability of property in the four (4) county region which would be close to the riverport, have access to rail as well as access to I-69. We have had several projects that have wanted larger lots that we have not been able to respond to and we feel like with this being zoned manufacturing that would allow us the capability to market this property or site of this size a little more that we have been able to in the past.

Chairman McKee: Questions for Mrs. Crooks? Thank you, will you be available for further questions if they come up?

Donna Crooks: I will.

Chairman McKee: Thank you. Mr. Pritchett would you like to speak? If you will sir, please state your name and address.

Greg Pritchett: Greg Pritchett, 2725 Brentwood Lane, Henderson, Ky.

Chairman McKee: Do you swear the statements you are about to make are the truths to the best of your knowledge?

Greg Pritchett: I do.

Chairman McKee: Please proceed sir.

Greg Pritchett: I think it would be helpful for you all to understand the background and some of the rationale that is taking place with respect to the request being made; actually it goes back to summer of last year. My extended family, my two (2) sisters and mother had been working on some long term estate planning and the farm is owned, obviously by family and so the desire is to actually divide that, at the end of the day there will be two (2) owners. I have one sister who owns one parcel and another sister owns the other parcel and it's four (4) tracts, two (2) tracts and two (2) tracts is what ends up happening. Now, we had engaged Branson Survey to do that work and they have been working very diligently and in the fast forward to, I would say, January of this year the Economic Development, KYNDLE and also the State Economic Development Agency had been looking to try to find larger parcels to market in the area and it's my understanding now that with the exception, currently you only have one (1) large parcel in the four (4) county area to market for economic development purposes and that's down at Four-Star Industrial Park. The only other large, there is no other large lot or lots available for prospective industry to look at that are already zoned Heavy Manufacturing. So, under some consideration and discussion with KYNDLE and with the State Economic Development Commission and my family obviously, we elected to decide to put this forward for the prospect of any future development that might occur. The reason you don't have a specific plan in front of you is we don't know what that industrial prospect will be, we don't know what that will be yet. But if you follow through the logic of it,

you can see with it being on 425 and all and with a railroad running through it and it served by all the utilities there is some attractiveness to that particular site, particularly of that size. So that is what we are trying to achieve here, we don't know who the prospect will be. The engagement here is by local economic development and state so when a prospect comes into the area they have something that is zoned appropriately and marketable and so that's why this is before you tonight.

Chairman McKee: Questions for Mr. Pritchett?

David Williams: Mr. Pritchett you run the Riverport Authority, correct?

Greg Pritchett: Yes.

David Williams: One of the findings or the statements made by our staff here is that the development of this as an industrial site would aid the existing industrial parks in the area, so in your capacity as running the Riverport, could you enlighten us as how this will help other industrial areas?

Greg Pritchett: Sure, a couple of things that happen, with respect to logistics specifically, is that we don't know how an industrial prospect may end up bringing their raw materials in to the area. They might bring them in via river, or they might bring it in via rail or they might be trucking we just don't know. So you have, from the logistical point of view because of that site being situated where it is and easy access outside of town, able to get from the riverport over to that site pretty easily and back and forth via truck also there is a rail that connects directly between the two points, then you have the opportunity as raw materials are moving into the area that those raw materials can be placed at the riverport and also placed at that site for processing purposes. In addition to that, you have to keep in mind that once you get an industrial

prospect in there, there is going to be a lot of ancillary development needed to be done with respect to support industries. Again we don't know what kind of manufacturing facility it might be at the end of the day but they will need other ancillary services and so that not only will there be what I call the first part of employment enhancements for the local area you have that second and third turnover of additional people needs and employment opportunities in the four county area so that is what I kind of see taking place.

David Williams: Thank you.

Chairman McKee: Any more questions for Mr. Pritchett?

Mac Arnold: The only thing I'm curious about and it's more of a curiosity thing is there the infrastructure there? Water, power and all that would handle some major development or would that have to be developed later too?

Brian Bishop: Mr. Williams would you care to address that?

Chairman McKee: Mr. Williams I will have to swear you in. Will you please state your name and address?

Tom Williams: Tom Williams, 100 S. Elm Street, Henderson, Ky.

Chairman McKee: Do you swear the statements you are about to make are the truths to the best of your ability?

Tom Williams: Yes sir.

Chairman McKee: Thank you sir, please proceed.

Tom Williams: No. In a nutshell it is important though to realize that this is outside the City Limits it is within the water utilities service territory so we are strongly in favor of this. It is one of the largest pieces of property near the city that is in our service territory so we would reap

the benefits from any if it was a large water user and we're hoping that will happen.

Mac Arnold: Is it doable to get that in there?

Tom Williams: Yes, we have the capacity of the plan it's just a matter of getting the water there and the wastewater away.

Mac Arnold: For point of reference, I was just curious.

Chairman McKee: Thank you Mr. Williams. Any further, Mr. Pritchett?

Greg Pritchett: I'm just pondering if I need to stay here or I'll be glad to sit down.

Chairman McKee: Any other questions for Mr. Pritchett? Will you still be available if they want to ask you any other questions?

Greg Pritchett: I am in the room.

Chairman McKee: Thank you sir and please relax. Is there anyone here that would like to speak for or against this application? Anyone like to speak for or against? Seeing and hearing none, back to the Commissioners, any further questions for staff?

David Williams: I do have one more and just looking at this guide industrial growth to existing industrial areas and sure that they are compatible with surrounding uses and are served by adequate public utilities and services, I think the adequate public facilities and services has just been established but what about surrounding uses as far as that's concerned can you point out how this will fit in the use of properties around this site?

Brian Bishop: Yes sir. What you will see is the property to the south is already zoned Heavy Industrial and the property, which is this parcel

right here, is what will be consolidated with the larger tract, this small rectangle here and the properties along 425 are already zoned Light Industrial so there are similar uses and zoning in the area.

David Williams: Ok, thank you.

David Dixon: Canoe Creek cuts through the northern portion of this location?

Brian Bishop: Canoe Creek is up near this area, you will see it right through here.

David Dixon: Ok it's not actually in that tract?

Brian Bishop: No, it's actually to the east of it just a little bit.

Chairman McKee: Further questions?

Herb Pritchett: Is it staff's opinion that this zoning change would be in compliance with the Comprehensive Plan?

Brian Bishop: Yes sir, we've made some recommendations in the staff report that is in your packet.

David Williams: Could you clarify how you feel like this fits into the Comprehensive Plan since it's already zoned Agricultural?

Brian Bishop: I can. We believe that this will encourage the existing use of land and will guide industrial uses to existing assets such as the riverport, airport and existing railways so that industrial is better suited in this area due to its proximity to other assets. Sorry that didn't sound very well.

David Williams: I think you got the point across, thank you.

Chairman McKee: Any questions to help you develop findings of fact?  
Mr. Bishop?

Brian Bishop: If you would let me interject and just read what we had put in the staff report; Plan for an enable readily available economic and industrial development land to meet the needs for jobs; and enable infill and redevelopment that creates jobs where people live. Guide design and improvements of development along major traffic corridors to maintain the community character and create gateways. Encourage the use of existing industrial parks and riverport facilities are the staff felt like this would agree with the Comprehensive Plan.

Chairman McKee: Any questions?

Herb Pritchett: Mr. Chairman before we proceed to a vote I would like for people to note that although my last name is Pritchett and I'm proud of it, I am about five (5) generations removed from the Pritchett's who are submitting this proposal and I therefore don't think that my discussion or vote on this would be a conflict of interest.

Chairman McKee: That is your call Mr. Pritchett.

Tommy Joe Fridy: You don't have a direct or indirect financial interest which is the test?

Herb Pritchett: No, nor personal interest either.

Tommy Joe Fridy: I might suggest that whomever makes the motion consider the other elements that staff has included like; Staff finds, actually Staff doesn't find, you find, that Staff finds major changes have occurred to alter the basic character of the area to support this request and to be under there. There are multiple reasons that would support this rezoning, not that it just that it's in agreement with the narrative, some of the narrative portions of the Comprehensive Plan, well it appears to but there are other elements that could bolster a motion.

David Williams: And this is all part of the record correct? So it could be part of our findings of facts?

Tommy Joe Fridy: Yes, yes it can.

Chairman McKee: We have good motion makers so when you're finished with inquiries would you like to hear from anyone else? Any further questions? Hearing none the Chair will entertain a motion.

David Williams: Mr. Chairman I have a point of order. We have to make two (2) motions here, one is the zoning change and one is the approval of the subdivision in a floodplain area. Does one need to precede the other?

Brian Bishop: I think it would be wise to proceed with the subdivision first and then proceed with the rezoning.

Chairman McKee: Thank you sir, good question. So the first order of business is a motion on the subdivision, correct?

Brian Bishop: Correct.

Chairman McKee: Chair will entertain that motion.

***MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY GARY GIBSON TO APPROVE THE SUBDIVISION OF LOCATED IN THE SPECIAL FLOOD HAZARD AREA TITLED CONSOLIDATION PLAT PARCELS 1 & 2 AND REVISED LOT 1 OF THE A.G. AND MARY PRITCHETT SUBDIVISION.***

***ALL IN FAVOR: AYE***

***OPPOSED: NONE***

Chairman McKee: So mote it be. Next is the rezoning itself?

Brian Bishop: Yes sir.

Chairman McKee: The Chair will entertain a motion.

***MOTION WAS MADE BY HERB PRITCHETT, SECONDED BY DAVID DIXON TO APPROVE REZONING #1057 WITH A NARRATIVE DEVELOPMENT PLAN, AND BEING THAT IT IS IN CONFORMANCE WITH THE COMPREHENSIVE PLAN BEING THAT IT GUIDES INDUSTRIAL GROWTH TO EXISTING INDUSTRIAL AREAS AND ENSURE THEY ARE COMPATIBLE WITH THE SURROUNDING USES AND ARE SERVED BY ADEQUATE PUBLIC FACILITIES AND SERVICES (BALANCING LAND USE OBJECTIVE #I).***

- ***ENCOURAGES THE USE OF EXISTING INDUSTRIAL PARKS AND RIVERPORT FACILITIES (GROWING THE ECONOMY OBJECTIVE B).***
- ***PLANS FOR AND ENABLE READILY AVAILABLE ECONOMIC AND INDUSTRIAL DEVELOPMENT LAND TO MEET THE NEEDS FOR JOBS; AND ENABLE INFILL AND REDEVELOPMENT THAT CREATES JOBS WHERE PEOPLE LIVE (GROWING THE ECONOMY OBJECTIVE F).***
- ***GUIDE DESIGN AND IMPROVEMENTS OF DEVELOPMENT ALONG MAJOR TRAFFIC CORRIDORS TO MAINTAIN THE COMMUNITY CHARACTER AND CREATE GATEWAYS (INCREASING MOBILITY OBJECTIVE E).***
- ***THIS SITE HAS ACCESS TO HWY 425 WHICH HAS LINKAGE TO THE NEWLY DESIGNATED I-69 CORRIDOR.***

- ***THIS WILL AUGMENT THE BUSINESS AND THE DEVELOPMENT OF EXISTING INDUSTRIAL AREAS INCLUDING BUT NOT LIMITED TO THE INDUSTRIAL RIVERPORT.***

***ALL IN FAVOR: AYE***

***OPPOSED: NONE***

Chairman McKee: So mote it be, good job folks thank you very much. You know the rules about the approval of a rezoning and how it works with the Fiscal Court etc.?

Greg Prtichett: Yes.

Chairman McKee: Good deal, have a good evening and thank you. Next on the agenda is **Rezoning #1058 with a Narrative Development Plan**, Mrs. Claudia you're going to lead that conversation?

Claudia Wayne: Yes.

Chairman McKee: Please proceed.

Claudia Wayne: Rezoning #1058 submitted by Sarah Hawkes for the property located in Henderson County at 5201 Corydon Greenlick Road and containing approximately 3.99 acres. Applicant is requesting a zoning change from Agriculture to Two Family Residential (R-2) with a narrative development plan.

Here is your site and it's surrounded by agriculture and the adjacent property owners have all been notified and they are single family residents but zoned AG. The proposed R-2 district will allow a home occupation as a conditional use for a daycare and this is the reason why she wants to change to R-2. The County Board of Zoning Adjustments approved this May 16, 2016 and it was subject to the rezoning of the

property. She has on her development plan, she's showing where the fence will be located because it is required to have a minimum fifty foot (50') fence for outdoor play area and parking, she's showing that. Her fence will be larger than that; she's here and she can answer any questions that you guys might have. She wants to operate a facility of seven (7) to twelve (12) children. If there are any questions I will try to answer what I can for you.

Chairman McKee: Questions for staff?

Claudia Wayne: Mrs. Hawkes is here.

Chairman McKee: Would you like to address the Commission Mrs. Hawkes? Please come up. Will you please give us your name and address?

Sarah Hawkes: Sarah Hawkes, 5201 Corydon Greenlick Rd. in Corydon Kentucky.

Chairman McKee: Do you swear the statements you are about to make are the truth to the best of your knowledge?

Sarah Hawkes: Yes.

Chairman McKee: Please proceed.

Sarah Hawkes: I just want to have a daycare out of my home. I don't use most of my house, there is plenty of yard space and there aren't any home daycares that are licensed in Corydon. I don't know what else to say.

Chairman McKee: You're doing fine.

Sarah Hawkes: Do you want me to read the narrative?

Claudia Wayne: Just give them the breakdown that will help them understand.

Sarah Hawkes: It would be for seven (7) to twelve (12) kids from six (6) weeks old up to kindergarten age. It will be using 1600 square feet of my 2900 square foot home. There is plenty of outdoor space; the hours of operation would be from 6:30a.m. until 6 p.m. I have a circle driveway and we will use it as a one way for drop off and pick up. I have a degree in Family Consumer Sciences with an emphasis on Early Childhood Education, so I'm going to be able to use my degree if you guys approve this so I can stay home with my kids.

Chairman McKee: You did fine Mrs. Hawkes, thank you very much.

Kevin Richard: Thank you.

Chairman McKee: Will you be available for further questions?

Sarah Hawkes: Yes.

Chairman McKee: Any questions for Mrs. Hawkes?

David Williams: Mrs. Hawkes, I asked you this during the Preliminary Conference but I want to get on the record here. You do realize that when we change this from Agriculture to R-2 you will not be allowed to have even a petting zoo on the property? Dogs and cats and that's it.

Sarah Hawkes: Yes.

Claudia Wayne: Staff does recommend approval to be sent forward to the Henderson County Fiscal Court.

Chairman McKee: Are there any further questions for Mrs. Hawkes or staff? Mrs. Hawkes thank you very much. Any questions, any comments?

David Williams: I have a question for staff and that is just to establish some of our findings of facts here. You say that the existing zoning classification given the properties inappropriate proposed zoning classification appropriate is that because of the uses in Residential...

Brian Bishop: The current property is being used for a residential purpose. It is a large residential lot that happens to be zoned AG.

David Williams: Was it zoned AG because it was an agriculture area?

Brian Bishop: Correct.

David Williams: What happened the economic and physical social nature changes have occurred to make this more appropriate?

Brian Bishop: That would be more appropriate in that daycare, home daycare is desirable to a lot of people in the area and there are currently non in the town of Corydon. This would make it easier for people that live and work in Corydon to have easy access to their children during the working hours.

David Williams: Has that, I see residential development has that residential development been moving out in this direction or has that been established for a while?

Brian Bishop: That has been established for a while. This is just outside the City Limits of Corydon. You cannot see from this picture but up the road, less than one quarter mile is the actual City Limits of Corydon. So it is near dense residential development, the yellow area is all the City of Corydon.

David Williams: So it is our agreement that this is in agreement with the Comprehensive Plan?

Brian Bishop: It is sir.

David Williams: I have no further questions, thank you.

Chairman McKee: Any further questions? Hearing none, the staff recommends approval, I will entertain a motion.

***MOTION WAS MADE BY DAVID DIXON, SECONDED BY MAC ARNOLD TO APPROVE REZONING #1058 WITH NARRATIVE DEVELOPMENT PLAN FOR THE PROPERTY LOCATED IN HENDERSON COUNTY AT 5201 CORYDON GREENLICK ROAD (PID#34-19) AND CONTAINING APPROXIMATELY 3.99 ACRES. THE REQUEST WAS TO CHANGE FROM AGRICULTURE (AG) TO FAMILY RESIDENTIAL DISTRICT (R-2) WITH A NARRATIVE PLAN BEING THIS IS IN AGREEMENT WITH THE COMPREHENSIVE CALLS TO WISELY PLAN FOR LAND USES IN APPROPRIATE LOCATIONS TO MAXIMIZE QUALITY DESIGN AND MINIMIZE THE ADVERSE IMPACTS OF DEVELOPMENT; TO PROMOTE STABILITY OF EXISTING NEIGHBORHOODS AND ALL ASPECTS OF HOUSING INCLUDING INFILL REDEVELOPMENT; TO ENCOURAGE REINVESTMENT AND EXISTING NEIGHBORHOODS WITH INCREASED SERVICES, AMENITIES AND SAFETY; THE CURRENT ZONING CLASSIFICATION IS INAPPROPRIATE AND THE USE OF THE PROPERTY IS RESIDENTIAL IN NATURE AND WILL CONTINUE IN THIS MANNER; THE CURRENT ZONING DOES NOT ALLOW FOR THE APPLICANT TO PROVIDE A NEEDED DAYCARE SERVICE TO THE RESIDENTS OF THE CORYDON AREA AND IS SUBJECT TO A DEVELOPMENT PLAN.***

***ALL IN FAVOR: AYE***

***OPPOSED: NONE***

Chairman McKee: Next on the agenda are the proposed **Amendments to the Henderson City-County Subdivision Regulations**, Mr. Bishop please proceed.

Brian Bishop: The proposed amendments are in front of you so we can have discussion and we can garner some input from the Planning Commission. Claudia and I have met with the technical advisors such as Doug Boom and John Stroud to discuss sidewalk installation. We also met with the City Manager and Assistant City Manager to get their input. I think it is important that we address the Subdivision Regulations Section 5.7 because it says the Planning Commission shall not grant sidewalk waivers to subdivisions in the urban service area, however I do think the Planning Commission should have that ability if they see fit.

What we have done is installed some examples based on prior experience and real world examples that the Planning Commission has seen first-hand. So at this time I would like to ask for your input, the technical advisors are comfortable with the language but we are also willing to take input from the Planning Commission and go back to the drawing board if you all see fit. At this point I will do my best to answer any questions you may have.

Chairman McKee: Questions for staff?

Brian Bishop: And if it would help, I can read the changes so that way you will have a better understanding of what we are asking for.

David Williams: As I understood while I was reading through this, this page here is the clean copy of what you are proposing correct?

Brian Bishop: It is.

David Dixon: Excuse me, what was the question?

Chairman McKee: Pardon me sir?

David Williams: This is the clean copy, it has no red in other words and it's how it should read.

Chairman McKee: Only of Section One (1).

David Williams: Brian would you mind sharing with us your thoughts on why we should allow for exceptions along major arteries and access roads?

Brian Bishop: Yes, that's based on the experience of the Planning Commission and that we have had development along Hwy 41 and that we would like to see sidewalks but KYTC has basically said they do not want sidewalks in their right of way and they will not maintain the sidewalks in their right of way. So it's contradictory for us to require sidewalks if they are not going to be maintained.

David Williams: Does that give us a liability if we don't maintain them? If we required the sidewalks and would we be required to make sure they are maintained if the State does not?

Brian Bishop: I would let Mr. Fridy address the liability but the Planning Commission certainly does not have the means to maintain them.

Tommy Joe Fridy: That's actually a Highway Department, Kentucky Transportation Cabinet and Fiscal Court, County Attorney issue. The liability if a sidewalk is installed is not under the purview jurisdiction control of the Planning Commission and I would not want to answer questions in their arena.

David Williams: Ok.

Herb Pritchett: Mr. Bishop I'm a little perplexed because I'm an old Highway Department employee and right of way and whenever we improved a highway in the urban area we put sidewalks in.

Brian Bishop: Correct.

Herb Pritchett: On the right of way, owned by the Kentucky Department of Transportation.

Brian Bishop: I don't disagree but for example at the intersection of Watson Lane and Hwy 41, that road has yet to be developed so the State has not installed those sidewalks. Not to say they wouldn't in the future if there is a widening or an improvement project it just hasn't been done at this time.

Gary Gibson: Mr. Chairman, let me give you an example here in the City Limits. There are places where you would do more harm with sidewalks than you would good, some places you can't have sidewalks. We need the right to not to have sidewalks in certain areas if it makes it more dangerous and beneficial. I've seen places here in town you can't put them.

Chairman McKee: For example at the intersection of Hwy 41 and Watson Lane the waiver was requested by both the City and Kentucky Department of Transportation because the sidewalk would lead to nowhere. You can't cross 41, shouldn't cross Watson Lane because there is no sidewalk on the other side. So it is just a perplexing issue that has kept getting bigger and bigger.

Brian Bishop: Basically our Subdivision Regulations contradict the real world application of sidewalk installation. We would require it but State, City and Road Departments wouldn't maintain them. So it counteracts the purpose of putting in the sidewalks.

David Williams: I'm curious about what Mr. Pritchett said here, if the State did put sidewalks down on Hwy 60 W with crossing signs and everything else but then they are saying that if we had required a sidewalk on 41 there at Cardinal Crossing, the State did not want that sidewalk and would not have maintained it?

Brian Bishop: Correct. It's a contradiction on their part but that was their comment at that time. Back to Mr. Pritchett's point and that the State had widened Hwy 60 but at this point they have not addressed Hwy 41 N.

Chairman McKee: Mr. Stroud would you like to speak? Please state your name and address.

John Stroud: John Stroud, 1040 N. Elm Street.

Chairman McKee: Do you swear the statements you are about to make are the truths to the best of your knowledge?

John Stroud: To the best of my knowledge.

Chairman McKee: Please proceed.

John Stroud: To answer your question, the Highway Department will install and maintain any appurtenance that they design if the Planning Commission or the City wants to install something on their right of way they have to get an encroachment permit but the Cabinet will not maintain it after that point. To some extent they turn the maintenance of sidewalks even in the appurtenances they have done over to the jurisdictions like the City, the County, City of Owensboro and things like that. I don't know if that clears it up or it muddies any but yes, they do build sidewalks because that's part of their charge now especially with the Federal money that they get, but if we as a City or Planning Commission want to require sidewalks they will not maintain them.

Herb Pritchett: Yes, that answers me perfectly, thank you. I guess my point is, especially in urban areas we need to be careful about granting waivers on sidewalks. I come from Madisonville and there are no sidewalks, I come from I was born there and I'm a proud resident of Henderson now but on West Center Street when you go out to the ball field there is no sidewalk. Those kids are riding bicycles and trying to walk to YAA Fields and all of that, so sidewalks I believe are an important bone to the skeleton of a city's infrastructure. I've got no problem with a waiver but I would say in the future, future Planning Commissions ought to be very, very careful in waiving sidewalks. We routinely ask developers to dedicate land to build the roads and build them up to the standards so that they will be acceptable for inclusion in the city's infrastructure. I have no problem as a Planning Commissioner if I think a sidewalk is appropriate for making a developer dedicate the right of way to put a sidewalk in and then have it developed in such a way then it can then be turned over for the City. But I'm in favor of this but I think the future Planning Commission needs to be very careful about granting that waiver.

David Dixon: We would maintain language that says very clearly that the Commission shall not grant a sidewalk waiver request for required interior sidewalks.

Brian Bishop: Correct.

David Dixon: You're talking about exterior sidewalks on main roads?

Brian Bishop: Correct.

David Dixon: Where a waiver could be considered and perhaps granted, that's the change?

Brian Bishop: Here is the change in the language: Sidewalk waivers may be granted when the Planning Commission makes findings of facts on the basis on recommendations of staff and the City/County Engineer and the evidence submitted. Sidewalk waivers may be allowed under the following conditions:

- Site conditions such as topography, pedestrian safety, drainage conditions, and/or utility location, which make sidewalk construction at the site infeasible.
- Existing sidewalks in the immediate vicinity adequately serve the pedestrian public.

This language was all derived from things that the Planning Commission has actually dealt with. For example immediate vicinity adequately serves the pedestrian specifically addressed the development on Merritt Drive. We did not make that applicant put in sidewalks because the Riverwalk was directly across the street and the topography of the adjacent properties would not allow for sidewalks. But reading our Subdivision Regulations the Planning Commission should not have done that because the regulations say shall not grant a waiver. My intent is to the Planning Commission the ability to grant those waivers but it also forces the applicant to make a valid and justified reason for that to happen.

Tommy Joe Fridy: The committee that drafted this, was it your intention to only allow the Planning Commission to make waivers on the exterior but not the interior of a Major Subdivision, which was Mr. Dixon's question?

Brian Bishop: Correct.

David Dixon: Interior sidewalks are required and the Commission is not allowed to waive that requirement?

Brian Bishop: Correct.

Tommy Joe Fridy: Is that the intention of the committee?

Brian Bishop: We were only looking at waiving exterior sidewalks, not interior sidewalks which we did not disrupt the language in that section of the Subdivision Regulations. That language has not changed.

David Dixon: I understand I wanted to make sure I was reading it...

Chairman McKee: May I ask a question, it's about structure? If the Planning Commission calls this something and a future Planning Commission were to elect to grant a sidewalk waiver, that would be a change in policy or it would be an exception to policy but my understanding is that we can't make a rule that we can't change in the future that's legal. If we say you can't grant a sidewalk waiver, that's true right up until we do is what I'm saying. We could grant a sidewalk waiver if the Planning Commission so chose.

David Dixon: We could amend this document again to allow us to do that.

Chairman McKee: That's my point Commissioner. So even though you are saying this is a policy, if it passes it's a policy but like all other policies if it was the pleasure of the Planning Commission and the majority we could change it, change the policy and allow for exceptions. It's a guide, it's a policy.

David Dixon: I think we just have to take an extra step to amend the ordinance and then act on the amended version of the regulation.

David Williams: I would like, with the Chairman's permission, I would like clarification. You're saying that this applies only to exterior sidewalks but the exception for utilities, topography and drainage is that

also only being applied to exterior sidewalks or do you intend that to be for interior sidewalks?

Brian Bishop: That was our intent was only to address exterior sidewalks because the new, if it were passed, the new number five (5) specifically says the Planning Commission shall not grant a sidewalk waiver request for required interior sidewalks.

David Williams: Ok, so that's clarified thank you.

Chairman McKee: This is addressing only Subdivision Regulations. If you did an Ag Division on a blacktop road and built a house, sidewalk would not be required.

Brian Bishop: Because Ag Divisions are exempt from the Subdivision Regulations.

Tommy Joe Fridy: From some, exempt from some Subdivision Regulations. Let's don't go to Ag, it's way too complicated and that's not what you're here doing. I'm glad to answer the question; I understand it and I can answer questions but...

David Williams: Mr. Chairman in line with what Mr. Pritchett and Mr. Dixon are saying, I like these recommendations because it gives us consistency which we just heard is one of the most important things a Commission can do is be consistent, it gives us the means for establishing that consistency so I'm in favor of adopting these changes.

Chairman McKee: I have commented in the past particularly when Mr. Branson is in our company that waiving sidewalks, if you live long enough you'll regret it, if you live long enough but sometimes you have to do it. Any further questions or comments about this? Are you asking for action tonight Mr. Bishop?

Brian Bishop: We are defiantly asking for action but if the Planning Commission does not feel that it's appropriate, we will go back to the drawing board.

Chairman McKee: Understood. Would any Commissioner like to offer up a change or changes to the language?

Tommy Joe Fridy: Or ask that Staff make changes?

Mac Arnold: In the expression of only dealing with exterior sidewalks then anytime you have an existing roadway, is that considered exterior? Such as say like North Elm Street the area that does not have sidewalks now, if some reason someone was able to build a house or two somewhere in there, would they be required to put a sidewalk in front of their house even though there is nothing on either side of it, is that considered and exterior application or is that considered interior?

Brian Bishop: In my opinion that's considered an exterior application and it would be up to the Planning Commission to decide if that waiver was appropriate or not.

David Williams: I would think the same would apply to what's going on often times more so now in other cities and sometimes here is that when someone buys a house with a lot, a lot with a house, razes the existing house and builds a new house and would we require sidewalks be made in that place? I think that would give us the opportunity to start sidewalks on places like North Elm where they really need it but there's no real means to do it right now.

Chairman McKee: Would anybody like to offer up amendments to the language? Any further comments from Staff?

Brian Bishop: No sir.

Chairman McKee: Hearing none, the Chair will entertain a motion.

***MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY KEVIN RICHARD TO ACCEPT AND ADOPT THE PROPOSED AMENDMENTS TO THE HENDERSON CITY-COUNTY SUBDIVISION REGULATIONS ARTICLE V, REQUIREMENTS FOR IMPROVEMENTS, RESERVATIONS AND DESIGN:***

## ***5.7 SIDEWALKS***

### ***REQUIRED IMPROVEMENTS***

***A. SIDEWALKS ARE REQUIRED ON BOTH SIDES OF ALL STREETS WITHIN MAJOR SUBDIVISIONS AND SHALL NORMALLY BE CONSTRUCTED WITHIN THE DEDICATED NON-PAVEMENT STREET RIGHT OF WAY, WITH WIDTHS AS REQUIRED IN TABLE 5.9.***

***B. SIDEWALK WAIVERS MAY BE GRANTED WHEN THE PLANNING COMMISSION MAKES FINDINGS OF FACT, ON THE BASIS OF RECOMMENDATION OF STAFF AND THE CITY/COUNTY ENGINEER AND THE EVIDENCE SUBMITTED. SIDEWALK WAIVERS MAY BE ALLOWED UNDER THE FOLLOWING CONDITIONS:***

***I. SITE CONDITIONS SUCH AS TOPOGRAPHY, PEDESTRIAN SAFETY, DRAINAGE CONDITIONS, AND/OR UTILITY LOCATION, WHICH MAKE SIDEWALK CONSTRUCTION AT THE SITE INFEASIBLE.***

***II. EXISTING SIDEWALKS IN THE IMMEDIATE VICINITY ADEQUATELY SERVES THE PEDESTRIAN PUBLIC.***

**III. EXTERIOR SIDEWALKS ALONG ARTERIAL ROADWAYS: SIDEWALKS WAIVERS MAY BE GRANTED FOR REQUIRED EXTERIOR ROADWAYS SIDEWALKS. FOR SUBDIVISIONS WITH FRONTAGE ALONG PRINCIPAL OR MINOR ARTERIAL ROADWAYS TO BE LIMITED TO ONLY THE REQUIRED EXTERIOR SIDEWALKS FRONTING ALONG MINOR AND/OR PRINCIPAL ARTERIAL ROADWAYS. SUCH WAIVERS WOULD BE LIMITED TO THESE REQUIRED EXTERIOR SIDEWALKS FRONTING THE MINOR AND/OR PRINCIPAL ARTERIAL ROADWAYS.**

**IV. ON REQUIRED EXTERIOR SIDEWALKS FOR SUBDIVISIONS LOCATED IN THE COUNTY: THE PLANNING COMMISSION MAY GRANT SIDEWALK WAIVER REQUEST FOR SUBDIVISIONS WITH EXTERIOR SIDEWALKS LOCATED OUTSIDE OF THE URBAN AREA BOUNDARY. THE SIDEWALK WAIVER REQUEST IS LIMITED TO ONLY EXTERIOR SIDEWALKS.**

**V. THE PLANNING COMMISSION SHALL NOT GRANT A SIDEWALK WAIVER REQUEST FOR REQUIRED INTERIOR SIDEWALKS.**

**2. PEDESTRIAN ACCESSES –IN ORDER TO FACILITATE PEDESTRIAN ACCESS TO SCHOOLS, PARKS, PLAYGROUNDS, OR NEARBY STREETS, THE PLANNING COMMISSION MAY REQUIRE PERPETUAL UNOBSTRUCTED EASEMENTS NOT LESS THAN TEN (10) FEET IN WIDTH, FIVE (5) FEET ON EACH LOT. EASEMENTS SHALL BE INDICATED ON THE PLAT.**

**ALL IN FAVOR: AYE**

***OPPOSED: NONE***

Chairman McKee: Next on the agenda are the proposed **Amendments to the City of Henderson Zoning Ordinances**, Mr. Bishop did you work out with counsel about how to take these?

Brian Bishop: We did. I would ask counsel to recommend a course of action before we proceed.

Chairman McKee: Please.

Tommy Joe Fridy: It's my suggestion Mr. Chairman that you pole the Planning Commission and any people in the audience that would like to speak and ask if anyone would like them considered separately. Otherwise you're free and you have the ability to either consider them all together or separately.

Chairman McKee: Commissioners?

David Williams: For clarification, under E, all of these Articles, II, IX, XXI, etc.?

Tommy Joe Fridy: Yes. You can jump back and forth if that is your pleasure or you can take Article II, Section 2.01 and deal with that and move to the next one.

Chairman McKee: Let's start with taking them all together, does anybody object to that?

David Williams: Counsel, did you say you needed to pole the audience to see if anybody wanted...

Chairman McKee: We've run out of audience.

David Williams: I don't know Mike might like to say something.

Chairman McKee: Would the press like to weigh in on this?

Kevin Richard: Based on the zoning divisions that are listed here, I would say do it as a blanket.

Mac Arnold: It's all basically the same.

Kevin Richard: I would recommend doing it in one (1) swoop.

Chairman McKee: Without objection, all together?

Mac Arnold: Yes.

David Williams: Yes.

Chairman McKee: Mr. Bishop would you please proceed?

Brian Bishop: Yes sir. The City Commission has requested that we hold a public hearing in order to discuss updates to the City Zoning Ordinance. That update is specifically aimed at adding shooting ranges. Claudia and I have met with John Stroud, Dawn Kelsey the City Attorney, Russell Sights the City Manager and Buzzy Newman the Assistant City Manager to discuss this update.

We felt that the section of the zoning ordinance or the zones that this would be more appropriate are zones that have larger tracts that would have access to roads and the uses would be more separated, in that shooting ranges will not cause a disturbance. The zones that we felt appropriate were Highway Commercial, Light and Heavy Industrial and the Agricultural districts. We found a definition that you will see under Section 2.01 that we felt comfortable with. It is the definition that is used in Texarkana, Texas; we used that as our basis to come up with this definition. With the parking requirements we basically mimicked the requirements for a bowling alley, we felt that was appropriate. That is it in a nutshell. It is also important to notice that these are all conditional uses. They have to be approved by the City's Board of Zoning

Adjustment and they have to meet all state and federal regulations. Oddly enough the regulations for gun ranges fall under the Department of Environmental Protection. Yes ma'am.

Penny Hahn: What is the current archery place, what is that zoned?

Brian Bishop: The archery out by the high school? That is zoned agricultural but since it's owned by the school it is exempt from zoning regulations.

Penny Hahn: Ok. I just noticed the definition included bow and arrows.

Brian Bishop: It is. We thought it would be wise to include that since the popularity of archery is expanding at an exponential rate.

Chairman McKee: Presence of lead is probably the primary reason it's under the Environmental Protection Agency.

Brian Bishop: Correct.

Mac Arnold: Would there be any concern to limit, say when you got into the rifles or pistols as far as caliber? Would there ever be a concern with someone having a little too heavy; assault-type weapons can be pretty powerful ammunition and I'm assuming that one of these building designs would accept that.

Brian Bishop: That is probably above our charge and I think that would definitely fall under the Federal Government's jurisdiction which we discussed but it's not something we feel like we can regulate from a Planning Commission or City Zoning Ordinance standpoint.

David Dixon: What about noise?

Brian Bishop: Noise is part of the reason why we chose the zones. For example a lot of times if you have a large lot that is zoned Heavy Industrial it's going to be away from other uses. Specifically the person

that spoke to the City about this requested that it be included in the Central Business District which we obviously feel is not a wise decision due to the proximity to buildings and the noise factor itself. We specifically chose these zones because we thought the buildings would be larger and further from their neighbors so that noise would be less impactful.

Kevin Richard: I guess a question Brian, I don't have the federal or state regulations in front of me nor have I read them, but do you know if it includes some kind of noise...

Brian Bishop: John. Commissioner Richard, I have not read it personally, I have downloaded it and started reading it but it's about a half inch to an inch thick...

Chairman McKee: Mr. Stroud you have been sworn in, please proceed.

Tommy Joe Fridy: For the record would you state your position.

John Stroud: I'm the acting Code Administrator for the City of Henderson; we will be the ones regulating this. The Department of Energy is actually the governing body for shooting ranges believe it or not in conjunction with the Environmental Protection Agency and yes the EPA addresses lead, I heard someone say lead earlier and noise. They address pollutants and pollutants of all kinds include noise, lead and things like that. The guidelines are pretty stringent on these as far as the noise, the way you build it, the steel you have to use, how they capture everything. I have read them but I don't have them in front of me and I cannot quote them to you, I didn't bring them tonight but it's pretty substantial what they have to do to even get this in. The state doesn't have any guidelines because they go by the Federal. The state and local get to regulate the assembly areas where you'll be having your meeting before you shoot your guns. To address Mac's concern, none of

them really address whether you can use a .50 caliber or not but I would say the range is going to tell you that.

Gary Gibson: Would it be indoor or outdoor.

John Stroud: Indoor is what we're talking about right now.

Gary Gibson: Indoor they can control the sound, that's a good thing.

John Stroud: Sound is pollution, noise is pollution so EPA will cover that along with the lead, and the lead is a big one.

Mac Arnold: John I just want to double check, like some of these sporting good outlets Gander Mountain, Cabela some of these Bass Pro Shops sell firearms and I have seen some them in larger cities actually have firing ranges inside the stores for people to try out the guns. Are the classifications here going to fit places like that? Say somebody wanted to come in like that?

John Stroud: If it were in a Highway Commercial zone it could, if it were in a General Business and you wanted to put a Cabela's and you wanted to have a firing range inside that, it would not, they would have to be in a Highway Commercial zone. Which, I would anticipate Gander Mountain, Cabela's and the people of Bass Pro Shop they're going to be in bigger traffic areas so they are going to want to be in Highway Commercial.

Mac Arnold: Ok.

Chairman McKee: One thing maybe to emphasize is that these are additional conditional uses which means you all at the Board of Zoning Adjustments would have to approve it, correct?

John Stroud: Yes sir. Currently, like Brian said, we did get a request as to what zone would be appropriate for this and in looking through all of

our zones we didn't have anything. So, in conjunction with the City Attorney and everyone we felt like it was appropriate to put one in because there are more and more people buying guns, people bow hunting and doing things like that so it's an up and coming thing and it is a sport.

Chairman McKee: Thank you Mr. Stroud, will you be available for further questions?

John Stroud: Yes.

Chairman McKee: Thank you sir.

David Dixon: Just back up for clarification when we look at Article IX and we are referred to this table on page 64, what's that telling us is required?

John Stroud: Is that parking?

David Dixon: Yes, two (2) parking places per shooting range?

John Stroud: Yes.

Brian Bishop: Range meaning down range, as in aisle. That's why I said it was similar to a bowling alley.

David Dixon: Ok.

John Stroud: You have ten (10) aisles; you have twenty (20) spaces plus whatever else it was.

David Dixon: Ok, we're talking about range being one specific line of fire not all ten (10) side by side?

John Stroud: Right.

David Dixon: Which that would technically be range(s).

John Stroud: Yes.

David Dixon: And in required parking for any assembly space, we're not talking about the assembly of firearms, we're talking about the assembly of people.

John Stroud: Assembly of people, right.

Brian Bishop: Commissioner Dixon that would basically mean their retail space.

David Dixon: Ok.

John Stroud: A lot of these places have retail spaces and party rooms, they may have a birthday party and everyone shoots. We tried to anticipate it all David.

Chairman McKee: Mr. Stroud, if the owner of a shooting range had a participant that wanted to bring a grenade launcher in there and practice accuracy, can the owner of the facility say I'm sorry you cannot bring that in here?

John Stroud: I'm going to lean to the attorney but I would say yes.

David Dixon: That would fall under this federal and state regulation I would hope.

Chairman McKee: So the federal and state regulations do include the maximum size weapon you could bring in there.

Gary Gibson: Most definitely because you wouldn't want to take a .50 caliber in there.

John Stroud: I'm not sure; I don't remember reading that part. It would be kind of like a go cart place, you wouldn't want to run a NASCAR, so I think the owner of the shop would hopefully take care of that. I don't

know if we as a community need to be telling people they can't do it, it's just common sense.

Chairman McKee: That's somebody else's job, thank you Mr. Stroud. Any further questions for staff? Is there anyone in the audience that would like to speak either for or against? Seeing none, one more time around, questions for staff or comments? Do you have a guide for the motion in the packet Mr. Bishop?

Brian Bishop: No sir not on that.

Chairman McKee: Is anyone comfortable making the motion?

***MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY BOBBY JARRETT TO RECOMMEND THESE AMENDMENTS ON SHOOTING RANGES TO BE ADDED TO THE CITY OF HENDERSON ZONING ORDINANCE:***

- ***ARTICLE II- DEFINITIONS, SECTION 2.01-SHOOTING RANGE, INDOORS. A FACILITY DESIGNED OR USED FOR SHOOTING AT TARGETS WITH BOWS AND ARROWS, RIFLES, PISTOLS, OR SHOTGUNS AND WHICH IS COMPLETELY ENCLOSED WITHIN A BUILDING OR STRUCTURE FOR THE PURPOSES OF TARGET PRACTICE OR TEMPORARY COMPETITIONS.***
- ***ARTICLE IX- OFF STREET PARKING & LOADING REQUIREMENTS TABLE INSET- ADD (#35) SHOOTING RANGE, INDOORS.***
- ***ARTICLE XXI, HC, HIGHWAY COMMERCIAL DISTRICT, SECTION 21.03 CONDITIONAL USES- ADD (d) SHOOTING RANGE, INDOORS (MUST MEET ALL FEDERAL, STATE AND LOCAL REGULATIONS)***

- **ARTICLE XXIII, M-1, LIGHT INDUSTRIAL DISTRICT, SECTION 23.03 CONDITIONAL USES- ADD (#8) SHOOTING RANGE, INDOORS (MUST MEET ALL FEDERAL, STATE AND LOCAL REGULATIONS)**
- **ARTICLE XXIV, M-2 HEAVY INDUSTRIAL DISTRICT, SECTION 24.03 CONDITIONAL USES- SHOOTING RANGE, INDOORS (MUST MEET ALL FEDERAL, STATE AND LOCAL REGULATIONS)**
- **ARTICLE XXV, AG, AGRICULTURE DISTRICT, SECTION 25.03 CONDITIONAL USES-ADD (i) SHOOTING RANGE, INDOORS (MUST MEET ALL FEDERAL, STATE AND LOCAL REGULATIONS)**

**ALL IN FAVOR: AYE**

**OPPOSED: NONE**

Chairman McKee: That concludes our public hearing items, the Chair will entertain a motion to go out of public hearing.

**MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY MAC ARNOLD TO GO OUT OF PUBLIC HEARING.**

**ALL IN FAVOR: AYE**

**OPPOSED: NONE**

Chairman McKee: We're in non- public hearing items, first on the agenda is **Finance Report for May 2016**, Mrs. Theresa are you going to share your thoughts about that with us?

Theresa Curtis: We're within seventy-seven percent (77%) of our budget. This is the last month and staff would like a recommendation.

***MOTION WAS MADE BY BOBBIE JARRETT, SECONDED BY MAC ARNOLD TO GO OUT OF PUBLIC HEARING.***

***ALL IN FAVOR: AYE***

***OPPOSED: NONE***

Chairman McKee: Next on the agenda is the bond report, Mrs. Wayne.

***MOTION WAS MADE BY MAC ARNOLD, SECONDED BY DAVID WILLIAMS TO GO OUT OF PUBLIC HEARING.***

***ALL IN FAVOR: AYE***

***OPPOSED: NONE***

Chairman McKee: Next is administrative business, the Chair will entertain a motion to approve the training that we received from 5.p.m. until 6p.m. for continuing education credits for Planning Commissioners who attended.

***MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY DAVID DIXON TO APPROVE THE TRAINING FOR CONTINUING EDUCATION FOR THE PLANNING COMMISSION MEMBERS, BOARDS OF ZONING ADJUSTMENTS AND THE CITY OF CORYDON BOARD OF ZONING ADJUSTMENTS PRESENTED BY BRIAN HOWARD THE EXECUTIVE DIRECTOR FOR OWENSBORO-METROPOLITAN PLANNING COMMISSION AND PRESIDENT-ELECT OF THE AMERICAN PLANNING ASSOCIATION INCLUDING THE TOPIC RANGES INCLUDED MAKING MOTIONS, ETHICS, THE IMPORTANCE OF FINDING OF FACTS, USE OF FACTUAL ARGUMENTS AND THE IMPORTANT OF BEING CONSISTANT IN DECISION MAKING.***

***ALL IN FAVOR: AYE***

***OPPOSED: NONE***

Chairman McKee: Last but certainly not least we have here with us this evening Donna Stinnett, the Communications Director for the City of Henderson.

Donna Stinnett presented to the Planning Commission the Community Calendar regarding how to access the calendar online and how it may be used. The website may be accessed at [hendersonky.org](http://hendersonky.org).

Chairman McKee: We thank you for the work that you are doing.

Donna Stinnett: Thank you for the opportunity to talk to you.

Chairman McKee: We appreciate you coming tonight. Is there anything else to come before the Planning Commission?

***MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY BOBBIE JARRETT TO ADJOURN.***

***ALL IN FAVOR: AYE***

***OPPOSED: NONE***

***MEETING ADJOURNED: 7:30P.M.***

