

Henderson City-County  
Planning Commission  
August 4, 2020

The Henderson City-County Planning Commission held a meeting August 4, 2020 at 6:00 p.m., at the Peabody Building, 1990 Barret Ct, Suite F, *via teleconference*. Members present via teleconference: Chairman David Dixon, Vice-Chairman David Williams, Bobbie Jarrett, Gary Gibson, Rodney Thomas, Dickie Johnson, Gray Hodge, Kevin Richard, Doug Bell, Mac Arnold, Stacy Denton and Tommy Joe Fridy. Kevin Herron was absent. Staff present: Director Brian Bishop, Jennifer Marks, Theresa Curtis, and Chris Raymer. Heather Lauderdale was absent.

***MEETING BEGAN AT 6 PM***

Chairman Dixon: I'd like to call the August 4, 2020 meeting of this Henderson City-County Planning Commission to order.

We have acting Secretary Theresa Curtis, please call the roll.

Theresa Curtis: I'm pretty sure I saw David on there, I'm pretty sure he's muted. We have a quorum.

Brian Bishop: Dave Williams, can you hear us by any chance? Dave's on, he's just not responding.

Kevin Richard: Yes, he shows online.

Brent Jacobs: Doug Bell is joining.

David Williams: Theresa, can you hear me?

Theresa Curtis: I can now, David.

Brian Bishop: Theresa, can you say Doug Bell again? He's here now.

Theresa Curtis: Doug Bell.

Doug Bell: Here.

Chairman Dixon: I need to read this statement, and we'll get going.

***“Due to the emergency resulting from the Coronavirus (COVID19), and to help protect the community from the spread of COVID19 by limiting in person contact, this regular August 4, 2020 meeting of the Henderson City-County Planning Commission is being held by video teleconference.***

***This meeting is being telecast live on Facebook by the Henderson County Kentucky government page for the media and the public to view.”***

Chairman Dixon: We need a motion to go into **public hearing**.

***MOTION WAS MADE BY DICKIE JOHNSON, SECONDED BY MAC ARNOLD TO GO INTO PUBLIC HEARING.***

Chairman Dixon: All those in favor?

***AYE: ALL***

Chairman Dixon: Any opposed?

***NAY: NONE***

Chairman Dixon: Very good, motion carries.

The next item is the approval of the minutes from the July 7, 2020 teleconference. Everybody should have seen these minutes and had a chance to review them; do we have a motion to approve?

***MOTION WAS MADE BY DICKIE JOHNSON, SECONDED BY MAC ARNOLD TO APPROVE THE MINUTES FROM JULY 7, 2020 TELECONFERENCE.***

Chairman Dixon: Any discussions, additions, any corrections?

All in favor of approval of the minutes, say aye.

***AYE: ALL***

Chairman Dixon: Any opposed?

***NAY: NONE***

Chairman Dixon: Very good. The next item is **Rezoning #1103 with a Revised Development Plan.** Brian, are you going to read that?

Brian Bishop: Yes sir.

Theresa, if you wouldn't mind saying Gray Hodges' name, he's present now.

Theresa Curtis: Gray Hodge.

Gray Hodge: Here.

Brian Bishop: Guys if you would, please mute your microphones unless you're talking. Mute it temporarily so that we don't get a lot of background noise.

Can everyone hear us ok?

Theresa Curtis: Yes.

Brian Bishop: Can everyone see the screen? There should be a GIS map up and it will be the intersection of 60 and Cosby Drive.

Theresa Curtis: Yes.

Stacy Denton: Yes.

Brian Bishop: Moving along, **Rezoning #1103 a Revised Development Plan**, submitted by George and Bobbie Chambers, and Attorney Chris Hopgood for the property located in the City of Henderson on 985 Cosby Drive with frontage on Hwy US 60 East, (PID# 65A-13), containing 1.63 acres. The applicants are requesting a revised development plan to place eight (8) residential apartments currently zoned General Business.

This is the rezoning that's not really a rezoning. In 2006, roughly, Mr. Chambers rezoned this to General Business with a Development Plan for a strip mall. That has never come to fruition. So Mr. Chambers now proposes to build an eight (8) unit apartment complex which is allowed in a General Business zone but the development plan that was previously approved by the Planning Commission limits that use to the strip mall.

So, what we are doing is requesting a new rezoning so that it's more of a clerical issue that this rezoning and this development plan has a new number that will be distinguishable from the previous rezoning; which was #960.

I know that's a little weird because we normally have not done that in the past it's a different subject. Is everyone clear with that? It's the same zone, we're replacing the previously adopted development plan with a new development plan.

The previous use would have been a strip mall, the current use will be an eight (8) unit apartment complex.

Everybody good?

Give me one second, and we will show you what the drawing looks like. Let me get the computer to cooperate.

Can everyone see the screen?

Theresa Curtis: Yes.

Rodney Thomas: Yes.

Brian Bishop: You guys should see a drawing, can you see that?

Mac Arnold: Yes.

David Williams: Yes.

Brian Bishop: Ok. So, this is the apartment building here. This is Hwy 60, this is Cosby Drive. There will be a new entrance on Cosby Drive, here, and all the public improvements are covered under a site plan.

So, things like drainage, parking, lighting, and things of that nature are on another site plan that will be approved later by the Planning Commission; assuming you guys approve this; this rezoning with a development plan.

So, with that I'll do my best to answer any questions.

Kevin Richard: Brian, the detail is kind of small, is there a page of that that actually shows the building in a little better detail that we could actually see?

Brian Bishop: Yes sir, I will get that in one (1) second.

David Williams: Brian, did I hear you say that the staff does recommend...

Brian Bishop: I'm sorry Dave, can you say that again please?

David Williams: Have you said whether staff recommends approval for this?

Brian Bishop: Staff recommends approval, yes.

Commissioner Richard, does that help? Can you see that now?

Kevin Richard: Yes. I'm just trying to understand what those three (3) shapes were. Are those like the entrances or...?

Brian Bishop: Are you referring to where the arrow is?

Kevin Richard: Yes.

Brian Bishop: I believe that is just striping for parking but Matt Calvert who is the engineer for the project is here, online with us and he can probably answer that better than I can.

Matt, do you care to address...?

Matt Calvert: Yes, this is Matt. Those areas will be landscaped islands, in front of the parking.

Brian Bishop: Matt, one second, we need to swear you in, I'm sorry.

Chairman Dixon: Sir, do you swear to tell the truth, the whole truth and nothing but the truth?

Matt Calvert: Yes sir.

Chairman Dixon: Very good, thank you sir.

Brian Bishop: Matt, would you go ahead please? I'm sorry.

Matt Calvert: Yes. Those spots that you're referring to are going to be landscaped islands in front of the parking.

Kevin Richard: Ok, that makes sense. It almost looks like they were bushes or something, that's why I was asking. Ok.

Thank you.

David Williams: Brian, does the rezoning, in your opinion, agree with the Comprehensive Plan?

Brian Bishop: Yes sir, it does. That should be addressed in the motion that was emailed out earlier in the day.

David Williams: Is Tommy Joe with us today?

Brian Bishop: He is.

Tommy Joe Fridy: Yes, I'm with you.

David Williams: Good to know, Tommy Joe. Have we established the finding of facts (inaudible)...?

Tommy Joe Fridy: You cut out. I heard you say findings of fact.

David Williams: In your opinion, have we established findings of facts.

Tommy Joe Fridy: No, I don't think you introduced any facts.

Brian can recite the facts or the applicant can.

Brian Bishop: Commissioner Williams, do you have a copy of the proposed motion and findings of fact that we passed out, or emailed out; excuse me?

Tommy Joe Fridy: I think he's asking if you have them in the record but we haven't heard if there's any opposition or anyone wants to speak for the application.

Chairman Dixon: Are there any questions of staff at this point?

Is there anyone who would like to speak in favor of this rezoning; either with us tonight, or on Facebook or by whatever means? Anyone wanting to speak in favor?

I'm hearing no reply.

Is there anyone who would like to speak against this rezoning? Anyone outside the commission that has any kind of questions regarding this rezoning?

Brent Jacobs: Brian, I don't see any comments on Facebook but give it a few minutes.

Chairman Dixon: Brian, would you like to go ahead and read those findings of facts?

Brian Bishop: I can do that.

Chairman Dixon: Brian is going to read the findings of facts into the record.

Brian Bishop:

***“REZONING #1103 TO CONSIDER A REVISED DEVELOPMENT PLAN – Submitted by George & Bobbie Chambers and Attorney Chris Hopgood, for the property located in the City of Henderson on 985***

*Cosby Drive with frontage on Hwy. U.S. 60 East, (PID #65A-13), containing 1.63 acres (the “subject property”). Applicants are requesting to change the Development Plan from a strip shopping center to an eight (8) unit apartment complex, which is being treated like a zoning change/map amendment for notice, advertising, public hearing, etc. purposes. The property is currently zoned General Business with a development plan for a strip shopping center and will remain zoned General Business (GB) with a new/revised development plan. The applicants are requesting a change in the development plan to construct an eight (8) unit apartment complex; a development plan restricts the use of the subject property to ONLY the use set out in such development plan, which in this case is an eight (8) unit apartment complex.”*

Brian Bishop: Then, the motion would read;

*“I move that the Planning Commission recommend that the Henderson Board of Commissioners (the “City”) APPROVE the Revised Development Plan for this Application which is known and referred to as Rezoning Application # 1103 with a Revised Development Plan leaving the zoning classification General Business and changing the development plan from a strip mall/shopping center to a new revised development plan to allow an eight (8) unit apartment complex and for no other use without the approval of the Planning Commission, subject to the final approval of a site plan before a*

*building permit can be issued; and, I leave the motion open for other members of the Planning Commission to add findings of fact in support of this motion, because:*

*The subject property, parcel PID 65A-13, is located at the intersection of Cosby Drive and Hwy 60 E, with frontage on Hwy 60 E. The subject property is now and will remain zoned General Business (GB).*

*The proposed use as an apartment complex is allowed in the General Business Zone but the development plan in rezoning #960 limited the parcel's use to a strip mall/shopping center.*

*The existing strip shopping center development plan is inappropriate and the proposed development plan for an eight (8) unit apartment complex is appropriate, because:*

- *The City of Henderson has a need for more housing which this development provides.*
- *The proposed development plan will allow for a residential use by constructing an apartment complex.*
- *There are other apartment complexes, several churches, restaurants, a school, a large storage facility, financial institutions, and health care facilities, among other commercial businesses, on U.S. 60 E, which are in close proximity to the subject property.*

- *There is a major shipping complex containing both Walmart and Lowe's within walking distance by sidewalk, approximately 4/10ths of a mile, from the subject property.*
- *This proposed Development Plan for "the subject parcel" will not adversely affect the other properties in the area.*
- *The new development is at the intersection of Cosby Drive and Hwy 60 E; and, Hwy 60 E has been recently widened to 4 lanes and upgraded, with sidewalks, etc.*
- *The property is served by adequate infrastructure/utilities.*
- *The rezoning request is justified because the economy in the area has not created sufficient demand or justification for the development of the proposed strip mall.*

*The proposed zoning classification is in agreement with the Goals and Objectives of the Comprehensive Plan, in that:*

- *Balancing Land Use Objective A: Identify areas of opportunity for infill, redevelopment and adaptive reuse that respect the area's context and design features.*
- *Balancing Land Use, Objective (B): Guide development to existing centralized areas served by adequate infrastructure to avoid decentralized and scattered development.*

- *Balancing Land Use, Objective (C): Promote mixed use neighborhoods to create a vibrant built environment.*
- *Healthy Neighborhoods (A): Promote stability of existing neighborhoods and all aspects of housing including infill, redevelopment, and encourage new development where appropriate.*
- *Healthy Neighborhoods (D): Plan for housing that addresses the market needs for all residents, including, but not limited to, mixed-use and housing near employment and commercial areas.*
- *Healthy Neighborhoods (G): Encourage recreational and community facilities into developments to afford active living alternatives for residents.*

*The zoning classification and the proposed use are in agreement with the Future Land Use Map of the Comprehensive Plan, which shows the area developing Medium Density Residential.”*

Brian Bishop: That is all, Mr. Chairman.

Chairman Dixon: Very good, thank you.

Has anyone joined us that wants to speak for or against this rezoning by whatever means?

Tommy Joe Fridy: Mr. Chairman, while you're waiting for Facebook, do I have permission to address staff?

Chairman Dixon: Yes, please do.

Tommy Joe Fridy: Brian, are you, on behalf of the Planning Commission as the Director, introducing the factual components of that proposed motion in the record?

Brian Bishop: Yes sir.

Tommy Joe Fridy: Thank you. I have no further questions, Mr. Chairman.

Brent Jacobs: There are no comments on Facebook.

Chairman Dixon: I'm hearing no comments on Facebook.

The chair will entertain a motion in this regard; rezoning #1103.

Tommy Joe Fridy: If someone makes the motion, they do not need to read it again because Mr. Bishop has already read it. You can move to adopt the motion as read.

***MOTION WAS MADE BY DOUG BELL, AND SECONDED BY KEVIN RICHARD TO ADOPT THE MOTION AS READ.***

Chairman Dixon: We have a motion, and a second.

Madame Secretary, can you call the roll?

***AYE: ALL***

***NAY: NONE***

Chairman Dixon: The motion carries. Thank you all.

We'll move on to the next item in the public hearing; **Amendments to the Henderson City Zoning Ordinance, Appendix A.**

Mr. Bishop, will you start that discussion?

Brian Bishop: Yes sir.

I'm going to ask for assistance with Mr. Ray Nix with this one. But before Ray gives his presentation, I will give a little bit of a background.

Zoning text amendments originate with two (2) groups. It can either be Planning Commission or the Legislative body. In this case, the Board of Commissioners has requested that we hold a public hearing to address animal café's; which you'll see in the definition of your packet.

So what will happen next is we hold the public hearing, which is now. Once we do that, we make a recommendation back to the Board of Commissioners, and then they take final action on that.

So, with that, I'm going to switch seats with Mr. Ray Nix and he's going to take us home on this one.

Theresa Curtis: Brian, can you take the rezoning off the big screen?

Brian Bishop: Yes, Chris is doing that right now.

Theresa Curtis: Thank you.

Chairman Dixon: Let me get Mr. Nix sworn in.

Do you swear to tell the whole truth and nothing but the truth?

Ray Nix: I do.

Chairman Dixon: Thank you, please proceed.

Ray Nix: A few weeks ago the City of Henderson was approached by a person wanting to start up an animal café, specifically a cat café.

We have nothing in our zoning ordinances regarding this type of business so, the city is coming to the Planning Commission to consider adding changes to the following articles.

They are; Article II Section 2.01 Definitions; Animal café to be any retail café that collaborates with any animal shelter defined in KRS 258.095, to provide space to showcase cats or rabbits owned by the entities for the purpose of adoption.

They would also like to include Article XIX, General Business District, Section 19.03- Conditional uses- (f) as animal café's.

Article XX- Central Business District, Section 20.03 – Conditional uses – (a) animal café’s.

Article XXI- Highway Commercial Districts, Section 21.03– Conditional uses – (f) animal café’s.

Article XXX- Riverfront Zones, RF-2, Light Commercial, Section 30.03 – Permitted & Conditional Uses – animal café’s.

Article XXXII- Audubon Residential District, Section 32.03 – Permitted & Conditional Uses – (a) include animal café’s.

Article XXXIII- Gateway Zone District, Section 33.06 – Permitted & Conditional Uses- (f) animal café’s as defined in Section 2.01

Article XXXIV- Henderson Innovative Planning District (HIP), Section 34.02- Permitted & Conditional Uses (b) - animal café’s.

A little background on this just to give you a little information and input. Over the past decade or two (2), as populations of stray and neglected animals have grown and overwhelmed cities and counties and I’m sure if you heard about Fiscal Court report from the Humane Society, the County has a huge group of stray animals out there.

Animal cafés have popped up around the country with the purpose of working with local animal shelters and providing a site for showcasing animals for the purpose of adoption.

These are café’s in the sense that they provide a small area for coffee, tea or other non-alcoholic beverages while providing the majority of the separate space for viewing and interacting with animals for the purpose of adoption.

In our case, that would be cats and/or rabbits and located in a less stressful environment than what you would normally see at a shelter.

Lexington and Louisville have such businesses, as does Evansville. There is a place called River Kitty Cat Café on Main Street, you should check out their website, it's really a creative concept.

I spoke with Paula at New Hope and she said she is excited about the possibility of collaborating in this type of way to help with adoptions since they are overwhelmed by numbers.

She said that she has talked with a couple of the shelters in Evansville and they have indicated to her that the cat café in Evansville has been a godsend for their overcrowding problem by helping to increase the number of adoptions.

I also spoke with Debbie at the Humane Society and she thinks this is a win-win for our community.

She said that currently, the Humane Society is drowning in cats. They have so many that they have a waiting list now for anyone wanting to give up a cat.

She went on to say that the Kitty Café in Evansville was doing a tremendous job with adoption placements stating that they have had over five-hundred (500) cats adopted so far this year. She also said the Humane Society and New Hope have met together and are in collaborative support for this.

The City has crafted these changes so that any request of this type would go to the Board of Zoning Adjustment as a conditional use with a public hearing and approval.

Those are my comments, if anyone has any questions I'll try to answer them.

Mac Arnold: Ray, I've got a question. I noticed it says cats and rabbits, what is the concern about... are dogs not thought about in this or is it something they are preparing for later on or just does not apply?

Ray Nix: I think we're looking at maybe something like this popping up in a business district area without having a larger area for walking space and that sort for some of the larger animals. I think, considering cats probably have a lower maintenance as far as that type of animal as well as less noise and sanitation was also a consideration.

Mac Arnold: Ok. So, later on if someone wants a café for dogs, we're going to have to go through this process again?

Ray Nix: Absolutely.

Mac Arnold: Ok, thank you.

Brian Bishop: Guys, before we discuss any more I believe we have Mr. Adam Fox who's on, and would like to discuss the issue.

Chairman Dixon: Mr. Fox, would you like to join us?

Adam Fox: Absolutely.

Chairman Dixon: I need to ask you if you are willing if you swear to tell the truth, the whole truth, and nothing but the truth this evening.

Adam Fox: Absolutely.

Chairman Dixon: Very good, thank you sir.

Theresa Curtis: Mr. Chairman?

Chairman Dixon: Yes ma'am?

Theresa Curtis: We need his address for the record.

Chairman Dixon: Oh, I'm sorry! Mr. Fox, your address for the record.

Adam Fox: 771 Lakeview Drive, here in Henderson, 42420.

Theresa Curtis: Thank you.

Chairman Dixon: Thank you.

Adam Fox: No problem.

So, I just wanted to elaborate a bit on the cat café concept, and I wanted to respond to the question in regards to rabbits.

In regards to the rabbits, about the potential for having other animals besides cats at this establishment or this café, it would be in the case of owner surrenders.

Rescues like VHS, like New Hope Animal Rescue often times do get small, strange animals such as a rabbit, a ferret, sometimes reptiles in tanks, things like that so I wanted to leave that option open in case anyone did have a particular animal that wasn't necessarily a cat or wasn't a dog. So again, ferrets, rabbits, reptiles in tanks, things that are in those instances to leave myself the ability to have them surrendered and rehomed property to the establishment.

One of the statistics I like to send out is that cat café's such as this have a twenty percent (20%) or higher chance of adopting out an animal than a private animal shelter in town, just due to exposure and the amount of foot traffic that goes through the door to be able to see those animals and give them a chance to get with someone that clicks with them and wants to go home with them.

So, also about your point about the dogs. Dogs tend to be a bit of a noise nuisance, I guess, in such area as a café where I expect to have a light food sales that he mentioned, beverages and things like that. Again, pending the approval of the Health Department.

In my model for this, I don't believe that dogs would be a good fit for in this space, not to say that someone shouldn't try it down the line but it just didn't fit with my model so I didn't suggest it.

Chairman Dixon: Thank you.

Brian Bishop: Mr. Chairman, if I may, Mr. Fridy, I'm going to need your assistance on this.

As far as Mr. Fox's question regarding the fluidness of the animals that would be allowed, the City's language was very specific. It specifically says cats and rabbits only. So, unless Mr. Fridy thinks I'm wrong, I don't think we can give that allotment. There's not that much fluidness there. It has to be specific to those two (2) types of animals.

Tommy Joe Fridy: I agree. That's my opinion.

Chairman Dixon: The amendment, as presented to us, deals specifically with cats and rabbits.

That's what everybody's looking at, right?

Good. Do any commission members have more questions for Mr. Fox?

Mr. Fox, do you have anything you would like to add?

Adam Fox: No, unless revising the amendments is necessary in terms of that the State of Kentucky recognizes those tank reptiles and other small animals as individual items that need to have specific laws for those breeds or species of animals. Now of course I would like to get that revised in the future and have that set up; but as far as an initial... it's entirely up to you as an initial amendment to have cats and rabbits or to amend that down the line and say, ok, cats, rabbits and you know ferrets, tank reptiles, etc., to more closely fit the range of animals I would like to be able to accommodate for.

Chairman Dixon: Ok, thank you.

Tommy Joe, make sure I'm speaking correctly. If we were going to add species, we would come back and do that in a separate action, would that be correct?

Tommy Joe Fridy: There are two (2) possibilities.

That is possibility one, and it is the best possibility in my judgement.

But it is also possible for the Planning Commission to recommend to the City Commission that they include other pets or other animals.

Chairman Dixon: Which would of course delay our consideration if we went with Plan B.

Tommy Joe Fridy: No it would not. We're holding a public hearing and making a recommendation to the city.

Chairman Dixon: Understood, understood. Thank you, thank you.

Any other questions from anyone regarding anything on this proposed amendment?

I'm hearing none, the chair will entertain a motion in connection with this action.

David Williams: Mr. Fridy, would you please repeat what you said about including other animals in this recommendation please?

Tommy Joe Fridy: You could include other animals. It's my suggestion that we pass it as it is. There's no cost or time factor here, and then allow the city to have discussions with whomever may be interested which may include yourself or Mac, and ask them to include other animals such as dogs or reptiles, etc. But when you do that, the Planning Commission and the city may very well want to have that café for a dog with different requirements than a café for a cat or rabbit.

So, it may take a good deal of more work and if there is someone wanting to do it for cats, rabbits then I see no reason not to...or would be my recommendation that you pass it as it is and then we can immediately work on adding other animals.

Chairman Dixon: Very good, thank you counselor.

Tommy Joe Fridy: You're very welcome.

Chairman Dixon: The chair will entertain a motion.

***MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY BOBBIE JARRETT TO RECOMMEND TO THE CITY***

***COMMISSION THAT THEY ADOPT THESE CHANGES AS PRESENTED, TO THE ZONING ORDINANCE.***

Chairman Dixon: We have a motion and a second. Madame Secretary, please call the roll.

***AYE: ALL***

***NAY: NONE***

Chairman Dixon: The motion carries. Thank you all, and thank you Mr. Fox for your input on this. We appreciate it.

Adam Fox: Thank you everyone.

Chairman Dixon: That concludes the public hearing. We need a motion to go out of public hearing.

***MOTION WAS MADE BY KEVIN RICHARD, SECONDED BY GARY GIBSON TO GO OUT OF PUBLIC HEARING.***

Chairman Dixon: All in favor, say aye.

***AYE: ALL***

Chairman Dixon: Any opposed?

***NAY: NONE***

Chairman Dixon: We're out of public hearing.

Next item on the agenda is the **July Finance Report**. I think Theresa is going to take care of that for us.

Theresa Curtis: Yes, Mr. Chairman.

We're in the first month of our new budget, and we're at fourteen percent (14%). If you have any questions, I'll answer them. If not, we just need approval.

Chairman Dixon: Can I get a motion?

***MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY BOBBIE JARRETT TO APPROVE THE JULY FINANCE REPORT AS SUBMITTED.***

Chairman Dixon: All in favor?

***AYE: ALL***

Chairman Dixon: Opposed?

***NAY: NONE***

Chairman Dixon: Very good. **The Bond Report**, Jennifer is going to handle that.

Jennifer Marks: The first one is Braxton Park, Section II recommending to extend one (1) year on their bond, the amount would be the same. They still have two (2) undeveloped lots.

Rivers Edge Subdivision, Section I, we're recommending to also extend their bond one (1) year at the same amount it is currently at; streets, sidewalks, and erosion control.

The third, Colonial Cottages, Section III, we're recommending to extend one (1) year. It has already been reduced to thirty-five percent (35%) for streets, sidewalks, and erosion control.

And lastly, we have Tri State Rentals. We are recommending to release, I got a phone call from Bill today and it has been inspected and they are good to go on all of that.

***MOTION WAS MADE BY DICKIE JOHNSON, SECONDED BY MAC ARNOLD TO APPROVE THE BOND AS PRESENTED.***

Chairman Dixon: We have a motion and a second. All in favor say aye.

***AYE: ALL***

Chairman Dixon: Opposed?

***NAY: NONE***

Chairman Dixon: Very good.

The next item, we're going to go to the **Cosby Corner Site Plan**, Jennifer?

Jennifer Marks: Thank you.

As previously discussed, this was submitted by George and Bobbie Chambers and Morley and Associates for the property located in the City of Henderson at 985 Cosby Drive, (PID#65A-13). The applicants are requesting a site plan approval for the eight (8) residential apartments.

This project will be subject to all bonding requirements. We currently have the bonding numbers for the widening of the streets, sidewalks, curb and gutter for \$17,300 from Doug. We are currently waiting on the numbers from Ken, and we can get those to you all if you need those.

Chairman Dixon: Any questions for staff about the Cosby Corner Site Plan?

If not, the chair will entertain a motion.

***MOTION WAS MADE BY DICKIE JOHNSON, SECONDED BY GARY GIBSON TO APPROVE THE COSBY CORNER SITE PLAN AS PRESENTED.***

Chairman Dixon: We have a motion and a second. Madame Secretary, please call the roll.

***AYE: ALL (DOUG BELL DID NOT VOTE- NO ANSWER)***

***NAY: NONE***

Chairman Dixon: Ok, the motion carries.

The next item is the **Homeplace of Henderson Phase 1, Revised Site Plan**, Brian?

Brian Bishop: Yes sir.

Homeplace of Henderson, Phase I, revised site plan, submitted by JM Development, Inc., for the property located in the City of Henderson on Green River Road (PID#64-28). The applicants are requesting a revised site plan approval for updated drainage plans and private road dedication.

You may remember this from the January meeting in this year. There have been some changes to the site plan, and since this site plan was approved by the Planning Commission, staff believes that the revised site plan should again be approved by the Planning Commission.

There are two (2) significant changes here. Basically you'll notice the two (2) large detention ponds. They were previously sized to handle the drainage requirements for the project but when they started the construction, they realized that the basins themselves were not really conducive to the residents enjoying them for things like fishing, and just sitting around and enjoying the natural scenery.

So, the applicant has requested the basins be re-designed. HWU and Mr. Ferry have reviewed these revisions and they feel like the drainage requirements are still met, and they also have more aesthetic value. So, it's an overall benefit to the project.

The second revision is that the boulevard-type entrance will no longer be a public street. It would be a private entrance and maintained by the applicant. Everyone has reviewed it from the technical side. We all believe these revisions should be approved, and the only subject-to would be for bonding in the amount of \$20,000 which would cover the proposed entrance and the existing entrance that are on the site as well.

With that, I will do my best to answer any questions you may have.

David Williams: That \$20,000 is in addition to their bonding that has already been required.

Brian Bishop: I'm sorry Commissioner Williams, did you say in addition to?

David Williams: Yes, is that \$20,000 in addition to any other bonding requirements?

Brian Bishop: There was previous bonding for drainage before which will stay in place. The bonding for the public road will no longer be necessary because it's not a public improvement. The \$20,000 will be for the entrances, for the area that you can see in the drawing and then further north. There are two (2) entrances it will cover.

I believe the applicant is online. Patrick, Mr. Beaven are you on the call?

Patrick Beaven: Yes I am.

Brian Bishop: Commissioners, the owner is on the phone. If you have any questions he can answer them as well.

Chairman Dixon: Does anyone have any questions of the owner?

Very good, I'll entertain a motion pertaining to Homeplace of Henderson, Phase I, Revised Site Plan.

***MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY BOBBIE JARRETT TO RECOMMEND THE APPROVAL OF HOMEPLACE OF HENDERSON, PHASE I, REVISED SITE PLAN. SUBJECT TO THE ADDITIONAL \$20,000 IN BONDING.***

Chairman Dixon: We have a motion and a second.

Madame Secretary, please call the roll.

***AYE: ALL***

***NAY: NONE***

Chairman Dixon: Thank you, the motion carries.

Under Administrative Business, we're going to deal with the annual performance review of the Executive Director.

I can tell you all that the Executive Committee met to review the evaluations. Mr. Bishop's total average score was ninety-five percent (95%) out of 100 or ninety-five (95) out of one-hundred (100).

This will make him eligible for a merit increase pending our approval. The increase would bring his annual salary to \$90,751.04.

The reviews, which we appreciated those who turned in those reviews also had several, great constructive comments that Brian, I'm sure of, is already aware of. Any questions, discussions of the process or the results?

The chair will entertain a motion in regards to this increase.

***MOTION WAS MADE BY BOBBIE JARRETT, SECONDED BY MAC ARNOLD TO APPROVE THE MERIT INCREASE FOR THE EXECUTIVE DIRECTOR, BRIAN BISHOP.***

Chairman Dixon: We have a motion, and a couple of seconds. Madame Secretary, please call the roll.

***AYE: ALL***

***NAY: NONE***

Chairman Dixon: Very good, thank you all and congratulations Mr. Bishop. We appreciate your service.

Brian Bishop: Thank you.

Chairman Dixon: Next on the agenda, we have Robards NFIP Coordination which I think refers to flood insurance.

Brian Bishop: I believe Mr. Sellars, the Mayor of Robards, is on.

Mr. Sellars, are you still there?

David Sellars: Yes, yes I am.

Brian Bishop: I'll give a little bit of background. The City of Robards is not currently in the National Flood Insurance Program which the City of Henderson and County of Henderson both are.

The City of Robards has no mapped floodplain. So, in essence there is no floodplain in Robards that's mapped or identified. However, the City of Robards would like to enter into the National Flood Insurance Program.

A couple of reasons. One (1), it gives them greater access to grants which is a good thing. They could have better access to grants for drainage projects and things like that. It also looks good for the State of Kentucky because the more communities we have in the NFIP, the better it is for us on a larger scale as far as grants and opportunities like that.

The City of Robards has suggested that staff serve as the Floodplain Administrator, mainly me which I have no issue with whatsoever but I felt that it would be the Planning Commission's prerogative to approve that.

So, what Mr. Sellars is officially requesting is that I act as the Floodplain Coordinator. I do not anticipate this to be a problem or any increase in workload, it's more of a formality.

With that Mr. Sellars, is there anything you would like to add?

David Sellars: I believe you've said it all. That's it.

Brian Bishop: With that being said, I'll answer any questions the Planning Commission has.

Doug Bell: So, it's my understanding we just need a motion allowing you to act on behalf of the City of Robards?

Brian Bishop: Doug, I lost the first part of that.

Doug Bell: You just need a motion from this body approving that, is that correct?

Brian Bishop: Yes, that's what we would like please.

***MOTION WAS MADE BY DOUG BELL, SECONDED BY MAC ARNOLD TO ALLOW BRIAN BISHOP TO SERVE FOR THE CITY OF ROBARDS IN REGARDS TO FLOODPLAIN MATTERS.***

Chairman Dixon: We have a motion and a second. All in favor say aye.

***AYE: ALL***

Chairman Dixon: Any opposed to this?

***NAY: NONE***

Chairman Dixon: Very good, thank you.

David Sellars: Thank you Commission.

Chairman Dixon: You're most welcome Mayor, thank you.

Is there any other business to come before this body for the good of the cause?

Very good, I'll entertain a motion to adjourn.

***MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY KEVIN RICHARD TO ADJOURN.***

Chairman Dixon: We have a motion and a second. All in favor say aye.

***AYE: ALL***

Chairman Dixon: Any opposed to this?

***NAY: NONE***

Chairman Dixon: Very good job, thank you folks, thank you.

MEETING ADJOURNED AT 6:52 P.M.

**I, HEATHER LAUDERDALE, hereby certify that the foregoing is a true and accurate transcription of the Henderson City-County**

**Planning Commission Meeting of, August 4, 2020 to the best of my ability.**

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**Heather Lauderdale, HCCPC Clerk**

X

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