

Henderson City-County
Planning Commission
August 3, 2021

The Henderson City-County Planning Commission held a meeting August 3, 2021 at 6:00 p.m., at the Henderson Municipal Building, 222 First Street, 3rd Floor, and via teleconference. Members present: Chairman David Dixon, Vice-Chairman David Williams, Bobbie Jarrett, Dickie Johnson, Gary Gibson, Mac Arnold, Stacy Denton, Kevin Herron, Kevin Richard and Tommy Joe Fridy. Gray Hodge and Doug Bell were absent. Staff present: Director Brian Bishop, Jennifer Marks, Theresa Curtis, Heather Lauderdale and Chris Raymer.

MEETING BEGAN AT 6:00 PM

Chairman Dixon: I would like to call this Tuesday, August 3, 2021 meeting of the Henderson City-County Planning Commission to order and read the following message;

“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 3, 2021 meeting of the Henderson City-County Planning Commission is being held by video teleconference as well as in person.

This video teleconference meeting is being telecast live on Facebook at www.facebook.com/HendersonPlanning/live/ page and elsewhere for the media and the public to view. During the public hearing segments of the meeting, the public may offer evidence, comments, positions, suggestions and questions in accordance with the meeting rules.

Chairman Dixon: I would like to ask everyone to please speak slowly, clearly and loudly enough to be heard to be heard through our face coverings.

Madame Secretary, will you please call the roll?

Chairman Dixon: Do we have a quorum, Madame Secretary?

Heather Lauderdale: We do have a quorum.

Chairman Dixon: We have a quorum, we will proceed.

We have some public hearing items this evening, I would like have a motion to go into public hearing.

MOTION WAS MADE BY MAC ARNOLD, SECONDED BY GARY GIBSON TO GO INTO PUBLIC HEARING.

Chairman Dixon: Any discussion? All in favor say aye.

AYE: ALL

NAY: NONE

Chairman Dixon: We're in public hearing.

The first item of business is approval of the Minutes from the July 6, 2021 meeting.

MOTION WAS MADE BY BOBBIE JARRETT, SECONDED BY MAC ARNOLD TO APPROVE THE MINUTES FROM JULY 6, 2021.

Chairman Dixon: We have a motion and a second, any discussion?

All in favor say aye.

AYE: ALL

Chairman Dixon: Any opposed?

NAY: NONE

Chairman Dixon: Very good, the minutes have been approved as presented.

The next item is concerns **Tracts 1A and 1B of the Woodrow and Virginia Cooper Agricultural Division.** Ms. Marks, can you help us with that please?

Jennifer Marks: Yes. So this Agricultural Division was submitted by Donald Gish, Tammy Bridges, and Sondra Fambrough for the property located in Henderson County at 11081 US Hwy 41 South (PID#68-44 & 68-44.7). Applicants are requesting approval for an Agricultural Division.

As you all know, Agricultural Divisions are required to come to the Planning Commission for your approval. I would like to note really quick, if you'll look at your packet you'll see the GIS photo of what we need for you all to kind of review and you will see the survey.

When we're doing plats like this, you're going to want to refer to the survey in looking at what we're officially approving or making a recommendation on or whatever.

The GIS shows the way that it is, if you'll look at Tract 1B and Tract 1A, A is also a different size at this point because that is currently what the tracts look like. Once this is approved, they will then be subdivided to look like the survey included in your packet.

So, just make sure that when you compare both of those that's the understanding that what you are reviewing and approving is the survey.

Any questions on that part?

So, again this is an Ag Division, it has been submitted and meets all the requirements for the Ag Division. Including having the Ag Exempt Certification signed by all property owners. So, if you all have any questions, I'll answer those but other than that it just needs approval from you all.

Chairman Dixon: Do we have any questions for staff?

Kevin Richard: Just double checking, looking at GIS there is no part of these parcels in the flood zone?

Jennifer Marks: Uh, no.

Kevin Richard: Thank you.

Chairman Dixon: Any other questions for staff? Do we have anybody joining us via ZOOM that would like to speak to this? Can anybody tell? I'm seeing none. Facebook?

Chris Raymer: No comments.

Chairman Dixon: We have no further questions, no outside inquiries? I'll entertain a motion in regard to Tract 1A and 1B of the Woodrow and Virginia Cooper Agricultural Division.

MOTION WAS MADE BY DICKIE JOHNSON, SECONDED BY MAC ARNOLD TO APPROVE TRACT 1A AND 1B OF THE WOODROW AND VIRGINIA COOPER AGRICULTURAL DIVISION SUBMITTED BY DONALD GISH, TAMMY BRIDGES, AND SONDR A FAMBROUGH FOR THE PROPERTY LOCATED IN HENDERSON COUNTY AT 11081 US HWY 41 SOUTH (PID#68-44 & 68-44.7).

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

AYE: ALL

NAY: NONE

Chairman Dixon: Very good the motion passes, thank you all.

Moving on to the next Public Hearing item is **#1122 Assignment of Zoning Classification in Conjunction with Annexation.**

Mr. Bishop, would you like to get us started on that?

Brian Bishop: Yes sir.

Can everyone see the GIS map that shows parcels 1, 2 and Lot 1?

#1122 Assignment of Zoning Classification in Conjunction with Annexation - The City of Henderson has requested that the Planning Commission hold a public hearing, recommend a zoning classification and amend the Comprehensive Plan for the property which is currently located in Henderson County on Highway 425 Bypass, being Parcel 1, 2 & Revised Lot 1 of the A.G. & Mary Pritchett Subdivision & Consolidation, (PID# 46-19; PID# 46-19.2); (PID# 46-19.1), and portions of Old Corydon Road & KY HWY 425 Right-Of-Ways, containing approximately 321.783 acres, collectively referred to herein as (the "subject areas"). The "subject areas" are currently zoned County Heavy Industrial District (M-2), and staff is recommending a City Heavy Industrial District (M-2) zoning classification for the subject areas

Chairman Dixon: Uh, 321. (Regarding number of acres)

Brian Bishop: Correct. 321.783 acres.

Chairman Dixon: Is any of this tract on the other side of the by-pass?

Brian Bishop: No, it is not. It's these three (3) parcels in yellow.

Chairman Dixon: Ok, that portion in blue below the by-pass...

Brian Bishop: Correct. It's a separate parcel that is zoned Heavy Industrial as well.

Jeff Francis: No, that's been changed.

Chairman Dixon: Excuse me sir, would you like to address the commission?

Thank you for coming, before we get started I need your name and address.

Jeff Francis: Jeff Francis, 9592 Corydon Geneva Road, Henderson, Kentucky.

Chairman Dixon: Do you promise to tell the truth, the whole truth and nothing but the truth?

Jeff Francis: Yes sir.

Chairman Dixon: Thank you very much.

Jeff Francis: When I noticed that....that was changed from Heavy Industrial to Agricultural because a solar farm was going on there.

Brian Bishop: Ok, we're talking about separate parcels. So, the question that they asked about is for the parcel south, right here.

Chairman Dixon: 46-19.2.

Brian Bishop: Correct.

Jeff Francis: That is correct.

Brian Bishop: That has the same parcel number as this one because it shows common ownership. This parcel is where the Solar Farm would be and would be zoned Ag.

Jeff Francis: Which one is it? The bottom part?

Brian Bishop: Yes.

Jeff Francis: That's not Heavy Industrial anymore?

Brian Bishop: I think we're talking about two (2), separate tracts.

This property right here...

Jeff Francis: Right.

Brian Bishop: This was never rezoned.

Chairman Dixon: I only ask the question because it was shaded in blue...

Brian Bishop: Yeah, that's a designation for Heavy Industrial zoning like the parcels to the north on Ohio Drive.

Chairman Dixon: Ok, thank you, thank you.

Jeff Francis: Well, ok.

Chairman Dixon: Thank you.

Jeff Francis: Well, I know we had a meeting on that last year.

Brian Bishop: Correct. That was for the parcel to the east of these across the railroad tracks, is what we rezoned then.

Jeff Francis: Correct. On Lovers Lane, yes sir.

Brian Bishop: Correct, exactly.

Chairman Dixon: Thanks for your help, sir.

Brian Bishop: Staff has prepared a proposed motion and findings of facts that I will now read into the record as part of my testimony.

“#1122 ASSIGNMENT OF ZONING CLASSIFICATION IN CONJUNCTION WITH ANNEXATION - The City of Henderson has requested that the Planning Commission hold a public hearing, recommend a zoning classification and amend the Comprehensive Plan for the property which is currently located in Henderson County on Highway 425 Bypass, being Parcel 1, 2 & Revised Lot 1 of the A.G. & Mary Pritchett Subdivision & Consolidation, (PID# 46-19; PID# 46-19.2); (PID# 46-19.1), and portions of Old Corydon Road & KY HWY 425 Right-Of-Ways, containing approximately 321.783 acres, collectively referred to herein as (the “subject areas”). The "subject areas" are currently zoned County Heavy Industrial District (M-2), and staff is recommending a City Heavy Industrial District (M-2) zoning classification for the subject areas. I move that the Planning Commission recommends that the City of Henderson assign a City Heavy Industrial District (M-2) zoning classification to the subject areas; that the Comprehensive Plan be amended to include this area in the City Zoning Map, if and when it is annexed into the City; and, if and when the City assigns a zoning classification in accordance with

applicable law, that such zoning classification be appropriately shown in the City Zoning Map, the Comprehensive Plan and the Future Land Use Map; 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 areas" are currently zoned County Heavy Industrial District (M-2).*
- *The subject areas are suitable for heavy industrial development.*
- *Changing the zoning classification from County Heavy Industrial to City Heavy Industrial will not have an adverse impact on the area or surrounding properties.*
- *The subject areas are served with adequate infrastructure.*
- *The transcript of the Public Hearing is incorporated herein by reference. The following Goals and Objectives of the Comprehensive Plan will be carried out by Heavy Industrial development of the subject areas:*
 - *Guide 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).*
 - *Encourage the use of existing industrial parks and Riverport facilities (Growing the Economy Objective B).*
 - *Plan 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).*

Chairman Dixon: Excellent. Does the Commission have any questions for staff on this matter?

Yes, counselor?

Tommy Joe Fridy: Would you state the acreage again?

Brian Bishop: As presented to us the acreage is 321.783.

Chairman Dixon: Thank you.

Mac Arnold: Brian, is this the area for that new development?

Brian Bishop: It is sir. We also have a special guest who would probably like to add a little bit to that; Mrs. Missy Vanderpool from Economic Development.

Chairman Dixon: Very good, thank you for being here.

Missy Vanderpool: Thanks for having me.

Chairman Dixon: I'll need your name and address.

Missy Vanderpool: Missy Vanderpool, 8018 Martin and Martin Road, Henderson, Kentucky.

Chairman Dixon: And you promise to tell the truth, the whole truth and nothing but the truth?

Missy Vanderpool: I do.

Chairman Dixon: Very good, thank you.

Missy Vanderpool: So yes, that's a great question it is...we're still very excited about the announcement of last week. This is the tract of land that Pratt Industries will be building their new facility.

As we talked about on Thursday, you know the true groundbreaking and construction will begin late this fall but in March of 2022 they will begin the construction of that project with the completion date and full operation by 2023.

This will be a paper mill. The first phase of the project will be a paper mill and then the second phase will be a corrugator. So, they will build the paper mill first, the corrugator will be attached to the paper mill and so there will be actual boxes that come out of the corrugator and the completion for that will be no later than September of 2026.

Does anybody have any questions about the project?

Chairman Dixon: Any other questions?

Brian Bishop: Mr. Chairman, I believe Brad Schneider, the County judge is on ZOOM as well. Judge, is there anything you would like to add?

Brad Schneider: I will tell you all, and I want to ask can you hear me?

Chairman Dixon: Yes, and I think I'll need to swear you in too, sir.

Brad Schneider: Yes sir.

Chairman Dixon: Your name and address please?

Brad Schneider: Brad Schneider, 1552 Autumn Lane, Henderson, Kentucky.

Chairman Dixon: And you promise to tell the truth, the whole truth and nothing but the truth?

Brad Schneider: Yes sir, Mr. Chairman.

Chairman Dixon: Thank you Judge, thanks for joining us.

Brad Schneider: I want to reiterate what Missy Vanderpool said about the timeline and the quality of this company. Mrs. Vanderpool, City Manager Buzzy Newman, Henderson Water Director Tom Williams and I, and also Whitney Risley went to visit a similar plant in Wapakoneta, Ohio earlier this year and to both tour and talk to Pratt leadership and I will assure the Commission that the facility in Ohio was impressive, clean, high-tech and unlike older paper mills, which some of the

members of the Commission have may experienced, there was no obvious bad odors, especially outside the plant.

We were really impressed with the processes and we think not only Pratt be a good neighbor to the houses that are in the vicinity of these plots of land but will in many ways enhance the community and be a point of pride for all of Henderson, both city and county.

Chairman Dixon: Thank you Judge.

Anyone on the Commission have any questions for Judge Schneider?

Very good, thanks for joining us. Any other thoughts on this recommended zoning change in the event of annexation?

Do we have anybody on Facebook? Anybody ZOOM wise?

Brian Bishop: No one on ZOOM or Facebook it appears.

Chairman Dixon: If there are no further questions, I'll entertain a motion in regard to the assignment of zoning classification in conjunction with annexation in this phase.

David Williams: Mr. Fridy, are you satisfied?

Tommy Joe Fridy: I am.

MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY MAC ARNOLD TO MOVE THAT THE PLANNING COMMISSION RECOMMENDS THAT THE CITY OF HENDERSON ASSIGN A CITY HEAVY INDUSTRIAL DISTRICT (M-2) ZONING CLASSIFICATION TO THE SUBJECT AREAS; THAT THE COMPREHENSIVE PLAN BE AMENDED TO INCLUDE THIS AREA IN THE CITY ZONING MAP, IF AND WHEN IT IS ANNEXED INTO THE CITY; AND, IF AND WHEN THE CITY ASSIGNS A ZONING CLASSIFICATION IN ACCORDANCE WITH APPLICABLE LAW, THAT SUCH ZONING CLASSIFICATION BE APPROPRIATELY SHOWN IN THE CITY ZONING MAP, THE

***COMPREHENSIVE PLAN AND THE FUTURE LAND USE MAP;
AND, I LEAVE THE MOTION OPEN FOR OTHER MEMBERS OF
THE PLANNING COMMISSION TO ADD FINDINGS OF FACT IN
SUPPORT OF THIS MOTION.***

Chairman Dixon: We have a motion and a second, any other findings of fact?

David Williams: I will go on to say that I make this motion as far as what Brian has already entered into the record as far as findings of fact.

Chairman Dixon: Satisfactory. We have a motion and a second, any further discussion?

Please call the roll.

AYE: ALL

NAY: NONE

Chairman Dixon: Motion passes, thank you all. If I may say personally, congratulations to those in our community that worked on this. This is a tremendous, or what appears to be a tremendous win.

Thank you to the Judge and all the other ones that were with us tonight that worked on this.

Brian Bishop: Mr. Chairman, can I interject there for one (1) second?

Chairman Dixon: Yes.

Brian Bishop: I would like to brag on Jennifer for a moment, and Missy could elaborate as well if she doesn't mind.

Jennifer was very helpful with this project because she helped with some of the grant writing process that normally would have come from the GRADD District but they were not able to complete that because that was something she used to do in her old capacity and they have not adequately filled that position so she was essentially doing double-duty

from the Planning Commission so I think that's something that we should be very proud of.

Chairman Dixon: I agree.

Dickie Johnson: Thank you Jennifer.

Missy Vanderpool: There was a very fast, approaching deadline to get that done so she worked tirelessly to get that done so we could meet the deadline because for infrastructure upgrades that were needed for our gas to be able to serve this project which is an important part of their process. So, Jennifer worked fast and furious on that and we greatly appreciate that. Thank you.

Chairman Dixon: Thank you. Thank you, thank you Jennifer. Thank you for stepping up and helping out above and beyond the call of duty.

I think that concludes the public hearing items. I'll entertain a motion to go out of public hearing.

MOTION WAS MADE BY DICKIE JOHNSON, SECONDED BY GARY GIBSON TO GO OUT OF PUBLIC HEARING.

Chairman Dixon: We have a motion and a second, any further discussion?

AYE: ALL

NAY: NONE

Chairman Dixon: We're out of public hearing.

The next item on the agenda is the **July Finance Report**. Ms. Curtis?

Theresa Curtis: Yes sir. For the month of July, we're at 11% of budget considering this is the very first month of the new fiscal year.

I will answer any questions if you have them. So far, we're within budget.

MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY BOBBIE JARRETT TO ACCEPT THE FINANCIAL REPORT AS SUBMITTED.

Chairman Dixon: We have a motion and a second, any further discussion? All in favor say aye.

AYE: ALL

Chairman Dixon: Any opposed?

NAY: NONE

Chairman Dixon: Very good, the July Finance Report has been accepted.

The Bond Report, Ms. Marks?

Jennifer Marks: So we will have three (3) bond extensions and one (1) request for release.

The first project is Braxton Park. The original total for those sidewalks that we still have was \$6,025 and we will be leaving that at \$6,025.

They have two (2) lots undeveloped yet so extending for a year is hopefully sufficient.

We have the Home Place of Henderson. They have streets, sidewalks and erosion control remaining. The current of that bond is \$74,170. No work has been completed on that section and based on today's numbers we're needing to update those streets and sidewalks, we will actually need to increase the bond amount for the streets and sidewalks portion to \$22,800 from \$20,000. If you guys are ok with that, we will move forward with extending it for one (1) year. If you follow them on Facebook, they're moving pretty fast with that project. It looks awesome.

River's Edge Subdivision, we have remaining streets, entrances, sidewalks and then water and sewer for a total of \$64,000. Eight (8) of

the twelve (12) lots are developed; one (1) is currently under construction.

The City Engineer as well as Henderson Water has recommended to extend that for one (1) year for them.

Then, we have one bond release request for Colonial Cottages. If you all make the recommendation to release, we will provide a letter to the City for acceptance. However, we will not release that until the City has fully accepted it and we get the letter from the Mayor's office.

Any questions on those?

Chairman Dixon: Any questions or concerns on the Bond Report?

MOTION WAS MADE BY MAC ARNOLD, SECONDED BY BOBBIE JARRETT TO ACCEPT THE BOND REPORT AS SUBMITTED.

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

AYE: ALL

Chairman Dixon: Any opposed?

NAY: NONE

Chairman Dixon: Very good, thank you.

Under Administrative Business, we have an update concerning the Highway 41 North Revitalization Study Committee.

Mr. Bishop, do you have comments in that regard?

Brian Bishop: Yes sir, I think we have briefly touched on this in the past but the Planning Commission has been given a task, so to speak.

Highway 41 North we commonly refer to as the "strip" is going to be greatly affected by the future I-69 project. We have been asked to assist in a study that is going to determine how that is going to be impacted and ways to keep it from being negatively impacted as much as possible.

We will be working in conjunction with the Chamber of Commerce and various private stakeholders. This committee will act as a sub-committee of the Planning Commission which Chairman Dixon has the authority to appoint.

Staff has asked the Mayor and County Judge to appoint members from the community to work in conjunction with the members that have volunteered from the Planning Commission to serve on this committee. That committee would be comprised of Planning Commission members Mr. David Williams, Mr. Gray Hodge, and Mr. Dickie Johnson.

The Mayor has made appointments of Mac Neel, Tiffany Hughes and Brad Staton.

The County appointment would be Abby Dixon, Jeff Troxel and Ron Faupel.

The Mayor and County Judge have agreed that our excess revenues that we would typically give back to each entity be used to pay for this and the assistance that will be provided by TSW. You may remember that group, they have helped us numerous times with the Vision Plan, the Downtown Master Plan.

So, we will essentially be giving the city's and county's money to that group. Once these appointments are made and official, we will begin reaching out to the members involved to start scheduling meetings with Mrs. Amy Williams.

Myself, Jennifer, Mr. Buzzy Newman, and I believe Mrs. Ellen Redding from the Chamber will be acting as Technical Advisors as well.

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

Chairman Dixon: The Commission might recall that when we voted to set up this committee, both the city and county were allocated six (6) appointees. At this point they have chosen...they have provided three (3) each. Are those other slots still available?

Brian Bishop: That would be my understanding of the situation.

My interpretation of that is that they wanted the flexibility to add members later if they chose to.

Chairman Dixon: If one wanted to suggest a member to the city or county leadership, would that be appropriate?

Brian Bishop: I think that would be completely appropriate.

Chairman Dixon: Thank you, very good.

Next step as you said will be...we're ready to move forward now, right?

Brian Bishop: Yes sir. We just need the Chairman's Chair to officially appoint the committee.

Chairman Dixon: Then the next step after that?

Brian Bishop: Is to start scheduling meetings so that way we can start meeting and kick the ball rolling.

Chairman Dixon: Very good.

I believe I've already appointed the Planning Commission members of this committee so I will also appoint representing the City; Mac Neel, Tiffany Hughes, Brad Staton. Representing the County; Abby Dixon, Jeff Troxel and Ron Faupel.

Counselor, do we need to vote on that?

Tommy Joe Fridy: No. If you would like a vote of confidence your welcome to call for it.

Chairman Dixon: Would anybody like to take a vote on this? Everybody is comfortable with this, I think. I really appreciate those who have stepped forward to volunteer to work on this.

Tommy Joe Fridy: It's not a bad idea to vote on it but you do not have to.

Chairman Dixon: Ok, I will accept a motion to approve the recommended appointees of this Study Committee.

MOTION WAS MADE BY X.R. ROYSTER, SECONDED BY MAC ARNOLD TO APPROVE THE RECOMMENDED APPOINTEES TO THE HWY 41 NORTH REVITALIZATION COMMITTEE.

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

AYE: ALL

Chairman Dixon: Any opposed?

NAY: NONE

Chairman Dixon: Very good, thank you. Thank you counselor.

Let's see, next item is the Annual Performance Review of the Executive Director.

I want to thank everybody who participated in the evaluation procedure and filling out the questionnaire. We had a very good turnout, I can tell you in a very general way that the Executive Director received an excellent evaluation and I believe Bobbie would like to add to that.

Bobbie Jarrett: Yes, thank you. On this performance evaluation for 2021, Mr. Bishop received an average of 91.83. Ten (10) evaluations were received and it's the Executive Committee's recommendation that he receive the 2% merit increase.

Chairman Dixon: Any questions?

I'll entertain a motion in regard to the merit increase of the Executive Director.

MOTION WAS MADE BY X.R. ROYSTER, SECONDED BY MAC ARNOLD TO APPROVE A 2% MERIT INCREASE FOR THE EXECUTIVE DIRECTOR, BRIAN BISHOP.

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

AYE: ALL

NAY: NONE

Chairman Dixon: Very good, that is unanimous. Does anyone have any other business for the good of the cause?

I have none, Mr. Bishop?

Brian Bishop: No sir.

Dickie Johnson: Thank you for doing such a great job, both of you. All of you! We've got a great staff!

Chairman Dixon: We are quite fortunate.

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

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

AYE: ALL

Chairman Dixon: Any opposed?

NAY: NONE

Chairman Dixon: Very good folks, we stand adjourned.

MEETING ADJOURNED AT 6:33 PM

I, HEATHER LAUDERDALE, hereby certify that the foregoing is a true and accurate transcription of the Henderson City-County Planning Commission Meeting of, August 3, 2021 to the best of my ability.

Heather Lauderdale, HCCPC Clerk

X
