

FRANKFORT/FRANKLIN COUNTY PLANNING COMMISSION

JUNE 9, 2022
5:30 PM

RUSSELL WRIGHT, CHAIRMAN

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

Chairman Wright asked the Secretary to Call the Roll.

MEMBERS PRESENT:

- Patti Cross
- Keith Lee
- Paul Looney
- Timothy Luscher
- William May, Jr.
- Darrell Sanderson
- Charles Stewart
- Brent Sweger
- Sherron Jackson
- Russell Wright, Chairman

(10)

MEMBERS ABSENT:

- David Bogs

(1)

Also Present:

- Edwin Logan, Commission Attorney
- Eric Cockley, Director, Frankfort Department of Planning & Community Development
- Robert Hewitt, Director, Franklin County Planning & Building Codes Department
- Ben Judah, Planning Supervisor, Franklin County Planning & Building Codes Department

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

Chairman Wright asked for a motion to approve the minutes of the May 12, 2022 meeting. Mr. Luscher made a motion to approve the minutes of the May 12, 2022 Planning Commission meeting. The motion was seconded by Mr. Jackson and passed unanimously.

Chairman Wright asked for a motion to approve the payment of bills from the Amended Agenda. Mr. Luscher made a motion to approve the following bills:

Ed Logan (Legal Fee, June)	\$ 1500.00
Dawn McDonald (BZA – 5/10/2022)	\$ 75.00
Frankfort NewsMedia (Legal Advertising)	\$ 521.04
Anna Whitaker (PC – 05/12/2022)	\$ 525.00

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

Under Staff Items, Eric Cockley, gave an update on the Comprehensive Plan update. He stated that the Advisory Committee had met and set the dates for the two kick-off meetings to be held. He stated that the first one would be at the end of June and the second one would be in July. He stated that the Advisory Committee had updated the Frank Distilled together webpage with more information for the community.

Mr. Jackson asked if the Advisory Committee had completed the process of appointing additional members and Mr. Cockley stated they had. He stated that the Committee had determined that they would meet, when necessary, on the third Tuesday of every month so that everyone on the Committee would keep that date open, if necessary.

Chairman Wright asked the Secretary to introduce the next item on the agenda:

CONTINUATION OF PUBLIC HEARING: Tierney Storage LLC is requesting approval of a zone map amendment from Agriculture District "AG" to Industrial General District "IG" for an 85.388 acre portion of property located in Franklin County, identified as a portion of Tract 1 (84.058 acres+) and a portion of Tract 2 (1.331 acres+) located at 690 Duncan Road. The property is more specifically identified as a portion of PVA Map Number 087-00-00-031.00 (Tract 1) and a portion of PVA Map Number 087-00-00-031.01 (Tract 2) (County Item)

Ms. Cross stated that she had not been present at the hearing, but had reviewed the record of the meeting.

Chairman Wright asked for a motion to take the item from the table. Mr. Luscher made a motion to take the item from the table. The motion was seconded by Mr. Jackson and passed unanimously.

Chairman Wright asked for a motion to adopt the Summary of the Public Hearing. Mr. Jackson made the motion to approve the Summary. The motion was seconded by Mr. Luscher and passed unanimously.

Chairman Wright asked for motions for Findings of Fact. Mr. Lee made a motion to adopt findings one, two, four, five and six that were on page 15 of the Staff Report. The motion was seconded by Mr. Jackson. Chairman Wright asked that each finding be voted on separately.

Proposed Finding number one passed by a vote of six to three. Those voting in favor were Ms. Cross, Mr. Jackson, Mr. Lee, Mr. Looney, Mr. Sweger and Chairman Wright. Those voting against were Mr. Luscher, Mr. May and Mr. Sanderson.

Proposed Finding number two failed by a vote of three to six. Those voting in favor of the motion were Mr. Jackson, Mr. Lee and Chairman Wright. Those voting against were Mr. Jackson, Mr. Lee and Chairman Wright.

Proposed Finding number four failed by a vote of five to four. Those voting in favor of the motion were Mr. Jackson, Mr. Lee, Mr. Sanderson and Chairman Wright.

Proposed Finding number five passed by a vote of seven to two. Those voting in favor were Ms. Cross, Mr. Jackson, Mr. Lee, Mr. Looney, Mr. Sanderson, Mr. Sweger and Chairman Wright. Those voting against the motion were Mr. Luscher and Mr. May.

Proposed Finding number six passed unanimously by a vote of 9-0.

Chairman Wright asked for motions on other findings. Mr. Sweger made a motion to adopt the finding that the Future Land Use Plan of the Comprehensive Plan does not designate the property as Industrial. The motion was seconded and passed by a vote of eight to one. Those voting in favor of the motion were Ms. Cross, Mr. Jackson, Mr. Looney, Mr. Luscher, Mr. May, Mr. Sanderson, Mr. Sweger and Chairman Wright. Mr. Lee voted against the motion.

Mr. Sweger made a motion to adopt the finding that the General Industrial zone district allows for land uses that are not compatible with the Future Land Use Map category of Employment Center and that the General Industrial zoning being requested is not compatible with the Comprehensive Plan. The motion was seconded by Mr. Looney and passed by a motion of six to three. Those voting in favor were Ms. Cross, Mr. Looney, Mr. Luscher, Mr. May, Mr. Sanderson and Mr. Sweger. Those voting against were Mr. Jackson, Mr. Lee and Chairman Wright.

Mr. Sweger made a motion to adopt the finding that, given the historic lineage of the property being a farm and that there are other farms in the area, the existing zoning of Agriculture is not inappropriate for the property. The motion was seconded by Mr. Looney and passed unanimously.

Mr. Sweger made a motion to adopt the finding that there have been no significant changes within the area that were not anticipated in the adopted 2016 Comprehensive Plan. The motion was seconded by Mr. Sanderson and passed by a vote of eight to one. Those voting in favor were Ms. Cross, Mr. Jackson, Mr. Looney, Mr. Luscher, Mr. May, Mr. Sanderson, Mr. Sweger and Chairman Wright. Mr. Lee voted against the motion.

Mr. Looney made a motion to adopt the finding that the current adopted Comprehensive Plan identifies primary goals to preserve farms and rural areas and to protect the integrity of the natural environment for areas outside of the urban area. The motion was seconded by Ms. Cross and passed by a vote of seven to two. Those voting in favor were Ms. Cross, Mr. Jackson, Mr. Looney, Mr. Luscher, Mr. May, Mr. Sweger and Chairman Wright. Those voting against the motion were Mr. Lee and Mr. Sanderson.

Mr. Looney made a motion to adopt the finding that the proposed zone change request does not comply with Goal 6 of the Comprehensive Plan, which is to promote the stability, preservation and vitality of existing residential neighborhoods and that the zone change request fails to meet the eight policies outlined within Goal six of the Comprehensive Plan. The motion was seconded by Mr. Luscher and passed by a vote of five to four. Those voting in favor of the motion were Ms. Cross, Mr. Looney, Mr. Luscher, Mr. May and Mr. Sweger. Those voting against the motion were Mr. Jackson, Mr. Lee, Mr. Sanderson and Chairman Wright.

Mr. Looney made a motion to adopt the finding that the current 2016 Comprehensive Plan identified 600 acres of land currently available and zoned for Industrial use and 250 acres of commercially zoned land, which is five times more area than the current demand. The motion was seconded by Mr. May and failed by a vote of seven to two. Those voting in favor of the motion were Mr. Looney and Mr. May. Those voting against the motion were Ms. Cross, Mr. Jackson, Mr. Lee, Mr. Luscher, Mr. Sanderson, Mr. Sweger and Chairman Wright.

Mr. Lee made a motion to cease the making of findings of fact. The motion was seconded by Mr. Sanderson. The motion passed unanimously by a vote of 9-0.

Mr. May made a motion to recommend to the Franklin County Fiscal Court that the zone map amendment request by Tierney Storage, LLC from Agricultural District "AG" to Industrial General District "IG" for an 85.388 acre portion of property located at 690 Duncan Road be denied, based on findings of fact seven, eight, nine, ten, eleven and twelve. The motion was seconded by Mr. Luscher and passed by a vote of six to three. Those voting in favor of the motion were Ms. Cross, Mr. Looney, Mr. Luscher, Mr. May, Mr. Sanderson and Mr. Sweger. Those voting against were Mr. Jackson, Mr. Lee and Chairman Wright.

Chairman Wright asked the Secretary to introduce the next item:

PUBLIC HEARING: Cole Cambron, LLC is requesting approval of a zone map amendment from Rural Residential “RR” to Agricultural District “AG” for 49.968 acres of property at 3730 Peaks Mill Road, being all of tract #3 as shown in Plat Cabinet N, Slide 46. The property is more specifically identified as PVA Map Number 082-00-00-016.04

The Secretary introduced the item and swore in all speakers.

Ben Judah was present on behalf of the County to present the request and staff report to the Commission. Mr. Logan qualified Mr. Judah, who stated that he was the Planning Supervisor for the Franklin County Planning & Building Codes Department and that he had been in that position for three and one-half years. Mr. Judah stated that he had reviewed the application for the zone map amendment and had prepared the staff report for the request. Mr. Judah stated that staff was recommending approval of the zone map amendment request. Mr. Logan asked that the staff report be entered into the record. Without Objection the staff report was entered into the record.

Mr. Sweger made note on page two of the staff report that the existing zoning is RR, not AG and the proposed zoning is AG not RR.

There were no further questions of Mr. Judah.

Under applicant testimony, Mr. John Cambron with Cole Cambron, LLC stated that he had reviewed the staff report and was in agreement with staff’s recommendation.

Mr. Sweger asked if his intention was to create a family farm. Mr. Cambron stated that he wished to raise cattle and produce and have potential sales off the farm with roadside stands. He stated that three family members wished to build homes and a barn on the property.

There was no further testimony.

Mr. Lee made a motion to close the Public Hearing, to adopt the Staff Report as the Summary of the Public Hearing and to take action on the item. The motion was seconded by Mr. Looney and passed unanimously.

Mr. Lee made a motion to recommend to the Franklin County Fiscal Court that the request by Cole Cambron, LLC for a zone map amendment from Rural Residential “RR” to Agricultural District “AG” for 49.968 acres of property at 3730 Peaks Mill Road and being all of tract #3 as shown in Plat Cabinet N, Slide 46 be approved, based upon the findings of fact contained within the staff report. The motion was seconded by Mr. Sanderson and passed unanimously.

There being no further business, a motion was made by Mr. Sanderson and seconded by Mr. Looney to adjourn the meeting.

Russell Wright, Chairman

Vickie Sewell, Recording Secretary