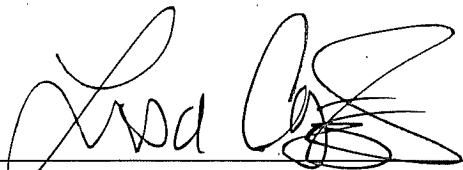


CITY CLERK'S CERTIFICATION

I certify I am duly qualified City Clerk of the City of Richmond, Kentucky, and the foregoing 2 pages of Ordinance No. 12-33 is a true, correct and complete copy duly adopted by the City Commission at a duly convened meeting held on, August 14, 2012, all as appears in the official records of said City.

WITNESS, my hand the Seal of said City, this 14th day, of August, 2012.



Lisa Cassity, Richmond City Clerk



RECEIVED AND FILED
DATE Sept. 14, 2012

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY: Handwritten Signature

ORDINANCE NO. 12-33

AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY, ANNEXING 5.76 ACRES OF LAND ADJACENT TO THE CITY LIMITS.

WHEREAS, the owner of record of the unincorporated territory described below would like to have annexed to the incorporated area of the City of Richmond, Kentucky approximately 5.76+/- acres of land adjacent to the City Limits, and

WHEREAS, B.F. & O. Inc., the owners of the land being proposed for annexation has by letter dated June 8, 2012 applied for voluntary annexation.

WHEREAS, it is the intent of the Richmond City Board of Commissioners to annex this land described below as per annexation procedures established by Ordinance No. 96-17, adopted February 20, 1996.

WHEREAS, the proposed annexation meets the requirement of KRS 81A.410, and the owner of record of such land has consented in writing to the annexation pursuant to KRS 81A.412, and

WHEREAS, it is declared pursuant to KRS 81A.420 that it is desirable to annex this unincorporated territory and the Richmond Planning and Zoning Commission conducted a Public Hearing pursuant to KRS 100.209 for its recommendation as to zone classifications and any zoning map amendments.

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the City of Richmond that:

SECTION I

The following described property is hereby annexed into City Boundaries:

Situated in the Commonwealth of Kentucky, County of Madison and being the property conveyed to 360 Cycle Drive, Richmond, KY 40475 by Deed Book 392, Page 808-809 as recorded in the office of the Madison County Clerk and being more particularly bounded and described as follows:

The point of beginning being at a set ½" diameter iron pin, 18" in length with yellow plastic cap stamped "ABACUS LPLS 3265" (hereinafter "set iron pin and cap") being in the south right-of-way of Boggs Lane and the East right-of-way of Cycle Drive having state plain coordinates N: 2,150,977.24 / E: 2,063,313.78; thence leaving Cycle Drive with the right-of-way of Boggs Lane the following two (2) calls: S 39°03'20" E, 258.97 feet to a set iron pin and cap, S 41°26'20" E, 143.70 feet to a set iron pin and cap being in the South right-of-way of Boggs Lane and a common corner to National Real Estate, Inc. (DB 443 PG 69); thence leaving the right-of-way of Boggs Lane with the line of National

Real Estate, Inc, S 17°49'06" W, 608.56 feet to a set iron pin and cap being a common corner to National Real Estate, Inc. and being a point in the line of Colonel's Ridge, LLC (DB 634 PG 111); thence leaving the line of National Real Estate, Inc. with the line of Colonel's Ridge, LLC the following two (2) calls: N 72°38'14" W, 121.45 feet to a set iron pin and cap, N 79°54'35" W, 231.13 feet to a set iron pin and cap being a common corner to Colonel's Ridge, LLC and being a point in the East right-of-way of Cycle Drive; thence leaving the line of Colonel's Ridge, LLC with the East right-of-way of Cycle Drive N 18°29'39" E, 855.65 feet to the point of beginning containing 5.76 acres +/-.

SECTION II

The Richmond Planning and Zoning Commission conducted a Public Hearing pursuant to KRS100.209 on June 28, 2012 and recommended the zoning classification of subject property be I-2. The property shall be so zoned in accordance with that recommendation.

SECTION III

The City Clerk shall cause this Ordinance to be published in accordance with the appropriate Kentucky Revised Statutes.


Date of First Reading: July 24, 2012
Motion By: Commissioner Baird
Seconded By: Commissioner Morgan

Date of Second Reading: August 14, 2012
Motion By: Commissioner Baird
Seconded By: Commissioner Blythe

Vote:	Yes	No
Commissioner Baird	x	
Commissioner Blythe	x	
Commissioner Morgan	x	
Commissioner Thomas	x	
Mayor Barnes	x	



Mayor

Attest: 

City Clerk

COPY

ORDINANCE NO. 12-03

**AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY DECLARING
THE CITY'S INTENT TO ANNEX A TRACT OF PROPERTY INTO CITY
LIMITS AND REFERRING THE ANNEXATION TO THE RICHMOND
PLANNING AND ZONING COMMISSION FOR A ZONING
RECOMMENDATION**

WHEREAS, B.F. & O., Inc., the owner of the property described below, has consented to the voluntary annexation into City limits of the said tract (hereinafter, the "Property"); and

WHEREAS, the Property is contiguous to the City's boundaries and is urban in character; and

WHEREAS, no part of the Property proposed to be annexed is included within the boundary of another incorporated city; and

WHEREAS, the City of Richmond is capable of providing, and in fact is providing, City services to the Property; and

WHEREAS, the Board of Commissioners of the City of Richmond, Kentucky finds it to be in the public interest that the Property be annexed into City limits;

NOW, THEREFORE, BE IT ORDAINED as follows:

SECTION I

In accordance with the provisions of Chapter 81A of the Kentucky Revised Statutes, the City of Richmond, Kentucky does hereby express its intention to annex into City limits that certain tract of property more particularly described as follows, to wit:

B.F. & O., Inc.
5.76 Acres +/-

A certain tract of land situated at the Southeast quadrant of the intersection of Cycle Drive with Boggs Lane in the Commonwealth of Kentucky, County of Madison consisting of 5.76 acres and described as follows:

The point of beginning being at a set ½" diameter iron pin, 18" in length with yellow plastic cap stamped "ABACUS LPLS 3265" (hereinafter "set iron pin and cap") being in the south right-of-way of Boggs Lane and the East right-of-way of Cycle Drive having state plain coordinates N: 2,150,977.24 / E: 2,063,313.78; thence leaving Cycle Drive with the right-of-way of Boggs Lane the following two (2) calls: S 39°03'20" E, 258.97 feet to a set iron pin and cap, S 41°26'20" E, 143.70 feet to a set iron pin and cap being in

B. F. & O., Inc.

**ADDRESSES OF ALL
ADJOINING PROPERTIES**

**NAMES OF PROPERTY
OWNERS**

**PROPERTY OWNER'S
MAILING ADDRESS**

1. 376 Boggs Lane
Richmond, KY 40475

National Distributors, Inc.

P.O. Box 5534
Pittsburgh, PA 15026

2. 320 Cycle Drive
Richmond, KY 40475

Newell Joe A Properties, LTD

63 Foster Lane
Somerset, KY 42503

3. Boggs Lane
Richmond, KY 40475

Colonels Ridge, LLC

701 Exposition Place,
Ste. 101, Raleigh, NC 27615

4. 500 Recycle Drive
Richmond, KY 40475

Kaufmann Family, LLC

352 South Broadway
Lexington, KY 40508

5. 395 Boggs Lane
Richmond, KY 40475

Sherwin-Williams
Automotive Finishes

101 Prospect Ave. NW
Cleveland, OH 44101

6. 550 Recycle Drive
Richmond, KY 40475

City of Richmond

295 W. Main Street
Richmond, KY 40475

X yes no Does this property adjoin any other planning and zoning jurisdictions?

If yes, please list each along with an address.

Planning and Zoning Commission Address

1. Madison Co. Planning and Building Codes 321 North Madison Avenue, Richmond, KY 40475

the South right-of-way of Boggs Lane and a common corner to National Real Estate, Inc. (DB 443 PG 69); thence leaving the right-of-way of Boggs Lane with the line of National Real Estate, Inc. S 17°49'06" W, 608.56 feet to a set iron pin and cap being a common corner to National Real Estate, Inc. and being a point in the line of Colonel's Ridge, LLC (DB 634 PG 111); thence leaving the line of National Real Estate, Inc. with the line of Colonel's Ridge, LLC the following two (2) calls: N 72°38'14" W, 121.45 feet to a set iron pin and cap, N 79°54'35" W, 231.13 feet to a set iron pin and cap being a common corner to Colonel's Ridge, LLC and being a point in the East right-of-way of Cycle Drive; thence leaving the line of Colonel's Ridge, LLC with the East right-of-way of Cycle Drive N 18°29'39" E, 855.65 feet to the point of beginning containing 5.76 acres +/-.

SECTION II

This matter is hereby referred to the City of Richmond Planning and Zoning Commission for that body's recommendation as to the appropriate zoning classification.

SECTION III

This Ordinance shall be effective immediately upon its adoption following second reading and publication in accordance with the provisions of applicable Kentucky law.

DATE OF FIRST READING: January 24, 2012

MOTION BY: Commissioner Thomas


SECONDED BY: Commissioner Morgan

DATE OF SECOND READING: February 14, 2012

MOTION BY: Commissioner Thomas

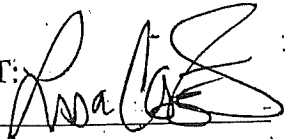
SECONDED BY: Commissioner Blythe

VOTE	YES	NO
Commissioner Baird	x	
Commissioner Blythe	x	
Commissioner Morgan	x	
Commissioner Thomas	x	
Mayor Barnes	x	



Mayor Barnes

ATTEST:



City Clerk

Richmond Zoning

Hover over a tool to see what it does. After entering search criteria, please hit go. Pressing enter will return inaccurate results.



Zoom In | 84°17.275' W: 37°43.524' N

1:2600

Copyright (C) 2011, City of Richmond.

Find

Find:

Within:

Layers

- Points of Interest
- Zoning Labels
- Road Labels
- Structure Points Labels
- Structure Points
- Parcel Boundary
- Roads
- Zone
- 2010 Imagery
- 2010 Imagery South

Legend

- | Zone | |
|------|---|
| | AG - Agriculture |
| | B1 - Neighborhood Business |
| | B2 - Central Business District |
| | B3 - Highway Business |
| | B4 - Planned Shopping Center |
| | I1 - Light Industry |
| | I2 - Heavy Industry |
| | MP - Mobile Home Park |
| | P1 - Professional Offices |
| | PSP - Public/Semi-Public |
| | PUD - Planned Unit Development |
| | R1A - Single Family Residential (Large Lots) |
| | R1B - Single Family Residential (Medium Lots) |
| | R1C - Single Family Residential (Small Lots) |
| | R2 - Two Family (Duplexes) |
| | R3 - Multi-Family (Apartments) |
| | R4 - Mixed Residential |

7-18-88
Delivered to
Leonard Medley
By: TWA

DEED

This deed between Atwood Frazier and Opal Frazier, his wife of 1406 Barnes Mill Road, Richmond, Kentucky, Raymond Overbay and Mary Overbay, his wife of 2382 Irvine Road, Richmond, Kentucky and Elwood Brock and Betty Brock, his wife of Indian Hills, Berea, Kentucky, as parties of the first part, and B., F., & O. Inc., a Kentucky Corporation, with its principal office currently located at 1406 Barnes Mill Road, as party of the second part,

WITNESSETH, that in consideration of stock in the second party this date issued to the male grantors of the first part, and other good and valuable consideration receipt of which is hereby acknowledged, the parties of the first part do hereby grant, bargain, sell and convey to the party of the second part the following described property, to-wit:

A certain tract of land located on the south side of Boggs Lane, adjacent to the city limits line of Richmond, Kentucky, in Madison County, Kentucky, bounded and described as follows:

Beginning at a point in the south right-of-way line of Boggs Lane, a corner to Hemlick Corporation, thence with said south right-of-way line of Boggs Lane S35 degrees -00' -00"E 288.6 feet, S37 degrees -23' -00"E 143.70 feet to an iron pin and new corner to Gene Sebastian, Tract #2, thence with Tract #2 S21 degrees -53' -00"W 608.57 feet to a steel post and corner to other lands of Gene Sebastian, thence with Sebastian's line N68 degrees -07' -00"W 375.00 feet to an iron pin in the center line of a 50.0 foot easement, a corner to Hemlick Corporation, thence with said center line, Hemlick's line, N22 degrees -13' -00"E 836.0 feet to the beginning containing 5.99 acres.

The above described property is subject to an easement and an easement is hereby reserved across portion of said property for use as a roadway by first parties, second parties and others and said easement is a strip of land approximately 25 feet in width along the western boundary of said 5.99 acres, and in addition to the use of said strip for a roadway there is reserved for first parties, others and second parties the right to use strip for construction and maintenance of utility

MADISON COUNTY

JUL 15 9 01 AM '88

RECEIVED
MARY JANE GINTER

services.

And being the same property acquired by the male grantors of the first part by deed from Atwood Frazier and Opal Frazier, his wife, dated July 11, 1988, which deed is duly recorded in Deed Book 392 Page 805 Madison County Circuit Court Clerk's Office to which reference is hereby made.

The full and actual consideration paid for this property and its declared value under KRS 142.050 is Sixty Thousand (\$60,000.00) Dollars.

TO HAVE AND TO HOLD the same with all appurtenances thereon to the parties of the second part its successors and assigns forever with covenant of " GENERAL WARRENTY ".

In Testimony whereof witness the signatures of the parties of the first part this _____ day of July, 1988.

Elwood Brock
ELWOOD BROCK
Betty Brock
BETTY BROCK

Atwood Frazier
ATWOOD FRAZIER
Opal Frazier
OPAL FRAZIER
Raymond Overbay
RAYMOND OVERBAY
Mary Jane Overbay
MARY OVERBAY

I hereby certify that the foregoing instrument was drafted by:

Eugene S. Wiggins
EUGENE S. WIGGINS
WIGGIN, STEEN and MEDLEY
224 Water Street
Richmond, Kentucky 40475

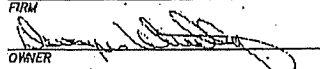
STATE OF KENTUCKY }
COUNTY OF MADISON } .Sct.

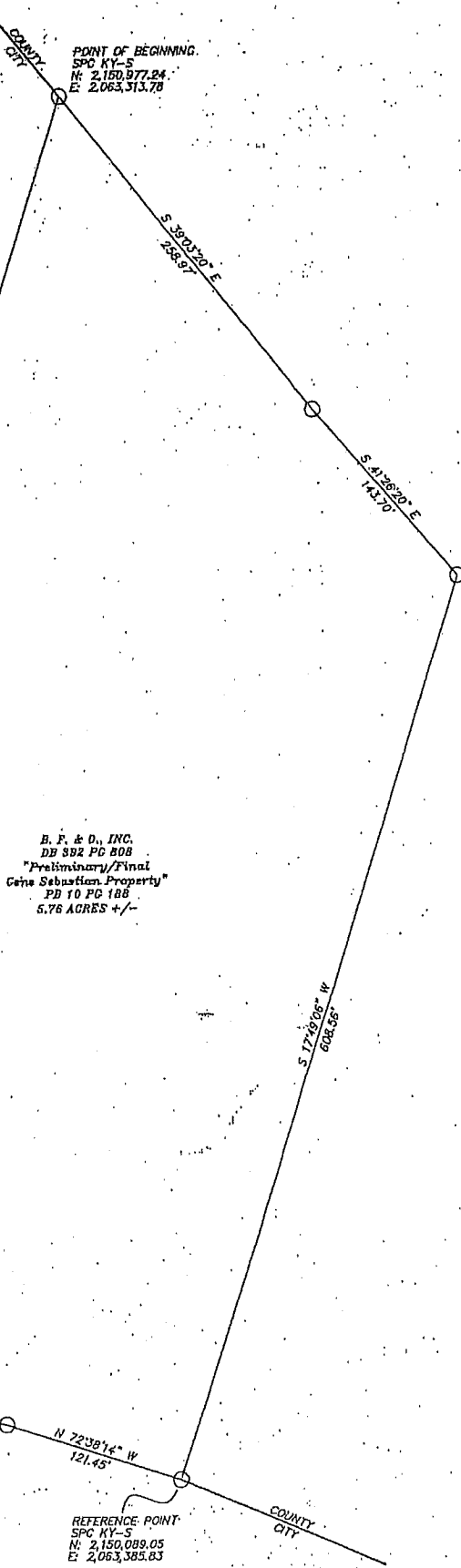
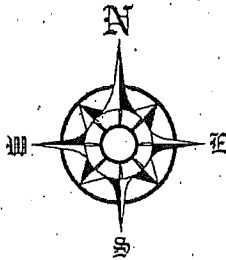
I the under signed Notary Public in for the County and State aforesaid do hereby certify that the foregoing Deed

SURVEYOR'S CERTIFICATION STATEMENT

I hereby certify that this Plat has been drawn by me, or persons under my direct control and supervision, and reviewed by me. It is an accurate graphical representation delineating the limits of the subject property as per the ordinances listed below. This plat is not intended to comply with 201 KAR 15:150 and as such shall not be used in connection with the sale or transfer of land. This plat does not represent a boundary survey as performed by Abacus Engineering and Land Surveying, Inc. and shall not be recorded in the Madison County Clerk's Office.

ABACUS ENGINEERING & LAND SURVEYING, INC.

FIRM
 OWNER  DATE 12/15/11



B. F. & O., INC.
 DB 392 PG 808
 "Preliminary/Final
 Gene Sebastian Property"
 PB 10 PG 188
 5.76 ACRES +/-

REFERENCE POINT
 SPC KY-5
 N: 2,150,089.05
 E: 2,063,383.83



Abacus
 Engineering & Land Surveying
 238 Boggs Lane, Suite 4
 Richmond, KY 40475
 P: (859) 625-1200 ~ F: (859) 625-1207

Project No.:	11-242
Scale:	1" = 50'
Drawn by:	JMR
Checked by:	DW
Date of Survey:	02DEC2011
Date of Plat:	15DEC2011
Date of Revision:	15DEC2011

"Not for Recording or Land Transfer"
 ANNEXATION PLAT for
 B.F. & O., INC.
 Prop. at SE Quad of Boggs Ln & Cycle Dr Int.
 Richmond, Madison County, Kentucky.

RICHMOND FIRE DEPARTMENT

Chief B. Campbell

***200 N. Madison Ave.
P.O. Box 250
Richmond, Kentucky 40476-0250***

***Phone 859-623-1164
Fax: 859-623-5706***

Jason Hart
Director of Planning and Zoning
City of Richmond

RE: SE Quad of Boggs Lane and Cycle Drive

Mr. Hart,

I have received a request for a determination of the Richmond Fire Departments capability to provide fire protection to a structure and property located at the above address / location. This building is occupied by The Sherwin Williams Automotive Paint Facility and is used primarily for storage of raw materials used in the automotive paint manufacture. The building is fully sprinklered with 2 fire hydrants located on or near the property. The two fire hydrants will be adequate however a facility of this size and nature should have additional fire hydrants if it were being constructed today. The Richmond Fire Department will be able to provide fire protection to this facility by utilizing as best as possible these two fire hydrants.

Sincerely,

Mark S. McFerron
Fire Marshal
Richmond Fire Department

**CITY OF RICHMOND
RICHMOND POLICE DEPARTMENT
1721 LEXINGTON ROAD
RICHMOND, KENTUCKY 40475
859-623-1162**



June 1, 2012

Col. Larry R. Brock
Chief of Police

Vacant
Asst. Chief of Police

Major Steve Gregg
Patrol Division

Major Robert Mott
Investigations

Major Mitch Brown
Professional Develop.

MEMORANDUM TO: Jason Hart
Director of Planning and Zoning

FROM: Chief of Police

SUBJECT: Annexation of SE Quad of Boggs Lane and Cycle Drive

I have received your request for a determination as to the city's capability to provide police protection for the property located at the SE Quad of Boggs Lane and Cycle Drive subsequent to a proposal for annexation of the land into the city limits.

I have examined the location of the property and its surrounding area. Currently I see no problem in providing police protection and service for this location.

Should there be any questions regarding this matter, please contact the undersigned at 859-623-1162.

A handwritten signature in black ink that reads "Larry R. Brock". The signature is written in a cursive style with a large, sweeping initial "L".

Larry R. Brock



Richmond Water, Gas & Sewerage Works

P.O. Box 700
Richmond, Kentucky 40476-0700
Telephone 1-859-623-2323
FAX 1-859-624-0805

June 4, 2012

Richmond Planning and Zoning
Attn: Jason Hart, Director
PO Box 250
Richmond, KY 40476-0250

Re: 360 Cycle Drive
Annexation

Dear Mike:

Following is the utility status for subject property:

Water

Richmond Utilities is currently serving this customer.

Sanitary Sewer

Richmond Utilities is currently serving this customer.

Natural Gas

Delta Gas services this area.

If there are any questions or if more information is needed, please contact Richmond Utilities.

Sincerely,

W. Scott Althaus
General Manager

cc: James Howard, Richmond City Manager

CITY OF RICHMOND

MAYOR
Jim Barnes

MAYOR PRO-TEM
Donna Baird

CITY MANAGER
James H. Howard

P.O. Box 250 – 239 W. Main St.
Richmond, KY 40476
www.richmond.ky.us

COMMISSIONERS
Donna Baird
Robert Blythe
Jason Morgan
Richard Thomas

LEGAL COUNSEL
Garrett T. Fowles

June 11, 2012

Re: Annexation for SE Quad of Boggs Lane and Cycle Drive

To Whom It May Concern,

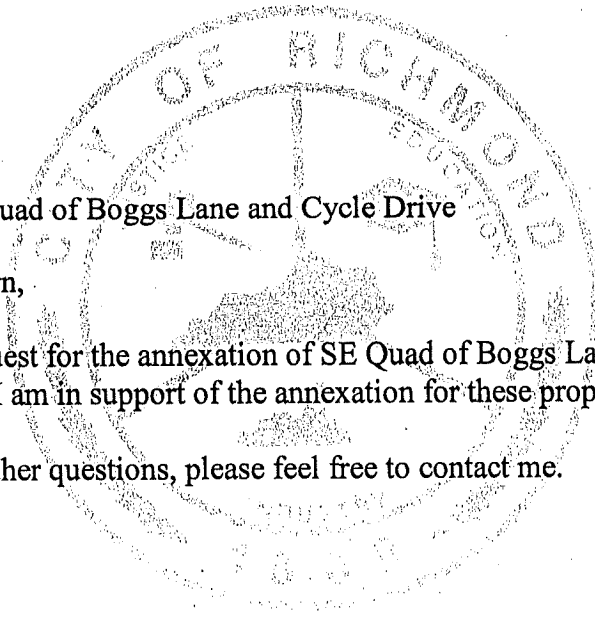
I have received your request for the annexation of SE Quad of Boggs Lane and Cycle Drive, Richmond, KY 40475. I am in support of the annexation for these properties into the city limits.

Should you have any further questions, please feel free to contact me.

Sincerely,



Mayor Jim Barnes
Richmond, Kentucky



CITY OF RICHMOND

MAYOR
Jim Barnes

MAYOR PRO-TEM
Donna Baird

CITY MANAGER

P.O. Box 250 – 239 W. Main St.
Richmond, KY 40476
www.richmond.ky.us

COMMISSIONERS
Donna Baird
Robert Blythe
Jason Morgan
Richard Thomas

LEGAL COUNSEL
Garrett T. Fowles

June 20th, 2012

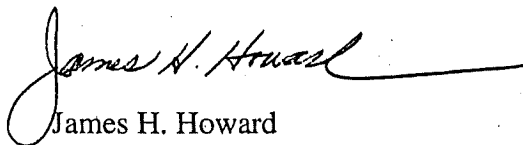
Re: Annexation for SE Quad of Boggs Lane and Cycle Drive

To Whom It May Concern,

I have received your request for the annexation of SE Quad of Boggs Lane and Cycle Drive, Richmond, KY 40475. I am in support of the annexation for these properties into the city limits.

Should you have any further questions, please feel free to contact me.

Sincerely,



James H. Howard
City Manager
Richmond, Kentucky

RICHMOND PLANNING AND ZONING COMMISSION

MINUTES

Thursday, June 28, 2012

The Richmond Planning and Zoning Commission held a meeting on June 28, 2012 at 5:30 p.m. at City Hall.

PRESENT: Commissioners Rice, Abney, Wiggins, Miller, Estelle and Chaney

ABSENT: Commissioner Rush

OTHERS PRESENT: Ed Worley, Developer; Jihad Hallany, Vision Engineering; Dwayne Wheatley, Abacus Engineering; Corey Florence, Sisler-Maggard Engineering; Citizen Representative, Sherwin Williams; Jerry Woodall, Developer; Citizen Representatives, Fieldstone Home Owners Association; Richard Thomas, City Commissioner; Joe Lillis, Codes Enforcement; Garrett Fowles, City Attorney; Jason Hart, Planning and Zoning Director; Elisabeth King, Clerk.

May 24, 2012 Business Session Minutes

Motion was made by Commissioner Wiggins and seconded by Commissioner Miller to approve the minutes from the May 24, 2012 Business Session meeting.

VOTE: Yes, Commissioners Rice, Wiggins, Miller, Estelle and Chaney

ABSTAIN: Commissioner Abney

June 19, 2012 Work Session Minutes

Motion was made by Commissioner Estelle and seconded by Commissioner Abney to approve the minutes from the June 19, 2012 Work Session meeting.

VOTE: Yes, Commissioners Abney, Wiggins, Miller, Estelle and Chaney

ABSTAIN: Commissioner Rice

Development Plat for Yorick Place at Lancaster Avenue & Barnes Mill

Mr. Worley stated this was the final consideration for the development plan. The changes from the original development plan show the movement of the parking lot at the front of the property to the back. This change will show a difference in grading and added a half basement to a building structure. In addition, few trees will be impacted at the front of the property. Mr. Worley also stated they are working to preserve the current trees on the property.

Commissioner Chaney asked if there were any further questions.

Commissioner Wiggins asked the red bud trees be changed to cherry trees. Mr. Worley stated Mr. Hallany would make the changes on the plat.

Mr. Hart noted the development would be done in phases and they had asked for a variance on parking.

Motion was made by Commissioner Abney and seconded by Commissioner Miller to approve the Development Plat for Yorick Place at Lancaster Avenue and Barnes Mill with the changing of trees noted by Commissioner Wiggins and the variance in parking.

VOTE: Yes, Commissioners Wiggins, Miller, Estelle, Rice, Abney and Chaney

Development Plat for First Christian Church at 412 W. Main Street

Mr. Wheatley stated the property is at the corner of Lancaster and Main. They have obtained all the signatures on the plat except for Kentucky Utilities.

Commissioner Chaney asked if there were any questions.

Commissioner Estelle asked if they were ready to start immediately. Mr. Wheatley stated they were.

Motion was made by Commissioner Estelle and seconded by Commissioner Wiggins to approve the Development Plat for First Christian Church at 412 W. Main Street contingent on signatures.

VOTE: Yes, Commissioners Miller, Estelle, Rice, Wiggins and Chaney
ABSTAIN: Commissioner Abney

Development Plat for Lancaster Road Church of God at 1246 Lancaster Road

Mr. Florence stated they had worked with Kevin Causey, Planning and Zoning Inspector, to eliminate an existing drive on the property and add more parking. He said they had added more landscaping as suggested by Commissioner Wiggins. They added shrubs and pine trees.

Commissioner Wiggins asked what type of shrubbery would be used. Mr. Florence stated he did not know, but would accept her suggestions. Commissioner Wiggins suggested forsythia. Commissioner Chaney stated this would have to be noted on the final plat.

Commissioner Chaney asked if there were any other questions.

Motion was made by Commissioner Abney and seconded by Commissioner Rice to approve the Development Plat for Lancaster Road Church of God at 1246 Lancaster Road with the notation of shrubbery.

VOTE: Yes, Commissioners Estelle, Rice, Abney, Wiggins, Miller and Chaney

Zoning Map Annexation for B.F. & O. Inc.; Property Located at 360 Cycle Drive; Existing Zone Classification County UC-7; Proposed Zone Change I-2

And

Zoning Map Annexation for Riley Properties; Property Located at 320 Boggs Lane; Existing Zone Classification County UC-7; Proposed Zone Change I-2

Commissioner Chaney stated that at this juncture we are required to hold a public hearing on this matter. The proponents of the zone change will present their side and those opposed will be able to provide testimony as well. This does not mean the city has annexed the property, or will annex the property. This is just a recommendation from the Planning Commission, if the Board of Commissioners feel this is in the best interest of the city to proceed with the annexation.

Commissioner Chaney asked if there was anyone at the meeting in favor of the annexation. Mr. Fowles stated that no one was there, but would be happy to advise the commission on this item as well as the next item on the agenda.

Mr. Fowles stated these are two properties already in the city limits, but have not been formally annexed. The City Manager has spoken with the owners of the two properties. The nature of the discussion was that they are effectively within the city. They receive city sewer services, police protection and fire protection, but they are not within the city. They were asked if they were willing to permit the annexation of the two properties into the city. The property owners said they were willing to agree. The Board of Commissioners has formally adopted an ordinance to show their intent to annex both of the properties. The next step in the procedure is to refer the matter to the Planning Commission for this body's recommendation as to the appropriate zoning classification to the properties in the event they are annexed. Mr. Hart, the Director of Planning and Zoning, has looked the existing use of these properties and has recommended zone I-2. Both the properties currently have a county zoning of UC-7. The property owned by B.F. & O. Inc. is currently being used as a warehouse, and the additional property on the agenda is being used as an oil and gas distribution center. Given those two uses, Mr. Hart felt the zoning of I-2 would be the appropriate zoning classification. This is the zoning classification that appears in the application.

Commissioner Chaney asked if there was anyone in attendance to show support in addition to the City Attorney.

Commissioner Chaney asked if anyone was in attendance to speak to the opposition.

Commissioner Chaney asked if there were any questions.

Commissioner Estelle asked if they had looked into the lumber company on the adjacent property. Mr. Fowles stated they had looked into the other properties, one being the Ford Dealership at the corner of the Eastern Bypass and Boggs Lane, and the other may be the property you are referring to. Neither of those so far have agreed to a voluntary annexation. I expect this will not be an issue put on the back burner. I think the City Manager feels strongly, as with these two properties, they receive city services and need to be within the city. If this does not happen voluntarily in the indefinite future, some movement will be made to make this happen.

Commissioner Estelle questioned how they could jump over one to the other. Mr. Fowles stated there had been direct communication between the City Manager and the owner of the Ford property. If my memory serves me, the other property owners are out of state and the City Manager has not been able to speak with them.

Commissioner Chaney asked if City Commissioner Thomas had anything to say. City Commissioner Thomas asked if he could address this issue. He stated he was involved in this discussion with the City Manager. They are still in discussion with Madison County Ford to resolve the issue. In regards to the other property, the City Manager has not been successful in contacting the owners of the particular property. They, the City Commission, will propose if it cannot be done voluntarily, they will ask it to be annexed. City Commissioner Thomas speculated the Ford Dealership should be annexed in the year. They had discussions about moving locations, and were in contact with the current owner to make sure it is taken care of. The discussions are ongoing. My recommendation would be that if we are not able to get the owner to agree to annex the warehouse, we would ask that it be annexed. Both the other properties I was involved in, were voluntarily annexed.

Commissioner Chaney asked if there were any other questions for City Commissioner Thomas or the City Attorney.

Zoning Map Annexation for B.F. & O. Inc.; Property Located at 360 Cycle Drive; Existing Zone Classification County UC-7; Proposed Zone Change I-2

Motion was made by Commissioner Wiggins and seconded by Commissioner Abney to approve the Zoning Map Annexation for B.F. & O. Inc; Property Located at 360 Cycle Drive; Proposed Zone Change I-2 in accordance with the findings of fact.

VOTE: Yes, Commissioners Rice, Abney, Wiggins, Miller, Estelle and Chaney

During roll call, Commissioner Estelle stated that the property being annexed in is currently occupied by Sherwin Williams, with them not owning the building, what effect would that have on them. City Commissioner Thomas stated he was not aware they were using the property. Commissioner Estelle stated they had been using it for a few years, and was wondering the effect on the property. City Commissioner Thomas reiterated he was not aware they utilized the property. He asked they take that in advisement.

Zoning Map Annexation for Riley Properties; Property Located at 320 Boggs Lane; Existing Zone Classification County UC-7; Proposed Zone Change I-2

Commissioner Chaney asked if there were any further questions before the roll.

Motion was made by Commissioner Wiggins and seconded by Commissioner Rice to approve the Zoning Map Annexation for Riley Properties; Property Located at 320 Boggs Lane; Proposed Zone Change I-2 in accordance with the findings of fact.

VOTE: Yes, Commissioners Rice, Abney, Wiggins, Miller, Estelle and Chaney

Review of Fieldstone Subdivision Phase 1 & 2 Construction Guarantee

Mr. Hart stated Fieldstone Subdivision was started in 2006. The construction guarantee time period states within two years of a final plat being approved, the construction should be completed. All the infrastructure should be turned over to the city. The developer can ask for an extension of one year. Even with the construction guarantee and extension, the time period is up for this development. The majority of the development is already built. The Planning and Zoning staff created a punch list for the developer. Mr. Hart constructed a letter to the developer, Jerry Woodall, asking for the completion of the development or a construction schedule. Mr. Woodall faxed back a letter stating it would be completed by the end of May. None of the items have been completed or addressed. Mr. Hart asked Mr. Woodall to come before the board to state why he has not completed the development within the construction guarantee time period. He also asked the board to accept a construction schedule from Mr. Woodall or allow the city to pull the construction guarantee to complete the development.

Commissioner Miller confirmed there were sixteen items on the punch list. Pictures were submitted for the Commissioners reference.

Commissioner Chaney asked if there were any audience members who would like to speak.

Mr. Woodall introduced himself as Jerry Woodall, the developer of Fieldstone Subdivision. He stated improvements started in 2006. We had a contract with Beezer Homes to construct homes for a subdivision. In 2008 to 2009, Beezer Homes retracted from building on the lots. Mr. Woodall was able to contract a local builder, Kevin Payne, to finish the remaining lots. The original surety was for \$90,200. He stated he wanted to finish the subdivision, but got a quote from the Allen Company for \$114,000. Mr. Woodall stated there were twelve lots left to be developed. He stated he asked the City of Richmond's Street Department to come and assess the streets in the subdivision.

Commissioner Chaney asked if the Commissioners had any questions for Mr. Woodall.

Commissioner Estelle asked Mr. Woodall if he planned on fixing the subdivision. Mr. Woodall stated he did plan on it. Commissioner Estelle asked him for a time period to complete the improvements. Mr. Woodall responded in relation to the development of subdivisions in Lexington and referenced ongoing utility work. Commissioner Estelle then asked who would be responsible for the utility work and the repairing of the road. Mr. Hart stated the utility company would be responsible for the patch work.

General Discussion.

Commissioner Chaney asked for clarification from the City Attorney about the procedures and amounts involved in the pulling of the construction bonding surety. Mr. Fowles explained that if the bond is inefficient, the developer is then liable for the remainder.

Commissioner Chaney asked Commissioner Estelle's question of a time table for completion to Mr. Woodall again. Mr. Woodall stated he had contacted the street department to mark any issue and he has not heard back from them. Commissioner Chaney then asked if Mr. Woodall was proposing a specific time table. Mr. Woodall stated he would like to get it done this paving season.

General Discussion.

Mr. Lillis stated that multiple times the development had been cited by the Codes Department for violations regarding mowing. Mr. Woodall stated the citations had been going to the wrong address. Mr. Woodall stated his address was 1332 Cahill Drive.

Commissioner Chaney asked if there was anyone else in the audience who would like to speak in the matter.

Ms. Lidell introduced herself as a representative from the Fieldstone Home Owners Association Board. She submitted a petition from the homeowners asking the City to take over the

subdivision and bring it to completion. They would like the board to pull the construction guarantee.

Other representatives from the Fieldstone Home Owners Association spoke in regards to their experience with Mr. Woodall and the completion of the subdivision.

Commissioner Chaney asked if there were any further questions.

Mr. Fowles asked once again if Mr. Woodall had a definite construction schedule as asked by Commissioner Estelle and Chaney.

General Discussion.

Commissioner Wiggins asked what would be an acceptable time table for Mr. Woodall to make the completions. Mr. Woodall asked the board to give him until September 1, 2012.

General Discussion.

Motion was made by Commissioner Wiggins and seconded by Commissioner Miller to pull the construction guarantee if the work is not completed by September 1, 2012.

VOTE: Yes, Commissioners Abney, Wiggins, Miller, Estelle, Rice and Chaney

The Commissioners asked for an update in 30 days on the progress from Mr. Hart.

Director Report

Mr. Hart stated the U.S. 25 Detention Basin Project is under construction currently. Keeton Excavating was the low bidder. They are to complete the project before school starts in August, weather permitting.

Mr. Hart stated they had completed all the paperwork for the Sunset Avenue Project; Lagco Excavation was the low bidder. They will be starting July 16th or 17th. They will have 90 days to finish the project, weather permitting.

Mr. Hart said he was continuing work on the Recreation and Landscape Manual.

Mr. Hart said he was asked to review the construction guarantees. He is looking at the subdivisions they are built out the most, to get them completed.

Mr. Hart stated the change was posted on the city calendar to move the July 26, 2012 Business Session meeting to August 2, 2012.

Mr. Hart said the new FEMA Floodplain Maps are available on the Planning and Zoning website. Paper copies are available in the office for review. They go into effect October 2, 2012. In addition, the City Commission adopted a Flood Ordinance as Appendix O in the Development Ordinance.

Adjournment

Adjournment was called by Commissioner Chaney.

ADJOURNMENT TIME: 6:42 P.M.

David J. Bush
CHAIRMAN

G. Keene-King
SECRETARY

8/2/2012
DATE

**RICHMOND PLANNING AND ZONING WORKSHOP
MINUTES
Tuesday, July 17, 2012**

The Richmond Planning and Zoning Commission held a workshop on July 17, 2012 at 5:30 p.m. at City Hall.

PRESENT: Commissioners Estelle, Miller, Wiggins, Abney, Chaney and Rush
ABSENT: Commissioner Rice

OTHERS PRESENT: Dwayne Wheatley, Abacus Engineering; Robert Locker, Property Owner; Pat Demming, CMW, Inc.; Mark McFerron, Fire Marshal; Jason Hart, Planning and Zoning Department; Elisabeth King, Clerk.

June 28, 2012 Business Session Minutes

Commissioner Rush stated that every member received a copy and asked if there were any changes.

Motion was made by Commissioner Miller, seconded by Commissioner Abney, to approve the June 28, 2012 Business Session minutes.

VOTE: Yes, Commissioner Miller, Wiggins, Abney, Chaney and Estelle
ABSTAIN: Commissioner Rush

Fieldstone Subdivision Update

Commissioner Miller asked for an update on the progress of the work to be completed on Fieldstone Subdivision. Mr. Hart responded that the only work that had been completed is the grading of some lots where trash was located. He advised that the developer had until September 1, 2012 to complete the punch list items before the construction guarantee is pulled.

Commissioner Chaney clarified that if any items are not complete by September 1, 2012, then the guarantee will be pulled. Mr. Hart confirmed this.

Final Subdivision Plat for Heritage Place Phase II-B at 704 -724 Glen Abbey Drive

Mr. Wheatley stated this plat was to finalize ten more lots for Mr. Locker to build upon. He stated all the items had been completed in the development other than the sidewalks and final coat of blacktop.

Mr. Hart told Mr. Wheatley that the changes from the Technical Advisory Committee, TAC, meeting were not made on the plat. In addition, the access to the detention basin is over top of an existing stream. Mr. Hart suggested it be moved next to the proposed utility lines. Easements will need to be placed around the detention basin. Mr. Wheatley said the items would be corrected for the Business Session meeting.

Mr. Hart asked Mr. Wheatley if Kentucky Utilities had provided a street lighting plan. Mr. Locker stated it would be submitted Friday, July 20, 2012.

Mr. Hart also advised the punch list and bond would have to be set before the Business Session meeting.

Commissioner Rush asked if there were any other questions.

Development Plat for 876 Development, LLC at 108 Meridian Way

Mr. Wheatley stated this item was in Heritage Place and would be three separate units. Behind the proposed development business locations have already been built.

Mr. Hart asked if they had referenced the access and egress for the shared drive and asked if it had been recorded. He asked it be referenced on the plat.

Mr. Hart also noted that the access and egress would have to be noted for the sign for the other properties.

General Discussion.

Commissioner Wiggins asked what type of properties might be going in the development. Mr. Locker responded that he had talked with a chain restaurant, private pharmacy and retail businesses.

General Discussion.

Commissioner Rush asked if there were any other questions.

Amended Final Plat for Jeff & Anna Randall, Mark Wilds, and Brian Settles at Autumn Leaf Drive

Mr. Wheatley stated the property was originally owned by one of the three owners, and is being re-divided between the three again. They are proposing new lot lines. The water and sewer has already been installed, but not taken over by Richmond Utilities.

Mr. Hart stated he was contacted by the attorney's office of the developers and was told they planned on creating more lots around this current area. Mr. Hart asked it be shown in phases. Shared drives will need an access egress recorded and noted on the plat.

Commissioner Rush asked if there were any more questions.

Development Plat for Jeff & Ann Randall, Mark Wilds, and Brian Settles at Autumn Leaf Drive

Mr. Wheatley stated they were looking to add more handicap parking spots and to limit the entrances to the buildings.

Commissioner Rush asked how many apartments were going to be constructed. Mr. Hart commented the site statistics had not been completed.

General Discussion.

Mr. Hart asked about the utility poles currently constructed in the proposed parking lot. Mr. Wheatley stated the poles would stay and the parking would have to be reconfigured around the existing poles.

Mr. Hart then asked if they are asking for a variance in parking. Mr. Wheatley stated the board had originally approved 1.25 parking spots per bedroom. Commissioner Miller asked why a variance was granted for parking. Mr. Hart explained it was due to the property being zoned as a PUD, Planned Unit Development. Explanation of PUD requirements followed.

Commissioner Rush asked if there were any other questions.

Mr. Hart stated the changes were not made from the TAC meeting as well, and they will need to be updated with the changes proposed by the developer.

Mr. Hart advised Mr. Wheatley that the street signs need to be updated. He will need to contact the Public Works Department for new regulations.

General Discussion.

Development Plat for Richmond Centre Outparcel #3 at 1146 Barnes Mill Road

Mr. Demming introduced himself as the representative from CMW Inc. He stated they were there to get approval for a shift in the entrance on Barnes Mill Road. The highway department would not approve a permit to create a new entrance. He stated they would have to use the current access point from an existing business.

Mr. Hart asked if they had created an access egress with the existing entrance owner. Mr. Demming stated the developer is currently working on creating this. Mr. Hart stated a radius would need to be noted on the existing drive.

General Discussion.

Commissioner Abney asked what would be located at the property. Mr. Demming stated it would be three units, with the potential of a restaurant and retail establishments.

Commissioner Wiggins stated an eastern red bud was placed on the plat, and it needed to be replaced with another type of tree.

Commissioner Rush asked if there were any other questions.

Recreation and Landscape Manual

Mr. Hart stated he had met with Commissioner Wiggins before the meeting to discuss the manual. He asked the commissioners if they had, had a chance to look at the manual and provide suggestions. From page 31 on, the green infrastructure section is new.

General Discussion.

Mr. Hart discussed the use of bicycle paths and the safety features included. Further discussion ensued.

Commissioner Wiggins noted a conflicting error in points 4.05 and 4.16 regarding tree placement. Commissioner Chaney also stated that text needed to be provided over the chart notating the unacceptable trees.

General Discussion.

Commissioner Miller suggested larger landscape buffers between zones.

Commissioner Chaney suggested a text amendment for a moratorium on apartments until the manual is completed. He suggested the use of wording to allow the moratorium to sunset at the approval of the manual. He suggested the City Attorney create this amendment.

Commissioner Chaney moved that the City Attorney draft a proposed text amendment that would impose a moratorium on R-2 and R-3 developments that would be in effect until the Recreation and Landscape manual is completed, and sunset once adopted and approved by the Board of Commissioners. It was seconded by Commissioner Estelle.

VOTE: Yes, Commissioner Estelle, Miller, Wiggins, Abney, Chaney and Rush

Director Report

Mr. Hart stated the Floodplain Ordinance was approved and is Appendix O in the Development Ordinance.

Adjournment

Adjournment was called by Commissioner Rush.

ADJOURNMENT TIME: 6:46 P.M.


CHAIRMAN


SECRETARY

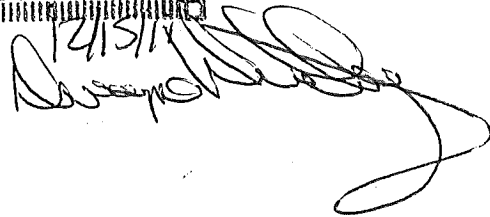
8/21/2012
DATE

B.F. & O., Inc.
5.76 Acres +/-

A certain tract of land situated at the Southeast quadrant of the intersection of Cycle Drive with Boggs Lane in the Commonwealth of Kentucky, County of Madison consisting of 5.76 acres and described as follows:

The point of beginning being at a set ½" diameter iron pin, 18" in length with yellow plastic cap stamped "ABACUS LPLS 3265" (hereinafter "set iron pin and cap") being in the south right-of-way of Boggs Lane and the East right-of-way of Cycle Drive having state plain coordinates N: 2,150,977.24 / E: 2,063,313.78; thence leaving Cycle Drive with the right-of-way of Boggs Lane the following two (2) calls: S 39°03'20" E, 258.97 feet to a set iron pin and cap, S 41°26'20" E, 143.70 feet to a set iron pin and cap being in the South right-of-way of Boggs Lane and a common corner to National Real Estate, Inc. (DB 443 PG 69); thence leaving the right-of-way of Boggs Lane with the line of National Real Estate, Inc. S 17°49'06" W, 608.56 feet to a set iron pin and cap being a common corner to National Real Estate, Inc. and being a point in the line of Colonel's Ridge, LLC (DB 634 PG 111); thence leaving the line of National Real Estate, Inc. with the line of Colonel's Ridge, LLC the following two (2) calls: N 72°38'14" W, 121.45 feet to a set iron pin and cap, N 79°54'35" W, 231.13 feet to a set iron pin and cap being a common corner to Colonel's Ridge, LLC and being a point in the East right-of-way of Cycle Drive; thence leaving the line of Colonel's Ridge, LLC with the East right-of-way of Cycle Drive N 18°29'39" E, 855.65 feet to the point of beginning containing 5.76 acres +/-.

STATE OF KENTUCKY
DWAYNE
WHEATLEY
3285
LICENSED
PROFESSIONAL
LAND SURVEYOR



OVERSIZE MAP INCLUDED WITH
SUBMISSION.

To research the map, contact the
Office of Secretary of State
or the County Clerk.