



CITY COMMISSION MEETING  
 AGENDA FOR AUGUST 19, 2014  
 5:30 P.M.  
 CITY HALL COMMISSION CHAMBERS  
 300 SOUTH FIFTH ST

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

ADDITIONS/DELETIONS

	<b>I. <u>ORDINANCES - ADOPTION</u></b>
	A. Annual Service Agreement with Motorola for Radio Equipment, 911 Phone and Dispatch Consoles – <b>B. STRINGER</b>
	B. Authorize Payment for USFW Biological Opinion Mitigation Fees – <b>R. MURPHY</b>
	C. Authorize Purchase of Solid Waste Dumpsters for FY2014-15 Utilizing State Contract – <b>R. MURPHY</b>
	D. 2014 – 2015 Kentucky Highway Safety Program – POLICE CHIEF BARNHILL
	E. 2014 – 2015 Kentucky Highway Safety Program Grant Award for Extension of Support for the “Heads Up Don’t Be In’text’icated” Program – POLICE CHIEF BARNHILL
	F. Waiver and Consent of Real Property for Genova Products, Inc. – CITY MGR
	<b>II. <u>ORDINANCES - INTRODUCTION</u></b>
	A. Certified Local Government Program (CLG) Grant – S. ERVIN
	B. Zone Change for 1139 & 1179 Lone Oak Road and 1121 Sanders Avenue – <b>S. ERVIN</b>
	C. Zone Change for 2711 New Holt Road – <b>S. ERVIN</b>
	D. Final Annexation for 2711 New Holt Road – S. ERVIN

	<b>III.</b>	<b><u>CITY MANAGER REPORT</u></b>
	<b>IV.</b>	<b><u>MAYOR &amp; COMMISSIONER COMMENTS</u></b>
	<b>V.</b>	<b><u>PUBLIC COMMENTS</u></b>
	<b>VI.</b>	<b><u>EXECUTIVE SESSION</u></b>

# Agenda Action Form Paducah City Commission

Meeting Date: August  
12<sup>th</sup>, 2014

Short Title:

Ordinance  Emergency  Municipal Order  Resolution  Motion

Staff Work By: Brent Stringer  
Presentation By: Brent Stringer

Background Information: Reoccurring annual service agreement with Motorola to service and maintain the city owned radio equipment, 911 phone and dispatch consoles.

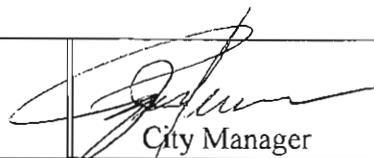
Goal:  Strong Economy  Quality Services  Vital Neighborhoods  Restored Downtowns

Funds Available: Account Name: Communications equipment  
Account Number: 012-4011-523.22-06

Finance
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Staff Recommendation: Approve ordinance to maintain service agreement with Motorola for 2014-2015

Attachments: Service Agreement

Department Head	City Clerk	 City Manager
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# Agenda Action Form

## Paducah City Commission

Meeting Date: August 12, 2014

Short Title: Authorize Payment to the Kentucky Waterways Alliance (KWA) Kentucky Aquatic Resources Fund (KARF) in accordance with the Paducah Riverfront Development Project Biological Opinion

Ordinance  Emergency  Municipal Order  Resolution  Motion

Staff Work By: Angela Weeks, EPW Proj Mgr  
Presentation By: Rick Murphy, P.E., City Engineer-Public Works Director

### Background Information:

On June 6, 2012, a Final Biological Opinion (BO) for the Paducah Riverfront Development Project was issued by the United States Department of the Interior, Fish and Wildlife Service, Kentucky Ecological Services Field Office. This BO addressed the interrelated federal actions under sections 10, 401 and 404 of the Clean Water Act (CWA) that were necessary for the construction of the Paducah Riverfront Project and the Ohio River Boat Launch Project due to environmental impacts to the Ohio River. The BO issued by the Fish and Wildlife Service required the City of Paducah comply with certain Terms and Conditions in order to obtain permits from the USACE and the KY Division of Water for both Projects. In regards to the Riverfront Project Mass Fill-Schultz Park Expansion and the Transient Dock, the BO addressed the Project's environmental impacts on the Ohio River and the four endangered mussels within the area. The BO issued the following non-discretionary Terms and Conditions associated with the Riverfront Project:

1. **Mussel Relocation Plan**: Develop a Mussel Relocation Plan to be approved by the Fish and Wildlife Service and relocate specific mussel species before construction activity occurs. The Mussel Relocation obligation was completed October 16-20, 2012.
2. **Mussel Conservation Measures Monitoring**: Contribute \$20,000 to the Kentucky Waterways Alliance (KWA) Kentucky Aquatic Resources Fund (KARF) for their future monitoring use at the Schultz Park Expansion Area and the relocated mussel site.
3. **Mussel Conservation Measures Habitat**: Contribute a total of \$71,706 to the Kentucky Waterways Alliance (KWA) Kentucky Aquatic Resources Fund (KARF) for environmental impacts related to a total of 6.29 acres having a 4:1 replacement ratio at \$2,850 per acre.
4. **Mussel Conservation Measures Propagation**: Contribute a total of \$44,000 to the Kentucky Waterways Alliance (KWA) Kentucky Aquatic Resources Fund (KARF) for recovery efforts for the four federally listed mussels at a three year replacement effort. The four mussels and the associated costs are:
  - a. Propagation of 76 Fat Pocketbooks at \$250 each equates to \$19,000.
  - b. Propagation of 2 Pink Mucklets at \$500 each equates to \$1,000.
  - c. Propagation of 2 Orangefoot Pimplebacks at \$8,000 each equates to \$16,000.
  - d. Propagation of 2 Sheepsnose at \$4,000 each equates to \$8,000.

In summary, the City's financial obligations related to the Monitoring, Habitat and Propagation of the four impacted mussels equates to the total amount of \$135,706.00 to be paid to the Kentucky Waterways Alliance (KWA) Kentucky Aquatic Resources Fund (KARF).

Goal:  Strong Economy  Quality Services  Vital Neighborhoods  Restored Downtowns

Funds Available: Account Name: RF Phase 1-A  
Account Number: 040-3315-532-2307  
Project Number: DT0015

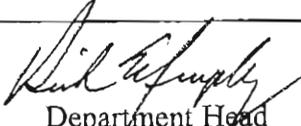
Finance

Staff Recommendation:

To adopt an Ordinance authorizing the payment to Kentucky Waterways Alliance (KWA) Kentucky Aquatic Resources Fund (KARF) in the total amount of \$135,706.00 to comply with the Terms and Conditions associated with the Riverfront Development Project Biological Opinion issued by the United States Department of the Interior, Fish and Wildlife Service, Kentucky Ecological Services Field Office.

Attachments:

Biological Opinion Dated June 6, 2012, issued by the United States Department of the Interior, Fish and Wildlife Service, Kentucky Ecological Services Field Office

 Department Head	City Clerk	City Manager
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# Agenda Action Form Paducah City Commission

Meeting Date: August 12, 2014

Short Title: Purchase of Solid Waste Dumpsters for the FY2014-2015 from Municipal Equipment, Inc., Utilizing the Kentucky State Contract

Ordinance  Emergency  Municipal Order  Resolution  Motion

Staff Work By: Chris Yarber, EPW Operations Mgr  
Angela Weeks, EPW-Engr Proj Mgr  
Presentation By: Rick Murphy, P.E., City Engineer-Public Works Director

### Background Information:

Municipal Equipment, Inc. is the current Vendor listed on the Commonwealth of Kentucky's Contract for the purchase of solid waste dumpsters. The Engineering-Public Works Department, Solid Waste Division is in need of new dumpsters to be utilized by commercial businesses within the City and would like to utilize the existing Kentucky State Contract for this purchase. Every year, an amount is allocated toward dumpster purchases in the annual commercial refuse replacement budget. Therefore, we are requesting authorization to order the required dumpsters along with additional replacement parts and lids during the 2014-2015 Fiscal Year in an amount not to exceed the budgeted amount of \$70,000. The Kentucky Master Agreement number is MA-758-1100000316.

Goal:  Strong Economy  Quality Services  Vital Neighborhoods  Restored Downtowns

Funds Available: Account Name: Solid Waste Fund -  
Non Rolling Stock-Equipment Other  
Account Number: 050-2210-531-4219

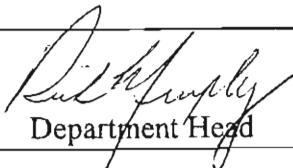
  
8/13/14  
Finance

### Staff Recommendation:

To adopt an Ordinance authorizing the purchase of Solid Waste Dumpsters for the FY2014-2015 utilizing the Kentucky state contract price from Municipal Equipment, Inc., in an amount not to exceed \$70,000.00.

### Attachments:

KY Master Agreement

 Department Head	City Clerk	City Manager
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**Agenda Action Form  
Paducah City Commission**

Meeting Date: 19 August 2014

Short Title:     **2014-2015 Kentucky Highway Safety Program**

Ordinance     Emergency     Municipal Order     Resolution     Motion

Staff Work By:            Brian Krueger; Jason Merrick; Sheryl Chino  
Presentation By:         Brandon Barnhill

Background Information: The Kentucky Office of Highway Safety, a division of the Kentucky Transportation Cabinet, has a competitive, discretionary grant program that offers reimbursements to police agencies for the salaries and benefits of peace officers working overtime hours and engaged in specific traffic enforcement activities. The program also offers reimbursements for specific traffic enforcement related supplies and equipment.

The Paducah Police Department has been awarded a Highway Safety Application for the 2014-2015 year. This grant will reimburse overtime hours associated with saturation patrols, including fuel costs, in the amount of \$39,770. There is not a match requirement for this grant application. This grant program does not require matching funds.

The application was originally approved by municipal order 1758.

The grant requires authorization by the Paducah City Commission to allow the Mayor to execute all grant related documents.

Goal:     Strong Economy     Quality Services     Vital Neighborhoods     Restored Downtowns

Funds Available:    Account Name:    Finance  
Account Number:

Staff Recommendation: Approval

Department Head	City Clerk	City Manager
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## ORDINANCE NO. 2014-\_\_\_\_\_

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PADUCAH, KENTUCKY AUTHORIZING A WAIVER AND CONSENT BY REAL PROPERTY OWNER AMONG THE CITY OF PADUCAH, KENTUCKY, THE COUNTY OF MCCRACKEN, KENTUCKY, AND WELLS FARGO BANK, NATIONAL ASSOCIATION, WITH RESPECT TO PERSONAL PROPERTY OF GENOVA PRODUCTS, INC., LOCATED IN THE LEASED PREMISES, COMMONLY KNOWN AS 5400 COMMERCE DRIVE, PADUCAH, KENTUCKY**

WHEREAS, the City of Paducah, Kentucky and McCracken County, Kentucky (collectively, "Owners") have leased certain real property located at 5400 Commerce Drive, Paducah, County of McCracken, Kentucky, (the "Leased Premises") to Genova Products, Inc. ("Tenant"); and

WHEREAS, Tenant has requested a loan from Wells Fargo Bank, National Association ("Lender") to purchase equipment for Tenant's facilities located on the Leased Premises; and

WHEREAS, in order to further the aforementioned intentions of Tenant, it is necessary and desirable that the City now authorize the Waiver and Consent by Real Property Owner among the Owners, and Lender.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PADUCAH, KENTUCKY AS FOLLOWS:

Section 1. Authorization. The Waiver and Consent by Real Property Owner in substantially the form attached hereto as Exhibit A and made part hereof, is hereby approved and the Mayor of the City of Paducah, Kentucky, is hereby authorized and directed to execute the same which fully releases any and all claims the Owners may have to all personal property of Tenant located on the Leased Premises, including without limitation all of the Tenant's inventory, accounts receivable and other receivables, books and records, equipment, furniture, furnishings, trade fixtures, machinery, tools, certain deposit accounts and other related assets, together with all additions, substitutions, replacements, and improvements to the same (hereinafter referred to as the "Goods"), which Goods are or are to be located on and may be affixed to the Leased Premises or be improvements thereon; provided that the Goods shall exclude any and all equipment, furniture, furnishings, trade fixtures, machinery and tools of Tenant currently located on, or to be later installed at the Leased Premises and for which the Owners have provided purchase money security interest financing and the existing two (2) Dearborne cranes and engineering, 10 ton, located on the ceiling of the Premises, six (6) silos located on the Premises, and the rail spur located on the Premises. The Ordinance approves the form of the Waiver and Consent presented to the Board of Commissioners of the City, with such changes therein as shall not be adverse to the City and may be approved by the Mayor and City Manager.

Section 2. Severability. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

Section 3. Compliance With Open Meetings Laws. The City Commission hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this City Commission, and that all deliberations of this City Commission and of its

committees, if any, which resulted in formal action, were in meetings open to the public, in full compliance with applicable legal requirements.

Section 4. Conflicts. All ordinances, resolutions, orders or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed and the provisions of this Ordinance shall prevail and be given effect.

Section 5. Effective Date. This Ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Introduced by the Board of Commissioners, \_\_\_\_\_, 2014

Adopted by the Board of Commissioners, \_\_\_\_\_, 2014

Recorded by City Clerk, \_\_\_\_\_, 2014

Published by *The Paducah Sun*, \_\_\_\_\_, 2014

Agenda Action Form  
Paducah City Commission

Meeting Date: 19 August 2014

Short Title: Certified Local Government Program (CLG) Grant

Ordinance  Emergency  Municipal Order  Resolution  Motion

Staff Work By: Steve Ervin; Josh Sommer; Melinda Winchester; Sheryl Chino  
Presentation By: Steve Ervin

Background Information: Jointly administered by the Kentucky Heritage Council/State Historic Preservation Office and the National Park Service, Kentucky's Certified Local Government Program (CLG) is a local, state, and federal partnership that promotes historic preservation planning and protection of prehistoric and historic resources at the local level. The Kentucky Heritage Council allows for a variety of initiatives under the CLG grant program including archaeological surveys, national register nominations, and historic preservation education. The city is choosing to apply for historic preservation education funds.

The Paducah Planning Department has been awarded CLG funds in the amount of \$6,300 to host a training event that includes the Commission Assistance & Mentoring Program (CAMP) to be held in conjunction with the Historic Preservation Mini-Conference on October 23-25. The CAMP program is hosted by the National Alliance of Preservation Commissions and Mini-Conference is hosted by the Kentucky Heritage Council. The event will provide approximately 16 training hours for the Paducah Planning Commission, HARC Board, Urban Renewal and Community Development Agency, Board of Adjustments, and staff. Approximately 140 will be attending the conference.

Submittal of the grant application was approved on Feb. 25, 2014 under municipal order 1756.

The total estimated cost to host the event is \$10,500. The CLG grant program requires a 40% match in either cash or in-kind services; therefore, making the city's match requirement total \$4,200. Matching funds will come in the form of cash from the Planning Department's Training and Travel account. The city is received \$6,300 through the CLG grant program.

If the Commission desires to accept this grant award, it must authorize and direct the Mayor or Mayor's designee to sign all required grant application documents.

Goal:  Strong Economy  Quality Services  Vital Neighborhoods  Restored Downtowns

Funds Available: Project Title: CLG CAMP/CONFERENCE

Project #: CD 0085

File #: 6.266

Account #: ~~001-1207-513-3801~~ 040-8827-536.23-07

Budget: \$10,500

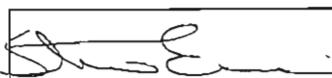
Source of Funds: State Grant - Kentucky Heritage Council \$6,300

\$4200 Local Match (001-1207-513-3801)

Finance

Staff Recommendation: Approval

Attachments: None

 Department Head	City Clerk	City Manager
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# Agenda Action Form

## Paducah City Commission

Meeting Date: August 19, 2014

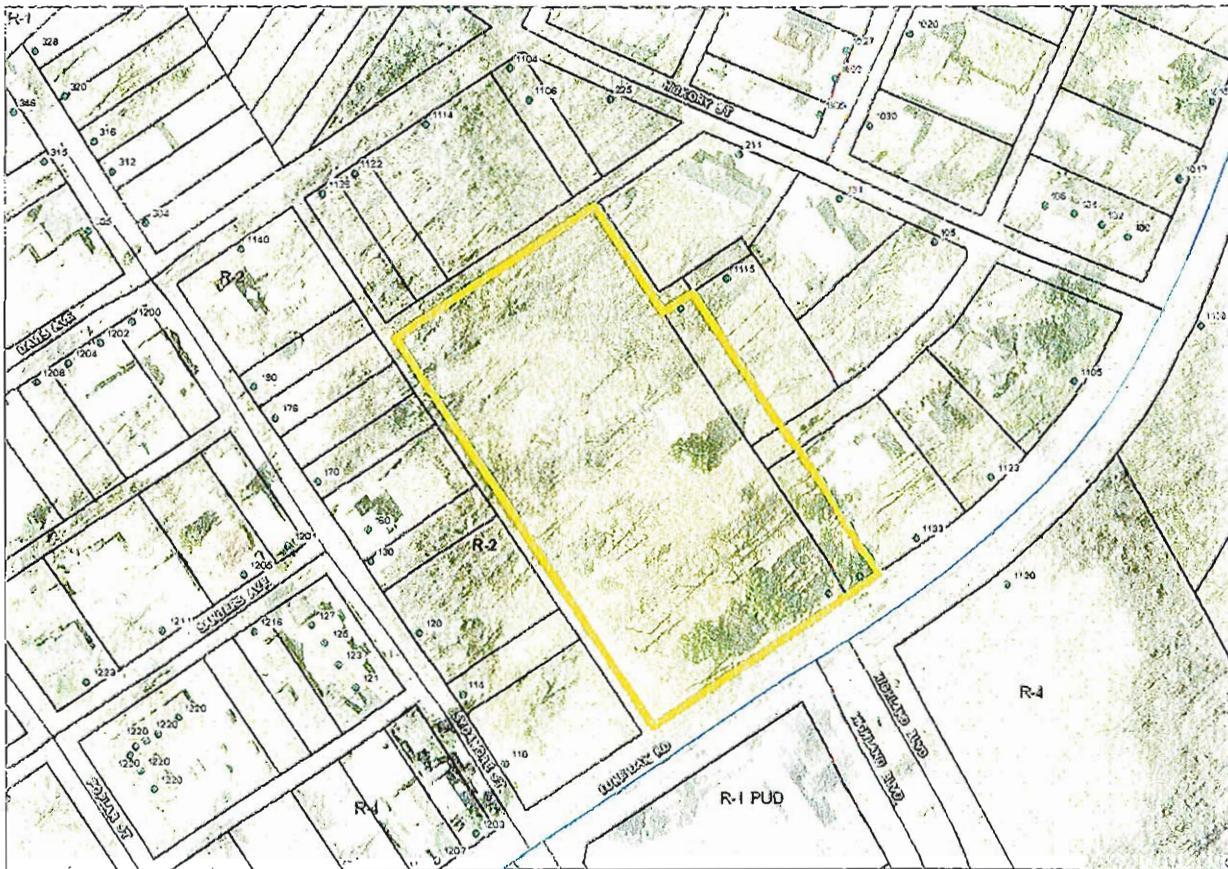
Short Title: Medical Offices Zone Change

Ordinance  Emergency  Municipal Order  Resolution

Staff Work By: Stephen Ervin, Joshua P. Sommer

Presentation By: Stephen Ervin

Background Information:



Key Components:

The applicant, Cafferty Consulting Group, is requesting a zone change for 1139 & 1179 Lone Oak Road and 1121 Sanders Avenue from R-2 (Low and Medium Density Residential Zone) to R-4 (High Density Residential Zone).

Two new medical offices are proposed for this property. The first one is two stories and will contain 10,000 square feet. The second building will be constructed at some point in the future but will be one story and have 10,000 square feet. Professional office buildings are principally permitted in the R-4 Zone, pursuant to Section 126-105 (1) (d) of the Paducah Zoning Ordinance. The property to the southeast of this parcel is zoned R-4. Therefore, this would be a continuation of the R-4 Zone.

**Site Data:**

Area: 3.54 acres

Public Utilities: Adequate water and sewer service available.

Public Services: Sanitation, police and fire service available.

Physical Characteristics: Vacant at this time.

**Development Plan:**

Two new medical office buildings are proposed. The second building will be constructed at some point in the future. Adequate parking for both buildings is proposed. A waiver of subdivision will be submitted to the Planning Commission after rezoning to combine the three lots into one.

**Land Use Patterns:**

This section of Lone Oak Road has had scattered development. A new Shell gasoline station was constructed last year at 1415 Lone Oak Road. Across the street at 1130 Lone Oak Road, Dr. Bowers is constructing a new 12,384 square foot ophthalmology office. Doctors Eickholtz and Turnbo are expanding the parking lot for their practice at 546 Lone Oak Road. Lourdes Hospital at 1530 Lone Oak Road will have the new Ray and Kay Eckstein Hospice Center and Emergency Room additions under construction in the near future. The medical offices location is approximately 2,689 feet from the west bound lane of Interstate 24.

**Adjacent Properties:**

North: Vacant wooded lots.

East: Two vacant lots and one single-family home that faces Lone Oak Road. There are two other single-family homes nearby.

South: Lone Oak Road.

West: One single-family home and vacant lots.

**Zoning:**

R-2 Low and Medium Density Residential zone on the North, East and West. R-4 High Density Residential zone on the Southeast. R-1 Low Density Residential Planned Unit Development on the Southwest. The parcel is proposed to be rezoned to R-4 as follows:

**Sec. 126-105, High Density Residential Zone, R-4,**

The purpose of this zone is to provide an area that will combine compatible residential and business uses in such a manner that it will buffer low-density residential property from high density and commercial uses.

- (1) Principal permitted uses.
  - a. Any use permitted in the R-3 zone
  - b. Multi-family dwellings
  - c. Nursing homes
  - d. Professional office buildings (yard requirements for office buildings shall be the same as the B-1 zone requirements;
  - e. Day-care nurseries
  - f. Cemeteries
  - g. Assisted care dwellings (yard and lot requirements shall be the same as 126-104 (7)).
  - h. Bed and breakfast
  - i. Places of worship
  - j. Any other use not listed which, in the Commission's opinion, would be compatible with the above uses in the R-4 zone.
- (2) Conditionally permitted uses.
  - a. List of uses.
    1. Commercial greenhouses
    2. Funeral homes
    3. Home occupations
    4. Hotels or motels
    5. Beauty shops and barbershops
    6. Mobile home parks.
  - b. Board of Adjustment approval. The conditionally permitted uses listed above shall be considered as business uses and shall meet the requirements of the B-1 zone. All plans will be submitted to the Planning Commission prior to Board approval and the Commission shall require such conditions as are necessary to maintain the character of this zone. The Board may grant dimensional variances to businesses when lot requirements cannot be met.
- (3) Single and two-family dwellings. Single-family dwellings and two-family dwellings shall comply with the requirements of the R-3 zone.
- (4) Multi-family dwellings and town houses.
  - a. Minimum yard requirements.
    1. Front yard: 25 feet.
    2. Side yard, each side: Six feet.
    3. Rear yard: 25 feet.
  - b. Minimum area requirements.

1. Minimum lot area, per unit: 2,000 square feet.
2. Minimum lot width: 50 feet.
- c. Maximum building height: None.
- d. Public parking area. Same as section 126-104 (5) (e).

**Findings required for map amendment:**

KRS – 100.213 Before any map amendment is granted, the Planning Commission must find that the map amendment is in agreement with the comprehensive plan, or in the absence of such a finding, that one or more of the following apply and such findings shall be recorded in the minutes and records of the Planning Commission and City Commission:

That the existing zoning classification given to the property is inappropriate and the proposed zoning classification is appropriate; or

That there have been major changes of an economic, physical or social nature within the area involved which were not anticipated in the comprehensive plan and which have substantially altered the basic character of the area.

Staff Analysis – The area has been rezoned before. On February 21, 2005, the Planning Commission found there had been major changes of a physical and economic nature within the area involved, which were not anticipated in the comprehensive plan and which have substantially altered the basic character of the area. The area was subsequently rezoned to B-1 Convenience and Service Zone for a bank development. However, the bank development did not materialize and the area reverted back to the original zoning (R-2) after a public hearing.

Currently, the proposed zoning is R-4 High Density Residential Zone. The Future Land Use Map shows this parcel to be "Neighborhood Conservation". The R-4 Zone is a residential, not commercial zone. The R-4 Zone is also adjacent to the Southeast across Lone Oak Road. R-4 is a less intense zone than B-1. Staff is still of the opinion that there have been changes of an economic nature in the area as described above, with the new ophthalmology office, Shell gas station and Lourdes renovations. Therefore, staff would recommend the zone change to R-4 based on the findings in accordance with KRS 100.213.

**Staff Recommendation:**

Staff recommends approval to the Paducah City Commission for R-4 High Density Residential Zone as the general vicinity has undergone economic changes as outlined in KRS 100.213. The Planning Commission will meet on August 18, 2014 and their recommendation will be forwarded at the City Commission meeting.

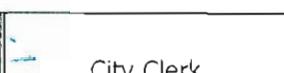
Funds Available: Account Name: N/A  
Account Number: N/A

Finance
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Motion:

Attachments:

Planning Commission Resolution  
Zone Change Map/Development Plan

 Department Head	 City Clerk	City Manager
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property is annexed into the City, it receives an automatic R-1 Low Density Residential designation, pursuant to Section 126-32 of the Paducah Zoning Ordinance.

A new Independence Bank branch is being proposed for this site. The bank is approximately 2,200 square feet and will be one story. Financial services are principally permitted in the MU Zone, pursuant to Section 126-118 (b) (3) of the Paducah Zoning Ordinance. The property to the west and south of this parcel is zoned MU. Therefore, this would be a continuation of the Mixed Use Zone.

**Site Data:**

Area: .7927 acres

Public Utilities: Adequate water and sewer service available.

Public Services: Sanitation, police and fire service available.

Physical Characteristics: Vacant at this time.

**Development Plan:**

A new Independence Bank branch is proposed. A site plan will be submitted for review upon approval of the annexation and proper zoning assigned.

**Land Use Patterns:**

This site is located in an area of Paducah/McCracken County that is undergoing much growth. A new shopping strip center, containing a Firehouse Subs and Pancheo's Mexican Grill, are under construction nearby. A new medical dermatologist office is also under construction down Village Square Drive. New Holt Road is proposed to be extended across Highway 60 and connect to Olivet Church Road behind the mall. The utilities for this highway project are being moved at this time.

**Adjacent Properties:**

North: Lowes Home Improvement Warehouse.

East: New Holt Road, Clayton's Corner shopping strip center.

South: Village Square Drive and C-Plant Federal Credit Union.

West: Vacant lot.

**Zoning:**

Mixed Use on the South and West. Highway Business District (HBD) on the North. General Business Zone (B-3) to the East. The parcel is proposed to be changed to MU as follows:

Sec. 126-118. Mixed Use District, MU.

- (a) Intent. The MU Mixed Use District is intended to accommodate projects which combine general compatible land uses into an integrated development. The MU district may also be used to designate parts of the city which are appropriate for a mixture of residential, commercial, office and accessory parking uses. The MU district allows for mixing residential environments with workplaces and services. Development in the MU district must accommodate transportation systems, surrounding environments and pedestrian movement. For these reasons, projects constructed in an MU district are subject to Planning Commission approval.
- (b) Permitted uses.
- (1) Residential uses:
    - Single-family (detached).
    - Single-family (attached).
    - Duplex residential
    - Townhouse residential
    - Multiple-family residential.
  - (2) Civic uses:
    - Administrative services.
    - Higher education facilities.
    - Community recreation.
    - Cultural services.
    - Day care.
    - Local utility services.
    - Park and recreation services.
    - Postal facilities.
    - Recreation clubs.
    - Religious assembly.
  - (3) Office uses:
    - Financial services.
    - General services.
    - Medical services.
  - (4) Commercial uses:
    - Business support services.
    - Business or trade school.
    - Cocktail lounge.
    - Communications services.
    - Food sales (limited).
    - Food sales (general).
    - Food sales (convenience).
    - Funeral services.
    - General retail sales.
    - Health club with customary indoor and outdoor facilities.
    - Hotel/motel.
    - Indoor entertainment.
    - Indoor sports and recreation.
    - Liquor sales.

- Outdoor sports and recreation.
- Personal improvement services.
- Personal services.
- Pet services.
- Research services.
- Restaurant (drive-in).
- Restaurant (limited).
- Restaurant (general).

- (c) Site development regulations.
  - (1) The minimum area of any MU district shall be three acres.
  - (2) All projects in the MU district shall receive approval by the Planning Commission, following the development plan procedure set forth in section 126-176. Such approval shall be granted for a comprehensive development plan instead of for individual structures, provided that any subsequent structures or developments are consistent with such development plan.
  - (3) Application for approval must include at least the following information:
    - a. A detailed site map, including:
      - 1. A boundary survey.
      - 2. Site dimensions.
      - 3. Contour lines at not greater than five-foot intervals.
      - 4. Adjacent public rights-of-way, public transportation routes and pedestrian systems.
      - 5. Description of adjacent land uses.
      - 6. Utility service to the site and easements through the site.
      - 7. Description of other site features, including drainage, soils and other considerations that may affect the development of the site.
    - b. A development plan as per section 126-176.
    - c. Specific proposed site development regulations for the project, including:
      - 1. Maximum floor area ratios.
      - 2. Front, side and rear yard setbacks.
      - 3. Maximum height.
      - 4. Maximum building and impervious coverage.
      - 5. Design standards applicable to the project.

**Findings required for map amendment:**

KRS – 100.213 Before any map amendment is granted, the Planning Commission must find that the map amendment is in agreement with the comprehensive plan, or in the absence of such a finding, that one or more of the following apply and such findings shall be recorded in the minutes and records of the Planning Commission and City Commission:

That the existing zoning classification given to the property is inappropriate and the proposed zoning classification is appropriate; or

That there have been major changes of an economic, physical or social nature within the area involved which were not anticipated in the comprehensive plan and which have substantially altered the basic character of the area.

Staff Analysis – The area proposed to be re-zoned is in compliance with the Future Land Use Map. The Future Land Use Map shows the area to be zoned “Commercial”. A bank branch is a principally permitted use in the Mixed Use Zone.

**Staff Recommendation:**

Staff recommends approval to the Paducah City Commission for MU Mixed Use Zone as the proposed zoning designation is in compliance with the Comprehensive Plan. The Planning Commission will meet on August 18, 2014 and their recommendation will be forwarded at the City Commission meeting.

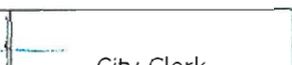
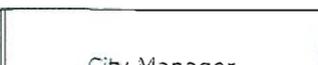
Funds Available:      Account Name: N.A  
                                 Account Number: N.A

Finance
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Motion:

Attachments:

Planning Commission Resolution  
Zone Change Map/Development Plan

 Department Head	 City Clerk	 City Manager
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AN ORDINANCE APPROVING THE FINAL REPORT OF THE PADUCAH PLANNING COMMISSION ON THE PROPOSED ZONING CHANGE FROM R-1 (LOW DENSITY RESIDENTIAL ZONE) TO MU (MIXED USE ZONE) FOR PROPERTY LOCATED AT 2711 NEW HOLT ROAD, AND AMENDING THE PADUCAH ZONING ORDINANCE SO AS TO EFFECT SUCH REZONING

BE IT ORDAINED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That a Resolution passed by the Paducah Planning Commission on August 18, 2014, and entitled, "A RESOLUTION CONSTITUTING THE FINAL REPORT OF THE PADUCAH PLANNING COMMISSION ON THE PROPOSED ZONING CHANGE FROM R-1 (LOW DENSITY RESIDENTIAL ZONE) TO MU (MIXED USE ZONE) FOR PROPERTY LOCATED AT 2711 NEW HOLT ROAD" be approved as the final report of said Commission respecting the matters therein set forth.

SECTION 2. That the zone classification and the map amendment proposed in said resolution be, and the same is hereby, declared to be in agreement with the Comprehensive Plan of the City of Paducah.

SECTION 3. That the zone classification of the following described property be, and is hereby, changed from R-2 (Low and Medium Density Residential Zone) to R-4 (High Density Residential Zone):

**ZONE CHANGE DESCRIPTION**

A tract of land located in McCracken County Kentucky, near the City of Paducah Corporate Limits, on New Holt Road being a portion of Lots 49 and 50 of the Belleview Subdivision recorded in Plat Book F Page 7 at the McCracken County Court Clerks' office, owned by L&H Properties, Inc., as recorded in Deed Book 881 Page 24 at the aforementioned Clerk's office and being more particularly described as follows:

Beginning at an existing 1/4" iron pin located on the West right of way line of New Holt Road, 100 feet plus or minus Northerly of the intersection of New Holt Road and Village Square Drive, said point being the southeast corner of Lot 49 which is located 25.00 feet Westerly of the centerline of New Holt Road, said point also being located on the existing Paducah City Limits;

Thence North 85° 24' 40" West a distance of 145.45 feet to an existing 1/4" iron pin;

Thence North 04° 36' 01" East, passing into Lot 50 at 100.00 feet, a distance of 200.00 feet to an existing 1/4" iron pin located in the South property line of Lowas of Paducah No. 465 property, (Deed Book 840 Page 300);

Thence North 85° 28' 17" West a distance of 190.51 feet to an existing 1/4" iron pin found in the aforementioned West right of way line of New Holt Road;

Thence with the said West right of way line of New Holt Road, a distance of 206.08 feet along a curve to the right, having a radius of 649.07 feet, a chord length of 205.22 feet and a chord bearing of South 17° 16' 59" West to the Point of Beginning.

The above described proposed Annexation contains 0.7972 acres.

Surveyed by James L. Knoth Professional Land Surveyor No. 3585 on July 13, 2014

SECTION 4. That if any section, paragraph or provision of this ordinance shall be found to be inoperative, ineffective or invalid for any cause, the deficiency or invalidity of such section, paragraph or provision shall not affect any other section, paragraph or provision hereof, it being the purpose and intent of this ordinance to make each and every section, paragraph and provision hereof separable from all other sections, paragraphs and provisions.

SECTION 5. This ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

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Mayor

ATTEST:

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Tammara S. Sanderson, City Clerk

Ordinance No. 2711 - Board of Commissioners - August 26, 2014  
Adopted by the Board of Commissioners, August 26, 2014  
Recorded by Tammara S. Sanderson, City Clerk, August 26, 2014  
Published by the Paducah Sun, \_\_\_\_\_  
ord\plan\zone\2711 New Holt Rd - Independence Bank

# Agenda Action Form

## Paducah City Commission

Meeting Date: August 19, 2014

Short Title: Annex 2711 New Holt Road

Ordinance  Emergency  Municipal Order  Resolution   
Staff Work By: Stephen Ervin, Joshua P. Sommer  
Presentation By: Stephen Ervin

### Background Information:

The intent of this agenda item is to annex 2711 New Holt Road into the City of Paducah. A new Independence Bank branch is proposed to be constructed on this lot. Mr. Larry Hurt with L & H Properties, owner, requested annexation into the City via letter dated July 16, 2014. The City Commission adopted Ordinance #2014-8-8168, which expressed the City's intent to annex this property, on August 12, 2014. The property was then referred to the Paducah Planning Commission to assign proper zoning and the Planning Commission is expected to forward a recommendation for Mixed Use (MU) Zoning. This Ordinance will officially annex 2711 New Holt Road into the City of Paducah, as shown on the enclosed plat.

Funds Available: Account Name: N/A  
Account Number: N/A

Finance

Motion:

Attachments

 Department Head	City Clerk	City Manager
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AN ORDINANCE EXTENDING THE BOUNDARY OF THE CITY OF PADUCAH, KENTUCKY, BY FINALIZING THE ANNEXATION OF CERTAIN PROPERTY LYING ADJACENT TO THE CORPORATE LIMITS OF THE CITY OF PADUCAH, AND DEFINING ACCURATELY THE BOUNDARY OF SAID PROPERTY TO BE INCLUDED WITHIN THE SAID CORPORATE LIMITS

WHEREAS, the City of Paducah adopted Ordinance No. 2014-8-8168 on August 12, 2014, declaring its intent to annex a tract of property containing 0.7972 acres located at 2711 New Holt Road; and

WHEREAS, the tract of property is adjacent to the present city limits, located at 2711 New Holt Road, is urban in character and is currently commercially developed; and

WHEREAS, said tract of land is not within the boundary of another incorporated city; and

WHEREAS, the owner has requested such annexation in writing to the Mayor and Board of Commissioners of the City of Paducah.

BE IT ORDAINED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1 It is the intent of the City of Paducah, Kentucky, to finalize the annexation of the hereinafter described property, and therefore that the hereinafter described property be annexed to, and be made a part of the City of Paducah, Kentucky said real property being more particularly and accurately described as follows:

Annexation Boundary Description for 2711 New Holt Road  
Property Owners: L & H Properties, Inc.  
Source: Deed Book 881 Page 24

A tract of land located in McCracken County Kentucky, near the City of Paducah Corporate Limits, on New Holt Road being a portion of Lots 49 and 50 of the Belleview Subdivision recorded in Plat Book F Page 7 at the McCracken County Court Clerks' office, owned by L&H Properties, Inc., as recorded in Deed Book 881 Page 24 at the aforementioned Clerk's office and being more particularly described as follows:

Beginning at an existing 1/2" iron pin located on the West right of way line of New Holt Road, 100 feet plus or minus Northerly of the intersection of New Holt Road and Village Square Drive, said point being the southeast corner of Lot 49 which is located 25.00 feet Westerly of the centerline of New Holt Road, said point also being located on the existing Paducah City Limits;

Thence North 85° 24' 40" West a distance of 145.45 feet to an existing 1/2" iron pin;

Thence North 04° 36' 01" East, passing into Lot 50 at 100.00 feet, a distance of 200.00 feet to an existing 1/2" iron pin located in the South property line of Lowes of Paducah No. 465 property, (Deed Book 840 Page 300);

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Thence with the said West right of way line of New Holt Road, a distance of 206.08 feet along a curve to the right, having a radius of 649.07 feet, a chord

length of 205.22 feet and a chord bearing of South 17° 16' 59" West to the Point of Beginning.

The above described proposed Annexation contains 0.7972 acres.

Surveyed by James L. Knoth Professional Land Surveyor No. 3585 on July 18, 2014.

SECTION 2. This ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

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Mayor

ATTEST:

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Tammara S. Sanderson, City Clerk

Introduced by the Board of Commissioners, August 19, 2014  
Adopted by the Board of Commissioners, August 26, 2014  
Recorded by Tammara S. Sanderson, City Clerk, August 26, 2014  
Published by The Paducah Sun, -----  
(ord/pla/annex - final (Independence Bank))