

**SUMMARY MINUTES**  
**City-County Planning Commission of Warren County**  
**May 19, 2011 @ 7:00 p.m.**  
**City Commission Chambers**  
**3rd Floor - 1001 College Street**

**Present:**

<b>Mary Belle Ballance</b>	<b>Cliff Nahm</b>	<b>Bill Hotaling</b>	
<b>Velma Runner</b>	<b>Kenneth Sparks</b>	<b>Chuck Coppinger</b>	<b>John Atkerson</b>
<b>Faye Phelps</b>	<b>Tim Huston</b>	<b>Albert Rich</b>	

**Absent:**      **Bennie Jones**      **Larkin Ritter**

The City-County Planning Commission of Warren County was called to order by Chairman Velma Runner. Chairman Runner requested Sandy Clark, Zoning Administrator, to conduct roll call in order to determine a quorum. A quorum was determined with ten (10) of twelve (12) Commissioners present at the time of the roll call.

**I. ADMINISTRATIVE REVIEW:**

Chairman Runner asked if all Commissioners had received and read the draft Summary Minutes of the meeting held on May 5, 2011. The Motion was made by Commissioner Hotaling, seconded by Commissioner Coppinger and agreed upon by all of the Commissioners present (two abstained) to approve the Summary Minutes of the May 5, 2011 meeting as written.

Hon. Hamp Moore, of Cole and Moore Law Office, Attorneys for the Planning Commission, requested the Chairman order that the Joint Zoning Ordinance of Warren County, Kentucky; the Subdivision Regulations; and the Comprehensive Plan with all of its elements effective as of this date (May 19, 2011) be introduced as exhibits for each of tonight's hearings. He further requested the Chairman order that the Staff Report, with all attachments together, along with the Commission's entire file for the application be likewise introduced as exhibits. Mr. Moore asked that the Oath be administered to Steve Hunter, Executive Director; Jonathan Britt, Senior Planner and Mac Yowell, Engineer, as witnesses before the Planning Commission and that their oath and qualifications be reflected in the record for each of tonight's hearings. Chairman Runner so ordered and swore in the three witnesses.

**C. FINANCIAL REPORT**

Chairman Runner asked if there were any questions or comments in regard to the Financial Report that was in the packet. Being none, she moved to the next item on the agenda.

**D. REPORT ON SUBDIVISION APPROVALS**

Chairman Runner asked if there were any questions or comments on the Subdivision approvals. Being no questions or comments, the May 1, 2011 to May 11, 2011 Subdivision plats stand as recorded. Chairman Runner said there were no additions to the list presented to the Commission. Chairman Runner asked if there were any questions or comments in regard to the report given to Commissioners.

## **E. LETTERS OF CREDIT AND PERFORMANCE BONDS**

Chairman Runner indicated the next item on the agenda is the Letters of Credit and Performance Bonds. She said there were no additions to the list presented to the Commission. Chairman Runner asked if there were any questions or comments in regard to the report given to Commissioners. Being no questions, Chairman Runner asked for a Motion:

**ACTION: A Motion was made by Commissioner Atkerson, seconded by Commissioner Coppinger, which passed unanimously, ten (10) yeas, to approve the following:**

- 1) Release the performance bond for landscaping 1070 Monterey Court in the amount of \$2,700 from Scott, Murphy and Daniel.

## **II. PUBLIC HEARINGS:**

Chairman Runner announced that the first two items under our Public Hearings section is a request for a zone change described as: *2011-14-Z-BG - Potters Children's Home and Family Ministries, Inc. - have filed an application to re-zone a 0.759 acre portion of a tract of land located at 2350 Nashville Road, which is located on Campbell Lane near the intersection of 31-W and adjacent to Buckhead Square, from RM-4 (Multi-family Residential) to HB (Highway Business) with a general development plan.*

Steve Hunter stepped to the podium to present the staff report. He stated that the applicants are proposing to re-zone 0.759 acres (33,073 square feet) of property located at 2350 Nashville Road from **RM-4** (Multi-Family Residential) to **HB** (Highway Business). The property will be used for an access drive and a billboard. The applicant has also agreed to certain site restrictions as outlined in the Binding Elements. The principle structure on the lot will be the proposed billboard. No other buildings are proposed for the site. The property will house a billboard and access drive. Signage on the property, including off-premises signage will be developed in compliance with the signage provision of the Joint Zoning Ordinance of Warren County, Kentucky. No LED-type signage shall be allowed on any off-premises signage. All utility lines shall be installed underground. The zone change plat shows the applicants are proposing to re-zone an area of 33,053 square feet from **RM-4** (Multi-Family Residential) to **HB** (Highway Business) and intend to use an area of 10,103 square feet to house a billboard. The property will be served with the single existing access point to Campbell Lane. The property will be required to be developed in compliance with the landscape provisions of the Zoning Ordinance of Warren County, Kentucky. Lighting of any parking or travel way areas on the property shall be down lighting, high intensity discharge, shoebox illumine-type. Sanitary sewer will be available to the site; however, billboard lots created under Section 4.6.8.F.12 of the Zoning Ordinance do not require adequate sewer capacity in order for the lot to be created. Water will be available to the site; however, billboard lots created under Section 4.6.8.F.12 of the Zoning Ordinance do not require adequate water capacity in order for the lot to be created.

Mr. Hunter said that this property is located at 2350 Nashville Road and contains 0.7587 acre. Also, the property is located in Focal Point: 109-3 Highland Drive - with Characteristics of: residential; low density, pre-1960 suburban single family residential. The property to be re-zoned has frontage on Campbell Lane, a State maintained urban arterial roadway with right-of-way and pavement widths that vary.

In order to address concerns of staff, the applicants submitted Binding Elements which addressed the concern of: *Compatibility with surrounding properties*, and the Binding Elements included:

**BINDING ELEMENTS**

- I. *The property will be served with the single existing access point to Campbell Lane.*
- II. *Lighting of any parking or travel way areas on the property shall be down-lighting, high intensity discharge, shoebox illuminary-type.*
- III. *All utility lines shall be installed underground.*
- IV. *The property will not be used for the sale, rental or advertisement of alcoholic beverages, gambling related activities including lottery tickets or any obscene or pornographic materials, or tobacco products.*
- V. *Signage on the property, including off-premises signage will be developed in compliance with the signage provision of the Joint Zoning Ordinance of Warren County, Kentucky. No LED-type signage shall be allowed on any off-premises signage.*

Mr. Hunter explained that staff reviewed Comprehensive Plan policies totaling seventeen (17) different Policies which were described as follows: **LU-1A-2** (*In preparing a general development plan, surrounding property owners must be consulted prior to submitting a zone change request to the Planning Commission*) - The Staff recommends to all applicants that they contact adjacent neighbors prior to the public hearing or have a neighborhood meeting. Applicants have informed the Planning Commission staff that a neighborhood meeting was to be held on May 17, 2011 at Potter Children's Home. Applicants can address who was invited and who came to the meeting when they come forward.

In addition, utility Policies of: **LU-2C-1** (*Urban Density Development District. Areas within the corporate limits of Bowling Green, areas within the corporate limits of any 5th or 6th class city, or areas within 1,500 feet of public sanitary sewer are declared to be "potentially suitable for Urban Density Development"*); **LU-5A-11** (*water*); and **LU-5A-9** (*sewer*) - The property does lie within the city limits of Bowling Green and within the 109-3 Highland Drive Focal Point. This Focal Point is characterized as residential, low density, pre-1960 suburban single family residential (development). The Focal Point does cover a large area along Campbell Lane which has transitioned to commercial uses since the establishment of the Focal Points in the 1990 Comprehensive Plan. There is an eight (8) inch sewer line available along Campbell Lane approximately one hundred thirty-five (135) feet from the property. There is a twelve (12) inch water line available along Campbell Lane providing more than six hundred (600) GPM with more than twenty (20) PSI. This meets the City fire control standards of Bowling Green.

The next policies of **LU-5A-2** (*Commercial uses include all non-residential, non-industrial uses considered under this Plan*); **LU-5A-5** (*Commercial uses may be located adjacent to land zoned for residential uses if buffered from the residential uses by landscaping, lighting, and noise controls*); **LU-5A-6** (*Sites for commercial uses located where an adjoining property on two or more boundaries is residential, must maintain at least 50 percent of the site*

*in green space not devoted to parking. Sites larger than one acre should reserve green space of at least 20% of the site or one-half acre, which ever is larger); **LU-5A-12** (New commercial development should follow sound design principles for buildings, parking, landscaping, signage, and set backs); **LU-5A-13** (Commercial developments, including loading docks, vehicle use areas, public use areas, and outside storage areas should be screened from adjacent residential developments or districts); and **LU-5A-15** (Freestanding signs should be in proper scale, style and bulk with the surrounding area. . .); **LU-5A-16** (All lighting should be directed downward and away from adjacent residential uses and should be shielded to prevent light trespass or reflection onto adjoining properties); and **LU-5B-1** (Infill sites with access to at a minor collector street may be developed as commercial uses which are low volume traffic generators. The proposed development shall maintain the residential scale, size and style of the neighborhood. At least 20% of the site shall be landscaped open space) - The applicants are proposing to construct a billboard (off-premise sign) on the property. The Zoning Ordinance of Warren County deals with signage in two (2) very specific categories – on-premise and off-premise signs. Signs that are on a specific lot in association with a specific use are defined as an on-premise sign. These signs are regulated with respect to number, location, size and height under Section 4.6.8.F.3 of the Ordinance. Off-premise signs are further broken down into two (2) categories – Consolidated Shopping Center Signs and outdoor or billboard advertising signs. The outdoor or billboard advertising signs (Interstate and Urban) are regulated under Section 4.6.8.F.12 of the Ordinance. The applicants have committed that the property will not be used for the sale or rental of alcoholic beverages, gambling related activities including lottery tickets or any obscene or pornographic materials. The applicants have also committed that the signage on the property, including off-premises signage will be developed in compliance with the signage provision of the Joint Zoning Ordinance of Warren County, Kentucky. No LED-type signage shall be allowed on any off-premises signage. Lighting of any parking or travel way areas on the property shall be down-lighting, high intensity discharge, shoebox illuminary-type. The property will be required to be developed in compliance with the landscape provisions of the Zoning Ordinance of Warren County.*

Finally, the traffic policies of: **LU-5A-4** (Commercial uses are appropriate only with direct accessibility to at least a minor collector street. Vehicular access to commercial development should be oriented away from residential neighborhoods); **LU-5B-2** (Peripheral commercial development must be located on at least a minor collector street); **LU-5B-3** (Primary ingress or egress to the commercial site shall not adversely impact any residential neighborhood); **TR-2** (Measures must be taken to ensure that all private and public development is undertaken in a manner which minimizes increased traffic congestion on existing streets, roads and intersections); **TR-2H** (Development within the City limits of Bowling Green shall comply with the City's adopted Traffic Access Management Manual); and **TR-2F** (Increased building set backs and more stringent sign controls on arterial and collector streets should be required) – The proposed use of the property would be considered a low traffic generator. Typically, the traffic that would be generated to the site would be for maintenance of the billboard structure. The property will be served with the single existing access point to Campbell Lane. As mentioned above, billboards (off-premise signs) have specific criteria for the creation of a stand alone lot, the height, area of the sign and their location within Warren County under Section 4.6.8.F.12 of the Zoning Ordinance. Off-premise signs that are classified as Urban Billboards are only allowed along major corridors within the City limits of Bowling Green as shown in Appendix A – Exhibit B2 of the Zoning Ordinance and which are zoned **HB** (Highway Business) or industrial (**LI** or **HI**). Urban Billboards must be located on a separate lot, consisting of a minimum of 5,000 square feet and may not be located closer than 500 feet from any other

billboard as measured along each side of the roadway. The Zoning Ordinance also limits the total area of an Urban Billboard to 600 square feet (300 square feet per side). The maximum height is limited to forty (40) feet above the average ground level at the base of the sign and a maximum width of fifty (50) feet.

Mr. Hunter completed the explanation of the staff report by stating that the staff finds that the proposed zoning is generally in agreement with the adopted Comprehensive Plan after staff spent time reviewing seventeen (17) Policies and finding approximately fourteen (14) policies in compliance and three (3) policies generally not in compliance, which is subjective to the Commissioners. Chairman Runner asked if there were any questions or comments for Mr. Hunter. One Commissioner asked about the spacing standards for billboard signs and if one could be located on the opposite side of the road way (Campbell Lane). There are currently 59 billboards located in Bowling Green and Warren County. Several bill boards are located on 31-W and are starting to come up along Campbell Lane. One challenge that many have is that a there has to be a 5,000 square foot of commercial property.

Another Commissioner asked about the number of faces on this billboard. Mr. Hunter indicated he was not sure, so the applicants could also answer that questions when they come forward. It was asked how close the nearest sign is located. Mr. Hunter said that across the roadway is a stand alone lot of Shenanigans who has what is considered a billboard sign. He said that there is a billboard sign on Campbell Lane beside Fishy Business and back on Nashville Road towards Russellville Road.

Mr. Hunter stated the Potters Home is the applicant and an entity will be leasing the area to place the sign and paying a leased amount to Potters Home for an income to them. The entity will maintain the sign.

Chairman Runner if there were any other questions or comments. Being no other questions or comments from the Commissioners, she asked the representative for the applicants to come forward. Therein, Kevin Brooks, Attorney for the applicants stepped to the podium and stated that the sign will be stacked with two signs on top of each other and faces on both sides and not a "t" shape. Mr. Brooks then called Ralph Brewer, Executive Director of Potters Children's Home who stepped to the podium and was sworn in by Chairman Runner to testify before the Commission. Mr. Brewer said this property was just an access road to the back of their property and there are no plans to do anything else to this property. There is not presently any future plans of selling the property or doing anything else with the property. He said that a business entity approached them about possibly leasing this area of our property for a billboard sign and stated that this sign would have the name of *Potters Children's Home* on the sign and the details for that is still being worked out at this time.

Mr. Brewer said that the school system's only concern was that the advertisement would not be placed on the board for alcohol, tobacco or pornography. There is a Binding Element that he said he specifically placed in the set about the advisement, but it did not include tobacco products at that time.

From the audience, Joe Tinius, Superintendent with the Bowling Green Independent Schools stepped to the podium and was sworn in by Chairman Runner to testify before the Commission. Mr. Tinius stated that the discussions with the applicants included the height of the sign to make sure the school would not be hidden by the sign and the advertisements on the signage. It was a concern that one of the faces of the sign would actually face the school and they wanted to make sure nothing inappropriate would be on the sign.

Commissioner Coppinger asked who would control the message on the billboard. Mr. Brewer stated that Potters Children's Home would have some control, along with the business entity who would be placing the sign itself. Mr. Brooks then said that the sign would be 40 feet high and there would be 25 feet under the sign as the sign itself will be 20 x 25 so 75 square feet.

Attorney Moore asked Mr. Brooks and Mr. Brewer if they would amend the Binding Elements on the floor to state:

*IV. The property will not be used for the sale, rental or advertisement of alcoholic beverages, gambling related activities including lottery tickets or any obscene or pornographic materials, or tobacco products.*

Both Attorney Brooks and Mr. Brewer agreed to the two changes in the Binding Element IV., as proposed and set out.

Chairman Runner then asked if there were any additional questions for staff or applicants or from anyone in the audience. She then asked for any opposition. Being none she asked for a Motion.

**ACTION:** Commissioner Atkerson made the Motion, seconded by Commissioner Nahm, to approve the proposed Zoning Map Amendment, together with and conditioned upon the General Development Plan, docket #2011-14-Z-BG. The motion is based on the findings of fact as presented in the staff report and the testimony presented in this public hearing, that the Zoning Map Amendment is in agreement with the adopted Comprehensive Plan as demonstrated by its compliance with the Comprehensive Plan's following Policies: LU-1A-2; LU-2C-1; LU-5A-2, 4, 5, 9, 11, 12 and 16; LU-5B-1, 2 and 3; and TR-2 & 2H. Further, it was requested that the findings of fact and recommendation include a summary of the evidence and testimony presented by the proponents and/or opponents of the proposed amendment. The vote was nine (9) yeas, and one (1) nay, so a recommendation for approval, with opposition, will be sent to the BG City Commission.

Chairman Runner announced the final item on the agenda as being a zone change request described as: *Broadway United Methodist Church has filed an application to re-zone multiple tracts of land totaling 7.56 acres located at 1323 Melrose Street, which lots are located at the intersection of Oliver Street and Karen Avenue, from RM-2 (Multi-Family Residential) and RS-1A (Single Family Residential) to OP-C (Office and Professional –Commercial) with a general development plan.*

Jonathan Britt stepped to the podium to present the staff report. He stated that the applicant proposes to re-zone multiple properties from **RS-1A** and **RM-2** (Single Family and Multi-Family Residential) to **OP-C** (Office and Professional–Commercial) in order to bring the property into compliance and expand the parking on the property. The applicant has also agreed to certain site restrictions as outlined in the Binding Elements. The applicant proposes no additional building construction at this time; however, the applicant does wish to expand parking by the construction of a new parking area to the southeast of the church. The exteriors of all new buildings constructed on the property shall be constructed of at least 30% masonry materials; such as brick, stone, rock, drivit, EFIS, decorative block or similar material. Monument style signs shall be no greater than seven (7) feet in height and seventy-five (75) square feet in sign face area. The property shall also be limited to wall signage of five percent (5%) of each facade or a maximum of fifty (50) square feet per facade. The application contains 7.56 Acres (329,313.6 square feet) to be re-zoned from RS-1A (Single Family Residential) and RM-2 (Multi-Family Residential) to OP-C (Office and Professional–Commercial). The Zoning Ordinance of Warren County does limit the height in the OP-C zoning classification to six (6) stories; however, there is no limitation on the square footage of structures. Street access shall be limited to the existing and proposed entrances as generally shown on Exhibit “B”. There shall be no more than one entrance on Oliver Street; two (2) on Karen Avenue [existing]; and three (3) on Melrose Street. All new construction, including parking areas, shall provide a landscape buffer adjoining any residential use or right of way not less than ten (10) feet in width. There shall be a minimum of twenty-five percent (25%) green space maintained on the total site

Mr. Britt said that this property is primarily located at 1323 Melrose Street and contains 7.56 acres. Also, the property is located in Focal Point: 106-3 Smallhouse - with Characteristics of: residential; mid-1960’s stable family residential, but with some deterioration. The property to be re-zoned has frontage on Melrose Street; Karen Avenue; Elizabeth Street; and Oliver Street which are all City maintained local residential roadways with fifty (50) feet of right-of-way and twenty-four (24) feet of pavement width.

Mr. Britt then stated that staff had items of concern that included:

- *Compatibility with surrounding properties;*
- *Adequate Landscaping;*
- *Access to the property; and*
- *Maximum square footage of building(s).*

In order to address concerns of staff, the applicant submitted Binding Elements which addressed the concerns as are as follows:

### **BINDING ELEMENTS**

1. *Lighting, excluding existing, on the subject property to be down-lighting, high intensity discharge shoebox luminary type or wall-packed lighting specifically designed to direct all lighting on the subject property and away from any adjacent property, said lighting not to exceed thirty (30) feet in height from ground level.*

2. *The exteriors of all new buildings constructed on the property shall be constructed of at least 30% masonry materials, such as brick, stone, rock, drivit, EFIS, decorative block or similar material.*
3. *The uses of the property shall be limited to Church related activities except the existing single family houses may remain rental properties for residential use.*
4. *Monument signs shall be no greater than seven (7) feet in height and seventy-five (75) square feet in sign face. The property shall also be limited to wall signage of five percent (5%) of each façade or a maximum of fifty (50) square feet.*
5. *All new construction, including parking areas, shall provide a landscape buffer adjoining any residential use or right-of-way no less than ten (10) feet in width.*
6. *There shall be a minimum of twenty-five percent (25%) green space maintained on the total site.*
7. *Street access shall be limited to existing and proposed entrances as generally shown on Exhibit "B". There shall be no more than one (1) entrance on Oliver Street; two (2) on Karen Avenue; and three (3) on Melrose Street.*

Mr. Britt explained that staff reviewed Comprehensive Plan policies totaling eighteen (18) different Policies which were described as follows: **LU-1A-2** (*In preparing a general development plan, surrounding property owners must be consulted prior to submitting a zone change request to the Planning Commission*) - The Staff recommends to all applicants that they contact adjacent neighbors prior to the public hearing or have a neighborhood meeting. Applicant has informed the Planning Commission staff that a neighborhood meeting was held on May 4, 2011. Applicant can address who was invited and who came to the meeting when their representative comes forward.

In addition, utility Policies of: **LU-2C-1** (*Urban Density Development District. Areas within the corporate limits of Bowling Green, areas within the corporate limits of any 5th or 6th class city, or areas within 1,500 feet of public sanitary sewer are declared to be "potentially suitable for Urban Density Development"*); **LU-5A-11** (*water*); and **LU-5A-9** (*sewer*) - The property does sit within the 106-3 Smallhouse Focal Point, which is described as a stable, Urban Development District. The characteristics of the Smallhouse Focal Point are: residential with mid 1960's stable residential (dwelling units) but with some deterioration. There is an eight (8) inch sewer line available along Melrose Street and Elizabeth Avenue. There is a six (6) inch water line available along Karen Avenue and Melrose Street, each providing more than six hundred (600) GPM with more than twenty (20) PSI. This meets the City fire control standards of Bowling Green.

The next policies of **LU-5A-2** (*Commercial uses include all non-residential, non-industrial uses considered under this Plan*); **LU-5A-5** (*Commercial uses may be located adjacent to land zoned for residential uses if buffered from the residential uses by landscaping, lighting, and noise controls*); **LU-5A-6** (*Sites for commercial uses located where an adjoining property on two or more boundaries is residential, must maintain at least 50 percent of the site in green space not devoted to parking. Sites larger than one acre should reserve green space of at least 20% of the site or one-half acre, which ever is larger*); **LU-5A-12** (*New commercial*

*development should follow sound design principles for buildings, parking, landscaping, signage, and set backs*); **LU-5A-13** (*Commercial developments, including loading docks, vehicle use areas, public use areas, and outside storage areas should be screened from adjacent residential developments or districts*); **LU-5A-14** (*Parking areas as discouraged within the building set back areas to allow for street landscaping*) and **LU-5A-15** (*Freestanding signs should be in proper scale, style and bulk with the surrounding area. . .*); **LU-5A-16** (*All lighting should be directed downward and away from adjacent residential uses and should be shielded to prevent light trespass or reflection onto adjoining properties*) - A major portion of the property has been in use as a Religious Institution (church) prior to the enactment of zoning for Bowling Green and Warren County. In 1999, the church received a Conditional Use Permit to expand the building footprint and parking areas. Also in 1999, the Church applied for and received a Variance for the total lot coverage on both the R-1 and R-2 zoned tracts to a maximum of 54.02% total lot coverage. In 2003, the Church applied for and received a Variance from a total of 54.02 % lot coverage to a maximum of seventy percent (70%) total lot coverage. The applicant has committed that all new construction, including parking areas, shall provide a landscape buffer adjoining any residential use or right of way not less than ten (10) feet in width and that there shall be a minimum of twenty-five percent (25%) green space maintained on the total site. The applicant has committed that the uses of the property shall be limited to church-related activities except (for) the existing single family houses, (which) may remain rental properties for residential use. As can be seen from the Zoning Map, the properties that surround the zone change request are zoned **RS-1A** (Single Family Residential), **RM-2** (Multi-Family Residential) or **OP-C** (Office and Professional - Commercial). The exteriors of all new buildings constructed on the property shall be constructed of at least 30% masonry materials; such as brick, stone, rock, drivit, EFIS, decorative block or similar material. Monument style signs shall be no greater than seven (7) feet in height and seventy-five (75) square feet in sign face area. The property shall also be limited to wall signage of five percent (5%) of each facade or a maximum of fifty (50) square feet per facade. Lighting, excluding existing, on the subject property shall be down lighting, high intensity discharge, shoebox luminary type or wall-packed lighting specifically designed to direct all lighting on the subject property and away from any adjacent property, said lighting not to exceed 30 feet in height from ground level

Finally, the traffic policies of: **LU-5A-4** (*Commercial uses are appropriate only with direct accessibility to at least a minor collector street. Vehicular access to commercial development should be oriented away from residential neighborhoods*); and **LU-5B-1** (*Infill sites with access to at a minor collector street may be developed as commercial uses which are low volume traffic generators. The proposed development shall maintain the residential scale, size and style of the neighborhood. At least 20% of the site shall be landscaped with open space*); **LU-5B-2** (*Peripheral commercial development must be located on at least a minor collector street*); **LU-5B-3** (*Primary ingress or egress to the commercial site shall not adversely impact any residential neighborhood*); **TR-2** (*Measures must be taken to ensure that all private and public development is undertaken in a manner which minimizes increased traffic congestion on existing streets, roads and intersections*); and **TR-2H** (*Development within the City limits of Bowling Green shall comply with the City's adopted Traffic Access Management Manual*) – Although the church could not be considered a “low-traffic generator” and none of the road ways (Karen Avenue, Oliver Street or Melrose Street) would be considered a minor collector; the time and specific nature of the traffic could be considered to have a negligible impact on the surrounding residential areas. The applicant is currently not proposing any additional building construction, but do plan to provide additional parking to the southeast of the church. The applicant is proposing that street access shall be limited to the existing and proposed entrances as generally shown on Exhibit “B”. There shall be no more than one entrance on Oliver Street; two

(2) entrances on Karen Avenue [existing]; and three (3) entrances on Melrose Street. As can be seen from Exhibit "B", the proposed future access points will replace existing residential access points along certain roadways. The applicant will be required to be in compliance with the City of Bowling Green's Traffic Access Management Manual.

Mr. Britt completed the explanation of the staff report by stating that the staff finds that the proposed zoning is generally in agreement with the adopted Comprehensive Plan after staff spent time reviewing eighteen (18) Policies and finding approximately fourteen (14) policies in compliance and four (4) policies generally not in compliance, which is subjective to the Commissioners. Chairman Runner asked if there were any questions or comments for Mr. Britt.

Chairman Runner if there were any other questions or comments. Being no questions or comments from the Commissioners, she asked if the representative for the applicant wanted to come forward to add any additional information. Kim Dobler and Greg Hughes, Surveyor, both indicated they were present for any questions.

Chairman Runner asked if there were any questions or comments from the audience. Therein, Julie Russell of 1345 Oliver Street, Bowling Green, Kentucky, stepped to the podium and was sworn in by Chairman Runner to testify before the Commission. Ms. Russell asked for the plans for the building/structure/house which is across the street from her.

A representative from the applicant in the audience, Kim Dobler of 818 Man-O-War Drive, Bowling Green, Kentucky, stepped to the podium and was sworn in by Chairman Runner to testify before the Commission. Ms. Dobler stated that there are no plans for the Oliver Street house and right now the Church intends to keep the house as rental property with income from rental and that this house was recently remodeled and is in good shape.

Chairman Runner then asked if there were any additional questions for staff or applicant or from anyone in the audience. She then asked for any opposition. Being none, she asked for a Motion.

**ACTION:** Commissioner Hotaling made the Motion, seconded by Commissioner Coppinger, to approve the proposed Zoning Map Amendment, together with and conditioned upon the General Development Plan, docket #2011-15-Z-BG. The motion is based on the findings of fact as presented in the staff report and the testimony presented in this public hearing, that the Zoning Map Amendment is in agreement with the adopted Comprehensive Plan as demonstrated by its compliance with the Comprehensive Plan's following Policies: LU-1A-2; LU-2C-1; LU-5A-2, 5, 9, 11, 12, 13, 14, 15 and 16; LU-5B-2; and TR-2 & 2H. Further, it was requested that the findings of fact and recommendation include a summary of the evidence and testimony presented by the proponents and/or opponents of the proposed amendment. The vote was ten (10) yeas, so a recommendation for approval will be sent to the BG City Commission.

**III. ADDITIONAL NEW BUSINESS**

Steve Hunter said that the next meeting is scheduled for on June 2, 2011. He noted that currently there is a Detailed Development Plan on the agenda, as well as a text amendment on signage which was postponed previously and is being re-scheduled for June 2, 2011.

In addition, Mr. Hunter said that the Comprehensive Plan is now in its 4<sup>th</sup> Draft and after review of the Liaison Board one more time, will be presented also at the June 2<sup>nd</sup> Planning Commission meeting for a public hearing concerning same.

Chairman Runner stated there was no additional business to come before the Commission; the meeting was adjourned at 7:50 p.m.

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CHAIRMAN, VELMA RUNNER

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Sandy M. Clark, Zoning Administrator