

# DEVELOPMENT PLAN AMENDMENT STAFF REPORT

**City-County Planning Commission**  
1141 State Street  
Bowling Green, Kentucky 42101  
(270) 842-1953

**Summary:** The applicants have filed an application to amend the general development plan on 7.18 acres, located on Louisville Road in order to allow for the creation of a billboard lot. This property is zoned **LI** (Light Industrial) with Binding Elements.

**Docket Number:** 2011-10-DP  
**Public Hearing Date:** July 7, 2011  
**Pre-application Conference:** May 23, 2011

**Owner: Joseph Allen – JJEM Properties**  
**Address:** 1990 Louisville Road  
Bowling Green, KY 42101  
**Owner: T&C Industrial Park**  
**Address:** 206 Cynthia Lynn Drive  
Bowling Green, KY 42103

**Development Plan Amendment:** This requested amendment to Binding Elements was filed under Section 3.11.8 of the Zoning Ordinance.

**Request:** To amend the existing Development Plan (Binding Elements) currently zoned **LI** (Light Industrial).

**Location of Proposed Zone Change:**  
1960, 1990 & 2040 Louisville Road; approximately 1,555' west of Old Louisville Road, adjacent to the Bowling Green Humane Society.  
**Acreage or Square Footage of Tract:**  
7.18 Acres (312,760.8 Sq. Ft.)  
**PVA Parcel Numbers:**  
051A-01-056F, 056E, 056C and 050A-01A-000

**Site District:** Urban Density Development District  
**Focal Point:** 113-2 Louisville Road  
**Development Status:** Transitional  
**Infra Status:** **S** (Sewer is Available)  
**Characteristics:** Dominant Use Area. Pre-interstate highway commercial changing to general business. Includes light industrial park.

**Existing Land Use:** Light Industrial/Commercial  
**Zoning History:** **AG** (Agriculture) and **HB** (Highway Business) are the original zoning. In 2006 the property was rezoned from **AG** (Agriculture) and **HB** (Highway Business) to **LI** (Light Industrial).  
**Surrounding Zoning, Land Use, and Subdivisions:**  
See attached maps.

**Soil Analysis:**  
**Approx. 62% CrB:** Crider silt loam, 2-6% slopes  
**Approx. 25% CuB:** Crider-Urban land complex, 2-6% slopes  
**Approx. 13% CrC:** Crider silt loam, 6-12% slopes  
**Flood Plain:** The property is not in the 100-year flood area according to FEMA map #21227C0168 E.

**Traffic Considerations:** The property has access to US 31-W via a Frontage Road, which has forty (40) feet of right-of-way and twenty-four (24) feet of pavement width.

**Additional Documentation Required:**  
    N/A     A Traffic Impact Study was submitted  
    N/A     Environmental Assessment  
    N/A     Other

**Water:** An 8" waterline providing 600 GPM at over 20 PSI is available along Louisville Road. This is sufficient for industrial uses, and to meet the fire control standards of Bowling Green.

**Sewer:** An 8" sewer line is available along Louisville Road.

## DEVELOPMENT PLAN REVIEW

The applicants are proposing to amend the Binding Elements that were approved in 2006. The proposed amendments are to delete the previous set of binding elements with regard to the property in their entirety; however, only two (2) Binding Elements are being changed.

*Signage shall be no greater than 15 feet in height and shall not exceed 100 square feet (see binding element 9 for exceptions to this binding element) (Binding Element 6).*

*Lots created for the sole purpose of erecting a billboard shall be exempt from binding element number 6 contained herein. Any such lot shall comply with the billboard restrictions of Bowling Green and Warren County, Kentucky (Binding Element 9).*

### Items of Concern:

- *Compatibility with surrounding properties.*

## COMPREHENSIVE PLAN COMPLIANCE

Comprehensive Plan Policy:	Application:
<p><b><u>LU-1A-2</u></b> In preparing a general development plan, surrounding property owners must be consulted prior to submitting a zone change request to the Planning Commission.</p>	<p>The Staff recommends to all applicants that they contact adjacent neighbors prior to the public hearing or have a neighborhood meeting, if possible. No information of a neighborhood meeting was forwarded to the Planning Commission Staff.</p>
<p><b><u>LU-6A-6</u></b> New industrial uses shall be served by public sanitary sewer, when sewer is available.</p>	<p>An 8" sewer line is available along Louisville Road and the current development is connected to this line; however, the proposed billboard lot does not require the connection of public sanitary sewer pursuant to Section 4.6.8.F.12 of the Zoning Ordinance.</p>
<p><b><u>LU-6A-7</u></b> All industrial uses must be served with public water providing a minimum fire flow of 600 GPM at 20 PSI or meet the standards of the applicable jurisdiction, and have fire protection service in accordance with the ISO standards for the use and location.</p>	<p>An 8" waterline providing 600 GPM at over 20 PSI is available along Louisville Road. This is sufficient for industrial uses, and to meet the fire control standards of Bowling Green.</p> <p>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 subdivided.</p>
<p><b><u>LU-6A-14</u></b> Free standing signs should be in proper scale, style and bulk with the surrounding area. In general, all signs should not be taller than the tallest structure on the site.</p>	<p>Signage limitations still exist for the property; however, an exception is proposed for any billboard lot created. Signage shall be no greater than 15 feet in height and shall not exceed 100 square feet (see binding element 9 for exceptions to this binding element) (New Binding Element 6).</p>
<p><b><u>EN-4</u></b> All new private and public development shall follow sound design principles for buildings, parking, landscaping, signage and setbacks to be aesthetically pleasing and consistent with the image of the community.</p> <p><b><u>EN-11</u></b> Reduce the number, size, and height of on-premise signs throughout the community and control the number, size and locations of off-premise billboards.</p>	<p>The applicant is 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.</p> <p>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.</p>
<p><b><u>TR-2F</u></b> Increased building setbacks and more stringent sign controls on arterial and collector streets should be required.</p>	<p>The proposed billboard lot does sit along an established Frontage Road with visibility to US 31-W (Louisville Road). This corridor, establish in Section 4.6.8.F.12.a. (2) and Appendix Exhibit B2, does permit the placement of Urban Billboards.</p>

## COMPREHENSIVE PLAN COMPLIANCE SUMMARY

The staff evaluated the following **seven (7)** policies for compliance

### POLICIES IN COMPLIANCE

- LU-6A-6, 7 & 14;
- EN-4;
- TR-2F

### POLICIES **NOT** IN COMPLIANCE

- LU-1A-2;
- EN-11

MOTIONS

I make the motion to **approve** the proposed General Development Plan Amendment, docket number, **2011-10-DP**. My motion is based on the findings of fact as presented in the staff report, and the testimony presented in this public hearing, that the General Development Plan Amendment is in agreement with the adopted Comprehensive Plan as demonstrated by its compliance with the Comprehensive Plan's following Policies:

**LU-6A-6, 7 & 14;  
EN-4;  
and  
TR-2F**

Further, I find that there have been major changes of an economic, physical or social nature within the area of the property in question and I request 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.

**OR**

I make a motion to **deny** the proposed General Development Plan Amendment, docket number **2011-10-DP**. My motion is based on the findings of fact as presented in the staff report and the testimony as presented in this public hearing that the zoning map amendment is not in agreement with the adopted Comprehensive Plan as demonstrated by its non-compliance with the Comprehensive Plan's following Policies:

**(State specific Policies, such as:)**

***LU-1A-2 and/or EN-11***

Further, I find that there have **not** been major changes of an economic, physical or social nature within the area of the property in question and I request 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.