

SUMMARY MINUTES
City-County Planning Commission of Warren County
August 16, 2018 @ 6:00 p.m.
City Hall - Commission Chambers
3rd Floor, 1001 College Street, Bowling Green, KY

PRESENT:

Albert Rich
Mary Belle Ballance
Sandy Clark
Mary Vitale
Gregory Gay
Tim Graham
Christiaan Volkert
Dean Warren
Eric Madison
Tim Huston
Velma Runner

The City-County Planning Commission of Warren County was called to order by Chairman Velma Runner.

A. ROLL CALL:

Chairman Runner requested Jessica Martin to conduct roll call in order to determine a quorum. A quorum was determined with eleven (11) of the twelve (12) Commissioners present at the time of the roll call.

B. APPROVAL OF MINUTES:

Chairman Runner stated all Commissioners had received the Minutes of the meeting held on August 2, 2018 in their packets. Chairman Runner asked if there were any corrections to the minutes. Being none, she asked for a motion. The Motion was made by Commissioner Gay that the minutes be approved, seconded by Commissioner Volkert, and agreed upon (9 yeas, 2 abstained) to approve the Summary Minutes of the August 2, 2018 meeting as written.

Hon. Hamp Moore, of Cole and Moore Law Office, Attorney 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 (August 16, 2018) 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 applications be likewise introduced as exhibits. Hon. Hamp Moore asked that the Oath be administered to Ben Peterson, Executive Director, Monica Ramsey, Planner, and Rachel Hurt, Planner be sworn as witnesses before the Planning Commission and that their oath and qualifications be reflected in the record for tonight's hearing. Chairman Runner so ordered and swore in the witnesses.

C. FINANCIAL

Chairman Runner stated the July Financial Report was in the packets. She asked if there were any questions or comments. Being none, she moved to the next item on the agenda.

D. PRELIMINARY SUBDIVISION & SITE DEVELOPMENT PLANS

Chairman Runner asked if there were any questions or comments on the Subdivision approvals. Being no questions or comments, she proceeded to the next item on the agenda.

E. LETTERS OF CREDIT AND PERFORMANCE BONDS

Chairman Runner stated there was one letter of credit or performance bond on tonight's agenda.

1. Release the letter of credit for Traditions Subdivision Phase 1 and 2 in the amount of \$83,400.00 and replace it with a cash bond in the amount of \$83,400.00 from Vision Builders.

Chairman Runner asked if there were any questions. Being none, she asked for a motion. The motion was made by Commissioner Gay, seconded by Commissioner Clark, and agreed upon (11 yeas) to approve the above Letter of Credit and Performance Bond.

F. OLD BUSINESS

Chairman Runner announced the one item of old business for tonight's agenda:

2018-33-Z-CO – Skees Development Group, LLC has filed an application to rezone a portion of tract of land containing approximately 28.53 acres located at the end of Skees Road from AG (Agriculture) to RS-1C (Single Family Residential), with a general development plan.

Hon. Hamp Moore stated the applicants have asked for this application to be tabled and reconvened in this room on September 20, 2018 meeting at 6:00 p.m. He stated the reason for the request is further dealings with the attorney for the cell phone tower. Chairman Runner asked if there was anyone opposed to the tabling of this case. Being none, she asked for a motion.

ACTION: Commissioner Clark made the motion, seconded by Commissioner Vitale, to table this hearing and reconvened in this room on September 20, 2018 meeting at 6:00 p.m. The vote was ten (11) yeas, so tabled till the September 20th meeting.

G. PUBLIC HEARINGS

Chairman Runner called the first item.

2018-38-Z-CO - James and Kathleen Goad have filed an application to rezone a tract of land containing approximately 5.00 acres located at 240 W. G. Talley Road from AG (Agriculture) to R-E (Residential Estate), with a general development plan.

Mrs. Rachel Hurt stepped to the podium to present the staff report. (*Note: Staff reports available upon Open Records Request*).

Chairman Runner asked if there were any questions from the Commissioners for Mrs. Hurt. Commissioner Clark asked if the utilities will be underground. Mrs. Hurt stated the applicant would need to answer that question. Mr. James Goad, 240 W.G. Talley Road, came forward and was sworn in. He stated they do not plan to put existing utilities underground that is currently above ground and has existing easements. Commissioner Graham felt the condition number 6 needs clarification if it wasn't their intent for the homes to be brick veneer. Mr. Goad stated they

did intend for the homes to be either brick, stone or brick veneers. Hon. Hamp Moore asked Mr. Goad if he agreed to amend condition number 6 to read: "All homes shall have brick veneers, brick or stone exteriors." Mr. Goad agreed. Chairman Runner asked if there were any other questions for the applicant or staff from the Commissioners. Being none, she asked if there were any questions or opposition in the audience. Being none, she asked for a motion.

ACTION: Commissioner Gay made the motion, seconded by Commissioner Vitale, to approve the proposed Zoning Map Amendment, together with and conditioned upon the General Development Plan, docket number 2018-38-Z-CO. Based upon the testimony and documents presented in this public hearing, the proposed Zoning Map Amendment is consistent with the adopted FOCUS 2030 Comprehensive Plan as demonstrated by its compliance with the following objectives and action items: LU-1.1.1, LU-1.1.2, LU-1.1.3, LU-2, LU-2.1.4, LU-2.3.1, CF-2.6, CF-5.3, PR-1.7, NCR-1.1.6, NCR-2.4.1, HN-2.1 and HN-4. Therefore, the proposed Zoning Map Amendment is in agreement with the adopted Comprehensive Plan. Further, I request that this motion include the summary of evidence and testimony presented by the witnesses at this public hearing. The vote was eleven (11) yeas, so recommendation will be for approval.

Chairman Runner called the next item.

Commissioner Gay left the chambers leaving a total number of Commissioners to ten (10) present for this case.

2018-39-Z-CO - H & A Development, LLC has filed an application to rezone a tract of land containing approximately 27.3594 acres located on the North side of Hunts Lane (located between Cemetery Road and Green Acres Road), from AG (Agriculture) to R-E (Residential Estate), with a general development plan.

Mrs. Rachel Hurt stepped to the podium to present the staff report. (*Note: Staff reports available upon Open Records Request*). She stated the density map was at everyone's seat that was left out of the staff report by accident.

Chairman Runner asked if there were any questions from the Commissioners for Mrs. Hurt. Being none, she asked if there were any questions or opposition in the audience. Ms. Martha Basham, 6113 Cemetery Road, came forward and was sworn in. She stated she has property that connects to this application and her only issue is stormwater drainage since her property sits lower. Mr. Lucas Slavey, 1015 Shive Lane, came forward and was sworn in. He stated the drainage will be handled mostly internally but they are not allowed to increase the water runoff going offsite currently. Chairman Runner asked if there were any other questions or opposition in the audience concerning this application. Being none, she asked for a motion.

ACTION: Commissioner Graham made the motion, seconded by Commissioner Volkert, to approve the proposed Zoning Map Amendment, together with and conditioned upon the General Development Plan, docket number 2018-39-Z-CO. Based upon the testimony and documents presented in this public hearing, the proposed Zoning Map Amendment is consistent with the adopted FOCUS 2030 Comprehensive Plan as demonstrated by its compliance with the following objectives and action items: LU-1.1.1, LU-1.1.2, LU-1.1.3, LU-2, LU-2.1, LU-2.1.4, LU-2.3.1, TR-2.1, CF-2.6, CF-5.3, PR-1.7, NCR-1.1, NCR-1.3, NCR-1.1.6, NCR-2.4.1, HN-2.1 and HN-4. Therefore, the proposed Zoning Map

Amendment is in agreement with the adopted Comprehensive Plan. Further, I request that this motion include the summary of evidence and testimony presented by the witnesses at this public hearing. The vote was ten (10) yeas, so recommendation will be for approval.

Commissioner Gay returned to the Chambers leaving the total number of Commissioners to eleven (11) for the remainder of the meeting.

Chairman Runner called the next two items.

2018-12-FLUM - David and Shirley Price have filed an application for a Future Land Use Map Amendment on a portion of a tract of land containing approximately 2.0354 acres located on a portion of 261 Morris Duff Road (frontage on Stewart Lane), from Agricultural to Rural Density Residential.

2018-40-Z-CO -David and Shirley Price have filed an application to rezone a portion of a tract of land containing approximately 2.0354 acres located on a portion of 261 Morris Duff Road (frontage on Stewart Lane), from AG (Agriculture) to R-E (Residential Estate), with a general development plan.

Mrs. Monica Ramsey stepped to the podium to present the staff report. (*Note: Staff reports available upon Open Records Request*).

Chairman Runner asked if there were any questions from the Commissioners for Mrs. Ramsey. Being none, she asked if there were any questions or opposition in the audience. Being none, she asked for a motion on the Future Land Use Map Amendment first.

ACTION: Commissioner Warren made the motion, seconded by Commissioner Huston, to approve the proposed Future Land Use Map Amendment, docket number 2018-12-FLUM. Based upon the testimony and documents presented in this public hearing, the proposed FLUM Amendment has met the directive to amend the FLUM as outlined in LU-1.1.4 in the Comprehensive Plan. Further, I request that this motion include the summary of evidence and testimony presented by the witnesses at this public hearing. The vote was eleven (11) yeas, so approved.

Chairman Runner asked for a motion on the Zoning Map Amendment.

ACTION: Commissioner Warren made the motion, seconded by Commissioner Huston, to approve the proposed Zoning Map Amendment, together with and conditioned upon the General Development Plan, docket number 2018-40-Z-CO. Based upon the testimony and documents presented in this public hearing, the proposed Zoning Map Amendment is consistent with the adopted FOCUS 2030 Comprehensive Plan as demonstrated by its compliance with the following objectives and action items: LU-1.1.1, LU-1.1.2, LU-1.1.3, LU-1.1.4, LU-2, LU-2.1.4, LU-2.3.1, CF-2.6, CF-5.3, PR-1.7, NCR-1.1.6, NCR-2.4.1, HN-2.1 and HN-4. Therefore, the proposed Zoning Map Amendment is in agreement with the adopted Comprehensive Plan. Further, I request that this motion include the summary of evidence and testimony presented by the witnesses at this public hearing. The vote was eleven (11) yeas, so recommendation will be for approval

Chairman Runner called the last item.

2018-41-Z-BG -Hope House Ministries, Inc. has filed an application to rezone a portion of a tract of land containing approximately 0.8819 acres located at 112 West 10th Avenue from LI (Light Industrial) to HB (Highway Business), with a general development plan.

Mrs. Monica Ramsey stepped to the podium to present the staff report. (*Note: Staff reports available upon Open Records Request*).

Chairman Runner asked if there were any questions from the Commissioners for Mrs. Ramsey. Commissioner Clark asked why the building was being split zoned. Mrs. Ramsey explained. Commissioner Warren stated the waste water will have to be handled at the building permit level. Mr. Thad Lucas stated it was there but BGMU has not returned his calls. Commissioner Clark asked if there will be signage on the buildings or on the lot. Mr. Thad Lucas with Landmark Engineering came forward. He stated their intent was to abide by the zoning ordinance with what the zoning would allow for signage but they currently have signage on the building. He stated they didn't want to limit the signage. Commissioner Ballance asked about the garage on the concept plan. Mr. Lucas stated that was a storage garage for the furniture business. Chairman Runner asked if there were any further questions from the Commissioners. Being none, she asked if there were any questions or opposition in the audience. Being none, she asked for a motion.

ACTION: Commissioner Gay made the motion, seconded by Commissioner Volkert, to approve the proposed Zoning Map Amendment, together with and conditioned upon the General Development Plan, docket number 2018-41-Z-BG. Based upon the testimony and documents presented in this public hearing, the proposed Zoning Map Amendment is consistent with the adopted FOCUS 2030 Comprehensive Plan as demonstrated by its compliance with the following objectives and action items: LU-1.1.1, LU-1.1.2, LU-1.1.3, LU-2, LU-2.3.1, LU-2.5.2, LU-2.5.3, TR-2.1, NCR-2.4.1, HN-1, HN-1.3, HN-2.1, HN-4 and HN-6. Therefore, the proposed Zoning Map Amendment is in agreement with the adopted Comprehensive Plan. Further, I request that this motion include the summary of evidence and testimony presented by the witnesses at this public hearing. The vote was eleven (11) yeas, so recommendation will be for approval.

H. NEW BUSINESS

Chairman Runner asked if there were any new business. Being none, she moved to adjourn.

I. ADJOURN

Chairman Runner stated there was no additional business to come before the Commission; the meeting was adjourned.



CHAIRMAN, VELMA RUNNER

Vice

Tim Huston

* Video is available upon Open Records request. This concludes the Summary of Minutes.