

GENERAL DEVELOPMENT PLAN AMENDMENT STAFF REPORT



CCPC
City-County
Planning Commission
warrenpc.org | (270) 842-1953
1141 State Street
Bowling Green, KY 42101

DOCKET/CASE/APPLICATION NUMBER

2018-06-DP

PUBLIC HEARING DATE

April 19, 2018

APPLICANTS/PROPERTY OWNERS

J.G.L. Properties, LLC
c/o Grant Lewis, Bishop Land Sales,
LLC, Sevenplus, LLC, 979, LLC

PROPERTY ADDRESSES/LOCATION

0 Nashville Road

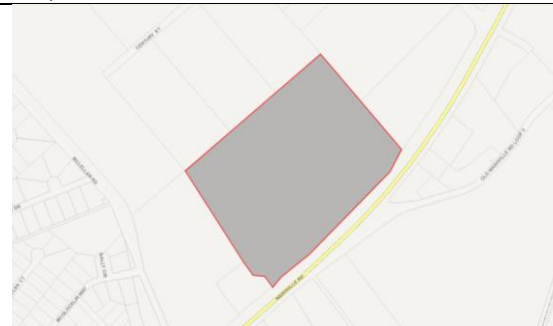
PRE-APP DATE

March 12, 2018

PVA PARCEL NUMBERS

030A-58, 030A-58-007,
030A-58-008 & 030A-58-009

BRIEF SUMMARY OF REQUEST: The applicants are proposing to amend the general development plan for 33.06 +/- acres located at 0 Nashville Road, zoned HB (Highway Business), in order to remove the minimum lot size requirement, make changes to landscaping and greenspace requirements, create a billboard lot and create an additional commercial out parcel.

MAP SOURCE: <http://warrenpc.org/beta/gis/>

CURRENT ZONING	PROPOSED ZONING	FUTURE LAND USE	SIZE OF PROPERTY	OTHER INFORMATION
HB	N/A	Mixed-Use/ Commercial	33.06 +/- Acres	<input checked="" type="checkbox"/> Binding Elements
CURRENT LAND USE	PROPOSED LAND USE	FLUM AMENDMENT	PROPOSED DENSITY	<input checked="" type="checkbox"/> General Development Plan
Agriculture and Vacant	Commercial	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	N/A	<input type="checkbox"/> Neighborhood Meeting
				<input type="checkbox"/> Traffic Impact Study (TIS)
				<input type="checkbox"/> Environmental Assessment
				<input type="checkbox"/> Public Comments

PROPERTY HISTORY: The properties were rezoned from AG (Agriculture) to B-4 (Highway Business) in 1998, and converted to HB (Highway Business) in 2001.

COMPATIBILITY with COMPREHENSIVE PLAN: The properties are designated as Mixed-Use/Commercial on the FLUM. The proposed changes to the general development plan are consistent with the Mixed-Use/Commercial FLUM designation, as the HB zone is listed as a potentially compatible district in the Mixed-Use/Commercial FLUM designation. The Planning Commission should determine if the proposed changes to the Binding Elements are appropriate and if such changes are compatible with the surrounding area.

COMPATIBILITY with the SURROUNDING DEVELOPMENT: The properties are located in the urbanized area of Bowling Green. A site characteristic review indicates that there are generally adequate facilities and infrastructure available to support the proposed development. Site design has been addressed for a portion of the property in the General Development Plan (preliminary development plan) and Binding Elements, in conjunction with the requirements of the Zoning Ordinance. The proposed general development plan amendment may be appropriate if the Planning Commission deems the proposal compatible with the surrounding area and finds that the proposed amendment remains consistent with the FOCUS 2030 Comprehensive Plan.

POINTS TO CONSIDER:

- ❖ The proposed amendment is generally consistent with the FLUM and the Mixed-Use/Commercial category. The Planning Commission should determine if the proposed amendments are consistent with the Comprehensive Plan and compatible with the surrounding area.
- ❖ The proposed amendments include eliminating the minimum lot size requirement in order to create a billboard lot and additional commercial out parcel. The closest billboard to the subject property is approximately 3/4 of a mile northeast of the property, near the intersection of Nashville Road and Central Avenue. The Planning Commission should determine if billboards are appropriate in this particular area, given the current character and pattern of development along Nashville Road.
- ❖ The proposed amendment generally complies with a majority of the site characteristics review criteria.
- ❖ The proposed amendment generally complies with a majority of the review criteria for site design and compatibility, and meets the minimum requirements in the Zoning Ordinance.

Zone Change Staff Report

Note: Please see attached pre-application information for FLUM category descriptions and other below-referenced material.

FUTURE LAND USE MAP and CATEGORY REVIEW

FLUM Designation: Mixed-Use/Commercial (please see the attached Future Land Use Map).

Applicable Goals, Objectives and/or Actions Items

Future Land Use: LU-1.1.1, LU-1.1.2, LU-1.1.3, LU-2, LU-2.3.1

Transportation: TR-2.1

Community Facilities: N/A

Parks and Recreation: N/A

Natural and Cultural Resources: NCR-1.3, NCR-2.4.1

Housing and Neighborhoods: N/A

Economic Development: N/A

The Mixed-Use/Commercial land use designation applies to strategic areas, mostly undeveloped today, that are located near designated industrial parks and accessible from major transportation corridors. These areas are envisioned as predominately large-scale employment and business centers, albeit supplemented by compatible light industrial, retail, services, hotels and, where appropriate, higher density residential development (stand-alone or in mixed-use developments). The distribution of land among these various activities shall be addressed through specific zoning. However, primary activities in these areas may include low- and medium-rise office complexes, as well as environmentally friendly manufacturing and business centers. On large tracts, these uses should be encouraged to develop in a campus-like setting, with quality architecture and generous, connected open space to maximize value, promote visual quality, and encourage pedestrian activity between employment areas and areas of supporting uses such as retail, restaurants, and residential. The primary focus of this category is commercial mixed uses with complementary residential comprising of up to 50% of the contiguous area.

This proposed amendments to the Binding Elements comply with the FLUM and this category, and with LU-1.1.1 and LU-1.1.2. The Planning Commission should determine if the proposal is compatible with the area, and therefore in compliance with LU-1.1.3.

This proposal may comply with LU-2. The Planning Commission should determine if the proposed amendments will result in high quality development that will protect the character of the area.

The proposal generally complies with LU-2.3.1 and TR-2.1, as the applicants have committed in the Binding Elements to no more than two access points onto Nashville Road.

The proposal does not comply with NCR-1.3, The applicants have not committed to preserving the existing wetland on the property.

The proposal generally complies with NCR-2.4.1, as the property is located in an area where infrastructure already exists and will not result in increased development pressure on the countryside.



Zone Change Staff Report

SITE CHARACTERISTICS REVIEW

Layout, lot sizes and setbacks: The minimum lot size in the HB zone is 5,000 square feet, with a minimum lot width of 50 feet. Setbacks will adhere to the HB standards for commercial development as set forth in Zoning Ordinance. The smallest lot proposed is a 5,000 sq.ft. lot for a billboard.

Transportation Infrastructure: The properties have frontage on Nashville Road (US 31W), a State maintained urban minor arterial with right-of-way that varies and seventy-five (75) feet of pavement width.

Fire protection: This properties are served by the Bowling Green Fire Department.

Water adequacy: These properties are served by Warren County Water District (WCWD) and will be served with adequate water flow to meet the fire protection requirements.

Wastewater adequacy: The properties are located within 2,000 feet of public sewer, and will have to be connected to sewer when developed.

Natural features: One of the properties contains a wetland. The applicants did not address this in their application.

Prime farmland: The properties are designated as prime farmland.

Soil suitability: N/A

Flood plains and wetlands: There is a wetland on one of the properties subject to this application.

Cultural or historical features: N/A

This application generally complies with the majority of the items in the Site Characteristics Review.

SITE DESIGN and COMPATABILITY REVIEW

Surrounding density: There is a mixture of low and moderate density residential uses in the area.

Surrounding land uses: Please see the attached existing land use map. The surrounding area is mainly comprised of agricultural and single family residential uses. There is a commercial use and some public and industrial uses nearby. There are also some vacant tracts in the general vicinity.

Surrounding architectural features: There is a mixture of residential, commercial and industrial properties in the area. The majority of the homes in the area are one and two story structures. There is one story commercial and greenhouse across from the development on Nashville Road. Industrial properties located closer to the southern intersection of Old Nashville Road Loop No. 2 and Nashville Road contain one and two story structures. The applicants did not address building height or any other architectural items in their application.

Building materials review: The surrounding homes are constructed of a mixture of brick or vinyl. Nearby commercial and industrial buildings are constructed metal and masonry materials. The applicants did not address building materials as a part of their application..

Building orientation: No detail regarding building orientation was supplied with this proposal. Structures on lots fronting Nashville Road should face Nashville Road.

Landscaping and screening: Landscaping and screening will adhere to the requirements of the Zoning Ordinance.



Zone Change Staff Report

Proposed open space: The maximum allowable lot coverage in the HB zone is 90%, meaning 10% of the property will remain as open space.

Connectivity: The applicants have stated in the Binding Elements that the development will be limited to a maximum of 2 access points to Nashville Road (US 31W). The location of the 2 access points were determined after several meetings with Planning Commission staff and representatives from the Kentucky Transportation Cabinet and the City of Bowling Green Public Works Department. As can be seen on the attached preliminary development plan, an internal drive to serve multiple properties within the development is proposed, to allow interconnectivity between the sites and the permitted points of access on Nashville Road.

Pedestrian, bicycle or transit facilities: N/A

AREA SPECIFIC POLICY REVIEW

Applicable plan(s): There are no focal point plans or corridor studies applicable to the properties.

GENERAL DEVELOPMENT PLAN / BINDING ELEMENTS

The applicants are proposing to amend the Binding Elements recorded in Deed Book 769, Pages 654-657 as outlined below. The proposed revisions are shown in **BOLD** font:

- 1) FIRE CONTROL. Water service to the Property shall meet the existing fire flow requirements of the City of Bowling Green, including installation of necessary fire hydrants.
- 2) SANITARY SEWER STANDARDS. The Property shall comply with the sanitary sewer standards of the City of Bowling Green and development shall be connected to the existing public sanitary sewer system.
- ~~3) **BUFFERING. The Property boundaries fronting U.S. Highway 31-W shall be landscaped with shrubs and/or evergreen trees screening for a minimum depth of five (5) feet along U.S. Highway 31-W across from residential uses.**~~
- 3) ACCESS TO U.S. HIGHWAY 31-W. The property shall have no more than two (2) access points to U.S. Highway 31-W which shall be built to subdivision standards for public roads.
- 4) LIGHTING. All lighting shall be focused inward and downward into the Property, and away from abutting residential uses.
- ~~5) **LOT SIZE. No lot in the Property shall be smaller than three (3) acres.**~~
- 6) INTERIOR STREETS. The Property may be served by an interior street system.
- ~~7) **GREENSPACE. All unimproved areas within the Property, as well as areas not in use for building structures, parking, loading or unloading, driveways or access, shall be kept mowed, pastured, and/or landscaped adequately and attractively with lawns, trees, shrubs, and other plantings.**~~
- 8) PROHIBITED USES. No part of the Property shall be used as a stone quarry, air park, pet food processing plant, poultry, beef or pork processing plant, fish farm or fish processing plant, explosives or acid manufacturing plant, salvage yard, junkyard, rendering plant, boiler works, smelting plant, coke oven, recycling facility, dairy facility, paving material manufacturer, concrete mixing plant, slaughterhouse or stockyard, forge plant foundry, **adult entertainment, tattoo parlor, bingo hall, pawn shop**, or any use which would emit detrimental or obnoxious smoke, odors, noxious gases, excessive noise or excessive vibrations beyond the confines of the Property.

The proposed General Development Plan amendment meets a majority of the review criteria for site design. Compatibility of the proposed development should be determined by the Planning Commission.



Zone Change Staff Report

ZONING ORDINANCE REQUIREMENTS

Section 3.11.8 of the Zoning Ordinance states the following:

Amendments to an approved development plan, including any expiration date or binding element of a general development plan, shall require the approval of the Planning Commission. Requests for amendment of any such plan shall be submitted to the Planning Commission and shall contain the signature of all property owners necessary to convey fee simple title to the land within the tract or phase that is subject to the binding elements, and the Commission shall act thereon at the next available agenda. Amendments shall be processed in the same manner as the original development plan. Any such amendment shall be considered no earlier than one year, unless initiated by the Planning Commission Staff, after final action of the development plan, except upon appeal or court order. Re-applications initiated by the Planning Commission shall be based on a change of circumstance which was not known at the time of the original application. A public hearing on the proposed amendment to the plan shall be held by the Planning Commission in the same manner as the original development plan. ***An amendment to any binding element for an approved development plan shall be approved only if the proposed amendment remains consistent with the adopted Comprehensive Plan and upon a finding that:***

- A. There have been major changes of an economic, physical or social nature within the area of the property in question which were not anticipated at the time of the adoption of the development plan which is being amended; or,
- B. There have developed physical conditions which would not permit development of property in question in accordance with the development plan which is being amended.

The applicants submitted the following information with their application to address the items above:

“The property has not developed as anticipated by the existing general development plan. There is no longer unity in ownership, as the previous owner has divided and sold parcels. There has not been expansion of the nearby industrial park as contemplated by the original general development plan. The requested amendment to the general development plan will allow for development consistent with these changes.”

STAFF REVIEW SUMMARY

The proposed general development plan amendment may be appropriate, given the Future Land Use Map and category. The proposal complies with a majority of the criteria assessed in the review process. The Planning Commission should determine if the proposed amendment to remove the minimum lot size requirement in order to create a billboard lot and additional out parcel is compatible with the area. The Planning Commission should also determine the request is consistent with the FOCUS 2030 Comprehensive Plan, and whether or not there have been major changes within the area of the property which were not anticipated at the time of adoption of the original development plan.



Zone Change Staff Report

SUGGESTED MOTIONS

I make the motion to **APPROVE** the proposed General Development Plan amendment, docket number **2018-06-DP**.

Based upon the testimony and documents presented in this public hearing, the proposed General Development Plan amendment **is** consistent with the adopted FOCUS 2030 Comprehensive Plan as demonstrated by its compliance with the following objectives and action items:

Choose all that apply:

- | | |
|------------------------------------|------------------------------------|
| <input type="checkbox"/> LU-1.1.1 | <input type="checkbox"/> TR-2.1 |
| <input type="checkbox"/> LU-1.1.2 | |
| <input type="checkbox"/> LU-1.1.3* | <input type="checkbox"/> NCR-2.4.1 |
| <input type="checkbox"/> LU-2* | |
| <input type="checkbox"/> LU-2.3.1 | |

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 witnesses at this public hearing.

I make the motion to **DENY** the proposed General Development Plan amendment, docket number **2018-06-DP**.

Based upon the testimony and documents presented in this public hearing, the proposed General Development Plan amendment is **not** consistent with the adopted FOCUS 2030 Comprehensive Plan as demonstrated by its non-compliance with the following objective and action items:

Choose all that apply:

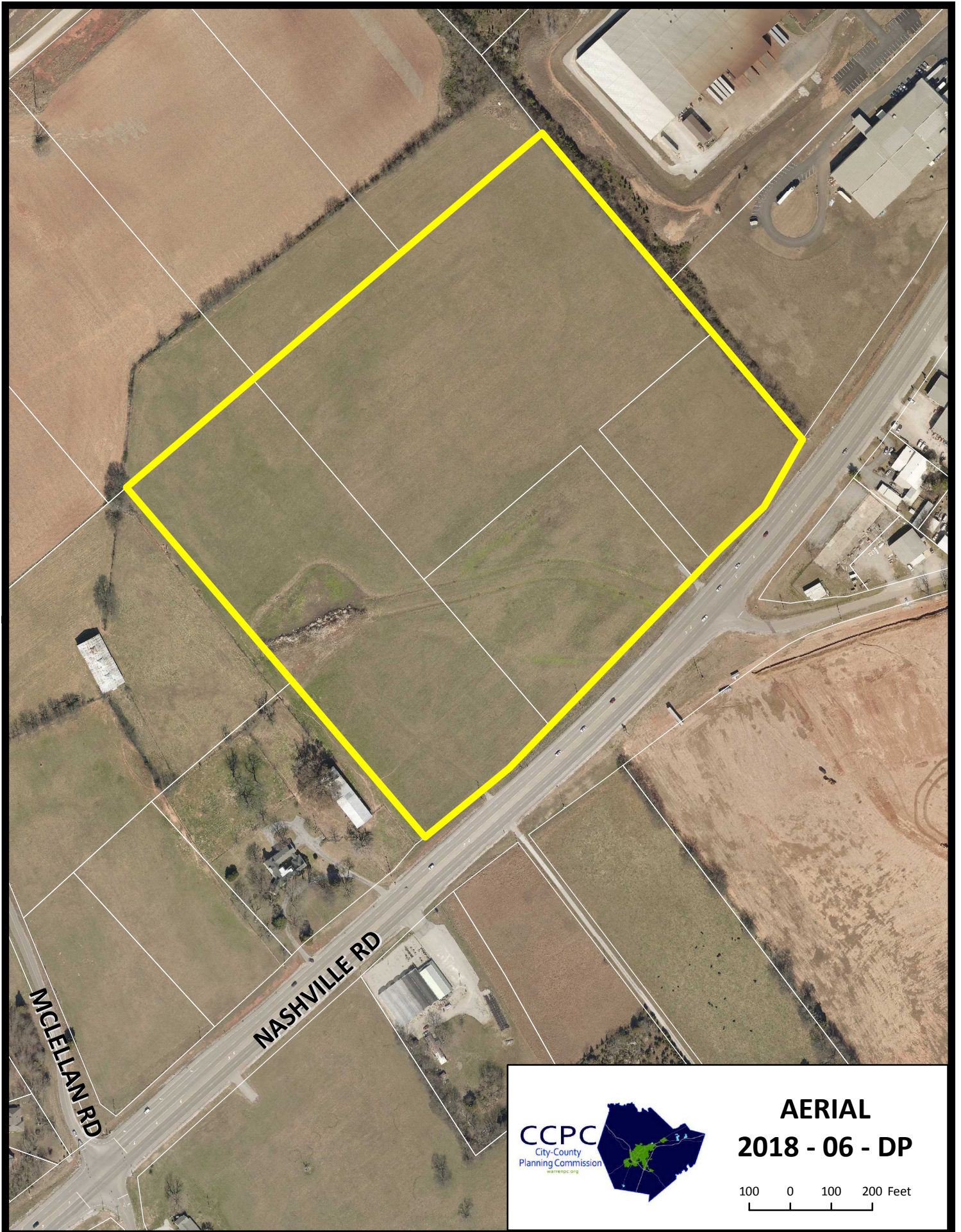
- | | |
|------------------------------------|----------------------------------|
| <input type="checkbox"/> LU-1.1.3* | <input type="checkbox"/> NCR-1.3 |
| <input type="checkbox"/> LU-2* | |

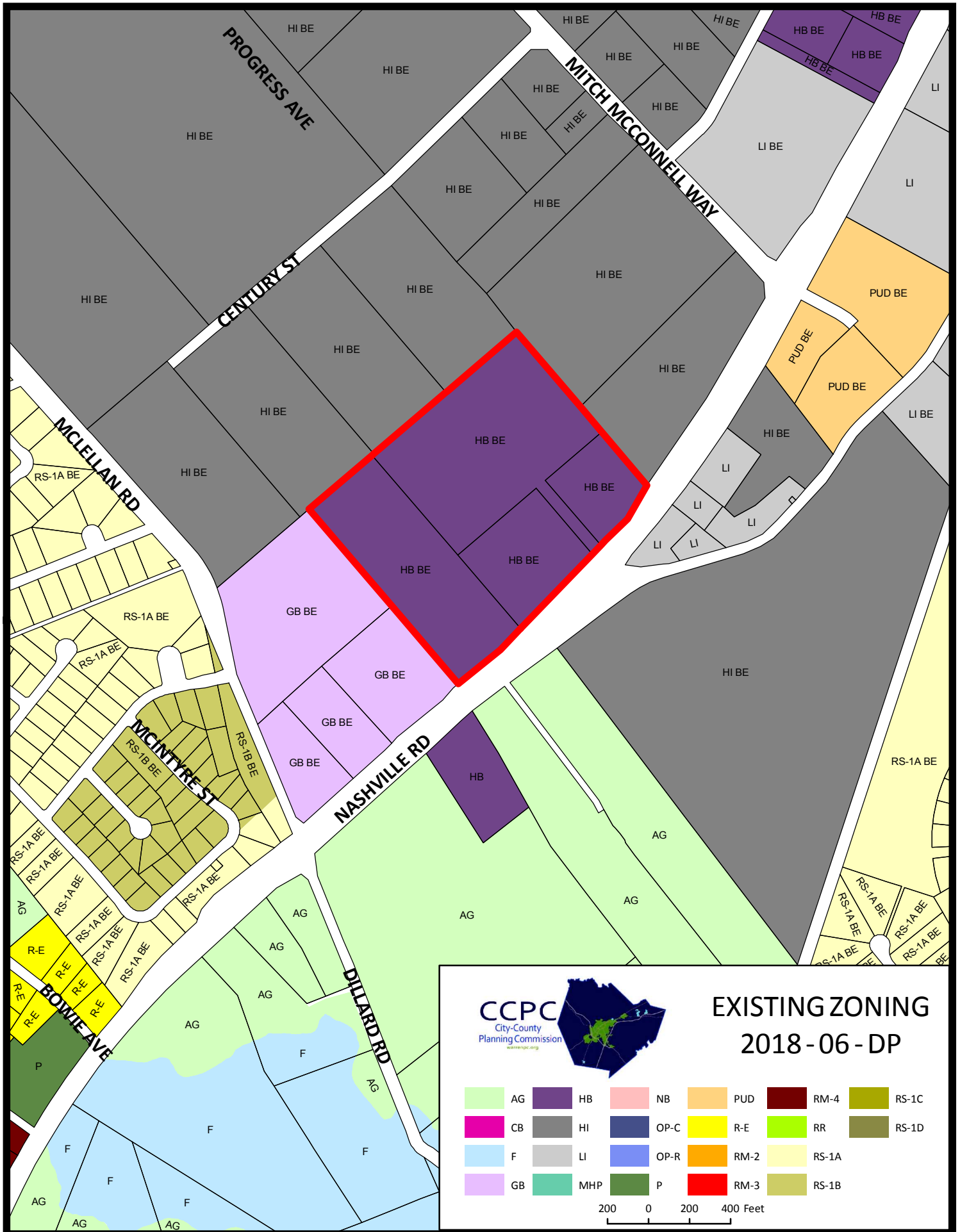
and/or

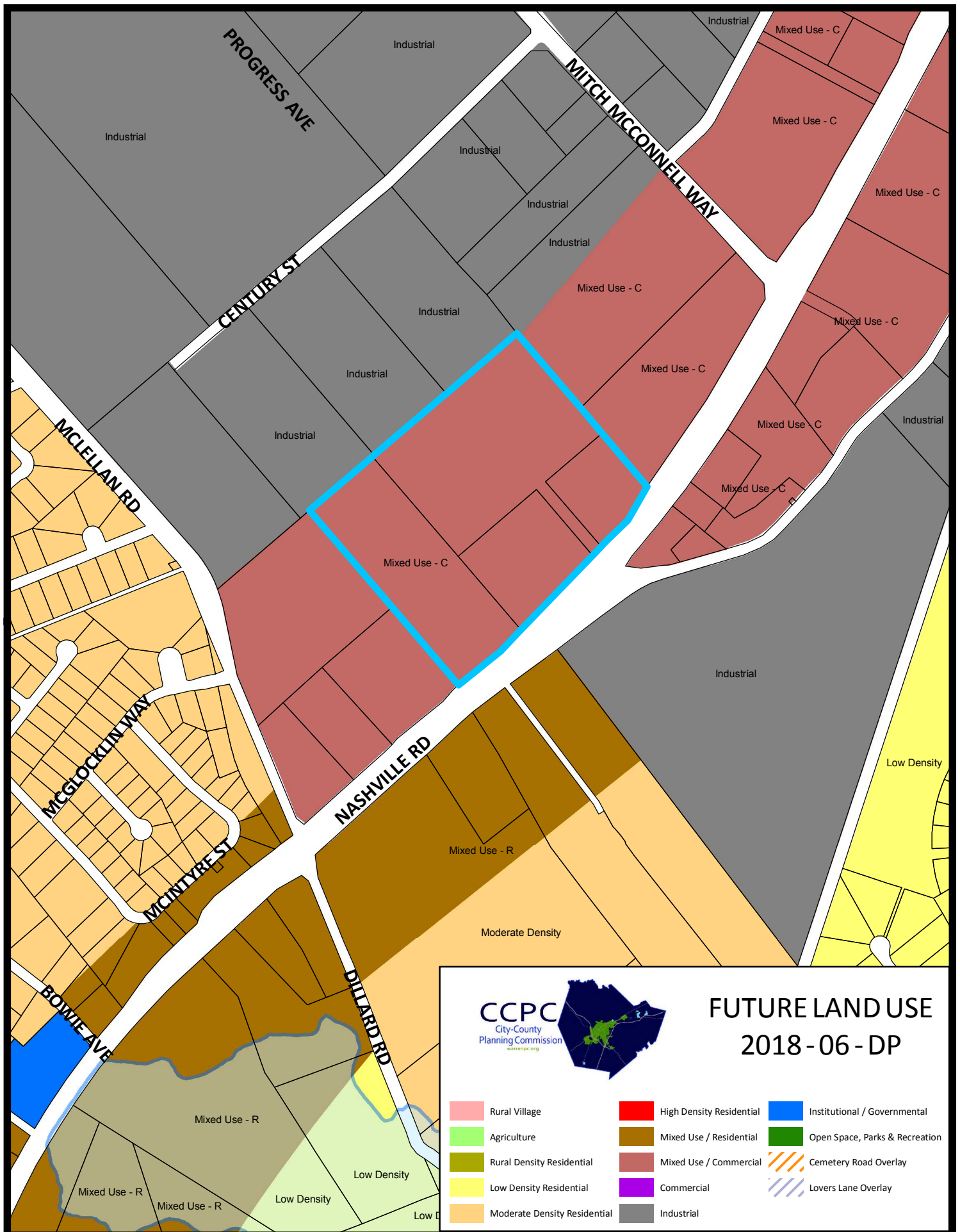
Further, I find that there have **not** been major changes of an economic, physical or social nature within the area of the property in question and I request that the findings of fact and recommendation include a summary of the evidence and testimony presented by the witnesses at this public hearing.

**Denotes items in both the APPROVE and DENY motions.*











AMENDMENT TO BINDING ELEMENTS
LOTS 7, 8, 9 & 10
33.06 +/- ACRES

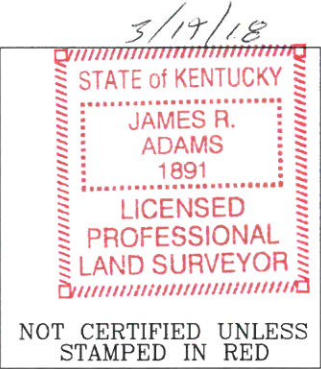
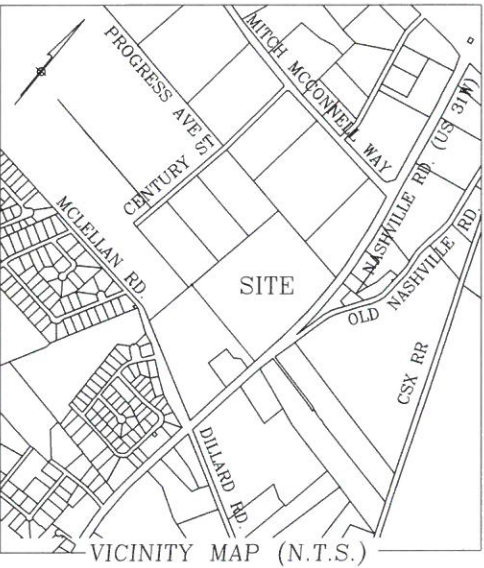
OWNERS/APPLICANTS

JGL PROPERTIES, LLC BISHOP LAND SALES, LLC
1210 THREE SPRINGS ROAD PO BOX 746
BOWLING GREEN, KY 42104 ELKTON, KY 42220

SEVENPLUS, LLC 979, LLC
908 THREEWOOD CIR 1053A LOVERS LN
BOWLING GREEN, KY 42103 BOWLING GREEN, KY 42103

SURVEYORS

JAMES R. ADAMS & ASSOCIATES
700 CHESTNUT STREET
BOWLING GREEN, KY. 42101
PHONE: (270) 782-3318



LAND SURVEYOR CERTIFICATE

I HEREBY CERTIFY THAT THE SURVEY OF THIS PLAN WAS MADE UNDER MY SUPERVISION AND THAT THE ANGULAR AND LINEAR MEASUREMENTS SHOWN HEREON ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

JAMES R. ADAMS P.L.S. #1891

LOT 23
PB 42 PG 260
MOLSHIEM HOLDINGS, LLC
DB 1152 PAGE 644
HI W/BE

LOT 22
PB 42 PG 260
MOLSHIEM HOLDINGS, LLC
DB 1152 PAGE 644
HI W/BE

LOT 2
PB 42 PG 260
MOLSHIEM HOLDINGS, LLC
DB 1152 PAGE 644
HI W/BE

LOT 24
PB 42 PG 260
MOLSHIEM HOLDINGS, LLC
DB 1152 PAGE 644
HI W/BE

LOT 14
PB 33 PG 59
KIRIU USA CORPORATION
DB 858 PG 545
HB W/BE

LOT 10
PB 42 PG 260
979, LLC
DB 1152 PG 883
HB W/BE

LOT 7
PB 42 PG 260
J.G.L. PROPERTIES, LLC
DB 1152 PG 655
HB W/BE

LOT 6
PB 42 PG 260
A. FRANKLIN BERRY, JR. &
MARY ANN BERRY
DB 1154 PG 246
GB W/BE

LOT 8
PB 42 PG 260
BISHOP LAND SALES, LLC
DB 1152 PG 284
HB W/BE

LOT 9
PB 42 PG 260
SEVENPLUS LLC
DB 1151 PAGE 798
HB W/BE

LOT 14-1
PB 33 PG 59
FRB, LLC
DB 1129 PG 737
HB W/BE

NASHVILLE ROAD (US 31W)
R/W VARIES (PER DB 1019 PG 507) ~ 75' PVMT

DAVID THOMAS RUNNER
DB796 PG249
HB

GARY K. WALDEN
TRUSTEE FOR
WILLIAM WALDEN
FAMILY TRUST
DB 771 PG. 451
AG

RUTH ANN &
THOMAS E. LOID II
DB 1051 PG. 327
AG

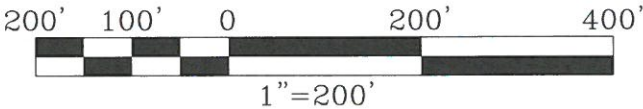
TAHIR & AMIRA ZUKIC
DB 1100 PG 615
HI BE

SWEETS DESIGN BUILD INC
DB 1154 PG 831
LI

DAVID E. LAMBERT &
HILLVIEW ENTERPRISES
DB 982 PG 354
LI

ROBERT STEPHEN ELLIS
DB 1147 PG 443
LI

LINE TABLE			
L1	S 50°46'01" W	264.77'	
L2	S 43°52'59" W	142.85'	
L3	S 43°52'59" W	60.29'	
L4	S 43°52'59" W	34.31'	
L5	S 45°57'33" W	148.94'	
L6	S 30°00'56" W	189.62'	



I CERTIFY THIS PROPERTY IS NOT IN A FLOOD HAZARD AREA AS PER FLOOD INSURANCE RATE MAP # 21227CO 295 E, DATED MAY 2, 2007

PREPARED FOR:
BRODERICK & DAVENPORT
921 COLLEGE STREET
BOWLING GREEN, KY 42101
270-782-6700

PREPARED BY:
JAMES R. ADAMS & ASSOCIATES
P.O. BOX 407
BOWLING GREEN, KY 42102
PHONE: (270) 782-3318
FAX: (270) 781-6732
E-MAIL: JADAMS@JRADAMS.COM
WEBPAGE: WWW.JRADAMS.COM

AMENDMENT TO BINDING ELEMENTS
LOTS 7, 8, 9 & 10
PLAT BOOK 42 PAGE 260
BOWLING GREEN~WARREN CO., KY

DRAWN BY: RK
DRAWING NAME: 17103_ZONE_CHANGE.dwg
SCALE: 1"=200'
DATE: 3/16/18
JOB NO.: 17103
SHEET NO.: 1



CITY-COUNTY PLANNING COMMISSION OF WARREN COUNTY, KY

APPLICATION FOR AMENDMENT TO GENERAL DEVELOPMENT PLAN

Docket Number: 2018-06-DPPublic Hearing Date: 4/19/2018Date Application Filed: 3/21/2018Pre-Application Meeting Date: 3/12/2018

APPLICANT(S) INFORMATION

1) APPLICANT(S) NAME(S): J.G.L. Properties, LLC

Names of Officers, Directors, Shareholders or Members (If Applicable):

Grant Lewis

Mailing Address:



Phone Number: _____

Cell Number: _____

E-Mail Address: _____

2) PROPERTY OWNER(S) NAME(S): See Addendum

Mailing Address: _____

Phone Number: _____

Cell Number: _____

E-Mail Address: _____

PLEASE USE ADDITIONAL PAGES IF NEEDED

3) APPLICANT(S) ATTORNEY: Christopher T. DavenportName of Law Firm: Broderick & Davenport, PLLCPhone Number: 270-782-6700

Cell Number: _____

E-Mail Address: 

PROPERTY AND PROPOSED DEVELOPMENT INFORMATION

Property Address: Lots 7, 8, 9 and 10 of ~~6587~~ Nashville Rd.PVA Parcel Number: 030A-58Acreage: 33.06Current Zoning: HB-BEFLUM Designation: Mixed Use Commercial

APPLICATION SUMMARY

Please describe the proposed amendment(s) to the adopted General Development Plan (Binding Elements):

The Applicant (and all owners of the affected property) wish to eliminate the current minimum lot size of 3 acres and eliminate the current buffering and landscaping binding elements which are less stringent than current zoning ordinance requirements.

FINDINGS REQUIRED TO AMEND BINDING ELEMENTS

An amendment to any binding element for an approved development plan shall be approved only if the proposed amendment remains consistent with the adopted Comprehensive Plan and upon a finding that:

- ☒ *There have been major changes of an economic, physical or social nature within the area of the property in question which were not anticipated at the time of the adoption of the development plan which is being amended; or*
- ☐ *There have developed physical conditions which would not permit development of property in question in accordance with the development plan which is being amended.*

Please check (✓) one of the above findings of fact and cite specific evidence to address such finding in the space provided below. Please attach additional sheets if more space is needed.

The property has not developed as anticipated by the existing general development plan. There is no longer unity in ownership, as the previous owner has divided and sold parcels. There has not been expansion of the the nearby industrial park as contemplated by the original general development plan. The requested amendment to the general development plan will allow for development consistent with these changes.

APPLICATION CHECKLIST

- ☐ A completed and signed Application
- ☐ Plat prepared by a licensed surveyor (please include one (1) 11" x 17" or smaller copy)
- ☐ Adjacent Property Owners Form
- ☐ Filing and Recording Fees
- ☐ Binding Elements, signed and notarized
- ☐ Traffic Impact Study, if required
- ☐ Concept Plan, or Preliminary Development Plan (please include one (1) 11" x 17" or smaller copy)

APPLICANT'S CERTIFICATION

Please note that any application to amend the General Development Plan, including the binding elements and concept plan, shall require the signature of **100 percent of the property owners** within the area covered by the General Development Plan and shall be amended by the same process as the original zoning amendment.

I do hereby certify that, to the best of my knowledge and belief, all application materials have been submitted and that the information they contain is true and correct. Please attach additional signature pages if needed.

Signature of Applicant(s) and Property Owner(s):

Date:

1) J. L. L. PROPERTIES, LLC
GRANT LEWIS
 (please print name and title)

3/20/18

2) _____

 (please print name and title)

3) _____

 (please print name and title)

The foregoing signatures constitute all of the owners of the affected property necessary to convey fee title, their attorney, or their legally constituted attorney-in-fact. If the signature is of an attorney, then such signature is certification that the attorney represents each and every owner of the affected property.

REQUIRED FILING FEES MUST BE PAID BEFORE ANY APPLICATION WILL BE ACCEPTED

Application Fee: _____
 Recording Fee: _____

Land Use Certificate Fee: _____
 Date Fees Received: _____

ADDENDUM LISTING PROPERTY OWNERS

Lot 7 Owner: J.G.L. Properties, LLC
1210 Three Springs Rd
Bowling Green, KY
PVA Parcel number: 030A-58
Source of Title: Deed Book 1152, Page 655

Lot 8 Owner: Bishop Land Sales, LLC
PO Box 746
Elkton, KY 42220
PVA Parcel number: 030A-58
Source of Title: Deed Book 1152, Page 284

Lot 9 Owner: Sevenplus, LLC
908 Threewood Cir
Bowling Green, KY 42103
PVA Parcel number: 030A-58
Source of Title: Deed Book 1151, Page 798

Lot 10 Owner: 979, LLC
1053A Lovers Lane
Bowling Green, KY 42103
PVA Parcel number: 030A-58
Source of Title: Deed Book 1152, Page 883

Pre-Application Conference Information

Date: 3/12/18

CCPC

City-County
Planning Commission
warrenpc.org



PROPERTY INFORMATION

Attendees: Chris Davenport, Grant Lewis, Jim Adams & Michael

Property Location: 0 Nashville Road PVA Parcel #(s): 030A-5B?

Property Owner(s): Multiple Contract Vendee(s): n/a

Current Zoning: HB Proposed Zoning: LI

Current Land Use: Vacant Proposed Land Use: Self-Storage and Commercial

APPLICATION TYPE

- ☒ Zoning Map Amendment
- ☐ FLUM Amendment to: _____
- ☐ Amend Binding Elements (General Development Plan)
- ☐ Conditional Use Permit
- ☐ Variance
- ☐ Other _____

ADDITIONAL DOCUMENTATION REQUIRED

- ☐ Traffic Impact Study
- ☐ Binding Elements
- ☐ General Development Plan
- ☐ Water / Sewer Verification
- ☐ Geologic Analysis
- ☐ Other _____

COMPREHENSIVE PLAN / FLUM COMPLIANCE REVIEW

(FLUM and Category Descriptions are Attached)

FLUM Designation

- | | | |
|--|---|--|
| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Rural Density Residential | <input type="checkbox"/> Low Density Residential |
| <input type="checkbox"/> Moderate Density Residential | <input type="checkbox"/> High Density Residential | <input type="checkbox"/> Mixed-Use / Residential |
| <input checked="" type="checkbox"/> Mixed-Use / Commercial | <input type="checkbox"/> Commercial | <input type="checkbox"/> Industrial |
| <input type="checkbox"/> Institutional / Governmental | <input type="checkbox"/> Open Space, Parks & Recreation | <input type="checkbox"/> Rural Village |
| <input type="checkbox"/> Special Focal Point Plan / FLUM | | |

Applicable Goals, Objectives and Action Items

Future Land Use

- | | | | |
|--|--|--|-----------------------------------|
| <input checked="" type="checkbox"/> LU-1.1.1 | <input checked="" type="checkbox"/> LU-1.1.2 | <input checked="" type="checkbox"/> LU-1.1.3 | <input type="checkbox"/> LU-1.1.4 |
| <input checked="" type="checkbox"/> LU-2 | <input type="checkbox"/> LU-2.1 | <input type="checkbox"/> LU-2.1.1 | <input type="checkbox"/> LU-2.1.2 |
| <input type="checkbox"/> LU-2.1.3 | <input type="checkbox"/> LU-2.1.4 | <input checked="" type="checkbox"/> LU-2.3.1 | <input type="checkbox"/> LU-2.3.4 |
| <input type="checkbox"/> LU-2.4 | <input type="checkbox"/> LU-2.5 | <input type="checkbox"/> LU-2.5.2 | <input type="checkbox"/> LU-2.5.3 |
| <input type="checkbox"/> LU-2.8 | <input type="checkbox"/> LU-2.9 | <input type="checkbox"/> LU-2.10 | |

Transportation

- ☐ TR-1.1 ☒ TR-2.1 ☐ TR-3 ☐ TR-4

Community Facilities

- ☐ CF-1.1 ☐ CF-1.4 ☐ CF-2.6 ☐ CF-5.3
- ☐ CF-10.1

Parks and Recreation

- ☐ PR-1.7 ☐ PR-1.8 ☐ PR-3 ☐ PR-5.2

Natural and Cultural Resources

- ☐ NCR-1.1 ☐ NCR-1.1.6 ☒ NCR-1.3 ☐ NCR-1.4
- ☐ NCR-2.1 ☐ NCR-2.2 ☐ NCR-2.4 ☒ NCR-2.4.1
- ☐ NCR-2.4.3 ☐ NCR-2.5 ☐ NCR-2.5.3

Housing and Neighborhoods

- ☐ HN-1 ☐ HN-1.2 ☐ HN-1.3 ☐ HN-2.1
- ☐ HN-2.3 ☐ HN-3.2 ☐ HN-3.6 ☐ HN-4
- ☐ HN-6

Economic Development

- ☐ ED-1 ☐ ED-1.8 ☒ ED-3 ☐ ED-4.5
- ☐ ED-9.1 ☐ ED-9.3

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SITE CHARACTERISTICS REVIEW

Layout, Lot Sizes and Setbacks

- ☒ Internal Street(s): shared travelway proposed ☒ Proposed Setbacks: Adhere to 20 requirements for HB and LI
☒ Minimum Lot Size: 5,000 SF ☒ Minimum Lot Width: 50'

Transportation Infrastructure

What type of Roadway will serve the proposed development?

- ☐ Warren County ☐ Bowling Green ☒ KYTC ☐ Other _____

What is the road width of the roadway that will serve the development? 75' +/-

Fire Protection / Water Adequacy

Does the proposed development meet the minimum requirements? ☒ YES ☐ NO

- ☒ All property located within the designated Bowling Green / Warren County Urbanized Area: 600 gallons per minute at 20 pounds of residual pressure.
☐ All property located outside the designated Bowling Green/ Warren County Urbanized Area: 250 gallons per minute with 20 pounds of residual pressure for Agriculture, Rural Residential and/or Residential Estate districts and 600 gallons per minute at 20 pounds of residual pressure for all other districts.

Wastewater Considerations

- ☐ Public Sewer Available ☒ Property within 2,000' of Public Sewer ☐ On-Site Septic System

Natural Features

Are there any natural features present on the property (i.e. steams, ponds, woodlands, sinkholes, etc.)?

Wetland

Soil Suitability n/a

How is the property classified in terms of soil suitability (See Figure 27, APP-63)?

- ☐ Not Limited ☐ Somewhat Limited ☐ Very Limited

Prime Farmland G.B. NHB (Both Prime Farmland)

How is the property classified in terms of farming suitability (See Figure 28, APP-64)?

- ☒ Prime Farmland ☐ Prime Farmland if Protected from Flooding ☐ Farmland of Statewide Importance
☐ Not Prime Farmland ☐ Unclassified

Flood Plains and Wetlands

Is the property (or a portion of the property) located within a flood plain or wetland? ☒ YES ☐ NO

Cultural and Historical Features

Are there any cultural/historical features located on the property (i.e. cemetery, historic structure, etc.)?

n/a

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SITE DESIGN AND COMPATIBILITY REVIEW

Surrounding Density: mixture of Low-Moderate Residential

Surrounding Land Uses: Agriculture and Commercial

Surrounding Architectural Features: Maj. of homes in area are brick/mod. masonry

Building Materials: one & two story structures across from the property on Nashville Rd. There is also a metal bldg/greenhouse

Building Orientation: Should have 2 front facade facing Nashville Road

Landscaping / Screening: AS required by zoning ordinance

Proposed Open Space: _____

Connectivity: Shared access Esmt. for Lots 3 and 6 (pb 42, pg 260)

Pedestrian, Bicycle or Transit Facilities: n/a

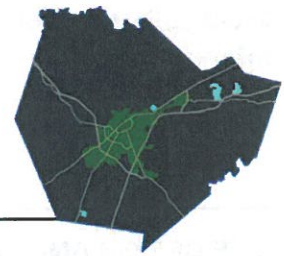
AREA SPECIFIC POLICY REVIEW n/a

Is the property located within the boundary of any special Focal Point Plans, Overlay Districts, etc?

- | | |
|---|---|
| <input type="checkbox"/> Cemetery Road Overlay District | <input type="checkbox"/> Walnut Valley Focal Point Plan |
| <input type="checkbox"/> Lovers Lane Overlay District | <input type="checkbox"/> Cedar Ridge Focal Point Plan |
| <input type="checkbox"/> Scottsville Road Corridor Study Area | <input type="checkbox"/> Smiths Grove Focal Point Plan |
| <input type="checkbox"/> Woodburn Focal Point Plan | <input type="checkbox"/> Oakland Focal Point Plan |

STAFF NOTES

- Amend BEs for HB pieces to allow lot size less than 3 Acres
- Billboard Lot Proposed w/comm. outlot (both lots < 3 Acres)
- Zone Remainder LI for self-storage
- Maximum Building Height? [100' in LI, none in HB] - Allowed by zoning ordinance
- LI proposed for self-storage to include outdoor boats, trailers, RVs...
- Lighting
- Prohibited uses - Adult Entertainment, Bingo, Pawn Shop, Tattoo, etc.



FLUM AND CATEGORY DESCRIPTIONS

Future Land Use

Objective LU-1.1: Upon Plan adoption, utilize the Future Land Use Map (FLUM, Figure FLU-4) to guide decision-making regarding land uses and development proposals.

Action LU-1.1.1: The Future Land Use Map (FLUM, Figure FLU-4) shall be used to determine the consistency which exists between future land use and development proposals.

Action LU-1.1.2: The following land use categories are depicted on the FLUM and shall be used in conjunction with the map to determine the consistency of land use and development proposals:

Agriculture (AG)

This land use designation applies to those rural areas relatively remote from the expanding rural-suburban fringe, where agriculture uses are predominant with small and large-scale farm operations. This classification can also include undeveloped areas used for open space and large tract single family residential property.

While the presence of R-E zoned land is acknowledged, and in some small areas, this zoning may even be prevalent, a new "conservation development alternative" to development under conventional AG or R-E zoning, will become available to landowners. Conservation development is an approach to the design of residential subdivisions, which is highly suited to rural areas where the retention of open space, farmland, or uninterrupted vistas of the scenic, rural landscape is desired (See Page FLU-24 for a map of proposed Land Conservation Development Areas). Higher densities may be possible with a Conservation style development as permitted by the Zoning Ordinance.

Rural Density Residential

This land use designation applies to those rural areas relatively close to the suburban fringe. It also applies to areas where property fragmentation has occurred within unincorporated areas or near farming activities through provisions for "exception lots" in the AG zoning district or through re-zoning and incremental subdivision of land as Residential Estate lots with gross densities ranging from zero (0) dwelling units per acre to one (1) dwelling units per acre. Higher densities may be possible with a Conservation style development as permitted by the Zoning Ordinance.

Low Density Residential

This land use designation comprises areas designated for single-family detached development and attached single-family development including twin homes where each unit is platted on its own individual lot, with gross densities ranging from zero to four and a half (4.5) dwelling units per acre. Higher densities may be possible with a Conservation style development as permitted by the Zoning Ordinance.

Moderate Density Residential

This land use designation encourages areas developed for higher density single-family detached and attached (RS-1C & RS-1D), as well as semi-detached multi-family development such as duplexes and townhouses, apartment buildings, condominiums and mobile home parks. Densities in this land use should range between three and a half (3.5) and thirteen (13) dwelling units per acre.

High Density Residential

This land use designation consists of areas occupied by multifamily housing, including higher density duplexes, townhomes, apartment buildings and condominiums. Densities exceeding eight (8) dwelling units per acre are encouraged in this Future Land Use category. High density single family may also be acceptable at five and a half (5.5) dwelling units per acre or greater.



Commercial

This land use designation consists of a broad array of commercial development, including individual commercial (retail, service, hotel or office) businesses that may exist along a highway corridor or a business district, as well as larger planned shopping centers and office parks. Limited high density multifamily uses are allowed to be mixed into commercial areas. These uses should be limited to upper stories or blended in or scattered among commercial uses. No more than 25% of any contiguous area designed Commercial should contain a multifamily uses. Compatibility will be assessed by applying policies in LU-1.1.3 below in conjunction with a general development plan.

Mixed Use

The Future Land Use Map includes two categories of mixed land use. They refer to areas that combine complementary activities – for example, retail, office or other commercial uses with residences, or industry with commerce. These can be existing developed areas, such as downtown Bowling Green, which retain a mixture of uses; or undeveloped or developing areas where the basic qualities of those existing mixed-use areas (efficient use of land, higher development intensities, and pedestrian friendliness) are intended to be replicated. Bringing a diversity of uses together, in close proximity with one another, makes it possible to encourage the pedestrian orientation and to reduce vehicular trips and traffic congestion.

The development pattern in mixed-use areas may include different uses housed in different structures (sometimes on a single site), or different uses stacked one on top of another in a single structure. Generally, both of these development types are likely to be found in the mixed land use districts, which differ primarily in the relative amount of each land use that is encouraged in them. There are two sub-categories of mixed-use, based on the predominant character encouraged in each:

Mixed-Use/Residential

This category applies to mixed-use areas where, taken as a whole, the primary land use is residential in a variety of housing types and densities, balanced by complementary retail, office, institutional and civic uses. The distribution of land among these various activities shall be implemented through specific zoning, with standards addressing the form and character of development to ensure compatibility.

This designation applies to the historic core of downtown Bowling Green or urbanized areas being redeveloped with the primary use as residential where complementary commercial and services are provided in a contiguous area. Here, development standards should be tailored to emphasize an urban character and a mix and intensity of development appropriate to this unique center of activity. When proposed as part of a mixed-use development, Commercial uses should comprise of only twenty five percent (25%) of such development. Standalone Commercial developments should not exceed ten percent (10%) of any contiguous area designated Mixed-Use Residential. No commercial footprint should exceed ten thousand (10,000) square feet. Compatibility will be assessed by applying policies in LU-1.1.3 below in conjunction with a general development plan.

Mixed-Use/Commercial

This category applies to strategic areas, mostly undeveloped today, that are located near designated industrial parks and accessible from major transportation corridors. These areas are envisioned as predominately large-scale employment and business centers, albeit supplemented by compatible light industrial, retail, services, hotels and, where appropriate, higher density residential development (stand-alone or in mixed-use developments). The distribution of land among these various activities shall be addressed through specific zoning. However, primary activities in these areas may include low and medium-rise office complexes, as well as environmentally friendly manufacturing and business centers.

On large tracts, these uses should be encouraged to develop in a campus-like setting, with quality architecture and generous, connected open space to maximize value, promote visual quality, and encourage pedestrian activity between employment areas and areas of supporting uses such as retail, restaurants, and residential. The primary focus of this category is commercial mixed uses with complementary residential comprising of up to 50% of the contiguous area. Compatibility will be assessed by applying policies in LU-1.1.3 below in conjunction with a general development plan.

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Industrial

This land use designation consists of areas developed or suitable for the uses permitted in the light (LI) and heavy (HI) industrial zoning categories. Because such areas require rail and truck access, future industrial development will continue to gravitate to the rail corridors and I-65 interchanges. Complementary service and commercial uses are allowed up to 25% of the total contiguous area. Compatibility will be assessed by applying policies in LU-1.1.3 below in conjunction with a general development plan.

Institutional / Government

This land use designation consists of major public institutions, including the WKU campus and public schools, and governmental functions and operations such as the airport, government offices, and police and fire stations.

Open Space, Park and Recreation

This land use designation applies to all existing City and County owned public parks, golf courses, other recreational facilities, and permanently protected open spaces of countywide significance.

Rural Village

This land use designation is intended to provide for the continued vitality of the existing commercial and residential mixed use areas found in the smaller rural agricultural centers throughout Warren County. The rural village brings a sense of community and identification to the surrounding rural areas with an emphasis on providing essential goods and services to rural residents, but are not intended as employment designations for urban residents.

Neighborhood scale commercial uses are encouraged as pockets of mixed use developments. Commercial uses should be limited in size and scale (less than 10,000 square feet) and only allow uses permitted in the zones outlined in the table below. When proposed as part of a mixed-use development, commercial components should only comprise of no more than 10% of any such development. Standalone commercial development should not exceed more than 25% of any contiguous area designated Rural Village. Limited moderate density multifamily uses may be appropriate in some areas if limited in size and scale. Compatibility will be assessed by applying policies in LU-1.1.3 below, in conjunction with a general development plan, and by applying specific policies found in Focal Point Plans, area plans, corridor studies, or any other plan created and approved by the Planning Commission.

Future Land Use Category	Residential Density Range	Potentially Compatible Zoning Designations
Agriculture	0-0.2**	AG, RR*, RE*
Rural Density Residential	0-1.0**	RR, RE
Low Density Residential	0-4.5**	RR, RE, RS-1A, RS-1B, PUD
Moderate Density Residential	3.5-13	RS-1A, RS-1B, RS-1C, RS-1D, RM-2, RM-3, PUD, MHP
High Density Residential	5.5 or greater	RS-1D, RM-3, RM-4, GB, OP-R, CB, PUD, MHP
Commercial	25% of development or 10% of total contiguous area	RM-3, RM-4, GB, HB, OP-C, CB, PUD
Mixed-Use / Residential	75% of development or 90% of total contiguous area	RS-1A, RS-1B, RS-1C, RS-1D, RM-2, RM-3, NB, GB, OP-R, CB, PUD
Mixed-Use / Commercial	50% of contiguous area	RS-1A, RS-1B, RS-1C, RS-1D, RM-2, RM-3, RM-4, OP-C, HB, LI, PUD
Industrial	Not allowed	OP-C, HB, LI, HI
Institutional / Government	Not allowed	P
Open Space, Parks and Recreation	Not allowed	P
Rural Village	75% of development or 90% of total contiguous area	RR, RE, RS-1A, RS-1B, RM-2, RM-3, NB, OP-R, GB, PUD

* Allowed only with Agriculture FLUM exception lots as defined in LU-1.1.4

** Higher densities may be allowed in a Conservation Subdivision.

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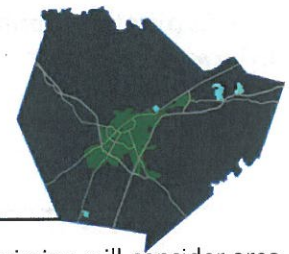


Action LU-1.1.3: Requested re-zonings (zone changes) shall be reviewed for consistency with the FLUM and the Development Review Provisions listed below.

Development Review Provisions

- ❖ **Map and General Policy Review** – The first step in determining compliance with the Comprehensive Plan is determining if the proposed use and zone are in agreement with the Future Land Use Map (LU-1.1.1) and Future Land Use categories listed in LU-1.1.2. Additionally, applicable goals, objectives, and action items found in the Comprehensive Plan that may apply to the proposed use and zone should be identified as part of the community wide development compliance.
- ❖ **Site Characteristics Review** – Unless specifically exempted by the zoning ordinance or by the Planning Commission, all zone change requests must be accompanied by a General Development Plan including any or all of the following: location and bulk of buildings and other structures, intensity of use, density of development, streets, ways, parking facilities, signs, drainage of surface water, access points, a plan for screening and buffering utilities, existing and man-made and natural conditions, and all other conditions requested by the Planning Commission and agreed to by the applicant. Each site shall identify the applicable site specific characteristics below and incorporate them on the general development plan, or in the application. The Planning Commission will consider how these items relate to relevant goals, objectives, and action items contained within the comprehensive plan as well as any other applicable codes, regulations or policies.
 - Proposed development layout, lot sizes, and setbacks (HN-1.2)
 - Transportation system adequacy or provisions for improvements (LU-2.3.1, TR-2.1)
 - Fire protection district, nearest station and hydrant locations (CF-1.1, CF-1.4, TR-3, TR-4)
 - Public water location, provider and certification of availability (CF-1.1, CF-1.4)
 - Waste water location, provider and certification of availability (CF-1.1, CF-1.4)
 - Existing natural features (NCR-1.1, NCR-1.3)
 - Identification of prime farmland (Map FLU-2, NCR-2.4)
 - Soil suitability (Map 32)
 - Location of flood plains or wetlands (NCR-1.1)
 - Cultural and/or historical assets being removed or preserved (NCR-2.1, NCR-2.2)
- ❖ **Site Design and Compatibility Review** – All proposals for new development must be assessed to determine their compatibility with the existing surrounding development. Compatibility may be shown because the proposed use is the same as the surrounding neighborhood, or it may be established by site design, buffering, control of access through the adjacent neighborhood, or other measures. Developments should address the following site design and compatibility considerations:
 - Surrounding density (HN-1.2)
 - Surrounding land uses (LU-2)
 - Surrounding building architecture including height, bulk, scale, massing, etc. (HN-1.2)
 - Proposed building materials (HN-1.2)
 - Building orientation in relation to the roadway (HN-1.2)
 - Proposed landscape buffering and/or screening (HN-1.2)
 - Proposed open space (LU-2.1.1, PR-2)
 - Connectivity to adjacent properties (LU-2.1.2)
 - Any pedestrian, bicycle or greenway facilities existing or proposed connections (LU-2.1.3, TR-3, TR-4, NCR-1.4, PR-3)

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- ❖ Area Specific Policy Compliance – In addition to the review items above, the Planning Commission will consider area specific policies created in focal point plans, area plans, corridor studies, and/or other similar plans created by the Planning Commission or other local and state government organizations. (LU-2.4, LU-2.8)

Action LU-1.1.4: The following is a recommended protocol for the use of the Future Land Use Map and amending the FLUM.

Purpose / Relationship to Zoning

While the Zoning Map, and its associated zoning districts, defines specific uses and development types currently permitted for individual properties, the Future Land Use Map depicts more broadly the likely pattern of land uses that may exist in the future. Therefore, the FLUM does not directly determine the specific development that may be approved for a particular property. Applicants for zoning changes must demonstrate that the proposed use / development is consistent with the land use designation on the FLUM. However, consistency with the FLUM is only one of several considerations, and all other development criteria must be met for a rezoning approval, per the process laid out in the zoning ordinance and in KRS 100.213. Because FLUM designations are considerably broader than provided in specific zoning districts, several different zoning districts may conform to the provisions of a single FLUM land use category. However, in cases where a proposed development type and associated zoning district is clearly inconsistent with the FLUM, and/or other provisions of the Comprehensive Plan, such rezoning approvals shall not be granted until and unless the FLUM is amended.

Exceptions

The following types of re-zoning requests shall not require FLUM amendment prior to consideration for approval:

- Emergency situations requiring immediate actions to protect public health, safety and welfare (e.g., providing temporary housing for those displaced by a natural disaster) .
- Corrections of zoning map errors
- Single Family Residential rezoning requests for single family non-conforming parcels that are less than 5 acres in size, and are compatible with existing residential land uses, and where only one new lot is being created from a parent tract that existed prior to July 1, 2001.
- Rezoning requests of 10 acres or less, where a proposed development site lies within two or more future land use designations, if at least 50% of the property lies within a future land use designation which is consistent with the proposed zoning district.
- Rezoning requests for property located within the Agriculture FLUM designation where the result will be the enlargement of an existing agricultural tract and the number of lots will remain the same as (or less than) what existed at the time the rezoning application was filed. The remaining lot must meet the requirements of the proposed zone and no lot resulting may be non-conforming.

Procedures for Amending the FLUM

The Planning Commission's approval of a FLUM amendment request should be based on at least one of the following criteria:

- A demonstrated over-riding public benefit of the proposed development (this may include the provision of a major public facility or amenity, the provision of a major source of employment or an economic development asset that cannot be accommodated in a location consistent with the current FLUM).
- The request is a correction of inconsistencies or mapping errors contained within the FLUM.
- That the proposed use is clearly compatible with existing surrounding development as demonstrated by the applicant. This review should include a compatibility assessment of the proposed use, which includes, but is not limited to, location and bulk of buildings and other structures, building height, building materials, intensity of use, density of development, location of parking and signage within the surrounding area. In addition, the applicant must prove that the proposed amendment will not result in development that exceeds the capacity of existing infrastructure (such as roads, water, sewer and stormwater).

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Goal LU-2: Encourage compact, sustainable, high quality development which protects community character, provides balanced land uses and which is tailored to the variety of urban, suburban and rural sections of Warren County.

Objective LU-2.1: Improve design standards and establish incentives for urban and suburban residential development.

Action LU-2.1.1: Consider increasing or refining the standards for open space retention in new residential development, to ensure an adequate share of such space is usable and of scenic or ecological value.

Action LU-2.1.2: Consider adoption of a "roadway connectivity index" applicable to new residential development or other developments with a significant residential component (40% or more).

Action LU-2.1.3: Consider encouraging new developments to incorporate planned greenway links (as per the Greenbelt Master Plan) into their developments or, at a minimum, to provide connections to the greenway system whenever possible.

Action LU-2.1.4: Consider adopting incentives to promote the preservation of existing trees on private property before, during, and after development, and standards that discourage clear cutting of trees.

Action LU-2.3.1: Improve standards for access management (e.g., review spacing of driveways, consider requiring driveway sharing or parking lot connectivity, etc.) in order to reduce traffic "friction" and enhance safety.

Action LU-2.3.4: Require that proposals for heavy industrial development in areas with a DRASTIC index of greater than 160 be accompanied by a detailed geologic analysis to determine the carrying capacity of the underlying soils with respect to the possibility of accidental spills of hazardous materials and storm water management.

Objective LU-2.4: Establish a consistent sector/small area planning process to focus on areas of the County or the City that require special attention and a more detailed level of planning.

Objective LU-2.5: Stabilize and protect Bowling Green's older neighborhoods.

Action LU-2.5.2: Prepare guidelines to ensure the compatibility of infill development, particularly next to historic structures and sites.

Action LU-2.5.3: Continue to identify and promote opportunities for revitalization and redevelopment.

Objective LU-2.8: Continue to apply selected policies established in prior focal plans and overlay districts, in particular those pertaining to the smaller incorporated cities and corridors.

Action LU-2.8.1: Continue to implement the adopted policy plans for Lovers Lane, Cemetery Road, Walnut Valley, the Cedar Ridge Neighborhood and the rural villages of Smiths Grove, Oakland and Woodburn. Any discrepancies between the 2030 Comprehensive Plan Future Land Use Map and the adopted policy plan maps shall follow that of the adopted policy plan (Volume 2 - Appendix 3).

Objective LU-2.9: Identify techniques to protect the County's small municipalities and rural settlements from development that is out-of-character.

Objective LU-2.10: Identify and designate "special character areas" such as scenic roads and viewsheds for protection.

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Transportation

Action TR-1.1: In reviewing development applications, identify the need to retain rights-of-way for roadways depicted in the long-range plans of the MPO and the KYTC.

Action TR-2.1: Continue to require that all private and public development is undertaken in a manner which promotes connectivity and minimizes traffic congestion on the existing road network, by implementing measures such as (but not limited to) the following:

- Adjacent developments shall provide for internal circulation between them in accordance with the subdivision regulations.
- At least one stub street should be constructed into each adjacent undeveloped property of 10 acres or more. The design of future alignment of street extensions onto adjacent tracts should benefit the surrounding community. Subsequent development of these adjacent tracts shall connect to the original stub street.
- Access to existing collector and arterial roads shall be provided by newly constructed public streets spaced not closer than 600 feet on collectors and not closer than 1,320 feet on arterials.
- All residential developments of 10 lots or more shall be served by an interior street system.
- Development within the City limits of Bowling Green shall comply with the City's adopted Traffic Access Management Manual.

Objective TR-3: Pedestrian and Bicycle Mobility: Promote pedestrian and bicycle mobility through an integrated network of sidewalks, paths and trails and through the encouragement of bicycle and pedestrian-friendly streets and land use and development patterns.

Objective TR-4: Transit System: Expand opportunities for transit alternatives to auto-dependence for local, citywide, countywide and regional travel.

Community Facilities

Action CF-1.1: Proactively plan all public facilities to support desired land use patterns. Complete plans within timeframes sufficient to allow strategies for meeting future needs to be implemented before current planned capacities are exceeded.

Action CF-1.4: Consider establishing a process for coordinated development review with utility providers, Planning Commission staff, parks department representatives, school district representatives, postal service representatives, fire and police representatives and other such relevant agencies, to expedite and more effectively coordinate development reviews.

Action CF-2.6: On-site sewage disposal systems may continue to be used provided that:

- The Health Department must perform a site evaluation to determine the location, size and type of on-site system to install.
- The site evaluation must be performed and the on-site disposal system located on the site before obtaining a building permit.
- Every on-site disposal system installation, regardless of lot size, must be approved by the Health Department.

Action CF-5.3: Any new subdivision encompassing 5 lots or more shall be required to provide a minimum fire flow of 250 GPM. An exemption for subdivisions consisting of no more than 4 lots will continue to apply.

Action CF-10.1: Promote technologies that reduce the impact of development and human activities on the environment, including sustainable development patterns, green building (e.g., encourage the use of green technologies in new construction, but also place an emphasis on adaptive reuse of existing buildings, and responsible deconstruction and reuse of building materials), alternative transportation, etc.

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Parks and Recreation

Action PR-1.7: As necessary, review and enhance standards for new residential developments to ensure:

- Connectivity of open spaces to the County's greenways system.
- Protection of stream corridors and floodplains.
- Protection and enhancement of tree canopy.

Action PR-1.8: Adopt conservation/cluster subdivision design provisions to encourage the protection of open space, farmland, and rural character, making this approach an attractive alternative to conventional development in the AG zoning district.

Objective PR-3: Continue to implement the Greenbelt System Master Plan and other programs that support bicycle and pedestrian recreation and mobility.

Action PR-5.2: Provide and encourage appropriate levels of public access and amenities along the County's blueways, where feasible.

Natural and Cultural Resources

Objective NCR-1.1: Review and, as necessary, modify the land development regulations to ensure that land use and development decisions consider the physical suitability and natural resources of individual sites or areas anticipated for development.

Action NCR-1.1.6: Consider amending the Zoning Ordinance and/or Subdivision Regulations to include standards and incentives for the protection of existing trees on infill and redevelopment sites before, during and after land development. The standards should take into account the health and maturity of existing trees to determine whether trees should remain in place, may be removed, or should be relocated (either on- or off-site) upon development.

Objective NCR-1.3: Ensure that development is compatible with the natural environment, preserves unique landscapes and natural areas, conserves environmental resources and minimizes human impact on the natural environment.

Objective NCR-1.4: Take advantage of local natural resources to create, protect, and enhance, and maintain recreational, educational, and cultural opportunities and activities, as long as such uses are compatible with those resources.

Objective NCR-2.1: Gather, analyze and continuously update data about Warren County's unique cultural resources.

Objective NCR-2.2: Support educational efforts to increase awareness of Warren County's cultural resources and to foster their preservation.

Objective NCR-2.4: Implement strategies and tools to preserve and enhance Warren County's rural and agricultural heritage, including its agricultural landscapes and viewsheds, rural village centers, rural landmarks, and scenic rural corridors, etc.

Action NCR-2.4.1: Use the Future Land Use Map, together with the policies in the Land Use, Transportation, and Community Facilities elements, in particular, to direct development first to areas where infrastructure already exists, in order to reduce the premature development pressure on the countryside.

Action NCR-2.4.3: Adjust zoning and subdivision regulations to require development in rural village centers to be compatible in design and placement with existing surrounding structures, and to contribute to the historic character of the community.

Objective NCR-2.5: Promote the economic viability and vitality of historic neighborhoods, historic districts, and rural landscapes, adjusting local government decision-making processes, as necessary, to adequately consider cultural resources and historic preservation.

Action NCR-2.5.3: Consider cultural historical resources in applicable development review.

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Housing and Neighborhoods

Objective HN-1: Promote the development of infill sites with existing urban services and suitable redevelopment projects that maintain or improve existing character, development patterns and urban design.

Action HN-1.2: Establish in the Zoning Ordinance clear compatibility criteria for new redevelopment and infill projects based on factors such as (but not limited to): building scale (massing, height), setbacks, parking location, landscaping and architectural character. Criteria may also include such items as requirements for compatible densities, street patterns, etc. (e.g., average density of new development should not exceed the density by more than 50 percent of the surrounding area, defined as that area located within a 1,000 foot radius).

Action HN-1.3: Continue to identify and promote opportunities for infill and redevelopment, particularly projects which may strengthen existing neighborhoods and districts.

Action HN-2.1: Promote the diversification of new housing stock by applying variable zoning densities and allowing a range of housing types in suitable locations, consistent with the Future Land Use Map. (e.g., mixed-use centers, etc.).

Action HN-2.3: Where housing is in severe disrepair to the point that rehabilitation is financially unfeasible, explore the possibility of acquiring and razing the structure to facilitate developing new housing for low and moderate-income families. In cases of residential structures with historical significance, a higher threshold should apply for determining that rehabilitation is financially unfeasible.

Action HN-3.2: Make revitalization of the "Shake Rag" neighborhood a priority, including housing rehabilitation activities, streetscape improvements, residential infill development, relocation of selected businesses, relocation of overhead utility lines, creation of a "heritage walk" from Fountain Square to the Barren Riverfront, development of minority-owned businesses and identification of historic properties.

Action HN-3.6: Revisit and, as necessary, adjust zoning in neighborhoods which are predominantly single family, but designated for multi-family use. Characteristics of existing zoning designations that may need to be adjusted could include, but are not limited to: (a) failure to protect the primarily single-family neighborhood from more intensive development; and/or (b) failure to promote new residential development that is sensitive in scale, form, and density to the established neighborhood character.

Objective HN-4: Encourage an array of housing options in all parts of Warren County.

Objective HN-6: Provide for the housing needs of the elderly, disabled and those in need of transitional housing.

Economic Development

Objective ED-1: Pursue actions to strengthen core industries, retain existing businesses and industries in the community and attract new businesses and industries, particularly those that will help to diversify the local economy.

Action ED-1.8: Encourage the development and expansion of healthcare facilities and support facilities for those of retirement age.

Objective ED-3: Support local small businesses, entrepreneurial endeavors and industries.

Action ED-4.5: Allow and encourage agri-tourism, farmers' markets, local Co-ops and community supported agriculture (CSAs), farmstands, accessory farm businesses, agricultural festivals, equestrian events and other activities that help to support a viable agriculture economy.

Action ED-9.1: Support new cultural and entertainment venues, such as the development of a whitewater course on the Barren River, and completion of the Heritage Trail (a walking path from Fountain Square to the Riverfront), in Downtown Bowling Green, that complement current establishments such as the minor league baseball stadium, the Southern Kentucky Performing Arts Center and the Historic Railpark and Train Museum.

Action ED-9.3: Consider the need for tourist support facilities (hotels, restaurants, etc.) when making land use and zoning decisions.

Rachel Hurt

From: Rachel Hurt
Sent: Wednesday, April 04, 2018 9:33 AM
To: 'Chris T. Davenport'; 'Kellie A. Harwood'; 'Grant Lewis'; 'Jim Adams';
 [REDACTED]
Cc: Ben Peterson
Subject: Staff Comments: Amend Binding Elements and Zone Change Applications - Nashville Road
Attachments: image002.png

Good Morning,

In reviewing the amendment to the binding elements and rezoning applications for properties located on Nashville Road, staff has generated the following comments for your consideration:

AMEND BINDING ELEMENTS APPLICATION

- On page 2 of the application under “findings required to amend binding elements,” the second box is checked stating that, “there have been physical conditions which would not permit development of the property in question in accordance with the development plan which is being amended.” Can you please cite specific evidence in the box below to address this finding or uncheck this box altogether?
- A portion of the narrative in this box also states that the property will be “utilized in a less intense manner.” With a proposed application to also rezone a portion of the property for industrial use and a proposal to subdivide more lots than would have originally been allowed, staff is unsure if this statement is entirely accurate. Can you please clarify this statement and/or supply additional evidence to address the first finding of fact listed on page 2 of the application?
- In addition to the above-referenced findings, the Planning Commission also has to find that the proposed amendments to the binding elements remain consistent with the adopted comprehensive plan. As you will recall from our pre-application meeting notes, there were several items from the comprehensive plan that were checked on page 1. In order to fully address these items, would you consider incorporating additional binding elements as a part of your application to address the following?
 - o Maximum building height
 - o Building materials
 - o Fencing materials to be utilized for the self-storage facility
 - o Building orientation
 - o Lighting
 - o Underground utilities
 - o Freestanding signage (excluding billboards)
 - o The existing wetland on Lot 7
- Binding element 3 (access to US 31W) states that the property will have no more than two access points to US 31W which shall be “built to subdivision standards for public roads.” It is the understanding of staff that these will be shared points of ingress/egress as delineated on the current plat, but not necessarily public streets. Can you please remove this portion of binding element 3? You might also consider stating that such access points will be reviewed and approved by the Kentucky Transportation Cabinet.

- Binding element 6 addresses prohibited uses for the property, however several of these uses are not permitted in the HB (Highway Business) zone and are only permitted in industrial zones. Would you consider only prohibiting the uses that are permitted in the HB zone? These would include air park (aviation terminal is the modern term referenced in the current zoning ordinance), adult entertainment, tattoo parlor, bingo hall and pawn shop. The remaining uses listed in binding element 6 can be omitted.

REZONING APPLICATION

- The preliminary development plan (site plan) that was submitted with the application depicts only indoor storage. We discussed in the pre-application meeting that the rezoning to LI was necessary in order to accommodate outdoor storage (boats, RVs, trailers, etc.). If the only planned use for the property is indoor storage, the LI zone change is not needed. If outdoor storage is still planned for the facility, can you please revise the preliminary development plan accordingly?
- Similar to the comment above for the application to amend the binding elements, as you will recall from our pre-application meeting notes, there were several items from the comprehensive plan that were checked on page 1. In order to fully address these items, would you consider incorporating additional binding elements as a part of your application to address the following?
 - o Maximum building height
 - o Building materials
 - o Fencing materials to be utilized for the self-storage facility
 - o The existing wetland on Lot 7
- Binding Element 2 addresses signage on the property, but staff is unsure if this is applicable since the portion of the property proposed to be rezoned to LI is located nearly 500 feet off of Nashville Road. It is likely that any type of signage would be constructed closer to Nashville Road and be located on the portion of the property zoned HB (Highway Business). This binding element may be able to be omitted altogether.
- Binding Element 4 addresses prohibited uses for the property, but several of these uses are not permitted in the LI zone according to the zoning ordinance. Similar to the comment above for the application to amend the binding elements, would you consider only prohibiting the uses that are permitted in the LI zone? This would include bingo parlor, pawn shop, tattoo parlor, adult entertainment or any sale, rental or display of pornography or adult books. The remaining uses listed can be omitted, as they are only permitted in the HI (Heavy Industrial) zone.

To ensure timely delivery of meeting materials to our Planning Commissioners, please submit any revisions you may have no later than **Wednesday, April 11th at 12:00 PM**. In the meantime, please let me know if you have any questions or concerns regarding the above comments. I am happy to assist however I can!

Sincerely,

Rachel Hurt
Planner III



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