ZONE CHANGE STAFF REPORT

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

DOCKET/CASE/APPLICATION NUMBER	PROPERTY ADDRESSES/LOCATION
2018-33-Z-CO	**0 Skees Road**
PUBLIC HEARING DATE	PRE-APP DATE
July 5, 2018	**October 13, 2017**
APPLICANTS/PROPERTY OWNERS	PVA PARCEL NUMBER
Skees Development Group, LLC and Skees Development Group, LLC c/o Global com	**031A-09**

BRIEF SUMMARY OF REQUEST: The applicants are proposing to rezone 28.53 +/- acres located on Skees Road from AG (Agriculture) to RS-1C (Single Family Residential) in order to develop the property with a maximum of seventy-six (76) single family residential lots.

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

CURRENT ZONING	PROPOSED ZONING	FUTURE LAND USE	SIZE OF DEVELOPMENT	OTHER INFORMATION
AG	**RS-1C**	**Low Density Residential**	**28.53 +/- Acres**	☒ Development Plan Conditions ☒ General Development Plan ☐ Neighborhood Meeting ☒ Traffic Impact Study (TIS) ☐ Environmental Assessment ☐ Public Comments
CURRENT LAND USE	PROPOSED LAND USE	FLUM AMENDMENT	PROPOSED DENSITY	
Agricultural	**Single Family Residential**	☐ Yes ☒ No	**2.66 du/ac**	

DEVELOPMENT HISTORY: The property has been zoned Agriculture (AG) since zoning was established in Warren County in 1972.

COMPATIBILITY with COMPREHENSIVE PLAN: The property is designated as Low Density Residential on the FLUM. The proposed RS-1C zone is listed as a potentially compatible zone within the Low Density Residential FLUM designation. The Planning Commission should determine if the proposal is compatible with the surrounding area.

COMPATIBILITY with the SURROUNDING DEVELOPMENT: The property is located in the unincorporated area of Warren County near Rich Pond Elementary School, South Warren High School and South Warren Middle School. A site characteristic review indicates that there are generally adequate facilities and infrastructure available to support the proposed development. There is a mature tree line along the western and southern property lines. A wetland touches the northern property line. There is a large sinkhole on the northeast portion of the property. Site design has been addressed in the General Development Plan and development plan conditions, in conjunction with the requirements of the Zoning Ordinance. The proposed zoning map amendment may be appropriate if the Planning Commission deems the proposed development compatible with the surrounding area.

POINTS TO CONSIDER:

- The proposed development is consistent with the FLUM and the Low Density Residential future land use category.
- The proposed development complies with a majority of the site characteristics review criteria.
- The proposed General Development Plan complies with a majority of the review criteria for site design and compatibility and meets the minimum requirements of the Zoning Ordinance.
- If approved, the proposed subdivision will connect with the adjacent Stuart Farm development to the west.

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: Low Density Residential (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-2.1, LU-2.1.1, LU-2.1.4, LU-2.3.1
Transportation: TR-2.1
Community Facilities: N/A
Parks and Recreation: PR-1.7
Natural and Cultural Resources: NCR-1.1, NCR-1.1.6, NCR-1.3, NCR-2.4.1
Housing and Neighborhoods: HN-2.1, HN-4
Economic Development: N/A

The Low Density Residential land use designation comprises areas designated for single family detached development and attached ingle 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. This proposal complies with LU-1.1.1 and LU-1.1.2. The Planning Commission should determine if the proposal is compatible with the area and if it complies with LU-1.1.3.

The proposal may comply with LU-2 and LU-2.1. The Planning Commission should determine if the proposed development is a high quality development that includes design standards tailored to preserve the character of the area.

LU-2.1.1 encourages increased open space standards to ensure that an adequate amount of such space is usable. The RS-1C zone the applicants are requesting requires a minimum of 30% open space. The applicants have stated that the cell phone easement area shall become public green space for a soccer field and/or other recreational area. The Planning Commission should determine compliance with LU-2.1.1.

The proposal complies with LU-2.1.4, PR-1.7 or NCR-1.1.6. The applicant has committed in development plan condition #9 that all healthy trees, having a caliper of 10” or greater, currently located along the southern and western property lines shall be maintained during construction and development on the property.

The Planning Commission should determine compliance with LU-2.3.1 and TR-2.1. The development will be served by internal streets and connect with the adjacent Stuart Farm development, as shown on the attached preliminary development plan. The applicant has agreed to deed to the County access for future road improvements on Skees Road. The Developer and HOA agree to maintain the property until such time the County takes possession and shall install permanent barricades to ensure that no access to Skees Road is allowed.

The proposal does not comply with NCR-1.1 or NCR-1.3, as the applicants have not made provisions regarding the portion of the property containing a wetland.

The proposal may comply with NCR-2.4.1. The property is located in an area where adequate infrastructure is available. The Planning Commission should determine if the proposed development will result in an increased amount of development pressure on the countryside.

The proposal may comply with HN-2.1 and HN-4. The Planning Commission should determine if the location of the planned development is suitable for the proposed housing type, and if the proposed residences are believed to enhance the array of housing options available in the area.

SITE CHARACTERISTICS REVIEW

Layout, lot sizes and setbacks: The development will be served by internal travelways and will be developed as shown on the attached preliminary development plan. Minimum lot size, lot width and setbacks will adhere to the RS-1C development standards.

Transportation Infrastructure: The property has frontage on Skees Road, a County maintained rural local roadway with fifty (50) feet of right-of-way and eleven (11) feet of pavement width. The property will also have access to Nashville Road (US-31W) through the adjacent Stuart Farm development and connect to Round Bale Avenue. The applicant has agreed to deed to the County access for future road improvements on Skees Road. The Developer and HOA agree to maintain the property until such time the County takes possession and shall install permanent barricades to ensure that no access to Skees Road is allowed. These commitments, along with the required improvements on US-31W were at the request of the Kentucky Transportation Cabinet and Warren County Public Works Department and were made in lieu of completing a Traffic Impact Study for the proposed and adjacent development.

Fire protection: This development is served by the Woodburn Volunteer Fire Department.

Water adequacy: This development is served by Warren County Water District (WCWD) and does not currently have adequate water flow to meet the fire protection requirements of Warren County. If approved, necessary improvements will be made to meet the requirements of the Warren County Fire Protection Ordinance.

Wastewater adequacy: With the development of the adjacent Stuart Farms subdivision, sewer is within 2,000 feet of the property. If approved, the property will be served by sewer.

Natural features: The property contains a mature treeline along the western and southern property lines. There is also a large sinkhole on the northeast portion of the property. The applicant has stated in development plan condition #9 that all healthy trees, having a caliper of 10” or greater, currently located along the southern and western property lines shall be maintained during construction and development on the property.

Prime farmland: The property is designated as prime farmland.

Soil suitability: N/A

Flood plains and wetlands: A portion of the property contains a wetland.

Cultural or historical features: There are no known cultural or historical features located on the property.

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

SITE DESIGN and COMPATABILITY REVIEW

Surrounding density: Please see the attached density map. Densities in the area range between 0.09 du/ac and 5.94 du/ac. Construction of the adjacent Stuart Farms subdivision is underway, and the density for the single family residential portion is 2.92 du/ac. The density of the proposed development is 2.66 du/ac.

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 are a few industrial uses nearby. Buchanon

Park, Rich Pond Elementary School and South Warren Middle and High schools are located near the property. There are also some vacant tracts in the general vicinity.

Surrounding architectural features: There is a mixture of one- and two-homes in the area. There are a few agricultural buildings taller than one and two stories in the area.

Building materials review: The adjacent Stuart Farms development will be 85% modern materials. The homes on Skees Road are a mixture of brick and vinyl. The applicants stated in their development plan conditions that all homes will be 85% brick, stone, dryvit, cement based siding, wood siding, man-made stone, or other modern masonry material.

Building orientation: Staff suggests that all homes face the internal streets.

Landscaping and screening: N/A

Proposed open space: The maximum allowable lot coverage in the RS-1C zone is 70%, meaning a minimum of 30% will be open space. The applicant has stated in development plan condition #10 that there shall be an adequate amount of usable open space on the property pursuant to the FOCUS 2030 Comprehensive Plan. The Developer and Cell Phone Tower Company agree that the Cell Phone easement area shall become public green space for soccer field and/or other recreational area.

Connectivity: The development will connect to Round Bale Avenue in the Stuart Farms subdivision, as shown on the preliminary development plan.

Pedestrian, bicycle or transit facilities: Sidewalks will be required within the development.

AREA SPECIFIC POLICY REVIEW

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

GENERAL DEVELOPMENT PLAN / DEVELOPMENT PLAN CONDITIONS

The applicants have submitted the following Development Plan Conditions to help address compatibility with the surrounding area:

1) The maximum number of lots shall be 76.
2) Each residence will have a minimum of 1 car attached garage with a 16 foot wide driveway.
3) The Developer agrees to construct turn lane(s) on US 31-W as required by the Kentucky Transportation Cabinet.
4) Each single story residence shall have a minimum of 1,400 square feet of heated living space, above grade. Each 1 and ½ story and 2 story home shall have a minimum of 1,400 square feet of heated living space on the first floor (above grade) and a minimum of 400 square feet of heated living space on the second story.
5) Exteriors of all structures shall consist of a minimum of 85% brick, stone, dryvit, cement based siding, wood siding, man-made stone, or other modern masonry material. All accessory or detached structures shall complement the material used in the primary structure. All structures and plot plans shall be approved by the developer or its assigns. Vinyl material is permitted in soffits and undersides of porches. Plain-faced block shall be prohibited as a visible finished foundation material.
6) All utilities constructed shall be underground.

7) Uniform metal or fiberglass composite streetlights shall be installed throughout the property by the developer.

8) Skees Road improvements: The Developer will Deed to the County access for future road improvements. The Developer and HOA agree to maintain the property until such time the County takes possession and shall install permanent barricades to ensure no access to Skees Road.

9) All healthy trees, having a caliper of 10" or greater, currently located along the southern and western property lines shall be maintained during construction and development on the property.

10) There shall be an adequate amount of usable open space on the property pursuant to the FOCUS 2030 Comprehensive Plan. The Developer and Cell Phone Tower Company agree that the Cell Phone easement area shall become public green space for soccer field and/or other recreational area.

11) Development Plan Conditions 2, 4, 5 and 11 shall remain development plan conditions only until a subdivision plat or a separate Declaration of Restrictions is recorded with respect to the Property after which they shall no longer be development plan conditions.

The proposed General Development Plan meets a majority of the review criteria for site design. Compatibility of the proposed development should be determined by the Planning Commission. The application will be subject to further review for compliance with Zoning Ordinance requirements at the building permit portion of the review process, if approved.

STAFF REVIEW SUMMARY

The proposed RS-1C zoning may be appropriate, given the Low Density Residential FLUM designation and category description. The applicants are requesting to develop the property with a maximum of 76 single family residential lots. The proposal complies with the majority of the criteria assessed in the review process. The Planning Commission should determine if the proposal is compatible with the area.

Zone Change Staff Report

SUGGESTED MOTIONS

I make the motion to **APPROVE** the proposed Zoning Map Amendment, together with and conditioned upon the General Development Plan, docket number **2018-33-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:

Choose all that apply:

☐ **LU-1.1.1**	☐ **PR-1.7**
☐ **LU-1.1.2**	
☐ **LU-1.1.3***	☐ **NCR-1.1.6**
☐ **LU-2***	☐ **NCR-2.4.1***
☐ **LU-2.1***	
☐ **LU-2.1.1***	☐ **HN-2.1***
☐ **LU-2.1.4**	☐ **HN-4***
☐ **LU-2.3.1***	
☐ **TR-2.1***	

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.

I make the motion to **DENY** the proposed Zoning Map Amendment, docket number **2018-33-Z-CO**.

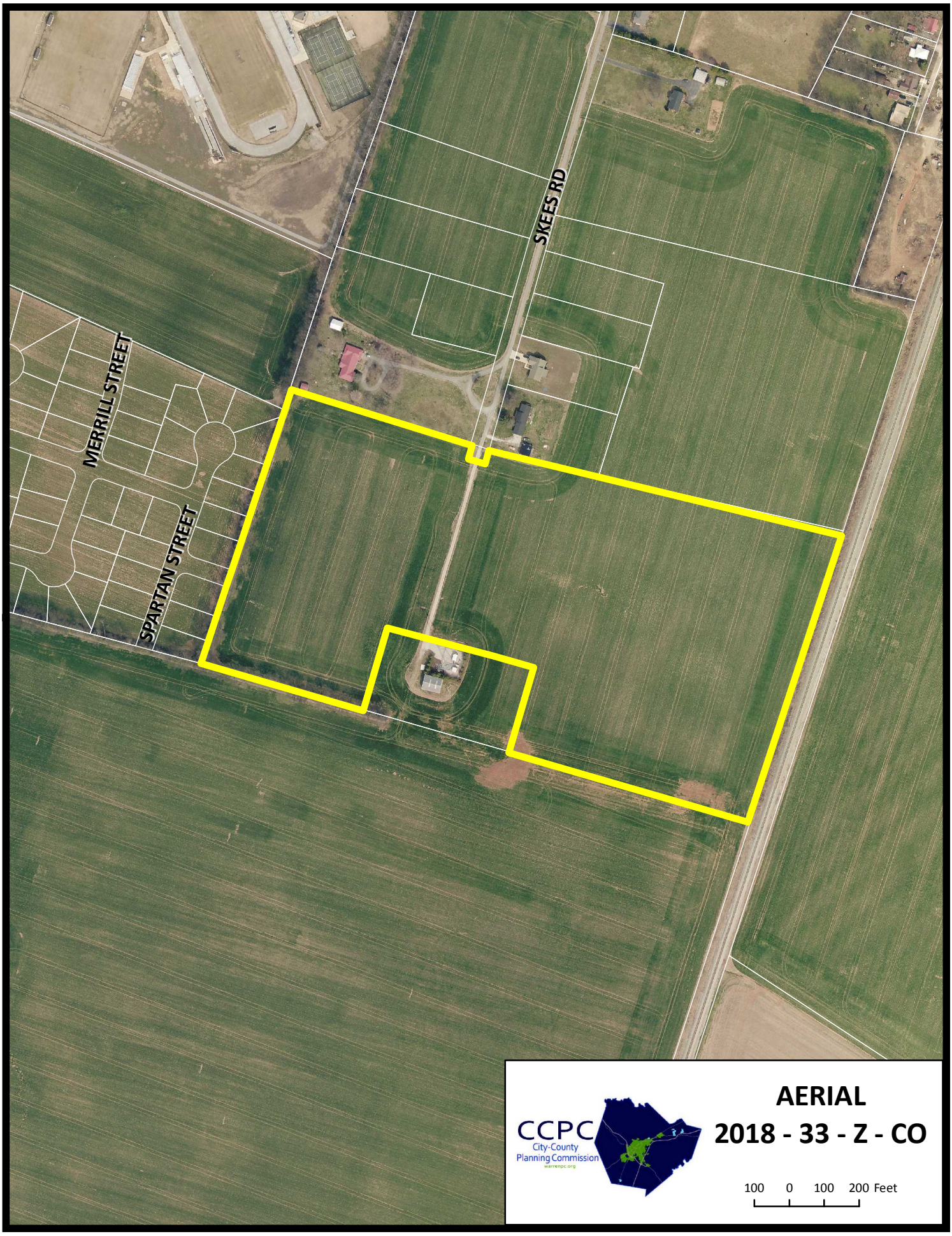
Based upon the testimony and documents presented in this public hearing, the proposed Zoning Map Amendment is **not** consistent with the adopted FOCUS 2030 Comprehensive Plan as demonstrated by its non-compliance with the following objectives and action items:

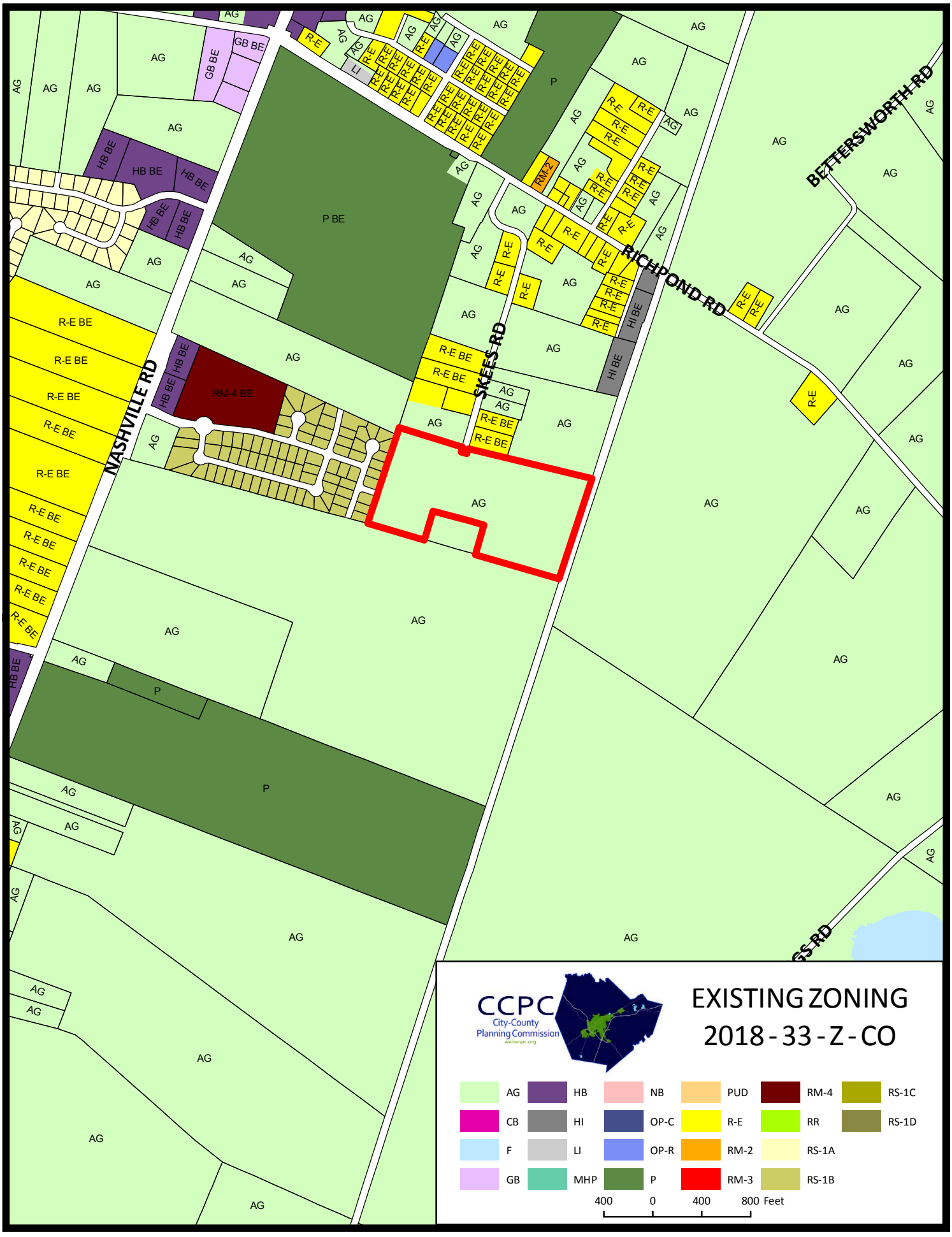
Choose all that apply:

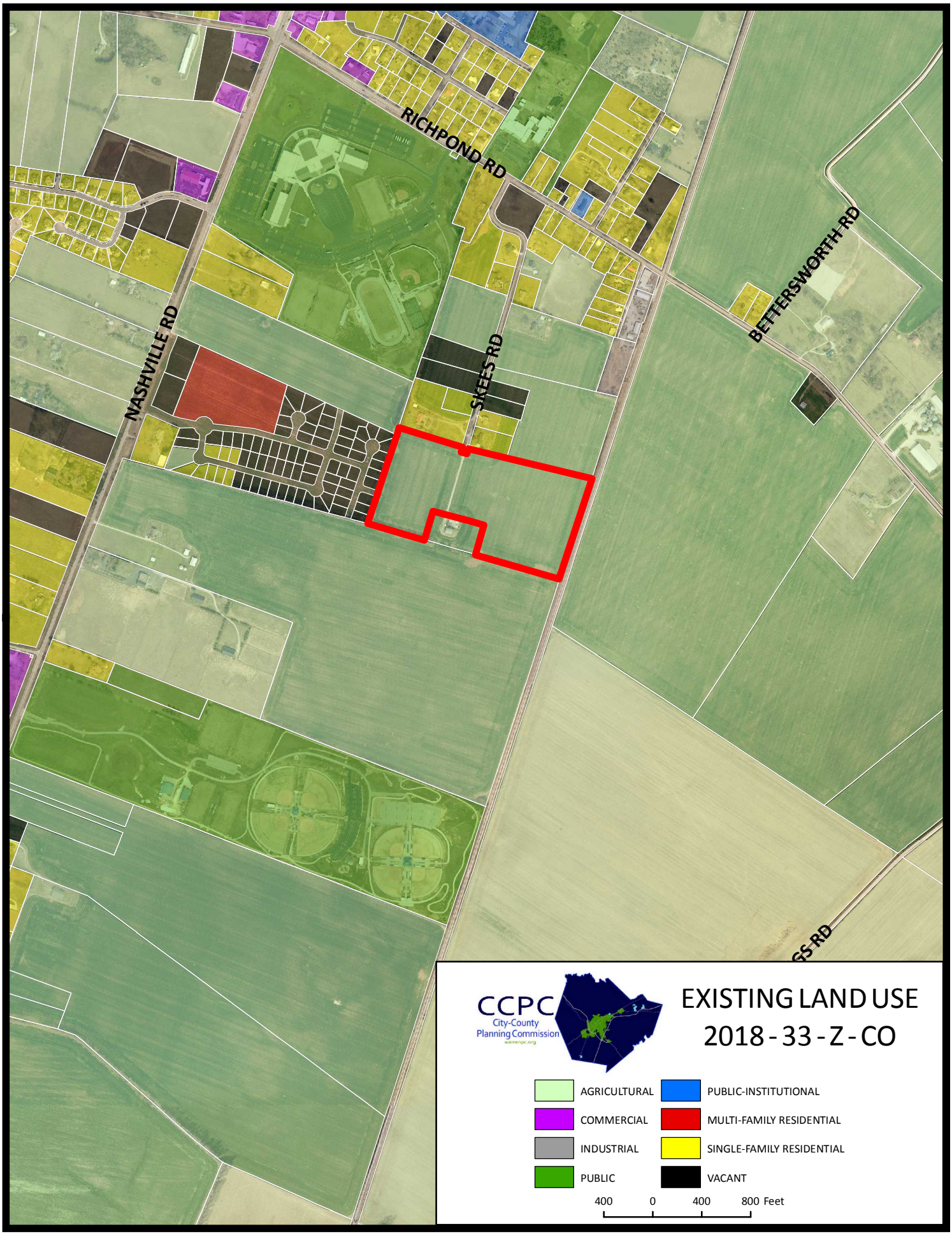
☐ **LU-1.1.3***	☐ **NCR-1.1**
☐ **LU-2***	☐ **NCR-1.3**
☐ **LU-2.1***	☐ **NCR-2.4.1***
☐ **LU-2.1.1***	
☐ **LU-2.3.1***	☐ **HN-2.1***
	☐ **HN-4***
☐ **TR-2.1***	

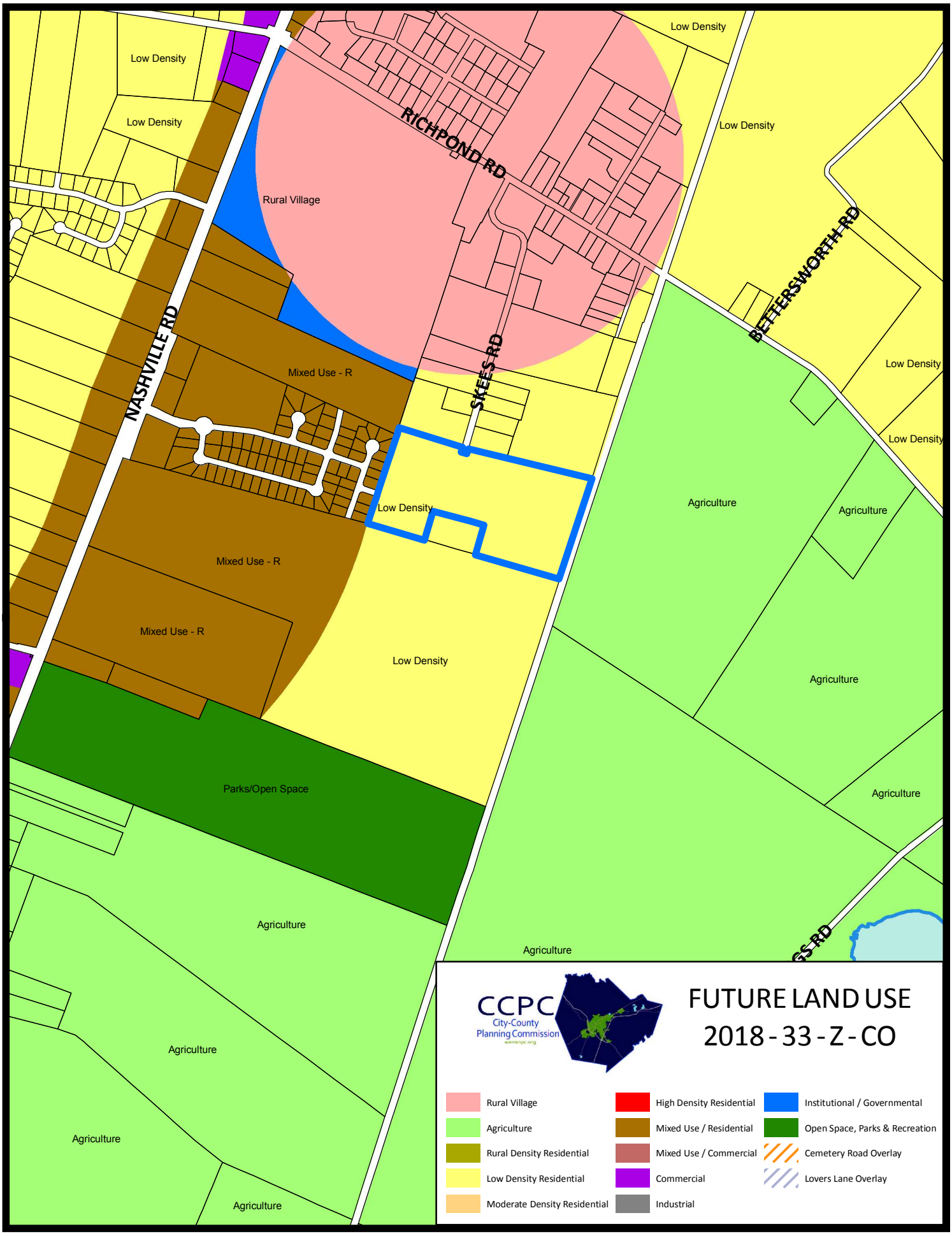
Therefore, the proposed Zoning Map Amendment is **not** in agreement with the adopted Comprehensive Plan. Further, I request that this motion include the summary of evidence and testimony presented by the witnesses at this public hearing.

**Denotes items in both the APPROVE and DENY motions. The Planning Commission should determine compliance with these items.*


SKEES RD
MERRILL STREET
SPARTAN STREET
CCPC
City-County
Planning Commission
warrenpc.org
AERIAL
2018 - 33 - Z - CO
100 0 100 200 Feet


EXISTING ZONING
2018 - 33 - Z - CO
CCPC
City-County
Planning Commission
AG
CB
F
GB
HB
HI
LI
MHP
NB
OP-C
OP-R
P
PUD
R-E
RM-2
RM-3
RM-4
RR
RS-1A
RS-1B
RS-1C
RS-1D
400 0 400 800 Feet
NASHVILLE RD
SKEES RD
RICHPOND RD
BETTERSWORTH RD
P BE
RM-4 BE
R-E BE
HB BE
GB BE
HI BE
RM-2


RICHPOND RD
NASHVILLE RD
SKEES RD
BETTERSWORTH RD
GS RD
CCPC
City-County
Planning Commission
EXISTING LAND USE
2018 - 33 - Z - CO
AGRICULTURAL
COMMERCIAL
INDUSTRIAL
PUBLIC
PUBLIC-INSTITUTIONAL
MULTI-FAMILY RESIDENTIAL
SINGLE-FAMILY RESIDENTIAL
VACANT
400 0 400 800 Feet


Low Density
Low Density
Low Density
Low Density
RICHPOND RD
Rural Village
BETTERSWORTH RD
NASHVILLE RD
SKEES RD
Mixed Use - R
Low Density
Low Density
Low Density
Agriculture
Agriculture
Mixed Use - R
Mixed Use - R
Low Density
Agriculture
Agriculture
Parks/Open Space
Agriculture
Agriculture
Agriculture
Agriculture
Agriculture
GS RD
CCPC
City-County
Planning Commission
FUTURE LAND USE
2018 - 33 - Z - CO
Rural Village
Agriculture
Rural Density Residential
Low Density Residential
Moderate Density Residential
High Density Residential
Mixed Use / Residential
Mixed Use / Commercial
Commercial
Industrial
Institutional / Governmental
Open Space, Parks & Recreation
Cemetery Road Overlay
Lovers Lane Overlay

DENSITY MAP
2018 - 33 - Z - CO

WILLIAM N. WILSON
(EXCLUDING GB PROPERTIES)
OF LOTS: 6
SUM ACREAGE: 68.06
MEAN ACREAGE: 11.34
DENSITY: 0.09 UNITS/ACRE

IDLE ACRES
(EXCLUDING NON-RESIDENTIAL)
OF UNITS: 53
SUM ACREAGE: 33.41
DENSITY: 1.59 UNITS/ACRE

W. R. HINES
(EXCLUDING CHURCH)
OF LOTS: 6
SUM ACREAGE: 12.49
MEAN ACREAGE: 2.08
DENSITY: 0.48 UNITS/ACRE

RECENT ZONE CHANGE
OF LOTS: 112 (PER B. E.'S)
SUM ACREAGE: 30.01
MEAN ACREAGE: 0.27
DENSITY: 3.73 UNITS/ACRE

PROPOSED ZONE CHANGE
(NOT FINAL)
OF LOTS: 32 (PER PROPOSED B. E.'S)
SUM ACREAGE: 5.39
DENSITY: 5.94 UNITS/ACRE

ALBERT & MARY SKEES
OF LOTS: 4
SUM ACREAGE: 9.72
MEAN ACREAGE: 2.43
DENSITY: 0.41 UNITS/ACRE

SOUTH GLEN GABLES
(RESIDENTIAL SECTION)
OF LOTS: 260 (PER BE'S)
SUM ACREAGE: 114.72
MEAN ACREAGE: 0.44
DENSITY: 2.27 UNITS/ACRE

PROPOSED ZONE CHANGE

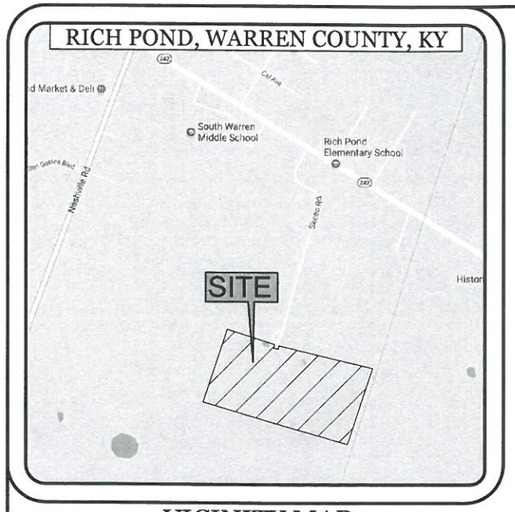
STUART FARMS
OF UNITS: 208 (PER B. E.'S)
SUM ACREAGE: 36.91
DEMSITY: 5.64 UNITS/ACRE

LILLIAN FIELDS
OF LOTS: 18
SUM ACREAGE: 53.76
MEAN ACREAGE: 2.99
DENSITY: 0.33 UNITS/ACRE

AARON RD
FULLER DR
BRAD AVE
CAL AVE
RICHPOND RD
HALSELL ST
RICHPOND-ROCKFIELD RD
NASHVILLE RD
SKEES RD
GABLE RIDGE LANE
SUNBURST DRIVE
STUART FARM AVENUE
MERRILL CIRCLE
WREN RD
SOUTH MCELWAIN RD
THREE SPRINGS RD

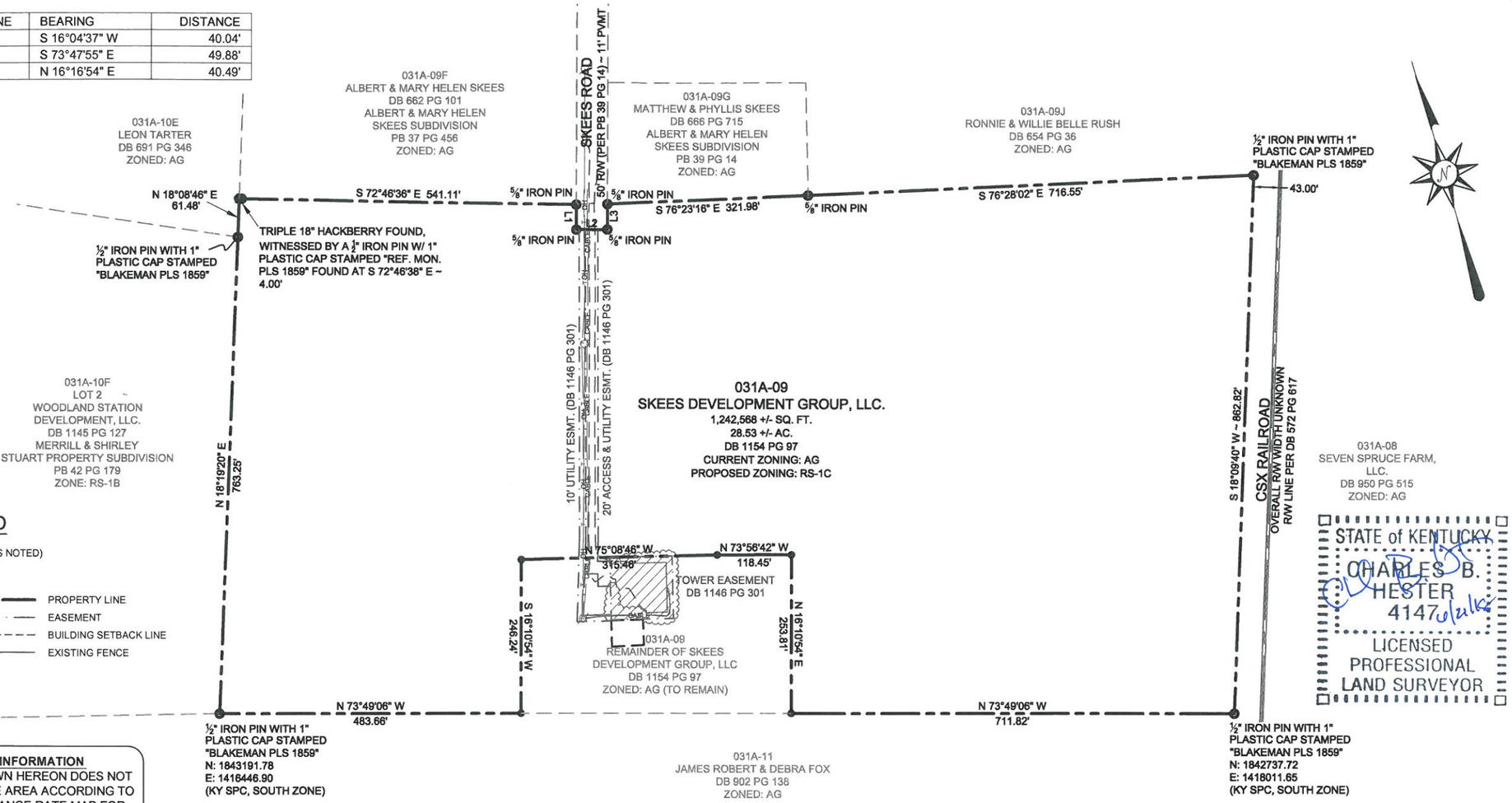
The information on this map is generated from a parcel layer that is based on platted subdivision information. The acreages on this map may not match neither the PVA nor the recorded plats.

The user understands that the entities which comprise the City - County Planning Commission of Warren County make no representations to the accuracy of the information in the mapping data or images contained on this map, but rather, provide said information as is. The user knowingly waives any and all claims for damages against any and all of the entities comprising the City-County Planning Commission of Warren County that might arise from the mapping data. This is not a legal document!



VICINITY MAP
(N.T.S.)

LINE	BEARING	DISTANCE
L1	S 16°04'37" W	40.04'
L2	S 73°47'55" E	49.88'
L3	N 16°16'54" E	40.49'



CLASS "A" SURVEY

URBAN OR SUBURBAN
DATE OF FIELD SURVEY
OCTOBER 2, 2017

TOTAL AREA OF SURVEY

1,242,568 +/- SQ. FT.
28.53 +/- ACRES

PARCEL OWNER, ADDRESS & SOURCE OF TITLE

SKEES DEVELOPMENT GROUP, LLC
1550 WESTEN STREET
BOWLING GREEN, KY 42104
DEED BOOK 1154 PAGE 97

LEGEND

- ○ IRON PIN FOUND (AS NOTED)
- ● IRON PIN SET
- PROPERTY LINE
- EASEMENT
- BUILDING SETBACK LINE
- x x EXISTING FENCE

FLOODPLAIN INFORMATION

THE PROPERTY SHOWN HEREON DOES NOT LIE IN A FLOOD PRONE AREA ACCORDING TO (FIRM) FLOOD INSURANCE RATE MAP FOR WARREN COUNTY, KENTUCKY. SAID AREA IS SHOWN ON MAP # 21227C0295E WITH AN EFFECTIVE DATE OF MAY 2, 2007.

GENERAL NOTES

1. THE LOCATION OF ALL UTILITIES SHOWN HEREON ARE BASED ON THE FIELD LOCATION OF FOUND VISIBLE STRUCTURES OR AS FLAGGED OR MARKED BY THEIR RESPECTIVE UTILITY COMPANIES. THERE MAY BE OTHER UNDERGROUND UTILITIES LOCATED ON THE PROPERTY SHOWN HEREON. NO GUARANTEE IS EXPRESSED OR IMPLIED TO THE ACTUAL LOCATION OF SAID UTILITIES.

2. THE PROPERTY SHOWN HEREON IS SUBJECT TO: ANY AND ALL LEGAL EASEMENTS AND RIGHT-OF-WAYS RECORDED AND UNRECORDED, INCLUDING BUT NOT LIMITED TO THOSE SHOWN HEREON; ANY AND ALL FACTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH

3. A BOUNDARY SURVEY DOES NOT DETERMINE LAND OWNERSHIP, A PROFESSIONAL LAND SURVEYOR ONLY PROVIDES AN OPINION OF PREVIOUSLY DESCRIBED BOUNDARY LINES WHICH MAY OR MAY NOT BE UPHELD BY A COURT OF LAW. UNWRITTEN RIGHTS MAY OR MAY NOT EXIST ON SUBJECT PROPERTY

4. THE PROPERTY SHOWN HEREON IS SUBJECT TO ANY AND ALL LEGAL EASEMENTS AND RIGHT-OF-WAYS RECORDED AND UNRECORDED, INCLUDING BUT NOT LIMITED TO THOSE SHOWN HEREON.

5. ALL IRON PINS SET ARE 1/2" X 18" PINS SET WITH 1" YELLOW PLASTIC CAP STAMPED "B. HESTER PLS 4147" UNLESS OTHERWISE NOTED

6. THE DATUM FOR THIS SURVEY IS GRID NORTH AS ESTABLISHED BY KENTUCKY STATE PLANE COORDINATES, SOUTH ZONE 1602. THE VERTICAL DATUM FOR THIS SURVEY IS NAVD 88 AS OBTAINED FROM STATIC OPUS OBSERVATION.

SURVEYOR'S CERTIFICATE

I DO HEREBY CERTIFY THAT THE URBAN SURVEY SHOWN HEREON WAS PERFORMED UNDER MY DIRECTION USING APPROPRIATE G.P.S. METHODS FOR MEASURING RECOVERED MONUMENTS AND ESTABLISHING SURVEY CONTROL AND/OR BY THE METHOD OF RANDOM TRAVERSE. CONVENTIONAL METHODS OF REDUNDANCY WERE EMPLOYED TO ENSURE THE QUALITY OF THE GPS DATA. THE UNADJUSTED MATHEMATICAL ERROR OF CLOSURE OF THE TRAVERSE AND THE THEORETICAL UNCERTAINTY OF THE CORNERS ESTABLISHED EXCEED THE SPECIFIED TOLERANCES SET FORTH BY THE COMMONWEALTH OF KENTUCKY, STANDARDS OF PRACTICE FOR PROFESSIONAL LAND SURVEYORS FOR A SURVEY OF THIS CLASS IN 201 KAR 18:150 . THE BEARINGS AND DISTANCES SHOWN HEREON HAVE NOT BEEN ADJUSTED FOR CLOSURE AND ARE BASED ON GRID NORTH AS ESTABLISHED BY KY STATE PLANE COORDINATES (SOUTH ZONE 1602, GEOID 12), TAKEN FROM STATIC GPS OBSERVATION.

C B. Hester DATE 6/21/18
CHARLES B. HESTER PLS 4147

0' 200' 400' 600'
GRAPHIC SCALE: 1" = 200'

PROJECT/CLIENT:

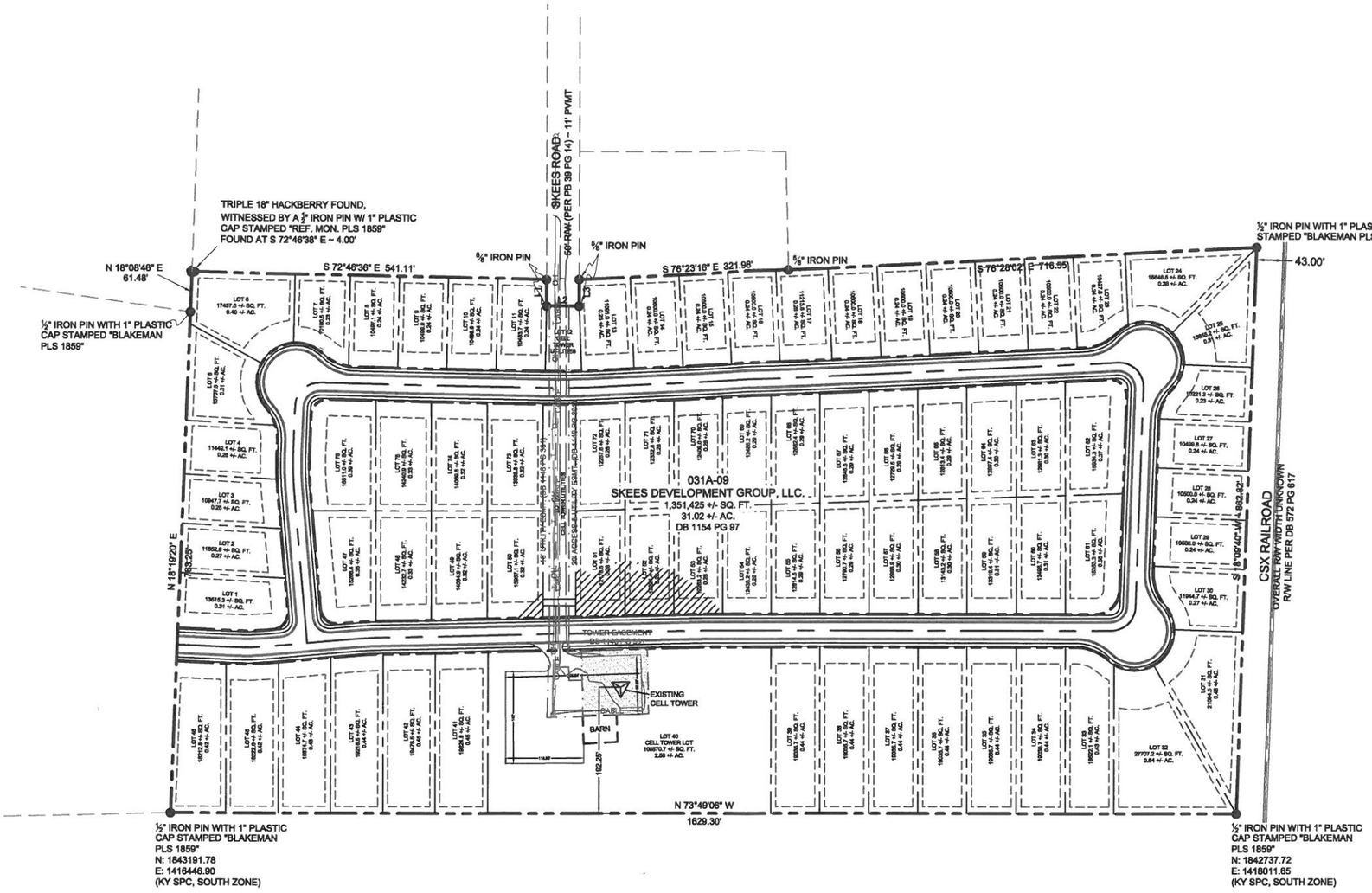
REZONING EXHIBIT
OF THE
SKEES DEVELOPMENT GROUP, LLC PROPERTY

SKEES DEVELOPMENT GROUP, LLC
1550 WESTEN STREET
BOWLING GREEN, KY 42104

DRAWN BY: J. HOGUE	DATE: 6-6-2018	SCALE: 1" = 200'
CHECKED BY: B. HESTER	PROJECT NUMBER:	

PREPARED BY:

ARNOLD CONSULTING ENGINEERING SERVICES, INC.
P.O. BOX 1338 BOWLING GREEN, KY 42101
PHONE (270) 780-9445



NOTE: NOT A BOUNDARY SURVEY

0 50' 100' 200' 300'

FULL SIZE - SCALE: 1" = 100'
HALF SIZE - SCALE: 1" = 200'

REVISIONS

SKEES SUBDIVISION
NASHVILLE ROAD
BOWLING GREEN, KY

ACES
ARNOLD CONSULTING ENGINEERING SERVICES, INC.
P.O. BOX 12328
BOWLING GREEN, KY 42101
PHONE (270) 780-9445

JOB NUMBER: N/A
DATE: 4-19-18
SCALE: 1" = 100'
DRAWN: B. HESTER
CHECKED: N/A
FILE PATH:

C1
CONCEPTUAL LAYOUT

CCPC
City-County Planning Commission
warrenpc.org

APPLICATION FOR ZONING MAP AMENDMENT

Docket Number: 2018-33-Z-CO **Public Hearing Date:** 7/5/18

Date Application Filed: 6/11/18 **Pre-Application Meeting Date:** 10/13/17

APPLICANT(S) INFORMATION

1) **APPLICANT(S) NAME(S):** SKEES DEVELOPMENT GROUP, LLC.

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

Mailing Address: [redacted]

Phone Number:

Cell Number:

E-Mail Address:

2) **PROPERTY OWNER(S) NAME(S):** SKEES DEVELOPMENT GROUP, LLC.

Mailing Address: [redacted]

Phone Number:

Cell Number:

E-Mail Address:

PLEASE USE ADDITIONAL PAGES IF NEEDED

3) **APPLICANT(S) ATTORNEY:**

Name of Law Firm:

Phone Number: Cell Number:

E-Mail Address:

PROPERTY AND PROPOSED DEVELOPMENT INFORMATION

Property Address: SKEES RD

PVA Parcel Number: 031A-09 Acreage: 31.02 +/- AC

Current Zoning: AG Proposed Zoning: RS-1C

FLUM Designation: LOW DENSITY

PROJECT SUMMARY

Please describe the proposed use of the property

It is the applicant's intent to develop a residential subdivision on the subject property.

FINDINGS REQUIRED FOR ZONE CHANGE

In order for the Planning Commission to make a recommendation for a zoning map amendment, it must make findings of fact in support of its recommendation. Please provide a detailed explanation as to:

☐ What major economic, physical or social changes, if any, have occurred in the vicinity of the property in question that were not anticipated by the Comprehensive Plan and which have substantially altered the basic character of the area, which make the proposed amendment to the Official Zoning Map appropriate. This explanation shall contain a list of such specific changes, a description as to how said changes were not anticipated by the comprehensive plan, a description as to how said changes have altered the basic character of the area and a description as to how said changes make the proposed amendment to the official zoning map appropriate; or

☑ Why the original zoning classification of the property in question is inappropriate or improper; or

☐ How the proposed zoning map amendment is in agreement with the FOCUS 2030 Comprehensive Plan, Including the Future Land Use Map (Please see attached Comprehensive Plan Compliance Checklist).

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 current zoning of the subject property as AG which does not allow for residential lots under 5.00 acres, therefore, it is the applicant's intent to rezone the subject property to RS-1C.

APPLICATION CHECKLIST

- [x] A completed and signed Application
- [x] Plat prepared by a licensed surveyor (please include one (1) 11" x 17" or smaller copy)
- [x] Adjacent Property Owners Form
- [x] General Development Plan (please include one (1) 11" x 17" or smaller copy)
- [x] Binding Elements, signed and notarized
- [x] Written Narrative Detailing Compliance with Findings Required for Zone Change on Page 2
- [x] Filing and Recording Fees
- [ ] Water/Sewer Verification
- [ ] Traffic Impact Study (If Applicable)
- [ ] Geologic Analysis (Heavy Industrial development with a DRASTIC Index > 160)
- [ ] Neighborhood Meeting Date (If Conducted): _____

APPLICANT'S CERTIFICATION

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) Luke Wilson _____ 10/11/18

_____
(please print name and title)

2) _____ _____

_____
(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. Please use additional signature pages, if needed.

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

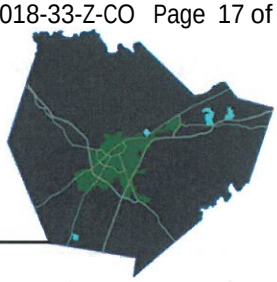
Application Fee: _____ Land Use Certificate Fee: _____

Recording Fee: _____ Date Fees Received: _____

Pre-Application Conference Information

Date: 10/13/2017

CCPC
City-County Planning Commission
warrenpc.org



PROPERTY INFORMATION

Attendees: Luke Williams, Brian Shirley

Property Location: 608 Skees Road PVA Parcel #(s): 031A-09

Property Owner(s): Skees Development Group LLC Contract Vendee(s): _____

Current Zoning: AG Proposed Zoning: RS-1C

Current Land Use: Agriculture Proposed Land Use: Single Family Residential

APPLICATION TYPE

- [x] Zoning Map Amendment
- [ ] FLUM Amendment to: _____
- [ ] Development Plan/ Development Plan Conditions Amendment
- [ ] Conditional Use Permit
- [x] Variance – Cell Tower
- [ ] Other _____

ADDITIONAL DOCUMENTATION REQUIRED

- [x] Traffic Impact Study
- [x] Development Plan Conditions
- [x] General Development Plan
- [ ] Water / Sewer Verification
- [ ] Geologic Analysis
- [ ] Other _____

COMPREHENSIVE PLAN / FLUM COMPLIANCE REVIEW

(FLUM and Category Descriptions are Attached)

FLUM Designation

- [ ] Agriculture
- [ ] Moderate Density Residential
- [ ] Mixed-Use / Commercial
- [ ] Institutional / Governmental
- [ ] Special Focal Point Plan / FLUM
- [ ] Rural Density Residential
- [ ] High Density Residential
- [ ] Commercial
- [ ] Open Space, Parks & Recreation
- [x] Low Density Residential
- [ ] Mixed-Use / Residential
- [ ] Industrial
- [ ] Rural Village

Applicable Goals, Objectives and Action Items

Future Land Use

- [x] LU-1.1.1
- [x] LU-1.1.2
- [x] LU-1.1.3
- [ ] LU-1.1.4
- [x] LU-2
- [x] LU-2.1
- [x] LU-2.1.1
- [ ] LU-2.1.2
- [x] LU-2.1.3
- [x] LU-2.1.4
- [x] LU-2.3.1
- [ ] LU-2.3.4
- [ ] LU-2.4
- [ ] LU-2.5
- [ ] LU-2.5.2
- [ ] LU-2.5.3
- [ ] LU-2.8
- [ ] LU-2.8.1
- [ ] LU-2.9
- [ ] LU-2.10

Transportation

- [ ] TR-1.1
- [x] 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

- [x] PR-1.7
- [ ] PR-1.8
- [ ] PR-3
- [ ] PR-5.2

Natural and Cultural Resources

- [x] NCR-1.1
- [x] NCR-1.1.6
- [ ] NCR-1.3
- [ ] NCR-1.4
- [ ] NCR-2.1
- [ ] NCR-2.2
- [ ] NCR-2.4
- [x] NCR-2.4.1
- [ ] NCR-2.4.3
- [ ] NCR-2.5
- [ ] NCR-2.5.3

Housing and Neighborhoods

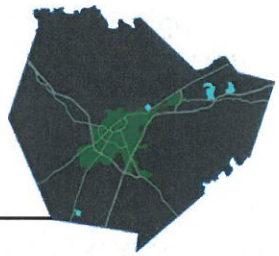
- [ ] HN-1
- [ ] HN-1.2
- [ ] HN-1.3
- [x] HN-2.1
- [ ] HN-2.3
- [ ] HN-3.2
- [ ] HN-3.6
- [x] HN-4
- [ ] HN-6

Economic Development

- [ ] ED-1
- [ ] ED-1.8
- [ ] ED-3
- [ ] ED-4.5
- [ ] ED-9.1
- [ ] ED-9.3

Pre-Application Conference Information

CCPC
City-County Planning Commission
warrenpc.org



SITE CHARACTERISTICS REVIEW

Layout, Lot Sizes and Setbacks

☐ Internal Street(s): yes
☐ Minimum Lot Size: 8,000 SF
☐ Proposed Setbacks: 25' Front, 10' Rear, 7½' Side
☐ Minimum Lot Width: 60'

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? 24'

Fire Protection / Water Adequacy

If approved, a new water line or upgrades to existing to meet minimum standards will be required.

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
↳ with development of Stuart Farms Subdivision.

Natural Features

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

mature treeline along western and southern (portion) property lines. Wetland clips the property on northern property line. Sinkhole (16+/- acres) on northeast portion of property.

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

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.)?

none

Pre-Application Conference Information

CCPC
City-County Planning Commission
warrenpc.org

SITE DESIGN AND COMPATIBILITY REVIEW

Surrounding Density: (RM-4 is 13.4 du/ac, RS-1B is 2.92 du/ac) → Adj. Stuart Farms overall area 0.09 to 5.04 du/ac ~~decreasing~~

Surrounding Land Uses: Agriculture, Single Family and Vacant

Surrounding Arch. Features: ~~Surrounding Architectural Features~~: Building Materials: Adj. Stuart Farms 88% mod. materials. Homes on Skees Road mixture of Brick and Vinyl

~~Building Materials~~: Mix of one and two story homes. A few taller agricultural buildings also in area.

Building Orientation: Should face primary roadway.

Landscaping / Screening: n/a

Proposed Open Space: Minimum 30% in RS-1C

Connectivity: to adjoining stub streets (Round Bale Avenue and Skees Rd)

Pedestrian, Bicycle or Transit Facilities: Sidewalks within development

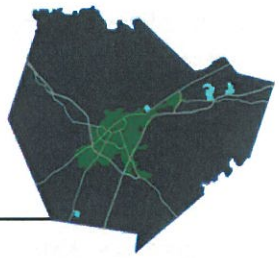
AREA SPECIFIC POLICY REVIEW ☐ YES ☒ NO

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

- ☐ Cemetery Road Overlay District
- ☐ Lovers Lane Overlay District
- ☐ Scottsville Road Corridor Study Area
- ☐ Woodburn Focal Point Plan
- ☐ Walnut Valley Focal Point Plan
- ☐ Cedar Ridge Focal Point Plan
- ☐ Smiths Grove Focal Point Plan
- ☐ Oakland Focal Point Plan

STAFF NOTES

- Would like to rezone AG to RS-1C
- TIS required (or waived in lieu of improvements)
- DPCs similar to Stuart Farms?
- Existing cell tower may be expanded in ↑ in future. If homes already existing, variance would be required.
- connect to existing stub streets (Stuart Farms / Skees Road)



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.

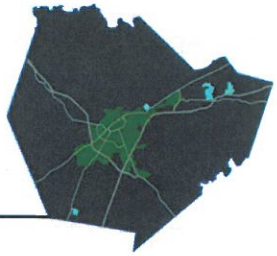
While the presence of R-E zoned land is acknowledged, and in some small areas, this zoning may even be prevalent, a new "conservation development alternative" to development under conventional AG or R-E zoning, will become available to landowners. Conservation development is an approach to the design 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

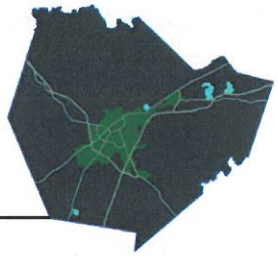
This category applies to mixed-use areas where, taken as a whole, the primary land use is residential in a variety of housing types and densities, balanced by complementary retail, office, institutional and civic uses. The distribution of land among these various activities shall be implemented through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



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 polies 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 ai	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.

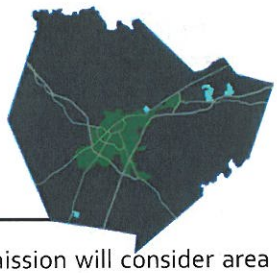
Action LU-1.1.3: Requested re-zonings (zone changes) shall be reviewed for consistency with the FLUM and the Development Review Provisions listed below.

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, CF1.4)
  - 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)



- ❖ 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

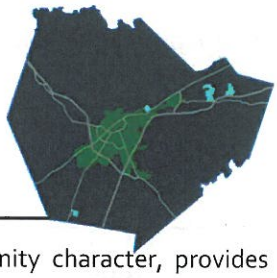
The following types of re-zoning requests shall not require FLUM amendment prior to consideration for approval:

- o Emergency situations requiring immediate actions to protect public health, safety and welfare (e.g., providing temporary housing for those displaced by a natural disaster) .
- o Corrections of zoning map errors
- o 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.
- o 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.
- o 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:

- o 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).
- o The request is a correction of inconsistencies or mapping errors contained within the FLUM.
- o 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).



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.

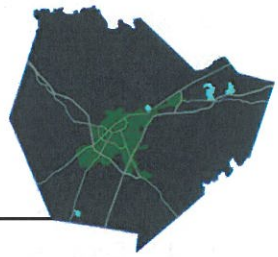
Action LU-2.5.3: Continue to identify and promote opportunities for revitalization and redevelopment.

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.



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.

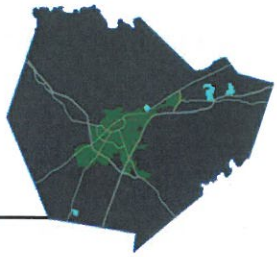
Action CF-1.4: Consider establishing a process for coordinated development review with utility providers, Planning Commission staff, parks department representatives, school district representatives, postal service representatives, fire and police representatives and other such relevant agencies, to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



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.

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, June 20, 2018 10:35 AM
To: 'Luke Williams'; 'Brian Shirley'
Cc: 'Plunk, Joseph D (KYTC-D03)'; 'Payton, Sarah B (KYTC-D03)'; 'Moore, Josh (WARCO)'; Ben Peterson
Subject: Staff Comments: Proposed Zone Change on Skees Road
Attachments: E-Mail 4.23.2018.pdf; Tower Exhibit 4-20-18.pdf; Development Plan Conditions Template.docx; image002.png

Mr. Williams,

In reviewing your application for the proposed rezoning of the property located at 608 Skees Road, staff has generated the following comments for your consideration:

Zone Change Application

- Recent changes to the Zoning Ordinance replace any previous reference to the term "binding elements" with a term known as "development plan conditions." Development plan conditions will function identically as any previous binding elements. I am sorry for any inconvenience this may cause, but we will need a revised copy of your proposed development plan conditions (former binding elements) to be submitted in the format outlined in the attached template. Please note that a notary signature is no longer required.

- Traffic Impact Study: I believe you are aware of the recent changes to the Zoning Ordinance that allow a TIS to be waived in lieu of certain improvements as requested by the affected agency(ies). There is a proposed development plan condition regarding access/improvements to Skees Road, but we do not have any correspondence from either WCPW or KYTC addressing necessary improvements for Skees Road or improvements at its intersection with Richpond Road (KY 242). I am copying Joe, Sarah and Josh on this e-mail. You will want to consult with them regarding this particular item.

  Also please note that a connection to Skees Road is required by the Subdivision Regulations and is also outlined in TR-2.1 from the Focus 2030 Comprehensive Plan stating that, "Adjacent development shall provide for internal circulation between them in accordance with the subdivision regulations."

- Proposed development plan condition #2 states that each residence will have an 18 foot entrance. I believe this is meant to be for the full length of the driveway, and not just the entrance itself. Can you please clarify?

- Development plan condition #3 will likely need to be deleted and/or reworded based on feedback provided from KYTC. Please revise accordingly.

- I believe there is a typo in development plan condition #4. The third word reads "store," but I think it should be "story."

- Would you consider an addition to development plan condition #5 that prohibits plain-faced block as a visible finished foundation material?

- Development plan condition #8 - Please see note above regarding improvements to Skees Road and revise accordingly.

- Development plan conditions #6 and 9 are duplicates. Please delete one of them.

- The FOCUS 2030 Comprehensive Plan (LU-2.1.4, PR-1.7 and NCR-1.1.6) encourages preservation of the existing tree canopy/discourages clear-cutting of trees. In looking at the aerial view of the property, it appears that there is a mature line of trees running along a portion of the southern property line and the western property line. Would you consider an additional development plan condition addressing preservation of these trees (or at least a portion of these trees)?

- LU-2.1.1 of the FOCUS 2030 Comprehensive Plan encourages increased open space standards, to ensure that an adequate amount of such space is usable. The submitted lot layout does not appear to incorporate any type of open space. Would you consider incorporating additional open space within the development?

- Would you consider adding an additional development plan condition to include certain development plan conditions as plat/other restrictions once a separate document is recorded? It might be worded similar to:

  "Development plan conditions X, Y and Z shall remain development plan conditions only until a subdivision plat or a separate Declaration of Restrictions is recorded with respect to the Property after which they shall no longer be development plan conditions."

  Items you may address in this development plan condition might include minimum square footage of homes, garage requirements and building materials.

Variance Application

- The variance that is requested on the application is 83.5', but it appears that the property line that fronts the newly proposed roadway that will connect to Round Bale Avenue is only about 45' from the base of the cell tower. I believe the variance requested should be closer to 147.24' based on the proposed lot lines as shown on the variance exhibit. Also please note that the setback is measured from the base of the tower, not the center of the structure. Variances may also be needed from the western and southern property lines, if measuring from the base and not the center of the structure. Please refer to the e-mail (dated 4/23/18) and tower exhibit (dated 4/20/18) for further explanation regarding this item (see attached).

- The variance reference listed on the variance exhibit is incorrect. The correct reference should be Section 5.2.6.E.5.a(1)(a).

- 608 Skees Road is the address for the cell tower, but this may need to change since the cell tower will have access to a different roadway and not Skees Road.

I understand this application is scheduled to go before the Planning Commission on July 19th. The corrected variance application information and correspondence from BGPW/KYTC regarding traffic-related improvements will need to be submitted prior to the advertising/sign/letter day on **Tuesday, July 3rd** for this application to stay on track for the July 19th meeting date. To ensure timely delivery of meeting materials to our Planning Commissioners, please submit all other revisions you may have no later than **Monday, July 2nd 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

1141 State Street
Bowling Green, KY 42101
270.842.1953