

ZONE CHANGE STAFF REPORT

DOCKET/CASE/APPLICATION NUMBER

PROPERTY ADDRESS/LOCATION



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

2018-53-Z-CO

PUBLIC HEARING DATE

November 1, 2018

APPLICANTS/PROPERTY OWNER

**Southside Development, LLC c/o Barrett
Hammer (applicants) & Mary Louise Smith
Family Limited Partnership No. 1 c/o
Jeffrey Smith (property owners)**

377 McLellan Road

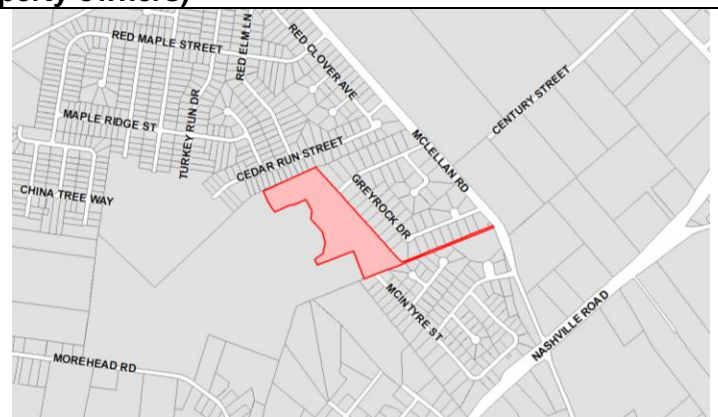
PRE-APP DATE

August 22, 2018

PVA PARCEL NUMBER

030A-56 (portion)

BRIEF SUMMARY OF REQUEST: The applicants are proposing to rezone 16.5912 +/- acres, located at 377 McLellan Road, from AG (Agriculture) to RS-1C (Single Family Residential) in order to develop a maximum of forty-two (42) 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	Moderate Density Residential	16.5912 +/- Acres	<input checked="" type="checkbox"/> Development Plan Conditions <input checked="" type="checkbox"/> General Development Plan <input type="checkbox"/> Neighborhood Meeting <input checked="" type="checkbox"/> Traffic Impact Study (TIS) <input type="checkbox"/> Environmental Assessment <input type="checkbox"/> Public Comments
CURRENT LAND USE	PROPOSED LAND USE	FLUM AMENDMENT	PROPOSED DENSITY	
Agriculture	Single Family Residential	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2.53 du/ac	

ZONING HISTORY: The property has been zoned AG (Agriculture) since zoning was established in Warren County in 1972.	COMPATIBILITY with COMPREHENSIVE PLAN: The development is designated Moderate Density Residential on the FLUM. The proposed RS-1C zone is a potentially compatible zoning designation in the Moderate Density Residential FLUM category. The Planning Commission should determine if the proposal is compatible with the surrounding area.
COMPATIBILITY with the SURROUNDING DEVELOPMENT: The development is located inside the Bowling Green urbanized area. A site characteristic review indicates that there are adequate facilities and infrastructure, available to support the proposed development. Portions of the property are heavily wooded, with other patches of mature vegetation also present on the property. There are also mature tree lines located around portions of the perimeter of the property, as well as part of a sinkhole and a wetland located on 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 proposal is less dense than what is outlined in the Moderate Density Residential FLUM category. The Planning Commission should determine if less density is appropriate in this location and compatible with the surrounding area.
- ❖ 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 in the Zoning Ordinance.
- ❖ The existing home on the property was constructed in 1929.

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: Moderate 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, LU-2.5.3

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, NCR-2.5, NCR-2.5.3

Housing and Neighborhoods: HN-1, HN-1.3, HN-2.1, HN-2.3, HN-4

Economic Development: N/A

The Moderate Density Residential 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. This proposal generally 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 therefore in compliance with LU-1.1.3.

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

The proposal does not comply with LU-2.1.1, which 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 not addressed any additional open space within the proposed development.

The applicants have committed to preserving to the fullest extent practicable all trees located within eight feet of the perimeter property lines of the development with a caliper of 10 inches or greater, but did not address the trees located central to the development. The Planning Commission should determine compliance with LU-2.1.4, PR-1.7 and NCR-1.1.6.

The proposal complies with LU-2.3.1 and TR-2.1. The applicants have stated in development plan condition #5 that the development will provide a stub street connecting to the remaining portion of the property that is not included with this rezoning application. The subdivision regulations also require that the proposed development connect with the existing stub streets on Cedar Trail Avenue and McIntyre Street, as depicted on the general development plan.

The Planning Commission should determine if the proposal is an opportunity for revitalization and redevelopment, and therefore in compliance with LU-2.5.3.

The proposal may comply with NCR-1.1 and NCR-1.3. The applicants addressed the existing sinkhole in development plan condition #9, but they did not address the wetland located on the property.

The proposal complies with NCR-2.4.1, as the development is proposed in an area where adequate infrastructure already exists and would not result in an increased amount of development pressure on the countryside.



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The proposal does not comply with NCR-2.5 and NCR-2.5.3, as the applicants do not plan to incorporate the existing historical home located on the property as part of the development. The applicants however, have made a commitment in development plan condition #11 that prior to demolition of the existing residence on the Property, Habitat for Humanity ReStore and/or other similar non-profit organizations will be afforded an opportunity to inspect the residence and remove any items which might be reused.

The proposal may comply with HN-1 and HN-1.3. The Planning Commission should determine if the proposed development is a compatible infill project that is preserves or enhances the character of the area.

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 standards set forth in Zoning Ordinance.

Transportation Infrastructure: The proposed development has frontage on McLellan Road, a City maintained urban local roadway with fifty (50) feet of right-of-way and twenty-four (24) feet of pavement width. The property also has frontage on Cedar Trail Avenue, a City maintained urban local roadway with fifty (50) feet of right-of-way and twenty-four (24) feet of pavement width. The property also has frontage on McIntyre Street, a County maintained urban local roadway with fifty (50) feet of right-of-way and twenty-four (24) feet of pavement width. If approved, the proposed subdivision will provide stub streets into the properties to the remaining portion of the property that is not subject to this rezoning application.

Fire protection: This development is served by the Woodburn Fire Department. The applicants have agreed to coordinate fire hydrant locations and spacing with the Woodburn Fire Department in development plan condition #12.

Water adequacy: This development is served by Warren County Water District (WCWD) and has adequate water flow to meet the fire protection requirements for Warren County.

Wastewater adequacy: The proposed lot is within 2,000 feet of public sanitary sewer and will be required to connect if this application is approved.

Natural features: Portions of the property are heavily wooded, with other patches of mature vegetation also present on the property. There are also mature tree lines located around portions of the perimeter of the property. There is also a portion of a sinkhole and a wetland located on the property.

Prime farmland: The majority of the development contains a soil type that is classified as prime farmland.

Soil suitability: N/A

Flood plains and wetlands: There is a wetland located on the property.

Cultural or historical features: The existing residence was constructed in 1929.

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



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SITE DESIGN and COMPATIBILITY REVIEW

Surrounding density: Subdivisions fronting McLellan Road are low to moderate density. Properties fronting Morehead Road are a mixture of large agricultural tracts and rural density residential properties. Densities of existing subdivisions in the area range from 0.21 du/ac to 25.82 du/ac (see attached map). The density of the proposed development is 2.53 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 is also a public and a commercial use located nearby. There are also several vacant tracts in the general vicinity.

Surrounding architectural features: There is a mixture of one- and two-story homes of varying ages in the area.

Building materials review: The majority of homes in the Greystone subdivision are vinyl. The majority of homes in McLellan Farms are brick, stone, cement siding or other modern masonry or construction material.

Building orientation: Homes should face internal streets within the development.

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% of the proposed lot will remain as open space.

Connectivity: The proposed development shall connect to the existing stub streets on Cedar Trail Avenue and McIntyre Street, as well as provide a stub street to the remaining portion of the parent tract to the west.

Pedestrian, bicycle or transit facilities: Sidewalks are required within the proposed development.

AREA SPECIFIC POLICY REVIEW

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

TRAFFIC IMPACT STUDY

Section 3.1.4 of the Zoning Ordinance requires the submission of a Traffic Impact Study (TIS) for any development that meets the thresholds identified by the Bowling Green Public Works Department (BGPW), Warren County Public Works Department (WCPW) or the Kentucky Transportation Cabinet (KYTC). Such TIS shall analyze the effect of the proposed project on the surrounding roadways and intersections. Such effect shall be measured against the existing level of service standard and circulation patterns for the roadways affected by the proposed development's impact.

Exceptions to this requirement may be approved after consultation between the applicant and affected agencies (BGPW, WCPW and/or KYTC). When a project's traffic impact can be clearly anticipated without a study and all of the parties involved (transportation agency(ies) and applicant) are able to negotiate appropriate mitigation, a TIS may not be necessary. The applicant must provide documentation, in writing, from all affected agencies, exempting their particular development from the TIS requirement, along with a commitment in the form of a development plan condition(s). This documentation must be submitted as a part of an application (Zoning Map Amendment, Amendment to Development Plan Conditions, FLUM Amendment), in order for the application to be deemed complete.

BGPW and WCPW waived a TIS in lieu of improvements. The applicants have committed in development plan condition #6 that existing County and City roads shall be improved with additional pavement overlays.



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GENERAL DEVELOPMENT PLAN / DEVELOPMENT PLAN CONDITIONS

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

- 1) All service utility lines will be located underground.
- 2) The Property may be developed into a maximum of forty-two (42) single family dwelling units.
- 3) All exterior facades of principal structures located on the Property will be constructed of at least eighty percent (80%) stone, brick, Ip smart siding EIFS or other cementitious or modern masonry materials. Plain-faced block shall be prohibited. Each residence shall have an attached two-car garage and a minimum of one thousand six hundred (1,600) square feet of heated living space exclusive of porches and garage. This Development Plan Condition shall remain a Development Plan Condition only until recordation of a Subdivision Plat of the Property or recordation of Restrictive Covenants applicable to the Property, after which this Development Plan Condition shall be included in such Plat and/or Restrictive Covenants and shall no longer be a Development Plan Condition.
- 4) The Property will be developed with uniform street lighting.
- 5) The Property will be developed with an internal system of streets and with a stub street connection to the remainder of the Mary Louise Smith Family Limited Partnership No. 1 property to the west of the property.
- 6) Existing County and City Roads shall be improved with additional pavement overlays as specified by the County Road Department and the City of Bowling Green Public Works Department.
- 7) Vehicular construction traffic to the Property will be restricted to access via Cedar Trail Avenue.
- 8) The Property will be developed and maintained to preserve to the fullest extent practicable all trees with a caliper of at least 10 inches located within eight feet of the perimeter property lines of the development.
- 9) Sinkholes detected on the Property prior to or during construction will be repaired or protected with a sinkhole structure using methods approved by the Warren County Department of Public Works Stormwater Management, depending upon whether such sinkholes are located in a proposed drainage area.
- 10) The Property will be developed with sidewalks on both sides of all interior streets.
- 11) Prior to demolition of the existing residence on the Property, Habitat for Humanity ReStore and/or other similar non-profit organizations will be afforded an opportunity to inspect the residence and remove any items which might be reused.
- 12) Fire hydrants will be located and spaced in cooperation with the Woodburn Fire Department.



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- 13) Prior to or simultaneous with the recordation of a Plat of the Property, a Declaration of Restrictive Covenants applicable to the Property will be recorded, which covenants shall provide for mandatory membership in a Homeowner's Association and for ownership of all common areas by the Homeowner's Association.

The proposed General Development Plan meets a majority of the review criteria for site design and compatibility. 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 applicants are proposing to rezone 16.5912 +/- acres in order to construct a maximum of 42 single family residential lots. The proposed RS-1C zone may be appropriate given the proposed density of 2.53 du/ac and the Moderate Density Residential FLUM category. The proposal complies with a majority of the criteria assessed in the review process. The Planning Commission should determine if the proposal is compatible with the area and if it complies with the goals, objectives and action items outlined in the FOCUS 2030 Comprehensive Plan.



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 **2018-53-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 objectives and action items presented in the staff report.

(Compliance Summary Listed at Bottom of Page - Note Exceptions if Applicable)

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 **2018-53-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 objectives and action items presented in the staff report.

(Compliance Summary Listed at Bottom of Page - Note Exceptions if Applicable)

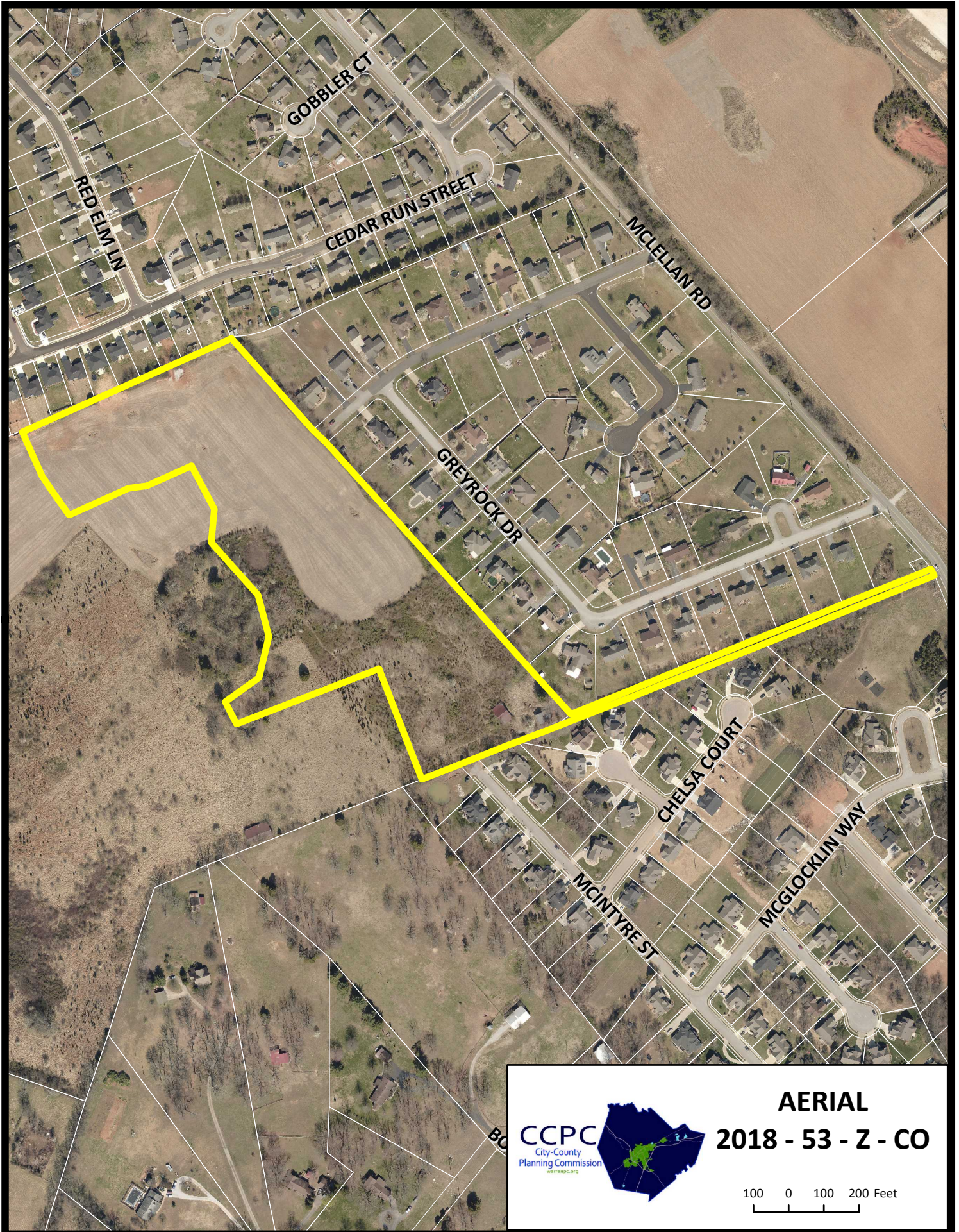
Therefore, the proposed Zoning Map Amendment is **not** in agreement with the adopted Comprehensive Plan. Further, I request that this motion include the summary of evidence and testimony presented by the witnesses at this public hearing.

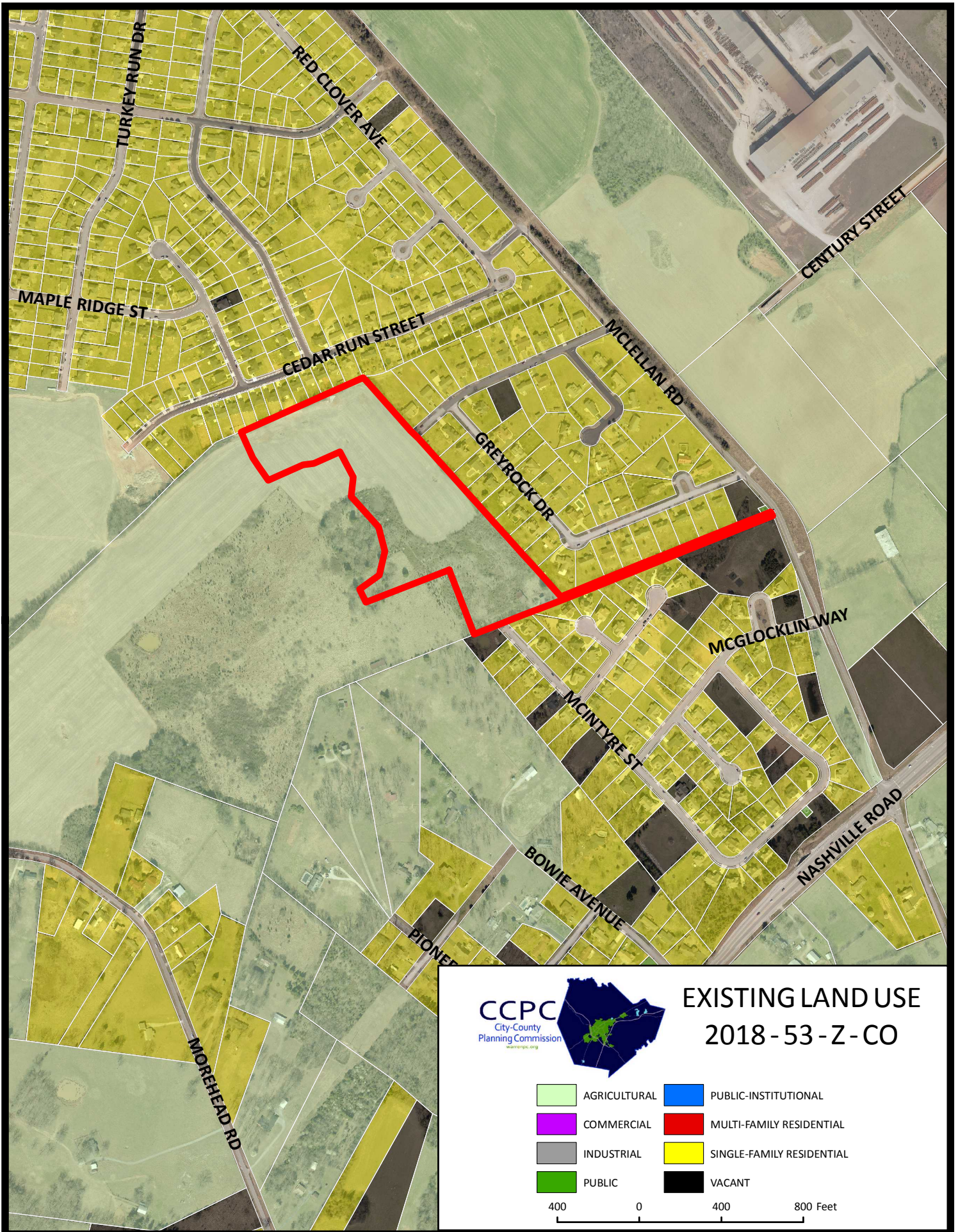
COMPLIANCE SUMMARY

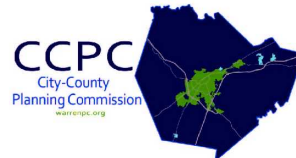
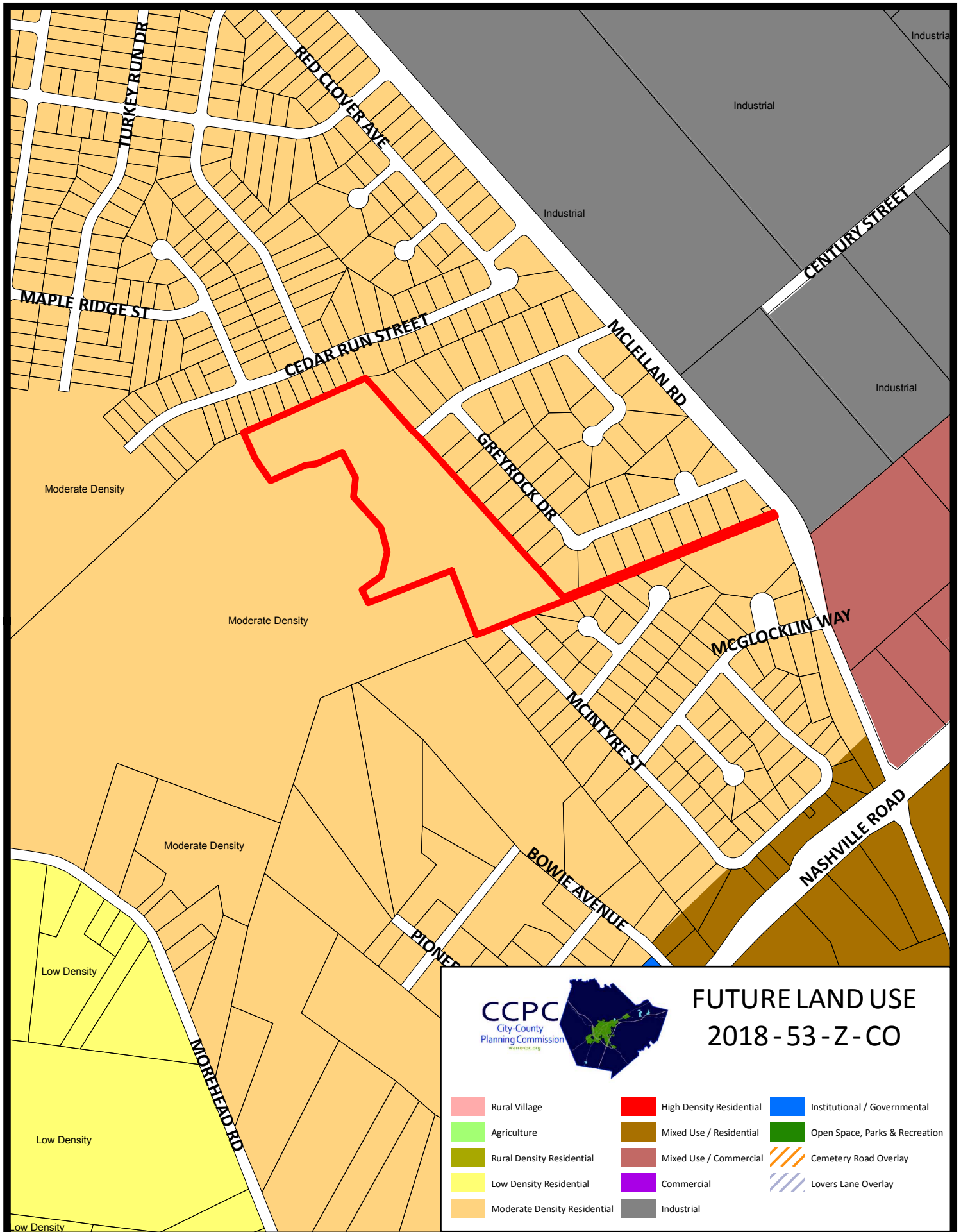
Items In Compliance:			Items Not In Compliance		
<input type="checkbox"/> LU-1.1.1*	<input type="checkbox"/> TR-2.1	<input type="checkbox"/> HN-1*	<input type="checkbox"/> LU-1.1.1*	<input type="checkbox"/> PR-1.7*	<input type="checkbox"/> HN-1*
<input type="checkbox"/> LU-1.1.2*		<input type="checkbox"/> HN-1.3*	<input type="checkbox"/> LU-1.1.2*		<input type="checkbox"/> HN-1.3*
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<input type="checkbox"/> LU-2*		<input type="checkbox"/> HN-4*	<input type="checkbox"/> LU-2*	<input type="checkbox"/> NCR-1.3*	<input type="checkbox"/> HN-4*
<input type="checkbox"/> LU-2.1*	<input type="checkbox"/> NCR-1.1*		<input type="checkbox"/> LU-2.1*	<input type="checkbox"/> NCR-1.1.6*	
<input type="checkbox"/> LU-2.1.4*	<input type="checkbox"/> NCR-1.3*		<input type="checkbox"/> LU-2.1.1	<input type="checkbox"/> NCR-2.5	
<input type="checkbox"/> LU-2.3.1	<input type="checkbox"/> NCR-1.1.6*		<input type="checkbox"/> LU-2.1.4*	<input type="checkbox"/> NCR-2.5.3	
<input type="checkbox"/> LU-2.5.3*	<input type="checkbox"/> NCR-2.4.1				

**Denotes items in both the compliance and non-compliance columns. Planning Commission to determine compliance with these items.*









FUTURE LAND USE 2018 - 53 - Z - CO

DENSITY MAP
2018 - 53 - Z - CO

GREYSTONE
(PLATTED PORTION)
OF LOTS: 559
SUM ACREAGE: 224.53
MEAN ACREAGE: 0.40
DENSITY: 2.49 UNITS/ACRE

THE SOUTHERN
OF UNITS: 275 (PER B. E.'S)
SUM ACREAGE: 10.65
DENSITY: 25.82 UNITS/ACRE

MCLELLAN FARM
OF LOTS: 98
SUM ACREAGE: 49.45
MEAN ACREAGE: 0.50
DENSITY: 1.98 UNITS/ACRE

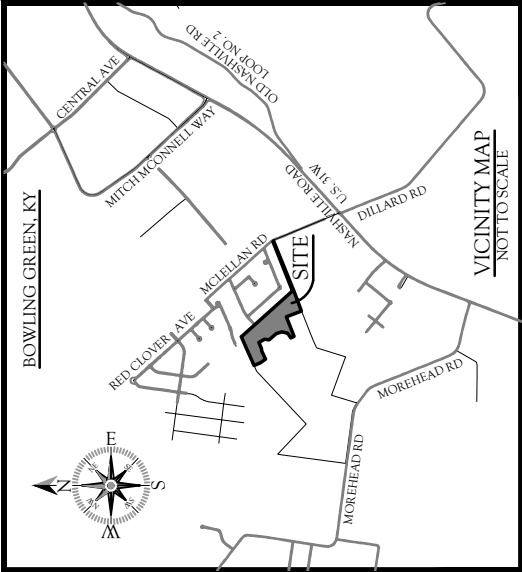
PIONEER VILLAGE
(EXCLUDING FIRE STATION)
OF LOTS: 28
SUM ACREAGE: 34.48
MEAN ACREAGE: 1.23
DENSITY: 0.81 UNITS/ACRE

VANMETER LOTS
OF LOTS: 6
SUM ACREAGE: 3.29
MEAN ACREAGE: 0.55
DENSITY: 1.82 UNITS/ACRE

RHOADES
OF LOTS: 4
SUM ACREAGE: 18.67
MEAN ACREAGE: 4.67
DENSITY: 0.21 UNITS/ACRE

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!



GENERAL NOTES:

1. SOURCE OF TITLE: DEED BOOK 261, PAGE 302 AND A PORTION OF DEED BOOK 750, PAGE 001.
2. THIS SURVEY IS SUBJECT TO ALL FACTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
3. SOURCE OF BEARING: NAD83.
4. THE SURVEY AS SHOWN HEREON IS A RURAL SURVEY AND THE ACCURACY AND PRECISION OF SAID SURVEY MEETS ALL THE SPECIFICATIONS OF THIS CLASS.
5. THIS PLAT REPRESENTS A BOUNDARY SURVEY AND COMPLIES WITH 201 KAR 18:150.
6. THE BEARINGS AND DISTANCES AS SHOWN HEREON ARE BASED ON AN UNADJUSTED RANDOM TRAVERSE.
7. UNADJUSTED CLOSURE 1:26,217.
8. DATE OF FIELD SURVEY: NOVEMBER 16, 2017.
9. ALL SET IRON PINS SHOWN ARE 5/8-INCH DIAMETER BY 18-INCHES LONG REBAR WITH YELLOW PLASTIC CAPS STAMPED "L-SLAVEY KY 3922".

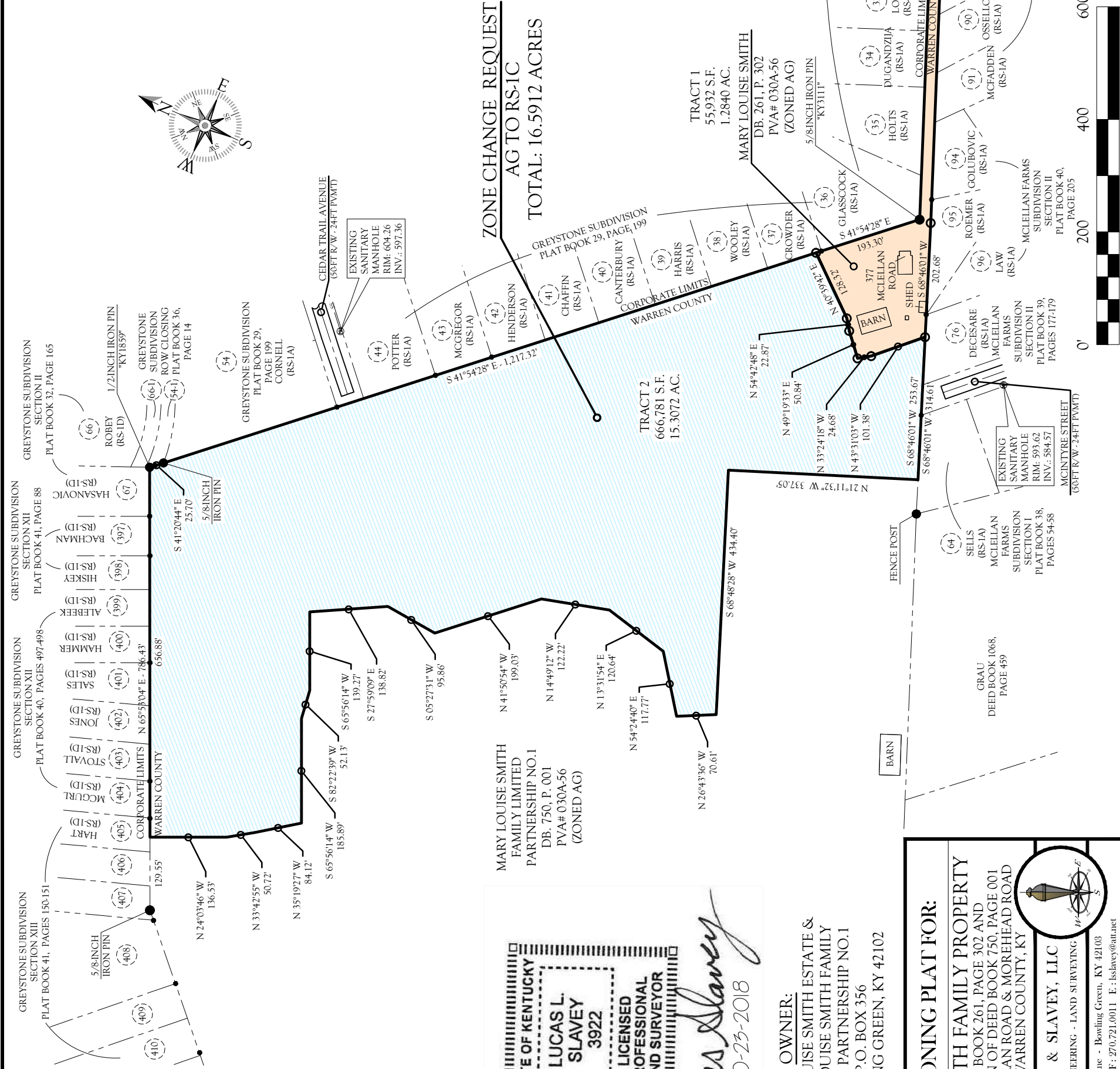
FLOOD NOTE:
I HEREBY CERTIFY THAT THE PROPERTY AS SHOWN HEREON IS NOT IN A 100 YEAR FLOOD PLAIN AS LOCATED BY FLOOD INSURANCE RATE MAP #21227C0295E, AND DATED MAY 2, 2007.

UTILITY NOTE:
UTILITIES SHOWN HEREON WERE LOCATED FROM FIELD EVIDENCE AND OTHER AVAILABLE RECORDS. OTHER UTILITIES MAY EXIST THAT MAY NOT BE SHOWN. NO GUARANTEE IS EXPRESSED OR IMPLIED AS TO THE LOCATION OF THE UTILITIES.

GENERAL LEGEND

- MONUMENT FOUND (AS DESCRIBED)
- IRON PIN SET (IPS)

ZONE CHANGE REQUEST
AG TO RS-1C
TOTAL: 16.5912 ACRES



SCALE: 1 = 200

REZONING PLAT FOR:

THE SMITH FAMILY PROPERTY
DEED BOOK 261, PAGE 302 AND
A PORTION OF DEED BOOK 750, PAGE 001
377 MCLELLAN ROAD & MOREHEAD ROAD
WARREN COUNTY, KY

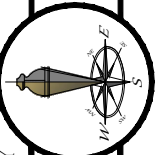
VAN METER & SLAVEY, LLC

PROFESSIONAL ENGINEERING - LAND SURVEYING

1015 Shive Lane - Bowling Green, KY 42103

P: 270.799.1001 F: 270.721.0011 E: lslavey@att.net

DRAWN BY: RHM VAS JOB #: 18330 SURVEY DATE: 11-16-2017
CHECKED BY: LLS PLOT DATE: 10-23-2018

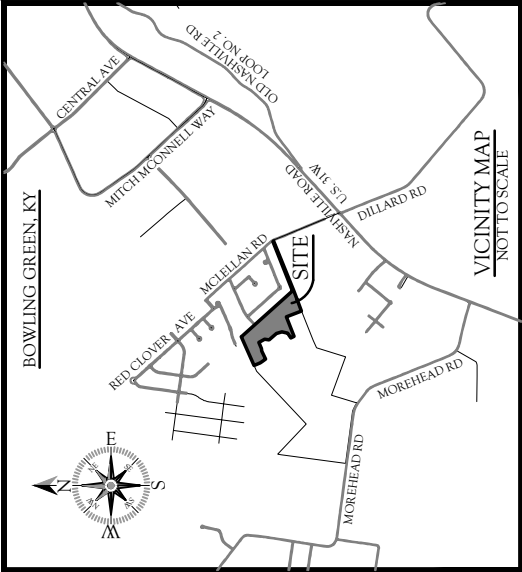


OWNER:

MARY LOUISE SMITH ESTATE &
MARY LOUISE SMITH FAMILY
LIMITED PARTNERSHIP NO.1
P.O. BOX 356
BOWLING GREEN, KY 42102



Lucas Slavey
10-23-2018



GENERAL NOTES:

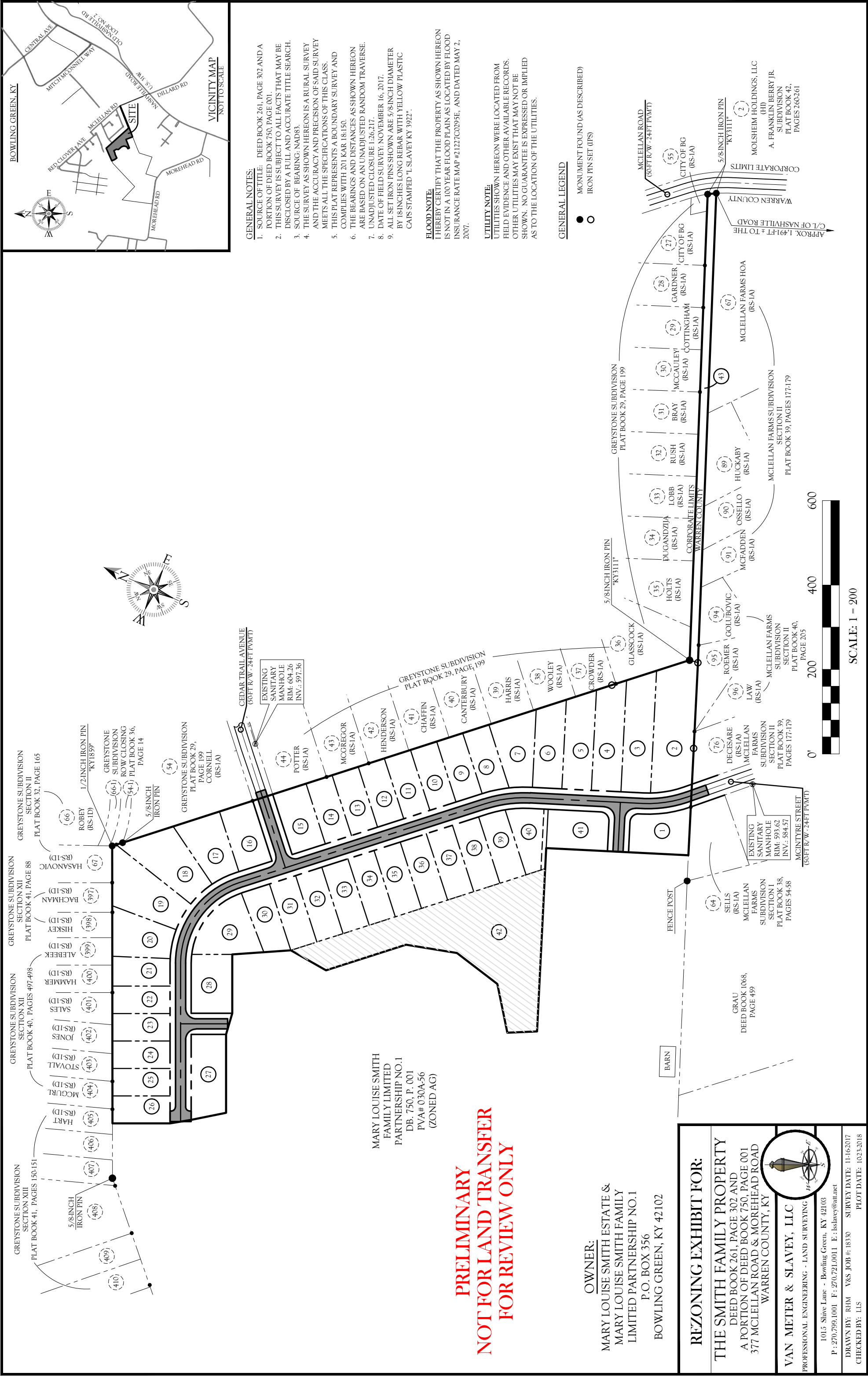
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GENERAL LEGEND

- MONUMENT FOUND (AS DESCRIBED)
- IRON PIN SET (IFS)



MARY LOUISE SMITH
FAMILY LIMITED
PARTNERSHIP NO.1
DB. 750, P. 001
PVA# 030A-56
(ZONED AG)

PRELIMINARY
NOT FOR LAND TRANSFER
FOR REVIEW ONLY

OWNER:
MARY LOUISE SMITH ESTATE &
MARY LOUISE SMITH FAMILY
LIMITED PARTNERSHIP NO.1
P.O. BOX 356
BOWLING GREEN, KY 42102

REZONING EXHIBIT FOR:

THE SMITH FAMILY PROPERTY
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A PORTION OF DEED BOOK 750, PAGE 001
377 MCLELLAN ROAD & MOREHEAD ROAD
WARREN COUNTY, KY

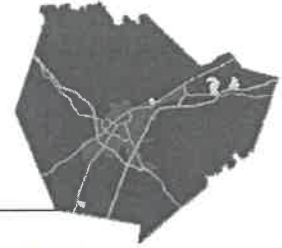
VAN METER & SLAVEY, LLC

PROFESSIONAL ENGINEERING - LAND SURVEYING

10115 Shive Lane - Bowling Green, KY 42103

P : 270.799.1001 F : 270.721.0011 E : lslavey@att.net

DRAWN BY: RHM VAS JOB #: 18330 SURVEY DATE: 11-16-2017
CHECKED BY: LLS PLOT DATE: 10-23-2018

CCPCCity-County
Planning Commission
warrenpc.org**APPLICATION FOR ZONING MAP AMENDMENT**Docket Number: 2018-53-Z-COPublic Hearing Date: 11-1-18Date Application Filed: 9-20-18Pre-Application Meeting Date: 8-22-18**APPLICANT(S) INFORMATION****1) APPLICANT(S) NAME(S):** Southside Development, LLC, Contract Vendee

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

Barrett Hammer, Member

Mailing Address: _____

Phone Number: _____

Cell Number: _____

E-Mail Address: _____

2) PROPERTY OWNER(S) NAME(S): Mary Louise Smith Family Limited Partnership No. 1

Mailing Address: _____

Phone Number: _____

Cell Number: _____

E-Mail Address: _____

PLEASE USE ADDITIONAL PAGES IF NEEDED**3) APPLICANT(S) ATTORNEY:** Kevin C. Brooks, AttorneyName of Law Firm: Bell, Orr, Ayers & Moore, PSCPhone Number: 270-781-8111

Cell Number: _____

E-Mail Address: _____

PROPERTY AND PROPOSED DEVELOPMENT INFORMATIONProperty Address: 377 McLellan RoadPVA Parcel Number: 030A-56Acreage: 16.5912Current Zoning: AGProposed Zoning: RS-1CFLUM Designation: Moderate Density Residential

PROJECT SUMMARY

Please describe the proposed use of the property

Developer proposes to develop the property into approximately forty (40) lots for single-family residential use.

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 Future Land Use Map designation for this property is moderate density residential which will accomodate this proposal. The property is adjacent to single-family residential subdivisions on two sides. The Developer's proposal is compatible with these developments and is an appropriate transition between the RS-1D residential use to the north and the RS-1A residential use to the east and south. The proposed Development Plan Conditions contain standards which assure compatibility with the adjacent developments.

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
- ☒ General Development Plan (please include one (1) 11" x 17" or smaller copy)
- ☒ Development Plan Conditions
- ☒ Written Narrative Detailing Compliance with Findings Required for Zone Change on Page 2
- ☒ Application Fees
- ☒ Water/Sewer Verification
- ☐ Traffic Impact Study (If Applicable)
- ☐ Geologic Analysis (Heavy Industrial development with a DRASTIC Index > 160)
- ☒ Neighborhood Meeting Date (If Conducted): Scheduled for 09-27-18

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.

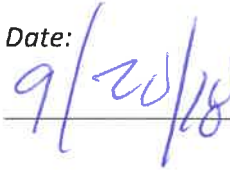
Signature of Applicant(s) and Property Owner(s):

Date:

1)


 Kevin C. Brooks, Attorney

(please print name and title)


 9/20/18

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: _____

Date Fees Received: _____

Pre-Application Conference Information

Date: August 22, 2018

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Planning Commission
warrenpc.org



PROPERTY INFORMATION

Attendees: Lucas Slavey, Barrett Hammer, Joe Vailioulougi, Vaili

Property Location: 377 McLellan Road PVA Parcel #(s): 030A-56

Property Owner(s): SMITH MARY LOUISE FAMILY LTD PARTNERSHIP Contract Vendee(s): _____

Current Zoning: AG Proposed Zoning: RS-1C? or RS-1B?

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

APPLICATION TYPE

- ☒ Zoning Map Amendment
- ☐ FLUM Amendment to: _____
- ☐ Development Plan/ Development Plan Conditions Amendment
- ☐ Conditional Use Permit
- ☐ Variance
- ☐ Other _____

ADDITIONAL DOCUMENTATION REQUIRED

- ☒ Traffic Impact Study
- ☒ Development Plan Conditions
- ☒ 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 checked="" type="checkbox"/> Moderate Density Residential | <input type="checkbox"/> High Density Residential | <input type="checkbox"/> Mixed-Use / Residential |
| <input 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 checked="" type="checkbox"/> LU-2.1 | <input checked="" type="checkbox"/> LU-2.1.1 | <input type="checkbox"/> LU-2.1.2 |
| <input type="checkbox"/> LU-2.1.3 | <input checked="" 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 checked="" type="checkbox"/> LU-2.5.3 |
| <input type="checkbox"/> LU-2.8 | <input type="checkbox"/> LU-2.8.1 | <input type="checkbox"/> LU-2.9 | <input type="checkbox"/> LU-2.10 |

Transportation

- | | | | |
|---------------------------------|--|-------------------------------|-------------------------------|
| <input type="checkbox"/> TR-1.1 | <input checked="" type="checkbox"/> TR-2.1 | <input type="checkbox"/> TR-3 | <input type="checkbox"/> TR-4 |
|---------------------------------|--|-------------------------------|-------------------------------|

Community Facilities

- | | | | |
|----------------------------------|---------------------------------|---------------------------------|---------------------------------|
| <input type="checkbox"/> CF-1.1 | <input type="checkbox"/> CF-1.4 | <input type="checkbox"/> CF-2.6 | <input type="checkbox"/> CF-5.3 |
| <input type="checkbox"/> CF-10.1 | | | |

Parks and Recreation

- | | | | |
|--|---------------------------------|-------------------------------|---------------------------------|
| <input checked="" type="checkbox"/> PR-1.7 | <input type="checkbox"/> PR-1.8 | <input type="checkbox"/> PR-3 | <input type="checkbox"/> PR-5.2 |
|--|---------------------------------|-------------------------------|---------------------------------|

Natural and Cultural Resources

- | | | | |
|---|---|---|---|
| <input checked="" type="checkbox"/> NCR-1.1 | <input checked="" type="checkbox"/> NCR-1.1.6 | <input checked="" type="checkbox"/> NCR-1.3 | <input type="checkbox"/> NCR-1.4 |
| <input type="checkbox"/> NCR-2.1 | <input type="checkbox"/> NCR-2.2 | <input type="checkbox"/> NCR-2.4 | <input checked="" type="checkbox"/> NCR-2.4.1 |
| <input type="checkbox"/> NCR-2.4.3 | <input type="checkbox"/> NCR-2.5 | <input checked="" type="checkbox"/> NCR-2.5.3 | |

Housing and Neighborhoods

- | | | | |
|--|---------------------------------|--|--|
| <input checked="" type="checkbox"/> HN-1 | <input type="checkbox"/> HN-1.2 | <input checked="" type="checkbox"/> HN-1.3 | <input checked="" type="checkbox"/> HN-2.1 |
| <input checked="" type="checkbox"/> HN-2.3 | <input type="checkbox"/> HN-3.2 | <input type="checkbox"/> HN-3.6 | <input checked="" type="checkbox"/> HN-4 |
| <input type="checkbox"/> HN-6 | | | |

Economic Development

- | | | | |
|---------------------------------|---------------------------------|-------------------------------|---------------------------------|
| <input type="checkbox"/> ED-1 | <input type="checkbox"/> ED-1.8 | <input type="checkbox"/> ED-3 | <input type="checkbox"/> ED-4.5 |
| <input type="checkbox"/> ED-9.1 | <input type="checkbox"/> ED-9.3 | | |

Pre-Application Conference Information

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SITE CHARACTERISTICS REVIEW

Layout, Lot Sizes and Setbacks

- ☒ Internal Street(s): Yes ☒ Proposed Setbacks: 25' Front / 7.5' Side / 10' Rear
☒ Minimum Lot Size: 8,000 SF ☒ Minimum Lot Width: 60 Feet

*70' minimum shown
on concept*

Transportation Infrastructure

What type of Roadway will serve the proposed development? *City/county roadways will both serve development*
☒ Warren County ☒ Bowling Green ☐ KYTC ☐ Other _____

What is the road width of the roadway that will serve the development? 18' +/-

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. streams, ponds, woodlands, sinkholes, etc.)?

Portions of the property are heavily wooded, with other patches of mature vegetation also present on the property. There are also mature tree lines located around portions of the perimeter of the property. There are also several sinkholes and a few wetlands located on the property.

Soil Suitability *n/a - will connect to sewer*

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

- ☐ Not Limited ☐ Somewhat Limited ☐ Very Limited

Prime Farmland *About 50% of the property is classified as 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.)?

The existing residence was constructed in 1929.

Pre-Application Conference Information



SITE DESIGN AND COMPATIBILITY REVIEW

Surrounding Density: Subdivisions fronting McLellan Road are low to moderate density. Properties fronting Morehead Road are a mixture of large agricultural tracts and rural density residential properties.

Surrounding Land Uses: Agriculture, single family and vacant

Surrounding Architectural Features: There is a mixture of one and two story homes of varying ages in the area.

Building Materials: The majority of homes in the Greystone subdivision are vinyl. The majority of homes in McLellan Farms are brick, stone, cement siding or other modern masonry or construction material. Homes along Morehead road are a mixture of vinyl and brick.

Building Orientation: Homes should face internal streets within the development. If fronting Morehead Road, homes should face Morehead Road or be screened by a vegetative buffer to maintain the existing character/pattern of development along Morehead Road.

Landscaping / Screening: n/a

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

Connectivity: The proposed development shall connect to the existing stubs on Cedar Trail Avenue and McIntyre Street, the 31 acre tract at 0 White Dogwood Drive, the 22 acre tract west of the development on Morehead Road, the property at 1534 Morehead Road and the property at 252 Bowie Avenue

Pedestrian, Bicycle or Transit Facilities: Sidewalks will be required within the development.

AREA SPECIFIC POLICY REVIEW ☐ YES ☒ NO

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

- 289 +/- lots proposed (2.96 du/ac). Moderate Density FLUM recommends a minimum of 3.5 du/ac. Planning Commission should determine if less density is appropriate in this area.
- TIS required or improvements in lieu of a TIS to be defined by WCPW and BGPW.
- Existing Strip to McLellan Rd... what to do with this?
- 40+/- Lots proposed with initial phase of development.
- Warranty Bonds/additional overlays needed for existing city/county roadways?
- Development plan condition to address construction traffic?



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.

Pre-Application Conference Information



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 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.

Pre-Application Conference Information



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)

Pre-Application Conference Information



- ❖ **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).

Pre-Application Conference Information



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.

Pre-Application Conference Information



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: Tuesday, October 16, 2018 2:44 PM
To: Kevin Brooks
Cc: 'Lucas Slavey'; 'BARRETT' 'vall' Ben Peterson; 'Tad Pardue'
Subject: Staff Comments: Proposed Zone Change - 377 McLellan Road
Attachments: Fire Department Comments.pdf

Good Afternoon,

In reviewing the application for the proposed rezoning a portion of the property located at 377 McLellan Road, staff has generated the following comments for your consideration:

- Development plan condition #3 outlines permitted building materials for the proposed development. Would you also consider prohibiting plain-faced block as a visible finished material?
- Development plan condition #5 makes reference to a thirty-one acre tract located at White Dogwood Drive, a twenty-two acre tract west of the property which adjoins Morehead Road, the property at 1534 Morehead Road and the property at 252 Bowie Avenue. The portion of the property subject to the rezoning application does not physically adjoin any of these properties/locations. Can you please revise development plan condition #5 accordingly? You may consider replacing this portion of the development plan condition with a reference to stub street connections being provided to the remaining portion of the parent tract to the west as shown on the preliminary development plan.
- Development plan condition #7 references construction traffic and states that it will be restricted to no more than two locations. There are only two points of ingress/egress into the development (Cedar Trail Avenue and McIntyre Street). Can you please clarify the intent of this development plan condition?
- Development plan condition #8 addresses preservation of a portion of the existing vegetation located on the property and references mature trees on the perimeter property lines. Would you consider clarifying the terms “mature” and “perimeter?” Perhaps defining trees of a certain caliper and also a specific distance/buffer width within the perimeter property lines?
- Development plan condition #10 states that sidewalks will be developed on all interior streets. Is it the intent of this development plan condition that sidewalks will be installed of both sides of all interior streets? Can you please clarify?
- 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 preliminary lot layout does not appear to incorporate any type of open space other than a proposed drainage area. Would you consider incorporating additional open space within the development?
- NCR-1.1 and NCR-1.3 from the FOCUS 2030 Comprehensive Plan evaluate physical suitability of a particular development with existing natural features and the natural environment. Development plan condition #9 as submitted addresses sinkholes on the property. Would you consider an additional development plan condition to address the existing wetland that is also present on the site?
- According to PVA records, the existing residence located on the property was constructed in 1929. NCR-2.5 and NCR-2.5.3 from the FOCUS 2030 Comprehensive Plan promote the preservation of historic resources and structures and state that these items should be considered in development plan review. Staff has noted that the existing residence was not addressed in your application or development plan conditions. Would you consider preserving the residence as part of the proposed development? Or perhaps consider donating any salvageable materials from the existing home to the Habitat for Humanity ReStore or similar organization?

- The rezoning exhibit and preliminary lot layout have Cedar Trail Avenue labeled as Cedar Trail Drive. Can you please revise?
- Staff forwarded the preliminary lot layout to the Woodburn Fire Department for their review. I have attached an e-mail from Bob Skipper, Department Chief. Would you consider incorporating their suggestion on hydrant spacing as a part of the development plan conditions?

To ensure timely delivery of meeting materials to our Planning Commissioners, please submit any revisions you may have no later than **Tuesday, October 23rd at 2:00 PM.**

Please note that failure to submit revisions prior to this deadline may result in postponement of your application to another hearing date and assessment of a \$100 re-advertising fee; OR the staff report will be sent out as-is and it will be the responsibility of the applicant to address deficient items with the Planning Commission during the public hearing.

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

Rachel Hurt

From: Skipper, Bob
Sent: Friday, October 12, 2018 3:36 PM
To: Rachel Hurt
Subject: Re: Upcoming Rezoning Application on McLellan Road

Rachel,

We do not have an issue with the rezoning. However, when the timing is appropriate, we would like to see hydrants at a minimum of 800 feet apart. Would the line tie into the existing line at the DeCesare property? That would be great since we already have hydrants with flows of 1,000 gallons or more, which we would need on houses of that size. Thanks.

Bob

Bob Skipper

—Media Relations Director

WKU Public Affairs

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"No person has the right to rain on your dreams." Dr. Martin Luther King Jr.

From: Rachel Hurt <Rachel.Hurt@bgky.org>
Date: Tuesday, October 9, 2018 at 2:44 PM
To: Bob Skipper <bob.skipper>
Subject: Upcoming Rezoning Application on McLellan Road

Chief Skipper,

I have attached a conceptual layout for an upcoming rezoning application scheduled to be considered by the Planning Commission on Thursday, November 1st. The property is located at 377 McLellan Road. The applicant is proposing to develop a single family residential subdivision containing 40 building lots, with opportunity for additional phases in the future (to be rezoned at a later date). If approved, this development will be served by the Woodburn Fire Department. Please let me know if you have any comments or requests regarding the proposed development that you would like me to forward to the applicant. If you have any questions, please be sure to let me know.

Sincerely,

Rachel Hurt
 Planner III



1141 State Street
 Bowling Green, KY 42101
 270.842.1953

Rachel Hurt