

SUMMARY MINUTES
City-County Planning Commission of Warren County
October 4, 2018 @ 6:00 p.m.
City Hall - Commission Chambers
3rd Floor, 1001 College Street, Bowling Green, KY

PRESENT:
Albert Rich
Mary Vitale
Mary Belle Balance
Sandy Clark
Chuck Coppinger
Tim Graham
Greg Gay
Dean Warren
Eric Madison
Tim Huston
Velma Runner

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

A. ROLL CALL:

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

B. APPROVAL OF MINUTES:

Chairman Runner stated all Commissioners had received the Minutes of the meeting held on September 20, 2018 in their packets. Chairman Runner asked if there were any corrections to the minutes. Being none, she asked for a motion. The Motion was made by Commissioner Rich that the minutes be approved, seconded by Commissioner Warren, and agreed upon (11 yeas) to approve the Summary Minutes of the September 20, 2018 meeting as written.

Hampton Moore, of Cole and Moore Law Office, Attorney for the Planning Commission, requested the Chairman order that the Joint Zoning Ordinance of Warren County, Kentucky; the Subdivision Regulations; and the Comprehensive Plan with all of its elements effective as of this date (October 4, 2018) be introduced as exhibits for each of tonight's hearings. He further requested the Chairman order that the Staff Reports, with all attachments together, along with the Commission's entire file for the applications be likewise introduced as exhibits. Mr. Moore asked that the Oath be administered to Ben Peterson, Executive Director, and Rachel Hurt, Planner, and they be sworn as witnesses before the Planning Commission and that their oath and qualifications be reflected in the record for tonight's hearing. Chairman Runner so ordered and swore in the witnesses.

C. FINANCIAL

Chairman Runner stated that the September Financial Report was in the packets. She stated that the report includes an audit presentation. Drew Thompson, Gilbert & Gilbert CPAs, stepped up to the podium. Mr. Thompson said he would present the audit report for June 30, 2018. Mr. Thompson summarized the report. He asked if there were any questions. There were none. Chairman Runner asked for a motion. The motion was made by Commissioner Warren, seconded by Commissioner Huston, and agreed upon (11 yeas) to approve the audit.

D. PRELIMINARY SUBDIVISION & SITE DEVELOPMENT PLANS

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

E. LETTERS OF CREDIT AND PERFORMANCE BONDS

Chairman Runner stated there were nine letters of credit or performance bonds on tonight's agenda.

1. Release the cash bond for 6233 Old Nashville Road in the amount of \$1,550.00 from H & W Investments, Inc.
2. Replace the letter of credit for Pennyroyal Farms Subdivision with a cash bond in the amount of \$81,000.00 from Tim Poston.
3. Renew and reduce the letter of credit for Burr Oaks Subdivision from \$253,000.00 to \$51,000.00 from Fairview Avenue Properties.
4. Replace the letter of credit for Greystone Subdivision, Section 14 with a cash bond in the amount of \$64,000.00 from Greystone Properties, Inc.
5. Renew the letter of credit for Autumn Grove Subdivision in the amount of \$75,180.00 from Southside Development, LLC.
6. Renew and reduce the letter of credit for McCoy Place, Phase 3 from \$200,000.00 to \$118,000.00 from H&D Development, LLC.
7. Renew the letter of credit for Poplar Grove, Section 1 in the amount of \$127,000.00 from Burr and Jones, LLC.
8. Replace the letter of credit for Stockyard Properties with a cash bond in the amount of \$24,500.00 from Stockyard Real Estate, LLC.
9. Replace the letter of credit for Greystone Subdivision, Section 15 with a cash bond in the amount of \$52,300.00 from Greystone Properties, Inc.

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

F. OLD BUSINESS

Chairman Runner announced there was no old business for tonight's agenda.

G. PUBLIC HEARINGS

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

Chairman Runner announced the item on the Agenda described as:

2018-13-FLUM – Speedway, LLC, McBride Dale Clarion and TBJK, LLC and Marilyn Kemble and Billy Webb have filed an application for a Future Land Use Map Amendment containing approximately 5.06 acres located at 0, 604, 610, & 618 Main Street South, Smiths Grove (bounded by South Main Street, Vincent Street and Interstate 65), from Highway Commercial to Light Industrial.

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

Chairman Runner asked if there were any questions for the staff from the Commissioners. Commissioner Graham asked if there was already a truck stop at that exit. Mr. Peterson said there is one across the street. Commissioner Graham asked if the existing truck stop had the same zoning. Mr. Peterson said it is industrial zoning.

Commissioner Clark asked if there is a Marathon gas station before you get to the restaurant. Mr. Peterson said he couldn't remember the brand, but he believes there is a station there, and that the truck stop across the street is Exxon. Chairman Runner asked if there were further questions. Being none, she asked if the applicant would like to add anything. Mr. Rob Sweet with McBride Dale Clarion, 5721 Dragon Way, Suite 300, Cincinnati, Ohio, stepped up to the podium and was sworn in. Mr. Sweet said he was here with Mike Smead with Speedway construction and Roy Chamberlin with Speedway real estate, as well as members of the Smiths Grove government. Mr. Sweet described what they envisioned for the site if the FLUM and future zone change proposal were approved. He said there have been changes in the area in the past 40 years, including more vehicles and semi-trucks on the road. He said Smiths Grove's proximity to Louisville's and Nashville's warehouses make it a unique spot for truck traffic. Mr. Sweet added that the internet has spurred more deliveries through websites like Amazon, which puts more trucks on the road. He added that, although the facility will serve semi-trucks, there will be no maintenance of the vehicles, and that there are also RVs, construction equipment, snow plows, etc. that will be using the site. Mr. Sweet said he believes the facility will be good for the development of Smiths Grove. He added that this proposal is not a truck stop because they don't offer showers, laundry, accommodations or vehicle maintenance. Mr. Sweet said the proposal is similar to uses that already exist in the area.

Chairman Runner asked if there were any questions from the commissioners. Commissioner Clark asked if there would be no overnight parking. Mr. Sweet said he wouldn't say there would never be overnight parking, but their job is short-term parking. Chairman Runner asked if there were further questions. Being none, she asked for a show of hands for anyone in the audience in opposition to the request. A few people raised their hands. Chairman Runner said she didn't know if they had a spokesperson, but asked if anyone had any specific questions for the applicant.

Dean

~~Leon~~ Benson, Smiths Grove, stepped up to the podium and was sworn in. He said he was worried about safety. The first thing he wanted to know about was drainage, because there has been a flooding problem in that area for decades. Mr. Benson asked if there had been a traffic count for Vincent Street. Mr. Benson asked if the trucks would be coming out of Vincent Street because the City of Smiths Grove has not been able to keep that street repaired, and that street can't handle truck traffic. Mr. Sweet came back to the podium. He said there have been a number of traffic studies done on the location, and that the Kentucky Transportation Cabinet said the site did not warrant a traffic signal. Mr. Sweet said they are proposing improvements to Vincent Street, including widening and heavier pavement. Mr. Sweet also showed where the retention

basins would be to satisfy drainage issues.

Chairman Runner asked if there were further questions. Being none, she asked if anyone would like to make a comment. John Bryce, 1376 Hays-Smiths Grove Road, came up to the podium and was sworn in. Mr. Bryce said Smiths Grove is a small town and they have plenty of trucks and don't need more. He said he likes the idea of the Speedway convenience store and it's ideal for Smiths Grove, but clogging the road up with trucks makes it more difficult than it already is to get in to Smiths Grove with the existing truck traffic.

Chairman Runner asked if anyone else would like to make a statement. David Stiffey, 214 Beeler Avenue, mayor of Smiths Grove, stepped up to the podium and was sworn in. Mr. Stiffey said the Smiths Grove City Commission hoped that this project would up the traffic counts so they could get a traffic light. He said he feels like the project will uplift the area, including taxes and giving the interchange a facelift.

Commissioner Graham asked if the Smiths Grove drainage requirements were the same as Warren County's, meaning they couldn't offload water onto another site. Mr. Peterson said that was correct. Chairman Runner asked if there were further questions. Mr. Peterson reiterated that this hearing is for the FLUM only, and that if it was changed, that would allow the applicants to come back and request the LI zone.

Chairman Runner asked if there were any more questions. Being none, she asked for a motion.

ACTION: Commissioner Warren made the motion, seconded by Commissioner Coppinger, to approve the proposed Future Land Use Map Amendment, docket number 2018-13-FLUM. Based upon the testimony and documents presented in this public hearing, the proposed FLUM Amendment has met the directive to amend the FLUM as outlined in LU-1.1.4 in the Comprehensive Plan. Further, I request that this motion include the summary of evidence and testimony presented by the witnesses at this public hearing. The vote was nine (9) yeas, one (1) nay, so approved.

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

Chairman Runner called the next item.

2018-48-Z-CO – Michael E. Perry and Louise Perry have filed an application to rezone a tract of land containing approximately 2.0 acres located at 2670 Bill Dedmon Road from AG (Agriculture) to RR (Rural Residential), with a general development plan.

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

Chairman Runner asked if there were any questions for the staff from the Commissioners. Commissioner Graham asked why this zoning needs to change since it looks like they're just taking a portion of this lot and then adding it to an agricultural tract. Mrs. Hurt said the tract of land they would be subdividing with the existing mobile home would be two (2) acres, which is less than the minimum lot size of five (5) acres that is required in the AG zone.

Chairman Runner asked if the applicant would like to add anything. They did not. Chairman

Runner asked if there were any questions or comments from the audience. There were none. Chairman Runner asked if there were further questions from the commissioners. Being none, she asked for a motion.

approve **ACTION:** Commissioner Graham made the motion, seconded by Commissioner Vitale, to ~~deny~~ the proposed Zoning Map Amendment, docket number 2018-48-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 noncompliance with the following objectives and action items: LU-1.1.1, LU-1.1.2, LU-1.1.3, LU-1.1.4, LU-2, LU-2.1.4, LU-2.3.1, CF-2.6, CF-5.3, PR-1.7, NCR-1.1.6 and NCR-2.4.1. 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. The vote was eleven (11) yeas, so recommendation will be for approval.

G. NEW BUSINESS

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

H. ADJOURN

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



CHAIRMAN, VELMA RUNNER

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