

SUMMARY MINUTES
City-County Planning Commission of Warren County
December 20, 2018 @ 6:00 p.m.
City Hall - Commission Chambers
3rd Floor, 1001 College Street, Bowling Green, KY

PRESENT:

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

The City-County Planning Commission of Warren County was called to order by Chairman Velma Runner. Chairman Runner announced that the items 4 on tonight's agenda: 2018-57-Z-BG – Sandra Stewart and Buckhead Kitchen & Bar LLP c/o Caitlin Davis Zone Change application on the corner of Campbell Lane and Thoroughbred Drive has been postponed to a later date and will be re-advertised. Item number 7 on the agenda: 2018-59-Z-CO – G.V.T.P. Developments, LLC and Patricia A. Stagner, POA for Frank C. & Wilma J. Stagner Trust zone change application on Elrod Road was withdrawn

A. ROLL CALL:

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

B. APPROVAL OF MINUTES:

Chairman Runner stated all Commissioners had received the Minutes of the meeting held on December 6, 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 Coppinger, and agreed upon (11 yeas) to approve the Summary Minutes of the December 6, 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 (December 20, 2018) be introduced as exhibits for each of tonight's hearings. He further requested the Chairman order that the Staff Report, with all attachments together, along with the Commission's entire file for the applications be likewise introduced as exhibits. Hampton Moore asked that the Oath be administered to Ben Peterson, Executive Director, Monica Ramsey, Planner, and Rachel Hurt, Planner be sworn as witnesses before the Planning Commission and that their oath and qualifications be reflected in the record for tonight's hearing. Chairman Runner so ordered and swore in the witnesses.

C. FINANCIAL

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

D. PRELIMINARY SUBDIVISION & SITE DEVELOPMENT PLANS

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

E. LETTERS OF CREDIT AND PERFORMANCE BONDS

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

1. Renew the letter of credit for construction on Plano Estates in the amount of \$10,000.00 from Mark Douglas Construction.
2. Renew the letter of credit for construction on Taz Trucking in the amount of \$66,000.00 from Tahir Zukic.
3. Renew the letter of credit for construction on Northridge Subdivision Section 10 in the amount of \$126,000.00 from J. Allen Builders.

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

Chairman Runner called the first item.

2018-12-DP – Western Kentucky Orthopedic Rental Assoc., LLC, Lovers Lane Land & Farm, LLC, et al.

have filed an application to amend the General Development Plan / Development Plan Conditions on tracts of land containing approximately 65.0549 acres located at 125, 165, 200, 225 & 262 Natchez Trace Avenue, 391 Suwannee Trail Street, 291, 305, 315, 335 & 340 New Towne Drive, 323 & 356 Suwannee Trail Court in addition to other vacant tracts bounded by I-65 and Lovers Lane. This property is zoned PUD (Planned Unit Development), with a general development plan.

Mr. Ben 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 from the Commissioners. Commissioner Clark asked if this application will need to go to the Design Review Board for approval. Mr. Peterson stated if they change any exterior portions they will. Mr. David Broderick came forward as the attorney for the applicant and stated the exterior will stay the same and this is so they can finish out their second floor of what use to be the gym. He stated that the Zoning Ordinance requires only 75% signature now to amend the Conditions and they have 75% signed. Chairman Runner asked if there were any further questions from the board. Being none, she asked if there were anyone in the audience with any questions or opposition to this request. Being none, she asked for a motion.

ACTION: Commissioner Graham made the motion, seconded by Commissioner Volkert, to approve the proposed General Development Plan amendment, docket number 2018-12-DP. Based upon the testimony and documents presented in this public hearing, the proposed General Development Plan amendment is consistent with the adopted FOCUS 2030 Comprehensive Plan as demonstrated by its compliance with the objectives and action items presented in the staff report. Further, I also find that there have been major changes of an economic, physical or social nature within the area of the property in question and I request that the findings of fact and recommendation include a summary of the evidence and testimony presented by the witnesses at this public hearing. The vote was eleven (11) yeas, so approved.

Chairman Runner called the next item on the Agenda:

2018-55-Z-CO – Charles Coleman has filed an application to rezone a portion of a tract of land containing approximately 1.75 acres located at 987 Briggs Hill Road from AG (Agriculture) to R-E (Residential Estate), with a general development plan.

Mrs. Monica Ramsey stepped to the podium to present the staff report. (*Note: Staff reports available upon Open Records Request*). She stated there was a typo in the staff report; the request does comply with LU 2.3.1

Chairman Runner asked if there were any questions from the Commissioners. Commissioner Graham asked why the FLUM amendment was required. Mrs. Ramsey explained that in order to subdivide property less than 5 acres that is zoned Agriculture it must be rezoned. Being none, she asked if there were anyone in the audience with any questions or opposition to this request. Being none, she asked for a motion.

ACTION: Commissioner Gay made the motion, seconded by Commissioner Huston, to approve the proposed Zoning Map Amendment, together with and conditioned upon the General Development Plan, docket number 2018-55-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. Therefore, the proposed Zoning Map Amendment is in agreement with the adopted Comprehensive Plan. Further, I request that this motion include the summary of evidence and testimony presented by the witnesses at this public hearing. The vote was eleven (11) yeas, so approved for recommendation.

Chairman Runner called the next item on the Agenda:

2018-56-Z-BG – Gilbert, Barbee, Moore & McIlvoy PSC, dba Graves Gilbert Clinic have filed an application to rezone a tract of land containing approximately 0.11 acres located at 640 East 3rd Avenue from RM-4 (Multi-Family Residential) to OP-C (Office Professional - Commercial), with a general development plan.

Mrs. Rachel Hurt stepped to the podium to present the staff report. (*Note: Staff reports available upon Open Records Request*). She stated there was a typo in the staff report; the current use for the property is Public Institutional.

Chairman Runner asked if there were any questions from the Commissioners. Being none, she asked if there was anything the applicant would like to add. Mr. Brian Packard, Facility Manager for Graves Gilbert, came forward. He stated they do not plan on doing anything different to the structure or signage and that they will be using it for storage. Commissioner Clark asked if they would be painting it and cleaning it up. Mr. Packard stated they would have to paint. Commissioner Coppinger asked if they would be agreeable to limit the signage. Mr. Packard stated they do not see a need for signage in the seeable future since they will just be using it for storage. Chairman Runner asked if there were any other questions. Being none, she asked if there were anyone in the audience with any questions or opposition to this request. Being none, she asked for a motion.

ACTION: Commissioner Gay made the motion, seconded by Commissioner Huston, to approve the proposed Zoning Map Amendment, together with and conditioned upon the General Development Plan, docket number 2018-56-Z-BG. Based upon the testimony and documents presented in this public hearing, the proposed Zoning Map Amendment is consistent with the adopted FOCUS 2030 Comprehensive Plan as demonstrated by its compliance with the objectives and action items presented in the staff report. Therefore, the proposed Zoning Map Amendment is in agreement with the adopted Comprehensive Plan. Further, I request that this motion include the summary of evidence and testimony presented by the witnesses at this public hearing. The vote was seven (7) yeas, so recommendation will be for approval.

Chairman Runner called the next two items on the Agenda:

2018-16-FLUM – Jimmy G. Reneau has filed an application for a Future Land Use Map Amendment containing approximately 1.01 acres located on a portion of a tract of land at 0 Matlock Road (bounded by Richpond Road and I-65) from Agriculture to Rural Density Residential.

2018-58-Z-CO – Jimmy G. Reneau has filed an application to rezone a tract of land containing approximately 1.01 acres located on a portion of a tract of land at 0 Matlock Road (bounded by Richpond Road and I-65) from AG (Agriculture) to R-E (Residential Estate), with a general development plan.

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

Chairman Runner asked if there were any questions from the Board. Being none, she asked if there were anyone in the audience with any questions or opposition to this request. Being none, she asked for a motion for the FLUM amendment.

ACTION: Commissioner Clark made the motion, seconded by Commissioner Graham, to approve the proposed Future Land Use Map Amendment, docket number 2018-16-FLUM. Based upon the testimony and documents presented in this public hearing, the proposed FLUM Amendment has met the directive to amend the FLUM as outlined in LU-1.1.4 in the Comprehensive Plan. Further, I request that this motion include the summary of evidence and testimony presented by the witnesses at this public hearing. The vote was eleven (11) yeas, so approved.

Chairman Runner asked for a motion on the zone change application.

ACTION: Commissioner Graham made the motion, seconded by Commissioner Volkert, to approve the proposed Zoning Map Amendment, together with and conditioned upon the General Development Plan, docket number 2018-58-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. Therefore, the proposed Zoning Map Amendment is in agreement with the adopted Comprehensive Plan. Further, I request that this motion include the summary of evidence and testimony presented by the witnesses at this public hearing. The vote was eleven (11) yeas, so recommendation will be for approval.

H. NEW BUSINESS

Chairman Runner asked if there were any new business. Mr. Ben Peterson stated the 2019 deadline and meeting schedule was in the packets. Chairman Runner asked for a motion to approve the schedule. **The motion was made by Commissioner Coppinger, seconded by Commissioner Rich, to approve the schedule as presented. The vote was eleven (11) yeas, so approved.** Chairman Runner asked if there were any further new business. Being none, she moved to adjourn.

I. ADJOURN

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



CHAIRMAN, VELMA RUNNER

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

