

**SUMMARY MINUTES**  
**City-County Planning Commission of Warren County**  
**February 7, 2019 @ 6:00 p.m.**  
**City Hall - Commission Chambers**  
**3<sup>rd</sup> Floor, 1001 College Street, Bowling Green, KY**

**PRESENT:**  
**Mary Vitale**  
**Tim Huston**  
**Dean Warren**  
**Gregory Gay**  
**Chuck Coppinger**  
**Mary Belle Ballance**  
**Christiaan Volkert**  
**Sandy Clark**  
**Eric Madison**  
**Velma Runner**

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

**A. ROLL CALL:**

Chairman Runner requested Jessica Martin to conduct roll call in order to determine a quorum. A quorum was determined with ten (10) 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 January 17, 2019 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 Gay that the minutes be approved, seconded by Commissioner Volkert, and agreed upon (9 yeas and 1 abstained) to approve the Summary Minutes of the January 17, 2019 meeting as written.

Hon. Hamp 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 (February 7, 2019) 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. Hon. Hamp Moore asked that the Oath be administered to Ben Peterson, Executive Director, Rachel Hurt, Planner and Monica Ramsey, Planner be sworn as a witness 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. 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.

**D. LETTERS OF CREDIT AND PERFORMANCE BONDS**

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

1. Release the letter of credit for construction on Matlock Farms in the amount of \$100,000.00 from Harlan Construction.
2. Reduce and renew the letter of credit for construction on Legacy Pointe from \$151,200.00 to \$10,000.00 from GVTP Development, LLC.
3. Release the cash bond on Cumberland Ridge, Section 5 construction and sidewalks in the amount of \$46,700.00 from GVV Development Co., LLC.

Chairman Runner asked if there were any questions. Being none, she asked for a motion. The motion was made by Commissioner Warren, seconded by Commissioner Gay, and agreed upon (10 years) to approve the above Letters of Credit and Performance Bonds.

**E. OLD BUSINESS**

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

**F. PUBLIC HEARINGS**

Commissioner Ballance left the Chambers making the total number of Commissioners present to nine (9).

Chairman Runner announced the two items on the Agenda described as:

**2019-02-FLUM – Keystone Development Group, LLC** has filed an application for a Future Land Use Map Amendment containing approximately 39.1132 acres located on tracts of land at 0 Veterans Memorial Lane and 0 Russellville Road (with frontage on Hickory Street and Walnut Street; located between Veterans Memorial Lane, Russellville Road, Stonehenge Avenue and Robin Avenue) from High Density Residential, Commercial and Mixed-Use/Residential to Commercial and High Density Residential.

**2019-04-Z-BG – Keystone Development Group, LLC** has filed an application to rezone tracts of land containing approximately 39.1132 acres located at 0 Veterans Memorial Lane and 0 Russellville Road (with frontage on Hickory Street and Walnut Street; located between Veterans Memorial Lane, Russellville Road, Stonehenge Avenue and Robin Avenue) from AG (Agriculture), RM-3 (Multi-Family Residential), HB (Highway Business) and F (Floodplain) to RM-4 (Multi-Family Residential), HB (Highway Business) and F (Floodplain), 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*).

Mrs. Hurt stated that in light of recent correspondence with the applicants today, the development plan conditions limit the maximum height to be four stories but the applicants stated the concept plan proposal is only three stories in height; the number of units shown on the concept plan exceeds the number of units allowed in the development plan conditions; and if the individual multi-family lots contain three story buildings there is not enough parking shown on the plan to meet the requirements of the zoning ordinance. She stated there was an opposition letter at everyone's desk

Chairman Runner asked if there were any questions from the Commissioners. Commissioner Volkert asked if everything was already zoned RM-3. Mrs. Hurt stated the majority of the property is zoned RM-3 with a small sliver zoned Agriculture along Veterans Memorial and the lot along Russellville road zoned Highway Business. Commissioner Volkert asked if the buildings would look identical like they did on Three Springs Road doing the same brick, roof line, etc. Mrs. Hurt stated that would be a question for the applicants. She stated it was her understanding the yellow buildings on the concept plan was 24-plex with 8 units per floor with three floors and it was her understanding that the black buildings on the individual lots on the concept plan were 12-plex with 4 units per floor with three floors. Commissioner Volkert asked if the black units have access to the club house and pool. Mrs. Hurt stated that would be a question for the applicant. Commissioner Gay asked how the commercial buildings would face. Mrs. Hurt stated the applicants have committed in their conditions that it would face Veterans Memorial. Commissioner Volkert asked how short are the applicants on parking with the way the concept plan reads today. Mrs. Hurt stated if all the buildings shown on the plan were three stories it would be roughly 350 spaces short (for the black buildings on the individual lot) and stated if they were two stories they would only be 25 spaces short which could be doable in other areas. Commissioner Clark asked for Mrs. Hurt to show the entrance and exit points on the concept plan. Commissioner Warren asked about the last page in the staff report with the questions from the City about the water retention. Mrs. Hurt stated they would have to ask the applicants about their drainage plans. Commissioner Volkert asked how many units they should have if it meets parking standards. Mrs. Hurt went over her calculations again for the parking but the applicant would have to explain further the difference in the concept plan. Chairman Runner asked if there were any further questions for the staff. Being none, she asked to hear from the applicant.

Mr. Thad Lucas, 555 Dunbarton Ave, came forward and was sworn in. He stated the individual lots have the options to go to three stories but each individual lot will have to make sure they have adequate parking for the units they build. He stated each lot owner could do an 8-plex or a 12-plex assuming they are big enough to house that many units and have the parking requirements met. Commissioner Volkert asked if the lots will be different sizes. Mr. Lucas answered yes. Mr. Lucas stated the Concept Plan is based on an average of 8-plex, 2 bedroom units. He stated the idea is to have a couple different building styles that buyers can choose from. They have John Williams from Williams Architect to help them with the design to make sure all buildings including the commercial work together and tied to restrictions that they will coordinate. Commissioner Volkert asked if they could be different colors. Mr. Lucas stated yes but they would coordinate with each other and be determined by the developers as a group for architectural approval. Commissioner Volkert asked if they would be willing to commit to uniformed style, color, roof pitch, etc. Mr. Lucas stated yes as long as there is 3-4 options in there. Commissioner Volkert asked if they were willing to go to one style, one color kind of like they did along Three Springs Road and Scottsville Road. He stated the last year and half they have tried really hard to keep uniformed structures in a development. Mr. Lucas stated he felt you can be uniformed in a look but still have the ability to have some different styles in the mix. He wanted to make sure there is still architectural creativity. Commissioner Warren, Clark and Volkert expressed concern about what could happen with "architectural creativity". Mr. Lucas stated they would have a building design that they could pick from per choice of units. Commissioner Volkert asked if they would be the same color. Mr. Lucas stated generally. The board expressed concern with that "generally" concept. Mr. Peterson stated there are some issues with staff trying to nail items down with this application and they don't know a lot of things here. He stated they had a conversation as recent as a few hours ago with emails about the

individual lot buildings being three stories, two bedroom buildings that don't meet the parking standards; development plan condition that says it can be four stories but nothing on the concept plan shows four stories (Mr. Lucas stated there was an option where the land drops 45 feet where they could do a 4 story building with parking as the "underground" portion. He stated most likely there will be three stories due to elevator requirements for 4 stories.) Commissioner Clark asked if the individual building lots will be the same buildings or not. Mr. Lucas stated they will have the same architectural style like for example Victorian throughout with minor changes. Commissioner Warren stated if someone comes in and builds a three story building on one of these lots, the next lot will probably only be able to build a two story building to comply with parking. Mr. Lucas stated maybe, they would only be able to do what the size of their lot allows them to do. Commissioner Warren stated it seems that if you do this everything should comply with the height and the amount of parking. Mr. Lucas stated he could agree to that. Commissioner Warren stated what we are not agreeing on the look out there. Mr. Lucas stated the area that is zoned RM-3 today, if you do the raw math, you can do 661 units today. He stated they are rezoning to RM-4 to allow the apartment complex and have some flexibility on the individual unit style and only asking for 662 units as a whole. He stated they would still have to go through the Development Plan Review but if they did have a DDP they would have been able to see more detail. Mrs. Hurt stated in the RM-3 current zone the rough calculation of 660 is if you take the acreage and calculate what is possible by the zoning ordinance but it doesn't factor in roads, parking, etc. and would probably be closer to 500ish depending on the number of bedrooms. Mr. Lucas stated he is willing to commit to uniformity as long as they don't have to look exactly alike to the "t". Commissioner Coppinger asked if he was willing to take the 4<sup>th</sup> story out. Mr. Lucas stated they did not have a problem with that. Commissioner Coppinger asked if there were plans to sprinkle the buildings. Mr. Lucas stated anything with three stories have to be sprinkled. Commissioner Volkert asked again if they were willing to commit to all the buildings being uniform, meaning look the same. Mr. Lucas stated yes they will be uniformed in the color but the left side will have a different look then the right side. Commissioner Volkert stated he wasn't worried about the left side and understood the apartment complex; he expressed concern about the right side and asked if they picked slate grey would they all be slate grey and stones in the same spot. Mr. Peterson stated in the presentations of the past cases that was mentioned tonight, there were drawings and renderings and specifications to the material and color. He stated he has not seen or heard that tonight or anything that could be enforceable by staff. Mr. Peterson gave a suggestion to recess and table this application to allow them to go back and show the creativity that they are trying to explain. He stated that is an option but there are still other things to discuss with people in opposition. Commissioner Warren and Volkert expressed concern about having a 12-plex next to an 8-plex. Mr. Lucas stated they couldn't be all 3 story 12-plex and stated the initial thought was always 2 stories, 8-plex or 4-plex and if that is what they needed to commit to he didn't have a problem doing that. Commissioner Volkert stated Mr. Peterson brought out a good idea to come back and show a color scheme and clear picture of what they want to do here. Commissioner Huston wanted to see how they were going to monitor for those individual lots. Chairman Runner asked if we should amend any conditions tonight or wait till next meeting. Hon. Hamp Moore stated we should wait and do it all at once and also go ahead and hear from the opposition that is present tonight. Chairman Runner asked for a show of hands in opposition. Hands were raised in the audience. Chairman Runner asked if anyone would like to speak or ask questions.

Mr. Robert Newman, 2210 Lealand Street, came forward and was sworn in. He stated he came in opposition because this development would adversely affect Springhill Subdivision. Mr. Newman expressed opposition to the connection to Springhill Subdivision and how it wasn't

needed with the connection on Veterans Memorial and Russellville Road. He stated the major rejection he has is the connection. Commissioner Volkert stated that is connectivity issues. Mr. Peterson stated that is a connectivity issue and this body has talked about multi-family and single family being incompatible uses and when we deem something as an incompatible use then there is no requirement to connect. Commissioner Clark asked why there wasn't an entrance off of Russellville Road. Mr. Lucas stated from the audience that there were safety concerns. Commissioner Volkert stated by closing it they picked up another lot. Mr. Peterson stated he can't fully answer that but he seen the development with connection through the existing development that is currently being built that has a connection to Russellville Road but the applicant would need to verify.

Ms. Catherine Lowe, 314 Robin, came forward and was sworn in. She stated she has been on a mission since last June about this project. She stated that it is wrong for them to connect to Walnut and Hickory. She stated they already have so many people that cut through Springhill Subdivision and use Robin as a race track. She stated she talked to the police and they said they don't have enough people employed to have them out there when they need to be. Ms. Lowe stated there where many children that play around in the neighborhood and even in the street. She explained problems she had with the adjoining church and their connection to Walnut. She stated she couldn't understand why they couldn't have two accesses on Veterans. Chairman Runner stated there is an option for them not to connect as Mr. Peterson explained earlier. Mr. Peterson stated that connectivity is still a good sound planning principal and something that should be done especially if a traffic light is put in where people in the neighborhood could exit there as well but the subdivision regulations would not require that connection. Ms. Lowe stated you can only put so many people on a piece of land and when you are trying to squeeze as many as you possible can it will turn into the projects. Chairman Runner asked if there were anyone in the audience that would like to add anything further or ask a question. Being none, Mr. Peterson stated he received a phone call right before the meeting concerning sidewalks. He stated sidewalks within the development are required. He stated this person stated they would not be opposed to this development if sidewalks where not only constructed inside the development but also installed in the existing neighborhood. Mr. Peterson clarified they couldn't make the developer install sidewalks in the existing adjoining neighborhood but they would be required inside this development with the construction of the roads. Mr. Lucas stated they did not have a problem with committing to 8-plexs and them being uniform throughout. He stated the blank area at the top is a major drop off from where there use to be a rock quarry there. He stated they would be leveling that off some and possible have some drainage. He stated other drainage plans for the development. Mr. Lucas stated the old Whabah's property requested a connection because of the light on Veterans Memorial that is being proposed. He stated the old Whabah property is also multi-family units and will allow them to have a connection onto Russellville Road as well. He explained the restriping and improvements on Veterans that they have already received preliminary approval from the Highway Department. Mr. Lucas pointed out the floodplain area on the property and the potential to use it as a dog park or walk way of some sort to make it look better but will have to follow the requirements of FEMA. He stated there would be an option for membership fees to make the clubhouse/pool available to individual lots kind of like how Traditions did their pool/clubhouse. He stated there would be two owners association, one for the multi-family portion and one for the commercial. Commissioner Volkert asked if they would be willing to commit to access onto Russellville Road. Mr. Lucas stated the issue with the sight concerns with the neighboring property. He further explained that he did have a concept plan that showed their connection with the Whabah's property that connects to Russellville Road but was asked to remove that from the concept plan. Commissioner Clark

asked if they saw the concerns with the Robin Ave connection with it having single family residence. Mr. Lucas stated Canon and Canon looked at that and their thought is that traffic would be flowing down and towards the light not traffic going into the subdivision. He stated the church did not want the connectivity. Commissioner Clark expressed concerns about the connectivity with single family residence and children. Mr. Lucas stated they discussed the connection with Bowling Green Public Works and they want the connection to Hickory. He stated the State did not want them to connect with the church and bringing anymore traffic through their connection to Veterans Memorial. Commissioner Volkert asked if they want them to vote on this tonight. Mr. Lucas stated he wanted to explain a little more about their project but if they need to postpone and come back in two weeks with materials to make them more comfortable they would be willing to do that. Commissioner Volkert expressed his desire to see samples of renderings and materials of what they plan on building out there and felt there were so many unknowns for them to vote on tonight. There was discussion about the WhaBah property having a right out only on Russellville Road and why the connection to this property would help them as well with the light at Veterans. Commissioner Clark asked if they were required to do a traffic study. Mr. Lucas stated they wanted a traffic light and the City and State Road Departments stated in lieu of not doing a traffic study; they could do other road improvements and a warrant signal study. Chairman Runner asked if there were any other questions, comments or discussions. Being none, she asked for a motion.

**ACTION: Commissioner Volkert made the motion, seconded by Commissioner Clark, to recess these hearings (Docket number 2019-02-FLUM & 2019-04-Z-BG) because all business could not be dispensed at this meeting - pursuant to section 6.2 of the Commission by laws - and to be reconvened at the February 21, 2019 Planning Commission meeting, in this City Commission Chambers at 6:00 p.m.. The vote was nine (9) yeas, so applications where recessed and will be reconvened at the February 21st meeting.**

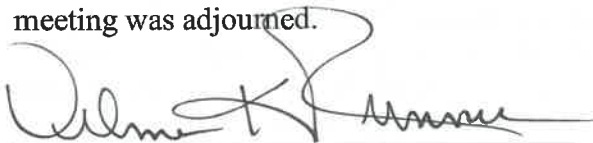
**G. NEW BUSINESS**

**Commissioner Ballance returned to the Chambers.**

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.*