

**ZONE CHANGE AND VARIANCE
STAFF REPORT**

DOCKET NUMBERS

PROPERTY ADDRESSES/LOCATION

2018-44-Z-SG & 2018-V-21

604, 610 & 618 South Main Street

PUBLIC HEARING DATE

PRE-APP DATE

October 18, 2018

March 8, 2018

APPLICANTS/PROPERTY OWNERS

PVA PARCEL NUMBERS

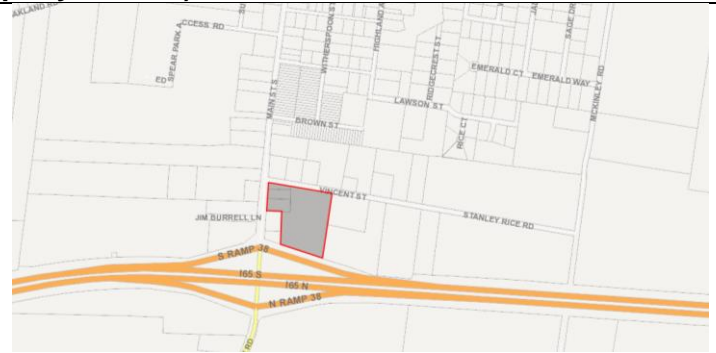
**McBride Dale Clarion
c/o Robert Sweet
Speedway, LLC
c/o Mike Smead (applicants)
TBJK LLC & Marilyn Kemble and
Billy Webb (property owners)**

080B-01-195 & 080B-01-182



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

BRIEF SUMMARY OF REQUEST: The applicants are requesting to rezone 5.06 +/- acres, located at 604, 610 and 618 South Main Street in Smiths Grove, from HB (Highway Business) to LI (Light Industrial) in order to operate a convenience store and truck stop on the properties. The applicants are also requesting a variance of 467 feet from the minimum distance of 500 feet required from any residential structure, use or district.



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

CURRENT ZONING	PROPOSED ZONING	FUTURE LAND USE	SIZE OF PROPERTY	OTHER INFORMATION
HB	LI	Light Industrial	5.06 +/- 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 Agriculture and Commercial	PROPOSED LAND USE Industrial	FLUM AMENDMENT <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	PROPOSED DENSITY N/A	

PROPERTY HISTORY: The original zoning for the properties is agriculture. They were rezoned to commercial in 1976 and have been zoned some form of HB (Highway Business) since that time.	COMPATIBILITY with COMPREHENSIVE PLAN: The properties are designated as Light Industrial on the Smiths Grove FLUM. The proposed LI district complies with this FLUM designation. The Planning Commission should determine if the proposed amendment is compatible with the surrounding area.
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COMPATIBILITY with the SURROUNDING DEVELOPMENT: The properties are located in the City of Smiths Grove. A site characteristic review indicates that there are generally adequate facilities and infrastructure available to support the proposed development. If approved, necessary roadway improvements will be constructed as outlined in the development plan conditions. The properties contain a mature tree line along the southern property line. Site design has been addressed in the General Development Plan and development plan conditions, in conjunction with the requirements of the Zoning Ordinance. The Planning Commission should determine if the proposal is compatible with the surrounding area.

POINTS TO CONSIDER:

- ❖ The proposal is consistent with the Smiths Grove FLUM and Light Industrial category.
- ❖ The proposed development complies with a majority of the site characteristics review criteria.
- ❖ The proposed General Development Plan complies with a majority of the review criteria for site design and compatibility, with the exception of addressing the existing sinkhole along the southern property line, utility placement and signage.
- ❖ The proposed development will meet the minimum requirements of the zoning ordinance if the variance application is approved.

Zone Change and Variance 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: Light Industrial (please see the attached Smiths Grove 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-2.1.4, LU-2.3.1, LU-2.5.3, LU-2.8, LU-2.8.1, LU-2.9

Transportation: TR-2.1

Community Facilities: N/A

Parks and Recreation: PR-1.7

Natural and Cultural Resources: NCR-1.1, NCR-1.1.6, NCR-1.3, NCR-2.4.1

Housing and Neighborhoods: HN-1, HN-1.3

Economic Development: ED-1

The development is designated as Light Industrial on the Smiths Grove FLUM. The proposal complies with the FLUM and this category, and 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 proposal may comply with LU-2. The Planning Commission should determine if the proposal is a high quality development that will protect the character of the area.

The proposal complies with LU-2.1.4, PR-1.7 or NCR-1.1.6. The applicants addressed tree preservation in development plan condition #11.

The proposal does not with NCR-1.1 or NCR-1.3, as the applicants did not address sinkhole located along the southern property line.

The proposal complies with LU-2.3.1 and TR-2.1, as the applicants have committed in development plan condition #8 to improvements to Vincent Street and South Main Street.

The Planning Commission should determine if the proposal will promote opportunities for revitalization and redevelopment and if it complies with LU-2.5.3

The proposal complies with LU-2.8 and LU-2.8.1. The applicants have addressed the applicable policies from the Smiths Grove Rural Village Policy Plan outlined on page 4 of this report.

The Planning Commission should determine if the proposed development protects Smiths Grove's rural village center, if it is compatible in design and placement with existing structures, contributes to the historic character of the community, and if it complies with LU-2.9.

The proposal may comply with NCR-2.4.1. The proposal is located in an area where adequate infrastructure already exists, other than road improvements. The Planning Commission should determine whether or not the proposed development will result in an increased amount of development pressure on the countryside.

The proposal may comply with HN-1 and HN-1.3 if the Planning Commission determines the proposal to be a suitable redevelopment project that is compatible with the area.

The Planning Commission should determine if the proposal complies with ED-1. The proposed development will result in additional business that will help to diversify the local economy.



Zone Change and Variance Staff Report

SITE CHARACTERISTICS REVIEW

Layout, lot sizes and setbacks: Please see the attached Preliminary Development Plan.

Transportation Infrastructure: The properties have frontage on South Main Street (KY 101), a State maintained rural major collector with right-of-way and pavement width that vary. The properties also have frontage on Vincent Street, a City maintained urban local roadway with 50 feet of right-of-way and 18 feet of pavement width. The properties are adjacent to Ramp 38 on I-65, but have no direct access to I-65.

Fire protection: This property is served by the Smiths Grove Volunteer Fire Department.

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

Wastewater adequacy: Sewer is available to the property.

Natural features: There is an existing tree line along the southern property line.

Prime farmland: The properties are comprised of a soil type that is designated as prime farmland. There are existing businesses located along KY-101, with agricultural uses present in the rear portion of the development.

Soil suitability: N/A

Flood plains and wetlands: There are no known floodplains or wetlands known on this property.

Cultural or historical features: There are no known unique cultural or historical features on the site.

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

SITE DESIGN and COMPATIBILITY REVIEW

Surrounding density: The surrounding area includes low residential uses.

Surrounding land uses: Please see the attached existing land use map. The surrounding area is comprised of a mixture of agricultural, commercial, industrial and single family residential uses. There are also some vacant tracts in the general vicinity.

Surrounding architectural features: There is a mixture of residential, commercial and industrial properties in the area. The majority of the structures in the area are one story.

Building materials review: The majority of the surrounding structures are constructed of brick or concrete block. The applicants have committed in development plan condition #2 that the proposed convenience store will be constructed of quick-brik.

Building orientation: The concept indicates that the proposed convenience store will face Main Street.

Landscaping and screening: Landscaping and screening will adhere to the requirements of the Zoning Ordinance.

Proposed open space: The maximum allowable lot coverage in the LI zone is 90%, meaning 10% of the property will remain as open space.

Connectivity: N/A



Zone Change and Variance Staff Report

Pedestrian, bicycle or transit facilities: N/A

AREA SPECIFIC POLICY REVIEW

Applicable plan(s): These properties are located within the boundary of the Smiths Grove Focal Point Plan. The applicable policies are outlined below, including a summary for each.

SG-1 To ensure orderly development of vacant tracts and in-fill sites within the City of Smiths Grove, the Future Land Use Map should guide all zoning and development decisions.

The proposal complies with SG-1 and the Smiths Grove Future Land Use Map.

SG-9 Only Light Industrial development and uses should be allowed and should be limited to the areas designated on the Smiths Grove Future Land Use Map.

The proposal complies with SG-9.

TRAFFIC IMPACT STUDY

Section 3.1.4 of the Zoning Ordinance outlines the following:

- A. Any development requiring the submission of a Traffic Impact Study, as triggered by the thresholds identified by the Bowling Green Public Works Department (BGPW), Warren County Public Works Department (WCPW) or the Kentucky Transportation Cabinet (KYTC), 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.
- B. 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), or conditions(s) in the instance of a CUP, agreeing to all improvement(s) required by such agency(ies). This documentation must be submitted as a part of an application (Zoning Map Amendment, Amendment to Development Plan Conditions, FLUM Amendment, Conditional Use Permit, Site Development Plan), in order for the application to be deemed complete."

The applicants consulted with all affected transportation agencies regarding the proposed development. Affected agencies include the Kentucky Transportation Cabinet (KYTC) and the Warren County Public Works Department. A Traffic Impact Study (TIS) was completed in July 2018 by Bacon, Farmer, Workman Engineering & Testing, Inc. There were no recommendations contained within this study, however the applicants have committed to several transportation improvements as outlined in development plan conditions #6 and #7. These conditions were a result of recommendations made by the affected transportation agencies.



Zone Change and Variance Staff Report

GENERAL DEVELOPMENT PLAN / DEVELOPMENT PLAN CONDITIONS

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

- 1) Total gross floor area for the convenience store shall not exceed 4,608 square feet. The maximum height for any building or fueling canopy constructed within the development shall not exceed 24 feet.
- 2) The exterior of the convenience store building shall be constructed of brick, stone, or modern masonry or cementitious material (quik-brik), excluding plain-faced block. Split-faced block shall not be used on any facade.
- 3) Any building constructed on the property shall be designed with a front facade oriented toward South Main Street (KY-101). The building facade facing Vincent Street shall also incorporate a customer entrance.
- 4) Any building constructed on the property shall incorporate a screen panel in order to screen roof-level mechanical equipment and HVAC units.
- 5) The proposed dumpster enclosure and compressor shed shall incorporate materials similar to those incorporated in the primary structure and be designed to match the proposed convenience store.
- 6) The property shall be served by a maximum of two access points on South Main Street and a maximum of three access points on Vincent Street. The two easternmost access points on Vincent Street shall be designed as one-way travelways for the diesel fueling area. Design and location of any access point to the property shall be coordinated with and approved by the Kentucky Transportation Cabinet and Warren County Public Works Department.
- 7) Vincent Street shall be widened to a minimum of 35' for a distance of approximately 385' from its intersection with South Main Street (KY-101) to the easternmost access point along Vincent Street. A portion of Vincent Street shall be restriped to include designated left and right turn lanes at its intersection with South Main Street (KY-101) and the southern curb radius of the intersection will be widened with the project. The pavement depth along Vincent Street shall be designed to accommodate diesel customers. All such improvements shall be coordinated with and approved by the Kentucky Transportation Cabinet and Warren County Public Works Department.
- 8) Lighting on the property shall be down-lighting, not to exceed 32 feet in height, LED or high intensity discharge shoebox luminary type. Lighting on the building and canopy shall be mounted into the soffit and canopy deck. Wall mounted lighting can be used in on the north, east, and south elevations of the convenience store building.
- 9) Landscaping on the property shall incorporate a minimum of 86 trees and 61 shrubs or incorporate the required number of plantings as outlined in the zoning ordinance, whichever is greater. Existing trees along the southern property line may be used to fulfill this requirement.
- 10) A plat consolidating the properties shall be submitted for review and recorded prior to issuance of a building permit.



Zone Change and Variance Staff Report

- 11) The existing trees along the southern property line will be maintained as long as they are healthy, disease free, and not of invasive species. Tree line may need to be removed for environmental remediation as necessary. These trees may be used to meet the landscaping requirement.
- 12) Prohibited uses include: Bingo parlor; pawn shop; tattoo parlor; adult entertainment or any sale, rental or display of pornography or adult books; off-premise advertising sign; self-service storage; manufacturing and production; warehouse and freight movement; manufactured and mobile home sales; towing/vehicle storage; Vehicle (Class 6 and above) sales, service, repair and body work; above ground storage tanks; commercial parking (non-accessory parking or pay lots).
- 13) The proposed facility will not provide the following the items with the use: shower facilities or stalls; truck driver sleeping accommodations; laundry facilities; and emergency truck repair/maintenance/ tire repair. Vehicles cannot be parked overnight.

The proposed General Development Plan meets the majority of the review criteria for site design and compatibility.

ZONING ORDINANCE REFERENCE FOR VARIANCE

The provisions of the Zoning Ordinance from which these variances are requested are referenced in **Article 5, Section 5.2.5**.

Article 5.2.5.A.5.a.2 Fuel Stations for Vehicles (Class 6 and Above) – Truck Stop – Located a minimum 500 feet from any residential structure, use or district.

VARIANCE FINDINGS

KRS 100.243 - Findings necessary for granting a variance/waiver:

- (1) Before any variance/waiver is granted, the board must find that the granting of the variance/waiver will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the board shall consider whether:
 - (a) The requested variance/waiver arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;
 - (b) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and
 - (c) The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.
- (2) The board shall deny any request for a variance/waiver arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.

In order to address the findings necessary for granting a variance/waiver as outlined in KRS 100.243, the applicants submitted the following narrative as a part of their application:



Zone Change and Variance Staff Report

“Please consider the following statements supporting the variance request:

- *The shape of the lot and placement of the convenience store building require the fueling canopy to be placed in the proposed location. Speedway needs to have the canopy located close to the building for safety and customer access. Placing the canopy elsewhere on site could create traffic issues and/or unsafe conditions for customers.*
- *The proposed facility is consistent with existing commercial development on the surrounding properties. The proposed use is similar to the Marathon, Exxon, and Shell fueling facilities along Main Street.*
- *Some of the commercial facilities allow truck fueling and truck parking. Each of these facilities are located within 500’ of a residential use or district.*
- *The proposed development supports sustainable growth and economic strength as outlined in the vision statement of the Comprehensive Plan. Speedway provides a key service and consistent commercial activity for the City and County’s residents and business community as well as travelers along I-65. The proposed development will strengthen the economic fabric of the City and county while increasing sales tax revenue and providing job creation opportunities.*
- *The proposed development will close the large driveway on Main Street associated with the existing properties.”*

Speedway feels the proposed request is consistent with surrounding uses in the area. We feel the proposed development will bring much needed tax revenue and potential job creation to the City. The proposed location of the fueling operations will not create undue hardship on adjoining properties since similar conditions already exist. The project will remove driveways, reconfigure the Main Street and Vincent Street intersection, allow Vincent Street to be widened. Speedway respectfully requests approval of the variance.”

STAFF REVIEW SUMMARY

The applicants are proposing to rezone 5.06 +/- acres in order to operate a convenience store and truck stop on the properties. The proposed LI zone is a potentially compatible zoning designation in the Light Industrial category on the Smiths Grove FLUM. The applicants are also requesting a variance of 467 feet to allow truck fueling to be located 33 feet from a residential structure, use or district. The proposal complies with a majority of the criteria assessed in the review process, excluding a few unaddressed items including the existing sinkhole along the southern property line, utility placement and signage. The Planning Commission should determine if the proposal is compatible with the area.



Zone Change and Variance 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 **2018-44-Z-SG**.

Based upon the testimony and documents presented in this public hearing, the proposed Zoning Map Amendment **is** consistent with the adopted FOCUS 2030 Comprehensive Plan as demonstrated by its compliance with the following objectives and action items:

Choose all that apply:

- | | | |
|------------------------------------|-----------------------------------|-------------------------------------|
| <input type="checkbox"/> LU-1.1.1 | <input type="checkbox"/> LU-2.8 | <input type="checkbox"/> NCR-1.1.6 |
| <input type="checkbox"/> LU-1.1.2 | <input type="checkbox"/> LU-2.8.1 | <input type="checkbox"/> NCR-2.4.1* |
| <input type="checkbox"/> LU-1.1.3* | <input type="checkbox"/> LU-2.9* | |
| <input type="checkbox"/> LU-2* | | <input type="checkbox"/> HN-1* |
| <input type="checkbox"/> LU-2.1.4 | <input type="checkbox"/> TR-2.1 | <input type="checkbox"/> HN-3* |
| <input type="checkbox"/> LU-2.3.1 | | <input type="checkbox"/> ED-1* |
| <input type="checkbox"/> LU-2.5.3* | <input type="checkbox"/> PR-1.7 | |

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 **2018-44-Z-SG**.

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

Choose all that apply:

- | | | |
|------------------------------------|-------------------------------------|--------------------------------|
| <input type="checkbox"/> LU-1.1.3* | <input type="checkbox"/> NCR-1.1 | <input type="checkbox"/> HN-1* |
| <input type="checkbox"/> LU-2* | <input type="checkbox"/> NCR-1.3 | <input type="checkbox"/> HN-3* |
| <input type="checkbox"/> LU-2.5.3* | <input type="checkbox"/> NCR-2.4.1* | <input type="checkbox"/> ED-1* |
| <input type="checkbox"/> LU-2.9* | | |

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

**Denotes items in both the APPROVE and DENY motions.*

(motion for variance continued on next page)



Zone Change and Variance Staff Report

MOTION TO **APPROVE** THE VARIANCE REQUEST:

I make the motion to **approve** the request for a variance at 604, 610 and 618 South Main Street, Docket number **2018-V-21**: a variance of 467 feet from the required distance of 500 feet from any residential structure, use or district.

The testimony presented in this public hearing has shown that the granting of this variance will not adversely affect the public health, safety or welfare; will not alter the essential character of the general vicinity; will not cause a hazard or a nuisance to the public; and will not allow an unreasonable circumvention of the requirements of the zoning regulations.

OR

MOTION TO **DENY** THE VARIANCE REQUEST:

I make the motion to **deny** the request for a variance at 604, 610 and 618 South Main Street, Docket number **2018-V-21**: a variance of 467 feet from the required distance of 500 feet from any residential structure, use or district.

Sufficient testimony has **not** been presented in this public hearing that the requested variance meet the criteria set forth in KRS 100.243, "Findings necessary for granting a variance," as:

(Choose one or more appropriate finding(s) and specific items)

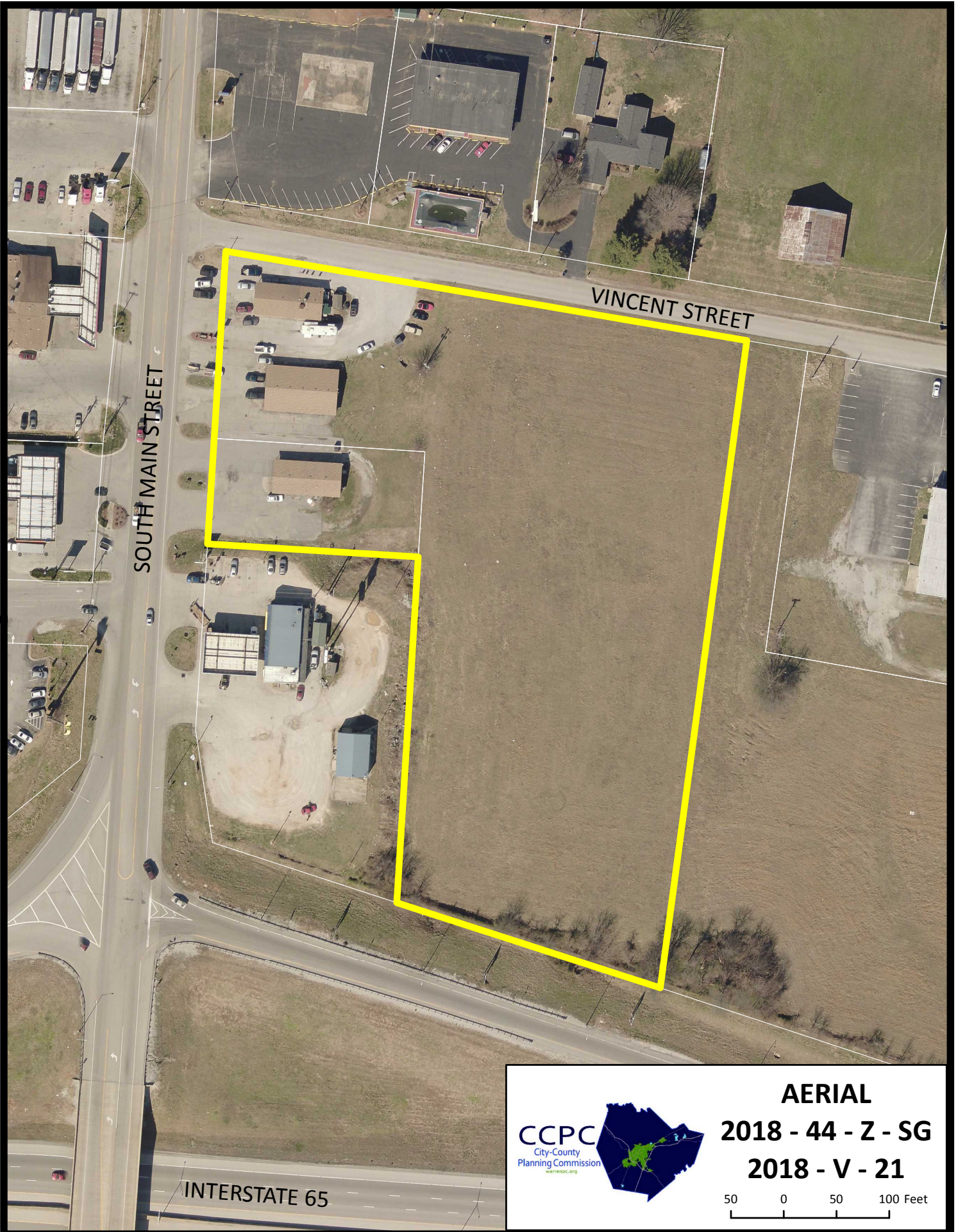
- ❖ **will** adversely affect the public health, safety or welfare.
- ❖ **will** alter the essential character of the general vicinity.
- ❖ **will** cause a hazard or a nuisance to the public
- ❖ **will** allow an unreasonable circumvention of the requirements of the zoning regulations.

The proposed development plan does **not** show that the requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;

The proposed development plan does **not** show that the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;

The circumstances are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.





SOUTH MAIN STREET

VINCENT STREET

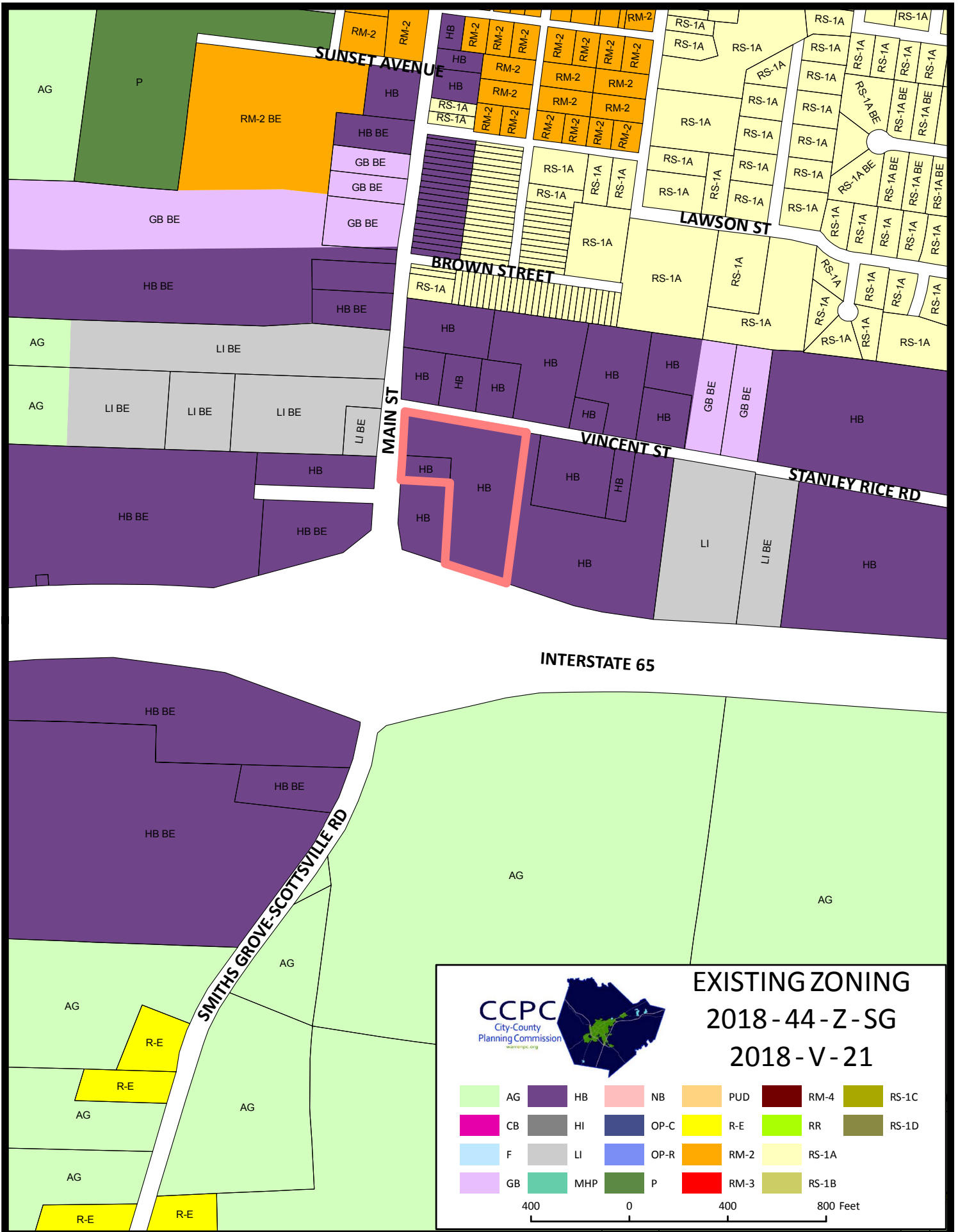
INTERSTATE 65

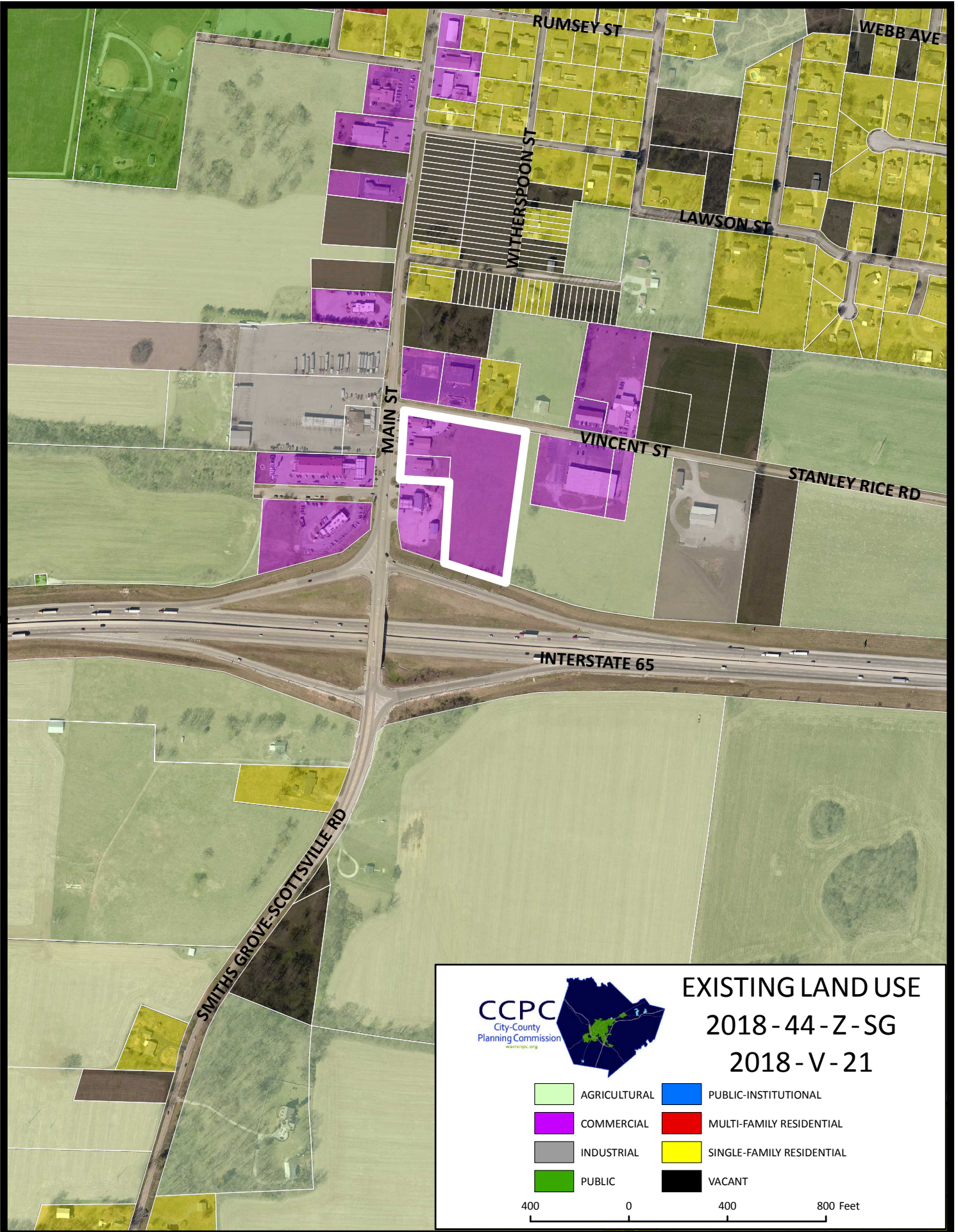
CCPC
City-County
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www.ccpc.org

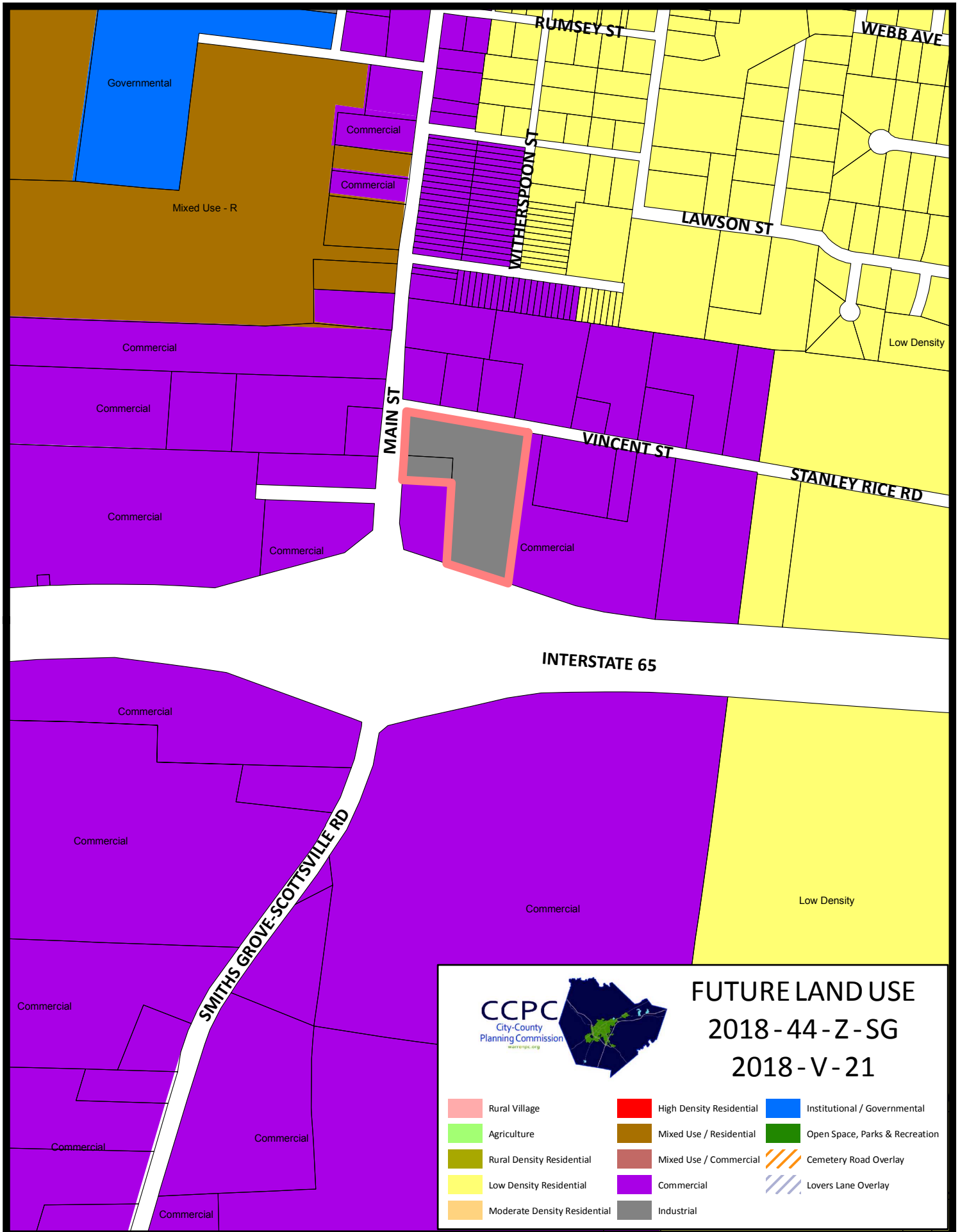


AERIAL
2018 - 44 - Z - SG
2018 - V - 21

50 0 50 100 Feet







RAGAN • SMITH
LANDSCAPE ARCHITECTS • CIVIL ENGINEERS
CHATTANOOGA, TENNESSEE
423.944.4091

STATE OF KENTUCKY
JACKIE L. DILLICHA
DICTIONARY NO. 6243
LICENSED PROFESSIONAL
LAND SURVEYOR

Speedway
Engineering and Construction Dept.
Prepared By:
ANNAMARIE BRYCE
BOOK 1137, PAGE 855, W.C.C.O.K.
Book 1107, Page 220, W.C.C.O.K.
Book 1107, Page 220, W.C.C.O.K.
Book 1107, Page 220, W.C.C.O.K.

NO.	REVISIONS

SMITHS GROVE, TN
BOUNDARY SURVEY
604.610 & 618 MAIN STREETS,
SMITHS GROVE, WARREN COUNTY, KENTUCKY

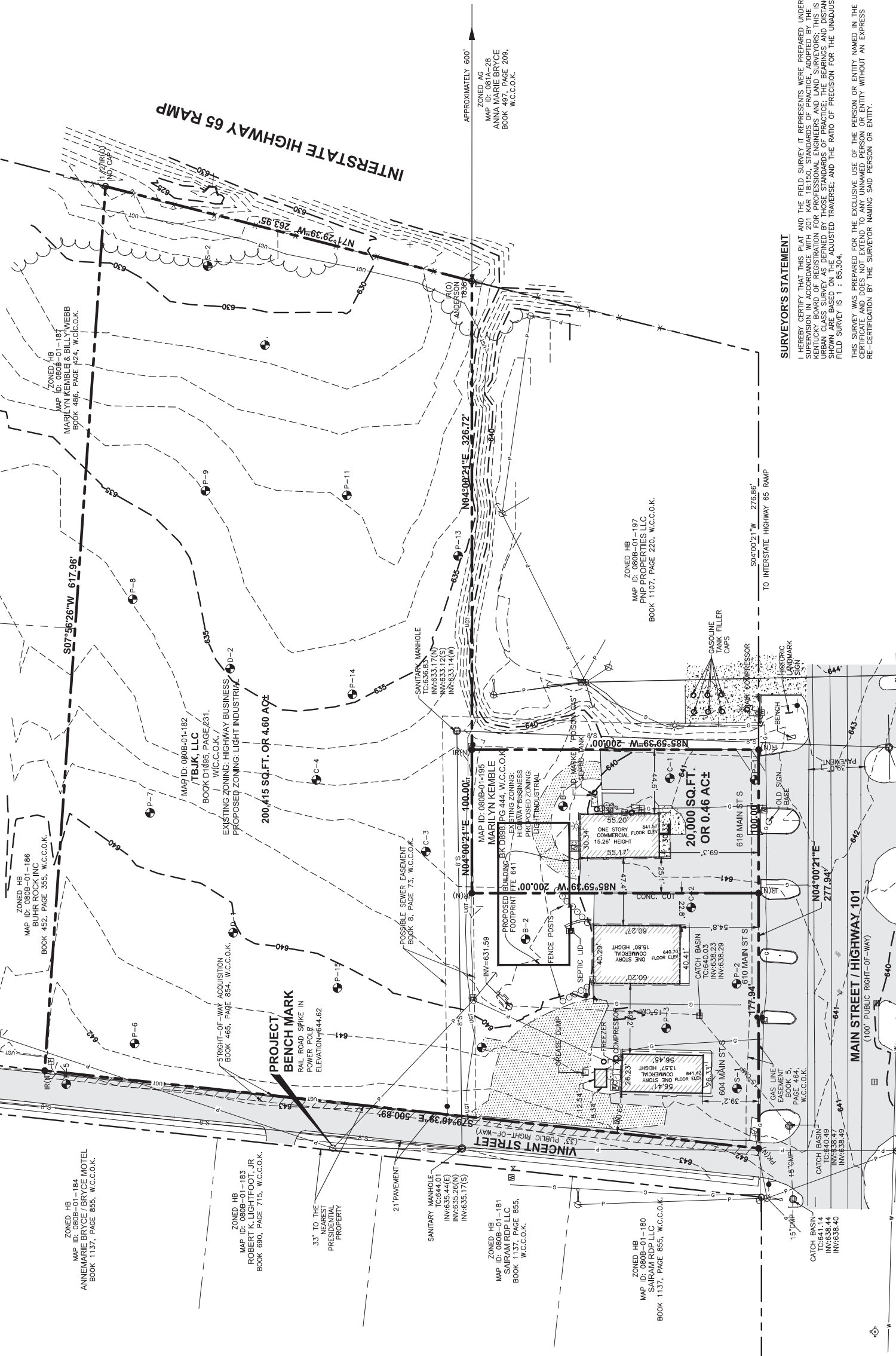
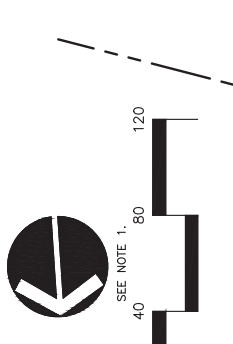
DATE	DESIGN TEAM
10/03/18 <td>JLD </td>	JLD
10/03/18 <td>LAP/US </td>	LAP/US

STORE OR BLDG NO. 100018

KENTUCKY P.L.S. NO. 3443

BY: **Jackie L. Dillicha**
SURVEYOR'S PRINTED NAME: JACKIE L. DILLICHA
DATE: OCTOBER 3, 2018

18034-1120



SURVEYOR'S STATEMENT

I HEREBY CERTIFY THAT THIS PLAT AND THE FIELD SURVEY IT REPRESENTS WERE PREPARED UNDER MY SUPERVISION IN ACCORDANCE WITH 201 KAR 18:150, STANDARDS OF PRACTICE, ADOPTED BY THE BOARD OF COMMISSIONERS OF THE WARREN COUNTY WATER DISTRICT. THE BEARINGS AND DISTANCES SHOWN ARE BASED ON THE ADJUSTED TRAVERSE; AND THE RATIO OF PRECISION FOR THE UNADJUSTED FIELD SURVEY IS 1 : 85,304.

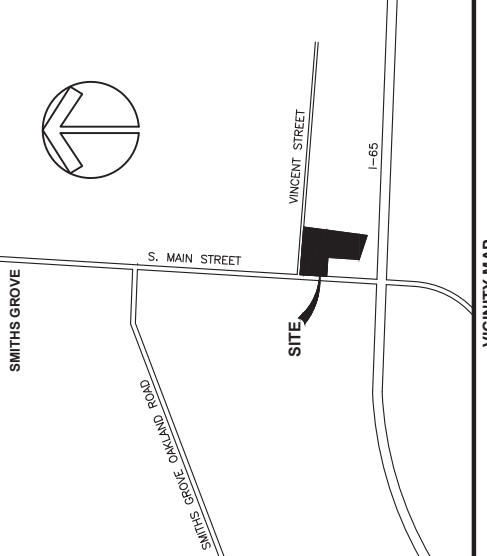
THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR ENTITY NAMED IN THE CERTIFICATE AND DOES NOT EXTEND TO ANY UNNAMED PERSON OR ENTITY WITHOUT AN EXPRESS RE-CERTIFICATION BY THE SURVEYOR NAMING SAID PERSON OR ENTITY.

RAGAN-SMITH ASSOCIATES, INC.

BY: **Jackie L. Dillicha**
SURVEYOR'S PRINTED NAME: JACKIE L. DILLICHA
DATE: OCTOBER 3, 2018

KENTUCKY P.L.S. NO. 3443

**TOTAL AREA = 220,415 SQUARE FEET
OR 5.06 ACRES ±**



- GENERAL NOTES**
1. BEARINGS SHOWN HEREON ARE BASED ON THE KENTUCKY COORDINATE SYSTEM OF 1983. GPS EQUIPMENT WAS USED TO DETERMINE THE POSITION OF TWO (2) CONTROL SURVEYS FOR THE SURVEYED PROPERTY TO ESTABLISH A BASIS FOR BEARING FOR THE SURVEY. THE BEARING DATA FOR THIS SURVEY IS AS SHOWN. THE AVERAGE POSITIONAL QUALITY IS 0.05".
 2. ELEVATIONS SHOWN HEREON ARE BASED ON NAVD 88 (GEOID MODEL 12S) CONTOURS AND ARE NOT TO BE USED FOR SURVEYING PURPOSES. SPOT ELEVATIONS: CONTOURS WERE DERIVED USING SURFACE MODELING TECHNIQUES.
 3. THE SUBJECT PROPERTY IS CURRENTLY ZONED: HB - HIGHWAY BUSINESS DISTRICT. PROPOSED LOT COVERAGE IS: 130,200 SQUARE FEET.
 4. BY SCALED MAP LOCATION AND GRAPHIC FLOTTING ONLY, THIS PROPERTY LIES WITHIN FLOOD ZONE "X", AS DESIGNATED ON CURRENT FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAPS (FIRM) FOR WARREN COUNTY. THIS PROPERTY MAKES UP A PART OF THE NATIONAL FLOOD INSURANCE ADMINISTRATION REPORT: COMMUNITY NO. 210369, PANEL NO. 0225, SUFFIX E, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS SITUATED. SAID MAP DEFINES ZONE UNDER "OTHER AREAS" AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
 5. THIS SURVEYOR HAS BEEN FURNISHED WITH A COPY OF A TITLE COMMITMENT BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, ISSUING OFFICE FILE NUMBER: 18-57669, ORDER NUMBER C1804637KLY, WITH A COMMITMENT DATE OF FEBRUARY 20, 2018. THE TITLE COMMITMENT HAS DISCLOSED THE FOLLOWING SURVEY RELATED EXCEPTIONS:
EXCEPTION 5. EASEMENT FOR STREET GRANTED THE BOARD OF TRUSTEES, CITY OF SMITHS GROVE, KENTUCKY, OF RECORD IN DEED BOOK 465, PAGE 854, IN THE OFFICE AFORESAID.
AFFECTS THE SUBJECT PROPERTY, PLOTTED HEREON.
EXCEPTION 6. EASEMENT FOR SEWER LINE GRANTED THE BOARD OF COMMISSIONERS OF THE WARREN COUNTY WATER DISTRICT, OF RECORD IN MSC. BOOK 8, PAGE 73, IN THE OFFICE AFORESAID.
UNABLE TO DETERMINE IF IT AFFECTS THE SUBJECT PROPERTY.
EXCEPTION 7. EASEMENT GRANTED WESTERN KENTUCKY GAS COMPANY, OF RECORD IN RIGHT OF WAY BOOK 5, PAGE 186, IN THE OFFICE AFORESAID.
AFFECTS THE SUBJECT PROPERTY, PLOTTED HEREON.
EXCEPTION 8. CONDITIONS, STIPULATIONS, RESTRICTIONS, BUILDING LINES AND EASEMENTS, TOGETHER WITH INCIDENTAL RIGHTS, AS PROVIDED FOR ON THE RECORDED PLAT OF RECORD IN PLAT BOOK 5, PAGE 186, IN THE OFFICE AFORESAID.
AFFECTS THE SUBJECT PROPERTY, PLOTTED HEREON.

- LEGEND**
- (R/W) 1/2"x18" IRON ROD (NEW) WITH "PLS 3443" CAP
 - (R/O) IRON ROD (OLD)
 - (PK/N) PK NAIL (NEW)
 - Ø UTILITY POLE
 - ⊙ UTILITY POLE W/ ANCHOR
 - ⊖ UTILITY POLE W/ LIGHT
 - GAS- GAS LINE
 - WATER LINE
 - CATCH BASIN
 - BORE HOLE
 - REINFORCED CONCRETE PIPE
 - SIGN
 - GAS VALVE
 - P&- OVERHEAD POWER AND TELEPHONE LINES
 - X-X- FENCE
 - W.C.C.O.K. CLERKS OFFICE, KENTUCKY
 - ▨ ASPHALT SURFACE
 - ▨ CONCRETE SURFACE
 - ▨ GRAVEL SURFACE

EXCEPTION 5. EASEMENT FOR STREET GRANTED THE BOARD OF TRUSTEES, CITY OF SMITHS GROVE, KENTUCKY, OF RECORD IN DEED BOOK 465, PAGE 854, IN THE OFFICE AFORESAID.

EXCEPTION 6. EASEMENT FOR SEWER LINE GRANTED THE BOARD OF COMMISSIONERS OF THE WARREN COUNTY WATER DISTRICT, OF RECORD IN MSC. BOOK 8, PAGE 73, IN THE OFFICE AFORESAID.

EXCEPTION 7. EASEMENT GRANTED WESTERN KENTUCKY GAS COMPANY, OF RECORD IN RIGHT OF WAY BOOK 5, PAGE 186, IN THE OFFICE AFORESAID.

EXCEPTION 8. CONDITIONS, STIPULATIONS, RESTRICTIONS, BUILDING LINES AND EASEMENTS, TOGETHER WITH INCIDENTAL RIGHTS, AS PROVIDED FOR ON THE RECORDED PLAT OF RECORD IN PLAT BOOK 5, PAGE 186, IN THE OFFICE AFORESAID.

EXCEPTION 9. CONDITIONS, STIPULATIONS, RESTRICTIONS, BUILDING LINES AND EASEMENTS, TOGETHER WITH INCIDENTAL RIGHTS, AS PROVIDED FOR ON THE RECORDED PLAT OF RECORD IN PLAT BOOK 5, PAGE 186, IN THE OFFICE AFORESAID.

EXCEPTION 10. CONDITIONS, STIPULATIONS, RESTRICTIONS, BUILDING LINES AND EASEMENTS, TOGETHER WITH INCIDENTAL RIGHTS, AS PROVIDED FOR ON THE RECORDED PLAT OF RECORD IN PLAT BOOK 5, PAGE 186, IN THE OFFICE AFORESAID.

EXCEPTION 11. CONDITIONS, STIPULATIONS, RESTRICTIONS, BUILDING LINES AND EASEMENTS, TOGETHER WITH INCIDENTAL RIGHTS, AS PROVIDED FOR ON THE RECORDED PLAT OF RECORD IN PLAT BOOK 5, PAGE 186, IN THE OFFICE AFORESAID.

EXCEPTION 12. CONDITIONS, STIPULATIONS, RESTRICTIONS, BUILDING LINES AND EASEMENTS, TOGETHER WITH INCIDENTAL RIGHTS, AS PROVIDED FOR ON THE RECORDED PLAT OF RECORD IN PLAT BOOK 5, PAGE 186, IN THE OFFICE AFORESAID.

EXCEPTION 13. CONDITIONS, STIPULATIONS, RESTRICTIONS, BUILDING LINES AND EASEMENTS, TOGETHER WITH INCIDENTAL RIGHTS, AS PROVIDED FOR ON THE RECORDED PLAT OF RECORD IN PLAT BOOK 5, PAGE 186, IN THE OFFICE AFORESAID.

EXCEPTION 14. CONDITIONS, STIPULATIONS, RESTRICTIONS, BUILDING LINES AND EASEMENTS, TOGETHER WITH INCIDENTAL RIGHTS, AS PROVIDED FOR ON THE RECORDED PLAT OF RECORD IN PLAT BOOK 5, PAGE 186, IN THE OFFICE AFORESAID.

EXCEPTION 15. CONDITIONS, STIPULATIONS, RESTRICTIONS, BUILDING LINES AND EASEMENTS, TOGETHER WITH INCIDENTAL RIGHTS, AS PROVIDED FOR ON THE RECORDED PLAT OF RECORD IN PLAT BOOK 5, PAGE 186, IN THE OFFICE AFORESAID.

EXCEPTION 16. CONDITIONS, STIPULATIONS, RESTRICTIONS, BUILDING LINES AND EASEMENTS, TOGETHER WITH INCIDENTAL RIGHTS, AS PROVIDED FOR ON THE RECORDED PLAT OF RECORD IN PLAT BOOK 5, PAGE 186, IN THE OFFICE AFORESAID.

EXCEPTION 17. CONDITIONS, STIPULATIONS, RESTRICTIONS, BUILDING LINES AND EASEMENTS, TOGETHER WITH INCIDENTAL RIGHTS, AS PROVIDED FOR ON THE RECORDED PLAT OF RECORD IN PLAT BOOK 5, PAGE 186, IN THE OFFICE AFORESAID.

EXCEPTION 18. CONDITIONS, STIPULATIONS, RESTRICTIONS, BUILDING LINES AND EASEMENTS, TOGETHER WITH INCIDENTAL RIGHTS, AS PROVIDED FOR ON THE RECORDED PLAT OF RECORD IN PLAT BOOK 5, PAGE 186, IN THE OFFICE AFORESAID.

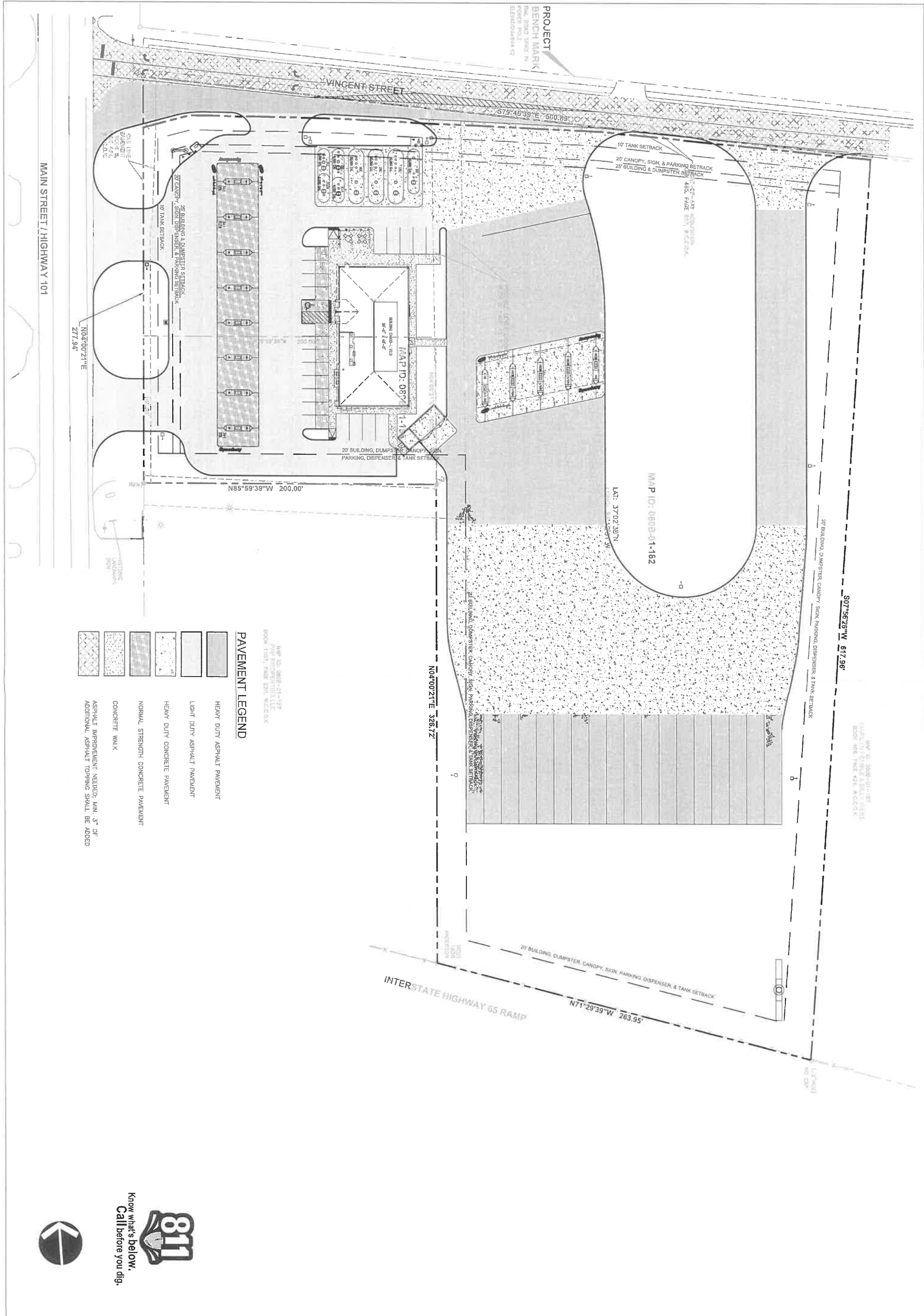
EXCEPTION 19. CONDITIONS, STIPULATIONS, RESTRICTIONS, BUILDING LINES AND EASEMENTS, TOGETHER WITH INCIDENTAL RIGHTS, AS PROVIDED FOR ON THE RECORDED PLAT OF RECORD IN PLAT BOOK 5, PAGE 186, IN THE OFFICE AFORESAID.

EXCEPTION 20. CONDITIONS, STIPULATIONS, RESTRICTIONS, BUILDING LINES AND EASEMENTS, TOGETHER WITH INCIDENTAL RIGHTS, AS PROVIDED FOR ON THE RECORDED PLAT OF RECORD IN PLAT BOOK 5, PAGE 186, IN THE OFFICE AFORESAID.

811

Know what's below.
Call before you dig.

11-CHATT PROJECT18034-11201-CIVIL-ENGINEERING-PLAN SHEETS112L PLOT PLAN DWG
 PLOTTED BY JUSTIN JOHNSON ON: 6/20/18 8:54 AM LAST UPDATED BY MAB ON: 5/25/18 4:30 PM



PAVEMENT LEGEND

	HEAVY DUTY ASPHALT PAVEMENT
	LIGHT DUTY ASPHALT PAVEMENT
	HEAVY DUTY CONCRETE PAVEMENT
	NORMAL STRENGTH CONCRETE PAVEMENT
	CONCRETE WALK
	ASPHALT IMPROVEMENT NEEDED, MIN. 3" OF ADDITIONAL ASPHALT TOPPING SHALL BE ADDED



NO.	REVISIONS	DISPATCH DATE	PROJ. NO.	REVISED DATE	REVISION DATE

This drawing is the property of Speedway and is not to be used or reproduced without expressed written consent of Speedway.



Prepared By:
 Speedway
 Engineering and Construction Dept.
 Enon, OH 45323



LAND PLANNERS • CIVIL ENGINEERS
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www.ragan-smith.com

JOB NO. 18034 WK. ORDER 1120

STAGE OR RISE NO.	100018
PROJECT OR PLAN NO.	104900
SCALE	1"=30'
DESIGN TEAM	DATE
DRN: CUJ	6-7-18
P: JMB	JEF
DRN: CUJ	6-7-18
DRW. NO.	100018-CS

CCPC

City-County
Planning Commission
warrenpc.org

APPLICATION FOR ZONING MAP AMENDMENT

Docket Number: 2018-44-Z-SG Public Hearing Date: 9-20-18
 Date Application Filed: 8-21-18 Pre-Application Meeting Date: 3-9-18

APPLICANT(S) INFORMATION

1) APPLICANT(S) NAME(S): Speedway LLC - Mike Smead - Construction Project Manager

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

Mailing Address: _____ Phone Number: 937-863-4422
600 Speedway Drive Cell Number: 937-206-5877
Enon, Ohio 45323 E-Mail Address: mssmead@speedway.com

2) PROPERTY OWNER(S) NAME(S): TBJK LLC & Marilyn Kemble and Billy Webb

Mailing Address: _____ Phone Number: _____
Both Owners: Cell Number: _____
PO Box 249, Smiths Grove, KY 42171-249 E-Mail Address: _____

PLEASE USE ADDITIONAL PAGES IF NEEDED

3) APPLICANT(S) ATTORNEY: Robert Sweet

Name of Law Firm: McBride Dale Clarion
 Phone Number: 513-561-6232 x 5 Cell Number: 513-441-7747
 E-Mail Address: rsweet@mcbridedale.com

PROPERTY AND PROPOSED DEVELOPMENT INFORMATION

Property Address: 604, 610, & 618 Main Street
 PVA Parcel Number: 080B-01-195 & 080B-01-182 Acreage: 5.06+/-
 Current Zoning: HB Proposed Zoning: LI
 FLUM Designation: Commercial (Land Use Plan Amendment to Industrial filed 8-9-18)

PROJECT SUMMARY

Please describe the proposed use of the property

Please see attachment

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.

Please see attachment

APPLICATION CHECKLIST

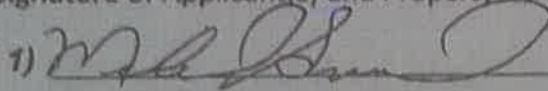
- A completed and signed Application
- Plat prepared by a licensed surveyor (please include one (1) 11" x 17" or smaller copy)
- Adjacent Property Owners Form
- General Development Plan (please include one (1) 11" x 17" or smaller copy)
- Development Plan Conditions
- Written Narrative Detailing Compliance 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): 7/23/18 - City Council MTS

APPLICANT'S CERTIFICATION

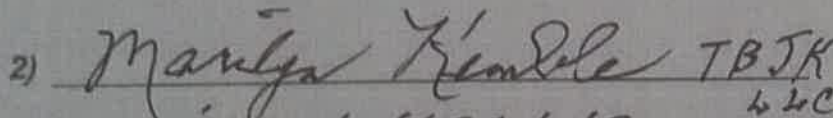
I do hereby certify that, to the best of my knowledge and belief, all application materials have been submitted and that the information they contain is true and correct. Please attach additional signature pages if needed.

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

Date:

1) 
MICHAEL SMEAD PM SPEEDWAY, LLC
(please print name and title)

8/17/18

2) 
MARILYN KEMPLE TBJK LLC
(please print name and title)

8.17.18

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: _____

Speedway #100018
Project Summary and Justification Statement
Southeast Corner of Main Street and Vincent Street
Smiths Grove, Kentucky

Speedway has a contract purchase 5.06+/- acres of property at the southeast corner of Main Street and Vincent Street in the City of Smiths Grove. The subject property is zoned “HB” Highway Business. Speedway is requesting a Zoning Map Amendment to designate the subject property “LI” Light Industrial to allow the development of a convenience store, automobile fueling, and diesel fueling facility on the site.

Speedway proposes to develop the property with a 4,600+/- square foot convenience store, a 5,400+/- square foot fuel canopy over eight double-sided fuel dispensers, and a 2,700+/- square foot four lane fueling canopy for diesel vehicles. A total of 41 parking spaces are provided (23 automobile parking spaces and 18 over-sized spaces). The new facility proposes the following driveways:

- A 35’ full movement driveway on Vincent Street for automobile traffic.
- Two 35’ full movement driveways on Main Street for automobile traffic.
- An 85+/- foot enter only driveway on Vincent Street for the diesel fueling area.
- A 145+/- foot exit only driveway on Vincent Street for the diesel fueling area.

Speedway is proposing the following improvements to the adjoining roadways:

- Widening a portion of Vincent Street to provide designated left and right turn lanes at the intersection with Main Street. This also includes widening the southern curb radius of the intersection.
- Thickening the pavement depth on Vincent Street to accommodate diesel customers and prevent roadway maintenance issues.

The proposed convenience store is constructed of quik-brik. The main entrance to the convenience store is on the western elevation facing Main Street. The northern and eastern elevations of the building have customer entrances. Outdoor seating is proposed along the northern elevation and consists of two tables. Mechanical units for the convenience store are mounted in a roof well and screened from adjoining properties and rights-of-way. A flat roofed metal canopy with a panel fascia is proposed over the fuel dispensers. A quik-brik dumpster enclosure is proposed and designed to match the convenience store.

Speedway is proposing to landscape the site with a combination of deciduous trees, shrubs, and grass. A total of 86 trees and 61 shrubs are proposed for the development. Areas not paved or occupied by a structure will be seeded with a lawn seed mix. The detention basin is seeded with a specific seed mix tolerant for stormwater.

Site lighting for the development consists of a combination of pole and building mounted light fixtures. Light fixtures are mounted on 17’ tall poles in the automobile portion of the site. Light fixtures are mounted on 32’ tall poles in the diesel fueling area. Lighting under the canopy is mounted flush into the bottom of the canopy deck, and lighting associated with the building is

mounted into the soffit of the convenience store. The proposed light fixtures use LED technology and are full cut-off to avoid spillage onto surrounding properties and rights-of-way.

Zoning Map Amendment Justification

Please consider the following statements supporting the Zoning Map Amendment request:

- An amendment to the Future Land Use Plan was requested for the site. The Land Use Plan Amendment and zone change is requested due to the sale of diesel fuel to customers along Interstate 65. The sites proximity to the interstate and the type of proposed use is consistent with the plan.
- The “HB” Highway Business zone is inappropriate for the proposed use as it does not allow truck fueling as a permitted use.
- The proposed development supports sustainable growth and economic strength as outlined in the vision statement of the Comprehensive Plan. Speedway provides a key service and consistent commercial activity for the City and County’s residents and business community as well as travelers along I-65. The proposed development will strengthen the economic fabric of the City and County while providing job creation opportunities.
- The County has experienced tremendous growth over the years. Part of this growth is connected to manufacturing and warehousing uses. The type of use proposed provides a supporting use to the growth of these businesses.
- The “LI” Light Industrial Zone request is consistent with the policies of industrial development gravitating towards the I-65 interchange.
- The requested zoning district is consistent with other zoning districts in the vicinity. “LI” District zoning is located on the opposite side of Main Street and within close proximity to the site along Vincent Street.

We respectfully request approval of the Zone Map Amendment. Our team looks forward to presenting our request to the City-County Planning Commission and City of Smiths Grove.

Pre-Application Conference Information



City-County
Planning Commission
warrenpc.org



Date: _____

PROPERTY INFORMATION

Attendees: _____

Property Location: _____ PVA Parcel #(s): _____

Property Owner(s): _____ Contract Vendee(s): _____

Current Zoning: _____ Proposed Zoning: _____

Current Land Use: _____ Proposed Land Use: _____

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 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 type="checkbox"/> LU-1.1.1 | <input type="checkbox"/> LU-1.1.2 | <input type="checkbox"/> LU-1.1.3 | <input type="checkbox"/> LU-1.1.4 |
| <input type="checkbox"/> LU-2 | <input type="checkbox"/> LU-2.1 | <input type="checkbox"/> LU-2.1.1 | <input type="checkbox"/> LU-2.1.2 |
| <input type="checkbox"/> LU-2.1.3 | <input type="checkbox"/> LU-2.1.4 | <input 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 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 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 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 type="checkbox"/> NCR-1.1 | <input type="checkbox"/> NCR-1.1.6 | <input 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 type="checkbox"/> NCR-2.4.1 |
| <input type="checkbox"/> NCR-2.4.3 | <input type="checkbox"/> NCR-2.5 | <input type="checkbox"/> NCR-2.5.3 | |

Housing and Neighborhoods

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



SITE CHARACTERISTICS REVIEW

Layout, Lot Sizes and Setbacks

- Internal Street(s): _____
- Minimum Lot Size: _____
- Proposed Setbacks: _____
- Minimum Lot Width: _____

Transportation Infrastructure

What type of Roadway will serve the proposed development?

- Warren County
- Bowling Green
- KYTC
- Other _____

What is the road width of the roadway that will serve the development? _____

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

Soil Suitability

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

- Not Limited
- Somewhat Limited
- Very Limited

Prime Farmland

How is the property classified in terms of farming suitability (See Figure 28, APP-64)?

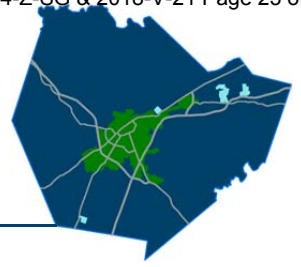
- Prime Farmland
- Prime Farmland if Protected from Flooding
- Farmland of Statewide Importance
- Not Prime Farmland
- Unclassified

Flood Plains and Wetlands

Is the property (or a portion of the property) located within a flood plain or wetland? YES NO

Cultural and Historical Features

Are there any cultural/historical features located on the property (i.e. cemetery, historic structure, etc.)?



SITE DESIGN AND COMPATIBILITY REVIEW

Surrounding Density: _____

Surrounding Land Uses: _____

Surrounding Architectural Features: _____

Building Materials: _____

Building Orientation: _____

Landscaping / Screening: _____

Proposed Open Space: _____

Connectivity: _____

Pedestrian, Bicycle or Transit Facilities: _____

AREA SPECIFIC POLICY REVIEW YES NO

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

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

STAFF NOTES



FLUM AND CATEGORY DESCRIPTIONS

Future Land Use

Objective LU-1.1.1: Upon Plan adoption, utilize the Future Land Use Map (FLUM, Figure FLU-4) to guide decision-making regarding land uses and development proposals.

Action LU-1.1.1: The Future Land Use Map (FLUM, Figure FLU-4) shall be used to determine the consistency which exists between future land use and development proposals.

Action LU-1.1.2: The following land use categories are depicted on the FLUM and shall be used in conjunction with the map to determine the consistency of land use and development proposals:

Agriculture (AG)

This land use designation applies to those rural areas relatively remote from the expanding rural-suburban fringe, where agriculture uses are predominant with small and large-scale farm operations. This classification can also include undeveloped areas used for open space and large tract single family residential property.

While the presence of R-E zoned land is acknowledged, and in some small areas, this zoning may even be prevalent, a new "conservation development alternative" to development under conventional AG or R-E zoning, will become available to landowners. Conservation development is an approach to the design of residential subdivisions, which is highly suited to rural areas where the retention of open space, farmland, or uninterrupted vistas of the scenic, rural landscape is desired (See Page FLU-24 for a map of proposed Land Conservation Development Areas). Higher densities may be possible with a Conservation style development as permitted by the Zoning Ordinance.

Rural Density Residential

This land use designation applies to those rural areas relatively close to the suburban fringe. It also applies to areas where property fragmentation has occurred within unincorporated areas or near farming activities through provisions for "exception lots" in the AG zoning district or through re-zoning and incremental subdivision of land as Residential Estate lots with gross densities ranging from zero (0) dwelling units per acre to one (1) dwelling units per acre. Higher densities may be possible with a Conservation style development as permitted by the Zoning Ordinance.

Low Density Residential

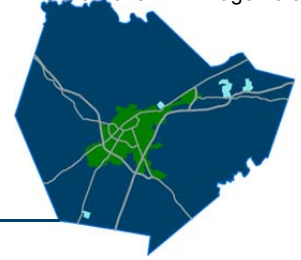
This land use designation comprises areas designated for single-family detached development and attached single-family development including twin homes where each unit is platted on its own individual lot, with gross densities ranging from zero to four and a half (4.5) dwelling units per acre. Higher densities may be possible with a Conservation style development as permitted by the Zoning Ordinance.

Moderate Density Residential

This land use designation encourages areas developed for higher density single-family detached and attached (RS-1C & RS-1D), as well as semi-detached multi-family development such as duplexes and townhouses, apartment buildings, condominiums and mobile home parks. Densities in this land use should range between three and a half (3.5) and thirteen (13) dwelling units per acre.

High Density Residential

This land use designation consists of areas occupied by multifamily housing, including higher density duplexes, townhomes, apartment buildings and condominiums. Densities exceeding eight (8) dwelling units per acre are encouraged in this Future Land Use category. High density single family may also be acceptable at five and a half (5.5) dwelling units per acre or greater.



Commercial

This land use designation consists of a broad array of commercial development, including individual commercial (retail, service, hotel or office) businesses that may exist along a highway corridor or a business district, as well as larger planned shopping centers and office parks. Limited high density multifamily uses are allowed to be mixed into commercial areas. These uses should be limited to upper stories or blended in or scattered among commercial uses. No more than 25% of any contiguous area designed Commercial should contain a multifamily uses. Compatibility will be assessed by applying policies in LU-1.1.3 below in conjunction with a general development plan.

Mixed Use

The Future Land Use Map includes two categories of mixed land use. They refer to areas that combine complementary activities – for example, retail, office or other commercial uses with residences, or industry with commerce. These can be existing developed areas, such as downtown Bowling Green, which retain a mixture of uses; or undeveloped or developing areas where the basic qualities of those existing mixed-use areas (efficient use of land, higher development intensities, and pedestrian friendliness) are intended to be replicated. Bringing a diversity of uses together, in close proximity with one another, makes it possible to encourage the pedestrian orientation and to reduce vehicular trips and traffic congestion.

The development pattern in mixed-use areas may include different uses housed in different structures (sometimes on a single site), or different uses stacked one on top of another in a single structure. Generally, both of these development types are likely to be found in the mixed land use districts, which differ primarily in the relative amount of each land use that is encouraged in them. There are two sub-categories of mixed-use, based on the predominant character encouraged in each:

Mixed-Use/Residential

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

This designation applies to the historic core of downtown Bowling Green or urbanized areas being redeveloped with the primary use as residential where complementary commercial and services are provided in a contiguous area. Here, development standards should be tailored to emphasize an urban character and a mix and intensity of development appropriate to this unique center of activity. When proposed as part of a mixed-use development, Commercial uses should comprise of only twenty five percent (25%) of such development. Standalone Commercial developments should not exceed ten percent (10%) of any contiguous area designated Mixed-Use Residential. No commercial footprint should exceed ten thousand (10,000) square feet. Compatibility will be assessed by applying policies in LU-1.1.3 below in conjunction with a general development plan.

Mixed-Use/Commercial

This category applies to strategic areas, mostly undeveloped today, that are located near designated industrial parks and accessible from major transportation corridors. These areas are envisioned as predominately large-scale employment and business centers, albeit supplemented by compatible light industrial, retail, services, hotels and, where appropriate, higher density residential development (stand-alone or in mixed-use developments). The distribution of land among these various activities shall be addressed through specific zoning. However, primary activities in these areas may include low and medium-rise office complexes, as well as environmentally friendly manufacturing and business centers.

On large tracts, these uses should be encouraged to develop in a campus-like setting, with quality architecture and generous, connected open space to maximize value, promote visual quality, and encourage pedestrian activity between employment areas and areas of supporting uses such as retail, restaurants, and residential. The primary focus of this category is commercial mixed uses with complementary residential comprising of up to 50% of the contiguous area. Compatibility will be assessed by applying policies in LU-1.1.3 below in conjunction with a general development plan.



Industrial

This land use designation consists of areas developed or suitable for the uses permitted in the light (LI) and heavy (HI) industrial zoning categories. Because such areas require rail and truck access, future industrial development will continue to gravitate to the rail corridors and I-65 interchanges. Complementary service and commercial uses are allowed up to 25% of the total contiguous area. Compatibility will be assessed by applying policies in LU-1.1.3 below in conjunction with a general development plan.

Institutional / Government

This land use designation consists of major public institutions, including the WKU campus and public schools, and governmental functions and operations such as the airport, government offices, and police and fire stations.

Open Space, Park and Recreation

This land use designation applies to all existing City and County owned public parks, golf courses, other recreational facilities, and permanently protected open spaces of countywide significance.

Rural Village

This land use designation is intended to provide for the continued vitality of the existing commercial and residential mixed use areas found in the smaller rural agricultural centers throughout Warren County. The rural village brings a sense of community and identification to the surrounding rural areas with an emphasis on providing essential goods and services to rural residents, but are not intended as employment designations for urban residents.

Neighborhood scale commercial uses are encouraged as pockets of mixed use developments. Commercial uses should be limited in size and scale (less than 10,000 square feet) and only allow uses permitted in the zones outlined in the table below. When proposed as part of a mixed-use development, commercial components should only comprise of no more than 10% of any such development. Standalone commercial development should not exceed more than 25% of any contiguous area designated Rural Village. Limited moderate density multifamily uses may be appropriate in some areas if limited in size and scale. Compatibility will be assessed by applying policies in LU-1.1.3 below, in conjunction with a general development plan, and by applying specific polies found in Focal Point Plans, area plans, corridor studies, or any other plan created and approved by the Planning Commission.

Future Land Use Category	Residential Density Range	Potentially Compatible Zoning Designations
Agriculture	0-0.2**	AG, RR*, RE*
Rural Density Residential	0-1.0**	RR, RE
Low Density Residential	0-4.5**	RR, RE, RS-1A, RS-1B, PUD
Moderate Density Residential	3.5-13	RS-1A, RS-1B, RS-1C, RS-1D, RM-2, RM-3, PUD, MHP
High Density Residential	5.5 or greater	RS-1D, RM-3, RM-4, GB, OP-R, CB, PUD, MHP
Commercial	25% of development or 10% of total contiguous area	RM-3, RM-4, GB, HB, OP-C, CB, PUD
Mixed-Use / Residential	75% of development or 90% of total contiguous area	RS-1A, RS-1B, RS-1C, RS-1D, RM-2, RM-3, NB, GB, OP-R, CB, PUD
Mixed-Use / Commercial	50% of contiguous area	RS-1A, RS-1B, RS-1C, RS-1D, RM-2, RM-3, RM-4, OP-C, HB, LI, PUD
Industrial	Not allowed	OP-C, HB, LI, HI
Institutional / Government	Not allowed	P
Open Space, Parks and Recreation	Not allowed	P
Rural Village	75% of development or 90% of total contiguous 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.



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

Development Review Provisions

- ❖ **Map and General Policy Review** – The first step in determining compliance with the Comprehensive Plan is determining if the proposed use and zone are in agreement with the Future Land Use Map (LU-1.1.1) and Future Land Use categories listed in LU-1.1.2. Additionally, applicable goals, objectives, and action items found in the Comprehensive Plan that may apply to the proposed use and zone should be identified as part of the community wide development compliance.
- ❖ **Site Characteristics Review** – Unless specifically exempted by the zoning ordinance or by the Planning Commission, all zone change requests must be accompanied by a General Development Plan including any or all of the following: location and bulk of buildings and other structures, intensity of use, density of development, streets, ways, parking facilities, signs, drainage of surface water, access points, a plan for screening and buffering utilities, existing and man-made and natural conditions, and all other conditions requested by the Planning Commission and agreed to by the applicant. Each site shall identify the applicable site specific characteristics below and incorporate them on the general development plan, or in the application. The Planning Commission will consider how these items relate to relevant goals, objectives, and action items contained within the comprehensive plan as well as any other applicable codes, regulations or policies.
 - Proposed development layout, lot sizes, and setbacks (HN-1.2)
 - Transportation system adequacy or provisions for improvements (LU-2.3.1, TR-2.1)
 - Fire protection district, nearest station and hydrant locations (CF-1.1, CF-1.4, TR-3, TR-4)
 - Public water location, provider and certification of availability (CF-1.1, CF1.4)
 - Waste water location, provider and certification of availability (CF-1.1, CF-1.4)
 - Existing natural features (NCR-1.1, NCR-1.3)
 - Identification of prime farmland (Map FLU-2, NCR-2.4)
 - Soil suitability (Map 32)
 - Location of flood plains or wetlands (NCR-1.1)
 - Cultural and/or historical assets being removed or preserved (NCR-2.1, NCR-2.2)
- ❖ **Site Design and Compatibility Review** – All proposals for new development must be assessed to determine their compatibility with the existing surrounding development. Compatibility may be shown because the proposed use is the same as the surrounding neighborhood, or it may be established by site design, buffering, control of access through the adjacent neighborhood, or other measures. Developments should address the following site design and compatibility considerations:
 - Surrounding density (HN-1.2)
 - Surrounding land uses (LU-2)
 - Surrounding building architecture including height, bulk, scale, massing, etc. (HN-1.2)
 - Proposed building materials (HN-1.2)
 - Building orientation in relation to the roadway (HN-1.2)
 - Proposed landscape buffering and/or screening (HN-1.2)
 - Proposed open space (LU-2.1.1, PR-2)
 - Connectivity to adjacent properties (LU-2.1.2)
 - Any pedestrian, bicycle or greenway facilities existing or proposed connections (LU-2.1.3, TR-3, TR-4, NCR-1.4, PR-3)



- ❖ Area Specific Policy Compliance – In addition to the review items above, the Planning Commission will consider area specific policies created in focal point plans, area plans, corridor studies, and/or other similar plans created by the Planning Commission or other local and state government organizations. (LU-2.4, LU-2.8)

Action LU-1.1.4: The following is a recommended protocol for the use of the Future Land Use Map and amending the FLUM.

Purpose / Relationship to Zoning

While the Zoning Map, and its associated zoning districts, defines specific uses and development types currently permitted for individual properties, the Future Land Use Map depicts more broadly the likely pattern of land uses that may exist in the future. Therefore, the FLUM does not directly determine the specific development that may be approved for a particular property. Applicants for zoning changes must demonstrate that the proposed use / development is consistent with the land use designation on the FLUM. However, consistency with the FLUM is only one of several considerations, and all other development criteria must be met for a rezoning approval, per the process laid out in the zoning ordinance and in KRS 100.213. Because FLUM designations are considerably broader than provided in specific zoning districts, several different zoning districts may conform to the provisions of a single FLUM land use category. However, in cases where a proposed development type and associated zoning district is clearly inconsistent with the FLUM, and/or other provisions of the Comprehensive Plan, such rezoning approvals shall not be granted until and unless the FLUM is amended.

Exceptions

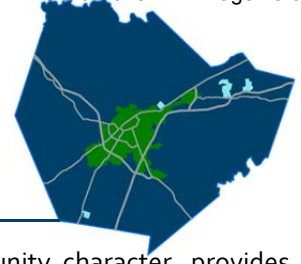
The following types of re-zoning requests shall not require FLUM amendment prior to consideration for approval:

- 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).



Goal LU-2: Encourage compact, sustainable, high quality development which protects community character, provides balanced land uses and which is tailored to the variety of urban, suburban and rural sections of Warren County.

Objective LU-2.1: Improve design standards and establish incentives for urban and suburban residential development.

Action LU-2.1.1: Consider increasing or refining the standards for open space retention in new residential development, to ensure an adequate share of such space is usable and of scenic or ecological value.

Action LU-2.1.2: Consider adoption of a “roadway connectivity index” applicable to new residential development or other developments with a significant residential component (40% or more).

Action LU-2.1.3: Consider encouraging new developments to incorporate planned greenway links (as per the Greenbelt Master Plan) into their developments or, at a minimum, to provide connections to the greenway system whenever possible.

Action LU-2.1.4: Consider adopting incentives to promote the preservation of existing trees on private property before, during, and after development, and standards that discourage clear cutting of trees.

Action LU-2.3.1: Improve standards for access management (e.g., review spacing of driveways, consider requiring driveway sharing or parking lot connectivity, etc.) in order to reduce traffic “friction” and enhance safety.

Action LU-2.3.4: Require that proposals for heavy industrial development in areas with a DRASTIC index of greater than 160 be accompanied by a detailed geologic analysis to determine the carrying capacity of the underlying soils with respect to the possibility of accidental spills of hazardous materials and storm water management.

Objective LU-2.4: Establish a consistent sector/small area planning process to focus on areas of the County or the City that require special attention and a more detailed level of planning.

Objective LU-2.5: Stabilize and protect Bowling Green’s older neighborhoods.

Action LU-2.5.2: Prepare guidelines to ensure the compatibility of infill development, particularly next to historic structures and sites.

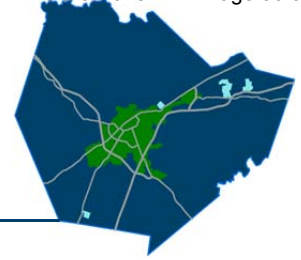
Action LU-2.5.3: Continue to identify and promote opportunities for revitalization and redevelopment.

Objective LU-2.8: Continue to apply selected policies established in prior focal plans and overlay districts, in particular those pertaining to the smaller incorporated cities and corridors.

Action LU-2.8.1: Continue to implement the adopted policy plans for Lovers Lane, Cemetery Road, Walnut Valley, the Cedar Ridge Neighborhood and the rural villages of Smiths Grove, Oakland and Woodburn. Any discrepancies between the 2030 Comprehensive Plan Future Land Use Map and the adopted policy plan maps shall follow that of the adopted policy plan (Volume 2 - Appendix 3).

Objective LU-2.9: Identify techniques to protect the County’s small municipalities and rural settlements from development that is out-of-character.

Objective LU-2.10: Identify and designate “special character areas” such as scenic roads and viewsheds for protection.



Transportation

Action TR-1.1: In reviewing development applications, identify the need to retain rights-of-way for roadways depicted in the long-range plans of the MPO and the KYTC.

Action TR-2.1: Continue to require that all private and public development is undertaken in a manner which promotes connectivity and minimizes traffic congestion on the existing road network, by implementing measures such as (but not limited to) the following:

- Adjacent developments shall provide for internal circulation between them in accordance with the subdivision regulations.
- At least one stub street should be constructed into each adjacent undeveloped property of 10 acres or more. The design of future alignment of street extensions onto adjacent tracts should benefit the surrounding community. Subsequent development of these adjacent tracts shall connect to the original stub street.
- Access to existing collector and arterial roads shall be provided by newly constructed public streets spaced not closer than 600 feet on collectors and not closer than 1,320 feet on arterials.
- All residential developments of 10 lots or more shall be served by an interior street system.
- Development within the City limits of Bowling Green shall comply with the City's adopted Traffic Access Management Manual.

Objective TR-3: Pedestrian and Bicycle Mobility: Promote pedestrian and bicycle mobility through an integrated network of sidewalks, paths and trails and through the encouragement of bicycle and pedestrian-friendly streets and land use and development patterns.

Objective TR-4: Transit System: Expand opportunities for transit alternatives to auto-dependence for local, citywide, countywide and regional travel.

Community Facilities

Action CF-1.1: Proactively plan all public facilities to support desired land use patterns. Complete plans within timeframes sufficient to allow strategies for meeting future needs to be implemented before current planned capacities are exceeded.

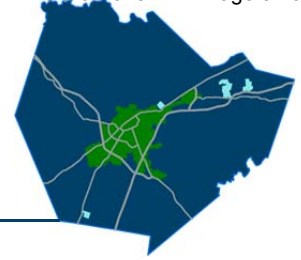
Action CF-1.4: Consider establishing a process for coordinated development review with utility providers, Planning Commission staff, parks department representatives, school district representatives, postal service representatives, fire and police representatives and other such relevant agencies, to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

Action CF-2.6: On-site sewage disposal systems may continue to be used provided that:

- The Health Department must perform a site evaluation to determine the location, size and type of on-site system to install.
- The site evaluation must be performed and the on-site disposal system located on the site before obtaining a building permit.
- Every on-site disposal system installation, regardless of lot size, must be approved by the Health Department.

Action CF-5.3: Any new subdivision encompassing 5 lots or more shall be required to provide a minimum fire flow of 250 GPM. An exemption for subdivisions consisting of no more than 4 lots will continue to apply.

Action CF-10.1: Promote technologies that reduce the impact of development and human activities on the environment, including sustainable development patterns, green building (e.g., encourage the use of green technologies in new construction, but also place an emphasis on adaptive reuse of existing buildings, and responsible deconstruction and reuse of building materials), alternative transportation, etc.



Parks and Recreation

Action PR-1.7: As necessary, review and enhance standards for new residential developments to ensure:

- Connectivity of open spaces to the County's greenways system.
- Protection of stream corridors and floodplains.
- Protection and enhancement of tree canopy.

Action PR-1.8: Adopt conservation/cluster subdivision design provisions to encourage the protection of open space, farmland, and rural character, making this approach an attractive alternative to conventional development in the AG zoning district.

Objective PR-3: Continue to implement the Greenbelt System Master Plan and other programs that support bicycle and pedestrian recreation and mobility.

Action PR-5.2: Provide and encourage appropriate levels of public access and amenities along the County's blueways, where feasible.

Natural and Cultural Resources

Objective NCR-1.1: Review and, as necessary, modify the land development regulations to ensure that land use and development decisions consider the physical suitability and natural resources of individual sites or areas anticipated for development.

Action NCR-1.1.6: Consider amending the Zoning Ordinance and/or Subdivision Regulations to include standards and incentives for the protection of existing trees on infill and redevelopment sites before, during and after land development. The standards should take into account the health and maturity of existing trees to determine whether trees should remain in place, may be removed, or should be relocated (either on- or off-site) upon development.

Objective NCR-1.3: Ensure that development is compatible with the natural environment, preserves unique landscapes and natural areas, conserves environmental resources and minimizes human impact on the natural environment.

Objective NCR-1.4: Take advantage of local natural resources to create, protect, and enhance, and maintain recreational, educational, and cultural opportunities and activities, as long as such uses are compatible with those resources.

Objective NCR-2.1: Gather, analyze and continuously update data about Warren County's unique cultural resources.

Objective NCR-2.2: Support educational efforts to increase awareness of Warren County's cultural resources and to foster their preservation.

Objective NCR-2.4: Implement strategies and tools to preserve and enhance Warren County's rural and agricultural heritage, including its agricultural landscapes and viewsheds, rural village centers, rural landmarks, and scenic rural corridors, etc.

Action NCR-2.4.1: Use the Future Land Use Map, together with the policies in the Land Use, Transportation, and Community Facilities elements, in particular, to direct development first to areas where infrastructure already exists, in order to reduce the premature development pressure on the countryside.

Action NCR-2.4.3: Adjust zoning and subdivision regulations to require development in rural village centers to be compatible in design and placement with existing surrounding structures, and to contribute to the historic character of the community.

Objective NCR-2.5: Promote the economic viability and vitality of historic neighborhoods, historic districts, and rural landscapes, adjusting local government decision-making processes, as necessary, to adequately consider cultural resources and historic preservation.

Action NCR-2.5.3: Consider cultural historical resources in applicable development review.



Housing and Neighborhoods

Objective HN-1: Promote the development of infill sites with existing urban services and suitable redevelopment projects that maintain or improve existing character, development patterns and urban design.

Action HN-1.2: Establish in the Zoning Ordinance clear compatibility criteria for new redevelopment and infill projects based on factors such as (but not limited to): building scale (massing, height), setbacks, parking location, landscaping and architectural character. Criteria may also include such items as requirements for compatible densities, street patterns, etc. (e.g., average density of new development should not exceed the density by more than 50 percent of the surrounding area, defined as that area located within a 1,000 foot radius).

Action HN-1.3: Continue to identify and promote opportunities for infill and redevelopment, particularly projects which may strengthen existing neighborhoods and districts.

Action HN-2.1: Promote the diversification of new housing stock by applying variable zoning densities and allowing a range of housing types in suitable locations, consistent with the Future Land Use Map. (e.g., mixed-use centers, etc.).

Action HN-2.3: Where housing is in severe disrepair to the point that rehabilitation is financially unfeasible, explore the possibility of acquiring and razing the structure to facilitate developing new housing for low and moderate-income families. In cases of residential structures with historical significance, a higher threshold should apply for determining that rehabilitation is financially unfeasible.

Action HN-3.2: Make revitalization of the “Shake Rag” neighborhood a priority, including housing rehabilitation activities, streetscape improvements, residential infill development, relocation of selected businesses, relocation of overhead utility lines, creation of a “heritage walk” from Fountain Square to the Barren Riverfront, development of minority-owned businesses and identification of historic properties.

Action HN-3.6: Revisit and, as necessary, adjust zoning in neighborhoods which are predominantly single family, but designated for multi-family use. Characteristics of existing zoning designations that may need to be adjusted could include, but are not limited to: (a) failure to protect the primarily single-family neighborhood from more intensive development; and/or (b) failure to promote new residential development that is sensitive in scale, form, and density to the established neighborhood character.

Objective HN-4: Encourage an array of housing options in all parts of Warren County.

Objective HN-6: Provide for the housing needs of the elderly, disabled and those in need of transitional housing.

Economic Development

Objective ED-1: Pursue actions to strengthen core industries, retain existing businesses and industries in the community and attract new businesses and industries, particularly those that will help to diversify the local economy.

Action ED-1.8: Encourage the development and expansion of healthcare facilities and support facilities for those of retirement age.

Objective ED-3: Support local small businesses, entrepreneurial endeavors and industries.

Action ED-4.5: Allow and encourage agri-tourism, farmers’ markets, local Co-ops and community supported agriculture (CSAs), farmstands, accessory farm businesses, agricultural festivals, equestrian events and other activities that help to support a viable agriculture economy.

Action ED-9.1: Support new cultural and entertainment venues, such as the development of a whitewater course on the Barren River, and completion of the Heritage Trail (a walking path from Fountain Square to the Riverfront), in Downtown Bowling Green, that complement current establishments such as the minor league baseball stadium, the Southern Kentucky Performing Arts Center and the Historic Railpark and Train Museum.

Action ED-9.3: Consider the need for tourist support facilities (hotels, restaurants, etc.) when making land use and zoning decisions.

Policies Regarding Development in Rural Village Focal Points

ORV-Oakland Rural Village-General Policy Guidance

ORV-1 New development should be planned to contribute to the maintenance and enhancement of the overall quality of life in the community.

ORV-2 The rural village appearance of the primary entrance corridors into the City of Oakland should be preserved and maintained.

ORV-3 To help prevent premature development of land at urban densities, the maintenance of agricultural land use on a permanent basis is encouraged.

ORV-4 Development of any urban density residential or commercial development should be consistent in size and scale with the rural character of the landscape.

ORV-5 Development of new recreation opportunities should be pursued and should offer linkage to the proposed Greenbelt system Master Plan of Warren County.

ORV-6 New development must be consistent with any overlay district adopted for any portion of the Focal Point.

ORV-7 New commercial development within the Oakland Focal Point should be of a neighborhood scale in size, character, and use.

ORV-8 New industrial development within the Oakland Focal Point is not encouraged.

SG-Smiths Grove Rural Village-General Policy Guidance

SG-1 To ensure orderly development of vacant tracts and in-fill sites within the City of Smiths Grove, the Future Land Use Map should guide all zoning and development decisions.

SG-2 Infill residential development should reflect the character of the neighborhood with regard to size, scale, setbacks, and architecture.

SG-3 New single family residential development of greater than 10 units should be limited in density to no more than 4 units per acre.

SG-4 All new residential development must have sidewalks, curb, and gutter.

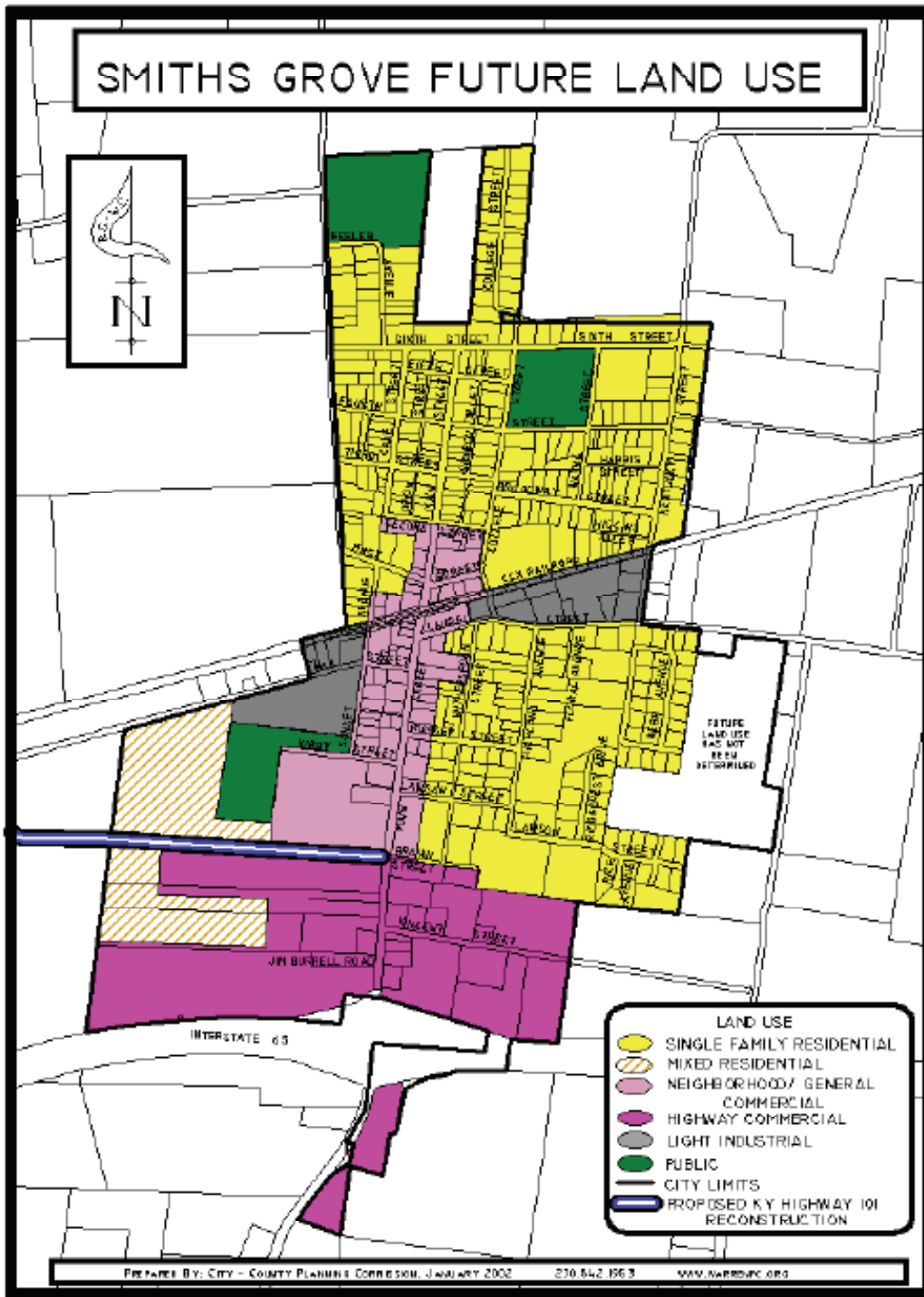
SG-5 New multi-family residential development shall be limited to two-family and townhouses only.

SG-6 Highway commercial development should be limited to the area designated on the Smiths Grove Future Land Use Map.

SG-7 Smiths Grove has a unique tourist market in its antique district and this niche should be encouraged to continue by allowing the mixed use of residential and antique businesses.

SG-8 Commercial development in areas outside of the Highway Commercial district should be limited to a neighborhood size, scale, and type.

SG-9 Only Light Industrial development and uses should be allowed and should be limited to the area designated on the Smiths Grove Future Land Use Map.



Rachel Hurt

From: Rachel Hurt
Sent: Tuesday, October 02, 2018 11:33 AM
To: 'Rob Sweet'
Cc: Smead, Michael S. (Speedway); Ben Peterson
Subject: Staff Comments: Proposed Zone Change and Variance - South Main Street, Smiths Grove

Good Morning,

In reviewing your applications for the proposed zone change and variance for properties located on South Main Street and Vincent Street in Smiths Grove, staff has generated the following comments for your consideration:

- The development plan conditions that were submitted include various statements about the proposed development, but not necessarily actual conditions/commitments. What was submitted is a good start, but staff suggests revising the wording to firm up what is mentioned in each of the statements. Development plan conditions are voluntary commitments that are attached as part of the rezoning application to help address compliance with applicable items from the Comprehensive Plan. If the rezoning application is approved, these conditions would be attached to the zoning and run with the land in perpetuity unless an additional application is made to amend them in the future. I have copied your proposed development plan conditions below and have included a few suggestions as to how you might want to reword them.

- 1) *The proposed convenience store has a square footage of 4,608 and is 23' – 6" in height.*

You might consider rewording this development plan condition to state, "Total gross floor area for the development shall not exceed X square feet. The maximum height for any structure constructed within the development shall be X feet."

- 2) *The proposed convenience store is constructed of quick-brik material and has pitched roof. The main entrance to the store is located on the western elevation facing Main Street. The northern and eastern elevations of the building have customer entrances. ~~Outdoor seating is proposed on the northern elevation and consist of two tables (this can be omitted altogether).~~ The convenience store has a screen panel along the eastern elevation of the building to screen the roof well where mechanical equipment/HVAC units are located.*

You might consider breaking this development plan condition into separate conditions to address each topic individually (building materials, building orientation, screening of roof-level equipment/HVAC units) and rewording each as follows:

"The exterior of all buildings shall be constructed of X percent brick, stone or modern masonry or cementitious material, excluding plain-faced block. Split-faced block shall be limited to X percent of any façade."

"Any building constructed on the property shall be designed with a front façade oriented toward South Main Street (KY-101). The building façade facing Vincent Street shall also incorporate a customer entrance."

"Any building constructed on the property shall incorporate a screen panel, to be a minimum of X feet in height, in order to screen roof-level mechanical equipment and HVAC units."

- ~~3) The automobile fueling canopy is 5,404 square feet in area and is 20' – 6" in height. The canopy is a metal flat roofed structure. The canopy has a 4' fascia on all sides.~~

- ~~4) The diesel fueling canopy is 2,670 square feet in area and is 20' – 6" in height. The canopy is a metal flat roofed structure. The canopy has a 4' fascia on all sides.~~

- 5) *A quick-brik dumpster enclosure is proposed and designed to match the convenience store. The enclosure provides wood gates for access to the dumpsters. A compressor shed is proposed next to the dumpster enclosure and is constructed out of similar materials.*

“The proposed dumpster enclosure and compressor shed shall incorporate materials similar to those incorporated in the primary structure and be designed to match the proposed convenience store.”

- ~~6) A total of 40 parking spaces are provided for the development and includes:~~

- ~~a. 21 – 9' x 18' parking spaces for automobiles;~~
~~b. 18 – 12' x 75' oversize parking spaces; and~~
~~c. One ADA space as identified on the plan.~~

- 7) *Driveways for the development are proposed as follows:*

- a. *Two 35' wide driveways along Main Street, spaced as shown on the development plan.*
b. *One 46' wide automobile driveway on Vincent Street.*
c. *Two one-way driveways on Vincent Street for the diesel fueling area. The “Enter Only” driveway is 85' and the “Exit Only” driveway is 145'.*

“The property shall be served by a maximum of two access points on South Main Street and a maximum of three access points on Vincent Street. The two easternmost access points on Vincent Street shall be designed as one-way travelways for the diesel fueling area. Design and location of any access point to the property shall be coordinated with and approved by the Kentucky Transportation Cabinet and Warren County Public Works Department.”

- 8) *Speedway proposes the following improvements to Vincent Street:*

- a. *Widening 385' of Vincent Street. The widening will start at the intersection and proceed west to just past the exit driveway. The width of the widening is approximately 35' at the widest point.*
b. *Speedway proposes to restripe a portion of Vincent Street to provide designated left and right turn lanes at the intersection with Main Street.*
c. *The southern curb radius of the intersection will be widened with the project.*
d. *Speedway will improve the pavement depth along Vincent Street to accommodate diesel customers and prevent roadway maintenance issues.*

“Vincent Street shall be widened to a minimum of 35' (or insert appropriate width) for a distance of approximately 385' from its intersection with South Main Street (KY-101) to the easternmost access point along Vincent Street. A portion of Vincent Street shall be restriped to include designated left and right turn lanes at its intersection with South Main Street (KY-101) and the southern curb radius of the intersection will be widened with the project. The pavement depth along Vincent Street shall be designed to accommodate diesel customers. All such improvements shall be coordinated with and approved by the Kentucky Transportation Cabinet and Warren County Public Works Department.”

- 9) *Site lighting for the development consists of pole and building mounted light fixtures:*

- a. *Light fixtures in the automobile portion of the facility are 17' tall (15' tall poles on 2' concrete bases).*
b. *Light fixtures in the diesel portion of the facility are 32' tall (30' tall poles on 2' concrete bases).*
c. *Lighting under the canopy is mounted into the bottom of the canopy deck.*
d. *Lighting on the building will be mounted into the soffit of the convenience store.*
e. *Speedway proposes to use full cut-off LED light fixtures.*

“Lighting on the property shall be down-lighting, not to exceed 32 feet in height, high intensity discharge shoebox luminary type or wall-packed lighting (or insert appropriate lighting style here).”

- 10) *Landscaping for the facility consists of deciduous trees, shrubs, and grass. A total of 86 trees and 61 shrubs will be included in the development. Areas not paved or occupied by a structure will be seeded with a lawn seed mix.*

“Landscaping on the property shall incorporate a minimum of 86 trees and 61 shrubs or incorporate the required number of plantings as outlined in the zoning ordinance, whichever is greater.”

11) The lots will be consolidated as part of the project.

“A plat consolidating the properties shall be submitted for review and recorded prior to issuance of a building permit.”

Additional items you may consider addressing in your development plan conditions include the following:

- LU-2.1.4, PR-1.7 and NCR-1.1.6 of the FOCUS 2030 Comprehensive Plan encourages preservation of the existing tree canopy/discourages clear-cutting of trees. In looking at the aerial view of the property, it appears that there is a mature line of trees running along the southern property line. Would you consider an additional development plan condition addressing preservation of these trees (or at least a portion of these trees)?
- 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. Would you consider an additional development plan condition to address the existing sinkhole that is present on the southern portion of the site?
- LU-1.1.3 of the FOCUS 2030 Comprehensive Plan outlines several items of compatibility that should be addressed with new development proposals. Would you also consider incorporating additional development plan conditions to address:
 - o Prohibited Uses – Suggestions included bingo parlor; pawn shop; tattoo parlor; adult entertainment or any sale, rental or display of pornography or adult books; off-premise advertising sign; self-service storage; manufacturing and production; warehouse and freight movement; manufactured and mobile home sales; towing/vehicle storage; Vehicle (Class 6 and above) sales, service, repair and body work; above ground storage tanks
 - o Underground Utilities
 - o Signage – Perhaps outlining a maximum square footage/height, monument-style

To ensure timely delivery of meeting materials to our Planning Commissioners, please submit any revisions you may have no later than **Tuesday, October 9th at 11:30 AM.**

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



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