

Staff Report

Bourbon County Joint Planning Commission

SEPTEMBER 20, 2018

Case Number:	ZMA 18-06
Applicant:	David Puryear
Location(s):	141 Winchester St.
Zone Change:	R-3 Residential to B-2 General Commercial
Acreage:	.55 acres (23,958 sf)
Application Date:	August 20, 2018
TRC Meeting Date:	August 27, 2018
Adjoining Letters:	August 28, 2018 August 30, 2018 (CSX)
Legal Notification:	August 30, 2018 (Bourbon County Citizen)
Signage Posted:	August 31, 2018



PROPOSAL

Applicant requests a zone change for approximately .55 acres of land from R-3 Residential to B-2 General Commercial. The property is bordered by Winchester St., CSX Railroad, three residential properties, and two commercial parking lots. A conceptual development plan for a woodworking retail shop has been submitted for informational purposes. If approved, the applicant intends to submit a preliminary development plan for a woodworking shop, retail, and office space.

PROPOSED ZONE CHANGE AND THE COMPREHENSIVE PLAN

The goals contained in the 2017 Comprehensive Plan are those officially adopted by each participating jurisdiction. According to KRS 100.187 these goals shall serve as a guide for the physical development and economic and social well-being of the planning unit; in this instance, the City of Paris.

Regarding the designated future land use of the property, the existing Comprehensive Plan Future Land Use Map does not address future redevelopment of this specific property. Historically, the property has been used for various commercial purposes (bar, workshop) and has been occupied as residential.

The most applicable goal that may be affected by this zone change request are as follows:

Economic Resources: Goal 1 – To stimulate economic growth and stability in Bourbon County.

While the change in zoning on this property would stimulate economic growth in the City of Paris, the Comprehensive Plan does not specifically address in-fill development. **Therefore, the zone change request shall be reviewed on the grounds that the original zoning classification given to the property is inappropriate the proposed zoning classification as being appropriate.**

EXISTING ZONING & LAND USE



The below table lists the existing zoning and land use on the subject property and properties located along adjacent streets and the railroad.

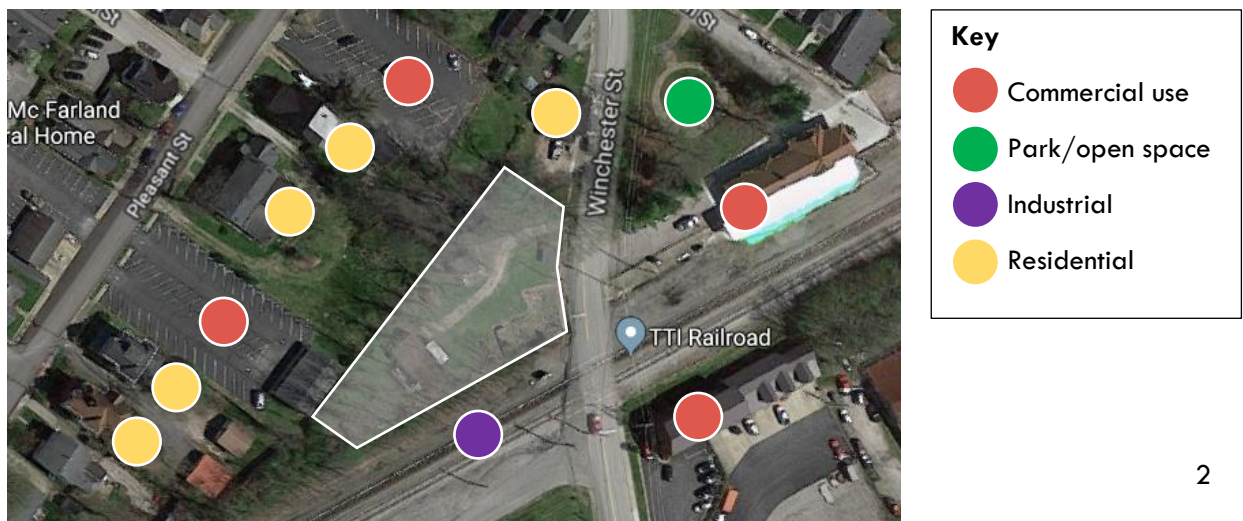
FIGURE 1: Zoning Area Map

Source: [Bourbon County Joint Planning Interactive Zoning Map](#)

Property	Existing Zoning	Existing Land Use
Subject Property 141 Winchester St.	(R-3) Residential	Vacant/abandoned Commercial and residential
Area 1 1018 Pleasant St. 1022 Pleasant St. 1102 Pleasant St. 1114 Pleasant St.	(R-3) Residential (R-3) Residential (R-3) Residential (R-3) Residential	Church parking lot Single-family residential Multi-family residential Funeral home parking lot
Area 2 117 Winchester St. East 10 th St.	(R-3) Residential (R-3) Residential	Multi-family residential Park/open space
Area 3 134 10 th St. Railroad	(B-2) General Commercial (B-2) General Commercial (I-2) Heavy Industrial	Commercial (future eatery) CSX and TTI freight rail line
Area 4 Railroad	(R-3) Residential	CSX and TTI freight rail line

FIGURE 2: Existing Land Use of Surrounding Area

Source: [Bourbon County Joint Planning Interactive Zoning Map](#)



URBAN SERVICES REPORT

ROADS

The subject properties are most closely located to E. Main St., a state road northeast of downtown. The most recent traffic count was conducted by the Kentucky Transportation Cabinet (KYTC) in 2015 which showed an annual average daily traffic count of 3,408 vehicles. The width of Winchester St. is 28 ft. at the entrance to the subject property.

Road Cross Section

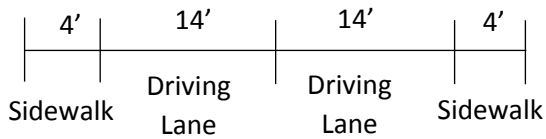


FIGURE 3: Annual Average Daily Traffic Count

(2016) Source: [Kentucky Transportation Cabinet](#)

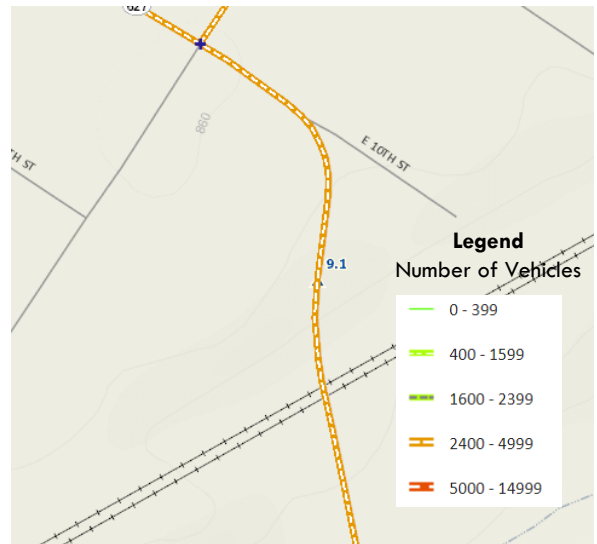


PHOTO 1: Northern View of Winchester St.



CURB/GUTTER/SIDEWALKS

Curb and Sidewalk exist along the boundary of the property on Winchester St.

FLOODPLAIN MANAGEMENT

The subject property is located in a low flood risk area. The highest point of the property is on the north side; 854 ft. The lowest point of the property is on the south side; 840 ft.

FIGURE 4: Elevation Contours

Source: City of Paris, ArcGIS Mapping System



STORMWATER MANAGEMENT

The closest storm sewer infrastructure is located across Winchester St. at the entrance to the Paris Train Depot. Existing runoff from the subject property flows toward the Railroad Tracks. Currently, there are six buildings on the property and an old building foundation. The existing impervious footprint of the buildings are estimated at 2,000 sf.

Per City of Paris Build Regulations, post-development stormwater runoff must be equal or less than pre-development conditions.

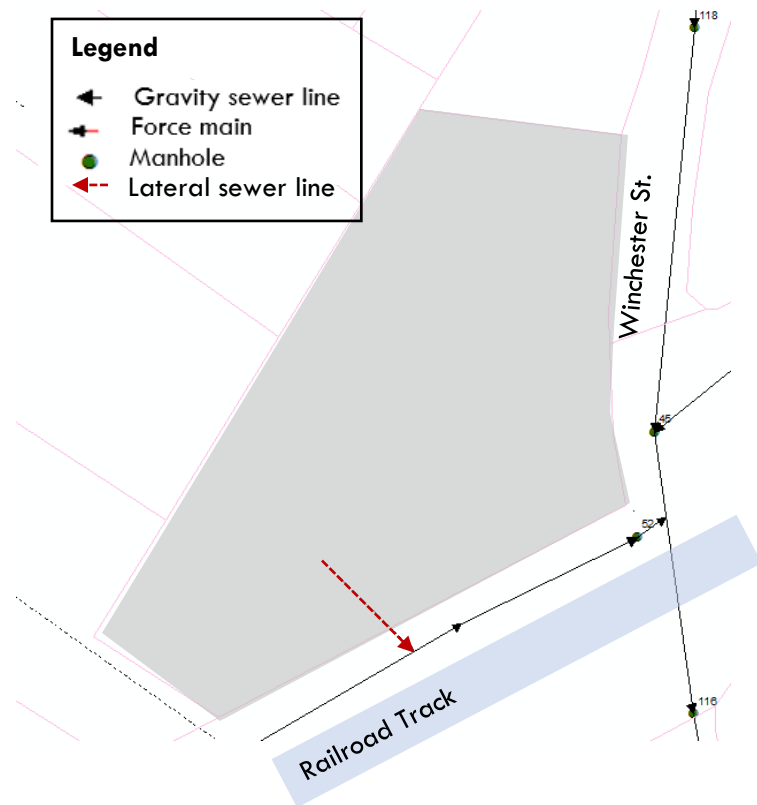
SANITARY SEWER

Currently, the subject property is serviced by the City of Paris Wastewater Treatment Facility. There are gravity sewer lines located along Winchester St. and the railroad tracks. The lateral sewer line runs from the existing vacant residence on the property to the sewer line that runs parallel to the railroad tracks.

Any modifications or changes of water usage on the subject property would need consideration for sanitary sewer upgrades.

FIGURE 5: Existing Sanitary Sewer Infrastructure

Source: City of Paris, ArcGIS Mapping System



WATER

Water service is provided by the City of Paris Water Treatment Plant. Water mains are located along Winchester St. (see FIGURE 6).

If a future use requires an increased demand on system, upgrades to existing water infrastructure will need to be considered.

REFUSE

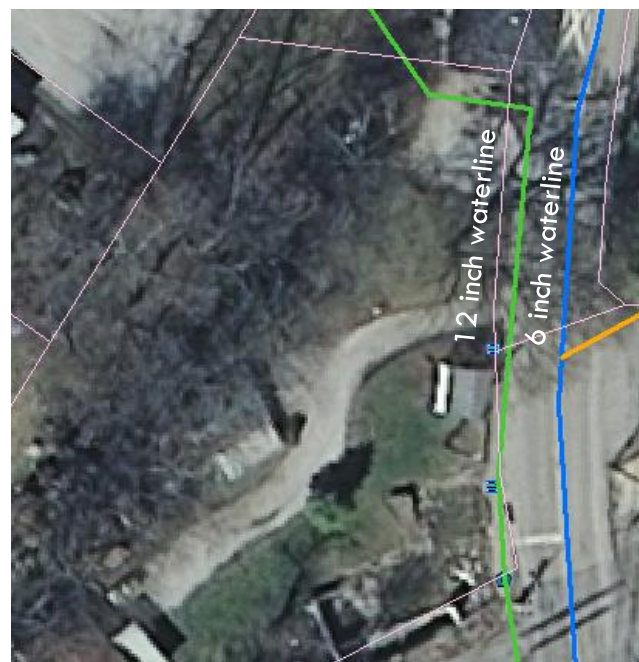
Refuse collection is available from the City of Paris or other private contractors.

POLICE

The City of Paris Police Department serves the subject property. The nearest police station is located at 525 High St.; approximately .5 miles from the subject property.

FIGURE 6: Existing Water Infrastructure

Source: City of Paris, ArcGIS Mapping System



FIRE/AMBULANCE

The City of Paris Fire Department serves the subject property. The nearest City of Paris fire station is located at 313 High St.; approximately .6 miles from the subject property.

ELECTRICITY

The City of Paris Combined Utilities serves power to the subject property. Overhead electric is available on the subject property.

FIGURE 7: Existing Electric Infrastructure

Source: City of Paris, ArcGIS Mapping System



ARTICLE 5: AMENDMENTS

<p>80.400 B. The zoning ... map shall not be amended, changed, or modified in such manner as to create a free-standing district of less than five (5) acres...</p>	<p>✓ Conforming. Property is adjacent to another property that is zone B-2 Commercial; the Paris Train Depot.</p>
<p>80.403 B. The Planning Commission shall make findings of fact and a recommendation for approval or disapproval of the proposed amendment to the City Commission. Before recommending to the City Commission that an application for amendment to the Official Zoning Map ... be granted, the Planning Commission... must find that the amendment request is in agreement with the current Bourbon County Comprehensive Plan, or in the absence of such a finding that:</p> <p>The original zoning classification given to the property was inappropriate or improper, and that the proposed classification is proper.</p> <p>That there have been major changes of an economic, physical or social nature within the area involved which were not anticipated in the Comprehensive Plan adopted by the Planning Commission and which have substantially altered the basic character of the area.</p> <p>The Planning Commission shall also determine, as part of its findings, the suitability and compatibility of any proposed development of said property.</p>	<p>The applicant claims that this zoning map amendment request is appropriate because the original zoning classification given to the property is inappropriate or improper.</p> <p>Staff Comments: In agreement with current Comprehensive Plan?</p> <p>See original notes on Comprehensive Plan applicability. Staff opinion is that “no” the map amendment request is not in alignment with the Comprehensive Plan.</p> <p>Have there been major changes in the area that were not anticipated at the time of the Comprehensive Plan?</p> <p>Yes. While the applicant is not claiming this finding as a reason for the zone change request, in the past year the vacant Paris Train Depot has been under rehabilitation. According to the applicant, the subject property has been vacant for over five (5) years.</p> <p>Was the original zoning classification given to the property inappropriate or improper? Is the proposed classification proper?</p> <p>Yes, it is staff opinion that the original zoning classification for this property was inappropriate. The proposed B-2 zoning classification is more appropriate due to the following finding:</p> <ul style="list-style-type: none"> • The property is located adjacent to a functioning freight railroad (CSX) in a heavy industrial zone. According to CSX statistics, this line has daily train movements of up to 13 trains at a typical speed of 30 mph (Source: Email correspondence between staff and CSX dated August 2017). If the property were to remain residential, the heavy industrial use of the adjacent rail line could create a greater nuisance and safety risk to this property. • While the property is located adjacent to three residences, it is staff opinion that the proposed use (woodworking shop) would be at least 100 ft. away from the adjacent homes and would be contained within a building. Proposed hours of operation for business is 8:00 a.m. to 5:00 p.m.
<p>The Planning Commission shall have the power to hear and finally decide applications for variances ...</p>	<p>No waivers or variances requested.</p>

Staff Recommendation:

Staff recommends approval of ZMA 18-06 based on the following finding:

- The original zoning classification given to the property was inappropriate. Historically, there have been non-conforming commercial uses on the property. For over five (5) years the property has sat vacant. The proposed B-2 zoning classification is more appropriate due to the following findings:
 - The property is located adjacent to a heavy industrial use and would create a transition between residential and industrial uses.
 - The proposed use would be suitable for the property because it will be a small woodworking shop where work is conducted between the hours of 8:00 a.m. – 5:00 p.m. and contained within the interior space of the building. The nearest residential structure from the proposed building would be at least 100 feet.