

**MINUTES OF MEETING
BOURBON COUNTY JOINT PLANNING COMMISSION
THURSDAY, APRIL 21, 2022**

The Bourbon County Joint Planning Commission met on Thursday, April 21, 2022, at 6:30 p.m. in the City Commission Chambers, City Municipal Building, Paris, Kentucky.

The meeting was called to order by Chair Guy Bowman.

Attendance was taken by roll call:

Commissioner	Allen-Edwards	Present	Commissioner	Osborne	Absent
Commissioner	Bowman	Present	Commissioner	Perraut	Absent
Commissioner	Dionne	Absent	Commissioner	Poynter	Present
Commissioner	Donovan	Present	Commissioner	Randolph	Present
Commissioner	Ferrell	Present	Commissioner	Richards	Present
Commissioner	Hamelback	Present	Commissioner	Smith	Present
Commissioner	Lovell	Absent	Commissioner	Stubblefield	Present

Quorum established. Kimberlee Dionne, Henry Lovell, Steven Osborne and Jeramiah Perraut called in and their absences were excused. Also, in attendance were Legal Counsel, Patrick Watson and Staff Members, Andrea Pompei and Micki Sosby.

Guy Bowman sounded the agenda.

The minutes from the March 17, 2022, meeting was presented for consideration. Guy Bowman stated that hearing no questions, he would entertain a motion to approve the minutes as presented. A motion to approve the March 17, 2022, minutes as presented was made by Commissioner Stubblefield with a second by Commissioner Hamelback. Vote by show of hands.

Commissioner	Donovan	Approve	Commissioner	Smith	Approve
Commissioner	Poynter	Approve	Commissioner	Stubblefield	Approve
Commissioner	Ferrell	Abstain	Commissioner	Allen-Edwards	Approve
Commissioner	Hamelback	Approve	Commissioner	Richards	Approve
Commissioner	Randolph	Approve	Commissioner	Bowman	Approve

Motion passed.

With the absence of the Treasurer, Commissioner Lovell, the Review of the Financials were presented by Andrea Pompei. Ms. Pompei presented revenue numbers from applications, code enforcement citations, and other fees. She stated that the Commission continues to operate at a good pace for this fiscal year. The Chair asked for any questions. Hearing none, he asked for a motion to accept or deny the Review of Financials as presented. Commissioner Poynter made a motion with a second by Commissioner Ferrell to accept the Review as presented. A roll call vote was taken:

Commissioner	Ferrell	Approve	Commissioner	Smith	Approve
Commissioner	Hamelback	Approve	Commissioner	Stubblefield	Approve
Commissioner	Poynter	Approve	Commissioner	Allen-Edwards	Approve
Commissioner	Randolph	Approve	Commissioner	Donovan	Approve
Commissioner	Richards	Approve	Commissioner	Bowman	Approve

Motion passed

Next, Ms. Pompei presented the Prepaids. A motion was entertained to approve or deny the Prepaids as presented. A motion was made by Commissioner Ferrell with a second by Commissioner Randolph to accept as presented. A roll call vote was taken:

Commissioner	Ferrell	Approve	Commissioner	Smith	Approve
Commissioner	Hamelback	Approve	Commissioner	Stubblefield	Approve
Commissioner	Poynter	Approve	Commissioner	Allen-Edwards	Approve
Commissioner	Randolph	Approve	Commissioner	Donovan	Approve
Commissioner	Richards	Approve	Commissioner	Bowman	Approve

Motion passed.

All Financials will be included as part of Minutes

Chair Bowman then presented the first item on the agenda as ZMA 22-01, a Zone Map Amendment request submitted by William and Teresa Herrington for a .7-acre property from B-2 and R-3 to R-5 Residential. Property located at 2005 & 2007 S. Main Street, Paris, KY (Parcel ID 026-60-01-007.00 & 026-60-01-008.00).

Ms. Pompei presented the Staff Report. This report is available to the public through the Commission’s website. The Staff Report states the request was for a zone change for approximately .7 acres of land from B-2 General Commercial and R-3 Residential to R-5 Residential for the construction of an 18-unit apartment building. The zone map amendment request included a preliminary development plan (DVP 22-02).

She asked that the committee look at the existing zoning designations of the subject property and surrounding properties as shown on page 2 of the Staff Report. The dots signify the existing land uses of the surrounding properties: Residential, Commercial, Institutional, and Industrial. Also on page 2, the report pointed out the designated future land use of the property, with the current adopted Comprehensive Plan Future Land Use Map designating the property as existing residential. This was Figure 3 of the document.

Ms. Pompei continued by giving the Urban Services Report of the Staff Report:

- The property is located off a local street, 20th, and a State arterial Street, South Main.
- The property does not contain infrastructure such as curb, gutters, storm sewer, or sidewalks.

- The property does not contain stormwater infrastructure. Per City of Paris Build Regulations, post-development stormwater runoff must be equal or less than pre-development conditions. Applicant must provide Stormwater infrastructure as part of future development.
- The property is currently zoned agricultural and does not contain sanitary sewer utilities. Any additions on the subject property would need consideration for sanitary sewer upgrades.
- Refuse collection is available through Rumpke or another private garbage and recycling collection service.
- The property is served by the City of Paris Police Department. The closest station is located at 525 High Street.
- The property is served by the City of Paris Fire Department. The nearest fire station is located at 1097 Martin Luther King Boulevard, located approximately 1 mile from the property.
- Water service is provided by the City of Paris Water Treatment Plant
- Electric service is provided by the City of Paris.

As the final portion of the Staff Report, Ms. Lacy stated that the Commission should consider:

- 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) acre.

Conforming. Property is adjacent to properties that are zoned as residential and does not create a free-standing district of more than five (5) acres.

- 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:

The original zoning classification given to the property was inappropriate or improper, and that the proposed classification is proper.

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.

The Planning Commission shall also determine, as part of its findings, the suitability and compatibility of any proposed development of said property.

She had posed the question if the zoning map amendment was in agreement with current Comprehensive Plan? The report stated that it did. The property was identified in the Comprehensive Plan as existing residential on the future land use map. The goals and objectives of the Comprehensive Plan also identify expanding and ensuring a diverse range of housing choices by promoting varieties of housing types and densities while integrating new units throughout the community.

- The Planning Commission shall have the power to hear and finally decide applications for variances in conjunction with a requested zoning map amendment, if the proposed development requires both a map amendment and one or more variances. The applicant is proposing a front setback variance request as identified in the preliminary development plan.

In summary, Ms. Pompei gave the following Staff Recommendation:

Staff recommended the Planning Commission approve ZMA 22-01 to change the zoning from B-2 Commercial and R-3 Residential to R-5 Residential with a finding that the zoning designation of R-5 Residential is in direct alignment with the adopted Future Land Use Map showing this area as residential. The proposed use will expand and ensure a diverse range of housing choice by integrating new units throughout the community.

Commissioner Smith asked about Density and Transportation Studies. Ms. Pompei said a traffic study may be required when the Development Plan is up for review, but what is being considered tonight is a Zone Map Amendment.

William Herrington, the Applicant, and Jim Lovell, attorney for the Applicant, were welcomed to the meeting. Mr. Lovell stated that they were only presented a zone change for consideration tonight. He believed that it was in agreement with the approved Comprehensive Plan's Housing goals, particularly in the areas of diversity of choice, infill and what that means to the city and city schools. He also pointed out that rental opportunities are limited at this time.

A Sign-In sheet had been made available to give people an opportunity to express their opinions or ask questions regarding the application. The first person signed up to speak was Jack Crump. His mother resides at 27 20th Street. She is 90 years old, and security is a big concern for her. He said they had spoken with Mr. Herrington one-on-one, and questions had been addressed. Some of these were concerning whether the apartments would be government subsidized apartment, if the occupants would be keeping late hours, noise levels, and trash. He stated that they were not opposed to the development.

Questions also arose concerning the size of the retention basin. GRW is the engineering firm retained by the Commission to review the retention basins. Also, Mr. Herrington is using an engineering firm on his behalf to make sure that the calculations are correct.

Mr. Herrington was sworn in. He said he had met with Billy Doyle from the City regarding the sanitary sewer, and they had agreed that the current system is not adequate for the property. There is a distribution box that originates on South Main Street at the Vet Clinic that would be worked with as they considered an upgrade.

Ralph Quillin was the other citizen signed up to speak. His concerns were with the ingress and egress to the property and the speed of traffic coming from Clintonville Road down 20th Street.

After the comments were heard, the Public Hearing was closed.

The Chair asked for comments from the Commissioners. Commissioner Smith commented that if this was to be a SFD no zone change would be required. Do no harm. He commended Mr. Herrington on his work with the current residents in this area, such as Mr. Crump's mother, to keep them informed on what was going on with this project.

Commissioner Donovan asked for explanation of what the Development Plan would be. Ms. Pompei said that what had been submitted was a preliminary development plan and would not come before the Commission when/if the Zoning Map Amendment was passed by the City of Paris. What they have reviewed is an 18-unit building, with each apartment having 2 bedrooms. There would be 36 parking spaces as required by the ordinance. The building being considered would be approximately 15,000 sf and be 2 or 3 stories. Mr. Herrington spoke to the Commission and stated they were not 'sneaking' anything by but that some things had not been addressed as of yet. Commissioner Hamelback asked for an explanation of what is allowed in a R-5 zone; this was explained by the Chair. Commissioner Allen-Edwards commented on whether we could live with the zone change. With no further discussion, the Chair asked for a Motion to Approve or Deny ZMA 22-01 with the understanding that this is to send the Zoning Map Amendment on to the City of Paris for their final approval or denial. The motion should include any findings.

Commissioner Allen-Edward made a motion to approve ZMA 22-01 to change the zoning from B-2 Commercial and R-3 Residential to R-5 Residential with a finding that the zoning designation of R-5 Residential is in direct alignment with the adopted Future Land Use Map showing this area as residential. The proposed use will expand and ensure a diverse range of housing choice by integrating new units throughout the community. Commissioner Richards made a second to the motion. A roll call vote was taken:

Commissioner Poynter	Approve	Commissioner Allen-Edwards	Approve
Commissioner Randolph	Approve	Commissioner Donovan	Approve
Commissioner Richards	Approve	Commissioner Ferrell	Approve
Commissioner Smith	Approve	Commissioner Hamelback	Approve
Commissioner Stubblefield	Approve	Commissioner Bowman	Approve

Motion passed.

ZMA 22-01 will be sent to the City of Paris Board of Commissioners.

The next item on the agenda as presented by Chair Bowman was ZMA 22-02, a Zone Map Amendment request submitted by Mike Johnson for a 50-acre property from R-1 to a combination of R-5, R-8, and B-2 zones. Property located at 1021 By-Pass Rd, Paris, KY (Parcel ID 026-00-00-021.00).

The Staff Report was presented by Ms. Pompei. She began by stating the Applicant requests a zone change for approximately 50 acres of land located adjacent to the existing Wal-Mart property from R-1 Residential to the following zoning designations: R-8 Residential 22 acres, R-5 Residential 22 acres and B-2 General Commercial 5.6 acres. She directed the Commission to view Figure 2 on the Staff Report as it shows the existing zoning designations

and existing land uses of the property and surrounding properties. Existing residentially zoned property is located to the west, east, and southwest. The existing access point to the property is Letton Drive, from B-2 zoned property. To the north, properties are zoned I-2 Heavy Industrial and C Conservation.

She continued by talking about the proposed zone change and the Comprehensive Plan. The most recent approved goals for the Comprehensive Plan were adopted in 2020 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. Regarding the designated future land use of the property, the current adopted Comprehensive Plan Future Land Use Map designates this property as future residential. This is shown as Figure 3 on the Staff Report.

Next was her portion of the report dealing with Urban Services. Beginning with Roads, she said the property was located off Letton Drive, a Paris city street that connects the Bypass to Walmart and other commercial businesses in that area. The approximate width of Letton Drive is 38 feet with curb and sidewalks. She pointed out that the Road Cross Section on the report is incorrect and that a 38-foot width is correct. This property does not currently contain infrastructure such as curb, gutters, storm sewer, or sidewalks. The property is not located within a mapped 100-year floodplain. The property does not currently contain stormwater infrastructure. Storm sewer infrastructure exists in the surrounding developments of Walmart and the Bedford Acres subdivision. Per City of Paris Build Regulations, post-development stormwater runoff must be equal or less than pre-development conditions. Stormwater infrastructure must be provided as part of future development. Currently, the property is agricultural and does not contain sanitary sewer utilities. Any additions on the property would need sanitary sewer upgrades. The current sanitary sewer lines exist to the south at the Walmart development and to the east at Arlington. Refuse collection is available through Rumpke or another private garbage and recycling collection service. The City of Paris Police Department serves the property. The closest station is located at 525 High Street, 2 miles from the property. City of Paris Fire Department serves the property. The nearest City of Paris fire station is located at 1097 Martin Luther King Boulevard, approximately ¼ of a mile from the property. Future water service will be provided by the City of Paris Water. Electric service is provided by Kentucky Utilities.

Continuing, she reviewed the requirements the Commission should consider before recommending a zoning map amendment:

- 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.

✓ Conforming. Property is adjacent to properties that are zoned as residential and does not create a free-standing district of more than five (5) acres.

- 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:

The original zoning classification given to the property was inappropriate or improper, and that the proposed classification is proper.

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.

The Planning Commission shall also determine, as part of its findings, the suitability and compatibility of any proposed development of said property.

✓ The applicant claims that this zoning map amendment request is in alignment with the Comprehensive Plan.

In her summary of the Staff Report she posed the question: Is the Zoning Map Amendment in agreement with current Comprehensive Plan? To which she replied that yes, it was. The property is identified in the Comprehensive Plan as future residential. While the proposed 5+ acre commercial area is not future residential, it will provide a key transition area between larger scale commercial, such a Walmart, to less intensive commercial uses. The proposed commercial use is in alignment with the adopted goals and objectives of the Comprehensive Plan; specifically Economic Growth Goal 2: Make Bourbon County a place that encourages responsible economic growth and diversification.

- The Planning Commission shall have the power to hear and finally decide applications for variances in conjunction with a requested zoning map amendment, if the proposed development requires both a map amendment and one or more variances.

No variances or waivers were requested with this application.

The Staff recommendation was that the Planning Commission approve ZMA 22-02 to change the zoning from R-1 Residential to R-8, R-5, and B-2 with a finding that the application for new Residential zoning designations is in direct alignment with the adopted 2040 Comprehensive Plan Future Land Use Map showing this area as future residential. Additionally, while the proposed commercial is not identified specifically on the future land use map, the proposed commercial B-2 zoning is in alignment with the Economic Growth Goal #2 to make Bourbon County a place that encourages responsible economic growth and diversification, specifically allowing compatible commercial and workplace uses within new

and existing neighborhoods. The area would provide a less intensive transition area between the Walmart center and future planned residences.

After the completion of the Staff Report, the attorney for the Applicant, Marty Goins, stepped forward to talk with the Commission. He stated three points that he wanted to stress that were important point in the approval of this zoning map amendment:

1. The amendment is in agreement with the Comprehensive Plan. The R-5 and R-8 zones are compatible with the Arlington subdivision and the County Subdivision of Bedford Acres. Arlington is a private subdivision and Bedford Acres is county, so there is no intention to connect to these streets. The B-2 zone encourages growth and is a good transition from B-1 to the Residential zones.
2. Housing places emphasis on smaller lot sizes, leading to more affordable housing, keeping people in the county.
3. The current zoning is inappropriate. This zone change will lead to more diversification.

Mike Johnson, the Applicant, was sworn in. Commissioner Poynter asked him about the Letton Drive entrance. He stated that what they were looking at was a preliminary development plan with the only access being Letton Drive. However, he will be looking at possible access points other than those already mentioned. Commissioner Ferrell questioned him about starter home prices. This was something that Mr. Johnson was not able to give a figure for at this time. Chair Bowman referred to the sign-in sheet to take questions from those in attendance. The first person was Don McCarty. He said that he lives in Bedford Acres and that Mr. Johnson's group should remember 'do no harm'. Bedford Acres has had storm drain problems since the development began. Things have improved lately. He pointed out that Bedford Acres is a county subdivision and there is no access from this subdivision to the shopping center or the area being discussed for development. Commissioner Allen-Edwards brought up that there would be new guidance on storm water runoff coming with the increase in the city's population. Next to sign up was Bob Eades, the owner of six townhouses in the Arlington subdivision. He said they were already experiencing water issues and have installed sump pumps in the units. He wanted more information on landscape buffers and privacy fences. He also expressed concern with vandalism. He referred to the talk about access points by reminding the commission that Arlington streets are private. The final resident signed up was Mark Sulski. Mr. Sulski had reviewed the application and so far, had no problems with the zone change.

With that being that last citizen signed up to speak, the Chair closed the Public Hearing portion of the Meeting. He next asked for further questions from the Commissioners. Hearing none, he asked for a motion to approve or deny ZMA 22-02. He reminded the Commissioners that if the motion was to approve the application, the motion should include findings.

Commissioner Hamelback made a motion to approve ZMA 22-02 02 to change the zoning with a finding that the application for new Residential zoning designations is in direct alignment with the adopted 2040 Comprehensive Plan Future Land Use Map showing this area as future residential. The zoning will change the zoning map from R-1 to 22.76 acres R-8, 22.36 acres R-5, and 5.57 B-2. While the proposed commercial is not identified specifically on the future land use map, the proposed commercial B-2 zoning is in alignment with the Economic Growth Goal #2 to make Bourbon County a place that encourages responsible economic growth and diversification, specifically allowing compatible commercial and workplace uses within new and existing neighborhoods. The area would provide a less intensive transition area between the Walmart center and future planned residences. Commissioner Allen-Edwards made the second to the motion. A roll call vote was taken:

Commissioner	Smith	Approve	Commissioner	Hamelback	Approve
Commissioner	Stubblefield	Approve	Commissioner	Poynter	Approve
Commissioner	Allen-Edwards	Approve	Commissioner	Randolph	Approve
Commissioner	Donovan	Approve	Commissioner	Richards	Approve
Commissioner	Ferrell	Approve	Commissioner	Bowman	Approve

Motion passed.

At the conclusion of business, the Chair said he would entertain a motion to adjourn. Motion to adjourn made by Commissioner Richards with a second by Commissioner Donovan. Vote taken by all in favor saying Aye. All in favor. Meeting adjourned.

Guy Bowman, Chair

Date