

Staff Report

Bourbon County Joint Planning Commission

August 18, 2022

Case Number: ZMA 22-05
Applicant: Squire & David Gambill
Location(s): 941 Georgetown Rd
Zone Change: Residential to B-2
Acreage: 55.619 acres
Application Date: July 20, 2022
TRC Meeting Date: July 25, 2022
Legal Notification: August 4, 2022
(Bourbon County Citizen)



PROPOSAL

Applicant requests a zone map amendment for approximately 55.619 acres of land to the following zoning designations:

- R-5 to B-2: 47.619 acres
- R-4 to B-2: 5 acres
- R-3 to B-2: 3 acres

BACKGROUND

In the Summer of 2021, the Economic Development Authority pursued the construction of a new connector road to provide a second entrance/exit to the Industrial Park. The proposed location for the road will connect Cleveland Drive to the bypass, approximately 1,500 feet to the south of the intersection of Georgetown and the Bypass.

This application accompanies the following minor subdivision/consolidation applications that have been reviewed and approved by the Technical Review Committee on April 25, 2022:

FIGURE 1: AERIAL IMAGE OF SITE

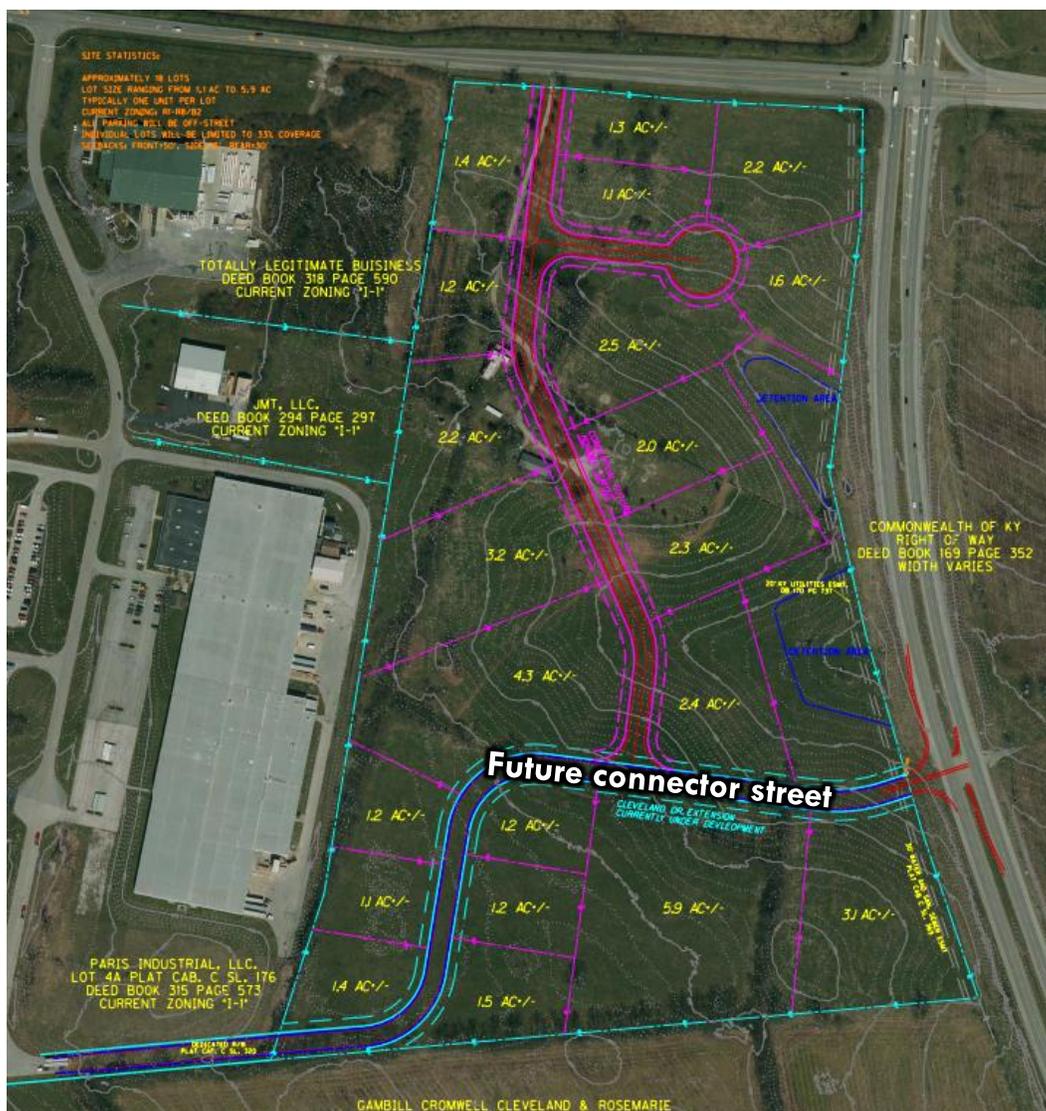


MS 22-12 Minor Subdivision request submitted by William Garland Esquire Gambill for the construction of Cleveland Drive connector Road as part of the Paris-Bourbon County Industrial Park, Paris, KY 40361. The purpose is to divide Tract 1 (15.463 acres) leaving the remainder of Tract 2 (40.156 acres. (Parcel ID 026-00-00-048.0).

ALD 22-14 request submitted by the Paris-Bourbon County Economic Development Authority, Inc. for the consolidation of property to construct a new street to connect the Paris-Bourbon County Industrial Park to the Paris By-Pass, Paris, KY.

MS 22-13 Minor Subdivision request submitted by William Garland Esquire Gambill, 154 Woodmont Drive, Paris KY, 40361 to construct Cleveland Drive Connector Rd as part of the Paris-Bourbon County Industrial Park. The purpose is to divide Tract 1B (2.193 acres) leaving the remainder of Tract 1A (13.271 acres).

Conceptual Major Subdivision Plan (See attached Plat submitted with application for more details):



EXISTING ZONING & LAND USE

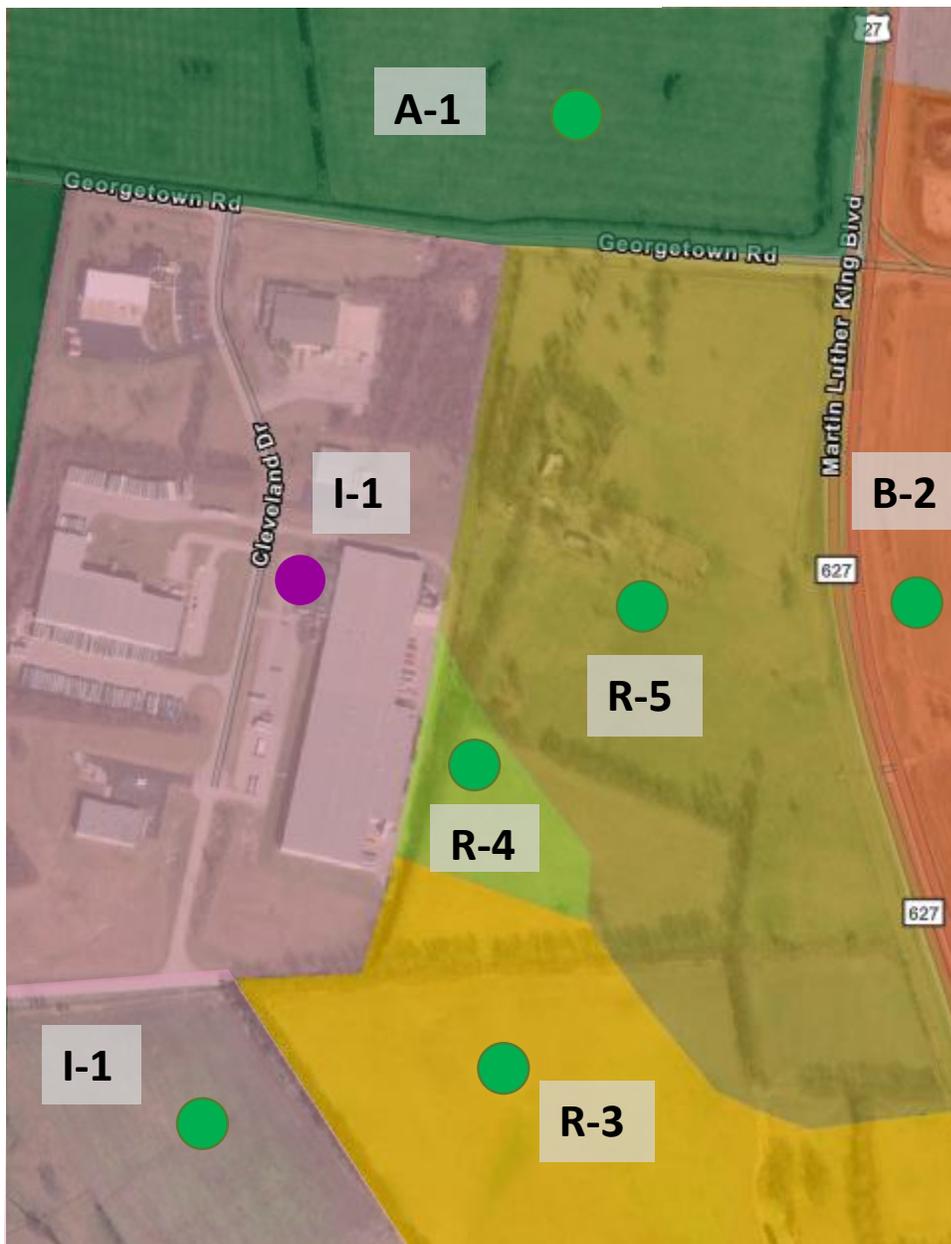
FIGURE 2 shows the existing zoning designations and existing land uses of the subject property and surrounding properties.

EXISTING LAND USES

-  AGRICULTURAL/OPEN SPACE
-  INDUSTRIAL

FIGURE 2: Zoning Area Map

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



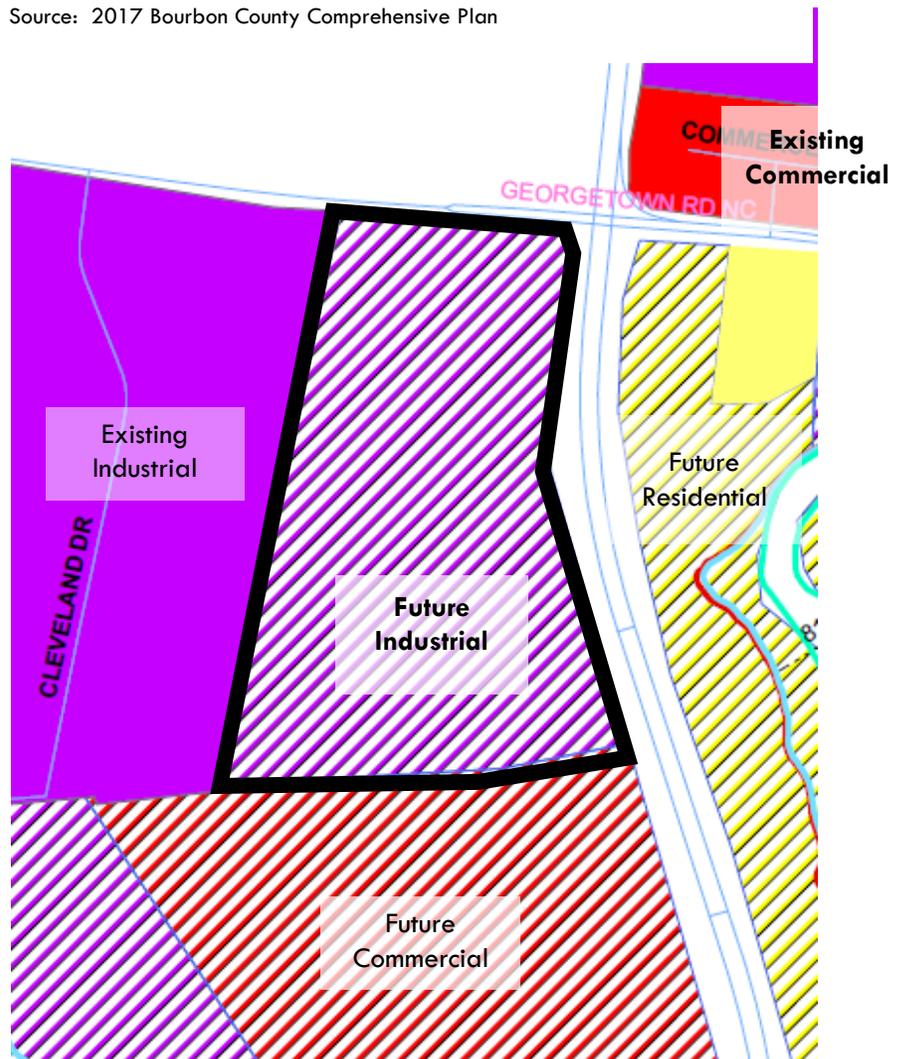
PROPOSED ZONE CHANGE AND THE COMPREHENSIVE PLAN

The most recent approved goals for the Comprehensive Plan were adopted by the Planning Commission on February 4, 2021. 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(s); in this instance, the City of Paris and the Bourbon County Fiscal Court.

Regarding the designated future land use of the property, the current adopted Comprehensive Plan Future Land Use Map designates this property as future industrial (See FIGURE 3).

FIGURE 3: FUTURE LAND USE MAP

Source: 2017 Bourbon County Comprehensive Plan



URBAN SERVICES REPORT

ROADS

The subject property is located along Georgetown Rd, a State Route and the Bypass (Martin Luther King Jr Rd.). The property is 1.5 miles from Main Street in downtown Paris. The approximate width of Georgetown Rd. at the entrance to the property is 53 ft. (shoulder-to-shoulder) and 30 ft. driving lanes. The bypass is a four lane road with 12 ft driving lanes and median.



Georgetown Rd, westbound view

Source: Googlemaps, Aug 2022



Georgetown Rd, eastbound view

Source: Googlemaps, Aug 2022



Bypass Rd, southbound view

Source: Googlemaps, Aug 2022



Bypass Rd, northbound view

Source: Googlemaps, Aug 2022

CURB/GUTTER/SIDEWALKS

This property does not currently contain infrastructure such as curb, gutters, storm sewer, or sidewalks.

FLOODPLAIN MANAGEMENT

This property is not located within the 1% annual floodplain.

STORM SEWERS

This property does not currently contain stormwater infrastructure. Per City of Paris Building Regulations, post-development stormwater runoff must be equal or less than pre-development conditions. Stormwater infrastructure must be provided as part of future development.

SANITARY SEWER

Currently, the subject property contains sanitary sewer (see Figure 3). Any additions on the subject property need approval by City of Paris Wastewater Treatment Facility for sanitary sewer upgrades.

REFUSE

Refuse collection is currently available through Rumpke or another private garbage and recycling collection service.

POLICE

Currently, the City of Paris Police Department serves the subject property. The closest station is located at 525 High Street; 1.5 miles from the property.

FIRE/AMBULANCE

The City of Paris Fire Department serves the subject property. The nearest City of Paris fire station is located on the Bypass at Fords Mills Rd, approximately 1 mile from the subject property.

WATER

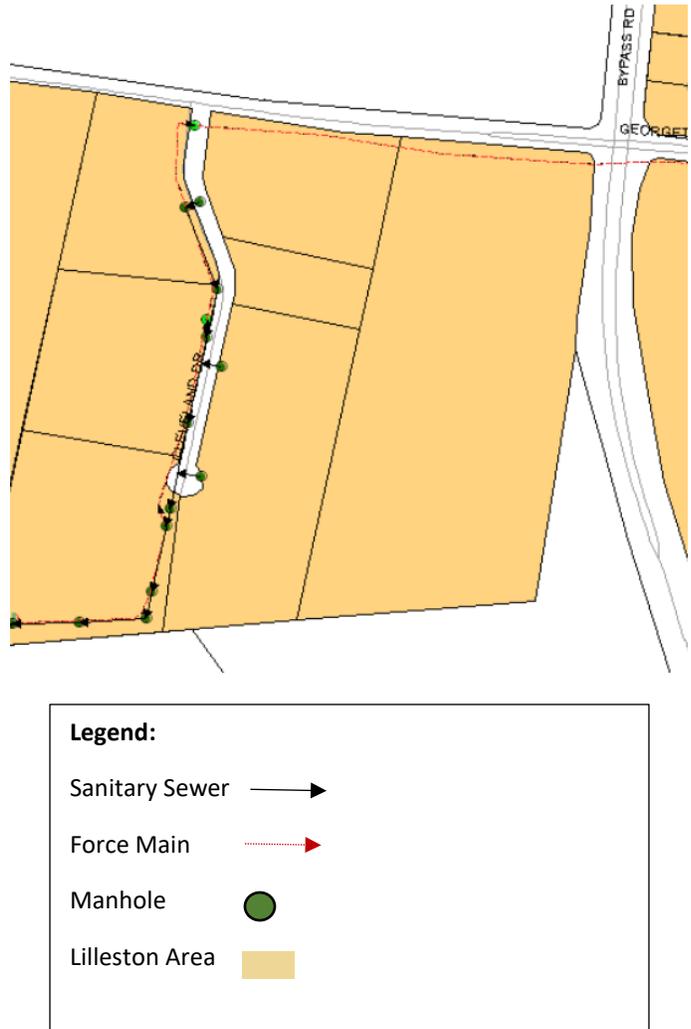
Future water service is to be provided by the City of Paris Water Treatment Plant.

ELECTRICITY

Electric service is provided by Kentucky Utilities.

FIGURE 3: City of Paris Sanitary Sewer

Source: City of Paris Wastewater Treatment Facility



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 properties that are zoned as residential and does not create a free-standing district of less than five (5) acres.</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>In agreement with current Comprehensive Plan?</p> <p>This property is identified in the Comprehensive Plan as future Industrial. The applicant has proposed the following findings:</p> <p>The existing zoning classification given to the parcel is inappropriate and that the proposed zoning classification is appropriate; and</p> <p>There have been major changes of an economical nature within the area that were not anticipated at the time of the Comprehensive Plan development that have altered the character of the area.</p> <p>STAFF COMMENTS: The current zoning of the property is Residential. If developed under its current zoning designation, the road traffic and use of industrial and residential will be incompatible; posing a health and safety risk to the community. At the time of adoption of the Transportation Element of the 2017 Comprehensive Plan, it was not anticipated that an Industrial Park connector road would be constructed.</p> <p>The future land use map most recently adopted by the City of Paris identified 1.7% of future development for commercial use, or 85 acres of vacant land. In comparison, future industrial land is identified as 19.9% of future development or 1,000+ acres of vacant land. This acreage far exceeds the maximum recommended amount calculated in the most recent land use analysis of the existing 2017 Future Land Use Map.</p>
<p>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.</p>	<p>No variances or waivers requested at this time.</p>

Staff Recommendation:

The applicant's submitted materials assert that the EDA's connector road project is a recent development that was not anticipated at the time of the current Comprehensive Plan adoption.

Proof must be presented by the applicant to support the proposed following finding and subsequent staff recommendation to approve ZMA 22-05 to change the zoning from the following:

R-5 to B-2: 47.619 acres

R-4 to B-2: 5 acres

R-3 to B-2: 3 acres

NECESSARY FINDING: The future construction of an industrial connector road is a major change of economic and physical nature that were not anticipated at the time of the adoption of the current elements of the Comprehensive Plan.