

ORDINANCE NO. 1912

AN ORDINANCE CHANGING THE ZONE FROM GR-A (RESIDENTIAL – LARGE LOT), GR-B (RESIDENTIAL – SMALL LOT), GR-C (RESIDENTIAL – CIVIC LOT), NCC (NEIGHBORHOOD CONSERVATION CLASSIFICATION), HC (HIGHWAY COMMERCIAL), AND DT (DOWNTOWN) TO ICD (INSTITUTIONAL CAMPUS DEVELOPMENT) FOR APPROXIMATELY 105.91 ACRES, MORE OR LESS, OF REAL PROPERTY KNOWN AS THE CAMPUS OF CENTRE COLLEGE AND LOCATED GENERALLY ALONG THE FOLLOWING STREETS IN DANVILLE, KENTUCKY: W. MAIN, HARDING, MOORES, PERRYVILLE, N. MAPLE, S. MAPLE, ST. MILDRED, LOUISE, MCMILLIAN, ROWE, N. 5TH, S. 5TH, W. WALNUT, COLLEGE, COLONEL, BEATTY, RUSSELL, W. MARTIN LUTHER KING, GRANT AND DILLIHAY.

WHEREAS, at a public hearing held on April 4, 2018, Centre College of Kentucky, the property owner, presented a petition for a zoning ordinance map amendment for 105.91 acres, more or less, of real property consisting of eleven sections of campus land in Danville, Kentucky, from GR-A (Residential – Large Lot), GR-B (Residential – Small Lot), GR-C (Residential – Civic Lot), NCC (Neighborhood Conservation Classification), HC (Highway Commercial), and DT (Downtown) to ICD (Institutional Campus Development), and the Danville-Boyle County Planning and Zoning Commission, after making specific findings of fact, recommended approval of the zone change on April 4, 2018; and

WHEREAS, the Board of Commissioners of the City of Danville agrees with the recommendation of the Planning and Zoning Commission; and

WHEREAS, the Board of Commissioners of the City of Danville does now deem it appropriate to approve, ratify, and confirm the rezoning of the subject property by ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF DANVILLE, KENTUCKY, AS FOLLOWS:

Section 1: That the Zoning Ordinance for Boyle County and the Cities of Danville and Perryville be amended to reflect a change in zone from GR-A (Residential – Large Lot), GR-B (Residential – Small Lot), GR-C (Residential – Civic Lot), NCC

(Neighborhood Conservation Classification), HC (Highway Commercial), AND DT (Downtown) to ICD (Institutional Campus Development) for 105.91 acres, more or less, of real property known as the college campus of Centre College of Kentucky located generally along the following streets in Danville, Kentucky: W. Main, Harding, Moores, Perryville, N. Maple, S. Maple, St. Mildred, Louise, McMillian, Rowe, N. 5th, S. 5th, W. Walnut, College, Colonel, Beatty, Russell, W. Martin Luther King, Grant and Dillihay, as depicted on the Master Plan Map of Centre College as prepared by Hastings+Chivetta dated March 19, 2018.

Section 2: That the Danville-Boyle County Planning and Zoning Commission is directed to show the amendment of the official zone map atlas and make reference to the number of this Ordinance.

Section 3: The provisions of this Ordinance are severable. If any section, sentence, clause, or section of this Ordinance or the application thereof to any particular case is for any reason found to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect or repeal any of the remaining provisions, sentences, clauses or sections or part of this Ordinance.

Section 4: This Ordinance shall be effective upon its final passage and publication, and the City Clerk is hereby directed to publish this Ordinance in the Danville Advocate-Messenger of Danville, Kentucky.

GIVEN FIRST READING AND PASSED _____.

GIVEN SECOND READING AND PASSED _____.

DATE OF PUBLICATION _____.

APPROVED:

G. MICHAEL PERROS, MAYOR
CITY OF DANVILLE, KENTUCKY

ATTEST:

DONNA PEEK, CITY CLERK
CITY OF DANVILLE, KENTUCKY

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Danville-Boyle County Planning & Zoning Commission
445 West Main Street P.O. Box 670
Danville, Kentucky 40423

April 5, 2018

Mr. Ron Scott
Danville City Manager
445 West Main Street
Danville KY 40422

SUBJECT: Recommendation to Approve Zoning Map Amendment – Centre College of KY

Dear Mr. Scott:

The Danville-Boyle County Planning and Zoning Commission met in regular session on April 4, 2018, in the Danville City Commission Chambers with six (6) members present for this Zoning Map Amendment in order to rezone 11 sections of campus land containing approximately 105.91 acres located generally along the following streets: W Main, Harding, Moores, Perryville, N Maple, S Maple, St Mildred, Louise, McMillian, Rowe, N 5th, S 5th, W Walnut, College, Colonel, Beatty, Russell, W Martin Luther King, Grant and Dillehay from GR-A, GR-B, GR-C, NCC, HC, DT to ICD (Institutional Campus Development). After a public hearing had been conducted, the Planning Commission's vote was six (6) yeas for a recommendation for approval to the Danville City Commission.

This amendment was filed by the Danville-Boyle County Planning & Zoning Commission and Centre College of KY, as required by Article 18 of the Zoning Ordinance. Please find enclosed the proposed amendment, all attachments and the Finding of Fact. The Hearing Minutes are set to be approved at the regular May Planning Commission meeting.

Sincerely,

Steve Hunter, Director
Danville-Boyle County Planning & Zoning Commission

Enclosures

DANVILLE-BOYLE COUNTY PLANNING & ZONING COMMISSION

ZONE CHANGE STAFF REPORT

Application Filing Date: March 14, 2018

Public Hearing Date: April 4, 2018

Description of Request: The Danville-Boyle County Planning and Zoning Commission and Centre College of Kentucky have filed an application in order to rezone 11 sections of campus land containing approximately 105.91 acres located generally along the following streets: W Main, Harding, Moores, Perryville, N Maple, S Maple, St Mildred, Louise, McMillian, Rowe, N 5th, S 5th, W Walnut, College, Colonel, Beatty, Russell, W Martin Luther King, Grant and Dillehay from GR-A, GR-B, GR-C, NCC, HC, DT, IBD to ICD (Institutional Campus Development).

Applicant:

Danville-Boyle County Planning & Zoning
445 W Main Street
Danville, KY 40422

Property Owner:

Centre College of Kentucky
1600 West Walnut Street
Danville, KY 40422

PVA Parcel Number: N/A

Proposed Zoning: ICD (Institutional Campus Dev)

Property Size: 105.91 +/- Acres

Existing Land Use: Institutional/ Semi-Public

Zoning History: GR-A (R-1) and GR-B (R-2) (General Residential) is the original zoning for the property.

Existing Land Use of the Surrounding Area:

The surrounding area is mainly comprised of single and multi-family residential uses, commercial uses and some industrial uses. The railroad is located adjacent to a portion of this project.

Future Land Use Map (FLUM) Designation: The Public/Semi-Public land use designation consists of major public or semi-public institutions, including the city and county public schools, other schools and colleges, governmental functions and operations such as the airport, government offices, and police and fire stations. This land use designation also applies to all existing City and County-owned public parks, other semi-public recreational facilities, and permanently protected open spaces of countywide significance.

Application Review:

- Comprehensive Plan Compliance/FLUM
- Existing Zoning Inappropriate
- Major Changes (economic, physical, or social)
- FLUM Amendment

Additional Documentation Required:

- Traffic Impact Study
- Environmental Assessment
- Concept Plan
- Other

COMPREHENSIVE PLAN REVIEW

The Danville-Boyle County Comprehensive Plan states the following in Chapter 1:

The following statement of Goals and Objectives is intended to provide direct guidance for implementation decisions made by the Planning Commission and local government bodies as related to future physical development.

GENERAL LAND DEVELOPMENT

Goal: To recognize and preserve the irreplaceable integrity and character of Boyle County and its cities.

Objectives:

- Assure the best possible utilization of land by promoting planned development and uses.
- Improve the quality of life in Boyle County through better housing, employment and recreational opportunities for every citizen.

COMMUNITY FACILITIES

Goal: To provide community facilities at an adequate level of service in a cost effective and efficient manner.

Objectives:

- Coordinate the rehabilitation, development and expansion of community facilities with land development activities by requiring, at the time of development, infrastructure sufficient to accommodate projected growth.
- Enhance and protect the public health safety and welfare by: Requiring developers to provide adequate facilities such as sidewalks, proper drainage, utilities and landscaping at new developments; Requiring the dedication of easements and rights-of-way to meet future utility needs when development or redevelopment occurs.

LAND USE

Goal: To provide adequate land in appropriate locations for all land uses while minimizing the adverse impacts of developments.

Objectives:

- Make efficient use of existing utility systems by promoting restoration, redevelopment and infill development and discouraging strip development.
- Respect the character of existing neighborhoods by encouraging that new development and redevelopment that will conform to the existing context as determined by the scale and massing of existing buildings, the placement of buildings on lots, architectural elements, types and placement of streets, and the pattern and type of open space.

Additionally, the Danville-Boyle County Comprehensive Plan states the following in Chapter 9:

FUTURE LAND USE

The purpose of the future land use section of this plan is to provide the Planning Commission with a proper and detailed guide to make sound decisions. The following factors listed below, should be reviewed periodically and, if significant changes occur, the plan should be altered accordingly. The Land Use Plan generally consists of three parts: an estimate of acres required for each of the major land uses,

- The density and use of the proposed development is appropriate to the location.
- The proposed development is located with safe and convenient access to streets, highways, and other transportation facilities.
- Adequate sewage treatment facilities and stormwater drainage facilities will be provided to the development by the time of occupancy.
- Adequate public services and utilities will be provided to development by the time of occupancy.

As mentioned previously, the proposed zoning map amendment is depicted as **Public/Semi-Public** land use designation consists of major public or semi-public institutions, including the city and county public schools, other schools and colleges, governmental functions and operations such as the airport, government offices, and police and fire stations. This land use designation also applies to all existing City and County-owned public parks, other semi-public recreational facilities, and permanently protected open spaces of countywide significance.

The co-applicants are proposing to rezone 11 sections of campus land containing approximately 105.91 acres from **GR-A, GR-B, GR-C, NCC, HC, DT, IBD** to **ICD** (Institutional Campus Development). Requested re-zonings (zone changes) should reviewed for consistency with the Future Land Use Map (FLUM), as well as, other relevant provisions the Danville-Boyle County Comprehensive Plan (listed above) and/or KRS 100.213.

STAFF ITEMS OF CONCERN

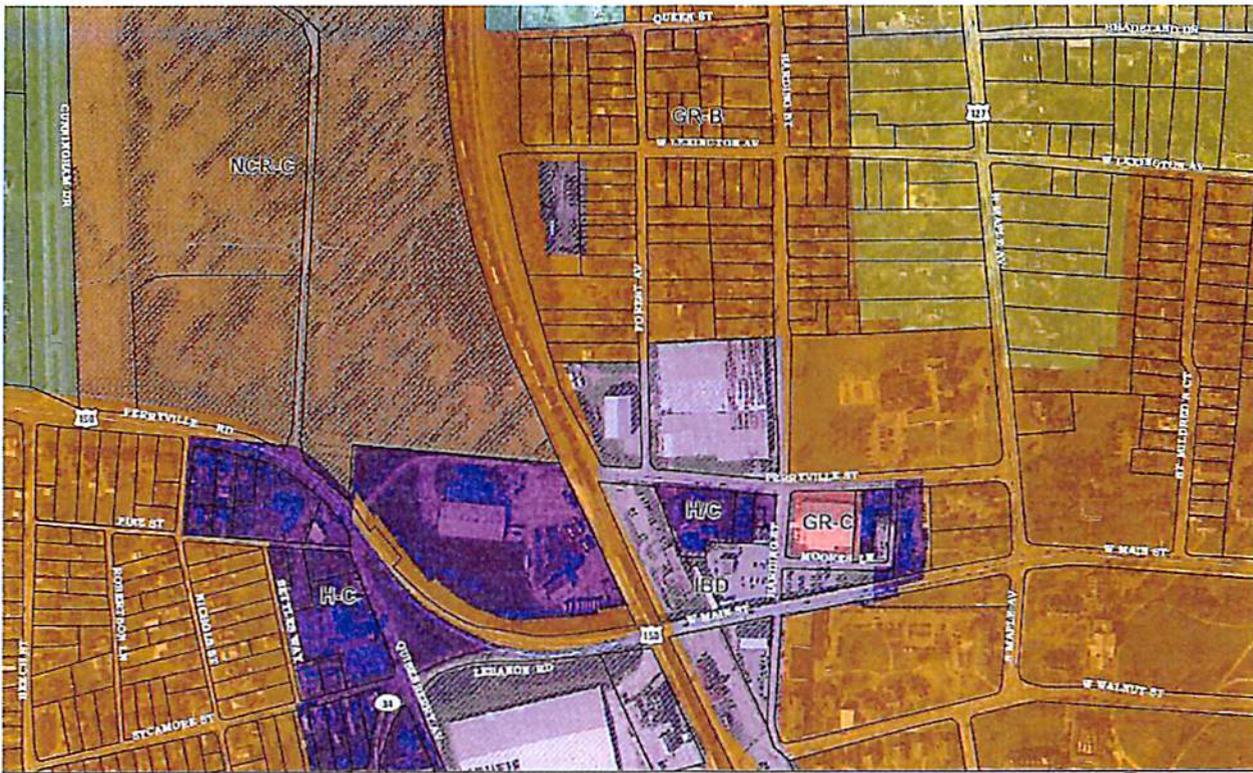
- No Items of Concern

KRS 100.213 - FINDINGS

100.213 Findings Necessary for Proposed Map Amendment

Before any map amendment is granted, the planning commission or the legislative body or fiscal court must find that the map amendment is in agreement with the adopted comprehensive plan, or, in the absence of such a finding, that one (1) or more of the following apply and such finding shall be recorded in the minutes and records of the planning commission or the legislative body or fiscal court:

- (a) That the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate;
- (b) That there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in the adopted comprehensive plan and which have substantially altered the basic character of such area.



CITY OF DANVILLE ZONING MAPS
 Boyle County, Kentucky
 Prepared for the Danville/Boyle County Planning Commission
 by the Bluegrass Area Development District
 2012

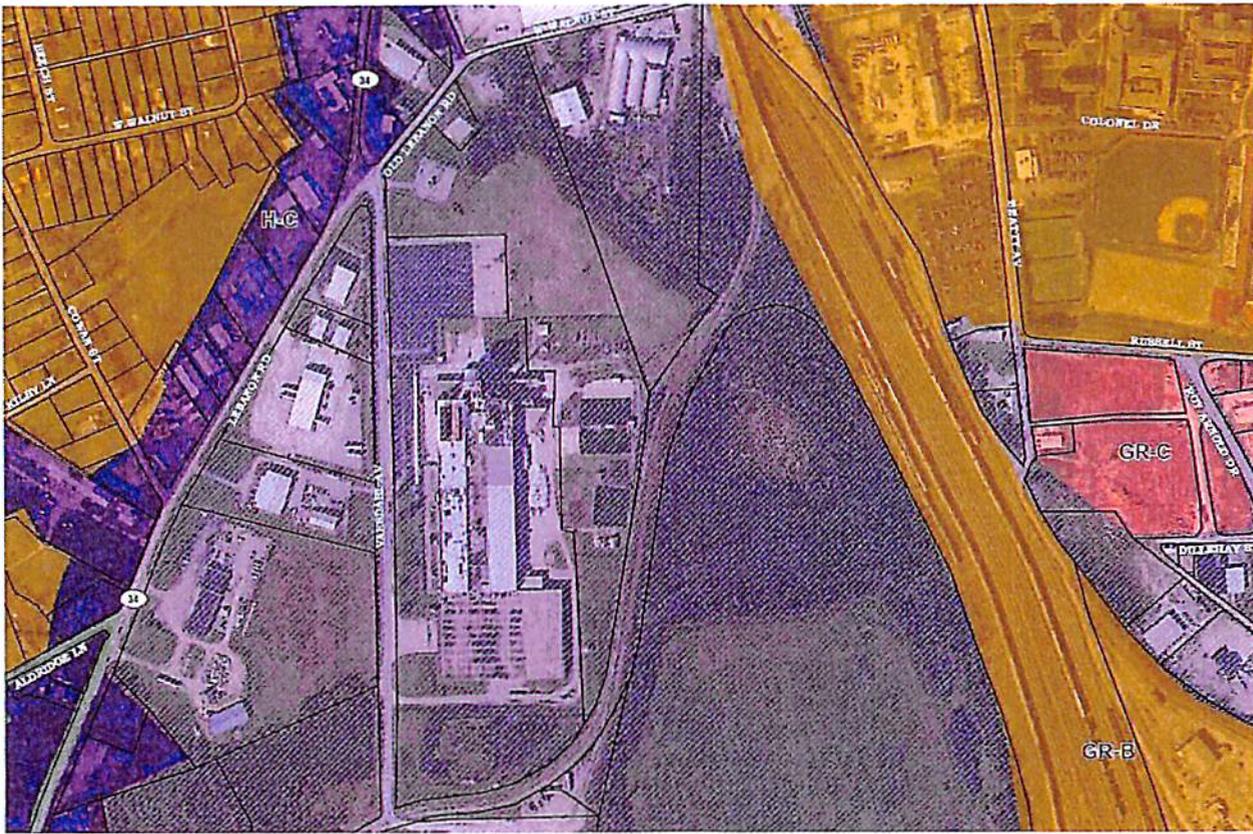
1 inch = 200 feet
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 Feet

- US Highways
- KY Highways
- County Roads
- Marked Streets
- Phase Roads
- Parcel Boundary
- City Limits
- Tramway
- Zoning
- All I
- AC
- C.R.A.
- C.R.B.
- C.R.C.
- INCC
- NCR A
- NCR B
- NCR C
- PHM
- H.C.
- H.C.
- ICD
- EDD
- DT
- DT1 HP 2
- ENG

DATE OF LAST UPDATE: The Bluegrass Area Development District has been updated to include the most current zoning information. The District is not responsible for any errors or omissions in this map. The District is not responsible for any errors or omissions in this map. The District is not responsible for any errors or omissions in this map.

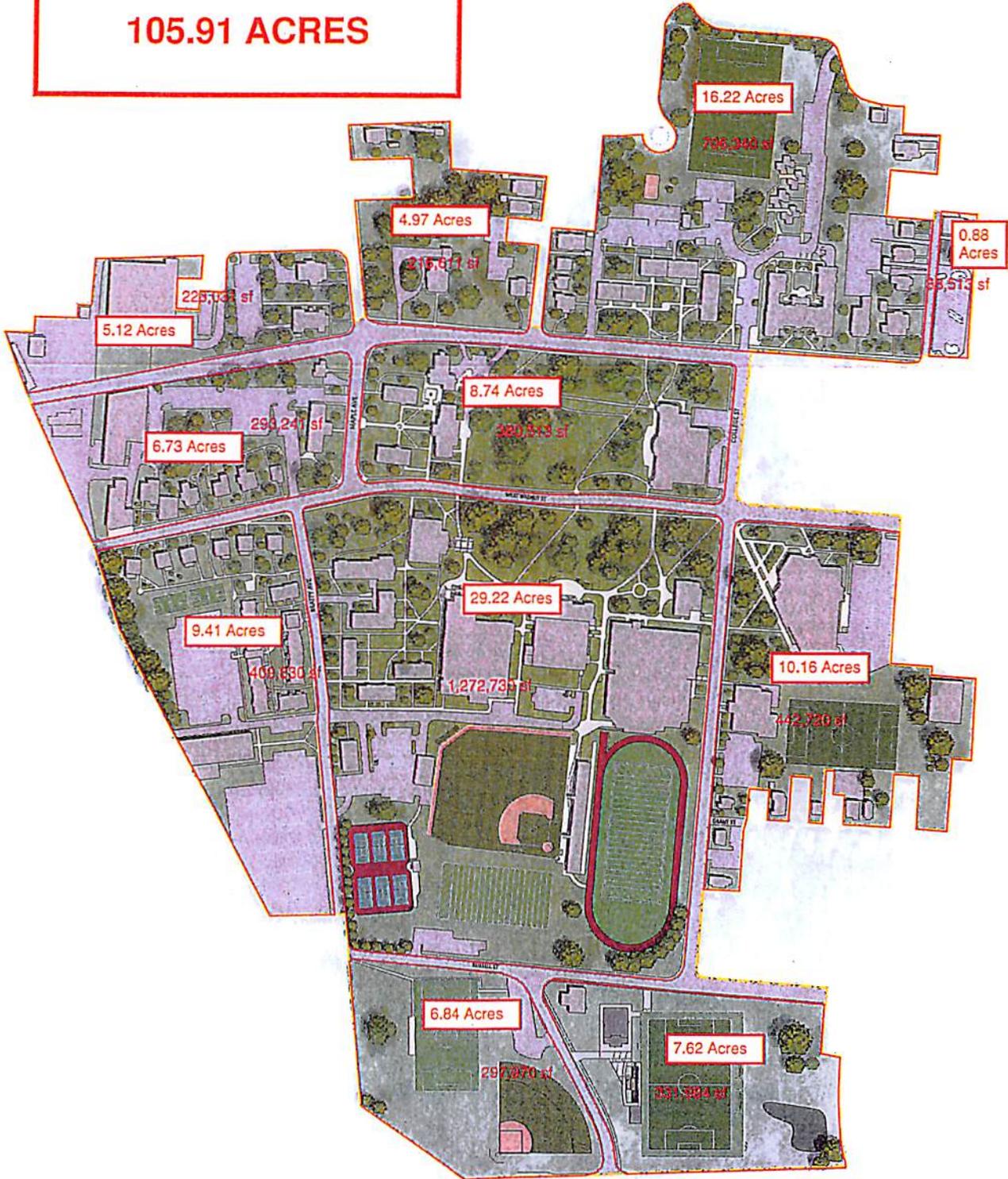
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11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40
41	42	43	44	45	46	47	48	49	50

SHEET 18



**TOTAL CAMPUS ACREAGE
(APPROXIMATE)**

105.91 ACRES



Existing Campus Map
Campus Master Plan

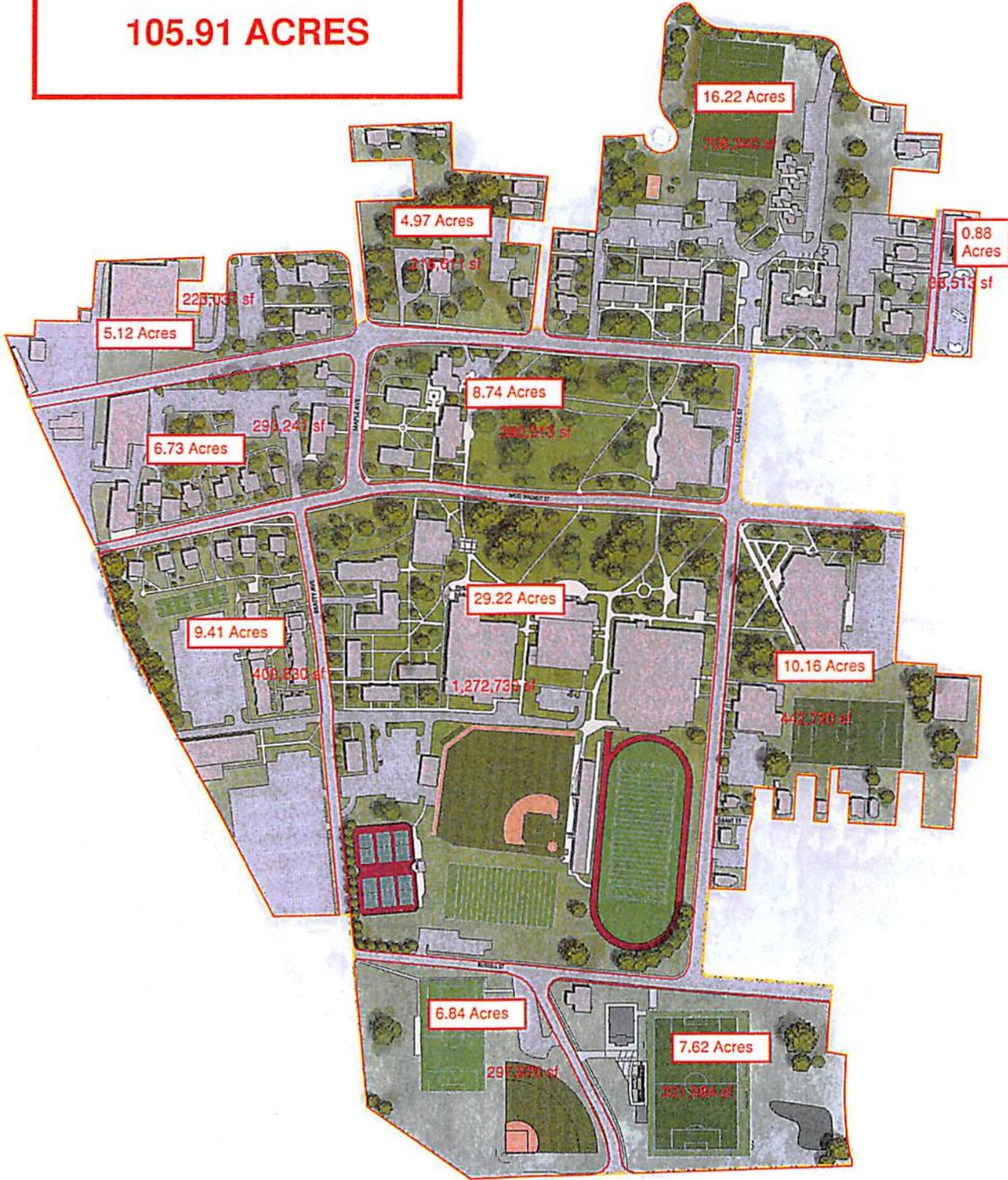


Hastings+Chivetta
ARCHITECTURE • PLANNING • ENGINEERING
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Campus Acreage Added by H+C
March 19, 2018

**TOTAL CAMPUS ACREAGE
(APPROXIMATE)**

105.91 ACRES



Existing Campus Map
Campus Master Plan



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Campus Acreage Added by H+C
March 19, 2018

Danville, Junction City, Perryville, and Boyle County Zoning Ordinance

5.9

Institutional Campus Development (ICD) District

5.9.1

INTENT

The intent of this district is to allow for the continued and future use, expansion, and new development of academic campuses, religious campuses, and government and health/welfare facilities with a total development size greater than 15 acres. The district is designed to promote the varied uses associated with such institutions while maintaining the overall design integrity of the traditional campus setting.

5.9.2

USES PERMITTED BY RIGHT

The following uses include all accompanying facilities and accessory uses associated with their development as approved by the Planning Commission.

Academic Institutions

Religious Institutions

Government Facilities

Health and Welfare Facilities

Essential Utility Services

5.9.3

USES PERMITTED WITH CONDITIONS

Outdoor Storage

Danville, Junction City, Perryville, and Boyle County Zoning Ordinance

5.9.4

DEVELOPMENT PROVISIONS

Minimum Development Size: 15 acres

NOTE: development can occur in multiple phases and include existing structures or lots.

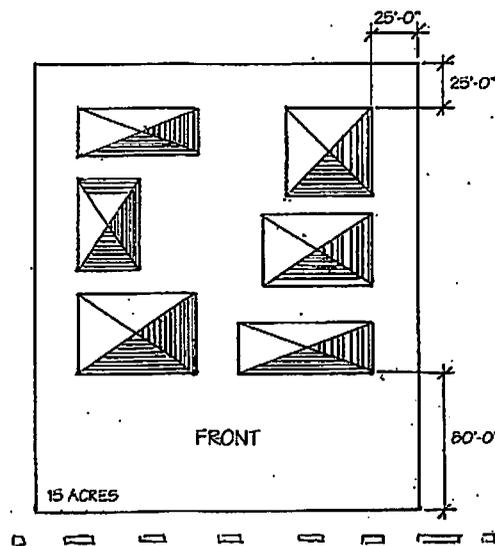
Minimum development setbacks:

Front: 80 feet

All other sides: 25 feet

Maximum height: 60 feet

EXCEPTION: Roof equipment not intended for human occupancy and which is necessary to the structure upon which it is placed.



5.9.5

ARCHITECTURAL STANDARDS

Important structures shall be built so that they terminate a vista, where possible, and shall be of sufficient design to create visual anchors for the campus. All principle structures on a campus shall maintain a consistent architectural style.

A. Materials

1. Walls shall be clad in stone, brick, marble, approved metal paneling or cast concrete.
2. Roofs shall be clad in slate, sheet metal, corrugated metal, tile, asphalt shingles, or any other material similar in appearance and composition to existing campus buildings.

Danville, Junction City, Perryville, and Boyle County Zoning Ordinance

B. Techniques

1. All rooftop equipment shall be enclosed in the building material that matches the structure or is visually compatible with the structure.

5.9.6

ADDITIONAL LANDSCAPING

All applicable landscaping provisions, including but not limited to those set forth in Section 9.11.8 of this Ordinance, shall be observed.

**DANVILLE-BOYLE COUNTY
PLANNING & ZONING COMMISSION**

IN RE:)
THE MATTER OF)
)
CENTRE COLLEGE OF KENTUCKY)
DANVILLE-BOYLE P&Z, APPLICANT)
ZONING MAP AMENDMENT REQUEST)
)
_____)

**SUMMARY OF PROCEEDINGS
AND FINDINGS OF FACT
APPROVING APPLICATION**

This matter having been considered by the Danville-Boyle County Planning & Zoning Commission pursuant to an internal application by Planning and Zoning Staff ("Applicant") for a zoning map amendment from various classifications – GR-A, GR-B, GR-C, NCC, HC, DT, and IBD to ICD, Institutional Campus Dev, relative to 105.91 acres comprising the entire campus of Property Owner, Centre College of Kentucky– 11 parcels located along W. Main, Harding, Moores, Perryville, N Maple, S Maple, St Mildred, Louise, McMillian, Rowe, N 5th, S 5th, W Walnut, College, Colonel, Beatty, Russell, W Martin Luther King, Grant and Dillehay in Danville, Kentucky; a public hearing having been held April 3, 2018; and the Commission being sufficiently advised, it now makes the following Findings of Fact,

SUMMARY

For a summary of the proceedings, the minutes and all other record of the April 3rd, 2018 meeting of the Danville-Boyle County Planning & Zoning Commission are incorporated herein by reference.

FINDINGS

1. The Applicant requested a zoning map amendment from GR-A, GR-B, GR-C, NCC, HC, DT, IBD to ICD (Institutional Campus Development) relative to 11 sections spread over 105.91

housing, employment and recreational opportunities for every citizen.

ii. **COMMUNITY FACILITIES;** Goal: To provide community facilities at an adequate level of service in a cost effective and efficient manner.

Objectives:

A. Coordinate the rehabilitation, development and expansion of community facilities with land development activities by requiring, at the time of development, infrastructure sufficient to accommodate projected growth.

B. Enhance and protect the public health safety and welfare by [r]equiring developers to provide adequate facilities such as sidewalks, proper drainage, utilities and landscaping at new developments; and [r]equiring the dedication of easements and rights-of-way to meet future utility needs when development or redevelopment occurs.

iii. **LAND USE;** Goal: To provide adequate land in appropriate locations for all land uses while minimizing the adverse impacts of developments. Objectives:

A. Make efficient use of existing utility systems by promoting restoration, redevelopment and infill development and discouraging strip development.

B. Respect the character of existing neighborhoods by encouraging that new development and redevelopment that will conform to the existing context as determined by the scale and massing of existing buildings, the placement of buildings on lots, architectural elements, types and placement of streets, and the pattern and type of open space.

b. Other Comprehensive Plan Considerations from Chapter 9:

i. **LOCATION PRINCIPLES FOR URBAN LAND USES**

development by the time of occupancy.

c. Finally, the Future Land Use Map in the Plan shows the subject property bearing a "Public/Semi-Public" land use designation, which the subject property shares with schools and other government function property.

The Applicant's proposal agrees with the Comprehensive Plan insofar as it complies with and supports the above goals.

7. And although the Application appears to comply with Comprehensive Plan, insofar as it may be shown not to comply,

a. the proposed ICD zoning is appropriate, bringing the Zone Map into alignment with the long-standing and beneficial use of the property comprising Centre College's Campus.

b. the existing various zones are inappropriate, and have not reflected for some time Centre College's land use and place in the Danville-Boyle County community.

8. Representatives of Property Owner Centre College represented to the Planning Commission that Centre's property already complies with dimensional standards set out in the Zoning Ordinance (e.g., the landmark Old Centre building is set back hundreds of feet from the street, well past the 80' front yard setback for the ICD zone).

9. Zoning Ordinance Provision 18.10's requirement that a development plan be submitted with any Zone Map Amendment application is inapplicable to the present Application, as Centre is not hereby proposing any new conceptual design or intensified use beyond the school use approved by, among other documents, Centre's 1987 Conditional Use Permit. Rather the Application merely updates the Zone Map to accurately depict longstanding use; 18.10's requirement is hereby waived.

10. The Applicant agrees to this Zone Map Amendment being conditionally approved, with