

TOWN OF BOWLING GREEN
PLANNING COMMISSION MEETING

MINUTES

2-22-10

MEMBERS PRESENT: Chairman Martin Hauser, Eric V. Hinson, Mark DeVita, Chad Webb, and Armando Flores.

MEMBERS ABSENT: Johnson Coleman and Meg Wattiker.

OTHERS PRESENT: Town Manager/Zoning Administrator Stephen Manster, Town Treasurer Kathy McVay and Town Attorney Jean Kelly.

The Chairman called the meeting to order at 7:00 P.M.

NEW BUSINESS:

Public Hearing – Bed and Breakfast and Special Events Facility in an A-1 District: The Chairman read the advertisement that ran in the Caroline Progress the weeks of February 4, 2010 and February 11, 2010. A copy of that advertisement is attached as Attachment A. The Chairman opened the Public Hearing at 7:02 P.M. and asked for public comments. No public comments were made and the Public Hearing was closed at 7:03 P.M. The ZA stated that the recommended changes to Zoning Ordinance were included in the packet for the Planning Commission. (Those recommendations are attached to these minutes as Attachment B.)

Mr. Hinson, made a motion that the Planning Commission recommend to the Bowling Green Town Council the recommended changes to the Zoning Ordinance detailed in Attachment B regarding the allowance of a bed and breakfast and special events facility in an A-1 District. Mr. Flores seconded the motion.

Upon discussion of the matter, the ZA stated that he had two interested persons who would like to be able to have a guest room in their homes without the provision of meals provided. The ZA stated that if the current recommendations are approved that this use would not be permitted. The ZA asked if the Planning Commission would consider this request in an R-1 District with a special use permit. There was discussion about the permitting of a guest room in a residence. The Town Attorney stated that the Town under a special use could place certain requirements on the applicant.

The motion was amended to read: On motion by Hinson, seconded by Flores, the Planning Commission voted to recommend to the Bowling Green Town Council the recommended

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changes with the deletion of the wording related to “guest room” to the Zoning Ordinance detailed in Attachment B regarding the allowance of a bed and breakfast and special events facility in an A-1 District. Voting Aye: Hauser, Hinson, Flores, Webb, and DeVita.

ZP2010-01 Countryside Day Care – Special Use Permit - The ZA stated that included in the packet was an application for a special use permit from Alyson P. Beverly for a day care for 110 West Broaddus Avenue Suite 200. The ZA stated that Ms. Beverly currently operates a number of daycare centers in the County. A copy of her application is attached as Attachment C. He stated that Ms. Beverly has an approved plan for a daycare center next to the Caroline Square Shopping Center. He stated that Ms. Beverly would like to operate a day care at the 110 West Broaddus Ave Ste 200 location on a temporary basis until construction of the facility. Ms. Beverly stated that the day care would consist of children between the ages of 2 ½ to school age. There would be no babies or toddlers. She stated that a pre-school program was available and food service would not be provided at this time. She stated that plans included the construction of a play ground on the approved site for the day care center. She expressed a concern about after hour and weekend activity at the playground site. She stated that a fence would be required around the playground and asked if the Commission had a preference regarding the fencing. There was discussion about fencing and possible signage. Hauser asked about the number of children at the day care. Ms. Beverly stated that there would be at least 35 at a time and that enrollment could be between 50 and 75 children. Hinson asked if the plans for the playground were the same as shown on the site plan. Ms. Beverly stated that it was. Ms. Beverly stated that care would be offered for those parents who have to work on Saturdays. Hinson expressed a concern about possible injury at the playground. Hauser stated that the playground was located on private property and not a public playground. The ZA stated that the Planning Commission would need to schedule a Public Hearing on the special use request for Ms. Beverly for a day care center at 110 West Broaddus Avenue Suite 200. He stated that he was hopeful that the process could be expedited with a joint public hearing with the Bowling Green Town Council. Upon review it was determined that it was not feasible. Webb asked if this use was a conditional use and if the applicant would need a zoning permit also. The ZA stated that the Planning Commission could specify that the use is only for the applicant as a condition. Webb asked about notification to adjoining property owners and compliance to the Town Code. The ZA stated that it is in compliance with the Town Code since it is located in the Caroline Square Shopping Center which is zoned B-2 and there are no modifications to the building or the parking area. He stated that if modifications were needed then a site plan would be required. He stated that the Bowling Green Town Council could set conditions if needed on the special use permit. Ms. Beverly stated that she preferred placing a 6 foot chain link fence around the play ground area. The Town Attorney stated that the playground is located on private property and the Town has no liability. Hauser asked Ms. Beverly how long she expected to be located in the shopping center. Ms. Beverly stated that due to the economy that she expected to be located there a minimum of 2 years and a maximum of 3 years. Webb asked about a designated drop off for the children and Ms. Beverly stated that one would be designated. The ZA stated that a drop off zone could be accomplished with a designated loading zone with signage. Hinson asked about the bus drop off zone and Ms. Beverly stated that they would be assigned a

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special location and supervision would be provided for the children to the day care center.

On motion by Hinson, seconded by Flores, the Planning Commission voted to schedule a Public Hearing for a special use request for ZP2010-01 Countryside Country Day Care for March 15, 2010 at 7:00 P.M. at the Bowling Green Town Hall. Voting Aye: Hauser, Hinson, Flores, Webb, and DeVita.

MINUTES – January 25, 2010 meeting: **On motion by Flores, seconded by Hinson, the Planning Commission voted to approve the minutes of the January 25, 2010 with one change which is the removal of the statement “He stated that the Bowling Green Farm had utilized the parking lot at the shopping center for events in the past.”. Voting Aye: Hauser, Hinson, Flores, and Webb. Abstain: DeVita.**

ZONING ADMINISTRATOR’S REPORT: The ZA stated that the signage for Union Bank and Trust Company will be changing to reflect the new name of the bank.

UNFINISHED BUSINESS:

INFORMATIONAL ITEMS:

BGTC Representative’s Report – A copy of the February 4, 2010 report (Attachment D) is attached to these minutes for reference.

Mark DeVita - Mark DeVita informed the Planning Commission that his job will be requiring him to relocate to Maryland and he will be submitting his resignation as a member of the Planning Commission. He offered to stay on the Planning Commission until a suitable replacement can be found.

ADJOURNMENT: On motion by Hinson, seconded by DeVita, the Planning Commission voted to adjourn at 7:59 P.M. Voting Aye: Hinson, Flores, Hauser, Webb, and DeVita.

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