

## Analysis of the Anderson County and Lawrenceburg 2017 Comprehensive Plan

At the time of this writing, the comprehensive plan had not been updated. The [Anderson County and Lawrenceburg Comprehensive Plan](#) contains details regarding future land use in the community, none of which includes plans for industrial zoning on KY 151. According to the comprehensive plan, the Planning and Zoning commission is also not following proper procedure with the proposed rezone, the comprehensive plan must be amended prior to a change in zoning. Additionally, the rezone itself appears to violate the amendment guidelines laid out in the document.

### Violations of Land Use Element

The Comprehensive plan notes, “all future land uses on the map are there to show the community’s vision of how the city and county should grow and development over time” (2.2 Land Use Purpose, Page 8). The “vision of the community” makes no mention of KY 151 being the site of potential industrial zoning. In fact, the main areas that are even considered for industrial development are the Urban Service Boundary (USB) and Interstate Commerce Area (ICA), with the ICA being the preferred site for industrial zoning outside the USB (2.8 Land Use Policy, Urban Service Boundary, G, Page 21).

The rezoning of 1939 Graefenburg would create an “island” of an industrial zone in a “sea” of agricultural and residential areas. This is in direct conflict with the comprehensive plan goal to, “encourage growth in a concentrated and logical manner” (2.1 Land Use Goals and Objectives, General Development, Goal B, Page 7). The rezone of 1939 Graefenburg road is anything but logical and concentrated. If successful, the newly created industrial zone would be isolated from any other industrial zones in Anderson county. Not to mention that the roadway feeding this industrial zone does not allow STAA trucks. This fact is again at odds with the comprehensive plan goal to, “encourage industrial facilities to locate on sites serviced by National Truck Network roadways as defined by the Kentucky Transportation Cabinet” (2.1 Land Use Goals and Objectives, General Development, Goal F, Page 7). The Kentucky Transportation Cabinet removed KY 151 from the National Truck Network in 2016 due to safety considerations, therefore this newly created industrial zone is not located on a site serviced by the National Truck Network.

While the road feeding the proposed location is not adequate, neither are the existing utilities. Mainly, the 4-inch water main servicing the area, would not be sufficient to fight potential large-scale fires that could erupt from housing 1.4 million barrels of bourbon. The Conditional Use Permit and Rezoning Application make no mention of planned future development regarding water service, sewer service, paved roads (except driveways), fire protection, retention basins, railroad spurs, etc., to meet the needs of a light industrial zone containing 24 massive warehouses and 20 acres slated for future unspecified development. Not placing the Buffalo Trace project in a location that can make, “efficient use of existing and planned public facilities, services and utilities” (2.1

Land Use Goals and Objectives, General Development, Goal B, Page 7), is a complete lack of planning and doesn't meet the goals of the comprehensive plan.

Rezoning 450 acres of prime agricultural property also contradicts another goal in the comprehensive plan to, "Encourage the preservation of prime farm and agricultural lands and protect these areas from encroachment by commercial, industrial and non-agriculture residential development, except at specific nodes at identified intersections on the Future Land Use Map" (2.1 Land Use Goals and Objectives, General Development, Goal D, Page 7). By allowing the rezoning of these 450 acres, this is the very definition of "encroachment by industrial development". This will most likely open up surrounding farmland to future zone changes to expand the industrial zone.

The rezoning of 1939 Graefenburg Rd is not mentioned in any broader context of the area along KY 151 in the comprehensive plan. Furthermore, the proposed rezoning has conflicts with the multiple points in the land use policy, namely general development goals A, B, D, and F (detailed above). Given the aforementioned conflicts, one could conclude the proposed location is not in an adequate or appropriate location, a violation of land use goal A, "designate adequate and appropriate sites for all primary land use types" (2.0 Land Use Goals and Objectives, General Development, Goal A, Page 7).

There are also questions of how Buffalo Trace would meet goal E, "require developers to mitigate negative impact created by developments on surrounding properties" (2.0 Land Use Goals and Objectives, General Development, Goal E, Page 7). With the increased traffic on an already dangerous and congested road as well as the real possibility of whiskey fungus damaging property, how exactly would Buffalo Trace mitigate these negative impacts on the surrounding community?

### Violations of Amendment Process

I obtained a copy of the Comprehensive Plan from Renee D. Evans, the planning and zoning administrator. According to the date on the document, it was last revised in 2017. The comprehensive plan is to be reviewed and revised every 5 years. In the interim time period, there is an amendment process that is to be followed in the event that new information is realized or the plans for the county change. Assuming that we do indeed have the most recent copy with all amendments intact, there is no mention of rezoning in the area of KY 151. For a rezoning of property to occur, "amending of the Comprehensive Plan Future Land Use Map should be required *prior* to the Planning Commission, City Commission, or Fiscal Court approving a Zone Map Amendment for property that would create a situation where the zoning of a property does not reflect the future vision of an area" (1.7 Comprehensive Plan Amendment Process, Page 5). If the Planning and Zoning Commission is to decide on the rezoning of 1939 Graefenburg on May 10th, an amendment to the comprehensive plan is required first. Again, if this is the most recent copy of the comprehensive plan, and I am understanding the process and what has occurred thus far correctly, an amendment has not occurred to account for the proposed rezoning. And if an amendment to the plan is to occur, the proposed rezoning does not meet the amendment guidelines as defined by the comprehensive plan section 1.7.1 Amendment Guidelines (Page 6).

## Violations of Amendment Guidelines

“That the amendment constitutes an overall improvement to the Comprehensive Plan and will not solely benefit a particular landowner or owners at any particular point in time but will be of benefit to the City in general” (1.7.1 Amendment Guidelines, A, Page 6). Buffalo Trace is not providing goods or services that can be consumed or used by citizens. There also will not be a notable increase in jobs for Anderson County. It is arguable that the Smiths are the sole beneficiaries of the proposed rezone.

“The amendment will not adversely impact in any portion or the entirety of the community, by: 1. Significantly altering acceptable existing and planned land use patterns” (1.7.1 Amendment Guidelines, B-1, Page 6). This is a significant portion of farm land that will no longer be viable for agricultural use, this is a deviation from the comprehensive plan’s future land use. A rezone of 450 agricultural acres to light industrial will be an increase of 60% for light industrial land, all outside of the planned industrial areas of USB and ICA. That is a significant change in the planned use pattern.

“The amendment will not adversely impact in any portion or the entirety of the community, by: 2. Requiring additional and more expensive infrastructure improvements to roads, sewer, or water delivery systems than are needed to support the prevailing land uses.” (1.7.1 Amendment Guidelines, B-2, Page 6). The Kentucky Department of Transportation has banned STAA trucks on KY 151. The road would need to be widened in order to support the increase in traffic to and from Buffalo Trace. The Kentucky Department of Transportation did a study on the viability of widening the road and found the cost to outweigh the benefit ([Scoping Study](#)).

“The amendment will not adversely impact in any portion or the entirety of the community, by: 3. Impacting developments in other areas, unless otherwise negotiated through a development agreement, or other mitigation plan, and demonstrated to be of benefit to the City, ” (1.7.1 Amendment Guidelines, B-3, Page 6). If there are additional planned residential developments (like Stage 3 of Fox Hollow), the presence of an industrial zone very near to those locations would deter developers.

“The amendment will not adversely impact in any portion or the entirety of the community, by: 4. Adversely impacting existing or previously planned uses through an unreasonable increase in traffic generated on existing systems by the proposed use, or ” (1.7.1 Amendment Guidelines, B-4, Page 6). Again, the increased traffic on KY 151 will be a deterrent to residential developers.

“The amendment will not adversely impact in any portion or the entirety of the community, by: 5. Adversely affecting the livability of an area within the City or the health and safety of the residents. ” (1.7.1 Amendment Guidelines, B-5, Page 6). The safety of the residents will be impacted as the traffic is increased on KY 151. Buffalo Trace will most likely use big rigs which the Kentucky Department of Transportation has banned on this road for safety concerns. It follows that having those vehicles on this

road will adversely affect the residents' safety. The livability of the area will be impacted by property damage from whiskey fungus.

There are indeed multiple amendment guidelines that will be violated with a zone change for 1939 Graefenburg Rd.

It appears to me that rather than the community and the planning and zoning commission setting policy with regards to community planning, private landowners (Lou and Kerri Smith) and a billion-dollar company (Sazerac) are setting policy. The community leaders in positions of power have a predefined process (as noted in the comprehensive plan) to follow which they are not adhering to.

Note: Page numbers listed are numbers stamped on the document, not the number in the page viewer when viewing the document online.