

CITY OF SPRINGFIELD
ORDINANCE NO. 2025-006
RELATING TO A CHANGE OF ZONING FROM
Residential 1 (R-1) TO Highway Commercial (HC)
35.89 ACRES LOCATED on PERRYVILLE ROAD

WHEREAS, Wesley and Susan Abigail Smith have requested a zone change of said property from Residential 1 (R1) to Highway Commercial (HC) and,

WHEREAS, the Springfield City Council has considered the record presented by The Springfield Planning Commission; the Springfield Planning Commission held a Public Hearing pursuant to KRS 100 on June 17th, 2025 and adopted Finding of Fact to recommend the aforementioned Zone Change on June 24th, 2025, and the City Council concurs in and adopts the reason and findings of said Planning Commission as stated below for said zoning change and approves and accepts the recommendations of said commission in this matter as set out in said Finding of Fact, said document attached hereto and made a part hereof, and;

WHEREAS, the zoning map of Springfield, Kentucky is hereby amended as it affects the property described below, changing the portion which was Residential 1 (R-1) to Highway Commercial (HC),

WHEREAS, it is the intent of the Springfield City Council to change the zone of this land described below:

A parcel of land lying in the City of Springfield commonly known as Parcel ID: 18K-053, being conveyed to Stephen Wesley Smith & Susan Abigail Smith in Deed Book 367, Page 545 and Deed Book 373, Page 767 as recorded in the Washington County Clerk's Office, Springfield, KY.

Located on the east side of Perryville Road (Old US-150) the south side of Maplewood Avenue, more particularly described as:

BEGINNING at a 1/2" rebar (Spaulding PLS 4427) in the east right of way line of Perryville Rd (30' from centerline) being a corner of Parcel ID: 18K-053.11; THENCE leaving right of way and with Tract D and E N68°43'17"E 135.33' to a 1/2" rebar (Spaulding PLS 4427); THENCE N68°43'17"E 75.15' to a 1/2" rebar (Spaulding PLS 4427) in the line of Emily Royalty (D.B. 319, Pg. 311; THENCE with Royalty N24°54'43"W

222.98' to a 1/2" Rebar (Spaulding 3066); THENCE N67°22'30"E 127.07' to a 1/2" rebar (Spaulding 3066); THENCE N25°56'13"W 119.23' to a 1/2" rebar (Wolf 3742) at the corner of Royalty and Thompson Legacy LLC (D.B. 372, pg. 26, see Plat Cabinet C, Slide 205; THENCE with Thompson Legacy N78°49'43"E 361.60' to a 1/2" rebar (Wolf 3742) on the west right of way of Temple Drive; THENCE N78°49'43"E

51.18' to a 1/2" rebar (Wolf 3742) on the east right of way of Temple Drive; THENCE N78°49'43"E

122.84' to a 1/2" rebar (Wolf 3742); THENCE N64°15'31"E 159.04' to a 1/2" rebar (Wolf 3742); THENCE

N23°34'20"W 159.68' to a 1/2" rebar (Wolf 3742) in the line of Temple Baptist Church; THENCE with Temple Baptist N62°54'24"E 218.83' to a 1/2" rebar (Wolf 3742) at Temple

Baptist (D.B. 374, Pg. 362); THENCE N63°03'25"E 164.50' to a 1/2" rebar (Wolf 3742); THENCE N29°36'37"W 196.73' to a 1/2" rebar

(Wolf 3742) at end of Kentucky Ave; THENCE N66°36'23"E 33.40' to a 1/2" rebar (Spaulding 3066) at the corner of Bobby Russell Chesser & Vickie Chesser (D.B. 118, Pg. 293); THENCE N65°34'55"E 65.00' to a rebar at Chesser and Sigma Properties of KY LLC (D.B. 362, Pg. 173); THENCE N66°53'12"E 60.00' to the corner of Sigma Properties and Legacy Family Rentals (D.B. 387, Pg. 502) THENCE N66°53'12"E 45.40' to a rebar; THENCE S33°16'14"E 11.00' to 1/2" rebar (Spaulding 3066); THENCE N59°39'00"E 350.00' to the corner of Myrtle Catherine Hayes Estate (D.B. 171, Pg. 180) and the Housing Authority of Springfield (D.B. 112, Pg. 307); THENCE S29°37'38"E 407.88' to a wood corner post at the corner of Housing Authority and SWEDA (D.B. 381, Pg. 497, Plat dated 10.16.24); THENCE S15°53'33"E 488.18' to a 1/2"

rebar at base of post (Spaulding 4427) at the corner of Sweda and John Strickland/ William Collier (D.B. 346, Pg. 851); THENCE with Strickland S15°08'55"E 323.61' to a point in fence and S14°48'02"E 152.78' to a rebar at the corner of James Gary Armstrong (D.B. 318, Pg. 213); THENCE S67°09'52"W 573.10' to a rebar; THENCE S66°39'14"W 429.35' to a rebar at ATQLLC4 (D.B. 366, Pg. 508); THENCE S67°59'30"W

26.92' to a rebar; THENCE N28°58'48"W 168.36' to a 1/2" rebar (Spaulding 3066) at Roger D Wilkerson & Thomas Bartley III (D.B. 365, Pg. 796, Plat Cabinet C, Slide 161); THENCE N25°31'24"W 441.26' to a 1/2" rebar with no cap; THENCE S69°21'45"W 423.20' to a 1/2" rebar (RLS 2850); THENCE S68°43'17"W

181.84' to the corner of City of Springfield (D.B. 249, Pg. 141); THENCE S68°43'17"W 30.01' to the corner of Craig & Jessica Hamilton (D.B. 332, Pg. 841); THENCE S68°43'17"W 133.34' to the east right of way of Perryville Rd; THENCE with said right of way N26°25'23"W 75.30' to a point to the Point Of Beginning.

Containing 35.89 Acres by calculation of Spaulding Surveying, John Ryan Spaulding PLS 4427.

Bearings and Distances used are per recorded deeds, plats and information from the Washington County PVA. This description is for rezoning purposes and does not constitute a boundary survey and is not intended for land conveyance.

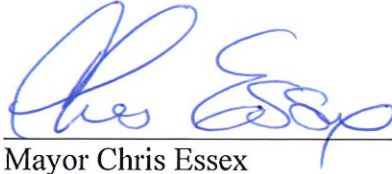
NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Springfield, Commonwealth of Kentucky that:

This ordinance shall be adopted pursuant to KRS 83A.060, passed and approved by the City Council of the City of Springfield, on this 8th day of July 2025, with Yes and No Votes as follows:

	YES	NO
Daniel Bishop	<u>✓</u>	_____
Willie Ellery	<u>✓</u>	_____
Michael Hale	<u>✓</u>	_____
Carolyn Hardin	<u>✓</u>	_____
John Pettus	<u>✓</u>	_____
Lance Smith	_____	_____ Absent

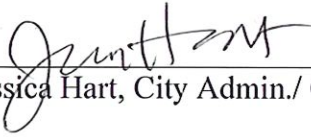
First Reading: June 30, 2025
Second Reading: July 8, 2025

Published in the Springfield Sun: July 16, 2025



Mayor Chris Essex
City of Springfield

ATTEST:



Jessica Hart, City Admin./ Clerk

CITY OF SPRINGFIELD, KENTUCKY PLANNING & ZONING COMMISSION

**FINDINGS OF FACT AND RECOMMENDATION
IN FAVOR
OF CHANGING 2024 COMPREHENSIVE PLAN MAPS AND ZONING
CLASSIFICATION DESIGNATION
FROM SINGLE FAMILY RESIDENTIAL (R-1)
TO HIGHWAY COMMERCIAL (HC) ZONING CLASSIFICATION FOR 35.89 ACRES
OF PROPERTY ACCESSED FROM PERRYVILLE ROAD OWNED BY WESLEY &
SUSAN ABIGAIL SMITH**

PUBLIC HEARING DATE/TIME – JUNE 17, 2025 /6:00 P.M.

WHEREAS, an application was filed by Wesley Smith, on behalf of himself and his wife, as present owner of certain real property located within the City limits and accessed off of Perryville Road requesting a zoning classification change from Single-Family Residential (R-1) zone to Highway Commercial (HC) zone for the real property;

WHEREAS, the Subject Property is owned by Wesley Smith and Susan Abigail Smith, his wife, and consists of 35.89 acres currently being utilized as farm acreage as depicted on the plat attached as Exhibit A;

WHEREAS application of KRS 100 and Springfield Zoning Ordinances require a planning commission to conduct a public hearing for the purpose of adopting a comprehensive plan amendment and making its recommendations as to the zoning re-classification of the property henceforth.

WHEREAS, the City of Springfield Zoning Ordinance ("Zoning Ordinance"), as it may have been amended, and the 2024 Springfield Comprehensive Plan ("Comprehensive Plan") (collectively the "Springfield Enactments"); KRS Chapter 100; evidence of record; and all other applicable law are relevant to the City of Springfield, Kentucky Planning Commission ("Planning Commission") recommendation for zoning district re-classification of the Subject Property.

NOW THEREFORE, the Planning Commission upon consideration of the particulars of the Subject Property, any filings of any person or entity with the Planning Commission, the written administrative record before the Planning Commission, and the testimony and other evidence submitted into the record at the June 17, 2025 Public Hearing (collectively the "Administrative Record"), KRS Chapter 100, and the Springfield Enactments hereby FINDS that the proposed zone reclassification is not in conformity

with the 2024 Comprehensive Plan and its Future Land Use Map for this parcel and that amendment to the Comprehensive Plan is required upon passage of any Ordinance enacted by the City assigning a different zoning classification, AND adopts these FINDINGS OF FACT and RECOMMENDATION as to the zone classifications of the Subject Property, all of which are to be incorporated into the Planning Commission Minutes and the Administrative Record of the Application:

FINDINGS OF FACT

1. On Application received, the Planning Commission scheduled a public hearing for June 17, 2025, at 6:00 p.m. EST at an address of 127 West Main Street, Springfield, KY 40069 ("Public Hearing"). The Public Hearing was held as scheduled (the "Public Hearing"). Such Public Hearing is contemplated by the Zoning Ordinance and KRS 100.

2. Advance statutory first-class mail hearing notice was sent to adjoining property owners pursuant to KRS 100.212. Any sign posting required by the Zoning Ordinance; and newspaper publication in compliance with KRS 100.212 and 100.207 have all been completed by city officials and documentation of such is in the Administrative Record.

3. On June 4, 2025, notice of the Public Hearing was published in the *Springfield Sun*, a Washington County newspaper of general circulation, as required by KRS Chapter 100 and KRS Chapter 424 and documentation of the publication is in the Administrative Record.

4. The Subject Property, subject to the existing Comprehensive Plan and existing Zone Classification, is located within the incorporated territory of the City of Springfield in Washington County.

5. All evidence, materials, slides, exhibits, reports, documents, correspondence, and photographs filed before or during the Public Hearing before the Planning Commission, by any person or entity, were accepted in the record as evidence of the Public Hearing.

6. The Planning Commission is aware that there is an existing zoning ordinance and Comprehensive Plan provision applicable to the property which classifies the property as Residential and more specifically as R-1 (Single-Family Residential).

7. The Public Hearing is for the purpose of making a recommendation on Amendment of the Comprehensive Plan Designation and Zone Re-Classification for the Subject Property per the Springfield Enactments, KRS Chapter 100, and all applicable law. The Planning Commission is not making a recommendation as to any particular use of the Subject Property.

8. All persons who wanted to attend and/or speak and/or ask questions at the Public Hearing were permitted to do so in compliance with the Kentucky Open Meetings Act, due process, and KRS Chapter 100.

9. The Public Hearing was held in city offices at 127 W. Main St., Springfield, KY 40069, which are, upon information and belief, in compliance with the Americans with Disabilities Act.

10. Applicant representative Wesley Smith presented the applicant's materials in support of the zone change for the Subject Property. Various citizens and adjoining landowners were present and actively participated in the hearing including speakers Wesley Smith, Daniel Carney with SWEDA, Judy Edmondson, and Bobby Chesser, who presented documentary evidence and/or oral testimony. Concerns were raised about the contrast between the existing zone classification of R-1 and the proposed reclassification to High Commercial (HC), the proximity to housing developments and other citizen concerns or questions.

11. The City's Current/Existing Land Use Map and Future Land Use Maps assign a Residential classification (R-1) to this territory, and the parcel lies adjacent to the affordable residential housing development known as Domus Court as well as lying adjacent to the Industrial (I-1) property owned by SWEDA. There is much Highway Commercial (HC) development developed nearby so it is not a deviation from the character of the area. Further, Wesley Smith testified that he had been unable to sell the property as a residential development despite marketing efforts over the past two years.

12. Based on the Subject Property description, plats/maps, the Springfield Zoning Map, the 2024 Comprehensive Plan, testimony and/or photographic evidence of record, this Subject Property contains underdeveloped rural acreage that has previously been utilized as agricultural but which has been marketed in the past two years unsuccessfully as a residential development.

13. The Subject Property, as evidenced by the tendered plat, has a point of entry from Perryville Road and the Applicant is willing to execute a binding agreement that this development will not be permitted to utilize Temple Drive, a smaller, purely residential street, as a point of entry; however, a planned entryway from Perryville Road would be ideal. The Planning Commission finds such adjoining roadway (i.e., Perryville Road), subject to any required curb cut approvals of the appropriate agency, would be adequate for traffic which would likely arise from any Highway Commercial (HC) development of the Subject Property entering from Perryville Road only.

14. Based on evidence of record, the Planning Commission finds the Subject Property may be adequately served by electric, water, gas, and sewer services and that all needed infrastructure would be available including compliance with stormwater regulations in order to support Highway Commercial (HC) development of such property, which backs up to the industrial development owned by SWEDA.

15. The size of the Subject Property makes it appropriate for commercial development and an Highway Commercial (H-C) Zone Classification.

16. The proposed commercial development will promote the City's diversity of economic development goals and promote active use of underdeveloped land.

17. The proposed use for immediate commercial development is deemed appropriate given the increased employment opportunity it presents as opposed to its current use or those uses shown on the Existing and Future Land Use Maps of the Comprehensive Plan; however, the applicant is strongly encouraged to adopt and enforce restrictive covenants upon its development including buffer zones or landscaping and other mitigation devices between the development and any adjoining/nearby residential zones.

18. All vehicular traffic will be routed into the site from Perryville Road, which is a rural principal arterial roadway within the City limits and has a much higher vehicle capacity than the nearby residential street Temple Drive, which the applicant agrees not to use for access to this development. **This agreement shall be included on any new plat of the commercial development and in restrictive covenants established by the applicant.**

19. Based on evidence of record, the Planning Commission finds no evidence to support that development of the Subject Property for Highway Commercial (HC) purposes would create drainage problems which would impact any adjoining property or violate any applicable law as to water run off or any aspect of drainage; however, the applicant must comply with all stormwater regulations for the City of Springfield.

20. The Highway Commercial property development standards of the Zoning Ordinance provide protection to adjoining property owners from potential adverse effects from commercial development on the Subject Property through setbacks, building height limitations, gross floor area limitations, lot coverage limitations, and other regulations.

21. The Highway Commercial zone classification is not expected to have adverse impact on adjoining properties. This property is surrounded on multiple sides by residences, whose occupants may benefit from the availability of employment opportunity without the need for mechanical or automotive transportation, and by industries which may be supported by commercial developments.

22. The Comprehensive Plan itself, the Administrative Record and applicable law support and provide substantial evidence and legal grounds in favor of amendment, to the extent any amendment is needed, to the Comprehensive Plan to identify the Subject Property on Current (Existing) and Future Land Use Maps consistent with existing conditions and expected future conditions for the zone district classifications established below with the Subject Property being properly designated as **HIGHWAY COMMERCIAL (HC)** on the Current and Future Land Use Map.

23. All of the foregoing findings of Adjudicative Facts support the classification of the Subject Property into the **HIGHWAY COMMERCIAL (HC) ZONE CLASSIFICATION**.

24. Severability. It is the intent of the Planning Commission that a determination of one or more of the above FINDINGS OF FACT to be invalid by a court of competent jurisdiction in a final non-appealable judgment should not serve to invalidate any final action or recommendation of the Planning Commission if such may be sustained under applicable law based on any remaining FINDINGS OF FACT.

**COMPREHENSIVE PLAN AMENDMENT TO 2024 COMPREHENSIVE PLAN MAPS
AND ZONE RE-CLASSIFICATION RECOMMENDATION**

The Planning Commission, having conducted a Public Hearing upon the Application, by MOTION made and seconded at such meeting and approved by majority vote of a quorum of the Planning Commission, hereby:

- (a) Adopts the above-referenced Findings of Fact;
- (b) AMENDS the Current and Future Land Use Plan Maps within the 2024 Comprehensive Plan consistent with designating the Subject Property identified as 36.31 acres owned by Wesley and Susan Abigail Smith, to be accessed exclusively off of Perryville Road, Springfield, KY as **HIGHWAY COMMERCIAL (HC)** on the Current and Future Land Use Maps and for all appropriate city officials to take action to promptly supplement and/or amend the existing Current and Future Land Use Maps to reflect such designations;
- (c) RECOMMENDS assignment of the Subject Property identified as 36.31 acres owned by Wesley and Susan Abigail Smith, and to be accessed exclusively off of Perryville Road within the City of Springfield to the **HIGHWAY COMMERCIAL (HC) ZONE CLASSIFICATION** as such term is used in the Zoning Ordinance;
- (d) Authorizes and directs the Planning/Zoning Administrative Official to confirm that the applicant has executed and filed of record a restrictive covenant running with the land, a plat designation on any new plat of record for this development and or such other written legal instrument as establishes of public record the requirement that entry into this Highway Commercial Development originates exclusively from and is restricted to Perryville Road; and,
- (e) Authorizes and directs the Chair of the Planning Commission, the Zoning Administrator, the Secretary of the Planning Commission, and Commission Counsel to forthwith take all appropriate action to timely forward these FINDINGS and the complete Administrative Record to the City Council of the City of Springfield, KY.

The following Planning Commission Members voted in favor of the foregoing Motion:

Betty Hall (*original motion*)

Brian Coulter (*second*)

Meagan Clements

Christina Lewis

and the following Planning Commission Members, if any, voted against the foregoing Motion:

None

Tom Bystrek
Signature

Print Name: Tom Bystrek

Vice Chairperson, City of Springfield
Planning & Zoning Commission

6/24/25
Date

ATTEST TO SIGNATURE OF CHAIRPERSON:

Jessica Hart

Print Name: Jessica Hart

Secretary of the City of Springfield Planning Commission

Date: 6/24/25