

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
FIRST FLOOR FISCAL COURTROOM**

**July 19, 2006
7:30 P.M.**

PUBLIC HEARINGS

Commission Members Present: Mrs. Arnett, Mr. Barlow, Mr. Breetz, Mr. Caddell – Chairman, Mr. Carmichael, Mrs. Kegley, Mr. Knock – Temporary Presiding Officer, Mr. McMillian, Mrs. Poston - Vice Chairperson, Mr. Rolfsen, Mr. Schwenke, and Mrs. Wilson – Secretary/Treasurer.

Staff Members Present: Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; Mr. Mitch Light, Assistant Zoning Administrator/ZEO; Mr. Todd Morgan, AICP, Senior Planner; and Mr. Kevin Wall, AICP, CDT – Director, Zoning Services.

Legal Counsel Present: Mr. Dale Wilson

Mr. Arnold Caddell, Chairman, called the meeting to order at 7:35 PM and introduced the first item on the Agenda:

Applicant: **JEA 2 Properties, LLC for
EWG Corporation (owner)**

Request: **Zoning Map Amendment and
Change in Concept Development Plan**

The request of JEA 2 Properties, LLC (applicant) for EWG Corporation (owner) for a Zoning Map Amendment from Commercial One (C-1) to Urban Residential One (UR-1) for a 6.0 acre site located along the north side of Frank Duke Boulevard across from Memory Lane and east of the Richwood North Subdivision and a Change in an Approved Concept Development Plan in a Commercial One (C-1) zone for 5.7 acres located along the west side of Dixie Highway (US 25) at Frank Duke Boulevard and east of the Richwood North Subdivision, Boone County, Kentucky. The request is for a Zoning Map Amendment and Change in an Approved Concept Development Plan to allow a multi-family development and commercial outlots.

Staff Member Mitch Light presented the Staff Report which included a Power Point presentation (see Staff Report).

Following an explanation of the Public Hearing process, the Chairman asked for the applicant's presentation.

Mr. Ed Ashcraft, P. O. Box 157, Owenton, Kentucky, stated that he is a partner in JEA 2 Properties, LLC and is present with his son John Ashcraft. He stated that their plan was developed by Ray Erpenbeck. It will be a nice residential development with adjoining commercial lots to be used by businesses that could serve the adjoining residential areas.

Mr. Ray Erpenbeck, 4205 Dixie Highway, Elsmere, engineer for the applicant, offered to answer any questions.

The Chairman asked if there was anyone else present who wished to speak on behalf of the application. There being no response, he asked if there was anyone present who wished to speak in opposition. There was no response. The Chairman asked if there were any comments or questions from the Commissioners.

Mrs. Poston questioned how many bedrooms there will be in the apartments. Mr. Ashcraft responded that the number of bedrooms will be based on a study of the market requirements. He believes the majority would be two-bedroom units and there will be some one-bedroom units.

Mr. McMillian asked if the units next to U.S. 25 will face the frontage road or U.S. 25. Mr. Ashcraft responded that it has not yet been determined which way the units will face, but he believes they will face U.S. 25 and have a connected parking lot to allow inter-circulation between the parking areas without exiting onto U.S. 25.

In response to questions from Mrs. Wilson regarding the four lots in the front, Mr. Erpenbeck stated that they will be individual commercial lots. They are one-acre lots and the size of the use would be the maximum allowed for each lot. Mrs. Wilson asked if they have allowed for the widening of the road. Mr. Erpenbeck responded "yes" and indicated on the Power Point slide how the highway is moving over 100 feet into their property. Mr. John Ashcraft indicated on the Power Point slide that the road is moving over about 100 feet at one end of their property tapering to about 50 feet at the other end of their property. Mr. Erpenbeck stated that all of the widening for the new highway is on this side of the road. Mr. Costello asked if the applicant is saying that even with the taking of the property, each lot will still net over one acre. Mr. Erpenbeck responded that each lot will still be a minimum of one acre. Mr. Costello stated that they are just pushing back the Commercial zoning line. Mr. Erpenbeck agreed but emphasized that they will have the proper lot sizes. Mrs. Wilson asked if the applicant has any additional information on the retail lots at this time. Mr. Erpenbeck responded "no".

Mrs. Kegley noted the email received from Boone County Schools (attached to the Staff Report) and questioned what the school system used for their calculations since the applicant does not know the number of bedrooms in the units. Mr. Ed Ashcraft responded that they have to look at the need in the area. He stated that if there are 1.5 children per unit, and he does not know that the number would be that high, then there would be less than 100 additional children in the neighborhood. He does not think that would be a great impact on the schools.

Mrs. Wilson asked if the applicant will still abide by the conditions listed in the February 28, 1996 letter from Kevin Wall (attached to the Staff Report). Mr. Erpenbeck responded that they are asking for relief from some of the original conditions because some of them are unnecessary at this point. Mrs. Wilson asked the applicant to be prepared to discuss the 1996 conditions at the Committee Meeting. Mr. Erpenbeck agreed.

Mr. Schwenke asked if there was a way to loop the residential street down into the retail area so that it would not be a deadend. Mr. Erpenbeck responded that their concern would be that the traffic from the apartments would shortcut through the commercial area and out onto U. S. 25. They prefer to have all of the traffic come out at Frank Duke Boulevard where it can be controlled. Mr. Schwenke responded that his concern is for access in the event of a fire and closure of the road. Mr. Erpenbeck stated that he does not think Staff would want traffic shortcutting through the commercial area to get out to Dixie Highway, but they will look into it and discuss it in Committee.

The Chairman advised the applicant to bring to Committee responses to the questions raised this evening, and to be prepared to discuss orientation of the buildings, what will be the front and back of the multi-family buildings, and the building materials.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on August 2, 2006 at 5:00 PM. This item will be on the Agenda for the Business Meeting on August 16, 2006 at 7:00 PM. The Chairman closed this Public Hearing.

APPROVED:

Arnold Caddell, Chairman

Attest:

Jan Hancock, Recording Secretary