

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
FIRST FLOOR FISCAL COURTROOM
BUSINESS MEETING
FEBRUARY 3, 2016
7:00 P.M.**

Chairman Rolfsen opened the Business Meeting at 7:00 p.m. and welcomed the audience to the Planning Commission's February 3, 2016 Business Meeting. Chairman Rolfsen then invited everyone to join him in reciting the Pledge of Allegiance.

COMMISSION MEMBERS PRESENT:

Mr. Matt Apke
Mr. Randy Bessler
Mr. Greg Breetz
Mr. Kim Bungler, Secretary/Treasurer
Mr. Mike Ford, Vice Chairman
Mrs. Lori Heilman
Mrs. Janet Kegley
Mr. Don McMillian
Mr. Kim Patton
Ms. Lisa Reeves
Mr. Charlie Reynolds
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Steve Turner, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

Mr. Mark Hicks

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Kevin T. Wall, AICP, Director, Zoning Services
Mr. Mitchell A. Light, Asst. Zoning Administrator
Mr. Todd K. Morgan, AICP, Senior Planner

Approval of the Minutes:

Chairman Rolfsen stated that the Commissioners received copies of the Minutes from the January 6, 2016 Business Meeting and the January 6, 2016 Public Hearing. He asked if there were any comments or corrections. Mr. Costello stated that there were two corrections to the January 6, 2016 Public Hearing minutes. The first correction is to add a heading at the top of pages 9-13. The second correction is to add (C-3) and delete ©3 on page 9, second paragraph, line 4. **Mr. Reynolds moved to approve the Minutes as presented and amended. Mr. McMillian seconded the motion and it carried unanimously.**

BILLS:

Mr. Kevin P. Costello, AICP, Planning Commission Executive Director, advised the Commissioners of the **Bills to be Paid**, which included a list of **Expenses** and **Salaries and Benefits** for a time period between 1/7/16 through 2/3/16.

EXPENSES:

Accounting Fees	\$ 402.50
Attorney Fees	4,687.50
Auto Expense	48.29
Consultant/Professional Svcs Fees	2,305.00
Filing Fees (CLURs)	288.00
Legal Ads/Recruitment	31.00
Miscellaneous Expense	919.56
Office & Board Mtg. Supplies	1,565.79
Office Equipment / Expense	95.41
Postage Expense	1,500.00
Printing/Pub/Dues/Subscriptions	1,215.49
TOTAL:	\$ 13,058.64

SALARIES AND BENEFITS:

FICA-BCPC Portion	\$ 5,110.20
Health / Dental / Life / LTD	37,570.48
Retirement - BCPC Portion	12,739.03
Salaries - Staff Expense	74,968.07
Salaries BCPC	875.00
Salaries - BCBOA	140.00
TOTAL:	\$131,402.78

GRAND TOTAL: \$144,461.42

Mr. McMillian moved that the bills (expenses and salaries and benefits) be approved and paid as presented and indicated approval of those items, which have been paid. Ms. Reeves seconded the motion and it carried unanimously.

ACTION ON PLAN REVIEWS:

CHANGE IN CONCEPT DEVELOPMENT PLAN AND ZONING MAP AMENDMENTS - Kim Patton, Chairman, Kevin Wall, Staff

1. Request of **Viox & Viox, Inc. (applicant)** for **Answers in Genesis of KY, Inc. (owner)** for a Change in an Approved Concept Development Plan in a Public Facilities (PF) zone for an approximate 47.215 acre site located at 2800 Bullittsburg Church Road, Boone County, Kentucky; the request of **Viox & Viox, Inc. (applicant)** for **Answers in Genesis of KY, Inc. (owner)** for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Public Facilities (PF) for a 1.17 acre site located at 2754 Deck Lane, Boone County, Kentucky; the request of **Viox & Viox, Inc. (applicant)** for **Answers in Genesis of KY, Inc. (owner)** for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Public Facilities (PF) for a 2.06 acre site located at 2924 Bullittsburg Church Road, Boone County, Kentucky; and the request of **Viox & Viox, Inc. (applicant)** for **Kenneth A. Bryan and Rita R. Bryan (owners)** for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Public Facilities (PF) for the northern 4.47 acres of the 6.89 total acre site located at 2960 Bullittsburg Church Road, Boone County, Kentucky. All four requests are for an approximate 54.915 acre area to allow expansions of the existing museum use at 2800 Bullittsburg Church Road including additional building areas, additional parking areas, and attractions on the grounds.

Staff Member, Kevin Wall, read the Committee Report, which recommended approval with conditions (see Committee Report). Mr. Wall read the findings of fact and conditions in the Committee Report. He mentioned there were attachments included in the Committee Report. The first attachment shows the original Concept Development Plan and changes based upon the two Committee Meetings. The changes are outlined in red. The area where outdoor events are proposed is located between the existing building and the proposed building. There is a plaza area. Those described events would only occur in the plaza area. Mr. Wall stated that 55 decibels db is considered background noise in a residential environment. He also showed the location of the two story, 25,000 square foot building and the three sight lines from the adjoining properties. The first sight line includes a berm and plantings. The second one includes a wooded stream and tree corridor to be retained. At the very top of this, it would include a fence. The third sight line includes a vegetative screen. The lighting condition is substantially the same as the condition that was approved in 2008. The only difference is that around the perimeter next to the residences, the maximum height will be 4 to 6 feet. The height is a range because it depends on the selected fixture and the design approach. The light levels would apply. Mr. Wall showed elevation drawings of the proposed Museum expansion building. It will include some stone and half column materials. He mentioned that the County had been approached about vacating Deck Lane. This would be decided by the County and it doesn't affect the Concept Development Plan as long as the improvements are made to the road. Mr. Wall noted that the Committee voted 3-1 to approve the request with Mr. Bessler, Mr. Patton, Mr. Bunger voting in favor of the request and Mr. Breetz voting against the request.

Chairman Rolfsen announced that he was going to deviate from the norm and extend the time to comment from 5 to 15 minutes for each side since some of the items like the traffic study was available only a couple of days before the Public Hearing. He asked if there was anyone in the

audience who wanted to speak in favor or against the request for a maximum time limit of 15 minutes?

Mr. Brock McKay, Viox and Viox, Inc., stated that Mr. Wall thoroughly covered all of the issues. The applicant spent 4-5 hours with the Committee. He appreciates the Committee's and Public's input. He explained that they listened to the residents and went back to the drawing board. They made revisions based upon the comments at the Public Hearing. Mr. McKay stated that Mr. Pflum was available to answer any questions and AIG did receive approval of their Traffic Impact Study by the Kentucky Transportation Cabinet.

Mr. James Smith, 4076 Petersburg Road, noted several neighbors in the area got together ahead of time to prepare a list of clarifying questions and amendments to the conditions. He read a list of questions (see Exhibit A) and asked if the Board could respond. First, in common language, how does the Committee justify approving the proposed zone change and expansion when there are at least three areas of non-agreement between those changes and the Comprehensive Plan? The three areas of non-agreement includes 6.7 acres being designated as Rural and Residential Estate and not a public facility parking lot. It is a public facility that draws an enormous amount of visitors - 600,000 - 700,000 annually. It is not compatible with rural lands. The proposed second sanitary sewer package treatment plant does not make the request in agreement with the Comprehensive Plan since the plan discourages this type of system. Establishing conditions may reduce the negative impact of the proposed changes on adjoining residents but conditions do not make those changes in agreement with the Comprehensive Plan. Second, please describe how the Committee assessed and considered the impact of the increased visitor rate on the local traffic and community during the five months of public events? Third, could the Committee clarify the type of outdoor functions that are being approved? Fourth, could the Committee explain how it came to the conclusion that the newly proposed activities such as "International Craft and Food Fair", an expanded petting zoo and miniature golf are integral to the purpose of the Museum? Fifth, did the Committee consider setting up a strategy to ensure compliance with the conditions? Or is the Committee leaving the burden of monitoring compliance with conditions such as noise decibel levels and foot candle measurements, which require technical equipment, to the neighbors? Sixth, what is the deadline for when the new Concept Development Plan must be completed before approval becomes void? Finally, Mr. Smith asked at what point do future zone changes especially south of the current development - for the purpose of Museum expansion - would not be in agreement with the Comprehensive Plan? Where does it stop?

Ms. Debbie Cummings, 4062 Petersburg Road, introduced a list of amendments to the recommended conditions (see Exhibit B) of approval that were stated in a three page document signed by Mr. Zovath and Mr. and Mrs. Bryant. If, against their strong opposition, approval is given, they respectfully request that the following amendments be made to the "condition" document. The changes would more accurately reflect the conditions as they were described during the January 20th Committee Meeting. It would also clarify ambiguous wording to enable full compliance, or it would ensure appropriate health, fire and safety requirements are met. Condition 2A should be amended to read, "The number of outdoor evening events shall be limited to a maximum of fifty (50) days per calendar year and should end no later than 9:00 p.m." Sentence 2 of Condition 3 should read "additionally, construction of the museum ticketing and store building shall be limited to a height that it is not visible from the adjoining residential properties." This change accurately reflects wording used during the January 20th Committee Meeting. The current words, "enhanced and several:" are ambiguous and not measurable. Sentence 4 of Condition 5 should read, "mechanical equipment for all buildings shall not be visible from adjoining properties." Again, this amendment accurately reflects the wording used at the January 20th Committee Meeting. It is easily

measurable. Condition 4 should be amended to add the following sentence - "Freestanding light fixtures in the southern parking lot and the drives should not be visible from adjoining residential properties." A new condition should be added that reads, "construction related to the Concept Plan shall have an established and reasonable completion date, beyond which the approval becomes void." Condition 2 should be amended to add the following stipulation - "written guidelines for all outdoor events should be established to meet health, fire and safety code requirements and made publicly available. These guidelines are noted on page 2 of her handout (see Exhibit B). Ms. Cummings stated that the zone change should be denied based upon the Comprehensive Plan but if approved, everyone of the six amendments or conditions should be incorporated into the condition document. Why have a Comprehensive Plan if you are not going to follow it? No Committee Member would like a parking lot twice the size of Kroger next to them in their backyard. Somewhere along the line, rezoning for AIG to continue to expand must stop.

Mr. Pau Darpel, attorney representing Ann Banta and Ron Dapper, 2966 Bullittsburg Church Road, stated that at the original 1999 Public Hearing, it was promised that the development would not move further south. In the conditions from the 1999 submittal, the public uses were limited to those uses identified back then. There was a cloud chart in the previous submittal that identified the permitted uses and a percentage for each use. Condition 5 & 6 back then limited the use of the property to those uses and breakdown. The museum is the primary use in the PF zone but the other uses are ancillary uses at best. Those ancillary uses don't meet the zoning requirements. The existing and proposed ancillary uses don't meet the plan and requirements. There hasn't been a Public Hearing on the proposed uses (events) since they were only introduced at the January 20th Committee Meeting. The market place, live nativities, 10' x 10' booths, merchandise and food vendors simply don't fit. Condition #8 further states that no other previous conditions apply. He thought they would apply unless they are specifically changed. They should apply. The 1999 conditions terminate since they don't apply. The zone change request is inappropriate based upon what was given in 1999. There has been no finding to let the zone change request happen. It is not the right time and the right place. To allow the applicant to bring the uses and drawings into a Committee Meeting on January 20th desires another Public Hearing. The plan changed, the uses changed and the 1999 findings state that the applicant needs to be what they were then. No specific findings for the change has been made. In order to comply with what you have in your zoning, those findings need to have happened. They have not happened.

Chairman Rolfsen asked if any of the Board members had any questions or comments?

Mr. Costello explained that some of the answers to the previous questions are outlined in the Committee Report. Mr. Costello asked Staff to address the prior approvals and the accessory use question. Mr. Wall responded that the 1999 approval was for a smaller facility. In regard to accessory uses (customary and incidental) uses, there is some level of interpretation. It is impossible to label all of them that could potentially happen. The key thing is that are they customary or incidental. Exhibits that are entertainment oriented for contemporary museums are customary. Whether they are appropriate and worthy of a Change in Concept Development Plan and Zone Change is the reason why the Board is reviewing the request. To say you can't consider them, Mr. Wall disagreed with that statement.

Mr. Costello asked how does compliance with the conditions occur? Mr. Wall replied that compliance is usually complaint driven. Noise can be a nuisance issue and sometimes is dealt with by law enforcement. Operational items are complaint driven. Improvement items are routinely followed up by plan review and inspection to make sure compliance is occurring. Behavioral issues

are sometimes addressed after the fact or if the event is known ahead of time. There was a lighting issue with Answers in Genesis in the past and the Staff followed up with them.

Chairman Rolfsen asked how would the Planning Commission measure the 55 decibels related to noise? Mr. Wall responded that Staff would use a noise meter and take measurements at a couple of points to see if the applicant is compliant.

Mr. Costello inquired about expiration dates of Concept Development Plans. Mr. Wall replied that unless specified, the approval is in perpetuity. The only expiration date under the Planning Commission authority is for construction approval. For example, a Major Site Plan has an expiration date of two years.

Mr. Costello asked how the special events was factored into the traffic study? Mr. Wall referred the question to Mr. Pflum, which was addressed later on.

Mr. Costello asked Staff to respond to Mr. Smith's comments about the Comprehensive Plan. Mr. Wall replied that there was some discussion about the Comprehensive Plan at the first Committee Meeting. Mrs. Kegley made some notable statements about the land use concept. The text of the Land Use Element is quoted in the Committee Report. It acknowledges that it is a concept. It is not necessarily property specific because it is not practical for a 256 square mile County like Boone County. The Comprehensive Plan document itself gives the Planning Commission some guidance on how to interpret its meaning. It says that the maps are intended to be used in tandem with the accompanying text. The Future Land Use boundaries are approximate and subject to refinement and interpretation by the Planning Commission and legislative bodies. It doesn't mean it can be arbitrary. Each case must be examined individually. It is not as rigid as a zoning boundary line.

Chairman Rolfsen asked if Deck Lane was vacated, would the 24 foot road be entirely on Answers in Genesis' property? Mr. Wall answered yes. If the Fiscal Court chooses to vacate the right-of-way, the right-of-way is split down the middle and half goes to each adjoining property owner. The road would slide over if the current right-of-way was vacated. Chairman Rolfsen inquired whether Answers in Genesis knows about it? Mr. Wall stated yes. Sliding the road over several feet is not a fundamental change so long as the other requirements can be met. Chairman Rolfsen asked if Answer in Genesis was willing to build a new Deck Lane on their own property if the existing right-of-way is vacated? Mr. McKay responded yes. He explained that if it would happen, it could "t" into the Bullittsburg Church Road intersection in a slightly different manner. It would have to be approved by Mr. Pennington. The existing right-of-way needs to be surveyed. The existing road width varies from 11-12 feet at a maximum.

Mr. Pflum responded to the traffic study's special events analysis . It is a peculiar project. Since it is not like a typical Kroger store at a certain square footage. A museum, park, coliseum or large church like Crossroads has fuzzier standards. The traffic study that was approved by the Kentucky Transportation Cabinet and Scott Pennington is based upon attendance factors - peak number of people visiting the facility. It is 3,500 persons per day on a peak day (Saturdays). They did not know all the special events and the time of day for the traffic study but they knew there were spikes in attendance to the museum. They made sure there was enough parking spaces beyond what was normally required for 3,500 people. Visitors come and leave in over the road buses, small church vans and cars. What happens if they get 5,000 people at the facility? First, the museum management has put together a traffic operations plan and they can predict the peak traffic times and adjust. Most of the large groups have advanced ticketing and management can plan according.

They will not back-up traffic onto a public road system. The traffic operations plan includes signage directing people so there is no hesitation. The goal is to get the traffic into the site as quickly as possible and not back it up into the public road system. How do you do it? It is done manually with cones in the parking lot. The traffic study did recognize the spikes in traffic and action will be taken to prevent backing-up problems onto the public road system. Chairman Rolfsen asked if all things are followed, then the special events shouldn't be a problem. Mr. Pflum replied correct.

Chairman Rolfsen asked Mr. Patton as Committee Chairman to comment on the proposed additional conditions. Mr. Patton responded that the Committee deferred the request once and asked a lot of questions. The Committee took a look at the application as an opportunity to address as many items as possible. It is very difficult to find a place that both sides can live with in the end. The Committee tried to improve the submitted plan by addressing the concerns. There are some obligations on the applicant's time line that might affect it and the applicant may have to bring it back to the Committee or Planning Commission. The Committee would be happy to review the suggestions that were presented by the neighbors but it would be up to the entire Planning Commission. Mr. Patton noted that it wasn't a unanimous decision. The Committee tried to get the best plan before the full Board for consideration. The conditions are not intended to be super prescriptive since the project is early in its design phase. It is more performance based. If it says it has to be screened, then it can't be seen. The Committee didn't measure everything. That comes later at the Staff level.

Chairman Rolfsen asked Mr. Patton if he needed to have another Zone Change Committee Meeting to look at the additional conditions? Mr. Patton responded that the full Board could move forward. He stated that the Committee has moved the project forward as much as possible between the two factions. They don't see eye to eye.

Chairman Rolfsen asked if any of the other Board members has any questions or comments?

Mr. Bunger stated that the visibility and the screening of equipment is not just from the residential areas but the entire site. The amplified sound origin will be at the center of the meeting space. It is not intended to have amplified sound through speakers at the property line. The proposed museum addition is a three level building with a 70,000 square foot footprint. It is not one large single story building. There was a commitment that all of the roadway improvements be made prior to opening the museum addition. The one item that could be a concern are the events that are allowed to occur to 12:00 midnight. Perhaps it could be clarified to know the intent so the full Board could understand.

Mr. Reynolds inquired about the height of the light posts. A question arose about not seeing the light fixtures from the adjoining residential properties to the south. The conditions refer to a 4-6 foot maximum height. He is confused and asked what could be done to disguise them? Mr. Wall replied that the lighting conditions, particularly the 15 foot requirement, is a carry over from the 2008 approval. Mr. Wall read the condition again. Specifically, the perimeter area has a 4-6 foot high requirement. The range is given because it depends on what type of fixture is chosen. Usually, you don't tend to see a 6 foot high bollard or a 4 foot high post. It would still need to meet the lighting standards. The requirement is 1 foot candle or less inside the buffer yard (edge of parking lot to buffer yard) and zero foot candle to the outside of the property line. Mr. Reynolds asked if the adjoining property owners could see the 4-6 foot high poles? Are they disguised by the buffer? Mr. Wall stated that based on the buffering, they should not be seen. After the landscaping grows, the 15 foot high poles should also not be seen. Some of the area also has existing vegetation. Mr.

Patton stated that if the Board members review the cross sections attached to the Committee Report, the Committee went to great detail to look at what happened between the houses and the AIG property. One of the big changes was to increase the size of the buffer - sometimes 2-3 times more than what was originally proposed. Also, it should be noted that the proposed parking lot slopes towards their park area. The way the parking lot slopes, a mound is sufficient for screening but when you get to Section B, the parking is much higher and it can't be mounded so trees are required along with a fence. There is a performance standard that will specify the detailing of the buffer requirements when the Site Plan is submitted. This will indirectly affect the views of the light fixtures. Mr. Bunger added that the berm and fence will be as high or higher than the light fixtures.

Chairman Rolfsen asked about the 50 special events. Ms. Cummings suggested that these events end at 9:00 p.m. Is it midnight now? Mr. Patton replied that the summer events will end at that time since it gets dark at 10:00 - 10:15 p.m. There is nothing in planning and zoning that says you can't use your property. The challenge is to create a balance to identify the noise and activity without having to monitor the site 365 days a year. There needs to be a balance of what the applicant wants and neighbor concerns and ways to control it. Chairman Rolfsen asked how many of the 50 events will extend to midnight? Mr. Zovath from Answers in Genesis replied that the operation plan states that all outdoor functions will end at 9:00 p.m. The museum would be open to midnight but not the outdoor activities. The outdoor activities end at 9:00 p.m.

Mr. Schwenke stated that the biggest problem with the development is that it is located in a rural area with big houses on big lots. It is farm land. It is a rural setting. Answers in Genesis has gotten so big that it no longer fits the area. It is too successful. It has outgrown itself. When you get tight on space, you get large parking lots. Perhaps, they can buy more property and break up the size of the parking lots. It will allow for more green space. It will fit in better and you don't have to worry about 10 foot or 4 foot light posts.

Mrs. Heilman expressed the same concern and asked whether the applicant met the requirement for a Zoning Map Amendment? She understands that the Comprehensive Plan is a concept and not particularly a hard line. But people have built their lives on residential lots. The people have a right to rely on the Comprehensive Plan unless the applicant meets the requirements of a Zoning Map Amendment. That has not been shown. She appreciated the Committee's work but she disagrees with their conclusion. Commercial and industrial development is contemplated there but not in the residential area. The museum has become tremendously popular. They made a business decision to build in an area surrounded by residential uses. They knew the uses would not be permitted unless they pursue a Zoning Map Amendment request. There is other commercial and industrial land in the area.

Mr. Breetz noted that the proposal is quite unbalanced for the area due to the existing residential development. He realizes that AIG has operated for many years and it has been working out alright. There have been a few complaints like cars getting lost and turning around on neighbor's property. There is a lot of traffic that goes up and down Bullittsburg Church Road. The traffic study involved a comparison with a Kroger store or an amusement park. They usually have access to a multi-lane roadway. Bullittsburg Church Road is a small road. It can't handle the traffic. There is even traffic coming from the Hebron industrial area (Amazon). They use the route in the evenings to bypass traffic on North Bend Road. It is way out of balance - too many cars. How will residents get out of their driveway if traffic is leaving all at once? We did a good job at screening the development but traffic is a major issue. He expressed a concern about noise levels. This concern dates back to the 2008 approval. There was no amplified sound. Any level of noise at night in a

rural setting is a nuisance. Consequently, he stated that he voted against the project at the Committee Meeting.

Chairman Rolfsen asked if there was a motion to act on the request? Mr. Patton moved to approve the request by Resolution to the Boone County Fiscal Court based upon the Committee Report and subject to conditions. Mr. Bunger seconded the motion. Chairman Rolfsen asked for a vote on the motion with Mr. Apke, Mr. Bessler, Mr. Bunger, Mrs. Kegley, Mr. McMillian, Mr. Patton, Mr. Rolfsen and Mr. Turner voting in favor of the request and Mr. Breetz, Mr. Ford, Mrs. Heilman, Ms. Reeves, Mr. Reynolds and Mr. Schwenke voting against the request. The motion passed by a vote of 8 to 6.

ZONING MAP AMENDMENT - Greg Breetz, Chairman, Todd Morgan, Staff

2. Request of **Viox & Viox, Inc., Attn. Adrian Yanes (applicant)** for **Diocese of Covington c/o Don Knochemann (owner)** for a Zoning Map Amendment from Rural Suburban Estates/Union Town Overlay (RSE/UTO) to Public Facilities (PF) for an approximate 29 acre site located at 10262, 10272, and 10300 US 42, Boone County, Kentucky (St. Timothy Church). The request is for a zone change to permit a school and church uses.

Staff Member, Todd Morgan, read the Committee Report, which recommended approval with conditions (see Committee Report). Mr. Morgan noted that the Committee voted unanimously to approve the request with Mr. Bessler, Mr. Patton, Mr. Breetz and Mrs. Kegley voting in favor of the approval.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request for a maximum time limit of 5 minutes?

Mr. Justin Verst, Viox and Viox, Inc., thanked the Staff and Committee. He noted that after the Public Hearing, his team had some homework to do. They looked into traffic and communication with Boone County Schools to make sure school traffic was coordinated. Their Traffic Impact Study was approved by the Kentucky Transportation Cabinet. They have a very good traffic management plan with a lot of stacking. They are in compliance with the Boone County Comprehensive Plan and he requested the Board to approve the zone change.

Chairman Rolfsen asked if any of the Board members had any questions or comments?

Seeing none, Chairman Rolfsen asked if there was a motion to act on the request? Mr. Breetz moved to approve the request by Resolution to the Boone County Fiscal Court based upon the Committee Report and subject to conditions. Mr. Bessler seconded the motion and it passed unanimously.

ZONING MAP AMENDMENT FOR A SPECIAL SIGN DISTRICT - Kim Patton, Chairman, Mitch Light, Staff

3. Request of **C&B Sign Services Inc. (applicant)** for **Alex Othman (owner)** for a Zoning Map Amendment for a Special Sign District for an approximate 4.3 acre site located at 571 and 591 Hunter Drive, Boone County, Kentucky (Airport Shell/Xpress Park and Ride). The request is for a Special Sign District in a Commercial Services (C-3) zone to allow alternative signage.

Staff Member, Mitch Light, read the Committee Report, which recommended approval with conditions (see Committee Report). Mr. Light noted that the Committee voted unanimously to approve the request with Mr. Patton, Mr. Bessler and Mr. Breetz voting in favor of the approval.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request for a maximum time limit of 5 minutes?

Mr. Alex Othman (owner) stated that he has lived in Hebron for 25 years. He thanked the Committee for their time. He appreciated the "give and take" from both sides. It is a fair agreement.

Chairman Rolfsen asked if any of the Board members had any questions or comments?

Mr. Patton stated that the discussion at the Committee Meeting was spirited. It was definitely "give and take." The real issue with the project is way finding for the site. Other sites in the area are grandfathered in terms of signage. There is an equitable balance. There is a significant reduction of signs compared to the original proposal stated at the Public Hearing. Mr. Patton suggested that the County consider some business like directional signage at the intersection of KY 20 and Hunter Drive even though it is outside the scope of the application or review.

Chairman Rolfsen asked if there was a motion to act on the request? Mrs. Patton moved to approve the request by Resolution to the Boone County Fiscal Court based upon the Committee Report and subject to conditions. Mr. Bessler seconded the motion and it passed unanimously.

TECHNICAL/DESIGN REVIEW - Charlie Reynolds, Chairman; Todd Morgan, Staff

4. Pace Air - 21 Spiral Drive

Staff Member, Todd Morgan, referred to his Power Point presentation. Pace Air Freight is located next to Bosch on Spiral Drive. A Site Plan and Design Review application have been submitted in order to construct an approximate 10,000 square foot building addition. Twelve additional parking stalls will also be constructed. The building addition will be constructed on the north side and the materials will match the existing 20,000 square foot building. The building consists of concrete (CMU) panels and has some banding. Mr. Morgan showed photographs of the existing building. Mr. Morgan noted that the Committee voted unanimously to approve the request with Mr. Schwenke and Mr. Breetz voting in favor of the approval.

Chairman Rolfsen asked if any of the Board members had any questions or wanted to make a motion?

Seeing none, Mr. Reynolds moved to approve the request based upon the Technical/Design Review Committee recommendation. Ms. Reeves seconded the motion and it passed unanimously.

New Business:

ZONING MAP AMENDMENT FOR SPECIAL SIGN DISTRICT - Todd Morgan, Staff

5. Request of **David Williams (applicant)** for **HealthPoint Family Care Inc. (owner)** for a Zoning Map Amendment for a Special Sign District in a Commercial One (C-1) zone for a 2.96 acre site located at 7607 Dixie Highway, Florence, Kentucky. The request is for a Special Sign District to allow the addition of electronic message boards on an existing freestanding sign.

ZONING MAP AMENDMENT - Kevin Wall, Staff

6. Request of **Barr M. Manter (applicant)** for **K Barr Investments, LLC (owner)** for a Zoning Map Amendment from Commercial Two (C-2) to Commercial Two/Small Community (C-2/SC) for an approximate 0.68 acre site located at 12 Girard Street, Florence, Kentucky. The request is for a zone change to allow the property to be used as a single family residence in addition to C-2 uses.

Mr. Ford moved to schedule Public Hearings for items #5 and #6 listed above on March 2, 2016 at 7:30 p.m. Mr. Turner seconded the motion and it passed unanimously.

Due to the length of the Business Meeting and pending Public Hearings, Chairman Rolfsen suspended the Executive Director's report, Committee Reports, OKI Report and Chairman's Report.

There being no further business to come before the Planning Commission, Mr. Ford moved to adjourn the meeting. Mr. Reynolds seconded the motion. The meeting was adjourned by unanimous consent at 8:39 p.m.

APPROVED

**Charlie Rolfsen
Chairman**

Attest:

**Kevin P. Costello, AICP
Executive Director**

Exhibit: A - Statement from Mr. James Smith

Exhibit: B - Statement from Ms. Debbie Cummings