

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
FIRST FLOOR FISCAL COURTROOM
BUSINESS MEETING
December 20, 2006
7:00 P.M.**

Mr. Arnold Caddell, Chairman, called the meeting to order at 7:02 PM.

COMMISSION MEMBERS PRESENT:

Mr. Randy Barlow
Mr. Greg Breetz
Mr. Kim Bunger
Mr. Arnold Caddell, Chairman
Mr. Jim Carmichael
Mr. Richard Knock, Temporary Presiding Officer
Mr. Don McMillian
Mrs. Susan Poston, Vice Chairwoman
Mr. Charlie Reynolds
Mr. Charlie Rolfsen
Mr. Bob Schwenke
Mrs. Lisa Wilson, Secretary/Treasurer

COMMISSION MEMBERS NOT PRESENT:

Mrs. Judy Arnett
Mrs. Janet Kegley
Mr. Randy Poe

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin Costello, AICP, Executive Director
Ms. Jan Hancock, Recording Secretary
Mr. Mitch Light, Assistant Zoning Administrator/ZEO
Mr. Todd Morgan, AICP, Senior Planner
Mr. Kevin Wall, AICP, CDT – Director, Zoning Services

Approval of the Minutes:

Chairman Caddell stated that the Commissioners received copies of the minutes of the December 6, 2006 Business Meeting. He asked if there were any comments or corrections. There being no changes to the minutes, Mrs. Wilson moved that they be approved as mailed. Mr. Reynolds seconded the motion and it carried unanimously.

Chairman Caddell stated that the Commissioners received copies of the minutes of the December 6, 2006 Public Hearings. He asked if there were any comments or corrections. There being no changes to the minutes, Mrs. Wilson moved that they be approved as mailed. Mr. Bunger seconded the motion and it carried unanimously.

ACTION ON PLAN REVIEWS:

1. Change in Approved Concept Development Plan and Zoning Map Amendment

The request of **Mike Ziegler (applicant)** for **John David (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two (C-2) zone and Office Two (O-2) zone for a 6.28 acre site located at 2279, 2325, and 2355 Burlington Pike, and immediately east of the property at 6159 First Financial Drive, Boone County, Kentucky; and the request of **Mike Ziegler (applicant)** for **John David (owner)** for a Zoning Map Amendment from Office Two (O-2) to Commercial Two (C-2) for an approximate 0.5 acre area within the 6.28 acre site located at 2279, 2325, and 2355 Burlington Pike, and immediately east of the property at 6159 First Financial Drive, Boone County, Kentucky. The request is for a Change in an Approved Concept Development Plan to allow mixed retail, restaurant, and office uses and a zone change to realign an existing zoning boundary in conjunction with the proposed development.

Chairman Caddell stated that Agenda Item #1 is recommended for deferral to the January 17, 2007 Business Meeting at 7:00 PM. Mr. McMillian so moved. Mr. Reynolds seconded the motion. A vote on the motion found all voting members in favor. Mr. Knock abstained from voting. The motion carried.

2. Zoning Map Amendment

The request of **Industrial Development International (applicant)** for **Donald Holt and Evelyn Holt (owner)** for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Industrial One (I-1) for a 1.098 acre tract located at 2392 Graves Road, Boone County, Kentucky. The request is for a zone change to allow the expansion of an existing industrial park.

Staff Member Mitch Light presented the Committee Report which recommended approval of the request based on the Findings of Fact, but subject to conditions (see

Committee Report). The property owner and the applicant have signed the letter agreeing to the conditions.

The Chairman asked if the applicant wished to make a summary statement in regard to items raised at the Public Hearing or discussed at the Committee Meeting before the Planning Commission takes action on this request.

Mr. Ken Smith with IDI stated that they have described what they propose to do. He offered to answer any questions.

The Chairman asked if there was anyone present who wished to make a summary statement on behalf of the opposition. There was no response.

There being no discussion, **Mr. Bunger moved by resolution to Boone County Fiscal Court that the request be approved based on the Committee Report with the conditions. Mrs. Poston seconded the motion and it carried unanimously.**

**3. Technical Design Review - Union Point Centre
U.S. 42 & Frogtown Road**

Staff Member Todd Morgan presented the Design Review request for Lot #4 of Union Point Centre, which is located in the Union Town Plan area. Reviewing the packet, he stated that two buildings are shown on the Site Plan (Page 7 of the packet). Building A, which is located further away from U.S. 42, is a 9,145 square foot two-story office building. Building B, which contains dental office space and has other office space available, is a 10,430 square foot two-story building with a partial basement. The gables and dormers on the street elevation have been approved. The buildings are basically all brick construction. The Committee recommends approval of the elevation drawings as shown in the packets.

There being no discussion, **Mr. Schwenke moved that the request be approved based on the Committee Report. Mrs. Wilson seconded the motion and it carried unanimously.**

**4. Technical Design Review - Gold's Gym
430 Meijer Drive**

Staff Member Todd Morgan presented the Design Review request for a Gold's Gym to be located on Meijer Drive, immediately behind Meijer's and adjacent to I-75/I-71. The elevation drawings were submitted during the Public Hearing and there was concern about the elevation facing Meijer Drive. A condition was imposed by the Planning Commission that required Design Review so that the building could be looked at in terms of the Houston-Donaldson Study and the Planned Development Standards. The City of Florence imposed a condition

requiring Design Review with the City of Florence before going to the Planning Commission. They have been to the City of Florence and the city approved the elevations as shown on Pages 14 and 15 of the packet. At this time, the applicant displayed a colored exhibit of the proposed building. Mr. Morgan stated that the cylinder area shown in yellow is the cycling room and it will be illuminated and backlit, but it will not be internally illuminated. He stated that the overall building will be 46,785 square feet in area. The Committee recommends approval of the elevation drawings with the condition that the Committee has the right to have the applicant come back in regard to the lighting of the cylinder if it is found to be extremely bright or is causing glare.

There being no discussion, **Mr. Schwenke moved that the request be approved based on the Committee Report with the conditions. Mr. Barlow seconded the motion and it carried unanimously.**

**5. Technical Design Review - Best Buy
100 Meijer Drive**

Staff Member Todd Morgan presented the Design Review Request for Best Buy, which faces Meijer Drive and Houston Road. He passed around a colored exhibit. He stated that the building was blue and silver, but they painted all sides of the building a reddish brown color with a beige accent stripe. The painting was done without approval. The Committee did not object to the color of the building as it blends in with other recently painted buildings, such as Fuddrucker's. No changes were made to the signage. The Committee recommended approval of the painting.

Mr. Costello asked if these are the new prototype colors for Best Buy.

Mr. Dave Lore, Regional Facilities Manager for Best Buy, stated that this is the new standard prototype for Best Buy stores.

There being no further discussion, **Mr. Schwenke moved to approve the request based on the Committee Reports. Mr. Bunger seconded the motion and it carried unanimously.**

NEW BUSINESS: None

COMMITTEE REPORTS:

Airport: Mr. Breetz
No report

Administrative/Personnel: Mrs. Poston
No report

Enforcement: Mr. Barlow
No report

Long-Range Planning/Comprehensive Plan: Mr. Knock
“Progress”

Technical/Design Review: Mr. Schwenke
No report

Executive: Chairman Caddell
No report

CHAIRMAN’S REPORT: None

OKI Report: Mr. Breetz
No report

EXECUTIVE DIRECTOR’S REPORT: None.

Mr. Kevin Costello, AICP, Executive Director, discussed the following items in his report to the Planning Commission:

- 1. OKI Appointment** Mr. Costello stated that the Planning Commission appoints a representative to the OKI Board of Trustees annually. **Mr. Knock moved to appoint the current representative, Mr. Breetz, to serve as the Planning Commission’s representative to the OKI Board of Trustees for 2007. Mr. Bunger seconded the motion and it carried unanimously.**
- 2. Waiver of Fee** Mr. Costello stated that Union Presbyterian Church is requesting waiver of the fee the church paid for a minor Site Plan Review to construct a vanport (see his memorandum dated December 20, 2006). The project is being done as an Eagle Scout project. He stated that a non-profit organization can apply for waiver of the fee. The Executive Committee met and recommends that the Planning Commission consider waiving the fee and sending the church a refund in the amount of \$271.00 as requested. In response to a question from Mr. McMillian, Mr. Costello stated that only one waiver per calendar year per organization is allowed and the amount cannot exceed \$500. There being no further discussion, **Mr. Knock moved to grant the waiver and refund the \$271.00 fee based on prior precedent. Mrs. Wilson seconded the motion and it carried unanimously.**
- 3. Stormwater Asset Transfer Strategic Stakeholder Council** Mr. Costello stated that he has been appointed to the Stormwater Asset Transfer Strategic Stakeholder Council, which is involved in the Phase II Stormwater Permit process and

consideration of turning over the county's stormwater assets to Sanitation District #1. Sanitation District #1 asked him to participate. He is representing the Planning Commission and county government is represented by Jeff Earlywine. The Council will meet on January 10, 2007.

There being no further business to come before the Planning Commission, Mrs. Wilson moved to adjourn. Mr. Reynolds seconded the motion. The meeting was adjourned by unanimous consent at 7:22 PM.

APPROVED:

Arnold Caddell, Chairman

Attest:

Jan Hancock, Recording Secretary