

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
FIRST FLOOR FISCAL COURTROOM
BUSINESS MEETING
February 1, 2017
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 1, 2017 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. Kim Bungler, Secretary/Treasurer
Mrs. Lori Heilman
Mrs. Janet Kegley
Mr. Don McMillian
Mr. Kim Patton
Ms. Lisa Reeves
Mr. Charlie Reynolds
Mr. Charlie Rolfsen, Chairman
Mr. Brad Shipe
Mr. Steve Turner, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

Mr. Greg Breetz
Mr. Mark Hicks
Mr. Bob Schwenke

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin Costello, AICP, Executive Director
Mr. Mitchell A. Light, Assistant Zoning Administrator/ZEO
Mr. Todd Morgan, Senior Planner
Mr. Bob Jonas, Director, Planning Services

Approval of the Minutes:

Chairman Rolfsen stated that the Commissioners received copies of the Minutes from the January 4, 2017 Business Meeting and the January 4, 2017 Public Hearings. He asked if there were any comments or corrections? **Mr. Reynolds moved to approve the Minutes as presented. Mr. Patton seconded the motion and it carried unanimously.**

BILLS:

Mr. Kevin P. Costello, AICP, 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 January 5, 2017 through February 1, 2017.

EXPENSES:

Accounting Fees	\$ 801.09
Attorney Fees	3,600.00
Auto Expense	-27.53
Consultant/Professional Svcs Fees	2,175.00
Filing Fees (CLURs)	147.00
Legal Ads/Recruitment	95.28
Miscellaneous Expense	208.46
Office & Board Mtg. Supplies	884.76
Office Equipment / Expense	5.34
Printing/Pub/Dues/Subscriptions	250.00
Professional Development	80.00
Refunds	1,132.94

TOTAL: \$ 9,352.34

SALARIES AND BENEFITS:

FICA-BCPC Portion	\$ 5,435.76
Health / Dental / Life / LTD	18,457.22
Retirement - BCPC Portion	14,044.36
Salaries - Staff Expense	75,339.21
Salaries BCBOA	105.00
Salaries BCPC	790.00
Salaries WBOA	105.00

TOTAL: \$114,276.55

GRAND TOTAL: \$123,628.89

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 previously paid. Mr. Reynolds seconded the motion and it carried unanimously.

ACTION ON PLAN REVIEWS:

ZONING MAP AMENDMENT - Greg Breetz, Chairman, Kevin Wall, Staff

1. Request of **Robert G. Rothert, Abercrombie & Associates, Inc. (applicant)** for **E-Town Development Company LLC and Traditions Development Company, Ltd. (owner)** for a Zoning Map Amendment from Agriculture (A-1) and Recreation (R) to Suburban Residential One/Planned Development (SR-1/PD) for a 496.3 acre site located at 2035 Williams Road and at the terminus of Williams Road, Boone County, Kentucky. The request is for a zone change for a residential development, golf course, clubhouse, swimming pool, and driving range/teaching facility.

Mrs. Kegley moved to defer the request until the March 1, 2017 Business Meeting at 7:00 p.m. Mr. Bunger seconded the motion and it passed unanimously. Chairman Rolfsen announced that the Zone Change Committee will meet regarding this request on February 15, 2017 at 5:00 p.m..

CHANGE IN CONCEPT DEVELOPMENT PLAN - Janet Kegley, Chairwoman, Todd Morgan, Staff

2. Request of **Steve Berling, P.E. (applicant)** for **DC-KY 18 LLC (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development/ Houston-Donaldson Study Corridor Overlay (C-2/PD/HDO) zone for a 4.1401 acre site located on the west side of Seligman Drive and to the north of the property at 5935 Merchants Street, Florence, Kentucky. The request is for a Change in an Approved Concept Development Plan to allow a senior citizen housing/assisted living facility.

Staff Member, Todd Morgan, read the Committee Report, which recommended approval based upon findings of fact and conditions (see Committee Report). Mr. Morgan noted that the Committee voted unanimously to approve the request with Mr. Breetz, Mr. Turner, Mr. Bunger, Mrs. Kegley, and Mr. Patton voting in favor of the request. He also stated that the revised Concept Development Plan shows an 80 foot rear yard building setback instead of the original 92 foot setback because of the topography. This revised setback was considered as a minor change by the Zoning Administrator and the Committee Chairman.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request? Mr. Richard Crist stated that he is the owner of the property and is also representing Mr. Steve Berling, the applicant, who was not available to attend the meeting. He was present to answer any questions.

Chairman Rolfsen then asked if there were any questions or comments from the Board Members? Seeing none, **Chairman Rolfsen asked if there was a motion to take action on the request? Mrs. Kegley moved to approve the request by Resolution to the City of Florence based upon the Committee Report including the conditions. Mrs. Kegley noted that even if the building**

was moved, there is still a lot of vegetation that will remain to screen the building. It is also a 2 story building not like the 3 story building previously approved. Mr. Bunger seconded the motion and it passed unanimously.

ZONING MAP AMENDMENT FOR SPECIAL SIGN DISTRICT - Steve Turner, Chairman, Mitch Light, Staff

3. Request of **Ray Meyer Sign Co., Inc. (applicant)** for **Guardian Savings Bank (owner)** for a Zoning Map Amendment for a Special Sign District for a 0.71 acre tract located at 7550 Mall Road, Florence, Kentucky (Guardian Savings Bank). The request is for a Special Sign District in a Commercial Two/Planned Development/Mall Road Overlay (C-2/PD/MR) zone to allow a freestanding sign with an electronic message center.

Staff Member, Mitch Light, read the Committee Report, which recommended approval based upon findings of fact and conditions (see Committee Report). Mr. Light noted that the Committee voted unanimously to approve the request with Mr. Turner, Mr. Breetz, Mr. Bunger, Mrs. Kegley and Mr. Patton voting in favor of the request. Mr. Light also showed a drawing of the recommended sign options.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request? Seeing no one, Chairman Rolfsen asked if there were any questions or comments from the Board Members? Seeing none, **Chairman Rolfsen asked if there was a motion to take action on the request? Mr. Turner moved to approve the request by Resolution to the City of Florence based upon the Committee Report including the conditions. Mr. Bunger seconded the motion and it passed unanimously.**

CHANGE IN CONCEPT DEVELOPMENT PLAN - Kim Bunger, Chairman, Mitch Light, Staff

4. Request of **Quick 8 Automotive, LLC (Brian Schreiber) (applicant)** for **Florence Promenade, LLC (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for a 0.515 acre site located on the southeast corner of the US 42/Bill Wentz Drive intersection, Florence, Kentucky. The request is for a Change in an Approved Concept Development Plan to allow a quick oil change/automotive repair facility.

Staff Member, Mitch Light, read the Committee Report, which recommended approval based upon findings of fact and conditions (see Committee Report). Mr. Light noted that the Committee voted unanimously to approve the request with Mr. Bunger, Mr. Breetz, Mr. Turner, Mrs. Kegley and Mr. Patton voting in favor of the request. Mr. Light showed a revised drawing of the proposed project as a result of the Committee meeting.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request? Mr. Don Martin, Wright Contracting, stated that he was representing Quick 8 Automotive, LLC. Mr. Martin inquired about possibly placing a clock about the Victory Lane sign? It would not be a digital clock. He referenced the Public Hearing about not putting a clock

on the exterior. It was meant not to include a digital clock. Mr. Wright explained that the proposed clock would be a backlit analog clock on the side facing U.S. 42. It is not a sign, just a clock. Mr. Costello inquired whether the clock was discussed at the Committee meeting? Mr. Martin replied no. A digital clock was shown at the Public Hearing. Mr. Bunger stated a clock was not anticipated to be placed on the front of the building. He asked Mr. Wilson to comment on it. Mr. Wilson responded that even if it was not discussed at the Committee meeting and it doesn't matter to the Committee, the issue could be addressed by the full Board. If the Committee feels like it is something they should review, then it could be sent back to the Committee. Mr. Bunger asked other Committee members what they thought about it? He asked what was the size of it? Mr. Martin replied that he did not have a drawing but maybe a 24 inch round clock. Mr. Costello suggested that the full Planning Commission could take action based on the Committee's recommendation and defer the clock issue to the City of Florence. Perhaps, the applicant can then revise the drawing showing the proposed clock when the matter is before the City of Florence?

Chairman Rolfsen asked if there were any other questions or comments from the Board Members? Seeing none, **Chairman Rolfsen asked if there was a motion to take action on the project? Mr. Bunger moved to approve the request by Resolution to the City of Florence based upon the Committee Report including conditions. The recommended approval does not include the clock. Mrs. Kegley seconded the motion and it passed unanimously.**

New Business:

ZONING MAP AMENDMENT - Kevin Wall, Staff

5. Request of **Andrew R. Ament (applicant)** for **Weaver Road Properties, LLC (owner)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Suburban Residential Two (SR-2) for an approximate 10.8 acre site located at 919 Weaver Road and along the east side of Evergreen Drive between the properties at 8986 and 9034 Evergreen Drive, Boone County, Kentucky. The request is for a zone change to allow a subdivision for detached single family residences.

ZONING MAP AMENDMENT FOR SPECIAL SIGN DISTRICT - Mitch Light, Staff

6. Request of **Atlantic Sign Co. (applicant)** for **WFF Investments, LLC (owner)** for a Zoning Map Amendment for a Special Sign District for a 14.17 acre tract located at 11095 Dixie Highway, Kentucky (Freightliner). The request is for a Special Sign District in a Industrial One (I-1) zone to allow alternative signage.

ZONING MAP AMENDMENT AND CHANGE IN CONCEPT DEVELOPMENT PLAN - Todd Morgan, Staff

7. Request of **Episcopal Retirement Services Affordable Living LLC (applicant)** for **James L. Morgan and Sherry A. Morgan (owners)** for a Zoning Map Amendment from Commercial Two/Planned Development (C-2/PD) to Urban Residential Two/Commercial Two/Planned Development (UR-2/C-2/PD) for a 0.518

acre tract located on the northeast corner of the Gunpowder Road/Bill Wentz Drive intersection and a 3.635 acre tract located on the southeast corner of the Gunpowder Road/Bill Wentz Drive intersection, Florence, Kentucky. The request is for a zone change to allow a residential apartment development in addition to previously approved commercial uses; and the request of **Viox & Viox, Inc. (applicant)** for **Covington Shopping Center, LLC (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 3.46 acre site located at 8537 US 42 (south side of Bill Wentz Drive), Florence, Kentucky. The request is for a Change in an Approved Concept Development Plan to allow an outdoor restaurant seating area and landscaping/parking/vehicular area changes.

Mr. Patton moved to schedule Public Hearings for items #5 and #6 listed above on March 1, 2017 at 7:30 p.m. Mrs. Kegley seconded the motion and it passed unanimously.

At this time, Mr. Patton stated that he would have to recuse himself from Item #7 due to a conflict. Mr. Patton left the meeting room.

Mr. Reynolds moved to schedule the Public Hearing for item #7 listed above on March 1, 2017 at 7:30 p.m. Ms. Reeves seconded the motion and it passed unanimously. Mr. Patton then returned to the meeting room.

EXECUTIVE DIRECTOR'S REPORT:

Mr. Kevin P. Costello, AICP, referenced a drawing that showed the location of the Amazon Prime Air site. More details about the project will be revealed later.

Mr. Costello referred to his January 24, 2017 memo to the Board Members. He and the Executive Committee are recommending that the Board consider hiring Strategic Advisers, LLC to assist with public outreach and citizen participation in the update of the Boone County Comprehensive Plan. A communications plan will be developed and the firm will assist in implementing it. The work will include social media. The firm is very well known in the region and has worked on numerous projects including one with PDS.

Mrs. Kegley moved to authorize the Executive Director to enter into a professional services contract with Strategic Advisers, LLC based upon the terms and rates for a period between February 2, 2017 and June 30, 2017 as outlined in his memorandum. Mr. Apke seconded the motion and it passed unanimously.

Finally, Mr. Costello introduced Robert Jonas, AICP from the audience and referred to his January 20, 2017 memorandum regarding the promotion of Mr. Jonas. It is the recommendation of the Executive Committee and himself to appoint or promote Bob Jonas to the position of Director, Planning Services. He will also be the project manager of the Comprehensive Plan update. The appointment would be effective February 1, 2017 and be based on the January 20, 2017 memorandum. **Mr. McMillian moved to promote Robert Jonas, AICP to the Director, Planning Services position based upon the terms outlined in Mr. Costello's memorandum. Mr. Reynolds seconded the motion and it passed unanimously.** Chairman Rolfsen congratulated Mr. Jonas.

COMMITTEE REPORTS:

AIRPORT REPORT: Mr. Bessler
No Report

ADMINISTRATIVE/PERSONNEL: Mr. Reynolds
No Report

ENFORCEMENT REPORT: Mr. Bungler
No Report

LONG RANGE PLANNING/COMPREHENSIVE PLAN: Mr. Schwenke
No Report

TECHNICAL/DESIGN REVIEW: Mr. Reynolds
No Report

EXECUTIVE REPORT: Mr. Rolfsen
No Report

CHAIRMAN'S REPORT: Mr. Rolfsen
No Report

OKI REPORT: Mr. Breetz
No Report

OTHER:

Mr. Costello noted that the Long-Range Planning/Comprehensive Plan Committee will meet on February 15, 2017 at 6:00 p.m. in the Fiscal Courtroom.

Chairman Rolfsen welcomed the Boy Scouts to the Planning Commission meeting. Chairman Rolfsen asked Dale Wilson to explain what is meant by going into Closed Session. Mr. Wilson suggested making a motion to go into Closed Session to discuss the status of pending litigation of Armstrong v. Boone County Planning Commission. It is allowed under the Kentucky Open Meetings Law. **Mr. Bungler moved that the full Board recess its February 1, 2017 Business Meeting to go into Closed Session to discuss the status of this pending litigation. Mr. McMillian seconded the motion and it passed unanimously. The Boone County Planning Commission's February 1, 2017 Business Meeting recessed at 7:40 p.m.** The Board Members left the Fiscal Courtroom.

----- **CLOSED SESSION** -----

The Planning Commission members returned to the Fiscal Courtroom from Closed Session at 7:54 p.m. **Mr. Bessler moved to reconvene the February 1, 2017 Business Meeting. Mrs. Kegley seconded the motion and it passed unanimously.** Mr. Wilson stated for the record that no action was taken in Closed Session. Discussion occurred to inform Commission Members of the status of the Armstrong v. Boone County Planning Commission lawsuit.

There being no further business to come before the Planning Commission, Mr. Reynolds moved to adjourn the meeting. Mr. Shipe seconded the motion. The meeting was adjourned by unanimous consent at 7:55 p.m.

APPROVED

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director