

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
FIRST FLOOR FISCAL COURTROOM
BUSINESS MEETING
NOVEMBER 1, 2017
7:00 P.M.**

Chairman Rolfsen opened the Business Meeting at 7:06 p.m. and welcomed the audience to the Planning Commission's November 1, 2017 Business Meeting. Chairman Rolfsen then invited everyone to join him in reciting the Pledge of Allegiance.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mr. Kim Bunger, Secretary/Treasurer
Mrs. Lori Heilman
Mr. Mark Hicks
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Don McMillian
Ms. Jamie Nieves
Mr. Kim Patton
Ms. Lisa Reeves
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke

COMMISSION MEMBERS NOT PRESENT:

Mr. Greg Breetz
Mr. Brad Shipe
Mr. Steve Turner, Temporary Presiding Officer

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin Costello, AICP, Executive Director
Mr. Kevin T. Wall, AICP, Director, Zoning Services
Mr. Robert A. Jonas, Director, Planning Services
Mr. Todd K. Morgan, AICP, Senior Planner

Approval of the Minutes:

Chairman Rolfsen stated that the Commissioners received copies of the Minutes from the October 4, 2017 Business Meeting and the October 4, 2017 Public Hearings. He asked if there were any comments or corrections? **Mr. Patton moved to approve the Minutes as presented. Mr. Schwenke 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 October 5, 2017 through November 1, 2017.

EXPENSES:

Accounting Fees	\$ 677.04
Attorney Fees	3,700.00
Auto Expense	-60.00
Consultant/Professional Svcs Fees	2,531.25
Filing Fees (CLURs)	224.00
Legal Ads/Recruitment	74.20
Miscellaneous Expense	148.83
Office/Equipment Maintenance	380.21
Office Equipment/Expense	3,202.64
Printing/Pub/Dues/Subscriptions	<u>1,180.54</u>
TOTAL:	12,058.71

SALARIES AND BENEFITS:

FICA-BCPC Portion	\$ 5,625.24
Health / Dental / Life / LTD	18,104.53
Retirement - BCPC Portion	15,001.99
Salaries - Staff Expense	77,943.49
Salaries BCPC	780.00
Salaries BCBOA	175.00
Workers Comp Insurance	<u>329.00</u>
TOTAL:	\$117,959.25

GRAND TOTAL: \$130,017.96

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. Patton seconded the motion and it carried unanimously.

ACTION ON PLAN REVIEWS:

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

1. Request of **Hilltop Basic Resources, Inc. (applicant)** for **David J. Biedenbender and James A. Biedenbender (owners)** for a Zoning Map Amendment from Agricultural Estate (A-2) to Industrial Two (I-2) for a 18.03 acre site located at 3202 and 3204 Mineola Pike, Boone County, Kentucky. The request is for a zone change to allow a concrete plant.

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, Mrs. Kegley, Mr. Patton and Mr. Turner voting in favor of the request.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request? Mr. Bill Viox, Viox & Viox, Inc. stated that Hilltop is a business that started in 1941 and is locally owned. It is very active in the community and ethical. The applicant is very pleased to bring the technology to Boone County and Northern Kentucky. They take pride in their work to produce creative mixes for the construction industry.

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. Mrs. Kegley seconded the motion.**

Chairman Rolfsen asked if there were any questions? Seeing none, he asked for a vote on the motion and it passed unanimously.

ZONING MAP AMENDMENT, CONDITIONAL USE PERMIT, AND VARIANCE - Kim Bunger, Chairman, Kevin Wall, Staff

2. Request of **Bayer Becker (applicant)** for **BEX Farms Inc. (owner)** for a Zoning Map Amendment from Industrial One (I-1) to Industrial Two (I-2), and a Conditional Use Permit and Variance, for an approximate 12 acre area located on the northeast corner of the Production Drive/Resource Drive intersection, including the parcel at 1543 Resource Drive, Boone County, Kentucky. The request is for a zone change and Conditional Use Permit to allow a solid waste transfer station, and a Variance from Section 1143, #14, paragraph "i" of the Boone County Zoning Regulations to allow the spacing requirement between a parcel containing a solid waste transfer station and a parcel containing a single family residence to be reduced.

Staff Member, Kevin Wall, read the Committee Report, which recommended approval based upon Findings of Fact and conditions (see Committee Report). Mr. Wall noted that the Committee voted

unanimously to approve the request with Mr. Breetz, Mr. Bunger, Mr. Patton, Mr. Turner and Mrs. Kegley voting in favor of the request.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request? Ms. Katie Raverty, Best Way, stated that she appreciated the work of the Staff and Committee and looks forward to completing the proposed project.

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

Chairman Rolfsen asked if there were any questions? Seeing none, he asked for a vote on the motion and it passed unanimously.

TECHNICAL/DESIGN REVIEW - Lori Heilman, Chairwoman, Todd Morgan, Staff

3. McDonald's - 8530 US 42

Staff Member, Todd Morgan, referred to a PowerPoint presentation. The site is located at Harvey Quast Drive and US 42. The original approval for the site occurred in 2001. There were no building elevations submitted at that time but there were conditions related to design review. There is a condition for the applicant to go through the Design Review process and building materials have to be at least 60% non-metal. Mr. Morgan showed photographs of the existing building. The masonry on the bottom of the building will be painted. The top part of the building will be stucco. The existing metal roof will be removed. Mr. Morgan stated that the Technical/Design Review Committee met prior to the Business Meeting this evening and voted unanimously to approve the request as it met the original conditions.

Mrs. Heilman moved to approve the request based upon the Technical/Design Review Committee recommendation. Mr. Lunnemann seconded the motion and it passed unanimously.

New Business:

ZONING TEXT AMENDMENT - Kevin Wall, Staff

4. Request of the **City of Union** to consider a Zoning Text Amendment to Section 2513 "Conditional Uses and Criteria" of the Boone County Zoning Regulations to permit sales and leasing of new and used motor vehicles as a Conditional Use in the Union Commercial (UC) District. The request is to hear and evaluate comments on a proposed zoning text amendment and how it affects the current Boone County Comprehensive Plan, Union Town Plan, and Boone County Zoning Regulations.

Mr. Costello explained that KRS 100 requires the Planning Commission to act within 60 days upon receiving a Zoning Text Amendment request initiated by a legislative unit. In order to do this, the Planning Commission will have to hold a Special Public Hearing for this item only.

Mr. Hicks moved to schedule a Public Hearing for item #4 listed above on November 29, 2017 at 7:00 p.m. Mr. Schwenke seconded the motion and it passed unanimously.

CHANGE IN CONCEPT DEVELOPMENT PLAN - Kevin Wall, Staff

5. Request of **A&K Enterprise, Inc. (owner)** for a Change in an Approved Concept Development Plan in a Office One/Planned Development (O-1/PD) zone for a 1.098 acre lot located on the south side of US 42 and to the immediate west of the property at 8735 US 42, Florence, Kentucky; and for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for a 1.226 acre lot located on the southeast corner of the US 42/Express Street intersection, Florence, Kentucky, and a 4.032 acre site located on the south side of Cavalry Drive and to the immediate east of the property at 1573 Cavalry Drive, Florence, Kentucky. The request is for a change in an approved Concept Development Plan to allow additional commercial uses on these three sites.

CHANGE IN CONCEPT DEVELOPMENT PLAN - Mitch Light, Staff

6. Request of **The Drees Company c/o Mike Schoettelkotte (applicant)** for **The Drees Company (owner)** for a Change in an Approved Concept Development Plan in a Residential Planned Development (RPD) zone for a 55.242 acre site located on the north side of Thornwilde Drive, across from the Thornwilde Drive/Southcross Drive intersection, and on the east side of Williams Road, to the north of the Thornwilde Drive/Williams Road intersection, Boone County, Kentucky. The request is for a change in an approved Concept Development Plan to allow single family detached residences.

CHANGE IN CONCEPT DEVELOPMENT PLAN - Todd Morgan, Staff

7. Request of **Kroger (Don Barnett) (applicant)** for **Kroger Limited Partnership (Don Barnett) (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for a 7.853 acre site located on the south/east side of US 42, and to the immediate south/west of the Boone County Public Library, Scheben Branch, at 8899 US 42, Union, Kentucky, and a 4.8589 acre site located on the east side of US 42 and to the west of the Kroger Marketplace property at 9001 US 42, Union, Kentucky. The request is for a change in an approved Concept Development Plan to allow modifications to the Union Kroger Marketplace outlot uses and standards.

Mr. Hicks moved to schedule a Public Hearings for items #5, #6 and #7 listed above on December 6, 2017 at 7:30 p.m. Mr. Schwenke seconded the motion and it passed unanimously with Mr. Patton abstaining from voting.

EXECUTIVE DIRECTOR'S REPORT:

Mr. Kevin P. Costello, AICP, Executive Director, stated that the City of Florence just hired another new Code Enforcement Officer. Under KRS 100.991, the Planning Commission must appoint the person as a Zoning Enforcement Officer within the City of Florence. Mr. Lunnemann moved to appoint Mr. Brian DeCarlo as a Zoning Enforcement Officer for the City of Florence effective immediately. Ms. Reeves seconded the motion and it carried unanimously. Second, Mr. Costello announced there will be an Open House for the I-275/Graves Road Interchange Study. It is scheduled for Thursday, November 16, 2017 from 5:00 - 7:00 p.m. at the Boone County Enrichment Center - Room 1 - 6028 Camp Ernst Road, Burlington.

COMMITTEE REPORTS:

AIRPORT REPORT:

No Report

ADMINISTRATIVE/PERSONNEL: Mr. Turner

No Report

ENFORCEMENT REPORT: Mr. Bunger

No Report

LONG RANGE PLANNING/COMPREHENSIVE PLAN:

No Report

TECHNICAL/DESIGN REVIEW: Mrs. Heilman

No Report

EXECUTIVE REPORT: Mr. Rolfsen

No Report

CHAIRMAN'S REPORT: Mr. Rolfsen

No Report

OKI REPORT: Mr. Breetz

No Report

OTHER:

None

There being no further business to come before the Planning Commission, Mr. Hicks moved to adjourn the meeting. Mr. Patton seconded the motion. The meeting was adjourned by unanimous consent at 7:36 p.m.

APPROVED

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director