

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
FIRST FLOOR FISCAL COURTROOM
BUSINESS MEETING
JUNE 6, 2018
7:00 P.M.**

Chairman Rolfsen opened the Business Meeting at 7:00 p.m. and welcomed the audience to the Planning Commission's June 6, 2018 Business Meeting. Chairman Rolfsen then invited everyone to join him in reciting the Pledge of Allegiance.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mr. Greg Breetz
Mr. Kim Bunger, Secretary/Treasurer
Mrs. Lori Heilman
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Don McMillian
Mr. Kim Patton
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Brad Shipe
Mr. Steve Turner, Temporary Presiding Officer
Mr. Kenny Vaught

COMMISSION MEMBERS NOT PRESENT:

Mr. Mark Hicks

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Mitch Light, Asst. Zoning Administrator/ZEO
Mr. Todd Morgan, Senior Planner

Approval of the Minutes:

Chairman Rolfsen stated that the Commissioners received copies of the Minutes from the May 2, 2018 Business Meeting and Public Hearing. 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 May 3, 2018 through June 6, 2018.

EXPENSES:

Accounting Fees	\$	542.31
Attorney Fees		3,700.00
Auto Expense		232.45
Consultant/Professional Svcs Fees		5,450.00
Filing Fees (CLURs)		288.00
GIS Operations		285.00
Legal Ads/Recruitment		78.76
Miscellaneous Expense		377.69
Office & Board Meeting Supplies		1,776.57
Office Equipment/Expense		-9.55
Postage Expense		1,000.00
Printing/Pub/Dues/Subscriptions		112.50
Professional Development		<u>60.00</u>

TOTAL: 13,893.73

SALARIES AND BENEFITS:

FICA-BCPC Portion	\$	6,949.61
Health / Dental / Life / LTD		16,611.12
Retirement - BCPC Portion		14,518.42
Salaries - Staff Expense		96,203.43
Salaries BCPC		540.00
Salaries UBOA		105.00
Salaries BCBOA		<u>105.00</u>

TOTAL: \$135,032.58

GRAND TOTAL: \$148,926.31

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 - Kim Patton, Chairman, Mitch Light, Staff

1. Request of **Marc Gloyeske (applicant)** for **Kreutzjans Yeager Properties LLC (owner)** for a Zoning Map Amendment from Commercial Two (C-2) to Industrial One (I-1), and a Conditional Use Permit, for a 2.69 acre site located on the northeast corner of the Petersburg Road/Lindberg Court intersection, Boone County, Kentucky. The request is for a zone change and a Conditional Use Permit to allow a hotel.

Staff Member, Mitch Light, read the Committee Report, which recommended approval based upon Findings of Fact and conditions (see Committee Report). Mr. Light showed a drawing of the building materials. He explained that the cultured stone will extend to the second floor and it is noted in the Committee Report. Mr. Light stated that the Committee voted to approve the request with Mr. Patton, Mrs. Kegley, Mr. Bunger and Mr. Breetz voting in favor of both the Zoning Map Amendment and Conditional Use Permit requests.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request? Mr. Marc Gloyeske, Viox & Viox, Inc., restated that his client will update the drawings to reflect the conditions identified in the Committee Report. Mr. Gloyeske noted that increasing the amount of cultured stone is a compromise since one hotel adjacent to the proposed hotel is all brick and the other adjoining hotel is all EIFS. It is approximately 30% cultured stone.

Seeing no one else, Chairman Rolfsen asked if there was a motion to act on the Zoning Map Amendment request? **Mr. Patton moved to approve the Zoning Map Amendment request by Resolution to the Boone County Fiscal Court based upon the Committee Report and subject to conditions. Mrs. Kegley seconded the motion.**

Mr. Bunger stated that he participated in the Committee meeting and originally voted for approval of the request at that time. After reviewing all the material related to the request and the past history of nearby zoning decisions by the Planning Commission and the Board of Adjustment, he expressed the view that the applicant did not provide a specific basis for the zone change request that meets any of the 3 criteria for granting a zone change. The requested zone change is not in agreement with the Comprehensive Plan. The Future Land Use of the site is listed as Business Park not Industrial and the proposal is for an industrial zone. Hotels in the area have been developed based on C-2 zoning. The current zoning is appropriate and it was included in the Future Land Use designation. There have been no major changes that would provide for a basis to change the zone that was not contemplated in the current Comprehensive Plan. There are many uses that could be built in the C-2 Zoning District. In fact, a hotel could be built in a C-2 zone. Consequently, Mr. Bunger stated that he will not be voting in favor of the request based upon the reasons previously mentioned.

Chairman Rolfsen asked if a hotel could be built on the site? Mr. Light replied that the current C-2/CD zoning and Concept Development Plan shows that the property or site can be developed as a retail center and a gas/mini mart use. It would require a Change in Concept Development Plan for the applicant to put a hotel on the subject site. The issue is building intensity. The C-2

zoning only allows 15,000 square feet per acre versus I-1, which allows 25,000 square feet per acre. The applicant wants to build a 4 story hotel in the I-1 Zone.

Mrs. Kegley noted that the applicant agreed to strike all other I-1 uses from the application except for the hotel use. It will never be anything industrial.

Mr. Breetz stated that the additional information provided by Staff regarding the zoning history of the area opened up his eyes. There are currently 4 hotels in the area. The Marriott was zoned I-1 prior to the other hotels. It didn't need a zone change. Hampton Inn was zoned I-1 and didn't need a zone change. The other 2 hotels area zoned Commercial. Both those hotel owners went out and bought extra property to accommodate the requirements. It isn't proper to allow a zone change in order to simply allow additional building intensity. It is not fair to the adjoiningers. He voted in favor of the request at the Committee meeting but will vote differently since he preferred retail services that was originally proposed for the site.

Mr. Patton stated that he respected the history of decisions made in the area. He explained that he was in favor of the request since it has been 19 years and the retail center was not built. It is a unique piece of property. Normally, the Planning Commission likes mixed uses but the interchange has developed full of hotels due to the close proximity to the Airport. All the restaurants are at the Hebron exit. There are no hotels at the Hebron or Petersburg exits. The market says it should be a hotel. The parcel is surrounded by hotels. This parcel closes the gap and development in the area.

Mrs. Kegley noted that the proposed lot is not as tight or smaller than the other lots with a hotel. The use fits in with the surroundings.

Mr. Bunger stated that the Board of Adjustment decided back in 1999 that there could only be 1 four-story hotel in the area. The proposed hotel would make it a second one.

At this time, Chairman Rolfsen asked for a vote on the original Motion made by Mr. Patton and seconded by Mrs. Kegley. **The vote found Mr. Bessler, Mrs. Kegley, Mr. Lunneman, Mr. McMillian, Mr. Patton, Mr. Rolfsen, Mr. Schwenke, Mr. Turner, and Mr. Vaught voting in favor of the Zoning Map Amendment request and Mr. Breetz, Mr. Bunger, Mrs. Heilman and Mr. Shipe voting against the request. The motion passed by a vote of 9-4.**

Mr. Patton moved to approve the Conditional Use Permit based upon the Committee Report and its Findings. Mrs. Kegley seconded the motion and it passed unanimously.

LONG RANGE PLANNING/COMP PLAN - Bob Schwenke, Chairman, Todd Morgan, Staff

2. Westbrook Estates - Westbrook Boulevard

Staff Member, Todd Morgan, referred to a PowerPoint presentation. The request is a Determination of a Review Process in accordance with the Union Town Plan. He showed the applicant's 2013 approved plan that included 310 dwelling units on 124.9 acres. The density was 2.48 dwelling units per acre. The Union Town Plan recommends 2.2 dwelling units per acre but an applicant can go up to 4 dwelling units per acre. The current proposal includes 237 lots (166 single family detached homes and 71 patio homes). The building intensity would be reduced from 2.48 dwelling units per acre to 1.9 dwelling units per acre. The green space would also be reduced

from 29 acres to 23 acres. There were some changes to the street alignment. Mr. Morgan read the Committee Report. The Committee voted unanimously in favor of the request to follow the short review process with Mr. Breetz, Mr. Patton, Mr. Hicks and Mrs. Kegley voting in favor.

Mr. Schwenke moved to approve the request based upon the Committee Report and subject to the conditions. Mrs. Kegley seconded the motion and it passed unanimously.

LONG RANGE PLANNING/COMP PLAN - Bob Schwenke, Chairman, Todd Morgan, Staff

3. Arbor Springs at Plantation Pointe - Vicksburg Drive

Staff Member, Todd Morgan, referred to a PowerPoint presentation. The request is a Determination of a Review Process in accordance with the Union Town Plan. Mr. Morgan explained that the site is located in Arbor Springs Subdivision. He reviewed the history of the subdivision dating back to 2006. The proposed change involves Vicksburg Drive and the development of 8 new lots. Five of the lots were previously approved. Vicksburg Drive would terminate with the construction of a cul-de-sac. Originally, it showed a street connection but it was eliminated due to the construction of StoryPoint. All lots will require a reduced setback. The minimum road frontage for the lots will be 60 feet instead of 65 feet. The side yard setback will be a 5 foot minimum with a total of 15 feet. Overall green space for the subdivision would decrease from 22.5 acres to 20.71 acres. Mr. Morgan explained that StoryPoint would obtain the full limits of the pond and each individual lot owner would acquire the extra open space. Mr. Morgan read the Committee Report. The Committee voted unanimously in favor of the request to follow the short review process with Mr. Schwenke, Mr. Breetz, Mr. Patton, Mr. Hicks and Mrs. Kegley voting in favor.

Mr. Schwenke moved to approve the request based upon the Committee Report and subject to the conditions. Mrs. Kegley seconded the motion and it passed unanimously.

New Business:

None

EXECUTIVE DIRECTOR'S REPORT:

Mr. Kevin P. Costello, AICP, Executive Director, reminded Board members that the July Business Meeting will be held on Thursday, July 5th and not on Wednesday, July 4th.

Mr. Costello, proceeded to review the proposed FY 2018-2019 Budget. Her referred to the budget packet and his PowerPoint presentation. The Planning Commission staff serves 9 different Boards and assists 58 Board Members. He showed a graph of population growth from 1980 - 2017. From 2013 - 2017, almost 70% of the staff reviews involved sites located in Unincorporated Boone County, 20% in Florence and Union/Walton almost tied for the remaining amount. The proposed budget is \$1,890,000, which is a 4% increase from the current year. The proposed budget is at the same level of the budget 10 years ago or just prior to the recession in 2008. Mr. Costello showed a historical breakdown of contribution amounts from the legislative units. The total request from the legislative units is \$1,036,000. It is a \$30,000 increase from the current fiscal year.

Previously the Planning Commission requested a \$28,000 increase. A bar chart of revenue from review fees (2010 - 2018) was presented. Mr. Costello noted that the Staff is evaluating the current fee schedule to determine if fees charged are covering the cost of providing services and whether there are services being provided with no fees charged. Recommendations will be made in the future. Mr. Costello referred to the final budget figures. Government funding is about 60% of the overall budget and there is a formula used in generating the government funding figures. The formula is based on percentage of population. The formula will stay in place until after the 2020 U.S. Census. A percentage is used for contribution increases from each year. In terms of review fees, we expect an increase due to increased building activity and changes to the fee schedule. There was a decrease this year for a couple of months. However, recent figures show an increase.

In terms of expenditures, Staff and Board salaries have slightly increased. Overall, professional services will remain the same, while fringe benefits will increase slightly due to the proposed increase in retirement costs. The budget shows an increase in the "Other" category due to furniture/equipment and vehicle replacement. Mr. Costello mentioned there is a planned update of aerial photography next year.

At this time, Mr. Bunger moved to adopt the 2018 - 2019 Fiscal Year Budget as presented by Mr. Costello. Mr. Turner seconded the Motion and it passed unanimously.

COMMITTEE REPORTS:

AIRPORT: Mr. Bessler
No Report

ADMINISTRATIVE/PERSONNEL: Mr. Turner
No Report

ENFORCEMENT: Mr. Bunger
No Report

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

TECHNICAL/DESIGN REVIEW: Mrs. Heilman
No Report

EXECUTIVE: Mr. Rolfsen
No Report

CHAIRMAN: Mr. Rolfsen
No Report

OKI: Mr. Breetz
No Report

OTHER:

Mr. Schwenke asked what were the provisions for selling the leftover parcels in Arbor Springs subdivision to the adjoining property owners? Mr. Costello replied that the developer would most likely make it attractive to sell or give the excess property to the adjoining property owners so they would no longer own it. Otherwise, it could be accepted by the HOA. There would be stipulations that no structures be built because of the size of the parcel and its location. It would be used for green space and be maintained by the property owner in perpetuity.

Mr. Bessler stated the Airport Board still had no specifics to share about the Amazon project. Mr. Costello stated that the Amazon Traffic Impact Study will be released by August showing what is proposed. Also, there is some environmental work/analysis going on now and it will be eventually released for permit purposes. Construction is projected to occur in 2019. He noted that the Staff continues to obtain information about the project from the Airport, the Judge Executive's office and from other sources. The Staff would like to know about it so we can include it in the Comp Plan Update. How does it impact the community - housing, utilities, roads, schools, retail services, etc.? Will other businesses come to the community because of Amazon?

There being no further business to come before the Planning Commission, Mr. Patton moved to adjourn the meeting. Mr. Bungler seconded the motion. The meeting was adjourned by unanimous consent at 7:54 p.m.

APPROVED

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director