

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
FIRST FLOOR FISCAL COURTROOM
BUSINESS MEETING
FEBRUARY 6, 2019
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 6, 2019 Business Meeting. Chairman Rolfsen then invited everyone to join him in reciting the Pledge of Allegiance.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mr. Kim Bungler, Secretary/Treasurer
Ms. Corrin Gulick
Mr. Steve Harper
Mrs. Lori Heilman
Mr. Mark Hicks
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Don McMillian
Mr. Kim Patton, Vice Chairman
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Steve Turner, Temporary Presiding Officer
Mr. Kenny Vaught

COMMISSION MEMBERS NOT PRESENT:

Mr. Brad Shipe

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. Todd K. Morgan, AICP, Senior Planner
Mr. Robert Jonas, AICP, Director, Planning Services
Mr. Michael Schwartz, Planner

Approval of the Minutes:

Chairman Rolfsen stated that the Commissioners received copies of the Minutes from the January 2, 2019 Business Meeting and Public Hearings (Items #1, #3 and #4) and the January 23, 2019 Special Business Meeting. He asked if there were any comments or corrections? **Mr. Harper 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 3, 2019 through February 6, 2019.

EXPENSES:

Accounting Fees	\$ 636.96
Attorney Fees	3,800.00
Auto Expense	261.65
Consultant/Professional Svcs Fees	4,532.50
Filing Fees (CLURs)	224.00
GIS Operations	410.00
Legal Ads/Recruitment	175.88
Miscellaneous Expense	4.99
Office & Board Meeting Supplies	2,375.20
Office / Equipment Maintenance	113.04
Office Equipment/Expense	-9.23
Postage Expense	500.00
Printing/Pub/Dues/Subscriptions	<u>576.00</u>

TOTAL: 13,600.99

SALARIES AND BENEFITS:

FICA-BCPC Portion	\$ 7,248.90
Health / Dental / Life / LTD	16,818.77
Retirement - BCPC Portion	17,135.03
Salaries - Staff Expense	99,940.08
Salaries BCPC	1,225.00
Salaries BCBOA	105.00
Salaries FBOA	<u>140.00</u>

TOTAL \$142,612.78

GRAND TOTAL: \$156,213.77

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 Bunger, Chairman, Todd Morgan, Staff

1. Request of **Viox & Viox, Inc. (applicant)** for **Suzanne Cress Estate, Herbert H. Cress, and Cindy L. Cress (owners)** for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1) for an approximate 21.8 acre site located at 7456 Camp Ernst Road and 488 Cress Court, Boone County, Kentucky. The request is for a zone change to allow a subdivision for detached single family residences.

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. Bunger and Mr. Hicks 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. Michelle Bollman, Viox & Viox, Inc., stated that they are in agreement with the zone change conditions and Mr. Cress has signed the condition letter.

Chairman Rolfsen asked if there was a motion to take action? **Mr. Bunger 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. Mr. Hicks seconded the motion.**

Chairman Rolfsen asked if the Board members had any questions or comments? Mr. Schwenke noticed the new entrance to the site. Has access to the existing house been provided? Mr. Morgan referred to the revised Concept Development Plan. He stated that the existing house will be required to tie into the new street.

Chairman Rolfsen asked for a vote on the motion originally made by Mr. Bunger and seconded by Mr. Hicks. The motion passed unanimously.

At this time, Chairman Rolfsen left the meeting room. Vice-Chairman Kim Patton read the request.

ZONING MAP AMENDMENT - Kim Bunger, Chairman, Kevin Wall, Staff

2. Request of **Legendary Ridge Properties LLC (applicant)** for **Roslyn Wachs Trustee (owner)** for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Rural Suburban Estates/Planned Development (RSE/PD) for a 50.78 acre tract located on the north side of Burlington Pike, between the properties at 3300 and 3446 Burlington Pike and across from the Burlington Pike/Saddle Ridge Drive intersection, Boone County, Kentucky. The request is for a zone change to allow a subdivision for detached single family residences.

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. Bunger and Mr. Hicks voting in favor of the request.

Mr. Wall referred to the exhibits in the Committee Report. The first exhibit involves the six (6) foot high chain link fence. A second exhibit includes examples of homes, street signs and mailboxes.

Vice-Chairman Patton asked if there was anyone in the audience who wanted to speak in favor or against the request? Jim Bertram, Keystone Surveying and Mapping, stated that he was available to answer any questions. His client is in agreement with the conditions.

Vice-Chairman Patton asked if the Board members had any questions or comments?

Seeing none, Vice-Chairman Patton asked if there was a motion to take action? **Mr. Bunger 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. Mr. Hicks seconded the motion.**

Mr. McMillian questioned the recommendation. All the people in the subdivision can't get out if something happens to the entrance. One can get in but if something happens, one cannot get out.

Vice-Chairman Patton asked for a vote on the original motion made by Mr. Bunger and seconded by Mr. Hicks. **The motion found Mr. Bessler, Mr. Bunger, Ms. Gulick, Mr. Harper, Mrs. Heilman, Mr. Hicks, Mrs. Kegley, Mr. Lunnemann, Mr. Patton, Mr. Schwenke, Mr. Turner and Mr. Vaught voting in favor of the request and Mr. McMillian voting against the request. The motion passed by a vote of 12-1.**

At this time, Chairman Rolfsen returned to the meeting room.

TECHNICAL/DESIGN REVIEW - Lori Heilman, Chairwoman, Michael Schwartz, Staff

3. Chick-fil-A - 4980 Houston Road

Staff Member, Michael Schwartz gave a PowerPoint presentation. He stated that the request was originally reviewed at the January 2, 2019 Business Meeting by the Technical/Design Review Committee and the Committee asked the applicant to revise their submittal and provide new drawings and materials.

Mr. Schwartz stated that the Technical/Design Review Committee met prior to the Business Meeting and reviewed the plan submittal. The Committee reviewed canopies - one large and one small. The applicant submitted 2 different options - one with a half brick wrap around the support poles and one with a full brick wrap around the support poles. The Committee recommended approval subject to the following conditions: 1) Full brick wrap be used; 2) the existing and proposed lighting shall match each other in color temperature; 3) the width of the larger canopy be reduced by a minimum of 2 feet; 4) a minimum of 3 mature trees be added to the north east corner of the lot so it closes the 2 gaps; and 5) the under side ceiling of each canopy be raised so as to provide a total minimum of an 8 inch recess. This allows the heaters to be hung higher and be less

visible. Mr. Schwartz stated that the Technical/Design Review Committee voted unanimously to approve the request.

Mrs. Heilman moved to approve the request based upon the Technical/Design Review Committee recommendation as explained by Mr. Schwartz and subject to the five conditions. Mr. Schwenke seconded the motion.

Chairman Rolfsen inquired about the reason for the 2 feet reduction. Mr. Schwartz responded that the Committee wanted the canopy to be more in proportion to the width of the building. He stated that there would be menu order boards and employees outside during peak hours (taking orders and delivering food). Mrs. Heilman noted that the Committee met 3 times to review the request. The recommended option is significantly different than the original submittal. There was a change in the design of the canopy to increase the width of it and bring it more in line with the color schemes of the main building. The brick columns were added along with reducing the size of the canopy, adding the trees and recessing the ceiling to hide the equipment. It was a balance between what is in the area and the needs of the business. Traffic backs up to the collector road located behind the building. These improvements are an attempt to solve that problem. Mr. Schwartz pointed out that the restaurant lost some parking spaces but picked up more through a lease area in front of the Meijer store.

Mr. Bunger asked what is the activity under the large canopy? Is it a parking space? Mr. Schwartz referred to a drawing that showed vehicles ordering under the large canopy. The smaller canopy would be used for pick-up. There will be a curb and landscaping installed to direct traffic.

Mr. Lunnemann asked about the location of the additional landscaping. Mr. Schwartz referred to the site plan to show the location. The intent of the additional landscaping is to screen the larger canopy from Houston Road. It will soften the visual impact.

Mr. McMillian asked if anyone looked at the handicapped parking? How will handicapped people get through 3-4 lanes of traffic? Mr. Schwartz showed the location of the two crosswalks. He mentioned that the plan was reviewed by the Boone County Building Department and there were no additional comments. Mr. Costello stated that the Board is only voting on the Design Review application and not the site plan.

Chairman Rolfsen asked for a vote on the original motion made by Mrs. Heilman and seconded by Mr. Schwenke. **The motion found Mr. Bessler, Mr. Bunger, Ms. Gulick, Mr. Harper, Mrs. Heilman, Mr. Hicks, Mrs. Kegley, Mr. Lunnemann, Mr. Patton, Mr. Rolfsen, Mr. Schwenke, Mr. Turner and Mr. Vaught voting in favor of the request and Mr. McMillian voting against the request. The motion passed 13-1**

NEW BUSINESS:

NONE

EXECUTIVE DIRECTOR'S REPORT:

Mr. Kevin P. Costello, AICP, Executive Director, referred to his February 1, 2019 memo regarding the purchase of a 2019 Ford Explorer. Last July, the Planning Commission ordered a 2018 vehicle but it was no longer available. The Memo explains the terms of the purchase. **Mr. Hicks moved**

to authorize Mr. Costello to sign purchase and financing documents for the lease/purchase of a 2019 Ford Explorer based on the February 1, 2019 Memo. Mr. Schwenke seconded the motion and it passed unanimously

COMMITTEE REPORTS:

AIRPORT:

Mr. Bessler announced that the meeting has been rescheduled for February 14, 2019 at 12:00 noon at the Airport.

ADMINISTRATIVE/PERSONNEL: Mr. Turner

No Report

ENFORCEMENT: Mr. Bungler

No Report

LONG RANGE PLANNING/COMPREHENSIVE PLAN: Mr. Schwenke

No Report

TECHNICAL/DESIGN REVIEW: Mrs. Heilman

No Report

EXECUTIVE: Chairman Rolfsen

No Report

CHAIRMAN:

No Report

OKI:

Mr. Patton announced that he will be attending his first meeting on February 14, 2019.

OTHER:

There being no further business to come before the Planning Commission, Mr. Hicks moved to adjourn the meeting. Mr. Schwenke seconded the motion. The meeting was adjourned by unanimous consent at 7:38 p.m.

APPROVED

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director