

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
FIRST FLOOR FISCAL COURTROOM
BUSINESS MEETING
MARCH 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 March 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 Bunger, Secretary/Treasurer
Ms. Corrin Gulick
Mr. Steve Harper
Mrs. Lori Heilman
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. Mark Hicks
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. Robert Jonas, AICP, Director, Planning Services
Mr. Michael Schwartz, Planner
Mr. Matt Becher, AICP, Rural/Open Space Planner

Approval of the Minutes:

Chairman Rolfsen stated that the Commissioners received copies of the Minutes from the February 6, 2019 Business Meeting and Public Hearings. He asked if there were any comments or corrections? **Mr. Patton moved to approve the Minutes as presented. Mrs. Kegley 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 February 7, 2019 through March 6, 2019.

EXPENSES:

Accounting Fees	\$ 445.44
Attorney Fees	3,800.00
Auto Expense	592.42
Consultant/Professional Svcs Fees	3,162.50
Filing Fees (CLURs)	176.00
Legal Ads/Recruitment	164.32
Miscellaneous Expense	196.76
Office & Board Meeting Supplies	2,059.87
Office Equipment/Expense	1,086.04
Postage Expense	500.00
Printing/Pub/Dues/Subscriptions	<u>864.75</u>

TOTAL: \$13,048.10

SALARIES AND BENEFITS:

FICA-BCPC Portion	\$ 5,799.12
Health / Dental / Life / LTD	17,649.33
Retirement - BCPC Portion	17,135.03
Salaries - Staff Expense	80,047.08
Salaries BCPC	840.00
Salaries BCBOA	140.00
Salaries FBOA	175.00
Salaries UBOA	<u>105.00</u>

TOTAL \$122,299.18

GRAND TOTAL: \$135,347.28

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 FOR SPECIAL SIGN DISTRICT - Rick Lunnemann, Chairman, Michael Schwartz, Staff

1. Request of **John Diersing (applicant)** for **Southern Hearth Real Estate LLC (owner)** for a Zoning Map Amendment for a Special Sign District for an approximate 16 acre site located at 2100 Litton Lane, Boone County, Kentucky. The request is for a Special Sign District in a Industrial One (I-1) District to allow an electronic message center on a monument sign.

Staff Member, Michael Schwartz, read the Committee Report, which recommended approval based upon Findings of Fact and conditions (see Committee Report). Mr. Schwartz noted that the Committee voted unanimously to approve the request with Mr. Bunger, Mr. Lunnemann and Mr. Vaught voting in favor of the request. A letter from the property owner has been received agreeing to the conditions.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request?

Mr. Woody Fellingner, Quality Signs, stated that he was available to answer any questions.

Chairman Rolfsen asked if there was a motion to take action? **Mr. Lunnemann 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. Bunger seconded the motion.** Seeing no further questions from the Board Members, **Chairman Rolfsen asked for a vote on the motion made by Mr. Lunnemann and seconded by Mr. Bunger. The motion passed unanimously.**

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

2. Request of **Redwood ACQ - Greg Thurman (applicant)** for **Lucile C. Stephens Trust Agreement c/o Michael A. Conner (owner)** for a Zoning Map Amendment from Suburban Residential Two (SR-2) and Public Facilities (PF) to Suburban Residential Two/Planned Development (SR-2/PD) for approximately 18.3 acres and Public Facilities/Planned Development (PF/PD) for approximately 3.9 acres of the tract located at 2046 Burlington Pike, Boone County, Kentucky; and for a Zoning Map Amendment from Public Facilities (PF) to Commercial One (C-1) for approximately 2.6 acres and Public Facilities/Planned Development (PF/PD) for approximately 4.1 acres of the tract located on the northwest corner of the North Bend Road/Veterans Way intersection and immediately south of Stephens Elementary School at 5687 North Bend Road, Boone County, Kentucky. The request is for zone changes to allow single story attached dwelling units, an assisted living facility, and commercial uses.

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, Mr. Lunnemann, Mr. Patton and Mr. Vaught

voting in favor of the request. Mr. Wall referred to a set of drawings showing the updated site plan, landscaping plan, signage details for the proposed 3 uses, architectural images, details for the senior living and the stone water details.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request?

Mr. Greg Thurman, Redwood Living, stated that his company is in complete agreement with the 8 conditions. He is available to answer any questions.

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

Chairman Rolfsen asked if there were any questions from the Board members? Mr. Bunger asked Mr. Wall to explain Condition 5 on Page 3 of the Committee Report? Could he explain the last sentence involving outside storage? Mr. Wall replied that the last sentence deals with outside storage and displays. He inserted the entire use category in Committee Report in case the text changes in the future. The key phrase is that it is prohibited. Outdoor storage and displays are prohibited on the C-1 zoned site. The applicant is not permitted to do it.

Mr. Patton noted that the Committee and developer discussed the issues brought up from the Public Hearing thoroughly. A number of changes were made and drawings were revised. It is reflected in the 8 conditions. The proposed development is ideal for the area next to 2 schools and a park. The types of commercial uses were limited to be more compatible to the surrounding uses.

Mr. Bunger stated that his question was not related to the Committee work but rather simply understanding what the condition meant. Mr. Patton replied that he understood and noted that the developer brought material samples and building elevations to the Committee Meeting.

Chairman Rolfsen inquired about the existing lake. What is planned for it to be accessible for the residents or public? Mr. Thurman responded that the pergola will be located mid point near the lake. Benches will be placed there. The lake bank has a 3:1 slope. It is a central location. Mr. Rolfsen also inquired about sidewalks. Mr. Thurman showed the location of the proposed sidewalks within the development connecting to the system along Veteran's Way, KY 237 and KY 18. He also showed the crosswalks.

Chairman Rolfsen asked for a vote on the original motion made by Mr. Patton and seconded by Mr. Harper and it passed unanimously.

TECHNICAL/DESIGN REVIEW - Lori Heilman, Chairwoman, Kevin Wall, Staff

3. Turner Family Dentistry - 1831 Mt. Zion Road

Staff Member, Kevin Wall, gave a PowerPoint presentation. The site is located in the UTC zone. The proposed use is a new dental office located next to the Union City Hall. The building will be about 4,000 square feet in size with a possible 1,000 square foot expansion. The addition is not part of the application. It is a one story building. Mr. Wall showed building elevations. The

building will be brick and stone. The colors will match the proposed Panera store being constructed off U.S. 42. He stated that the Technical/Design Review Committee met prior to the Business Meeting and recommended approval with one condition. The condition requires the developer to screen the roof top mechanical equipment with a parapet.

Mrs. Heilman moved to approve the request based upon the Technical/Design Review Committee recommendation with one condition as explained by Mr. Wall. Mr. Harper seconded the motion and it passed unanimously.

NEW BUSINESS:

ZONING MAP AMENDMENT FOR SPECIAL SIGN DISTRICT - Michael Schwartz, Staff

4. Request of Hilton Displays (Teri Watts) on behalf of Starbucks (applicant) for Florence KY (SEC Hwy 42 and Express) LLC (owner) for a Zoning Map Amendment for a Special Sign District for a 0.8102 acre site located on the southeast corner of the US 42/Express Street intersection, Florence, Kentucky. The request is for a Special Sign District in a Commercial Two/Planned Development (C-2/PD) zone to allow alternative signage.

ZONING MAP AMENDMENT - Kevin Wall, Staff

5. Request of Al Neyer, LLC c/o Ryan Reardon, Vice President - Real Estate Development (applicant) for Kenton County Airport Board, c/o Candace McGraw (owner) for a Zoning Map Amendment from Suburban Residential One (SR-1) and Commercial One (C-1) to Industrial One (I-1) for a 45.6294 acre site located on the

north side of Petersburg Road, across from the Petersburg Road/Hetzel Drive intersection, and on the east side of Riverview Drive, approximately 300 feet north of the Petersburg Road/Riverview Drive intersection, Boone County, Kentucky. The request is for a zone change to allow uses permitted in the I-1 zone.

ZONING MAP AMENDMENT - Todd Morgan, Staff

6. Request of James W. Berling (applicant) for TOC, LLC (owner) for a Zoning Map Amendment from Rural Suburban (RS) and Suburban Residential One (SR-1) to Industrial One (I-1) for approximately 7.7 acres of an approximate 15.38 acre tract located at 13299 Walton-Verona Road, Walton, Kentucky. The request is for a zone change to allow uses permitted in the I-1 zone.

ZONING MAP AMENDMENT - Michael Schwartz, Staff

7. Request of Frank Fugate and Tammy Standbury (applicants) for Schleper Development Corporation (owner) for a Zoning Map Amendment from Industrial One (I-1) to Urban Residential Two (UR-2) for a 7.8183 acre tract located on the southeast corner of the Southpark Drive/Continental Way intersection, Boone County, Kentucky. The request is for a zone change to allow a senior independent living development.

ZONING MAP AMENDMENT - Todd Morgan, Staff

8. Request of Terry Crigger (applicant) for Christ's Chapel Assembly of God (owner) for a Zoning Map Amendment from Rural Suburban Estates/Planned Development/Houston-Donaldson Study Corridor Overlay (RSE/PD/HDO) and Industrial One/Planned Development/Houston-Donaldson Study Corridor Overlay (I-1/PD/HDO) to Public Facilities/Planned Development/Houston-Donaldson Study Corridor Overlay (PF/PD/HDO) for an approximate 13 acre site located at 3819, 3837, and 3845 Turfway Road, Boone County, Kentucky. The request is for a zone change to allow a school, preschool through grade 12, and church-related uses.

Mr. Costello explained that since we expect a short Business Meeting on April 13, 2019, we could schedule the Public Hearings earlier at 7:00 p.m. instead of 7:30 p.m. and conduct all 5 of the requests. They would occur immediately following the Business Meeting.

Mr. Patton moved to schedule Public Hearings for items # 4, 5, 6, 7 and 8 listed above on April 3, 2019 at 7:00 p.m. Mr. Lunnemann seconded the motion and it passed unanimously.

EXECUTIVE DIRECTOR'S REPORT:

No Report

COMMITTEE REPORTS:

AIRPORT: Mr. Bessler

No Report

ADMINISTRATIVE/PERSONNEL: Mr. Lunnemann

No Report

ENFORCEMENT: Mr. Bunger

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 stated that he attended his first OKI Board meeting. The biggest issue discussed was an increase in the gas tax. Even if the gas tax rose by 13 cents a gallon, it would not address new roads since the road fund is currently underfunded to maintain roads. This increase would

be on a federal level. There is support for the increase. Cars are getting more miles to the gallon resulting in less tax revenue. Also, no revenue is being generated by electric cars. Perhaps the Board would like to take a position on the matter at a later date? Mr. McMillian mentioned an idea of placing a tax on tires as it would address all vehicles (gas and electric). Mr. Harper noted the idea of placing a tax on electric cars when they are electronically charged.

OTHER:

There being no further business to come before the Planning Commission, Mr. Patton moved to adjourn the meeting. Mr. Schwenke seconded the motion. The meeting was adjourned by unanimous consent at 7:40 p.m.

APPROVED

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director