

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
FIRST FLOOR FISCAL COURTROOM
BUSINESS MEETING
JUNE 5, 2019
7:00 P.M.**

Chairman Rolfsen opened the Business Meeting at 7:02 p.m. and welcomed the audience to the Planning Commission's June 5, 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
Mrs. Lori Heilman
Mr. Mark Hicks
Mr. Rick Lunnemann
Mr. Don McMillian
Mr. Ed Mentz
Mr. Kim Patton, Vice Chairman
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Brad Shipe

COMMISSION MEMBERS NOT PRESENT:

Mr. Steve Harper
Mrs. Janet Kegley
Mr. Steve Turner, Temporary Presiding Officer

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. Todd K. Morgan, AICP, Senior Planner
Mr. Michael Schwartz, Planner
Mr. Matthew Becher, AICP, Rural/Open Space Planner

Approval of the Minutes:

Chairman Rolfsen stated that the Commissioners received copies of the Minutes from the May 5, 2019 Business Meeting and Public Hearings. Chairman Rolfsen asked if there were any other comments or corrections? **Mr. Patton moved to approve the Minutes as presented. Mr. Shipe 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 2, 2019 and June 5, 2019.

EXPENSES:

Accounting Fees	\$	567.38
Attorney Fees		3,800.00
Auto Expense		293.09
Consultant/Professional Svcs Fees		2,325.00
Filing Fees (CLURs)		307.00
Legal Ads/Recruitment		158.32
Miscellaneous Expense		1,158.67
Office & Board Meeting Supplies		773.49
Office Equipment/Expense		-9.41
Postage Expense		500.00
Printing/Pub/Dues/Subscriptions		<u>90.00</u>

TOTAL: \$9,963.54

SALARIES AND BENEFITS:

FICA-BCPC Portion	\$	7,262.75
Health / Dental / Life / LTD		16,781.76
Retirement - BCPC Portion		21,457.44
Salaries - Staff Expense		100,190.96
Salaries BCPC		1,620.00
Salaries BCBOA		105.00
Salaries FBOA		105.00
Salaries WBOA		<u>140.00</u>

TOTAL \$147,662.91

GRAND TOTAL: \$157,626.45

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.

At this time, Mr. Bob Schwenke entered the meeting room.

ACTION ON PLAN REVIEWS:

ZONING MAP AMENDMENT - Kim Patton, Chairman, Todd Morgan, Staff

1. Request of **Drees Company - Matt Mains (applicant)** for **Aylor Investments Limited Partnership, Raymond O. Godsey, Jr., and Akin & Miller Land Developers (owners)** for a Zoning Map Amendment from Rural Suburban (RS) and Suburban Residential One (SR-1) to Suburban Residential Two/Planned Development (SR-2/PD) for a 41.8424 acre site located on the east side of Old North Bend Road, approximately 220 feet south/southeast of the Britt Drive/Old North Bend Road intersection, to the north and east of the properties at 1820 and 1828 Old North Bend Road, at the terminus of Cardinal Way and Grandview Drive, and including approximately 8.1 acres in the northeast portion of the 10.987 acre tract at 1846 Old North Bend Road, Boone County, Kentucky. The request is for a zone change to allow detached single family residences, attached residential condominiums, and townhouses.

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. Patton, Mr. Shipe, Mr. Bunger and Mrs. Kegley 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. Matt Mains, The Drees Company, stated that the existing zoning doesn't address the existing housing demand. The proposed housing is much needed in the area especially in the industrial and commercial corridor. The 112 maximum number and 42 units per year will help phase the project relative to the interchange project especially for traffic and school purposes. The interchange will be bid in August, the contract awarded in October and the interchange will be substantially completed by 2022. This means the lanes will be open, Graves Road will be widened, the interchange would be open, the Graves Road roundabout will be widened to 2 lanes and incentives to complete the project on time or early will be available. He showed an elevation of the upgraded building facades. The high profile sides - rear and front portions along with the side facing Cardinal Cove. No more than 15% of the finish can be vinyl. He showed samples of the building materials and architecture. He noted the landscaping requirements and a future sidewalk connection on the library property to KY 237. He referred to the proposed pocket parks. Intersection radii will be widened to accommodate school bus traffic. The emergency gate will be locked with a Knox Box for the Hebron Fire Department. The Fire Department also didn't have a problem with the phasing.

Mr. Mark Nichols, 1529 Jolee Drive, referred to his presentation at the Public Hearing regarding the Pathways to a Zone Change Application (Section 308). In regard to Pathway #3, it was argued that there has been major economic changes such that the character of the area has changed. Mr. Nichols stated that the character of the area is detached single family homes built out in a couple of decades. More importantly, it is a thriving area as homes are on the market for a short time especially in Parlor Grove Subdivision. There is a huge demand for this type of

housing. He constantly gets letters from realtors to list his property. We have known about the aging population for a while. It is not new. More baby boomers stay in their homes in retirement according to USA Today. They retire in place. The proposed plan is a 400% increase over the current approved plan. This increase affects traffic on Old North Bend Road. There is no plan to improve Old North Bend Road. There is no basis for the zone change and it doesn't meet the criteria in Section 308(3). The Planning Commission must reject the amendment or at least minimize the impact by limiting it until the road improvements are made. Cardinal Way should be opened full-time and traffic should be routed through the subdivision and not on Old North Bend Road since there are no sidewalks.

Mr. Justin Steinhard, 2283 Britt Drive, stated that he spoke to the Vice-Chief of the Florence Fire Department. There is no emergency access to the 3 bedroom patio homes as a result of the 5 foot setback even though they are in compliance. It is difficult to get to these areas with a stretcher. Drees stated that the only reason why they are doing the project is because of money or financial reasons. That is not a good reason. They have other properties in the area where single family detached housing is being sold. The proposed development is being pursued because of land costs as set by the Boone County Library's land purchase.

At this time, 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. Bunger seconded the motion. The Motion found Mr. Bessler, Mr. Bunger, Ms. Gulick, Mr. Hicks, Mr. Lunnemann, Mr. McMillian, Mr. Mentz, Mr. Patton, Mr. Rolfsen, Mr. Schwenke and Mr. Shipe in favor of the request or recommendation and Mrs. Heilman voting against the request or recommendation. The motion passed by a vote of 11 - 1.**

At this time, Mr. Patton left the meeting room.

ZONING MAP AMENDMENT & VARIANCES - Janet Kegley, Chairwoman, Kevin Wall, Staff

2. Request of **Al Neyer, LLC c/o Ryan Reardon, Vice President - Real Estate Development (applicant) for Kenton County Airport Board c/o Candace McGraw and Kathleen Utz as Trustee of the Charles and Kathleen Utz Revocable Trust c/o Glenn Utz (owners)** for a Zoning Map Amendment from Suburban Residential One (SR-1) and Commercial One (C-1) to Industrial One (I-1), and Variances from Section 3645 "Buffer Yards" of the Boone County Zoning Regulations, 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 and Variances to allow reductions in the perimeter landscape buffer yard.

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 Mr. Bunger, Mrs. Kegley and Mr. Shipe voted 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. Ryan Reardon, Al Neyer, LLC, stated that he continues to have discussions with the State about the proposed access off KY 20. It is looking more favorable. He also noted that he is still working with the property owner (Mr. Hiers) across the street about the second access point to Riverview Drive given the deed restrictions.

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 any Board Members had questions or comments? Ms. Gulick referred to Condition #8. Does it refer to actual traffic or proposed traffic? Mr. Wall responded that it is based on the ITE Manual and it will be tracked on the basis of each individual tenant in the building since it is a speculative building.

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

At this time, Mr. Patton returned to the meeting room.

OUR BOONE COUNTY - PLAN 2040 - Bob Schwenke, Chairman, Robert Jonas & Matthew Becher, Staff

3. Request of the Boone County Planning Commission's Long Range Planning/Comprehensive Plan Committee to hear comments and review Our Boone County - Plan 2040, the update to the Boone County Comprehensive Plan. The Goals and Objectives of Our Boone County - Plan 2040 were adopted in January 2018 and formed the basis for the update of the remaining Elements which include the following: Demographics, Environment, Natural & Cultural Resources, Economy, Public Facilities, Transportation, and Land Use (text and maps).

Staff Member, Robert Jonas, read the Committee Report (see Committee Report), which recommended approval based upon Findings of Fact and subject to the minor amendments. Mr. Jonas noted that the Long Range Planning/Comprehensive Plan Committee voted unanimously to approve the request. The Committee Report is signed by Mr. Schwenke, Mr. Hicks, Mrs. Kegley, Mr. Patton and Mr. Turner. He summarized the minor amendments which includes changes to more accurately describe demographics, updated information from SD-1 regarding the environment, waterways and permeability of soils; defining TDR/PDRs; updated sewage data; land use changes and buffering near the I-275/Petersburg interchange; road access via the interchange; adding 108 acres to the Business Park category; and new text was added to address access to Dixie Highway in Richwood.

Chairman Rolfsen asked if there was a motion to take action on the request? **Mr. Schwenke moved to adopt "Our Boone County - Plan 2040" by Resolution based upon the Committee Report which includes the Findings of Fact and minor amendments. Mr. Hicks seconded the motion and it passed unanimously.** Chairman Rolfsen thanked the Committee and Staff on the completion of the Comprehensive Plan update.

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

4. Tru Hotel - 1080 Vandercar Way

Staff Member, Todd Morgan, gave a PowerPoint presentation. The applicant is asking for Design Review approval for a second sign on the southwest facade. The Houston-Donaldson Study only allows one sign. One sign was previously approved. The second sign would be located above the door entrance. The total square footage of both signs is 75.90 square feet. They would be allowed up to 200 square feet for one sign.

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 MAP AMENDMENT - Michael Schwartz, Staff

5. Request of **The Kleingers Group (applicant)** for **Turfway Park, LLC (owner)** for a Zoning Map Amendment from Recreation/Planned Development/Houston-Donaldson Study Corridor (R/PD/HDO) to Industrial One/Planned Development/Houston-Donaldson Study Corridor (I-1/PD/HDO) for 17.345 acres located at the northwest end of the property at 7500 Turfway Road (Turfway Park race track), and immediately southwest of the property at 3845 Turfway Road, Florence, Kentucky. The request is for a zone change to allow industrial uses.

Mr. Bunger moved to schedule the Public Hearing for item #5 listed above on July 3, 2019 at 7:30 p.m. Mr. Lunnemann seconded the motion and it passed unanimously.

OTHER:

There being no further business to come before the Planning Commission, Mr. Patton moved to adjourn the meeting. Ms. Gulick seconded the motion. The meeting was adjourned by unanimous consent at 7:58 p.m.

APPROVED

**Charlie Rolfsen
Chairman**

Attest:

**Kevin P. Costello, AICP
Executive Director**

