

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
FIRST FLOOR FISCAL COURTROOM
BUSINESS MEETING
JULY 3, 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 July 3, 2019 Business Meeting. Chairman Rolfsen then invited everyone to join him in reciting the Pledge of Allegiance.

COMMISSION MEMBERS PRESENT:

Mr. Kim Bunger, Secretary/Treasurer
Ms. Corrin Gulick
Mr. Steve Harper
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Don McMillian
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Brad Shipe
Mr. Tom Szurlinski
Mr. Steve Turner, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

Mr. Randy Bessler
Mrs. Lori Heilman
Mr. Mark Hicks
Mr. Kim Patton, Vice Chairman

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. Michael Schwartz, Planner

Approval of the Minutes:

Chairman Rolfsen stated that the Commissioners received copies of the Minutes from the June 5, 2019 Business Meeting and Public Hearings. Chairman Rolfsen asked if there were any other comments or corrections? **Mr. Turner 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 June 6, 2019 and July 3, 2019.

EXPENSES:

Accounting Fees	\$	507.63
Attorney Fees		3,800.00
Auto Expense		124.27
Consultant/Professional Svcs Fees		1,962.50
Filing Fees (CLURs)		176.00
Legal Ads/Recruitment		96.72
Miscellaneous Expense		87.76
Office & Board Meeting Supplies		928.06
Office/Equipment Maintenance		3,021.84
Office Equipment/Expense		5.59
Office/Liability Insurance		22,338.36
Postage Expense		673.70
Printing/Pub/Dues/Subscriptions		<u>1,039.09</u>

TOTAL: \$34,761.52

SALARIES AND BENEFITS:

FICA-BCPC Portion	\$	5,902.76
Health / Dental / Life / LTD		17,119.21
Retirement - BCPC Portion		17,284.10
Salaries - Staff Expense		81,471.96
Salaries BCPC		780.00
Workers' Comp Insurance		<u>6,245.91</u>

TOTAL \$128,803.94

GRAND TOTAL: \$163,565.46

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. Mrs. Kegley seconded the motion and it carried unanimously.

ACTION ON PLAN REVIEWS:

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

1. Request of **Immanuel Baptist Church, Pastor Doug Foster (applicant)** for **Immanuel Baptist Church of Florence, KY, Inc. (owner)** for a Zoning Map Amendment for a Special Sign District for a 4.72 acre site located at 7183 Pleasant Valley Road, Boone County, Kentucky. The request is for a Special Sign District in a Rural Suburban Estates (RSE) zone to allow an electronic message center on a freestanding 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 vote 4-0 to approve 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?

Seeing no one, 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. Lunnemann seconded the motion.** Chairman Rolfsen asked if there were any questions or comments from the Board Members? Mrs. Kegley asked Staff to clarify the Condition #5 typo. Mr. Schwartz replied that the condition was taken from a previous Committee Report. As a result, Condition #5 has been stricken and does not apply to the request.

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

CHANGE IN CONCEPT DEVELOPMENT PLAN - Janet Kegley, Chairwoman, Todd Morgan, Staff

2. Request of **Brian Dunham, Frost Brown Todd, LLC (applicant)** for **Benenson Flo. KY. LLC and Wal-Mart Real Estate Business Trust (owners)** for a Change in Concept Development Plan for a 14.85 acre site located at 4949 Houston Road, Florence, Kentucky (Sam's Club). The request is for a Change in Concept Development Plan to allow a gasoline fueling station and for modifications to an existing retail building in a Commercial Two/Planned Development/Houston-Donaldson Study Corridor Overlay (C-2/PD/HDO) zone.

At the request of the applicant, Mr. McMillan moved to defer the request until the August 7, 2019 Business Meeting. Mr. Harper seconded the motion and it passed unanimously.

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

3. Request of **Al Neyer, LLC (applicant)** for **Loretta F. Smith Estate, Harold Stidham, and Deborah Stidham (owners)** for a Zoning Map Amendment from Agricultural Estate (A-2) and Rural Suburban Estates (RSE) to Industrial One (I-1) for a 111.1042 acre site located at 4548 and 4664 Bullittsville Road, and at the western terminus of Wright Boulevard, Boone County, Kentucky. The request is for a zone change to allow industrial uses.

At the request of the Applicant, Mr. Bunger moved to defer the request until the August 7, 2019 Business Meeting and the Zone Change Committee Meeting will be held on July 17, 2019 at 5:00 p.m. Mr. Shipe seconded the motion and it passed unanimously.

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

4. Aero Commerce - Aero Parkway & Burlington Pike

Staff Member, Kevin Wall, gave a PowerPoint presentation. The site is located at the intersection of Aero Parkway and Burlington Pike. A condition of the zone change approval required the developer to follow the design review process. The proposal is a warehouse. It will be a precast building. It has various shades of gray. Three corners of the building will have office space. Mr. Wall showed a series of building elevations. They are identical to the elevations submitted as part of the zone change application with one exception. One of the walls has a stair step design.

Mr. Wall noted that the Technical/Design Review Committee met prior to the Business Meeting and unanimously (3-0) recommended approval.

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

Chairman Rolfsen announced that the Kleingers Group request at Turfway Park has been postponed at the request of the applicant. There will be no Public Hearing tonight. It will be rescheduled for August 7, 2019.

NEW BUSINESS:

ZONING MAP AMENDMENT - Todd Morgan, Staff

5. Request of **RES, LLC (applicant)** for **CMH of KY, Inc. (owner)** for a Zoning Map Amendment from Commercial Services (C-3) to Industrial One (I-1) for a 6.2657 acre tract located at 10833 Dixie Highway, Boone County, Kentucky. The request is for a zone change to allow the sales of semi trucks and trailers.

CHANGE IN APPROVED CONCEPT DEVELOPMENT PLAN - Michael Schwartz, Staff

6. Request of **Jason Horowitz (applicant)** for **Florence KY (SEC HWY 42 and Express) (owner)** for a Change in an Approved Concept Development Plan in Office One/Planned Development (O-1/PD) and Commercial Two/Planned Development (C-2/PD) zones for a 0.97 acre lot located on the south side of US 42, to the immediate west of the property at 8741 US 42 and immediate east of the property at 8755 US 42, Florence, Kentucky. The request is for a change in an approved Concept Development Plan to allow an automotive repair facility.

ZONING MAP AMENDMENT - Michael Schwartz, Staff

7. 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 Hearings for items #5, 6 & 7 listed above on August 7, 2019 at 7:30 p.m. Mr. Schwenke seconded the motion and it passed unanimously.

EXECUTIVE DIRECTOR'S REPORT:

Mr. Kevin P. Costello, AICP, Executive Director, proceeded to review the proposed FY 2019-2020 Budget. He referred to the budget packet and his PowerPoint presentation. The packet includes activities that the Staff completed in the past year and identifies new activities for the upcoming year. There is also a historical look at the number of Staff reviews. Population information is also provided. Mr. Costello noted that the proposed budget is about the same as the budget at the start of the recession year. It has taken 11 years to get to that level. Currently, we have the same number of Staff members. He referred to a pie chart that showed the number of projects reviewed by the Planning Commission in the last 5 years by legislative unit. Most of the building activity is occurring in the unincorporated area. The proposed FY 2019-2020 Budget is a 4.2% increase from the current year. It is \$1,970,000. Another chart showed legislative unit funding. There is a formula used by any government funding increase. It is based upon population. As a result, the County is responsible for a majority of the increase. Most of the building activity and population are in the unincorporated area. Mr. Costello noted that the year end figure for review revenue is \$515,286, which is about \$23,286 over the budget amount for the year. We finished strong. This is important as it relates to the potential changes in the fee schedule. There is also information about in-kind services provided to the Planning Commission such as office space and information services assistance by the Boone County Fiscal Court.

In terms of Government Funding, there is a proposed \$42,000 increase (3.5%). Review fees are expected to increase by \$18,000 (3.7%). It is a conservative estimate. About 13% of the budget are administrative fees such as inspection and GIS fees. In terms of expenditures, it includes salaries for Staff and Board members - merit increases, a potential part-time zoning enforcement officer and the annual staff salary level as a result of Mr. Light retiring. In regard to Professional

Services, the amount is about the same compared to last year. The only difference is that Strategic Advisors is no longer working on the Comprehensive Plan Update. However, we will hire a firm to help produce a digital zoning code. The digital code will include a searchable option, formulas for certain items like number of parking spaces or trees, etc. In the Fringe Benefit category, health insurance costs are going down while retirement costs continue to increase. GIS Operational costs will increase due to new aerial photography and computer hardware and software. Finally, we are exploring the possibility of using cloud services for GIS in the future.

Chairman Rolfsen asked whether the changes in review fees would occur in the year 2020? Mr. Costello responded that the changes in the review fees are correlated to the Zoning Update. Are all services provided covered by a review fee? A good example is zoning research. Are we charging enough to cover our costs? Previously, the out of town companies used to visit our office and undertake their own research. It is opposite today. They will not visit our office and prefer that we conduct their research. We will have two options - make changes on an interim basis and then finalize it when the Zoning Update is completed. A good example is a potential new sign code. Are we charging enough for an electronic changeable copy sign?

Mr. Schwenke moved to adopt the Boone County Planning Commission FY 2019-2020 Budget as presented by Mr. Costello. Mr. Harper seconded the motion and it passed unanimously.

Mr. Costello asked the Board to extend the contract of Jonathon Brown, P.E., L.S. for another year based upon the provisions in his June 26, 2019 Memo. Mr. Bunger stated that he was satisfied with Mr. Brown's performance and therefore **moved to extend the contract with Mr. Brown from July 1, 2019 to June 30, 2020 in order to provide engineering and surveying services to the Planning Commission and to authorize the Executive Director to execute a contract with Mr. Brown based upon his June 26, 2019 Memo. Mr. Schwenke seconded the motion and it passed unanimously.**

Finally, Mr. Costello stated that the Planning Commission received a letter on June 28, 2019 from Pastor Doug Foster of Immanuel Baptist Church requesting a \$250.00 waiver of review fees related to the original Special Sign District application (see Exhibit A). Mr. Bunger moved to waive the fee for Immanuel Baptist Church up to \$250.00. Mr. Turner seconded the motion and it passed unanimously.

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: Mr. Rolfsen
No Report

CHAIRMAN: Mr. Rolfsen
No Report

OKI: Mr. Patton
No Report

OTHER:

Recognition of Former Board Member, Greg Breetz

Mr. Costello welcomed Mr. Breetz back to the Planning Commission. He stated that Mr. Breetz was appointed by Judge/Executive Gary Moore in May, 2003. He served almost 4 terms. He started serving the Planning Commission the next day when the Board met. At the time of his appointment, Mr. Hicks was the Chairman of the Planning Commission. Mr. Breetz served on the Zone Change, Long-Range Planning/Comp Plan and Airport Committees. He also served as the OKI Representative. Mr. Costello thanked Mr. Breetz for his years of service to the Board and community. Mr. Breetz thanked everyone and said he enjoyed the experience. He learned a lot from each other.

There being no further business to come before the Planning Commission, Mr. Lunnemann moved to adjourn the meeting. Ms. Gulick 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

Exhibit A - Letter dated June 28, 2019 from Pastor Doug Foster, Immanuel Baptist Church