

**BOONE COUNTY PLANNING COMMISSION
BUSINESS MEETING
VIA VIDEO TELECONFERENCE
MAY 6, 2020
7:00 P.M.**

Chairman Rolfsen opened the Business Meeting at 7:00 p.m. and welcomed everyone to the Planning Commission's May 6, 2020 Business Meeting. He read a statement. The Boone County Planning Commission, pursuant to KRS 61/826, Kentucky Senate Bill 150 and OAG 20-05, will conduct its regularly scheduled meeting on Wednesday, May 6, 2020 at 7:00 p.m. via live video teleconference. This meeting format has been necessitated due to the state of emergency regarding the threats to public health presented by the novel Coronavirus (COVID-19) pandemic. The meeting may be attended by the public by viewing the video teleconference at Boonecounty.viebit.com or via Spectrum CATV on channel 203 and via FiOptics on channel 831. The Boone County Planning Commission is hosting the first virtual Business Meeting of a Planning Commission in Northern Kentucky via live video teleconference.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mr. Kim Bungler, Secretary/Treasurer
Ms. Corrin Gulick
Mr. Steve Harper
Mrs. Lori Heilman
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mrs. Katie Nolan
Mr. Kim Patton, Vice Chairman
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Tom Szurlinski
Mr. Steve Turner, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

Mr. Don McMillian
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. Michael Schwartz, Planner
Mr. John Harney, GIS Systems Administrator

APPROVAL OF THE MINUTES:

Chairman Rolfsen stated that the Commissioners received copies of the Minutes from the March 4, 2020 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. Harper 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 March 5, 2020 and April 1, 2020

EXPENSES:

Accounting Fees	\$	531.21
Filing Fees (CLURs)		650.00
Legal Ads/Recruitment		61.84
Miscellaneous Expense		177.40
Office & Board Meeting Supplies		588.39
Office / Equipment Maintenance		209.93
Office Equipment/Expense		334.16
Postage Expense		836.38
Printing/Pub/Dues/Subscriptions		<u>27.50</u>

TOTAL: \$3,416.81

SALARIES AND BENEFITS:

FICA-BCPC Portion	\$	6,198.88
Health / Dental / Life / LTD		15,639.67
Retirement - BCPC Portion		19,856.24
Salaries - Staff Expense		85,113.96
Unemployment Insurance		<u>292.06</u>

TOTAL \$127,100.81

GRAND TOTAL: \$130,517.62

Mrs. Kegley 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. Bessler 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 April 2, 2020 and May 6, 2020.

EXPENSES:

Accounting Fees	\$ 1,218.04
Attorney Fees	7,800.00
Auto Expense	50.45
Consultant/Profess Svcs Fees	12,047.00
Filing Fees (CLURs)	950.00
Office & Board Meeting Supplies	1,265.69
Office Equipment/Expense	1,010.37
Printing/Pub/Dues/Subscriptions	<u>335.00</u>

TOTAL: \$24,676.55

SALARIES AND BENEFITS:

FICA-BCPC Portion	\$ 7,585.28
Health / Dental / Life / LTD	14,937.03
Retirement - BCPC Portion	19,856.24
Salaries - Staff Expense	104,030.68
Salaries BCPC	720.00
Salaries BCBOA	140.00
Salaries WBOA	<u>105.00</u>

TOTAL \$147,374.23

GRAND TOTAL: \$172,050.78

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

ACTION ON PLAN REVIEWS:

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

1. Request of **Jim Thomas (applicant)** for **The Harper Company (owner)** for a Change in Concept Development Plan in a Industrial One (I-1) zone and two dimensional variances for an approximate 5.39 acre site located to the immediate east of the property at 1648 Petersburg Road, Boone County, Kentucky. The request is for a Change in Concept Development Plan to allow contractor equipment and materials staging and variances to reduce the perimeter landscaping buffer yard requirements and 50 foot fence setback from the Petersburg Road right-of-way.

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

2. Request of **Viox & Viox, Inc. (applicant)** for **Domaschko Properties, LLC (owner)** for a Zoning Map Amendment from Commercial Services (C-3) to Industrial One (I-1) for an approximate 6.63 acre tract located at 11061 Dixie Highway, Boone County, Kentucky. The request is for a zone change to allow a construction company.

Mr. Harper (No relationship to The Harper Company) moved to defer requests #1 and #2 to the June 3, 2020 Business Meeting. The Committee Meeting for the request will be on May 20, 2020 at 5:00 p.m. Mr. Schwenke seconded the motion and it passed unanimously.

Mr. Costello announced that the Zone Change/Concept Plan Committee meeting will be via video teleconference. The Harper Company request involves discussing one of the conditions. He also mentioned that the Staff would notify the applicant and a property owner, who testified or attended the previous Committee Meeting. All of the evidence was introduced at the Public Hearing. The Committee Meeting allows Committee members to follow-up with the applicant. Mr. Wilson suggested that Staff notify the media and public under SB150 because the meeting is virtual even though it is a regularly scheduled meeting. Mr. Costello stated that the Staff will resend the Public Hearing Minutes and Staff Report again to refresh everyone's memory.

ZONING MAP AMENDMENT - Rick Lunnemann, Chairman, Kevin Wall, Staff

3. Request of **James Titus, AIA (applicant)** for **Luong M. Pham and Thu Ha T Le (owners)** for a Zoning Map Amendment from Residential One Family (R1F) to Commercial One (C-1) for a 0.63 acre tract located on the southwest corner of the US 42/Dilcrest Drive intersection, Florence, Kentucky. The request is for a zone change to allow commercial and office uses.

Mr. Lunnemann moved to defer the request to the June 3, 2020 Business Meeting. Mr. Patton seconded the motion and it passed unanimously.

NEW BUSINESS:

ZONING MAP AMENDMENT AND VARIANCES - Kevin Wall, Staff

4. Request of **Lee Rickey (applicant)** for **Paul F. Michels Trust c/o Catherine Michels (owner)** for a Zoning Map Amendment from Commercial One (C-1) to Commercial Services (C-3), and two dimensional variances, for a 2.752 acre tract located on the northwest corner of the Pleasant Valley Road/Haines Drive intersection, and across Pleasant Valley Road from the intersection with Lendale Drive (8495 Pleasant Valley Road), Boone County, Kentucky. The request is for a zone change to allow mini-warehouses and variances for the front yard building setback and fence height in the front yard area.

Mrs. Kegley moved to schedule the Public Hearing for item #4 listed above on June 3, 2020 at 7:30 p.m. Mr. Szurlinski seconded the motion and it passed unanimously.

Mr. Costello noted that the original application was withdrawn so that the applicant could redesign the site and submit a new application/Concept Development Plan.

EXECUTIVE DIRECTOR'S REPORT:

Mr. Kevin P. Costello, AICP, Executive Director, explained that due to the Coronavirus pandemic, Staff had been reviewing 3 Design Review applications - Tesla (70 Spiral Boulevard), Fifth Third Bank (8100 Burlington Pike) and Wendy's (7434 Turfway Road). Staff sent the materials to the Technical/Design Review Committee and all 3 projects were recommended for approval. Because of the Governor's Emergency Order and the emergency provisions outlined in the Planning Commission's By-laws, the Chairman decided to forward the recommendations of the Technical/Design Review Committee to the Planning Commission's Executive Committee. The Executive Committee unanimously approved the 3 Design Review applications. As a result, Mr. Costello asked if the full Board could ratify the previous approvals.

Mr. Patton moved to ratify the Design Review applications for Tesla, Fifth Third Bank and Wendy's based upon both Committees recommended approval. Mr. Bunger seconded the motion. The motion passed unanimously with the exception of Mrs. Heilman's abstention on the Fifth Third Bank application since it is her employer.

Mr. Costello introduced Mr. Michael Schwartz, Planner, who gave a presentation of the Express Park & Ride project as an example of showing his PowerPoint presentation using Zoom technology. He mentioned that the Planning Commission had already seen the project and the Boone County Fiscal Court has already acted on the application. He shared the PowerPoint and a Word document with the Board.

Mr. Patton asked if there was a chat feature where one could ask questions without interrupting? Mr. Schwartz noted that the host would have to monitor the chat. Mr. Costello commented that the Staff could explore that feature as the Board gets used to the software. It is preferred to keep it simple now and then gradually add or use other features to make the meetings or hearings more efficient. Mr. Patton stated that everyone on the video would have access to see the chat. It can be recorded. There is a maximum number of people who can chat. Microphones are muted because of capacity.

Mr. Dale Wilson stated that in a Business Meeting, the public has a right to see and hear. They don't have the right necessarily to speak and introduce testimony unlike at Public Hearings that are trial-type. If some of the Planning Commissioners are muted and are seen talking, the public has a right to hear what they are saying. We have to be careful about this situation. Mr. Costello noted that the Staff is testing Zoom technology to see if it meets our requirements. We are also looking at Webex software.

Finally, Mr. Costello noted the Executive Committee reviewed an Amendment to the 2020 Digital Imagery Project Contract (Amendment #2) with Vexcel Imaging US, Inc./Keystone Aerial Survey. Amendment #2 involves removing a contract provision that requires a 15% payment to the Planning Commission for certain sales of our photography and the vendor providing additional services to the Planning Commission to create a better LiDAR product. The actual bid amount stays the same and we get \$12,700 worth of additional services from the vendor.

Mr. Bungler moved to ratify the approval of Amendment #2 between the Boone County Planning Commission and Vexcal Imaging US, Inc./Keystone Aerial Survey. Mr. Schwenke seconded the motion and it was passed unanimously.

CHAIRMAN'S REPORT: Charlie Rolfsen

No Report.

OTHER:

None.

There being no further business to come before the Planning Commission, Mr. Patton moved to adjourn the meeting. Mr. Bessler seconded the motion. The meeting was adjourned by unanimous consent at 7:30 P.M.

APPROVED

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director