

**BOONE COUNTY PLANNING COMMISSION
VIA LIVE VIDEO TELECONFERENCE
BURLINGTON, KENTUCKY
BUSINESS MEETING
AUGUST 5, 2020
7:00 P.M.**

Chairman Rolfsen opened the Business Meeting at 7:00 p.m. and welcomed everyone to the Planning Commission's August 5, 2020 Business Meeting. The Boone County Planning Commission, pursuant to KRS 61/826, Kentucky Senate Bill 150 and OAG 20-05, is conducting its regularly scheduled meeting on Wednesday, August 5, 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.

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
Mrs. Katie Nolan
Mr. Kim Patton, Vice Chairman
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Brad Shipe
Mr. Tom Szurlinski

COMMISSION MEMBERS NOT PRESENT:

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. Todd K. Morgan, AICP, Senior Planner
Mr. Michael D. Schwartz, Planner
Mr. John Harney, GISP, GIS Systems Administrator

APPROVAL OF THE MINUTES:

Chairman Rolfsen stated that the Commissioners received copies of the Minutes from the July 15, 2020 Business Meeting and Public Hearing. Chairman Rolfsen asked if there were any other comments or corrections? **Mr. Patton moved to approve the Minutes as presented. 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 July 2, 2020 and August 5, 2020.

EXPENSES:

Accounting Fees	\$ 385.49
Attorney Fees	4,781.25
Auto Expense	125.23
Consultant/Professional Svcs Fees	2,585.00
Filing Fees (CLURs)	1,450.00
GIS Operations	358.90
Legal Ads/Recruitment	106.40
Miscellaneous Expense	192.10
Office & Board Meeting Supplies	1,305.11
Office Equipment/Expense	10,486.84
Office/Liability Insurance	22,471.02
Postage Expense	510.37
Printing/Pub/Dues/Subscriptions	1,240.99
Refunds	<u>300.00</u>

TOTAL: \$46,298.70

SALARIES AND BENEFITS:

FICA-BCPC Portion	\$ 7,554.00
Health / Dental / Life / LTD	14,231.15
Retirement - BCPC Portion	24,820.29
Salaries - Staff Expense	103,595.68
Salaries - BCBOA	175.00
Salaries - BCPC	1,535.00
Workers' Comp Insurance	<u>5,912.28</u>

TOTAL: \$157,823.40

GRAND TOTAL: \$204,122.10

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.

ZONING MAP AMENDMENT FOR SPECIAL SIGN DISTRICT - Rick Lunnemann, Chairman, Todd Morgan, Staff

1. Request of **Quality Signs/Brennan Hehman (applicant)** for **Action Boulevard Realty LLC (owner)** for a Zoning Map Amendment for a Special Sign District for an approximate 3.3 acre tract located at 8025 Action Boulevard, Florence, Kentucky. The request is for an amendment to a Special Sign District in a Commercial Services/Planned Development/Mall Road Overlay (C-3/PD/MR) zone to allow an existing roof mounted sign to remain.

Staff Member, Todd Morgan, read the Committee Report, which recommended approval based upon Findings of Fact and a Condition (see Committee Report). Mr. Morgan noted the Committee voted unanimously to approve the request with Mr. Bungler, Mrs. Kegley, Mr. Lunnemann, Mr. Patton and Mr. Shipe voting in favor of the request. Mr. Morgan stated that the applicant was supposed to be present at the meeting but was not logged in for the meeting.

Seeing no one in the audience who wanted to speak in favor or against the request, Chairman Rolfsen asked if there was a motion to take action? **Mr. Lunnemann moved to approve the Zoning Map Amendment by Resolution to the City of Florence based upon the Committee Report and subject to the Findings of Fact and 1 (one) Condition. Mrs. Kegley seconded the motion and it passed unanimously.**

ZONING MAP AMENDMENT - Brad Shipe, Chairman, Michael Schwartz, Staff

2. Request of **Steven A. Berling (applicant)** for **Walton Land Developers, LLC and 75 Logistics Center @ Walton Land (owners)** for a Zoning Map Amendment from Industrial One (I-1) to Commercial Two (C-2) for 0.4040 acre area located on the south side of Service Road, and immediately east of the property at 13160 Service Road, Walton, Kentucky; a Zoning Map Amendment from Commercial Two (C-2) to Industrial One (I-1) for a 21.4785 acre area on the west side of Wenstrup Lane and to the south of the property at 910 Wenstrup Lane and east of the properties at 13316 and 13330 Service Road, Walton, Kentucky; and a Zoning Map Amendment from Commercial Two (C-2) to Industrial One (I-1) for a 5.1707 acre area on the east side of Wenstrup Lane approximately 630 feet south of the Towne Center Drive/Wenstrup Lane intersection, Walton, Kentucky. The request is for three zone changes to allow uses permitted in the C-2 and I-1 zones.

Staff Member, Michael Schwartz, read the Committee Report, which recommended approval based upon Findings of Fact and Conditions (see Committee Report). Mr. Schwartz noted the Committee voted unanimously to approve the request with Mr. Shipe, Mr. Bungler, Mrs. Kegley, Mr. Patton and Mr. Lunnemann voting in favor of the request.

At this time, Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor of against the request for up to 5 minutes?

Mrs. Steve Berling, applicant, stated that he was fine with the Staff Comments and Conditions.

Chairman Rolfsen asked if there was a motion to take action? **Mr. Shipe moved to approve the Zoning Map Amendment by Resolution to the City of Walton based upon the Committee Report and subject to the Findings of Fact and Conditions. Mr. Harper seconded the motion and it passed unanimously.**

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 until the September 2, 2020 Business Meeting. Mr. Patton seconded the motion and it passed unanimously. Mr. Costello noted that the Staff is trying to bring the request back to the Board. The next possible Committee Meeting date is August 19, 2020 at 5:00 p.m. It is dependent on whether the applicant submits the information to Staff in a timely manner. This includes a Traffic Impact Study that addresses the concern about Dilcrest Drive. This information is expected to arrive on August 12th.

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

4. Shell Gas Station & Convenient Store - Turfway Road

Mrs. Heilman moved to defer the request until the September 2, 2020 Business Meeting. Mr. Harper seconded the motion and is passed unanimously.

NEW BUSINESS:

ZONING MAP AMENDMENT - Todd Morgan, Staff

5. Request of Bruce Krone - Eichel & Krone Co., L.P.A. (applicant) for Decastro Management LLC (owner) for a Zoning Map Amendment from Suburban Residential One (SR-1) to Commercial Services (C-3) for a 2.735 acre site located on the west side of Hopeful Church Road and approximately 30 feet north of the Hopeful Church Road/Chancellor Court intersection (6136 Hopeful Church Road), Boone County, Kentucky (annexation into the City of Florence pending). The request is for a zone change to allow an expansion of an existing automobile dealership.

ZONING MAP AMENDMENT AND CONCEPT DEVELOPMENT PLAN - Michael Schwartz, Staff

6. Request of Paul Hemmer Company (applicant) for Kenton County Airport Board (owner) for a Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One/Planned Development (I-1/PD) for a 108.481 acre area located on the east side of Bullittsville Road, immediately north of the property at 5208 Bullittsville

Road, Boone County, Kentucky; and the request of Paul Hemmer Company (applicant) for Kenton County Airport Board (owner) for a Concept Development Plan in a Industrial One/Planned Development (I-1/PD) zone for a 166.221 acre area located on the northwest corner of the North Bend Road/Gateway Boulevard intersection and immediately south of the property at 3675 North Bend Road, Boone County, Kentucky. The requests are for a zone change and a Concept Development Plan to allow industrial and commercial uses on a 274.702 total acre site that is located between Bullittsville Road and North Bend Road.

ZONING TEXT AMENDMENT - Michael Schwartz and Kevin Wall, Staff

7. Request of the City of Florence to consider a series of Zoning Text Amendments to Articles 9, 16, 23, 31, and 40 of the Boone County Zoning Regulations to: (1) define "short term rental"; (2) allow "short term rentals" in the residential, Employment Planned Development/Residential Planned Development (EPD/RPD), and Florence Main Street Zoning Study (FMS) zones; and (3) add supplementary performance standards for "short term rentals". The request is to hear and evaluate comments on proposed Zoning Text Amendments and how they affect the current Boone County Comprehensive Plan and Boone County Zoning Regulations.

Mrs. Kegley moved to schedule the Public Hearing for item #5, #6 and #7 listed above on September 2, 2020 at 7:30 p.m. Mr. Patton seconded the motion and it passed unanimously.

EXECUTIVE DIRECTOR'S REPORT:

Mr. Kevin P. Costello, AICP, Executive Director, stated that he sent out two memos regarding contracts for professional services. The first memo dated July 30, 2020 involves renewing the contract with Jonathan Brown, P.E., L.S., to provide engineering and surveying services to the Board and Staff from July 1, 2020 to June 30, 2021. The terms and rates in the contract remain the same as the previous year (FY 2019-2020).

Mr. Patton moved to authorize the Executive Director to execute a contract with Jonathan Brown to provide engineering and surveying services per his July 30, 2020 Memo. Mr. Szurlinski seconded the motion and it passed unanimously.

The second memo dated July 30, 2020 involves executing a contract/engagement letter to hire Ms. Linda K. Ain and Mr. Scott Bergthold in order to provide professional legal consulting services to evaluate the current wireless communication facilities and SOB (Sexually Oriented Business) regulations as part of the 2020 Zoning Update. Mr. Costello noted that Ms. Ain was hired by the City of Florence and the Boone County Fiscal Court in the past for wireless provider franchise licensing requirements. Mr. Bergthold was hired by the Planning Commission previously in drafting Zoning Text Amendments. Funds to cover their costs are available in the FY 2020-2021 Budget in the Consultant/Professional Services category.

Chairman Rolfsen suggested the possibility of doing a presentation on small cell technology as part of Ms. Ain's work. Mr. Costello responded that he will explore that possibility.

As a result, **Mr. Schwenke** moved to authorize the Executive Director to enter into contract in the form of an engagement letter with Ms. Ain and Mr. Bergthold for a maximum amount of \$5,000 each in order to provide an evaluation and recommended changes to the current Boone County Zoning Regulations as described in his memo. **Mr. Patton** seconded the motion and it passed unanimously.

There being no further business to come before the Planning Commission, **Mr. Bessler** moved to adjourn the meeting. **Mr. Patton** 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