

**BOONE COUNTY PLANNING COMMISSION
VIA LIVE VIDEO TELECONFERENCE
BURLINGTON, KENTUCKY
BUSINESS MEETING
FEBRUARY 3, 2021
7:00 P.M.**

Chairman Rolfsen opened the Business Meeting at 7:00 p.m. and welcomed everyone to the Planning Commission's February 3, 2021 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, February 3, 2021 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. 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
Mrs. Jackie Steele
Mr. Tom Szurlinski

COMMISSION MEMBERS NOT PRESENT:

Ms. Olivia Amlung
Mr. Randy Bessler
Mr. Steve Turner, Temporary Presiding Officer

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Kevin Wall, Director, Zoning Services
Mr. Todd Morgan, 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 January 20, 2021 Business Meeting. Chairman Rolfsen asked if there were any other comments or corrections? **Mr. Schwenke moved to approve the Minutes as presented. Mr. Patton 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 January 7, 2021 and February 3, 2021.

EXPENSES:

Accounting Fees	\$ 1,154.99
Attorney Fees	4,000.00
Auto Expense	72.77
Consultant/Professional Svcs Fees	2,130.00
Filing Fees (CLURs)	650.00
GIS Operations	5,125.93
Legal Ads/Recruitment	311.90
Miscellaneous Expense	113.55
Office & Board Meeting Supplies	2,653.72
Office Equipment/Expense	1,276.09
Postage Expense	500.00
Refunds	100.00
Printing/Pub/Dues/Subscriptions	551.09
TOTAL:	\$ 18,640.04

SALARIES AND BENEFITS:

FICA-BCPC Portion	\$ 6,241.28
Health/Dental/Life/LTD	15,036.37
Retirement – BCPC Portion	20,434.65
Salaries – Staff Expenses	85,490.88
Salaries – BCPC	1,645.00

TOTAL: \$128,848.18

GRAND TOTAL: \$147,488.22

Ms. 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. Mrs. Steele seconded the motion and it carried unanimously.

ZONING MAP AMENDMENT – Michael Schwartz, Staff

1. Request of **Great Development Properties Inc. (applicant)** for **Smoky Acres LLC (owner)** for a Zoning Map Amendment from Agriculture (A-1) to Rural Suburban Estates (RSE) for an approximate 45.1 acre portion of the approximate 95.93 acre site located at 9696 Camp Ernst Road, Boone County, Kentucky. The request is for a zone change to allow a subdivision for detached single family dwellings.

Staff Member, Michael Schwartz, read the Committee Report, which recommended approval based upon Findings of Fact and subject to Conditions (see Committee Report). He presented a summary of the Findings of Fact. Mr. Schwartz noted the Committee voted unanimously to approve the request with Mr. Bunger, Mrs. Kegley. Mr. Lunnemann, Mr. Patton and Ms. Gulick voting 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. Mark Rosenberger, Bayer and Becker Engineers, stated that he is in agreement with the Findings of Fact and Conditions and revised Concept Development Plan. He is available to answer any questions.

Mr. Don McMillian entered the meeting.

Mr. Charles Haines, 9382 Camp Ernst Road, asked if the buffer was also located on the north side? Mr. Schwartz responded that the 40 foot buffer easement encompasses the entire perimeter of the site. Mr. Haines continued to express a concern about the proposed road that will lead towards his property. The road will be steep coming down from the hill to his property line. There is a creek on the other side of the property line. With all of the stormwater, it will wash out the area between the property line and creek. It will be difficult to install a retention pond in that topography or grade in the future when that phase is developed. Mr. Schwartz explained that the request is a zone change. There will be other steps such as the Preliminary Plat Review and the Improvement Plan Review. That will show exactly how the grading will be done and where the detention basins will be located and how large they will be. The County will maintain the public roads in the future. Mr. Haines noted that the County graded Central Park years ago and his property was covered with mud as a result of rain and grading work. Chairman Rolfsen responded that the developer is required to install a silt fence and maintain it. The regulations today are different than the ones in place when Central Park was built.

Mr. Ben Mathis, 3049 Deer View Drive, expressed a concern about the sheer volume of traffic on Camp Ernst Road and other traffic from other developments in the area. The Comprehensive Plan notes the new Camp Ernst Road and where does that come in?

Seeing no one else, Chairman Rolfsen asked if there was a motion to take action? **Ms. Kegley moved to approve the Zoning Map Amendment by Resolution to the Boone County Fiscal Court based upon the Committee Report and subject to the Findings of Fact and Conditions. Mr. Lunnemann seconded the motion.** Chairman Rolfsen asked if the Board members had comments or questions?

Mrs. Kegley noted that the County Engineer attended the Committee Meeting. He sent the Planning Commission an email and statement that he agreed to the methodology used on the curb cut sight analysis. She read the email from Mr. Rob Fraxmann. The County Engineer also provided a slideshow on how they review the measurements for sight distances. They also look at accident history and safety. Perhaps a warning sign could be installed. Mr. Bunger reinforced that whatever is recommended from the Study will be the responsibility of the developer in order to assure safety before the entrance is used. He also noted that stormwater will be looked at the next stage of review as described by Mr. Schwartz. Chairman Rolfsen also stated that the developer may also have to make some improvements to Camp Ernst Road if necessary. Mr. Schwenke announced that he will not vote on the request since he knows parties on both sides.

Chairman Rolfsen asked for a vote on the original motion made by Ms. Kegley and seconded by Mr. Lunnemann. The motion passed unanimously by a vote of 12-0 with Mr. Schwenke passing his vote.

NEW BUSINESS:

ZONING MAP AMENDMENT AND VARIANCE – Todd Morgan, Staff

2. Request of **Viox & Viox, Inc. (applicant)** for **Bonnie J. Livingston and William Rex Livingston (owners)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial Two (I-2), and a variance from the **Boone County Zoning Regulations**, for the approximate 1.83 acre site located at 8450 Dixie Highway, and the easternmost, approximately 0.14 acres of the site located at 149 Mikkelsen Drive, Boone County, Kentucky (approximately 1.97 acres total). The request is for a zone change to allow self-storage and a variance from Table 31.1 to reduce the side yard setback from 100 feet minimum to 40 feet.

CONCEPT DEVELOPMENT PLAN – Michael Schwartz, Staff

3. Request of **ECE, Inc. (applicant)** for **R&T Real Estate LLC (owner)** for a Concept Development Plan in a Industrial One/Planned Development/Houston-Donaldson Study Corridor Overlay (I-1/PD/HDO) zone for an approximate 0.87 acre site located at 1409 Donaldson Highway, Boone County, Kentucky. The request is for a Concept Development Plan to permit a multi-tenant building for commercial, office, and industrial uses.

ZONING MAP AMENDMENT – Kevin Wall, Staff

4. Request of **Viox & Viox, Inc. (applicant)** for **Norbert A. Kahmann Trust, Timothy Kahmann, and Christie Kahmann (owners)** for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1) for an approximate 151.7 acre site located at 2298-2318 Clarkston Lane, and the southernmost, approximate 7.5 acres of the site located at 2425 Longbranch Road, Boone County, Kentucky (approximately 159.2 acres total). The request is for a zone change to allow a cluster subdivision for detached single family dwelling units.

Mr. Patton moved to schedule the Public Hearing for Items #2, #3 and #4 on March 3, 2021 at 7:30 p.m. Mr. Harper seconded the motion and it passed unanimously.

EXECUTIVE DIRECTOR'S REPORT:

Mr. Kevin P. Costello, AICP reminded Board Members that there is no Business Meeting on February 17, 2021. However, there is a Zone Change Committee Meeting on February 17, 2021 at 5:00 pm.

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: Chairman Rolfsen
No Report

OTHER:

Chairman Rolfsen welcomed the Planning Commission's newest Board member, Mrs. Jackie Steele.

There being no further business to come before the Planning Commission, **Mr. Schwenke moved to adjourn the meeting. Ms. Gulick seconded the motion. The meeting was adjourned by unanimous consent at 7:29 P.M.**

APPROVED

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director