

**BOONE COUNTY PLANNING COMMISSION
VIA LIVE VIDEO TELECONFERENCE
BURLINGTON, KENTUCKY
BUSINESS MEETING
MARCH 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 March 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, March 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:

Ms. Olivia Amlung
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
Mr. Kim Patton, Vice Chairman
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mrs. Jackie Steele
Mr. Tom Szurlinski
Mr. Steve Turner, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Kevin Wall, 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 February 3, 2021 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. Turner 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 February 4, 2021 and March 3, 2021.

EXPENSES:

Accounting Fees	\$ 579.42
Attorney Fees	4,000.00
Auto Expense	9,111.15
Consultant/Professional Svcs Fees	2,545.00
Legal Ads/Recruitment	177.42
Miscellaneous Expense	509.81
Office & Board Meeting Supplies	1,959.31
Office Equipment/Expense	307.14
Postage Expense	500.00
Printing/Pub/Dues/Subscriptions	18.00

TOTAL: \$ 19,707.25

SALARIES AND BENEFITS:

FICA-BCPC Portion	\$ 6,241.28
Health/Dental/Life/LTD	15,000.66
Retirement – BCPC Portion	20,434.65
Salaries – Staff Expenses	85,490.88
Salaries – BCPC & BOA	1,035.00
Unemployment Insurance	298.15

TOTAL: \$128,500.62

GRAND TOTAL: \$148,207.87

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 AND VARIANCE – Rick Lunnemann, Chairman, Michael Schwartz, Staff

1. Request of **Zimmer Motors (applicant)** for **Florence Baptist Church (owner)** for a Zoning Map Amendment from Public Facilities (PF) to Commercial Services (C-3) and two variances from the **Boone County Zoning Regulations** for an approximate 3 acre site located at 1050 Burlington Pike, Boone County, Kentucky. The request is for a zone change to allow motor vehicles sales and an automotive repair facility, a variance from Section 3620 “Landscaping Along Street Frontages” to reduce the width of the street frontage landscaping area from 10 feet minimum to 0 feet, and a variance from Section 3645 “Buffer Yards” to reduce the width of the landscape buffer yard along the rear property line from Buffer Yard C (30’ and 60’ options) to 20 feet.

Staff Member, Michael Schwartz, noted that the Board will take two actions on the request tonight. The first action is on the zone change as it is a recommendation only. The second is final action on 2 variances. He read the Committee Report, which recommended approval based upon Findings of Fact and subject to Conditions (see Committee Report). He also reviewed the Findings for the basis for approving the two variances subject to one condition. Mr. Schwartz noted the Committee voted unanimously to approve the request with Mr. Bunger, 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. Paul Darpel, attorney for the applicant, stated that his client can live with the conditions, therefore they signed the condition letter. It is a great use of the property. He is available to answer any questions. Mr. Jeff Aylor, attorney for Florence Baptist Church, stated that he is in agreement with everything that Mr. Darpel said and it is within everyone’s best interest to move forward.

At this time, Chairman Rolfsen inquired about the option between a solid fence and a solid hedgerow. Wouldn’t a solid privacy fence blend in there? Won’t some of the plant material of the hedgerow die overtime? Mr. Lunnemann responded that an option was given so that if one was better than the other, it could be used. Mr. Darpel stated that it was their intent to have a fence to match what was in the area. However, there is a creek located along a portion of the rear and they may have to install a hedge for a portion of it. They hope not to and just install the fence.

Mr. Schwenke asked if there would be a provision of unloading new vehicles on the site instead of on KY 18? Mr. Schwartz replied that there is a condition that all loading/unloading of vehicles has to be done on the property and not on Burlington Pike.

Seeing no one else, Chairman Rolfsen asked if there was a motion to take action? **Mr. Lunnemann 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. McMillian seconded the motion and it passed unanimously. Mr. Lunnemann moved to approve the two Variances subject to one condition. Mr. Harper seconded the motion and it passed unanimously.**

ZONING MAP AMENDMENT AND CHANGE IN CONCEPT DEVELOPMENT PLAN – Kim Patton, Chairman, Todd Morgan, Staff

2. Request of **Grand Communities, LLC attn: Jason Wisnieski (applicant)** for **Mark Kahmann, Susan Kahmann, and Bonita Maddox Family Living Trust (owners)** for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One/Planned Development (SR-1/PD) for an approximate 12.74 acre tract located at 2514 Hathaway Road, and an approximate 20.33 acre area located immediately north of the properties at 2514 and 2546 Hathaway Road, Boone County, Kentucky; and the request of **Longbranch Development, LLC attn: Jason Wisnieski (applicant)** for **AF Investments, LLC (owner)** for a Change in an Approved Concept Development Plan in a Suburban Residential One/Planned Development (SR-1/PD) zone for an approximate 38.84 acre site located between the properties at 2408 Hathaway Road and 9771 through 9915 Spruce Lane to the east, and the properties 2504 and 2514 Hathaway Road to the west, Boone County, Kentucky. The requests are for a zone change and a Change in an Approved Concept Development Plan to allow detached single family dwelling units and duplex dwelling units.

Mr. Patton moved to defer the request until the April 7, 2021 Business Meeting at 7:00 p.m. The Committee meeting for the request will be held on March 17, 2021 at 5:00 p.m. Mr. Harper seconded the motion and it passed unanimously. Mrs. Kegley noted that she would abstain from voting on the request due to a conflict of interest with the owners.

CHANGE IN CONCEPT DEVELOPMENT PLAN – Kim Bunger, Chairman, Kevin Wall, Staff

3. Request of **Farmview Commons LLC (applicant)** for **ERPS, Inc. (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 11.82 acre site located on the northeast corner of the US 42/Farmview Drive intersection and the southeast corner of the Old US 42/Farmview Drive intersection, Florence and Union, Kentucky. The request is for a Change in an Approved Concept Development Plan to permit eating and drinking establishments and commercial uses, including drive-through facilities, elderly housing facility, multi-family housing, medical offices, and a car wash, and to modify previous conditions of approval concerning architectural design and to permit a 50 foot maximum building height on the entire site.

Mr. Bungler moved to defer the request until the March 17, 2021 Business Meeting at 7:00 p.m. Mr. Schwenke seconded the motion and it passed unanimously. Mrs. Kegley and Mr. Patton abstained from voting on this request due to a conflict of interest.

TECHINAL/DESIGN REVIEW – Lori Heilman, Chairwoman, Kevin Wall, Staff

4. Chick-fil-A – 4980 Houston Road

Mrs. Heilman moved to defer the request until the April 7, 2021 Business Meeting. Mr. Lunnemann seconded the motion and it passed unanimously.

NEW BUSINESS:

ZONING MAP AMENDMENT AND VARIANCE – Michael Schwartz, Staff

5. Request of **City of Florence (owner)** for a Zoning Map Amendment from Public Facilities/Planned Development/Parkway Corridor Study Overlay (PF/PD/PO) to Commercial Two/Planned Development/Parkway Corridor Study Overlay (C-2/PD/PO) for the approximate 1.06 acre site located at 8275 Ewing Boulevard, Florence, Kentucky. The request is for a zone change to allow medical, dental, optical and veterinary clinics and professional office uses that provide medical, dental, optical and veterinary administrative services in an existing building.

ZONING MAP AMENDMENT – Kevin Wall, Staff

6. Request of **NorthPoint Development (applicant)** for **Greenfield Farm Inc (owner)** for a Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One (I-1) for an approximate 208.73 acre site located on the west side of Dixie Highway, south of the property at 11765 Dixie Highway and north of the properties at 12097 and 12119 Dixie Highway, and on the north side of Chambers Road at the northeast quadrant of the Chambers Road/I-75 overpass, and to the north, northeast, and west of the property at 262 Chambers Road, and south of the property at 60 Logistics Boulevard, Boone County, Kentucky. The request is for a zone change to allow a subdivision for warehousing, distribution, and light manufacturing uses.

Mr. Patton moved to schedule the Public Hearing for Item #5 and Item #6 on April 7, 2021 at 7:30 p.m. Mr. Harper seconded the motion and it passed unanimously.

EXECUTIVE DIRECTOR'S REPORT:

Mr. Kevin P. Costello, AICP, announced that the Boone County Fiscal Court will have First Reading of adopting the Ordinance to approve the I-275/Graves Road Interchange Study on March 9, 2021 and Second Reading will occur on March 23, 2021. Staff presented the Study to the Fiscal Court in February on behalf of the Board. Mr. Costello noted that a draft of the update of the Short Term Rental Study was distributed to the Technical/Design Review Committee for comment and questions. The draft was prepared in response to the Fiscal Court's request for the Planning Commission to complete a Study and offer recommendations on how to regulate Short Term Rental facilities in unincorporated Boone County. It is anticipated that the Study will be forwarded to the Fiscal Court by the end of March.

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:

Mr. McMillian noted that he was originally against the school proposed at the Florence Baptist Church site. That is why he seconded the motion of approving the new auto dealership on the church site.

There being no further business to come before the Planning Commission, **Mr. Patton moved to adjourn the meeting. Mrs. Steele seconded the motion. The meeting was adjourned by unanimous consent at 7:28 P.M.**

APPROVED

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director