

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
PUBLIC HEARINGS
FEBRUARY 3, 2016
7:30 P.M.**

COMMISSION MEMBERS PRESENT:

Mr. Matt Apke
Mr. Randy Bessler
Mr. Greg Breetz
Mr. Kim Bungler, Secretary/Treasurer
Mrs. Lori Heilman
Mr. Don McMillian
Mr. Kim Patton
Ms. Lisa Reeves
Mr. Charlie Reynolds
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Steve Turner, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

Mr. Mike Ford, Vice Chairman
Mr. Mark Hicks
Mrs. Janet Kegley

LEGAL COUNSEL PRESENT:

Mr. Dale T. 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. Mitchell A. Light, Asst. Zoning Administrator

Chairman Rolfsen called the Public Hearing to order at 8:40 P.M. and introduced the first item on the Agenda:

CHANGE IN CONCEPT DEVELOPMENT PLAN - Kevin Wall, Staff

1. Request of **Bayer Becker (applicant)** for **Fashion Air Investment, LLC (owner)** for a Change in an Approved Concept Development Plan in a Industrial One (I-1) zone for a 10.42 acre site located to the immediate north of 55 Transport Drive, Boone County, Kentucky. The request is for a Change in an Approved Concept Development Plan to allow indoor commercial recreational vehicle parking/storage and to allow the outdoor display of recreational vehicles for sale.

Staff Member, Kevin Wall, presented the Staff Report, which included a PowerPoint presentation (see Staff Report). The site is located in Park South Subdivision in Richwood. The lot is located between I-75 and Transport Drive. It is also located next to Building I, the site that the Planning Commission recently reviewed in terms of outside storage. Building I is currently under construction. The Future Land Use Map of the Boone County Comprehensive Plan suggests industrial for the site. The proposed business involves Mastercraft boats. The request is to change the approved Concept Development Plan to allow indoor commercial recreational vehicle parking/storage and to allow the outdoor display of recreational vehicles for sale. Under the zoning code, boats are considered recreational vehicles. The applicant would like to change two conditions of the original 2001 approval. The first conditions does not allow outdoor storage or display. The proposed business services boats - winterize, customize and repair them. Sales is a smaller part of the business. The applicant would like the outdoor display of two boats. Mr. Wall showed the location of the two boat displays. Another aspect the applicant would like to pursue is vehicle storage. Uses which involve the storage of vehicles as an active component of the business operation are largely prohibited. "Commercial recreational vehicle parking facilities" was not added to the I-1 zone Principally Permitted list until 2002 (the year after the original zone change approval) for this tract. The applicant proposes to offer commercial recreational vehicle parking for boats within the storage buildings. No boat/recreational vehicle parking or storage would occur outdoors. Mr. Wall showed photographs of the site and surrounding land uses and zoning.

In terms of Staff Comments, Mr. Wall stated they are only proposing two outdoor pads to display boats for sale. The site is a flag lot of which the active development area is approximately 460 feet from Transport Drive. They are proposing to keep the existing wood cover around the perimeter of the site. The activities requested by the applicant will be relatively self contained and screened.

At this time, Chairman Rolfsen asked if the applicant was present and wanted to proceed with their presentation?

Mr. Jason Haines, Cincinnati Mastercraft, stated that he is a partner in the small business that has been in Boone County for the past five years. They are going to make a significant investment in the property and will create jobs. He submitted a letter from Mr. Doug Armbruster from IDI Gazeley (see Exhibit A), which supported the project because it complements the subdivision and allows for smaller size development.

At this time, 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 any of the Planning Commission Members had any questions or comments? Seeing none, Mr. Wall announced that he received a letter from Mr. Glen Panoushek of Nexus PM, LLC (Legends at Steeplechase) supporting the request (see Exhibit B).

There being no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on February 17, 2016 at 5:00 P.M. in this room. This item will be on the Agenda for the Business Meeting on March 2, 2016 at 7:00 P.M. Chairman Rolfsen closed the Public Hearing at 8:48 P.M.

APPROVED:

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director

Exhibit: A - February 2, 2016 letter from Doug Armbruster, IDI Gazeley
Exhibit: B - February 1, 2016 letter from Glen Panoushek, Nexus PM, LLC

COMMISSION MEMBERS PRESENT:

Mr. Matt Apke
Mr. Randy Bessler
Mr. Kim Bungler, Secretary/Treasurer
Mr. Greg Breetz
Mrs. Lori Heilman
Mr. Don McMillian
Mr. Kim Patton
Ms. Lisa Reeves
Mr. Charlie Reynolds
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Steve Turner, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

Mr. Mike Ford, Vice Chairman
Mr. Mark Hicks
Mrs. Janet Kegley

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Kevin T. Wall, AICP, Director, Zoning Services
Mr. Mitchell A. Light, Asst. Zoning Administrator
Mr. Todd K. Morgan, AICP, Senior Planner

Chairman Rolfsen called the Public Hearing to order at 8:49 P.M. and introduced the second item on the Agenda:

CHANGE IN CONCEPT DEVELOPMENT PLAN - Mitch Light, Staff

2. Request of **NRG eVgo (applicant)** for **Walmart Real Estate Business Trust (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development/Houston-Donaldson Study Corridor Overlay (C-2/PD/HDO) zone for an approximate 24 acre site located at 7625 Doering Drive, Florence, Kentucky. The request is for a Change in an Approved Concept Development Plan to allow two electric vehicle charging stations.

Staff Member, Mitch Light, presented the Staff Report, which included a PowerPoint presentation (see Staff Report). The applicant has submitted an application for a Change in an Approved Concept Development Plan to allow two electric vehicle charging stations within the parking lot in front of the existing Walmart building. No canopy or any other type structure is proposed with the request. The stations will be located in existing parking spaces. Mr. Light showed an elevation of the proposed electric charging stations. It was taken from an existing site in Mason, Ohio. It looks more like a vending machine in a parking lot. Mr. Light also referred to the site history as outlined on page 1 of the Staff Report. The subject site is referred to the "lawsuit settlement area." In August, 2015, the Zoning Administrator determined that the proposal required a Change in an Approved Concept Development Plan as fuel sales (of any kind) was not a principally permitted or accessory use. The parking spaces that are proposed to be converted into electric vehicle charging stations are located on the eastern end of the building between the "Home & Pharmacy" and "Outdoor Living" entrances. Mr. Light gave an overview of the adjoining land uses and zoning as identified in the Staff Report. The site is designated for commercial use as noted in the Boone County Comprehensive Plan and the Houston-Donaldson Study. In terms of Staff Comments, a copy of the Planned Development (PD) standards set forth in Section 1514 of the Zoning Regulations are noted in the Staff Report. Concept Development Plan proposals in Planned Developments are to be principally evaluated against these standards. Other questions or comments about the request pertain to who will operate and maintain the chargers? How and where will they be advertised? If approved, a Minor Site Plan review will be conducted by the Boone County Planning Commission staff. Mr. Light showed photographs of the site and surrounding area. In conclusion, the Change in Approved Concept Development Plan needs to be evaluated by the Boone County Planning Commission as well as Florence City Council in terms of Articles 3 and 15 of the Boone County Zoning Regulations and potential impacts on existing and planned uses in the area.

At this time, Chairman Rolfsen asked if the applicant was present and wanted to proceed with their presentation?

Mr. Stephen Volpenhein, Volpenhein Brothers Electric, stated that his company is the electrical contractor responsible for installing these electric chargers in the tri-state area. He explained that Elizabeth Altobelli with SAI Communications is available by phone to answer any questions.

Mr. Rolfsen asked if there was a cost for customers to use the charging stations? Ms. Altobelli replied that the customer will use a credit card. Customers will have a RF ID card that they will swipe at the station. Customers will have a plan or a subscription for the service. There is also an

incentive plan for people who are driving Nissan and BMW vehicles. It is called a "Free No Charge to Charge" plan. There is a charge for time.

Mr. Bunger asked how frequently will vehicles be charged? Ms. Altobelli responded that consumers are still purchasing electric vehicles. The usage depends on the user. They have a fast charge and a level 2 charger. They have an ample amount of parking spaces should there be a great demand. At this point, there won't be a lot of people waiting to charge their vehicles. Two parking spaces have been allocated for both types of chargers. It will be plenty. There is a phone app that notifies the driver of when the charging has been completed.

Mrs. Heilman asked the applicant if there was any additional signage requested besides what is on the charging station? Mr. Volpenhein replied no.

At this time, Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request?

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on February 17, 2016 at 5:00 P.M. in this room. This item will be on the Agenda for the Business Meeting on March 2, 2016 at 7:00 P.M. Chairman Rolfsen closed the Public Hearing at 9:01 P.M.

APPROVED:

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director

COMMISSION MEMBERS PRESENT:

Mr. Matt Apke
Mr. Randy Bessler
Mr. Kim Bungler, Secretary/Treasurer
Mr. Greg Breetz
Mrs. Lori Heilman
Mr. Don McMillian
Mr. Kim Patton
Ms. Lisa Reeves
Mr. Charlie Reynolds
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Steve Turner, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

Mr. Mike Ford, Vice Chairman
Mr. Mark Hicks
Mrs. Janet Kegley

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Kevin T. Wall, AICP, Director, Zoning Services
Mr. Mitchell A. Light, Asst. Zoning Administrator
Mr. Todd K. Morgan, AICP, Senior Planner

Chairman Rolfsen called the Public Hearing to order at 9:02 P.M. and introduced the third item on the Agenda:

ZONING MAP AMENDMENT - Todd Morgan, Staff

3. Request of **Ravi Narsinghani, Seva at Merchants Square, LLC (applicant)** for **Richard Crist, DC KY18 Partnership (owner)** for a Zoning Map Amendment from Commercial Two/Planned Development/Houston-Donaldson Study Corridor Overlay (C-2/PD/HDO) to Office Two/Planned Development/Houston-Donaldson Study Corridor Overlay (O-2/PD/HDO) for a 3.0236 acre site located on the north side of Merchants Street between the properties at 5885 and 5915 Merchants Street, and on the east side of Seligman Drive to the immediate north of the property at 5915 Merchants Street, Florence, Kentucky. The request is for a zone change to allow a hotel and uses permitted by the current Concept Development Plan.

Staff Member, Todd Morgan, presented the Staff Report, which included a PowerPoint presentation (see Staff Report). The approximate 3 acre site is located at the intersection of Merchant Street and Seligman Drive. Neighboring businesses are Gordon Foods to the east, Basic Health Chiropractic to the west, a multi-tenant retail center to the north and Gateway Rehabilitation Hospital to the south. The applicant is requesting a Zoning Map Amendment from Commercial Two/Planned Development Overlay/Houston-Donaldson Study Corridor Overlay (C-2/PD/HDO) to Office Two/Planned Development Overlay/Houston-Donaldson Study Corridor Overlay (O-2/PD/HDO). The primary reason is to construct a four story, 82 guest room hotel on Lot #12. Lot #12 is 1.9656 acres in size and the proposed hotel will be 56,180 square feet in size with 94 parking stalls. In order to undertake this project, the applicant needs Office Two (O-2) zoning because of building intensity. A hotel is currently allowed on the site but with a lower building intensity. Thus, the reason for the zone change request. In addition, the request includes Lot #23, a 1.0577 acre site fronting on Seligman Drive. The concept plan shows a 10,000 square foot indoor aquatic center with 54 parking stalls. Even though the aquatic center is being shown, the applicant is requesting any C-2 use permitted by the 1998 Lawsuit Settlement Agreement on a maximum building intensity of 15,000 square foot/acre of land. As part of the Planned Development (PD) request, the applicant is requesting three waivers related to the hotel lot. The first one is to allow the development to have two curb cuts on Merchants Street. Normally, the regulations require a development to have a minimum of 500 feet of road frontage in order to have two curb cuts. The second waiver would allow the street frontage buffer to be approximately 16 feet wide. The Houston-Donaldson Study requires a 20 foot street frontage buffer. The third waiver involves reducing a buffer along the southeast property line from 10 feet to 6.5 feet in width to allow a sidewalk connection. On the aquatic center lot, the applicant is asking for the rear yard building setback requirement be reduced from 20 feet to 15 feet in order to provide more parking spaces. Secondly, the applicant is requesting the street frontage buffer width to be reduced from 20 feet to 9 feet.

There were no elevations submitted as part of the aquatic center. The hotel will be a 56 foot tall Comfort Suites Hotel. It will be four stories high with some rooms having balconies. The majority of the building will be brick with some smooth face block and EIFS. Mr. Morgan showed architectural renderings of the site, which includes an indoor pool. The site history is identified in the Staff Report. He showed photographs of the site and surrounding properties. The Future Land Use Map of the Comprehensive Plan designates the site for commercial use. Mr. Morgan referred to pages 3-5 of the Staff Report, which recommended commercial uses based on the Houston-

Donaldson Study. It suggests office and commercial uses and not industrial uses. All uses should be harmonious with existing neighboring uses.

In terms of Staff Comments, both properties were included in the request because the zoning regulations require an Office Two (O-2) zone to be a minimum of three (3) acres in area. Per the 1998 lawsuit settlement area agreement, a hotel and indoor aquatic center could only develop on the two lots with a permitted building intensity of 15,000 square feet of building per acre. Also, the Planning Commission should evaluate the waiver requests and the Planned Development (PD) standards. Staff asked the applicant to address if the hotel will have any conference rooms that can be rented separately from hotel guests? If so, additional parking would be needed. Staff recommends that the Boone County Planning Commission and Florence City Council analyze the landscaping waivers. Building architecture and signage will be evaluated through the Design Review process even with the applicant submitting the preliminary design concept for the hotel. Again, the applicant is seeking a waiver of the 2 access points off Merchants Street and sidewalks will be required along both street frontages and sidewalk connections will be required between these sidewalks and the main building entrances. A similar zone change request was approved in 2011 for the Homewood Suites site. This approval rezoned the 8.95 acre site at 1090 Vandercar Way (Homewood Suites) from O-1/PD to O-2/PD. The approval allowed the existing Homewood Suites to be located on a 5.38 acre tract and two development options for the remaining 3.57 acres. Option 1 allowed O-2 uses (1 or 2 buildings) to develop on the property at the maximum intensity of the O-1 zone (16,000 square feet of building permitted per acre of land). Option 2 allowed a hotel to develop on site at maximum intensity of the O-2 zone (30,000 square feet of building per acre of land). A condition of approval limits the height of the hotel so it cannot be any taller than Homewood Suites. To date, neither development option has been constructed. Lastly, Staff sent an agency memo to the City of Florence, Florence Fire Department, and Kenton County Airport Board asking if they had any comments regarding the proposal. Staff received an email from Florence Fire Department indicating they had no comments.

At this time, Chairman Rolfsen asked if the applicant was present and wanted to proceed with their presentation?

Mr. Ravi Narsinghani, Seva at Merchants Square, LLC (applicant), referred to a PowerPoint presentation (see Exhibit A). Mr. Narsinghani gave an overview of the hotel market in the Florence area. Hyatt Place was built in 1997 but was renovated in 2014. From 2006-2009, La Quinta, Spring Hill Suites, Value Place, Homewood Suites and Holiday Inn were built. All the hotels except for Value Place Hotel were analyzed as part of their market study. There is a strong demand for the upper mid-scale hotel segment. The demand has changed from 66.1% occupancy in 2009 to 86.3% occupancy in 2015 due to the strength of the Cincinnati market. There is more business travel, summer leisure travel and CVG Airport traffic. The 2015 figure of 86.3% occupancy suggests that Florence is a top tier market. The Comfort Suites Hotel have larger rooms - 30% larger but with no cooking facilities. It has a living room and a bedroom. The hotel will be all suite rooms. It will have a market pantry, fitness facility and an indoor pool connected to an outdoor patio. All public utilities and telecom services have been approved for the site. In regard to the waivers, two curb cut entrances allow better flow of traffic. It allows functional parking lot for larger vehicles (truck deliveries, trash removals, etc.). Gordon Foods has 249 feet of road frontage and they have two curb cuts. The second waiver reduces the street frontage buffer by only 4 feet. The

third waiver will allow for the creation of a 6 foot pedestrian sidewalk to the front entrance.

Mr. Ricky Narsinghani stated that the Design Elements include a full brick structure with a limestone type accent. There will be 12 premium guest rooms with balconies. The lobby is a mixed use space. It is a warm welcoming environment. Comfort Suites offers a full complimentary breakfast. The King Suites are approximately 355 square feet in size which is over 100 square feet larger than a standard size room. There will be a work station in the guest room and wi-fi will exist in the entire hotel. There is a breakfast over-flow space for hotel guests only. The back patio space allows people to sit outside. They are a pet friendly hotel. He stated that they meet the green space requirement of 22%. The site has 37% green space.

Mr. Steve Berling, Berling Engineering, stated that he is the design engineer for the aquatic center lot. It is a last minute addition to the plan. It is a 10,000 square foot building and has between 50-60 parking spaces. It really has evolved in the last month. Some of the waivers requested may not be needed. They included the site in the zone change request because of the minimum size requirement of the O-2 zoning district.

At this time, Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request?

Dr. Raymond Uhlmansiek, Basic Health Chiropractic, stated that he is way under prepared for this Public Hearing. He did not realize the size of the hotel building. It will encroach on his property line. He already has problems with people taking their dogs for a walk. He is concerned about parking overflowing into his lot. What types of things would affect his property? The grade of the site might affect storm water directed towards him. How will the proposed project affect visibility of his business? He inquired on whether he could obtain more information about the project since it was the first time he saw the project. Mr. Costello explained that he should have received a letter regarding the request and to contact the Planning Commission office for additional information. Dr. Uhlmansiek acknowledged that he received the letter. Mr. Costello made sure he received a copy of the Staff Report and invited him to contact Todd Morgan if he wanted to review the project file as well as look at the larger scale drawings.

Chairman Rolfsen asked if any of the Planning Commission members had any questions or comments?

Mr. Bessler asked if the applicant had any discussions with representative from the City of Florence? Mr. Ravi Narsinghani replied that they have spoken with Mayor Whalen and Josh Wice.

Finally, Mr. Ravi Narsinghani stated that they are interested in installing a vertical building mounted sign facing Houston Road. Mr. Morgan responded that normally it is not permitted in the lawsuit settlement area. This would be a waiver request. More information about this sign will be made available at the Committee Meeting.

There being no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on February 17, 2016 at 5:00 P.M. in this room. This item will be on the Agenda for the Business Meeting on March 2, 2016 at 7:00 P.M. Chairman Rolfsen closed the Public Hearing at 9:29 P.M.

APPROVED:

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director

Exhibit: A - Comfort Suites Power Point presentation dated 2/2/16