

**BOONE COUNTY PLANNING COMMISSION  
VIA LIVE VIDEO TELECONFERENCE  
BURLINGTON, KENTUCKY  
PUBLIC HEARING  
SEPTEMBER 2, 2020  
7:30 P.M.**

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Chairman Rolfsen opened the Public Hearing at 8:28 p.m. and welcomed everyone to the Planning Commission's September 2, 2020 Public Hearing via Live Video Teleconference.

**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. Tom Szurlinski  
Mr. Steve Turner, Temporary Presiding Officer

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Brad Shipe

**LEGAL COUNSEL PRESENT:**

Mr. Dale T. Wilson

**STAFF MEMBERS PRESENT:**

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, GISP, GIS System Administrator

Chairman Rolfsen introduced the first item on the Agenda at 8:28 p.m.

**ZONING TEXT AMENDMENT - Michael Schwartz and Kevin Wall, Staff**

1. 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.

Staff Member, Michael Schwartz, presented the Staff Report, which included a PowerPoint presentation.

Mr. Schwartz stated that staff conducted research on this issue in 2018 and updated that research in 2019, prior to providing their report to the City of Florence. Mr. Schwartz stated that the staff research found that these uses are either hosted or unhosted, allowed only in a dwelling unit or allowed in an accessory structure, and are either heavily regulated or minimally regulated depending on if the locality is a tourist area or not.

Mr. Schwartz reviewed the city’s application stating that a short term rental is for a period of less than thirty (30) days and must be conducted within a dwelling unit and not an accessory structure.

Mr. Schwartz reviewed the proposed development standards stating that a short term rental would have a maximum occupancy, would require off-street parking, would prohibit signage, would prohibit any change to the exterior of the dwelling unit, and would require a license from the city and a tenant finish permit or site plan approval from the planning commission.

Mr. Schwartz stated that there is also a requirement that a short term rental not be closer than 1,000 feet to another short term rental. Mr. Schwartz stated that a GIS analysis was conducted and found that there are at least 90 to 100 locations within the city where a short term rental could potentially be located.

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

Mr. Josh Hunt stated the issue was studied for 18 months and went through the city’s committee structure and council evaluation prior to being finalized for submission to the planning commission.

At this time, Chairman Rolfsen asked if any Board Members had any comments or questions?

Ms. Lori Heilman stated that the commission’s Technical Design/Review Committee reviewed the proposal prior to it being submitted to the planning commission and discussed the following issues: the proposal is consistent with other ordinances in the state and around the country, there is a maximum occupancy requirement to alleviate overcrowding and potential noise from parties, the proposal requires off-street parking so the impact to the neighborhood will be lessened, and the city will know the location of these facilities because there is a registration and license requirement.

Mr. Kim Bunger asked how the requirement prohibiting parties will be enforced. Mr. Schwartz replied that the city has their own inspectors and a Code Enforcement Board that can levy fines for violations. Additionally, since the use will be a conditional use within the residential districts, the city's Board of Adjustment can revoke the Conditional Use Permit for noncompliance.

Mr. Hunt stated that the city can also revoke their license for noncompliance, the same way the city can revoke an Occupational License.

**Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on September 16, 2020 at 7:15 P.M. via Live Video Teleconference. This item will be on the Agenda for the Business Meeting on October 7, 2020 at 7:00 p.m.** If someone wants to observe the Committee Meeting please contact the office and provide the necessary information for logging into the meeting. The Chairman closed the Public Hearing at 8:42 p.m.

**APPROVED:**

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**Charlie Rolfsen**  
**Chairman**

**Attest:**

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**Kevin P. Costello, AICP**  
**Executive Director**

**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  
Mr. Charlie Rolfsen, Chairman  
Mr. Bob Schwenke  
Mr. Tom Szurlinski  
Mr. Steve Turner, Temporary Presiding Officer

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Brad Shipe

**LEGAL COUNSEL PRESENT:**

Mr. Dale T. Wilson

**STAFF MEMBERS PRESENT:**

Kevin P. Costello, AICP, Executive Director  
Mr. Todd K. Morgan, AICP, Senior Planner  
Mr. Michael D. Schwartz, Planner  
Mr. John Harney, GISP, GIS System Administrator

Chairman Rolfsen introduced the second item on the Agenda at 8:43 p.m.

**ZONING MAP AMENDMENT - Todd Morgan, Staff**

2. 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.

Staff Member, Todd Morgan, presented the Staff Report, which included a PowerPoint presentation. He indicated he had received a packet of information from Edward and Cathy Baer and that it was part of the record (see Exhibit 1).

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

Mr. Rob Sweet, with McBride Dale Clarion, said he was present with Marc Gloyeske, the project engineer with Viox & Viox. He referred to a PowerPoint presentation that was added to the Staff PowerPoint presentation. DeCastro Management and Kerry Toyota own the approximate 2.7 acre property. It's zoned SR-1 and they are seeking a zone change and annexation into the City of Florence. They feel like the 100' wide Duke utility easement is a major change to the property that was not contemplated by the Comprehensive Plan. The easement is located 25' from the rear property line and it is about 1.32 acres in area. This would leave about 1.46 acres of land that could be developed with residential housing but does not account for building setbacks or infrastructure that would be needed. Duke Energy has already started clearing within the easement. The proposal would expand an existing business and does not include any inhabitable structures. It is a low impact use and is limited to a parking lot, light poles, and significant screening. They feel like the buffer they are adding against the southern property line will mitigate impact to the adjoining neighbors. They recognize that there are storm water issues in the area and Mr. Gloyeske will address the proposed storm water design. The Future Land Use Map is not intended to be parcel specific. It can be interpreted as conditions change. He does not believe that anyone knew that Duke Energy was looking to construct a transmission easement across and impact the property. As far as access, they will be eliminating a driveway on Hopeful Church Road and will use the existing Toyota lot for access. The parking lot is about 1.73 acres and will have 245 stalls. They are proposing Buffer Yard D along the southern property line. He reviewed the Concept Plan and showed the parking lot, Duke access easement, storm water basins, buffer yards, and parking lot landscaping islands.

Mr. Marc Gloyeske said they are seeking some landscaping Waivers with the project. The first is swapping out some large trees with small trees within the Duke Energy easement area. The second would be allowing one segment of fence in the southern buffer yard to be moved up against the proposed parking lot because of the location of one of the detention basins. The Zoning Regulations require this fence to be located in the center of the buffer. The third would be allowing the trees in the VUA landscaping islands to be changed from large trees to small trees in those islands which are located within the Duke easement. They are proposing Buffer Yard D along the

southern property line and they exceed the 40' width requirement. Their proposed Buffer is approximately 50' in width. They have also spoken with Staff about this Buffer and they would be willing to increase the height of the double row of evergreens from 6' to 8'. The fence Waiver is being sought in the portion of the buffer that is located near Hopeful Church Road. There are some historic flooding issues to the southwest of this property. They are hoping to mitigate this by doing two things. The first is they are proposing two detention basins. The first is located close to Hopeful Church Road and will outlet to a Kentucky Transportation Cabinet catch basin. This catch basin outlets near Cayton Road. This outlet location bypasses the area that has had flooding issues. The second will be located in the southwest portion of the site. This pond is about three times the size it needs to be. They are doing this to cut down on the flow rate that is coming out of this pond and hold back more water. They are reducing the peak flow rate of each storm event by about 60% from what is going there now. They believe their design will help the flooding issues.

They are currently proposing four light poles in the parking lot islands. One of the things Mr. Morgan asked them to address is if Duke Energy would allow light poles within their easement. They confirmed today that Duke Energy would allow this but the height of the poles would be limited to 15'. He plans on going back to his electrical engineer to see what they can do. He is hoping to bring a revised lighting plan back to the Committee Meeting which will reduce the height of the poles and be better for the residential neighbors.

In summary, they are seeking this zone change because a major change has occurred on the property with the Duke Energy easement and transmission line. The size of the easement also makes the property unsuitable for residential development. This is also a natural expansion of an existing commercial use. This is a good transition because the proposal only involves a parking expansion with no buildings. The Waivers they are seeking are due to the Duke Energy easement and storm water design.

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

Ms. Diane Nelms said she lives on Chancellor Court. Her understanding is that the applicant wants to tear down all the trees on site and then put in smaller trees. The trees that are currently on site hide the dealership from view. She also wants to understand why 245 new parking stalls are needed.

Chairman Rolfsen told the applicants to take notes and he would have them answer questions at the end.

Mr. Edward Baer said he lived on Chancellor Court. The neighbors that adjoin this property are getting a double whammy. First they are told that a Duke Energy transmission line will be built on the property that puts off electromagnetic fields. Then they are told that a commercial parking lot will be constructed right at the back of their homes. All of the mature trees that are on site will be torn down and will be replaced with a berm and new trees that are a maximum of 8' tall. Toyota has already expanded this parking lot once. The berm and trees they put in with this expansion are sparse. It will also take awhile for the new trees to grow and mature and buffer the noise. The trees they have now buffer the noise and light during the spring and summer months. During the winter they experience lighting impacts. Moving smaller light poles back towards the residential

properties will give them even more impacts. 8' tall evergreen trees will not stop them from having lighting or traffic noise impacts. The trees they have now do the job. He understands that the clearing of the Duke easement will take most of the trees out. Their property values are going to go down because they will have a transmission line behind them and 245 new parking spaces that are 50' from the property line. The buffer they are proposing contains a berm and two privacy fences. Currently, nobody comes from the Kerry lot into their back yards because of the overgrowth that is there. The minute the new parking lot is constructed people will be able to come into their backyards. He has concerns about that. He is also concerned about traffic. It will take a lot of trucks to fill up 245 parking spaces. Currently these trucks are unloading in Hopeful Church Road. He saw something tonight that he has not seen in the 23 years he has lived on Chancellor Court. He saw a car carrier backed up into the Hyandai site. If this project is approved he would like to see part of this area used as a designated car carrier loading/unloading area. This would eliminate a traffic safety issue on Hopeful Church Road. They have eleven car dealerships near them. Another thing he would like to point out is that the back of the existing Kerry lot is nearly vacant now so why is there a need for 245 new stalls. He will need to sell his house in the next few months before this project starts so he can avoid losing \$50,000 - \$100,000 in equity. Who wants to live behind a transmission line and car dealership with a buffer that consists of 6' tall trees? A lot of the storm water that comes off the berm and buffer yard will come into his yard. He said that nothing looks better than what mother nature can do. He suggested people take a look at the new Kroger in Union and the buffer that was installed at the rear of the site. The pine trees in the buffer are dead and nobody is maintaining it. He feels like they will have the same situation here. Kerry Toyota is not going to listen to him if some trees die or if the fence is dilapidated. He asked if there was anybody that would like to buy his house?

Mr. Robert Dogge said he lived on Chancellor Court. He asked if any protection was going in to stop children from playing in the proposed ponds and drowning? He also wonders if the ponds will attract mosquitos. He shares Mr. Baer's concern about car carriers unloading on Hopeful Church Road and the safety issues associated that activity.

Mrs. Cathy Baer said their letter is already part of the record and it addresses many concerns. They have lived on Chancellor Court for 23 years. Most of the people that live on the street are older and these were their forever homes. Their biggest concern is the existing buffer. One of the things that is mentioned in the Staff Report is that development shall attempt to utilize existing topography and vegetation whenever possible and preserve the existing condition of the land where practical. So why does Toyota have to take down the existing buffer that protects them from traffic noise? The traffic noise is only going to get worse. There is currently 60' of buffer remaining along the rear property line. Why can't Toyota leave 50' of this buffer undisturbed and put up a fence at the back of it? This would protect them from seeing Toyota's day to day operations. The current proposal would have a fence, berm, and another fence in the buffer. As a result, it will be easy from someone on the Toyota lot to walk directly onto their yard. Who will maintain the ponds? Will the City of Florence annex their properties and street? She and her husband walked the back lot and there are over 160 spaces back there. These spaces are empty most of the time. Why is there a need to construct 245 more parking spaces? There should be a compromise where half of these stalls are constructed and the remaining buffer is left undisturbed. This would protect the value of their homes. They have spoken with some Realtors and they will take a \$50,000 to \$75,000 hit when this is done and they will not be compensated. What type of fencing is proposed? She hopes is upgraded from a standard wood fence to stop decay.

Ms. Terri Dowdell said she lived at 903 Chancellor Court. She agrees with everything that the neighbors have brought up. Removing the buffer open the neighbors up to noise impacts from KY 18 and impacts the marketability of their homes. Their subdivision is currently buffered well from commercial properties. 8' tall trees will not effectively screen them from Toyota. The neighbors will have a 100% open view of Toyota and KY 18. She asked if their property taxes would be affected by this development?

Chairman Rolfsen asked if anyone else wanted to speak? There was no response.

Chairman Rolfsen asked Mr. Sweet and Mr. Gloyeske to respond to the questions that were raised. Mr. Gloyeske provided the following responses:

1. There was a comment about tearing down all the trees to replant smaller ones. Duke Energy is going to clear all of the trees within the 100' wide utility easement regardless if the parking lot is constructed or not. The easement stops about 25' from the property line. Any remaining tree that is close to the easement line could have roots or limbs impacted by the clearing. As a result, there is no guarantee that these remaining trees will survive or not become a hazard. They can look at the remaining vegetation after Duke Energy is done with their work to see what can be preserved.
2. Lighting. The new buffer will be dense and the double row of evergreens will be planted as close together as possible but still allow them to thrive. He believes it will be a nice buffer to start and will get better over time. This buffer will help with the illumination and provide year around screening because of the evergreens.
3. Maintaining the detention basins. The proposed detention basins will be dry detention basins and will only hold water 48 hours after it rains. As a result, he would not anticipate any issues with children falling into water or mosquitos. As far as maintenance Kerry has a landscape contractor and their property is well maintained. This same landscaping contractor would take care of the new part of the site. Kerry Toyota is responsible to maintain their property.
4. There is no plan to annex the adjoining properties into the City of Florence. He does not believe the neighboring properties could be annexed into the City of Florence without property owner consent.
5. They are currently proposing 6' tall wood privacy fences in the buffer. The code requires it to be solid.
6. Noise from KY 18. He believes the berm and evergreen in the buffer will help with noise. Planting on the berm gets the trees higher in the air and help mitigate the noise and light.

Mr. Sweet provided the following responses:

7. The need for the 245 stalls. There is a national car shortage right now because of Covid and Kerry prides themselves on moving vehicles quickly. These 245 stalls will allow them to have more inventory on the lot when things open back up.

8. Trucks parking on Hopeful Church Road. This is something they know about and need to take up internally.
9. Saving trees and noise. Duke Energy is going to clear what they are going to clear and they can look into saving what can be saved.
10. Property values. Property values can change based on the realtor that you talk to. They feel they have a good project and that it will be well screened. In regards of annexation, they cannot propose annexation for any property that they don't own.

At this time, Chairman Rolfsen asked if any Board Members had any comments or questions?

Mr. Szurlinski made the following comments:

1. He understands that the Duke Energy easement is located 25' from the rear property line. He would like the remaining trees to be evaluated to see what can be saved.
2. Will all the proposed stalls be used by Kerry Toyota or could another dealerships use some? Mr. Sweet replied that his understanding is that they would be used by Kerry Toyota only.
3. The residents had issues with Kerry Toyota years ago because of a PA system that was used on site. He asked if this issue has been rectified and whether Toyota plans to amplify sound back to this part of the lot? Mr. Sweet said he would need to look into that.
4. The loading/unloading zone being on site is something that should be looked into.

Mr. Bunger made the following comments:

1. Can the berm be made higher?
2. Can fence heights be increased from 6'?
3. The PA system should not be heard by the neighbors.
4. Provide sight lines of the Kerry site from the adjoining homes.
5. He asked if the plants that are being installed near the Hopeful Church Road buffer will be able to withstand all the water that is going to the detention basin? Mr. Gloyeske responded that the trees will be planted outside the high water elevation. There will be some surface water going past those trees. A curb is proposed along the entire pond and a flume be go down to the basin.

Chairman Rolfsen asked what the plan was for the 245 new spaces? Mr. Sweet responded that they will have new and used cars located back there. They can talk with the owner and verify that. Chairman Rolfsen said he would like to see as little foot traffic back there as possible.

Chairman Rolfsen asked if anybody had anything else? Mr. Morgan asked Mr. Gloyeske if he could address Mr. Baer's comment about water coming over the berm into his yard? He asked if there would be a swale or box there that would divert water to the basin? Mr. Gloyeske said they haven't fully designed that area yet. He will bring something to the Committee Meeting that addresses that.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on September 16, 2020 at 5:00 P.M. via Live Video Teleconference. This item will be on the Agenda for the Business Meeting on October 7, 2020, at 7:00 p.m. The Chairman closed the Public Hearing at 9:47 p.m.

**APPROVED:**

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**Charlie Rolfsen**  
**Chairman**

**Attest:**

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**Kevin P. Costello, AICP**  
**Executive Director**

Exhibit #1 - Information submitted by Edward & Cathy Baer

**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  
Mr. Don McMillian  
Mrs. Katie Nolan  
Mr. Kim Patton  
Mr. Charlie Rolfsen, Chairman  
Mr. Bob Schwenke  
Mr. Tom Szurlinski  
Mr. Steve Turner, Temporary Presiding Officer

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Brad Shipe

**LEGAL COUNSEL PRESENT:**

Mr. Dale T. Wilson

**STAFF MEMBERS PRESENT:**

Kevin P. Costello, AICP, Executive Director  
Mr. Michael D. Schwartz, Planner  
Mr. John Harney, GISP, GIS System Administrator

Chairman Rolfsen introduced the third item on the Agenda at 9:48 p.m.

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

3. 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.

Staff Member, Michael Schwartz, presented the Staff Report, which included a PowerPoint presentation.

Mr. Schwartz identified the zoning changes that have taken place in the vicinity of the site including the zoning map amendment located to the north and west of the site. He stated that Wright Boulevard was extended as part of that proposal and the right-of-way of Wright Boulevard has been extended to the common property line of the sites with the intent that Wright Boulevard would be extended into the site in question.

Mr. Schwartz provided information using an aerial map, zoning map, topographical map, 2040 future land use map, noise contour map, and outside photographs.

Mr. Schwartz provided a summary of the submitted Concept Development Plan stating that two options have been submitted to include 2,600,000 square feet of space within either 9 or 10 buildings, depending on the two options, provision for an internal street system, vehicular access to North Bend Road, Gateway Boulevard, a connection to the Toyota site to the north, and a future access to Bullittsville Road. The plan also provides for new intersection improvements along North Bend Road. Mr. Schwartz stated that the plan also provides for a truck queuing lane within the development. Mr. Schwartz stated that the applicant is also proposing a consistent building scheme, two development signs, and individual lot identification signs. Mr. Schwartz stated that the applicant has submitted a narrative with their application and a traffic impact study which the Kentucky Transportation Cabinet has preliminarily reviewed.

Mr. Schwartz stated issues that should be discussed, including the vehicular extension of Wright Boulevard into the site and the provision for a vehicular connection from the site to the south.

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

Brock MacKay stated that he would be presenting on behalf of the applicant and introduced others

that were present, including Adam Hemmer, Paul Hemmer, Matt Curtain, John Curtain, Shaun Cutter, Jon Girdler, and Michelle Bollman.

Using a PowerPoint presentation, Mr. MacKay stated that the property is identified as CVG 7 and that they are not utilizing the northwest portion of CVG 7. Mr. MacKay provided an historical context to the site and how the airport authority marketed the site for industrial uses. Mr. MacKay stated that they have done a lot of preliminary work with the FAA to come up with the design of the property. Mr. MacKay stated that the site is in line with the airport's east/west runway. Mr. MacKay identified the stream that borders the northwest property line of the site. He stated that the existing character of Bullittsville Road will be maintained since they are proposing to retain the existing vegetation along the roadway. Mr. MacKay provided information as to how their proposal relates to the comprehensive plan and why their request should be approved. Mr. MacKay provided a summary of their proposal reiterating the points made by Mr. Schwartz.

Mr. MacKay stated that they were preserving the stream and drainage courses that exist. He stated that they were going to continue the berming along North Bend Road that currently exists on the Toyota site. Mr. MacKay presented the phasing of the project stating that the development would be built in three phases as well as a build to suit phase. Mr. MacKay described the street cross sections stating that the developer was requested to provide truck queuing in addition to areas provided on individual sites.

Mr. MacKay stated that the location of the Wright Boulevard extension on the adjacent property makes it difficult and cost prohibitive to extend into the site since it would need to cross the confluence of two streams. As an alternative, Wright Boulevard could be extended to the southwest, to Bullittsville Road, providing access to the remainder of CVG 7.

Mr. MacKay stated that the proposal also includes a shelter area that can be used by the employees of the development.

Mr. MacKay provided a summary of the scope of their traffic study and provided the findings of the study.

Mr. MacKay provided a summary of the environmental assessment that has been conducted.

Mr. MacKay stated that while they have submitted a detail showing one lot identification sign, they would like to discuss the possibility of having two lot identification signs in the event that a large lot/building has two tenants.

Mr. Adam Hemmer stated they have been coordinating with many agencies. He stated that their traffic impact study shows no change to the level of service of any of the major intersections. Mr. Hemmer stated that the truck queuing was in addition that provided by the individual sites. Mr. Hemmer stated that they avoided the northwest portion of their site due to the topographical issues and the regulatory issues of crossing Woolper Creek. Mr. Hemmer stated that they have done extensive research and on-site investigation relative to the location of the private cemetery, including having cadaver dogs to try and find any human remains. He stated that, to date, no human remains have been found.

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

Mr. Ensminger stated that he is concerned with the noise and how it will affect his property since he lives on the west side of Bullittsville Road, across from the site.

Mr. Reardon stated that he is speaking on behalf the adjacent property owner and that a condition was placed on them to provide a public roadway extension of Wright Boulevard through their site with the intent that Wright Boulevard would be extended to North Bend Road.

Chairman Rolfson stated that it is his recollection that during the previous map amendment request on the adjacent property that commissioners discussion was that Wright Boulevard was to extend to North Bend Road. He stated that the proposal, as submitted, does not meet that intent. Chairman Rolfson asked staff if his recollection is correct. Mr. Schwartz replied that the criteria in the comprehensive plan and the zoning regulations require street connectivity to adjacent properties and the submitted plan has one connection to the Toyota site through the Toyota parking lot.

Mr. Adam Hemmer stated that the location of the existing terminus of Wright Boulevard is at the worst possible location. Mr. McKay stated that it would be possible for Wright Boulevard to be extended to the southwest and a future crossing of the stream could be made at a right angle, into the site in question, just west of their last proposed building.

Mr. Costello stated that Viox and Viox are the engineers of both projects, being the Neyer project and the current site under review.

At this time, Chairman Rolfson asked if any Board Members had any comments or questions?

Mr. Bunger stated that he was on the committee for the previous map amendment and that Neyer understood the concerns of the committee and that it was not the committees determination that the roadway would cross at the confluence of two streams. He stated that all concerned parties should coordinate their efforts and provide the extension of Wright Boulevard at the proper stream crossing location.

Mr. Bunger asked if the new intersection on North Bend Road would be signalized. Mr. Schwartz replied yes, it will be signalized as the traffic impact study determined that it met the warrants for signalization.

Mr. Patton stated that the commission needs to be consistent in their decisions. He stated that they took action earlier this evening requiring another developer to provide access to the Marydale property.

Chairman Rolfson stated that he has a concern pertaining to the truck queuing lane. He stated that it could become a problem where trucks, not making deliveries to the development, will start to park in that lane. He stated that, in his experience, trucks will not just park in the truck queuing lane being provided, but will park on the street as well, outside of the truck queuing lane.

Mr. Costello stated that the proposed truck queuing lane is in addition to enhanced truck storage on the individual lots and that the issue of trucks parking within the roadway becomes a larger issue of traffic enforcement.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on September 16, 2020 at 5:00 P.M. via Live Video Teleconference. This item will be on the Agenda for the Business Meeting on October 7, 2020 at 7:00 p.m. If someone wants to observe the Committee Meeting please contact the office and provide the necessary information for logging into the meeting. The Chairman closed the Public Hearing at 10:55 p.m.

**APPROVED:**

\_\_\_\_\_  
**Charlie Rolfsen**  
**Chairman**

**Attest:**

\_\_\_\_\_  
**Kevin P. Costello, AICP**  
**Executive Director**