

**BOONE COUNTY PLANNING COMMISSION
VIA LIVE VIDEO TELECONFERENCE
BURLINGTON, KENTUCKY
PUBLIC HEARINGS
MAY 5, 2021
7:30 P.M.**

Chairman Rolfsen opened the Public Hearing at 7:49 p.m. and welcomed everyone to the Planning Commission's May 5, 2021 Public Hearing via Live Video Teleconference.

COMMISSION MEMBERS PRESENT:

Ms. Olivia Amlung
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:

Mr. Randy Bessler
Mr. Steve Turner, Temporary Presiding Officer

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Todd K. Morgan, AICP, Senior Planner
Mr. Michael D. Schwartz, Planner

Chairman Rolfsen introduced the first item on the Agenda.

ZONING MAP AMENDMENT FOR SPECIAL SIGN DISTRICT – Michael Schwartz, Staff

1. Request of **Joseph H. Beil (applicant)** for **Big Bone Baptist Church (owner)** for a Zoning Map Amendment for a Special Sign District for a 15.5 acre site located at 11036 Big Bone Church Road, Boone County, Kentucky. The request is for a Special Sign District in an Agriculture (A-1) zone to allow an electronic message center on a freestanding sign.

Mr. Michael Schwartz, Staff, referred to his PowerPoint presentation. The site is approximately 15.5 acres located at the intersection of Big Bone Church Road and Gum Branch Road. Pages 1 and 2 of the Staff Report provide a summary of the history of the site. The site is currently occupied by a church, an off-street parking lot, a historic cemetery and a free-standing sign. Mr. Schwartz showed an aerial photograph depicting surrounding land uses and the actual site. There are 3 houses that adjoin the site. The site is currently zoned A-1 and the maximum size for a sign in the zoning district is 8 feet high and 32 square feet in total area. The current sign only has a manually changeable text. Pages 3 and 4 of the Staff Report provide the zoning regulations that apply to the submittal. The 2040 Future Land Use Map designates the site as Public/Institutional (P), Recreation (R) and Developmentally Sensitive (DS) of approximately 20 feet. Big Bone Church Road is a County maintained collector road. It has a two lane pavement width. Gum Branch Road is a County maintained local street. Mr. Schwartz showed photographs of the property and the location where the sign would be located. The proposed sign will replace the existing sign. He showed a photograph of the existing sign. It is 7' 10" tall. It has a total sign area of 26.19 square feet, of which 12.64 square feet is the manually changeable sign area. It is about 40% of the overall sign area. Mr. Schwartz showed a picture of the proposed 7' 6" high sign with a total sign area of 32 square feet, of which 16 square feet would be a full color electronic message screen, which would represent 50% of the total sign area. Page 6 of the Staff Report includes a table comparing what is in place now and what is proposed according to the current regulations. The applicant has indicated the location of the new sign. However, it appears that the existing sign may not be located on the church property, rather than within the Big Bone Church Road right-of-way. The property owner will need to make sure the sign is placed on the church property. The Staff Report includes comments and potential conditions should the Board consider approving the request.

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

Mr. Joe Beil, applicant, stated that the church is trying to upgrade the sign since it has been in place for 28 years. The sign will have only 3 lines and will not have messages in motion. He is agreeable to have the messages last a minimum of 15 seconds before they can change, and move the sign back onto the church property. They are a community church and have been located at the same location since 1845. The church is a polling place and offers many community services.

Chairman Rolfsen asked if the person living closest to the church raised a concern about the sign? Mr. Schwartz replied that no one contacted the office about the sign. Mr. Beil stated that the neighbor is a long time member of the church.

At this time, Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the Zoning Map Amendment request? Seeing none, he asked if any of the Board Members had any questions?

Mr. Lunnemann asked if the proposed sign is a single face sign? Mr. Beil responded yes.

Mrs. Steele asked if the messages would be flashing? Mr. Beil replied that he wasn't a technical expert but knows the messages will have 3 lines and stay lit for a minimum of 15 seconds.

Chairman Rolfsen inquired whether the staff comments were standards or conditions? Mr. Schwartz replied that they would be typical conditions for electronic message signs, including the requirement of having a dimmer at night.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on May 19, 2021 at 5:00 P.M. via Live Video Teleconference. This item will be on the Agenda for the Business Meeting on June 2, 2021 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 7:57 p.m.

APPROVED:

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director

COMMISSION MEMBERS PRESENT:

Ms. Olivia Amlung
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:

Mr. Randy Bessler
Mr. Steve Turner, Temporary Presiding Officer

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Todd K. Morgan, AICP, Senior Planner

Chairman Rolfsen introduced the second item on the Agenda at 7:58 p.m.

CHANGE IN CONCEPT DEVELOPMENT PLAN – Todd Morgan, Staff

2. Request of **Nick Brenner, Real Estate Representative, Menard, Inc. (applicant)** for **Menard, Inc. (owner)** for a Change in Approved Concept Development Plan in a Commercial Two/Planned Development/Mall Road Overlay (C-2/PD/MR) zone for a 17.157 acre site located at 5000 Apex Lane, Florence, Kentucky. The request is for a Change in an Approved Concept Development Plan to permit additional building mounted signage and modifications to the building design.

Staff Member, Todd Morgan, presented the Staff Report, which included a PowerPoint presentation. Menards is located off Mall Road. The site is 17.157 acres in area. In regard to site history, a Concept Development Plan was approved in 2014 with several exceptions outlined on Page 1 of the Staff Report. He showed the approved building elevations. In 2019, Menards submitted a revised Site Plan. On March 31, 2020, the City of Florence sent Menards a letter making them aware there were 6 deficiencies related to their Site Plan and building mounted signage. The request is for a Change in an Approved Concept Development plan to allow Menards to make changes to the approved building design and allow exterior building mounted signage. The proposed changes to the building design include allowing orange metal accent panels that were added to the "Order Pickup" canopy, allowing an approximate 54 linear foot portion of the façade to be finished with treated lumber and racking, and finally, allow orange accent panels at the front of the gate canopy. Mr. Morgan showed photographs of the site and building. He noted that 7 sign permits have been issued to allow building signs. He showed which signs were issued permits and others not. He showed a framed "We Sell Concrete Blocks" banner. Menards would like to keep this as a permanent sign and an "Order Pick-Up" sign. He also showed more photos of signs that didn't receive permits. Mr. Morgan reviewed the requirements for building mounted signs in the Mall Road District area. Permitted signs should be channel letter signs and not cabinet signs or banners. Some of the signs could be called directionals or name plates. In addition, most of the cart corrals have banners.

Mr. Morgan referred to his Staff Comments on Pages 6 & 7. Staff would like the applicant to address the following:

- Why was part of the left (north) building façade changed from metal to treated lumber?
- The applicant should do an inventory of all of the signs to determine which signs should be kept permanently. A discussion should also occur at the Committee level to determine which ones should stay or be removed.

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

Mr. Nick Brenner, applicant, stated that he has been working with Staff for a couple of months to get the application organized. The green steel panel is an insert and the treated wood was added at the last moment. This store was the first one caught. They are trying to make it right with this request. He wasn't familiar with what was originally submitted in terms of signage. He stated he would go back to make sure it is consistent with the prior approval. There are standard signs for all of the stores. A lot of them are directional signs. They help to direct people because there is a lot going on at each store and yard. Over the years, they have found these signs to be helpful in making the customer's shopping experience as efficient as possible. The "Order/Pick-Up" sign is new as it has to deal with online ordering. It is not intended to be inconsistent. They want to make it consistent. Chairman Rolfsen noted that he didn't care about Menards stores in other areas. The store is located in Boone County. He isn't surprised that City Staff found the violations. It is a unique Menards due to where the building is located. We will get Menards into compliance.

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

Mr. Lunnemann asked the applicant to identify all the banner style signs on the site and discuss how to eliminate the extra advertising on the site? Mr. Brenner agreed.

Mr. Patton inquired about the process of obtaining temporary (sales) signs? Mr. Morgan replied that any business is allowed 5 Temporary Advertising Display permits in each calendar year. Each one is valid for 2 weeks. Menards can apply for them. It was not part of the application. Perhaps Menards is not familiar with this type of permit.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on May 19, 2021 at 5:00 P.M. via Live Video Teleconference. This item will be on the Agenda for the Business Meeting on June 2, 2021 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 8:13 p.m.

APPROVED:

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director