

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
PUBLIC HEARINGS
NOVEMBER 3, 2021
7:30 P.M.**

Chairman Rolfsen opened the Public Hearings at 7:30 p.m. and welcomed everyone to the Planning Commission's November 3, 2021 Public Hearings.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Ms. Corrin Gulick
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:

Mr. Kim Bunger, Secretary/Treasurer
Mrs. Pamela Goetting
Mr. Steve Harper
Mr. Kenny Vaught

LEGAL COUNSEL PRESENT:

STAFF MEMBERS PRESENT:

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

Chairman Rolfsen introduced the first item on the Agenda.

CHANGE IN CONCEPT DEVELOPMENT PLAN – Michael Schwartz, Staff

1. Request of **Corporex, per of Nicole Chimento (applicant)** for **Corporex Parks KY Acres for Development, per Nicole Chimento (owner)** for a Change in Approved Concept Development Plan in an Industrial One/Planned Development (I-1/PD) zone for Area A: an approximate 4.8 acre area located at the southwest corner of the intersection of Mineola Pike with Interstate 275, and being immediately north of the property located at 3990 Olympic Boulevard and Area B: an approximate 0.9 acre area located along the north side of Olympic Boulevard, between Mineola Pike and Circleport Drive, approximately 750 feet northwest of Mineola Pike, and being immediately southeast of the property located at 3900 Olympic Boulevard, Boone County, Kentucky. The request is for a Change in an Approved Concept Development Plan to permit commercial/retail space, a hotel, office space, and restaurants.

Mr. Michael Schwartz, referred to his PowerPoint presentation. The site is comprised of three separate areas. Area A has approximately 350 feet of road frontage along Mineola Pike and approximately 350 feet along I-275. Area B has approximately 250 feet of road frontage on Olympic Boulevard and Area C has approximately 250 feet of frontage along Mineola Pike and approximately 520 feet of frontage along Olympic Boulevard. The existing hotel was built between 1999-2000. Mr. Schwartz showed the approved 1986 Concept Development Plan. There was also a Special Sign District for the same area approved in 1986. There are 2 existing office buildings on the site. One is a 5 story 87,000 square foot building and the other is a 6 story 105,000 square foot building. The existing approved concept plan shows is a 6 story, 120 room hotel and 2 curb cuts on Olympic Boulevard. Mr. Schwartz also highlighted the location of the 3 areas currently under review. Area A is vacant with the exception of a parking lot that serves one of the existing office buildings. Area B is also vacant and Area C is currently occupied by a 4 story, 120 room Courtyard by Marriott hotel. Mr. Schwartz showed photographs of the site. The site is currently zoned I-1/PD. Commercial and retail uses are permitted based upon the underlying I-1 zoning district. Pages 2 and 3 of the Staff Report provide the relevant sections of the applicable zoning regulations. The 2040 Future Land Use Map designates the site as Business Park (BP). Pages 3-5 of the Staff Report outline the relevant text of the Comprehensive Plan. Mineola Pike is classified as an arterial street and Olympic Boulevard is classified as a collector street. Olympic Boulevard has a raised median and 2 lanes in both directions. A sidewalk exists on the south side of the street.

Mr. Schwartz reviewed the applicant's Concept Development Plan. It shows the construction of a total of 20,000 square feet in 2 retail buildings that are 25 feet in height. Either a 125 room hotel or a 75,000 square foot (55 foot high) office building is also planned along with a 3,600 square foot retail/commercial/restaurant building and the retention of the existing Courtyard hotel and provisions for drive-thru facilities with menu boards. Stormwater will be directed towards an existing regional detention system. A portion of the existing hotel parking lot will be redesigned to accommodate a right turn in/right turn out curb cut onto Olympic Boulevard. A ten foot wide sidewalk is also planned to connect the existing hotel to the retail area. There will be some common outdoor space in the retail area. Pages 6-7 of the Staff Report outlines those items that

don't meet the current requirements. Most of them can be addressed by using the PD overlay. Comments from the Point Pleasant Fire District and the Kentucky Transportation Cabinet have been received. Pages 7-8 of the Staff Report outline the Staff Concerns, which include traffic conflict areas with the design. For example, the location of the proposed drive-thru aisles are problematic. The right turn out seems unnecessary since Olympic Boulevard is a cul-de-sac and will result in U-turns. The existing Special Sign District regulations do not have provisions for menu boards. Thus, the Special Sign District will have to be amended. There are numerous uses permitted in the underlying zone. The Planning Commission should review the list to determine if some should be prohibited because they are not appropriate given the development.

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

Ms. Nicole Chimento, applicant, stated that the 1986 Concept Development Plan included 192,000 square feet of office space and 2 hotels (270 rooms). Of that 181,000 square feet of office use and a 120 room hotel has been built. The difference is 11,000 square feet of open space and a 150 room hotel with a restaurant was not built. The proposal is similar to what was approved in 1986. The 2040 Comprehensive Plan identifies the area for Business Park (BP) and in order for the area to continue to grow and attract more businesses, it needs restaurants and service uses. The site in proximity to the Airport and hotel occupancy levels make it appropriate. However, they are requesting some flexibility in putting in an office building versus a hotel. The additional hotel would not be completed until the retail and service uses are built. The Comprehensive Plan suggests interstate related uses. She identified the preferred retail uses that are permitted in the I-1 zoning district except for cigarette uses. She referred to the architectural package that was distributed to Board members (see Exhibit 1). Banks are allowed in the 0-2 zoning district so why not allow a Starbucks with a drive-thru? The proposed layout shows a unique approach to a hotel and retail uses mixed with pedestrian movements. There are landscaping requirements in the Circleport protective covenants. A Master Sign Plan is being revised and will be submitted in the coming months. The comments related to accessory uses and building setbacks will be addressed later as it is only a Concept Development Plan. The plan shows a lot of connectivity between uses as they are removing some parking spaces to accommodate driveway aisles. The right turn out would lead to making a left turn onto Circleport Drive to Mineola Pike. No U-turns would occur. Ms. Chimento also noted that her company has hired Ben Brandstetter of Brandstetter and Carroll to help with wayfinding and circulation. The submitted Concept Development Plan will enhance the area and offer the necessary amenities to serve the area and the growing needs of the employees in the area. It is an innovative design and her company realizes there are other steps such as Site Plan Review that is required to implement the Concept Development Plan.

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

Seeing no one, Chairman Rolfsen asked if any of Board members had any questions?

Chairman Rolfsen expressed a concern about left turn movements from the right in and right out. Ms. Chimento stated that the right in and out is a requirement of the retailers. It is a quicker access to the retail area. Chairman Rolfsen suggested a right in only and have everyone loop around the building. Ms. Chimento responded that eventually Olympic Boulevard will connect to Point Pleasant, which is another way out. She noted that they will have their traffic engineer look at it again.

Ms. Gulick expressed a concern about the drive-thru traffic and suggested having their traffic engineer look at it more closely in terms of good traffic circulation. The burrito drive-thru has enough stacking but she questioned the pedestrian movements relative to the coffee drive-thru. Ms. Chimento mentioned that all this will be addressed at the Site Plan Review stage. Mr. Costello stated that the details of both drive-thrus have to be addressed at the Concept Development Plan level in order to avoid problems later on. The Planning Commission has a lot of experience with drive-thru facilities, both good and bad. He mentioned Dunkin Donuts and the recent Union Promenade project. Ms. Chimento noted that the type of restaurants are for breakfast and lunch since not too many people live in the area.

Mr. Lunnemann inquired about the building elevations. Ms. Chimento stated that she submitted them and they were distributed to each Board member (see Exhibit 1). Mr. Lunnemann asked the applicant to address the type of building materials for the buildings at the Committee Meeting.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on November 17, 2021 at 5:00 P.M. in the Fiscal Courtroom. This item will be on the Agenda for the Business Meeting on December 1, 2021 at 7:00 p.m. The Chairman Rolfsen closed the Public Hearing at 7:57 p.m.

APPROVED:

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director

Exhibit 1 – Corporex packet of plans and building elevations

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Ms. Corrin Gulick
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:

Mr. Kim Bunger, Secretary/Treasurer
Mrs. Pamela Goetting
Mr. Steve Harper
Mr. Kenny Vaught

LEGAL COUNSEL PRESENT:

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Todd K. Morgan, AICP, Director, Zoning Services

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

ZONING MAP AMENDMENT – Todd Morgan, Staff

2. Request of **Longbranch Development Inc., attn: Jason Wisniewski (applicant)** for **Ridgefield Farm LLC, Richard and Sandra Franks, and Peter and Jeanine Geise (owners)** for a Zoning Map Amendment from Rural Suburban Estates (RSE) and Agricultural Estate (A-2) to Suburban Residential One (SR-1) and Suburban Residential Two (SR-2), and a dimensional variance, for an approximate 184.77 acre area located at 2788, 2696, 2688, and 2636 Hathaway Road, Boone County, Kentucky. The request is for a zone change to allow single-family residential dwellings and a variance to reduce the side yard building setback requirements of the SR-2 zone.

Staff Member, Todd Morgan, referred to his PowerPoint presentation. The site is 191.17 acres in size and to the west is Ballyshannon Subdivision. The request is to rezone 184.77 acres from Rural Suburban Estates (RSE) and Agricultural Estate (A-2) to Suburban Residential One (SR-1) and Suburban Residential Two (SR-2). The remaining 6.39 acres will retain the Rural Suburban Estates (RSE) zoning located next to the Hathaway Road frontage. Two plan options were submitted. Plan Option #1 has its main access off Hathaway Road. The western side of the subdivision is SR-1 zoning – 250 homes on 106.45 acres. The eastern side is SR-2 zoning – 295 homes on 78.32 acres. Together, there are 551 homes on 191.17 acres for a building intensity of 2.88 dwelling units per acre. All of the streets would be built to sub-collector or local street status. The Variance request pertains to all of the houses in the SR-2 zoning district on the eastern side of the site. Typical side yard setbacks in the SR-2 zoning district are 5 foot minimum/ 15 feet total. The request is for 5' on each side. The proposed streets in Ballyshannon Subdivision will be modified slightly to accommodate the proposed development. The Zoning Administrator and County Engineer will allow this as a minor change only if the request is approved.

Plan Option #2 plan includes a provision of not building in the northwest portion of the site for up to 5 years. It is approximately 14.71 acres in size. It allows the Boone County Fiscal Court or the Kentucky Transportation Cabinet the option of acquiring the land as right-of-way for the possible relocation of Camp Ernst Road in the future. If the land is not purchased, the developer can add ten houses. Option #2 shows 3 street connections to Ballyshannon Subdivision. The total number of homes is 505-515 homes at a building intensity of 2.86 dwelling units per acre.

Mr. Morgan showed examples of Maple Street Homes to be built by Fischer Development. There is a packet of information about the type of homes to be constructed – patio homes collection, designer homes collection etc. and examples from Arlinghaus Builders (see Exhibit 1). Page 2 of the Staff Report outlines the applicable regulations to the zone change process and Variance applications. It also includes lot frontage and setback information. There is information about landscaping, agricultural fencing and traffic calming. The topography of the site varies significantly. Mr. Morgan showed an aerial photograph of the site and adjoining properties.

The 2040 Comprehensive Plan's Future Land Use Map designates the site for Suburban Density Residential (SD) uses. There are references to the Comprehensive Plan in the Staff Report. He noted that Union would experience considerable residential growth along Hathaway Road. Also, new subdivisions shall be developed with connecting roadways. All major residential developments shall contain recreational facilities. Developments in Boone County shall begin with an assessment of site features. There are other references to the Comprehensive Plan in the Staff Report.

In terms of Staff Comments, Mr. Morgan referred to pages 10-12 of the Staff Report. The Planning Commission and Boone County Fiscal Court need to determine whether the Zoning Map Amendment is in agreement with Our Boone County Plan 2040 (the adopted Comprehensive Plan) or the alternative Zoning Map Amendment findings found in Section 308 of the Boone County Zoning Regulations. In additions, the Planning Commission will be taking final action on the submitted Variance application. The application needs to be reviewed in terms of the Variance criteria found in Section 251 of the Boone County Zoning Regulations.

Staff has prepared a chart showing active or recently approved subdivisions in the Longbranch Road/Hathaway Road/Old Union Road/Camp Ernst Road corridor. Staff also received comments back from Sanitation District No. 1, Kentucky Transportation Cabinet, Union Fire Protection District, Boone County Water District, the Boone County Historic Preservation Review Board, Boone County Public Works, and the Boone County Schools regarding the request. These comments are attached to the Staff Report. SD1 stated that the applicant needs to reserve sanitary sewer capacity. The Kentucky Transportation Cabinet stated that a Traffic Impact Study is needed and the proposed six lots on Hathaway Road must use the main subdivision street. The Boone County Historic Preservation Review Board requested that a condition be imposed that preserves 2 building groups on the Ridgfield Farm property or that they be intensely documented. The Boone County Public Works Department requested that six streets should be sub-collector streets and traffic calming be provided. The Boone County School District noted that the development will impact Cooper High School, Ballyshannon Middle School and Longbranch Elementary School. The project needs to be phased. Some streets need to be constructed sooner rather than later in order to make the connection to the school.

Staff would like the applicant to address the following:

- The Zone Change Criteria
- The Variance Criteria. What hardship exists? Approximates how many buildable lots would be lost if the Variance was denied?
- Can the phasing plan for the subdivision be discussed? What area or areas would be constructed first? How many units could be built in a calendar year?
- Is a Traffic Impact Study being prepared? It was recommended during the preapplication meetings.

- The Kentucky Transportation Cabinet commented that they will require the 6 lots that front on Hathaway Road to be accessed from the main subdivision street (Street AA). Will the front of these houses still be oriented towards Hathaway Road?
- What streets are proposed to be constructed to sub-collector standards (50' right-of-way/28' of pavement) and what traffic calming measures are proposed?
- What about agricultural fencing requirements?
- Has Sanitation District No. 1 been contacted regarding extending sanitary sewer service and reserving capacity?
- Has preliminary grading been analyzed to determine tree preservation areas?
- Are any amenities, such as pocket parks, proposed in the subdivision?
- What housing collections will be constructed in the SR-1 and SR-2 portions of the subdivision? Will there be any areas with 20 or more contiguous patio homes? If so, will the reduced setback requirements be utilized (see the applicable regulations)?
- In regard to Housing Brochures that were submitted, is the siding shown on the front facades an aluminum or composite product?
- Could an entire side or rear façade be constructed with aluminum siding?
- The submitted housing brochures do not show side or rear facades. Will the sides and rear elevations of high visibility homes be constructed with masonry that is window-sill height?

Mr. Morgan stated that he distributed an email from Terry and Mike Heist (See Exhibit 2). The request for the proposed Zoning Map Amendment needs to be evaluated by the Boone County Planning Commission and Boone Fiscal Court in terms of Kentucky Revised Statute (KRS) 100.213, Article 3 of the Boone County Zoning Regulations, the appropriate planning documents noted herein, and the potential impacts on existing and planned uses in the area. The 2040 Future Land Use Map will not need to be amended if the request is approved. The Planning Commission will take final action on the Variance request.

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

Ms. Hillary Laffin, project planner for Grand Communities and Fischer Homes. She referred to some slides. The site is located west of Ballyshannon Subdivision. The primary access is off Hathaway Road. There will be 3 access points to Ballyshannon Subdivision. The property consists of 3 different property owners – Ridgefield Farms, LLC, the Franks property (18 acres) and the Geise property (18 acres). There is a large stream located on the south border of the property. It is a natural break for the Franks and the Geise properties. There will be 6 lots that will face Hathaway Road and will have a rear entry private drive. The proposed SR-1 and SR-2 zones are consistent with what is being built in Ballyshannon Subdivision. With the new plan, there will be some modification to the Ballyshannon road system. It will be better a site design. The lot configuration is based on the primary zoning of each lot. The applicant is requesting approval of both options in the event the County wishes to acquire land for a future relocation of

Camp Ernst Road. Ms. Laffin showed examples of the Designer Homes similar to what is being built in Ballyshannon.

She showed pictures of the Maple Street Homes products. The patio product will be in the SR-2 area. The Arlinghaus product will be in SR-1 zoned area.

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

Mr. Ben Mathis, 3049 Deer View Drive, expressed a concern about traffic and the redesign of Camp Ernst Road. The realignment of Camp Ernst Road was on the books in the 1970s. It has been in the 2000, 2020 and 2040 Plan. He referred to a map that showed the realignment of Camp Ernst Road (see Exhibit 3). The map was done in 2017. It goes to the heart of the property in question. As a result of the Smokey Acres project, there was a commitment of identifying a route on the proposed site for the new road. Accidents occur on the existing road 1-2 times a month. It is a bypass road and it is not built for more development. If the proposal is approved, it could shut down the possibility of a new road. Don't slam the door on the people living in the area.

Ms. Theresa Moffitt, 3050 Hathaway Road, stated that she agreed with everything Mr. Mathis said. She expressed a concern about Dark Skies. She is a 3rd generation farm person. Wildlife is severely affected by lighting from homes and streets. She also agreed with the comments by Terry Heist.

Mr. David Kunkel, 2816 Hathaway Road, stated that his father has a 62 acre farm and he owns property. He would hate to move from the area as he felt he was being pushed out. The traffic is a major issue. He doesn't want to see it happen.

Ms. Amy Elsaesser, 4026 Hathaway Road, stated that she has lived in the area since 2017. The plan at the time seemed wonderful. Putting all of the houses in a rural area is against what they moved to the area for. She sees 6 new people a day. She knows no one in her community that is happy with this proposed development.

Chairman Rolfsen asked if any of the Board members had any questions?

Mr. Patton inquired about the map that was previously distributed by Mr. Mathis. He asked if the Staff was familiar with it. Mr. Morgan responded that it was a concept of possible routes for the new road. It wasn't precise.

Chairman Rolfsen asked how did the applicant think the new road would cross the property under review? Ms. Laffin responded that it was based on conversations with the County Engineer and Judge Moore. They were aware of the alignment. Mr. Costello explained there is a letter in the Staff Report from Mr. Schroeder to Judge Moore about a potential option/route for the new road. A 5 year option exists. Mr. Costello also mentioned the importance of building a street connection to Hathaway Road early to avoid problems that are occurring on Longbranch Road. He asked if the developers had looked into this issue? Chairman Rolfsen suggested only allowing the SR-1 housing to occur and hold off in the SR-2 housing until the street connections have been

put into place. It is irresponsible to put all that traffic on one road and not have other ways in and out. Ms. Laffin replied that they can provide a plan showing the buildout and connections to Hathaway Road.

The first connection to Hathaway Road will be next Spring (2022). The connection to Ballyshannon from this site will occur because of the needed sanitary sewer service.

Mr. Patton noted that a phasing plan could be put into place but it could be jeopardized by adding more land. We don't want to circumvent the phasing plan. Ms. Laffin stated that the homes would be built after the street connection is made.

Mr. McMillian asked why would anyone buy a house with only one way in and one way out? What about public safety? Why would you build something when you couldn't get out? Ms. Laffin responded that the project will have 3 ways in and out plus a fourth if the new Camp Ernst Road is built.

Mr. Morgan reminded everyone that the County Engineer gave his thoughts about the new Camp Ernst Road corridor in an email attached to the Staff Report. The email only addresses the developer's property.

Mr. Schwenke asked if the 5 foot minimum side yard setbacks only affect the SR-2 lots. Ms. Laffin replied yes – all of the homes in the SR-2 area.

Mrs. Steele asked whose job it is to reconfigure Camp Ernst Road? Mr. Costello responded Boone County since they own the existing road. That is why the option exists for the County. He explained the challenges of finding an appropriate road corridor. Mrs. Steele stated that it seems that the new road should be addressed before any more development. It will add more traffic to Camp Ernst Road and Hathaway Road. Mr. Costello replied that the developer is offering the land and it is up to the County to build it. That will be a decision made by each Board member. Hathaway Road is planned to be widened as recommended in the Boone County Transportation Plan. Mrs. Steele stated that she didn't want to put the cart before the horse. Chairman Rolfsen brought up Gunpowder Road as an example. The County could turn over the road to the State and the State would then widen it. Mr. Costello mentioned there were requirements for the developer to make intersection improvements to Hathaway Road (eg. left turn lanes and deceleration lanes).

Ms. Gulick asked if there have been any planning studies for Camp Ernst Road? Mr. Costello replied that he thinks there was a State scoping or planning study years ago in completing the KY 237 upgrade and bridge replacement.

Mrs. Kegley asked if there was a Traffic Study done? Ms. Laffin responded that a MOU was created but the actual study had not yet been completed for review. Mrs. Kegley replied it would be helpful to know how much traffic is anticipated and the level of service. The traffic counts have to be done before the holiday break.

Mr. Turner asked about the historical structures on the site? Ms. Laffin responded that they have to analyze the report to see if they want to remove them from the site. They are aware of the significance and were given options.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on November 17, 2021 at 5:00 P.M. in the Fiscal Courtroom. This item will be on the Agenda for the Business Meeting on December 1, 2021 at 7:00 p.m. The Chairman Rolfsen closed the Public Hearing at 8:55 p.m.

APPROVED:

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director

Exhibit 1 – Housing Brochures
Exhibit 2 – Email from Terry & Mike Heist
Exhibit 3 – Map of Camp Ernst Road

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Ms. Corrin Gulick
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:

Mr. Kim Bunger, Secretary/Treasurer
Mrs. Pamela Goetting
Mr. Steve Harper
Mr. Kenny Vaught

LEGAL COUNSEL PRESENT:

STAFF MEMBERS PRESENT:

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

Chairman Rolfsen introduced the third item on the Agenda at 8:56 p.m.

CHANGE IN CONCEPT DEVELOPMENT PLAN – Todd Morgan, Staff

3. Request of **Jason Wisniewski and Hillary Laffin (applicants)** 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 2.69 acre area located to the northwest of 9741 Spruce Lane and southeast of 7515 Shamrock Avenue, Boone County, Kentucky. The request is for a Change in an Approved Concept Development Plan to modify the unit count of Pod 6 of Ballyshannon Subdivision from 180 units to 189 units bringing the total unit count in Ballyshannon Subdivision to 938 units.

Staff Member, Todd Morgan, referred to his PowerPoint presentation. The site is approximately 2.71 acres in Pod 6 of Ballyshannon Subdivision. The request is to modify the unit count in Pod 6 from 180 to 189 units. It would raise the total housing count from 929 to 938 in the subdivision. The applicant didn't count 9 units at the end of Vintage Fleet Drive on a plan that was approved previously this year. Mr. Morgan referred to a drawing of the lots in question. He showed photographs of the area. The Future Land Use Map designates the site as Suburban Density Residential (SD). The only comment Staff has in regard to the request is for the applicant to create detailed drawings per pod and number the lots and letter any detention/retention lots. Also, the property lines should be added to the drawing for proposed duplex units. This would address whether there was a miscount or not.

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

Ms. Hillary Laffin, Fischer Development, believes there was a mathematical error for the overall Ballyshannon Subdivision count and particularly Pod #6. She noted that they would provide the exhibits that Mr. Morgan requested in order to get to the bottom of the lot count issue. They are requesting approval of the 938 lots. The lots were physically drawn on the plan but not numbered.

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

Seeing no one, Chairman Rolfsen asked if any of Board members had any questions?

Mr. Patton asked if the County Engineer could attend the Zone Change Committee meeting to address the new Camp Ernst Road issue identified in Public Hearing #2. It directly affects this project.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on November 17, 2021 at 5:00 P.M. in the Fiscal Courtroom. This item will be on the Agenda for the Business Meeting on December 1, 2021 at 7:00 p.m. The Chairman Rolfsen closed the Public Hearing at 9:05 p.m.

APPROVED:

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director