

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
PUBLIC HEARINGS
APRIL 5, 2023
7:30 P.M.**

Secretary/Treasurer Jackie Steele opened the Public Hearing at 7:51 p.m. and welcomed the audience to the Planning Commission's April 5, 2023 Public Hearings.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mrs. Kathy Clark
Mrs. Pamela Goetting
Mr. Steve Harper, Temporary Presiding Officer
Mr. David Hincks
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Eric Richardson
Mr. Bob Schwenke
Mrs. Jackie Steele, Secretary/Treasurer
Mr. Tom Szurlinski
Mr. Steve Turner

COMMISSION MEMBERS NOT PRESENT:

Ms. Corrin Gulick, Vice Chairwoman
Mr. Charlie Rolfsen, Chairman
Mr. Kenny Vaught

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

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

Chairman Rolfsen introduced the first item on the Agenda.

ZONING MAP AMENDMENT, Michael Schwartz, Staff

1. Request of **Dinsmore Homestead Foundation Inc, per Barbara Bardes (applicant)** for **Dinsmore Homestead Foundation Inc, per Barbara Bardes and County of Boone, per Jeff Earlywine, County Administrator (owners)** for a Zoning Map Amendment from Conservation (CONS) to Conservation/Planned

Development (CONS/PD) for an approximate 9.2 acre area located along the northwest side of Burlington Pike, between Middle Creek Road and Belleview Road, approximately 650 feet southwest of Middle Creek Road, and being part of the properties located at 5656 Burlington Pike and 5700 Burlington Pike, Boone County, Kentucky. The request is for a zone change to allow the development of a heritage center building and an off-street parking area.

Staff Member, Michael Schwartz, referred to his PowerPoint presentation (See Staff Report). The 9.2 acres site is located on the northwest side of Burlington Pike. It has 1,030 feet of road frontage along Burlington Pike. Approximately 8.6 acres of the site is part of the Dinsmore Homestead and about 0.6 acres is part of the Dinsmore Woods property. The Dinsmore Homestead property is private and the Dinsmore Woods property is public and owned by the County. The site is currently occupied by the historic Dinsmore House, ice house, wine house, cook house and the Roseberry House, all of which are part of a private museum. The remainder of the site is vacant and heavily wooded. Access is provided by a single curb cut onto Burlington Pike. The existing cemetery is not part of the site under review by the Commission. The site and surrounding property is currently zoned Conservation (CONS). The Planned Development (PD) request is being sought to allow a reception hall. Pages 1 and 2 of the Staff Report outlines the sections of the zoning ordinance that are applicable to the request. Mr. Schwartz showed a topographic map of the site. The site rises northwest from Burlington Pike at average grade of 8%. The 2040 Future Land Use Map designates the site for Recreation (R) use. Pages 3-10 of the Staff Report reference the Comprehensive Plan. Mr. Schwartz showed photographs of the site and surrounding properties. The Concept Development Plan indicates the retention of all historic buildings on the site, the reconstruction of the Caroline Williams cabin, the new Heritage Center, a 33 space gravel parking lot, bus parking, a new white Kentucky board fence, an on-site sewage system, two new curb cuts onto Burlington Pike, a future water main connection and new sidewalks.

The Staff performed an analysis of the submitted Concept Development Plan and only two curb cuts are allowed but the application shows three. Hard surface parking is usually required but the application indicates gravel via the PD request. Sufficient information has not been provided about seating capacity relative to parking requirements. Buffer Yard A is required along Burlington Pike but one is not shown. Pages 11 and 12 of the Staff Report includes Staff Concerns. Page 11 outlines the list of items that are being requested to be waived under the use of the PD zone. The Kentucky Transportation Cabinet (KTC) has submitted comments about access. A concern is for school buses using the eastern curb cut to enter the site because of sight problems. KTC would like the buses to enter the site from the western curb cut. Those issues can be addressed at the site plan review phase.

Secretary/Treasurer Steele asked if the anyone wanted to speak in favor or against the request?

Ms. Barbara Bardes, Dinsmore Homestead Foundation, explained why the proposed project is important to them. At first, she provided background information and a history of the Dinsmore

Homestead. The current buildings has no running water as the site is rather historic. They have over 2,000 school children visit the Homestead each year. They offer public talks, events, festivals, tours and research. Dinsmore has all of the family's belongings and over 100,000 pieces of paper – letters and papers of the family. It is a history of what really happened. A new building and new zoning would allow them to operate tours on an annual basis. Currently, they are closed from November to April. They can also expand their school program by using advanced technology. The facilities can be used for social events and make the foundation more financially viable. They can store more artifacts including more papers that are currently kept in Arizona. They will be able to host visiting scholars. They can relocate the entrance to Dinsmore away from the curve and relocate the bus entrance.

Secretary/Treasurer Steele asked if any Commissioners had any questions or comments?

Mr. Schwenke mentioned that the soil in the area has a lot of sand content and drains very well. So it would be good soil to put gravel on it for a parking lot.

Seeing no further questions or comments, Secretary/Treasurer Steele announced that the Committee Meeting for this item will be on April 19, 2023 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on May 3, 2023 at 7:00 p.m. in the Fiscal Courtroom. Secretary/Treasurer Steele closed the Public Hearing at 8:05 p.m.

APPROVED:

Jackie Steele
Secretary/Treasurer

Attest:

Kevin P. Costello, AICP
Executive Director

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mrs. Kathy Clark
Mrs. Pamela Goetting
Mr. Steve Harper, Temporary Presiding Officer
Mr. David Hincks
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Eric Richardson
Mr. Bob Schwenke
Mrs. Jackie Steele, Secretary/Treasurer
Mr. Tom Szurlinski
Mr. Steve Turner

COMMISSION MEMBERS NOT PRESENT:

Ms. Corrin Gulick, Vice Chairwoman
Mr. Charlie Rolfsen, Chairman
Mr. Kenny Vaught

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

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

Secretary/Treasurer Steele introduced the second item on the Agenda at 8:06 p.m.

ZONING MAP AMENDMENT, Alaina Hagenseker, Staff

2. Request of **Terrace Townhomes, LLC, per Brad Trauth (applicant) for Terrace Development Co., LLC, per Phil Drees (owner)** for a Zoning Map Amendment from Union Commercial/Planned Development (UC/PD) to Urban Residential One/Planned Development (UR-1/PD) for an approximate 0.5 acre area located at 2011 Terrace Court, Florence, Kentucky. The request is to allow the development of six (6) attached single-family residential units (this is an amended application that was deferred from March 1, 2023).

Staff Member, Alaina Hagenseker, referred to her PowerPoint presentation (See Staff Report). The site is located at the intersection of Terrace Court and Bowman Way. The site is currently vacant. There is single-family attached housing north of the site, a day care center to the east, retail to the south and a sub-station to the west. The request is to rezone the site to UR-1/PD to allow 6 attached single-family residential units. The 2040 Future Land Use Map designates the site as Commercial (C). The submitted plan shows 12 parking spaces, landscaping and sidewalks. Building elevations have also be submitted. The buildings will be constructed with brick and vinyl siding. Garages will be located in the rear of the units. Ms. Hagenseker showed photographs of the site. The Staff comments are identified on Page 7 of the Staff Report including any waiver of the requirements under the PD request. The applicant is proposing front yard setbacks less than the 30 foot minimum requirement. The applicant is also asking for a landscaping buffer reduction to 7 feet. Also, the landscaping is proposed to be in an easement area, of which the applicant needs permission to do so from the easement holder.

Secretary/Treasurer Steele asked if the applicant was present and wanted to proceed with their presentation?

Mr. Lee Rickey, a partner with Brad Trauth, stated that he was present to answer any questions.

Secretary/Treasurer Steele asked if any Commissioner had any questions or comments for the applicant.

Seeing none, Secretary/Treasurer Steele asked if anyone in the audience had any comments or questions?

Seeing no further questions or comments, Secretary/Treasurer Steele announced that Committee Meeting for this item will be on April 19, 2023 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on May 3, 2023 at 7:00 p.m. in the Fiscal Courtroom. Secretary/Treasurer Steele closed the Public Hearing at 8:11 p.m.

APPROVED:

Jackie Steele
Secretary/Treasurer

Attest:

Kevin P. Costello, AICP
Executive Director

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mrs. Kathy Clark
Mrs. Pamela Goetting
Mr. Steve Harper, Temporary Presiding Officer
Mr. David Hincks
Mrs. Janet Kegley
Mr. Rick Lunnemann
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Mr. Dale Wilson

STAFF MEMBERS PRESENT:

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

Secretary/Treasurer Steele introduced the third item on the Agenda at 8:12 p.m.

CHANGE OF CONCEPT DEVELOPMENT PLAN, Todd Morgan, Staff

3. Request of **Black and Veatch, per Breanne Mocaby, on behalf of Electrify America (applicant) for Meijer Stores Limited Partnership, per Matt Levit (owner)** for a Change of Concept Development Plan in an Office Two/Commercial Two/Planned Development/Houston Donaldson Study Corridor Overlay (O-2/C-2/PD/HDO) district for an approximate 0.28 acre portion of the 26.32 acre lot located at 4990 Houston Road, Florence, Kentucky (Meijer). The request is for a Change of Concept Development Plan to allow an electric vehicle charging station.

Staff Member, Todd Morgan, referred to his PowerPoint presentation (See Staff Report). The site is the Meijer's property located off Spiral Boulevard. The proposal is a second electric charging station. It includes 14 stalls, 8 dispensers, a light pole and signage. A landscaping island will be extended and equipment will be enclosed and installed on the site. Landscaping will be installed around the perimeter of the island. The proposed enclosure will match the Tesla enclosure. There will be room for future equipment. The actual dispensers will be 8.19' tall. Elevation drawings were submitted as part of the request. Mr. Morgan suggested that the grasses be substituted for evergreen shrubs. Also, simulation drawings were submitted showing how the site would look from different angles. Mr. Morgan showed pictures of the site and the Tesla site. References to the Comprehensive Plan are made on Pages 2-4 as well as references to the Houston-Donaldson Study on Page 5. In terms of Staff Comments, Mr. Morgan stated that the Meijer site has excess parking. There is no issue removing 14 parking spaces for the general public. He asked how tall will the utility transformer will be? Finally, the maiden grasses should be upgraded.

Secretary/Treasurer Steele asked if the applicant was present and wanted to proceed with their presentation?

Mr. Frank Dalio, Black & Veatch, stated that he is willing to change any landscaping to make it better. The 15 foot wide stall is a standard design that Electrify America uses to accommodate larger cars. Electrify America is proposing to be next to Tesla because it is non-proprietary as it will allow any electric vehicle to use their facilities while Tesla vehicles can only use Tesla facilities.

Secretary/Treasurer Steele asked if their would be a placard on the striped spot indicating what it is for? Mr. Dalio replied there would be no sign.

Secretary/Treasurer Steele asked if any Commissioners had any questions or comments?

Mrs. Clark asked who monitors the vehicles moving around? Mr. Dalio replied that the applicant has no one on the site. There is a 24 hour help line for troubleshooting purposes.

Mrs. Goetting inquired on whether they are the super charging station? Mr. Dalio responded that he thought they were Phase 1 chargers but they want to reserve room for Phase 2 chargers (Superchargers) in the future.

Mr. Harper inquired about fees and how payment is made? Mr. Dalio replied there is an app that one downloads and deposit funds into an account.

Secretary/Treasurer Steele asked if anyone in the audience had any comments or questions?

Seeing no further questions or comments, Secretary/Treasurer Steele announced that the Committee Meeting for this item will be on April 19, 2023 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on May 3, 2023 at 7:00 p.m. in the Fiscal Courtroom. Chairman Rolfsen closed the Public Hearing at 8:24 p.m.

APPROVED:

Jackie Steele
Secretary/Treasurer

Attest:

Kevin P. Costello, AICP
Executive Director