

CAMPBELL COUNTY & MUNICIPAL PLANNING & ZONING COMMISSION MINUTES OF THE APRIL 12, 2022 MEETING

MEMBERS PRESENT:

Mr. Larry Barrow, Vice Chair

Mr. Michael Williams

Mr. Justin Verst, TPO

Mr. CJ Peters, Chair

Mr. Roger Mason

Ms. Sharon Haynes

Mr. Dennis Bass

Mr. Mark Turner

MEMBERS ABSENT:

STAFF PRESENT:

Mr. Kirk Hunter, Principal Planner

Mr. Matt Smith, Legal Counsel

Ms. Cindy Minter, Director

Ms. Emily Woodward, Secretary

Mr. Peters called the meeting to order at 6:30 PM. Following the pledge of allegiance, the clerk called the roll. A quorum was found with Mr. Barrow Mr. Bass, Mr. Franzen Ms. Haynes, Mr. Peters, Mr. Schuchter, Mr. Turner, Mr. Verst and Mr. Williams in attendance. With the first case of the evening being a continuation of the March meeting, Mr. Peters opened the floor to a motion to reopen the case and public hearing for cases PZ-22-004 and PZ-22-005. Mr. Barrow made that motion, seconded by Mr. Williams. A roll call vote found all in favor, but Ms. Haynes who abstained as she had not been present for the original meeting. Ms. Haynes viewed the remainder of the hearing for this case from the audience. The cases and hearing were reopened.

Ms. Minter explained that the hearing had been advertised, and then presented to the commission the updates to the application that had been submitted by the applicant. Including the following, from her PowerPoint presentation (attached):

- ▶ 98 single family residential lots.
- ▶ The proposed lot gross density would be 2.1 DU/AC;
 - ► The net density (Total project area less area devoted to streets and commercial uses) will be 2.4 DU/AC. The proposed R-1C allows up to 3.5 DU/AC.
- ▶ The total site area of 46.51 acres would be developed as +/- 18 acres of residential lots; +/- 5 acres of ROW; and +/-23 acres of open space.

- ▶ Lots are proposed at 60' wide by 125' depth; Setbacks would be adjusted to 30' Front Yard; minimum 5' Side yard, the Rear yard would be the 25' minimum depth.
- ▶ All homes will be single family detached units.
- ▶ Parking includes two (2) vehicle garage spaces and two driveway spaces. Onstreet visitor parking is not prohibited.
- ▶ The ROW is proposed as 50' width with 4' sidewalks. The applicant will evaluate the option to place sidewalk on one side of the street and use walking trails through the open space in-lieu of sidewalks on both sides.
- ▶ A 50' buffer along Alexandria Pike will incorporate a public sidewalk. 25' buffers have been provided along the north, south and western boundaries. Buffers will be landscape with a combination of existing and supplemental native vegetation.
- ▶ Lot sizes are proposed smaller than the existing Zoning requirements to appropriately accommodate the existing wetland resource areas and provide for generous conservation of open space for community enjoyment.
- ▶ Multi-use paths may be woven through the open space connecting proposed playgrounds and community amenities. The HOA would manage and maintained community amenities and open space preserve areas.

Ms. Minter indicated that a wetland resource assessment had been performed. She noted that the road and other amenities had been moved to minimize wetland area disturbance. She also noted that the wetland resource protection and crossing will be in compliance with NPDES standards.

Regarding the utilities, Ms. Minter include the following in her presentation:

- ▶ Utilities (water, sanitary sewer) connections are available.
- Sanitary capacity has been reserved
- ▶ Water service is available along both South Licking Pike and Alexandria Pike.
- ▶ Potential locations for small cell towers have been identified as requested, per anticipated local need.

Her presentation also including the following information in regard to traffic assessment:

- ► Kentucky Traffic Cabinet (KYTC) requires a traffic study for sites with 99 lot or greater. The development proposes 98 lots.
- ► A traffic assessment has been performed at the request of the Campbell County Planning
- ▶ The 46.51 acre site will have a two access points.
 - ► The western entrance will intersect with South Licking Pike approximately 800 feet south of Losey Road.
 - ► The eastern entrance intersects with Alexandria Pike opposite of Wellington Drive

- ▶ Institute of Traffic Engineers (ITE) Trip Generation Manual Tenth Edition, to develop anticipated weekday trips, AM peak-hour trips, and PM peak-hour trips
 - ▶ Weekday: 1020 Trips, 510 Entering, 510 Exiting.
 - Weekday AM commuter peak hour: 74 Peak-Hour Trips, 18 Entering, 56 Exiting.
 - ▶ Weekday PM commuter peak hour: 99 Peak-Hour Trips, 62 Entering, 37 Exiting.
- ▶ ITE Trip Generation Manual we should expect this development to generate less than the 100 trips needed to require a study and therefore the traffic impacts should be considered negligible.
- ▶ The conceptual site plan depicts a roadway network with circular pathways.
 - ► This type of plan permits easier maneuvering of larger vehicles which typically access local neighborhoods such as emergency service vehicles, school buses, and waste removal vehicles.
- ▶ The proposed development has two entrances, this allows the generated traffic to be balanced between these two locations.
- ► Campbell County Schools have requested a school zone sign on Alexandria Pike

She also included a Development Project Milestones graphic "Exhibit F" as provided by the applicant.

Ms. Minter then returned the floor to the commission. Mr. Peters invited the applicant to speak. Ms. Joanne Shelley of LSSE spoke on the revisions to the plan and their reasons for these changes.

Mr. Verst inquired about layout details pertaining to garages and asked for clarification about the sidewalks. Ms. Shelley explained that within this type of development there is an allowance for sidewalks on only one side of the road, but that the applicant feels that with this layout sidewalks on both sides would be appropriate. Mr. Verst then discussed the traffic study, and the need for a full study should the development expand beyond the 98 requested lots.

Mr. Schuchter asked for clarification regarding the possible expansion on to neighboring lots. Ms. Shelley stated that she believed the opportunity for those lots has passed.

Mr. Peters then opened the public comment portion of the meeting. The first to speak was Ms. Julie Reinhart of 11233 S. Licking Pike. She referenced a study completed by a neighboring funeral home and noted concern about the cost of construction for this development.

Mr. Donald Stahl expressed his opposition. He cited issue with the planting area referenced in the application, and representation of proposed signage on the plans.

Ms. Cordelia Daugherty of 11136 S. Licking Pike stated her opposition.

Mr. Mark Doyle of 10886 S. Liking Pike stated his opposition and noted that the site plan submitted did not show enough detail regarding storm water.

Ms. Anna Zinkhon of 5210 Owl Creek Rd. recited the Campbell County Zoning ordinance in reference to the sidewalk details on the plans.

Ms. Kathy Tom of 10419 S. Licking Pike stated her opposition based on traffic and school capacity.

Mr. Wayne Geisel of 10944 Alexandria Pike stated his opposition. He echoed concerns about the specificity in the plan submittals.

Mr. Edward Parker of 11179 S. Licking Pike stated his opposition.

Mr. Noel Roberts of 10924. Alexandria Pike stated his opposition based on traffic and school capacity as well as concerns about fire safety.

Ms. Sandra Snell of 10924 Alexandria Pike recited Campbell County zoning ordinance and expressed concern with the lack of detail in the plans regarding topography and neighboring zones. She also stated concern with density and classroom sizes.

Mr. Steve Siry of 10629 Alexandria Pike entered exhibit AA into the record. He explained the findings of his personally hired planner. He stated his belief that the application cannot be approved because of the issues raise in his exhibit.

Ms. Janelle Armstrong of 10713 S. Licking Pike submitted into the record exhibit BB. She stated her opposition based on the scale of the submitted site plan.

Mr. Mike Howard of 10458 Alexandria Pike submitted exhibit CC into the record. He expressed his opposition based on his interpretation of the comprehensive plan with regard to density.

Ms. Angela Siry of 10629 S. Licking. Pike brought with her a 5 ft piece of lumber to represent the potential distance of home locations. She stated her opposition based on her opinion of the builder, and the density.

Mr. David Armstrong entered exhibit DD into the record. He stated his opposition based on the proposed lot sizes and setbacks.

Mr. Jeffery Tom of 10419 S. Licking Pike echoed the sentiments of those that had already spoken.

Ms. Jacqueline Stuhl of 10888 S. Licking Pike stated her opposition. She noted issues with sinkholes on her neighboring property, and concern about the size of lots and neighborhood exit and entry points. She showed the commission and audience photos of the road. The photos are entered into the record as exhibits EE, FF, and GG.

Mr. William Schreiber of 11043 S. Licking Pike stated his opposition based on his personal calculations on density.

Ms. Patty Geisel of 10944 Alexandria Pike stated her opposition based on the proposed density.

Mr. Mike Metzger of 10977 Alexandria Pike stated his opposition due to his fear of an increase in development following this approval.

Mr. David Brown echoed concerns regarding traffic.

Ms. Therese Meeks of 10886 Alexandria Pike stated her opposition. She echoed concern about school overcrowding and traffic.

Mr. Jameson Daugherty of 11136 S. Licking stated his opposition.

Ms. Linda Wiley stated her opposition.

Mr. Danny Cade of 12156 Lees Rd cited Kentucky Supreme Court cases in which Planning Commissions have denied zone change requests.

Ms. Pam Cade of 1256 Lees Rd. stated her opposition.

Mr. David Wiley of 10521 Michael Dr. stated his opposition.

Ms. Kathleen Vickers of 11019 S. Licking Pike state her opposition.

Mr. Peters called for any other who wished to speak but had not signed in.

Mr. Jim Benson of California Kentucky stated his opposition based on density.

Mr. Peters then called for anyone who wished to speak in favor of the zone change or had neutral comment.

There being none, he closed the public comment portion of the meeting.

Mr. Verst asked for clarification regarding the density calculations.

Ms. Minter entered into the record exhibit II into the record. She then read the explanation of the density calculations from this exhibit.

Mr. Schuchter asked for clarification regarding minimum lot sizes, which Ms. Minter offered.

Mr. Verst asked legal counsel to clarify the duties of the commission as they pertain to the legal precedents brought forth by the public. Mr. Smith explained that generally if a change is found to be consistent with the comprehensive plan then it should be approved. He stated that there are instances that could be different but there would need to be extensive reasons for denial in the record.

Mr. Peters then asked the applicant back to the podium. The applicant acknowledged the water on the site referencing the wetland and soil studies they had provided.

Mr. Verst inquired about the details of the provided schedule. He asked that the applicant identify at what point the amenities would be constructed. Mr. Brian Hoesel of Maronda homes stated that the time of amenity construction would depend on the phases of home construction, but that all of them would be built before the completion of the development.

Mr. Verst also asked for clarification regarding signage. Ms. Shelley explained that entry signs would be developed on each entrance along with landscaping and that the signs would comply with County sign regulations. He also asked for clarification about storm water management on the site. Ms. Shelley gave an overview.

Mr. Williams asked the applicant to speak to comments regarding the implication that the application was not complete. She answered to the concerns, citing the contents of the resubmittal as well as details presented as part of the hearing as proof of a complete application.

Mr. Verst invited the applicant to speak to comments about the quality of the builder's work. Mr. Hoesel stated that the company does what they can to build the best homes for their families, and stated that they handle all concerns individually.

Mr. Peters offered the public an opportunity to allow a representative to speak on their behalf and provide a rebuttal. The public declined.

Mr. Schuchter asked Ms. Minter if the applicant had submitted the appropriate documentation for a Stage I plan. Ms. Minter confirmed that the plan submittal was acceptable. The commission, staff and applicant discussed the differences between a traffic assessment and a traffic study.

Mr. Williams also clarified with Ms. Minter that the County was satisfied with the submittal of the Stage I plans. She and legal counsel noted that with the combination of the information submitted and the discussion at the meetings that the county had received a sufficient application.

Staff and the commission discussed the capacities approved by Sanitation District Number One. They also discussed next steps should this zone change and Stage I plan pass.

Mr. Peters then opened the floor to the commission for discussion.

Mr. Verst stated that Campbell County Schools has not made an official comment. Ms. Minter clarified that she had met with a school representative who's only concern was the request for a school zone sign on the road. The developer was agreeable to pay for this sign.

He then discussed his feelings regarding cluster developments. He noted a trend in the demand for this type of lot. He also stated his belief that the infrastructure in the area is appropriate and that he saw no conflict with the comprehensive plan.

The commission discussed the possibility of bringing the Stage II plans back before this body should the Stage I be approved.

There being no more discussion, Mr. Verst made a motion to recommend approval to the Fiscal Court of the Zone Map Amendment from R-1A and R-RE (P) to R-1C with an RCD overlay and the Stage I Plans for up to 98 units with three conditions to which the applicant was agreeable; namely, the placement of the school zone sign on the road; that the Stage II Plans be submitted to the full Planning Commission for review and approval; and that sidewalks be placed on both sides of the road. Mr. Verst stated his motion to approve was on the basis of staff's report, the evidence presented at the public hearings, and the finding that the application is consistent with the 2008 Campbell County Comprehensive Plan.

Mr. Williams seconded the motion. A roll call vote found Mr. Barrow, Mr. Bass, Mr. Franzen, Mr. Peters, Mr. Turner, Mr. Verst and Mr. Williams in favor, and Mr. Schuchter opposed. The motion passed.

Mr. Franzen made a motion to recess until 8:45. An oral vote found all in favor.

Mr. Peters called the meeting to back to order at 8:45 pm. The commission then turned their attention to the second case of the evening.

Ms. Haynes rejoined the meeting, and Mr. Franzen noted his desire to recuse himself from this case as he has a personal connection. He viewed the remainder of the meeting from the audience.

Mr. Hunter then presented the second case as follows:

FILE

PZ-22-011

NUMBER:

Project Rick II Partnership

APPLICANT:

LOCATION: 10 acres located adjacent to 4854 Mary Ingles Highway, Silver

Grove, KY.

REQUEST:

Approval of Stage II Plans for the construction of a storage

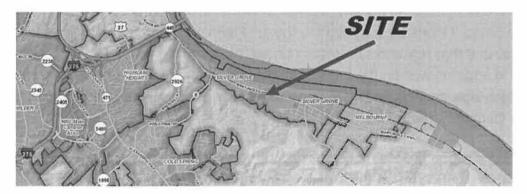
building and unmanned office

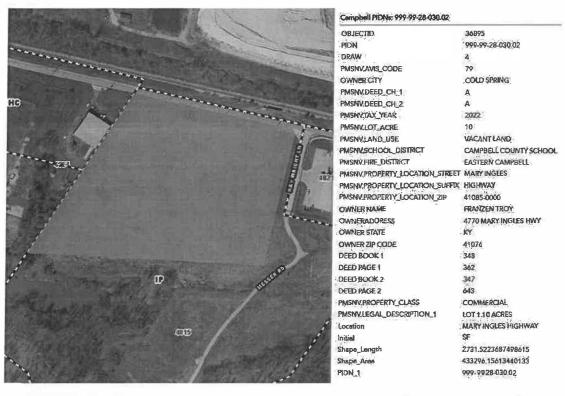
Notice of public hearing was placed in the March 14, 2022 edition of the Campbell County Recorder. Notice was sent via mail to adjoining and neighboring property owners.

Information concerning these cases is available for review at the Campbell County & Municipal Planning & Zoning Office, 1098 Monmouth Street, Suite 343, Newport, KY. Monday-Friday during normal business hours.

Overview:

The applicant intends to construct a single-story, 55,000 square foot barrel storage building (rickhouse) and 360 square foot office building. The area under review consists of ten (10) acres in Silver Grove, Kentucky on Mary ingles Highway (KY8) at the intersection of Kay Wright Lane.



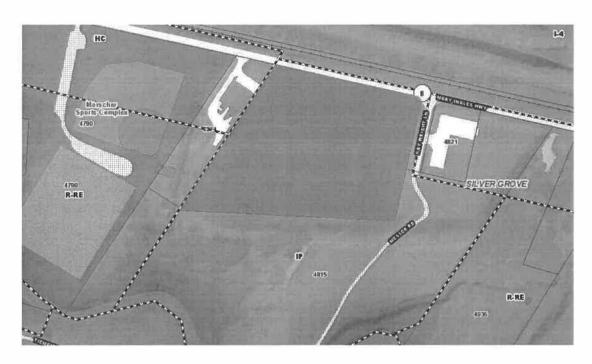




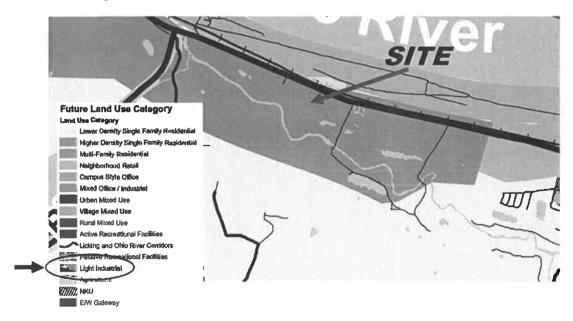
Considerations:

The site is currently undeveloped.

The area is within the Industrial Park (IP) Zone. The property directly to the south, behind the site is zoned IP as well. The properties to the east and west along the street are zoned Highway Commercial (HC). The properties to the north, across the street are zoned Industrial-Four (I-4). Properties to the east at the rear of the property are zoned Residential-Rural Estate (R-RE).



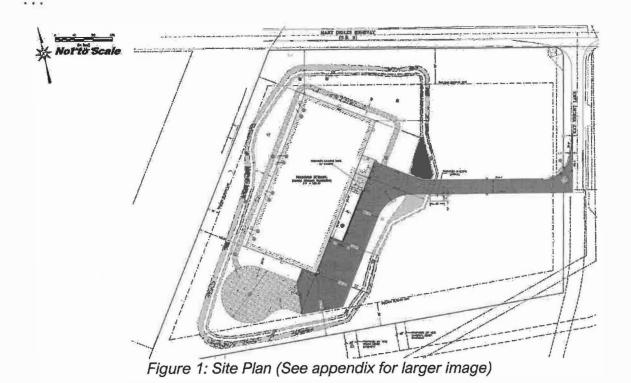
The Future Land Use Map within 2008 Campbell County Comprehensive Plan designates this site as "Light Industrial".

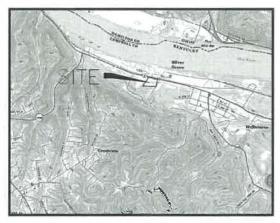


The City of Silver Grove Zoning Ordinance, Section 10.8 IP (INDUSTRIAL PARK) ZONE identifies relevant permitted uses including (excerpted):

. . .

- 9.
- Warehousing or wholesaling.
 Distribution of liquors and bottled products. 10.





VICINITY MAP SCALE: 1" = 2000'

C-000	TITLE/VICINITY MAP
V-100	ALTA SURVEY
C-100	SPECIFICATION SHEETS
C-200	DETAIL SHEETS
C-201	DET:AIL SHEETS
C-400	SITE LAYOUT/DIMENSION PLAN
C-401	VEHICLE TRAVEL PATH EXHIBIT
C-500	UTILITY PLAN
C-600	GRADING PLAN
C-700	SWPP PLAN
C-900	PROFILES (STORM/SANITARY/WATER)

Figure 2: Submittal Contents

Staff has reviewed the site plan for consistency with the requirements of Section 9.19 SITE PLAN REQUIREMENTS:

- 1. Total area in development project is ten (10) acres;
- 2. Present zoning of the property is Industrial Park (IP).
- 3. All public and private rights-of-way and easement lines located on and adjacent to the property which are proposed to be continued, created, relocated or abandoned are indicated within the site plans;
- 4. Existing topography with a maximum of two-foot contour intervals is shown;
- 5. The proposed finish grade of the development area shown by contours with intervals not larger than two (2) feet is indicated:
- 6. A 55,000 square-foot (160' X 343.67') barrel storage building is proposed as the primary use of the site;
- 7. A 360 square-foot (12' X 30') modular office is also shown on the site plan
- 8. Location and dimension of all curb cuts, driving lanes, off-street parking and loading and/or unloading areas are shown on the plans;
- 9. No walks, malls, and other open areas are proposed;
- 10.A perimeter fence is indicated atop the earthen berm;
- 11.No signs are proposed;
- 12. Types of surfacing proposed on the various off-street parking and driveways including cross sections and drainage plans are indicated;

- 13.All existing and proposed water and sanitary sewer lines, indicating pipe size, types and grades are shown;
- 14.A drainage plan of the area is provided;
- 15.A schedule of development is not provided;
- 16. No residential uses are proposed
- 17.A proposed earthen berm is proposed encircling the barrel storage facility. The top of the berm is specified to be at 508' ASL. The base flood elevation at this site is 502' ASL.
- 18.Land disturbance permit has been issued as of 3/17/2022;
- 19. The proposed site plan meets Industrial Park (IP) zone dimensional requirements;

EXISTING ZONE INFORMATION

IP - INDUSTRIAL PARK				
MINIMUM LOT AREA:	ONE (1) ACRE			
MINIMUM LOT WIDTH:	ONE—HUNDRED FIFTY (150) FEET			
MINIMUM FRONT YARD DEPTH:	SEVENTY-FIVE (75) FEET (ARTERIAL ROAD)			
MINIMOM FRONT TARD BEFTH.	FIFTY (50) FEET (INTERNAL ROAD)			
MINIMUM SIDE YARD WIDTH:	SEVENTY-FIVE (75) FEET (ARTERIAL LOT)			
	TWENTY-FIVE (25) FEET (INTERNAL LOT)			
MINIMUM REAR YARD DEPTH:	FIFTY (50) FEET			
MAXIMUM BUILDING HEIGHT:	FORTY (40) FEET			

Summary of Applicants Request:

The applicant has submitted a request for approval of a Stage 2 Site Plan for the construction of a barrel storage building and accessory office.

Staff Recommendation:

• To approve the proposed Stage 2 Site Development Plan.

Supporting Information / Basis for Recommendation

- The plan has been reviewed and found to be in general compliance with Article IX, Section 9.19.
- The proposed site development plan is consistent with the Zoning Ordinance Article X, Section 10.8.
- Proper legal notice has been given for a site development plan.

Mr. Peters asked for clarification regarding this being a Stage II plan and details regarding the berm.

Ms. Haynes asked about an existing berm on the site. Ms. Minter explained the history of the site with regard to fill and flood heights.

Mr. Schuchter asked for clarification about the detached office. Staff clarified the purpose and occurrence of the pre-manufactured office spaces in industrial zones.

Mr. Bass raised concern about the runoff from the large structure Ms. Minter clarified that there is a retention pond on the property.

Mr. Kevin Hanson spoke on behalf of the applicant.

Mr. Verst discussed water tap specifics with the applicant, and the catch basins near the driveway. Mr. Hanson acknowledged that the appropriate revisions could be made.

There being no other discussion Mr. Peters opened the public comment portion of the meeting. There was no one in attendance who wished to speak.

Mr. Peters then closed the public comment portion of the meeting.

Mr. Verst made a motion to approve, seconded by Ms. Haynes. A roll call vote found all in favor and the motion passed.

Staff and the commission then discussed a possible upcoming meeting in May and logistical issues surrounding the use of the chambers.

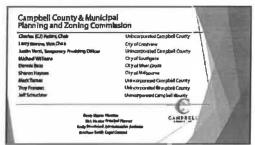
Mr. Verst then made a motion to adjourn, seconded by Mr. Barrow. An oral vote found all in favor and the meeting was adjourned at 9:01 PM.

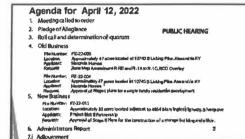
Respectfully Submitted,

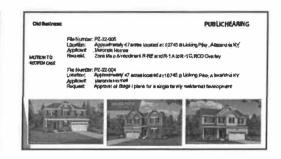
Cindy Minter

Approved:





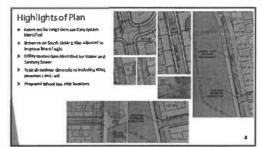


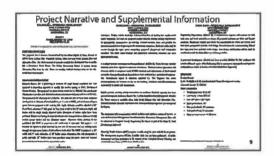


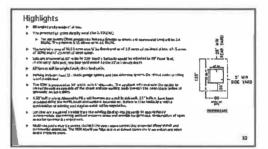


Updated Submittal ► Stage 1: Preliminary Site Plan ► Project Narrative ► Exhibit A - Maronda Home Types ► Exhibit B - Aquatic Resource Report ► Exhibit C - Geotechnical Report ► Exhibit D - SD1 capacity reservation ► Exhibit E - Traffic Assessment ► Exhibit F - Project Development milestones

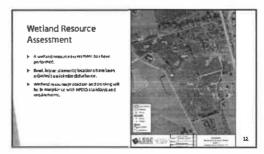


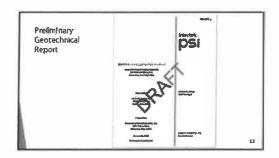


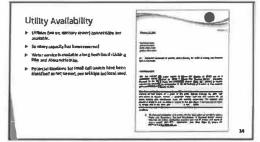


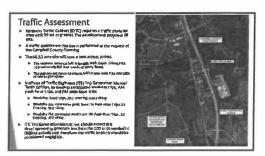


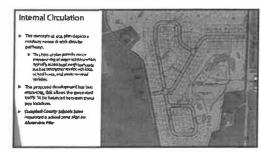


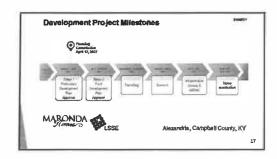


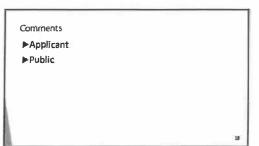


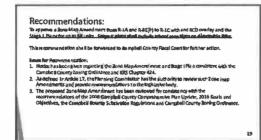




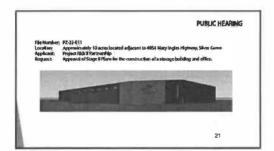




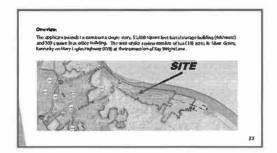




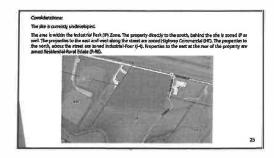


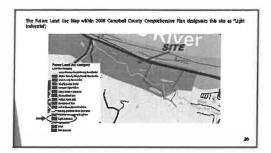




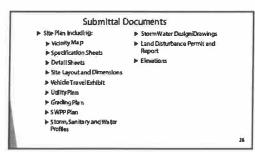


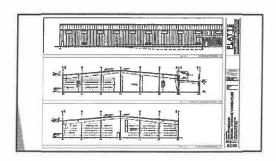


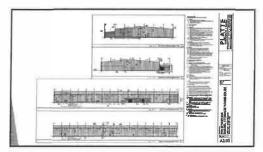


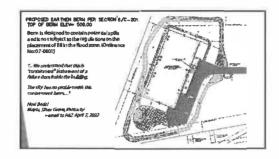
















Staff his reviewed in a size plan for good stancy with the hereof-demanth of Section 9.79 STIER.AM REQUIREMENTS.

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2. Present the fine of the ampost yield industral limited (Pil.).

3. All pools is a of private ight provide yield and shall be a size of project of an individual provide yield advanced on the deploration to the property wheth a shark-develore individual size is lield plant.

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Summuny of Applicants Indused:
The applicant her submitted a tradest for approval of a Stage 2 St to Flain for the construction of a being allowed by the production and profiles.
Staff the Externmentabilities.
To approve the apoposed size of Stage 2 Ste Development Plan.
Supporting information / finals for Recurrencedude.
The plants to be the reviewed and found to be in general recruitment with Arricle IX. Section 9.19.
The proposed of the development plants accounts send with this 2 texting Chairante Art tild X Section 10.0.
Respectively.

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Administrators Report

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Motion to Adjourn

Next Potential Meeting: May 10, 2022

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