

**CAMPBELL COUNTY & MUNICIPAL PLANNING & ZONING COMMISSION
MINUTES OF THE AUGUST 15, 2017 SPECIAL MEETING**

MEMBERS PRESENT:

Mr. Steve Stapleton
Mr. Edward Stubbs
Mr. Michael Williams, TPO
Mr. Larry Barrow, Vice Chair
Mr. Justin Verst, Chair

STAFF PRESENT:

Ms. Cynthia Minter, Director
Mr. Michael Duncan, Legal Counsel
Ms. Stephanie Turner, Recording Secretary

MEMBERS ABSENT:

Mr. Dennis Bass
Ms. Deborah Blake
Ms. Lauri Harding
Mr. Mark Turner

STAFF ABSENT:

Mr. Kirk Hunter, Principal Planner
Mr. Matt Smith, Legal Counsel

[The meeting was scheduled and advertised for 6:00 PM, but was delayed to await the arrival of our Commissioners.]

Mr. Verst called the meeting to order at 6:46 PM. Following the Pledge of Allegiance, Mr. Verst called for a roll call. The roll call found a quorum was present. Mr. Verst asked if everyone had reviewed the April 18, 2017 meeting minutes and if there were any additions or corrections. There being none, Mr. Verst called for a motion. Mr. Barrow made a motion to approve the April 18 meeting minutes as submitted. Mr. Stapleton seconded the motion. Mr. Verst called for a roll call vote. A roll call vote found Mr. Stapleton, Mr. Williams, Mr. Barrow and Mr. Verst in favor of the motion. Mr. Stubbs abstained. Motion passed.

Mr. Verst introduced the only case of the evening as case #31-17-SDP-03, a request by Building Management Partners for approval of a site development plan for the property located at 10307 Alexandria Pike in the Unincorporated Campbell County. Mr. Verst asked staff to present the staff report.

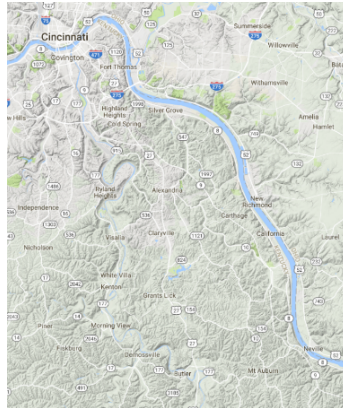
Ms. Minter reminded the Commission that this site was before them almost a year ago for a zone change requested by the previous owners going from Industrial One (I-1) Zone to Highway Commercial (HC) Zone. The previous owners' intent was to select a zone that kennels and veterinary clinics were a permitted use. At this moment, there is a large pile of dirt sitting on the site. Not as evidence of beginning work without the Commissions' approval, but there are soil conditions on this site due to expansive clays. With that introduction, Ms. Minter presented the staff report as follows:

File Number: 31-17-SDP-03
Applicant: Building Management Partners
Location: 10307 Alexandria Pike, Unincorporated Campbell County.
Request: A proposed site development plan to grade and develop a site for a veterinary clinic.

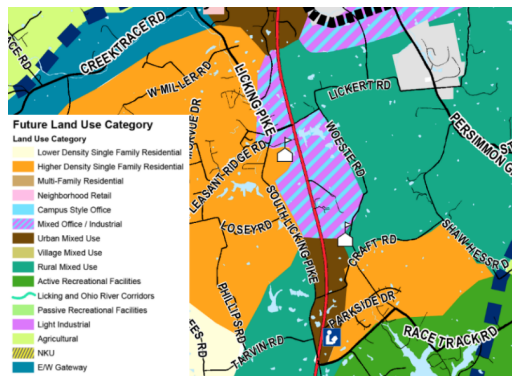
Considerations:

1. The site is approximately six (6) acres at 10307 Alexandria Pike, Unincorporated Campbell County.

Formatted

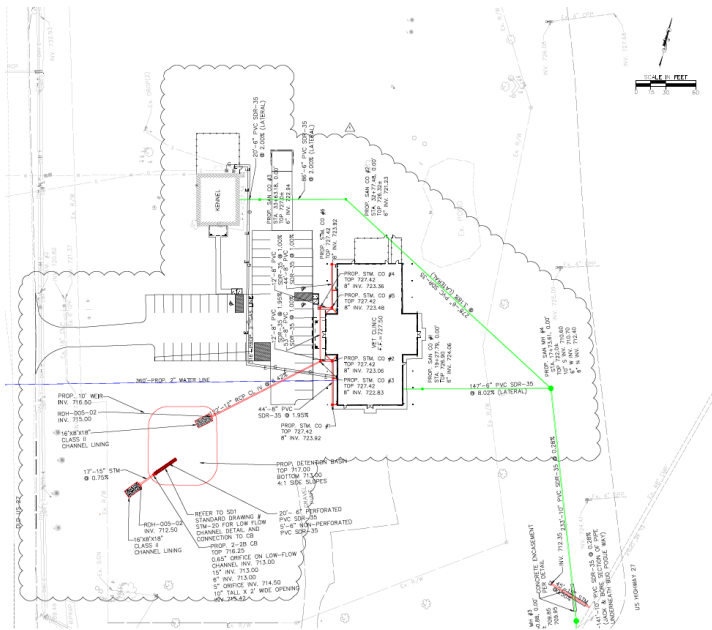


2. The 2008 Campbell County Comprehensive Plan Update designates the site for Mixed Office/Industrial.

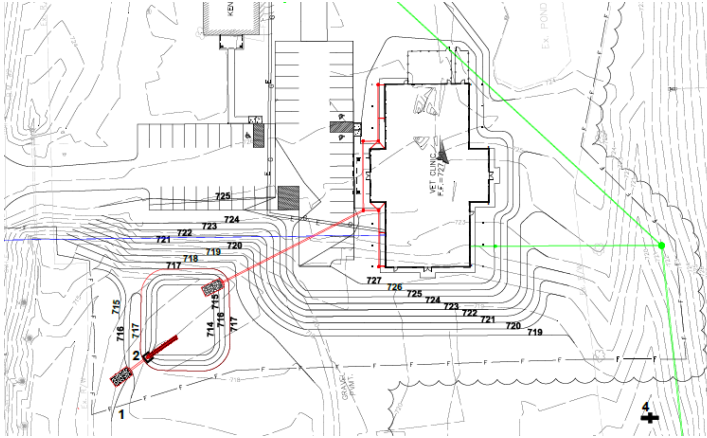


3. The site is within a 10-acre area that was re-zoned from I-1 (Industrial-One) to HC (Highway Commercial) in May of 2016. (Ordinance O-03-16).
4. The Campbell County Zoning Ordinance classifies the plan within the Highway Commercial (HC) Zone. Veterinary clinics, veterinary hospitals and kennels are permitted uses in the HC zone.

5. The site is bordered on the north and south by I-1 zoning. Areas to the east and west are zoned R-RE.
6. Section 10.18 Highway Commercial (HC) Zone requires a site plan be submitted in compliance with Section 9.19 of the Campbell County Zoning Code.



- a. Plans of the subject property shall be drawn to a scale not smaller than one inch equals 100 feet showing existing topography and approximate delineation of any topographical changes shown by contour with intervals not to exceed five feet.
 - **The plan submitted is drawn to a scale of one (1) inch equals thirty (30) feet.**
 - **The existing and proposed topography is shown on the Grading and Erosion Control Plan (Drawing C-2) in one-foot contour intervals.**



b. All housing units on the property.

▪ **No housing is proposed.**

c. Location, height, arrangement and identification of all nonresidential buildings and uses on the subject property and, where applicable, location and arrangement of all lots with exact lot dimensions.

▪ **The site plan shows the arrangement and location of:**

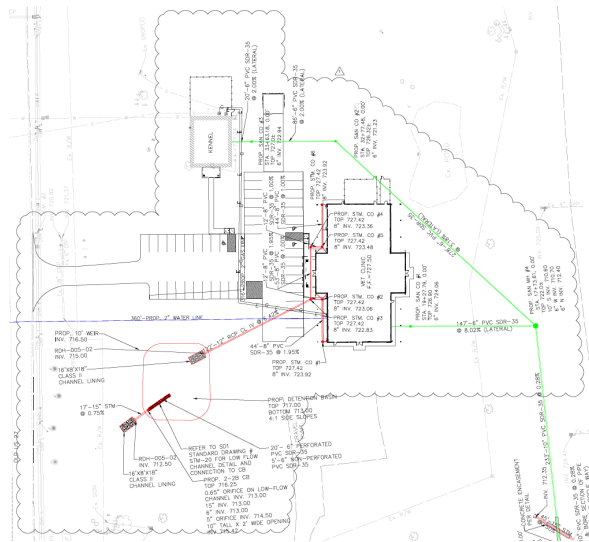
1. **One (1) existing building to remain.**
2. **One (1) proposed building.**
3. **Two (2) proposed fence enclosures.**

▪ **Building heights are shown in the accompanying architectural elevations.**

HC Zone Regulations Require:

Minimum Lot Area:	One (1) acre
Minimum Lot Width:	One hundred (100) feet
Minimum Front Yard Depth:	Fifty (50) feet
Minimum Side Yard Depth:	Restrictions when adjacent to a street, road, highway, or other right-of-way when the required width shall be the same as required for a minimum front yard depth in this zone. When buildings abut each other, firewall construction, as required by the county's building code, shall be required. A side yard is never to be less than fifteen 15 feet
Minimum Rear Yard Depth:	Twenty-five (25)
Maximum Building Height:	Forty (40) feet

- **The proposed site plan meets Highway Commercial (HC) zone dimensional requirements.**
- d. All common open space areas, including accurate lot dimensions and the location and arrangement of all recreational facilities.
- **The site plan shows the lot dimensions and arrangement of buildings. There is no recreational area proposed.**
- e. Landscaping features, including identification of planting areas and the location, type and height of walls and fences.
- **Applicant has submitted a drawing indicating the identification of planting areas and an inventory of trees and plants**
 - **The location and height of fences is indicated on drawing C-5**
 - **The drawing indicates that the type of fence is not yet determined.**
- f. Locations of signs indicating their orientation, size and height.
- **The site plans indicate three (3) existing ground signs that will remain.**
 - **The construction elevation drawings indicate the position of two (2) wall signs to be added by the owners on the main clinic building**
- g. All utility lines and easements:



1. ***Overhead utilities,***
2. ***existing gas and water lines,***
3. ***proposed gas and water lines,***
4. ***proposed storm sewer lines,***
5. ***proposed sanitary sewer lines***

[illegible]

Page 6

- i. Provisions for control of erosion, hillside slippage and sedimentation, indicating the temporary and permanent control practices and measures which will be implemented during all phases of clearing, grading, and construction.
 - ***Page C-2 details all provisions for control of erosion, hillside slippage and sedimentation, indicating the temporary and permanent control practices and measures which will be implemented during all phases of clearing, grading, and construction.***
 - ***Page C-2 indicates that the total area disturbed by grading will be 3.4 acres.***
- j. A schedule of development, including the staging and phasing of:
 - 1. Residential areas, in order of priority, by types of dwelling units;
 - ***No residential areas are proposed.***
 - 2. Streets, utilities, and other public facility improvements, in order of priority;
 - ***No streets, utilities, and other public facility improvements are proposed.***
 - 3. Dedication of land to public use or set aside for common ownership;
 - ***No land is proposed to be dedicated.***
 - 4. Nonresidential buildings and uses, in order of priority;
 - ***The site plan indicates one (1) new non-residential building***

Summary of Applicants Request:

The applicant has submitted a request for approval of a Site Plan for the construction of a new building, parking lot, storm sewer, sanitary sewer and grading.

Staff Recommendation:

To approve the proposed site development plan with the following condition:

- 1. That should either of the two signs located at the driveway entrance be substantially altered, replaced or repaired, only one sign shall be permitted to remain. This remaining sign should be brought into compliance with the current sign regulations.

Supporting Information / Basis for Recommendation:

The proposed site development plan is consistent with the Zoning Ordinance Article X, Section 10.18.

Note to the Applicant:

1. The applicant is responsible for submitting the grading plan and storm water management plan to Sanitation District #1 for approval.
2. The applicant is responsible for obtaining applicable construction permits, including building, fence, and electrical permits.

Discussion:

Ms. Minter included in her presentation the parking space requirements per our Zoning Ordinance for medical offices and clinics is calculated as five spaces per practitioner and one space per every two employees. The applicant indicated that there will be two practitioners and ten employees. This request a minimum of fifteen spaces. The applicants have reflected forty-seven parking spaces including three spaces that will be ADA-compliant spaces.

Ms. Minter asked if the Commission had any questions for her. Mr. Verst asked the Commission if there were any questions of staff. Mr. Stapleton asked if the kennel was really going to be on the opposite side of the parking lot from the clinic. Ms. Minter explained that kennel was to board animals as an expansion to their veterinary clinic. They have a second kennel attached to the clinic for animals undergoing treatment procedures. Their intent is to make each service distinct.

Mr. Stapleton asked if there would be larger animals boarded at the kennel. Ms. Minter stated the kennel as currently detailed is for smaller domesticated animals. The services for larger animals would likely remain at their current location in Grants Lick, which has a barn. Ms. Minter explained that their location in Grants Lick was original proposed to be taken by the Kentucky Department of Transportation for expansion of US 27. KYTC has since modified the plan and has indicated that the Grants Lick property as originally proposed. They will be able to keep their original location in addition to this new site.

Mr. Stapleton asked about the distance from the kennel to the property lines. Does that “200 feet” item come into play in this situation? Mr. Verst stated he believed the distance was approximately 120 feet. Ms. Minter advised that she would need to measure it and continued that there is no residential dwellings on this site.

Ms. Minter accessed the website www.linkgis.org to be able to show the Commission the location of the site before them tonight in comparison to the location of the surrounding zones. Purple represents Residential Zones. Green represents the Rural Commercial Zone. Red represents Industrial Zones. Blue is the site in question in the Highway Commercial Zone.

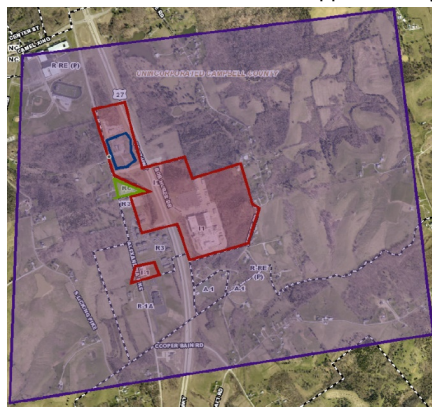


Diagram 1

Using the websites' measuring tool, Ms. Minter approximated the following distances:

- 130 feet to the right of way on Alexandria Pike (to the left on Diagram 2)
- 272 feet from the edge of the kennel building to the right of way on US 27 (to the right on Diagram 2)
- 183 feet to the Industrial Zone site to the north (above the site on Diagram 2)
- 400 feet to the Industrial Zone site to the south (below the site on Diagram 2)
- 327 feet from the edge of the kennel to the edge of the home at the closest residence identified as 10318 Alexandria Pike (diagonal to the lower left on Diagram 2)



Diagram 2

Ms. Minter pulled up the Campbell County Zoning Ordinance on the iPad to review the Highway Commercial (HC) Zone regulations. Article X, Section 10.18 lists the following permitted uses:

13. Veterinary clinics and animal hospitals.
- ...
17. Kennel.

It lists "Other Development Controls" such as "No use producing objectionable odors, noise, or dust shall be permitted within 500 feet from the boundary of any residential zone." With the Tyson facility across the road, this area is closely monitored for odors and noises to insure the safety and well-being of the residential sites near this location. Ms. Minter continued that the uses proposed for this site are permitted uses not conditional uses so some of the Other Development Controls may not apply to this plan.

Mr. Verst asked if there were any other questions of staff. Mr. Barrow asked if the applicant gave a number of how many animals were proposed to be boarded in the kennel. Ms. Minter replied there was no indication. Mr. Stubbs stated he heard the Grants Lick location was not going to be caring for large animals any longer. Ms. Minter commented that this may have been the case when their property in Grants Lick was in danger of being used for the widening of US 27, but she is uncertain what their current intentions are in regards to large animals since they get to keep

the original location. They are reevaluating their business plan. Ms. Minter stated that they have given no indication that large animals will be boarded at this location.

Mr. Stapleton asked if the kennel was a portion of the business that is coming down the road after the clinic is established. Ms. Minter replied she believes their intent is to make the kennel open either slightly before or at the same time as the clinic.

Mr. Verst asked if there were any other questions for staff. Mr. Duncan reminded the Commission that Ms. Minter stated the zone on the property was changed from I-1 to HC last year. He asked Ms. Minter if it was tied to a specific development plan or if there were any conditions placed on that zone change that may affect this request. Ms. Minter replied that there were no conditions or restriction placed on the zone change. The previous owner requested the zone change specifically so that kennels and veterinary clinics would be a permitted use for the current owner.

Mr. Verst asked if there were any other questions for staff. There being none, Mr. Verst asked the applicant to come forward. Ms. Minter advised the Commission that the applicant was not present tonight.

Mr. Verst moved forward to ask for comments from the public. Mr. James Kramer of 10234 Woeste Road in Alexandria stepped forward. He asked why he was notified of the hearing. Is there a portion of this plan that will directly affect his property across US 27 from the clinic site? Mr. Verst replied that there is a legal requirement to notify all adjacent property owners and he assumes that Mr. Kramer was notified in an attempt to be diligent in complying with that legal requirement. Mr. Kramer asked if there was something else going on the site that directly affects him. Mr. Verst stated that the plan presented tonight is the only activity being considered and the Commission was not aware of any other possible plans for this site. Mr. Kramer stated that he was satisfied and is not concerned with what has been discussed tonight. Mr. Verst asked Mrs. Kramer if she had any comments she wished to make. She indicated she did not. Mr. Verst thanked Mr. & Mrs. Kramer for coming tonight and for being so patient since the meeting was delayed.

Mr. Verst closed the public hearing and opened the floor for discussion among the Commissioners. Mr. Verst identified that when he reviewed the site plan he noticed a couple of deficiencies. First, the parking spaces are labeled as 9 X 18 and the County standard is 10 X 20. Secondly, the driveway is also an insufficient width. Finally, the Campbell County Zoning Ordinance still requires a loading zone be provided. They have an area between the parking lot and the dumpster pad, but they call it out to be gravel. Our Ordinance requires it be paved. Mr. Verst stated he would recommend these be added as conditions to any motion to approve the request.

Mr. Verst asked if there were any other comment or points of discussion among the Commissioners. There being none, Mr. Verst stated he would entertain a motion. Ms. Minter advised Mr. Verst that if the parking places were changed to meet the County standard it might reduce the total number of parking spaces to be placed on site. Mr. Verst stated that since they had more than adequate parking spaces provided this reduction in the total number of spaces would not affect the approval of this plan unless they were to reduce to a number below the required 15 parking spaces.

Mr. Verst asked if anyone wanted to make a motion. Mr. Stapleton made a motion on case #31-17-SDP-03, a request by Building Management Partners for approval of a site development plan

for the property located at 10307 Alexandria Pike in the Unincorporated Campbell County to approve the proposed site development plan with the following conditions:

1. That should either of the two signs located at the driveway entrance be substantially altered, replaced or repaired, only one sign shall be permitted to remain. This remaining sign should be brought into compliance with the current sign regulations.
2. That all loading zones, driveway widths and parking space dimensions be modified to comply with the County's minimum standards.

Mr. Stapleton stated that the basis for his motion is that the proposed modifications to the site is consistent with the Zoning Ordinance Article X, Section 10.22. and that per Section 18.6, A., 2., Notice: Notice of public hearing was given in accordance with Section 18.2 of the Campbell County Zoning Ordinance. Mr. Verst called for a second. Mr. Barrow seconded the motion. Mr. Verst asked if there were any questions on the motion. There being none, Mr. Verst called for a roll call vote. A roll call vote found Mr. Stapleton, Mr. Stubbs, Mr. Williams, Mr. Barrow and Mr. Verst in favor of the motion. No one abstained. Motion passed.

Mr. Verst reminded everyone that this is a special meeting and there will be no approval of training or Director's report this evening. Mr. Verst asked for a motion to adjourn. Mr. Barrow made a motion to adjourn the meeting. Mr. Stubbs seconded the motion. An oral vote found all in favor, none opposed and none abstained. Motion passed. Meeting adjourned at 7:26 PM.

Respectfully Submitted,

Approved:

Cindy Minter
Director

Justin Verst
Chair