

Cold Spring Planning & Zoning May 10, 2017

The regular meeting of the Cold Spring Planning and Zoning Commission was called to order by Secretary Robin Hahn. Pledge to the flag was led by the city clerk. Roll call showed the following present – Mike Foulks, Steve Popovich, Robin Hahn, Ron Schumacher and Sam Conner - excused was Peter Glenn and Mark Stoeber. Also present were City Clerk Robin Sweeney, City Attorney Brandon Voelker, and Cindy Minter with Campbell County Planning & Zoning.

Robin Hahn pointed out the exits from the building, per Fire Department regulations.

The February 8, 2017 regular meeting minutes were reviewed by all. Steve Popovich asked what the progress is on the lighting at the Larosa's site and possibly Tim Horton's. Brandon Voelker stated Tim Horton's is on hold. They are concerned with the foliage and visibility so they are doing some more due diligence for now. Cindy Minter said that they have had some recent contact regarding that site, she is not sure who it is though. The property owner has also been cleaning up the right of way. Mike Foulks made a motion to approve the minutes. Steve Popovich made a motion to approve. Sam Conner seconded the motion. All in favor, **motion carried**.

Robin Hahn stated there were no subdivision items, public facilities.

The next agenda item was the public hearing for **case # 178-17-S2P-01 Stage 2 Development for Northern Kentucky Auto Sales**. Cindy Minter with Campbell County Planning & Zoning advised that there was legal notice of this hearing placed in the Enquirer and Campbell County Recorder. All of the adjacent property owners received notice as well. Cindy Minter gave a little bit of history on the 20-acre site and provided various aerial shots using a PowerPoint presentation. The Comprehensive Plan identifies this area as a Special Development Area. The only access will be from the easement that goes through the lots of White Castle and Valvoline. She discussed the proposed development and provided plans, including a traffic report and the landscaping and lighting plans. It will be a 30 foot x 50-foot building, there can fit roughly 48 cars on the lot for sale at a time, and there will be 2 employees. Within the city's highway commercial zone, permitted uses do include automobile, motorcycle, and truck sales, new or used. A letter from Bayer Becker was given to council that stated the amount of traffic to be generated by the proposed development will be minimal and will have a negligible impact on the flow of traffic on the adjacent roadways. The stormwater plans are in compliance with the city's rules and regulations. Using aerial shots Mrs. Minter showed the driveway and sidewalks of this development. She mentioned section 7.16 agreements and standards in the subdivision regulations states that in the case where sidewalk improvements have not been completed, such sidewalk improvements shall be completed by the owner of the lots within 12 months from the date that 80% of the lots are occupied. Once this development is there it will be at 85% occupied. Staff recommends that commission approves the site plan with the following conditions: get the stormwater plan officially approved by the city, the lighting plan be revised and approved by the city, the sidewalks be completed or funds escrowed for its completion. The bases for staff recommendation are listed in the staff report.

Steve Popovich asked what the max number of cars that are permitted on the lot. Cindy Minter stated there is no physical limit as long as you do not restrict the drive isles. The applicant believes they can accommodate 48. Mr. Popovich questioned the sign regulations for this site. Mrs. Minter said that a stand-alone pole sign would not be permitted because this development has already maxed out on signs. They would be permitted to have a sign on the side of their building as long as it met the city's regulations. It could be lighted, but not animated and they would have to submit a sign permit. Mr. Popovich asked if the greenery on AA Highway at the proposed site would remain as is. Cindy Minter stated that the applicant has no plans to remove that vegetation however the state owns that property and they maintain it. He then asked if the lighting from the car lot would affect the people at the Cold Spring Transitional Care facility. Cindy Minter responded that the lighting plan was reviewed by the city's engineer and they want to see a plan where the light extends to the property line and right of way, the measurement should be less than one foot candle at those lines. They also want the display areas to be low activity areas, it should be reduced to .8, so there is a revised lighting plan required.

Robin Hahn asked if there is a way to restrict parking so that the access to the utility building is not blocked. Cindy Minter said there is no physical way to restrict it other than to put up "NO PARKING" signs.

Michael Folks asked if there will be signage and/or markings on the cars that are for sale. NKY Auto said that there will be mirror hangers in the cars to advertise the prices of the cars. Cindy Minter and Brandon Voelker explained that it's considered a form of speech and there is no legal way to restrict that. Michael Foulks asked if there was a ballpark figure of how much income this would bring into the city. Brandon Voelker said that the biggest income from this would be property tax and insurance premium tax.

Steve Popovich questioned if the purpose of the meeting was just an overview, or if the commission was expected to vote tonight. Cindy Minter stated that they are expected to vote tonight.

Steve Popovich asked the applicants, Patrick Massie, Mark Bryan and their two managers if the appearance of their building will have an aesthetically pleasing look. Mark Bryan responded by saying that they have been in this area (Wilder) for 10 years now and they have significant brand equity, they will not damage that by putting up a facility that the city wouldn't be happy with. They would like to see these plans get approved so they can start working with the architect and break ground. They are happy to add any contingencies to the approval. They provided a booklet with different dealerships to give an idea of what type of building they are going to build. Mark Bryan added that this will strictly be a sales lot. The location in Wilder will remain there to be used for service, repair, and detailing of cars.

Michael Foulks asked if there is specific type of car that they tend to sale. Patrick Massie said they are mostly at a price point of \$10,000 to \$20,000 and they are usually four door sedans. There was some discussion about what the sign on the building might look like, NKY Auto Sales Representatives referenced an image in the booklet they provided. They intend to put the name across the roofline. Brandon Voelker gave some examples of places that have similar signage and stated that the city has very specific sign regulations. Mr. Foulks asked who will pay for the sidewalks. Cindy Minter said that is the developer's responsibility.

Steve Popovich asked when they intend to have a new lighting plan submitted. NKY Auto sales stated they can have it as early as the next day. Mr. Popovich asked if the lights can be dimmed at night. Cindy Minter said most places do have the light intensity on timers.

Patrick Massie stated that he believes they will be good neighbors to Cold Spring businesses and residents. If there are ever any complaints about the lighting and signage, he said it will be addressed.

Cindy Minter went over the staff recommendation again in case there were any items that should be discussed further. Ron Schumacher made a **motion to approve the stage 2 development plans for Northern Kentucky Auto Sales**. Michael Foulks made a second. Roll call vote shows 3 yeses and 2 noes. **Motion carried.**

Under unfinished business the Planning & Zoning Commission entered into a working session with Wendy Mueller from Compass Point Planning to discuss the comprehensive plan.

There was no correspondence, commission items, or comments/requests to the commission.

Sam Conner made motion to adjourn the May 8, 2017 Planning & Zoning Commission meeting at 9:35 pm and Mike Foulks seconded the motion. All were in favor. **Motion carried.**

Respectfully submitted,

Robin Sweeney, City Clerk

Approved: 9/13/17