

March 11, 2020 Planning & Zoning Meeting

The regular meeting of the Cold Spring Planning & Zoning was called to order by Chairman Foulks. Pledge was led by the City Clerk.

Roll Call:

- Present: Mike Foulks, Robin Hahn, Glenn Kukla, Ron Schumacher, Sam Conner, City Clerk Robin Morency, and City Attorney, Brandon Voelker.
- Excused: Steve Popovich

Mike Foulks pointed out the exits from the building, per Fire Department regulations.

Approval of Minutes:

- February 12, 2020 meeting minutes were reviewed by all. Robin Hahn made a motion to approve. Sam Conner seconded the motion. Glenn Kukla abstained. All in favor. **Motion passed.**

Subdivision Items: None

Public Facilities: None

Public Hearing:

- Case # 231-20-SDP setback variances conditional use permit, Stage 1 plan approval for a self-storage facility. Kirk Hunter with Campbell County Planning & Zoning had a PowerPoint presentation and reviewed the existing land use, future land use, and considerations of conditional use permit. He stated that public notice was in the Campbell County Recorder and it was sent to the 17 adjoining properties. Mr. Hunter also explained the Site Plan as submitted by the applicant and considerations in granting a variance. He showed multiple aerial shots of the site, he discussed the topography, the zoning and provided the area and height regulations for the zone. Mr. Hunter explained what a conditional use is for the record. The requests from the applicant are: (1) A conditional use permit in the NSC (Neighborhood Shopping Center Zone) for the construction of a self-storage facility (2) Stage 1 Plan approval and (3) a 25-foot dimensional variance. Staff recommends to approve the conditional use permit. The bases for their recommendation is as follows: (1) Per Kentucky Revised Statutes, the City of Cold Spring has the authority to enact zoning regulations within its jurisdiction. (2) In accordance with Section 18.2 of the Zoning Ordinance, proper notice of public hearing was given. (3) Under KRS 100.237, the Board of Adjustment has the power to hear and decide applications for Conditional Use Permits. The board may impose any reasonable conditions or restrictions on any variance it decides to grant. Evidence was presented to and heard by the Board regarding the Conditional Use permit. (4) The planning commission may hear and finally decide applications for conditional use permits with a proposed development assuming all powers and duties otherwise exercised by the board of adjustments pursuant to KRS 100.231, 100.233, 100.237, 100.241, 100.243,

100.247, and 100.251. Staff also recommends to approve the proposed Site Development Plan/Stage I Plan for the self storage facility with the following condition:

- Stormwater and utilities to be approved by city engineer
- Stage II approval is conditional on stormwater and utility approval by city engineer

Bases for Staff Recommendation: (1) The submitted request is appropriate for this site since it is in compliance with the City of Cold Spring Comprehensive Plan, Zoning Ordinance and Subdivision Regulations (2) Proper notice of public hearing was given in accordance with KRS Chapter 424 and Zoning Ordinance Section 18.

Staff also recommends to approve a dimensional variance, not to exceed twenty-five (25) feet on all sides of the property. The bases for Staff Recommendation: (1) Notice of public hearing was given in accordance with Section 18 of the Cold Spring Zoning Ordinance; (2) In accordance with KRS 100.241 Variances, the board shall have the power to hear and decide on applications for variances. The board may impose any reasonable conditions or restrictions on any variance it decides to grant. (3) The evidence presented by the applicant and staff is such as to make a finding for a variance. (4) The proposed development is consistent with the recommendations of the 2010 update of the Cold Spring Comprehensive Plan, Subdivision Regulations and Zoning Ordinance. (5) The proposed development is consistent with Cold Spring Zoning Ordinance, Article X, Section 10.11, NSC Neighborhood Shopping Center Zone. (6) The planning commission may hear and finally decide applications for variances with a proposed development assuming all powers and duties otherwise exercised by the board of adjustments pursuant to KRS 100.231, 100.233, 100.237, 100.241, 100.243, 100.247, and 100.251. Joe Kramer with Cardinal Engineering approached the commission to answer any questions. Mr. Kramer stated that their plans have changed for access to the site. In previous plans the access was off of Salmon Pass, now the plan is to have the access straight off of US27 through Neltner Drive. There was some discussion between Mr, Kramer about the phases of the project, the existing home and how it will be used. The existing house will be used as the office and will visually be the same from the outside. There was much discussion and concern with using Neltner Drive as the access to this facility. Mike Flannery, who is also a resident of Neltner Drive shared his concern about the access as well, he stated it is already a nightmare to get in and out of Neltner Drive and he stated that he had no objection to this project as originally planned. Sharon Clark, a resident of Neltner Drive added that allowing the storage facility to have access through Neltner Drive would drastically affect the value of their homes. Scott Hehman with Newport Elks, which is adjacent to the property, approached the commission and shared his concerns about the access to some of their property as they are planning to sell it. The Elks were hoping that the Salmon Pass could be extended to their property so there would be access in the event they are able to sell off some of their property. Mr. Kramer stated that extending Salmon Pass is not an option as it would reduce the buildable area. Steve Neltner expressed his concern of the quality of the road if it is being used for access to the storage facility, he said the road is not meant for all of that traffic. There was discussion about the amount of traffic that a storage facility would generate. Brian Hill, who is wanting to purchase the property for

the self-storage facility stated that he spoke with another self-storage that is much bigger than this one will be, said that he sees 10 cars a day on average. Chairman Foulks closed the public hearing portion of the meeting at 7:10pm. The commission discussed the issues with the entrance to Salmon Pass and the issue that the Elks are facing if Salmon Pass cannot be extended. Mr. Kramer suggested that the commission table the vote and give the applicant more time to see if he can make other plans that would allow the entrance to the facility to come off of Salmon Pass, and he added that extending Salmon Pass is not on the table. Sam Conner made a motion to table the vote. Glenn Kukla seconded the motion. Roll call vote showed 6 yeses and 0 noes. **Motion passed.**

Unfinished Business: None.

Commission Items:

- Approval of Continuing Education hours for Robin Hahn, Mike Foulks, Sam Conner and Brenda Helton. Sam Conner made a motion to approve. Robin Hahn seconded the motion. All in favor. **Motion passed.**

Comments/Requests to the Commission: None.

Adjournment:

Sam Conner made a motion to adjourn the March 11, 2020 planning and zoning meeting at 7:28pm. Ron Schumacher seconded the motion. All in favor. **Motion passed.**

Respectfully Submitted,
Robin Morency, City Clerk

Approved:

Chairman:

*To watch a video of the meeting, visit <https://vimeo.com/397646731>