

Planning & Zoning Minutes

July 14, 2021

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

Roll Call:

- Present: Sam Conner, Marg Trunick, Glenn Kukla, Mike Foulks, Ron Schumacher, Steve Popovich, Robin Hahn, City Clerk Robin Morency, City Attorney Brandon Voelker and Kirk Hunter and Cindy Minter with Campbell County Planning & Zoning.

Mike Foulks pointed out the exits from the building, per fire department regulations.

Minute Approval:

- June 9, 2021 meeting minutes - Steve Popovich made a motion to approve. Sam Conner seconded the motion. All were in favor. **Motion passed.**

Subdivision Items: None.

Public Facilities: None.

Public Hearing:

- Case # 243-21-ZMA-01, Zone change from R-2 (Residential Two) Zone to SDA (Special Development Area) Zone between 4304 and 4210 Alexandria Pike. Sam Conner made a motion to un-table this motion from the previous meeting. Ron Schumacher seconded the motion. All were in favor. **Motion passed.**
- Kirk Hunter reviewed the PowerPoint which includes the proof of public notice and an over view of the property. The property is approximately .89 acres and the purpose of this request is so that this property can be developed along with the adjoining southern parcel. Mr. Hunter shared the proposed site development and reviewed the future land use map for this site. Mr. Hunter made a comment stating: "The parcel was originally used to access a multifamily development. The only use on the parcel was the road leading to that development. The road has since been realigned to the south and the former right-of-way has been vacated. Staff finds that the proposed zone map amendment meets both points required for the Planning Commission to grant approval." Kevin Gessner at 952 Corona Drive stated that he is not opposed of this zone change as no one is going to be able to use this property as residential. Ron Schumacher made a motion to change the zone from R-2 to SDA between 4304 and 4210 Alexandria Pike based on the staff recommendation as follows: The Planning Commission recommend approval of the proposed Zone Map Amendment subject to the following conditions: (1) That the zone map amendment be forwarded to the City of Cold Spring City Council for adoption. The bases for staff recommendation are: (1) Per Kentucky Revised Statutes, the City of Cold Spring has the authority to enact zoning regulations within its jurisdiction. This authority includes the provision to amend its zoning map. (2) Pursuant to the Cold Spring Zoning Ordinance Article XVII Amendment Procedure, the Planning and Zoning Commission has the authority to take action on amendments to the zoning map for adoption by the legislative body.

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(3) Proper notice has been given in accordance with Article XVII Amendment Procedure of the Cold Spring Zoning Ordinance. (4) The existing zoning classification given to the property is inappropriate and the proposed zoning classification is appropriate. (5) That there have been major changes of an economic, physical, or social nature within the area involved that were not anticipated in the adopted Comprehensive Plan and which have substantially altered the basic character of such area. Sam Conner seconded the motion. Roll call vote shows 6 yeases and 1 no-Popovich. **Motion passed.**

- Case # 243-21-SDP-01, Site development plan for proposed multi-tenant building with Anchor Buffalo Wings and Rings. Kirk Hunter showed the site plan which is just a little over 2 acres, he showed the grading plan, elevation drawings, drawings of what the building will look like from each side, a photometric plan, and a landscape plan. Mr. Hunter also pointed out that there is a patio area for outdoor seating and there was a discussion about the hours that it can be in operation which is 6am to 9pm. Cindy Minter also explained that they are proposing a take-out door, which is different from a drive-thru. Brandon Voelker stated that the applicant should have applied for a conditional use permit for the outdoor dining, but Ms. Minter stated that will only need to do that if they want to change the times that outdoor dining is allowed. There was discussion about the building materials and whether or not the mechanics will be hidden on the roof. Tim Dwyer approached the commission and stated they will be building a retaining wall that peaks at 13 feet in the back corner of the lot. Mr. Dwyer stated that they worked with the neighboring residents about where the dumpster would be located, and it will be screened on all three sides. There was also discussion about signage on the building and a monument sign near the entrance. Mr. Kukla suggested that the eifs be removed from the building plan, as it does not age well. The commission did come to an agreement by adding more brick to the design, but keeping the orange eifs for branding purposes. Jen Gessner approached the commission and said that their main concern is the screening of the site, they would like trees on the Corona Drive side of the property. Mrs. Gessner would like to see the revised plan before it is finalized. Mr. Gessner added that the right turn from US 27 to Matinee is already a difficult turn to make without adding more traffic. Steve Taylor stated that the has petitioned to the state to move the stripping at the intersection, but has not heard back. The staff recommendations are as follows: (1) To approve the Zone Map Amendment and forward the recommendation to Cold Spring City Council. (2) To approve the Site Development Plan with the following conditions:
 - The outdoor accessory seating may only operate between the hours of 6:00 AM and 9:00 PM.
 - A revised landscape plan be submitted
- 1. The bases for the recommendation are: (1) The submitted request is appropriate for this site since it is in compliance with the City of Cold Spring Comprehensive Plan, Subdivision Regulations and Zoning Ordinance. (2) Per Kentucky Revised Statutes, the City of Cold Spring has the authority to enact zoning regulations within its jurisdiction. In accordance with Section 18.2 of the Zoning Ordinance, proper notice of public hearing was given. Additional information to the applicant: (1) A stormwater plan must be submitted to and approved by the City of Cold

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Spring, (2) Refer to section 14.6 of the City of Cold Spring Zoning Ordinance for information regarding permitted sign classes in the SDA Zone. Mike Foulks made a motion to approve the stage 1 plan based on these revised conditions: (1) Remove all references to drive-thru on plan, and no drive-thru be permitted in the future. One pickup window or door is permitted on the site; (2) A sign permit be submitted separately. A sign may be permitted on the south elevation, but shall not be illuminated due; (3) That the dumpster location be subject to a stage 2 review; (4) That a variance be granted for a non-pitched roof, be granted based on public hearing and the applicant agreeing the following conditions:

- a) That the parapet wall on the north elevation, front elevation, and south elevation be sufficient to shield all mechanicals;
- b) That the front elevation, and the first half of the side elevations have a brick façade in the tenant spaces, and other non-brick cladding

(5) That on and off-site landscaping as agreed to, including hardscapes and softscapes, be revised and submitted as part of a stage 2 review; (6) A stormwater plan be submitted and approved by city engineer. He also requests that the stage 2 plan come back to the commission for review. Ron Schumacher seconded the motion. Roll call shows 6 yeses and 1 no –Popovich.

Motion passed.

Unfinished Business: None.

Correspondence: None.

Planning & Staff Items: None.

Commission Items:

- Approval of four (4) continuing education hours for Marg Trunick. Sam Conner made a motion. Steve Popovich seconded the motion. All in favor. **Motion passed.**

Comments/Requests to the Commission: None.

Adjournment:

Chairman Foulks adjourned the meeting at 9:38pm

Approved:

Chairman:

To view the meeting agenda, visit: <https://coldspringky.gov/departments/planning-and-zoning/planning-and-zoning-agendas/>

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