

## Planning & Zoning Minutes

December 14, 2022

The meeting of the Cold Spring Planning & Zoning Commission was called to order by Chairman Foulks at 6:30pm. The pledge was led by the chair Mike Foulks.

### *Roll Call: (00:37)*

- Present: Sam Conner, Mike Forge, Mike Foulks, Greg Hizer, Robin Hahn, Marg Trunick, Attorney Sebastian Torres, City Clerk Robin Morency, Kirk Hunter and Cindy Minter with Campbell County Planning & Zoning.
- Excused: Steve Popovich, City Attorney Brandon Voelker

Mike Foulks pointed out the exits from the building, per fire department regulations. (00:59)

### *Minute Approval: (1:16)*

- November 9 meeting minutes were reviewed by all. Greg Hizer made a motion to approve. Sam Conner seconded the motion. All were in favor. **Motion passed**

*Subdivision Items:* None.

*Public Facilities:* None.

### *Public Hearing: (2:45)*

- PZ-22-033 approval stage 1 plans for the development of a self-storage facility as a conditional use with setback variances. Cindy Minter stated that legal notice was published in the Cincinnati Enquirer and notice was mailed to nine neighboring property owners. The site being discussed is a 3-acre site zoned Neighborhood Shopping Center (NSC) with access from Salmon Pass via Martha Layne Collins Boulevard. There were previous site proposals for this lot in January 2018, March 2020 and in August 2020 which were similar to this case, but this is a new case. Mrs. Minter provided some background information on this site as it is a tight site with a number of utility regulations; there is a 30-foot-wide gas transmission easement, a 100-foot-wide overhead electrical transmission easement, a 20-foot-wide electrical transmission line, and a 20-foot-wide water easement going through the property. Mrs. Minter reviewed aerial photos of the site, zoning and future land use maps, topography maps and the development plan. The development plan shows a 400 square foot office with 5 parking spaces, 6 rentable storage buildings and a gated fence. There will be a green space buffer for the site. The entrance to this site would be a driveway from the Salmon Pass. Considerations for the conditional use permit from the applicant are as follows: *"Hilltoppers, LLC wishes to develop an approximate 3.0 acre-site into a self-storage facility. The site is located in the City of Cold Spring, just south of Kroger in the Cold Spring County Square. Self-storage is necessary for this area of Cold Spring & Highland Heights due to the large amount of apartments, condominiums and dormitories in the area. Residents of the area need a convenient space to store their items. This site has good central access to Cold Spring & Highland Heights residents as well as students from Northern Kentucky University. This proposed use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity. Self-storage facilities do not generate significant noise, traffic or odors. They do not impose a large visual impact since they are single story buildings less in height than any single or multi-family residence. The use will comply with the regulations and conditions within the Cold Spring zoning ordinance and as noted on the site plan with the exception of the building setbacks. A variance is being requested to reduce the 50-foot building setback to 25 feet."* The conditions for the variance request are as follows: *"Hilltoppers, LLC wishes to develop an approximate 3.0 acre-site into a self-storage facility. The site is located in the City of Cold Spring, just south of Krogers in the Cold Spring County Square. Due to the building setbacks and existing utility easements that exist onsite, the site is very challenging to develop. The site is zoned Neighborhood Shopping Center and self-storage facilities are a conditional use within this zone. The minimum building setback for all yards is fifty feet. The site is encumbered by an existing 100' electric easement, a 20' electric easement, a 20' water easement and a 30' wide gas*

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*easement. Based on the easements and setback requirements, only 0.9 acres is left (of the 3.0 acres) for building development.*

- *Granting this variance will not adversely affect the public health, safety, or welfare and will not alter the essential character of the general vicinity. This property is tucked behind the County Square shopping center and is not visible from the public right of way. The property to the north is an existing shopping center anchored by Kroger, the property to the south is the Elks ballfield (also zoned NSC), to the east is a single-family residential property (zoned NSC) owned by the seller of the subject property and to the west are existing townhomes (rental units). The existing tree line between the rental town homes will be saved and the seller's residence to the east will be screened with landscaping. Self-storage facilities do not generate significant noise, traffic or odors. They do not impose a large visual impact since they are single story buildings less in height than any single or multi-family residence.*
- *Granting this variance will not cause a hazard or a nuisance to the public. The site has access to Martha Lane Collins Boulevard via Salmon Pass, which currently serves one multifamily residential community. The operation of this site will not cause any hazards to the public.*
- *Granting this variance will not allow an unreasonable circumvention of the requirements of the zoning regulations. The proposed use is within the conditional uses of the NSC zone and granting this variance will allow the property to be developed in a manner that will permit the project to be successful. Building a self-storage facility with less units is not practical to manage or maintain."*

Joe Kramer with Cardinal Engineering addressed the commission to clarify a few things. The applicant is asking that the commission allow the Stage 2 plans to be reviewed by staff, and he wanted to add that they are willing to reserve a 25-foot stem along the parcel for future access. There was discussion about the setbacks, the Stage 2 plans and where the notice for the meeting was sent. Greg Hizer made a motion to approve the conditional use permit, stage 1 plan approval and dimensional variances based on the recommendations from Campbell County Planning and Zoning as stated in the staff report to include a variance to allow a uniform fence height of 72 inches in the rear and side yards, with staff being permitted to review and approve the stage 2 plans on behalf of the planning commission, item D to strike the dedication as right-of-way access and omitting item E listed in the staff report. Sam Conner seconded the motion. Roll call shows 6 yeses and 0 noes. **Motion passed.**

*Unfinished Business: None*

*Correspondence: None.*

*Planning & Staff Items: None.*

*Commission Items: (1:35)*

- Approval of 3.5 continuing education hours for Marg Trunick, 1 continuing education hour for Greg Hizer. Sam Conner made a motion to approve. Mike Forge seconded the motion. All were in favor. **Motion passed.**

*Comments/Requests to the Commission: None.*

*Adjournment: (46:05)*


- Mike Foulks thanked all of the commission, Campbell County Planning & Zoning, the mayor and council as well as city staff for all of their work this year, and wished everyone a Merry Christmas and Happy New Year.
- Mike Forge made a motion to adjourn the meeting at 7:16pm. Greg Hizer seconded the motion. All in favor. **Motion passed.**

Approved: 5/10/23

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Chairman:



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

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