

**COLD SPRING
PLANNING & ZONING AGENDA
June 14, 2023
6:30 PM**

1. PLEDGE TO THE FLAG, ROLL CALL, AND EXIT INSTRUCTIONS

MICHAEL FOULKS
ROBIN HAHN
SAMUEL CONNER
STEVE POPOVICH
GREG HIZER
MARG TRUNICK
MIKE FORGE

2. APPROVAL OF MINUTES

- May 10, 2023 P&Z Meeting

3. SUBDIVISION ITEMS

4. PUBLIC FACILITIES

5. PUBLIC HEARING ON SCHEDULED ITEMS

- PZ-23-014 Approval of Stage 1 Development Plans for a 174-Unit Apartment Complex
- PZ-23-015 Approval of Zone Map Amendment from Neighborhood Shopping Center (NSC), Residential-Two (R-2), and Professional Office (PO) zones to Residential-Three (R-3) with a Residential Cluster Development (RCD) Overlay.

6. UNFINISHED BUSINESS

7. CORRESPONDENCE

8. PLANNING AND STAFF ITEMS

9. COMMISSION ITEMS

10. COMMENTS / REQUESTS TO THE COMMISSION

11. ADJOURN

Planning & Zoning Minutes

May 10, 2023

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: (00:47)

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

Mike Foulks pointed out the exits from the building, per fire department regulations. (01:07)

Minute Approval: (01:29)

- December 14, 2022 meeting minutes were reviewed by all. Sam Conner made a motion to approve. Greg Hizer seconded the motion. All were in favor. **Motion passed.**

Subdivision Items: None.

Public Facilities: None.

Public Hearing: (02:11)

- PZ-23-010 Approval of Improvement Plans for the Intersection of Link Lane and Alexandria Pike (US27). Kirk Hunter gave a PowerPoint presentation which included the notice that was published in the paper, the site plan, and aerial views of the site. The overall development site is 12-acres and Link Lane is the access to that site. Mr. Hunter did include a traffic memorandum from Viox & Viox which was requested by the Kentucky Transportation Cabinet since previous studies did conclude that the site may require a signal. There is nothing planned for this site at this time, this is just preparation for future development of the site. Staff recommendation is to approve the improvement plan with the following condition: (a) that the cost of the improvements borne by developer unless otherwise negotiated with the City of Cold Spring or the Kentucky Transportation Cabinet. Justin Verst with Viox & Viox addressed the commission stating that the highway department wants two lanes at the exit instead of one and they have been working with them on this for quite a while. Mr. Verst stated that the developer, Dr. Robinson is committed to making sure that this development is safe and that good quality developments join the area. Chairman Foulks wanted to make it clear that the light signal is not a topic of discussion for this hearing, that is a separate issue.
 - Public Comment: Roger Heck (resident) believes a light at this intersection will greatly impact Murnan residents, in a negative way so he is in opposition of a light signal at this location. He asked if there was a study involving Murnan and Mr. Verst stated that their study did include Murnan Road since they are required to study a mile in each direction and the state does acknowledge the issue at Murnan and US 27. Mr. Heck stated that another light needs to be added at Murnan and US 27, or the city take eminent domain of Corona Drive so that it can be used by Murnan residents. He then reviewed a section of the Comprehensive Plan which has plans of improving roads and traffic flow of Murnan Road. Cindy Minter advised that residents address council with these concerns and work with them to petition to KYTC6 for improvements at Murnan Road. Maura Berry with Cincinnati Childrens told the commission that they are opening a primary care facility in this development in early June. She added that the traffic light being added was one of the first questions that they asked when touring the facility, and they agreed to move forward since the developer had requested a light. Patti Heiert (Murnan resident) said that it doesn't make sense that everyone is concerned about the safety of the development but no one is looking out for the safety of the residents. Laura Vroegindewey (resident) understands the concerns of the Murnan Road residents and would ask that the light signals be synchronized. Mr. Verst said that they can talk to the highway department in regards to the light synchronization.

Planning & Zoning Minutes

May 10, 2023

Greg Hizer made a motion to approve the improvements on Link Lane including the additional lane and pedestrian crossway based on staff recommendation. Sam Conner seconded the motion. Roll call vote shows 4 yeses and 0 noes. **Motion passed.**

Unfinished Business: None

Correspondence: None.

Planning & Staff Items: None.

Commission Items: (01:53)

- Approval of 3.5 continuing education hours for Mike Forge and Mike Foulks. Sam Conner made a motion to approve. Robin Hahn seconded the motion. All were in favor. **Motion passed.**

Comments/Requests to the Commission: None.

Adjournment: (33:41)

- Greg Hizer made a motion. Sam Conner seconded the motion to adjourn the meeting at 7:04pm. All in favor. **Motion passed.**

Approved:

Chairman:

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

To view the meeting video, visit: <https://coldspringky.gov/planning-and-zoning-meeting-videos/>



June 6, 2023

Mr. Mike Foulks, Chair
Cold Spring Planning & Zoning Commission
5694 East Alexandria Pike
Cold Spring, KY 41076

Mr. Foulks,

The Campbell County staff respectfully submits the attached recommendation for review. A public hearing is scheduled before the Cold Spring Planning and Zoning Commission on June 14, 2023 at 6:30 PM at 5694 East Alexandria Pike, Cold Spring, KY 41076.

FILE NUMBER: PZ-23-014
LOCATION: 3704 Alexandria Pike, Cold Spring, KY
APPLICANT: Vision Realty Group
REQUEST: Approval of Stage 1 Development Plans for a 174-Unit Apartment Complex

FILE NUMBER: PZ-23-015
LOCATION: 3704 Alexandria Pike, Cold Spring, KY
APPLICANT: Vision Realty Group
REQUEST: Approval of Zone Map Amendment from Neighborhood Shopping Center (NSC), Residential-Two (R-2), and Professional Office (PO) zones to Residential-Three (R-3) with a Residential Cluster Development (RCD) Overlay.

Legal notice was published in the Campbell County Enquirer. Notices were mailed to adjoining and neighboring properties. A sign advertising the zone change was placed on the site.



LEGAL NOTICE

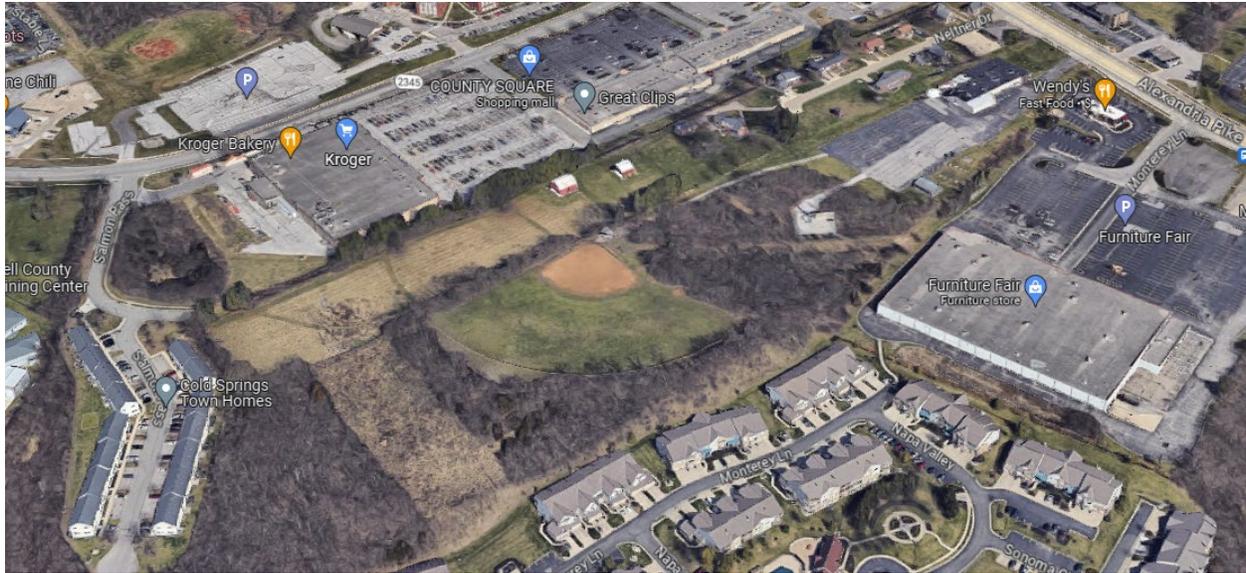
The City of Cold Spring Planning & Zoning Commission will hold a public hearing on June 14, 2023 6:30 P.M., at the City of Cold Spring City Building, 5694 E. Alexandria Pike, Cold Spring, KY for the purpose of hearing testimony for the following cases:

FILE NUMBER: PZ-23-014
LOCATION: 3704 Alexandria Pike, Cold Spring, KY
APPLICANT: Vision Realty Group
REQUEST: Approval of Stage 1 Development Plans for a 174-Unit Apartment Complex with Variances

FILE NUMBER: PZ-23-015
LOCATION: 3704 Alexandria Pike, Cold Spring, KY
APPLICANT: Vision Realty Group
REQUEST: Approval of Zone Map Amendment from Neighborhood Shopping Center (NSC), Residential-Two (R-2), and Professional Office (PO) zones to Residential-Three (R-3) with a Residential Cluster Development (RCD) Overlay.

Interested persons may attend the meeting, and/or submit their comments in advance by emailing pzadmin@campbellcountky.gov or calling 859-292-3880 no later than noon (EST) on May 9, 2023. Comments should also include the name and address of the person(s) commenting. Information concerning this case is available at the Campbell County & Municipal Planning & Zoning Office, 1098 Monmouth Street, Suite 343, Newport, KY during business hours.

Cynthia Minter /s/
Cynthia Minter
Director of Planning and Zoning
Date: June 2, 2023
Kentucky Enquirer
(KY, June 9, 2023 #5729689)



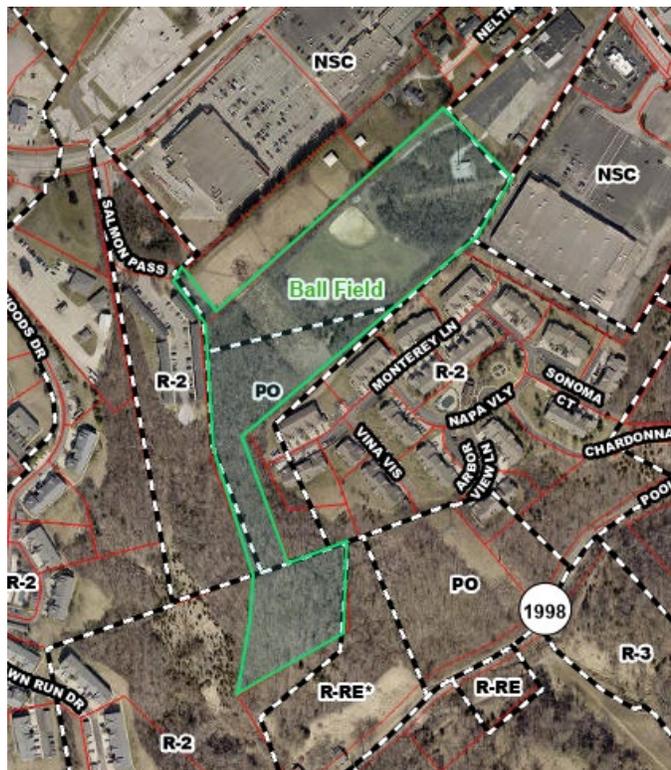
Overview:

The site is located just south of the intersection of Alexandria Pike (US27) and Martha Layne Collins Boulevard. The site is accessed via Salmon Pass, a City maintained street.

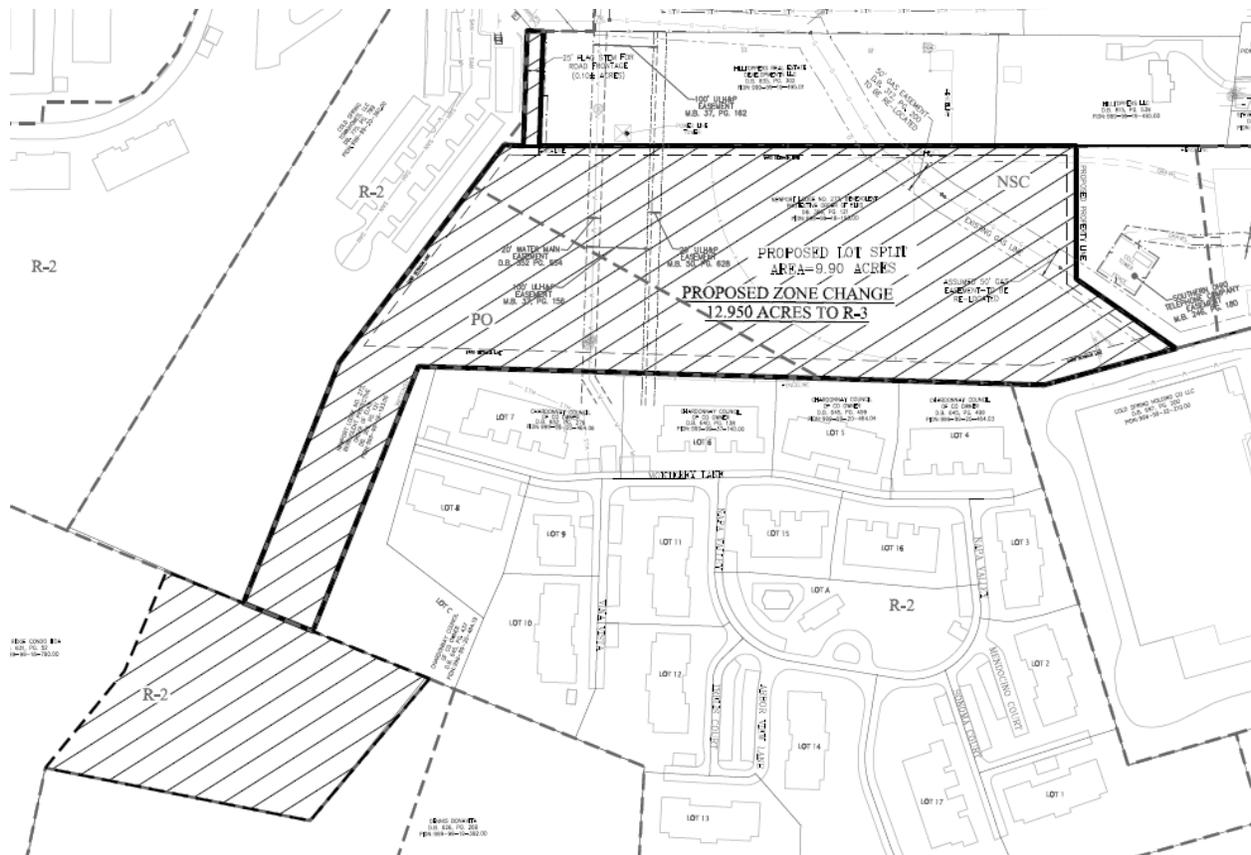
The majority of the development site is currently owned by the Elks Lodge at 3704 Alexandria Pike. The Elks property is to be subdivided leaving 4.4 acres to the Elks fronting Alexandria Pike.

The flag stem entrance is provided by apportionment of property from the Hilltoppers. This entrance was reserved during a previously approved Stage I Plan.

There is also an approximately two-acre portion to the southwest of the property currently owned by the Forest Ridge Condominium Homeowners Association. The proposed site encompasses 12.95 acres and is under contract by the applicant. The site is situated within three zones. The northern portion of the site, where the buildings and parking will situate, is split between Neighborhood Shopping Center (NSC) Zone and Professional Office (PO) Zone. The southwestern portion of the site is currently within a Residential-Two (R-2) Zone.



The adjoining properties to the north and east are zoned Neighborhood Commercial (NC) and Neighborhood Shopping Center (NSC). The properties to the west and south are zoned Residential-Two (R-2).



The proposed use is a multi-family residential development. The proposal includes 174 units, associated off street parking, a pool and clubhouse.

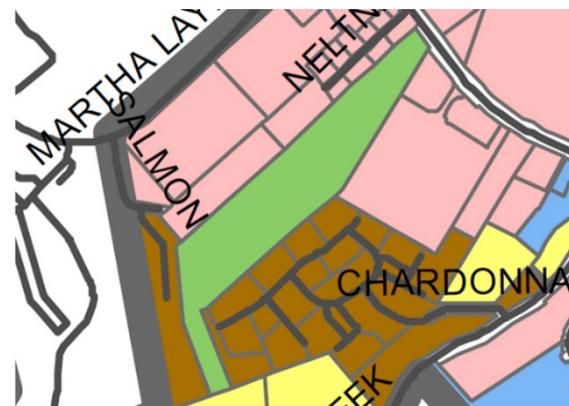
Considerations of Zone Map Amendment

The 2018 Comprehensive Plan future land use map does not propose any changes to this part of the city. It shows the site designated as Parks and Recreation, which is a continuation from the current land use map. The map designates the neighboring properties as multi-family.

From the 2018 Comprehensive Plan:

Parks and Recreation

"The parks and recreation category is land that is used for public and/or private recreational purposes that may include parks, playgrounds, open space, walking trails, golf courses, and similar uses. New developments, in all other land use categories, are encourage to incorporate parks and recreational components within the design of the developments, especially for residential construction."



- Map 3: Future Land Use
- Single-Family Residential
 - Multi-Family Residential
 - Neighborhood Commercial
 - Regional Commercial
 - Office and Non-Retail Commercial
 - Industrial
 - Parks and Recreation
 - Public and Institutional
- Municipal Boundaries
 Parcels Not in Cold Spring

The proposed future land use is predicated on, what is identified within the comprehensive plan as, a *medium-term implementation strategy* to develop a parks and recreation plan.

This is the fifteenth in a series of suggested implementation strategies in the Comprehensive Plan.

2018 Cold Spring Comprehensive Plan

15	Implementation Strategy:	Develop a parks and recreation plan.
	Responsible Agency:	City of Cold Spring
	Potential Partner Agencies:	Campbell County and neighboring jurisdictions
	Timeframe:	Medium-Term: 2 to 5 Years

Residents of Cold Spring are very proud of the availability of a quality parks system in the community and it is a major goal of this plan to continue to maintain, and where appropriate, expand that system. That being said, there are still many questions on how best to program the parks to meet the recreational needs of the city (e.g., Is there a need to add a community center? What kind of activities should be programmed at each park?) The city should develop a detailed, long-term plan for the entire parks and recreation system that identifies all the existing parks and recreational facilities (public and private), the use of such facilities, and any deficiencies or opportunities. Additionally, the plan needs to establish goals and recommendations for the future based on potential growth and changing demographics. Because the city is part of a larger, regional complex of parks and recreational facilities, any such plan should be done with coordination with Campbell County and potentially in conjunction with surrounding communities as a way to share the costs of the plan.

While the comprehensive plan identifies a need for recreational land uses and a portion of this site has historically been used as a baseball field by the Elks lodge, this recreational use is a pre-existing non-conforming use within the PO zone.

The Elks decision to sell the property implies the waning demand for this type of recreational facility at this specific location. Alternatively, the proposed development *does* include onsite recreational amenities common for a multi-family community.

The location is situated between large parcels of land with multi-family residential land uses.

Dimensional Requirements for Permitted Uses

		Minimum Lot Area	Minimum Lot Width	Front Yard Setback	Side Yard Setback	Rear Setback	Maximum Building Height	Misc.
Existing Zones	NSC	1 Acre (43,560 ft ²)	N/A	50 Feet ¹	50 Feet ¹	50 Feet ¹	40 Feet	More than one principal structure may be constructed within the minimum building site area
	PO	22,500 Square Feet	100 Feet at Setback Line	50 Feet	50 Feet	50 Feet	40 Feet or 3 Stories	N/A
	R-2	½ Acre (21,780 ft ²)	100 Feet at Setback Line	40 Feet	15 Feet	30 Feet	40 Feet	Maximum Density - 8 dwelling units per net acre More than one principal structure may be permitted on one lot
Proposed Zone	R-3	20,000 Square Feet	100 Feet at Setback Line	40 Feet	15 Feet	30 Feet	40 Feet	Maximum Density - 14 dwelling units per net acre More than one principal structure may be permitted on one lot

¹except where the building site abuts an arterial street, as identified in the adopted Comprehensive Plan, then there shall be a minimum yard requirement of one hundred (100) feet

The R-3 zone is designed to accommodate multiple multi-family residential structures on the same lot. The application of an R-3 Zone will largely reduce the options for permitted land use to multi-family structures with customary accessory structures and uses.

The following land uses are permitted in the NSC Zone:

1. Apparel shop
2. Art supplies
3. Bakery and bakery goods store, provided the products are sold exclusively on the premises
4. Banks and other financial institutions, including savings, loan and finance companies
5. Barber shops
6. Beauty shops
7. Book, stationery, or gift shop
8. Camera and photographic supplies
9. Candy store, soda fountain, ice cream store, excluding drive-ins
10. Child care centers
11. Delicatessen
12. Drug store
13. Dry cleaning and laundry pick-up station
14. Eating and drinking places, excluding drive-ins
15. Florist shop
16. Food store and supermarket
17. Furniture store
18. Garden supplies
19. Glass, china, or pottery store
20. Haberdashery
21. Hardware store

22. Health spas
23. Hobby shop
24. Household and electrical appliance store, including incidental repair
25. Interior decorating studio
26. Jewelry store, including repair
27. Laundromats and self-service washing and drying
28. Leather goods and luggage store
29. Library
30. Locksmith shop
31. Music, musical instruments and records store, including incidental repair
32. Offices
33. Off-street parking lots and/or garages
34. Opticians and optical goods
35. Package liquor and wine store
36. Paint and wallpaper store
37. Pet shop, excluding boarding and outside runs
38. Police and fire stations
39. Post offices
40. Radio and television stores, including repair
41. Shoe store and shoe repair
42. Sporting goods
43. Studios for professional work or teaching of any form of fine arts, photography, music, drama, or dance
44. Tailor shop
45. Toy store
46. Variety store, including notions and "Five and Ten" stores

Self-storage facilities are a *conditional use* in the NSC zone:

The following land uses are permitted in the PO Zone:

1. Banks and other financial institutions, including loan, savings, and finance companies
2. Clinics - animal, medical, dental, optical, chiropractic, physical therapy and massage therapy
3. Offices
4. Off-street parking lots and/or garages
5. Police and fire stations
6. Post offices

Farmer's markets, free-standing churches, synagogues, temples and other places of religious assembly, and other buildings for the purpose of religious worship are conditional uses in the PO zone.

The following land uses are permitted in the R-2 Zone:

1. Single-family residential dwellings (attached)
2. Two-family residential dwellings
3. Multi-family residential dwellings

The following are conditional uses in the R-2 zone:

1. Cemeteries
2. Child care centers
3. Churches and other buildings for the purpose of religious worship, providing they are located adjacent to an arterial street
4. Fire and police stations, providing they are located adjacent to an arterial street
5. Funeral homes, providing they are located adjacent to an arterial street
6. Governmental buildings
7. Institutions for higher education, providing they are located adjacent to an arterial street
8. Institutions for human medical care - clinics, congregate housing, and hospitals, providing they are located adjacent to an arterial street
9. Libraries
10. Nursery school
11. Parks and/or recreation areas which are owned and/or operated publicly or by a non-profit organization
12. Parochial, private, and public schools, providing they are located adjacent to an arterial street

The proposed R-3 Zone will permit the same conditional uses as the R-2 zone.

The initial application requested that a Residential Cluster Development (RCD) overlay be added to the R-3 zone. In reviewing the proposed layout of the development, staff has concluded that the RCD overlay is not necessary.

As per City of Cold Spring Zoning Ordinance Section 17.0 E. Findings Necessary For Map Amendment:

Before any map amendment is granted, the Planning Commission, or legislative body, must find that the amendment is in agreement with the adopted Comprehensive Plan, or

In the absence of such a finding, that one or more of the following apply, including the making of a written report, setting forth explicitly, the reasons and substantiation as to how each would apply, and such finding and report shall be recorded in the minutes and records of the Planning Commission or legislative body.

1. That the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate; and
2. That there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in the adopted Comprehensive Plan and which have substantially altered the basic character of such area.

Staff Comment – Zone Map Amendment

1. The existing zoning classification given to the property is inappropriate for the existing and proposed use. The basic character of the area is multi-family residential and commercial. The limited access and visibility of the location precludes it from being a viable commercial location. A zone change to R-3, multi-family residential is appropriate for the site and proposed use.

2. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in the adopted Comprehensive Plan and which have substantially altered the basic character of such area. The identified future land use as parks and recreation has not been realized. The waning interest in using the site for recreation by its current ownership, and the decision to sell the property reveals the limited necessity of recreation at this specific site.

Staff recommends that the zoning designation be changed to from NSC, PO and R-2 to Residential-Three (R-3) Multi-Family Residential.

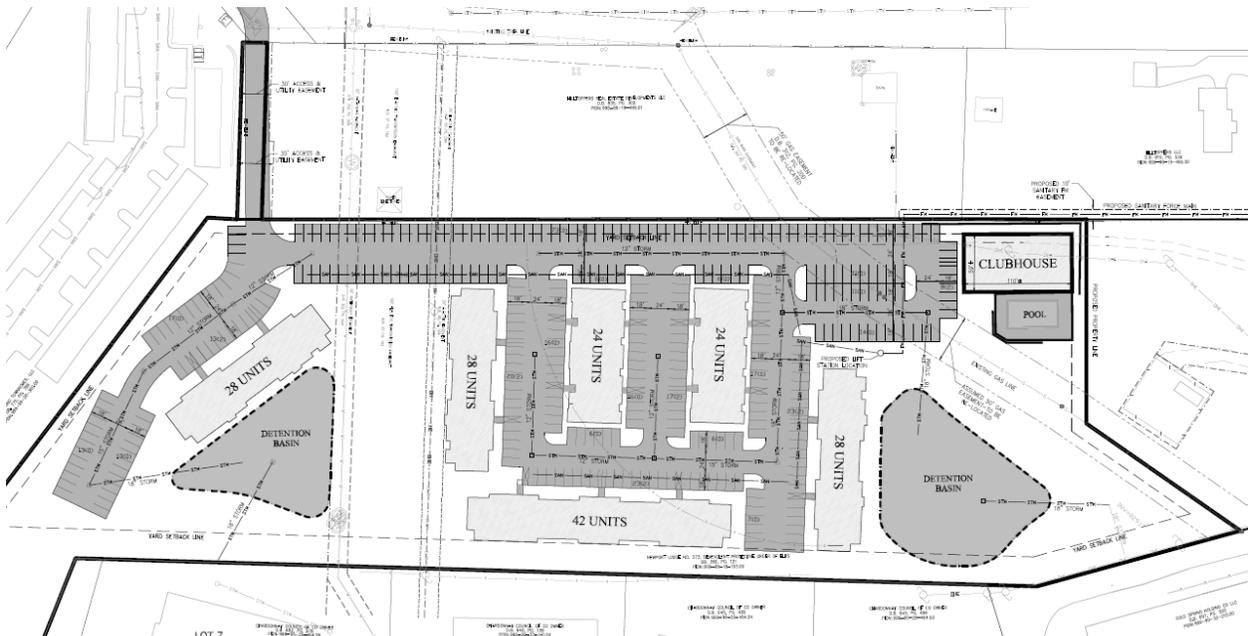
*

Considerations of Stage I Plan:

Area and Height Regulations for the R-3 Zone (Article X, Chapter 10.6, E.):

1. Minimum Lot Area - Twenty thousand (20,000) square feet
2. Minimum Lot Width at Building Setback Line - One hundred (100) feet
3. Minimum Front Yard Depth - Forty (40) feet
4. Minimum Side Yard Width - Fifteen (15) feet
5. Minimum Rear Yard Depth - Thirty (30) feet
6. Maximum Building Height- Forty (40) feet
7. Maximum Density - Fourteen (14) dwelling units per net acre
8. In the case of this zone, more than one principal structure, as defined herein, may be permitted on one lot

The applicant has submitted stage I site plans. The submittal includes a survey of the proposed zone map amendment, a site layout, and a grading plan.



In conformance with Section 9.18 DEVELOPMENT PLAN REQUIREMENTS - STAGE I, II AND RECORD PLAT, the submitted Site Development Plan identifies and provides the following information:

Plans of the subject property, drawn to a scale of one (1) inch equals fifty (50) feet that identify and provide the following information:

- The total area in the project is 12.950 Acres;
- Building setback distances are noted;
- Proposed use will be accessed from Salmon Pass;
- The present zoning of the subject property is NSC, PO and R-2. A Zone map amendment to R-3 is part of this proposal;
- Six (6) Multifamily residential units are shown comprising a total of 174 individual units.
- A clubhouse and pool are shown;
- Two (2) stormwater detention basins are indicated;
 - The applicant intends to construct a stormwater basin of sufficient size to manage both this site and the parcel to the north which has been approved for storage units.
- Public and private rights-of-way and easement lines located on or adjacent to the subject property are shown;
- Existing topography and approximate delineation of any topographical changes shown by contour with intervals of two (2) feet;
- Preliminary locations of proposed pedestrian walkways are included;
 - Additional internal sidewalks would be anticipated on the Stage II plans.
- Location of all existing and proposed water, sanitary sewer, and storm drainage lines, indicating approximate pipe sizes is indicated;
- Plans include identification of the soil types;
- A landscaping plan is not included at this stage;
 - A 20-foot planning strip is required adjacent to any single family land use.
- No signs are proposed at this stage;
- All utility lines and easements are shown;
 - The site is encumbered by a large overhead powerline and gas line. It is noted that the gas line is to be relocated. [This is DUKE project]. The applicant is in contact with the utility agencies.
- Site plan shows the location of all proposed off-street parking, identifying the approximate number of spaces;
- A parking summary is included.

3. PARKING RATIO: MIN 2.0 PARKING SPACE PER UNIT 2% OF WHICH TO BE ACCESSIBLE. PLAN SHOWS 360 SPACES 12 OF WHICH ARE ACCESSIBLE. MIN=348(8)
- Circulation System consists of 24 -foot drive aisles indicated on the site plan.

Article X, Section 10.6 requires the following development controls in the R-3 Zone:

1. Off-street parking and loading and or unloading areas shall be provided in accordance with Articles XI and XII of this ordinance.
2. No outdoor storage of any material (usable or waste) shall be permitted in this zone,

- except within enclosed containers.
- 3. No lighting shall be permitted which would glare from any use located within this zone onto any street or into any adjacent property.
- 4. Screening areas and additional setbacks shall be provided in accordance with Section 9.15 of this ordinance.
- 5. All utilities must be underground in a new subdivision or development when transmission lines have to be extended or altered.
- 6. A development plan, as regulated by Section 9.17 of this ordinance, shall be required for any use permitted in this zone.

Staff Comment:

Staff finds that the proposed Stage I Plan meets the requirements of the Subdivision Regulations and Zoning Ordinance.

*

Request:

The applicant is requesting:

- 1. Approval of Zone Map Amendment from Neighborhood Shopping Center (NSC), Residential-Two (R-2), and Professional Office (PO) zones to Residential-Three (R-3) with a Residential Cluster Development (RCD) Overlay; and
- 2. Approval of Stage 1 Development Plans for a 174-Unit Apartment Complex Stage I plan approval.

Staff Recommendation:

The Planning Commission approve the Stage 1 Development Plans for a 174-Unit Apartment Complex and recommend a Zone Map Amendment from Neighborhood Shopping Center (NSC), Residential-Two (R-2), and Professional Office (PO) zones to Residential-Three (R-3). The recommendation shall be forwarded to the City of Cold Spring City Council for adoption.

Bases for Staff Recommendation – Stage I plan:

- 1. The submitted request is appropriate for this site since it is in compliance with the City of Cold Spring Subdivision Regulations and Zoning Ordinance.

Bases for Staff Recommendation – Zone Map Amendment:

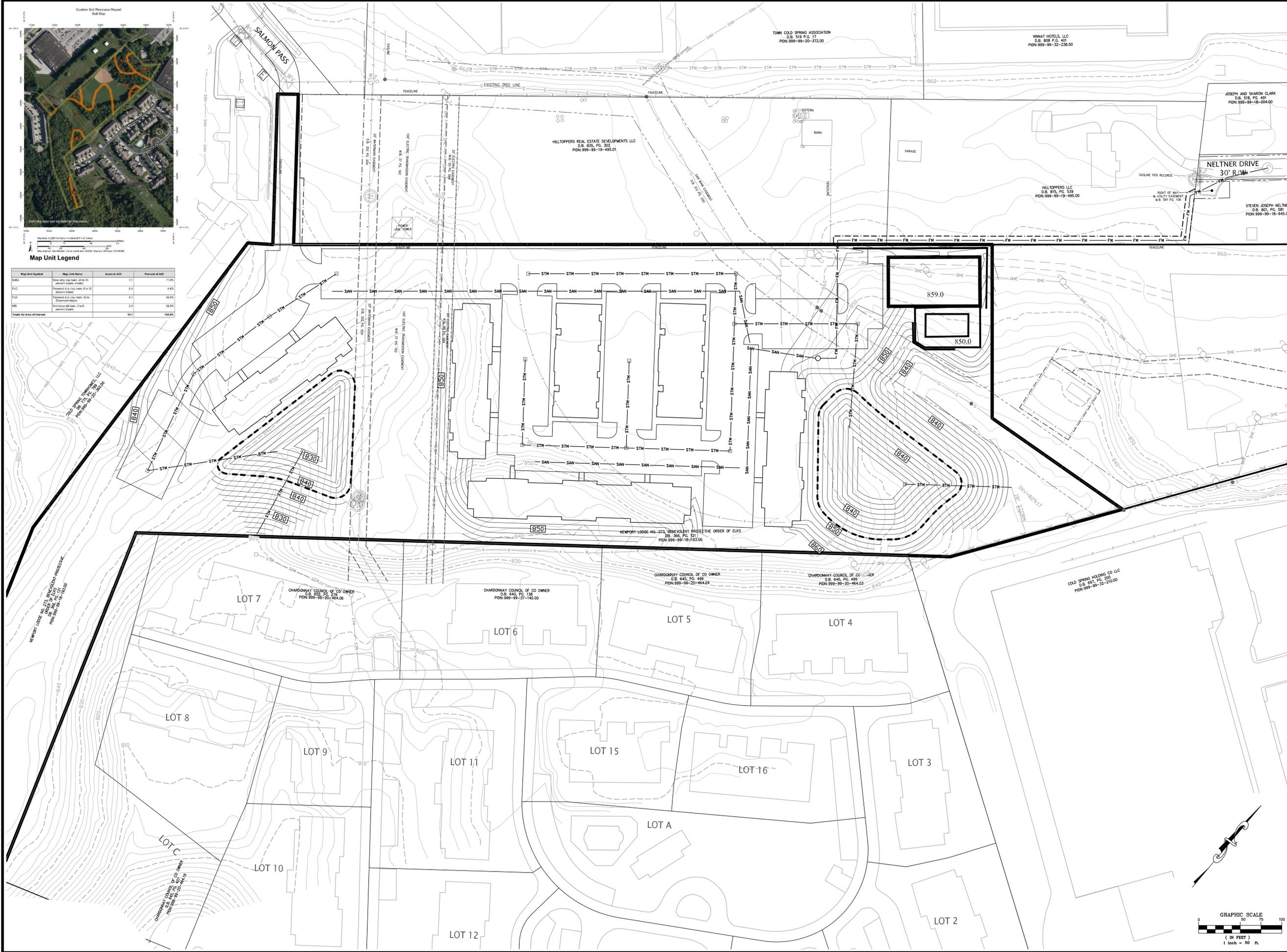
- 1. Per Kentucky Revised Statutes, the City of Cold Spring has the authority to enact zoning regulations within its jurisdiction. This authority includes the provision to amend its zoning map.
- 2. Pursuant to the Cold Spring Zoning Ordinance Article XVII Amendment Procedure, the Planning and Zoning Commission has the authority to take action on amendments to the zoning map for adoption by the legislative body.
- 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.

If you need additional information or clarification prior the meeting, you may contact us at 859-292-3880.

Sincerely,

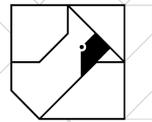
Kirk Hunter, AICP
Principal Planner



Map Unit Legend

Map Unit Symbol	Map Unit Name	Area in ACI	Percent of ACI
STH	Stormwater Runoff to 20 to 25 percent slopes, eroded	1.1	11.0%
STC	Stormwater Runoff to 20 to 25 percent slopes, eroded	4.4	44.4%
STB	Stormwater Runoff to 20 to 25 percent slopes	16.7	167.0%
STB	Stormwater Runoff to 20 to 25 percent slopes	2.3	23.2%
Totals for Area of Interest		10.5	105.6%

REVISIONS	DATE	#	ITEM



CARDINAL
 ENGINEERING
 LAND SURVEYING
 ONE MOCK ROAD
 WILDER, KENTUCKY 41071
 PHONE: (859) 581-9600
 FAX: (859) 581-9636

WEBSITE: <http://www.cardinalengineering.net>

PROJECT: STAGE I DEVELOPMENT PLAN
 REAR OF ELKS PROPERTY
 COLD SPRING, KY

CLIENT: VISION REALTY GROUP
 2203 FOLWER STREET
 CINCINNATI OHIO 45206

DRAWN BY: SEAL
BTL

CHECKED BY: DES
DES

PROJECT MANAGER: DES
DES

PROJECT NO. 22-090
SCALE 1" = 50'
DATE 05/01/2023

SITE GRADING PLAN
SHEET C-500

