

Planning & Zoning Minutes

June 12, 2024

The meeting of the Cold Spring Planning & Zoning Commission was called to order by Chairman Foulks at 6:30pm followed by the Pledge of Allegiance.

Roll Call:

- Present: Sam Conner, Mike Forge, Mike Foulks, Steve Popovich, Greg Hizer, Marg Trunick, City Clerk Robin Morency, City Attorney Brandon Voelker and Kirk Hunter with Campbell County Planning & Zoning.
- Not Present: Mark King

Minute Approval:

- May 8, 2024 meeting minutes were reviewed by all. Steve Popovich made a motion to deny approval of the minutes. The motion died for lack of a second. Mike Forge made a motion to approve. Greg Hizer seconded the motion. Steve Popovich suggested the minutes not be approved because when the meeting started a citizen suggested that the room was exceeding occupancy; Mr. Popovich felt that the meeting should have been moved to a larger space to allow for more citizen to be in attendance. The other reason he feels that the minutes should not be approved is because he feels that they did not accurately reflect the comments from the citizens. Mr. Popovich said there are a lot of citizens who feel that they were not heard. Mr. Popovich suggested that the comment made at the meeting about the occupancy in the room should be added to the minutes. There was discussion about the approval process of the minutes, the fire code for council chambers, and the role of the Planning & Zoning members for a zone change. Roll call vote shows 5 yes and 1 no - Popovich. **Motion passed.**

Subdivision Items: None

Public Facilities: None

Public Hearing:

- File Number: PZ-24-021
 - Applicant: Joseph Wittrock on behalf of Construct RX and Lifeline Pharmacy
 - Location: 136 Plaza Drive, Cold Spring, KY
 - Zone change of 0.94 acre from HC (Highway Commercial) Zone to NC (Neighborhood Commercial) ZoneKirk Hunter with Campbell County Planning & Zoning stated that the applicant is a pharmacy and they are seeking a zone change to move into the old bank building. NSC does allow the use of a pharmacy and this area adjoins the NSC zone. Legal notice was published in the May 28 edition of the Link reader and notices were mailed to adjoining property owners, as well as a sign placed at the property. Mr. Hunter gave an overview of the property and the surrounding area. There are no changes proposed to the existing plan/site, just a tenant finish; staff did not feel a site plan was necessary. It is not a new development, just a tenant change. Mr. Hunter reviewed the future land use map, design principles, permitted uses that will be allowed moving forward should the pharmacy, and the comprehensive plan. Mr. Hunter read the following staff comment from the packet:
 - The zone map amendment is in agreement with the adopted Comprehensive Plan. Additionally; the existing zoning classification given to the property is inappropriate for the proposed use. The former use as a bank was permitted in both the HC and NC zone. The bank is no longer open. The HC zoning designation is inappropriate for a drug store. Staff recommends that the zoning designation be changed from HC to NC.

Staff recommends That the Planning Commission recommend approval of the proposed Zone Map Amendment subject to the following conditions: That the zone map amendment be forwarded to the City of Cold Spring City Council for adoption. The basis for their recommendation is:

- 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.
- 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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- Proper notice has been given in accordance with Article XVII Amendment Procedure of the Cold Spring Zoning Ordinance.
- The zone map amendment will not create a freestanding zone of less than five (5) acres.
- The zone map amendment is in agreement with the adopted Comprehensive Plan.

Joe Wittrock with Lifeline 24 Pharmacy addressed the board stating that he has another pharmacy located in Hamilton, Ohio where they mainly service nursing homes, assisted living facilities, developmentally disabled homes, and hospice. Mr. Wittrock grew up in Cold Spring and has been a Campbell County resident his whole life. He sees the need for this pharmacy in our area as multiple pharmacies have recently closed. This new location will be a combo shop meaning that they will service the public as well. Greg Hizer asked if there will be any exterior renovations, Mr. Wittrock said the only renovations will be interior except for the signage. The drive through will stay to be used for drop off/pick up. Steve Popovich made a motion to approve based on staff's recommendation, second by Mike Forge. Roll call vote shows 6 yes and 0 noes. **Motion passed.**

Unfinished Business: None

Correspondence: None

Planning & Staff Items:

Commission Items:

Comments/Requests to the Commission: None

Adjournment:

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

Approved: 8/14/24

Chairman:



City Clerk:



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

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