

**CAMPBELL COUNTY & MUNICIPAL PLANNING & ZONING COMMISSION**  
**JUNE 12, 2012**  
**7:00 PM**  
**AGENDA**

1. Meeting called to order
2. Roll call and determination of quorum
3. Approval of the May 8, 2012 minutes
4. **SUBDIVISION:** 106-12-PPL-01  
**APPLICANT:** Donald & Donna Weinel (Weinel Estates Section 2)  
**LOCATION:** A 2.02-acre area located 10585 Shaw Hess Road, Unincorporated Campbell County.  
**REQUEST:** To approve a Preliminary Plat consisting of two (2) lots, with no public improvements.
5. **CASE:** 107-12-SPD-01  
**APPLICANT:** G. Sharpco Inc.  
**LOCATION:** A 4.81 acre area located at 13042 Alexandria Pike, Unincorporated Campbell County.  
**REQUEST:** The submitted request is for approval of a Site Plan for the reconfiguration of existing gas pumps and a canopy and the addition of a separate canopy and pump for diesel.
6. Director's Report
7. Adjournment

**IF YOU CANNOT ATTEND THE MEETING,  
PLEASE CALL THE P&Z OFFICE AT 859-292-3880**

The Commission will make every reasonable accommodation to assist qualified persons attending the meeting, if there is a need for the Commission to be aware of, contact the office.

**CAMPBELL COUNTY & MUNICIPAL PLANNING & ZONING COMMISSION  
MINUTES OF THE JUNE 12, 2012 MEETING**

**MEMBERS PRESENT:**

Mr. Larry Barrow  
Mr. Dennis Bass  
Ms. Deborah Blake  
Ms. Lauri Harding  
Mr. Tony Pfeffer  
Mr. Edward Stubbs  
Mr. Michael Williams, TPO  
Mr. Justin Verst, Vice Chair  
Ms. Cindy Minter, Chair *arrived at 7:15 PM*

**MEMBERS ABSENT:**

None

**STAFF PRESENT:**

Mr. Peter Klear, AICP, Director of Planning & Zoning  
Mr. Matt Smith, Legal Counsel  
Mr. Ryan Hutchinson, Planner  
Ms. Stephanie Turner, Secretary

Mr. Verst called the meeting to order at 7:05 PM. Following roll call, a quorum was found to be present. Mr. Verst asked if everyone had reviewed the May 8, 2012 meeting minutes and asked if there were any additions or corrections. There being none, Mr. Verst called for a motion to approve the minutes. Mr. Barrow made a motion to approve the May 8<sup>th</sup> meeting minutes as submitted. Mr. Bass seconded the motion. A roll call vote found Mr. Barrow, Mr. Bass, Ms. Blake, Ms. Harding, Mr. Pfeffer and Mr. Stubbs in favor of the motion. Mr. Williams and Mr. Verst abstained. Motion passed.

Mr. Verst introduced case #106-12-PPL-01, Donald & Donna Weinel, (Weinel Estates Section 2), with a request to approve a preliminary plat consisting of two (2) lots, with no public improvement, and asked Mr. Hutchinson to present the staff report and staff's recommendation to the Commission.

**SUBDIVISION:** 106-12-PPL-01  
**APPLICANT:** Donald & Donna Weinel (Weinel Estates Section 2)  
**LOCATION:** A 2.02-acre area located at 10589 Shaw Hess Road, Unincorporated Campbell County.  
**REQUEST:** To approve a Preliminary Plat consisting of two (2) lots, with no public improvements.

**Considerations:**

1. The 2008 Campbell County Comprehensive Plan Update designates the site for Rural Mixed Uses. The Campbell County Zoning Ordinance classifies the plat within the A-1 Zone, an Agricultural One Zone, requiring a minimum lot size of one acre, lot widths of 100 feet, minimum front setback dimension of 50 feet, side yards of 10 feet (one side) and 25 feet (total both sides), and a minimum rear yard depth of 35 feet, not including flag lots and/or mobile home lots.
2. Review of the Preliminary Plat in accord with the Comprehensive Plan, Zoning Ordinance and Subdivision Regulations results in the following issues:
  - a) The Plat indicates a proposal to subdivide a 49.91-acre area along the east side of Shaw Hess Road for the creation of 2 lots and remainder tract, with no public improvements.

- b) The plat indicates both lots will have frontage on Shaw Hess Road.
- c) Shaw Hess Road is a local roadway requiring a minimum of 50' feet of right of way to be dedicated.
- d) The Plat indicates a 20' foot of right-of-way exists along Shaw Hess Road with additional 5' feet to be dedicated.
- e) The Plat shows an existing house and outbuildings on the remainder tract.
- f) The location map has Craft Road misspelled.
- g) County records indicate the width of Shaw Hess Road is 24' feet in width.
- h) County records indicate centralized sanitary sewers are not available for this area. Notation on Plat indicates that on-site sewage disposal systems will be utilized subject to Health Department approval.
- i) The plat indicates that the new building development on areas containing ground slopes of 20% or greater will require implementation of "Hillside Development Controls" contained within the Campbell County Zoning Ordinance.
- j) The Plat indicates these lots don't fall within the 100 year floodplain.

**Recommendation for Preliminary Plat:**

To approve a Preliminary Plat for the Weinel Estates Section 2 Subdivision, subject to the following condition:

1. That Kraft Road be changed to Craft Road.

**Bases for Recommendation for Preliminary Plat:**

The proposed subdivision is consistent with the recommendations of the 2008 Campbell County Comprehensive Plan Update, the Campbell County Subdivision Regulations and Zoning Ordinance, except as noted below:

Mr. Hutchinson stated this was a very straight forward preliminary plat and asked if there were any questions he could answer for the Commission. Mr. Verst asked if the Commission had any questions of staff. There being none, Mr. Verst asked the applicant to come forward to state their name for the record. Mr. William Reis, Surveyor, 12794 Shaw Hess Road, Alexandria, KY, came forward as the representative for the applicant. Mr. Reis stated Mr. Hutchinson was correct in that this was a very basic and straight forward plat. Mr. Reis stated he would be happy to answer any questions the Commission had for him. Mr. Verst asked the Commission if they had any questions for the applicant. There being none, Mr. Verst asked Mr. Reis to have a seat. Mr. Verst asked if any audience members wished to speak either for or against the issue. There being none, Mr. Verst opened the floor for discussion among the Commission. There being no discussion, Mr. Verst called for a motion.

Mr. Barrow made a motion to approve case #106-12-PPL-01, Donald & Donna Weinel, (Weinel Estates Section 2), subject to the following condition:

1. That Kraft Road be changed to Craft Road.

Mr. Barrow sited that the basis for his motion was that the proposed subdivision is consistent with the recommendations of the 2008 Campbell County Comprehensive Plan Update, the Campbell County Subdivision Regulations and Zoning Ordinance. Mr. Verst asked if there was any discussion on the motion. There being none, Mr. Verst called for a second. Mr. Pfeffer seconded the motion. A roll call vote found Mr. Barrow, Mr. Bass, Ms. Blake, Ms. Harding, Mr. Pfeffer, Mr. Stubbs and Mr. Williams in favor of the motion. Mr. Verst abstained. Motion passed.

Mr. Verst recognized the arrival of Ms. Minter at 7:15 PM. Mr. Verst offered to turn the meeting over to Ms. Minter, but she advised it would be less confusing if Mr. Verst continued to preside over the meeting. Ms. Minter took her seat and apologized for her tardiness.

Mr. Verst introduced case #107-12-SPD-01, G. Sharpco Inc., with a request to approve a site plan for the reconfiguration of existing gas pumps and a canopy and the addition of a separate canopy and pump for diesel, and asked Mr. Hutchinson to present the staff report and staff's recommendation to the Commission.

**CASE:** 107-12-SPD-01  
**APPLICANT:** G. Sharpco Inc.  
**LOCATION:** A 4.81 acre area located at 13042 Alexandria Pike, Unincorporated Campbell County.  
**REQUEST:** The submitted request is for approval of a Site Plan for the reconfiguration of existing gas pumps and a canopy and the addition of a separate canopy and pump for diesel.

**Considerations:**

1. The 2008 Campbell County Comprehensive Plan Update designates the site for Rural Mixed use and Lower Density Single Family Residential. The Campbell County Zoning Ordinance classifies the plan within the Rural Commercial (RC) Zone. The RC Zone permits automotive uses, financial institutions, antique shops, bakery, office, lumber yard, storage, flea market. Areas to the north, west and south are Zoned A-1.
2. The site in question is occupied by a gas station with a convenience store.
3. Review of the site plan in accord with the Comprehensive Plan, Zoning Ordinance and Subdivision Regulations results in the following issues:
  - a. The plan indicates the existing diesel pump and kerosene pump will be relocated to the east side of the property. This location will allow the trucks to have a separate fueling station.
  - b. The plan indicates a proposal to relocate the four existing gas pumps and canopy that front the building. The pumps will be turned 180 degrees and moved east approximately 20' feet.
  - c. The plan indicates a proposed underground storage tank for the diesel fuel pumps.
  - d. The plan indicates the existing sign is going to be relocated.
  - e. The existing access point with US 27 is also proposed to be relocated. This intersection must meet our minimum standards for arterial driveway spacing requirements.
  - f. The plan indicates some of the parking in front of the building will be reworked. The parking size shown is 10' x 20' feet.

- g. The site plan shows a 10' foot screening buffer around the perimeter of the property separating the RC from A-1 Zones.
  - h. The plan does not indicate any additional lighting.
4. The following is a summary of previous issues pertaining to the site in question:
- a. On June 29, 2006, ECE, Inc. submitted an application for review and recommendation by the Campbell County & Municipal Planning & Zoning Commission an amended Stage II Development Plan. On August 15, 2006 the Campbell County & Municipal Planning & Zoning Commission recommended approval of the amended Stage II Development Plan with one condition. "That the development plan be revised to meet the minimum requirements of the Campbell County Zoning Ordinance." The condition was met.
  - b. On March 21, 2003, Brinkman Family, LLC submitted an application for review and recommendation by the Campbell County & Municipal Planning & Zoning Commission on a proposed map amendment for the site in question from A-1 (Agricultural One) to RC (Rural Commercial) (PZ-14-03). On May 2, 2003, the NKAPC staff recommended disapproval of the proposed map amendment. On June 10, 2003, following a public hearing, the Campbell County & Municipal Planning & Zoning Commission recommended approval of the proposed map amendment. On September 3, 2003, the Campbell County Fiscal Court adopted Ordinance Number O-13-03, adopting the proposed map amendment. The decision of the Campbell County Fiscal Court was subsequently appealed to the Commonwealth of Kentucky Campbell Circuit Court Second Division (Case Number 03-CI-01237). On September 3, 2004, the Circuit Court upheld the decision of the Campbell County Fiscal Court. The Circuit Court decision was appealed to the Commonwealth of Kentucky Court of Appeals (Case Number 2004-CA-002535-MR). On February 10, 2006, the Court of Appeals affirmed the decision of the Circuit Court.
  - c. On March 13, 2006, ECE, Inc. submitted an application for review and recommendation by the Campbell County & Municipal Planning & Zoning Commission on a Stage I Development Plan for the site in question (PZ-15-06). On March 31, 2006 the NKAPC staff recommended approval of the Stage I Development Plan, but only subject to compliance with one (1) condition. On April 11, 2006, following a public hearing, the Campbell County & Municipal Planning & Zoning Commission approved the Stage I Development Plan, but only subject to compliance with the condition that the development plan be revised to meet the requirements of the Campbell County Zoning Ordinance. The condition was met.

**Campbell County Staff Recommendation:**

To approve the proposed development plan subject to the following conditions:

- 1. That the applicant submits a lighting plan that includes details for the new canopy and any changes to the existing lighting on site to staff for review and approval.
- 2. That the relocated sign meet setback requirements.
- 3. That the applicant complies with all applicable building, subdivision and zoning ordinance regulations.
- 4. That the applicant complies with the minimum Campbell County driveway spacing requirements for an arterial road.

## **Bases for Recommendation:**

The proposed subdivision is consistent with the recommendations of the 2008 Campbell County Comprehensive Plan Update, the Campbell County Subdivision Regulations and the Campbell County Zoning Ordinance, except as noted below:

1. CAMPBELL COUNTY SUBDIVISION REGULATIONS SECTION 6.1 E.2 states: "The number of intersections with collector streets shall be held to a minimum. Wherever practicable, such intersections shall be spaced not less than 400 feet apart."
2. CAMPBELL COUNTY ZONING ORDINANCE, SECTION 10.6., E.3., 3 States: "No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way, or into any adjacent property."

Mr. Hutchinson asked if there were any questions he could answer for the Commission. Mr. Verst asked the Commission if they had any questions of staff. Mr. Verst asked Mr. Hutchinson if he had any approximate distances to other access points or intersections. Mr. Hutchinson replied he did not. It was not provided by the applicant and he did not obtain any measurements during his field inspections. Mr. Hutchinson stated he knows the applicant has consulted with the State in regards to the driveway entrance, but has no other information to provide. Mr. Verst asked again if there were any questions for staff.

There being none, Mr. Verst asked the applicant to come forward and identify themselves for the record. Mr. George Sharp, Applicant, 2959 Homestead Drive, Edgewood, KY and Mr. Don Stegman, Cardinal Engineering, 1 Mook Road, Wilder, KY came forward. Mr. Stegman passed out a site plan for the Commission members to help distinguish what is there and what is coming. (Copies of all handouts were provided to staff for the file.) Mr. Stegman identified this site as the old Brinkman Oil site. It was originally across the street and with the relocation of US 27, it was relocated across the street. It was built between 2006 & 2007 by Brinkman Oil. Mr. Sharp purchased the property in February, 2011. As he has watched the use of the property, he has realized that there are ways in which it can be reconfigured to make it easier for the customers to get in and out of the site and access the pumps. With the rebuilding of US 27, this is the perfect opportunity for Mr. Sharp to do this reconfiguration.

Mr. Stegman identified on the site plan the lighter gray as the existing driveway and the darker gray as the proposed relocated driveway. With the Dollar General next door and the parking arrangement they have, rearranging our fuel pumps will make it easier to allow people to pull off US 27 and straight into the gas canopy area. As for the diesel fuel pump, they found that they get a lot of dump trucks and off road vehicle such as farm equipment and they have a kerosene pump as well. They felt by moving those pumps over to the side they could better serve those clients. The users are already coming in and going around to the side of the building. If they come towards the front to use pumps, they are blocking off the store and sometimes blocking in customers.

Mr. Stegman stated they had already discussed their plan with KYTC, met with Ed Thompson, and with Greg Kruetzjans, who is overseeing the US 27 project, and with Eaton Asphalt. They were going to have to rebuild our access point anyway due to the fact they are raising US 27 by a couple of feet. They are more than willing to slide our access point down a few feet if we can get Planning & Zoning approval on our plan.

Mr. Stegman stated they do have a lighting plan for the new canopy and provided a copy to staff for their review. The size of the canopy was reduced. The original canopy was 82' X 50' feet. The main canopy is 40' X 50' feet and the one on the side is 20' X 24' feet. The original canopy was 4,100 square feet and the total of both of the new canopies is 2,480 square feet. That is almost a 40% reduction in size. There

are no new proposed light poles – what’s there is there. There are only six lights in the new canopy and they will shine directly down.

The sign will be moved over about 10-15 feet and it will not be any closer to US 27. Mr. Stegman stated they will verify all sign requirements meet the Zoning Ordinance. Mr. Stegman asked that “subdivision regulations” be removed from condition #3 since he is not subdividing anything. He does not feel it necessary to hold him to standards that do not apply to his request. As to condition #4, Mr. Stegman passed out an exhibit showing the nearest driveway locations to the property neighbors. This site currently does not meet the 400’ driveway spacing requirement. As the site currently stands, the nearest neighbor on the north is 181’ away and the nearest neighbor to the south is 257’ away. When we move the driveway over, the neighbor on the north will be 265’ away and the neighbor to the south will be 173’ away. The Transportation Cabinet is the one who actually permits the access points. Mr. Stegman stated he has already met with them and has had the change approved in the field. He doesn’t want to get them to approve the driveway change and then have the Commission deny his request. He is requesting condition #4 be removed completely because it makes it sound like he has to be 400’ away from his nearest neighbor and there is no way he can meet that requirement. This would be a burden on this property.

Mr. Verst asked if E. Nagel Road would be cut off entirely after the change in the US 27 project comes through. Mr. Stegman replied that was correct. Mr. Stegman asked if there were any other questions he could answer. Mr. Bass asked what the capacity of the underground tank was. Mr. Sharp replied it was a 2,500 gallon tank. They have three 10,000 gallon tanks there now. Ms. Blake asked if they were moving a tank. Mr. Stegman clarified that they were not moving any of the existing 10,000 gallon tanks, but were adding a 2,500 gallon tank.

Ms. Minter, as a resident of southern Campbell County, thanked Mr. Sharp for being attentive to the needs of the citizens. Ms. Minter wanted to know what was going to happen to the existing driveway once the new driveway was installed. Mr. Sharp stated it was going to be eliminated. Ms. Minter asked Mr. Sharp to describe “eliminated” for her. Mr. Sharp stated it was going to be removed and landscaped or grass.

Mr. Verst asked if there were any other questions for the applicant. There being none, Mr. Verst opened the floor for discussion among the Commission. Mr. Verst stated he thinks that there may be additional questions for staff at this time. Mr. Barrow agreed and asked Mr. Hutchinson if the words “subdivision regulations” was necessary in condition #3. Mr. Hutchinson replied that it is staff’s opinion that it is necessary. It is something that staff wants to keep in there as the development moves forward in the future to protect us. If they are not going to do anything with the subdivision regulations, then it shouldn’t even apply to them. It is just a catch all statement. Ms. Minter agreed. She stated the condition states “all applicable”. If it doesn’t apply to the applicant, then it isn’t an issue.

Mr. Barrow asked about deleting condition #4 all together. Mr. Hutchinson stated again staff feels the condition should stay, but that is something we need to discuss to see what the Commission is comfortable with doing. Mr. Verst stated it is obvious that there is no way the applicant can meet the driveway spacing requirement as there is approximately 430’ total between the driveway to the north and the south. That would preclude any driveway on this property. Mr. Verst recognized Mr. Klear. Mr. Klear stated this was why you keep both condition #3 & 4 in as written. This is not a subdivision in the sense that this is a piece of land being parceled out, but remember that the subdivision regulations also deal with physical improvements made to land. To the point of this issue though, subdivision regulations are going to include your driveway spacing requirements. The applicant cannot meet that and we understand that, but we don’t have any problems with the proposed relocation of the driveway. Where the spacing requirement does come into play though is where a proposed change to the curb cut is proposed and then they decide at the last minute that they want to change that and determine they want to keep both their old and new curb cuts so that they have two access points and means of ingress/egress. At that point, this condition comes into play, and we can say “no, you can’t have that because of the spacing

requirements.” Staff is willing to work with the applicant as the plan they have submitted, but keep the condition in there as written. We are not trying to place additional burdens on the applicant, but we want to maintain those controls. The State will do anything in terms of curb cuts. Mr. Verst stated the Commission needed to discuss this a little bit. Mr. Verst commented that to the Commission that if staff says we will work with you, but we leave this condition in there, the way it is written is sounds like we are telling the applicant you can’t have a driveway because you can’t meet the spacing requirement. Mr. Verst stated he thinks we need to discuss the issue that verbally we are saying we are willing to work with you on the driveway location and yet it looks on paper like we are telling them they have to meet the spacing requirements. Mr. Stegman was recognized by Mr. Verst. Mr. Stegman added that the State’s plans do have a protected north bound left turn lane and south bound right turn lane to enter this site. The Subdivision Regulations state: “*Wherever practicable*, such intersections shall be spaced not less than 400 feet apart.” Maybe this is one of those instances where it is not practicable. If there were any time where we decided to install a second access point, we would have to prepare a development plan and come back before this Commission to have it approved. At this time, we have no plans to ever seek a second access point.

Mr. Verst asked staff if the condition were changed to read: “If any future changes to the access entry were subject to meeting the driveway spacing requirement or must be submitted to the Commission for review and approval.” would this meet applicant’s and staff’s approval. Mr. Stegman proposed adding “and KYTC’s approval” to the wording. Ms. Minter stated she would propose removing any reference to KYTC as the Commission has no authority over KYTC and cannot regulate over them. Ms. Minter stated she feels that it should simply reference any future access entry changes or attempts to add a 2<sup>nd</sup> entry should be required to meet the spacing requirements as regulated per the Subdivision Regulations. Mr. Stegman stated he would be comfortable with that as the applicant has no desire to add a 2<sup>nd</sup> entry. Mr. Verst asked for staff’s opinion. Mr. Klear replied that he understands the applicant’s concern. Staff clearly understands the applicant’s desire to relocate the current driveway and can agree that it is feasible and desirable to their site plan as submitted to staff. If for some reason, staff says “no, we are not willing to work with you on this issue.” The applicant has the ability to come before the Commission and appeal staff’s decision. Staff cannot prohibit all curb cuts. It is a lot of record and they are entitled to a curb cut. The subdivision regulations are there for safety issues and concerns. The applicant is doing the best they can. In the future, it may need to be looked at again. There may be service roads or parallel roads. We want to protect the driveway spacing requirement as much as possible. Mr. Klear stated he feels the condition needs to remain as stated because it keeps control with the Commission where it needs to be. Mr. Verst asked if Mr. Klear thought it weakened the condition to say “any future driveway modifications must meet the driveway spacing requirements”. Mr. Klear stated it already says that. Mr. Verst said it sounds confusing to him because it sounds like we are telling him he can’t have a driveway unless he can meet the 400’ spacing requirement. Mr. Klear stated the Commission is telling the applicant to do this. The applicant makes a submission to staff. Staff will review it and tell them yes or no that it complies. As they have submitted on the plan we are looking at tonight, staff would say it complies. Mr. Smith stated if everyone is happy with the location as it is presented on the site plan then why not approve the access point as presented on the site plan and require the applicant to come back before the Commission if they change the location of the access point or attempt to secure a separate access point. Ms. Minter stated she feels that is what the condition states already. Ms. Minter said the motion is to approve the proposed development plan so we are approving the site plan and what is reflected. Ms. Minter stated she means no disrespect to the applicant or his representative, but she strongly feels the Commission needs to keep the control of the access point with the Commission. Due to history of sites where an owner has had plans to abandon an existing driveway which is never done, then sells the site, and the new owner likes both driveways and uses them both and they have two access points. Ms. Minter states she feels we need to keep condition #4 in there as written.

Ms. Harding asked Mr. Smith if there was any language anywhere about grandfathering in existing properties. Mr. Smith asked for a clarification. Ms. Harding specified because this site did not meet the 400’ spacing requirement. Mr. Smith stated he didn’t know how the existing driveway came to be, but the fact that they are relocating it would require it to meet the existing standard. Ms. Harding asked if it

couldn't be grandfathered in because the new standards wouldn't take effect until there is a new ownership or new improvement on the property. Mr. Smith replied that he does not believe the existing driveway could be grandfathered in and that it would have to comply with existing standards. Ms. Harding asked if in general there had ever been anything approved on the bases of something being "grandfathered" in. Mr. Smith replied he was not aware of anything.

Ms. Minter stated there are two issues. We have to allow a driveway. Otherwise, we have an uneconomical parcel. How that driveway evolved on that site is another matter. We are really just shifting that over. Do we approve or not approve the proposed development plan? That's the point where we say the driveway is acceptable or not. Mr. Smith stated he thinks all the objectives are being met. He has heard that the existing driveway is going to be landscaped so it will be completely removed; that the staff is in complete agreement with the proposed driveway entrance; and that any relocation or additional access entry must be in compliance with condition #4. Mr. Smith stated you may want to add "any subsequent or future relocation must comply" to condition #4. Ms. Minter advised you would get that from the Subdivision Regulations because it says "wherever practicable" the driveway should be 400' apart. Ms. Blake asked if the old driveway would be going away entirely or if the new driveway would overlap it in any way. Mr. Verst replied it would touch upon the old, but just barely. Ms. Minter added that you would not want the old driveway under the new one because it would make the new one unstable and you definitely don't want to leave them both side by side. Ms. Blake stated that was not what she was talking about. Mr. Verst stated that when you move the center of the road, in our guidelines, you have moved the entire road. So you could not grandfather something in as the "existing" driveway because it is 1" inch of old location and remainder new location. Ms. Blake explained that in other areas as long as items touched upon the old location, it was considered the old existing item and not "new". Mr. Verst stated the regulation states "wherever practicable" which gives us some leeway.

Mr. Verst asked if there were any additional discussion on this issue. Ms. Minter asked if there were any issue with a condition on the existing driveway being returned to landscaping. Ms. Blake asked if the landscaping across the street was part of this plan. Mr. Stegman replied it was to be installed by the State. Mr. Verst asked if there were any additional questions. Ms. Harding stated while they were not doing any real tank work at this time, she wanted to ask if they were going to replace underground tanks in the future, if it were an issue that would come before the Commission. Mr. Klear replied it would not necessarily come before the Commission unless they were making other changes to their site development plan. Mr. Verst advised Ms. Harding they are adding a tank. Ms. Harding acknowledged Mr. Verst's reply. Mr. Smith advised that the tanks are regulated by the EPA and would be reviewed by other agencies. Ms. Harding stated she was aware of that, but was curious if the Commission would be notified.

Mr. Verst asked if there were any other discussion. Mr. Verst called for a motion. Ms. Minter made a motion to approve case #107-12-SPD-01, G. Sharpco Inc., subject to the following conditions:

1. That the applicant submits a lighting plan that includes details for the new canopy and any changes to the existing lighting on site to staff for review and approval.
2. That the relocated sign meet setback requirements.
3. That the applicant complies with all applicable building, subdivision and zoning ordinance regulations.
4. That the applicant complies with the minimum Campbell County driveway spacing requirements for an arterial road.
5. ***That the existing access road that is going to be removed; that the pavement be removed and returned to landscaped condition***

Ms. Minter sited that the basis for her motion was that the proposed subdivision is consistent with the recommendations of the 2008 Campbell County Comprehensive Plan Update, the Campbell County Subdivision Regulations and Zoning Ordinance. Mr. Verst asked if there was any discussion on the motion. Mr. Klear asked if the motion could be amended to ask the applicant to submit a revised site plan and also if Ms. Minter could clarify what she wanted when she asks for “landscaped”. Ms. Minter stated she would be ok with grass. Mr. Klear said that was great because they can’t put certain plants in the right-of-way due to line of sight, or too close to the road, but grass is good. Ms. Minter revised her condition as follows:

5. ~~*That the existing access road that is going to be removed, that the pavement be removed and returned to landscaped condition*~~ *applicant resubmit the proposed development plan for review and approval by staff detailing the removable and reconditioning of the existing driveway.*

Mr. Bass stated that “reconditioning” sounds like they are repairing the driveway. Mr. Klear stated it should be restored to a “pre-development” condition. Mr. Smith recommended just removing “reconditioning”.

5. *That the applicant submits a revised proposed development plan for review and approval by staff detailing the removal of the existing driveway.*

Mr. Verst asked if there were any other changes to the motion. There being none, Mr. Verst called for a second. Mr. Bass seconded the motion. A roll call vote found Mr. Barrow, Mr. Bass, Ms. Blake, Ms. Harding, Mr. Pfeffer, Mr. Stubbs, Mr. Williams and Ms. Minter in favor of the motion. Mr. Verst abstained. Motion passed.

There being no other cases to come before the Planning Commission, Mr. Verst requested that Mr. Klear present his Director’s Report.

## **DIRECTOR’S REPORT**

Mr. Klear advised the Commission that the current draft of the Subdivision Regulations is available on our website. It is available to the public to review. Mr. Klear advised we will be holding that public hearing in July with the Commission’s approval. Mr. Klear also asked that the hearing be moved to the Alexandria Courthouse to accommodate the public. Ms. Minter made a motion to move the July 10<sup>th</sup> meeting to the Alexandria Courthouse to accommodate the public hearing for the Subdivision Regulations. Mr. Stubbs seconded the motion. A roll call vote found Mr. Barrow, Ms. Blake, Ms. Harding, Mr. Pfeffer, Mr. Stubbs, Mr. Williams and Ms. Minter in favor of the motion. Mr. Bass and Mr. Verst abstained. Motion passed.

Mr. Verst stated he had photos to email to Mr. Klear regarding repairs to the handicap space at the Alexandria Courthouse. He will forward those to Mr. Klear so that those repairs could be made as soon as possible. Ms. Minter suggested that no further discussion brought up regarding possibly moving permanently back to the Alexandria Courthouse until Mr. Klear can determine if the repairs will be made. Mr. Klear agreed he would consult with Administration to see what if anything could be done. Mr. Verst and Ms. Minter proposed that no further discussions occur on that topic until our July meeting when Mr. Klear can have some answers for us. The remaining Commissioners agreed.

Mr. Klear advised the Commission that the insurance premiums came due for the Commission. If any of the Commissioners were interested in the premium amounts, etc., please see him after the meeting and he would be happy to review the information with you.

Mr. Klear advised the Commission that he had training available on the Kentucky Transportation Cabinet’s Six Year Plan per Ms. Minter’s previous request if they so desired. The Commissioners discussed staying and determined they would delay the training until August.

Mr. Verst asked if there was any other business to discuss. There being none, Mr. Verst asked for a motion to adjourn. Ms. Minter made a motion to adjourn. Mr. Barrow seconded the motion. An oral vote found everyone in favor, none opposed. Motion passed. Meeting adjourned at 8:20 PM.

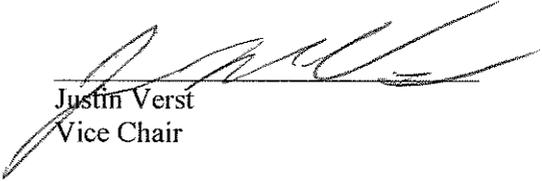
Respectfully Submitted,

Approved:



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Peter J. Klear, AICP  
Director of P&Z



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Justin Verst  
Vice Chair