



**PLANNING & ZONING MEETING  
Minutes of December 3, 2019**

Chairperson Dave Hart opened the regular meeting at 7:00 p.m. on the above date, with the Pledge of Allegiance and the following members answering roll call:

Present: Dave Hart, Chair                      Sonny Markus                      Ron Johnson  
            Tom Wheeler                              Nick Reitman                      Randy Nehus  
Absent: Steven Shinkle

Also Present: Stephanie Tarter, Admin. Clerk                      Carol Hofstetter, Zoning Administrator  
                 Keith Hammann, Fire Marshall                      Mike Duncan, City Attorney  
                 Robert Seitzinger, City Engineer

Chairman Hart opened the public hearing at 7:02 p.m.

**Public Hearing**

***To hear and gather evidence and public comment regarding the application of Kel Aud Corporation to rezone the property located at 11 Viewpoint Dr from its current zoning of R-1V (Residential) to HC (Highway Commercial).***

Mr. Duncan explained the reason for the public hearing under KRS 100 the commission has to hear evidence and then make a recommendation to council either for or against the zoning map amendment. The applicant is allowed to present their case and then the public has a chance to chime in either for or against the change or to ask questions. After everything has been presented the commission has to make a decision on their recommendation to council either for or against the map amendment. They can also make a recommendation to council with conditions to the development plan.

**Kelly Danner, Erlanger, KY:** Ms. Danner stated she is the current owner of the RECA Roller rink and even though it is a business, it is zoned residential and has been for as long as she can remember. She is asking for the rezone, so that the future owner, Chuck Pfaehler, is able to do something different with the property.

**Chuck Pfaehler, Highland Heights, KY:** Mr. Pfaehler is representing the developers who would like to turn the space into a commercial office park, where one of the businesses will be an HVAC company.

Mr. Duncan explained the current zone and how the property is currently zoned R-1V which is primarily residential, but several years ago, when the city redid the zoning the RECA Roller Rink became a permitted use within the zone; being the only permitted use in that zone. The application states the primary use will be office and storage space for an HVAC business and possible other commercial businesses, Mr. Duncan recommended finding out what those "other" commercial activities would be to determine if it is appropriate under the circumstances. Mr. Pfaehler stated he is unsure of what all is permitted within that area. It was asked if it was safe for the commission to assume that the other business would be of the professional business nature and Mr. Pfaehler was in agreement. His desire is to have other businesses similar to the HVAC business.

The question of parking was brought up and whether there is enough space when new business come in. It was explained that as each new business submits a site plan, the parking needs would be evaluated by Ms. Hofstetter.

Mr. Reitman wanted to make sure that since the building is so close to a residential zone, a business does not go in there that would cause a disturbance and if they narrow it down to professional office,

# ORIGINAL

then that would not be a problem. It was also asked if the HVAC company would be storing extra equipment inside or outside. Mr. Pfaehler hopes that nothing is stored there of that nature. There might be an overlap as things come and then go out to be recycled and those items would be stored inside.

Mr. Duncan referenced the letter submitted by CT Consultants, paragraph 2 which states the future land use map identifies the property for General Commercial/Office. With that, Mr. Duncan gave the commission the charge under KRS 100.213 that the commission would find that the map amendment is in agreement with the adopted Comprehensive Plan. If the commission is inclined to make the recommendation to council it should be with the condition of only allowing Professional Office businesses be allowed in the space. That condition would become part of the ordinance presented to council.

Mr. Hart closed the Public Hearing at 7:19 p.m.

\*\*\*\*\*

**MOTION:** Nick Reitman made a motion to make a recommendation to Council to approve the zoning map amendment, with the condition of only allowing professional office space as a permitted use for this property; seconded by Ron Johnson. All in favor, the motion passed 5-0-0, Dave Hart abstaining.

## APPROVAL OF MINUTES – November 19, 2019

**MOTION:** Nick Reitman made a motion to approve the minutes of November 19, 2019, seconded by Randy Nehus. All in favor, the motion passed 5-0-1, Dave Hart abstaining.

## VISITORS AND GUESTS – None

## NEW BUSINESS – None

## UNFINISHED BUSINESS

**Suggested Comprehensive Plan updates:** Mr. Hart took time to thank the members of the Steering Committee and their help in going through the Comprehensive Plan. Mr. Reitman asked if Mr. Duncan had anything to say about them cutting things out. He said that once the draft is ready he will look over it from a legal stand point but he endorses trimming it down.

## INTERNAL BUSINESS

**City Council Report:** None

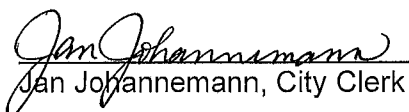
**Correspondence:** None

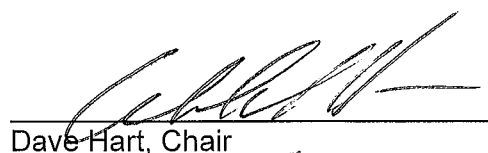
**Other Items:** None

## ADJOURNMENT

**MOTION:** Nick Reitman made a motion to adjourn, seconded by Tom Wheeler. All in favor, the motion passed with a 5-0-1 vote, Mr. Hart abstaining. Meeting adjourned at 7:26 p.m.

Attested to and submitted by:

  
Jan Johannemann, City Clerk

  
Dave Hart, Chair

Dated 12/18/19

Dated 12/17/2019