

**CITY OF HIGHLAND HEIGHTS
MINUTES PLANNING & ZONING
MARCH 11, 2008**

Following the Public Hearing meeting, Chairperson Crawford opened the Planning and Zoning meeting on March 11, 2008 at 8:10 pm.

PRESENT: Commissioners Harold Blocher, Melody Eifert, Joseph Krebs, John McNabb, and Scott Reinke. Also present: City Attorney Steve Franzen, City Planner David Shaw and City Engineer/Zoning Administrator David Whitacre.

ABSENT: Commissioners Audrey Koester and Jeanne Pettit.

PRESENTATION OF THE REGULAR PLANNING AND ZONING MINUTES OF FEBRUARY 12, 2008: These minutes had been previously distributed to the Chairperson, Commissioners, and City Staff for review.

ACTION TAKEN: COMMISSIONER KREBS MOVED TO APPROVE THE MINUTES OF THE REGULAR PLANNING AND ZONING MEETING OF FEBRUARY 12, 2008 SECONDED BY COMMISSIONER McNABB. DISCUSSION: NONE. ROLL CALL: KREBS AYE; EIFERT, ABSTAIN; McNABB, AYE; CRAWFORD, AYE; REINCKE, AYE; BLOCHER, ABSTAIN. 4 – AYES; 2 – ABSTENTIONS. CHAIRPERSON CRAWFORD DECLARED THE MOTION PASSED.

CORRESPONDENCE: None.

STAFF REPORTS: ZONING ADMINISTRATOR: No report.

CITY ATTORNEY FRANZEN: Attorney Franzen stated that prior to this meeting, there was a public hearing conducted. He stated the Public Hearing pertained to a request for a text change to the LSC zone. He reminded the commissioners of their options. He stated they could either approve or disapprove the request, but also need to state their reason or reasons for their action. He stated this recommendation would then be presented to City Council for action.

CITY PLANNER: No report.

CITIZENS TO ADDRESS THE PLANNING AND ZONING BOARD: None.

CONTINUING EDUCATION: Mrs. Rauf reported she checked with Northern Kentucky Area Planning regarding the video presentation titled Protecting First Amendment Rights. She stated she would have this video for the April meeting for the Continuing Education Session.

UNFINISHED BUSINESS: Chairperson Crawford reminded everyone that the copy of An Economic Opportunity Study For Campbell County is in the City Clerk's office.

NEW BUSINESS: TEXT AMENDMENT REQUEST: Chairperson Crawford announced that prior to this meeting; a Public Hearing was conducted pertaining to a request for a text amendment to the LSC zone.

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Chairperson Crawford stated that the commissioners have heard testimony from the developer and from City Planner David Shaw. He further stated that the commissioners have heard input and comments from Mr. William C. Roth who is a resident of the City.

ACTION TAKEN: COMMISSIONER KREBS MOVED TO APPROVE THE TEXT AMENDMENT REQUEST WITH THE WORDING TO ACCEPT COFFEE USE ONLY IN THE DRIVE THRU. HE STATED HE UNDERSTANDS THIS IS A DIFFICULT SITE BUT HE THINKS THE CITY COULD WORK WITH THE DEVELOPER TO HAVE THIS DESIGNED IN A WAY THAT IT IS CONSISTENT WITH THE CITY'S INTENTION FOR THIS AREA, SECONDED BY MEMBER EIFERT. DISCUSSION: Commissioner Blocher stated, it was his understanding that, the City was looking at purchasing the OUT LOT for future development. He stated he has not heard anything more about this.

Chairperson Crawford stated it is his understanding that the City has first option on the parcel.

Attorney Franzen responded that the City does have the Right of First Refusal on the parcel. He said every time 5/3rd goes to sell it, that they contact the City to check to see if it wants to exercise that option. He said he brings this to Councils' attention. He said Council has not been interested in exercising the Right of First Refusal.

Being no further discussion, Chairperson Crawford called for the roll: **ROLL CALL: BLOCHER, NAY; REINCKE, NAY; CRAWFORD, NAY, McNABB, NAY; EIFERT, AYE; KREBS, AYE. 4 – NAYS AND 2 AYES. CHAIRPERSON CRAWFORD ANNOUNCED THE MOTION FAILED.**

ACTION TAKEN: COMMISSIONER McNABB MOVED TO DENY THE DRIVE THRU THAT BY GRANTING THIS DRIVE THRU IT ALLOWS THIS DEVELOPMENT TO GO FORWARD AS PRESENTED, IT IS INCONSISTENT WITH THE COMPREHENSIVE PLAN THAT THIS PIECE OF PROPERTY BE DEVELOPED AS ONE PIECE, BASED ON THE INCONSISTENCY WITH THE COMPREHENSIVE PLAN AND ALSO THE CITY'S INTENT THAT, AFTER THE FIFTH THIRD BANK'S REZONING, TO DEVELOP THIS AS ONE PIECE, SECONDED BY BLOCHER. DISCUSSION: NONE. ROLL CALL: KREBS, NAY; EIFERT, NAY; McNABB, AYE; CRAWFORD, AYE; REINCKE, AYE; BLOCHER, AYE. 4 – AYES; 2 – NAYS. CHAIRPERSON CRAWFORD DECLARED THE MOTION PASSED.

Attorney Franzen stated he will bring Planning and Zoning's recommendation to the next Council meeting.

Chairperson Crawford informed the developer that, based on what they have heard this evening, the drive thru was not necessarily the issue, it was also what we could do with the entire zone. He encouraged the developer to meet with Mr. Shaw, Mr. Whitacre and Mr. Franzen for input and also for more discussion on this matter.

At this time, Commissioner Eifert asked for a copy of Mr. Shaw's report. Mr. Hodge also asked for a copy of Mr. Shaw's report. Mr. Shaw apologized for not having it available for the meeting. **OUTCOME:** Mr. Shaw stated he will e-mail his report to Mrs. Rauf and Mrs. Rauf will forward it to the commissioners and to Mr. Hodge.

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NEW BUSINESS: Mr. Shaw reported that he has met with Collegiate Development. He stated they would be approaching Planning and Zoning with revised development plans for the student housing for the property owned by Asbury Methodist Church.

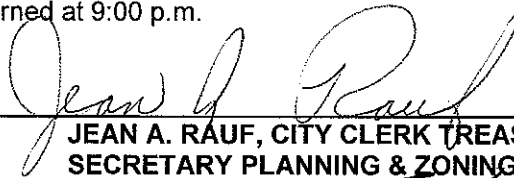
Mr. Whitacre stated that there needs to be some updating to the Zoning Ordinance. He stated there is no mention of student housing. After discussion about this matter, Mr. Whitacre stated he would look at language for student housing as well as for condos. **OUTCOME:** Mr. Whitacre and Mr. Shaw will work on this update.

CITIZENS TO ADDRESS THE COMMISSION: None.

Being no further business, **COMMISSIONER McNABB MOVED TO ADJOURN, SECONDED BY MEMBER BLOCHER. AYE, ALL. CHAIRPERSON CRAWFORD DECLARED THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 9:00 p.m.

SUBMITTED BY:



JEAN A. RAUF, CITY CLERK TREASURER, CMC, RECORDING
SECRETARY PLANNING & ZONING

SIGNED:



STEVE CRAWFORD CHAIRPERSON
PLANNING & ZONING