

**CITY OF HIGHLAND HEIGHTS
MINUTES OF PLANNING AND ZONING
PUBLIC HEARING
MARCH 14, 2006**

On March 14, 2006, Chairperson Crawford opened the Public Hearing meeting at 7:30 p.m. at the Civic Center, 175 Johns Hill Road.

PRESENT: Steve Crawford, Melody Eifert, Rene Heinrich, Audrey Koester, Joe Krebs, John McNabb, and Scott Reincke. Also present: City Attorney Steve Franzen, City Planner David Shaw, and City Engineer/Zoning Administrator David Whitacre.

ABSENT: Commissioner McMannon. Chairperson Crawford announced that Mr. McMannon had surgery and would not be at this meeting.

ANNOUNCEMENT: Chairperson Crawford announced this meeting is for the purpose of discussing a Stage 1 Site Plan for the BP Gas Station Renovation at 2625 Alexandria Pike.

FOR THE RECORD: Notification of the Public Hearing was duly published in the Campbell County Recorder on March 2, 2006. The Kentucky Enquirer was notified of the Public Hearing and notice of the Public Hearing was posted on the front door of the Civic Center.

COMMENTS FROM THE APPLICANT: Mr. Vitas Maciukevicius. Mr. Maciukevicius stated he is the Zoning and Development Manager for BP in the midwest. He introduced Mr. Arnold Barnett, Civic Engineer & Architecture with WP Partners and Mr. Larry Snider, Area Real Estate Manager.

Mr. Maciukevicius addressed the items in Mr. Shaw report.

For the record: Mr. Shaw report was previously distributed to BP, Chairperson Crawford and the Planning and Zoning commissioners for their review. A copy thereof is also attached to these minutes.

Mr. Maciukevicius stated Mr. Shaw's recommendation was to disapprove this project. He stated when they are in a situation, where there is a negative recommendation from staff, they would like to meet with staff and then come back to the City. He said he is seeking additional input from the Planning and Zoning Commissioners with regards to the project.

Mr. Maciukevicius stated they have some hardships and would like some additional direction. He said there are challenges to this project such as site plan challenges, elevation challenges, some signage challenges, design, landscape, set backs, and parking.

Mr. Maciukevicius presented photos of what they are trying to accomplish at this site. He pointed out the photo of the building they are proposing for the Highland Heights site. He stated the building they are proposing for the Highland Heights site is 4200 square feet in size. He said this is a larger building than the current existing building. He said the proposed building is a convenience store with café and a bakery. He said there is a cooler space within the building

Mr. Maciukevicius announced the new BP station in Hyde Park is the same building they are proposing for the Highland Heights site. Member McNabb asked if there was a car wash at the Hyde Park location and Mr. Maciukevicius stated “no”. He said the car wash at Highland Heights is an existing building and they are not going to make any changes to the car wash.

Mr. Maciukevicius said the existing building, that is on a retaining wall above Perkins, is a few feet off the back property line. He said they know they need relief from the ordinance to build the building that close. He further stated they are planning on placing the canopy in a similar location as the old canopy. He said they want to provide their most current offer in their store at this current location.

Commissioner McNabb asked what prompted them to keep the car wash at the Highland Heights location? Mr. Snider responded that it is a viable wash at approximately \$8,000 per month.

Mr. Maciukevicius requested input from the Planning and Zoning Commissioners “if they are warm to their building on this location or are they flying in the face of too many ordinance requests that they should not continue to attempt this project”?

Mr. Shaw addressed the items in his report. He stated this is a small lot with many constraints. He said they will need to seek relief from the Board of Adjustment on the set backs for the rear yard, the backyard and the side yard. He also stated they will need to go before the Board of Adjustments to seek a conditional use in this zone.

Mr. Whitacre addressed the items in his report. A copy of his report had been previously distributed to the Chairperson and Commissioners for their review. A copy thereof is attached to these minutes.

Considerable discussion ensued about some of the challenges to this proposed site that ranged from...parking, the set back problems, the elevation, the design of the BP Station, front door parking, the distances from the canopy column protecting the dispenses to the end of the parking, the need to go before the Board of Adjustments for set backs and the non conditional uses, the signage plan to... whether or not the emblem is a sign.

Attorney Franzen said he is not comfortable with this process this evening. He said he was of the understanding BP was here ready for a vote.

Attorney Franzen further stated that a Public Hearing is not the place to go over these issues. He said what is happening this evening is this is a meeting with the City's staff. He said this should have occurred prior to the Public Hearing. He said the attempt to communicate with the commissioners to try and get some "feed back" does compromise the process.

OUTCOME: Attorney Franzen suggested the applicant meet with the City's Staff and go over the compromises discussed this evening He said when they are ready for a vote they should come back for a Public Hearing.

ACTION TAKEN: MEMBER KOESTER MOVED TO CONTINUE THIS PUBLIC HEARING UNTIL THE DEVELOPER AND CITY STAFF ARE READY TO PRESENT IT ON THE PUBLIC MEETING FORMAT, SECONDED BY MEMBER McNABB. DISCUSSION: NONE. ROLL CALL; KREBS, AYE; EIFERT, AYE, McNABB, AYE; CRAWFORD, AYE; KOESTER, AYE; REINCKE, AYE; HEINRICH, AYE.

Being no further business, at 8:30 pm, Chairperson Crawford closed the Public Hearing.

SUBMITTED BY: _____
**JEAN A. RAUF, CITY CLERK TREASURER, CMC
RECORDING SECRETARY PLANNING & ZONING**

SIGNED: _____
**STEVE CRAWFORD, CHAIRPERSON
PLANNING & ZONING COMMISSION**