CITY OF UNION, KENTUCKY SPECIAL BUSINESS MEETING MINUTES Monday, April 14, 2014

CALL TO ORDER:

Mayor Pro-Tem Bryan Miller called the Special Business Meeting of the Union City Commission to order at 5:30 pm Monday, April 14, 2014.

LOCATION: Warren S. Moore Union City Building, 1843 Mt. Zion Road, Union, KY 41091

ROLL CALL: The following city officials were present:

Mayor - Don Kirby - absent

Commissioner/Mayor Pro-Tem - Bryan Miller

Commissioner - Deanna Kline

Commissioner - Ken Heil

Commissioner - Donna Fryman

City Engineer - Barry Burke, PE PLS - absent

City Clerk/Treasurer - Kathy Porter - absent

City Attorney - Greg Voss, Esq.

Events Coordinator - Karen Franxman - absent

Mayor Don Kirby, City Clerk/Treasurer Kathy Porter, City Engineer Barry Burke and Events Coordinator Karen Franxman were not in attendance.

<u>PLEDGE OF ALLEGIANCE</u>: Mayor Pro-Tem Miller led the audience in the Pledge of Allegiance to the American Flag.

ITEMS FOR CONSIDERATION:

Mayor Pro-Tem Bryan Miller stated that the meeting was for the consideration of the adoption of Ordinance No. 2014-004. He asked the Commission if they had any discussions.

At this time Attorney Voss read the Ordinance.

Commissioner Deanna Kline stated that she would like to go through the ordinance section by section and have the commissioners explain their findings of the facts. She stated that the ordinance was not discussed at the first reading.

Commissioner Kline started at section #2 of the Ordinance, She stated the Ordinance reads that there is major social and economic changes not anticipated under the comprehensive plan when it was adopted.

Commissioner Heil stated his discussion on the changes were that he agrees with the Ordinance. Mayor Pro-Tem Miller stated that this is one of the fastest growing areas in the County. Commissioner Kline states that according to the Ordinance that the growth was not anticipated. She went on to say that the 1995 & 2000 Comprehensive Plan that Union is a high growth region. Mayor Pro-Tem Miller stated that the volume of growth was not anticipated. She went on to say that the comprehensive plan allowed for the growth. Mayor Pro-Tem Miller stated that he was not aware of what the Comprehensive Plan stated. Commissioner Kline stated that in itself was a problem for her that the commission should be aware of what our plans state.

Commissioner Kline reiterated that in the Boone County Comprehensive plan on Page 26, "That one of Boone County's greatest areas for future potential growth is anticipated to occur in Union area along US 42."

Commissioner Fryman asked if the Comprehensive plan stated percentage wise the amount of anticipated growth. She stated that we know that it was anticipated to grow, but did it exceed expectations? Commissioner Kline stated that she did not have those numbers with her at this time. Commissioner Fryman stated that this might be where Mayor Pro-Tem Miller may be coming from. She stated that we all anticipated growth, but was it this fast and this much. Commissioner Kline stated yes it was anticipated.

Commissioner Kline stated that the ordinance reads that the population of Union has grown exponentially from 1,000 in 1990 to 5,379 in 2000. Commissioner Kline stated this is addressing the population within the City of Union. And the next sentence of the Ordinance reads the future growth of the Union Area, this is not comparing the City of Union population in 2020 to that of 2010. It is comparing the City of Union boundaries to the transportation analysis zones. They are comparing two different areas. Mayor Pro-Tem stated he had no further comment. Commissioner Heil stated that he approved the Ordinance. Commissioner Kline stated that she disagrees with the comparison.

Commissioner Kline moved to Bullet B, the increase for basic needs such as grocery stores because of our unanticipated growth is not being met. Commissioner Kline asked what basic needs are not being met. Commissioner Heil stated that he agreed with the ordinance. Commissioner Fryman stated that she had been in the Kroger many times and had not been able to find the items she needs. Commissioner Kline stated that what the city lacks is competition for Kroger. Commissioner Fryman asked about the IGA and why it went out of business. No one had an answer. Commissioner Kline stated that the Comprehensive Plan did allow for the growth.

Commissioner Kline asked about Bullet D that stated the proposed multi-family units currently planned for the subject site would be better served if located closer to the proximity to the Union Town Center (UTC) helping to provide market support for the local businesses planned on this site. According to the UTC zone there is multi-family units planned for that zone, therefore it's not that it is better suited because it is already in the plan. No response given.

Commissioner Kline asked about Bullet E that states the proposed Union Town Center (UTC) that has been proposed for almost fifteen (15) years as the land use that will help meet basic services of the community has not been developed. Commissioner Kline stated that nowhere in the Boone County Comprehensive Plan does it state a time frame for when the plan is to be completed by. Mayor Pro-Tem Miller agreed with this statement. Commissioner Kline stated that also in the plan it does specify that certain infrastructure would proceed the majority of the development. This include US 42 and KY 536 (Mt. Zion Road).

Commissioner Kline stated that the Boone County Planning Commission found 10-0 that this was not in compliance. Commissioner Heil stated that the commission was here to discuss the ordinance, not what Boone County found. Commissioner Kline stated that she was discussing the ordinance and wanted to make sure the commission understands what they are approving.

Commissioner Kline stated that per the ordinance the planned development has taken measures to ensure the land use compatibility with the development and adjacent properties she stated that Boone County found that it is not compatible with the plan. They found size, scale, arrangement and uses incompatible. She asked if any of the commission can find that this is compatible. Commissioner Fryman asked Commissioner Kline if she had information as to how the Boone County Planning and Zoning found them incompatible. Commissioner Kline stated that this is part of her aggravation that as a commission everyone should have done their homework. Commissioner Fryman stated that she had read the decision and does not agree with them. Attorney Voss stated that Commissioner Kline just wants clarification as to why they agree with the findings of fact. Commissioner Heil stated that he had researched and he agrees with the findings. Commissioner Kline asked him to explain how he agrees and he stated that he agreed with them.

Commissioner Kline stated Bullet F stated that substantial landscaping is proposed for the development including street buffering and approximately 882 trees as being incorporated and this meets the plan. She asked if any could explain how this meets their plan. Mayor Pro-Tem stated that it met the Boone County Planning and Zoning as he had attended their meetings. Commissioner Kline stated that it did not meet. Mayor Pro-Tem stated that he accepted the Ordinance.

Commissioner Kline asked how this does meet the Boone County Comprehensive Plan which specifically talks about how business along US 42 should occur in Neighborhood Business District Form the whole point of the plan is so that it does not follow strip style development. The ordinance states that it does follow the Plan. Commissioner Heil states that he agrees with the findings.

Commissioner Kline stated that in the Union Town Plan states that commercial development within the plan should occur in neighborhood Business District form in specified locations instead of strip style developments. The Union Town Center can be used in example of planning efforts in other parts of US 42 as well as the county. The committee determined that the proposed is not a mix of residential as is recommended by Boone County Planning Comprehensive Plan and Union Town Plan. It does not contain residential uses and the proposed commercial offices are in strip style commercial form with associated out lots.

Commissioner Kline stated that was all of her discussions. Mayor Pro-Tem Miller asked if there were any further discussions. Commissioner Fryman stated that each person can read this in their own way, that she feels that a grocery store is part of a neighborhood plan. It is a neighborhood business district. Commissioner Kline stated that there is an existing zone within the Union Town Plan for this type of development. Commissioner Fryman stated that she still does not see anything wrong with the ordinance in question.

Ordinance No. 2014 - 004

(Second Reading)

AN ORDINANCE OF THE CITY OF UNION, KENTUCKY GRANTING THE REQUEST OF ANNE F. MCBRIDE, FAICP, MCBRIDE DALE CLARION (APPLICANT) FOR ARLINGHAUS I, LLC (SUCCESSOR BY MERGER WITH ARLINGHAUS BUILDERS, INC. (OWNER) FOR A **AMENDMENT** ZONING MAP FROM RURAL SUBURBAN ESTATES/UNION TOWN OVERLAY (RSE/UTO) AND UNION NEIGHBORHOOD OFFICE (UNO) TO COMMERCIAL TWO/LANED DEVELOPMENT (C-2PD FOR A 35.25 ACRE SITE LOCATED ON THE SOUTH/EAST SIDE OF U.S. 42, TO THE WEST AND SOUTHWEST OF THE BOONE COUNTY LIBRARY SCHEBEN BRANCH AT 8899 US 42, TO THE WEST OF UNION VILLAGE SUBDIVISION, AND ACROSS US 42 FROM THE OLD UNION ROAD/US 42 AND FOWLERS LANE/US 42 INTERSECTIONS, LOCATED IN UNION, KENTUCKY. Commissioner Heil made a motion to accept on second reading Ordinance 2014-004 as read by Attorney Voss. Commissioner Fryman seconded the motion.

Commissioner Heil – Yes Commissioner Kline – No Commissioner/ Mayor Pro-Tem Miller - Yes Commissioner Fryman - Yes

Attorney Voss made clarification that the motion was to accept the ordinance as read.

<u>ADJOURN:</u>

Commissioner Heil moved to adjourn the meeting at 6:05 pm. Commissioner Fryman seconded the motion. All voted in favor. **Motion carried.**

Signed this 5th day of May, 2014

APPROVED:	ALIESI:
Bryan Miller, Mayor Pro-Tem	Kathy Porter, City Clerk/Treasurer