

WELCOME

CALL TO ORDER

The meeting was called to order at 6:35PM on October 25, 2021 by Mayor Larry Solomon.

PLEDGE OF ALLEGIANCE

Mayor Solomon led all attendees in the Pledge of Allegiance.

ROLL CALL

A quorum was present and a roll call was taken: Commissioner Jeremy Ramage, Commissioner Eric Dulaney, Commissioner Brian Garner, Commissioner John Mefford, and Mayor Larry Solomon.

MAYOR'S COMMENTS

Mayor Solomon announced that the purpose of the meeting was to discuss the Union Promenade project and hear from the developers, the City Commission, and the public. He thanked those in attendance for their letters and emails to the City Commission concerning the proposed Union Promenade development and assured them that each and every word had been read.

Mayor Solomon spoke about the growth of Union with a population now reaching 7,416. He stated that with growth, you have two options, you can manage growth or it can manage us. The City of Union has opted to manage growth. He talked about the City Administration and roles of the staff adding that a new City Clerk will be starting on November 8, 2021. He also explained the responsibilities of the City Commission and the committees that each of them leads. One committee, Economic Development, assists with the growth of new developments targeting the City of Union such as Graeter's. And of course, the Union Promenade project which is under review. The Union City Commission received approved project materials from Boone County Planning Commission including a summary of established concessions. Mayor Solomon then introduced the Union Promenade developers to present.

UNION PROMENADE PRESENTATION

Representing the Union Promenade Project developers were T.J. Ackermann, Bob Koch, and Brock MacKay (Viox & Viox). Mr. MacKay explained the project process through Boone County Planning Commission from the initial application to public hearings to multiple committee reviews and meetings. He further described the requested zone change and property in question. He spoke about the overall comprehensive plan and provided visual maps and imagery via screen.

Mr. Koch outlined the standards of the proposed Union Promenade Project which respect Union values and scale while creating traditional neighborhood designs and a retail style village. He shared some of the challenges encountered and design solutions which addressed traffic, topography, walkability, and storm water retention. He reviewed the development access points, office spaces, two residential communities, a liner road, and parking spaces.

Mr. MacKay talked about some changes that have been made to the original Union Promenade Plan such as widening roadways at turn points, increasing buffer yards, moving office buildings further away from

residential homes and making them two 2-story buildings versus four 1-story buildings. He further talked about the plans for parking, sidewalks, baskets, banners, tree planters, and public space which differentiates this design from others. Mr. MacKay also explained a traffic study, traffic signals, and turn lanes. The developers were required to work with Kentucky Transportation Cabinet (KYTC) to collect traffic data over a designated amount of time. This data communicated to KYTC what infrastructure is needed for the proposed development.

Mr. Koch then described the gateway design of the Union Promenade project and the pedestrian-centric goal. And Mr. MacKay provided information concerning the project lighting and what is required, as well as taken into consideration. Additional visuals were presented on the projector screen including requested photos of the proposed UDF.

Mr. Ackermann spoke about multiple users interested in the site from the beginning which included retail and medical offices.

QUESTIONS AND COMMENTS FROM CITY COMMISSION

Mayor Solomon stated that the Commission has received many concerns from Union residents about the UDF being a business open 24/7. Mr. Ackermann responded that the Union Promenade UDF would not be open 24/7. The open hours would be 6AM-11PM. He continued to describe the UDF and canopy structure which would provide four main arteries and sixteen gas pumps. The number of gas pumps would help move customers/people in and out of service faster.

Commissioner Ramage asked about the elevation change from Sweet Harmony to UDF. Mr. MacKay described the buffer yard and slope of landscaping.

Commissioner Garner posed a question asking why the proposed UDF does not face US42 which goes against Boone County zoning regulations. Mr. Koch replied that the UDF does not have a backside. It has a pump side and a pedestrian side. The pump side would face traffic/a road and the pedestrian side would face the development retail, restaurants, and sidewalks. Mr. MacKay further noted that the question had been brought up concerning the possibility of rotating the UDF 90 degrees. This is not possible as it would create a setback violation. All buildings in the development must have consistent setbacks. Commissioner Garner followed up asking if other options had been considered for the location of the UDF. Mr. Ackermann answered that UDF was the very first tenant to approach the developers and is the development anchor store. They did look at other site options, but they were ultimately not plausible.

Commissioner Mefford asked the developers if they had any idea of the probable route of UDF refueling trucks. Mr. Koch stated that the trucks would refuel during off hours using the liner/service road for minimal disruption. Commissioner Mefford also inquired about consideration of overflow parking. Mr. Koch explained that each building commercially zoned would provide parking spaces. Additional parallel parking will be available which ultimately exceeds parking requirements for the development.

Commissioner Garner asked a follow up question concerning what would happen to the Harmony neighborhood monument sign. Mr. Ackermann confirmed that the sign would remain in its current place. Commissioner Garner then asked how many single-family homes would be built and Mr. Ackermann answered possibly 50 homes.

Mayor Solomon stated that the developers have worked hard to go above and beyond to work with the residents. However, the City Commission has received communications from some Union residents with primary concerns starting with the feeling of misconception by the developers. These residents expressed

that they were told the development would have an ice cream parlor, but no mention of a gas station. Mr. Ackermann stated that all site plans included the UDF structure with the canopy and gas pumps. Mayor Solomon said that concerns about the neighborhood entrance and Sweet Harmony monument sign had also been received. The Commission met with Drees who confirmed the property easement where the sign is positioned. Mr. Ackermann owns the property, but Sweet Harmony residents rent the placement/easement of their neighborhood sign. The actual entrance to Sweet Harmony begins after the Fire Station and across the street at the end of the proposed development office/medical buildings. The entrance is not at the sign at US 42 which was also confirmed by Drees.

Mayor Solomon reviewed the project conditions and variances provided by Boone County Planning Commission Zone Change/Concept Plan Committee Report. He then listed primary concerns previously communicated by Union residents and how those concerns have been addressed. He also shared positive communications from Union residents who are in favor of the Union Promenade project. Mayor Solomon then called on guests signed up wishing to speak.

PUBLIC COMMENTS

Lois Ramler-Vahlsing requested information about the landscaping plan between the Villas of Fowlers Creek property line and the proposed development. Mr. MacKay provided details.

Ralph Schey questioned the community need for the UDF.

Robert Lux stated concerns about the UDF in front of his neighborhood and expressed the feelings of being deceived by the developers.

Christine E. asked for justification for another gas station in the area.

Clystia Cumbre voiced concerns about the increased amount of light, fuel tankards and delivery trucks during the night, a shortage of workers, and the possibility of retailers moving locations once the Union Town Plan is completed. She stated opposition to the UDF. Mayor Solomon responded that the Union Town Center will be focused on community gathering spaces and the type of development will differ from the Union Promenade.

Cher Runtenelli was disappointed that Union is considering this development plan.

Beverly Flinn stated opposition to the UDF. She asked about condos in addition to single family homes. In addition, she wondered about a walkway across US 42 for residents to easily access the Union Promenade.

Patrina Hensley voiced that she expected a church at the corner of Sweet Harmony and US 42, but not a gas station. She continued to say that the picture of the gas canopy shown tonight is the first time seeing it. Nowhere was the gas station previously mentioned by the developers. She feels that the residents of Sweet Harmony were misled. She referenced another UDF location that just opened and she voiced opposition against the gas station and UDF proposed location in Union.

Donna Owen spoke about the city and civil aspects. She feels that residents have had the wool pulled over their heads. No other subdivision in Boone County has a gas station and convenience store at the entry. Speaking to the Commission, she stated that they represent the residents of Union, not the developers.

Jeff Owen stated concerns about increased traffic on Sweet Harmony Lane and potential danger combining residential, UDF, and emergency vehicles. He is opposed to the gas station at that corner.

Patrick Kessel, President of Harmony Board of Directors, recounted prior development meetings with the developers. He did not recall any mention of a UDF gas station as part of the development. He had been in favor of the development previously. He continued to share that during those earlier meetings, the Harmony monument sign and location had been questioned. Even during that conversation, there was no mention that a gas station would be located at that spot. He felt there was a lack of transparency by the developers.

Noreen Morgan, President of the Villas of Fowler's Creek HOA, spoke in favor of the development including the gas station. She stressed that all prior meetings with the developers, the gas station had been disclosed. The developers answered questions and addressed traffic and landscaping concerns and requests. She submitted an informal survey signed by 73 residents in support of the development and UDF gas station to the City Commission. Additionally, she stated that she had been opposed to the new Kroger Marketplace and its gas station with the fear that the build of that Kroger Marketplace and gas station would decrease Fowler's Creek property values. She said since it was built, she and others in Fowler's Creek have found Kroger's to be convenient to shop and purchase gasoline. Furthermore, its presence did not lower Fowler's Creek property values whatsoever.

Another guest speaker stated that they appreciate the landscape buffering, but voiced concerns about the proposed connector road and the UDF location. Anticipated future deterioration of the UDF would devalue surrounding homes. A request to consider moving the location of the UDF was made.

Regina M. asked how others would like the UDF at the entry of their neighborhood. And she voiced concerns about the proximity of the development to some of the residential properties.

Roger Hager referred to prior meetings with the developers and asked that the UDF be removed from the development plan.

Carl Langhorst stated concerns about an increase in criminal activity at UDFs and other convenience stores. Referring specifically to the UDF on Haines Road and Rte. 42, he recited some data/numbers from Boone County Police Department records. He stated he would send digitally to the City Commission. Mayor Solomon stated that the City Commission will follow up on those numbers as the Commission also received reports directly from the Boone County Police Department which differ from Mr. Langhorst's data showing essentially no actual crime committed at this UDF location.

Marty Hensley voiced concerns about the large size of the proposed UDF and number of gas pumps, as well as the location and proximity to residential properties.

Richard Chorey stated concerns about the traffic flow and questioned the need for more gas pumps considering the number of current local gas pumps. He suggested a putt-putt golf course instead. He was opposed to the proposed access road and he questioned the number of similar businesses already in the area.

Carol Oliver was opposed to the UDF and gas pumps. Her home would be the nearest one to the UDF. She also voiced concerns about the potential devalue of properties and concerns about fuel tankers. She would like to see the UDF as a stand-alone in a different area, as well as increased landscaping and separation between their homes and the proposed development.

Charles Girardi, Board Member, referenced the candid and transparent conversations with the developers. He stated that prior meetings included the UDF. He felt that the developers had been very open and upfront from Day 1.

A final guest speaker talked about the close proximity of St. Timothy's and the Ryle, Mann, and Gray complex to the UDF location. She was concerned about the safety of students and potential increased criminal activity.

Mayor Solomon thanked everyone for their comments and announced that the 1st Reading of Ordinance 2021-18 would be tabled until the November 1, 2021 Commission Meeting to allow the Commissioners the opportunity review of all comments and discuss.

LEGISLATION

ORDINANCE 2021-18 – AN ORDINANCE OF THE CITY OF UNION, KENTUCKY APPROVING, WITH CONDITIONS, A REQUEST OF VIOX & VIOX, INC. (APPLICANT) FOR 9541 US 42, LLC AND FLORENCE CHRISTIAN CHURCH (OWNERS) FOR A ZONING MAP AMENDMENT FROM RURAL SUBURBAN ESTATES/UNION TOWN OVERLAY (RSE/UTO) AND UNION NEIGHBORHOOD OFFICE (UNO) TO UNION COMMERCIAL/UNION NEIGHBORHOOD OFFICE/URBAN RESIDENTIAL TWO/PLANNED DEVELOPMENT (UC/UNO/UR-2/PD), AND A VARIANCE, FOR A 61.889 ACRE SITE LOCATED AT 9253 AND 9357 OLD UNION ROAD (ON THE EAST SIDE OF OLD UNION ROAD BETWEEN THE VILLAS OF FOWLER'S CREEK DEVELOPMENT AND THE PROPERTY AT 9513 OLD UNION) AND ALONG THE WEST SIDE OF US 42 BETWEEN THE US 42/FOWLERS LANE INTERSECTION AND THE US 42 SWEET HARMONY LANE INTERSECTION UNION, KENTUCKY.

Mayor Solomon asked for a motion to table the 1st Reading of Ordinance 2021-18. A motion was made by Commissioner Ramage and seconded by Commissioner Dulaney.

Motion approved 5-0.

ANNOUNCEMENTS

Mayor Solomon announced that the next regular City Commission Meeting will take place on Monday, November 1, 2021 at 6:30 PM at the Union City Building, 1843 Bristow Dr., Union, KY 41091.

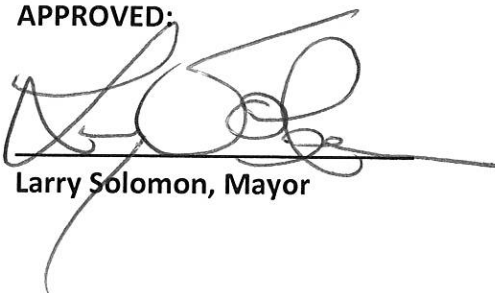
Because the Commission heard resident comments at this Ryle High School Special Meeting, the next meeting will not be open to any further resident comments on the Promenade project. Residents interested specifically on this project are encouraged to observe this regular meeting via Zoom. A Zoom link will be available for online/virtual viewing on the City of Union website and FaceBook page. If further assistance is needed to view via Zoom, please contact Amy Safran at the City Building.

ADJOURNMENT

A motion to adjourn was made by Commissioner Ramage and seconded by Commissioner Mefford at 8:59 PM.

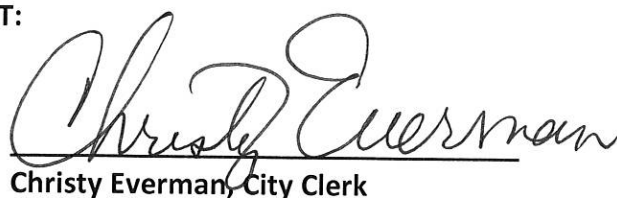
Motion approved 5-0.

APPROVED:



Larry Solomon, Mayor

ATTEST:



Christy Everman, City Clerk