

City of Crestview Hills
Tuesday, November 20th, 2018
5:00 PM

The Economic Development Committee meeting was called to order by Chairman Dave Kramer at 5:36 pm.

Members attending included Frank Sommerkamp, Arlene Luebbe, Jim Gates, Tim Adair, Mike Albanese and Brian Summe. Paul Sartori was absent. Mayor Paul Meier, City Attorney Mary Ann Stewart, and City Administrator Tim Williams attended the meeting.

Chairman Kramer noted that a quorum was present for the meeting.

Tim Adair made a motion to accept the minutes, seconded by Arlene Luebbe. All in favor of the motion to approve the minutes of September 24th, 2018 as presented.

NEW BUSINESS

Discussion of Possible Zoning Text Amendment Defining Substance Abuse Treatment Centers

Chairman Kramer requested that City Administrator Williams provide background information on the subject.

Mr. Williams explained that the City had recently been contacted about a new addiction treatment center that was proposing to locate at 500 Thomas More Parkway. This would be the fourth such facility locating in Crestview Hills. Mr. Williams noted that the City's Zoning Code does not currently identify substance abuse and treatment centers and they would be considered under general medical office uses. At the Mayor's behest, he researched Boone County and is proposing Crestview Hills utilize a similar definition in the City's Zoning Code for both in-patient and out-patient Addiction Treatment Centers. This would allow the City to better plan for such facilities and ensure their locations within appropriate zones.

Mr. Williams noted that there are currently three facilities within the RP-1 zone and one within the PO-1 zone. He suggested the Committee consider utilizing the PO-1 zoning district for future facilities due to its convenient location adjacency to I-275 and Turkeyfoot Road.

The Committee discussed the subject at length. City Attorney Mary Ann Stewart explained that substance abuse facilities have been determined by Federal Circuit Courts to be a protected activity under the Americans with Disabilities Act (ADA). Zoning restrictions are valid if the restriction is neutral, non-discriminatory and not based upon the facility's use or its clientele, but instead are based upon legitimate zoning concerns. She noted that concerns about traffic control or safe pedestrian access and crossing are all legitimate, non-discriminatory zoning concerns.

Mr. Williams noted that any existing substance abuse treatment center outside of the PO-1 zone would be grandfathered and could continue operations.

The Committee members expressed general support for the concept of defining substance abuse and treatment centers in the City's zoning code, and better identifying the most appropriate zones for this type of operation. Locating these facilities in the PO-1 zone seemed to make sense as they would be located closest to the bus routes, and placing them together, as opposed to spreading them out among three different zones, would enhance the access and safety of persons who use public transit. Even for those not using public transportation, the facilities grouped in one zone would be easier to find. Mike Albanese inquired about the implications for the RP-1 zone if substance abuse centers were defined and how that would affect the ability for other medical uses to locate in the office park. Mayor Meier noted that other medical uses would still be allowed under the general definition of medical offices in the RP-1 zone. Further discussion ensued among committee members regarding the best zone or zones to allow treatment facilities.

A motion was made by Brian Summe, and seconded by Jim Gates to recommend to the City Council the establishment of a new definition in the City's Zoning code for substance abuse and treatment facilities, and allow such facilities in the Professional Office 1 (PO-1) zone.

Following additional Committee discussion, Chairman Kramer called for vote with all members except one (Kramer) voting in the affirmative. The recommendation will be forwarded to the City Council at the regular December Council meeting.

With no further business to come before the Committee, a motion was made by Brian Summe, and seconded by Tim Adair to adjourn the meeting. All in favor of the motion to adjourn.

Meeting adjourned at 6:46 pm.