

RESOLUTION R-21-021-A

A RESOLUTION OF THE BOONE COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL, WITH CONDITIONS, FOR A REQUEST OF KATHY HINKEBEIN (APPLICANT) FOR GOMEZ FAMILY LLC – OCTAVIO CORRERE (OWNER) FOR A CHANGE IN APPROVED CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) ZONE FOR A 2.78 ACRE SITE LOCATED ON THE EAST SIDE OF BILL WENTZ DRIVE, BETWEEN THE PROPERTIES LOCATED AT 8509 AND 8519 U.S. 42, FLORENCE, KENTUCKY, AND PROVIDING THE RECOMMENDATION BE FORWARDED TO THE CITY OF FLORENCE, FLORENCE KENTUCKY.

WHEREAS, the Boone County Planning Commission received a request for a Change in Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for a 2.78 acre site located on the east side of Bill Wentz Drive, Between the properties located at 8509 and 8519 U.S. 42, Florence, Kentucky, which is more particularly described below; and,

WHEREAS, the Boone County Planning Commission as the planning unit for the City of Florence, Florence, Kentucky, was requested to and has conducted a Public Hearing serving as a due process trial-type hearing and made findings recommending approval, with conditions, for a Change in Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for a 2.78 acre site located on the east side of Bill Wentz Drive, Between the properties located at 8509 and 8519 U.S. 42, Florence, Kentucky.

NOW, THEREFORE, BE IT RESOLVED BY THE BOONE COUNTY PLANNING COMMISSION AS FOLLOWS:

SECTION I

That the request for a Change in Approved Concept Development Plan for the real estate which is more particularly described below shall be and is hereby recommended for approval, with conditions, in a Commercial Two/Planned Development (C-2/PD) zone for a 2.78 acre site located on the east side of Bill Wentz Drive, Between the properties located at 8509 and 8519 U.S. 42, Florence, Kentucky. The real estate which is the subject of this request for a Change in Approved Concept Development Plan is more particularly described in DEED BOOKS/PAGE NOS. 1138/15 and 1151/24 (as supplied by the applicant) as recorded in the Boone County Clerk's office.

SECTION II

That as a basis for the recommendation of approval, with conditions, for a Change in Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for a 2.78 acre site located on the east side of Bill Wentz Drive, Between the properties located at 8509 and 8519 U.S. 42, Florence, Kentucky, findings of fact of the Boone County Planning Commission as set forth in its minutes and official records for this request shall be and are hereby incorporated by reference as if fully set out in this Resolution and marked as "Exhibit A."

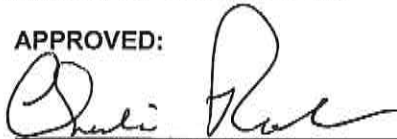
The Committee recommended approval for this request based on the findings of fact and conditions as set forth in the Committee Report and marked as "Exhibit B."

SECTION III

That a copy of this Resolution recommending approval, with conditions, for a Change in Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for a 2.78 acre site located on the east side of Bill Wentz Drive, Between the properties located at 8509 and 8519 U.S. 42, Florence, Kentucky, shall be forwarded to the City of Florence, Florence, Kentucky, having jurisdiction over the property for its action on the recommendation of the Boone County Planning Commission.

PASSED AND APPROVED ON THIS 18TH DAY OF AUGUST, 2021.

APPROVED:



**CHARLIE ROLFSEN
CHAIRMAN**

ATTEST:



**TREVA L. BEAGLE
MANAGER, ADMINISTRATIVE SERVICES**

CR/tlb

EXHIBIT

“A”

STAFF REPORT

Request of **Kathy Hinkebein (applicant)** for **Gomez Family LLC – Octavio Correra (owner)** for a Change in Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for a 2.78 acre site located on the east side of Bill Wentz Drive, between the properties located at 8509 and 8519 US 42, Florence, Kentucky. The request is for a Change in an Approved Concept Development Plan to permit a car wash and a restaurant.

July 7, 2021

REQUEST

The request is for a Change in an Approved Concept Development Plan to allow a car wash and restaurant to develop on lots 5 and 6 of Florence Promenade Subdivision.

The submitted Concept Development Plan shows that an approximate 4,120 square foot tunnel car wash is proposed on lot 5 and that a 5,742 (99' x 58') square foot restaurant, with 62 parking stalls, is proposed on lot 6. Access to the lots is shown from two shared access points located on Bill Wentz Drive and a driveway connection to the adjoining property to the east. The northern access point is shown on the car wash/Dunkin' Donuts property line and the southern access point is shown on the car wash/restaurant property line. The connection to the east would tie into a driveway that provides access to Alpaca Pete's, Turner's Truck and Trailer Repair, Onfreight Logistics, and an undeveloped lot on Quadrant Road.

Building renderings, elevations, and photos from other sites were submitted and labeled as being similar to what is being proposed on the subject site. The car wash elevations show that the building will be constructed with stacked stone, ACM panels, wave panels, ASF panels, composite siding, aluminum storefronts units, steel frames, and polycarbonate roof panels. The restaurant photo shows the building will be constructed with EIFS and stacked stone and contain covered outside seating.

PERTINENT SITE HISTORY

In 2005, a Concept Development Plan application was approved, with conditions, allowing a multi-building commercial development on a 6.33 acre site. The subject site was shown as being 2.66 acres in area and contained a 23,265 square foot retail strip center with a drive through on the south building elevation. Access to the site was shown from two curb cuts on Bill Wentz Drive. A possible future street connection was shown to the adjoining property to the east.

APPLICABLE REGULATIONS

- A. Section 314 of the Boone County Zoning Regulations states that major amendments to the terms of an approved Zoning Map Amendment, including a Concept Development Plan, that involve substantial or significant changes in the development concept, uses, intensity, supplemental conditions of approval, or other plan elements of substantive effect must be submitted to the Planning Commission and shall conform to the procedure and requirements described in Sections 301-310. Minor amendments to the approved Concept Development Plan that do not involve changes in the development concept, uses, intensity, supplemental conditions of approval, or other plan elements of substantive effect may be approved by the Zoning Administrator.

- B. Section 1514 of the Boone County Zoning Regulations states that Concept Development Plan proposals in a Planned Development shall be evaluated against the Planned Development standards unless some of the criteria do not apply or relate to a specific proposal. Staff will address these standards in the staff comment section of the report.
- C. Section 1517 of the Boone County Zoning Regulations states that the Planning Commission shall require that a Concept Development Plan be submitted for the development or redevelopment of property located in a Planned Development zone. The Concept Development Plan may be filed to the Planning Commission by the owner(s), owner by contract (option) or lessee of property for which the planned development is proposed. If the Concept Development Plan involves a zone change, then the proposal is subject to the criteria in Section 308 as well as the provisions of this article. If the Concept Development Plan does not involve a zone change, or only involves uses that are permitted in the underlying zone (also called a "Utilization of an Underlying Zone Within a Planned Development"), then the proposal is subject only to the provisions of this article. The contents of the Concept Development Plan submittal shall include the items listed in Section 303.

SITE CHARACTERISTICS

- A. The overall site (lots 5 and 6) is 2.768 acres in area and has 309.02 feet of frontage on the east side of Bill Wentz Drive.
- B. The overall site is currently undeveloped with the exception of a shared access drive that provides access to Dunkin' Donuts. The final plat shows that an access easement has been recorded to provide access to lot 1 of Florence Promenade Subdivision.
- C. Boone County G.I.S. shows the topography varies from 880 MSL along the north property line, 870 MSL along the south property line, and 860 MSL in the southeast property corner. The southern portion of the site contains mature deciduous trees and a small pond.
- D. Boone County G.I.S. shows a water main exists along the Bill Wentz Drive frontage and a sanitary main is located at the southwest corner of the site.

ADJACENT LAND USES AND ZONING

North: Dunkin' Donuts/Baskin Robbins (C-2/PD/CD) and Alpaca Pete's (C-2/PD)

South: Florence Body and Frame/Anthony's Trim (C-2/PD)

East: Undeveloped Lot, Turner's Truck and Trailer Repair, and Onfreight Logistics (I-1)

West: Bill Wentz Dr., Ace Hardware, Republic Bank, and Victory Lane Oil Change (C-2/PD/CD)

RELATIONSHIP TO COMPREHENSIVE PLAN

- A. Our Boone County – Plan 2040 "2040 Future Land Use Plan" designates the site for Commercial uses. This designation is described as "Retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."

- B. The following Our Boone County – Plan 2040 Goals and Objectives apply to this application:

Land uses and zoning decisions shall strive to balance the rights of landowners with the rights of neighbors and the community (Overall Goal A, Objective 4).

Provide appropriate services, housing, employment, and shopping opportunities in order to meet the needs of the population in all geographic areas of the County (Demographics Goal A, Objective 4).

Development shall utilize existing topography and vegetation (including mature trees) and preserve the existing character of the land (Environment, Goal A, Objective 7).

Boone County shall seek a combination of land uses that balances revenues generated from those uses with the expenditures required to support them (Economy Goal A, Objective 8).

Boone County businesses are developed in appropriate locations and are compatible with surrounding land uses (Economy, Goal B).

Compact, efficient development patterns shall be encouraged for industrial, commercial, and office uses with appropriately sized and well maintained buffer spaces between the business use and other land uses (Economy Goal B, Objective 1).

Commercial uses shall be designed and located to coordinate with the surrounding land uses and shall have safe access and adequate parking (Economy Goal B, Objective 3).

- C. The following is an excerpt from Our Boone County – Plan 2040:

Vehicle stacking problems during rush hours and conflicting left turn movements have become significant problems along the U.S. 42 corridor between the Weaver Road/Hopeful Church and Pleasant Valley Road intersections. The new “jug-handle” intersection design for Weaver Road and U.S. 42 will hopefully address some of these issues. Frontage road and interconnecting parking lots are necessary here to allow vehicles to access existing and future traffic signals. Access to Weaver Road should be implemented through redevelopment of the former Boone Kenton Warehouse site and adjacent parcels as well as well-planned access to U.S. 42. If improvements are made to Gunpowder Road from U.S. 42 to Mt. Zion Road, more intense land uses could be examined for the property behind Wentz Drive as well as the possibility of having access to Gunpowder Road. If commercial development occurs in this area, it should primarily be accessed from U.S. 42. In addition, improvements to pedestrian access along Weaver Road should be a top priority of the State when making improvements to the road network. (Florence South, pp. 129-130).

STAFF COMMENTS

- A. Exceptions to code can be sought through the Change in Approved Concept Development Plan application process when properties are located in a Planned Development (PD) zoning district. The Concept Plans show the following landscaping requirements are not being met:

1. Part of the restaurant's front parking lot is located in the required 10' wide Bill Wentz Drive street frontage buffer.
2. Part of the restaurant's front parking lot is located in the required 10' wide landscaping buffer along the southern property line.
3. Part of the parking lot is located in the required 20' wide rear buffer yard.
4. A 10' wide shared landscaping buffer is not being provided along the lot 5/lot 6 property line. A 10' shared buffer would be permitted on either side of the driveway aisle. The two landscaping islands to the sides of the driveway aisle are approximately 4' wide each.
5. The restaurant site is subject to the Vehicular Use Area (VUA) landscaping requirements because it contains 62 parking stalls. Five percent (5%) of the parking lot must be in the form of VUA landscaping islands. Staff would need this requirement to be calculated to verify code compliance.

B. Staff would like the applicant to address the following:

1. The proposed parking lot layout has been overlaid on a previous layout. Can the former layout be removed? It's confusing.
2. Can the Concept Plan be redrawn using an engineering scale (1" = 30", etc.)?
3. Is the proposed car wash facility a Fast Freddy's? If so, has this building prototype been constructed anywhere and can pictures of it be provided?
4. Show the car wash vacuum locations on the Concept Plan.
5. What are three square pads shown in the car wash parking lot?
6. How many seats are proposed in the restaurant?
7. Will the restaurant have an outdoor dining area? If so, please clarify the location on the Concept Plan.

C. Staff has the following comments regarding the Planned Development Criteria found in Section 1514 of the Zoning Regulations:

1. Mixed Use Development and Pedestrian Orientation
 - Staff recommends that sidewalk connections to the Bill Wentz Drive should be analyzed. Crosswalks across Bill Wentz Drive would need to be provided because public walks are only located on the west side of Bill Wentz Drive.
 - A sidewalk connection between the restaurant and car wash sites should also be analyzed.

2. Landscaping

- A landscaping plan was not submitted with the request. As a result, it is hard to determine if substantial landscaping is being provided.

3. Architecture

- The proposed buildings do not meet the architectural standards. The buildings do not relate to one another and only contain a small percentage of masonry. The car wash building is constructed predominately with composite siding, ACM panels, and polycarbonate roof panels. The ACM panels and roofing are extremely bright in color. The restaurant pictures that were submitted show a building which is constructed predominately with EIFS and a masonry entrance feature.

4. Signage

- No sign details were submitted. Each site would be permitted up to a 10' tall and 100 square foot monument sign and building mounted signage.

5. Transportation Connections and Entry Points

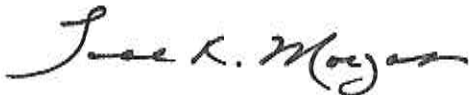
- A Traffic Study was submitted with the request and it has been made part of the record (see Exhibit 1). The "estimated new trips" chart from this report is included as an attachment to the Staff Report.
- The northern access point is shared with Dunkin Donuts. Traffic from the Dunkin Donuts drive through lane currently stacks onto Bill Wentz Drive during peak times. The City of Florence and Planning Commission Staff have had preliminary discussions with the Maxwell Construction to fix the problem. The City of Florence has also issued a bid for a right-in/right-out to be constructed at Bill Wentz Drive and US 42 and expects construction to take place later this summer.
- The southern access point is shared between the proposed restaurant and car wash. Staff has concerns this access point could get blocked at times by motorists that are leaving the restaurant from the driveway that is located closest to Bill Wentz Drive.
- Staff recommends the driveway connection to the east should be eliminated. The connection would tie into an existing driveway that serves Turner's Truck and Trailer Repair, Onfreight Logistics, and an undeveloped industrial lot. These existing businesses all have legal access on Quadrant Road and experience heavy amounts of tractor trailer traffic, which would not be appropriate on Bill Wentz Drive.

- D. Staff sent out a request for comments and received comments back from Boone County Building Department and Florence Fire. These comments can be found in the attachment section of the Staff Report.

CONCLUSION

This request needs to be evaluated by the Boone County Planning Commission and Florence City Council in terms of Article 3 of the Boone County Zoning Regulations, Section 1514 of the Boone County Zoning Regulations, the appropriate planning documents noted herein, and the potential impacts on existing and planned uses in the area.

Respectfully submitted,



Todd K. Morgan, AICP
Senior Planner

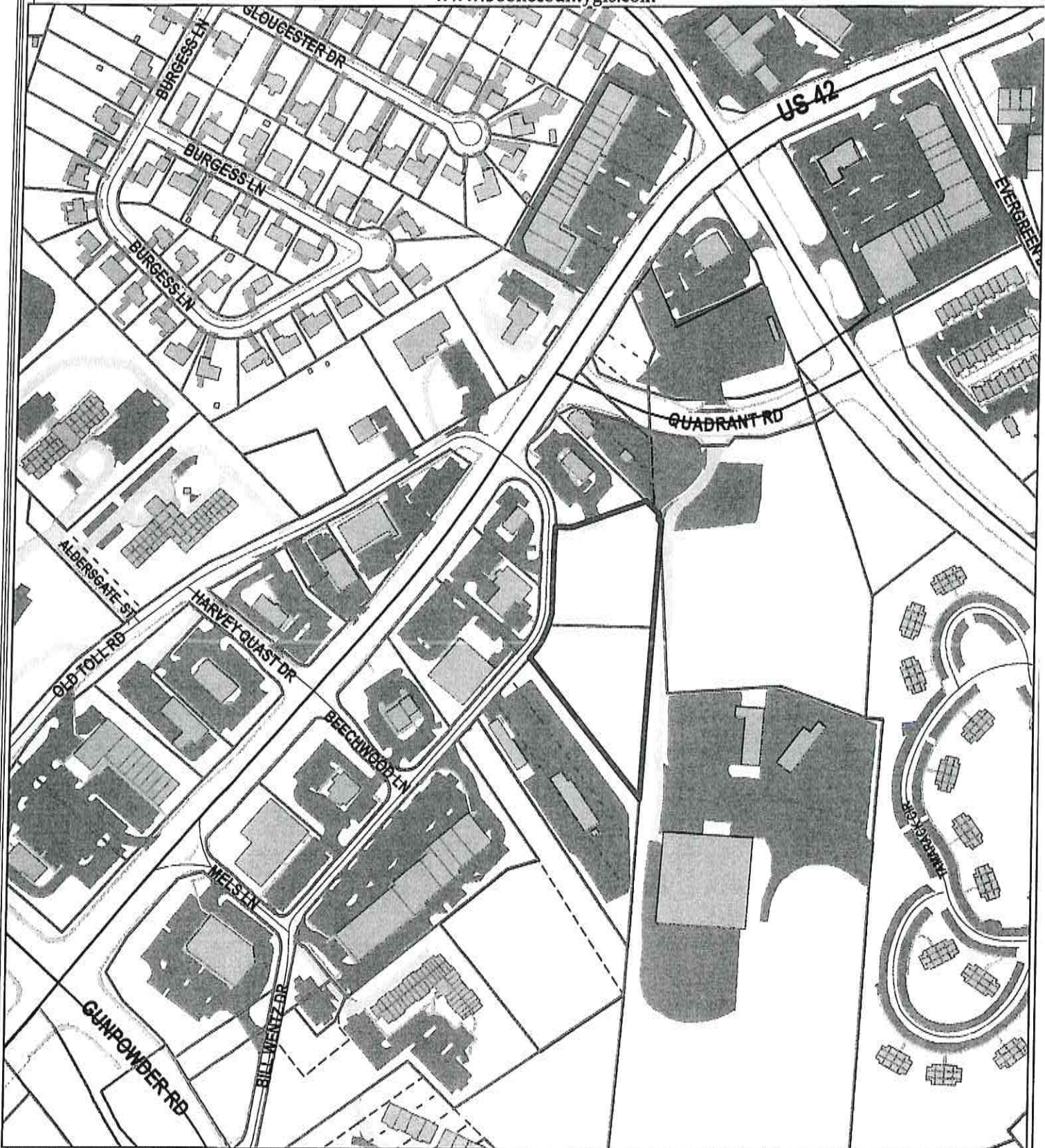
TKM/ss

Attachments:

- *Site Vicinity Map
- *Proposed Concept Development Plan
- *Photos of a Similar Restaurant
- *Renderings and Floor Plan of a Similar Car Wash
- *Estimated New Trip Summary Chart from Submitted Traffic Impact Study
- *2005 Approved Concept Development Plan, Conditions, and Building Rendering
- *2020 Aerial Map
- *Topographical Map
- *Zoning Map
- *2040 Future Land Use Map
- *Planned Development Criteria
- *Comments from Florence Fire Department
- *Comments from Boone County Building Department
- *Application

SITE VICINITY MAP

www.boonecountygis.com



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Date used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



0 150 300 600 900 1,200 Feet

1 inch = 300 feet

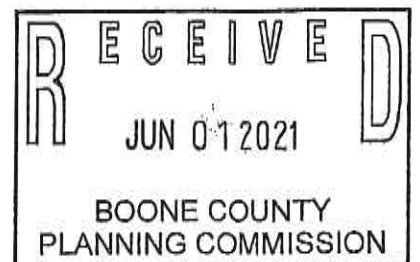
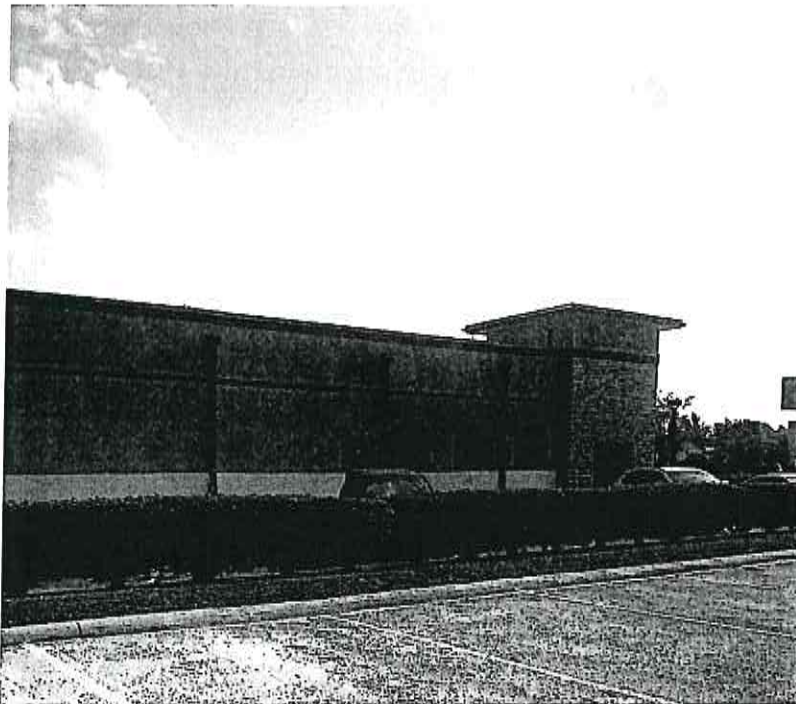
Boone County GIS - Putting Northern Kentucky on the Map



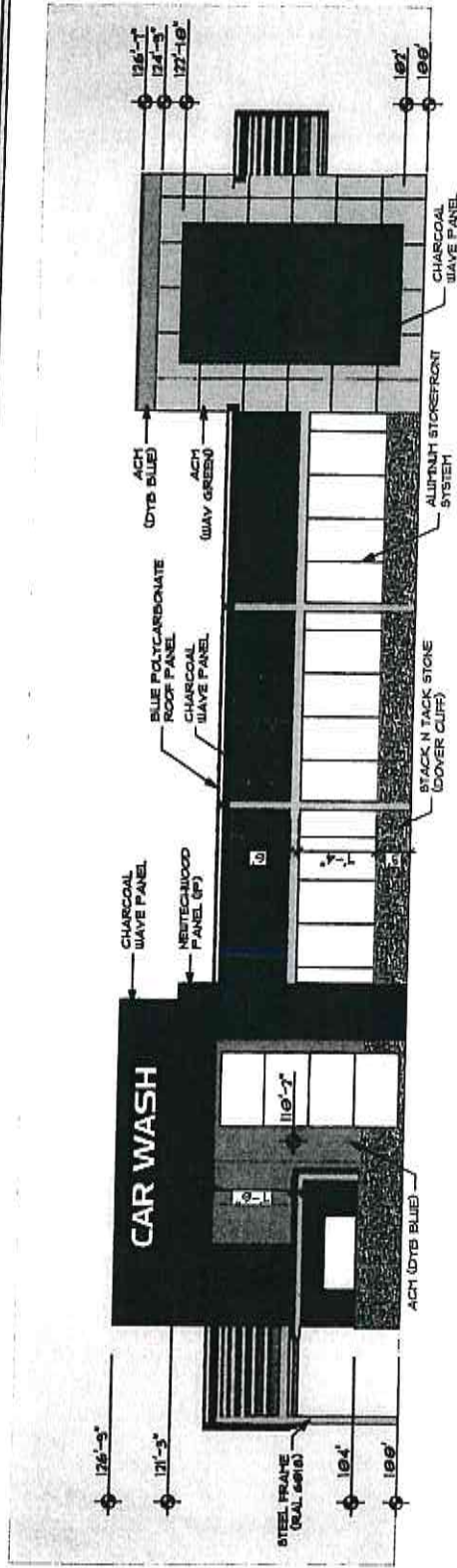
Map Created: 10/20/2020

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Representative photos of Restaurant

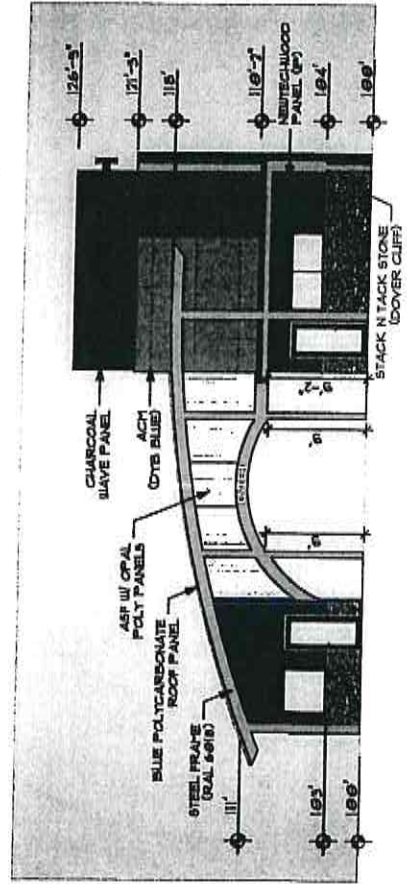


Similar Building



1 NORTH ELEVATION

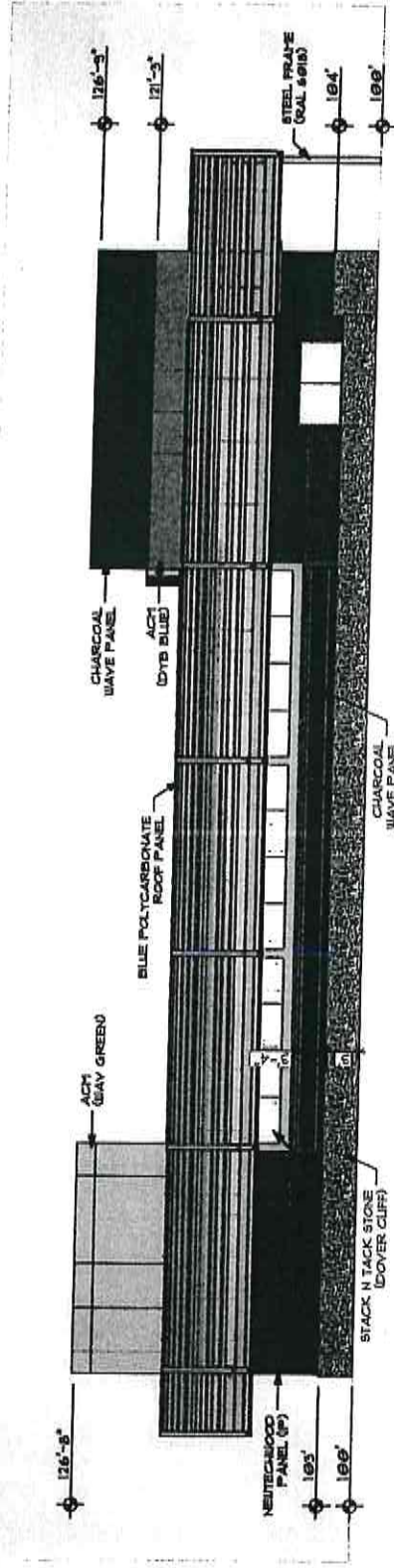
NOT TO SCALE



2 EAST ELEVATION

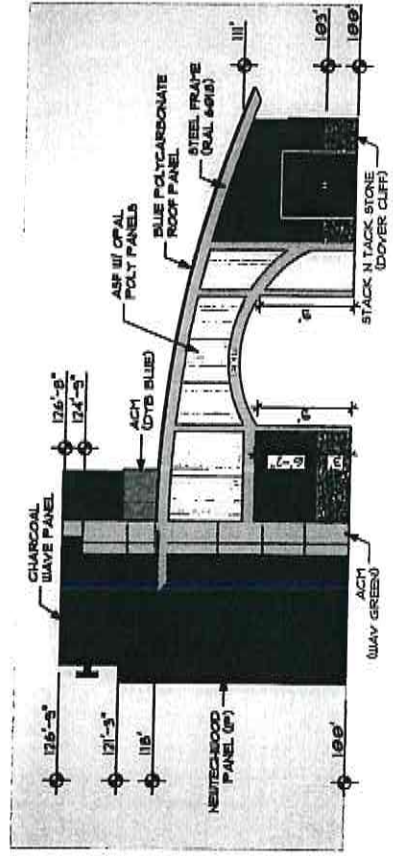
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Similar Building



1 SOUTH ELEVATION

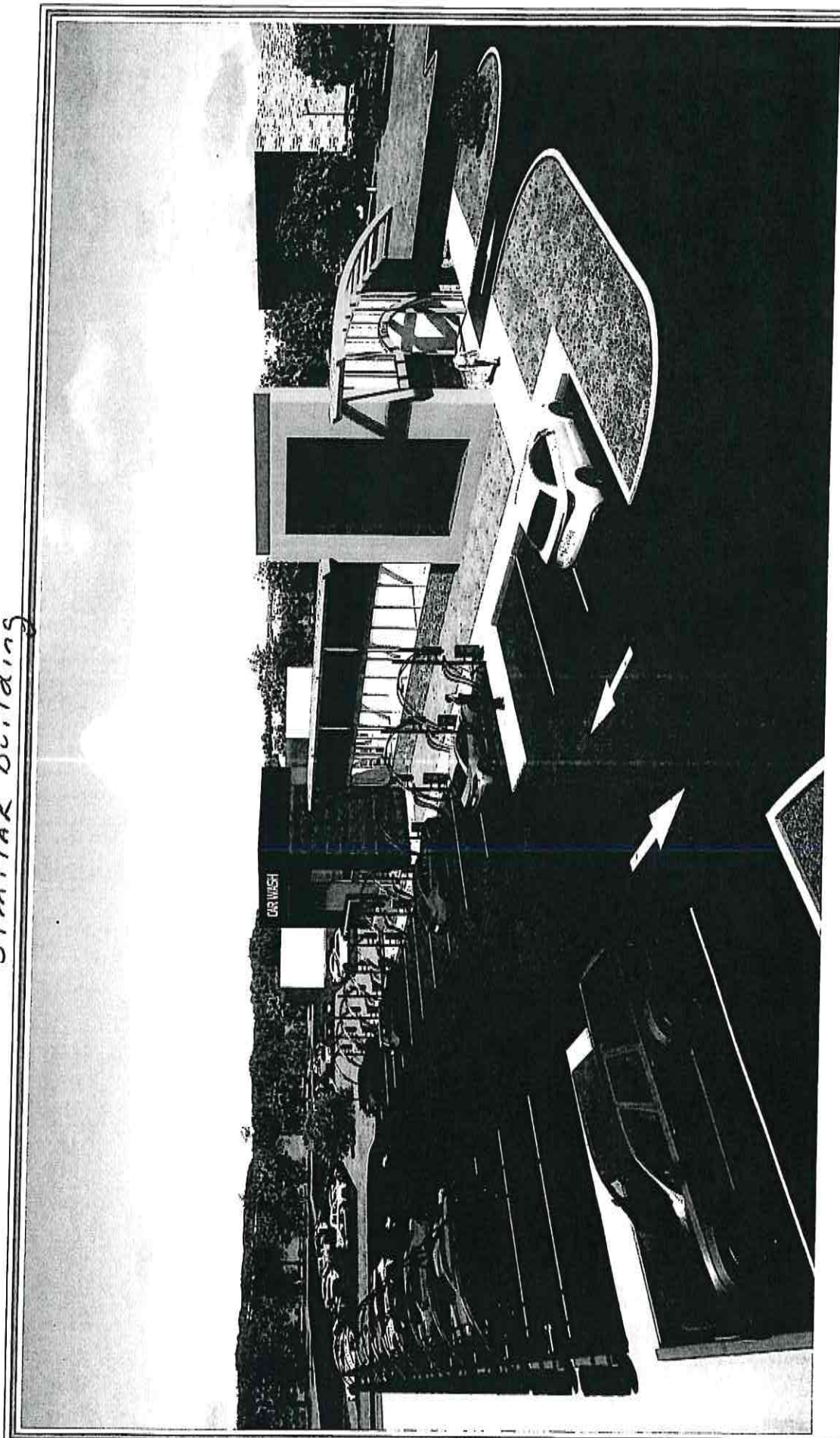
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2 WEST ELEVATION

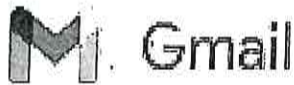
NOT TO SCALE

Similar Building



Architectural floor plan of a building. The plan includes the following rooms and features:

- OFFICIALS** (2' 10 1/2" x 5' 7 1/2")
- WASH BAY** (2' 11 1/2" x 5' 7 1/2")
- CONTROL** (2' 10 1/2" x 5' 7 1/2")
- ENTR. ROOM** (2' 11 1/2" x 5' 7 1/2")
- STAIRS**
- DOOR**
- WALL**
- CEILING**
- FLOOR**
- ROOF**
- FOUNDATION**
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Kathy Hinkebein <kathy@ganthill.com>

Traffic Impact Study - Proposed Car Wash and Restaurant on Bill Wentz Drive - Preliminary Information

Jadhami@shaengg.com <Jadhami@shaengg.com>

Thu, May 27, 2021 at 8:29 AM

To: "Brefeld, Linzy M (KYTC-D06)" <Linzy.Brefeld@ky.gov>, "Minckley, James A (KYTC-D06)" <James.Minckley@ky.gov>

Cc: Kathy Hinkebein <kathy@ganthill.com>

Good Morning Linzy and James,

This email is in connection with the proposed car wash and restaurant on Bill Wentz Drive in Florence, KY. The attached PDF file includes the following. Please note the Figure indicate condition A. Condition A will analyze the intersection of US 42 and Bill Wentz Drive with all movements allowed at the intersection. ***As per the feedback from Linzy on MOU, we will include analysis with an alternative (Condition B) with Bill Wentz Drive at US 42 analyzed as right turn in/out only. This alternative will be analyzed by shifting the traffic volumes for the movements not allowed to the intersection of US 42 at Beechwood.***

1. Counted traffic data (2021)
2. 2022 and 2032 No Build traffic volumes (A linear growth factor of 1.4%/year used for estimating future traffic volumes)
3. Trip distribution
4. Build traffic scenarios, 2022 and 2032

Also the estimated trips based on the information included in the preliminary site plan is show in Table 1.

Table 1 – Estimated New Trips

Land Use	Units	AM Peak			PM Peak		
		Enter	Exit	Total	Enter	Exit	Total
932 -Restaurant	5,700 SF	31	26	57	35	21	56
948 – Car Wash (Automated)	1 Tunnel	0	0	0	39	39	78
Total Trips, Unadjusted		311	26	57	74	60	134
Pass-by Trips		0	0	0	12	12	24
Net New Trips		31	26	57	62	48	110

Please review the information and provide any comment you may have before we proceed with the detailed analysis and report.

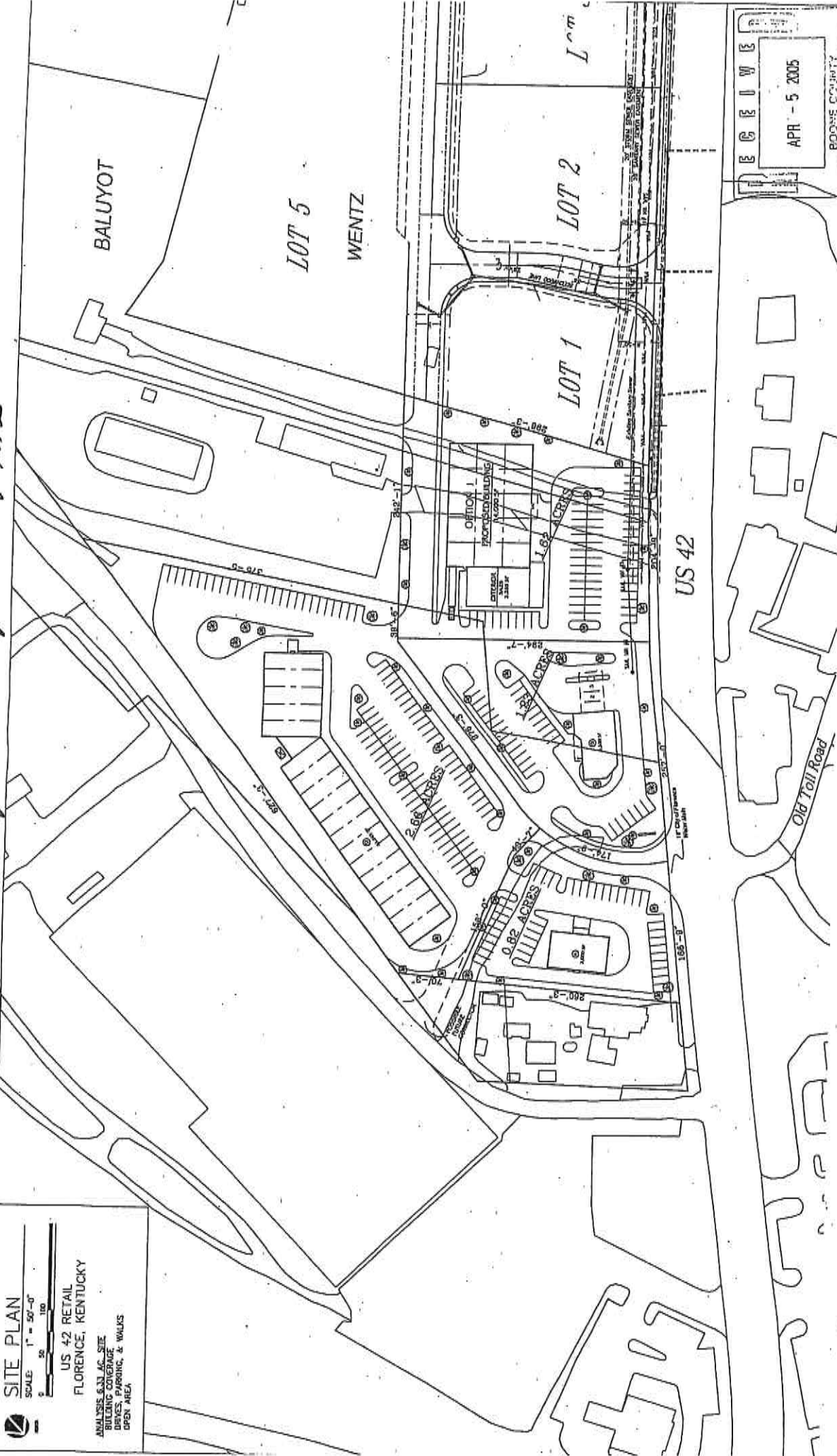
Contact me if you have any questions.

Jamal A. Adhami, PE, PTOE
SHA Engineering LLC
6221 Thornberry Court
Mason, OH 45040

Phone : (513)236-7909
Fax : (800)948-9025

2005 Concept Development of Paul

SITE PLAN
 SCALE: 1" = 50'-0"
 0 50 100
US 42 RETAIL
FLORENCE, KENTUCKY
 ANALYSIS 6.33 AC. SITE
 BUILDING COVERAGE
 DRIVE, PARKING, & WALKS
 OPEN AREA



RECEIVED
 APR - 5 2005
 BOONE COUNTY
 PLANNING & ZONING
HENNER
 PAUL HENNER & COMPANY
 Your Building Partner

FLORENCE PROMENADE
 FLORENCE, KENTUCKY
 PRELIMINARY SITE PLAN - OPTION B

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Greg Breetz, Chairman

DATE: June 15, 2005

RE: Request of Mike Hargis/Paul Hemmer Companies (applicant) for Paul Hemmer Dev. IV by option contract (owner) for a Concept Development Plan for a 6.33 acre site located on the east side of US 42 at 8511 US 42, and across US 42 from 8510 US 42 and the Old Toll Road intersection, Florence and unincorporated Boone County, Kentucky. The request is for a Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone to allow a multi-building commercial development.

REMARKS:

We, the Committee, recommend approval of this request based upon the following findings of fact and with the following conditions:

Findings of Fact

1. The Committee has concluded that the request is in general agreement with the 2000 Boone County Comprehensive Plan and the 2005 Boone County Comprehensive Plan Goals and Objectives for the following reasons:
 - A. The 2000 Boone County Comprehensive Plan's Future Land Use Map designates the site for "Commercial" uses. This designation is described by the Comprehensive Plan as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."
 - B. The Committee has concluded that the request demonstrates agreement with the Land Use Element's Future Land Use Development Guidelines as well as the applicable Goals and Objectives.
2. The Committee has concluded that the request fulfills the applicable requirements of Article 15 "Planned Development District" of the Boone County Zoning Regulations.
3. The Committee has concluded that the following conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2005 Boone County Comprehensive Plan. The conditions listed below are necessary to mitigate any foreseeable community impacts that may be created by the development. The property owners have signed a letter demonstrating agreement with these conditions.

CONDITIONS

1. The property owner, Boone County Planning Commission and the City of Florence will work together with regard to the alignment and dedication of their portion of Bill Wentz Drive.
2. The property owner agrees that the design of the buildings will be consistent in color and material with the elevations presented at the June 1, 2005 Zone Change Committee meeting and will be reviewed by Staff through the required Major Site Plan Review.

A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request. Attached is the signature page for the Zone Change/Concept Plan Committee Vote.


**City of Florence Special Conditions of Approval
For
A Concept Development Plan Approval
At 8511 U.S. 42**

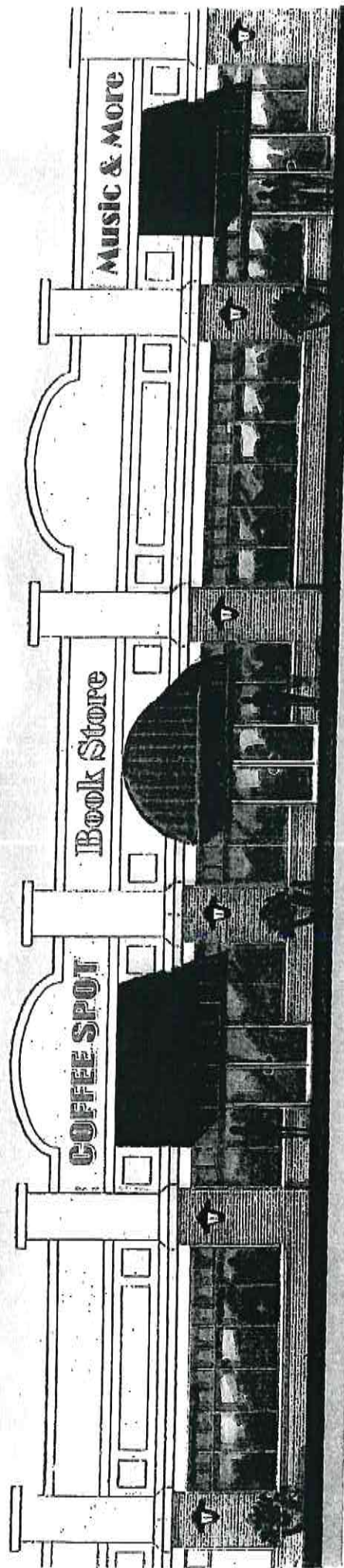
The undersigned, on behalf of Paul Hemmer Development IV by option contract (owner) hereby agrees to the following special conditions of approval for the requested concept development located on 6.33 acres at 8511 U.S. 42 (across from Old Toll Road) in Florence, Kentucky.

1. The Bill Wentz drive extension shall be a 28' dedicated public street with a minimum of 1.5' of additional public right-of-way behind the curb on each side of the street.
2. A 5' sidewalk will be installed along the northwest side of Bill Wentz drive within the Florence Promenade Development. Public sidewalk will also be constructed along the U.S. 42 frontage that will connect to and match the existing public sidewalk width at the Wentz Development to the south.
3. The rear of the proposed Ace Hardware building shall be constructed of a combination of decorative masonry and/or brick materials with the intent to break up the flat façade look of the building.

Date

8/5/05


Paul Hemmer Development IV (owner by option contract)



HEMMER

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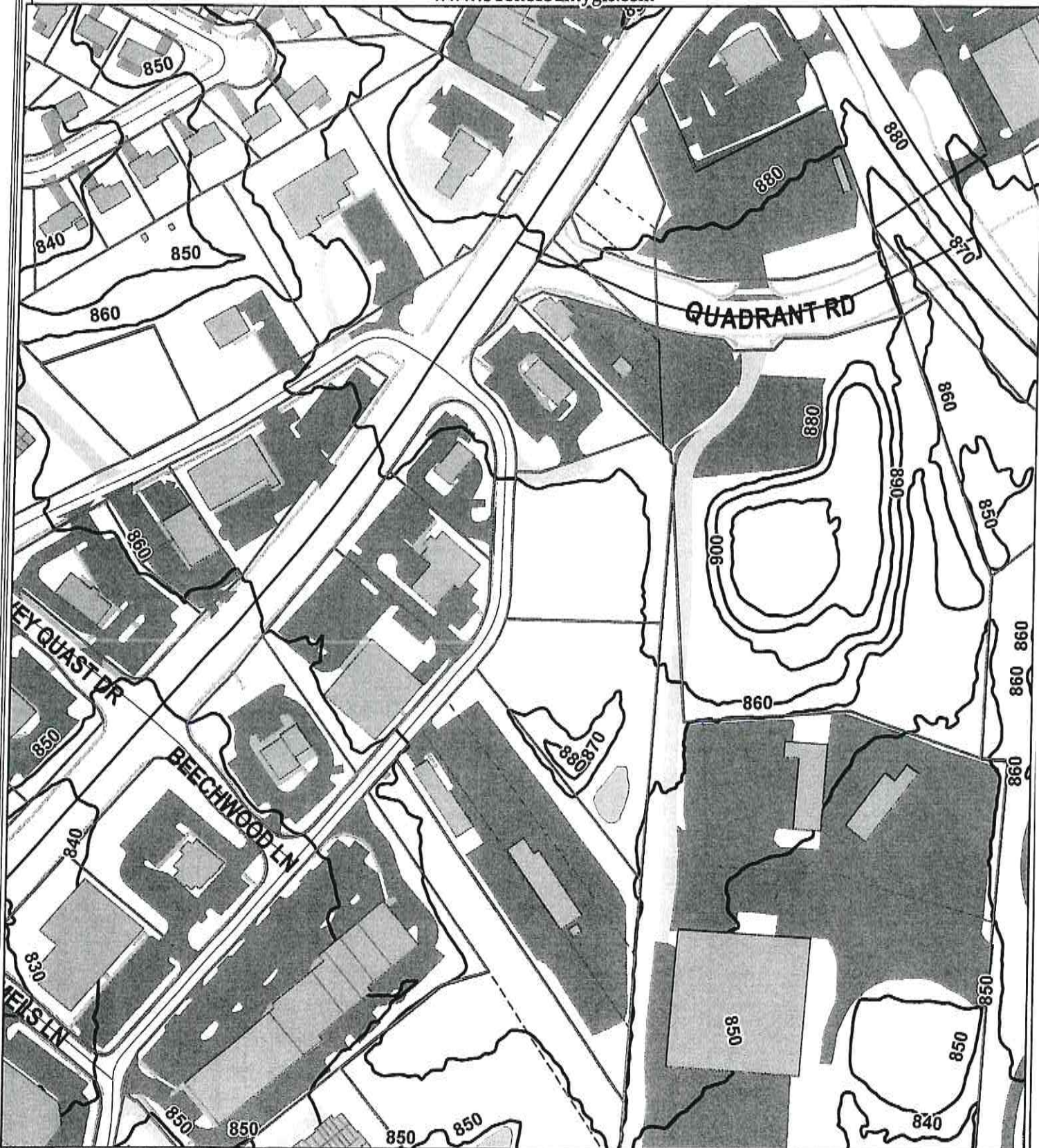
Boone County GIS - Putting Northern Kentucky on the Map

Map Created: 10/26/2020

Boone County GIS
ArcMap Document (*.mxd)

TOPOGRAPHICAL MAP

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ZONING MAP

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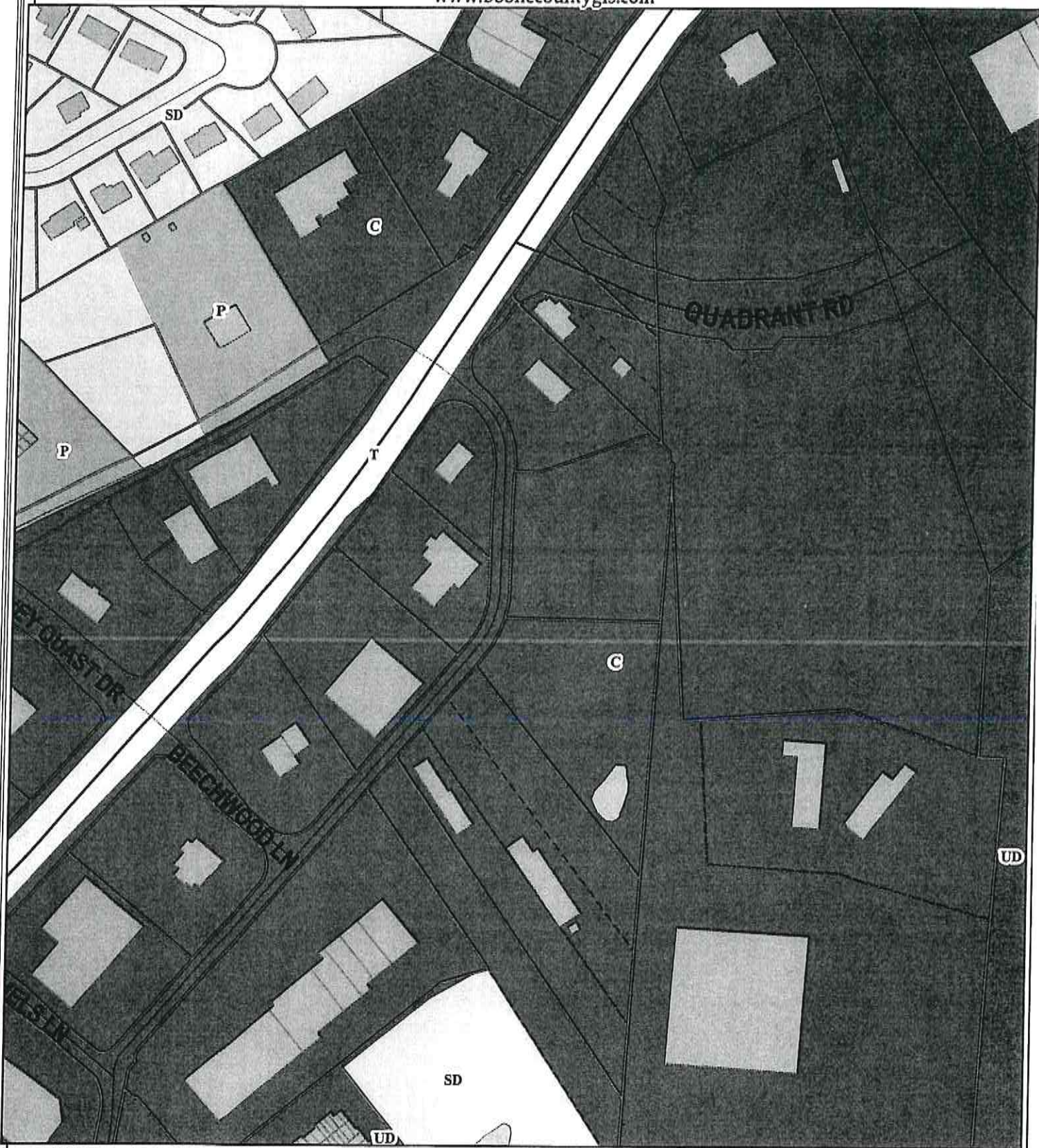


Map Created: 10/10/2020

Boone County GIS - Putting Northern Kentucky on the Map
ArcMap Document: *.mxd

2040 FUTURE LAND USE MAP

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1 inch = 200 feet

Boone County GIS - Putting Northern Kentucky on the Map

Map Created: 10/26/2020



Boone County GIS
ArcMap Document: *.mxd

SECTION 1514 Planned Development Criteria

Concept Development Plan proposals in a Planned Development shall be primarily evaluated against the criteria listed below. The Concept Development Plan shall fulfill the following criteria unless a portion of the criteria do not apply or relate, in whole or part, to a specific proposal. The examples listed in this section are for illustrative purposes. Specific solutions used to fulfill these criteria are contingent upon the size, scale, site conditions, design, uses and impacts of a proposed development.

1. **Mixed Use Development and Pedestrian Orientation:** Planned Developments shall generally have a mixed use orientation (combination of differing types of residential, commercial, public or civic, and/or industrial uses) both within the development itself and relative to the relationship between the proposed planned development and adjacent sites. The additional intensity allowed in a Planned Development by SECTION 1500 shall only be permitted when a true mixed use and/or an amenity - oriented development with community and recreation facilities as described in this standard is provided.

In general, planned developments shall have a pedestrian orientation, where it is possible to live, work, shop, and play in the same immediate vicinity without a required dependance on the automobile. This may be accomplished through the use of comprehensive pedestrian circulation networks including multipurpose paths and walks along main routes and open spaces such as stream corridors, between major destinations within the development and adjoining areas, secondary walk connections to the multi-purpose paths, the creation of a designed pedestrian environment including street trees in addition to other required landscaping, decorative street lights and other street furniture, and seating areas, and the use of integral curb walks where appropriate along streets. Disruptions in major paths due to street and drive intersections shall be minimal. Additionally in commercial areas, pedestrian orientation can be accomplished by placing buildings in close proximity to the street with parking areas to the side and rear of buildings, mixing uses within the same multi-story buildings, building entrances directly facing streets with reduced setbacks, architectural design which employs display windows, projecting signs, and awnings at street level, and designed outdoor seating and gathering spaces at the street level. Each development proposal must demonstrate in detail how the project will be made walkable throughout.

2. **Compatibility of Uses:** Measures shall be taken to assure compatibility of land uses within a planned development itself and adjacent sites. Such measures may include the provisions of buffer zones, common open space areas and landscape features, transitional land uses, or a mixed-use development in which no specific type of land use is dominate. When applicable, the design methods recommended in the "Development Layout, Lot Sizes, and Setbacks" section of the Comprehensive Plan's Land Use Element shall be employed. Compatibility measures/mitigation measures shall exceed the usual minimum standards of this order when needed to address impacts of the proposed development.
3. **Open Space:** Useable open space(s), in an amount over and above setback and buffer yard areas and open areas required by the underlying zone, shall be provided. These spaces may be provided in the form of parks, plazas, arcades, commons, trails, sports courts or other athletic and recreational areas, outdoor areas for the display of sculptural elements, etc. Land reservations for community facilities may be considered in lieu of useable open space. The use of single loaded streets to provide multi-purpose paths, park areas, or to protect stream corridors, may be proposed for this purpose. Open Space areas are encouraged to have street frontage and visibility. Any site proposed to be publically dedicated or donated for park or open space purposes shall comply with the appropriate legislative body's requirements for acceptance of such dedications or donations.
4. **Multi-Modal Transportation System:** Planned developments shall incorporate multi-modal transportation elements through the development, depending on the foreseeable needs of future residents and users of the site, and the relationship of the project site to the community at large. Such multi-modal elements may include provisions for mass transit stops or stations, car pooling lots, pedestrian and bicycle paths and lanes, bicycle parking areas, etc. Multi-modal facilities are encouraged to be combined with the pedestrian systems and open spaces described in Sections 1 and 3.
5. **Preservation of Existing Site Features:** Existing topography, significant tree cover, tree lines along property lines, cemeteries, and water courses and water bodies shall be largely preserved and incorporated into the project design, where appropriate and consistent with the remainder of this article. The retention of such features may also fulfill portions of the requirements in Section 3 "Open Space" and Section 6 "Landscaping."

6. Landscaping: Substantial landscaping shall be provided in a planned development with emphasis given to street scape areas, buffer zones, and the provision of significant landscaping (in terms of size of landscape areas, and quantity and quality of landscape materials) within the developed portions of the site. The use of landscape design guidelines is required for multi-phased projects. The retention of existing healthy, substantial trees should occur wherever possible. Properly designed street tree plantings may be permitted to fulfill some landscaping requirements as part of an overall amenity package.
7. Architecture: Sites which are subject to architectural requirements through adopted overlay districts or land use studies shall follow said requirements. For all other sites, a consistent architectural theme shall be provided in planned developments. The theme shall largely use traditional, regionally influenced architectural forms and elements and shall allow variations within it. Traditional styles such as Georgian, Federal, I-House, Cape Cod, Craftsman, Tudor, Queen Anne, Italianate, early 20th century commercial structures, and local farm structures may be used as models. Contemporary or transitional styles of comparable quality may also be considered. The architectural theme shall also relate to existing structures on the project site and adjacent sites, especially if such existing structures are historic.
8. For attached or multi-family residential developments and commercial or office developments, the predominant building materials shall have a solid appearance, such as could be achieved with brick, stone, and architectural grade cast concrete products designed to replicate natural materials. Roof designs shall have a finished appearance through the use of three dimensional pitched roof forms with architectural grade roofing and/or the use of defined parapets with cornice lines. Long building facades and roof planes shall be interrupted through the use of three dimensional jogs in the building footprint and secondary roof forms such as hips, dormers, and gables. Such buildings shall include architectural detailing for cosmetic enhancement, largely use natural colors, and use a consistent design treatment on all facades. The use of architectural guidelines or building prototypes is required for all multi-phased projects. Developments should be mixed-use in character with multi-level buildings where commercial services are proposed. Walkability must be planned for when locating commercial and residential uses in proximity to each other. Office and residential uses are strongly advocated above commercial uses in business districts to decrease dependence on the automobile.
9. Historic and Prehistoric Features: Historic and prehistoric features on the project site shall be retained, utilized, and incorporated into the overall project design if physically and economically feasible.
10. Signage: A consistent signage theme shall be provided within a planned development. Building mounted signs shall be the predominate signage on the project site. Freestanding signs shall be monument style and of a limited size and height. Signage shall visually correlate to the planned architectural theme by the use of consistent design details, materials, and colors. The use of signage design guidelines is required for multi-phased projects.
11. Transportation Connections and Entry Points: The provision of transportation connections (street connections, pedestrian paths, multi-purpose trails, sidewalks, and bicycle facilities) shall be provided in all planned development unless physically unfeasible or unsafe. This shall include connections to adjoining properties and developments, and inter-connectivity within the development itself, and contain minimal use of cul-de-sacs or other dead-end types of streets only when necessary. Transportation connections shall account for the County's adopted Transportation Plan and any adopted bikeway and/or pedestrian plans. In addition, the various entry points (streets, paths, etc.) into a planned development shall be marked or otherwise defined through the use of landscaping, low-key signage on retaining walls, architectural or sculptural elements, archways, markers, etc. Any structures used to demarcate entry points shall visually correlate to the planned architectural theme by the use of consistent design details, materials, and colors.

Conformance with Comprehensive Plan: All planned developments shall conform to the provisions of the adopted Comprehensive Plan and take into account the limitations of existing or planned infrastructure.

Further, Concept Development Plan proposals within areas that are subject to a specific land use or corridor study shall be evaluated against the criteria or requirements of such study as well as the criteria in this section.

A Planned Development and its uses, buildings or structures shall be minimally subject to the supplemental performance and development standards of this order, unless superseded by any special requirements, conditions, variances or other particulars imposed by the Planning Commission during the concept or preliminary application and hearing phases described in this article. Such special conditions may include provisions governing, common open space, lands or facilities, disposition of open land, infrastructure provisions including any physical design and/or any other requirement found to be necessary, appropriate or desirable for the purposes of this district.

Such conditions shall be made a part of the terms under which the development is approved. Any violation of such conditions shall be deemed a violation of this order.

Todd Morgan

From: Randy Childress <Randy.Childress@Florence-KY.gov>
Sent: Monday, June 07, 2021 9:25 AM
To: Todd Morgan; Joshua Hunt; Tom Gagnon; Brefeld, Linzy M (KYTC-D06); Jerry Noran; 'jonlbrown@hotmail.com'
Subject: RE: Change in Approved Concept Development Plan application to allow a car wash and restaurant on Bill Wentz Drive, Florence, KY

EXTERNAL MESSAGE

No comments on the Concept Plan.

From: Todd Morgan <TMorgan@boonecountyky.org>
Sent: Friday, June 4, 2021 9:49 AM
To: Joshua Hunt <Joshua.Hunt@Florence-KY.gov>; Tom Gagnon <Tom.Gagnon@Florence-KY.gov>; Randy Childress <Randy.Childress@Florence-KY.gov>; Brefeld, Linzy M (KYTC-D06) <Linzy.Brefeld@ky.gov>; Jerry Noran <jnoran@boonecountyky.org>; 'jonlbrown@hotmail.com' <jonlbrown@hotmail.com>
Subject: Change in Approved Concept Development Plan application to allow a car wash and restaurant on Bill Wentz Drive, Florence, KY

All,

A Change in Approved Concept Development Plan application has been submitted to allow a car wash and restaurant on a 2.78 acre site located on the east side of Bill Wentz Drive, between the properties at 8509 and 8519 US 42, Florence, KY. I have attached the concept plans and the traffic study that was submitted to Kentucky Transportation Cabinet. Please note that the building photos, renderings, and floor plans are from different sites and are similar to what the applicant is proposing on the subject site. The public hearing for this application will be held on July 7, 2021. Please let me know if you have any questions or comments regarding this application.

Thanks for your help.

Todd K. Morgan, AICP
Senior Planner, Zoning Services
Boone County Planning Commission
(859) 334-2196

Todd Morgan

From: Jerry Noran
Sent: Monday, June 07, 2021 10:22 AM
To: Todd Morgan
Subject: RE: Change in Approved Concept Development Plan application to allow a car wash and restaurant on Bill Wentz Drive, Florence, KY

Accessible parking needs to be provided at building entrances.

Sincerely,
Jerald E. Noran, CBO, AIA
Chief Building Official
Boone County Building Department
2950 Washington Street
P.O.Box 900
Burlington, KY 41005
859-334-3288
jnoran@boonecountky.org

From: Todd Morgan
Sent: Friday, June 04, 2021 9:49 AM
To: Joshua Hunt <Joshua.Hunt@Florence-KY.gov>; tom.gagnon@Florence-KY.gov; Randy Childress <Randy.Childress@Florence-KY.gov>; Brefeld, Linzy M (KYTC-D06) <Linzy.Brefeld@ky.gov>; Jerry Noran <jnoran@boonecountky.org>; 'jonlbrown@hotmail.com' <jonlbrown@hotmail.com>
Subject: Change in Approved Concept Development Plan application to allow a car wash and restaurant on Bill Wentz Drive, Florence, KY

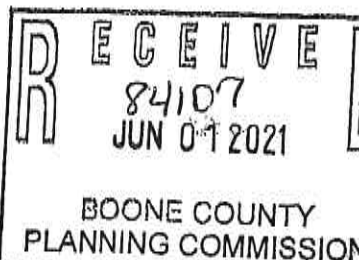
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Thanks for your help.

Todd K. Morgan, AICP
Senior Planner, Zoning Services
Boone County Planning Commission
(859) 334-2196

**CONCEPT DEVELOPMENT PLAN
BOONE COUNTY PLANNING COMMISSION**



Seven (7) copies of submitted drawings are required

An application consists of all fees paid in full, submitted drawings, and a completed application form

SECTION A: (To be completed by applicant)

1. Type of review (check one):
 - ☐ Concept Development Plan (includes Utilization of an Underlying Zone in a Planned Development)
 - ☒ Change in an Approved Concept Development Plan
 - ☐ Long Range Planning Committee Review (as stated in the Houston-Donaldson Study)
 - ☐ Long Range Planning Committee Review (as stated in the Union Town Plan)
 - ☐ Zone Change Committee Review of previously approved Concept Development Plan Conditions or Zoning Map Amendment Conditions
 - ☐ Zoning Administrator Review (as stated in the Central Florence Strategic Plan, An Update of the Parkway Corridor Study)
 - ☐ Zoning Administrator Review (as stated in the Mall Road District Study)
 - ☐ Zoning Administrator Review (as stated in the I-275/Graves Road Interchange Study)
2. Name of Project: Proposed car wash & restuarant on lots 5 & 6, Sec 5 of Florence Promenade
3. Location of Project: 1100 & 1120 Bill Wentz Dr, Florence
4. Total Acreage of Project: 2.78 acres
5. Current Zoning of Property: C-2//PD/CD
6. Date of previous zoning map amendment or Approved Concept Development Plan (if applicable):
April 5, 2005 (approved concept development plan attached)
7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission ☐ Yes ☒ No
If yes, indicate the name of the study: _____
8. Proposed Use(s) (specify each use):
Express tunnel car wash on 1100 Bill Wentz Dr
Restaurant on 1120 Bill Wentz Dr
9. Proposed Building Intensities (specify for each building):
car wash - approx 4000 sf
restaurant - approx 5142 sf
10. Have you submitted a Concept Development Plan: ☒ Yes ☐ No
11. Are you applying for any of the following (check all that apply):
☐ Conditional Use Permit ☐ Variance
12. Current Owner: Gomez Family LLC - Octavio Correra
Address: 433 Professional Dr
Richmond KY 40475
City State Zip Code
Phone Number: 859-391-3874 Fax Number: _____
Email: ocorra003@gmail.com
13. Applicant: Kathy Hinkebein

Address: 3208 Trinity Rd
Louisville KY 40206
City State Zip Code

Phone Number: 502-396-1311 Fax Number: _____

Email: kathy@ganthill.com

14. Are there any existing buildings on the site: ☐ Yes ☒ No

If yes, indicate how many: _____

15. 1138/1151 15/24 2048A
Deed Book Page Number Group Number

16. Have you had a pre-application meeting with the BCPC staff: ☒ Yes ☐ No

17. Have you met or discussed your proposed development with any of the following organizations/agencies (check all that apply):

Prior to construction of improvements, the applicant is recommended to submit copies of the Site Plan to the appropriate organizations/agencies prior to approval by the Boone County Planning Commission.

- | | |
|---|---|
| <input type="checkbox"/> Boone County Building Department | <input checked="" type="checkbox"/> Local Fire District |
| <input type="checkbox"/> Boone County Public Works Department | <input type="checkbox"/> Local School District |
| <input type="checkbox"/> Boone County Water District | <input type="checkbox"/> Northern Kentucky Health Department |
| <input type="checkbox"/> Cincinnati Bell | <input type="checkbox"/> Owen Cooperative Electric, Inc. |
| <input type="checkbox"/> Cincinnati/Northern Kentucky International Airport (Kentucky Airport Zoning Commission for height restrictions near the airport) | <input type="checkbox"/> Sanitation District No. 1 |
| <input type="checkbox"/> Duke Energy | <input type="checkbox"/> USDA NRCS/Boone County Conservation District |
| <input type="checkbox"/> Florence Public Services Department | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Kentucky Division of Water | |
| <input checked="" type="checkbox"/> Kentucky Transportation Cabinet | |

18. Concept Development Plan Jurisdiction/Location (check all that apply):
☐ Unincorporated Boone ☒ Florence ☐ Walton ☐ Union

19. Waiver of 60 Day Time Requirement by Originator for Final Planning Commission Action:

In accordance with the provisions of KRS 100.211, the applicant(s) and property owner(s) or originator(s) hereby waive the 60 day time limit for the Boone County Planning Commission to take final action on my (our) Zoning Map Amendment/Concept Development Plan application. This time limit waiver is considered effective immediately upon receipt by the Boone County Planning Commission and expires on August 5, 2021

ORIGINAL Property Owner's Signature: Octavia Correa
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: Kathy Hinkelstein
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

COMMISSION MEMBERS PRESENT:

Ms. Corrin Gulick
Mr. Steve Harper
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Don McMillian
Mr. Kim Patton, Vice Chairman
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Tom Szurlinski
Mr. Steve Turner, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

Mr. Randy Bessler
Mr. Kim Bunger, Secretary/Treasurer
Mrs. Lori Heilman
Mrs. Jackie Steele

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Kevin T. Wall, AICP, Director, Zoning Services
Mr. Todd K. Morgan, AICP, Senior Planner

Chairman Rolfsen introduced the third item on the Agenda at 10:07 p.m.

CHANGE IN CONCEPT DEVELOPMENT PLAN – Todd Morgan, Staff

3. Request of Kathy Hinkebein (applicant) for Gomez Family LLC – Octavio Correria (owner) for a Change in Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for a 2.78 acre site located on the east side of Bill Wentz Drive, between the properties located at 8509 and 8519 US 42, Florence, Kentucky. The request is for a Change in an Approved Concept Development Plan to permit a car wash and a restaurant.

Mr. Todd Morgan, referred to his PowerPoint presentation. The request involves Lots #5 and #6 in Florence Promenade Subdivision. The submitted Concept Development Plan includes a 5,742 square foot restaurant with 62 parking spaces and 4,120 square foot tunnel car wash. There are two access points off Bill Wentz Drive. One of the access points is shared with Dunkin' Donuts. Another driveway connection is shown to the adjoining property, which is a trucking company. The submitted drawing is confusing to read because it also shows the original Concept Development Plan. The proposed car wash will be constructed of wave panels, new techwood, polycarbonate roof panels, etc. It is a bright metal building with stacked stone. He showed some elevations of the car wash. The vacuums are not shown on the Concept Development Plan. Mr. Morgan showed a photo of the restaurant. The proposed building is EIFS and stone. The photo shows outdoor dining but it is not shown on the Concept Development Plan. Mr. Morgan reviewed the history of the site. In 2005, a 23,265 square foot commercial strip center was approved for the site. He showed photographs of the site and adjoining properties. The City of Florence is planning to make the Bill Wentz Drive and the Beechwood Drive intersection right turn in and right turn out. The shared access with Dunkin' Donuts has significant stacking problems during peak times. The Future Land Use Map designates this site for Commercial (C) uses. References to the Comprehensive Plan are noted on Pages 2 and 3 of the Staff Report.

In terms of Staff Comments, Mr. Morgan stated that exceptions to the requirements are possible because it is a PD Zoning District. Part of the restaurant's front parking lot is located in the 10 foot wide street frontage buffer and the 10 foot wide southern property line buffer. Part of the parking lot is located in the 20 foot rear yard buffer. The buffer yard requirement along the lot 5/lot 6 property line is also not being met. A 10 foot wide buffer could be shared - 5 feet on either side. The restaurant site is subject to the VUA landscaping requirements because the parking lot contains more than 50 parking spaces. There is a requirement for landscaping islands and trees. It doesn't look like the applicant has enough islands. Staff would like the applicant to address the following items. First, the old parking lot layout should be removed from the plan. Second, can the Concept Development Plan be drawn on an engineering scale and not an architectural scale? Is the proposed car wash a Fast Freddy's? If so, has the proposed design of the car wash been built elsewhere? If so, can pictures be provided? Can the plan indicate the location of the vacuums? Next, how many seats are proposed in the restaurant? Will the restaurant have an outdoor dining area? The proposed project should be evaluated based on the Planned Development criteria. The Staff recommends the following items to be analyzed: sidewalk connections to Bill Wentz Drive, landscaping, building architecture and the use of masonry products and signage. A traffic study was submitted by the applicant. It is an exhibit to the

Staff Report. Mr. Morgan expressed a concern about the driveway design and stacking. The design is similar to Watson's/Panera Bread on Houston Road. Finally, Mr. Morgan recommended that the driveway connection to the east be eliminated because of industrial businesses and tractor-trailer traffic associated with them. Comments were received from the Boone County Building Department and the Florence Fire Department as well as from Harold Ownby, who owns Dunkin' Donuts.

Chairman Rolfsen asked if the applicant was present and wanted to proceed with their presentation?

Ms. Kathy Hinkebein (applicant) stated that she is a commercial real estate broker and is assisting both potential users. The entire parcel is owned by Gomez Family, LLC and there is a contract on the car wash parcel contingent on zoning. She mentioned that she had several pre-application meetings with the City of Florence about access. The shared access with Dunkin' Donuts and the one to the east is not contingent on their plan. It just helps with traffic flow in the area. There won't be any outdoor seating area for the restaurant. Both users are agreeable to meeting the design standards.

At this time, Chairman Rolfsen asked to identify the restaurant? Ms. Hinkebein responded that it was going to be a Rio Grande Mexican Restaurant. The indoor seating will be for 125 people. The operator of the car wash has two locations in Frankfort and one in Shelbyville. There are 2 under construction in Bowling Green. It is an express service car wash with vacuums that are free. She referred to the pads on the submitted plan. One is a dumpster and the other 2 are vacuum motor pads which are being eliminated. There will be 2 dumpsters – one for each use. Stacking won't be a problem with the car wash because there are 3 lines for stacking and payment. She also mentioned the submittal of a traffic study but she hasn't reviewed it yet since she just received it today.

Chairman Rolfsen inquired about the hours of both businesses. Ms. Hinkebein answered that the restaurant hours are 11:00 a.m. to 10:00 p.m. seven days a week. The car wash hours are 8:00 a.m. to 7:00 p.m. Monday thru Saturday and Sunday 10:00 a.m. to 6:00 p.m. The car wash is always manned – 6-7 employees working at the location.

Chairman Rolfsen asked if any of the Board Members had any questions or comments?

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on July 21, 2021 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on August 4, 2021 at 7:00 p.m. Chairman Rolfsen closed the Public Hearing at 10:29 p.m.

Attest:


Kevin P. Costello, AICP
Executive Director

APPROVED:

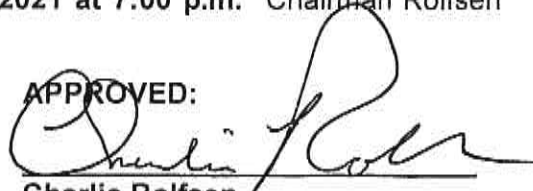
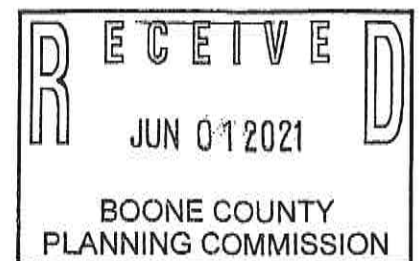

Charlie Rolfsen
Chairman

Exhibit – Submitted Traffic Impact Study
Exhibit – Email from Harold Ownby

Preliminary traffic data submitted to KYTC on 5/27/21.

**Prior to data collection, an MOU for the study was presented
and agreed upon.**

**Raw data and communication between engineer and KYTC
attached.**





Kathy Hinkebein <kathy@ganthill.com>

Traffic Impact Study - Proposed Car Wash and Restaurant on Bill Wentz Drive - Preliminary Information

Jadhami@shaengg.com <Jadhami@shaengg.com>

Thu, May 27, 2021 at 8:29 AM

To: "Brefeld, Linzy M (KYTC-D06)" <Linzy.Brefeld@ky.gov>, "Minckley, James A (KYTC-D06)" <James.Minckley@ky.gov>

Cc: Kathy Hinkebein <kathy@ganthill.com>

Good Morning Linzy and James,

This email is in connection with the proposed car wash and restaurant on Bill Wentz Drive in Florence, KY. The attached PDF file includes the following. Please note the Figure indicate condition A. Condition A will analyze the intersection of US 42 and Bill Wentz Drive with all movements allowed at the intersection. ***As per the feedback from Linzy on MOU, we will include analysis with an alternative (Condition B) with Bill Wentz Drive at US 42 analyzed as right turn in/out only. This alternative will be analyzed by shifting the traffic volumes for the movements not allowed to the intersection of US 42 at Beechwood.***

1. Counted traffic data (2021)
2. 2022 and 2032 No Build traffic volumes (A linear growth factor of 1.4%/year used for estimating future traffic volumes)
3. Trip distribution
4. Build traffic scenarios, 2022 and 2032

Also the estimated trips based on the information included in the preliminary site plan is show in Table 1.

Table 1 – Estimated New Trips

Land Use	Units	AM Peak			PM Peak		
		Enter	Exit	Total	Enter	Exit	Total
932 -Restaurant	5,700 SF	31	26	57	35	21	56
948 – Car Wash (Automated)	1 Tunnel	0	0	0	39	39	78
Total Trips, Unadjusted		311	26	57	74	60	134
Pass-by Trips		0	0	0	12	12	24
Net New Trips		31	26	57	62	48	110

Please review the information and provide any comment you may have before we proceed with the detailed analysis and report.

Contact me if you have any questions.

Jamal A. Adhami, PE, PTOE
SHA Engineering LLC
6221 Thornberry Court
Mason, OH 45040

Phone : (513)236-7909
Fax : (800)948-9025

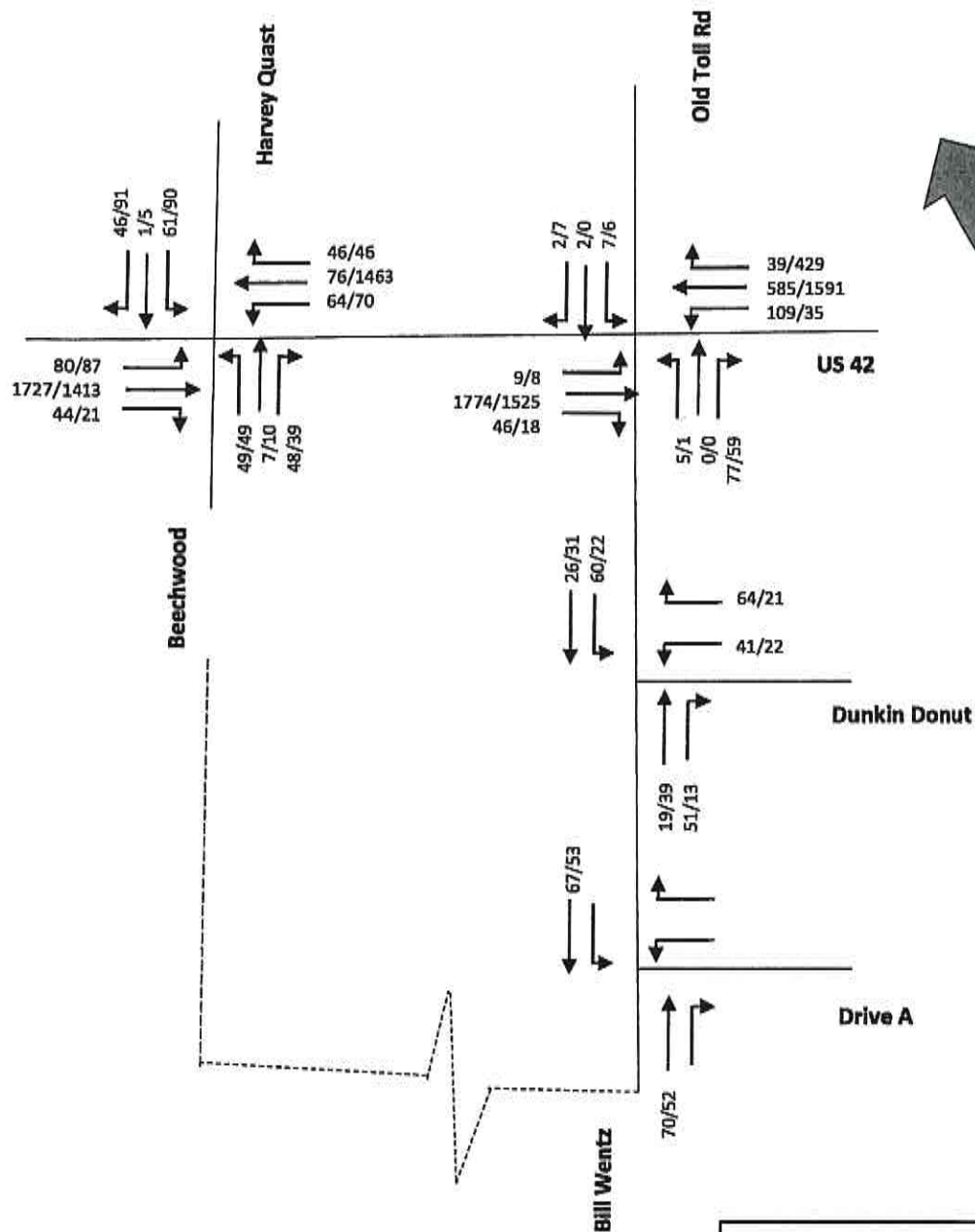


Figure 2- 2021 Recorded Traffic Counts

AM/PM xxx/xxx

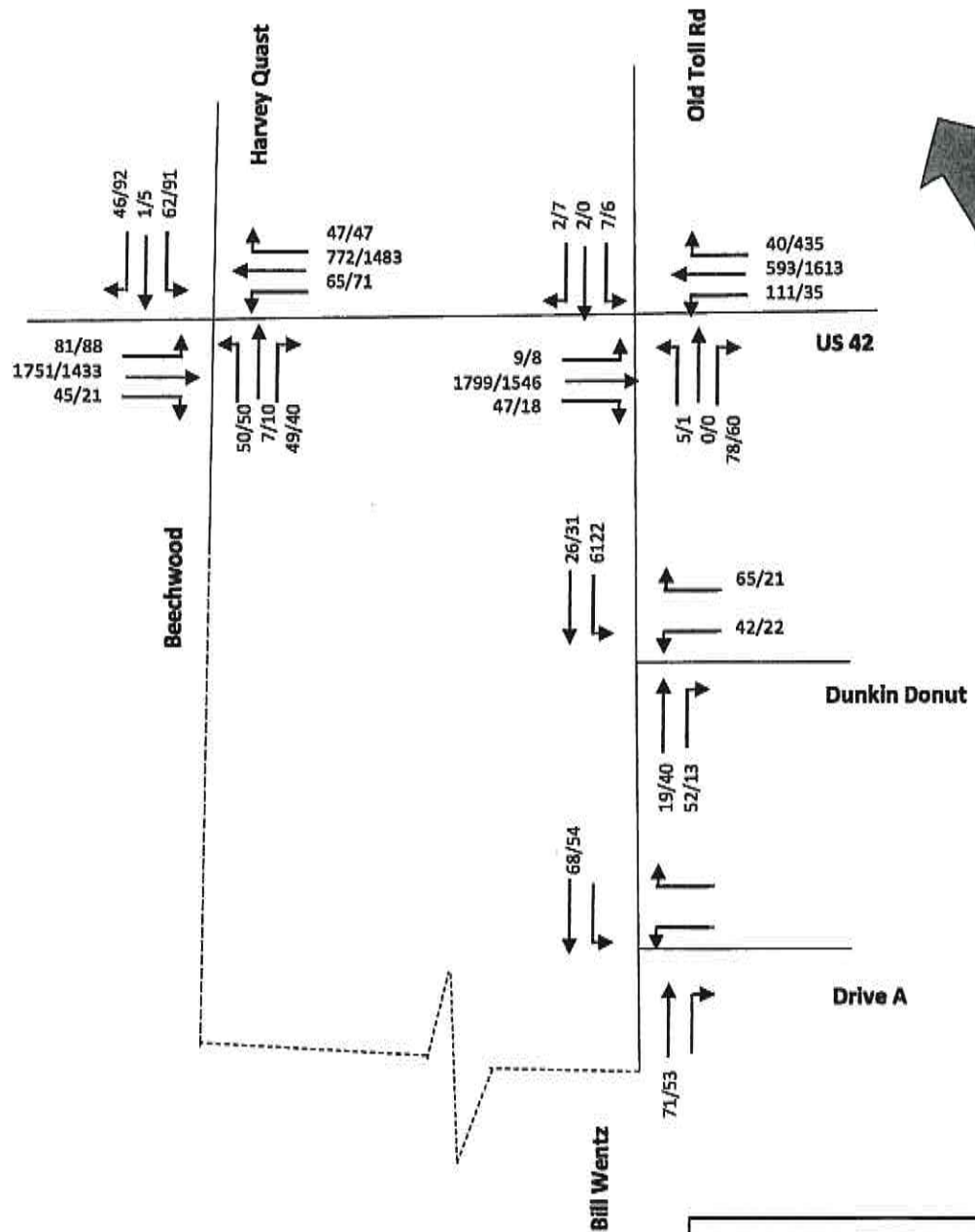


Figure 3 – 2022-No Build Traffic

AM/PM xxx/xxx

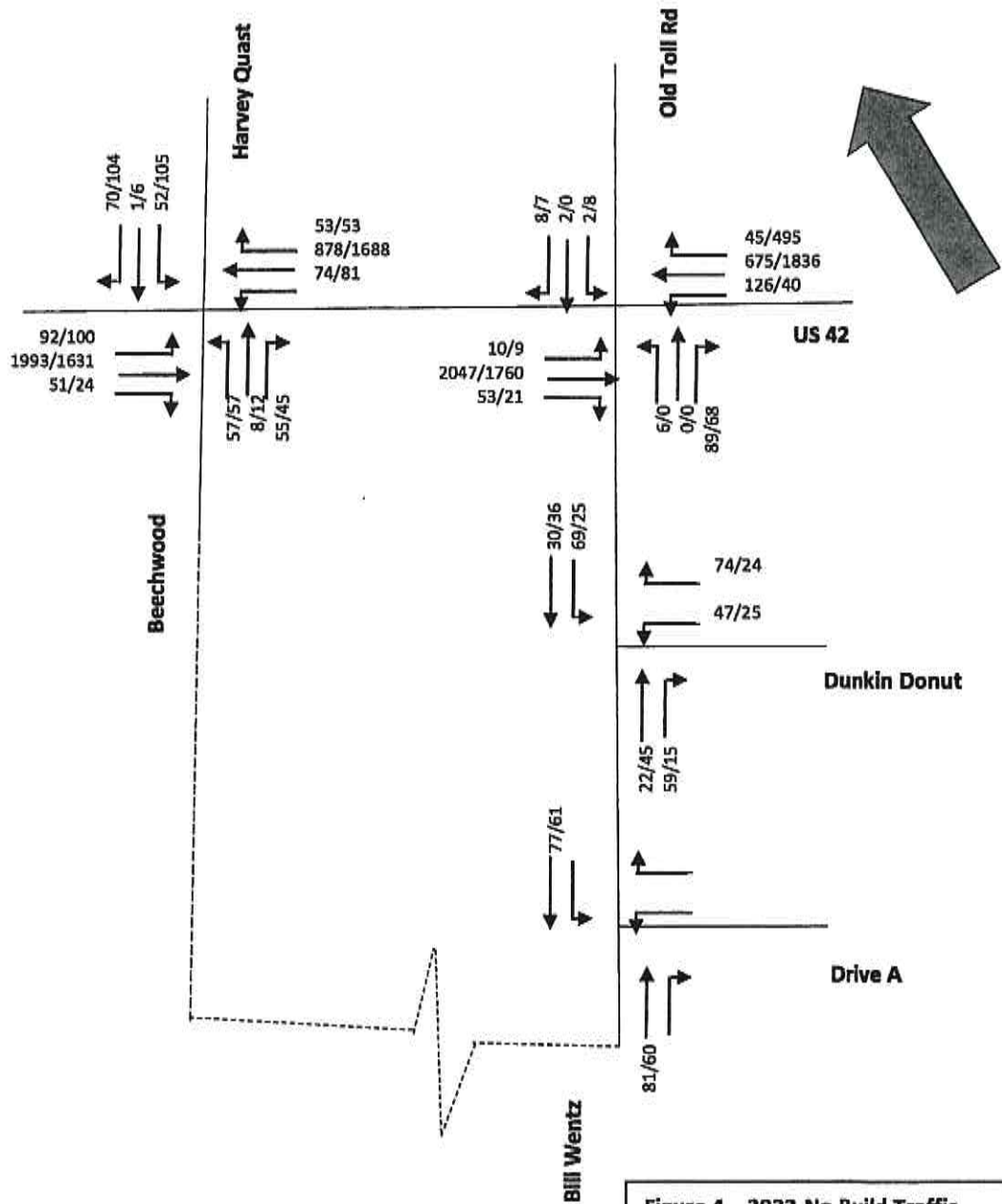


Figure 4 – 2032-No Build Traffic

AM/PM xxx/xxx

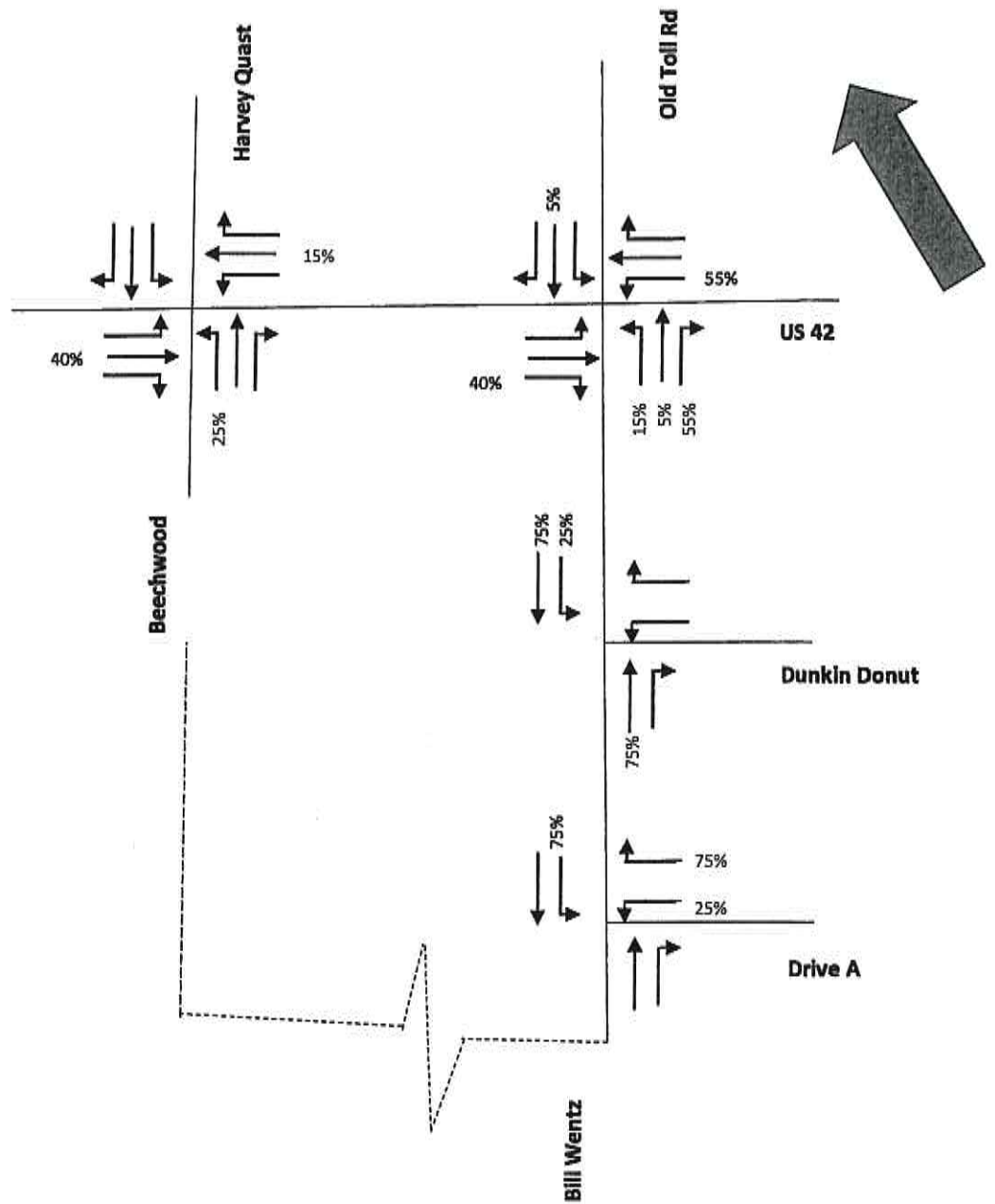
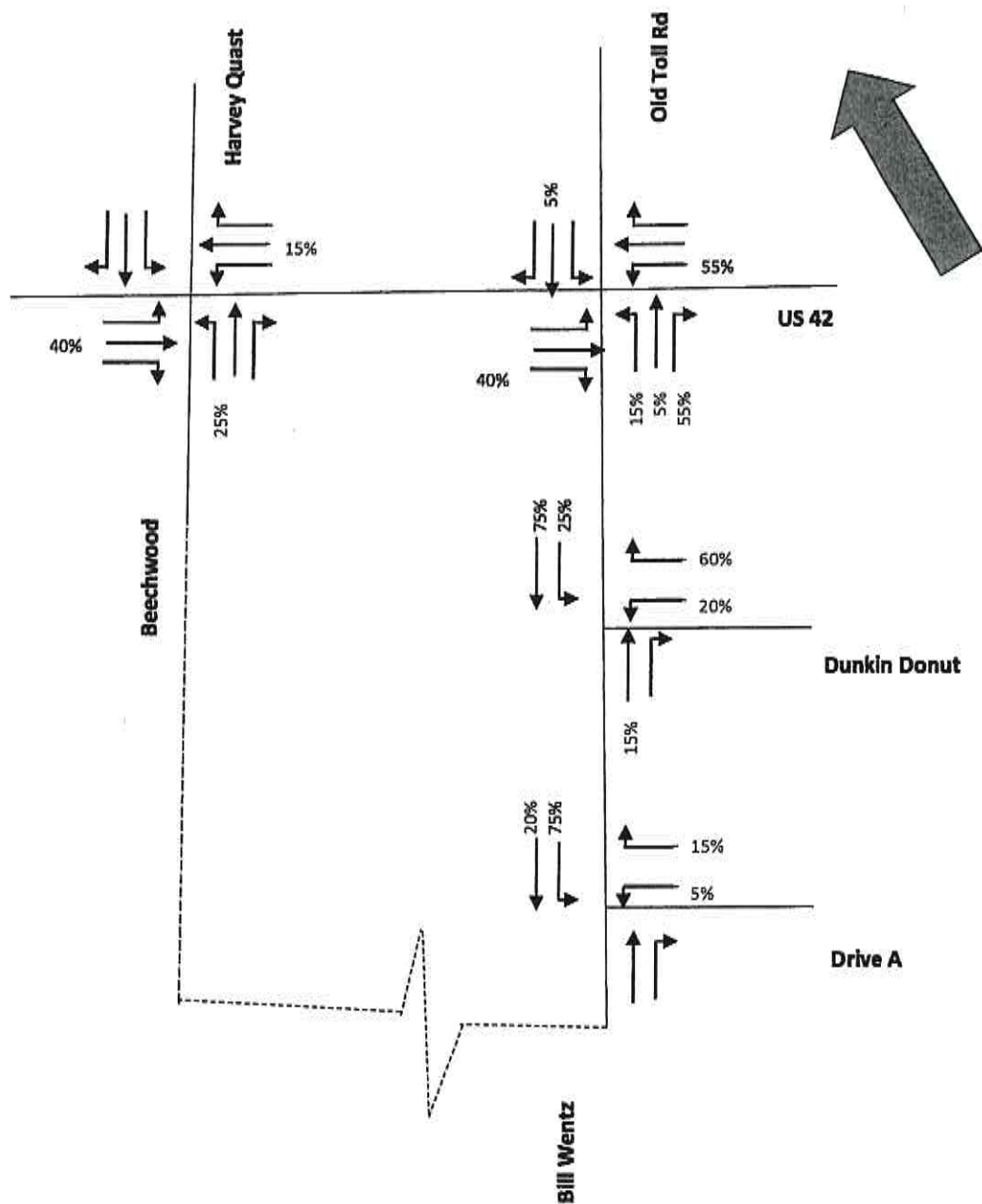
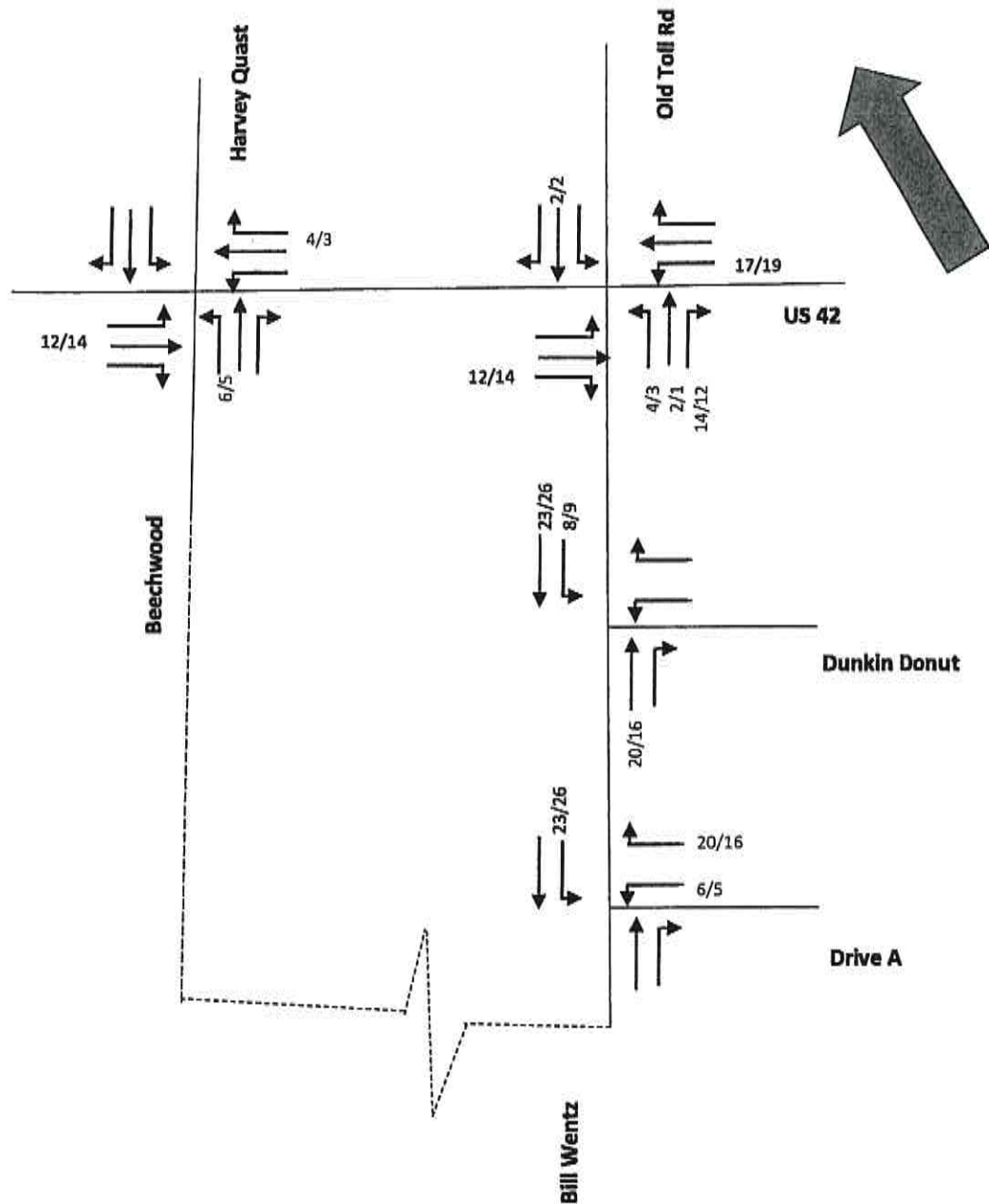


Figure 5 – Trip Distribution (Percent)
– Restaurant – Condition A
 AM/PM xxx/xxx



**Figure 6 – Trip Distribution
(Percent) - Car Wash – Condition A**

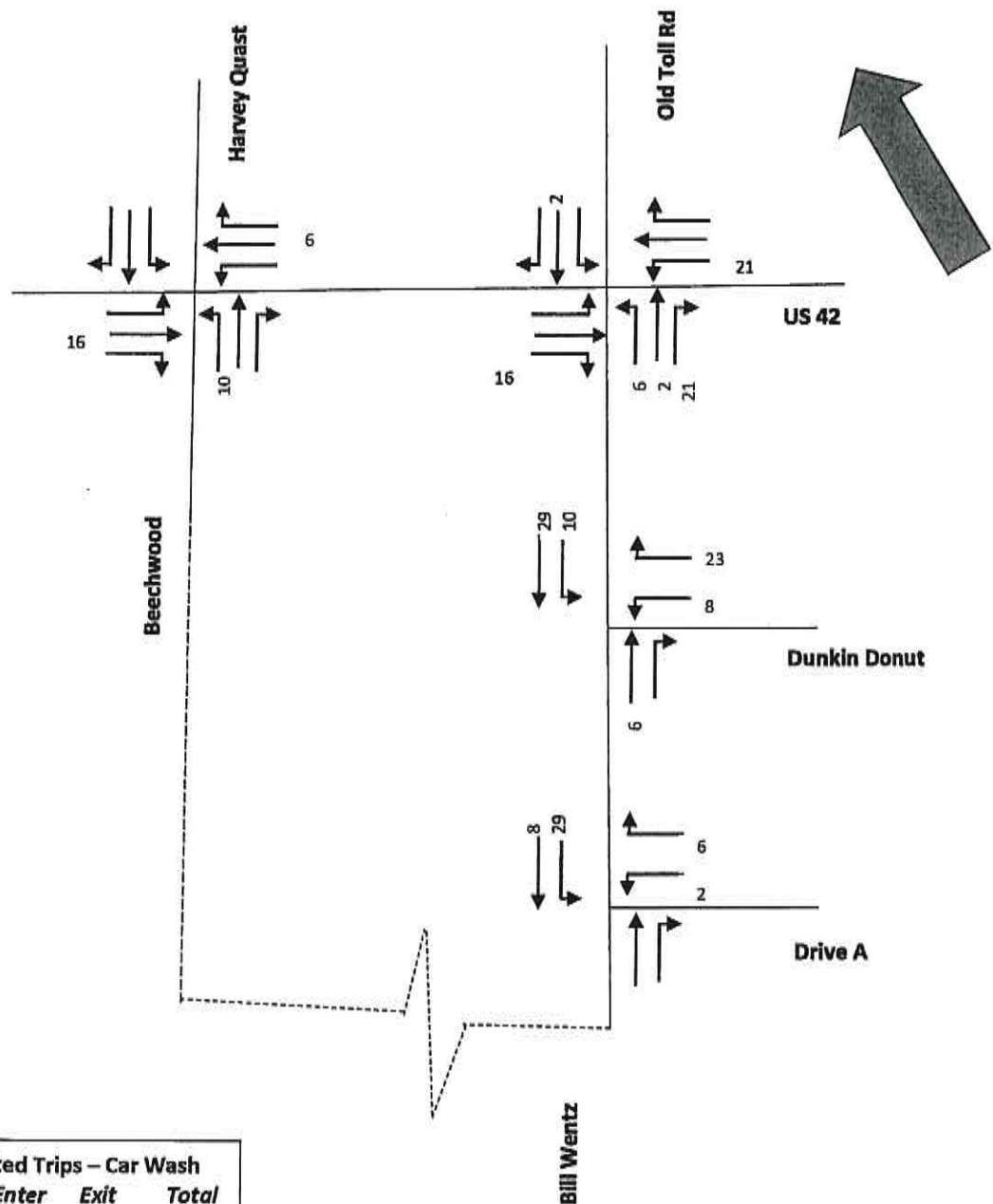
AM/PM XXX/XXX



Estimated Trips – Car Wash			
	Enter	Exit	Total
AM	31	26	57
PM	35	21	56

Figure 7 – Estimated New Trips – Restaurant – Condition A

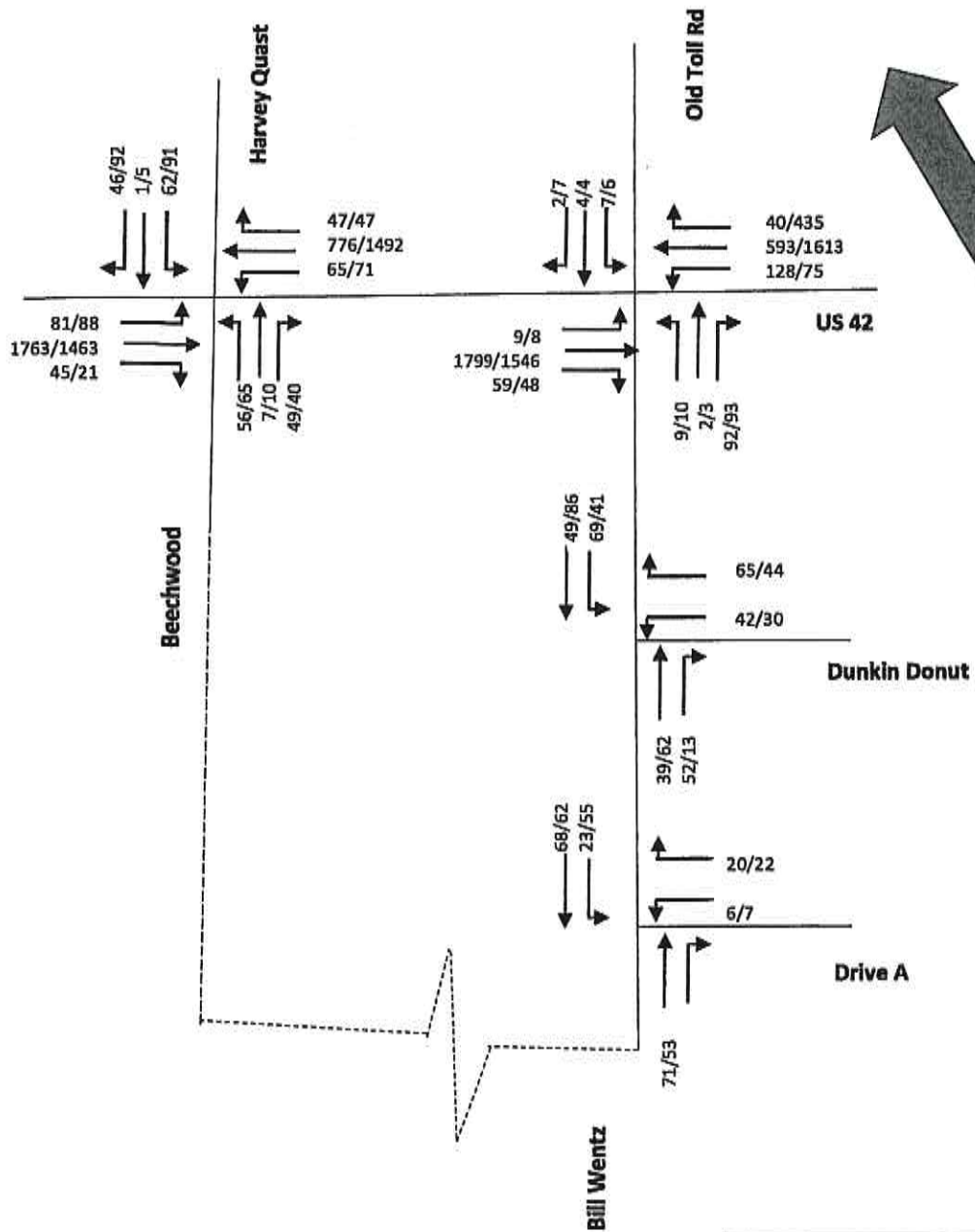
AM/PM xxx/xxx



Estimated Trips – Car Wash			
	Enter	Exit	Total
AM	0	0	0
PM	39	39	78

Figure 8 – Estimated New Trips – Car Wash – Condition A

PM Peak xxx



Todd Morgan

From: harold.ownby@twc.com
Sent: Monday, July 05, 2021 4:48 PM
To: Todd Morgan
Subject: RE: Gomez Family LLC - Change in Concept Plan Application - Bill Wentz Drive

EXTERNAL MESSAGE

Mr. Morgan,

I am the owner of the property at 8509 US 42, Florence, Kentucky known as Lot 1 of Florence Promenade on the recorded plat. My property is abutting Lot 2 that is being proposed for the new car wash.

I have reviewed the information you sent me concerning the request from the current property owner for a "Change in Concept Plan" for the two lots on Bill Wentz Drive. I will not be able to attend the public hearing for this application scheduled for 7/7/21 at 7:30 pm in the first floor Boone County Fiscal Courtroom in Burlington, Ky. Therefore I am sending you this email with my comments, concerns and questions that I would like for you to include in the public record. Also I would like for my response to be reviewed by the Boone County Zoning officials and the Boone County Planning Commission.

Overall, I am in favor of this application for a "Change in an Approved Concept Development Plan" to permit a car wash and a restaurant on the adjacent two lots.

However I do have some concerns and questions about this proposed "Change in Concept Plan Application." Here are my issues for consideration by the Planning Commission :

I am opposed to the proposed "shared access" drive between the car wash and the restaurant, which would provide access to the I-1 zoned land. Personally I do not believe that this connection is necessary, or appropriate as the I-1 parcels already have direct access from Quadrant Road. This proposed "shared access" road to an I-1 zone will definitely bring heavy trucks and commercial traffic through on Bill Wentz Drive. Bill Wentz Drive was not built or intended for this type of commercial traffic.

To enter my property (which has a Dunkin Donuts store on Lot 1) you must access it from Bill Wentz Drive through an "Access Easement Area" road on Lot 2. I have a "Declaration Of Easement" that states the owners of Lot 1 and Lot 2 desire to subject the Lots to the easements set forth in this Declaration. This provides for an irrevocable and perpetual easement and right-of-way for pedestrian and vehicular traffic over, across and upon the "Access Easement Road" area. The new owner of Lot 2 is proposing to modify the dimensions of this shared access easement road area in his site plan application. I am requesting that the Planning Commission require the new owner to maintain this Access Easement Road on Lot 2 with the increased dimensions when the property is developed and that the road will continue to provide access to my property at Lot 1.

Who will be the operator of the proposed car wash ? Will the current property owner of Lot 2 be the operator ? Does the current property owner plan to do a ground lease and have another individual/company operate the car wash ? Does the current property owner plan to sell Lot 2 to someone else if the zoning change is approved for the car wash ? I checked the Modern Wash website and it appears they are not an operator. Their name is on the site plan drawings for the proposed car wash, but it appears that they are just a design firm. The most important part of an operation such as a car wash is the operator.

Thank you for your assistance in my request to have my comments, concerns and questions made part of the record for the scheduled Public Hearing this week.

Best Regards,

Harold Ownby

Trustee for the Harold Ownby Family Trust

From: "Todd Morgan"

To: "harold.ownby@twc.com"

Cc:

Sent: Friday June 25 2021 9:31:10AM

Subject: Gomez Family LLC - Change in Concept Plan Application - Bill Wentz Drive

Mr. Ownby,

I have attached the Concept Development Plan and photos and renderings of similar buildings. The public hearing for this application will take place on 7/7/21, at 7:30 P.M. You are welcome to attend the public hearing or send me an email if you have any questions or concerns.

Todd K. Morgan, AICP

Senior Planner, Zoning Services

Boone County Planning Commission

(859) 334-2196

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
FIRST FLOOR FISCAL COURTROOM
BUSINESS MEETING
AUGUST 4, 2021
7:00 P.M.**

Chairman Rolfsen opened the Business Meeting at 7:00 p.m. and welcomed the audience to the Planning Commission's August 4, 2021 Business Meeting. Chairman Rolfsen then invited everyone to join him in reciting the Pledge of Allegiance.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Ms. Corrin Gulick
Mr. Steve Harper
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Don McMillian
Mr. Kim Patton, Vice Chairman
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mrs. Jackie Steele
Mr. Tom Szurlinski
Mr. Steve Turner, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

Mr. Kim Bunger, Secretary/Treasurer
Mrs. Pamela Goetting
Mrs. Lori Heilman

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Kevin Wall, Director, Zoning Services
Mr. Michael Schwartz, Planner

APPROVAL OF THE MINUTES:

Chairman Rolfsen stated that the Commissioners received copies of the Minutes from the July 21, 2021 Business Meeting. Chairman Rolfsen asked if there were any other comments or corrections?

Mr. Lunnemann moved to approve the Minutes as presented. Mrs. Steele seconded the motion and it carried unanimously.

BILLS:

Mr. Kevin P. Costello, AICP, Executive Director, advised the Commissioners of the **Bills to be Paid**, which included a list of **Expenses** and **Salaries and Benefits** for a time period between July 8, 2021 and August 4, 2021.

EXPENSES:

Accounting Fees	\$ 1,734.48
Attorney Fees	4,200.00
Auto Expense	101.69
Consultant/Professional Svcs Fees	3,745.00
Filing Fees (CLURS)	1,050.00
Legal Ads/Recruitment	281.38
Miscellaneous Expense	259.30
Office & Board Meeting Supplies	1,477.10
Office Equipment / Expense	10,312.61
Postage Expense	500.00
Printing/Pub/Dues/Subscriptions	<u>1,083.00</u>

TOTAL: \$ 24,744.56

SALARIES AND BENEFITS:

FICA-BCPC Portion	\$ 5,799.72
Health/Dental/Life/LTD	12,646.38
Retirement – BCPC Portion	26,378.67
Salaries – Staff Expenses	79,514.62
Salaries – BCPC & BOA	<u>1,125.00</u>

TOTAL: \$125,464.39

GRAND TOTAL: \$150,208.95

Mr. McMillian moved that the bills (expenses and salaries and benefits) be approved and paid as presented and indicated approval of those items, which have been previously paid. Mr. Patton seconded the motion and it carried unanimously.

CHANGE IN CONCEPT DEVELOPMENT PLAN – Rick Lunnemann, Chairman, Todd Morgan, Staff

1. Request of **Nick Brenner, Real Estate Representative, Menard, Inc. (applicant)** for **Menard, Inc. (owner)** for a Change in Approved Concept Development Plan in a Commercial Two/Planned Development/Mall Road Overlay (C-2/PD/MR) zone for a 17.157 acre site located at 5000 Apex Lane, Florence, Kentucky. The request is for a Change in an Approved Concept Development Plan to permit additional building mounted signage and modifications to the building design.

Mrs. Kegley moved to defer the request until September 1, 2021. Mr. Lunnemann seconded the motion and it passed unanimously. Chairman Rolfsen announced that the Committee Meeting for the request will be held on August 18, 2021 at 5:00 p.m.

ZONING MAP AMENDMENT – Janet Kegley, Chairman, Michael Schwartz, Staff

2. Request of **Steve Berling (applicant)** for **Eric Deters and Mary Deters (owners)** for a Zoning Map Amendment from Agricultural Estate (A-2) and Rural Suburban (RS) to Industrial One (I-1) for the approximate 37 acre tract located on the south side of Walton-Nicholson Road, approximately 150 feet east of the Walton-Nicholson Road/Mullen Drive intersection, to the immediate south and west of the property at 217 Walton-Nicholson Road, and at the western terminus of Malbec Lane, Boone County, Kentucky. The request is for a zone change to allow landscape, construction, and nursery uses.

Staff Member, Michael Schwartz showed a revised Concept Development Plan that depicted a reduced zone change area of 13.25 acres. The revised Plan shows no planting bed. All of the activity on the site will occur north of the existing ponds. He read the Committee Report, which recommended approval based upon Findings of Fact (see Committee Report) and Conditions. He noted the Committee voted unanimously to approve the request with Mrs. Kegley, Mr. Lunnemann and Ms. Gulick voting in favor of the request.

At this time, Chairman Rolfsen asked if anyone wanted to speak in favor or against the request?

Mr. Steve Berling, applicant, stated that he was available to answer any questions.

Seeing no further comments, Chairman Rolfsen asked if there was a motion to take action? **Mrs. Kegley moved to approve the Zoning Map Amendment by Resolution to the Boone County Fiscal Court based upon the Committee Report and subject to the Findings of Fact and Conditions. Ms. Gulick seconded the motion.**

Chairman Rolfsen asked if the applicant would need to go to the Board of Adjustment for a greenhouse? Mr. Schwartz responded that it depends on whether the proposed use is considered an agricultural use or an agricultural exemption (setbacks only). If it involves a greenhouse, it is then considered a nursery and a zone change would be required or a Board of Adjustment submittal.

Mr. McMilliann inquired on whether the property was located in the City of Walton? Mr. Schwartz replied that the site is located in Unincorporated Boone County. The applicant does not intend to annex the property into the City of Walton.

Mr. Szurlinski stated that he appreciated the work of the Committee, Staff and the applicant as he had some concerns about the development and the revised plan addressed those concerns.

Chairman Rolfsen asked for a vote on the original motion made by Mrs. Kegley and seconded by Ms. Gulick. The motion passed unanimously.

ZONING MAP AMENDMENT – Rick Lunnemann, Chairman, Kevin Wall, Staff

3. Request of **The Drees Company – Matt Mains (applicant)** for **Weaver Road Properties, LLC (owners)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Suburban Residential Two/Planned Development (SR-2/PD) for the 3.0733 acre site located on the north/east side of Weaver Road, approximately 520 feet south of the Weaver Road/Ascot Drive intersection, to the immediate south of the properties at 15 through 21 Tattersall Lane, and to the immediate west of the properties at 901 through 923 Dapple Grey Drive, Boone County, Kentucky (annexation into the City of Florence is pending). The request is for a zone change to allow attached dwelling units; and the request of **The Drees Company – Matt Mains (applicant)** for **Weaver Road Properties, LLC (owners)** for a Zoning Map Amendment from Suburban Residential One (SR-1) and Suburban Residential Two (SR-2) to Suburban Residential Two/Planned Development (SR-2/PD) for the 16.5410 acre site located at 903 Weaver Road, and between the properties at 8986 and 9034 Evergreen Drive, Boone County, Kentucky (annexation into the City of Florence is pending). The request is for a zone change to allow attached and detached dwelling units.

Staff Member, Kevin Wall, read the Committee Report, which recommended approval based upon Findings of Fact (see Committee Report) and Conditions. He noted there was a revised Concept Development Plan in which the applicant dropped a building as well as increased the setbacks and buffer yards along Saddlebrook Subdivision. He noted the Committee voted unanimously to approve the request with Mr. Lunnemann, Ms. Gulick and Mrs. Kegley voting in favor of the request.

At this time, Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the zone change request?

Mr. Alex Martin, The Drees Company, stated that his company agrees with all of the conditions.

Chairman Rolfsen asked how many total units Drees is proposing to build? Mr. Wall replied 135 units.

Ms. Heinke Lillenstein, President of the Morgan Trace HOA, inquired on whether fencing was considered? Mr. Wall responded that the Committee increased the size of the buffer yard and the plantings. Mr. Lunnemann thought that it was sufficient. Mr. Martin stated that a fence was not warranted since they increased the setback and increased the buffer yard.

Mr. Lunnemann moved to approve the Zoning Map Amendment by Resolution to the City of Florence based upon the Committee Report and subject to the Findings of Fact and Conditions. He also requested that the Planning Commission's recommendation be sent to the Boone County Fiscal Court in case the annexation does not go through. Mr. Harper seconded the motion.

Mr. McMillian inquired about another way in and out of the development? Mr. Martin replied that one of the conditions deals with working with the Kentucky Farm Bureau in order to construct an emergency drive. They have contacted the Farm Bureau and they are reviewing the Drees request. Drees will construct the emergency access to the property line. To date, they don't have an agreement. They will do anything they can do to make the connection. They can't control someone else's property. Mr. Costello explained that whenever the Farm Bureau makes a request before the Planning Commission, we can't request the connection if it is not made previously. Mr. Martin also noted that the divided entrance serves as another way to get in and out of the site. Mr. Wilson stated that it is an agreed condition of a zone change. If they can't abide by it, they would have to resubmit.

Mr. Schwenke stated that it has to be a workable situation. It is not good enough if they don't get the adjacent property owner to agree to connect. Mr. Wilson replied that the Zoning Administrator will make the decision on whether the applicant meets the condition or not. Mr. Lunnemann stated that this condition is standard to what we have written previously. The applicant doesn't own the adjacent property so they can't be required to build it on someone else's property. Mr. Schwenke stated that it could be a road to nowhere. Mr. Martin explained that they have given their plans to corporate office and they are reviewing their plans. They haven't said no. Mr. McMillian stated we need safety. Mrs. Steele asked if a traffic signal was going to be installed. Mr. Martin replied they have not heard from the State. They are planning for stop signs. Mr. Schwenke asked should we vote on this request now without answers? Mr. Costello responded there is a time limit.

Seeing no further comments, **Chairman Rolfsen asked for a vote on the original motion made by Mr. Lunnemann and seconded by Mr. Harper. The motion found Mr. Bessler, Ms. Gulick, Mr. Harper, Mrs. Kegley, Mr. Lunnemann, Mr. Patton, Mr. Rolfson, Mrs. Steele, Mr. Szurlinski and Mr. Turner voting in favor of the request and Mr. McMillian and Mr. Schwenke voting against the request. The motion passes by a vote of 10 to 2.**

CHANGE IN CONCEPT DEVELOPMENT PLAN – Corin Gulick, Chairwoman, Todd Morgan, Staff

4. Request of **Kathy Hinkebein (applicant)** for **Gomez Family LLC – Octavio Corraera (owner)** for a Change in Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for a 2.78 acre site located on the east side of Bill Wentz Drive, between the properties located at 8509 and 8519 US 42, Florence, Kentucky. The request is for a Change in an Approved Concept Development Plan to permit a car wash and a restaurant.

Staff Member, Kevin Wall stated there are 2 versions of the Concept Development Plan. He read the Committee Report, which recommended approval based upon Findings of Fact (see Committee Report) and Conditions. He noted the Committee voted unanimously to approve the

request with Mrs. Kegley, Mr. Lunnemann and Ms. Gulick voting in favor of the request. Chairman Rolfsen asked if there was anyone who wanted to speak in favor or against the request.

Seeing no further comments, Chairman Rolfsen asked if there was a motion to take action? **Ms. Gulick moved to approve the Zoning Map Amendment by Resolution to the City of Florence based upon the Committee Report and subject to the Findings of Fact and Conditions. Mr. Szurlinski seconded the motion and it passed unanimously.**

TECHNICAL/DESIGN REVIEW – Lori Heilman, Chairwoman, Kevin Wall, Staff

5. Comfort Inn – 7454 Turfway Road

Staff Member, Kevin Wall, referred to a Power Point presentation. The site is located at the corner of Hansel Avenue and Turfway Road. The building was originally a Red Roof Inn and the proposal is to change the building colors. The proposal is to change the colors to gray and white. There are 3 options for roofing – keep it as is or choose either a Sand Castle color or Estate Gray color.

The Technical/Design Review Committee met prior to the Business Meeting and voted unanimously to approve the request as submitted with the 3 options for the roof.

Chairman Rolfsen asked if there was a motion to act on the request? **Mr. Harper moved to approve the request based upon the Technical/Design Review Committee recommendation as presented. Mr. Lunnemann seconded the motion and it passed unanimously.**

NEW BUSINESS:

CONCEPT DEVELOPMENT PLAN – Michael Schwartz, Staff

6. Request of **Viox & Viox, Inc. (applicant)** for **315 Burlington Trust (owner)** for a Concept Development Plan in a Office Two/Planned Development/Parkway Corridor Study Overlay (O-2/PD/PO) zone for a 0.698 acre site located on the south side of Burlington Pike, approximately 235 feet west of the Burlington Pike/Ewing Boulevard intersection, and between the properties at 7673 and 7777 Burlington Pike, Florence, Kentucky. The request is for a Concept Development Plan to permit a motor vehicle sales delivery/pick-up location.

Ms. Gulick moved to schedule the Public Hearing for Item #6 on September 1, 2021 at 7:30 p.m. Mr. Schwenke seconded the motion and it passed unanimously.

EXECUTIVE DIRECTOR'S REPORT:

No Report

COMMITTEE REPORTS:

AIRPORT: Mr. Bessler
No Report

ADMINISTRATIVE/PERSONNEL: Mr. Lunnemann
No Report

ENFORCEMENT: Mr. Bunger
No Report

LONG RANGE PLANNING/COMPREHENSIVE PLAN: Mr. Schwenke
No Report

TECHNICAL/DESIGN REVIEW: Mrs. Heilman
No Report

EXECUTIVE: Chairman Rolfsen
No Report

CHAIRMAN: Chairman Rolfsen
No Report

OKI: Mr. Patton
No Report

OTHER:

There being no further business to come before the Planning Commission, Mr. Harper moved to adjourn the meeting. Mr. McMillian seconded the motion and it passed unanimously. The meeting was adjourned at 7:45 P.M.

APPROVED



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

#4

TO: Boone County Planning Commission

FROM: Corrin Gulick, Chairwoman

DATE: August 4, 2021

RE: Request of Kathy Hinkebein (applicant) for Gomez Family LLC – Octavio Corraera (owner) for a Change in Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for a 2.78 acre site located on the east side of Bill Wentz Drive, between the properties located at 8509 and 8519 US 42, Florence, Kentucky. The request is for a Change in an Approved Concept Development Plan to permit a car wash and a restaurant.

REMARKS:

We, the Committee, recommend approval of the above referenced request based on the following findings of fact and with the following conditions:

FINDINGS OF FACT:

1. The Change in Approved Concept Development Plan request is in agreement with Our Boone County Plan 2040 for the following reasons:
 - A. The 2040 future land use plan designates the site in question for "Commercial" uses. This future land use designation is described as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."
 - B. The proposal is in agreement with the following Goals and Objectives:
 - "Boone County businesses are developed in appropriate locations and are compatible with surrounding land uses" (Economy, Goal B).
 - "Compact, efficient development patterns shall be encouraged for industrial, commercial, and office uses with appropriately sized and well maintained buffer spaces between the business use and other land uses" (Economy Goal B, Objective 1).
 - "Commercial uses shall be designed and located to coordinate with the surrounding land uses and shall have safe access and adequate parking" (Economy Goal B, Objective 3).
 - C. The proposal is in agreement with the following text from the land use element:
 - "Vehicle stacking problems during rush hours and conflicting left turn movements have become significant problems along the U.S. 42 corridor between the Weaver Road/Hopeful Church and Pleasant Valley Road intersections. The new "jug-handle" intersection design for Weaver Road and U.S. 42 will hopefully address

some of these issues. Frontage road and interconnecting parking lots are necessary here to allow vehicles to access existing and future traffic signals. Access to Weaver Road should be implemented through redevelopment of the former Boone Kenton Warehouse site and adjacent parcels as well as well-planned access to U.S. 42. If improvements are made to Gunpowder Road from U.S. 42 to Mt. Zion Road, more intense land uses could be examined for the property behind Wentz Drive as well as the possibility of having access to Gunpowder Road. If commercial development occurs in this area, it should primarily be accessed from U.S. 42. In addition, improvements to pedestrian access along Weaver Road should be a top priority of the State when making improvements to the road network" (Florence South, pp. 129-130).

2. With the agreed upon conditions, the application complies with the Planned Development criteria regarding pedestrian orientation, landscaping, architecture, signage, and transportation connections. The Planned Development criteria can be found in Section 1514 of the Boone County Zoning Regulations.
3. The Committee has concluded the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of Our Boone County Plan 2040, Article 3 "Amendment" of the Boone County Zoning Regulations, and Section 1514 "Planned Development Criteria" of the Boone County Zoning Regulations. The Committee has also concluded that the attached conditions are necessary to mitigate any foreseeable community impacts that may be created by the development. The property owner has signed a letter demonstrating agreement with the conditions.

CONDITIONS:

1. The approval shall be based on the revised Concept Development Plan that was submitted to the Planning Commission on 7/21/21 unless modified by other conditions below. Minor Changes to the Concept Development Plan can be approved by the Zoning Administrator.
2. The following conditions shall apply to the shared driveway, which is located on the common property line of the restaurant and car wash sites:
 - A. The restaurant shall have a second connection to the shared driveway. This improvement was shown on the 6/1/21 Concept Development Plan.
 - B. The shared driveway shall be constructed to the east property line as shown on the 7/21/21 Concept Development Plan. Bollards shall be installed near the property line to prohibit access until such time that the adjoining properties develop or redevelop with office or commercial uses that have limited to no tractor trailer traffic.
3. The City of Florence shall determine if the restaurant and car wash sites should have sidewalk connections to Bill Wentz Drive. This determination will be made after potential crosswalk locations are analyzed.

4. A sidewalk connection shall be provided between the car wash and restaurant buildings.
5. The design of the buildings, vacuums, and dumpsters shall be reviewed through the Boone County Planning Commission's Design Review application process. The buildings and structures shall conform to the architectural planned development standard found in Section 1514 of the Boone County Zoning Regulations.
6. All building mounted signs shall be constructed with channel letters.
7. Both sites shall comply with the parking standards found in the Boone County Zoning Regulations. Shared parking can be analyzed by the Zoning Administrator.
8. Both sites shall comply with the perimeter buffer yard and vehicular use area (V.U.A.) landscaping requirements found in the Boone County Zoning Regulations with the following exceptions:
 - A. The shared buffer yard along the restaurant/car wash property boundary shall be permitted per the 7/21/21 Concept Development Plan. The narrow landscaping islands on each side of the shared driveway shall be planted with continuous evergreen hedges.
 - B. Parking can be located in the south buffer yard of the restaurant site per the 7/21/21 Concept Development Plan.
 - C. The restaurant's parking lot can encroach into the eastern buffer yard per the 6/1/21 Concept Development Plan.

A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request. Attached is the signature page for the Zone Change/Concept Development Plan Committee Vote.

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission
FROM: Corin Gulick, Chairwoman
DATE: July 21, 2021

CHANGE IN CONCEPT DEVELOPMENT PLAN – Corin Gulick, Chairwoman, Todd Morgan, Staff

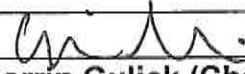
2. Request of Kathy Hinkebein (applicant) for Gomez Family LLC – Octavio Correra (owner) for a Change in Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for a 2.78 acre site located on the east side of Bill Wentz Drive, between the properties located at 8509 and 8519 US 42, Florence, Kentucky. The request is for a Change in an Approved Concept Development Plan to permit a car wash and a restaurant.

REMARKS:

We, the Committee Members were present via live video teleconference at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

Kim Bunger

For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____


Corrin Gulick (Chairwoman)

For Project ☒ Absent _____
Against Project _____
Abstain _____ Deferred _____


Janet Kegley

For Project ☒ Absent _____
Against Project _____
Abstain _____ Deferred _____

Randy Bessler (Alternate)

For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____


Rick Lunnemann

For Project ☒ Absent _____
Against Project _____
Abstain _____ Deferred _____

Steve Turner (Alternate)

For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

Kim Patton

For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

**Recorded by Todd Morgan,
AICP, Senior Planner**

TOTAL: _____ DEFERRED _____ FOR PROJECT _____ ABSENT
_____ AGAINST PROJECT _____ ABSTAIN

COMMISSION MEMBERS PRESENT:

Ms. Corrin Gulick
Mr. Steve Harper
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Don McMillian
Mr. Kim Patton, Vice Chairman
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Tom Szurlinski
Mr. Steve Turner, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

Mr. Randy Bessler
Mr. Kim Bunger, Secretary/Treasurer
Mrs. Lori Heilman
Mrs. Jackie Steele

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Kevin T. Wall, AICP, Director, Zoning Services
Mr. Todd K. Morgan, AICP, Senior Planner

Chairman Rolfsen introduced the third item on the Agenda at 10:07 p.m.

CHANGE IN CONCEPT DEVELOPMENT PLAN – Todd Morgan, Staff

3. Request of Kathy Hinkebein (applicant) for Gomez Family LLC – Octavio Correra (owner) for a Change in Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for a 2.78 acre site located on the east side of Bill Wentz Drive, between the properties located at 8509 and 8519 US 42, Florence, Kentucky. The request is for a Change in an Approved Concept Development Plan to permit a car wash and a restaurant.

Mr. Todd Morgan, referred to his PowerPoint presentation. The request involves Lots #5 and #6 in Florence Promenade Subdivision. The submitted Concept Development Plan includes a 5,742 square foot restaurant with 62 parking spaces and 4,120 square foot tunnel car wash. There are two access points off Bill Wentz Drive. One of the access points is shared with Dunkin' Donuts. Another driveway connection is shown to the adjoining property, which is a trucking company. The submitted drawing is confusing to read because it also shows the original Concept Development Plan. The proposed car wash will be constructed of wave panels, new techwood, polycarbonate roof panels, etc. It is a bright metal building with stacked stone. He showed some elevations of the car wash. The vacuums are not shown on the Concept Development Plan. Mr. Morgan showed a photo of the restaurant. The proposed building is EIFS and stone. The photo shows outdoor dining but it is not shown on the Concept Development Plan. Mr. Morgan reviewed the history of the site. In 2005, a 23,265 square foot commercial strip center was approved for the site. He showed photographs of the site and adjoining properties. The City of Florence is planning to make the Bill Wentz Drive and the Beechwood Drive intersection right turn in and right turn out. The shared access with Dunkin' Donuts has significant stacking problems during peak times. The Future Land Use Map designates this site for Commercial (C) uses. References to the Comprehensive Plan are noted on Pages 2 and 3 of the Staff Report.

In terms of Staff Comments, Mr. Morgan stated that exceptions to the requirements are possible because it is a PD Zoning District. Part of the restaurant's front parking lot is located in the 10 foot wide street frontage buffer and the 10 foot wide southern property line buffer. Part of the parking lot is located in the 20 foot rear yard buffer. The buffer yard requirement along the lot 5/lot 6 property line is also not being met. A 10 foot wide buffer could be shared - 5 feet on either side. The restaurant site is subject to the VUA landscaping requirements because the parking lot contains more than 50 parking spaces. There is a requirement for landscaping islands and trees. It doesn't look like the applicant has enough islands. Staff would like the applicant to address the following items. First, the old parking lot layout should be removed from the plan. Second, can the Concept Development Plan be drawn on an engineering scale and not an architectural scale? Is the proposed car wash a Fast Freddy's? If so, has the proposed design of the car wash been built elsewhere? If so, can pictures be provided? Can the plan indicate the location of the vacuums? Next, how many seats are proposed in the restaurant? Will the restaurant have an outdoor dining area? The proposed project should be evaluated based on the Planned Development criteria. The Staff recommends the following items to be analyzed: sidewalk connections to Bill Wentz Drive, landscaping, building architecture and the use of masonry products and signage. A traffic study was submitted by the applicant. It is an exhibit to the

Staff Report. Mr. Morgan expressed a concern about the driveway design and stacking. The design is similar to Watson's/Panera Bread on Houston Road. Finally, Mr. Morgan recommended that the driveway connection to the east be eliminated because of industrial businesses and tractor-trailer traffic associated with them. Comments were received from the Boone County Building Department and the Florence Fire Department as well as from Harold Ownby, who owns Dunkin' Donuts.

Chairman Rolfsen asked if the applicant was present and wanted to proceed with their presentation?

Ms. Kathy Hinkebein (applicant) stated that she is a commercial real estate broker and is assisting both potential users. The entire parcel is owned by Gomez Family, LLC and there is a contract on the car wash parcel contingent on zoning. She mentioned that she had several pre-application meetings with the City of Florence about access. The shared access with Dunkin' Donuts and the one to the east is not contingent on their plan. It just helps with traffic flow in the area. There won't be any outdoor seating area for the restaurant. Both users are agreeable to meeting the design standards.

At this time, Chairman Rolfsen asked to identify the restaurant? Ms. Hinkebein responded that it was going to be a Rio Grande Mexican Restaurant. The indoor seating will be for 125 people. The operator of the car wash has two locations in Frankfort and one in Shelbyville. There are 2 under construction in Bowling Green. It is an express service car wash with vacuums that are free. She referred to the pads on the submitted plan. One is a dumpster and the other 2 are vacuum motor pads which are being eliminated. There will be 2 dumpsters – one for each use. Stacking won't be a problem with the car wash because there are 3 lines for stacking and payment. She also mentioned the submittal of a traffic study but she hasn't reviewed it yet since she just received it today.

Chairman Rolfsen inquired about the hours of both businesses. Ms. Hinkebein answered that the restaurant hours are 11:00 a.m. to 10:00 p.m. seven days a week. The car wash hours are 8:00 a.m. to 7:00 p.m. Monday thru Saturday and Sunday 10:00 a.m. to 6:00 p.m. The car wash is always manned – 6-7 employees working at the location.

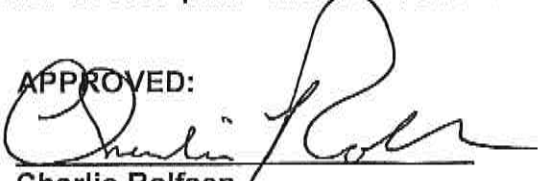
Chairman Rolfsen asked if any of the Board Members had any questions or comments?

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on July 21, 2021 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on August 4, 2021 at 7:00 p.m. Chairman Rolfsen closed the Public Hearing at 10:29 p.m.

Attest:


Kevin P. Costello, AICP
Executive Director

APPROVED:


Charlie Rolfsen
Chairman