

Public Hearing Item No. 2:

Commission Members Present: Mrs. Arnett, Mr. Barlow, Mr. Breetz, Mr. Bungler, Mr. Caddell - Chairman, Mr. Carmichael, Mr. Knock – Temporary Presiding Officer, Mr. McMillian, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Reynolds, Mr. Rolfsen, Mr. Schwenke, and Mrs. Wilson - Secretary/Treasurer.

Staff Members Present: Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; and Mr. Mitch Light, Assistant Zoning Administrator/ZEO.

Legal Counsel Present: Mr. Dale Wilson

2. Applicant: **Cardinal Engineering for
The Bank of Kentucky (owner)**

Request: **Change in Approved Concept Development Plan**

The request of **Cardinal Engineering (applicant) for The Bank of Kentucky (owner) for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 0.9 acre site located on the northeast side of Harvey Quast Drive and to the southwest of the property at 8522 US 42, Florence, Kentucky. The request is for a Change in an Approved Concept Development Plan to allow a drive-in/drive-through restaurant.**

Staff Member Mitch Light presented the Staff Report which included a Power Point presentation (see Staff Report).

The Chairman asked for the applicant's presentation.

Mr. Jeff Hall, Director of Development for Hometown Sonic, 1143 Columbia Avenue, Franklin, TN stated that they are excited about being in Boone County and in Florence. They believe this concept will be a great thing for this area. In regard to the Staff Comments, he stated that Joe Kramer addressed the parking issue by reducing the seating. He stated that 20 spaces should be sufficient to serve the 40 seats. He stated that they rarely have a lot of customers outdoors and indoors at the same time. Their business is seasonal and based on the weather. In the evening after a ballgame the majority of the people may be sit-down customers. For lunch in the summer they may have 11 or 12 people on the patio, but they would be inside in the winter. About 40% of their business will be drive-through customers and 30% will pull into the parking stalls and be served by the carhops. They generally have 8 – 10 employees in the building at one time and the parking in the back should be sufficient for the employees. The front parking spaces should serve the dining area. People will also pull into the drive-in spaces

and come inside or go onto the patio. Mr. Kramer provided the Commissioners with color copies of the Concept Development Plan (see Exhibit 1) and colored renderings of the proposed development (see Exhibit 2). Mr. Hall stated that the renderings show gray brick, but they are not particular about the color and it can be changed based on the Planning Commission's suggestions. In regard to Staff Comment #3, he stated that they agree to the sidewalk along Old Toll Road and will show it on their next plan.

Mr. Joe Kramer, One Moock Road, Wilder, KY stated that the detention basin will be sized for this site and a portion of Harvey Quast Drive, which was a condition of the previous bank. He stated that they utilized the existing curb cuts that were constructed for the bank. They considered moving the curb cut away from U.S. 42, but that would make the right turn leaving the drive-through more difficult. They have positioned the building based on the existing curb cut. This concluded the applicant's presentation.

The Chairman asked if there was anyone else present who wished to speak in favor of the request. There being no response, he asked if there was anyone present who wished to speak in opposition.

Mr. Ray Riska, Construction Manager for McDonald's, 2 Easton Oval #200, Columbus, OH introduced Mr. George Saliba - local Director of Operations for McDonald's, Mr. Paul Groen - owner/operator, and Mr. Larry Allewalt - Real Estate Manager. Mr. Riska stated that they are concerned about traffic and congestion. He stated that when they came here, this site was going to be a bank and a bank's traffic pattern was more compatible with their traffic pattern. Banks do not have their busy time when McDonald's has its busy time. Now there will be two quick-serve restaurants. They feel that the site is overbuilt. He indicated an area of congestion in relation to their access drive and the access drive for the subject site. He reviewed the traffic patterns of people coming in and out of the drives and stated that there is no alignment between the access points. It is better for traffic to come right at each other so drivers can see what is happening. They are also very concerned about the number of parking spaces. He stated that there will probably be 13 - 15 employees at the Sonic restaurant. There are 18 parking spaces and 2 handicapped spaces and 12 of those parking spaces will be used by employees - which leaves six parking spaces for twenty seats. He stated that they need more parking. There will be parking problems and they are concerned that parking will spill over onto Harvey Quast Drive, Old Toll Road and the access drive to the carwash. He is concerned that customers and employees will park in those places just to relieve the parking problems and have more customers on the lot. McDonald's managers will have to spend more time policing the lot to make sure people are not parking on McDonald's lot and walking over to Sonic. He stated that it is an over-development of the lot.

Mr. George Saliba who lives at 33 Amherst Court, Florence, stated that he has been in the restaurant business for over twenty years. He stated that they are

concerned about the number of parking stalls on the subject site. He visited the Sonic on Eden Boulevard in Hamilton that just opened. There is a McDonald's across the street from that location that does a similar volume to this McDonald's. He stated that there were 20 people were working at the Sonic on a rainy Tuesday. The crew person at Sonic told him that they normally have 20 people working there and on the weekend they might need 30 people. Based on his experience, he believes they will need at least 3 – 4 people in the kitchen. He noted the applicant's comment that 40% of their business is drive-through and stated that they will need a minimum of 3 – 4 people to work the drive-through. They will also need the carhops. At the Sonic location in Hamilton, they had 7 people in the kitchen, 4 working the drive-through, 2 people working dessert, and 7 carhops. He stated that this location will need a minimum of 10 – 12 people. He stated that with the number of parking stalls they have they will have a hard time taking care of the current customers, not to mention the growth. He stated that McDonald's is fast food, but it will take Sonic a lot longer to cook the food. He is concerned about people coming in on Harvey Quast Drive and there being no parking stalls available. Cars will back up to U.S. 42, which will stop customers from getting into McDonald's parking lot. They are very concerned about the congestion and the danger that will be created in the area. Vehicles will not be able to get into Harvey Quast Drive. They are very concerned that Sonic will not have enough parking stalls, which will interfere with their business, and create congestion and possibly danger.

Mr. Paul Groen, 113 Watch Hill Lane, Newport, KY is the owner/operator of the McDonald's at Harvey Quast Drive and U.S. 42. He stated that this is over-development of the site. The Code may have been met relative to the number of seats and parking stalls, but having been in the business for forty years he is very concerned about employee parking. He stated that if McDonald's had 20 parking stalls and 40 seats, they would have total chaos relative to parking. He stated that very little to no employee parking has been allotted in the Site Plan. The employees are going to park wherever they can – on Harvey Quast Drive and on the little road behind McDonald's. He stated that even though the concept is different, quick service restaurant business is the same. The lady he spoke to at the Sonic restaurant he visited told him it was a typical Sonic restaurant – and they employ 120 people and have 20 – 30 on staff at any given time. That development did not have a problem because they have acres of parking in a shopping center – but this development does not have that advantage and he is concerned about the parking.

Mr. Riska stated that when traffic is stacked on Harvey Quast Drive waiting for the light to change, there will be a problem with the two driveways and traffic will stack onto the lot. He stated that there is a traffic concern.

The Chairman asked if there was anyone else present who wished to speak regarding this request. There being no response, he asked if there were any comments or questions from the Commissioners.

Mrs. Poston asked the applicant to provide information to the Committee regarding local Sonic restaurants and how much acreage they have. She asked if McDonald's has access on Old Toll Road. Mr. Light responded that there is no individual access onto Old Toll Road. McDonald's access is on Harvey Quast Drive. Mrs. Poston asked if the signs are illuminated. Mr. Hall responded that the signs on the building are typically illuminated. Mrs. Poston advised them to include that in their sign package.

Mr. Reynolds asked the applicant to bring the dimensions of the monument sign to the Committee meeting.

Mr. Bunger stated that the detention is shown on the plan and asked if it will discharge into the public stormwater system or into the existing ditches on Old Toll Road. Mr. Kramer responded that the proposed detention system will discharge into a public storm sewer system that is in place. There are inlets on Harvey Quast Drive. Mr. Bunger stated that safety is a prime concern. For the Committee meeting, he asked the applicant to look at alternative designs and all the options they may have, including possibly eliminating the first entrance and finding a way to access Old Toll Road. He stated that there is a serious safety concern. He asked the applicant to bring to the Committee Meeting information regarding a traffic study and any input from KDOT regarding the turn lane.

Chairman Caddell asked if the cars coming out of the drive-through would make a 90° turn or go around the building again to exit the site. Mr. Kramer responded that the cars would make a 90° right turn. Chairman Caddell responded that it seems almost impossible. Mr. Kramer stated that they have positioned the building in order for vehicles to make the right turn.

Chairman Caddell stated that there are no Sonic restaurants in this area and asked the applicant to bring samples of building materials to the Committee Meeting. He stated that there may be discussion about architectural design review.

Mr. Bunger suggested instead of addressing the 90° turn by the location of the entrance, the applicant could look at the location of the pick-up window and the building design. The applicant will have to be very imaginative with this site to make it work.

Mr. Knock noted that 40% of sales is drive-through, 30% is sit-down, and 30% is carhops. Mr. Hall agreed. Mr. Knock stated that the carhops go out to the vehicles and questioned where those cars would be parked. Mr. Hall indicated on the Power Point slide where they would be located. Mr. Knock questioned how many parking spaces would be left for sit-down service and employees. Mr. Hall responded that there is a total of 20 additional spaces. Mr. Knock questioned how many parking spaces there are for the carhop stations. Mr. Hall responded there

are 11 parking spaces in the carhop area and they can also be used by the sit-down customers.

Mr. Knock asked if what they are requesting complies with the regulations regarding number of seats and number of parking spaces. Mr. Light responded "yes". He stated that 40 seats would require 20 parking spaces. He stated that the 11 parking spaces in the carhop area are not counted because they could be full. Mr. Knock asked if the regulations take into account the number of employees. Mr. Light responded "not currently". Mr. Knock stated that the employees could be required to find off-site parking. Mr. Light responded that they cannot do a shared parking agreement across a public right-of-way. He stated that the owner may be able to require the employees to park off-site, but the Planning Commission cannot do that.

Chairman Caddell asked if it is typical in a Sonic operation for the carhops to cross the traffic coming around the restaurant in order to serve the customers. Mr. Hall responded that it would be typical and in a lot of cases they would have parking stalls in the area shown and also remote parking stalls.

Mrs. Poston asked if the building size decreased when the seating decreased. Mr. Light responded "no" and stated that the applicant said that for this request they would take seats out, but they did not make the diner portion smaller. He stated that they are saying 40 seats and that will be checked.

Mr. Knock asked if there is a Sonic Restaurant of this size in other locations on a .9-acre lot and, if so, what problems have there been? Mr. Hall responded that they can use a lot as small as eight-tenths of an acre. He stated that they have Sonic Restaurants on that size lot in Tennessee and Alabama and he can get layouts of those site. Mr. Knock asked him to bring that information to the Committee Meeting.

Mrs. Arnett stated that she stops at this McDonald's every morning for coffee and has trouble turning in because of vehicles coming up Old Toll Road and Harvey Quast Drive in order to turn at the light and avoid the light on U.S. 42 and Pleasant Valley. There is an existing traffic problem there in the morning. She questioned Sonic's hours of operation and asked if they serve breakfast. Mr. Hall responded that they are open from 6:00 AM to 10:00 PM or 11:00 PM. They serve breakfast and it is about 10% of their business.

Mrs. Wilson asked the applicant to bring to the Committee Meeting information regarding the height of the building with the sign on the top.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on October 25, 2006 at 5:00 PM in this room. This item will be on the Agenda for the Business Meeting on November 1, 2006 at 7:00 PM.

The Chairman closed this Public Hearing at 8:45 PM and called for a short recess.

APPROVED:

Arnold Caddell, Chairman

Attest:

Jan Hancock, Recording Secretary

Exhibits

- 1. Colored Concept Development Plan submitted by Mr. Hall/Mr. Kramer**
- 2. Two colored renderings of the proposed development submitted by Mr. Hall/Mr. Kramer**