

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
BOONE COUNTY FISCAL COURTROOM  
PUBLIC HEARING  
SEPTEMBER 4, 2019  
7:00 P.M.**

---

**COMMISSION MEMBERS PRESENT:**

Mr. Randy Bessler  
Mr. Kim Bungler, Secretary/Treasurer  
Mr. Steve Harper  
Mrs. Lori Heilman  
Mr. Mark Hicks  
Mrs. Janet Kegley  
Mr. Rick Lunnemann  
Mr. Don McMillian  
Mr. Kim Patton  
Mr. Charlie Rolfsen, Chairman  
Mr. Bob Schwenke  
Mr. Brad Shipe  
Mr. Tom Szurlinski

**COMMISSION MEMBERS NOT PRESENT:**

Ms. Corrin Gulick  
Mr. Steve Turner, Temporary Presiding Officer

**LEGAL COUNSEL PRESENT:**

Mr. Dale T. Wilson

**STAFF MEMBERS PRESENT:**

Kevin P. Costello, AICP, Executive Director  
Mr. Kevin T. Wall, AICP, Director, Zoning Services

Chairman Rolfsen introduced the first item on the Agenda at 7:47 p.m.

**CONCEPT DEVELOPMENT PLAN - Kevin Wall, Staff**

1. Request of **Tom Gill (applicant)** for **Chung Gi Wha Korean Restaurant, Inc. (owner)** for a Concept Development Plan in a Commercial Services/Planned Development/Parkway Corridor Study Overlay (C-3/PD/PO) zone for an approximate 1.02 acre lot located at 7800 Commerce Drive, Florence, Kentucky. The request is for a Concept Development Plan to allow a digital motor vehicle sales and reconditioning center.

Staff Member, Kevin Wall, presented the Staff Report, which included a PowerPoint presentation. The site is the Korean Barbecue restaurant at the intersection of Burlington Pike and Commerce Drive. The project involves a redevelopment of the site from the ground up. He showed photographs of the existing site. The Comprehensive Plan's 2040 Future Land Use Map designates the site as Commercial (C). The site is flat but there is a grade difference to the site north of the restaurant. Mr. Wall showed the proposed Concept Development Plan. The proposed use is a digital motor vehicle sales and reconditioning center. The applicant has provided a narrative. The proposed building is 28 feet high and 5,100 square feet. It has a combination of CMU and EFIS store front units and metal panels. The metal panels are intended to match the existing Tom Gill Chevrolet dealership. Buffer Yard A is provided all around the perimeter of the site. It is 10 feet in width. Landscaped islands are being proposed in the parking lot. There is a display ramp and additional landscaping is proposed in adjoining rights of way. The applicant has 2 existing pole signs and they intend to use them. The proposed building will be two stories. The top floor will be used for storage. The building will have photo booth and detailing bays. Mr. Wall showed photographs of the existing building and adjoining properties. He also referred to the Central Florence Strategic Plan as identified in the Staff Report.

The Zoning for Plan Sub-Areas section in Chapter 7 states the following regarding Area 1 - Commerce Drive/Cardinal Drive:

Low to moderate turnover commercial uses are recommended for the commercial portions of this area, and interstate related services such as hotels and restaurants that are not high volume/high turnover (examples of which include restaurants with drive-through order windows and combination gas/convenience stores) are expected to continue or redevelop along Commerce Drive. For the sites within Area 1 that are not subject to previously approved Concept Development Plans, uses that are Principally Permitted in the respective underlying zone are appropriate provided they do not include outside activities such as storage or display (including auto dealer vehicle display), and all business functions occur indoors.

In terms of Staff Comments, Mr. Wall referred to Section 1514 of the zoning code. It deals with the Planned Development (PD) requirements and states that uses should follow the Central Florence Strategic Plan. The first criteria involves mixed use development and pedestrian orientation. Because of the size of the site, it is difficult to have mixed uses. However, pedestrian access could occur. The second criteria is compatibility of uses - auto displays (outside function) versus auto sales. On Page 10 of the Staff Report, he recommended options to prevent a typical vehicle display lot. There is really not much opportunity for usable open space. A bike

rack and a public sidewalk would help meet the multi-modal requirements. There are not many site features of the parcel with the exception of the post and rail fence along Burlington Pike and the I-75 ramp. The display ramp is encroaching into the buffer yard. The zoning code does require another landscaping island in the parking lot. The Central Florence Strategic Plan has some requirements of its own. The requirements are as follows:

- a. A minimum of one large canopy street tree per every 40 feet of street frontage shall be provided within the Commerce Drive and Commerce Place rights-of-way. This requirement is not addressed on the Concept Development Plan.
- b. The pavement surface of any parking or vehicular area which adjoins the I-71/75 right-of-way shall be at least 3 feet lower than the highest point in the adjoining right-of-way or on-site landscaped area adjoining the right-of-way; this shall be accomplished by either depressing the grade of the vehicular area or by constructing berming as part of the required landscaping. This requirement is not addressed on the Concept Development Plan.
- c. Any right-of-way fencing along the I-71/75 right-of-way shall be a white post and rail type fence. This requirement is not addressed on the Concept Development Plan. This fencing would presumably match the existing fence that is along the site's Burlington Pike frontage.

The Concept Development Plan appears to indicate that an additional canopy tree is proposed in the Burlington Pike right-of-way and two larger planting beds are proposed in the I-71/75 on-ramp right-of-way. Information regarding the approval process for planting in the freeway right-of-way is discussed in the 8/7/19 e-mail from Linzy Brefeld, P.E., Transportation Engineer Supervisor, KYTC, District 6. This will be difficult to pursue.

In terms of architecture, an elevation drawing for the front facade was submitted with this application. Assuming that the remaining facades are consistent with this drawing, the overall design is largely compliant with the Architectural Design requirements for Area 1. The applicant should provide elevation drawings for all facades to verify this assumption. The notable exception regarding compliance with these requirements is the size (proportion) and color of the horizontal band of metal panels. The standards require use of "natural" appearing materials (stucco/EFIS, architectural grade CMU, and brick) with natural/warmer tones. Other materials and colors, such as the cooler toned metal panels, may be used for trim and detailing.

In terms of 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.

Building mounted signage is not addressed in the application. The applicant should explain the intended building mounted signage. As stated above, the two existing pole style signs are proposed to be reused. The existing sign in the southeast corner of the site is 12 feet high with an

approximate 32 square foot cabinet and the existing sign in the southwest corner of the site is 75 feet high with a 160 square foot cabinet. Both signs are legal non-conforming. The current regulations permit one monument style sign that does not exceed 100 square feet in area and 10 feet in height. The existing pole style signs have legal pre-existing, nonconforming status, but they are also contrary to the current standards and the goal of avoiding a “display lot” character on the site. Staff recommends that these signs be replaced with one monument style sign which meets the size and height requirements of Section 3413 and which uses the same materials, colors, and design details as the building. At a minimum, Staff suggests that one or both of the signs be replaced with a monument style sign(s) which correlates to the design of the building and the PD requirements.

Finally, there is an opportunity to possibly make a connection to the property located adjacent to the north of the subject site should the site redevelop in the future and if the grades match. It would also have to be a compatible use. Mr. Wall concluded with comments from outside agencies and he distributed an email comment from Mr. Josh Hunt from the City of Florence (see Exhibit A). He also stated that the Boone County Planning Commission and the Florence City Council need to evaluate the application in terms of the Our Boone County - 2040 Plan, Central Florence Strategic Plan, An Update of the Parkway Corridor Study, Article 15 “Planned Development District” of the Boone County Zoning Regulations, and the potential impacts on the existing and planned uses in the area. The Future Land Use Map will not need to be amended if this request is approved.

Mr. Patton asked if the Central Florence Strategic Plan can be viewed on the Planning Commission’s web site? Mr. Wall replied yes.

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

Mr. Gerry Dusing, attorney for the applicant, introduced Mr. Tom Gill and reviewed the letter submitted by Mr. Josh Hunt from the City of Florence. He stated that the City is supportive of the proposed project. Mr. Gill mentioned that it is ironic that the Planning Commission is increasing the use of technology because that is what he would like to do at this new location. He purchased the dealership in 1996 and has been in business in Florence for 23 years. He moved the dealership to the new location in 2003. Florence has been great. He enjoys doing business in Florence. Boone County has also been good in doing business within that time period. The proposed building will be synergistic with the existing Tom Gill building. The landscaping will match. Approximately 35% of the nation’s population is located within 8 hours of Cincinnati, Burlington, Kentucky and Florence, Kentucky. Tom Gill Chevrolet has been very successful in the used car business in the past five years due to digital marketing. People come to his dealership from many miles away to purchase a particular car. Since they are located near a large population base, is it possible to offer same day or next day vehicle delivery for a used car in other markets? Will people be willing to purchase a car sight unseen from far away if they could have a “peace of mind?” There is a company called Carvana that sold 100,000 cars on-line last year. Tom Gill Chevrolet would deliver the car with a seven day money back guarantee. They will have on-line sales people and a full-time manager. Parts will be stored on the second floor of the proposed building. Vehicles will be reconditioned, cleaned up and photographed. He stated that he doesn’t

want customers showing up at the new facility. The customer who shows up will be directed to the existing dealership. The display of the vehicles at the new location will be much better than a standard parking lot.

Mr. Gene Weber, architect, stated that his client will provide a sidewalk from the facility to the existing public walk. They will provide a bike rack on the site. The proposed vehicular display area is being proposed to match the existing vehicular display area located at the existing dealership. They will add a landscaping island on that same side. They will comply with providing the street canopy trees every 40 feet. They will address the pavement issue relative to the berm requirement. They would also like to continue the same type of fencing on Burlington Pike and along the interstate. Utilities will be underground and the mechanical equipment will be screened. The proposed metal panels are for the Chevrolet brand. It shows continuity with the existing dealership. Instead of having 3 building mounted signs, they are proposing one sign facing Burlington Pike. They will retain the interstate sign but replace the sign at Commerce Drive and Burlington Pike with a monument or compliant sign. It will be compatible with the architecture of the building. They like digital signs but understand that the review is a different process.

Mr. Dusing stated that the Central Florence Strategic Plan is like fitting a square peg into a round hole for an infill one acre lot. The site is surrounded by a gas station, truck stop, hotel and the interstate. Connecting to the hotel property could be problematic since it is a 4 foot drop. Mr. Dusing referred to Page 4 of the Staff Report. There won't be an impact on adjoining land uses since the proposed use is not a traffic generator of any significance. The proposed business is vibrant, unlike what is currently located on the subject site. The site is designated as Commercial (C) and it is a permitted use in the C-3 Zoning District. Mr. Dusing referred to Pages 9-10 of the Staff Report. On one hand, the site is zoned for the proposed use but the Central Florence Strategic Plan recommends businesses that don't have outside activities. Mr. Dusing complimented Mr. Wall for his suggestions to make the proposed use more compatible such as no outdoor speakers, streamers, etc. He stated that he is open to talking about architecture but the blue banding is trademarked. It is difficult to meet all of the PD requirements due to the size of the site. The proposed use will significantly improve the visual quality of the corner that is highly visible.

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

Seeing no one, Chairman Rolfsen asked if any Board members had any comments or questions? Mr. Hicks noted that the plan shows landscaping in the street right-of-way. Is that required? Mr. Wall replied that the Central Florence Strategic Plan has extra requirements. Mr. Dusing responded that he is optimistic that the State will allow it since the right-of-way is so wide and they have done it before with the other dealership. The fence may be a different issue. They would like to pursue it.

Mr. Bunger inquired on whether the parking area will always be full and what is process for reconditioning used vehicles? Mr. Gill replied that the outer spaces would display nice cars. The inner spaces will be full of cars coming and going. Cars will go through the reconditioning process in 72 hours. At times, there will be empty parking spaces. Mr. Gill noted that their used vehicles

sell on average in 28 days. There may be some new cars on the new lot to fill spots. If someone was interested in a vehicle in the new lot, then the customer would be directed to existing dealership for help. The new facility is not equipped with on-site sales to individuals, just the existing dealership. They would most likely put signage up to direct people where to go.

**Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on September 18, 2019 at 5:00 P.M. in the Fiscal Courtroom. This item will be on the Agenda for the Business Meeting on October 2, 2019 at 7:00 P.M. Chairman Rolfsen closed the Public Hearing at 8:30 P.M.**

**APPROVED:**

\_\_\_\_\_  
**Charlie Rolfsen**  
**Chairman**

**Attest:**

\_\_\_\_\_  
**Kevin P. Costello, AICP**  
**Executive Director**

Exhibit A - 9/4/19 Email from Joshua Hunt