

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
PUBLIC HEARING
FEBRUARY 5, 2020
7:30 P.M.**

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mr. Steve Harper
Mrs. Lori Heilman
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Don McMillian
Mrs. Katie Nolan
Mr. Kim Patton
Mr. Charlie Rolfsen, Chairman
Mr. Brad Shipe
Mr. Tom Szurlinski
Mr. Steve Turner, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

Mr. Kim Bunger, Secretary/Treasurer
Ms. Corrin Gulick
Mr. Bob Schwenke

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 only item on the Agenda at 7:30 p.m.

ZONING MAP AMENDMENT AND VARIANCE - Kevin Wall, Staff

1. Request of **Lee Rickey (applicant)** for **Paul F. Michels Trust c/o Catherine Michels (owner)** for a Zoning Map Amendment from Commercial One (C-1) to Commercial Services (C-3), and a dimensional variance, for a 2.752 acre tract located on the northwest corner of the Pleasant Valley Road/Haines Drive intersection, and across Pleasant Valley Road from the intersection with Lendale Drive (8495 Pleasant Valley Road), Boone County, Kentucky. The request is for a zone change to allow a commercial recreational vehicle parking facility and mini-warehouses, and a variance for fence height in the front yard area.

Staff Member, Kevin Wall, presented the Staff Report, which included a PowerPoint presentation. The request is a zone change from C-1 to C-3 for a 2.75 acre site located on the west side of Pleasant Valley Road and across from Lendale Drive. The site is the old Michels Asphalt Plant. Mr. Wall showed an aerial photograph of the subject site. There are creeks on 2 sides of the site. The current C-1 zoning was part of the last Zoning Update in 2013. The site was previously zoned I-1 to reflect the old asphalt plant dating back to 1980. The Future Land Use Map for the year 2040 designates the site as Commercial (C). The map designates other land uses as Industrial, Public/Institutional, Recreation, Commercial and High Suburban Density Residential adjacent to the site. There is vegetation located along the perimeter of the site. Two mini-warehouse buildings are being proposed on the site. The total square footage is 12,110 square feet of mini warehouse space and 12 parking spaces for recreational vehicles. Some of the existing vegetation will be retained as landscaping. The applicant will utilize the existing curb cut. It was built as a result of the widening of Pleasant Valley Road. Landscaping is being proposed along the road frontage. The 20 foot wide area is labeled as Buffer Yard B. Fencing is proposed in front along the landscaping. Mr. Wall showed a photo of the proposed landscaping features and buildings. The buildings will have a flat roof and a metal overhead door. The buildings will be corrugated metal buildings with high overhead doors. The height of the buildings will be 14–16 feet high. Mr. Wall proceeded to show photographs of the subject site and adjoining properties.

In terms of Staff Comments, Mr. Wall referred to a summary of the Comprehensive Plan pages 5-6 of the Staff Report. He also referred to the definition of a recreational vehicle as noted in Article 40 of the Zoning Regulations. It is fairly broad. These vehicles could be parked along the street frontage. The proposed uses are typically considered a low traffic generator but tend to have a utilitarian character akin to industrial and interchange commercial districts. There is an existing mini-warehouse development adjacent to the subject site. It is more out of sight from Pleasant Valley Road than the proposed project. Mr. Wall suggested pitch roofs, more detailing, adding a water table and changing building materials with stone or brick and paneled overhead doors. Mr. Wall described the 3 different Buffer Yards proposed on the site and outlined on pages 7-8 of the Staff Report. He showed the locations and limitations of each Buffer Yard. He suggested some changes in extending the tree line to wrap around the front corners.

The first issue relative to the site improvements is the amount of pavement. Can this area be reduced in size and more landscaping be installed? Mr. Wall recommended that the fencing be limited to the paved area itself and not the entire site and around the detention pond. Lighting isn't described in project. It is recommended that lighting and light fixtures be limited to the paved area.

Building lighting fixtures should be sconce style versus a wall pack. The height of the poles should be limited to 12 feet. Signage has not been described in the application. The applicant should consider a small scale monument sign - height of 6 feet and a maximum size of 24 square feet with a decorative masonry base and externally illuminated.

Mr. Wall noted that the Florence Fire/EMS had no comments regarding the request. Comments were received from the Kentucky Transportation Cabinet. These comments were passed onto the applicant. Mr. Wall submitted a response from the Kentucky Transportation Cabinet as a result of comment made by the applicant (see Exhibit A). Mr. Wall reviewed this email response. Finally, Mr. Wall discussed the criteria for evaluating a variance request as noted on pages 9 and 10 of the Staff Report. He reminded the Board that the Planning Commission makes the final decision on the variance request. He outlined the 5 major issues associated with the variance request. Is there really a hardship? How does the variance request affect the character of the area? The request must be evaluated based upon the 3 criteria outlined in Article 3 of the Zoning Regulations, the Comprehensive Plan - Our Boone County - Plan 2040, and the standards (Section 251) for evaluating a variance request.

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

Mr. Lee Rickey, applicant, stated that he agreed with Mr. Wall's presentation. He is available to answer any questions.

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 questions or comments?

Mrs. Kegley stated that the area is part of the corner of U.S. 42/Pleasant Valley Road. It is a gateway to a residential area. The proposed development is close to the road. She said her biggest concern was outside storage of vehicles. Is it absolutely required for the project? Can it be pulled back from the road?

Chairman Rolfsen asked if the 6 foot high fence was going to encircle the entire site? How is it going to work? Mr. Rickey showed that it is noted as a dashed line on the submitted plan. Chairman Rolfsen asked if there was going to be a locked gate? Mr. Rickey replied yes. Chairman Rolfsen inquired about aligning the proposed curb cut with Lendale Drive? Mr. Rickey responded that he has not looked at it but there is a guardrail and a head wall in the way. He assumed the location of the curb cut because it was planned from the beginning. If it were moved, there may be less sight distance due to the hill or incline to the north. Chairman Rolfsen asked the applicant if he was going to put more plantings in the front to screen the outside storage? Is there enough room? Mr. Rickey replied yes, as he is proposing Thuja Green Giants or Arborvitae. It will be Buffer Yard B.

Mr. Patton suggested redesigning the site by putting the buildings along Pleasant Valley Road with an upgrade of building materials - perhaps brick or stone. Mr. Rickey responded that he had not

done any other layouts or space planning. The proposed design has the most square footage. Mr. Patton showed the applicant a possible alternate layout.

Chairman Rolfsen expressed an opposite view as he likes the buildings set back or nestled from the road. Chairman Rolfsen asked the applicant if he was adamant about having the RV storage on the site. Mr. Rickey replied that he only looked at it from an income standpoint. He would have to evaluate it further. It is a triangular parcel and he is fighting all the setbacks in order to accommodate the turning radius of the recreational vehicles and boats.

Mr. Costello asked what was the reason for changing the zoning of the property to C-1 as part of the Zoning Update? Mr. Wall replied that the owner thought they could sell the parcel easier if it was zoned C-1 versus I-1. Mr. Costello said that the current property owner was compensated for the State acquiring land to widen Pleasant Valley Road. This affected the size and shape of the parcel. The applicant should have been aware of this when he optioned the property. Is it a clean site? Mr. Rickey stated that he has to update the Phase I and Phase 2 studies.

Mr. McMillian asked if the gate was in the right-of-way? Mr. Wall responded that it is 20 feet back from the right-of-way. Mr. McMillian expressed a concern about a back-up of vehicles getting into the facility if they have a problem with the gate. This back-up could affect Pleasant Valley Road. He also asked if the applicant was going to install more landscaping behind the buildings? Mr. Rickey responded no since he will leave the existing trees in place to serve as a buffer.

Mr. Lunnemann asked what is the total distance from the curb line to the gate? Mr. Wall replied that it is above 50 feet. Mr. Lunnemann asked the applicant to provide more detail to the Planning Commission at the Committee Meeting regarding the relocation of fencing, landscaping details and building materials.

Chairman Rolfsen asked if he was required to have public water on the site? Mr. Rickey responded no. What about fire suppression? Mr. Rickey responded no. He noted the location of the existing fire hydrant along Pleasant Valley Road.

Mrs. Kegley asked Staff to provide a copy of the Buffer Yard B requirements. Mr. Wall responded that he would provide it either before or at the Committee Meeting.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on February 19, 2020 at 5:00 P.M. in the Fiscal Courtroom. This item will be on the Agenda for the Business Meeting on March 4, 2020 at 7:00 P.M. Chairman Rolfsen closed the Public Hearing at 8:10 P.M.

APPROVED:

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director

Exhibit A - February 4, 2020 - Email from Linzy Brefeld to Lee Rickey