

**BOONE COUNTY PLANNING COMMISSION
VIA LIVE VIDEO TELECONFERENCE
PUBLIC HEARING
JUNE 3, 2020
7:30 P.M.**

Chairman Rolfsen opened the Public Hearing at 7:46 p.m. and welcomed everyone to the Planning Commission's June 3, 2020 Public Hearing.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mr. Kim Bungler, Secretary/Treasurer
Ms. Corrin Gulick
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. Bob Schwenke
Mr. Brad Shipe
Mr. Tom Szurlinski
Mr. Steve Turner, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

STAFF MEMBERS PRESENT:

Kevin P. Costello, AICP, Executive Director
Mr. Kevin T. Wall, AICP, Director, Zoning Services
Mr. Todd K. Morgan, AICP, Senior Planner
Mr. John Harney, GISP, GIS Systems Administrator

Chairman Rolfsen introduced the first item on the Agenda at 7:46 p.m.

ZONING MAP AMENDMENT AND VARIANCES - 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 two dimensional variances, 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 mini-warehouses and variances for the front yard building setback and fence height in the front yard area.

Staff Member, Kevin Wall, presented the Staff Report, which included a PowerPoint presentation. He noted that the Board should be familiar with the site. The previous Public Hearing was held in February, 2020. The site is the old Michels Asphalt plant site. It is located across from Lendale Drive off Pleasant Valley Road. He showed an aerial photo of the site. Residential zoning is located west of the site with apartments. There is an industrial park located across the street along with the Florence United Methodist Church. The Haines Subdivision is located south of the site and is zoned C-3. The site is currently vacant and relatively flat. Creeks are located along the southern and western boundaries. The Future Land Use Map from the Comprehensive Plan designates the site as Commercial (C).

Mr. Wall presented the submitted Concept Development Plan. The proposed use is mini-warehouses. There will be 3 buildings. It is just under 14,000 square feet in size and there will be 25 units. There will be no RV parking proposed on the subject site. If someone wants to park an RV, then a unit would have to be rented and the RV would have to be parked inside the unit. Two variance requests are being proposed. One is a front yard setback. The required setback is 50 feet but the applicant is asking for a 45.1 front yard setback for Building #1 and 40.5 feet for Building #2. The second variance is from Section 3655 of the Zoning Regulations to allow a fence in the front yard area that exceeds the 4 foot maximum permitted height. A 6 foot high black aluminum picket fence is being proposed. A building prototype is shown on Page 2 of the Concept Development Plan. The plan notes that the roof pitch for Buildings #1 and #2, which face Pleasant Valley Road is 6:12 and Building #3 is proposed to have a single slope roof. Buffer Yard B is proposed along the street frontage. Buffer Yard A is proposed along the commercial area and Buffer Yard C is proposed along the west boundary near the apartment complex. Mr. Wall referred to the Detail Sheet showing the 6 foot high fence, building prototype, proposed signage and landscaping. He showed photographs of the site and adjoining properties. Mr. Wall referred to the Site History section of the Staff Report. The site was rezoned from I-1 to C-1 as part of the 2012-2013 Zoning Update at the request of the property owner. A zone change Public Hearing was held on February 5, 2020 to change the zoning of the site from C-1 to C-3 to allow mini-warehouses and commercial RV parking. Based upon comments at the Public Hearing, the applicant attempted to revise the Concept Development Plan. Due to the scope of the changes shown, which included an additional variance, a new Public Hearing was needed and the Zone Change Committee did not act on the original request. The initial application was withdrawn on March 3, 2020.

In terms of the Comprehensive Plan, the Staff Report outlines the request's relationship with the Comprehensive Plan on Pages 3-7. There is a specific reference in the text that identifies the Pleasant Valley Road area.

In terms of Staff Comments, there is a discussion about the Comprehensive Plan and Statutory Findings and Criteria for a Zoning Map Amendment on Pages 7 & 8 of the Staff Report. There is also a discussion of the use and how it impacts the site. The submitted plan has a fair amount of paving. Mr. Wall pointed out that the paved area is about 0.41 acres in size. The gate across the entrance drive is located approximately 89 feet from the edge of pavement of Pleasant Valley Road. This could accommodate 3-4 vehicles and probably less if hauling trailers. He referred to the design issues stated in the Staff Report on Pages 8-10. Staff recommends that the building design be further refined to minimize the utility/industrial aesthetics, especially for Buildings #1 and #2. In regard to Buffer Yards, the plan mostly shows large deciduous trees along the frontages. Mr. Wall recommended the large shrub option between Buildings #1 and #2 and the street. As stated in Section 3645, Buffer Yard B includes a substantial amount of evergreen trees. Relative to the west Buffer Yard, a 6 foot high berm, opaque fence or masonry wall is required where the buffer yard is less than 60 feet wide. Mr. Wall recommended 3 different places to add evergreen trees in addition to what is shown. Lighting is not described on the application. Wall fixtures are shown on the typical building design. Lighting and light fixtures are recommended to be contained within the paved limits of the site. Building mounted fixtures should be sconce style versus wall packs. Finally, freestanding masts should not exceed 12 feet in height. A 6 foot high, 24 square foot monument sign with ground mounted illumination is proposed near the access drive. The only issue is to clarify the intended materials for the monument structure and the sign face. The applicable requirements of the zoning regulations will need to be met at the site plan stage and this includes the provision of a van accessible handicap parking space.

In terms of outside agency comments, we received one from the Kentucky Transportation Cabinet stating that the site has full access by permit. The County Engineer noted that he had no objection to the request relative to the first submittal. The plan really hasn't changed that much since the original submittal. No comments have been received to date from the Florence Fire/EMS Departments.

The applicant's two variance requests are outlined in depth on Pages 11-12 of the Staff Report. The first variance is to allow Buildings #1 and #2 to encroach into the 50 foot front yard setback (45.1 feet [4.9'] 40.5 feet [9.5']). The second variance is to allow a fence height of 6 feet instead of a maximum of 4 feet. Mr. Wall also referenced the variance criteria and standards in his analysis of each variance request on Pages 11-12 of the Staff Report.

In conclusion, Mr. Wall noted that the Planning Commission and the Fiscal Court should evaluate the application in terms of the 3 criteria, the Comprehensive Plan, and potential impacts on the existing and planned uses in the area. The Planning Commission alone also needs to evaluate the requested variances in terms of Section 251 of the Zoning Regulations. The Future Land Use Map will not need to be amended if the request is approved.

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 designed the buildings located the closest to Pleasant Valley Road with a 6:12 pitched roof. He noted that he took away a lot of the evergreen trees in order to open it up. A comment was made previously to maintain nice landscaping but open it up more so it can be seen from the street. Some of the buildings had to be moved as a result of the soil test borings.

At this time, Chairman Rolfsen asked if there was anyone in the audience or logged on 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?

Mrs. Heilman asked Staff if it was possible to talk to the Kentucky Transportation Cabinet about plantings in the front? It seems that the site across the street was supposed to have some plantings in the right-of-way but it didn't meet the State requirements? Now there is no buffer there. She asked if the Staff can get some certainty for the site in question that when we act on the submitted plan, the landscaping will be allowed to be planted.

Mr. Wall responded that the project site across the street needed a variance and the landscaping was supposed to be approved by the State. At the time, the design for widening Pleasant Valley Road was in flux and the State wouldn't allow the landscaping in the right-of-way. The subject site is different. The proposed landscaping will be located on the applicant's lot. As a result, State approval is not necessary.

Mr. Lunnemann stated that the site serves as the entry way into the Florence area and metal buildings are not appropriate. Could 2 color buildings be possible to break up the view of the building? A metal building is a metal building. Has there been any thought of enhancing the buildings that directly face Pleasant Valley Road? It could involve changing the materials on the building side that faces the road.

Chairman Rolfsen asked Staff to comment. Mr. Wall referred to Building #2, which is 140 feet long. He noted that there are some recommendations in the Staff Report. He mentioned adding some dormers, more detailing and possibly other building materials.

Mr. Rickey responded that he would like to do the two tone in the middle and offered the 6:12 roof pitch. It will be tall with the end gables. He agreed to look at the adding some false dormers. In regard to different building materials, he stated that he would have to look into it further from an expense standpoint.

Mr. Lunnemann emphasized that he did not like the idea of a large metal building facing Pleasant Valley Road. Perhaps that side could be rock or brick on the bottom with metal siding. Mr. Rickey agreed to look into that option.

Chairman Rolfsen inquired about public water serving the development? Mr. Rickey responded there wouldn't be within the development. Will there be electric in each unit? Mr. Rickey replied yes. Mr. Wall added that the Fire Department didn't express any concerns on the original application.

Mrs. Kegley stated that if the applicant wanted to use cultured stone, then he should look at some vertical detailing versus horizontal at the bottom of the building. Maybe 10-15 feet of stone going up the middle of the building would break up the look of the building. The landscaping could be installed on either side of the vertical treatment.

Mr. Schwenke asked if any of the units would have heat for the RVs? Mr. Rickey stated that he would install individual electric meters in each unit. They could plug into a 30 or 60 amp for the RV.

He also added that there is a water main/fire hydrant along Pleasant Valley Road. Mr. Schwenke noted that the fire hydrant should be sufficient for the fire department. He thought that if you have RVs parked on the site, you might need water. Mr. Rickey explained that adding water to the site is another cost to him and he has a small number of units. Not sure if the cost could be justified. His property would also have to be annexed in the City of Florence for water and sanitary sewer. It is a small development.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on June 17, 2020 at 5:00 P.M. in the via live video teleconference. This item will be on the Agenda for the Business Meeting on July 1, 2020 at 7:00 P.M. in the Boone County Fiscal Courtroom. Chairman Rolfsen closed the Public Hearing at 8:25 P.M.

APPROVED:

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director