

**BOONE COUNTY PLANNING COMMISSION
VIA LIVE VIDEO TELECONFERENCE
BURLINGTON, KENTUCKY
PUBLIC HEARING
OCTOBER 7, 2020
7:30 P.M.**

Chairman Rolfsen opened the Public Hearing at 7:58 p.m. and welcomed everyone to the Planning Commission's October 7, 2020 Public Hearing via Live Video Teleconference.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mr. Kim Bungler, Secretary/Treasurer
Ms. Corrin Gulick
Mr. Steve Harper
Mr. Rick Lunnemann
Mr. Don McMillian
Mrs. Katie Nolan
Mr. Charlie Rolfsen, Chairman
Mr. Brad Shipe
Mr. Tom Szurlinski
Mr. Steve Turner, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

Mrs. Lori Heilman
Mrs. Janet Kegley
Mr. Kim Patton, Vice Chairman
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
Mr. John Harney, GISP, GIS System Administrator

Chairman Rolfsen introduced the first item on the Agenda.

CONCEPT DEVELOPMENT PLAN – Rick Lunnemann, Chairman, Kevin Wall, Staff

1. Request of **Steve Berling (applicant) for R.C. Durr Foundation, Inc. and Florence Exchange LLC (owners)** for a Concept Development Plan in a Commercial Services/Planned Development/Parkway Corridor Study Overlay (C-3/PD/PO) zone for a 4.0895 acre site located along the north side of Safeway Drive, the west side of Industrial Road on the northwest corner of the Industrial Road/Safeway Drive/Hillcrest Drive intersection, and along the east side of Freedom Way on the northeast corner of the Freedom Way/Safeway Drive intersection, Florence, Kentucky. The request is for a Concept Development Plan to allow retail and restaurant uses.

Staff Member, Kevin Wall, presented the Staff Report, which included a PowerPoint presentation. The request involves the approval of a Concept Development Plan. The 4 acre site is zoned C-3/PD/PO. The site is located in the Parkway Overlay District and is governed by the Central Florence Strategic Plan. The site borders Freedom Way, Safeway Drive and Industrial Road. It is vacant and is accessed off an existing driveway on Industrial Road. The Comprehensive Plan's Future Land Use Map designates the site as Commercial (C). There is a creek valley on the site.

The applicant is proposing 3 lots. The first lot will be AE Door and Window. The building will be 13,629 square feet in size with a height of 26 feet. It is largely corrugated steel wall panels with stone masonry veneer and EIFS accents. Parking will be located in front and a truck court to the rear of the building. Access is planned from Freedom Way and Industrial Road. A drive connection to the north is shown on the Plan. The Drury Hotel is planned north of the project site. Parcel B will be a future sit down restaurant with an outdoor seating area, the site shares parking with Parcel C. Parcel C will be a future drive-through restaurant. There will be one access point from Safeway Drive to serve both restaurant sites. Information about building architecture is attached to the Staff Report. Mr. Wall showed building elevations of the proposed AE Door Building. It has a dark look to it. Mr. Wall showed photographs of the site and adjoining properties.

In regard to Staff Comments, Mr. Wall referred to the Boone County Comprehensive Plan and the Central Florence Strategic Plan on pages 8 and 9 of the Staff Report. He noted the Plan Concepts and Design Requirements. The site is located in Area 7 of the Central Florence Strategic Plan:

“Entertainment uses as described in the Plan Concepts are highly recommended, and should follow the Short Review Process. These include destination oriented restaurants, cafes with outdoor seating, night clubs, performance theaters, coffee bars, and similar signature uses. Complimentary uses which are incidental to the overall district such as hotels, indoor or outdoor recreation uses, and related retail may also follow the Short Review Process provided the type and style of improvements described in the Plan Concepts are provided and all applicable development standards are met. Neighborhood oriented retail, offices, services, and other restaurants may be appropriate for the U.S. 42 frontage portion of this area and can be considered for the Short Review Process. As Area

7 is intended to be a unique, destination-oriented entertainment and recreation district which is tight knit, urban-like and interrelated with Champion Window Field, the Long Review Process should be followed for uses not outlined in this document or if the style and type of recommended improvements are not proposed for an individual development.”

Chapter 8 states the same as it attempts to create a tight knit, walkable, urban-like entertainment and recreation district next to the ball field. The proposed Concept Development Plan does not follow many of these standards (minimal and zero lot line setbacks, shared parking throughout, pedestrian oriented building design, etc.), and is, at least in part, more reflective of the “suburban style segregated projects on individual lots surrounded by parking” that Chapter 6 (Plan Concepts) states should be avoided (p. 6.3).” From a feasibility standpoint, the existing creek valley would need to be narrowed and/or the stream piped in order to fully realize the Central Florence Strategic Plan’s vision for this block. In the time since the Plan was adopted in 2008, State and Federal standards which regulate stream modifications have become more stringent, thus, making the Plan’s recommendations for this area more difficult to achieve.”

Mr. Wall reviewed the Planned Development (PD) Overlay Zone criteria outlined on pages 9-14 of the Staff Report. This includes mixed use development and pedestrian orientation. The proposal is not mixed use and it is more oriented to autos. However, the proposed uses on the 3 lots are comparable in character and configuration to other developments in the area.

In terms of compatibility of uses, the big issue is landscaping/buffering. The applicant is proposing Buffer Yard B instead of Buffer Yard A along the north property line. The proposed driveway connection is located in the Buffer Yard. Under Section 3630, building landscaping is required. In addition, the applicant should explain what improvements or alterations are proposed in the stream valley and delineate how much of the existing vegetation is proposed to be retained. Mr. Wall asked the applicant to describe what will be graded and what will be retained “as is.” He questioned that some of the proposed AE Door use may be classified as industrial because of the truck docks. He asked the applicant to clarify the proposed use. Mr. Wall expressed a concern about the truck or service court. It is planned to be decorative black metal fence. No enclosure or screening is indicated for the larger truck dock. The governing bodies also need to determine whether the truck court area should be enclosed per the standards in Section 3154 or whether a decorative fence is appropriated for the submitted Plan. One potential solution is to permit a decorative fence with landscaping per Section 3635 immediately along the north, east and south sides of the fence enclosure. Options are an earthen berm, hedging and/or evergreen trees. The proposed drive-through is located either in the front yard or the corner side yard of the front yard. It needs to be located in the side or rear yard.

In regard to building design, the AE Door building does not comply with the standards outlined in Central Florence Strategic Plan. The Staff recommends that the proposed buildings on the site follow the provisions in the second paragraph of the criterion which is stated on page 13 of the Staff Report. Mr. Wall outlined the requirements for the signage. The applicant submitted a proposed building mounted sign with channel letters. No plans for a free standing or monument sign were submitted as part of the application. The subject site is not located in the Master Sign

District for the Stadium District. Comments have been received from outside entities (City of Florence and Kentucky Transportation Cabinet). Both sets of comments are attached to the Staff Report. Mr. Wall asked the applicant to address the items outlined by Mr. Hunt and he noted that the Kentucky Transportation Cabinet will only allow a right in and out off Industrial Road. In conclusion, Mr. Wall explained that the Planning Commission and Florence City Council need to evaluate the submitted application in terms of the Boone County Comprehensive Plan, the Central Florence Strategic Plan, Article 15 of the Zoning Regulations and the potential impacts of the existing and planned uses in the area. The Future Land Use Map from the Comprehensive Plan will not need to be amended.

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

Mr. Steve Berling, Engineer and applicant, stated that Adam Weber is present along with their contractor and architect. His team met with City officials twice and they are in support of the project. He felt that he could address the concerns of the City of Florence and the Staff. They are at the concept stage. Most of the truck storage is in the building.

Mr. Adam Weber, AE Door, stated that the current operation on US 42 is not large enough for the volume of business they have now. Currently, they are located in a 6,800 square foot building. Most of the product is stored outside. They are in need of room for more trucks. They would like to hire 10 more people. About a year ago Warm Construction built a new corporate office in Forest Park – about 50,000 square feet. The proposed building mirrors that image. They have a lot of walk in traffic so the building will be used for retail purposes. They will also have a showroom at the new facility and will spend about \$150,000 in landscaping and lighting the facility, even if it is a smaller building. They will also be able to use the dock to sell their overhead doors. They like being next to the hotel and being in the Stadium District. The right in and out entry is okay with him.

Mr. Steve Fahrnbach, Warm Realty, stated that AE Overhead Door wants to stay in Florence. It is difficult to find a site. The site itself is a challenge from a commercial standpoint due to the existing stream, topography and a sanitary sewer line that splits the property. They have worked closely with Drury Hotel. The use is more retail. It is like what they already have on US 42 but bigger– a retail service. It will have a retail showroom. They have no specific restaurants in mind at this time.

At this time, Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the Concept Development Plan? Seeing no one, Chairman Rolfsen asked if any Board members had any comments or questions?

Mr. Lunnemann asked the architect to address the Staff comments about the proposed architecture at the Committee Meeting. He hoped the applicant could get the proposed building more in line with the Central Florence Strategic Plan. Mr. Greg Otis, Elevar, responded that he understood the comment and at the same time they want to use their brand as evidenced by their recently constructed building.

Chairman Rolfsen asked if Ms. Gulick had a concern about only one entrance for both restaurants. At first, she stated that she didn't see a problem. Chairman Rolfsen thought the Plan was bizarre. Mr. Berling stated that the one access took up a lot of space and 2 access points would be worse in terms of impact on parking. Another access point is difficult because of the close proximity to the 2 intersections. He also noted that the site may only have one restaurant. Ms. Gulick emphasized knowing the amount of stacking needed for the drive-through during peak moments. It will affect traffic movements. Mr. Berling mentioned using some of the ballpark parking up the street and the 2 types of restaurants – sit down and a drive-through.

Mr. Costello asked if the applicant considered flipping the uses? It seems more logical to have the restaurants next to the hotel. The restaurants won't be seen from US 42 at the current location. What is their marketability? Mr. Berling replied that he didn't know if AE Door could fit on the other lot. Mr. Steve Fahrnbach also explained that they looked at the RC Durr site several different ways. It won't work because of the earthwork, the creek and retaining walls. Mr. Berling replied that he would look at the possible access off Freedom Way.

Mr. McMillian asked how will you get in and out? Two restaurants will result in a lot of traffic? There needs to be another way in and out. That is the only thing he is against – having only one way in and out.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on October 21, 2020 at 5:00 P.M. via Live Video Teleconference. This item will be on the Agenda for the Business Meeting on November 4, 2020 at 7:00 p.m. If someone wants to observe the Committee Meeting please contact the office and provide the necessary information for logging into the meeting. The Chairman closed the Public Hearing at 8:41 p.m.

APPROVED:

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director