

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
PUBLIC HEARING
SEPTEMBER 1, 2021
7:30 P.M.**

Chairman Rolfsen opened the Public Hearing at 7:32 p.m. and welcomed everyone to the Planning Commission's September 1, 2021 Public Hearing.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mrs. Pamela Goetting
Ms. Corrin Gulick
Mr. Steve Harper
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Don McMillian
Mr. Charlie Rolfsen, Chairman
Mrs. Jackie Steele
Mr. Tom Szurlinski
Mr. Kenny Vaught

COMMISSION MEMBERS NOT PRESENT:

Mr. Kim Bunger, Secretary/Treasurer
Mr. Kim Patton, Vice Chairman
Mr. Bob Schwenke
Mr. Steve Turner, Temporary Presiding Officer

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Michael D. Schwartz, Planner

Chairman Rolfsen introduced the first item on the Agenda.

CONCEPT DEVELOPMENT PLAN – Michael Schwartz, Staff

1. Request of **Viox & Viox, Inc. (applicant)** for **315 Burlington Trust (owner)** for a Concept Development Plan in a Office Two/Planned Development/Parkway Corridor Study Overlay (O-2/PD/PO) zone for a 0.698 acre site located on the south side of Burlington Pike, approximately 235 feet west of the Burlington Pike/Ewing Boulevard intersection, and between the properties at 7673 and 7777 Burlington Pike, Florence, Kentucky. The request is for a Concept Development Plan to permit a motor vehicle sales delivery/pick-up location.

Mr. Michael Schwartz, referred to his PowerPoint presentation. The site is 0.7 acres in size located on the south side of Burlington Pike approximately 235 feet west of Ewing Boulevard and approximately 450 feet east of Tanners Lane. The last use for the subject site was a gas station, which was demolished sometime between 1997 and 1999. The site is currently vacant. There are also 2 free standing sign structures on the site. No signs appear on the poles. The applicant should inform the Board whether the existing sign structures will be retained, reused or removed. The TA Truck Stop is located to the south and west of the site. A Waffle House restaurant is located to the east of the site. North of the site is a Speedway gas station and an Avizion Glass Company. Mr. Schwartz showed photographs of the site and adjoining properties. The zoning of the site is currently O-2/PD/PO. The PO Report was adopted by the City of Florence in 2008. Pages 2 and 3 of the Staff Report provide the applicable zoning regulations that are relevant to the application. The site is relatively flat but sloping downward from north to south with an average grade of less than 3%. The site is within the 60 DNL airport noise contour. The 2040 Future Land Use Map designates the site for Commercial (C) uses. Page 3 of the Staff Report identifies the references to the Comprehensive Plan. Burlington Pike is a State maintained arterial street. Mr. Schwartz showed some photographs of the site and adjoining properties. He noted the existing high rise sign and another one located along Burlington Pike. He reviewed the submitted Concept Development Plan. The Plan includes a 26.6 foot high, 3,412 square foot building for a delivery center and car sales. The applicant is applying for a waiver of storm water requirements. The applicant is also requesting a waiver of the rear yard setback from 30 feet to 14 feet. The applicant is providing 31 off street parking spaces. One of the 2 existing curb cuts will be removed and the other one will be redesigned to a right turn in and right turn out only. The western curb cut will be removed. They have provided perimeter landscaping. Pages 5 and 7 of the Staff Report refer to the three items of the Plan that don't meet the strict requirements of the underlying zoning district. Most of those items can be adjusted by using the PD overlay districts. Section 3199 of the Zoning Regulations provide for more specific design standards for certain business districts in the City of Florence. Burlington Pike is one of those business district corridors which does apply. A floor plan of the proposed building was submitted along with some concept elevations showing part of the building as a 3 story building. It will be a predominantly glass building. Comments have been received from the City of Florence, the Florence Fire Department and the Kentucky Transportation Cabinet. Those comments are attached to the Staff Report. Again, the request is to review the Concept Development Plan under the current zoning.

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

Ms. Michelle Bollman, Viox & Viox, Inc., representing Carplex, explained that Carplex is a new company to the area. The company began in 2008 and is headquartered in Indianapolis. Another store exists in Bloomington, Indiana and in Terre Haute, Indiana. The Florence location will be the first one with a new architectural design concept. It is to be an online dealership of newer used cars having a mileage of less than 40,000 miles. Customers will purchase the car online and go to the site to pick up the vehicle. The site will have a small office for in-person sales and administration. Cars will be delivered to the site via a three car hauler and not a typical nine car hauler. Some cars will be available on-site for the public to purchase. The site is currently an eyesore and what is being proposed is an improvement. Ms. Bollman spent weeks working with the Kentucky Transportation Cabinet. Originally, the applicant preferred keeping the access points "as is." In the end, they agreed to a right in and right out and keeping the eastern curb cut furthest away from the existing truck stop. The curb cut is larger than normal due to the truck turning movement. Building mounted signage will be installed along KY 18 and on the side of the building. The signage frame along KY 18 will be removed but the high rise sign in the back of the property will be retained so it can be seen from the highway. Standard parking lot lighting will be installed and meet all of the lighting regulations. The waiver from requiring detention and water quality is needed because there are not a lot of options. The site is very small so it is the primary reason for the setback waiver in the back of the lot. In addition, they are requesting a waiver to the required vehicular use area landscaping. The primary reason is to accommodate truck movements. It will be a nice addition to KY 18.

Mr. Larry Bergman, property owner, stated that he was surprised that Mr. Ryan Devoe showed up at his office to express interest in his property. From the 1992 to about 4 years ago, Shell was still paying rent to him because there was an environmental issue with the property. They were obligated to clean up the site. They had a lot of interest in the property but none of the uses were suitable – restaurants and oil change businesses. The State turned down his request to use the existing 2 curb cuts. The result was right in and right out. Mr. Devoe's business is different than any other car dealer. Tom Gill Chevrolet and Enterprise are located down the road and they sell and lease vehicles. The proposed building is built using very expensive fabricated metal panels and glass. The area is a gateway to the City of Florence.

Mr. Ryan Devoe, developer, stated that he is serious about the development. He is offering to sell cars vertically. His dealership is rated very high as a used car dealer. It is an important location for him.

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 request? Seeing none, Chairman Rolfsen asked if any of Board members had any questions? Mrs. Kegley noticed a lot of waiver requests. She mentioned that she will be looking for appropriate buffer yards. It needs a good landscaping plan. Perhaps additional plantings would be needed since no plantings would be in the parking lot. Perhaps they can be planted around the perimeter. Is there any existing vegetation? Mr. Devoe replied that it is full of brush and bags. He would remove all of the overgrowth and start with an immaculate perimeter of trees. He has no problem making the landscaping more than what is required. He prefers a substantial buffer along the truck stop side.

Mr. Lunnemann inquired about the route of the 3 car hauler trucks? Mr. Devoe showed the route on the computer screen. That is the reason for the striping – to keep the cars from parking in the vehicle drop off area. Will there be any attempt to unload cars on Burlington Pike? Mr. Devoe replied that it will never happen. They control the 3 car hauler.

Ms. Gulick asked how often do they get deliveries? Mr. Devoe responded that he gets one 3 car hauler a day to pick up and drop off cars. Typically, they will sell about 100 cars a year. Some vehicles are delivered to the purchaser's address. In the beginning, there may be more foot traffic at the store. Ms. Bollman stated that they will use French drains to accommodate the storm water. They will not flood KY 18 and will investigate some alternatives. They are reducing some of the pavement area.

Ms. Gulick inquired on whether the applicant mentioned French drains to the Kentucky Transportation? Ms. Bollman replied yes and the possible replacement.

Chairman Rolfsen inquired about selling older vehicles. Mr. Devoe responded that his sales experience is different with used vehicles. They don't charge extra fees. The average car is a 2020 model year with 28,000 miles. Currently there is a crisis in the auto industry because we are not making new cars. Their average car today is a 2019 model year. They have some vehicles with over 40,000 miles due to the car shortage crisis. If there is a problem with a car, it is usually under warranty by the preferred manufacturer and dealer. Otherwise, they would pick up the vehicle and have it repaired at their central facility. It is 24 hour service – timeliness and fairness of the repair.

Mr. McMillian asked if the proposed right in and right out is the only one in the area? Ms. Bollman replied yes. It isn't fair but they have to live with it even though they wanted both curb cuts. It is a safe location for people to pick up their vehicle.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on September 15, 2021 at 5:00 P.M. in the Fiscal Courtroom. This item will be on the Agenda for the Business Meeting on October 6, 2021 at 7:00 p.m. The Chairman Rolfsen closed the Public Hearing at 8:16 p.m.

APPROVED:

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director