



SECTION B

(To be completed by Boone County Planning Commission Staff)

1. Date Received 3-13-92
2. Fee Received \$ 551.00 R 7567
3. Is application complete?  Yes  No
4. Staff Reviewer Amy Moody
5. Scheduled Board Action Date 4/14/92
6. Board Action:  
 Approval  
 Approved with Conditions (See #7)  
 Disapproved (See #8)
7. Conditions: No more than 25 cars may be parked in the  
area at one time
8. Reasons for Disapproval: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## STAFF REPORT

# 3

DEVELOPMENT: Enterprise Rent-A-Car  
APPLICANT: Florence Center Associates  
LOCATION: West side of Mall Road in the Florence Center, Florence  
ZONING: Commercial Two (C-2)  
DATE: April 8, 1992  
REMARKS:

The applicant is seeking a Conditional Use Permit to allow an automobile leasing business. The use is to be located on the west side of Mall Road in the Florence Center, Florence, Kentucky. The property is zoned Commercial Two (C-2) and is owned by the Florence Center Associates.

Article 10, Section 1023 of the Boone County Zoning Regulations states that one Conditional Use permitted on any site zoned C-2 is "Small scale sales or leasing of new and used motor vehicles requiring the storage of not more than fifty (50) vehicles on the premise."

The proposed automobile leasing business will be located in a tenant space near the center of the strip center. Other tenants in the Florence Center include Swallens, Pickway Shoes, Hemsath Sound, the Fitness Source, H&R Block, Computer Mania, Michael's Hair, A&J Art Gallery, Back Pain Chiropractic, Vogue College of Hair Design, Beneficial Finance, Rent-A-Center, Blue Bird Communication, Cathay Kitchen, Miemanns Sports, and Nationwide Auto.

In the past, several other Conditional Use Permits have been granted both within the Florence Center and for similar uses. On December 11, 1985, the Florence Board of Adjustment approved a Conditional Use Permit for Snappy Lube on Lot #3 of the Florence Center. On March 12, 1986, the Board also approved another Conditional Use Permit to operate an auto supply store on Lot #1 of the Florence Center. Snappy Car Rental, Inc. was granted a Conditional Use Permit to operate a automobile rental agency southeast of this site at 8156 Mall Road, Florence.

The following reviews the criteria that the Board must use to judge all Conditional Use Permit requests:

1. The activity will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's comprehensive plan and/or zoning order.

The Future Land Use Map of the Boone County Comprehensive Plan indicates that the site is to be Commercial (C).

The text of the Comprehensive Plan also discusses the development of the City of Florence in general and the Mall Road area in particular:

"Commercial development in this section should remain near the arterial roads or close to the interstate. These consumer service and traffic-oriented developments must be contained to specific areas adjacent to the arterial roads and interstate." (p. 220)

"Regionally-oriented commercial development should be confined to the Mall Road area... The visual appearance of the commercial areas in general, and of Mall road in particular, should be enhanced through the design of building, landscaping, signs, and arrangement of buildings. Attention to aesthetic impacts of proposed developments should be part of all phases of the review process." (p. 221)

2. The activity will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the area.

Since the building has already been constructed and the applicant proposes no site changes, Site Plan Review will not be required. However, the maintenance, operation, and appearance of the proposed use should be considered.

The lease agreement states that the proposed use will be permitted to utilize twenty-five (25) parking spaces behind the center. The agreement also states that "all cars parked on the shopping center's property must be fully operational. Any inoperable or "junk cars" shall be towed away at the sole option of the Landlord and at the sole cost of the Tenant."

The applicant has indicated to Staff that approximately 25% of the leased automobiles are picked up at the office. The remaining 75% are delivered to the customer. This practice eliminates most automobiles from being parked in front of the strip center.

3. The activity will not be hazardous to existing or future neighboring uses.
4. The activity will be adequately served by essential public facilities and services.
5. Excessive additional requirements at the public cost for public facilities and services will not be created or be detrimental to the economic welfare of the community.
6. The proposed use and operation will not be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odor.

7. The vehicular approaches to the property will be designed so as not to create an interference with traffic on surrounding public streets.

The Board must also consider specific criteria which apply to Conditional Uses in C-2 zoning districts:

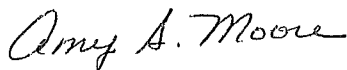
- a. The activity is an integral and subordinate function of a permitted commercial use, professional or personal service; or
- b. the activity will further add to, not detract from, the creation of a compact, multi-purpose and pedestrian oriented commercial center; and
- c. the arrangement of uses, buildings or structures will be mutually compatible with the organization of permitted and accessory uses to be protect in the district.

**STAFF CONCERN:**

The applicant has indicated to Staff that the business will have a fleet of approximately twenty-five (25) automobiles. Since the lease states that the business may utilize twenty-five (25) parking spaces behind the strip center, any additional automobiles would have to be located in front of the center. Storing additional automobiles in front of the strip center may impact the parking on the lot. For this reason, the Board may want to consider limiting the permitted number of automobiles stored on the site.

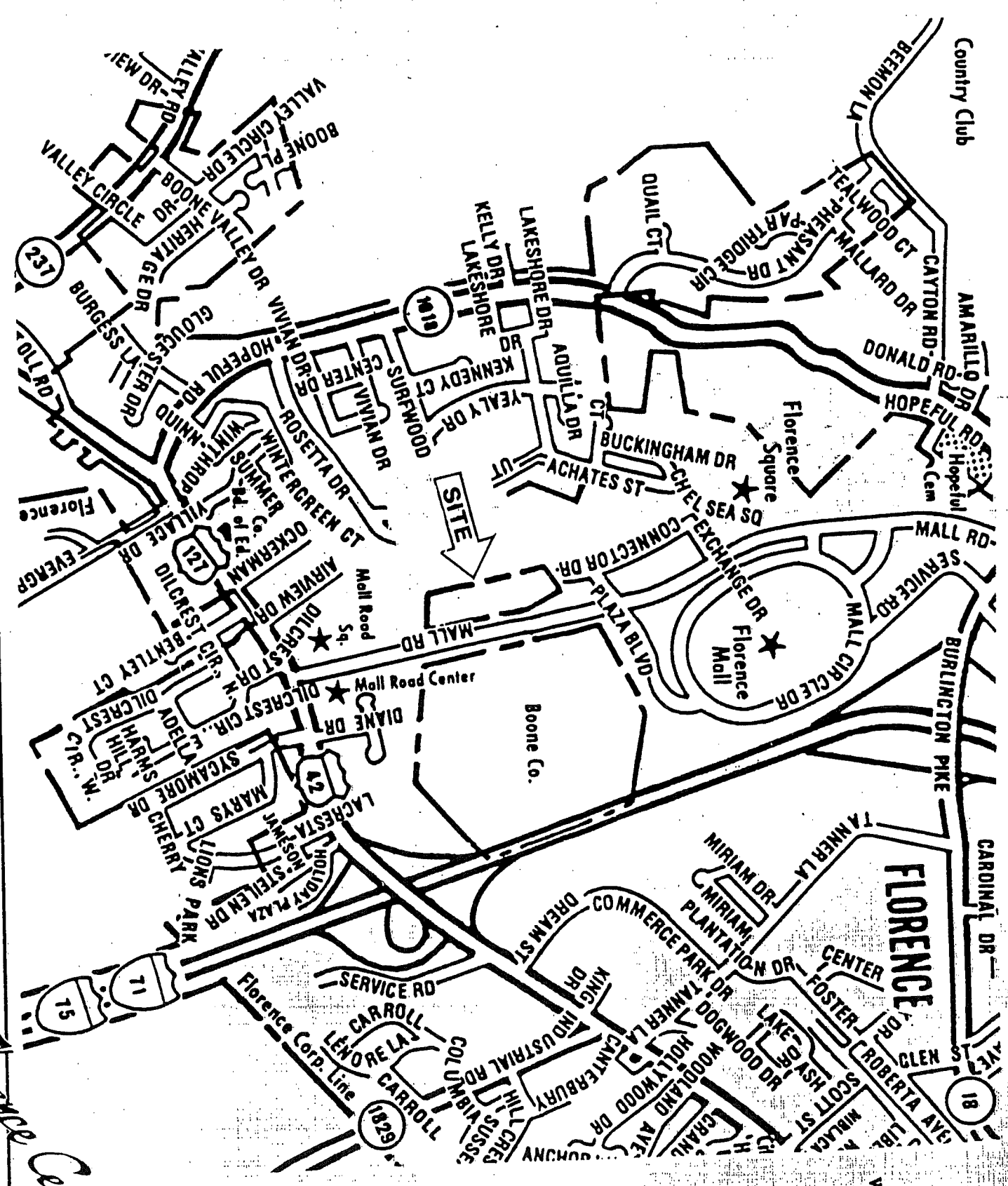
Attached to the Staff Report is a map of the Mall Road area indicating the location of the Florence Center. A drawing of the layout of the Florence Center has also been included illustrating the tenant space, (8103)-1440, for the proposed use.

Respectfully submitted,

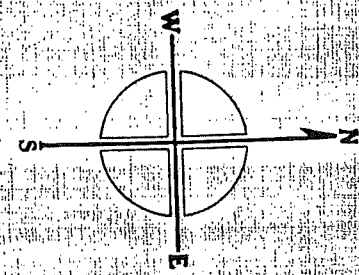


Amy S. Moore  
Planner I

ASM:kat



*Florence Center*



**FLORENCE CENTER**  
**Florence, Kentucky**  
**December 1, 1991**

**S w a l l e n s**

Pickway Shoes
Hemsath Sound
(8127) - 1440
(8125) - 1920
Fitness Source
H & R Block
Computer Mania
(8117) - 1440
Michael's Hair
A & J Art Gallery
(8111) - 1920
Back Pain Chiro.
(8107) - 1440
(8105) - 1440
(8103) - 1440
Vogue College
Educational Services
Swallens Carpets
Beneficial Finance
(8077) - 1440
(8077 A) - 1440
(8075) - 1440
Rent-A-Center
(8071) - 1920
Bluebird Comm.

<u>Tenant</u>	<u>sq. ft.</u>	<u>Tenant</u>	<u>sq. ft.</u>
A & J Art Gallery	1680	H & R Block	1440
Back Pain Chiropractic	1440	Hemsath Sound	2560
Beneficial Finance	1440	Michael's Hair	2160
Bluebird Comm.	1920	Miemanns Sports	2880
Cathay Kitchen	2880	Nationwise Auto	7200
Computer Mania	2880	Pickway Shoes	3200
Educational Services	8640	Rent-A-Center	1920
Fitness Source	2400	Swallens Carpets	8640
		Vogue College	5760

Cathay Kitchen - 2880
Miemanns Sports
Nationwise Auto - 7200

Swallens (Main)	88,000
Total GLA	164,320
Cam ProRata Area	76,320

COPY

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)

Florence Center Associates  
3840 Woodridge Blvd.  
Fairfield, Ohio 45014

2. ADDRESS OF PROPERTY

8103 Connector Drive  
Florence, KY 41042

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

Enterprise Rent-A-Car

DEED BOOK: 339,342

PAGE NO.: 187,94

GROUP NO.: 2040A

4. TYPE OF RESTRICTION (S) (Check all that apply)

\_\_\_\_\_ Zoning Map Amendment from \_\_\_\_\_ to \_\_\_\_\_  Conditional Use Permit

\_\_\_\_\_ Development Plan \_\_\_\_\_ Conditional Zoning Condition

\_\_\_\_\_ Subdivision Plat (unrecorded) \_\_\_\_\_ Other: (Specify)

\_\_\_\_\_ Variance

5. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION

BOONE COUNTY PLANNING COMMISSION  
2995 WASHINGTON STREET  
BURLINGTON, KENTUCKY 41005

Amy A. Moore, Planner I  
SIGNATURE OF COMPLETING OFFICIAL

Amy S. Moore, Planner I  
NAME AND TITLE OF COMPLETING OFFICIAL  
(type or print)

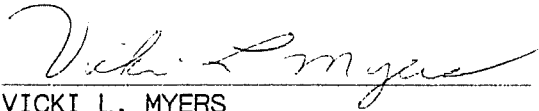
COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledge before me by Vicki L. Myers

on behalf of the Boone County Planning Commission this 18th day

of May, 1992.

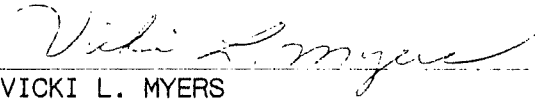


VICKI L. MYERS  
NOTARY PUBLIC, State at Large

My commission Expires:

April 8, 1995

This instrument was prepared for recording purposes only by:



VICKI L. MYERS  
Boone County Planning Commission  
2995 Washington Street  
Burlington, Kentucky 41005

NO TITLE EXAMINATION

(Legal Description and source of Title and Group Number furnished by the applicant.)

BCPC 01/89

CLUR# 92-FBOA-002-A

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Conditional Use Permit as approved by the Florence Board of Adjustments and in accordance with the current zoning in effect as of April 8, 1992, (Certificate of Land Use Restriction # 92-FBOA-002-A), for Florence Center Associates, property owner.

The above Conditional Use Permit is approved with the condition that no more than 25 cars may be parked in the rear at one time.

The approved Conditional Use Permit as well as the preceding conditions apply to the property described in: DEED BOOK 339,342 PAGE NO. 187,94

Group No. 2040A