

**BOARD OF ADJUSTMENT AND
ZONING APPEALS ACTION
APPLICATION
PAGE 2**

SECTION B (To be completed by the Boone County Planning Commission Staff)

1. Date Received 2-4-20 Fee Received \$2,416.00 Receipt # 80948
2. Is application complete? Yes No
3. Staff Reviewer _____
4. Scheduled Board Action Date 3/16/20
5. Board Action:
 Approved
 Approved with Conditions (See #6)
 Denial (See #7)
6. Conditions of Approval: SEE 3/16/20 WBOA Meeting Minutes
AND CLUR
7. Reasons for Denial: _____

**Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
(859) 334-2196 - Phone
(859) 334-2264 - Fax
plancom@boonecountyky.org - E-mail
www.boonecountyky.org - Web Page**

NOTE: See Boone County Planning Commission Fee Schedule for Board of Adjustment Fees.

Site Plan Review is not granted by the appropriate Board of Adjustment.

An application consists of all fees paid in full, submitted drawings and a completed application form.

STAFF REPORT

APPLICANT: The Deters Company

LOCATION: Lot 9 Walton Towne Center, Walton, Kentucky

ZONING: Commercial Two (C-2)

DATE: March 16, 2020

PROPOSAL

The applicant has submitted the following applications:

1. A Conditional Use Permit application to allow a car wash on lot 9A of Walton Towne Center. The preliminary plan shows the future 0.662 acre lot would contain an approximate 3,500 square foot car wash with accessory parking. 15' wide (one-way) driveway lanes are shown on each side of the building. Access is shown from two access point on Chestnut Drive. The northern access point is shown as an exit only and the southwest access point is shown as full access. Building elevation drawings were requested but Staff still had not received them at the time the Staff Report was finalized.
2. Variance applications to reduce the 500 foot road frontage requirement so the future car wash lot (lot 9A) and Wendy's restaurant lot (lot 9B) can each have two curb cuts on Chestnut Drive. The proposed car wash lot has 328.31 feet of street frontage and the Wendy's restaurant lot has 150.78 feet of street frontage.

PERTINENT SUBDIVISION HISTORY

In 2005, the Boone County Planning Commission and City of Walton approved a Zoning Map Amendment request from Industrial One (I-1) to Commercial Two (C-2) for an approximate 130 acre area (Walton Towne Center Subdivision). The following conditions were imposed on the approval: (1) The property owners agree to restrict pawn shops, crematoriums, and funeral homes from the principally permitted use list; and (2) The property owners agree to allow the Zone Change Committee the opportunity to provide input regarding subdivision design (i.e. road network, lot layout, etc.) when the Preliminary Plat is submitted for review.

In April 2008, the Walton Board of Adjustment approved a Variance which allowed McDonald's to have two access point on Chestnut Drive. A condition was imposed on the approval that required the curb cut closest to Heritage Bank to be a one-way in and the curb cut on the other side to be a one-way out.

APPLICABLE REGULATIONS

Section 220 of the Boone County Zoning Regulations states that two duties of the Board of Adjustment is to act on conditional use permits and variance requests.

Section 250 of the Boone County Zoning Regulations states that the Board of Adjustment shall have the power to hear and decide on applications for variances. A variance is defined as a departure from the dimensional terms of the zoning regulation pertaining to the height, width, or location of structures, and the size of yards and open spaces where such departure meets the requirements of KRS 100.241 to 100.247.

The Board needs to evaluate the variance request as it relates to the criteria that is listed in Section 251 of the Boone County Zoning Regulations:

1. Before any variance is granted, the Board must find that the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or nuisance to the public, and will not allow an unreasonable circumvention of the requirements contained in the zoning regulations.
 - A. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;
 - B. The strict application of the provisions contained in the regulations would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;
 - C. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.
2. The Board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.

The Board needs to evaluate the Conditional Use Permit request as it relates to the criteria listed in Sections 262 and 1023 of the Boone County Zoning Regulations.

Findings listed in Section 262 (Findings for all Conditional Uses):

1. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's Comprehensive Plan, a specific corridor plan and/or the zoning order;
2. 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 same area;
3. Will not be hazardous to existing or future neighboring uses;
4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately such services;
5. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
6. Will not involve uses, activities, process, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, dust, fumes, glare, or odors;
7. Will have vehicular approaches to the property which shall be so designated as not to create an interference with traffic on surrounding public thoroughfares.

Section 1023 of the Boone County Zoning Regulations allows “automotive repair facilities and wash services for vehicles” as Conditional Uses in the Commercial Two (C-2) district provided that:

- 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 commerce center; and
- c) the arrangement of uses, buildings or structures will be mutually compatible with the organization of permitted and accessory uses to be protected in the district:

Section 3221 of the Boone County Zoning Regulations states that a proposed development is permitted one access point for each 500 feet of site frontage.

Section 3222 of the Boone County Zoning Regulations states that access points on opposite sides of arterial, collector, and subcollector roadways shall be located opposite each other. If not so located, turning movement restrictions may be imposed as determined necessary by the Planning Commission. In addition, in order to maximize the efficient utilization of access points, access drives shall be designed, located, and constructed in a manner to provide and make possible the coordination of access with and between adjacent properties developed (present or future) for similar or compatible uses. As a condition of approval for construction, use, or reuse of any access point, the Planning Commission may require that unobstructed and unencumbered access, in accordance with the provisions of this ordinance, be provided from any such access point to adjacent properties if the uses are similar or compatible and such connection is physically possible.

Section 3226 of the Boone County Zoning Regulations states that where necessary for the safe and efficient movement of traffic, the Planning Commission may require access points to provide for only limited turning movements (see Figure 32.2). Access points with restricted turning movements must still meet requirements for number and location of access points as specified in these regulations.

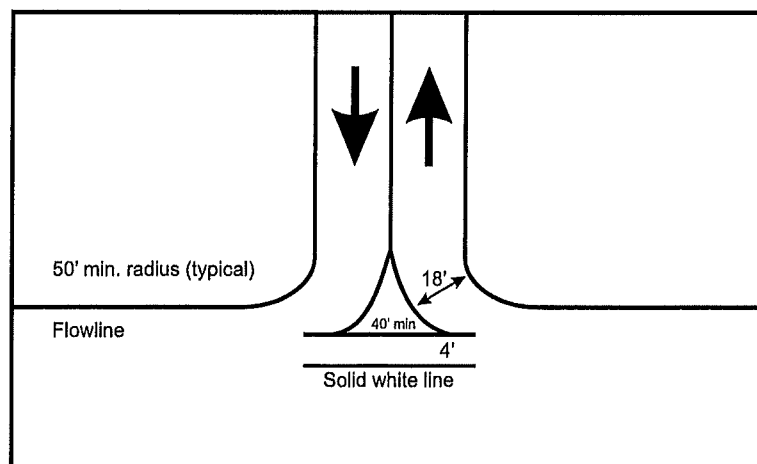


Figure 32.2 - Right Turn In/Out Access Design

Section 3237 of the Boone County Zoning Regulations states that proposed access points along local public roadways must also be approved by the respective legislative unit. Note - the City of Walton has Boone County Public Works review their Encroachment Permit applications.

SITE CHARACTERISTICS

The subject property is 1.3547 acres in area and is currently undeveloped. The property is located along a 90° curve on the south/east side of Chestnut Drive and has 479.1 feet of street frontage. Boone County GIS shows that the topography of the parcel falls from 886 feet above sea level at the southern property line to 878 feet above sea level at the northeastern and eastern property lines. There are no existing trees or shrubs on the property. Water and sanitary sewer mains are located across Chestnut Drive.

SURROUNDING LAND USES & ZONING

North: Chestnut Drive, Arby's, Taco Bell, Auto Zone, and McDonald's (C-2)

South: Undeveloped Commercial Lot with Frontage on Chestnut Drive and Service Road (C-2)

East: Tire Discounters and Multi-Tenant Building with Feeders Supply and KY Farm Bureau (C-2)

West: Undeveloped Commercial Lots Fronting on Chestnut Drive (C-2)

RELATIONSHIP TO THE COMPREHENSIVE PLAN

The Our Boone County Plan's 2040 Future Land Use Plan designates the site in question for "Commercial" uses. This future land use designation is defined as retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."

The Land Use Element (Walton Area, pp. 143-145) contains the following passages regarding the area:

"The Walton area should continue to experience gradual commercial, residential, and industrial growth. This growth should result primarily from the Walton interchange and its location near the intersection of I-71 and I-75. Walton lies along this regional interstate corridor, between Cincinnati to the north and Louisville, Lexington, and Frankfort to the south that is generally experiencing demand for industrial development. The City of Walton is being surrounded by industrial development and zoning to the north, south, and west of the City. The extension of Mary Grubbs Highway has contributed to the growth of Walton not only in Boone County, but also into Kenton County to the east as it serves the large industrial properties just across the county line. Regarding the Walton Towne Center, the potential for a mix of uses including high density residential, commercial, office, institutional, and recreational should occur. Light industrial is most appropriate in the south portion of the property and along the CSX rail line".

"The east side of the I-75 interchange at Walton is capable of additional commercial growth as appropriate levels of infrastructure become available. The area should contain commercial services that serve traffic and customers that are already on Mary Grubbs Highway, and that include interconnected driveway systems, extensive landscaping, and provide a suitable "front door" to the growing City of Walton. This especially affects the southeast quadrant of the interchange in the Service Road area. The additional commercial development should address the coordination and limitation of access points to insure safe access at the interchange and along Mary Grubbs Highway, Stephenson Mill Road, and Walton-Verona Road. Good development design and landscaping will be important at this high visibility location. The Walton Towne Center should continue to grow, serving both local residents and interstate travelers".

The following Goals and Objectives relate to the application:

- A. Development design shall consider natural and ecological systems, such as wildlife habitats, air, soils, and water (Environment, Objective).
- B. "Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas" (Economy, Goal B).
- C. "Compact, efficient development patterns shall be encouraged for industrial, commercial, and office uses with appropriately sized and well maintained buffer spaces between the business use and other land uses" (Economy, Goal B, Objective 1).
- D. "Commercial uses shall be designed and located to coordinate with the surrounding land uses and shall have safe access and adequate parking" (Economy, Goal B, Objective 3).
- E. "Priority shall be given towards maintaining, protecting, and improving the capacity and safety of the existing road system across jurisdictions" (Transportation, Goal A, Objective 1).

STAFF COMMENTS

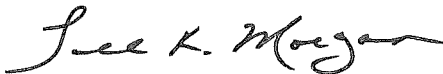
- 1. Staff has attached two email chains which were sent to applicant and applicant's engineer on February 6, 2020 and February 12, 2020. Staff sent these emails for the following reasons:
 - A. To make the applicant aware of the Planning Commission's preliminary concerns regarding the Variance application. These concerns are outlined in the February 6, 2020 email to Daniel Rice and Robert Franxman, with Boone County Public Works.
 - B. To get a meeting scheduled with the applicant's team, Boone County Public Works, and Planning Commission Staff before the Walton Board of Adjustment meeting. The February 12, 2020 email indicates the Walton Board of Adjustment will need to approve the Variance application and Boone County Public Works will need to approve Encroachment Permits before each site is permitted two curb cuts on Chestnut Drive. It should be noted that the City of Walton has Boone County Public Works review and act on their Encroachment Permit applications.
 - C. To provide more detailed information.
 - The Zoning Regulations requires curb cut alignment to be addressed when a Site Plan is submitted for review on a subcollector road. Staff recommended this information be provided on the preliminary plan so the Walton Board of Adjustment and Boone County Public Works could evaluate it.
 - Staff asked for the building elevations to be provided for both buildings so the Board could determine if the proposed car wash will be designed and constructed so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity. This is one of the Conditional Use Permit criteria listed in Section 262 of the Zoning Regulations.

2. A revised preliminary plan was submitted on March 11, 2020. The biggest changes on the revised plan were the dimensions of the car wash building, reduced widths on two of the curb cuts, and the removal of the two vacuum islands. Staff sent this plan to Boone County Public Works for review and has attached their comments (see 3/12/20 email chain).
3. Staff sent Walton Public Works and Walton Fire Department an agency memo to make them aware of the request. Walton Fire Department's response is attached to the Staff Report.
4. Staff would like the applicant's team to address a few other issues:
 - A. Are any accessory structures proposed in the car wash parking lot (vacuums, vending machines, etc.)? If so, where will these structures be located and what will they look like?
 - B. The car wash has a substantial rear parking lot. Can the impervious surface be reduced and the landscaping buffers be enlarged?

CONCLUSION

KRS 100.237 and 100.241 and Section 220 of the Boone County Zoning Regulations gives the Walton Board of Adjustment the authority to act on the requests.

Respectfully submitted,



Todd K. Morgan, AICP
Senior Planner, Zoning Services

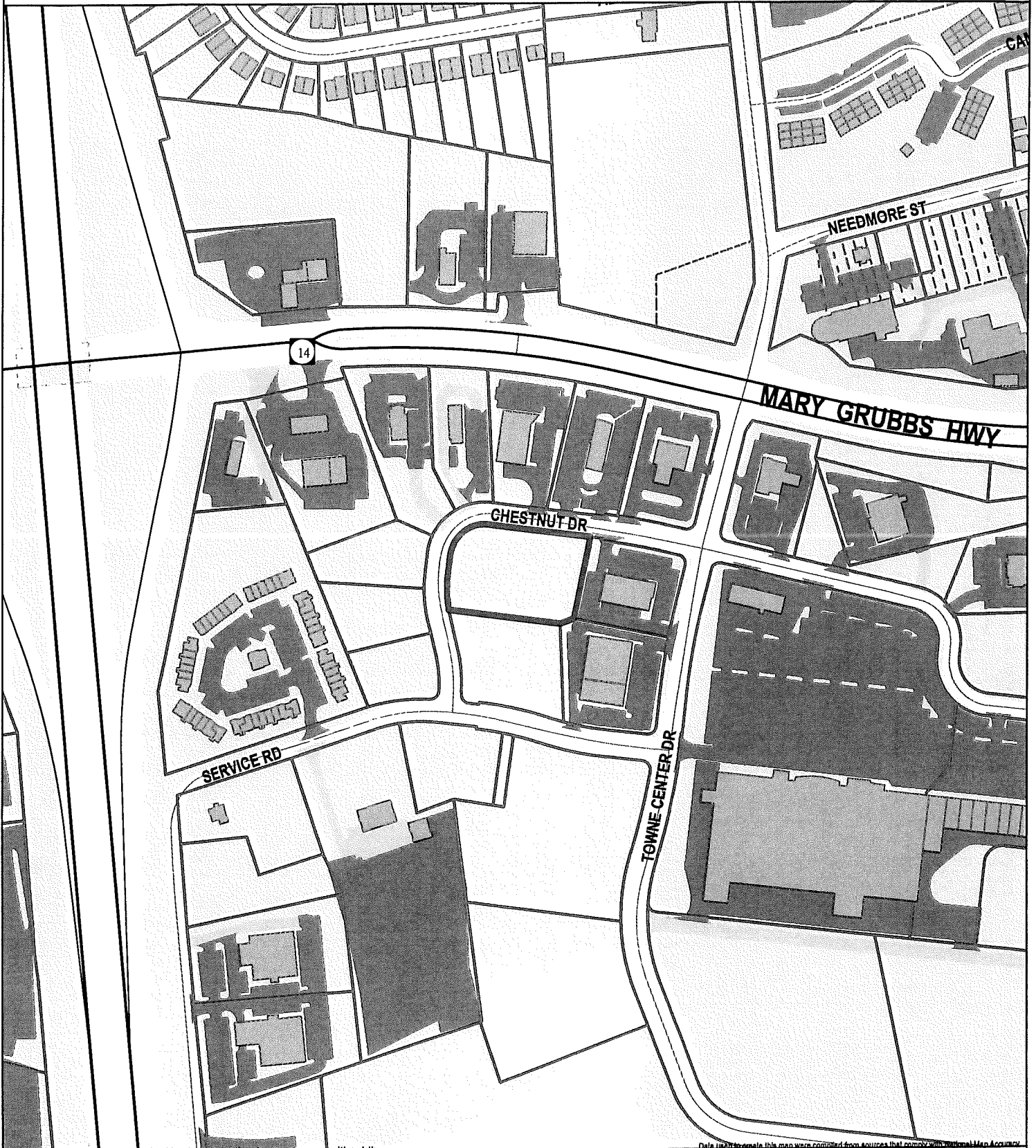
TKM/ss

Attachments

- *Site Vicinity Map
- *Preliminary Plans (3/11/20 and 2/4/20)
- *Zoning Map
- *2040 Future Land Use Map
- *Topographical Map
- *2016 Aerial Map
- *2/6/20 Email Chain (two pages)
- *2/12/20 Email Chain (one page)
- *3/12/20 Email Chain (three pages)
- *2/14/20 Email from Captain Alexander, Walton Fire Protection District
- *Application

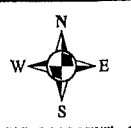
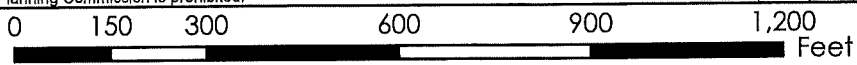
SITE VICINITY MAP

www.boonecountygis.com



Copyright 2014 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.

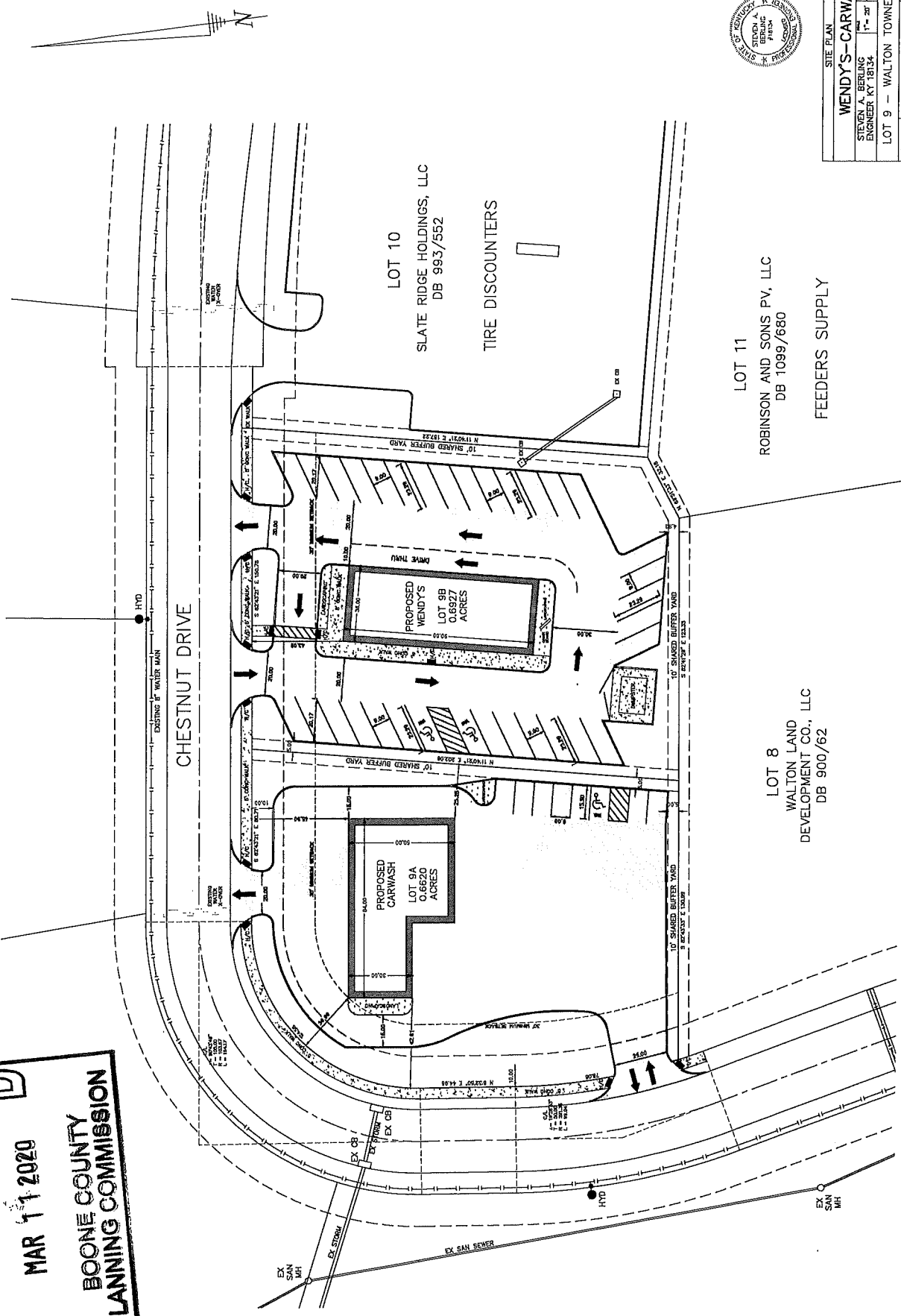


Boone County GIS - Putting Northern Kentucky on the Map

Map Created: 07/01/2013

Map File: 4.0.mxd by Scott 3/23/11
ArcMap Document: BooneMap (file).mxd

RECEIVED
 MAR 11 2020
 BOONE COUNTY
 PLANNING COMMISSION



SITE PLAN	
WENDY'S-CARWASH	
STEVEN A. BERLING ENGINEER KY 18134	17-20
LOT 9 - WALTON TOWNE CENTER	
3/10/20	

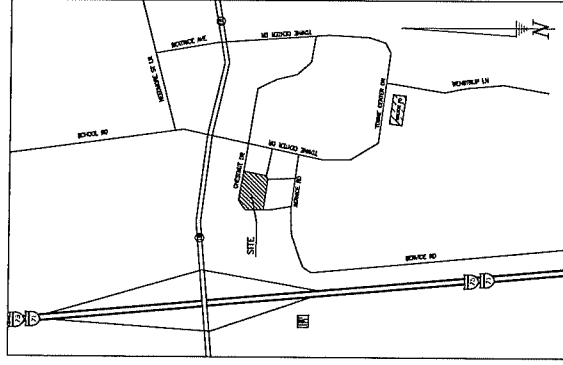
SITE PLAN

WENDY'S/CAR WASH

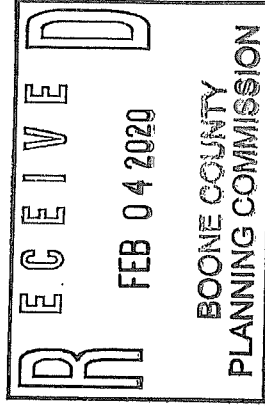
LOT 9 SECTION 1 WALTON TOWNE CENTER

WALTON, BOONE COUNTY KENTUCKY

ZONING	C-2
AREA OF SITE	1.3647 ACRES
PARKING PROVIDED - WENDY'S - CAR WASH	33 SPACES 3 SPACES
PARKING HANDICAPPED - WENDY'S	2 SPACES
FRONT YARD SETBACK:	30 FEET
REAR YARD SETBACK:	20 FEET
SIDE YARD SETBACK:	10 FEET
HEIGHT OF BUILDING:	50 FEET



VICINITY MAP



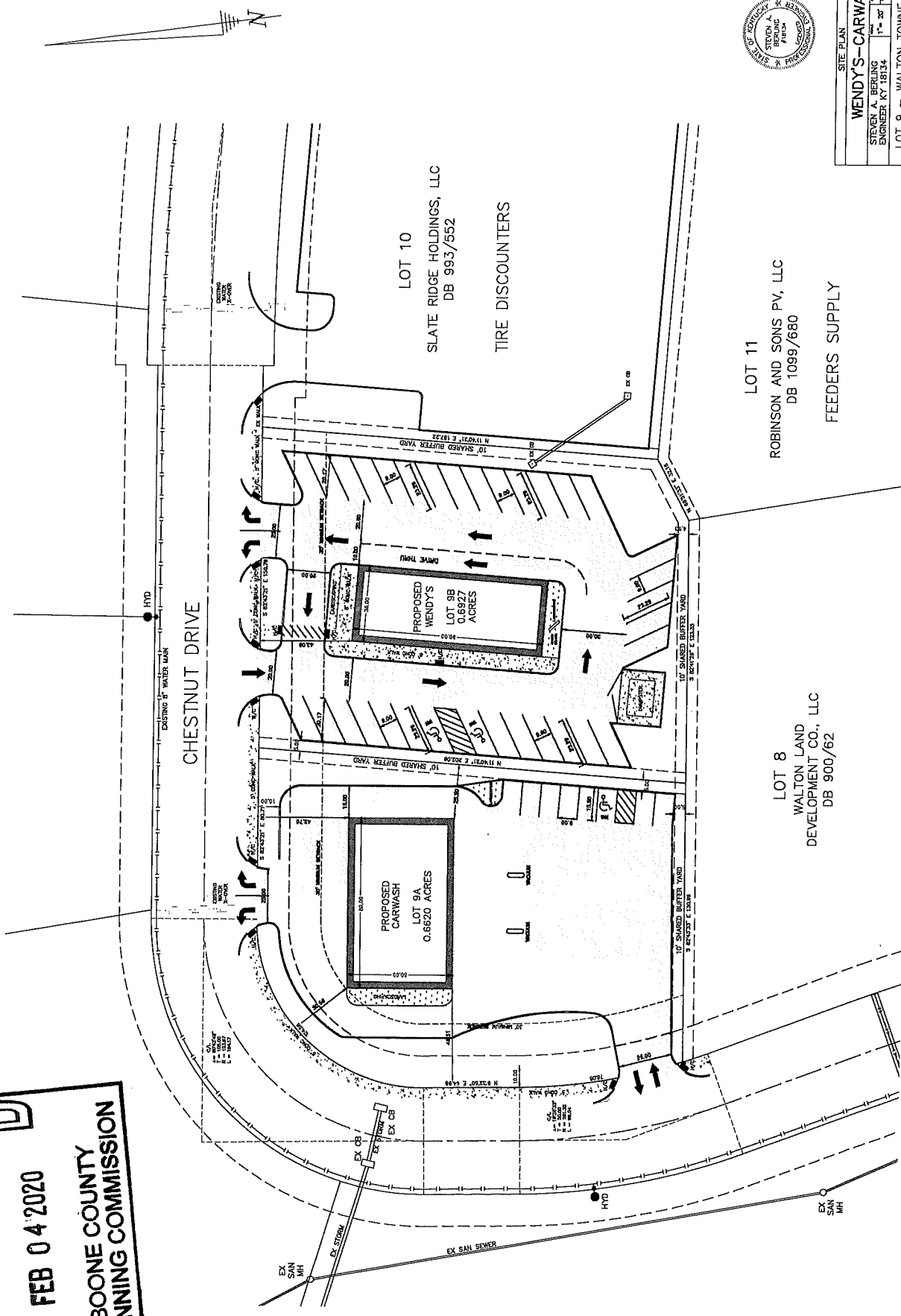
OWNER/DEVELOPER

INDEPENDENCE TOWNE CENTER, LLC
6111 BURGANDY HILL DRIVE
BURLINGTON, KENTUCKY 41005

ENGINEER

JAMES W. BERLING ENGINEERING, PLLC
1671 PARK ROAD - SUITE ONE
FT. WRIGHT KY 41011
PHONE NO: 331-9191

RECEIVED
 FEB 04 2020
 BOONE COUNTY
 PLANNING COMMISSION



SITE PLAN	
WENDY'S-CARWASH	
STEVEN A. BERLING	1/20
ENGINEER, KY 18134	
LOT 9 - WALTON TOWNE CENTER	
DATE	1/29/20

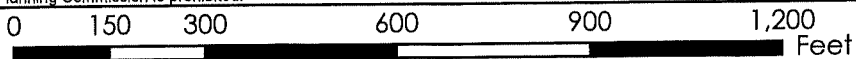
ZONING MAP

www.boonecountygis.com



Copyright 2014 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

Data used to create this map were compiled from sources that comply with the National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



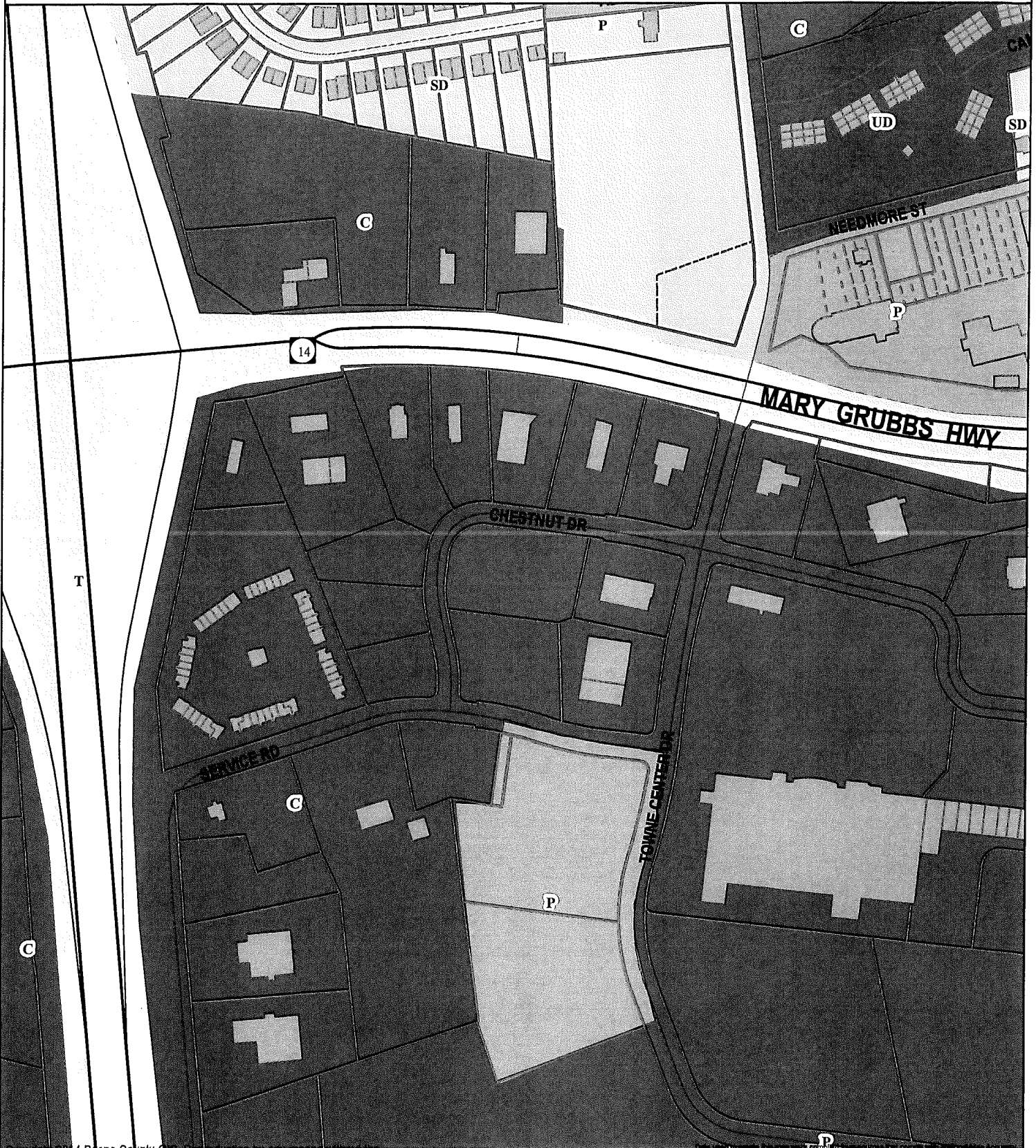
1 inch = 300 feet



Boone County GIS - Putting Northern Kentucky on the Map

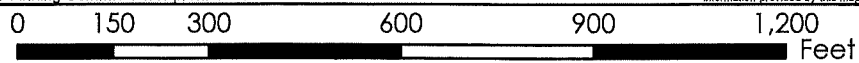
2040 FUTURE LAND USE MAP

www.boonecountygis.com



Copyright 2014 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



1 inch = 300 feet

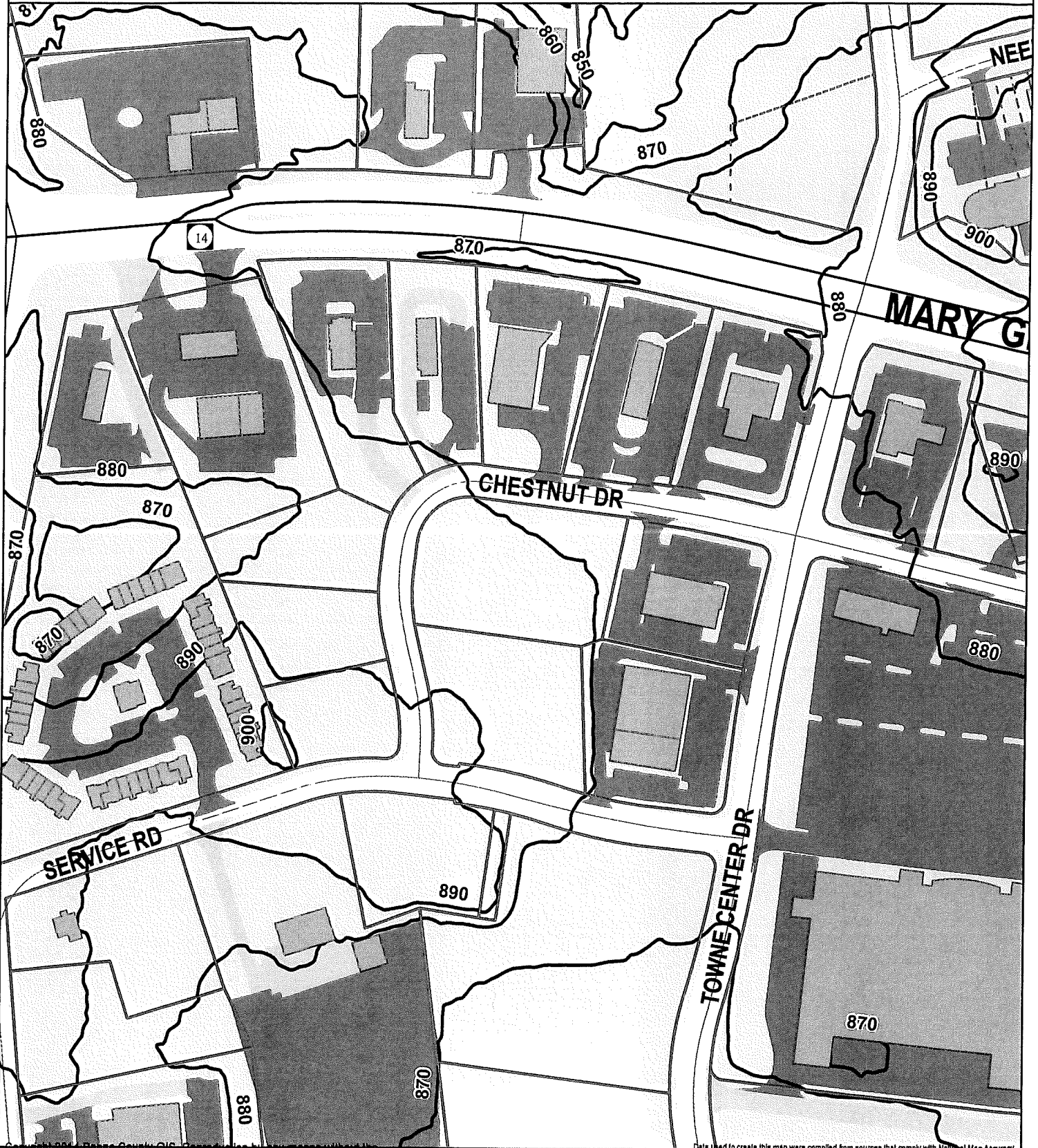


Boone County GIS - Putting Northern Kentucky on the Map



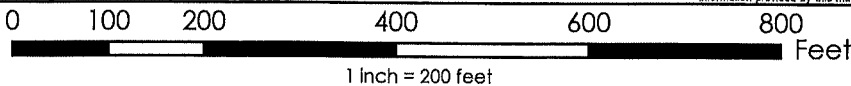
TOPOGRAPHICAL MAP

www.boonecountygis.com



Copyright 2014 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

Data used to create this map was compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



Boone County GIS - Putting Northern Kentucky on the Map

Map Created: 07/01/2013

ArchMap Document: BooneMap (16).mxd

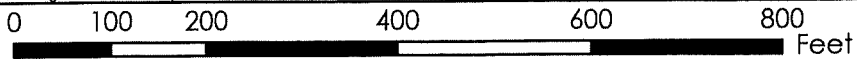
2016 AERIAL MAP

www.boonecountygis.com



Copyright 2014 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

This map is derived from data provided by the National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



1 Inch = 200 feet



Boone County GIS - Putting Northern Kentucky on the Map

Map Created: 07/01/2013

Map Document: BooneMap (lite).mxd

Todd Morgan

From: Todd Morgan
Sent: Thursday, February 06, 2020 3:35 PM
To: 'tberling23@gmail.com'
Cc: 'williambach.wb@gmail.com'
Subject: RE: Wendy's/Car Wash Plan in Walton Towne Center Subdivision

Tony,

FYI – See the email below and let me know if you would like to schedule a meeting.

Thanks,

Todd

From: Robert Franxman
Sent: Thursday, February 06, 2020 2:33 PM
To: Todd Morgan; Daniel Rice
Subject: RE: Wendy's/Car Wash Plan in Walton Towne Center Subdivision

Todd,

Daniel and I reviewed the plan. We believe 4 curb cuts is excessive. More than likely we would not be opposed to adding a 3rd curb cut. We would be happy to provide brainstorming ideas if so desired.

Thanks,
Rob

From: Todd Morgan
Sent: Thursday, February 6, 2020 10:10 AM
To: Daniel Rice <DPrice@boonecountyky.org>
Cc: Robert Franxman <rfranxman@boonecountyky.org>
Subject: FW: Wendy's/Car Wash Plan in Walton Towne Center Subdivision

Daniel,

The Deters Company has submitted a Conditional Use Permit and two Variances for lot 9 of Walton Towne Center Subdivision. The subject property is proposed to be subdivided into the 2 lots of record (lots 9A and 9B). The Conditional Use Permit would allow a car wash to be developed on lot 9A and the Variances would allow both lots to have two curb cuts on Chestnut Drive without having 500' of road frontage (see Section 3221 of the Zoning Regulations). I have concerns about the Variance applications because McDonalds, Auto Zone, Taco Bell, and Arby's all have existing curb cuts directly across Chestnut Drive from the subject site. In addition, more curb cuts will be added directly across the street from the subject site once lots 5 and 6 of Walton Towne Center develop. Please review the attached plan and let me know if you have any comments. I would like to know if Boone County Public Works would grant Encroachment Permits for the proposed curb cuts or if supplemental information will be required before making that determination. If possible, I would like that determination to be made before the Walton Board of Adjustment meeting. We are currently trying to schedule the meeting. Potential dates are 3/5/20, 3/12/20, or 3/16/20.

Thanks for your help.

Todd K. Morgan, AICP
Senior Planner, Zoning Services
Boone County Planning Commission
(859) 334-2196

From: Greg Sketch [<mailto:gsketch@twc.com>]
Sent: Thursday, February 06, 2020 8:23 AM
To: Todd Morgan
Subject: RE: Wendy's/Car Wash Plan in Walton Towne Center Subdivision

EXTERNAL MESSAGE

Todd

Attached is the PDF you're requesting.

Thanks

Greg

Greg Sketch, PE, PLS
James W. Berling Engineering, PLLC
859-331-9191
gsketch@twc.com

From: Todd Morgan [<mailto:TMorgan@boonecountyky.org>]
Sent: Wednesday, February 05, 2020 1:57 PM
To: Greg Sketch (gsketch@twc.com) <gsketch@twc.com>
Subject: Wendy's/Car Wash Plan in Walton Towne Center Subdivision

Greg,

Can somebody send me a PDF copy of the plan?

Thanks for your help!

Todd K. Morgan, AICP
Senior Planner, Zoning Services
Boone County Planning Commission
(859) 334-2196

Todd Morgan

From: Todd Morgan
Sent: Wednesday, February 12, 2020 4:53 PM
To: 'williambach.wb@gmail.com'
Cc: 'tberling23@gmail.com'; Robert Franxman; Daniel Rice
Subject: Wendy's/Carwash - Lot 9 Walton Towne Center - Conditional Use Permit and Variance Applications

Mr. Bach,

I wanted to make you aware that the Walton Board of Adjustment meeting regarding the car wash and Wendy's restaurant on lot 9 of Walton Towne Center has been scheduled for March 16, 2020. The meeting will take place in the Walton Senior Center (44 N. Main Street, Walton, KY), at 6:30 P.M. You will be receiving a notice in the mail in the next few weeks.

I have the following preliminary comments:

1. I forwarded you an email last Thursday from Rob Franxman, the County Engineer. His email indicates that four curb cuts is excessive but that Public Works would consider granting Encroachment Permits for three curb cuts. I recommend scheduling a meeting with Daniel Rice, Rob Franxman, and I before the Walton Board of Adjustment meeting so we can discuss the curb cuts. The Walton Board of Adjustment and Boone County Public Works both need to approve the curb cuts.
2. I would also recommend submitting the following supplemental information with the application:
 - A. Update the preliminary site plan and show the existing curb cuts (Arby's, Taco Bell, Auto Zone, and McDonald's) on the north side of Chestnut Drive. This information will be helpful to determine if the proposed curb cuts align with other curb cuts across the street. I believe Boone County Public Works will want this information before making a determination on the Encroachment Permits and Walton Board of Adjustment will want to review this information before making a determination on the Variance applications.
 - B. Building elevations or renderings for the proposed car wash and Wendy's restaurant.

Please call or email me if you have any questions.

Sincerely,

Todd K. Morgan, AICP
Senior Planner, Zoning Services
Boone County Planning Commission
(859) 334-2196

Todd Morgan

From: Robert Franxman
Sent: Thursday, March 12, 2020 10:52 AM
To: Todd Morgan; Daniel Rice
Subject: RE: Walton Towne Center Wendy's/Car Wash Revised Plan

Todd,

It doesn't appear there were significant changes from the plan that public works previously reviewed. Previously we were not in favor of 4 curb cuts since the northern exit did not appear to meet the required stopping sight distance of 115 ft.

Thanks,
Rob

COMMON GEOMETRIC PRACTICES URBAN ROADWAYS (OTHER THAN FREEWAYS AND INTERSTATES) (13) (16)													
		URBAN LOCAL STREETS (1)(3)			URBAN COLLECTOR STREETS (2)(3)			URBAN ARTERIAL STREETS (2)(3)					
DESIGN SPEED (14)		20 M.P.H. – 30 M.P.H.			MIN. 30 M.P.H.			30 M.P.H. – 60 M.P.H.					
NUMBER OF LANES		DESIRABLE 2			MINIMUM 2 (4)			MINIMUM 2 (4)					
LANE WIDTH	RESIDENTIAL	MIN. 10'			MIN. 10'			10': < 35 MPH SPEEDS AND LOW TRUCK AND BUS VOLUME 11': ≤ 45 MPH (INTERRUPTED FLOW CONDITIONS) 12': > 45 MPH DESIRABLE ON HIGH SPEED, FREE FLOWING, PRINCIPAL ARTERIALS					
	COMMERCIAL	MIN. 10'			MIN. 10'								
	INDUSTRIAL	MIN. 12'			MIN. 12'								
SIDEWALK		MINIMUM 4' DESIRABLE 8' (15)											
MIN. CLEAR ROADWAY WIDTH OF NEW AND (11) RECONSTRUCTED BRIDGES		MINIMUM CURB TO CURB WIDTH											
BORDER AREA (5)		5' - 11'			8' - 12'								
MINIMUM RADIUS (FEET)		100'			(6)								
MAXIMUM GRADE (PERCENT)	RESIDENTIAL: 15 COMMERCIAL: 8 INDUSTRIAL: 8 (12)	M.P.H. 30 35 40 45 50 (9) M.P.H. 30 35 40 45 50 55 60											
		LEVEL 9 8 7					LEVEL 8 7 6 5						
		ROLLING 11 10 9 8					ROLLING 9 8 7 6						
		MOUNTAIN 12 11 10					MOUNTAIN 11 10 9 8						
NORMAL PAVEMENT CROSS SLOPES (8)		2%											
NORMAL SHOULDER CROSS SLOPES		EARTH = 8%					PAVED = 4%						
SUPERELEVATION		(10) 4% MAX.			6% MAX.			(6)					
MINIMUM STOPPING SIGHT DISTANCE (7) (FEET)	M.P.H.	20	25	30	35	40	45	50	55	60			
	MIN.	115	155	200	250	305	360	425	495	570			

(1) TURNING LANES: 9' MINIMUM-12' DESIRED; PARKING LANES: RESIDENTIAL- 7' MINIMUM; COMMERCIAL & INDUSTRIAL- 8' MINIMUM.
 (2) TURNING LANES: 10' MINIMUM-12' DESIRED; PARKING LANES: RESIDENTIAL- 7' - 8'; COMMERCIAL & INDUSTRIAL- 8' - 11'.
 (3) VERTICAL CURBS WITH HEIGHTS OF 4" OR GREATER ADJACENT TO TRAVELED WAY SHOULD BE OFFSET A MINIMUM OF 1 FOOT. WHEN A CURB AND GUTTER SECTION IS PROVIDED, THE GUTTER PAN WIDTH, NORMALLY 2 FEET, SHOULD BE USED AS THE OFFSET DISTANCE.
 (4) THE NUMBER OF LANES TO BE PROVIDED ON STREETS WITH A CURRENT ADT OF 2000 OR GREATER SHOULD BE DETERMINED BY A HIGHWAY CAPACITY ANALYSIS OF THE DESIGN TRAFFIC VOLUMES. SUCH ANALYSIS SHOULD BE MADE FOR FUTURE DESIGN TRAFFIC. (DESIRABLE)
 (5) THE BORDER AREA, MEASURED FROM THE FACE OF CURB, BETWEEN THE ROADWAY AND THE RIGHT-OF-WAY LINE SHOULD BE WIDE ENOUGH TO SERVE SEVERAL PURPOSES, INCLUDING SERVING AS A BUFFER SPACE BETWEEN PEDESTRIANS AND VEHICULAR TRAFFIC; A SIDEWALK; AND AN AREA FOR UTILITIES.
 (6) REFER TO CHAPTER 3 OF AASHTO'S "A POLICY ON GEOMETRIC DESIGN OF HIGHWAYS AND STREETS" CURRENT EDITION.
 (7) MINIMUM STOPPING SIGHT DISTANCE BASED ON HEIGHT OF EYE OF 3.5 FT AND HEIGHT OF OBJECT OF 2.0 FT. CONSIDER BOTH HORIZONTAL AND VERTICAL ALIGNMENT.
 (8) NORMAL PAVEMENT CROSS SLOPES ON BRIDGES SHALL BE 2%.
 (9) ARTERIALS WITH LARGE NUMBER OF TRUCKS AND OPERATING NEAR CAPACITY SHOULD CONSIDER GRADES FLATTER THAN THOSE IN RURAL SECTIONS TO AVOID UNDESIRABLE REDUCTIONS IN SPEED.
 (10) SUPERELEVATION MAY NOT BE REQUIRED ON LOCAL STREETS IN RESIDENTIAL AND COMMERCIAL & INDUSTRIAL AREAS.

From: Todd Morgan

Sent: Wednesday, March 11, 2020 8:56 AM

To: Robert Franxman <rfranxman@boonecountyky.org>; Daniel Rice <Drice@boonecountyky.org>

Subject: FW: Walton Towne Center Wendy's/Car Wash Revised Plan

Rob and Daniel,

I just received a revised plan for the car wash and Wendy's restaurant on Chestnut Drive. Please let me know if you still have the same comments regarding the curb cuts or if they have changed. The Walton Board of Adjustment meeting is scheduled for 3/16/20, at 6:30 P.M.

Thanks for your help.

Todd

From: Greg Sketch [<mailto:gsketch@twc.com>]
Sent: Wednesday, March 11, 2020 8:16 AM
To: Todd Morgan
Cc: 'Steve Berling PE, PLS'
Subject: Walton Towne Center Wendy's/Car Wash Revised Plan

EXTERNAL MESSAGE

Todd

Attached is a PDF of the revised Walton Towne Center Wendy's/Car Wash Site Plan. The revisions include the proper dimensions of the Car Wash and the narrowing of the exit drives from both the Car Wash and Wendy's. If you have any questions, please call Steve.

Thanks

Greg

Greg Sketch, PE, PLS
James W. Berling Engineering, PLLC
859-331-9191
gsketch@twc.com

Todd Morgan

From: Charlie Alexander <Charlie.Alexander@waltonfireky.com>
Sent: Friday, February 14, 2020 2:11 PM
To: Todd Morgan; rwilliams@cityofwalton.org
Subject: RE: Request of the Deters Company for a Conditional Use Permit and Variances - Lot 9, Walton Towne Center

EXTERNAL MESSAGE

Todd,

Myself and Chief Officers have reviewed the proposed site plan for Lot 9, Walton Towne Center:

1. The proposed plan would work well from a fire protection and life safety standpoint. Having a total of 4 curb cuts gives us sufficient access to hydrants as well as getting additional resources onto the property in the event of an incident.
2. If the majority rejects the proposed site plan due to Zoning Regulations, Walton Fire Department would like to revisit, as this will greatly affect our access for our equipment and resources.

Thank you,

Charlie Alexander

Captain

Walton Fire District

Station: (859)485-7439

Cell: (859)816-8686

Fax: (859)485-4161

Email: charlie.alexander@waltonfireky.com



The information contained in this email message may be privileged, confidential and protected from disclosure. If you are not the intended recipient, any review, dissemination, distribution or copying is strictly prohibited. If you have received this email message in error, please notify the sender by reply email and delete the message and any attachments.

From: Todd Morgan [mailto:TMorgan@boonecountyky.org]

Sent: Wednesday, February 12, 2020 3:52 PM

To: Charlie Alexander <Charlie.Alexander@waltonfireky.com>; rwilliams@cityofwalton.org

Subject: Request of the Deters Company for a Conditional Use Permit and Variances - Lot 9, Walton Towne Center

Charlie and Roger,

The Deters Company has submitted a Conditional Use Permit and two Variances for lot 9 of Walton Towne Center Subdivision. The subject property is proposed to be subdivided into 2 lots of record (lots 9A and 9B). The Conditional Use Permit would allow a car wash to be developed on lot 9A and the Variances would allow both lots to have two curb cuts on Chestnut Drive without having 500' of road frontage (see Section 3221 of the Zoning Regulations). The Walton Board of Adjustment will hear these applications on March 16, 2020. The meeting will take place in the Walton Senior Center at 6:30 P.M. Please review the attached plan and let me know if you have any comments. I would like to make you aware that I already sent the plans to Rob Franxman and Daniel Rice, with Boone County Public Works, to see if they will grant Encroachment Permits for four driveways. Walton Board of Adjustment and Boone County Public Work will both need to grant approvals to allow all four access points.

Thanks for your help.

Todd K. Morgan, AICP
Senior Planner, Zoning Services
Boone County Planning Commission
(859) 334-2196

CERTIFICATE OF LAND USE RESTRICTION


- 1. NAME AND ADDRESS OF PROPERTY OWNER(S)
Independence Towne Center, LLC
611 A Burgundy Hill Drive
Burlington, KY 41005
- 2. ADDRESS OF PROPERTY
Chestnut Drive
Walton, KY 41094
- 3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Walton Towne Center

4. DEED BOOK 1124 PAGE NO. 847 GROUP NO. 2082

- 5. TYPE OF RESTRICTION(S) (Check all that apply)
 - Zoning Map Amendment: Conditional Use Permit
 - From _____ To _____
 - Development Plan Conditional Zoning
 - Subdivision Plat Other:
 - (Not Recorded)
 - Variance x 2

6. 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
 2950 WASHINGTON STREET, ROOM 317
 P.O. BOX 958
 BURLINGTON, KENTUCKY 41005



 SIGNATURE OF COMPLETING OFFICIAL

Todd K. Morgan, AICP – Senior Planner
 Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledged before me by Todd K. Morgan

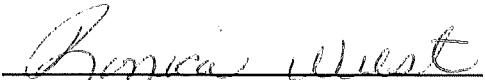
on behalf of the Boone County Planning Commission this 19 day of March, 2020.



Treva L. Beagle
Notary ID 588897
NOTARY PUBLIC, State at Large

My commission Expires:
November 12, 2021

This instrument was prepared for recording purposes only by:



Ronica Wuest
Boone County Planning Commission
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005

NO TITLE EXAMINATION

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

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the conditional use permit and variances x 2 approved by the Walton Board of Adjustment and in accordance with the current zoning in effect as of March 16, 2020 Certificate of Land Use Restriction (#20-WBOA-002-A), for Independence Towne Center, LLC, Property Owner(s).

The following conditions will apply:

1. The approval is based on the submitted plans (civil, building elevations, and building pictures). This includes the turning movements shown on the four curb cuts.
2. The split face block on the car wash building shall be constructed with an integral color and shall not be painted in the future. The block and metal roofing shall be earth tone colors that correlate to the rest of the buildings in the neighborhood.
3. Do not enter signs shall be required at the exit-only curb cuts.

The approved conditional use permit and variances x 2 as well as the preceding conditions apply to the property described in:

DEED BOOK 1124

PAGE NO. 847

GROUP NO. 2082