

APPLICATION FOR ZONING ACTION

TO:

- Boone County Planning Commission
- City of Florence Board of Adjustment
- Boone County Board of Adjustment
- City of Union Board of Adjustment
- City of Walton Board of Adjustment
- Zoning Enforcement Officer

FOR:

- Zoning Text Amendment
- Comprehensive Plan Change
- Preliminary Plat Review
- Conditional Use Permit
- Concept Development Plan Change
- Preliminary Development Plan
- Change of Non-Conforming Use
- Design Review Board and Certificate of Appropriateness
- Zoning Map Amendment
- Planned Development Overlay Change
- Improvement Plat Review
- Final or Deed Plat Review
- Site Plan Review
- Historic District Overlay
- Appeal or Variance
- Sign or Zoning Permit

Applicant: Flying J Inc. Owner
 Agent
 Address: 50 West 990 South, P.O. Box 678
Brigham City, UT 84302 Telephone: (801) 734-9416 485-4578-1000

Location: SOUTH WEST QUADRANT OF I-75 WALTON INTERCHANGE of MILL RD. STEPHENSON

Name of Property Owner: JACK & PATRICIA MULCAHY

Address of Property Owner: 14439 WALTON-VERONA RD VERONA Ky 41092

Zoning District: C-3 Area in Acres: 1.09 ACRES +1.928 = 301

Deed Book: 264 Page Number: 26 Group Number: 2077

Description of Request: CONDITIONAL USE PERMIT FOR OVERLAP OF SERVICES FOR TRAVEL PLAZA TO INCLUDE SERVICES OF TRUCKING INDUSTRIES (FUELING - RESTAURANT)

Applicant's Signature: [Signature]

Property Owner's Signature: [Signature]

Application Fee: \$245 FOR PLANNING COMMISSION USE ONLY Date Received: 3/15/88 By: [Signature]

Referred To: _____ Meeting Date: _____

Action Taken: _____ Date of Action: _____

file

STAFF REPORT

DEVELOPMENT: Flying J Travel Plaza
APPLICANT: Flying J Inc.
LOCATION: KY 14/16 at Stephenson Mill Road, Walton, Kentucky
ZONING: Commercial Services (C-3)
DATE: June 9, 1988
REMARKS:

Applicant is requesting review of a Conditional Use Permit to develop a travel plaza and truckstop facility on a 3.01 acre site located near the southwest quadrant of the I-75/Walton interchange. The site is adjacent to a 10.386 acre tract for which a Zone Change and Conditional Use Permit were approved, for the truck stop facility, May 4, 1988 by the Boone County Planning Commission. The Walton City Council approved the Zone Change request at a special council meeting on May 25, 1988. A Concept Development Plan for the 3.01 acre site and the adjacent 10.386 acre tract is shown in FIGURE 1.

Surrounding Land Uses and Zoning

The attached zoning map (Figure II) indicates a wide variety of land uses adjacent to the subject site in addition to significant uses in the vicinity of the I-75/Walton Interchange. Adjacent uses include:

- North - an existing service station (Gulf) zoned C-3, and agricultural land zoned Agricultural Estate (A-2) and Industrial One (I-1)
- East - Boone Inn Restaurant and truckstop (zoned C-3)
- South - A mobile home dealership and vacant property in the C-3 zone and a trucking company in the I-1 zone
- West - Directly west of the subject site is the 10 acre site which was recently rezoned, west of the 10 acre site is a concrete plant in the A-2 zone and the City of Walton's sanitary sewage treatment facility.

Other land uses in the vicinity of the interchange that may be affected by this request include the Kentucky National Guard (zoned Public Facilities, PF), Clarion Manufacturing (I-1), Walton-Verona High School (PF), and several service stations in the C-3 zone.

Public Facilities

Existing utilities to the site include a City of Walton sanitary sewer line (8") located within the right-of-way of Stephenson Mill Road, and a city water line (6") at the Stephenson Mill-KY 14/16 intersection. Police and fire protection for the site would be provided by the City of Walton and the Walton Fire Protection District. Stephenson Mill Road is presently classified by Article 17a (Access Management) of the Zoning Regulations as an Access Class III roadway. However, KY 14/16 is classified as Access Class II.

Relationship to the Comprehensive Plan

This request should be reviewed on the basis of its relationship to the 1986 Boone County Comprehensive Plan. The Plan's "Future Land Use Map" indicates future land uses of commercial and industrial for the vicinity of the site (see Figure III).

The Plan's Goals and Objectives state that the county (and the cities within it): shall seek a balance between land uses that generate revenue and those that create public cost (Economy, page G-2); that commercial uses, and especially highway services, shall be developed at locations with convenient access to their designated markets, however, these developments should not be located so close to interchanges that undue traffic congestion results (Business Activity, page G-3); that public services and facilities must be adequate for all developments (Public Services and Facilities, page G-4, and Land Use, page G-6); and that access management principles shall be utilized to help prevent traffic congestion (Transportation, page G-6).

The Plan's Business Activity Element states: "the I-75 interchange at Walton is capable of additional commercial growth as appropriate levels of infrastructure become available. This development shall occur in such a manner as to not overload the interchange with access points" (page B-15); and "the Richwood and Walton interchanges will serve an increasing amount of industrial traffic along the U.S. 25 and I-75 corridor. Most of the industrial activity should locate near the interchange to minimize travel on non-interstate roads" (page B-16). The Plan's Land Use Element (Section D-7) states that the more intense commercial development in the Walton area should occur around the I-75 interchange (page L-22).

Concept Development Plan

The applicant's proposed Concept Development Plan indicates the travel plaza and truck stop facility on both the 10.386 acre site and the subject 3.01 acre site which is in the C-3 zone (See Figure I). The plan indicates that the "travel plaza" will include a restaurant, convenience store, and a drivers lounge and shower facilities. Access to the facility is proposed to be through the commercially zoned property. The primary use of the 10.386 acre parcel is for truck fueling islands and parking for 151 trucks.

Conditional Use Permit

Article Two, Section 263 of the Zoning Regulations outlines sever general standards applicable to all Conditional Uses (Figure IV). The applicant should be prepared to address these items at the Public Hearing. Staff's review of these criteria are as follows:

1. This report has previously outlined the relationship of the Comprehensive Plan to this request.
2. In the staff's opinion, the greatest possible hazard that could be created by the proposed development is traffic congestion in terms of mixing automobile traffic with truck traffic at the I-75 interchange.
3. The area is intended to be commercial in character. Staff believes it would be appropriate of the Board to require landscaping on the site above the minimum required by the Zoning Regulations.
4. Staff has contacted the Kentucky Transportation Cabinet and the City of Walton regarding public services necessary to support the development. Staff believes that water, sewer, police and fire protection are adequate to support the development. However, transportation facilities leading to the site may be inadequate to serve future demand without traffic congestion occurring at the interchange.
5. Costs for transportation improvements will either be paid by the applicant or the Kentucky Transportation Cabinet, as the site is accessed from state maintained roadways.
6. Traffic is again staff's primary concern. In addition, trucks transporting radioactive and hazardous materials may present the possibility of an accident and, therefore, may affect the general welfare of the public.
7. The design of access approaches to the site should be reviewed very critically during review of the Site Plan for the project. The proposed access drive out of the restaurant and automobile fueling area should be moved the greatest possible distance from the intersection while maintaining a safe separation from the entrance to the truck fueling area. In addition, a turning lane on KY 14/16 should be provided pending a review of traffic generation and in cooperation with the Kentucky Transportation Cabinet. In addition, the conditions imposed by the Planning Commission regarding access should also be considered by the Board.

Staff Concerns

1. Access - access points to the site should be carefully designed to keep turning movements the greatest possible distance from the intersection and also be in conformance with the Boone County Zoning Regulations.
2. Interchange Capacity - additional turning lanes may be necessary at the freeway entrance and exit ramps to help prevent future traffic congestion at the interchange. While the I-75/Walton interchange currently serves an area with a rural, small-town character, the Comprehensive Plan calls for significant growth in this areas over the next 20 years. Staff believes it is imperative to assume future traffic volumes at this interchange will someday approach current traffic volumes at the KY 18 and U.S. 42 interchanges in Florence.
3. Landscaping - if approved, this development will set a trend for future developments in the vicinity. The Board should consider setting an aesthetic standard for this development and future developments in the area. A detailed landscaping plan should be submitted with the Site Plan for this development.

Conclusion

The major issues regarding this development are the criteria for a Conditional Use Permit, access and roadway improvements, landscaping, and previous conditions imposed by the Planning Commission and City Council for the adjacent 10 acre site. A copy of the Planning Commission Staff and Committee reports is also attached for your review.

Respectfully Submitted,



Jim Sturdevant
Plans Examiner/Planner

JS:jdh

FIGURE I

FLYING J
CONCEPT PLAN

4-27-88
AND 5-9-88

PROPOSED
TRUCK ACCESS

BEAVER
ROAD

KY 1292

STEPHENSON MILL RD

TO INTERSTATE I-75
I-75 →

PROPOSED
BUILDING

A-2
ZONE

C-3
ZONE

10 ACRE
SITE

10 ACRE
SITE

3 ACRE
SITE

SITE CONCEPT
WALTON BOONE COUNTY KENTUCKY

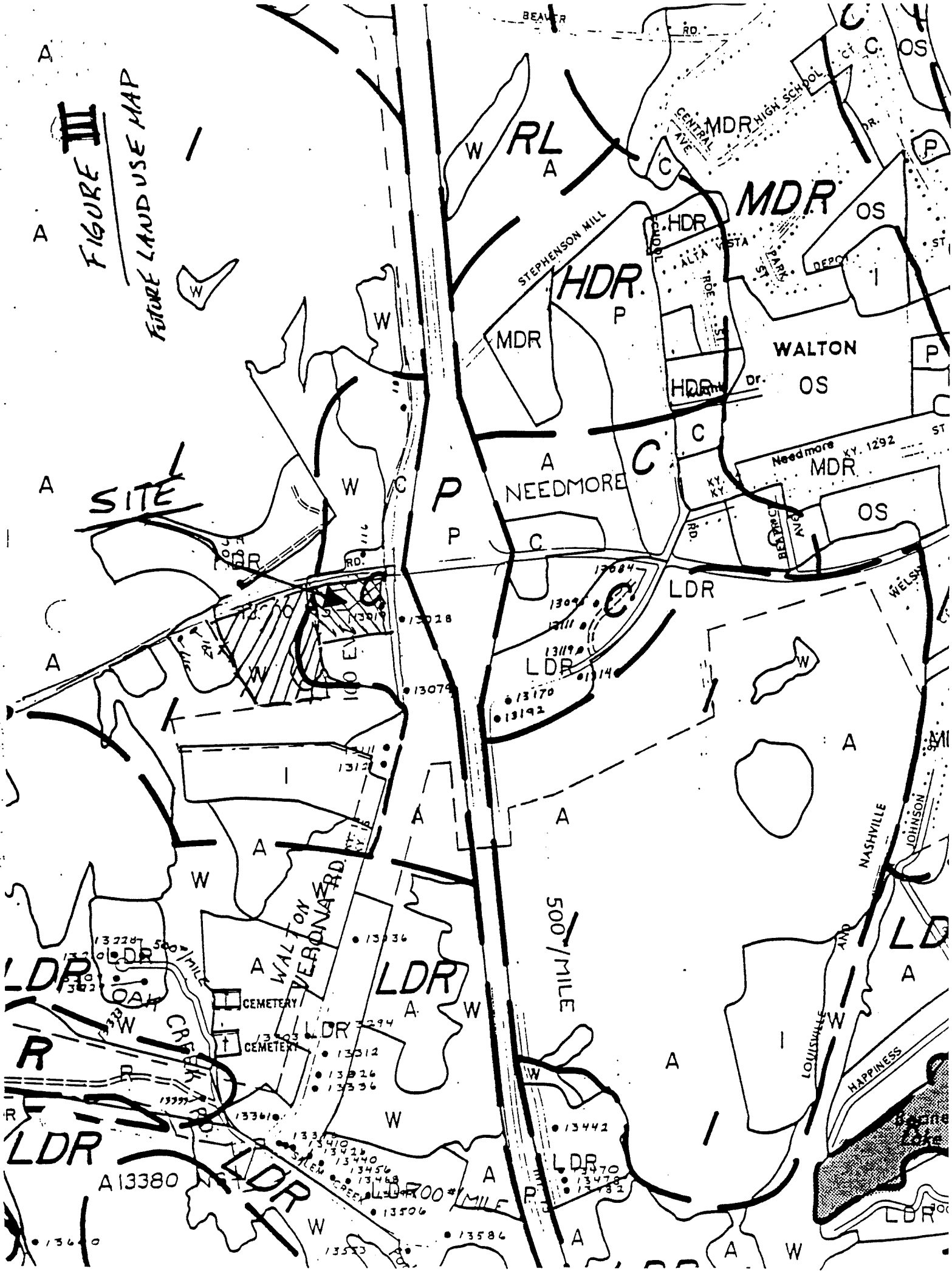
SCALE 1" = 50'

FIGURE II

DATE DRAWN BY JOB #	REVISIONS	FLYING J TRAVEL PLAZA WALTON, BOONE COUNTY, KENTUCKY	SITE CONCEPT							
	<table border="1"> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>									
SHEET										

III

FIGURE FUTURE LAND USE MAP



at least one owner or owner by contract (option) or lessee with permission of the owner of property for which such conditional use is proposed. The Board may require the applicant to submit a site plan as detailed in Article 14, Section 1402 of these regulations.

Section 263

General Standards Applicable to All Conditional Uses

In addition to any specific requirements for conditionally permitted uses deemed appropriate by the Board of Adjustment and Zoning Appeals, the Board shall review the particular facts and circumstances of each proposed use and determine that the use is in fact a conditional use as established under the provisions of Articles 6-12 or 16. The Board may consider whether such use at the proposed location:

1. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's comprehensive 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 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 any such services;
5. Will create excessive additional requirements at public cost for public facilities and services and will be detrimental to the economic welfare of the community;
6. Will 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, fumes, glare or odors.
7. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares;

Section 264

Specific Standards Applicable to Conditional Uses

The Board shall consider the criteria for conditional uses as set forth in each zoning district.

BOONE COUNTY PLANNING COMMISSION
PUBLIC HEARINGS
APRIL 27, 1988
8:00 P.M.
AGENDA

ATTACHMENTS TO
WALTON BOARD OF
ADJUSTMENT REPORT
6-9-88

ZONING MAP AMENDMENT AND CONDITIONAL USE PERMIT - Donald McMillian, Chairman; Jim Sturdevant, Staff

1. Request of Flying J, Inc. for a Zoning Map Amendment and Conditional Use Permit for construction of a Truck Stop and Travel Plaza. The 10.386 acre site is located near the southwest quadrant of the I-75/Walton Interchange, Walton, Kentucky. The Zoning Map Amendment request involves rezoning the site from Agricultural Estate (A-2) to Commercial Services (C-3).

ZONING MAP AMENDMENT - Carol Smith, Chairwoman; Dave Geohegan, Staff

2. Request of Kemm Development, Inc. for a Zoning Map Amendment for 19.2 acres in the Mars Hill Subdivision, Boone County, Kentucky. The request is to rezone the property from Suburban Residential Two / Planned Development (SR-1/PD) to Suburban Residential One (SR-1).

ZONING MAP AMENDMENT - Donald McMillian, Chairman; Kevin Costello, Staff

3. Request of Robert L. Kreke for a Zoning Map Amendment for 99 acres located on the northeast side of KY Hwy. 14 near Verona, Boone County, Kentucky. The site is presently zoned Agricultural Estate (A-2) and the request is to rezone the property to Rural Suburban (RS) to develop a subdivision of single-family homes.

REQUEST OF FLYING J, INC. (APPLICANT) FOR ELLIOT & JENEVIEVE KIRBY (OWNERS)
FOR A ZONE CHANGE AND CONDITIONAL USE PERMIT TO DEVELOP A TRAVEL PLAZA
AND TRUCK STOP FACILITY IN WALTON, KENTUCKY

APRIL 27, 1988
8:00 P.M.

Applicant is requesting a Zoning Map Amendment and Conditional Use Permit to develop a travel plaza and truck stop facility. The 10.386 acre site is presently zoned Agricultural Estate (A-2). The applicant is requesting the property to be rezoned Commercial Services (C-3) with a Conditional Use Permit to allow the truck stop facility. The site is located on the south side of Stephenson Mill Road approximately 550 feet west of KY Hwy. 14/16, at the southwest quadrant of the I-75/Walton Interchange. The site adjoins a 3.01 acre tract in the C-3 zone which is planned to be utilized as part of this development. This contiguous site is directly on the corner of KY 14/16 and Stephenson Mill Road.

Surrounding Land Uses and Zoning

The attached zoning map indicates a wide variety of land uses adjacent to the subject site in addition to significant uses in the vicinity of the I-75/Walton Interchange.

Adjacent uses include:

- North - Agricultural land north of Stephenson Mill Road in the Agricultural Estate (A-2), Industrial One (I-1), and C-3 zones.
- East - A three acre site which contains an abandoned restaurant and gas station (zoned C-3) and which is also planned to be a part of the development under review. In addition, directly south of the above 3 acre tract is an existing mobile home dealership and some undeveloped property in the C-3 zone.
- South - Directly south of the subject site is an undeveloped parcel in the A-2 zone. South of the undeveloped parcel is a trucking business in an I-1 zone.
- West - Directly west of the subject site is a concrete plant in the A-2 zone. West of the concrete plant is the City of Walton's sanitary sewage treatment facility.

Other land uses in the vicinity of the interchange that may be affected by this request include the Kentucky National Guard (zoned Public Facilities, PF), Clarion Manufacturing (I-1), Walton-Verona High School (PF), the Boone Inn Restaurant and truck stop (C-3) and several service stations in the C-3 zone (Figure I).

Public Facilities and Features of the Site

The 10.386 acre site is presently undeveloped. The site slopes down to Stephenson Mill Road to the north and towards a natural drainage swale to the south.

The most important feature of this site is its frontage on Stephenson Mill Road. Stephenson Mill Road drops approximately 30 feet in elevation from the Stephenson Mill - KY 14/16 intersection to the subject property. Stephenson Mill Road continues to drop in elevation to the west. The highest elevation on the site is approximately 60 feet above the average elevation of Stephenson Mill Road. Existing utilities to the site include a City of Walton sanitary sewer line (8 inch) located within the right-of-way of Stephenson Mill Road, and a city water line (6 inch) at the Stephenson Mill-KY 14/16 intersection. Police and fire protection for the site would be provided by the City of Walton and the Walton Fire Protection District. Stephenson Mill Road is presently classified by Article 17a (Access Management) of the Zoning Regulations as an Access Class III roadway. However, KY 14/16 is classified as Access Class II.

Relationship to the Comprehensive Plan

This request should be reviewed on the basis of its relationship to the 1986 Boone County Comprehensive Plan. The Plan's "Future Land Use Map" indicates future land uses of commercial and industrial for the vicinity of the site (see Figure II).

The Plan's Goals and Objectives state that the county (and the cities within it): shall seek a balance between land uses that generate revenue and those that create public cost (Economy, page G-2); that commercial uses, and especially highway services, shall be developed at locations with convenient access to their designated markets, however, these developments should not be located so close to interchanges that undue traffic congestion results (Business Activity, page G-3); that public services and facilities must be adequate for all developments (Public Services and Facilities, page G-4, and Land Use, page G-6); and that access management principles shall be utilized to help prevent traffic congestion (Transportation, page G-6).

The Plan's Business Activity Element states: "the I-75 interchange at Walton is capable of additional commercial growth as appropriate levels of infrastructure become available. This development shall occur in such a manner as to not overload the interchange with access points" (page B-15); and "the Richwood and Walton interchanges will serve an increasing amount of industrial traffic along the U.S. 25 and I-75 corridor. Most of the industrial activity should locate near the interchange to minimize travel on non-interstate roads" (page B-16). The Plan's Land Use Element (Section D-7) states that the more intense commercial development in the Walton area should occur around the I-75 interchange (page L-22).

Concept Development Plan

The applicant's proposed Concept Development Plan indicates the travel plaza and truck stop facility on both the subject 10.386 acre site and a portion of the adjacent 3.01 acre site which is in the C-3 zone (See Figure III). The plan indicates that the "travel plaza" will include a restaurant, convenience store, and a drivers lounge and shower facilities. Access to the facility is

proposed to be through the commercially zoned property. The primary use of the 10.386 acre parcel is for truck fueling islands and parking for 151 trucks. The plan includes a truck scale facility and areas for storm water retention.

Conditional Use Permit

In addition to the Zoning Map Amendment from Agricultural Estate to Commercial Services, the applicant is requesting that the Commission review its request for a Conditional Use Permit required to develop a truck stop in the C-3 zone. Article Two, Section 263, of the Zoning Regulations outlines seven general standards applicable to all conditional uses (Figure IV). The applicant should be prepared to address these items at the Public Hearing. Staff's review of these criteria are as follows:

1. This report has previously outlined the relationship of the Comprehensive Plan to this request.
2. In the staff's opinion, the greatest possible hazard that could be created by the proposed development is traffic congestion in terms of mixing automobile traffic with truck traffic at the I-75 interchange.
3. The area is intended to be commercial in character.
4. Staff has contacted the Kentucky Transportation Cabinet and the City of Walton regarding public services necessary to support the development. Staff believes that water, sewer, police and fire protection are adequate to support the development. However, transportation facilities leading to the site may be inadequate to serve future demand without traffic congestion occurring at the interchange.
5. Costs for transportation improvements will either be paid by the applicant or the Kentucky Transportation Cabinet, as the site is accessed from state maintained roadways.
6. Traffic is again staff's primary concern. In addition, trucks transporting radioactive and hazardous materials may present the possibility of an accident and, therefore, may affect the general welfare of the public.
7. The design of access approaches to the site should be reviewed very critically during review of the Site Plan for the project. In addition, the site's internal design should be carefully reviewed to avoid traffic stacking up on the public roadway.

Special Concerns

1. Access - access to the site should be designed to provide adequate stacking room for large trucks entering the site. This may require certain improvements to the grade and width of Stephenson Mill Road and a turning lane on KY 14/16.

2. Interchange Capacity - additional turning lane may be necessary at the freeway entrance and exit ramps to help prevent future traffic congestion at the interchange. While the I-75/Walton interchange currently serves an area with a rural, small-town character, the Comprehensive Plan calls for significant growth in this areas over the next 20 years. Staff believes it is imperative to assume future traffic volumes at this interchange will someday approach current traffic volumes at the KY 18 and U.S. 42 interchanges in Florence.

Conclusion

This request should be reviewed on the basis of its relationship to the Comprehensive Plan and the general criteria applicable to Conditional Uses. The major issue about this request is the impact of the development on traffic at the interchange and possible measures to abate potential traffic problems. Should the Planning Commission and Walton City Council approve the zone change and Conditional Use Permit, the Comprehensive Plan's Future Land Use Map need not be amended. In addition, the applicant will need to apply to the Walton Board of Adjustment and Zoning Appeals for a Conditional Use Permit for the contiguous 3.01 acre parcel.

Respectfully submitted,



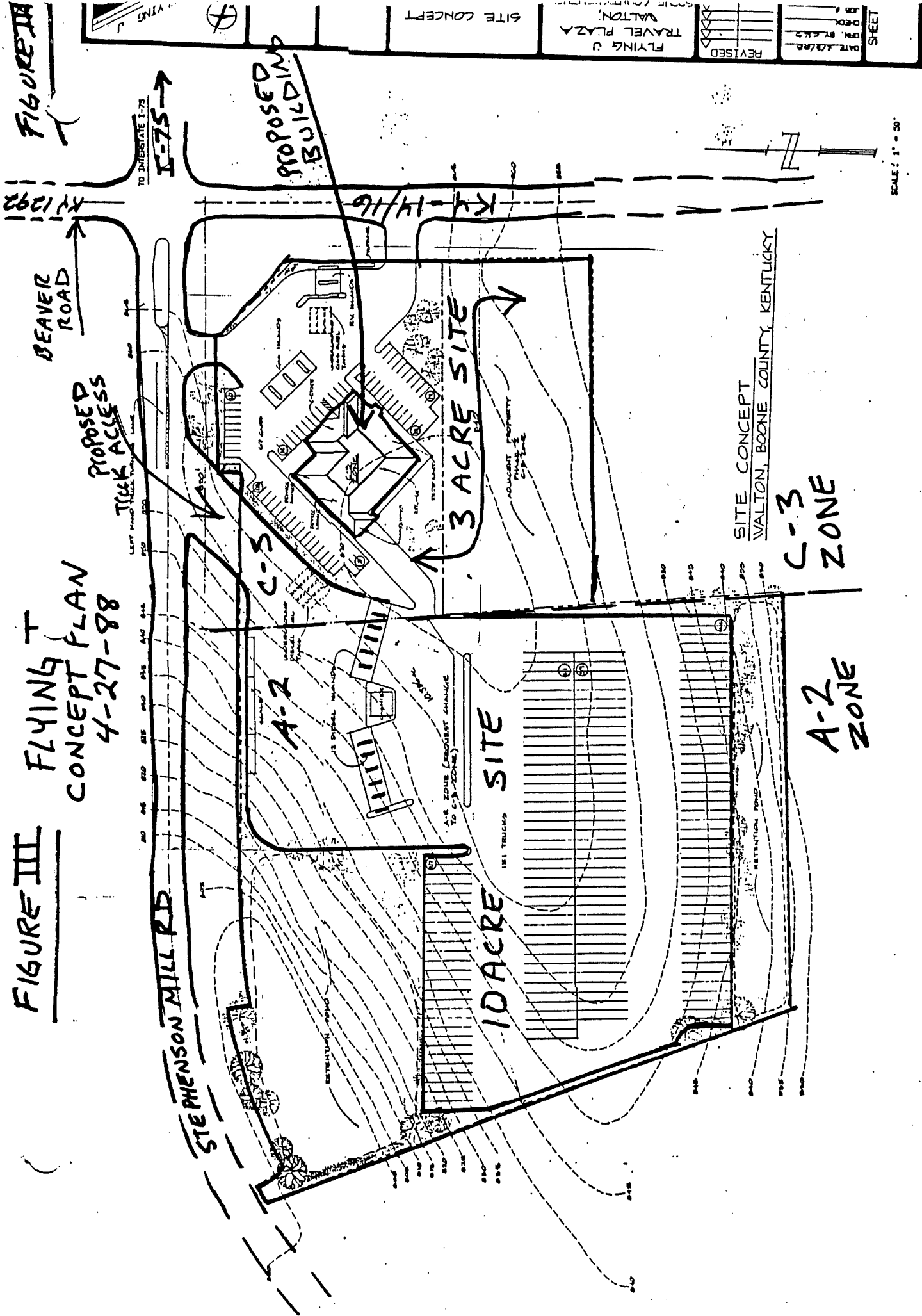
Jim Sturdevant,
Plans Examiner/Planner

JS:mcb

FIGURE III

**FLYING T
CONCEPT PLAN
4-27-88**

FIGURE II



DATE: 4/27/88	REVISIONS:	FLYING T	TRAVEL PLAZA	WALTON	SITE CONCEPT
DESIGNER:	DATE:	PROJECT:	CLIENT:	ARCHITECT:	ENGINEER:
BY: [Signature]	BY: [Signature]	BY: [Signature]	BY: [Signature]	BY: [Signature]	BY: [Signature]

SCALE: 1" = 50'

at least one owner or owner by contract (option) or lessee with permission of the owner of property for which such conditional use is proposed. The Board may require the applicant to submit a site plan as detailed in Article 14, Section 1402 of these regulations.

Section 263

General Standards Applicable to All Conditional Uses

In addition to any specific requirements for conditionally permitted uses deemed appropriate by the Board of Adjustment and Zoning Appeals, the Board shall review the particular facts and circumstances of each proposed use and determine that the use is in fact a conditional use as established under the provisions of Articles 6-12 or 16. The Board may consider whether such use at the proposed location:

1. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's comprehensive 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 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 any such services;
5. Will create excessive additional requirements at public cost for public facilities and services and will be detrimental to the economic welfare of the community;
6. Will 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, fumes, glare or odors.
7. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares;

Section 264

Specific Standards Applicable to Conditional Uses

The Board shall consider the criteria for conditional uses as set forth in each zoning district.

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Don McMillian, Committee Chairman

DATE: May 4, 1988

RE: Request of Flying J, Inc. for a Zoning Map Amendment and Conditional Use Permit for construction of a Truck Stop and Travel Plaza. The 10.386 acre site is located near the southwest quadrant of the I-75/Walton Interchange, Walton, Kentucky. The Zoning Map Amendment request involves rezoning the site from Agricultural Estate (A-2) to Commercial Services (C-3).

REMARKS:

We, the Committee, recommend approval of the Zoning Map Amendment and Conditional Use Permit request based upon the following findings of fact and with the following conditions:

Findings of Fact

- 1. The request is in agreement with the 1986 Boone County Comprehensive Plan. The Future Land Use Map shows future development of this area as commercial and industrial, and the requested use (a truck stop facility) is principally permitted in the industrial zones as well as conditionally permitted in the Commercial Services zone. In addition, specific references to the text of the Comprehensive Plan, as they relate to this request, are in the April 27, 1988 Staff Report.
- 2. With completion of the below recommended roadway improvements, the Committee believes that the public facilities necessary to support the proposed development will be adequately provided.

Conditions

The applicant is being asked to agree to include these items as part of the Concept Development Plan and as conditions of approval of the Conditional Use Permit in order to clarify the plan as presented at the April 27, 1988 Public Hearing. Further, these conditions are intended to clarify the suitable uses and arrangement of facilities for development of the presented plan:

- 1. Access to the proposed truck fueling area shall be limited to Stephenson Mill Road as far west as practical to provide the greatest amount of stacking room for trucks on Stephenson Mill Road.
- 2. The applicant shall construct, in cooperation with the Kentucky Transportation Cabinet, an extra westbound lane on Stephenson Mill Road to carry through traffic past the truck stop's entrance and vehicles waiting to turn left into the truck stop facility.

3. The location, design, and configuration of the access to the site will be reviewed at the time the Site Plan is reviewed for the development. This is to assure that the interior circulation of traffic will not create traffic stacking up and blocking the public roadway. This may involve terracing of the truck area relative to the restaurant and automobile area or other adjustments as necessary to assure safe and expeditious flow of traffic into and out of the site.

Don McMillian, Chairman




Larry Barnett



Fred Burch



Rector Jones



Carol Smith

DM:kam

CITY OF WALTON
BOARD OF ADJUSTMENT

June 9, 1988 - 6:00 P.M.

BOARD MEMBERS PRESENT:

Mr. Ed Berkemeier, Chairman
Mr. Wally Wireman
Mr. Maynard Meadows

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

The meeting was called to order by Mr. Berkemeier at 6:03 P.M. to hear the two following requests.

1. The request of the First Baptist Church of Walton for a Conditional Use Permit and Site Plan Review to allow construction of an out-building to house the church bus and van. The 2.498 acre site, located on the west side of U.S. 25 (Main Street), across from the City of Walton Post Office, is zoned Suburban Residential One (SR-1). The property is owned by the First Baptist Church of Walton.

Mr. Berkemeier opened the floor to staff member, Jim Sturdevant.

Mr. Sturdevant introduced new staff member, Paul Miller and turned the presentation over to him. Mr. Miller presented highlights of the Staff Report and a slide presentation of the site. Mr. Miller pointed out that the initial review of the Site Plan revealed a few minor concerns. The concerns discussed were: location of the building, runoff, and paving access to the building. Mr. Miller stated that the applicant has since submitted a revised Site Plan which staff feels adequately addresses these concerns. Mr. Miller further stated that staff recommends approval of this request for a Conditional Use Permit and Site Plan Review.

Mr. Berkemeier opened the floor for discussion from the applicant.

Mr. Bob Arlinghaus stated that the building would be entered from the back, drainage would be routed by gutters to the southwest corner of the site. He stated that each of the concerns mentioned by Mr. Miller have been addressed in the revised Site Plan.

Mr. Meadows asked Mr. Arlinghaus how much closer the building would be to the railroad tracks.

Mr. Arlinghaus responded that the Planning Commission staff was concerned that someone backing out of the bus barn would back into the stairway, so the bus barn has been moved approximately 10 feet further away from the existing building.

Mr. Miller stated that he had a copy of the revised Site Plan which he presented to Mr. Meadows. In his presentation of the revised plan, Mr. Miller stated that there had been some concern regarding access near the stairwell. The plan also reflects runoff from the building and the paving access to the doors and the location of the doorway.

Mr. Berkemeier asked if there were any further questions or comments.

There being no further discussion, Mr. Meadows moved that the Conditional Use Permit and the Site Plan be approved. Mr. Wireman seconded the motion. The motion carried unanimously.

2. The request of Flying J, Inc. for a Conditional Use Permit to develop a travel plaza and truck stop facility on a 3.01 acre site located near the southwest quadrant of the I-75/Walton Interchange. The site is zoned Commercial Services (C-3).

Mr. Berkemeier opened the floor to staff member, Jim Sturdevant.

Mr. Sturdevant presented the Staff Report and slides. Mr. Sturdevant referred to Figure 1 of the Staff Report (attached) and clarified that a 10.386 acre site adjacent to the I-75/Walton Interchange had received approval for a Zone Change (to Commercial Services, C-3) and for a Conditional Use Permit (for the use of a truck stop facility) from the Boone County Planning Commission and the Walton City Council on May 4 and May 25, respectively. Mr. Sturdevant further stated that the 3.01 acre site was currently zoned C-3 and could not be reviewed by the Planning Commission for a Conditional Use Permit, which is why this request is before the Board of Adjustment. Mr. Sturdevant also clarified that a Site Plan of the entire area (+13 acres) would be reviewed by the Planning Commission if the Board votes to approve the request for the Conditional Use Permit on the 3.01 acre parcel.

Mr. Sturdevant referred to item #7 on page 3 of the Staff Report. He stated that the design of access points to the site need to be considered very carefully during the Site Plan Review stage. He pointed out the access points are very close to the ramps from the interstate and the intersection of Stephenson-Mill Road. That creates a very serious potential problem of traffic tying up the intersection especially with large vehicles such as semi-trucks, which this facility will primarily serve. He stated that it is his opinion that every measure possible be taken to minimize any traffic problems.

Mr. Sturdevant stated that another concern of the Planning Commission staff is that this site would be a "door" to the city, thus, the image it portrays will be important. Therefore, the Board should require adequate landscaping for the project.

Mr. Berkemeier stated that he had visited the site several times during the past week and again today. He stated that he agreed with Mr. Sturdevant on the issue of possible traffic problems and that access to the site would have to be seriously considered. He stated that the area is close and could be very tight with trucks accessing the proposed project and the interstate. Mr. Berkemeier stated that he felt the access point should be moved further down Stephenson-Mill Road to allow adequate space for truck movement.

Mr. Sturdevant stated that the Planning Commission has recently hired a Transportation Planner, Doug Powell, whose professional specialty is in designing and planning transportation needs. In addition, the Stephenson-Mill Road intersection is controlled by the State Highway Department and when the Site Plan is reviewed for the property, Mr. Powell will work closely with the State Highway Department in evaluating what the appropriate design for the road and access into the site should be. Mr. Sturdevant stated that he is not in a position to make specific recommendations right now and that this part of the review should be left to the experts in the transportation field.

Mr. Meadows asked how far (approximately how many feet) it is from the four-way stop at Stephenson-Mill Road into the site.

Mr. Sturdevant stated that the distance from the center of the intersection to the point the trucks would begin turning into the site is approximately 350 feet. He suggested that if the access was rearranged slightly, taking the grade of the hill into account, he would guess that another 50-100 feet might be achieved.

Mr. Wireman inquired if the trucks would have a separate entrance from automobiles.

Mr. Sturdevant stated that was correct.

Mr. Wireman stated his concern about "stacking" of trucks on Stephenson-Mill Road. He stated that he felt that a system other than the four-way stop should be considered by the transportation experts.

Mr. Berkemeier asked the applicant if he would like to make a presentation.

Mr. Daniel Kohler, Architect for PDG Architects and representing Flying J, Inc., gave a presentation of drawings of the site. He stated that trucks would only have access from Stephenson-Mill Road, whereas automobiles would have access from Stephenson-Mill Road and KY 14/16. The travel plaza would consist of a 135 seat restaurant, convenience store, driver shower and rest area, and a separate cashier area for the gas islands. Mr. Kohler stated that the restaurant would be a full service 24-hour family restaurant. He stated that the exterior of the building would consist of quality materials.

Mr. Berkemeier reminded Mr. Kohler that this site would be the "front door" to the City of Walton.

Mr. Kohler assured the Board members that the appearance of the site is equally important to their involvement in the community and the success of their business.

Mr. Wireman inquired if all of the businesses would be interconnected from the inside.

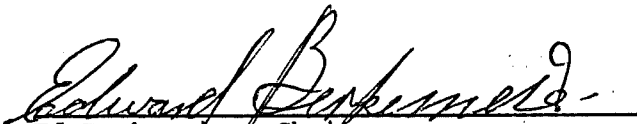
Mr. Kohler stated that was correct. He further stated that it is not a separate franchisee situation where the facility is leased out to other operators. Flying J, Inc. would be the only franchise operator at this site. He stated that the building is about 14,000 square feet.

Mr. Berkemeier asked if there were any further questions or comments. Mr. Berkemeier noted that there were no objections from residents or the Board regarding this project.

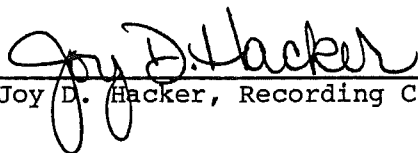
There being no further discussion, Mr. Wireman made a motion that Flying J, Inc. be granted approval of the request for a Conditional Use Permit and that the staff concerns listed in the Staff Report be included as a part of this approval. Mr. Meadows seconded the motion. The motion carried unanimously.

Mr. Meadows moved that the meeting of the Walton Board of Adjustment be dismissed. Mr. Wireman seconded the motion. Meeting adjourned at 6:30 P.M.

APPROVED:


Ed Berkemeier, Chairman

ATTEST:


Joy D. Hacker, Recording Clerk