

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

*Walton Board of Adjustment*

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

*Walton*

Applicant: FIRST BAPTIST CHURCH WALTON, KY.  Owner  
 Address: 47 S. MAIN ST WALTON, KY. 41094  Agent  
 Telephone: 485-4191

Location: \_\_\_\_\_

Name of Property Owner: \_\_\_\_\_

Address of Property Owner: \_\_\_\_\_

Zoning District: SR-1 Area in Acres: 2.498

Deed Book: <sup>127</sup>148/149/148 Page Number: 380/189/300 Group Number: 2079

Description of Request: TO BUILD OUT-BUILDING APPROXIMATELY 30'X40' TO HOUSE CHURCH BUS & CHURCH VAN.

Applicant's Signature: Bob Arlinghaus, Chairman Bldg. Grounds  
 Property Owner's Signature: First Baptist Church, Walton *Comm.*

FOR PLANNING COMMISSION USE ONLY  
 Application Fee: \$179- Date Received: 4-27-88 By: AA/ME

Referred To: \_\_\_\_\_ Meeting Date: \_\_\_\_\_

Action Taken: APPROVED Date of Action: 6/9/88

## STAFF REPORT

APPLICANT: First Baptist Church of Walton  
DEVELOPMENT: out-building to house church bus and van  
LOCATION: 47 S. Main Street, Walton, Kentucky  
ZONE: Suburban-Residential One (SR-1)  
DATE: June 9, 1988

### REMARKS:

The applicant is requesting 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. Highway 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.

### Surrounding Land Uses and Zoning

North: SR-1, single-family residences  
South: SR-1, single-family residences  
East: SR-1 and PF, a church, post office, and single-family residences  
West: SR-1, the L&N Railroad adjoins the property, single-family residences behind

The following reviews the general standards applicable to all Conditional Uses in the county:

1. The 1986 Boone County Comprehensive Plan Future Land Use Map indicates the future use of this property to be Commercial and Medium Density Residential (3 to 8 dwelling units per acre) surrounding Main Street (U.S. 25). The Land Use Element of the text makes the following statements about the area:

"Commercial development should be encouraged at two scales. Around the interchange more intense commercial development can occur while commercial/retail establishments should continue to develop along the Main Street area... Residential development will occur both within and around the city. Medium to high density residential development will occur between Main Street and I-75. Residential infilling between streets will occur. Medium density residential development will occur on the eastern side of town, primarily between Church and High Street (p. L-22)."

2. Upon review of the Site Plan, the proposed out-building appears to be harmonious and appropriate in appearance with

the existing and intended character of the general vicinity.

3. Use of this building will not be hazardous to existing or future neighboring uses.
4. The site is adequately served by essential public facilities.
5. The proposed building will not involve uses, activities, processes, or conditions of operation which will be detrimental to any persons, property, or to the general welfare.
6. The building will be accessed by existing vehicular approaches, and use of the building will not create an interference with traffic on Main Street.

The Board must also consider more specific criteria applicable to Conditional Use Permits in Suburban Residential One (SR-1) districts:

- a. The proposed housing for church vehicles will not contradict the low density character of the district.
- b. The proposed arrangement of the building will be compatible with the organization of permitted and accessory uses to be protected in the district.

Initial review of the submitted Site Plan reveals a few minor concerns. The proposed location of the bus building needs to be moved 10 or more feet to the west (toward the railroad tracks) to avoid potential access problems with the stairwell on the existing building. The location of gutters and downspouts for the building should be shown to direct stormwater flow away from the adjoining residential properties. And access to the building should be paved, or the building should be moved to the existing pavement. A revised Site Plan addressing these concerns should be submitted to the Boone County Planning Commission office.

Should the Conditional Use Permit be granted and a revised Site Plan submitted which adequately addresses the above concerns, the Staff would recommend approval of the Site Plan. A portion of the submitted Site Plan is attached showing the proposed location of the out-building.

Respectfully submitted,

Paul R. Miller  
Plans Examiner/Planner

CITY OF WALTON  
BOARD OF ADJUSTMENT

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

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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.

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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.

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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.

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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.

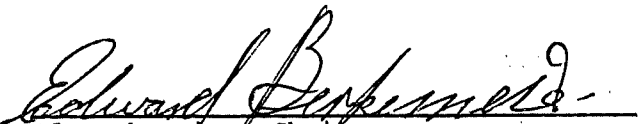
Mr. Kohler stated that was correct. He further stated that it is not a separate franchisee situation where the facility is leased out to other operators. Flying J, Inc. would be the only franchise operator at this site. He stated that the building is about 14,000 square feet.

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.

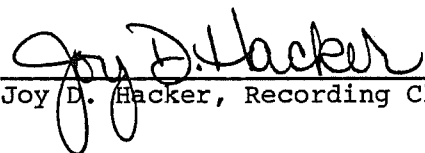
There being no further discussion, Mr. Wireman made a motion that Flying J, Inc. be granted approval of the request for a Conditional Use Permit and that the staff concerns listed in the Staff Report be included as a part of this approval. Mr. Meadows seconded the motion. The motion carried unanimously.

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