

REVIEW NO. _____

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. (Check One) ~~Boone~~ Florence Walton Union

2. (Check One) Conditional Use Permit ~~Variance~~ Appeal
Change in Non-Conforming Use

3. Applicant's Name Roger Williams + Paul Means
Phone Number 303 989 8950
Applicant's Address 555 Zang St # 100
Lakewood Colo 80228

4. Description of Request: Change ~~20' set back~~ to ~~15'~~
Conditional use permit for truck
Wash

5. Name of Development MAGNUM TRUCK WASH AT BOONE Jan 76

6. Location of Development South West CORNER I-75
and MARY GUBBS Highway

7. Acreage Under Review 2.404

8. Lot Number and Name of Subdivision (if part of a subdivision)
NONE

9. Owner of Property Eight on. Inc. J.T. Donahue
Phone Number 485-6040

10. Address of Property Owner Rt 2 Bx 704
Walton Mo 67094
City State Zip

11. Proposed Use(s) On Site TRUCK WASH

12. Total Square Footage of Existing and/or Proposed Buildings
Proposed 4500 ±

13. Current Zoning on Property C-3

14. Deed Book 339 Page No. 170 Group No. 20864

15. Is the site subject to a zone change? NO
If yes, give date of approval _____

16. Have you submitted a Site Plan with this request? Yes

17. Have you submitted a list of adjoining property owners with this request? Yes

18. Applicant's Signature: Roger Williams

19. Property Owner's Signature: [Signature]

APPLICATION FORM
BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION

SECTION B

(To be completed by Boone County Planning Commission Staff)

1. Date Received 7-20-90
2. Fee Received \$506.00 R-9939
3. Is application complete? Yes No
4. Staff Reviewer Camey Moore
5. Scheduled Board Action Date October 16, 1990
6. Board Action:
 Approval
 Approved With Conditions (See #7)
 Disapproved (See #8)
7. Conditions: ① The City of Walton approve the sewer system ② Site Plan Review is required
8. Reasons For Disapproval: _____

BCPC:7/11/88

STAFF REPORT

#1

DEVELOPMENT: Truck wash

APPLICANT: Roger Williams & Paul Means

LOCATION: southeast corner of KY 14/16 and Mary Grubbs Highway,
Walton, Kentucky

ZONING: Commercial Services (C-3)

DATE: October 16, 1990

REMARKS:

The applicant is seeking a Conditional Use Permit to construct a truck wash. The proposed truck wash is to be located at the south corner of Mary Grubbs Highway and I-75, Walton, Kentucky. The property is zoned Commercial Services (C-3) and is owned by J.T. Dossett.

The proposed truck wash is to be located 20 feet to the west of the right-of-way of the I-75 southbound ramp and south of the existing Boone Inn 76. Presently this area is used as a parking area for semi-trailer trucks.

Article 6, Section 613 of the Boone County Zoning Regulations states that one conditional use permitted on any site zoned Commercial Services (C-3) is "truck stops."

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 Boone County Comprehensive Plan refers to this proposed use in one of the objectives for business activity:

4. "Highway services shall be limited in location to close proximity to major highway interchanges for maximum convenience and economy to the motoring public while minimizing impact to the community. (However, they should not be located so close to inter-changes that they congest the traffic movements at these points of access.)" (p. 5)

This proposed use is also referred to in Chapter 6, Business Activity:

"The I-75 interchange at Walton is capable of additional commercial growth as appropriate levels of infrastructure become available. The additional commercial development should address the coordination and limitation of access points to insure safe access." (p. 94-95)

The Comprehensive Plan indicates the future land use of this area of Walton in Chapter 12, Land Use:

"Commercial development at the southwest quadrant of the interchange should utilize a single major access point located near the existing road. This road could also serve as access for industrial development to the south of the interchange if properly designed. Attention should be given to the appearance from the interstate of industrial uses in this area because it represents the southern entrance into Boone County." (p.225)

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.

Presently the site is used as a truck stop and this request is for an expansion of the existing use.

3. The activity will not be hazardous to existing or future neighboring uses.
4. The activity be adequately served by essential public facilities and services.

The applicant has indicated that the utilities for the truck wash will tie into the existing utility lines on the site.

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.

No vehicular approaches to the property will be added or altered.

The Board must also consider specific criteria which apply to Conditional Uses in Commercial Services (C-3) zoning districts:

- a. The activity is an integral and subordinate function of a permitted commercial use or service, or;
- b. The arrangement of use, building or structure will be compatible with the organization of permitted and accessory uses to be

protected in the district.

STAFF CONCERNS:

1. On June 18, 1986, this site received Site Plan approval to construct a 1,200 square foot building addition to the existing Boone Inn 76. At that time there was concern on the part of the Boone County Planning Commission about the lack of pavement on the site. The applicant, J.T. Dossett, indicated that the parking lot would be resurfaced sometime in the future when he could obtain the resources. If the Conditional Use request is approved, this issue will be resolved during the Site Plan Review.
2. Staff is also concerned with the limited parking area for trucks that would result if the truck wash is constructed. Presently trucks park on almost the entire south half of the site and if the truck wash is constructed, the space available for truck parking would be limited. This issue would also have to be addressed during Site Plan Review.
3. Because this location is considered the southern entrance into Boone County, Staff is concerned with the appearance of the area. Signage plays a role in this appearance issue. The applicant has indicated that there will be only one sign for the proposed structure. This sign will probably be a building mounted sign. If the Board has any concerns about this issue, signage restrictions may be placed on the site as a condition of approval. Mr. Means has also been asked to address the illegal sign located in the right-of-way along KY 14 & 16.

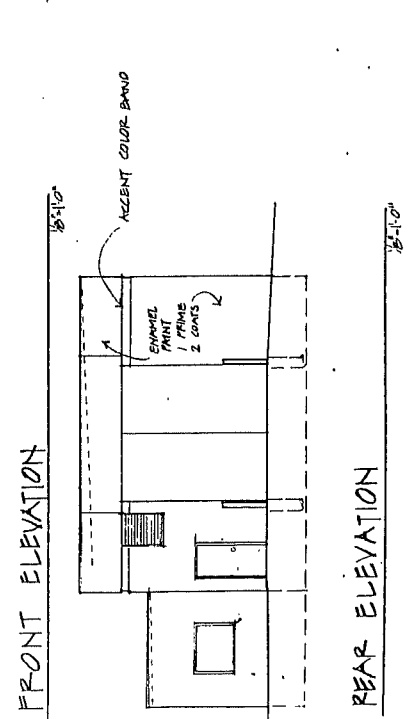
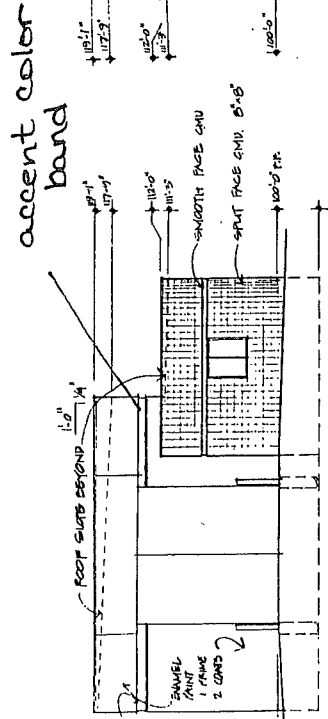
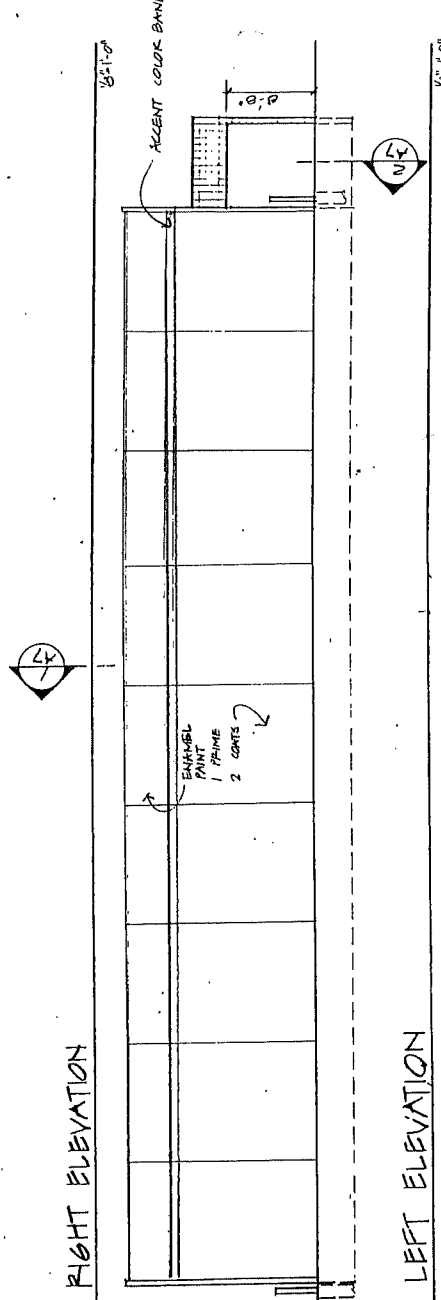
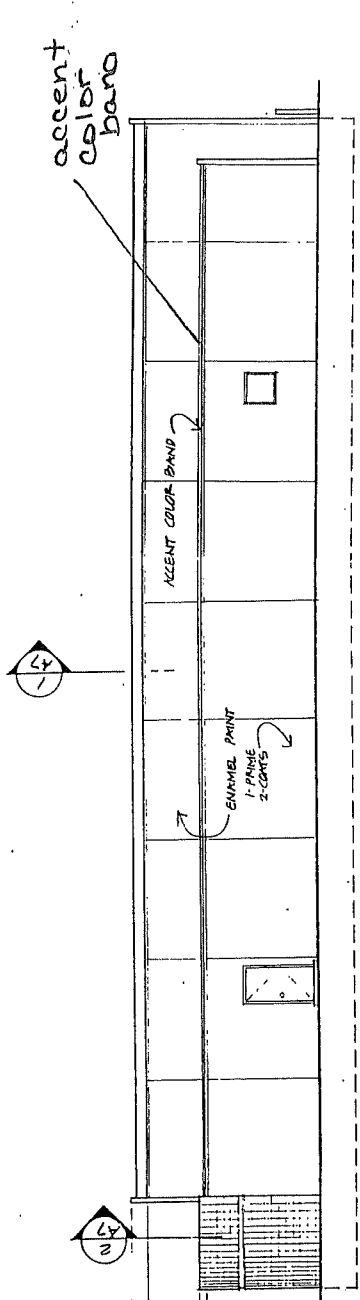
Attached to this report is a drawing of the site showing the general location of the proposed structure. Also attached is a drawing illustrating the four elevations of the structure. The applicant has indicated that some small changes in the building's location and layout may be made before and during Site Plan Review.

Respectfully Submitted,

Amy S. Moore
Plans Examiner/Planner I

ASM:kat

Magnum Truck Wash Elevations Conditional Use Permit



WALTON BOARD OF ADJUSTMENT
BUSINESS MEETING

October 16, 1990 - 6:00 P.M.

BOARD MEMBERS PRESENT:

Mr. Abshire
Mr. Meadows
Chairman Wireman

BOARD MEMBERS NOT PRESENT:

none

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Chairman Wireman stated that the Board Members has received a copy of the Minutes of the Board of Adjustment Meeting of September 6, 1990 and asked if there were any comments or corrections.

There being no changes to the Minutes, Chairman Wireman moved that they be approved as mailed. Mr. Abshire seconded the motion and it carried unanimously.

AGENDA ITEM:

1. The request of Roger Williams and Paul Means for a Conditional Use Permit to allow the construction of a truck wash. The 2.404 acre site is located at the southeast corner of KY 14 and 16 and Mary Grubbs Highway, Walton, Kentucky. The property is zoned Commercial Services (C-3) and is owned by J.T. Dossett.

Staff Member, Amy Moore, presented the Staff Report which included a slide presentation (see Staff Report).

Chairman Wireman asked if the east side of the building would be placed on the grass or on the existing parking lot.

The applicant, Mr. Williams, stated that the portion of the lot for the proposed use is currently broken asphalt and that the building would be placed along the edge of the parking lot not in the grass.

Mr. Meadows asked if the sign that would be erected on the site would be a roof mounted sign or one placed on the side of the building.

The applicant replied that what has generally been done for other truck washes is that a sign is painted on the side of the building stating the name of the truck wash.

Mr. Meadows asked if it would be painted on the east side of the building for visibility from I-75.

The applicant stated the they would like to place a sign on each side of the building.

Mr. Wireman replied that two signs would probably not be a problem.

The applicant also stated that they would also like to erect an entrance and an exit sign.

Mr. Wireman asked what the existing sign in the right-of-way said.

The applicant stated that the sign is owned by the truck stop and simply says "76 Truck Stop." Another sign has since been erected on the site that does advertise the truck wash. He indicated that they would remove the truck wash sign if it is in violation the Zoning Regulations.

Mr. Abshire then asked what material would be used to construct the building and the roof.

The applicant replied that the building would be constructed of site cast concrete. The panels would be poured and smooth surfaced. The roof would be flat and constructed of concrete also.

Mr. Abshire then restated the concern of Staff that this would be one of the first sites that people would see when they entered Boone County.

Mrs. Moore stated that the 1990 Boone County Comprehensive Plan addresses this specific interchange by referring to it an the "southern entrance to the County" and that the Board should decide if the proposed use is appropriate for this particular site. She went on to say that the current Boone County Zoning Regulations allows for one building mounted sign per highly visible side and one free standing sign.

Chairman Wireman asked how high the sign would be mounted on the building.

The applicant replied that the building is 18 feet high and the sign would be mounted approximately 2 feet below the roof line.

Mr. Abshire asked how the sign would be worded.

The applicant replied that the sign would just say "Magnum Truck Wash."

Chairman Wireman asked if the concrete slabs would be painted.

In response, the applicant stated that the proposed building would an attractive building and would be painted with a high gloss paint to keep it clean and attractive. He then stated that he wished that he had brought some photographs of a similar building.

Mr. Abshire replied that he was at the site prior to the meeting and that the truck wash was in operation already.

The applicant stated that a mobile truck wash was presently being operated on the site and that he had received an occupational license from the City of Walton the day before.

Mr. Abshire stated that the water was presently running across the parking lot and asked if the water would run into the existing sewer after the permanent building was constructed.

The applicant replied that it had not been determined yet. He has contacted the sewer department and they would like it to either run into the storm sewer or into the sewer line. All the water would be contained in the building and would run through a sand and oil separator in the floor of the building.

Mr. Abshire stated that the temporary unit is currently receiving its water from the Boone Inn 76 and asked if the permanent building would have its own water line.

In response, the applicant stated that a two and one-half inch water line could be extended to the proposed building. He then stated sewer, water, and natural gas lines run along the eastern side of KY 14 & 16.

Mr. Abshire asked the applicant how many trucks would be washed every day.

The applicant stated that if they reach their projection, an average of 1.4 trucks per hour would be washed on the site. He added that it takes between 20 and 40 minutes to wash one truck. A concrete pad would be provided as a place for the truck drivers to dry off their trucks.

Mr. Abshire then asked if truck drivers would pull onto the site and sleep overnight. He added that this particular parking lot is pretty full.

The applicant responded by saying that truck drivers would not pull into the truck wash building for that purpose and that most of the truck drivers go to Flying J to stop and sleep.

Mr. Abshire asked if the applicant had contacted Flying J to see if the proposed truck wash could be built behind their building.

The applicant stated that they had contacted Flying J but that the owners have some other future use in mind for the remaining portion of their site.

Chairman Wireman asked if the applicant would be leasing a portion of the Boone Inn 76 site.

The applicant replied that they would have a 30 year lease on a portion of the property.

Chairman Wireman then asked if the property owner, Mr. Dossett, would be responsible for upgrading the parking lot.

The applicant responded that he was correct. He added that normally crushed rock is placed at the entrance to a concrete pad at least 80 feet in length to the entrance of the building. Exiting the truck wash, a 70 to 75 foot long concrete pad would be installed. A concrete strip to the highway would also be installed.

Mr. Wireman asked the applicant if he had talked to the property owner about paving the entire parking lot.

The applicant stated that he would mention the possibility to the property owner but that he could not speak for the owner. The owner had mentioned that the cost of paving the parking area would be in excess of \$200,000.

Mr. Abshire stated that he felt the parking lot was a mess now and that there were many good-sized chuck holes in the lot.

Mr. Meadows stated that they were looking at the parking lot problems now because of the prior commitment that the property owner had made to pave the lot. He stated that he felt that before the property was leased, some improvements should be made to the lot.

Mr. Abshire stated that the Board had required Flying J to install a turn lane off of KY 14 & 16 to their lot but that there would probably be more trucks entering onto their property.

The applicant replied by saying that 4 trucks would be able to line up between the entrance to the site and the proposed building.

Chairman Wireman inquired as to whether just a soap would be used to wash the trucks.

The applicant replied that a biodegradable soap and a brightener would be used. Tests measuring the amount of sludge that is left in the pit have been run for the two truck washes presently owned by the applicant. The test results have proven to be in compliance with EPA standards.

Chairman Wireman stated that a truck wash near the General Electric plant in Evendale, Ohio also uses a brightener.

The applicant stated that the brightener is usually hydrochloric acid and dissipates as soon as it is moistened.

Chairman Wireman asked if the sewer department had been contacted yet.

The applicant responded that he had not been in contact with the department but his partner, Mr. Means, had contacted them. The sewer department had indicated that there would be no problem with the proposed use. He also stated that they would use a 2 1/2 inch water tap and that the proposed water usage would not be that great in comparison to a residential development. The washing relies on more of a high pressure spray and not volume.

Mr. Meadows stated that they couldn't be using too much water because they are presently tied into the Boone Inn 76.

Mr. Abshire stated that his main concern involved the sewer lines although something would definitely need to be done to the parking lot. The parking lot could be addressed by the Boone County Planning Commission during Site Plan Review. He also asked if the paving issue could be put into the Board's approval as a condition.

Counselor Wilson responded by saying that any reasonable condition could be placed on the Board's approval.

Mrs. Moore stated that if she was not mistaken, the Zoning Regulations would require the entire parking lot to be paved.

Mr. Abshire stated that he could not see how the business would operate without a paved parking site.

Counselor Wilson responded by saying that the amount of paving that would be required would probably depend upon how much of the site the applicant would be using.

Mr. Abshire stated that he felt by looking at the preliminary Site Plan, the applicant would be using about 3/4 of the site.

The applicant responded by saying that they could afford to pave the entrance and the exit but they would not be able to afford to pay \$200,000 to pave the entire site. He added that the pavement strip that is being proposed would probably be 20 feet wide or a little wider.

Chairman Wireman stated that if the property owner is going to continue to lease his property, then he has some responsibility to upgrade the lot. Last time that a Site Plan was approved, there was an understanding that the parking lot would be upgraded when things were more profitable. At the same time, he stated that he felt that the parking area should be upgraded now.

Counselor Wilson then stated that the Board's primary role is decide whether or not to grant the Conditional Use Permit and that the parking lot could be addressed during Site Plan Review.

Mr. Meadows moved that the Conditional Use Permit be granted with conditions based on the Staff Report. The conditions placed on the approval include 1) the City of Walton approve the sewer use and 2) the proposed structure be required to receive Site Plan approval. Chairman Wireman seconded the motion.

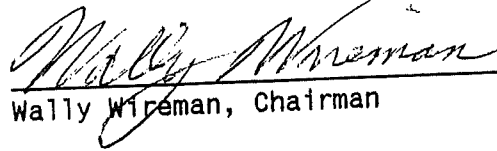
Mrs. Moore stated that she would send a letter to each Board member stating whether or not City of Walton had approved the sewer usage.

Chairman Wireman asked the applicant again about the brightener that would be used.

The applicant responded by saying that when the brightener is purchased, it has already been diluted about 80:1. It is again diluted with water another 70:1 before it is used.

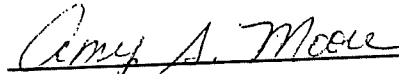
There being no further business to come before the Board, Mr. Meadows moved that the meeting be adjourned. Mr. Abshire seconded the motion.

APPROVED:



Wally Wireman, Chairman

ATTEST:



Amy S. Moore