

ZONING MAP AMENDMENT REQUEST BY TOYOTA MOTOR  
DISTRIBUTORS, INC., FOR PROPERTY LOCATED AT THE  
NORTHWEST CORNER OF HOPEFUL ROAD AND ASHCRAFT LANE,  
BOONE COUNTY, KENTUCKY

This request is for a Zoning Map Amendment from Suburban Residential One (SR-1) to Commercial Services (C-3). The subject + 0.75 acre parcel is a combination of two contiguous lots located at the northwest corner of Hopeful Road and Ashcraft Lane, Boone County, Kentucky. These properties are also known as lots 5 and 6, Ashcraft Subdivision (Plat Book 2, Page 52) as recorded in the office of the Boone County Clerk. The proposed use of the site is for expansion of a new car dealership for which the Planning Commission recommended approval of a zone change on an adjacent four acre parcel on January 7, 1987.

SURROUNDING LAND USES AND ZONING

East of the subject site, across Hopeful Road, is the Florence Church of God and sever single-family residences in the C-3 zone. South and west of the site there exists five single-family residences in the Ashcraft Subdivision (zoned SR-1).

North of the subject parcel is the 4.0 acre tract for which the applicant received a zone change from Commercial Two (C-2) and SR-1 to C-3 for the purpose of developing a new automobile dealership.

SITE FEATURES

The site is relatively level, sloping toward the west where it forms the headward end of a drainage swale that feeds into a tributary of Gunpowder Creek. There is a pair of small lakes downstream from the subject site. There is a wooded fence now located on the north side of lots 5 and 6. Water and sewer service are available to the site.

RELATIONSHIP TO COMPREHENSIVE PLAN

The 1986 Boone County Comprehensive Plan refers to the area in the following manner:

FUTURE LAND USE MAP: Medium Density Residential for the 0.7 acre site.

BUSINESS ACTIVITY

I. Page G-3

Goal:

To provide appropriate locations for industries or businesses compatible with others located in the county.

Objectives:

Compact, efficient development patterns shall be encouraged for commercial and industrial development by maintaining buffer space between uses.

Commercial

1. Commercial uses shall be developed at strategic locations relative to their trade areas with direct access and ample parking space.

2. Future commercial development shall be encouraged, whenever possible, to occur in the form of shopping centers or other compact aggregations having an integrated design.

3. The mixing of commercial and non-commercial uses shall occur only in planned developments and replanned older areas where consideration can be given to minimizing harmful environmental influences.

II. Page B-14

"Many problems with the location and arrangement of commercial enterprises have emerged, however, especially along KY 18 and Route 42. Along KY 18 in the I-75/Mall Road/Houston Road area, there are many traffic problems that can be worsened by adding commercial access points."

III. Page L-15

"The Mall Road area will continue to grow as a regional shopping area and its spill over onto U.S. 42, KY 18, and Houston Road will be evident, thus, needs to be substantially controlled. Commercial growth on KY 18 will be primarily interchange related."

"The existing residential homes fronting on KY 18 will become small commercial areas. The use of interconnecting parking lots or frontage roads on this section of KY 18 is critically important to the success of any development and trafficability on this portion of KY 18."

IV. Page PF-11

"The extension of the Florence sewerage system west along Burlington Pike commits the area to intensive development in the very near future."

In summary, the 1986 Boone County Comprehensive Plan emphasizes the need for careful development of property along KY

18, primarily for traffic reasons. This is especially important near major intersections such as Hopeful Road and KY 18 where additional access points and turning movements can complicate existing problems or create new ones if not carefully constructed. The Plan also generally calls for compact, efficient commercial development patterns by providing buffer space between different uses.

#### TOYOTA DEALERSHIP CONCEPT DEVELOPMENT PLAN

The Concept Plan submitted with this application indicates the same basic automobile dealership layout as the approved Concept Development Plan for the 4.0 acre site which was approved in January. The major difference in the latest Concept Plan is that the parking area has been extended onto the 0.75 acre site to provide parking for an additional 32 cars (357 total), and two access driveways to Ashcraft Lane have been proposed from the extended parking lot. The revised Concept Plan also indicates 15 foot and 25 foot wide landscaped buffer areas along the west and south property lines, respectively, that a proposed access drive to Hopeful Road has been moved 100 feet farther from KY Hwy. 18, additional landscaping at the northeast corner of the site, and a future storm water retention basin at the southwest corner of the site, all of which were conditions of the January 7, 1987, approval.

#### SPECIAL CONCERNS


In addition to the concerns raised in the previous Staff Report for the 4.0 acre site, which the applicant had agreed to address, staff has additional concerns regarding the proposed expansion of the business:

1. The proposed expansion will encroach into an established residential neighborhood, rather than simply abutting it.
2. Ashcraft Drive has a 35 foot right-of-way with a pavement width of 10 feet. The two proposed access drives from the automobile dealership, by regulation, must be a minimum of 20 feet in width. Staff believes that it is inappropriate to permit commercial traffic access through a purely residential street, especially one of inadequate pavement width (the Boone County Subdivision Regulations require a minimum right-of-way width of 50 feet and pavement width of 25 feet for "local streets").

#### CONCLUSION

The major issues concerning this Zoning Map Amendment request are its relationship to the Comprehensive Plan, the criteria or findings of fact required for a zone change, and whether the proposed expansion of the business can occur in a manner more sensitive to the surrounding land uses than the previously approved plan.

Should the Planning Commission and Boone County Fiscal Court approve this request, the 1986 Boone County Comprehensive Plan, "Future Land Use Map" must be amended to indicate future commercial land use for the area of the subject 0.75 acre site.

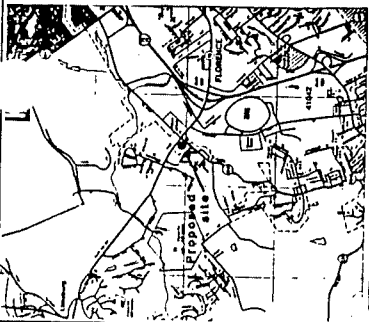
  
\_\_\_\_\_  
Jim Sturdevant,  
Plans Examiner/Planner

JS:mcb

# TOYOTA MOTOR DISTRIBUTORS ZONE CH. 3E REQUEST 5/27/87

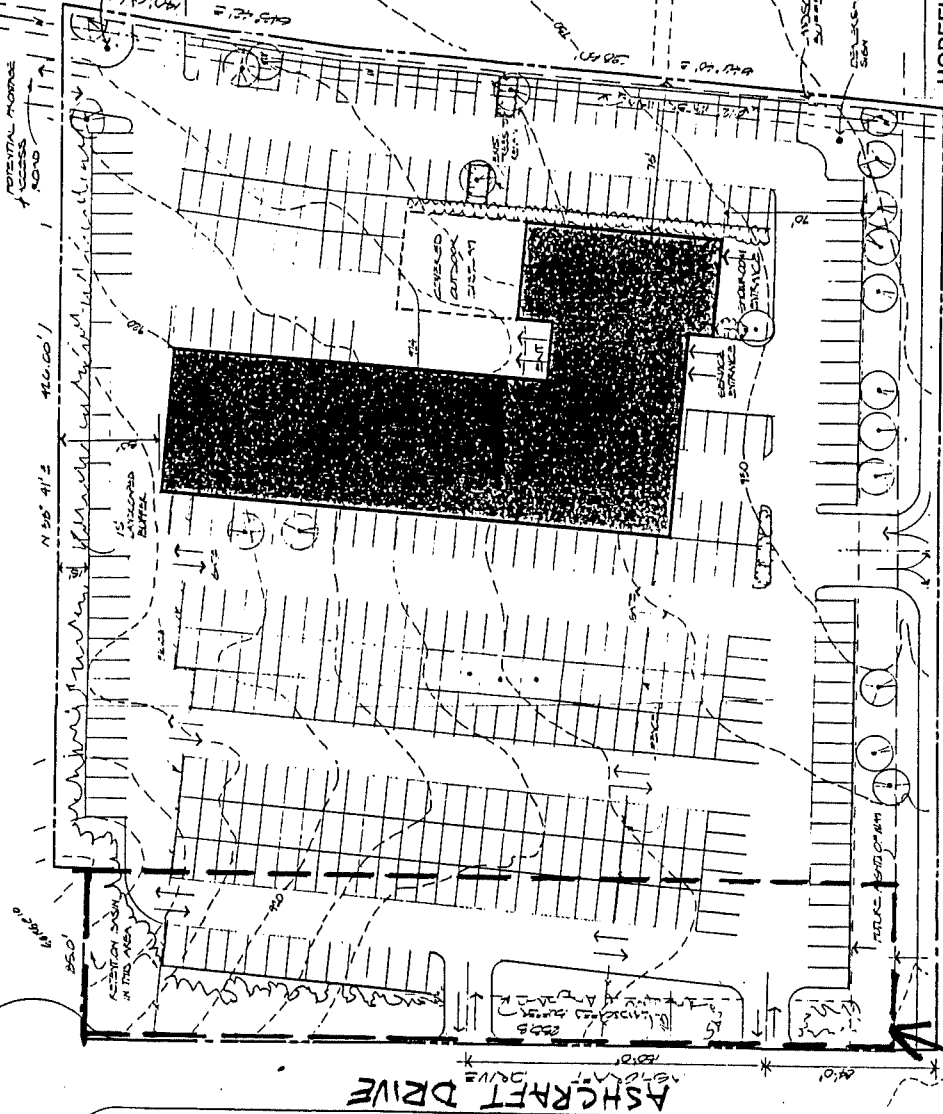
MANOR & NASH CORP.

IF INTER. NAV. PRESENT  
TO SHOW CORN. ARTS  
DIST. W/SEC. S. #2/101



VICINITY MAP

N 25° 41' E 410.00'



HOPEFUL RD.

KY. RT. 18

ASHCRAFT DRIVE



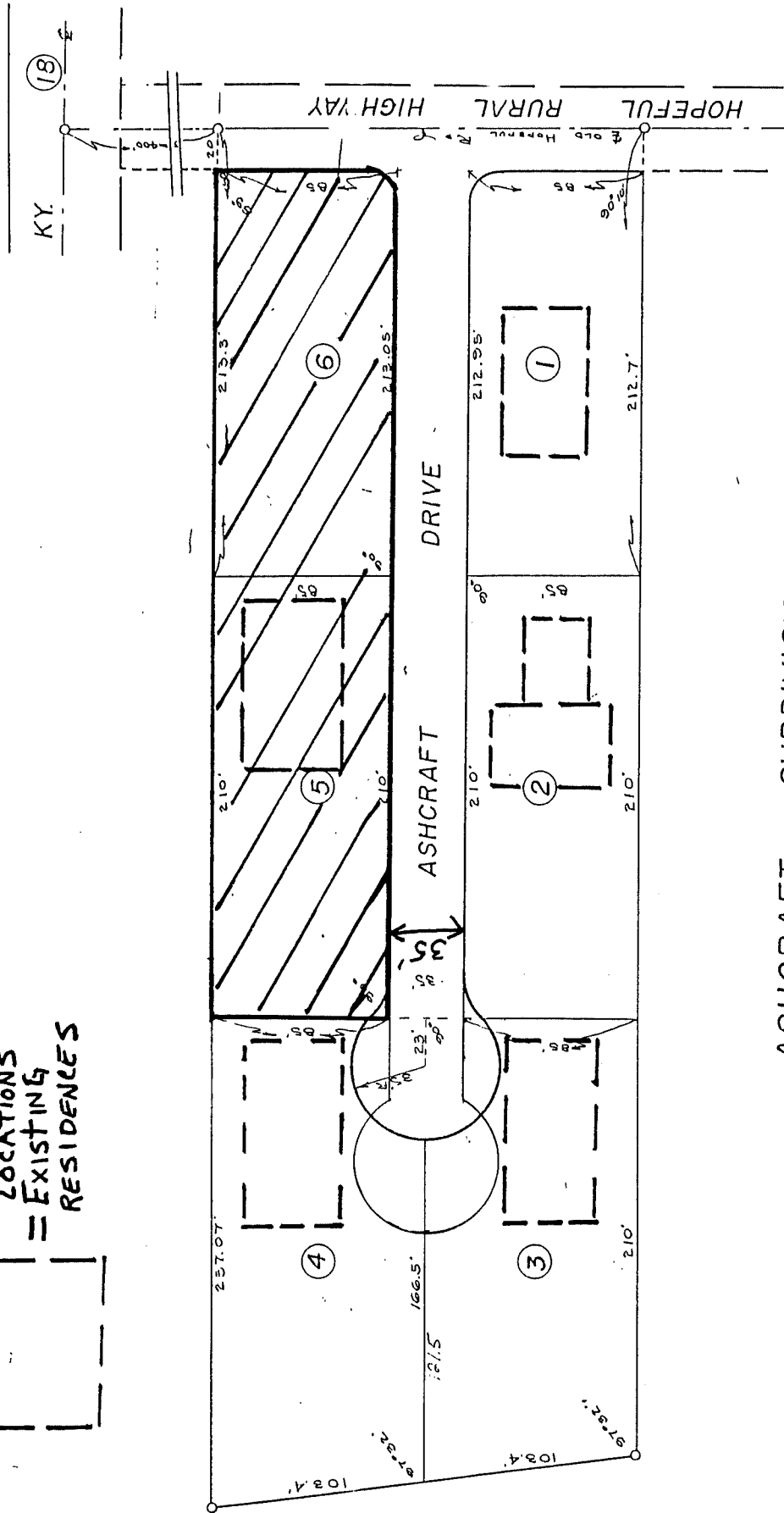
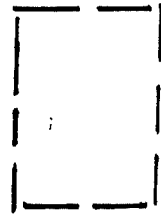
NOTE: FINAL SECTION OF TREE  
TO REMAIN IN PLACE IS TO BE SET TO  
BE A PROTECTION OF CONDUIT - 1" DIA.  
AND SHALL BE SET TO PROTECT CONDUIT.  
MINIMUM TREE CAPACITY: 100' DIA.

PROPOSED  
SITE EXPANSION  
& ZONE CHANGE  
AREA

CONCEPT DEVELOPMENT PLAN



APPROXIMATE  
LOCATIONS  
= EXISTING  
RESIDENCES



ASHCRAFT of SUBDIVISION 2/52  
3 Acre tract of Edrington land RE. 202/31

ZONING MAP AMENDMENT REQUEST BY  
TOYOTA MOTOR DISTRIBUTORS, INC., FOR PROPERTY  
LOCATED AT THE SOUTH WEST CORNER OF  
KY 18 AND HOPEFUL ROAD, FLORENCE AND  
BOONE COUNTY, KENTUCKY

This request is for a zoning map amendment, from Commercial Two (C-2) and Suburban Residential One (SR-1) to Commercial Services (C-3). The subject 4.0 acre site is a combination of four contiguous parcels located at the south-west corner of Burlington Pike (KY 18) and Hopeful Road (KY 1018). Two parcels located at 8105 and 8117 Burlington Pike, respectively, are within the City Limits of Florence, Kentucky and are zoned C-2. The other two parcels, located at 6080 and 6078 Hopeful Road, are in unincorporated Boone County, and are zoned SR-1. The proposed use of the site is a new car dealership.

Surrounding Land Use and Zoning

To the north of the subject site, across Ky 18, is the Fuller Square Site, which is zoned C-2. This site is occupied by Boone State Bank and vacant office space in the bank building. There is also a space designated for a future restaurant building on this site. Directly west of the Fuller Square site is a vacant parcel, used for pasture, in an Urban Residential One (UR-1) zone. North east of the subject parcel, across the intersection of Hopeful/Houston Roads and Ky 18, is a vacant parcel, next to the Gold Circle Shopping Center, in a C-2 zone.

East of the subject parcel, across Hopeful Road, the Hostess Cake Thrift Shop is located on the corner of Ky 18 and Hopeful Road. South of the Thrift Shop is a small barbershop, also used as a residence. These first two establishments are in the City of Florence, and both are in the C-2 zone. South of the barbershop is the Florence Church of God. This church is located just outside the City Limits, and is zoned C-3.

South of the subject site are three residential lots, in the SR-1 zone, with frontage on Ashcraft Drive. The lot on the corner of Ashcraft and Hopeful Roads is now vacant, but the other two lots have single family residences. In addition, there are three residences on the south side of Ashcraft Drive.

West of the site are two single family residences in a C-2 zone, which are in the city limits of Florence. Total acreage for these two lots is 2.16 acres which would also be the size of the remaining C-2 zoning district if this map amendment request is approved.

## Soils, Topography and Vegetation

Soils on the site are Jessup Silt Loam and Rossmoyne Silt Loam, which present only moderate limitations to urban development, although they do have severe limitations for sewage-septic systems and are highly erodible if not properly managed. (Soil Conservation Source, Soil Survey of Boone, Campbell and Kenton Counties, Kentucky, 1973). The site is relatively level, sloping toward its south-west corner, where it forms the headward end of a drainage swale that feeds into a tributary of Gunpowder Creek. There is a pair of small lakes down stream from the subject site on adjacent properties. There is a substantial amount of ornamental vegetation on the site, particularly along the site's frontages on KY 18 and Hopeful Road. This ornamental vegetation consists primarily of nature evergreen trees. There is a limited amount of natural deciduous vegetation located along the south and west borders of the site as well as mature deciduous trees situated around the existing residences.

## Public Facilities

There is a 12 inch water main that cuts across the front of the site along KY 18. There is an existing fire hydrant located on the west side of the site. Electric and telephone services are available. The closest sanitary sewer service is a man hole located approximately 600 feet south-west of the site.

## Relationship to Boone County Comprehensive Plan

This zoning map amendment request must be reviewed on the basis of its relationship to both the 1980 and 1986 Boone County Comprehensive Plan. The general area of the request is referred to in a number of ways:

### 1980 Future Land Use Map

Border-line Medium density  
residential/commercial/environmentally sensitive

### 1986 Future Land Use Map

Commercial

### 1980 Comprehensive Plan, Land Use Element

1. Page 3.6 Several types of commercial development are accounted for in the Comprehensive Plan. They include: regional, serving populations within and beyond Boone County; community, serving populations of 25,000 to 100,000 within a five to ten mile radius; neighborhood or convenience, serving populations under 25,000 and usually much smaller, within close proximity; transportation or

highway-oriented commercial; and business and office development apart from any of the four above categories of commercial activity.

2. Page 3.15 BURLINGTON-FLORENCE CORRIDOR - The development corridor both north and south of Ky 18 between Burlington and Florence is a crucial component of the overall land use element. This area is relatively undeveloped, yet is served by a four-lane divided highway and planned between two urban centers. The area could easily become congested and overdeveloped if not well planned and coordinated. The impact of the Airport on this corridor must also be anticipated.

3. Page 3.16 Commercial uses, including highway commercial and community type uses, are planned at several sites in the corridor. These include the intersections of Ky 18 with new Ky 237, Limaburg Road, Zig Zag Road and the old Florence-Burlington Road. Other commercial development may occur at part of residential planned development.

The 1986 Boone County Comprehensive Plan (recently adopted by the City of Florence and Boone County Fiscal Court) refers to the area in the following manner:

#### BUSINESS ACTIVITY

##### I. Page G-3

##### Goal:

To provide appropriate locations for industries or businesses compatible with others located in the county.

##### Objectives:

Compact, efficient development patterns shall be encouraged for commercial and industrial development by maintaining buffer space between uses.

##### Commercial

1. Commercial uses shall be developed at strategic locations relative to their trade areas with direct access and ample parking space.

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"Many problems with the location and arrangement of commercial enterprises have emerged, however, especially along KY 18 and Route 42. Along KY 18 in the I-75/Mall Rd./Houston Rd. area, there are many traffic problems that can be worsened by adding commercial access points."

III. Page L-15

"The Mall Road area will continue to grow as a regional shopping area and its spill over onto US 42, KY 18, and Houston Road will be evident, thus, needs to be substantially controlled. Commercial growth on KY 18 will be primarily interchange related."

"The existing residential homes fronting on KY 18 will become small commercial areas. The use of interconnecting parking lots or frontage roads on this section of KY 18 is critically important to the success of any development and trafficability on this portion of KY 18."

IV. Page PF-11

"The extension of the Florence sewerage system west along Burlington Pike commits the area to intensive development in the very near future."

The 1986 Boone County Future Land Use Map shows the site in question as being in commercial land use.

In summary, the 1986 Boone County Comprehensive Plan emphasizes the need for careful development of property along KY 18, primarily for traffic reasons. This is especially important near major intersections such as Hopeful Road and KY 18 where additional access points and turning movements can complicate existing problems or create new ones if not carefully constructed. The Plan also generally calls for compact, efficient commercial development patterns by providing buffer space between different uses.

## Toyota Dealership Concept Development Plan

The concept plan indicates that the display function of the car dealership would be oriented towards KY 18 with showroom and service entrances near Hopeful Road. The approximate parking capacity of the site is proposed at 325 cars. This includes parking around most of the periphery of the site. The submitted concept plan shows virtually the entire site as covered by pavement or building. This would result in considerable storm water runoff and visual impact on the neighboring land uses, even though some of the existing trees are shown to remain and small landscaped areas are proposed along the south and west borders of the site.

Proposed access to the dealership would consist of two drives, one on Ky 18 and one on Hopeful Road. The existing curb cuts that serve residential uses would be abandoned. The KY 18 drive is proposed to be located opposite the entrance to Fuller Square, about 390 feet from the center of Hopeful Road. The Hopeful Road drive is proposed to be about 270 feet from the center of KY 18. The plan also indicates potential access to the adjoining property to the west along KY 18.

### Special Concerns

This site is located in an area of high visibility along a major thoroughfare which links the County's largest city with the County Seat. This site, and the surrounding Florence-Burlington Corridor, is a sensitive area in terms of what its visual impact implies about Boone County and the City of Florence. Staff believes that factors which create a site's visual effect, such as landscaping, lighting, signage, as well as the type of development, are important concerns regarding the impact of the proposed development on the overall character of the corridor.

One concern that staff has is with the type of use proposed at this location. There currently exist several locations in Boone County that have car dealership concept development plans attached as a result of zone changes, and have not experienced construction. Staff feels that this use may be more appropriate at one of those locations, and that this site now under review should ideally compliment the Fuller Square Project across KY 18 at this future Houston Road employment area.

Another major concern with the plan is with access to the site. The location of the KY 18 driveway makes left-turns an undesirable movement from KY 18 onto the site. This is a point where westbound traffic is reaching operating speed after the Hopeful Road traffic light. Since no left-turn lane currently

exists there, staff believes that the addition of such a traffic movement would create safety hazards and potentially cause traffic delays. Another concern with that access point is the fact that eastbound traffic often stacks up to this point from the Hopeful Road intersection.

A similar problem is potential on Hopeful Road. Observations by staff showed that afternoon northbound traffic occasionally stacks on Hopeful Road to the proposed access point. Any proposed development on this site would also have to be in accordance with the planned reconstruction of Hopeful Road.

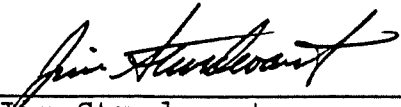
A much safer and more efficient system of access than shown on the concept plan would be to incorporate a full, well-defined frontage road into the development. This would be appropriate along KY 18, and in fact would be required under the Access Management Regulations now being recommended for amendment to the Boone County Zoning Regulations. As this site constitutes the cornerstone for the creation of a frontage road system on this critical section of KY 18, staff feels strongly that this site should contain a publicly dedicated frontage road along KY 18. Staff also believes that certain turning movements may have to be prohibited.

Storm drainage of the site becomes a major issue because of the amount of pavement proposed for the site. Since the site slopes to the southwest corner, that area should be utilized for storm water retention purposes. Buffering the proposed use from adjoining residential uses to the south and west is another important concern. There are potential impacts of noise from service facilities and loud speakers, and of light from the parking lots. This is especially important for the existing residences to the south and east because of their closeness to the proposed development. Car dealerships typically light their parking lot areas for security reasons. Staff believes that the proposed use would have to provide extensive buffering and careful design of lighting at these locations.

### Conclusion

The major issues concerning this zoning map amendment request revolve around its important location in Boone County. Although the Boone County Comprehensive Plan recommends commercial land use, it also notes that development must occur in a sensitive manner that respects not only the surrounding land uses, but also the site's location as an entry point to Boone County. The potential impact of additional commercial access points on traffic flow on KY 18 and Hopeful Road is also important because of the location. Other concerns of the proposed use as a car dealership include impact on adjoining residential areas and storm water runoff.

Should the Planning Commission and Boone County Fiscal Court approve this request, the 1980 and 1986 Comprehensive Plan Land Use map and text need not be amended.

  
\_\_\_\_\_  
Jim Sturdevant  
Plans Examiner/Planner

  
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David A. Geohegan  
Planner/Plans Examiner





EXHIBIT "A"

Situated along the southwest side of Burlington Pike and along the northwest side of Hopeful Road, in Boone County, Kentucky:

Beginning at a point in the center of Hopeful Road, said point being S 38-30 W 160 feet from the center of Burlington Pike along the center of said Hopeful Road; thence along the center of Hopeful Road S 38-30 W 379.92 feet to a point in same; thence with the northeast line of Ashcraft's Subdivision (Plat Book 2, Page 52) and the southwest line of Arnold Easton (Deed Book 156, Page 248), N 51-45 W 437.50 feet to a pin; thence with the southeast line of Haroon Ismail (Deed Book 344, Page 155) and along the northwest line of Tom Farley N 38-41 E 426.00 feet to a pin in the southwest right of way of Burlington Pike; thence with said right of way S 43-42 E 140.00 feet to a pin at the common corner of Tom Farley, Jr. (Deed Book 157, Page 249) and William G. Jack (Deed Book 90, Page 83); thence with the northeast line of William G. Jack S 46-40 E 298.50 feet to the place of beginning.

CONTAINING 4.000 ACRES.

## PUBLIC HEARING #4

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Vice-Chairman David Martin opened the Public Hearing on the request of Toyota Motor Distributors, Inc. (owner by option) for a Zoning Map Amendment on the south side of KY 18 and west of Hopeful Road. The 4 acre site is currently zoned Commercial Two, C-2 and Suburban Residential One, SR-1 and is located both with the incorporated limits of Florence and the unincorporated limits of Boone County, Kentucky.

Staff members Jim Sturdevant and Dave Geohegan presented the Staff Report. (See Staff Report)

Mr. Jack Gartner, representative for the proposed request described the geographical location of the proposed site. Mr. Gartner stated the service entrance to the site would be located on Hopeful Road and noted that Hopeful Road would be widened at some point in time. Mr. Gartner stated the applicant did believe that the access road should terminate at the site rather than run through the site. Mr. Gartner referred to the existing trees on the site and stated they would recognize and make every effort to retain those trees. Mr. Gartner addressed the light source and stated they did not anticipate lighting in the back of the of the building but the front of the site would have light fixtures that would direct the light down instead of shining over the edge of the property. Mr. Gartner referred to the noise outside the building through the speaker system and stated they would have smaller horns but more of them. Mr. Gartner closed by stating that the proposed use was in conformance with the Comprehensive Plan and was similar to other businesses within the area.

Mr. Martin inquired of the audience's support, opposition, or comment.

Mr. Frank Giorgio, resident of Ashcraft Lane stated he was concerned about the drainage and the noise problems, (paging system) and inquired how the applicant planned to alleviate those problems.

Mr. Ronnie Troxel, 920 Ashcraft Lane state he was not opposed to the proposed request but expressed concern of what the use would do to the value of his property and he inquired if the applicant intended to any buffering or landscape plantings in the back of the property.

Ms. Sue Green, adjoining property owner, inquired of a regulation that required a 50 foot buffer zone between residential and commercial property. Mr. Costello explained that should the zone change be granted, then during Site Plan Review under the current 1986 zoning regulations there was a minimum 25 foot buffer area required when a C-3 zone joined an SR-2 zone. Mr. Costello noted the Planning Commission, however, could request further buffer requirements.

Atty. Dale Wilson noted the buffer requirements could be a consideration on the Concept Development Plan.

Mr. Martin referred to the Commission for discussion.

Mr. Viox inquired if there would be a body shop on the proposed site. Atty. Jim Woltermann, representative for the applicant stated no, the applicant preferred to have the body shop removed from the site.

Mr. Delong expressed concern of meeting the requirements and changing the property to the C-3 and then because of the expense of the property the car dealership could back out and re-sell the property. Mr. Delong suggested some type of guarantee or restriction. Mr. Jack Gartner stated that was why there were zoning regulations to prohibit that from taking place.

Mr. Neltner stated it was his understanding there were no plans to begin construction on the site within the next six months. Mr. Gartner stated that was correct. Mr. Neltner inquired what would happen to the property in the meantime. Atty. Woltermann stated they were stock piling the ground at the present time, if there was no dealership then they would go ahead and build the building and then it would probably be a year or two before something would happen. Mr. Neltner inquired if the ground would just be left abandoned for a couple of years. Atty. Woltermann stated that as far as the houses on the property, he was not sure if they had given any specific consideration.

Mr. McMillian stated he was pleased to hear that the speakers would be toned down.

Ms. Smith requested clarification of the two parcels of land off Hopeful Road, in which the Staff Report stated they were SR-1 and the plan stated SR-2. Staff member Dave Geohegan stated the two parcels were indicated in the Staff Report as SR-1, the plan showing SR-2 was incorrect.

Atty. Wilson requested staff to speak of the Comprehensive Plan relative to the C-3 zone.

Mr. Geohegan noted that under the "Goals and Objectives"

section of the Comprehensive Plan the property method of commercial development was addressed. Mr. Geohegan read from pages three and four of the Staff Report several references to the recommended types and locations of commercial development. Mr. Geohegan stressed the importance of the existing and potential traffic problems on KY 18. Mr. Geohegan then noted in reference to Mr. Neltner's questions on development timing, that there were several sites in the county that had undergone zone changes to Commercial Services, C-3 specifically for car dealerships, and they had remained undeveloped for some time.

Atty. Wilson stated the Comprehensive Plan described how the commercial uses went in the area without identifying specifically C-3.

Chairman Kroger stated the Staff Report indicated a sanitary manhole approximately 600 feet southwest and inquired of the location of the manhole. Mr. Jim Berling stated he was not familiar with a manhole southwest but there was a sewer available to the east of Hopeful Road.

Chairman Kroger inquired if the Toyota facility anticipated having Hopeful Road in an improved capacity at the time that they build. Mr. Berling stated yes.

Chairman Kroger inquired if the event of Hopeful Road not being improved would have any impact on the applicant's decision. Atty. Woltermann stated he did not believe so.

Mr. Martin stated the request would be on the Business Meeting's agenda for January 7, 1987 at 8:00 P.M. Hearing no further questions or comments, Mr. Martin closed the Public Hearing.

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BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING

JANUARY 7, 1987

8:00 P.M.

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Chairman Kroger called the Business Meeting to order. Roll call was taken by staff member Dee Ann Brewer. 11 members were present. Absent: Messrs. Slusher and DeLong. All staff members were present. Atty. Dale Wilson was also present.

Minutes of the December 17, 1986 Business Meeting, the December 17, 1987 Public Hearings and the December 29, 1987 Special Business Meeting were considered. Mr. Viox noted that on Public Hearing #1, Page 8 paragraph 3, there should be a change. It should read; " the applicant to provide staff with examples of projects and locations that the applicant had participated in and that information be provided to staff." Mrs. Smith referred to Page 11, and stated that she was not the Chairperson of the Nominating Committee and noted Mr. McMillian had been nominated as Chairperson for that committee. After further discussion, Mr. McMillian moved to approve the December 17, 1986 Business Meeting, the December 17, 1987 Public Hearings and the December 29, 1987 Special Business Meeting Minutes as corrected. The motion was seconded by Mr. Davis. The motion carried unanimously.

Administration

Chairman Kroger inquired of bills to be paid. Ms. Brewer read bills to be paid: Staff Salaries and Benefits, \$14,732.33; Robert Pope (withdrawal of Conditional Used Permit, \$177.00; Boone County Fiscal Court, \$109.07; Anchor Flange Co. (withdrawal of Sign Permit), \$60.00; Sky Chefs (Christmas Banquet), \$432.00; The Boone County Recorder (Subscription), \$12.00; The Boone County Recorder (Legal Notices), \$425.25; The Kentucky Post, \$377.61; Redeker & Dick (office supplies), \$7.50; University of Ky - Ky Geo. Survey (maps), \$37.50; Dixie Vending, \$6.30; Spectrum Computer Products, \$105.00; American Planning Association, \$230.00; The Picture Place, \$40.13; Pflum, Klausmeier, & Wagner, \$3,550.00; GRW Engineers, Inc., \$3,000.00; EDM Business Interiors (office supplies), \$84.106; Ky. State Treasurer (12-10-86), \$866.07; Ky. State Treasurer (12-30-86), \$1,266.75; Co. Employees Retirement System (12-30-86), \$1,144.80 for a grand total of \$26,663.37. Mr. Jones moved that all bills be paid as presented. The motion was seconded by Mrs. Smith. The motion carried unanimously.

Reports

to 5 feet where the portion of the proposed building and parking area abuts the existing cemetery.

Mr. Viox moved to recommend approval by Resolution to the Boone County Fiscal Court the request of John B. Gartner (applicant) for Hopeful Lutheran Church (Owner) for a Zoning Map Amendment located directly behind Central Hardware, Boone County, Kentucky based upon the Committee and Staff Reports. The motion was seconded by Mr. Collins.

Chairman Kroger inquired if the applicant agreed to the conditions within the Committee Report. Mr. John Gartner, applicant stated the developers of the project had no problem with the conditions within the Committee Report.

Chairman Kroger inquired of any support, opposition or comments on the proposed request. Hearing none, the motion carried unanimously.

#### Zoning Map Amendment

A request of Toyota Motor Distributors, Inc. (owner by option) for a Zoning Map Amendment on the south side of KY 18 and west of Hopeful Road. The 4 acre site is currently zoned Commercial Two, C-2 and suburban Residential One, SR-1 and is located both with the incorporated limits of Florence and the unincorporated limits of Boone County, Kentucky.

Staff member Jim Sturdevant briefly presented the Staff Report.

Mr. Newton read the Committee Report which recommended approval based upon findings of fact and with conditions:

1. The applicant shall agree to submit a detailed landscaping and screening plan as part of the Site Plan Review for the project. These detailed landscaping and screening details shall include but not necessarily be limited to the following:
  - a. A minimum 25 foot wide landscape area be planted and maintained along the south property line to buffer the proposed development from the adjoining residential zone. This area shall utilize suitable existing vegetation supplemented by additional plantings as determined through Site Plan Review.
  - b. A minimum 15 foot wide landscape area, utilizing existing vegetation and supplemented by additional plantings, be maintained along the west property line to buffer the proposed development from the abutting residential use. The specific details to be determined

through Site Plan Review.

c. That the applicant agree to enlarge the landscaped area located on the northeast corner of the site by at least 50% and provide a low-rise, monument sign as an alternative to a pole mounted sign.

d. That the applicant agree to provide an additional landscaped area in the eastern portion of the site as determined to be appropriate through Site Plan Review and in agreement with plans for the widening of Hopeful Road with any subsequent removal of the existing evergreen trees. Landscaping in this area should be of the same general scale as that planned for the Ky 18 side of the development.

2. The applicant agrees to limit turning movements to right turns only for the access point on KY 18, to provide appropriate plans to accommodate this through Site Plan Review, and to relocate the access point on Hopeful Road approximately 100 feet farther south from its presently proposed location. This drive is to coincide with the access point on the opposite side of Hopeful Road.

3. The applicant agrees to cooperate with the Planning Commission, and adjoining property owners to the west of the site, in order to provide appropriate access management improvements, which may include the beginning of a frontage road along KY 18. Also, the applicant agrees to possibly close the access point to KY 18 in the event that an alternative access from KY 18 to the site is provided by a future frontage road. This should occur especially if safety problems or traffic conflicts became apparent at the planned access point.

4. The applicant shall submit detailed plans for outside lighting and outside paging/sound system for Site Plan Review. These systems shall be designed to be sensitive to preventing spillover of noise and light onto adjacent properties and public streets.

5. The applicant shall provide appropriate engineering details for storm water detention with the Site Plan Review.

6. No auto body work be conducted on the premises.

Mr. Davis moved that the request of Toyota Motor Distributors, Inc. (owner by option) for a Zoning Map Amendment on the south side of KY 18 and west of Hopeful Road be recommended for approval by Resolution to the Boone County Fiscal Court and the City of Florence based upon the Staff and Committee Reports. The motion was seconded by Mr. Neltner.

Mr. Jones inquired how many houses to the west of the site facing Burlington Pike had been purchased. Attorney Jim Walterman, representative for the applicant, stated four parcels had been purchased altogether but he was not certain how many houses actually faced Burlington Pike or Hopeful Road. Mrs. Carol Zembrodt stated there were two houses facing Hopeful Road and three facing Burlington Pike. After further discussion, Atty. Walterman again informed the Commission that a total of four parcels had been purchased but he still was not sure of the exact number of houses on each parcel.

Chairman Kroger inquired of any questions or comments on the proposed request. Hearing none, Chairman Kroger inquired if Atty. Walterman as representative for the request, agreed to the conditions within the Committee Report. Atty. Walterman stated that many of the conditions were geared to the Site Plan Review and at such time as the Site Plan was submitted it may be that some of the factors involved may change. Chairman Kroger stated the conditions that were stipulated which were of greatest importance in the Committee Report discussed frontage roads along KY 18. Chairman Kroger requested comment to be made by the applicant noting their cooperation with allowing frontage roads along KY 18 to occur. Atty. Walterman stated they would cooperate on frontage roads but stated that in talking with the Committee it was not anticipated frontage roads going entirely through the Toyota property and then across Hopeful Road because that would create a secondary or competing road system which would allow people to bypass KY 18 in hopes of speeding through the site. Chairman Kroger stated the elimination of the curb cut to KY 18 was the primary concern. Atty. Walterman stated the applicant would be willing to work with the Planning Commission and the adjacent property owners to the west to resolve the curb cut situation on KY 18. Atty. Walterman stated that as the access was removed away from KY 18, (which obviously there would be right turns only with the recommended conditions), they would be looking more and more towards the Hopeful Road entrance. Atty. Walterman explained that may cause the applicant to turn their building because Hopeful Road may end up their primary entrance and he felt that issue would be addressed at Site Plan Review.

Atty. Dale Wilson pointed out that if any of the recommended conditions were impaired in any way, or weakened, or if any on the Commission thought there may be a major change then the applicant be required to have another Public Hearing.

Mr. Jones inquired if the building was to be built soon. Atty. Walterman stated there was no anticipated construction date at the present time because Toyota would not be building the building but rather a franchisee. Atty. Walterman noted he did not anticipate construction during the current year.

After further discussion, a roll call vote was taken:

Ayes: Messrs: Burch, Collins, Davis, Martin, McMillian,  
Neltner, Viox, Mrs. Smith and Chairman Kroger.

Nays: Messrs: Greene and Jones.

The motion carried.

#### Zoning Map Amendment

A request of James W. Gallenstein (owner) for a Change in Concept Development Plan on a 3.5 acre tract and a Zoning Map Amendment for a 0.3 acre parcel. The 3.5 acre parcel is currently zoned Commercial Services (C-3) and the zone change request is to change the zoning on the 0.3 acre tract from Office Two (O-2) to Commercial Services (C-3). Both parcels are located on the east side of Industrial Road and south of Columbia Drive, Florence, Kentucky.

Staff member Kevin Costello noted the Concept Development Plan for the Commission's review.

Mr. Newton read the Committee Report which recommended approval based upon findings of fact and the following conditions:

1. The maximum square footage shall be reduced from 48,776 square feet to 40,000 square feet in order to reduce the amount of paved surface parking spaces and building area. A reduction in building square footage will result in additional landscaped areas and will improve the visual effect of the proposed development as seen from Industrial Road.
2. Because the submitted Concept Development plan showed very little landscaping on the subject property, the Committee recommends that most of the parking be eliminated along the western lot line and be replaced with suitable landscaping features (e.g. trees and shrubs). Appropriate landscaping shall also be required along Columbia Drive and Sussex Drive to screen the Commercial use from multi-family residential use.
3. The allowable uses shall be limited to the following:
  - a. Major furniture, floor coverings, household appliances and home furnishing outlets;
  - b. Eating and drinking establishments including alcoholic beverages and entertainment;

ORDINANCE NO. 0-3-87

AN ORDINANCE ADOPTING AND APPROVING A REZONING OF CERTAIN REAL ESTATE COMPRISING THAT PART OF A 4-ACRE TRACT LOCATED IN THE CITY OF FLORENCE, KENTUCKY, SUCH ZONE CHANGE BEING FOR PROPERTY LOCATED, GENERALLY, ON THE SOUTH SIDE OF KENTUCKY HIGHWAY 18 AND NEAR THE WEST SIDE OF HOPEFUL ROAD, THIS ZONE CHANGE BEING FROM ITS PRESENT ZONES OF SUBURBAN RESIDENTIAL ONE (SR-1), AND COMMERCIAL TWO (C-2) TO A COMMERCIAL SERVICES (C-3) ZONE, SUBJECT TO AND CONDITIONED UPON AN AGREED CONCEPT DEVELOPMENT PLAN. (TOYOTA MOTOR DISTRIBUTORS, INC.)

WHEREAS, the City of Florence, Kentucky is a member of a county-wide planning unit, known as the Boone County Planning Commission, and

WHEREAS, the Boone County Planning Commission has recommended that certain real estate located, generally, on the south side of relocated Kentucky Highway 18 near Hopeful Road, some of such property being in Florence, Kentucky should be rezoned from its present Suburban Residential One (SR-1) and Commercial Two Zones to a Commercial Services (C-3) Zone, and

WHEREAS, this recommendation from the Boone County Planning Commission is based upon certain findings which have been reviewed by the City Council of Florence, Kentucky and is subject to and conditioned upon an agreed concept development plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FLORENCE, KENTUCKY AS FOLLOWS:

SECTION I

That certain real estate comprising that part of a 4 acre tract located within Florence, Kentucky located on the south side of Kentucky Highway 18 near Hopeful Road, being in Florence, Kentucky shall be and the same is hereby rezoned from its present Suburban Residential One (SR-1) Zone and Commercial Two (C-2) Zone to a Commercial Services (C-3) Zone, subject to and conditioned upon an agreed concept development plan, such real estate being more particularly described in Exhibit "A" which is attached hereto and incorporated herein by reference.

SECTION II

That the zoning map of Boone County, Kentucky as it applies to the City of Florence, Kentucky shall be amended or changed to reflect the rezoning of the real estate set forth in Section I of this Ordinance.

SECTION III

That the recommendation of the Boone County Planning Commission regarding this zone change matter shall be and is hereby adopted and approved by

the City Council of Florence, Kentucky, which accepts the findings of the Boone County Planning Commission for this zone change.

SECTION IV

That this rezoning is subject to the conditions and provisions of the zone change request, including its development plan, which are agreed to by applicant/property owner.

SECTION V

This rezoning is subject to and conditioned upon the Committee Reports of the Boone County Planning Commission which were accepted by the applicant/owner for the rezoning request and became part of the development plan for this rezoning. Copies of these Committee reports are attached, marked Exhibits "B" and "C" and incorporated by reference herein as if fully set out.

SECTION VI

That in the event the rezoning of this property would be held invalid by any court of proper jurisdiction, such invalidity shall not affect the validity of any of the other zoning regulations, zoning map and comprehensive plan provisions as they are severable from this rezoning on this particular piece of property, and are intended to continue to have effect irregardless of any invalidity to this particular rezoning.

PASSED AND APPROVED ON FIRST READING THIS 24<sup>th</sup> DAY OF February 1987.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 10<sup>th</sup> DAY OF March, 1987.

APPROVED: ..

Raymond W. Bluffe  
MAYOR

ATTEST:

Stacy L. Conrad  
CITY CLERK