

**ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION**

Seven (7) copies of submitted drawings are required

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

SECTION A: (To be completed by applicant)

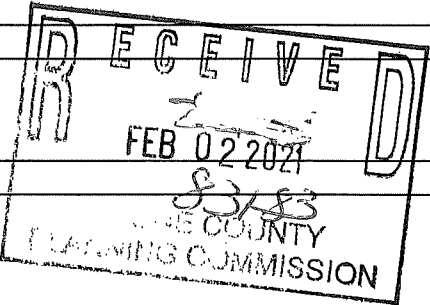
1. Name of Project: ANCHOR STORAGE FACILITY EXPANSION
2. Location of Project: 8450 DIXIE HWY, FLORENCE, KY 41042
3. Total Acreage of Project: 149 M. KRUESEN DR. +/- 1.97 ACRES (1.83 ACRES / 0.14 ACRES)
4. Current Zoning of Property: SR-1
5. Proposed Zoning of Property (classification being requested): I-2
6. Proposed Use(s) (specify each use):
SELF STORAGE FACILITY
7. Proposed Building Intensities (specify for each building):
28440 / 85813 = 0.33
8. Are you applying for any of the following (check all that apply):
 Conditional Use Permit Variance
9. Current Owner: LIVINGSTON, BONNIE J & WILLIAM REX RE VOCABLE Trust
 Address: PO BOX 648

<u>UNION</u>	<u>KENTUCKY</u>	<u>41091</u>
City	State	Zip Code

 Phone Number: 859-525-9525 Fax Number: _____
 Email: jason@anchorstorageusa.com
10. Applicant: Viox & Viox Inc.
 Address: 466 Erlanger Road

<u>Erlanger</u>	<u>Kentucky</u>	<u>41018</u>
City	State	Zip Code

 Phone Number: 859-727-3293 Fax Number: _____
 Email: bmackay@vioxinc.com
11. Are there any existing buildings on the site: Yes No
 If yes, indicate how many: _____



	D1154	96-99	2049 B
12.	<u>D1154</u>	<u>100-103</u>	<u>2049 B</u>
	Deed Book	Page Number	Group Number

13. Have you had a pre-application meeting with the BCPC staff: Yes No

14. Have you submitted a Concept Development Plan: Yes No

15. Have you met or discussed your proposed development with any of the following organizations/agencies (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Boone County Building Department | <input type="checkbox"/> Local Fire District |
| <input type="checkbox"/> Boone County Public Works Department | <input type="checkbox"/> Local School District |
| <input type="checkbox"/> Boone County Water District | <input type="checkbox"/> Northern Kentucky Health Department |
| <input type="checkbox"/> Cincinnati Bell | <input type="checkbox"/> Owen Cooperative Electric, Inc. |
| <input type="checkbox"/> Cincinnati/Northern Kentucky International Airport (Kentucky Airport Zoning Commission for height restrictions near the airport) | <input type="checkbox"/> Sanitation District No. 1 |
| <input type="checkbox"/> Duke Energy | <input type="checkbox"/> USDA NRCS/Boone County Conservation District |
| <input type="checkbox"/> Florence Public Services Department | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Kentucky Division of Water | |
| <input type="checkbox"/> Kentucky Transportation Cabinet | |

16. Concept Development Plan Jurisdiction/Location (check all that apply):
 Unincorporated Boone Florence Walton Union

17. Waiver of 60 Day Time Requirement by Originator for Final Planning Commission Action:

In accordance with the provisions of KRS 100.211, the applicant(s) and property owner(s) or originator(s) hereby waive the 60 day time limit for the Boone County Planning Commission to take final action on my (our) Zoning Map Amendment/Concept Development Plan application. This time limit waiver is considered effective immediately upon receipt by the Boone County Planning Commission and expires on _____
Date to be determined

William Rex Livingston *Bonnie J. Livingston*
ORIGINAL Property Owner's Signature: _____
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)

Brock May
ORIGINAL Applicant's Signature: _____
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)

EXHIBIT

“A”

STAFF REPORT

#2

Request of Viox & Viox, Inc. (applicant) for Bonnie J. Livingston and William Rex Livingston (owners) for a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial Two (I-2), and a variance from the Boone County Zoning Regulations, for the approximate 1.83 acre site located at 8450 Dixie Highway, and the easternmost, approximately 0.14 acres of the site located at 149 Mikkelsen Drive, Boone County, Kentucky (approximately 1.97 acres total). The request is for a zone change to allow self-storage and a variance from Table 31.1 to reduce the side yard setback from 100 feet minimum to 40 feet.

March 3, 2021

REQUEST

The applicant has submitted the following requests:

1. A Zoning Map Amendment application to rezone an approximate 1.97 acre area from Suburban Residential One (SR-1) to Industrial Two (I-2) so Anchor Storage can expand their business. The zone change area is comprised by an approximate 1.83 acre site located at 8450 Dixie Highway and an approximate 0.14 acre portion of 149 Mikkelsen Drive, Boone County, Kentucky.
2. A Variance application to reduce the required side yard building setback of a storage building from one hundred (100) feet to forty (40) feet along the western boundary of the zone change site. The 100' building setback is required because the remaining portion of 149 Mikkelsen Drive is residentially zoned and contain a house. The property and house are owned by Anchor Storage.

The submitted Concept Development Plans show that a total of seventy-nine (79) self-storage units are proposed in two buildings. The first building is approximately 324' x 30' and would contain twenty-seven (27) 12' x 30' storage units. This building is shown 25' from the Mikkelsen Drive right-of-way. The second building is approximately 312' x 60' and would contain fifty-two (52) 12' x 30' storage units. This building is shown 60' to the south of the first building. Access to these new buildings is shown from the existing parking lot. The plans also show a storm water detention basin, a possible L shaped retaining wall, and changing the existing emergency access point on Mikkelsen Drive to an egress point. A 25' wide buffer yard is shown along the Mikkelsen Drive frontage and 40' wide buffers are shown in the western parts of the zone change site.

PERTINENT HISTORY

1. On September 12, 2007, the Boone County Board of Adjustment approved the following requests:
 - A Variance reducing the front yard setback of a storage building from the Dixie Highway right-of-way line. The approval reduced the front yard setback from 50' to 20'.

- A Variance reducing the side yard setback requirement of three storage buildings from the 8450 Dixie Highway property line. The approval reduced the side yard building setback of the buildings from 100' to 20'.
- A Variance reducing the landscape buffer requirements from 50' in width (Buffer Yard D) to 20' in width (Buffer Yard B) for the portions of the site which adjoined 8450 Dixie Highway.

Four conditions were imposed on the approval (see attachments).

2. On July 24, 2020 Boone County Building Department issued a Demolition Permit for the structures at 8450 Dixie Highway after a fire occurred.

APPLICABLE REGULATIONS

1. Section 308 of the Boone County Zoning Regulations states that before any map amendment is granted, the Planning Commission and legislative body shall use the following criteria:
 1. The map amendment is in agreement with the adopted comprehensive plan and any specific study designed to further detail the Boone County Comprehensive Plan for the location in question; or
 2. The existing zoning classification is inappropriate and that the proposed zoning classification is appropriate; or
 3. There have been major changes of an economic, physical, or social nature not anticipated in the adopted comprehensive plan that substantially alter the area's character.
2. Section 303 of the Boone County Zoning Regulations states that at the time of filing an application for a zoning map amendment, an applicant may also request a dimensional variance for the same development.
3. Section 250 of the Boone County Zoning Regulations defines a variance as a departure from dimensional terms of the zoning regulation pertaining to the height, width, or location of structures, and the size of yards and open spaces where such departure meets the requirements of KRS 100.241 to 100.247.
4. The Planning Commission should evaluate the requested variance as it relates to the following criteria that is listed in Section 251 of the Boone County Zoning Regulations:
 - a. Before any variance is granted, the Board must find that the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the board shall consider whether:

- (1) The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;
 - (2) The strict application of the provisions of the regulations would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;
 - (3) The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.
- b. The Board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.
5. Table 31.1 of the Boone County Zoning Regulations requires a 100' side yard building setback when a developing I-2 property adjoins another property that is zoned Suburban Residential One (SR-1).
6. Section 3620 of the Boone County Zoning Regulations would require street frontage landscaping to be provided along the Mikkelsen Drive frontage. Based on the 25' buffer yard width shown on the plan, the following plantings would be required every 100 linear feet:
- 5 small trees from plant list C or 3 large, medium, or evergreen trees from plant lists A, B, or D.
 - 15 small shrubs from plant list E or 7.5 large shrubs from plant list C.
7. Section 3645 of the Boone County Zoning Regulations requires Buffer Yard D to be provided when a developing I-2 property adjoins a property that is zoned SR-1. Buffer Yard D can be planted in one of two options.

80' wide with the following plantings every 100 linear feet	40' Wide with the following plantings every 100 linear feet
20 Evergreens from Plant List D Planted in a double row and spaced 10' on center	20 Evergreens from Plant List D Planted in a double row and spaced 10' on center
11 Large Trees from Plant List A	11 Large Trees from Plant List A
40 Large Shrubs from Plant List C	20 Large Shrubs from Plant List C
	6' berm, fence, or masonry wall is required

SITE CHARACTERISTICS

- 1. The zone change site is approximately 1.97 acres in area and has approximately 333' of frontage on the south side of Mikkelsen Drive.
- 2. The zone change site does not contain any structures. The residential access point on Mikkelsen Drive still exists.

3. A mature tree line exists along southern property boundary.
4. Boone County G.I.S. shows the topography of the site falls from 944' above sea level at the northeast property corner to 926' above sea level at the southwest property corner.

ADJACENT LAND USES AND ZONING

North: Single-family home fronting on Mikkelsen Drive (SR-1) and Maddox Garden Center (I-2)

South: Anchor Storage (I-2)

East: Anchor Storage (I-2)

West: Single-family home fronting on Mikkelsen Drive (SR-1 and I-2) and Anchor Storage (I-2)

RELATIONSHIP TO OUR BOONE COUNTY PLAN 2040

1. The "2040 Future Land Use Plan" designates the site as "Industrial" which is described as "manufacturing, wholesale, warehousing, distribution, assembly, mining, and terminal uses."
2. The following Goals and Objectives apply to this application:
 - A. Land uses and zoning decisions shall strive to balance the rights of landowners with the rights of neighbors and the community (Overall Goal A, Objective 4).
 - B. Development policies shall not discriminate against any person (Demographics Goal A, Objective 1).
 - C. Provide appropriate services, housing, employment, and shopping opportunities in order to meet the needs of the population in all geographic areas of the County (Demographics Goal A, Objective 4).
 - D. Development shall attempt to utilize topography and vegetation (including mature trees where possible) and preserve the existing character of the land where practical (Environment, Objective 7).
 - E. Industries shall be promoted in suitable locations to make the county a vital part of a strong regional economy (Economy Goal A, Objective 2).
 - F. Boone County shall seek a combination of land uses that balances revenues generated from those uses with the expenditures required to support them (Economy Goal A, Objective 8).
 - G. Compact, efficient development patterns shall be encouraged for industrial, commercial, and office uses with appropriately sized and well maintained buffer spaces between the business use and other land uses (Economy Goal B, Objective 1).

- H. Commercial uses shall be designed and located to coordinate with the surrounding land uses and shall have safe access and adequate parking (Economy Goal B, Objective 3).
 - I. Future industrial districts should be identified in advance of residential development so that potential impacts are known and can be addressed (Economy, Goal B, Objective 6).
 - J. Priority shall be given towards maintaining, protecting, and improving the capacity and safety of the existing road system across jurisdictions (Transportation Goal A, Objective 1).
 - K. Proper vehicular and pedestrian access to adjoining property shall be provided and/or retained when a property develops or redevelops (Transportation Goal B, Objective 6).
3. The following excerpts are from the Land Use element text:
- A. This area is bound to the west by I-75/71, to the east by the Kenton County line, to the north by the northern extent of the Northern Kentucky Industrial Park, and to the south by Deer Trace Mobile Home Park and Enterprise V Industrial Park. This section contains the Northern Kentucky Industrial Park, which is the largest park in the metropolitan region. Expansion and continued development and redevelopment of this employment center is expected to continue over the study period of this plan. Industrial development should remain solely on the east side of the interstate and should retain the existing tree line to buffer the uses from residential development on the west side of the interstate and to hide the outside storage and parking areas from public view from the interstate. (Land Use, Description and Purpose of Land Use Maps, Geographical Area 17, Florence Industrial, pg. 131).
 - B. The industrial park should be encouraged to expand to the south along the Empire Road Connector and Weaver Road to Sam Neace Boulevard. In addition, the development should continue along U.S. 25 and Weaver Road, and near the railways (Land Use, Description and Purpose of Land Use Maps, Geographical Area 17, Florence Industrial, pg. 131).

BOONE COUNTY TRANSPORTATION PLAN

The plan shows and unscheduled need improvement (implemented beyond 2040) on Dixie Highway, between Winning Colors Drive and the bridge over the Norfolk Railroad crossing. The project is described as widening US 25 from 2 to 4 lanes with a multi use path to improve mobility and reduce congestion.

STAFF COMMENTS

- 1. Staff has some concerns regarding the Zone Map Amendment request because Mikkelsen Drive is predominately a single-family residential street. Staff would like the applicant to

address the following compatibility issues:

- A. Will the proposed storage buildings be single story construction and match the other Anchor Storage buildings?
- B. What additional security lighting is proposed? Will this lighting be on all night or be on motion sensors?
- C. Can the proposed limits of security fencing be better defined? What type(s) of fencing is proposed?
- D. Does Anchor Storage permit any outside storage?
- E. How many customers visit the site on a typical day? Are there issues with customers pulling out of the site from the Dixie Highway access point.
- F. Is any additional building mounted signage proposed.
- G. Can the Mikkelsen Drive street frontage buffer be enhanced? The plan is currently showing Buffer Yard A plantings will be installed.

Staff would like the applicant to analyze if Buffer Yard B plantings and a supplemental berm could be installed in this street frontage buffer.

- 2. Staff would like to remind the Planning Commission that they will be taking final action on the Variance application. Staff believes that granting the request will not allow an unreasonable circumvention of the zoning regulations because Anchor Storage owns the house that adjoins the zone change site and will be installing Buffer Yard D along the western property lines.
- 3. An inter-departmental email was sent to the Boone County Building Department, Boone County Public Works, City of Florence Fire Department, and the Kentucky Department of Transportation requesting comments pertaining to the request. Their comments are attached to the report.

CONCLUSION

- 1. The request for the proposed zoning map amendment needs to be evaluated by the Boone County Planning Commission and Boone Fiscal Court in terms of Kentucky Revised Statute (KRS) 100.213, Article 3 of the Boone County Zoning Regulations, the appropriate planning documents noted herein, and the potential impacts on existing and planned uses in the area.
- 2. The request for the proposed Variance needs to be evaluated by the Boone County Planning Commission in terms of Kentucky Revised Statute (KRS) 100.243, Article 2 of the Boone County Zoning Regulations, the appropriate planning documents noted herein, and the potential impacts on existing and planned uses in the area.

Respectfully submitted,



Todd K. Morgan, AICP
Senior Planner

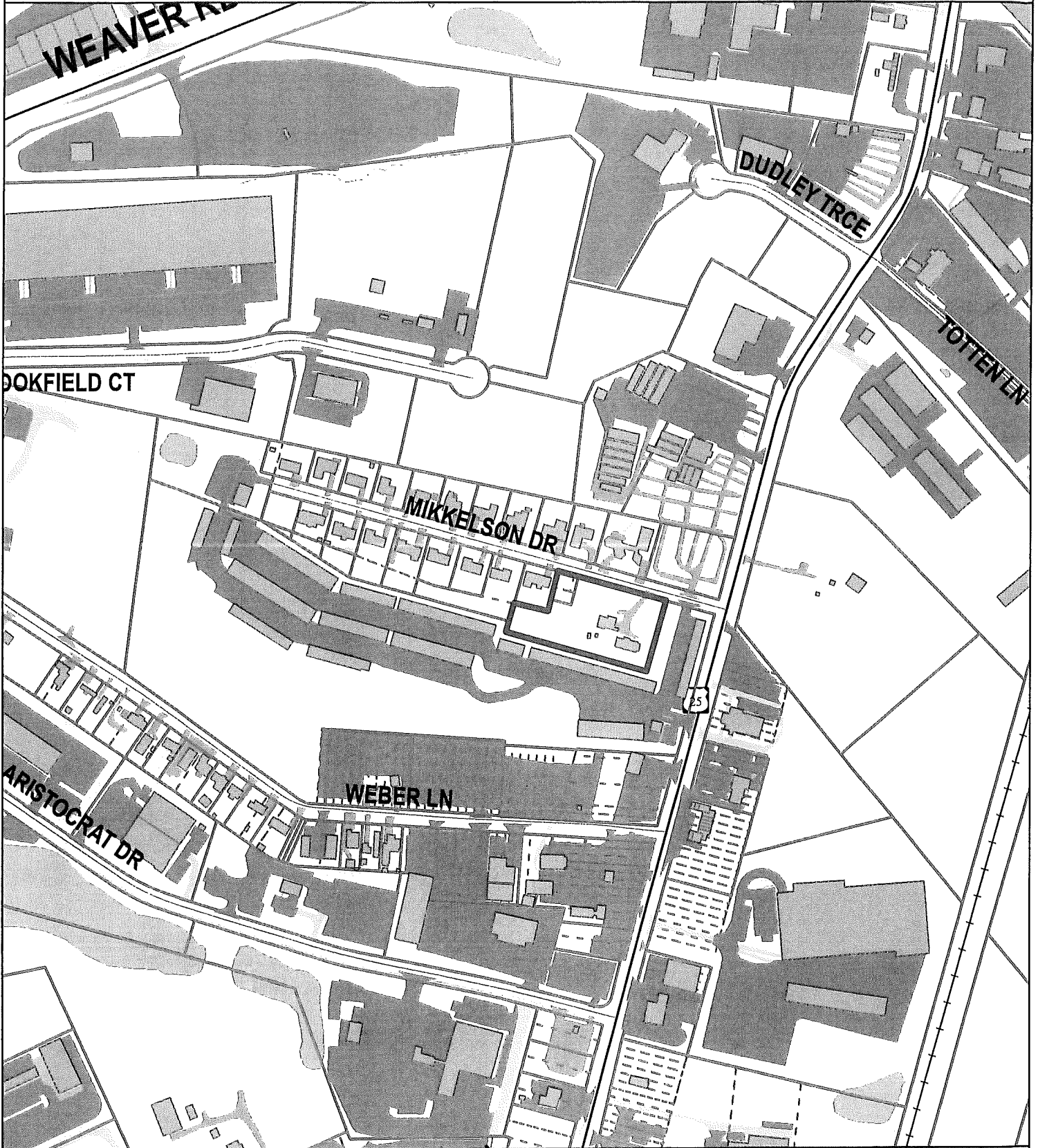
TKM/ss

Attachments:

- *Site Vicinity Map
- *Application
- *Concept Development Plans
- *Zoning Map
- *2040 Future Land Use Map
- *2020 Aerial Map
- *Topographical Map
- *Email from Jerry Noran, dated 2/4/21
- *Email from Randy Childress dated 2/8/21
- *Email from Rob Franxman dated 2/15/21
- *Email from Linzy Brefeld dated 2/17/21
- *9/12/07 Boone County Board of Adjustment Conditions

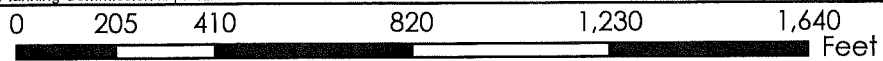
SITE VICINITY MAP

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1 Inch = 400 feet



Boone County GIS - Putting Northern Kentucky on the Map



Map Created: xx/xx/2020

Map File: 8.mxd
ArcMap Document: *.mxd

D1154

96-99

~~2049 8~~ 2049 8

12. D1154

100-103

~~2049 8~~ 2049 8

Deed Book

Page Number

Group Number

13. Have you had a pre-application meeting with the BCPC staff: Yes No

14. Have you submitted a Concept Development Plan: Yes No

15. Have you met or discussed your proposed development with any of the following organizations/agencies (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Boone County Building Department | <input type="checkbox"/> Local Fire District |
| <input type="checkbox"/> Boone County Public Works Department | <input type="checkbox"/> Local School District |
| <input type="checkbox"/> Boone County Water District | <input type="checkbox"/> Northern Kentucky Health Department |
| <input type="checkbox"/> Cincinnati Bell | <input type="checkbox"/> Owen Cooperative Electric, Inc. |
| <input type="checkbox"/> Cincinnati/Northern Kentucky International Airport (Kentucky Airport Zoning Commission for height restrictions near the airport) | <input type="checkbox"/> Sanitation District No. 1 |
| <input type="checkbox"/> Duke Energy | <input type="checkbox"/> USDA NRCS/Boone County Conservation District |
| <input type="checkbox"/> Florence Public Services Department | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Kentucky Division of Water | |
| <input type="checkbox"/> Kentucky Transportation Cabinet | |

16. Concept Development Plan Jurisdiction/Location (check all that apply):

- Unincorporated Boone Florence Walton Union

17. Waiver of 60 Day Time Requirement by Originator for Final Planning Commission Action:

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William Rex Livingston *Bonnie J. Livingston*
ORIGINAL Property Owner's Signature: _____
 (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

Brock Maff
ORIGINAL Applicant's Signature: _____
 (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

RECEIVED
FEB 02 2021
BOONE COUNTY
PLANNING COMMISSION

ANCHOR STORAGE FACILITY EXPANSION ZONE CHANGE SUBMITTAL

8470 Dixie Highway
 Florence, KY 41042

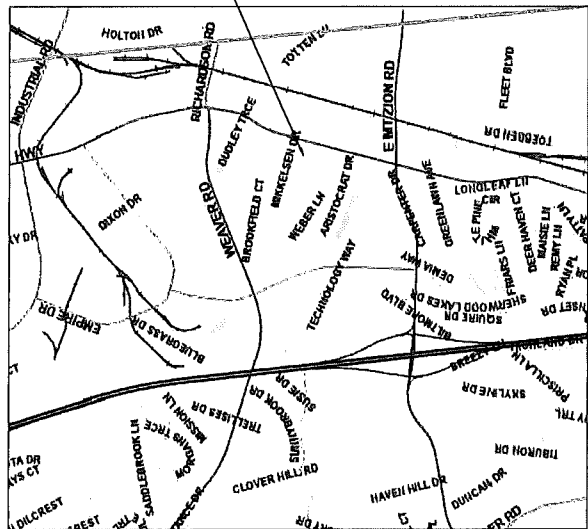
SITE DATA

Parcel ID: 074-00-00-026.05 and 074-00-00-026.07
 Parcel Address: 8450 DIXIE HWY, FLORENCE, KY 41042 and 149
 MIKKELSEN DR, FLORENCE, KY 41042
 Current Owner: LIVINGSTON BONNIE J & WILLIAM REX RE
 Owner Address: PO BOX 648, Union, Kentucky 41091
 Deed Ref: PART OF LOTS 5 6 7 8 17 18 19 DIXIE MANOR (74-26D1)
 and LOT 21 & PT OF LOT 16 (0.4 AC) (74-26D2A)
 Total Acreage of Site: 1.83 Ac. and 0.37 Ac.
 Current Zone: SR-1
 Future Land Use Plan: Industrial
 Soils: Rossmoyne Silt Loam 6-12%; Rossmoyne Silt Loam 0-6%

SITE ZONING DATA

Proposed Zone: I-2
 Min. Lot Size = 100,000
 Prop. Lot Size = 1.97 Ac. connected to existing 18.52
 acre facility
 Max. Intensity = 22,000 SF (0.505)
 Building Intensity for Expansion = 0.33
 Min. Frontage = 250'
 Max. Ht. = 50 ft
 Min. Front Yard Setback = 100' N/A
 Min. Corner Lot Setback = 25' (½ of 50')
 Min. Rear Yard Setback = 50' N/A
 Min. Side Yard Setback = 50' (requesting 40')
 Variance Explanation: The properties on either side of the
 property line where the variance is requested is the same
 Owner. The request is for the buffer yard and setback to both
 equal 40'. This does not reduce plantings, fence, or berm
 requirements.

Buffer Yard Requirements:
 Adjoining SR-1 = Buffer Yard D - 40' w/ fence or berm
 Adjoining Street = Buffer Yard "A" - 10'



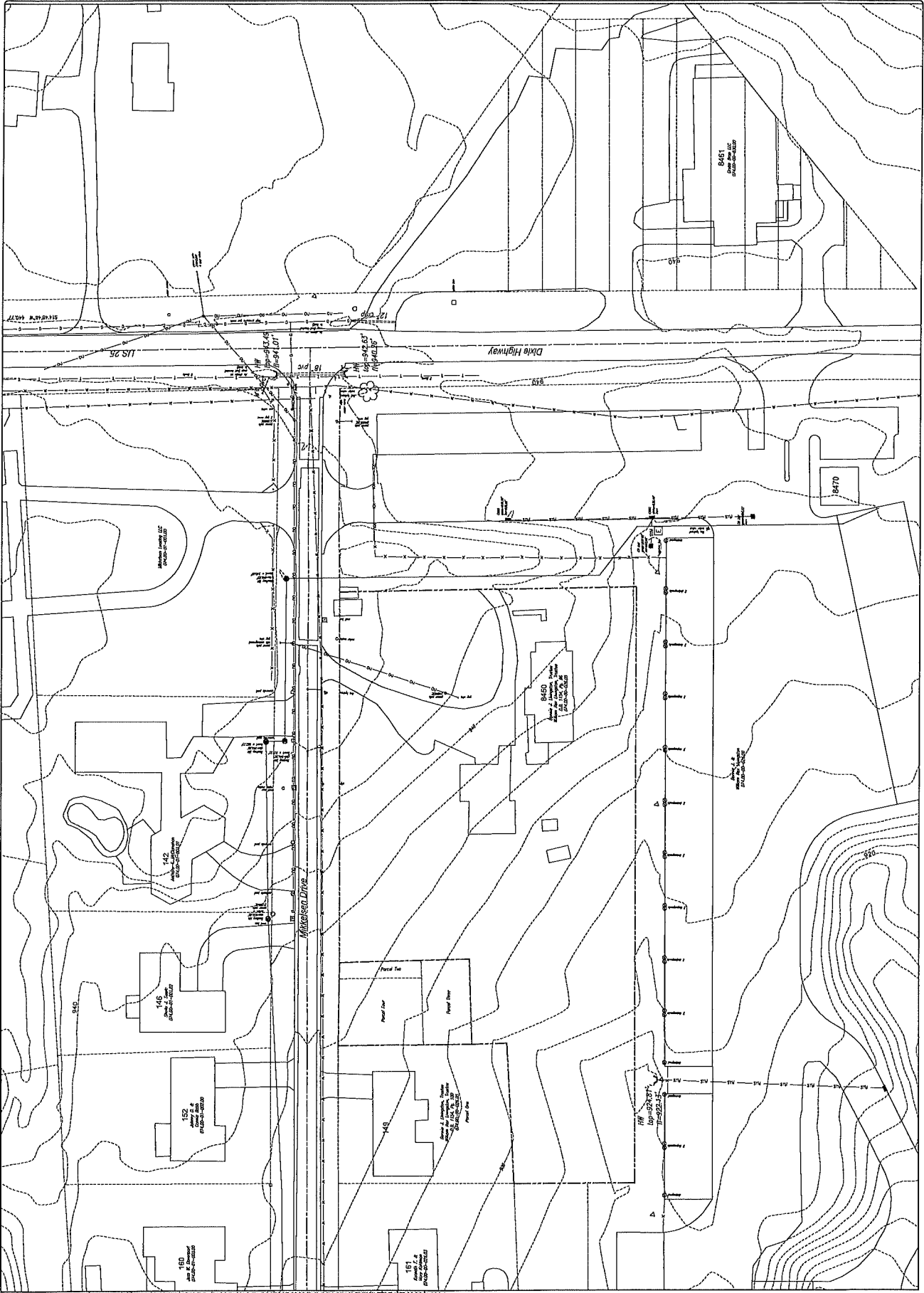
VICINITY MAP
 SCALE: NTS

SHEET INDEX
 COVER
 EXISTING CONDITIONS - 1
 CONCEPT PLAN - 2

ANCHOR STORAGE FACILITY EXPANSION
DIXIE HWY. & MIKKESEN DR.
BOONE COUNTY, KY

VIOX & VIOX
 Civil Engineers, Surveyors, and Landscape Architects
 403 Elm Avenue • Bowling Green, KY 42101
 403 Elm Avenue • Bowling Green, KY 42101
 Phone: (270) 853-7333 • Fax: (270) 853-7000
 www.vioxinc.com

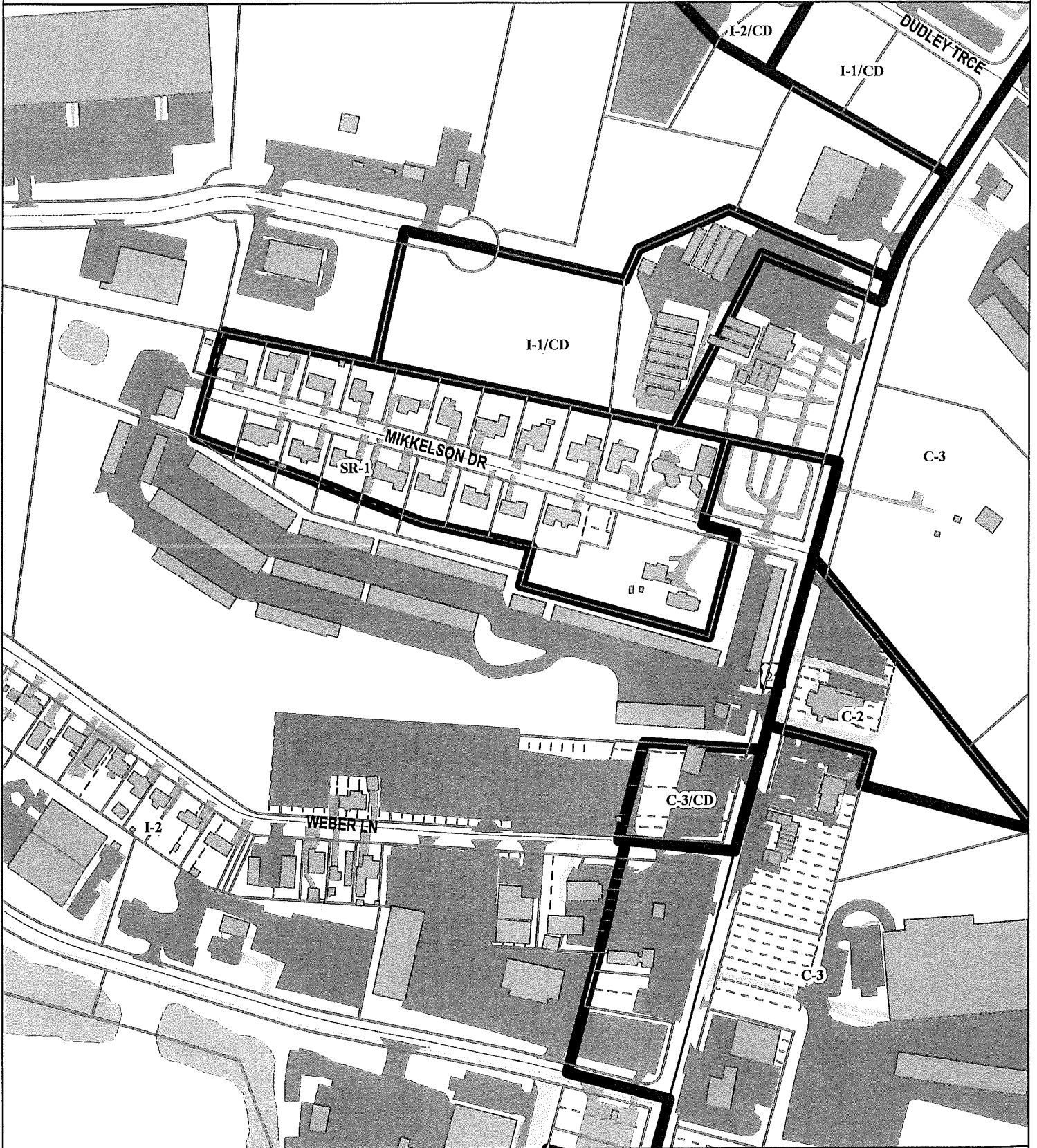
DATE: 11/15/11
 DRAWN BY: JLD
 CHECKED BY: JLD
 PROJECT NO.: 11-001



This drawing and the design provided are prepared on the basis of information furnished by the client. The client is responsible for the accuracy of the information furnished. The client is also responsible for obtaining all necessary permits and approvals from the appropriate authorities. The client is also responsible for providing all necessary information for the design and construction of the project.

ZONING MAP

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1 inch = 300 feet



Boone County GIS - Putting Northern Kentucky on the Map

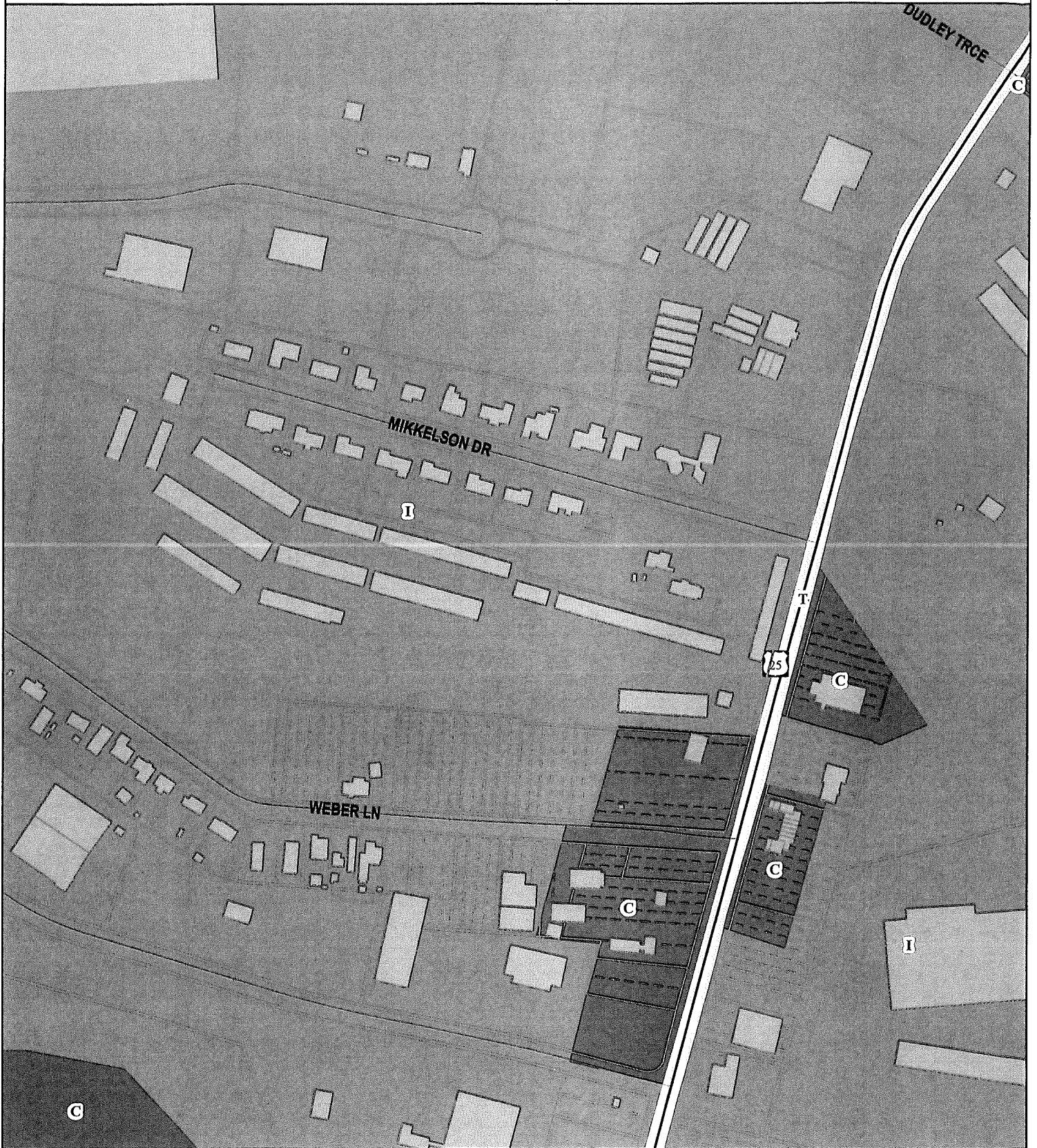


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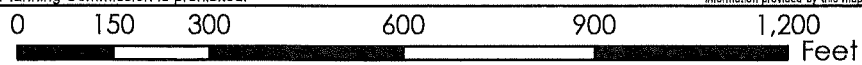
2040 FUTURE LAND USE MAP

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Boone Cou

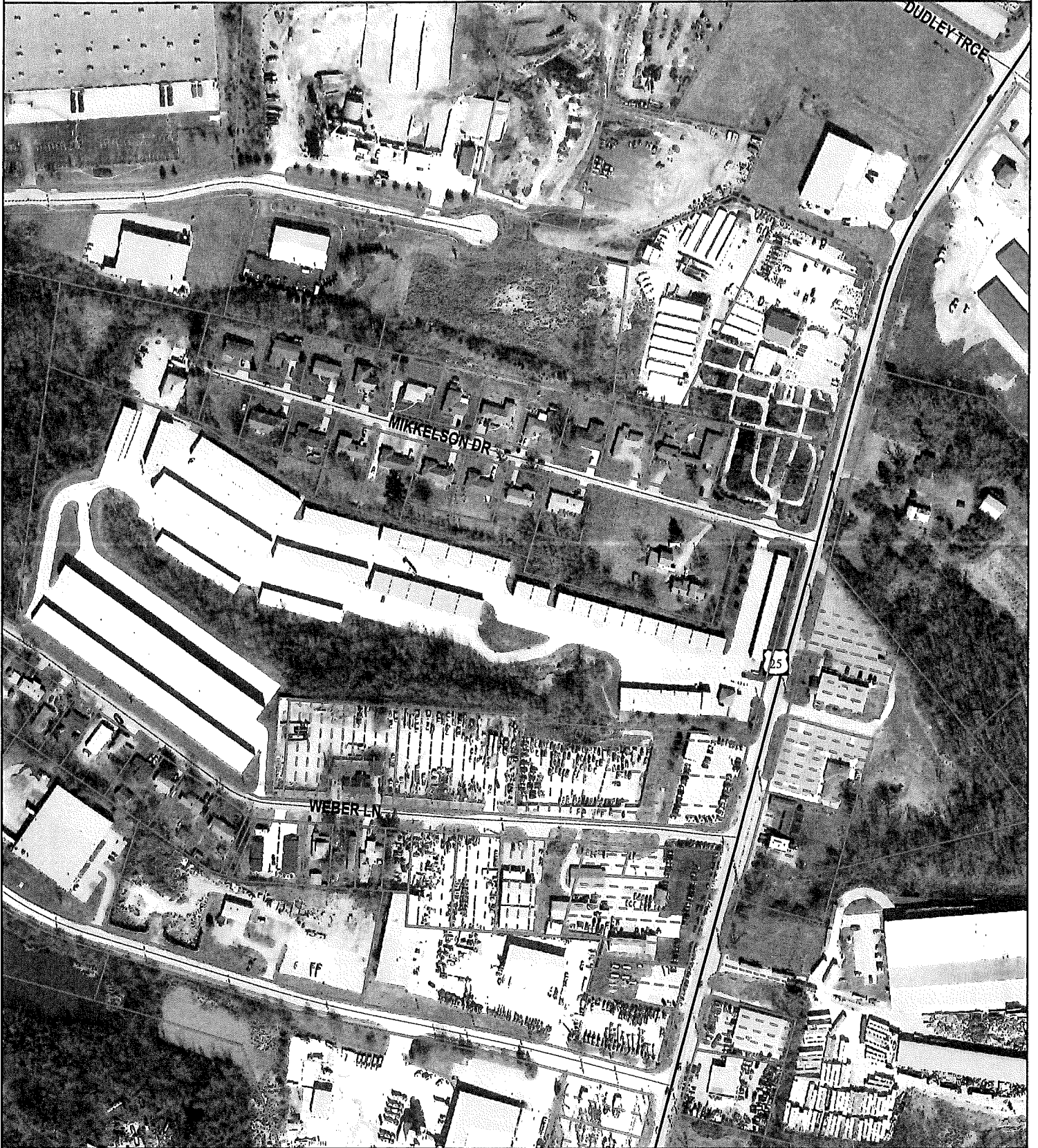


Map Created: xx/xx/2020

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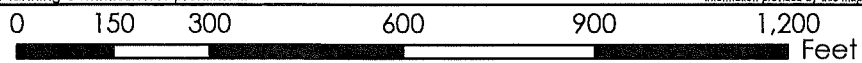
2020 AERIAL MAP

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Boone



TOPOGRAPHICAL MAP

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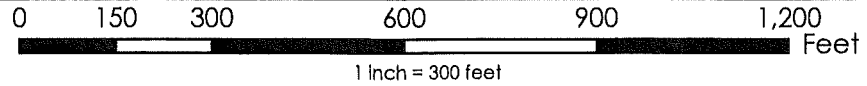


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Boone



Map Created: xx/xx/2020

Boone County GIS
ArcMap Document: *.mxd

Todd Morgan

From: Jerry Noran
Sent: Thursday, February 04, 2021 4:10 PM
To: Todd Morgan
Subject: RE: Anchor Storage Facility Expansion at 8450 Dixie Hwy. and 149 Mikkelsen Dr., Boone County, KY

If there's no parking required or provided, I don't think an accessible space is required. Please confirm lack of parking.

Sincerely,
Jerald E. Noran, CBO, AIA
Chief Building Official
Boone County Building Department
2950 Washington Street
P.O.Box 900
Burlington, KY 41005
859-334-3288
jnoran@boonecountyky.org

From: Todd Morgan
Sent: Thursday, February 04, 2021 4:05 PM
To: Jerry Noran <jnoran@boonecountyky.org>; Robert Franxman <rfranxman@boonecountyky.org>; Randy Childress <Randy.Childress@Florence-KY.gov>; Brefeld, Linzy M (KYTC-D06) <Linzy.Brefeld@ky.gov>
Subject: Anchor Storage Facility Expansion at 8450 Dixie Hwy. and 149 Mikkelsen Dr., Boone County, KY

All,

Anchor Storage has submitted Zoning Map Amendment and Variance applications to allow them to expand onto 8450 Dixie Highway and a part of 149 Mikkelsen Drive. The request is to:

1. Rezone an approximate 1.97 acre area from Suburban Residential One (SR-1) to Industrial Two (I-2) to allow the self-storage expansion; and
2. Allow a variance to reduce the side yard setback of one of the storage buildings from 100' to 40'.

I have attached the submitted Concept Development Plans. The plans show two new storage buildings and that access to the storage site will not change. The residential access point that serves 8450 Dixie Highway (driveway is located on Mikkelsen Drive) would be removed.

The public hearing for this application has been scheduled for March 3, 2021, at 7:30 P.M. Please let me know if you have comments. I would like to receive comments by February 22, 2021 so I have time to review them and include them in my Staff Report.

Please feel free to call or email me if you have any questions.

Thanks for your help.

Todd K. Morgan, AICP
Senior Planner, Zoning Services
Boone County Planning Commission

Todd Morgan

From: Randy Childress <Randy.Childress@Florence-KY.gov>
Sent: Monday, February 08, 2021 2:41 PM
To: Todd Morgan; Jerry Noran; Robert Franxman; Brefeld, Linzy M (KYTC-D06)
Subject: RE: Anchor Storage Facility Expansion at 8450 Dixie Hwy. and 149 Mikkelsen Dr., Boone County, KY

EXTERNAL MESSAGE

No comments

From: Todd Morgan <TMorgan@boonecountyky.org>
Sent: Thursday, February 04, 2021 4:05 PM
To: Jerry Noran <jnoran@boonecountyky.org>; Robert Franxman <rfranxman@boonecountyky.org>; Randy Childress <Randy.Childress@Florence-KY.gov>; Brefeld, Linzy M (KYTC-D06) <Linzy.Brefeld@ky.gov>
Subject: Anchor Storage Facility Expansion at 8450 Dixie Hwy. and 149 Mikkelsen Dr., Boone County, KY

All,

Anchor Storage has submitted Zoning Map Amendment and Variance applications to allow them to expand onto 8450 Dixie Highway and a part of 149 Mikkelsen Drive. The request is to:

1. Rezone an approximate 1.97 acre area from Suburban Residential One (SR-1) to Industrial Two (I-2) to allow the self-storage expansion; and
2. Allow a variance to reduce the side yard setback of one of the storage buildings from 100' to 40'.

I have attached the submitted Concept Development Plans. The plans show two new storage buildings and that access to the storage site will not change. The residential access point that serves 8450 Dixie Highway (driveway is located on Mikkelsen Drive) would be removed.

The public hearing for this application has been scheduled for March 3, 2021, at 7:30 P.M. Please let me know if you have comments. I would like to receive comments by February 22, 2021 so I have time to review them and include them in my Staff Report.

Please feel free to call or email me if you have any questions.

Thanks for your help.

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

Todd Morgan

From: Robert Franxman
Sent: Monday, February 15, 2021 12:40 PM
To: Todd Morgan
Subject: RE: Anchor Storage Facility Expansion at 8450 Dixie Hwy. and 149 Mikkelsen Dr., Boone County, KY

Todd,

I made my review with the understanding traffic would be exiting onto Mickelson. I did not realize it was previously emergency access only; however, I think the proposed change is still fine for Mickelson. I'd still say KYTC should comment since the traffic patterns affect US 25 more than anything (though the overall traffic volumes are small).

Thanks,
Rob

From: Todd Morgan
Sent: Sunday, February 14, 2021 10:01 AM
To: Robert Franxman <rfranxman@boonecountyky.org>
Subject: RE: Anchor Storage Facility Expansion at 8450 Dixie Hwy. and 149 Mikkelsen Dr., Boone County, KY

Rob,

Thanks for the comments.

Did you get my updated email on 2/5/21? I spoke with the property owner and provided an update. The proposed plans show the following:

1. The residential access point at 8450 Dixie Highway (located on Mikkelsen Drive) would be removed.
2. Anchor Storage wants to convert the existing gated emergency access point on Mikkelsen Drive to an egress point. The proposal would allow employees and customers to exit the site from either the Dixie Highway or Mikkelsen Drive access points.

Todd

From: Robert Franxman
Sent: Saturday, February 13, 2021 9:35 AM
To: Todd Morgan
Subject: RE: Anchor Storage Facility Expansion at 8450 Dixie Hwy. and 149 Mikkelsen Dr., Boone County, KY

Todd,

Since the egress condition onto Mickelson is not changing and the increased traffic exiting to Mickelson will be minimal (>5 vehicles in peak hour – {.17 trips 1,000 sf}). I do not have any comments from a public works or County transportation standpoint.

KYTC should comment since the ingress and egress points will affect US 25.

Thanks,

Todd Morgan

From: Brefeld, Linzy M (KYTC-D06) <Linzy.Brefeld@ky.gov>
Sent: Wednesday, February 17, 2021 7:25 AM
To: Todd Morgan
Subject: Re: Anchor Storage Facility Expansion at 8450 Dixie Hwy. and 149 Mikkelsen Dr., Boone County, KY

EXTERNAL MESSAGE

No issues or comments on this one.

Thanks!

Linzy Brefeld, P.E.
Transportation Engineer Supervisor
KYTC District 6
Traffic and Permits Section
Linzy.Brefeld@ky.gov
Get [Outlook](#) for iOS

From: Todd Morgan <TMorgan@boonecountyky.org>
Sent: Thursday, February 4, 2021 4:04:50 PM
To: Jerry Noran <jnoran@boonecountyky.org>; Robert Franxman <rfranxman@boonecountyky.org>; Randy Childress <Randy.Childress@Florence-KY.gov>; Brefeld, Linzy M (KYTC-D06) <Linzy.Brefeld@ky.gov>
Subject: Anchor Storage Facility Expansion at 8450 Dixie Hwy. and 149 Mikkelsen Dr., Boone County, KY

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

All,

Anchor Storage has submitted Zoning Map Amendment and Variance applications to allow them to expand onto 8450 Dixie Highway and a part of 149 Mikkelsen Drive. The request is to:

1. Rezone an approximate 1.97 acre area from Suburban Residential One (SR-1) to Industrial Two (I-2) to allow the self-storage expansion; and
2. Allow a variance to reduce the side yard setback of one of the storage buildings from 100' to 40'.

I have attached the submitted Concept Development Plans. The plans show two new storage buildings and that access to the storage site will not change. The residential access point that serves 8450 Dixie Highway (driveway is located on Mikkelsen Drive) would be removed.

The public hearing for this application has been scheduled for March 3, 2021, at 7:30 P.M. Please let me know if you have comments. I would like to receive comments by February 22, 2021 so I have time to review them and include them in my Staff Report.

Please feel free to call or email me if you have any questions.

Thanks for your help.

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Variances approved by the Boone County Board of Adjustments and in accordance with the current zoning in effect as of September 12, 2007 Certificate of Land Use Restriction (#07-BCBOA-012-A), for Livingston Revocable Trust Property Owner(s).

The following conditions will apply:

- 1) The approval is based on the revised concept plan that was submitted at the September 12, 2007 Boone County Board of Adjustment meeting.
- 2) The property owner shall contact the Kentucky Transportation Cabinet to see if all or a portion of the Dixie Highway street frontage buffer can be planted in the existing and future right-of-way.
- 3) All site lighting shall be directed downwards and inwards towards the subject site. A 0 foot candle reading shall be required along any property line which contains a residential use. The maximum height of the light poles shall not exceed 15 feet in height.
- 4) Portions of the northern property line (Murray property to Beach property) and southern property line (Brock property to rear property line) which adjoins residential uses shall be screened with a 20' buffer. The plantings required in these buffers shall be 8 evergreen trees from Plant List D and 4 large trees, medium, or small trees from Plant Lists A, B, or C per 100 linear feet. Any existing trees retained in the buffers shall be credited towards the deciduous tree requirements.

The approved Variances as well as the preceding conditions apply to the property described in:

DEED BOOK 923

PAGE NO. 321

GROUP NO. 2049B

COMMISSION MEMBERS PRESENT:

Ms. Olivia Amlung
Mr. Randy Bessler
Mr. Kim Bungler, Secretary/Treasurer
Ms. Corrin Gulick
Mr. Steve Harper
Mrs. Lori Heilman
Mr. Rick Lunnemann
Mr. Don McMillian
Mr. Kim Patton, Vice Chairman
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mrs. Jackie Steele
Mr. Tom Szurlinski
Mr. Steve Turner, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

Mrs. Janet Kegley

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Todd K. Morgan, AICP, Senior Planner

Chairman Rolfsen introduced the second item on the Agenda at 8:22 p.m.

ZONING MAP AMENDMENT AND VARIANCE – Todd Morgan, Staff

2. Request of **Viox & Viox, Inc. (applicant)** for **Bonnie J. Livingston and William Rex Livingston (owners)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial Two (I-2), and a variance from the **Boone County Zoning Regulations**, for the approximate 1.83 acre site located at 8450 Dixie Highway, and the easternmost, approximately 0.14 acres of the site located at 149 Mikkelsen Drive, Boone County, Kentucky (approximately 1.97 acres total). The request is for a zone change to allow self-storage and a variance from Table 31.1 to reduce the side yard setback from 100 feet minimum to 40 feet.

Staff Member, Todd Morgan, presented the Staff Report, which included a PowerPoint presentation. The site is located on Mikkelsen Drive. The request is to rezone the site from Suburban Residential One (SR-1) to Industrial Two (I-2) so that Anchor Storage can expand. The zone change area is comprised of an approximate 1.83 acre site located at 8450 Dixie Highway and an approximate 0.14 acre portion of 149 Mikkelsen Drive. Both properties are currently owned by Anchor Storage. The existing structures have been removed from the site. The second part of the request is a Variance to reduce the sideyard setback from 100 feet to 40 feet along the western boundary of the zone change site. Anchor Storage owns the house at 149 Mikkelsen Drive. The first building would contain twenty-seven 12'x30' storage units. It is 324' x 30' in size. The second building is 312' x 60' and contains fifty-two 12' x 30' storage units. It is located about 60 feet south of the first building. Access to these buildings is shown from the existing parking lot. A 25' wide buffer yard is planned along the Mikkelsen Drive frontage and 40' wide buffers are shown in the western parts of the zone change site. The applicant also wants to convert the existing emergency access to Mikkelsen Drive to egress only. This is outside the zone change limits. The overall site has its main access off Dixie Highway and emergency access of Mikkelsen Drive and Weber Lane. Mr. Morgan showed photographs of the existing site and adjoining properties. The Comprehensive Plan's Future Land Use Map recommends Industrial (I) by the year 2040. He referred to the criteria necessary for taking action on a Zoning Map Amendment request noted on page 2 of the Staff Report along with criteria for granting a Variance. The Planning Commission makes the final decision on the Variance request. Other references to the Comprehensive Plan are noted on pages 4 and 5 of the Staff Report.

In terms of Staff Comments, Staff has some concerns regarding the Zoning Map Amendment request because Mikkelsen Drive is predominantly a single-family residential street. Staff would like the applicant to address the following compatibility issues:

1. Will the proposed storage buildings be single story construction and match the other Anchor Storage buildings?
2. What additional security lighting is proposed? Will this lighting be on all night or be on motion sensors?
3. Can the proposed limits of security fencing be better defined? What type(s) of fencing is proposed?
4. Does Anchor Storage permit any outside storage?
5. How many customers visit the site on a typical day? Are there issues with customers pulling out of the site from the Dixie Highway access point.
6. Is any additional building mounted signage proposed.
7. Can the Mikkelsen Drive street frontage buffer be enhanced? The plan is currently showing Buffer Yard A plantings will be installed. Staff would like the applicant to analyze if Buffer Yard B plantings and a supplemental berm could be installed in this street frontage buffer.

An inter-departmental email was sent to the Boone County Building Department, Boone County Public Works, City of Florence Fire Department, and the Kentucky Department of Transportation requesting comments pertaining to the request. Their comments are attached to the report.

Chairman Rolfsen asked if the applicant was present and wanted to proceed with their presentation?

Mr. Brock MacKay, Viox & Viox, Inc., referred to his PowerPoint presentation and introduced Mr. Jason Livingston, Manager of Anchor Storage. The business has been located on Dixie Highway for 12 years. The original idea of the facility was to provide storage for RVs, boats and camper trailers from harsh weather. They currently have 400 spaces and the facility is full. They have a waiting list. They would like to increase capacity from 406 units to 485 individual garages. The new buildings are designed to match the existing ones. They are made of steel and 2 buildings will be added. The lighting will be the same as what is there now. It is directed downward and inwards. Mr. MacKay noted the current zoning of the property and the Future Land Use Map designates industrial for the site. The planned buffer to the west affects the neighboring property which is them. The Comprehensive Plan recommends industrial development and zoning along Dixie Highway. The proposed use is commercial in nature and could fall into a C-3 zoning district. The proposed use is less impactful than a typical I-2 use. The buffer requirements will be met along the adjoining property lines. They have enhanced the buffer along Mikkelsen Drive. Mr. MacKay showed photographs of the existing buildings. Buffer Yard D will be planted between the 2 properties. The proposed landscaping along Mikkelsen Drive is a B+ rather than the required Buffer A. There is no need for additional signage. They would like to use Mikkelsen Drive for exiting the site in order to allow traffic to approach the major intersection.

Chairman Rolfsen asked if the new units were designed exclusively for RVs and boats? Mr. Livingston replied yes that is what their intention is at this time. However, they don't limit customers to those items as they rent to people who store household items. They don't allow the outside storage of RVs and boats. They do allow boats to be stored under a canopy, which could be construed as outside storage. The height of the proposed buildings is 14 feet tall. Mr. MacKay said that they will look and see if they can put a berm in the Mikkelsen Drive street frontage buffer but will need to be careful not to trap water. No outside storage is being proposed as part of this application. Chairman Rolfsen asked if there was going to be a security gate for the egress? Mr. Livingston replied yes. It is a lot easier to see to turn left from Mikkelsen Drive to go north on Dixie Highway versus the existing egress when Dixie Highway is very busy. It is a function of Dixie Highway being backed up and not a lot of customers leaving the site. They have about 10-12 vehicles leaving the site everyday.

Mr. Patton asked if the lighting can be on the building versus on poles? Mr. Livingston responded that they don't have poles. Lighting is on wall packs. Mr. Patton noted that the development is getting bigger so it probably needs another exit.

Ms. Gulick inquired about the size of radius for the egress. Is the developer going to improve it so the residents won't be blocked when traveling from Mikkelsen Drive to Dixie Highway? She understood the request of a second exit but it shouldn't be at the cost of the residents.

Mr. Costello read an email received at 7:58 p.m. from Mr. Johnny D. Babb, Jr., 1552 Mikkelsen Drive, asking for details of the proposed project and meeting (See Exhibit A). He expressed a

concern about property values. He requested that Mr. Babb and other be allowed to submit written testimony to the Planning Commission for consideration. Mr. Wilson asked what type of notification was made to Mr. Babb? Mr. Morgan replied that signs were posted on the property. The adjoining property owners received a notice by mail and newspaper ad. The letter informed people to call the office to get a link to the virtual meeting. Most people on Mikkelsen Drive did not get notice because they were not adjoining property owners. Signs were posted on both parcels located on Mikkelsen Drive. Staff will follow up with Mr. Babb. Chairman Rolfsen asked if there was anyone else in the audience who wanted to speak or make comments?

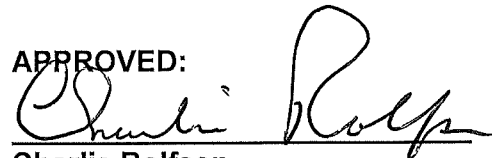
Mr. Bungler asked if the buildings proposed in this section will be enclosed? Mr. Livingston responded they will be completely enclosed buildings. The storage units will have individual doors. Chairman Rolfsen asked for the sections of the site that have a roof only. Is that considered outside storage by definition? Mr. Morgan replied yes,

Ms. Amlung stated that the roof is a very bright blue color. How tall is the buffer or barrier and what is it going to cover? From what she sees on Google, the roof is very bright and a distraction. If the buffer is not tall enough, it won't hide the bright roof in this residential area. Mr. Livingston responded that the roof is not painted even though it looks like it on Google. It is actually a rolled, standing seam, steel roof. The trim around the top is blue. The roof is actually silver. It can't be seen from the ground unless you are 14 feet tall. Ms. Amlung reiterated that the buffer needs to be tall enough to hide the blue stripe on the top to minimize the commercial look on a residential street.

Mrs. Steele recommended eliminating the blue stripe to make the development fit in better with the residential area.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on March 17, 2021 at 5:00 P.M. via Live Video Teleconference. This item will be on the Agenda for the Business Meeting on April 7, 2021 at 7:00 p.m. If someone wants to observe the Committee Meeting, please contact the office and provide the necessary information for logging into the meeting. The Chairman closed the Public Hearing at 8:56 p.m.

APPROVED:



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

Exhibit A – Email from Johnny Babb, Jr. dated March 3, 2021

Todd Morgan

From: Kevin Costello
Sent: Wednesday, March 03, 2021 8:18 PM
To: Todd Morgan
Subject: Fwd: video conference for residence on Mikkelsen Dr. Florence

Sent from my iPhone

Begin forwarded message:

From: johnny babb <jbabbjr@gmail.com>
Date: March 3, 2021 at 7:58:57 PM EST
To: Kevin Costello <KCostello@boonecountyky.org>
Subject: video conference for residence on Mikkelsen Dr. Florence

EXTERNAL MESSAGE

Hello,

Many on our street did not know we had to call and sign up for the video conference for the Viox & Voix, Inc. zoning map amendment for Suburban Residential One(SR1) to Industrial Two(I-2) I have talked to my neighbors, and we are disappointed.

What can we do to find out the details of the meeting? We are greatly concerned about how this is going to affect our property values. We have lived here 23 years and have added onto our house twice.

We have alot invested here.

Please tell me what I can do to still have a voice and learn more about this hearing.

Thanks,
Johnny D.Babb Jr.
152 Mikkelsen Dr.
Florence, Ky 41042



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**BOONE COUNTY PLANNING COMMISSION
VIA LIVE VIDEO TELECONFERENCE
BURLINGTON, KENTUCKY
BUSINESS MEETING
APRIL 7, 2021
7:00 P.M.**

Chairman Rolfsen opened the Business Meeting at 7:00 p.m. and welcomed everyone to the Planning Commission's April 7, 2021 Business Meeting. The Boone County Planning Commission, pursuant to KRS 61.826, Kentucky Senate Bill 150 and OAG 20-05, is conducting its regularly scheduled meeting on Wednesday, April 7, 2021 at 7:00 p.m. via live video teleconference. This meeting format has been necessitated due to the state of emergency regarding the threats to public health presented by the novel Coronavirus (COVID-19) pandemic.

COMMISSION MEMBERS PRESENT:

Ms. Olivia Amlung
Mr. Randy Bessler
Mr. Kim Bungler, Secretary/Treasurer
Ms. Corrin Gulick
Mr. Steve Harper
Mrs. Lori Heilman
Mrs. Janet Kegley
Mr. Kim Patton, Vice Chairman
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mrs. Jackie Steele
Mr. Tom Szurlinski

COMMISSION MEMBERS NOT PRESENT:

Mr. Rick Lunnemann
Mr. Don McMillian
Mr. Steve Turner, Temporary Presiding Officer

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Kevin Wall, Director, Zoning Services
Mr. Todd K. Morgan, AICP, Senior Planner
Mr. Michael Schwartz, Planner

APPROVAL OF THE MINUTES:

Chairman Rolfsen stated that the Commissioners received copies of the Minutes from the March 17, 2021 Business Meeting. Chairman Rolfsen asked if there were any other comments or corrections? **Mr. Patton moved to approve the Minutes as presented. Mr. Schwenke seconded the motion and it carried unanimously.**

BILLS:

Mr. Kevin P. Costello, AICP, Executive Director, advised the Commissioners of the **Bills to be Paid**, which included a list of **Expenses** and **Salaries and Benefits** for a time period between March 4, 2021 and April 7, 2021.

EXPENSES:

Accounting Fees	\$ 889.01
Attorney Fees	4,000.00
Auto Expense	91.84
Consultant/Professional Svcs Fees	3,335.00
Filing Fees (CLURS)	1,400.00
GIS Operations	285.00
Legal Ads/Recruitment	208.74
Miscellaneous Expense	258.42
Office & Board Meeting Supplies	556.06
Office Equipment/Expense	3,791.24
Postage Expense	835.19
Printing/Pub/Dues/Subscriptions	689.00
TOTAL:	\$ 16,339.50

SALARIES AND BENEFITS:

FICA-BCPC Portion	\$ 7,815.97
Health/Dental/Life/LTD	12,525.42
Retirement – BCPC Portion	18,826.48
Salaries – Staff Expenses	106,531.08
Salaries – BCPC & BOA	1,645.00

TOTAL: \$147,343.95

GRAND TOTAL: \$163,683.45

Mrs. Kegley moved that the bills (expenses and salaries and benefits) be approved and paid as presented and indicated approval of those items, which have been previously paid. Mr. Szurlinski seconded the motion and it carried unanimously.

**ZONING MAP AMENDMENT AND CHANGE IN CONCEPT DEVELOPMENT PLAN –
Kim Patton, Chairman, Todd Morgan, Staff**

1. Request of **Grand Communities, LLC attn: Jason Wisnieski (applicant)** for **Mark Kahmann, Susan Kahmann, and Bonita Maddox Family Living Trust (owners)** for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One/Planned Development (SR-1/PD) for an approximate 12.74 acre tract located at 2514 Hathaway Road, and an approximate 20.33 acre area located immediately north of the properties at 2514 and 2546 Hathaway Road, Boone County, Kentucky; and the request of **Longbranch Development, LLC attn: Jason Wisnieski (applicant)** for **AF Investments, LLC (owner)** for a Change in an Approved Concept Development Plan in a Suburban Residential One/Planned Development (SR-1/PD) zone for an approximate 38.84 acre site located between the properties at 2408 Hathaway Road and 9771 through 9915 Spruce Lane to the east, and the properties 2504 and 2514 Hathaway Road to the west, Boone County, Kentucky. The requests are for a zone change and a Change in an Approved Concept Development Plan to allow detached single family dwelling units and duplex dwelling units.

Mrs. Kegley announced that she wasn't going to participate in this request due to a potential conflict of interest. Mrs. Kegley left her video and muted her audio.

Staff Member, Todd Morgan, read the Committee Report, which recommended approval based upon Findings of Fact and subject to Conditions (see Committee Report). Mr. Morgan noted the Committee voted unanimously to approve the request with Mr. Bunger, Mr. Lunnemann, Mr. Patton and Ms. Gulick voting in favor of the request. Mr. Morgan highlighted the changes made at the March 17, 2021 Committee Meeting. The biggest change was Pod #7. It was reduced to 8.72 acres in area and 70 homes. Pod #6 became greater in area. Also, a grading plan was presented at the Committee Meeting and shown tonight. Most of the stormwater from Pod #7 was going to the street. Lastly, there was a condition in which some houses were going to have upgraded building materials. These houses are identified in orange. In addition, only 3 houses could adjoin the Vaughn property in the rear.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request? Mrs. Cheryl Hall, 2546 Hathaway Road, read her statement (Exhibit A). She requested 2 additional conditions since her property is unique to the subject site. There will be 8 new homes on 2 sides of their property. No one else has this situation. They would like to retain the privacy they have had in the past 36 years in a rural farmland setting. They requested a berm, landscaping and fence and fewer homes next to them.

Ms. Teresa Moffitt asked if the developer is planning dark sky lighting? It is a beautiful area. Lights affect bird migration and plant life cycles. She has been able to see the stars out in her area since 1958. How is the developer addressing it?

Mrs. Hillary Laffin, Grand Communities, thanked the Zone Change Committee and noted that they will incorporate the 9 conditions into their Concept Development Plan.

Seeing no one further comments, Chairman Rolfsen asked if there was a motion to take action? **Mr. Patton moved to approve the Zoning Map Amendment and Change in Concept**

Development Plan by Resolution to the Boone County Fiscal Court based upon the Committee Report and subject to the Findings of Fact and Conditions. Mr. Bunger seconded the motion.

Chairman Rolfsen asked Staff to address Mrs. Hall's request to add conditions. Didn't the Committee address her original concerns? Mr. Morgan responded that one of the conditions requires Buffer Yard C to be installed along the western property line of Pod 6 and Pod 7. There is an option to install a 30 foot wide, 6 foot high berm with a 6 foot high fence or a 60 foot wide buffer option without the berm or fence. Mrs. Hall would like to include a fence as the condition. Mr. Patton responded that the request by Mrs. Hall is new. The Committee addressed the comments from the Public Hearing and thus it took more time to resolve. In essence, the Committee eliminated all of the duplexes along the Hall property line and added single-family houses. There are no requirements for a buffer between single family housing. The Committee recognized the small lots next to the rural character of the area. He would be open to a friendly amendment to include the fence and not either or for the applicant. The overall density of the subdivision is not as much because of the school and the elimination of the multi-family. In addition, the Committee sought to align the housing to face Hathaway Road and to create bigger lots near the subdivision entrance. He stated that he is comfortable with including the buffer and the fence.

Chairman Rolfsen asked about the procedure to amend the Committee Report to change or add conditions? Mr. Costello responded that the Committee has given a recommendation and different conditions offered by the public are difficult to analyze. Perhaps the request can be sent back to the Committee?

Mr. Patton asked if there was a way to open up the discussion with the public on a limited basis at the Committee level in the future? Perhaps it can be addressed further at the Fiscal Court level?

Ms. Hillary Laffin stated that in most instances there will be a fence along the property line. But there are areas where if they install a fence, they would have to remove some mature trees. Which is preferred? Chairman Rolfsen recommended that the developer discuss the issue further with the Halls. He inquired about the dark sky comment. Mr. Morgan responded that the topic did not come up at the Public Hearing. Ms. Laffin replied that Fischer has a standard lighting package and she wasn't sure of the lumens for the lights. It won't be more than a typical subdivision. They will have a few street lights. It shouldn't be an issue. She offered to provide the information if necessary.

Chairman Rolfsen asked for a vote on the motion originally made by Mr. Patton and seconded by Mr. Bunger. The motion passed unanimously by a vote of 11 in favor with 1 abstention (Mrs. Kegley) and no one against the request.

Mrs. Kegley returned to the Business Meeting.

ZONING MAP AMENDMENT AND VARIANCE – Corrin Gulick, Chairwoman, Todd Morgan, Staff

2. Request of **Viox & Viox, Inc. (applicant)** for **Bonnie J. Livingston and William Rex Livingston (owners)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial Two (I-2), and a variance from the **Boone County Zoning Regulations**, for the approximate 1.83 acre site located at 8450 Dixie Highway, and the easternmost, approximately 0.14 acres of the site located at 149 Mikkelsen Drive, Boone County, Kentucky (approximately 1.97 acres total). The request is for a zone change to allow self-storage and a variance from Table 31.1 to reduce the side yard setback from 100 feet minimum to 40 feet.

Staff Member, Todd Morgan, read the Committee Report, which recommended approval based upon Findings of Fact and subject to Conditions (see Committee Report). Mr. Morgan noted the Committee voted unanimously to approve the request with Mr. Bunger, Mr. Lunnemann, Mr. Patton and Ms. Gulick voting in favor of the request.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request?

Mr. Kenneth Davenport, 160 Mikkelsen Drive, stated that he sent an email previously and noted that the proposed zone change invades his privacy. He didn't attend the Public Hearing. He is requesting 3-4 street lights since Anchor Storage runs parallel to his street. The street lights will be for security because whenever there is a business in a neighborhood, there will be a criminal element.

Mr. Brock Mackay, Viox & Viox, Inc., stated that he and the owner took into account the emails that were sent in to comment on the project. They addressed the items under their control. Street lights were not one of them since they don't own the street.

Seeing no further comments, Chairman Rolfsen asked if there was a motion to take action? **Ms. Gulick moved to approve the Zoning Map Amendment and Variance by Resolution to the Boone County Fiscal Court based upon the Committee Report and subject to the Findings of Fact and Conditions. Mrs. Steele seconded the motion.**

In response to a question posed by Chairman Rolfsen, Mr. Morgan stated that street lights would have to be required and approved by the County since they own and maintain Mikkelsen Drive. The applicant has agreed to put lights on their building and direct them downward so as to not impact the residents living on Mikkelsen Drive. Mr. Costello reiterated that the County does not require street lights in subdivisions, only the cities.

Chairman Rolfsen asked for a vote on the original motion made by Ms. Gulick and seconded by Mrs. Steele. The motion passed unanimously.

ZONING MAP AMENDMENT – Kim Patton, Chairman, Kevin Wall, Staff

3. Request of Viox & Viox, Inc. (applicant) for Norbert A. Kahmann Trust, Timothy Kahmann, and Christie Kahmann (owners) for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Suburban Residential One (SR-1) for an approximate 151.7 acre site located at 2298-2318 Clarkston Lane, and the southernmost, approximate 7.5 acres of the site located at 2425 Longbranch Road, Boone County, Kentucky (approximately 159.2 acres total). The request is for a zone change to allow a cluster subdivision for detached single family dwelling units.

Mrs. Kegley and Mr. Schwenke announced that they would not participate in voting on the above request due to a potential conflict of interest. Both left their video and muted their audio.

Staff Member, Kevin Wall, read the Committee Report, which recommended approval based upon Findings of Fact and subject to Conditions (see Committee Report). Mr. Wall noted the Committee voted unanimously to approve the request with Mr. Bunger, Mr. Lunnemann, Mr. Patton and Ms. Gulick voting in favor of the request. Mr. Wall gave a quick overview of the exhibits mentioned in the Committee Report. Mr. Costello noted that since the Public Hearing, the subject property has been annexed by the City of Union this past Monday. Mr. Wall referred to the revised Concept Development Plan, a map and examples of Open Space and Amenities, a detail map of Open Space and Trail Network, a Tree Preservation Exhibit/Grading Plan, a list of Lot Types and a Preliminary Home Construction Schedule.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request?

Ms. Teresa Moffitt mentioned the Dark Sky issue with the proposed development. There will be thousands and thousands of houses and lights. You won't be able to see the stars and nature.

Mr. Brock Mackay, Viox & Viox, Inc., stated that his team has put a lot of work into the project and exhibits. He is available to answer any questions.

Chairman Rolfsen asked if there was a motion to take action? **Mr. Patton moved to approve the Zoning Map Amendment by Resolution to the City of Union based upon the Committee Report and subject to the Findings of Fact and Conditions. Mr. Szurlinski seconded the motion.**

Chairman Rolfsen asked about the type of homes being proposed as noted at the Public Hearing since the site sits between 2 communities? Does the developer have a builder? Mr. Mackay acknowledged that Drees would be the builder and they provided samples of their building types. It was presented at the Committee Meeting. Mr. Patton stated that the submitted color coded plan corresponds with a range of building types, materials and colors. This would give the Staff and Board a better idea of what would be constructed. Mr. Patton explained that the Committee received an extensive amount of product and feels it blends in with the neighboring subdivisions. Mr. Wall noted that samples were not incorporated into the conditions. The Committee did have a comfort level.

Mrs. Heilman expressed a concern for the 52 foot lots. How will the houses planned for these lots fit in with the neighboring houses? Mr. Costello mentioned that the lot sizes and types are part of a pod system or cluster subdivision. These lots are separated by open space. Mr. Wall showed examples of proposed houses on a 52 foot lot. Mr. Patton explained that there is a large amount of open space in these areas where the developer could have made larger lots. It is more like Oakbrook Subdivision rather than a traditional subdivision. Mr. Wall stated there is an expectation that Drees will follow these examples. It may be these examples or something similar.

Mr. Harper reminded everyone that the City of Union annexed this property and is favorable to the zone change request. Mr. Costello confirmed that the City is aware of these building types as City Administrator attended the Committee Meeting of when it was discussed.

Chairman Rolfsen asked for a vote on the original motion made by Mr. Patton and seconded by Mr. Szurlinski. The motion passed unanimously by a vote of 10 in favor with 2 abstentions (Mr. Kegley and Mr. Schwenke) and none against the request.

Mrs. Kegley returned to the meeting.

TECHINAL/DESIGN REVIEW – Lori Heilman, Chairwoman, Kevin Wall, Staff

4. St. Elizabeth Orthopedic Surgical Center – 4900 Houston Road

Mr. Szurlinski and Mr. Schwenke announced that they were not going to participate in this request due to a potential conflict of interest. Both left their video and muted their audio.

Staff Member, Kevin Wall, referred to a Power Point presentation. The applicant wants to build an orthopedic surgical addition to the existing hospital. The main entrance will be removed and a new one will be constructed. It will have a larger canopy. There will be larger slats and ACM panels. The proposed addition will match the previously approved office building.

Chairman Rolfsen asked if there was a motion to act on the request? Mrs. Heilman moved to approve the request based upon the Technical/Design Review Committee recommendation as presented. Mr. Harper seconded the motion and it passed unanimously.

Mr. Szurlinski and Mr. Schwenke returned to the meeting room.

TECHINAL/DESIGN REVIEW – Lori Heilman, Chairwoman, Kevin Wall, Staff

5. Chick-fil-A – 4980 Houston Road

Staff Member, Kevin Wall, referred to a Power Point presentation. The request is to review and approve an order kiosk. It is open on one side and it has panels that can be removed. It has about a 15 square foot footprint with a roof overhang. The total height is 11 feet. The Committee recommended approval of the structure as submitted with one modification/condition:

The side panels on the street sides will be replaced with a rigid material like a plexi-window.

Chairman Rolfsen asked if there was a motion to act on the request? Mrs. Heilman moved to approve the request based upon the Technical/Design Review Committee recommendation and subject to the one condition previously mentioned by Mr. Wall. Mr. Harper seconded the motion and it passed unanimously.

NEW BUSINESS:

ZONING MAP AMENDMENT FOR SPECIAL SIGN DISTRICT – Michael Schwartz, Staff

6. Request of **Joseph H. Beil (applicant)** for **Big Bone Baptist Church (owner)** for a Zoning Map Amendment for a Special Sign District for a 15.5 acre site located at 11036 Big Bone Church Road, Boone County, Kentucky. The request is for a Special Sign District in an Agriculture (A-1) zone to allow an electronic message center on a freestanding sign.

CHANGE IN CONCEPT DEVELOPMENT PLAN – Todd Morgan, Staff

7. Request of **Nick Brenner, Real Estate Representative, Menard, Inc. (applicant)** for **Menard, Inc. (owner)** for a Change in Approved Concept Development Plan in a Commercial Two/Planned Development/Mall Road Overlay (C-2/PD/MR) zone for a 17.157 acre site located at 5000 Apex Lane, Florence, Kentucky. The request is for a Change in an Approved Concept Development Plan to permit additional building mounted signage and modifications to the building design.

Mr. Patton moved to schedule the Public Hearing for Item #6 and Item #7 on May 5, 2021 at 7:30 p.m. Mr. Szurlinski seconded the motion and it passed unanimously.

EXECUTIVE DIRECTOR'S REPORT:

Mr. Kevin P. Costello, AICP, announced that the Airport Committee Meeting scheduled for April 22nd has been cancelled due to a conflict with the Airport. It will be rescheduled in May. Mr. Costello reviewed the revised Staff Organizational Chart. The only change is to retitle the Planning Services Division to Community Development Services Division. The focus of this division would still be land use planning and would also concentrate on infrastructure and other community development activities as described in the material sent to the Board.

Mr. Harper moved to approve the Revised Staff Organizational Chart. Mrs. Steele seconded the motion and it passed unanimously.

COMMITTEE REPORTS:

AIRPORT: Mr. Bessler
No Report

ADMINISTRATIVE/PERSONNEL: Mr. Lunnemann
No Report

ENFORCEMENT: Mr. Bunger
No Report

LONG RANGE PLANNING/COMPREHENSIVE PLAN: Mr. Schwenke
No Report

TECHNICAL/DESIGN REVIEW: Mrs. Heilman
No Report

EXECUTIVE: Chairman Rolfsen
No Report

CHAIRMAN: Chairman Rolfsen
No Report

OTHER: Mr. Patton announced that he went on a tour of the new Amazon building at CVG Airport. The scale of it is amazing. It is a four story building and there are 2 more phases yet to come. The first phase will have about 2,500 employees. Mr. Costello offered to send some photos.

There being no further business to come before the Planning Commission, Mr. Patton moved to adjourn the meeting. Ms. Steele seconded the motion and it passed unanimously. The meeting was adjourned at 8:18 P.M.

APPROVED



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

Exhibit A – Statement/Email from Cheryl Hall

Todd Morgan

From: Cheryl Hall <cheryl.hall@yahoo.com>
Sent: Wednesday, April 07, 2021 10:42 AM
To: Todd Morgan
Subject: Hathaway/BallyShannon

EXTERNAL MESSAGE

Good morning Todd,
Please make this email available for all the commission members to review before tonight's meeting.

We appreciate all the changes, improvements and conditions made so far to the BallyShannon/Hathaway subdivision project. However, with our property at 2546 Hathaway Rd we are requesting 2 additional conditions. We feel that we have a rare and special circumstance.

Fischer is projecting 8 new homes connecting to 2 sides of our property.

No one else in the whole BallyShannon subdivision has this many homes attached to their property. They all have 2-4 homes on 3 sides of their property. We have driven through this subdivision and these homes are on top of one another. We have lived at our current property, "Rural Estate Lot" for 36 years and never had to worry about green space, because it's always been farm land around us. Please put yourself in our shoes and help us keep some privacy for ourselves. You all as well as fiscal court need to realize that while growth is important these decisions do affect other people's lives that did not choose to live in a subdivision. This is being forced on us and we are trying to adjust. Fischer will be making a ton of money off this project and I'm sure that giving us the already approved buffer yard C, berm, trees, and Spruce Rd conditions but also adding a 6' vinyl fence around the 2 sides of our property will not break them. Please also consider less homes around our property like you did with the Vaughn property. Again, thank you for listening to our requests on this unique circumstance around our specific property!

Bob and Cheryl Hall
2546 Hathaway Rd
Union, Ky 41091

EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

#2

TO: Boone County Planning Commission

FROM: Corrin Gulick, Chairwoman

DATE: April 7, 2021

RE: Request of Viox & Viox, Inc. (applicant) for Bonnie J. Livingston and William Rex Livingston (owners) for a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial Two (I-2), and a variance from the Boone County Zoning Regulations, for the approximate 1.83 acre site located at 8450 Dixie Highway, and the easternmost, approximately 0.14 acres of the site located at 149 Mikkelsen Drive, Boone County, Kentucky (approximately 1.97 acres total). The request is for a zone change to allow self-storage and a variance from Table 31.1 to reduce the side yard setback from 100 feet minimum to 40 feet.

REMARKS:

We, the Committee, recommend approval of the above referenced requests based on the following findings of fact and conditions:

ZONING MAP AMENDMENT FINDINGS OF FACT

1. The Zoning Map Amendment request is in agreement with Our Boone County Plan 2040 for the following reasons:
 - A. The 2040 future land use plan designates the site in question for "Industrial" uses. This future land use designation is described as "manufacturing, wholesale, warehousing, distribution, assembly, mining, and terminal uses."
 - B. The proposal is in agreement with the following Goals and Objectives:
 - Compact, efficient development patterns shall be encouraged for industrial, commercial, and office uses with appropriately sized and well maintained buffer spaces between the business use and other land uses (Economy Goal B, Objective 1).
 - Commercial uses shall be designed and located to coordinate with the surrounding land uses and shall have safe access and adequate parking (Economy Goal B, Objective 3).
 - Priority shall be given towards maintaining, protecting, and improving the capacity and safety of the existing road system across jurisdictions (Transportation Goal A, Objective 1).

C. The proposal is in agreement with the following future land use development guideline:

- Buffering: Developments in Boone County must recognize the potential impacts upon adjoining land uses and incorporate a transition of land uses, building setbacks, and/or landscaping to minimize these impacts. Potential impacts include visual, noise or vibrations, odors, dust, smoke, and light. Buffering to mitigate these impacts should be an integral part of the design of proposed projects; where appropriate, existing site features should be used in meeting this guideline. Developments should provide buffering along public roadways, to soften the visual impact. (pages 95-96).

D. The proposal is in agreement with the following Land Use Element text for the general area:

- The industrial park should be encouraged to expand to the south along the Empire Road Connector and Weaver Road to Sam Neace Boulevard. In addition, the development should continue along U.S. 25 and Weaver Road, and near the railways (Land Use, Description and Purpose of Land Use Maps, Geographical Area 17, Florence Industrial, pg. 131).

The Committee concluded the proposed Zoning Map Amendment is in agreement with the passages above. Self-storage facilities are principally permitted uses in industrial zones and have little to no noise or odor impacts. Other conditions are being imposed to reduce or eliminate visual, lighting, and traffic impacts on the adjoining residential properties.

2. The Committee has concluded the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of Our Boone County Plan 2040 and Article 3 "Amendment" of the Boone County Zoning Regulations. The Committee also concluded the attached conditions are necessary to mitigate any foreseeable community impacts that may be created by the development. The property owners have signed a letter demonstrating agreement with these conditions.

ZONING MAP AMENDMENT CONDITIONS

1. The property owner has withdrawn their proposal to convert the emergency access point on Mikkelsen Drive to an egress point for customers and employees. This gated emergency access point shall remain as it's currently constructed.
2. The Mikkelsen Drive street frontage buffer shall be installed per the plan that was submitted at the March 17, 2021 Zone Change Committee meeting. This plan shows the 25' wide street frontage will contain a 6' tall fence on top of 3.5' to 4' tall berm with 37 trees (27 evergreens and 10 deciduous). The 6' tall fence shall be a vinyl fence and properly maintained (A Waiver will be issued to allow the fence in the corner side yard).
3. All proposed lights shall be mounted to the storage buildings and shall be directed downwards and inwards towards the subject site.

4. Additional signage shall not be permitted on the property.
5. Outside storage of any kind shall be prohibited.

VARIANCE FINDING OF FACT

1. The proposed variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations.

In making this finding, the Committee noted that the owners of Anchor Storage own the house that adjoins the zone change site and will be installing Buffer Yard D along the western property lines.

VARIANCE CONDITION

1. The proposed variance is being requested as part of a proposed zoning map amendment with the submittal of a proposed Concept Development Plan. Since the requested variance is part of, and being reviewed in light of, the proposed zoning map amendment and concept development plan, it is the decision of this committee that the proposed variance should only be approved and in effect if the proposed zoning map amendment is approved by the legislative body.

A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request. Attached is the signature page for the Zone Change/Concept Development Plan Committee Vote.

COMMISSION MEMBERS PRESENT:

Ms. Olivia Amlung
Mr. Randy Bessler
Mr. Kim Bunger, Secretary/Treasurer
Ms. Corrin Gulick
Mr. Steve Harper
Mrs. Lori Heilman
Mr. Rick Lunnemann
Mr. Don McMillian
Mr. Kim Patton, Vice Chairman
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mrs. Jackie Steele
Mr. Tom Szurlinski
Mr. Steve Turner, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

Mrs. Janet Kegley

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Todd K. Morgan, AICP, Senior Planner

Chairman Rolfsen introduced the second item on the Agenda at 8:22 p.m.

ZONING MAP AMENDMENT AND VARIANCE – Todd Morgan, Staff

2. Request of **Viox & Viox, Inc. (applicant)** for **Bonnie J. Livingston and William Rex Livingston (owners)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial Two (I-2), and a variance from the **Boone County Zoning Regulations**, for the approximate 1.83 acre site located at 8450 Dixie Highway, and the easternmost, approximately 0.14 acres of the site located at 149 Mikkelsen Drive, Boone County, Kentucky (approximately 1.97 acres total). The request is for a zone change to allow self-storage and a variance from Table 31.1 to reduce the side yard setback from 100 feet minimum to 40 feet.

Staff Member, Todd Morgan, presented the Staff Report, which included a PowerPoint presentation. The site is located on Mikkelsen Drive. The request is to rezone the site from Suburban Residential One (SR-1) to Industrial Two (I-2) so that Anchor Storage can expand. The zone change area is comprised of an approximate 1.83 acre site located at 8450 Dixie Highway and an approximate 0.14 acre portion of 149 Mikkelsen Drive. Both properties are currently owned by Anchor Storage. The existing structures have been removed from the site. The second part of the request is a Variance to reduce the sideyard setback from 100 feet to 40 feet along the western boundary of the zone change site. Anchor Storage owns the house at 149 Mikkelsen Drive. The first building would contain twenty-seven 12'x30' storage units. It is 324' x 30' in size. The second building is 312' x 60' and contains fifty-two 12' x 30' storage units. It is located about 60 feet south of the first building. Access to these buildings is shown from the existing parking lot. A 25' wide buffer yard is planned along the Mikkelsen Drive frontage and 40' wide buffers are shown in the western parts of the zone change site. The applicant also wants to convert the existing emergency access to Mikkelsen Drive to egress only. This is outside the zone change limits. The overall site has its main access off Dixie Highway and emergency access of Mikkelsen Drive and Weber Lane. Mr. Morgan showed photographs of the existing site and adjoining properties. The Comprehensive Plan's Future Land Use Map recommends Industrial (I) by the year 2040. He referred to the criteria necessary for taking action on a Zoning Map Amendment request noted on page 2 of the Staff Report along with criteria for granting a Variance. The Planning Commission makes the final decision on the Variance request. Other references to the Comprehensive Plan are noted on pages 4 and 5 of the Staff Report.

In terms of Staff Comments, Staff has some concerns regarding the Zoning Map Amendment request because Mikkelsen Drive is predominantly a single-family residential street. Staff would like the applicant to address the following compatibility issues:

1. Will the proposed storage buildings be single story construction and match the other Anchor Storage buildings?
2. What additional security lighting is proposed? Will this lighting be on all night or be on motion sensors?
3. Can the proposed limits of security fencing be better defined? What type(s) of fencing is proposed?
4. Does Anchor Storage permit any outside storage?
5. How many customers visit the site on a typical day? Are there issues with customers pulling out of the site from the Dixie Highway access point.
6. Is any additional building mounted signage proposed.
7. Can the Mikkelsen Drive street frontage buffer be enhanced? The plan is currently showing Buffer Yard A plantings will be installed. Staff would like the applicant to analyze if Buffer Yard B plantings and a supplemental berm could be installed in this street frontage buffer.

An inter-departmental email was sent to the Boone County Building Department, Boone County Public Works, City of Florence Fire Department, and the Kentucky Department of Transportation requesting comments pertaining to the request. Their comments are attached to the report.

Chairman Rolfsen asked if the applicant was present and wanted to proceed with their presentation?

Mr. Brock MacKay, Viox & Viox, Inc., referred to his PowerPoint presentation and introduced Mr. Jason Livingston, Manager of Anchor Storage. The business has been located on Dixie Highway for 12 years. The original idea of the facility was to provide storage for RVs, boats and camper trailers from harsh weather. They currently have 400 spaces and the facility is full. They have a waiting list. They would like to increase capacity from 406 units to 485 individual garages. The new buildings are designed to match the existing ones. They are made of steel and 2 buildings will be added. The lighting will be the same as what is there now. It is directed downward and inwards. Mr. MacKay noted the current zoning of the property and the Future Land Use Map designates industrial for the site. The planned buffer to the west affects the neighboring property which is them. The Comprehensive Plan recommends industrial development and zoning along Dixie Highway. The proposed use is commercial in nature and could fall into a C-3 zoning district. The proposed use is less impactful than a typical I-2 use. The buffer requirements will be met along the adjoining property lines. They have enhanced the buffer along Mikkelsen Drive. Mr. MacKay showed photographs of the existing buildings. Buffer Yard D will be planted between the 2 properties. The proposed landscaping along Mikkelsen Drive is a B+ rather than the required Buffer A. There is no need for additional signage. They would like to use Mikkelsen Drive for exiting the site in order to allow traffic to approach the major intersection.

Chairman Rolfsen asked if the new units were designed exclusively for RVs and boats? Mr. Livingston replied yes that is what their intention is at this time. However, they don't limit customers to those items as they rent to people who store household items. They don't allow the outside storage of RVs and boats. They do allow boats to be stored under a canopy, which could be construed as outside storage. The height of the proposed buildings is 14 feet tall. Mr. MacKay said that they will look and see if they can put a berm in the Mikkelsen Drive street frontage buffer but will need to be careful not to trap water. No outside storage is being proposed as part of this application. Chairman Rolfsen asked if there was going to be a security gate for the egress? Mr. Livingston replied yes. It is a lot easier to see to turn left from Mikkelsen Drive to go north on Dixie Highway versus the existing egress when Dixie Highway is very busy. It is a function of Dixie Highway being backed up and not a lot of customers leaving the site. They have about 10-12 vehicles leaving the site everyday.

Mr. Patton asked if the lighting can be on the building versus on poles? Mr. Livingston responded that they don't have poles. Lighting is on wall packs. Mr. Patton noted that the development is getting bigger so it probably needs another exit.

Ms. Gulick inquired about the size of radius for the egress. Is the developer going to improve it so the residents won't be blocked when traveling from Mikkelsen Drive to Dixie Highway? She understood the request of a second exit but it shouldn't be at the cost of the residents.

Mr. Costello read an email received at 7:58 p.m. from Mr. Johnny D. Babb, Jr., 1552 Mikkelsen Drive, asking for details of the proposed project and meeting (See Exhibit A). He expressed a

concern about property values. He requested that Mr. Babb and other be allowed to submit written testimony to the Planning Commission for consideration. Mr. Wilson asked what type of notification was made to Mr. Babb? Mr. Morgan replied that signs were posted on the property. The adjoining property owners received a notice by mail and newspaper ad. The letter informed people to call the office to get a link to the virtual meeting. Most people on Mikkelsen Drive did not get notice because they were not adjoining property owners. Signs were posted on both parcels located on Mikkelsen Drive. Staff will follow up with Mr. Babb. Chairman Rolfsen asked if there was anyone else in the audience who wanted to speak or make comments?

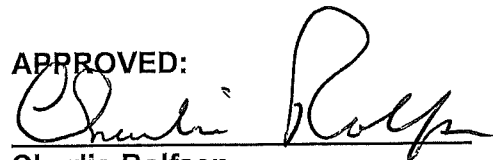
Mr. Bunger asked if the buildings proposed in this section will be enclosed? Mr. Livingston responded they will be completely enclosed buildings. The storage units will have individual doors. Chairman Rolfsen asked for the sections of the site that have a roof only. Is that considered outside storage by definition? Mr. Morgan replied yes,

Ms. Amlung stated that the roof is a very bright blue color. How tall is the buffer or barrier and what is it going to cover? From what she sees on Google, the roof is very bright and a distraction. If the buffer is not tall enough, it won't hide the bright roof in this residential area. Mr. Livingston responded that the roof is not painted even though it looks like it on Google. It is actually a rolled, standing seam, steel roof. The trim around the top is blue. The roof is actually silver. It can't be seen from the ground unless you are 14 feet tall. Ms. Amlung reiterated that the buffer needs to be tall enough to hide the blue stripe on the top to minimize the commercial look on a residential street.

Mrs. Steele recommended eliminating the blue stripe to make the development fit in better with the residential area.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on March 17, 2021 at 5:00 P.M. via Live Video Teleconference. This item will be on the Agenda for the Business Meeting on April 7, 2021 at 7:00 p.m. If someone wants to observe the Committee Meeting, please contact the office and provide the necessary information for logging into the meeting. The Chairman closed the Public Hearing at 8:56 p.m.

APPROVED:



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

Exhibit A – Email from Johnny Babb, Jr. dated March 3, 2021

Todd Morgan

From: Kevin Costello
Sent: Wednesday, March 03, 2021 8:18 PM
To: Todd Morgan
Subject: Fwd: video conference for residence on Mikkelsen Dr. Florence

Sent from my iPhone

Begin forwarded message:

From: johnny babb <jbabbjr@gmail.com>
Date: March 3, 2021 at 7:58:57 PM EST
To: Kevin Costello <KCostello@boonecountyky.org>
Subject: video conference for residence on Mikkelsen Dr. Florence

EXTERNAL MESSAGE

Hello,

Many on our street did not know we had to call and sign up for the video conference for the Viox & Voix, Inc. zoning map amendment for Suburban Residential One(SR1) to Industrial Two(I-2) I have talked to my neighbors, and we are disappointed.

What can we do to find out the details of the meeting? We are greatly concerned about how this is going to affect our property values. We have lived here 23 years and have added onto our house twice.

We have alot invested here.

Please tell me what I can do to still have a voice and learn more about this hearing.

Thanks,
Johnny D.Babb Jr.
152 Mikkelsen Dr.
Florence, Ky 41042



Virus-free. www.avg.com

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission
FROM: Corrin Gulick, Chairwoman
DATE: March 17, 2021

ZONING MAP AMENDMENT AND VARIANCE – Corrin Gulick, Chairwoman, Todd Morgan, Staff

2. Request of **Viox & Viox, Inc. (applicant)** for **Bonnie J. Livingston and William Rex Livingston (owners)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial Two (I-2), and a variance from the **Boone County Zoning Regulations**, for the approximate 1.83 acre site located at 8450 Dixie Highway, and the easternmost, approximately 0.14 acres of the site located at 149 Mikkelsen Drive, Boone County, Kentucky (approximately 1.97 acres total). The request is for a zone change to allow self-storage and a variance from Table 31.1 to reduce the side yard setback from 100 feet minimum to 40 feet.

REMARKS:

We, the Committee Members were present via live video teleconference at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

Kim Bunger
For Project Absent _____
Against Project _____
Abstain _____ Deferred _____

Corrin Gulick (Chairwoman)
For Project Absent _____
Against Project _____
Abstain _____ Deferred _____

Janet Kegley
For Project _____ Absent
Against Project _____
Abstain _____ Deferred _____

Randy Bessler (Alternate)
For Project _____ Absent
Against Project _____
Abstain _____ Deferred _____

Rick Lunnemann
For Project Absent _____
Against Project _____
Abstain _____ Deferred _____

Steve Turner (Alternate)
For Project _____ Absent
Against Project _____
Abstain _____ Deferred _____

Kim Patton
For Project Absent _____
Against Project _____
Abstain _____ Deferred _____

Todd K. Morgan

**Recorded Vote by Todd
Morgan, Senior Planner**

TOTAL: _____ DEFERRED 4 FOR PROJECT _____ ABSENT
_____ AGAINST PROJECT _____ ABSTAIN

SUPPORTING INFORMATION



BOONE COUNTY PLANNING COMMISSION

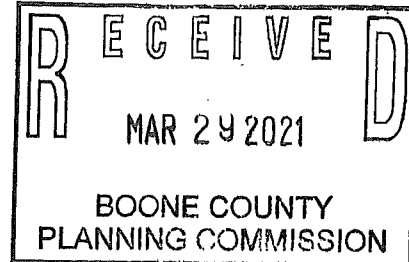
www.boonecountyky.org/pc
www.boonecountygis.com

Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, KY 41005

Phone (859) 334-2196; Fax (859) 334-2264
plancom@boonecountyky.org

March 25, 2021

Mr. Brock MacKay
Viox & Viox, Inc.
466 Erlanger Road
Erlanger, KY 41018



RE: Request of **Viox & Viox, Inc. (applicant)** for **Bonnie J. Livingston and William Rex Livingston (owners)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial Two (I-2), and a variance from the Boone County Zoning Regulations, for the approximate 1.83 acre site located at 8450 Dixie Highway, and the easternmost, approximately 0.14 acres of the site located at 149 Mikkelsen Drive, Boone County, Kentucky (approximately 1.97 acres total). The request is for a zone change to allow self-storage and a variance from Table 31.1 to reduce the side yard setback from 100 feet minimum to 40 feet.

Dear Mr. MacKay,

The following represents the recommended conditions of approval for the above referenced applications as discussed by the Planning Commission's Zone Change Committee at their March 17, 2021 meeting. Please have the property owners sign the appropriate spaces at the end of this letter if you are in agreement with these conditions. Please return the original letter to the Planning Commission office by April 5, 2021.

ZONING MAP AMENDMENT CONDITIONS

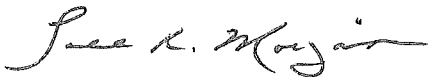
1. The property owner has withdrawn their proposal to convert the emergency access point on Mikkelsen Drive to an egress point for customers and employees. This gated emergency access point shall remain as it's currently constructed.
2. The Mikkelsen Drive street frontage buffer shall be installed per the plan that was submitted at the March 17, 2021 Zone Change Committee meeting. This plan shows the 25' wide street frontage will contain a 6' tall fence on top of 3.5' to 4' tall berm with 37 trees (27 evergreens and 10 deciduous). The 6' tall fence shall be a vinyl fence and properly maintained (A Waiver will be issued to allow the fence in the corner side yard).
3. All proposed lights shall be mounted to the storage buildings and shall be directed downwards and inwards towards the subject site.
4. Additional signage shall not be permitted on the property.

5. Outside storage of any kind shall be prohibited.

VARIANCE CONDITION

1. The proposed variance is being requested as part of a proposed zoning map amendment with the submittal of a proposed Concept Development Plan. Since the requested variance is part of, and being reviewed in light of, the proposed zoning map amendment and concept development plan, it is the decision of this committee that the proposed variance should only be approved and in effect if the proposed zoning map amendment is approved by the legislative body.

Sincerely,



Todd K. Morgan, AICP
Senior Planner

TKM/ss

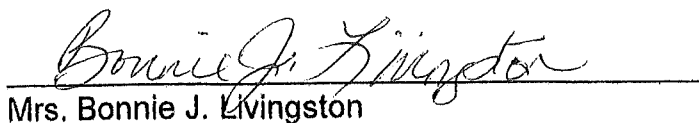
AGREEMENT

I, William Rex Livingston, hereby agree to the conditions of approval for the above referenced applications.


Mr. William Rex Livingston

03/25/2021
Date

I, Bonnie J. Livingston, hereby agree to the conditions of approval for the above referenced applications.


Mrs. Bonnie J. Livingston

03-25-2021
Date

ORDINANCE NO. 2021 – 15

AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY, APPROVING, WITH CONDITIONS, A REQUEST OF VIOX & VIOX (APPLICANT) FOR BONNIE J. LIVINGSTON AND WILLIAM REX LIVINGSTON (OWNERS) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM SUBURBAN RESIDENTIAL ONE (SR-1) TO INDUSTRIAL TWO (I-2), AND A VARIANCE FROM THE BOONE COUNTY ZONING REGULATIONS, FOR THE APPROXIMATE 1.83 ACRE SITE LOCATED AT 8450 DIXIE HIGHWAY, AND THE EASTERNMOST, APPROXIMATELY 0.14 ACRES OF THE SITE LOCATED AT 149 MIKKELSEN DRIVE, BOONE COUNTY, KENTUCKY (APPROXIMATELY 1.97 ACRES TOTAL).

WHEREAS, the Boone County Planning Commission received a request for a Zoning Map Amendment to the Boone County Zoning Map and such Zoning Map Amendment being a zone change from Suburban Residential One (SR-1) to Industrial Two (I-2) and a Variance from the Boone County Zoning Regulations for an approximate 1.83 acre site located at 8450 Dixie Highway, and the easternmost, approximately 0.14 acres of the site located at 149 Mikkelsen Drive, Boone County, Kentucky (approximately 1.97 acres total), Boone County, Kentucky, which is more particularly described below; and

WHEREAS, the Boone County Planning Commission as the planning unit for the unincorporated areas of Boone County, Kentucky, was requested to and has conducted a Public Hearing serving as a due process trial-type hearing and made findings recommending approval, with conditions, for the Zoning Map Amendment and a Variance.

NOW, THEREFORE BE IT ORDAINED BY THE FISCAL COURT OF COUNTY OF BOONE, COMMONWEALTH OF KENTUCKY:

Section One

That the request for a Zoning Map Amendment for the real estate which is more particularly described below shall be and is hereby approved, with conditions, this Zoning Map Amendment being a zone change from Suburban Residential One (SR-1) to Industrial Two (I-2) and a Variance from the Boone County Zoning Regulations for an approximate 1.83 acre site located at 8450 Dixie Highway, and the easternmost, approximately 0.14 acres of the site located at 149 Mikkelsen Drive, Boone County, Kentucky (approximately 1.97 acres total), Boone County, Kentucky. The real estate which is the subject of this request for a Zoning Map Amendment in a Suburban Residential One (SR-1) zone is more particularly described in DEED BOOKS. 1154, 1154, PAGE NOS. 96-99, 100-103, respectively (as supplied by the applicant) as recorded in the Boone County Clerk's office.

Section Two

That as a basis for this approval of a Zoning Map Amendment request and a Variance are the Findings of Fact, and conditions, of the Boone County Planning Commission as set forth in its Minutes and official records for this request and same shall be and are hereby incorporated by reference as if fully set out in this Ordinance and are marked as "Exhibit A."

The Boone County Planning Commission Committee recommended approval for the requests based on the findings of fact and conditions as set forth in the Committee Report and same are marked as "Exhibit B."

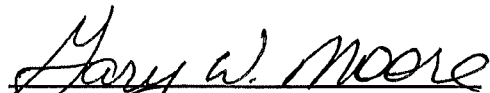
Section Three


This Ordinance shall be in effect and in full force from and after its passage, publication and adoption, according to law.

First Reading - the 11th day of May, 2021

Second Reading - the 25th day of May, 2021

Adopted this 25th day of May, 2021. Yes 4 No 0


GARY W. MOORE, Judge/Executive
Boone County Fiscal Court

Attest:

Sharon Burcham,
Fiscal Court Clerk

ANCHOR STORAGE FACILITY EXPANSION ZONE CHANGE SUBMITTAL

8470 Dixie Highway
Florence, KY 41042

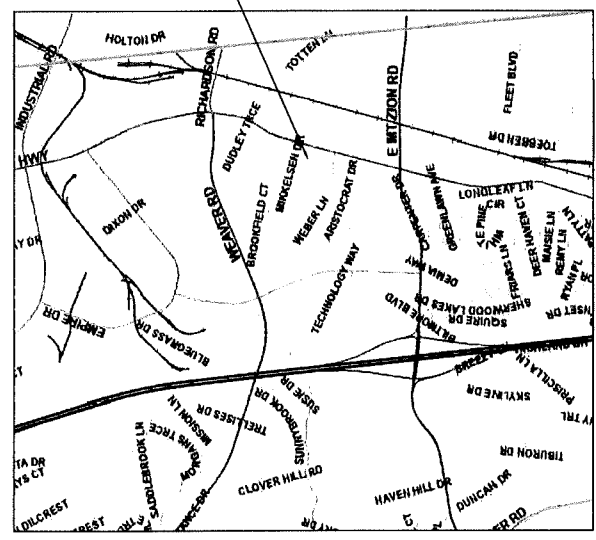
SITE DATA

Parcel ID: 074-00-00-026.05 and 074-00-00-026.07
 Parcel Address: 8450 DIXIE HWY, FLORENCE, KY 41042 and 149
 MIKKELSEN DR, FLORENCE, KY 41042
 Current Owner: LIVINGSTON BONNIE J & WILLIAM REX RE
 Owner Address: PO BOX 648, Union, Kentucky 41091
 Deed Ref: PART OF LOTS 5 6 7 8 17 18 19 DIXIE MANOR (74-26D1)
 and LOT 21 & PT OF LOT 16 (0.4 AC) (74-26D2A)
 Total Acreage of Site: 1.83 Ac. and 0.37 Ac.
 Current Zone: SR-1
 Future Land Use Plan: Industrial
 Soils: Rossmoyne Silt Loam 6-12%; Rossmoyne Silt Loam 0-6%

SITE ZONING DATA

Proposed Zone: I-2
 Min. Lot Size = 100,000
 Prop. Lot Size = 1.97 Ac. connected to existing 18.52
 acre facility
 Max. Intensity = 22,000 SF (0.505)
 Building Intensity for Expansion = 0.33
 Min. Frontage = 250'
 Max. Ht. = 50 ft
 Min. Front Yard Setback = 50' N/A
 Min. Corner Lot Setback = 25' (of 50)
 Min. Rear Yard Setback = 50' N/A
 Min. Side Yard Setback = 50' (requesting 40')
 Variance Explanation: The properties on either side of the
 property line where the variance is requested is the same
 Owner. The request is for the buffer yard and setback to both
 equal 40'. This does not reduce plantings, fence, or berm
 requirements.

Buffer Yard Requirements:
 Adjoining SR-1 = Buffer Yard D - 40' w/ fence or berm
 Adjoining Street = Buffer Yard "A" - 10'



VICINITY MAP
SCALE: NTS

SHEET INDEX
 COVER
 EXISTING CONDITIONS - 1
 CONCEPT PLAN - 2

Anchor Storage Facility Expansion
 Zone Change Submittal
 8470 Dixie Highway
 Florence, KY 41042
 7/1/11

VIX & VIX
 CIVIL ENGINEERS, SURVEYORS, AND LANDSCAPE ARCHITECTS
 2188 MAIN BRW • FLORENCE, KY 41042
 502-885-7222 • FAX 502-885-1018
 WWW.VIXONLINE.COM

ANCHOR STORAGE FACILITY EXPANSION
 CONCEPT PLAN
 8470 Dixie Highway, Florence, KY 41042
 COVER SHEET

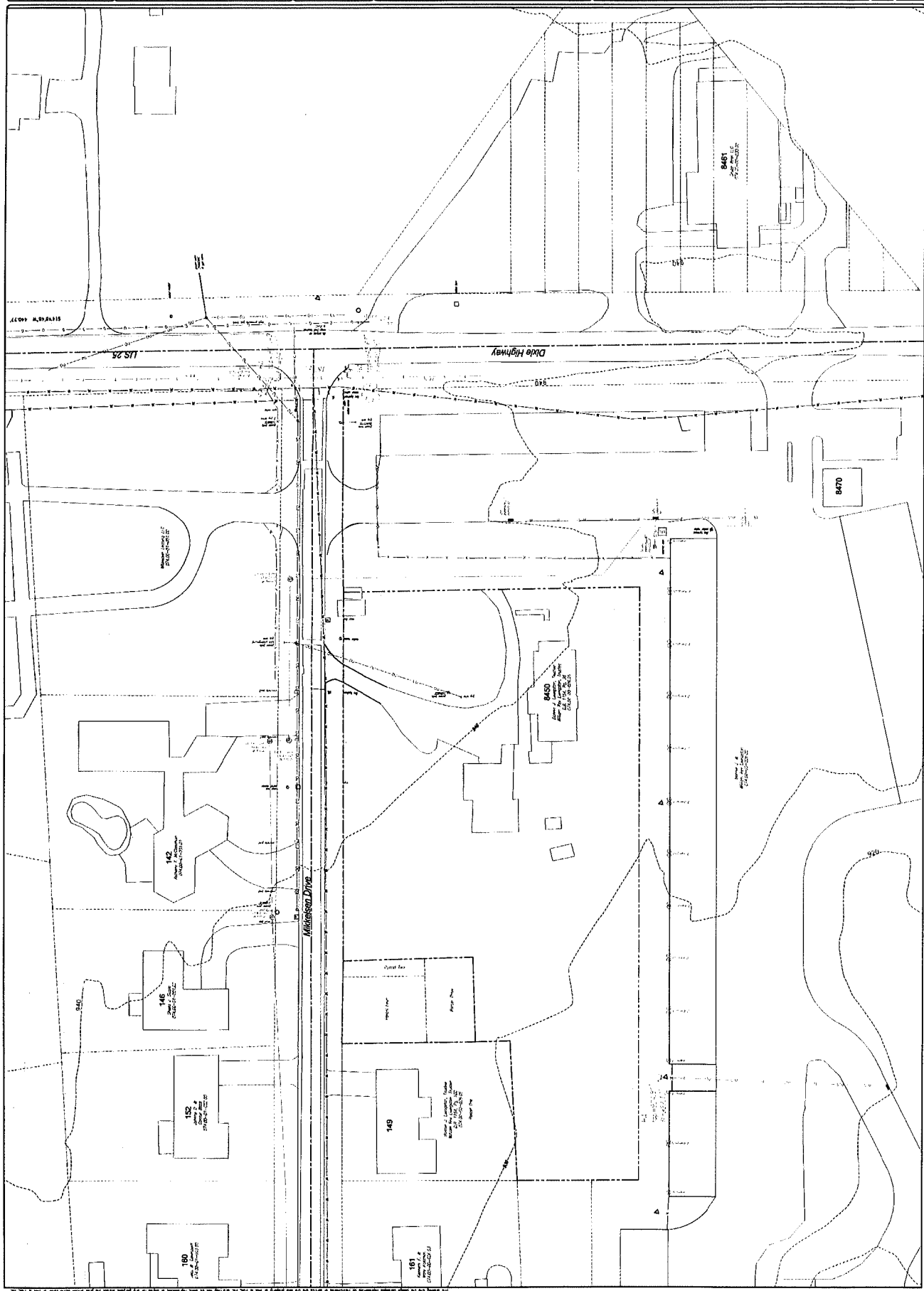
Project No.	074-00-00-026
Sheet No.	1
Date	7/1/11
Scale	NTS
Author	
Check	
Drawn	

1
Sheet No.
Project No.
Date
Scale
Author
Checker
Appr.

ANCHOR STORAGE FACILITY EXPANSION
DIXIE HWY. & MIKKELSEN DR.
 BOONE COUNTY, KY

VIOX & VIOX
 Civil Engineers, Surveyors, and Landscape Architects
 405 Engler Road • Frankfort, Kentucky 40618
 402 S. Avenue • Frankfort, Ohio 45130
 P: 502-227-2222 • F: 502-227-1000
 www.vioxinc.com

North Arrow
 Scale: 1" = 100'
 Date: 11/11/11
 Project: ANCHOR STORAGE FACILITY EXPANSION
 Sheet: 1



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 MAR 17 2021
 BOONE COUNTY
 PLANNING COMMISSION

