

ZONING MAP AMENDMENT REQUEST BY
ZOLLARS, INC., FOR PROPERTY LOCATED ON
KY 20 AT HUNTER ROAD, BOONE COUNTY, KENTUCKY

This request is for a Zoning Map Amendment for a 1.71 acre site, presently zoned Suburban Residential One, SR-1, and requested to be rezoned Commercial Services, C-3. Staff is not aware of any rezoning requests made for this property in the last five years. The purpose of the rezoning request is to allow expansion of the adjacent ValAir parking facility. The applicant is proposing to remove three existing houses on the site, pave the proposed parking area, and fence and screen the lot.

Surrounding Land Uses and Zoning:

To the north of the site, across relocated KY 20, are two single-family residences in the Suburban Residential One, SR-1 zone. To the south, along Hunter Road, there are five single-family residences in the SR-1 zone. To the east is the intersection of Old KY 1334 (Youell Road), relocated KY 20, and Hunter Road. The area east of this intersection is a wooded hillside and intermittent stream valley. Located to the west of the site and east of Ky 212 is the existing ValAir parking facility in a Commercial Services, C-3 zone.

Relationship to the Comprehensive Plan

The 1980 Boone County Future Land Use Map shows the site in question as being in commercial land use. The 1980 Boone County Comprehensive Plan, Land Use Element, describes the particular area in the following manner:

North of the Airport, related commercial and highway commercial uses are planned at the interseciton of I-275 and KY 212, while existing residential uses in the area are scheduled to be eliminated by Airport land acquisition (page 3.7).

The Goals and Objectives of the 1986 Boone County Comprehensive Plan outlines the following for Commercial land uses.

BUSINESS ACTIVITY

Goal:

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

Objectives:

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

Commercial

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

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

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

4. Highway services shall be located in close proximity to major highway interchanges for maximum convenience and economy to the motoring public. (However, they should not be located so close to interchanges that they congest the traffic movements at these points of access). (1986 Boone County Comprehensive Plan, Goals and Objectives, page G-3)

Soils, Topography and Vegetation:

Soils on the site are Rossmoyne silt-loam and Jessup silt loam. These soils have severe to moderate limitations for building sites and roads. The majority of the site slopes gently down from west to east. Relocated KY 20 and Hunter Road form natural barriers to drainage on the north and south sides of the site which serve to funnel storm water runoff through a 24 inch culvert under old Youell Road (Old 1334).

The vegetation presently on the site is primarily grass (lawn) with a few ornamental shrubs and trees on the lots with houses. The eastern one-third of the site is relatively low and is overgrown with weeds and bush.

Special Concerns:

Traffic to the site should continue to utilize the entrance to the existing parking lot to the west of the site. This will help confine traffic to KY 20 and Riverview Drive and keep it off Hunter Road. Another important concern should be screening of the proposed parking area and lighting from KY 20 and the existing residences on the south side of Hunter Road. In staff's opinion, the screening of the existing parking area is not adequate to provide an effective visual barrier of the site.

The most important concern should be management of storm water runoff from the proposed 1.7 acres of parking area. The entire site ultimately drains through a 24 inch drain pipe (maintained by the Kentucky Department of Transportation, "K.D.O.T.") under Old Youell Road (Ky 1334). Staff has consulted with Mr. Forrest Rankin, Permit Engineer with the District 6 Office of K.D.O.T. Mr. Rankin has expressed concern that any ponding or retention of storm water from the site not be allowed to encroach upon the public rights-of-way for KY 20 and Old Youell Road (Ky 1334).

Conclusion

In conclusion, the Concept Development Plan submitted for this proposed development shows a 1.7 acre expansion of an existing commercial parking facility. To make room for the proposed parking lot, three existing single-family homes must be removed. The relationship of the proposed project to the Comprehensive Plan, access to the facility, screening of the site, and

management of storm water runoff are the four key issues concerning this proposed zone change. If the Planning Commission and Boone County Fiscal Court approve this request, the Boone County Comprehensive Plan text and Land Use map need not be amended.

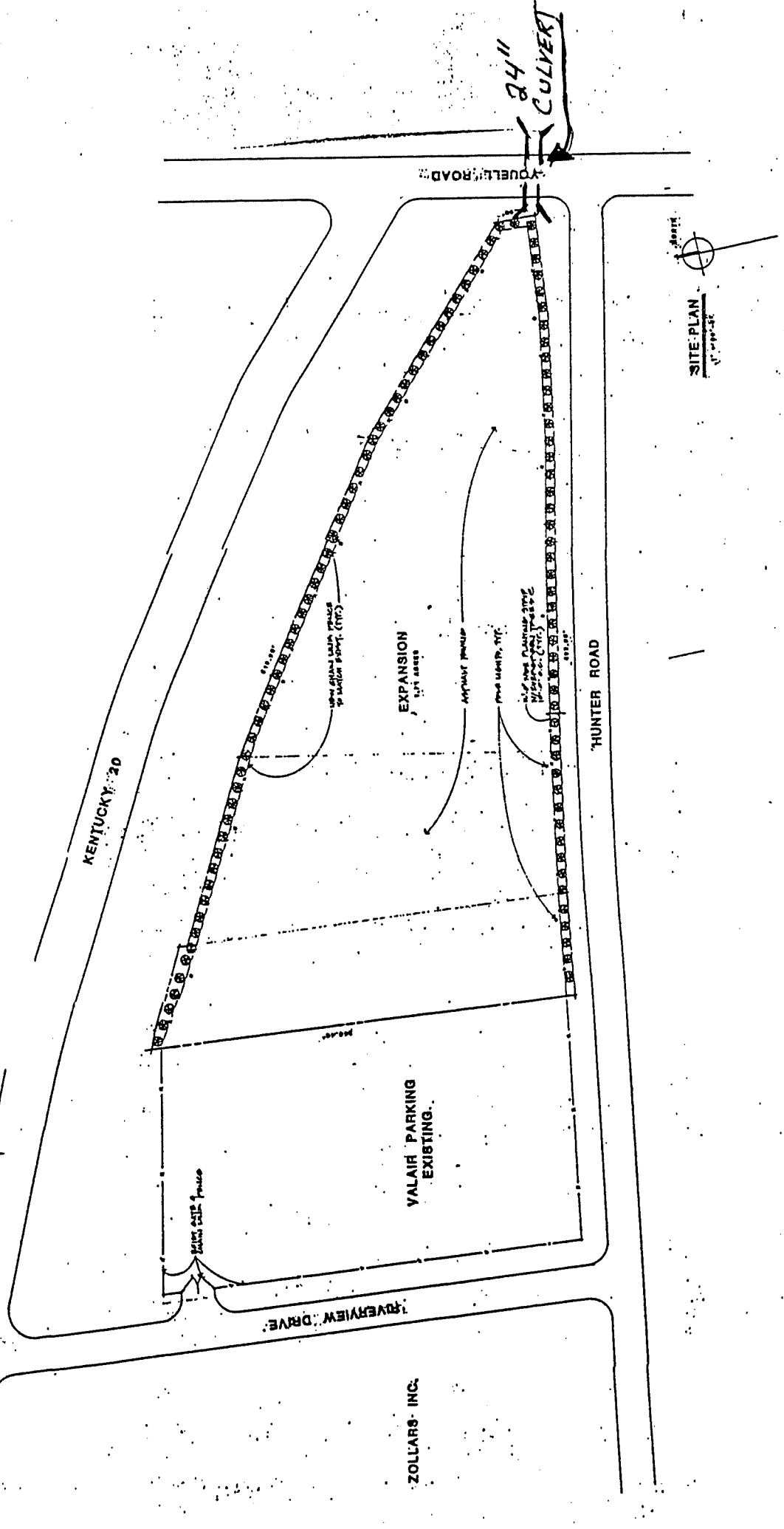


Jim Sturdevant
Plans Examiner/Planner


7.23.80

ZOLLARS ZONE CHANGE

7-23-86



PROPOSED EXPANSION OF
VALAIR PARKING

wh

william c. hub, p.s.c.
architects
542 greenup st. covington, ky

revisions: _____ date: _____

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BOONE COUNTY PLANNING COMMISSION

PUBLIC HEARING

JULY 23, 1986 8:00 P.M.

#1

Chairman Kroger opened the Public Hearing on the request of Zollars, Inc. (agent) for Carlton and Jeannine Anderson, Patsy and Robert T. Grant, Edward and Milrose Michels, and Michael and Linda Conner (owners) for a Zoning Map Amendment for a 1.71 acre site located south of KY 20 and approximately 600 feet east of KY 212, Boone County, Kentucky. The request is to rezone the property from Suburban Residential One, SR-1 to Commercial Services, C-3. The intended use is a parking lot.

Staff member Jim Sturdevant presented a slide presentation of the proposed site and the surrounding area. Mr. Sturdevant also presented the Staff Report. (See Staff Report)

Mr. Tom Zollars of Zollars, Inc. (agent) addressed the three houses referred to in the Staff Report and explained that one of the houses was gutted and uninhabitable and would be torn down leaving two houses he stated he was going to try and move. Mr. Zollars stated the proposed site was in the area of the noise corridor of the new north/south runway now being built at the Greater Cincinnati Airport. Mr. Zollars stated that as far as he knew there was no other type of development to go into the particular property until utilities go through the area. Mr. Zollars noted that based on the development and the position of his lot and the growth of the Delta expansion at the Airport he requested the Planning Commission approve his zone change request.

Mr. Zollars addressed the water runoff and pointed out that there would be no more water runoff after the pavement was put in than what presently existed. Mr. Zollars stated the water would run faster and a small catch basin at the lower end towards the Ohio River should control the problem. Mr. Zollars stated screening would be in place as shown on the submitted Site Plan and no access onto Hunter Road. Mr. Zollars stated there would be no other access and noted the proposed parking lot would join an already existing lot.

Chairman Kroger inquired of any audience's support, opposition or comments on the proposed request.

Mr. Jeff Mylar, resident on Hunter Road, expressed concern of the condition of Hunter Road after all the grading for the proposed parking lot was completed.

Mrs. Madeline Powell, resident of Hunter Road, stated she did not want to be disturbed by the noise that came from the parking lot. Mrs. Powell noted she was 87 years old and had intended to spend the rest of her life at her home on Hunter Road and she felt another move would harm her health.

Ms. Kim Bearly, resident of Hunter Road, expressed concern over all the extra noise that the construction equipment would cause to the residents of the area.

Chairman Kroger inquired of any other houses on Hunter Road. Mr. Mylar stated there were two other houses on up the road.

Ms. Bearly stated she and the other two residents of Hunter Road had moved to the area because it was so isolated. Ms. Bearly inquired why all the houses on Hunter Road were not bought rather than just a few. Mr. Zollars stated that if his parking lot was successful then maybe he could go across the street in 2-4 years and buy the resident's homes from them.

Mr. Jim Barth, resident at the end of Hunter Drive, referred to the submitted site plan and stated it was incorrect. Mr. Barth pointed out that the site plan showed Hunter Drive as a thru street rather than a dead-end street. Mr. Barth stated that the County had given him permission to put up a barrier to close off Hunter Road and noted the site plan did not show the right-of-way or monuments west of his property. Mr. Barth stated he felt the site plan should be accurate. Mr. Barth noted concerns of (1) the height of the light poles and how much light they would produce; (2) the noise created early in the morning by the employees; (3) a catch screen that had debris, catails and provided a breeding area for mosquitoes; (4) the screening being adequate to block out the lights and noise from the parking lot and; (5) the water runoff. Mr. Barth requested a 30 foot screening on the east end of the parking lot.

Mr. Zollars stated the site plan was taken off the deed. Mr. Zollars noted he would clean up the catch screen that had the debris, catails and provided a breeding area for mosquitoes when he leveled out the area and also agreed that if the 24" water pipe was not enough to carry the water and let the debris flow through he would expand it at that time also. Mr. Zollars stated he would not create any traffic on Hunter Road but rather be taking traffic off Hunter Road. Mr. Zollars stated there would be no access onto Hunter Road from his parking lot.

Chairman Kroger stated that a revised concept development plan be submitted to accurately reflect the conditions as they exist. Chairman Kroger noted the submitted plan showed some deficiencies. Chairman Kroger stated the plan did not show Hunter Road being closed off.

Mr. Barth stated that Hunter Road had been closed in 1972 when construction of the New KY 20 came through and noted Hunter Road ended at the corner of his house.

Mr. Zollars referred to the height of the light poles and stated they would probably be 18-20 feet in height and there would be directed lighting down to the parking lot but would not be a bright light shining into someone's eyes.

Chairman Kroger explained that the Zone Change Request Committee would look at the comments being made and make recommendations back to the Commission as a whole. Chairman Kroger informed the public that if the Committee felt it necessary to meet with the residents making requests or Mr. Zollars then they would do so.

Mr. Barth stated he felt that the monument should be shown on the plan and stated he would like to know when the plat of ground would be staked off so the property owners in the area would know what the boundaries would be. Mr. Barth inquired if the Planning Commission had the authority to restrict the height of the light poles. Chairman Kroger stated the light poles would be addressed by the Planning Commission at the Site Plan Review stage.

Mrs. Smith inquired what the property on the south side of Hunter Road was zoned. Mr. Sturdevant stated SR-1.

Mr. Barth stated his real concern was the height of the light poles.

After further discussion, Chairman Kroger informed the public that action would be taken on the proposed request on August 6, 1986 at 8:00 P.M.

Hearing no further questions or comments, Chairman Kroger closed the Public Hearing.

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING

August 6, 1986 8:00 P.M.

Chairman Kroger called the meeting to order. Roll call was taken by staff member Dee Ann Brewer. 12 members present. Absent: Messrs: Delong, Hemmer & Viox. All staff members were present excluding Mr. Kevin Costello. Atty. Dale Wilson was also present.

Minutes of the Special Business Meeting of July 23, 1986 were considered. Mr. Davis moved the July 23, 1986 Special Business Meeting Minutes be approved as reviewed. The motion was seconded by Mrs. Smith. After further discussion, the motion carried unanimously. Minutes of the July 14, 15 & 17 Public Hearings on the proposed Comprehensive Plan update and the July 23, 1986 Public Hearings were considered. Mr. Collins moved to approved all Public Hearings Minutes as reviewed. The motion was seconded by Mr. Greene. After further discussion, the motion carried unanimously.

Chairman Kroger inquired of bills to be paid. Staff member Dee Ann Brewer read the bills to be paid: Staff Salaries & Benefits for the previous two week period, \$7,845.70; Dixie Vending Company, \$28.50; Jerry Rouse, Clerk's Office, \$51.50; Boone County Fiscal Court (postage), \$156.12; HQ Office & Services (wordprocessing), \$263.50; Kelly Services, Inc., \$93.80; The Southwell Company, \$24.50; Ohio Blue Print, \$44.01; Cincinnati Enquirer, \$132.30; Boone County Recorder, \$752.26; Morris & Bressler, \$400.00; B. C. Printing, \$94.75; Village Square Office Products, \$198.71; Fred Felix, \$128.80; and the Picture Place, \$39.48 for a total of \$2,408.33 and an overall total of \$10,254.03. Mr. Jones moved that all bills be paid as presented. The motion was seconded by Mr. Davis. After further discussion, the motion carried unanimously.

Reports

Chairman Kroger noted the Zoning Enforcement Officer's Report before the Commission for their review. Hearing no questions or comments on the report, Chairman Kroger proceeded to the items on the agenda.

Preliminary Development Plan and Improvement Plan

Director Gerald Newton presented the Staff Report.
(See Staff Report)

Mr. Newton read the Committee Report which recommended

Zoning Map Amendment

A request of Zollars, Inc. (agent) for Carlton and Jeannine Anderson, Patsy and Robert T. Grant, Edward and Milrose Michels, and Michael and Linda Conner (owners) for a Zoning Map Amendment for a 1.71 acre site located south of KY 20 and approximately 600 feet east of KY 212, Boone County, Kentucky. The request is to rezone the property from Suburban Residential One, SR-1 to Commercial Services, C-3. The intended use is a parking lot.

Staff member Jim Sturdevant presented the Staff Report. (See Staff Report)

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

Findings of Fact

1. The proposed land use of commercial activity is in conformance with the 1980 Boone County Comprehensive Plan Future Land Use Map.
2. The proximity of the site to the proposed new north/south runway at the Greater Cincinnati International Airport, and the expected impacts of airport noise associated with such a location, (1990 projected 70 LDN) make the site a logical location for development of land uses that would not be adversely impacted by airport related activities.

Conditions

1. That a minimum five foot wide planting and buffer strip be planted and maintained around the perimeter of the site. This screening area initially shall have, at a minimum, five to six foot tall white pine or similar evergreen trees planted not more than 10 feet on center.
2. That the applicant agree to provide detailed engineering drawings for lighting of the site when Site Plan Review is applied for. The purpose of those plans shall be to assure that lighting of the site will not produce glare or spill-over of light outside of the applicant's property. These plans shall be in addition to the normal requirements for Site Plan Review.

Chairman Kroger inquired if the applicant understood and agreed to the conditions within the Committee Report. Mr. Tom Zollars, applicant stated yes.

Mr. Jim Barth, resident across the road from the proposed site, stated he was concerned about the buffer zone around the proposed property and inquired why the Commission felt the property was not wide enough for a 30 foot buffer rather than a 5 foot buffer zone. Mr. Barth noted another concern was the lighting spilling over into his house. Chairman

Kroger explained that the Zone Change request Committee in their review of the proposed request had determined that a 5 foot buffer zone would be sufficient for the area involved. Chairman Kroger again pointed out that the Zone Change Request Committee had made their recommendation regarding the buffer zone and noted Mr. Barth and Mr. Zollars could perhaps work something out regarding the placement of extra trees down by Mr. Barth's residence.

Mr. Zollars pointed out that at the particular location quite a few trees would be left. Mr. Barth stated those noted trees were on the State and County's property and Mr. Zollars had no choice but to leave them. Mr. Barth requested that additional trees be planted and he stated the trees needed to be 30 feet high for an adequate buffer zone.

Mr. Davis stated the width of the road had been taken into consideration when determining the height of the buffer zone along with the trees that would remain in the particular area. Mr. Davis noted the Committee had decided that an extra five foot above what was currently at the location would be sufficient.

Ms. Kim Bierly stated the proposed parking lot would decrease her property value and didn't feel approval of the request would be fair.

After further discussion, Mr. Burch recommended approval by Resolution to the Boone County Fiscal Court for the request of Zollars, Inc. (agent) for a Zoning Map Amendment for a 1.71 acre site located south of KY 20 and approximately 600 feet east of KY 212, Boone County, Kentucky based upon the Staff and Committee reports with the noted conditions therein. The motion was seconded by Mr. Davis.

Mr. Neltner referred to condition #1 within the Committee Report and inquired if the Zone Change Request Committee intended that the trees be not more than 10 feet apart. Chairman Kroger referred to each member of the Zone Change Request Committee if they meant "no more than 10 feet apart". Messrs: Jones, Davis, Burch and Barnett all responded yes they meant "no more than 10 feet apart".

Mr. Zollars noted he understood the condition to mean no more than 10 feet apart also.

After further discussion, the motion carried unanimously.

Special Use Permit Review

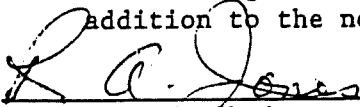
A request of Northern Kentucky Aggregates for review of a special use permit for surface mining of sand and gravel. The 38.326 acre site is located on the west side of KY 20, about

Findings of Fact

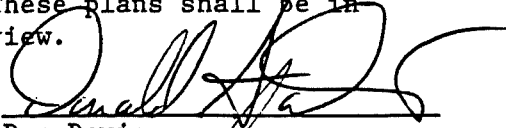
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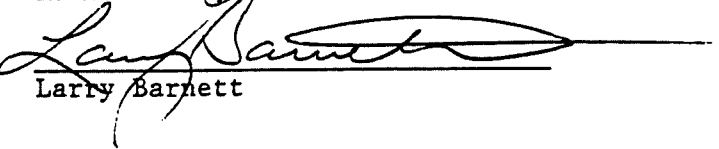
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R. A. Jones, Chairman



Don Davis

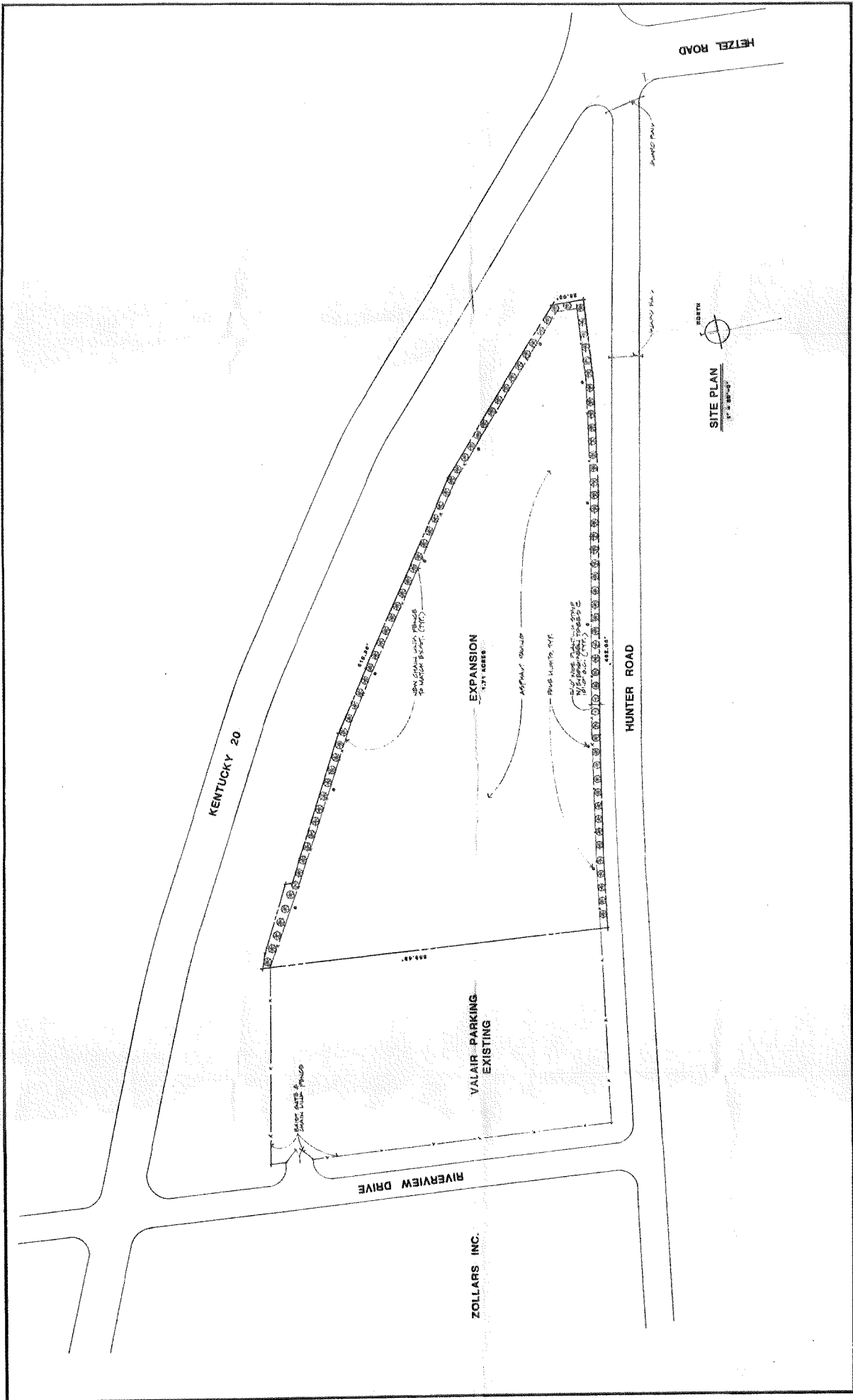


Larry Barnett



Fred Burch

Melvin Delong



PROPOSED EXPANSION OF
VALAIR PARKING

william c. hub, p.s.c.
architects
542 greenup st
covington, ky

REVISIONS: 1/2/18
date: 1/2/18



AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT ADOPTING A MAP AMENDMENT TO THE BOONE COUNTY, KENTUCKY, ZONING MAP, SUCH MAP AMENDMENT BEING A ZONE CHANGE FROM SUBURBAN RESIDENTIAL ONE TO COMMERCIAL SERVICES THREE FOR PROPERTY LOCATED SOUTH OF KY (-20) AND APPROXIMATELY 600 FEET EAST OF KY (212) [1.71 ACRE] AS REQUESTED BY ZOLLARS, INC. (AGENT) FOR CARLTON AND JEANNINE ANDERSON, PATSY AND ROBERT T. GRANT, EDWARD AND MILROSE MICHELS AND MICHAEL AND LINDA CONNER (OWNERS) AND AS RECOMMENDED FOR APPROVAL BY THE BOONE COUNTY PLANNING & ZONING COMMISSIONER VIA RESOLUTION NO. (R-31-86).

WHEREAS, the Boone County Fiscal Court received a request from the Boone County Planning & Zoning Commission for a Map Amendment for a zone change from SR-1 to C-3 for certain real estate which is more particularly described below, and;

WHEREAS, the Boone County Fiscal Court has recognized the conducted Public Hearing by the Boone County Planning Commission, serving as a due process trial-type hearing, and its findings of fact recommending approval of the zone change request, and;

WHEREAS, the Fiscal Court of Boone County, Kentucky, deems it necessary to enact this Ordinance, to preserve and protect the health, safety and convenience of the inhabitants of Boone County pursuant to the Fiscal Court's authority under KRS 67.083 and Chapter 100 of the Kentucky Revised Statutes.

NOW THEREFOR, BE IT ORDAINED BY THE BOONE COUNTY FISCAL COURT AS FOLLOWS:

SECTION I

That the zone change for the real estate which is more particularly described below shall be and is hereby approved and adopted, this map amendment being a zone change from SR-1 to C-3. The real estate which is the subject of this zone change recommendation is more particularly described as follows, to wit:

See attached legal description which is incorporated by reference as if fully set out herein.
(ATTACHMENT - EXHIBIT "A")

SECTION II

That as a basis for the recommendation of approval and adoption of the zone change request the findings of fact of the Boone County Planning & Zoning Commission, as set forth in its Minutes and official records for this zone change request, shall be and are hereby incorporated by reference as if fully set out in this Ordinance.
(ATTACHMENT - EXHIBIT "B")

THAT, this Ordinance shall take effect and be in full force when passed, published and recorded according to law.

Introduced, seconded and given first reading on the 7th day of Oct., 1986.

Adopted by the Fiscal Court of Boone County after second reading at a regular meeting on the 21st day of Oct., 1986, and on the same occasion signed in open session by the County Judge/Executive as evidence of his approval, attested under seal by the Boone County Fiscal Court Clerk and declared to be in full force and effect.

Bruce Ferguson
Boone County Judge/Executive

ATTEST:

Jerry W. Rouse
Boone County Clerk

Submitted by:

Larry Crigler
County Attorney

(DATE PUBLISHED)