

July 8, 2025

City of Alexandria Planning and Zoning Commission

Staff Comments, Findings, and Recommendations

Issue to be heard: Tuesday July 15, 2025 at 7:00 PM (EST)
8236 W. Main St.
Alexandria, KY 41001

The Alexandria Planning and Zoning Commission will hold a Public Hearing for the following cases:

File Number: PZ-25-023

Applicant: Kimley-Horn & Associates, Inc on behalf of Walmart Stores, Inc.

Address: 6711 Alexandria Pike, Alexandria KY

Request: Site Development Plan for Fuel Station at an existing Walmart location

File Number: PZ-24-049 (continued)

Applicant: City of Alexandria Planning Commission

Request: Zoning text amendments related to vape stores, tobacco stores and liquor stores

File Number: PZ-25-021

Applicant: City of Alexandria Planning Commission

Request: Zoning text amendments related setback requirements for accessory structures

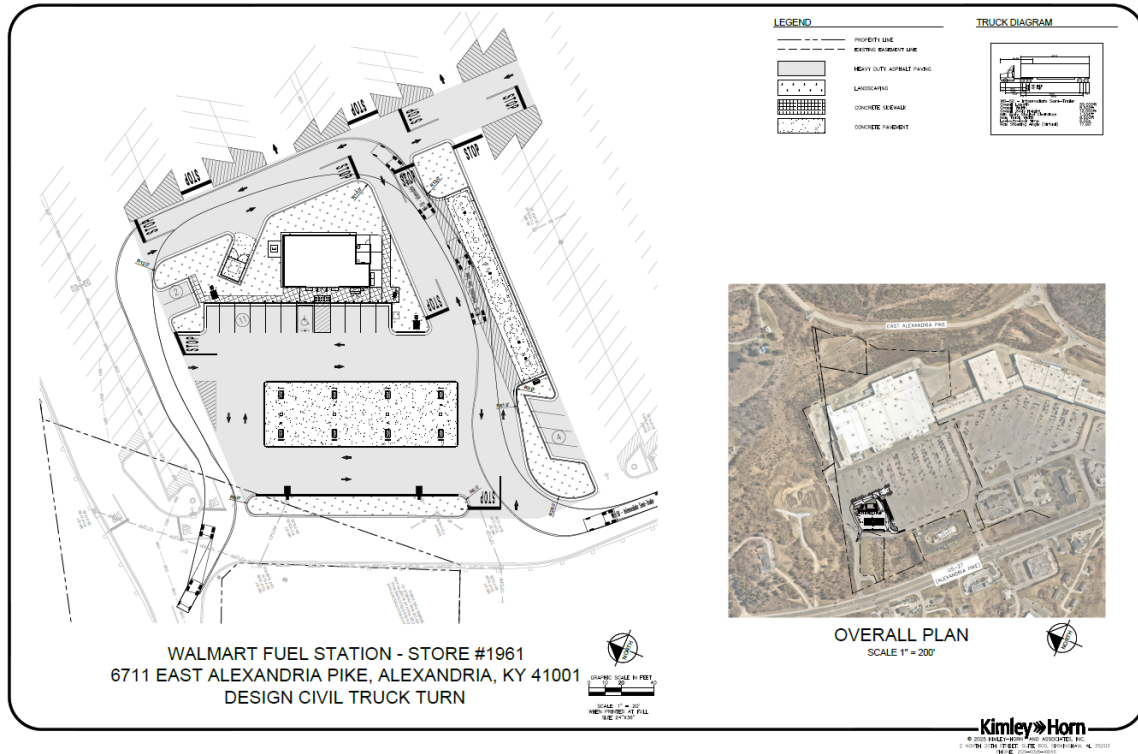
Information concerning this case was available for review at the Campbell County Planning Office, 1098 Monmouth Street, Suite 343, Newport, KY. Monday-Friday during normal business hours.

File Number: PZ-25-023

Applicant: Kimley-Horn & Associates, Inc on behalf of Walmart Stores, Inc.

Address: 6711 Alexandria Pike, Alexandria KY

Request: Site Development Plan for Fuel Station at an existing Walmart location



Overview:

The applicant intends to construct a gas station at the Walmart location in Alexandria.



KYTC and the City's Engineer (Verdantas) has been furnished with the plans for review. Comments are pending.

A copy was also forwarded to the Fire Department for review. Assistant Fire Chief Adam Bradbury reviewed the plans and had these questions for the developer:

"Can you install a fire hydrant on the Wal-Mart side of the site? The only hydrant near the fueling station is at the North McDonalds entrance. The slope to my knowledge is down towards US 27. If there is in fact a fuel spill or some type of fire, the runoff including potential fuel would be running towards the hydrant which would be a hazard to us.

A question is on the US 27 entrance part. The plan has arrows and shows direction of travel. I see if you are exiting that you can turn right and travel north or there is a turn left and travel south. I also see a turn lane coming northbound 27 to turn into the fueling center. The question is, can you travel southbound on 27 and still enter the fueling station (I did not see any arrows) from this entrance or will you need to go to the traffic light to gain entry? I only ask due to our neighboring station that assists us in this area uses that entrance currently to access Wal-Mart and McDonalds."

These questions were forwarded to the developer but as of this writing we have not received a response.

Regulatory Considerations:

Alexandria Zoning Ordinance - ARTICLE 2 DEFINITIONS

SITE PLAN: *A plan prepared to scale showing accurately and with complete dimensions, the location of all proposed uses and all site development features for a specific site. A site plan addresses physical design, location of structures, access management, interior vehicular and pedestrian access, stormwater management, landscaping, signage, provision of all required improvements, and the interrelationship of the various site plan components. A site plan is typically reviewed and approved prior to the issuance of a permit for construction.*

Alexandria Zoning Ordinance - ARTICLE 3 GENERAL REGULATIONS

Section 3.20 DEVELOPMENT PLAN REQUIREMENTS - *All applications for zoning map amendments shall require the submission of a development plan. In accordance with the applicable provisions of KRS 100, the development plan shall be followed. The planning commission, at its discretion, may waive the requirement for the submission of a development plan, if the commission finds that the proposed development poses a minimal impact to the subject property and adjacent properties.*

<i>This site does not include a zone map amendment.</i>

Section 3.21 SITE PLAN REQUIREMENTS - *No building shall be erected or structurally altered nor shall any grading take place on any lot or parcel in zones where a site plan is required, except in accordance with the regulations of this Section and an approved site plan as hereinafter required. Before a permit is issued for construction, one (1) copy of the site plan of the area at a scale no smaller than one (1) inch to one hundred (100) feet shall be filed with the Building Inspector, and two (2) copies with the Zoning Administrator. The site plan shall identify and locate, where applicable, the following:*

- A. Total area in development project including legal description.
- B. Present zoning of property in question and adjacent properties.
- C. All public and private rights-of-way and easement lines.
- D. The existing and proposed finished topography.
- E. All housing units.
- F. Location, height, arrangement and identification of all non-residential buildings and uses.
- G. All common open space areas, including recreational facilities.
- H. Landscaping features.
- I. Location of signs indicating their orientation, size and height.
- J. All utility lines and easements: Water, Sanitary Sewer, Storm Sewer, Other

- K. Location of all off-street parking, loading and/or unloading, and driveway areas
- L. Circulation System
- M. Provisions for control of erosion, hillside slippage and sedimentation
- N. Lighting plan
- O. Dumpster and/or refuse storage locations
- P. Name, address, and telephone number of owner/developer/engineer/architect.
- Q. The date of preparation of such plan
- R. A schedule of development
- S. Exterior elevations of all proposed buildings

Site Overview:

The site is located within the Walmart parking lot.

The Existing Land Use Map within the Alexandria 2030 Comprehensive Plan shows the area as "Commercial/Office". The Future Land Use Map indicates a projected future use of the site as "General Commercial".

The City of Alexandria Zoning Ordinance, Section 4.17 (NSC) NEIGHBORHOOD SHOPPING CENTER ZONE identifies relevant permitted uses including (excerpted):

- 19. Convenience Stores
- 29. Gas/Service Stations

The AREA AND HEIGHT REGULATIONS for the NSC Zone includes:

- 1. Minimum Building Site Area – Five (5) acres and shall abut a deeded right-of-way. In case of this zone (NSC) more than one principal building, as defined herein, may be permitted to be constructed within the minimum building site area.
- 2. Minimum Lot Area – Ten thousand (10,000) square feet.
- 3. Minimum Yard Requirements at Perimeter of Center – Fifty (50) feet for each front, side (on each side of the building) and rear yards except where the lot abuts a major arterial, as identified in the adopted Alexandria Comprehensive Plan then there shall be a minimum yard requirement of one hundred (100) feet.
- 4. Gasoline/service station pumps and canopies shall be set back 25 feet from each front, side and rear property line.
- 5. Maximum Building Height – Forty (40) feet or three (3) stories;
- 6. Internal Lot Lines – The side yard shall be a minimum of thirty feet (30) or zero (0) if firewall construction is involved.

Relevant OTHER DEVELOPMENT CONTROLS with the NSC Zone include:

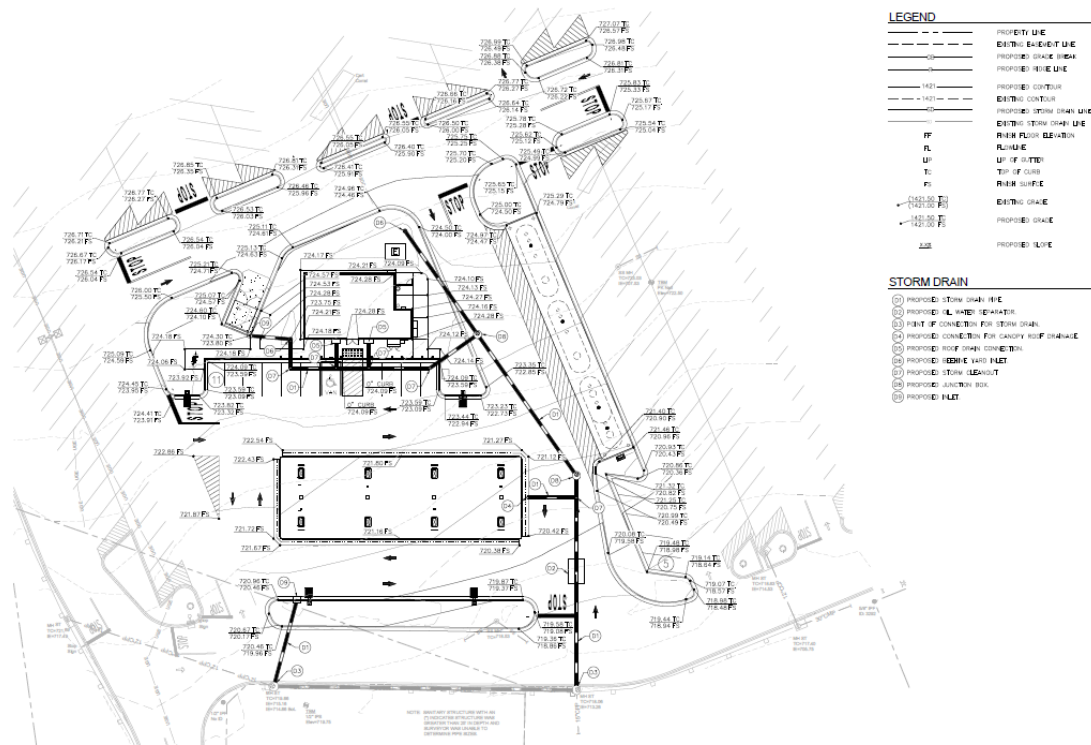
1. Off-street parking and loading and/or unloading shall be provided in accordance with ARTICLES 5 and 6 of this ordinance.
2. No outdoor storage of any objectionable material (Useable or waste) shall be permitted in this zone, except within enclosed containers, and all dumpsters, etc. shall be screened from adjacent property.
3. No lighting shall be permitted which would glare from this zone onto any street, road, highway, deeded right-of-way or into any adjacent property.
4. Where any yard of any use permitted in this zone abuts property in a single-family zone, a ten (10) foot wide screening area as regulated by SECTION 3.18 of this ordinance shall be required.
5. No motor vehicle which is abandoned, nonfunctional, in a state of disrepair, or lacking in a valid license, shall be stored in excess of seventy-two (72) hours unless it is in a completely enclosed building. Vehicles with three (3) or more axles, commercial or industrial trailers used for storage, heavy equipment and/or industrial equipment which is motorized, abandoned, nonfunctional, or in a state of disrepair shall not be permitted outside of a completely enclosed building on any lot or parcel of land. Any agricultural implement which is abandoned, nonfunctional, or in a state of disrepair shall not be permitted outside of a completely enclosed building on any lot or parcel of land. (See SECTION 3.24 of this ordinance for regulations pertaining to parking or storing of semi-tractors, tractors, panel trucks, buses, motor homes, campers vehicles with three (3) or more axles, trailers, mobile homes, campers, inoperable vehicles, and other similar types of equipment.)
6. A site plan, as required by SECTION 3.21 of this ordinance, shall be required of any use permitted in this zone.
7. No use producing objectionable odors, noise, or dust shall be permitted within five hundred (500) feet from the boundary of any residential zone.
8. All business activities permitted within this zone shall be conducted within a completely enclosed building with the exception of the following:
 - a. Off-street parking and loading and/or unloading areas,
 - b. Gasoline pumps
 - c. New and used car sales
 - d. Car washes
 - e. Sidewalk sales and displays as regulated by Section 3.29 of this Official Zoning Ordinance.
 - f. Vending machines, which shall be prohibited from blocking access to doorways, ramps, and driveways; and minimum ADA and Fire Department requirements for access, ingress, egress, and walkways shall be maintained at all times, and

Car washes are not permitted in the NSC zone. This proposal does not include a car wash.



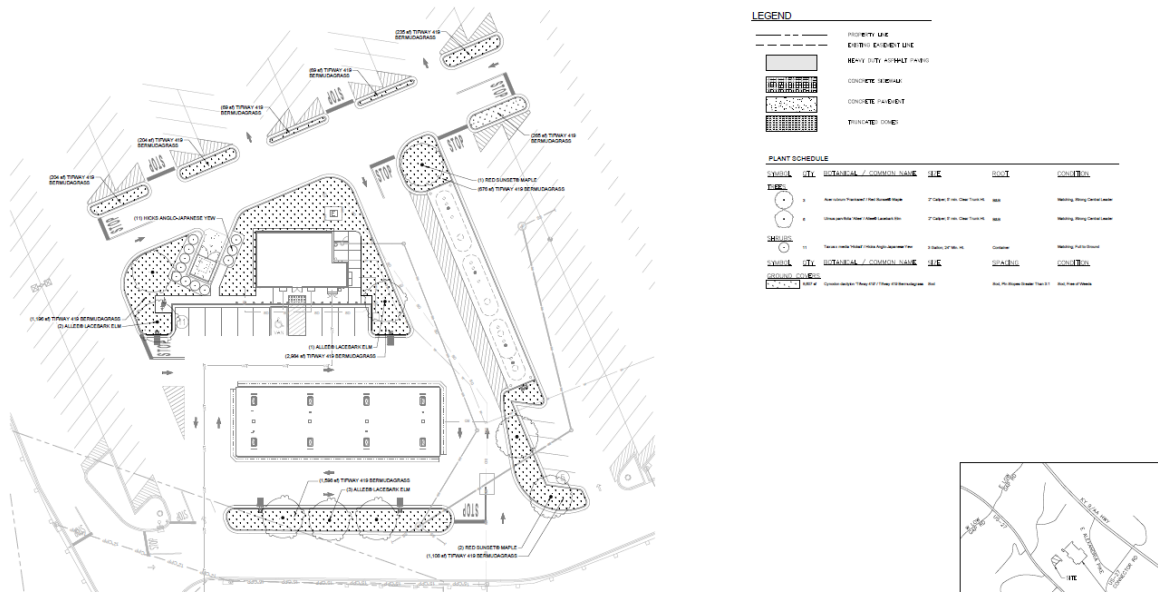
The site development plan was reviewed for consistency with Section 3.21 of the Zoning Ordinance. Plans were submitted both in paper and electric form and comply with the minimum scale. A copy of the plans is attached for your reference. Larger sizes are available upon request.

- A. The total area of the Walmart parcel is 28.28 acres. The proposed area of the gas station is indicated as 1.24 acres on the site plan;
- B. The site plan indicates the present zoning of the property and adjacent properties is Neighborhood Shopping Center (NSC);
- C. All public and private rights-of-way and easement lines are shown;
- D. The existing and proposed finished topography is shown on the grading plan:



WALMART FUEL STATION - STORE #1961
6711 EAST ALEXANDRIA PIKE, ALEXANDRIA, KY 41001
DESIGN CIVIL GRADING PLAN

- E. No residential housing units are proposed;
- F. Location, height, arrangement and identification of all non-residential buildings and uses is indicated;
- G. No common open space areas or recreational facilities are proposed;
- H. Landscaping features are indicated on the landscaping plan:



- I. No signs are proposed in this plan set;
- J. A utility plan is included;
- K. Location of all off-street parking, loading and/or unloading, and driveway areas is shown;
- L. Circulation System, including a truck turn plan is shown;
- M. No new streets are proposed.
- N. Parking area layout is indicated on the plans. The required parking was determined based upon the use of the structures.

The existing Walmart store is 211,091 square feet requiring 845 parking spaces for the gross leasable space. The internal warehouse space for the automotive station reduces this requirement to 809 parking spaces.

The fuel station would require 10 spaces based on the ordinance. Bringing the total need up to 819 spaces.

Currently there are 941 spaces in total at the locations. The construction of the fuel center would rebalance the number of specs to 791 spaces. This is approximately 94% of the required parking for an independent grocery store and fuel center.

ARTICLE 5, SECTION 5.0, 2, has provisions for shared parking when any land or building is under the same ownership.

Similarly, ARTICLE 5, SECTION 5.0, 1 addresses collective parking provisions provided that "Allowance by the planning commission for such collective parking facilities, on lots other than the lot upon which the building or use being served is located, should be situated so as to ensure that such locations will not result in added traffic problems, or traffic or pedestrian safety problems.

The Planning Commission is authorized after consideration to issue a permit for not less than the required parking for the highest use on the premises and any additional parking per use the Planning Commission determines is necessary based upon the evidence.

- O. Provisions for control of erosion and sedimentation are not indicated in this plan set;
- P. A lighting plan is included;
- Q. Dumpster location is indicated on the plan;
- R. Name, address, and telephone number of owner/developer/engineer/architect is shown on the plans;
- S. The date of preparation is not indicated on the civil plan set, however the lighting plan is dated 5/16/2025
- T. A schedule of development is not indicated.
- U. Exterior elevations of all proposed buildings are not included.

The applicants engineer is coordinating with the Kentucky Transportation Cabinet and the applicable utility agencies.

KYTC was provided with the plans and responded the following:

"After reviewing the proposed concept for the fuel station entrance, KYTC will require this entrance to remain restricted. Therefore, the access permitted for this location will be restricted to right-in and right-out only. With the increase in trips to this location, we will require the existing geometry to be modified to include an island to channelize the right-in and right-out movement. Additionally, the turn lane shown on the concept is insufficient based on our Highway Design Manual. Please revise to include a 115' storage length and a 100' taper. "

Linzy Brefeld, P.E.
Transportation Engineer Supervisor
KYTC District 6

Summary of Applicant's Request:

The applicant has submitted a request for approval of a preliminary site plan with a consideration regarding the number of parking spaces.

Staff Recommendation:

To approve the proposed site development plans subject to final engineering reviews from the city engineer, utility agencies and KYTC. The Planning Commission also concurs that due to the shared and collective parking on the site that the minor reduction in parking is sufficient.

Supporting Information / Basis for Recommendation:

1. The plan has been reviewed and found to be in general compliance with Article 3, Section 3.21 Site Plan Requirements.
2. The proposed site development plan is consistent with the Zoning Ordinance Article 4, Section 4.17 (NSC) Neighborhood Commercial Zone.
3. Proper legal notice has been given for a site development plan.

NOTE: No sign review or approval has been granted. This will be completed as part of the building permit review.

File Number: PZ-24-049 (continued)
Applicant: City of Alexandria Planning Commission
Request: Zoning text amendments related to vape stores, tobacco stores and liquor stores

The text changes approved by the Planning Commission and subsequently adopted by City Council included language that inadvertently included traditional tobacco products and not just vape products. This effectively prohibited them in several places, which was not the goal of the new zoning language. The intention of the zone text changes was to limit the sale of “vape products” specifically, and not all tobacco products. This discrepancy was realized in the preparation of similar text amendments for the City of Bellevue, which took up the issue shortly after Alexandria.

KRS Statutes include specific definitions related to vape products. In the interest of consistency and clarity, staff finds that the ordinance is better served, where appropriate, by referencing the State statutes for definitions rather than locally-defined terminology.

Staff is not recommending any changes to the liquor store-related zoning language.

See Appendix A for proposed text amendments

File Number PZ-24-049: The City is requesting approval of zoning text amendments to the following sections of the Alexandria Zoning Ordinance:

- Article 2, Section 2.0 - Definitions
- Article 4, Section 4.17– (NSC) Neighborhood Shopping Center Zone
- Article 4, Section 4.18 – (HC) Highway Commercial Zone

Recommendation:

To approve the text amendments of Articles 3 and 4 of the Official Zoning Ordinance, and forward the recommendation to City Council for adoption.

Bases for Staff Recommendation:

1. Per Kentucky Revised Statutes KRS 100.207 and KRS 100.211, the Planning Commission has the authority to recommend the adoption of text changes to the City.
2. Proper notice of the public hearing has been given in accordance with KRS 424 and Article XVII Amendment Procedure.

A P P E N D I X A

Staff recommends the following amendments: *Set* in black, *delete* in ~~redline-strikeout~~, and *add* in blue underline.

DRIVE-IN: A facility which, by its design (e.g., window, counter, microphone/speaker, etc.), allows people to receive goods and/or services while remaining in or on their vehicle, for consumption/use on the premises.

DRIVE-THRU: A facility which, by its design (e.g., window, counter, microphone/speaker, etc.), allows people to receive goods and/or services while remaining in or on their vehicle, for consumption/use elsewhere than on the premises.

~~**ELECTRONIC SMOKING DEVICE:** Any device that can be used to deliver aerosolized or vaporized nicotine to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen or e-hookah. "Electronic smoking device" includes any component, part, or accessory of such a device, whether or not sold separately, and includes any substance intended to be aerosolized or vaporized during the use of the device. "Electronic smoking device" does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.~~

ELECTRONIC SMOKING RETAIL STORE: A business operation with at least 85% of sales dedicated to the sale of electronic smoking devices, accessories, and/or products.

PACKAGE LIQUOR SALES: Any establishment primarily engaged in the sale of alcoholic beverages for off-site consumption.

~~**TOBACCO PRODUCT PARAPHERNALIA:** Any product that is used to assist in chewing, smoking, absorbing, dissolving, inhaling, or any other consumption of tobacco to include, but not limited to pipes and rolling papers.~~

~~**TOBACCO RETAILER:** Any individual, firm, partnership, joint venture, association, joint stock company, corporation, unincorporated business entity, or any other group or combination acting as a unit that owns or operates any manufacturer, producer, distributor, supplier, vending machine, wholesaler or retailer of tobacco products. Tobacco retailer shall not mean the employees of an owner or operator of any manufacturer, producer, distributor, supplier, vending machine company, wholesaler or retailer of tobacco products.~~

~~**TOBACCO PRODUCT:** Any product that is made from or derived from tobacco, and is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus. The term also includes electronic smoking devices and tobacco product paraphernalia, whether or not they contain nicotine. "Tobacco product"~~

~~does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.~~

VAPOR PRODUCT: As defined in KRS 438.305 (16)

VAPE SHOP: ~~See~~ Shall have the same meaning as Electronic Smoking Retail Store.

ARTICLE 4. ESTABLISHMENT OF ZONES & ZONE REGULATIONS

SECTION 4.17 (NSC) NEIGHBORHOOD SHOPPING CENTER ZONE:

...

B. PERMITTED USES

...

43. Package Liquor and alcoholic beverage store with the following conditions:
 - a. Shall not be located within five hundred (500) feet of any school or day care center
 - b. Shall not be located within five hundred (500) feet from a public park or playground.
 - c. Shall not be located within five hundred (500) feet from a religious assembly facility.
 - d. Shall not be located within five hundred (500) feet from a sexually oriented business
 - e. Business shall not be transacted via drive-up window, or drive-through.

C. ACCESSORY USES

...

7. Package Liquor and alcoholic beverage store when abutting, incidental to, operated as a part of a grocery store containing at least 40,000 gross square feet.

SECTION 4.18 (HC) HIGHWAY COMMERCIAL ZONE

B. PERMITTED USES

...

44. Package Liquor and alcoholic beverage store with the following conditions:
 - a. Shall not be located within five hundred (500) feet of any school or day care center
 - b. Shall not be located within five hundred (500) feet from a public park or playground.
 - c. Shall not be located within five hundred (500) feet from a religious assembly facility.

- d. Shall not be located within five hundred (500) feet from a sexually oriented business
- e. Business shall not be transacted via drive-up window, or drive-through.

59. ~~Tobacco Retailer or~~ Electronic Smoking Retail Store with the following conditions

- a. Shall not be located within thousand (1000) feet of any school or day care center
- b. Shall not be located within six hundred (600) feet of another ~~Tobacco Retailer~~ Electronic Smoking Retail Store.
- ~~c. Shall not allow any minors in the building~~
- d. Shall not sell alcoholic beverages
- e. Shall not be licensed as a Food Service Establishment
- f. Shall not have an entrance that opens to a common area with other retail establishments
- g. Business shall not be transacted via drive-up window, or drive-through.

C. ACCESSORY USES

...

- 7. Package Liquor and alcoholic beverage store when abutting, incidental to, operated as a part of a grocery store containing at least 40,000 gross square feet.

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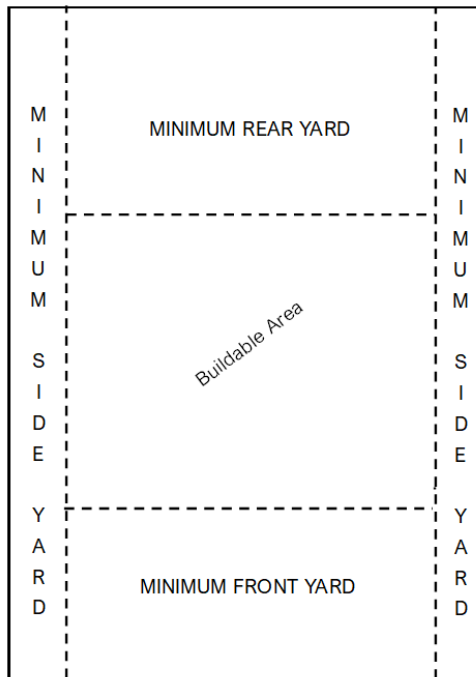
File Number: PZ-25-021

Applicant: City of Alexandria Planning Commission

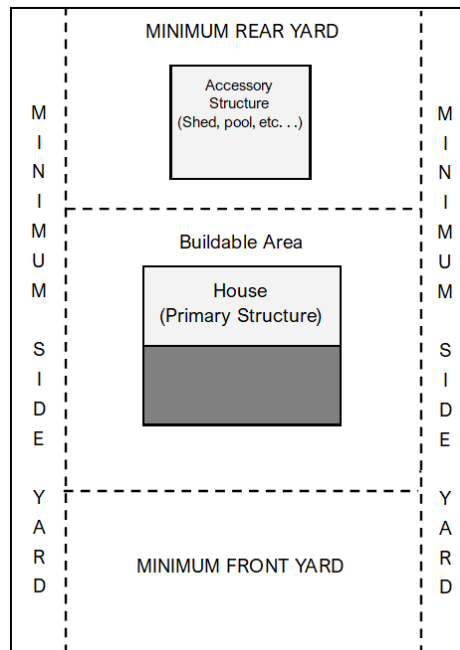
Request: Zoning text amendments related setback requirements for accessory structures

The zoning ordinance currently does not have provisions to allow accessory structures within minimum required rear yards (setbacks). As it is currently written, any *accessory* structure, excluding fences, must maintain the rear yard depth for a *principal* structure. It is common practice in most municipalities to allow for accessory structures to locate within the minimum rear yard, closer to the rear property line than the primary structure. The specified distance is typically the same as the side yard depth. In some municipalities, the rear yard setback distance is limited to no less than ten (10) feet. If you look around Alexandria, you'll notice many accessory structures are in violation of the zoning ordinance *as it is written*. Staff believes this to be an accidental omission and suggests amending the ordinance with language to allow shallower rear setbacks for accessory structures.

Each zone has specific minimum required yards (setbacks). They are differentiated by front, side and rear. Setback distances refer to the minimum depth of yards. Some obstructions like AC units, bay windows, etc. . are permitted to encroach to some degree into the setback but "accessory structures", as defined in the ordinance, must maintain those setback distances.



According to the zoning ordinance all structures, with the exception of fences, must be placed within the buildable area as shown on the diagram. Typically, zoning ordinances allow for “accessory structures” to locate a certain distance into the minimum rear yard.



The most common language in Northern Kentucky to permit this is found in the “General Regulations” of the Zoning Ordinance. In Alexandria, that is Article 3.

See Appendix B for proposed text amendments

File Number PZ-25-021: The City is requesting approval of zoning text amendments to the following section of the Alexandria Zoning Ordinance:

- Article 3, Section 3.11 Application of Zoning Regulations

Recommendation:

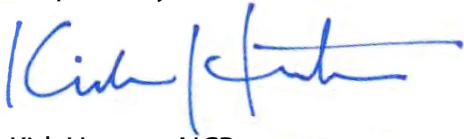
To approve the text amendment of Articles 3 of the Official Zoning Ordinance, and forward the recommendation to City Council for adoption.

Bases for Staff Recommendation:

1. Per Kentucky Revised Statutes KRS 100.207 and KRS 100.211, the Planning Commission has the authority to recommend the adoption of text changes to the City.
2. Proper notice of the public hearing has been given in accordance with KRS 424 and Article XVII Amendment Procedure.

If you have any questions concerning this report, please feel free to contact Campbell County Planning and Zoning at 859-292-3880. Thank you.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Kirk Hunter', with a stylized flourish at the end.

Kirk Hunter, AICP
Principal Planner

A P P E N D I X B

SECTION 3.11 APPLICATION OF ZONING REGULATIONS

Option 1: Rear setback for accessory structures in proportion to the side setback for each respective zone

...

- H. Except as herein provided, or approved by the board of adjustment, accessory structures and uses shall not be permitted within any required minimum front yard or side yard (on each side of the lot) in any zone. Accessory structures and uses may be permitted to extend into the minimum required rear yard areas, as defined herein, in all zones, provided that such structures are set back from the rear lot line a minimum of the distance equal to the distance of the side yard setback of the zone in which the property is situated, and required minimum side yard clearances are maintained. Location of off-street parking, loading, and/or unloading areas, fences, and signs are governed by their respective sections, as herein provided.

~or~

Option 2: Rear setback for accessory structures - ten (10) feet in all zones.

Except as herein provided, or approved by the board of adjustment, accessory structures and uses shall not be permitted within any required minimum front yard or side yard (on each side of the lot) in any zone. Accessory structures and uses may be permitted to extend into the minimum required rear yard areas, as defined herein, in all zones, provided that such structures are set back from the rear lot line a minimum of ten (10) feet, and minimum required side yard clearances are maintained. Location of off-street parking, loading and/or unloading areas, fences, and signs, shall be governed by their respective sections, as herein provided.